

**As Reported by the Senate Judiciary--Civil Justice Committee**

**128th General Assembly**

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**2009-2010**

**Sub. H. B. No. 10**

**Representative Brown**

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

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**A B I L L**

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

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

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

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

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

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

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

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

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

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

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

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

include political subdivisions. 75

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

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

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

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

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

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

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

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

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

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

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

the Revised Code that was alleged to be violated; 170

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

section 2950.01 of the Revised Code. 458

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

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

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

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

employs the officer or employee. 489

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(F) As used in this section: 650

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Account, in addition to advertising charges 897

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

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

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

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

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

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

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

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

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

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

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

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

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

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

established under section 3107.062 of the Revised Code. 1115

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

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

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

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

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

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

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

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

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

- (A) For each hearing to determine if a person is 1197  
a mentally ill individual subject to  
hospitalization when the person is committed  
to a state hospital or to relatives  
..... \$ ~~12.00~~ 1198  
40.00;
- (B) When the person is discharged 1199  
..... ~~7.00~~ 1200  
25.00;
- (C) For order of return of a mentally ill person 1201  
to a state hospital or removal therefrom  
..... ~~2.00~~ 1202

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

cases in that court. 1559

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

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

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

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

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

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

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

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

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

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

<u>(B) The court has jurisdiction over all proceedings under this section.</u>	1588
	1589
<u>(C)(1) Any of the following persons may seek relief under this section by filing a petition with the court:</u>	1590
	1591
<u>(a) Any person on behalf of that person;</u>	1592
<u>(b) Any parent or adult family or household member on behalf of any other family or household member;</u>	1593
	1594
<u>(c) Any person who is determined by the court in its discretion as an appropriate person to seek relief under this section on behalf of any child.</u>	1595
	1596
	1597
<u>(2) The petition shall contain or state all of the following:</u>	1598
<u>(a) An allegation that the respondent engaged in a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, committed a sexually oriented offense, or engaged in a violation of any municipal ordinance that is substantially equivalent to any of those offenses against the person to be protected by the protection order, including a description of the nature and extent of the violation;</u>	1599
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<u>(b) If the petitioner seeks relief in the form of electronic monitoring of the respondent, an allegation that at any time preceding the filing of the petition the respondent engaged in conduct that would cause a reasonable person to believe that the health, welfare, or safety of the person to be protected was at risk, a description of the nature and extent of that conduct, and an allegation that the respondent presents a continuing danger to the person to be protected;</u>	1606
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<u>(c) A request for relief under this section.</u>	1614
<u>(3) The court in its discretion may determine whether or not to give notice that a petition has been filed under division (C)(1) of this section on behalf of a child to any of the</u>	1615
	1616
	1617

following: 1618

(a) A parent of the child if the petition was filed by any person other than a parent of the child; 1619  
1620

(b) Any person who is determined by the court to be an appropriate person to receive notice of the filing of the petition. 1621  
1622  
1623

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

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

(ii) The parties consent to the continuance. 1662

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

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

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

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

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

(b) After a full hearing, if the court considering a petition that includes an allegation of the type described in division (C)(2)(b) of this section or the court, upon its own motion, finds upon clear and convincing evidence that the petitioner reasonably believed that the respondent's conduct at any time preceding the filing of the petition endangered the health, welfare, or safety of the person to be protected and that the respondent presents a continuing danger to the person to be protected and if division (N) of this section does not prohibit the issuance of an order that the respondent be electronically monitored, the court may order that the respondent be electronically monitored for a period of time and under the terms and conditions that the court determines are appropriate. Electronic monitoring shall be in addition to any other relief granted to the petitioner.

(2)(a) Any protection order issued pursuant to this section shall be valid until a date certain but not later than the date the respondent attains nineteen years of age.

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

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

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

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

(c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay

any hearing required by that division beyond the time specified in 1711  
that division in order to consolidate the hearing with a hearing 1712  
on the petition filed by the respondent. 1713

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

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

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

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

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

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

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

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

"NOTICE 1759

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

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

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

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

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

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

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

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

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

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

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

(b) Punishment for contempt of court. 1815

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) The age of the person; 1936

(b) The nature of the case; 1937

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Sec. 2152.02.** As used in this chapter: 2144

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

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

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

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

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

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

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

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

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

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

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

month, or fifteen or more school days in a school year. 2208

(E) "Community corrections facility," "public safety beds," 2209  
"release authority," and "supervised release" have the same 2210  
meanings as in section 5139.01 of the Revised Code. 2211

(F) "Delinquent child" includes any of the following: 2212

(1) Any child, except a juvenile traffic offender, who 2213  
violates any law of this state or the United States, or any 2214  
ordinance of a political subdivision of the state, that would be 2215  
an offense if committed by an adult; 2216

(2) Any child who violates any lawful order of the court made 2217  
under this chapter or under Chapter 2151. of the Revised Code 2218  
other than an order issued under section 2151.87 of the Revised 2219  
Code; 2220

(3) Any child who violates division (C) of section 2907.39, 2221  
division (A) of section 2923.211, or division (C)(1) or (D) of 2222  
section 2925.55 of the Revised Code; 2223

(4) Any child who is a habitual truant and who previously has 2224  
been adjudicated an unruly child for being a habitual truant; 2225

(5) Any child who is a chronic truant. 2226

(G) "Discretionary serious youthful offender" means a person 2227  
who is eligible for a discretionary SYO and who is not transferred 2228  
to adult court under a mandatory or discretionary transfer. 2229

(H) "Discretionary SYO" means a case in which the juvenile 2230  
court, in the juvenile court's discretion, may impose a serious 2231  
youthful offender disposition under section 2152.13 of the Revised 2232  
Code. 2233

(I) "Discretionary transfer" means that the juvenile court 2234  
has discretion to transfer a case for criminal prosecution under 2235  
division (B) of section 2152.12 of the Revised Code. 2236

(J) "Drug abuse offense," "felony drug abuse offense," and 2237

"minor drug possession offense" have the same meanings as in	2238
section 2925.01 of the Revised Code.	2239
(K) "Electronic monitoring" and "electronic monitoring	2240
device" have the same meanings as in section 2929.01 of the	2241
Revised Code.	2242
(L) "Economic loss" means any economic detriment suffered by	2243
a victim of a delinquent act or juvenile traffic offense as a	2244
direct and proximate result of the delinquent act or juvenile	2245
traffic offense and includes any loss of income due to lost time	2246
at work because of any injury caused to the victim and any	2247
property loss, medical cost, or funeral expense incurred as a	2248
result of the delinquent act or juvenile traffic offense.	2249
"Economic loss" does not include non-economic loss or any punitive	2250
or exemplary damages.	2251
(M) "Firearm" has the same meaning as in section 2923.11 of	2252
the Revised Code.	2253
(N) "Juvenile traffic offender" means any child who violates	2254
any traffic law, traffic ordinance, or traffic regulation of this	2255
state, the United States, or any political subdivision of this	2256
state, other than a resolution, ordinance, or regulation of a	2257
political subdivision of this state the violation of which is	2258
required to be handled by a parking violations bureau or a joint	2259
parking violations bureau pursuant to Chapter 4521. of the Revised	2260
Code.	2261
(O) A "legitimate excuse for absence from the public school	2262
the child is supposed to attend" has the same meaning as in	2263
section 2151.011 of the Revised Code.	2264
(P) "Mandatory serious youthful offender" means a person who	2265
is eligible for a mandatory SYO and who is not transferred to	2266
adult court under a mandatory or discretionary transfer.	2267
(Q) "Mandatory SYO" means a case in which the juvenile court	2268

is required to impose a mandatory serious youthful offender 2269  
disposition under section 2152.13 of the Revised Code. 2270

(R) "Mandatory transfer" means that a case is required to be 2271  
transferred for criminal prosecution under division (A) of section 2272  
2152.12 of the Revised Code. 2273

(S) "Mental illness" has the same meaning as in section 2274  
5122.01 of the Revised Code. 2275

(T) "Mentally retarded person" has the same meaning as in 2276  
section 5123.01 of the Revised Code. 2277

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

(V) "Of compulsory school age" has the same meaning as in 2280  
section 3321.01 of the Revised Code. 2281

(W) "Public record" has the same meaning as in section 149.43 2282  
of the Revised Code. 2283

(X) "Serious youthful offender" means a person who is 2284  
eligible for a mandatory SYO or discretionary SYO but who is not 2285  
transferred to adult court under a mandatory or discretionary 2286  
transfer. 2287

(Y) "Sexually oriented offense," "juvenile offender 2288  
registrant," "child-victim oriented offense," "tier I sex 2289  
offender/child-victim offender," "tier II sex 2290  
offender/child-victim offender," "tier III sex 2291  
offender/child-victim offender," and "public registry-qualified 2292  
juvenile offender registrant" have the same meanings as in section 2293  
2950.01 of the Revised Code. 2294

(Z) "Traditional juvenile" means a case that is not 2295  
transferred to adult court under a mandatory or discretionary 2296  
transfer, that is eligible for a disposition under sections 2297  
2152.16, 2152.17, 2152.19, and 2152.20 of the Revised Code, and 2298

that is not eligible for a disposition under section 2152.13 of 2299  
the Revised Code. 2300

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

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

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

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

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

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

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

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

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

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

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

2343

(B) In Hamilton county:

2344

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

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

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

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

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

action pending in the division. 2392

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

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

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

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

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

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

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

(a) One of the following applies: 2449

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

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

(b) All of the following apply: 2462

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

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

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

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

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

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

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

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

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

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

(C)(1) In Lorain county: 2491

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

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

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

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

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

(D) In Lucas county:

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

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

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

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

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

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

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

(E) In Mahoning county: 2591

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

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

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

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

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

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

(F) In Montgomery county:

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

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

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

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

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

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

(G) In Richland county: 2704

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

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

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

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

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

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

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

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

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

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

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

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

(I) In Summit county: 2815

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

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

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

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

contained in Chapter 3115. of the Revised Code. 2870

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

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

(K) In Butler county: 2899

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

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

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

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

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

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

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

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

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

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

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

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

(M) In Lake county: 3006

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

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

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

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

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

(N) In Erie county: 3062

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

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

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

(0) In Greene county: 3095

(1) The judge of the court of common pleas whose term begins 3096  
on January 1, 1961, and successors, shall have the same 3097  
qualifications, exercise the same powers and jurisdiction, and 3098  
receive the same compensation as the other judges of the court of 3099  
common pleas of Greene county and shall be elected and designated 3100  
as the judge of the court of common pleas, division of domestic 3101  
relations. The judge shall be assigned all divorce, dissolution of 3102  
marriage, legal separation, annulment, uniform reciprocal support 3103  
enforcement, and domestic violence cases and all other cases 3104  
related to domestic relations, except cases that for some special 3105  
reason are assigned to some other judge of the court of common 3106  
pleas. 3107

The judge shall be charged with the assignment and division 3108  
of the work of the division and with the employment and 3109  
supervision of all other personnel of the division. The judge also 3110  
shall designate the title, compensation, hours, leaves of absence, 3111  
and vacations of the personnel of the division and shall fix their 3112  
duties. The duties of the personnel of the division, in addition 3113  
to other statutory duties, shall include the handling, servicing, 3114  
and investigation of divorce, dissolution of marriage, legal 3115  
separation, and annulment cases and the provision of counseling 3116  
and conciliation services that the division considers necessary 3117  
and makes available to persons who request the services, whether 3118  
or not the persons are parties in an action pending in the 3119  
division. The compensation for the personnel shall be paid from 3120  
the overall court budget and shall be included in the 3121  
appropriations for the existing judges of the general division of 3122  
the court of common pleas. 3123

(2) The judge of the court of common pleas whose term begins 3124  
on January 1, 1995, and successors, shall have the same 3125  
qualifications, exercise the same powers and jurisdiction, and 3126

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

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

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

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

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

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

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

division. 3191

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

employment and supervision of the personnel of the division. 3448

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Docketing in all dockets; 3698

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

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

(4) Indexing pending suits and living judgments; 3702

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

(6) Certificate for attorney's fee; 3704

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

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

extra county action or proceeding; 3763

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(E)(1) The court of common pleas may determine that, for the 3922  
efficient operation of the court, additional funds are necessary 3923  
to acquire and pay for special projects of the court, including, 3924  
but not limited to, the acquisition of additional facilities or 3925  
the rehabilitation of existing facilities, the acquisition of 3926  
equipment, the hiring and training of staff, community service 3927  
programs, mediation or dispute resolution services, the employment 3928  
of magistrates, the training and education of judges, acting 3929  
judges, and magistrates, and other related services. Upon that 3930  
determination, the court by rule may charge a fee, in addition to 3931  
all other court costs, on the filing of each criminal cause, civil 3932  
action or proceeding, or judgment by confession. 3933

If the court of common pleas offers a special program or 3934  
service in cases of a specific type, the court by rule may assess 3935  
an additional charge in a case of that type, over and above court 3936  
costs, to cover the special program or service. The court shall 3937  
adjust the special assessment periodically, but not retroactively, 3938  
so that the amount assessed in those cases does not exceed the 3939  
actual cost of providing the service or program. 3940

All moneys collected under division (E) of this section shall 3941  
be paid to the county treasurer for deposit into either a general 3942  
special projects fund or a fund established for a specific special 3943  
project. Moneys from a fund of that nature shall be disbursed upon 3944  
an order of the court in an amount no greater than the actual cost 3945  
to the court of a project. If a specific fund is terminated 3946  
because of the discontinuance of a program or service established 3947  
under division (E) of this section, the court may order that 3948  
moneys remaining in the fund be transferred to an account 3949  
established under this division for a similar purpose. 3950

(2) As used in division (E) of this section: 3951

(a) "Criminal cause" means a charge alleging the violation of 3952  
a statute or ordinance, or subsection of a statute or ordinance, 3953

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

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

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

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

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

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

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

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

September 27, 2006. 4016

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

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

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

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

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

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

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

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

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

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

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

determines that the offender is indigent. 4108

(2) All costs paid pursuant to section 2743.70 of the Revised 4109  
Code, the portions of license reinstatement fees mandated by 4110  
division (F)(2)(b) of section 4511.191 of the Revised Code to be 4111  
credited to the fund, the portions of the proceeds of the sale of 4112  
a forfeited vehicle specified in division (C)(2) of section 4113  
4503.234 of the Revised Code, payments collected by the department 4114  
of rehabilitation and correction from prisoners who voluntarily 4115  
participate in an approved work and training program pursuant to 4116  
division (C)(8)(b)(ii) of section 5145.16 of the Revised Code, and 4117  
all moneys collected by the state pursuant to its right of 4118  
subrogation provided in section 2743.72 of the Revised Code shall 4119  
be deposited in the fund. 4120

(B) In making an award of reparations, the attorney general 4121  
shall render the award against the state. The award shall be 4122  
accomplished only through the following procedure, and the 4123  
following procedure may be enforced by writ of mandamus directed 4124  
to the appropriate official: 4125

(1) The attorney general shall provide for payment of the 4126  
claimant or providers in the amount of the award only if the 4127  
amount of the award is fifty dollars or more. 4128

(2) The expense shall be charged against all available 4129  
unencumbered moneys in the fund. 4130

(3) If sufficient unencumbered moneys do not exist in the 4131  
fund, the attorney general shall make application for payment of 4132  
the award out of the emergency purposes account or any other 4133  
appropriation for emergencies or contingencies, and payment out of 4134  
this account or other appropriation shall be authorized if there 4135  
are sufficient moneys greater than the sum total of then pending 4136  
emergency purposes account requests or requests for releases from 4137  
the other appropriations. 4138

(4) If sufficient moneys do not exist in the account or any other appropriation for emergencies or contingencies to pay the award, the attorney general shall request the general assembly to make an appropriation sufficient to pay the award, and no payment shall be made until the appropriation has been made. The attorney general shall make this appropriation request during the current biennium and during each succeeding biennium until a sufficient appropriation is made. If, prior to the time that an appropriation is made by the general assembly pursuant to this division, the fund has sufficient unencumbered funds to pay the award or part of the award, the available funds shall be used to pay the award or part of the award, and the appropriation request shall be amended to request only sufficient funds to pay that part of the award that is unpaid.

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

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

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

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

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

(3) A request for relief under this section.

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

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

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

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

(ii) The parties consent to the continuance. 4237

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"NOTICE 4337

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

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

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

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

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

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

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

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

(a) Criminal prosecution for a violation of section 2919.27

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

(b) Punishment for contempt of court. 4389

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(J) As used in this section: 4568

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

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

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

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

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

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

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

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

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

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

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

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

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

six months. 4664

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) Committing a sexually oriented offense. 4870

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

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

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

with the respondent: 4881

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

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

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

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

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

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

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

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

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

petition shall contain or state: 4911

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

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

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

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

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

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

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

(ii) The parties consent to the continuance. 4956

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

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

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

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

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

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

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

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

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

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

section. 5036

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

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

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

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

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

petitioner waives the right to receive this notice. 5067

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Whether the petitioner fears the respondent; 5156

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"NOTICE 5221

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

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

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

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

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

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

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

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

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

to the act of contempt. 5286

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

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

(b) Punishment for contempt of court. 5294

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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