

RULE 16.01. Creation of Commission on Dispute Resolution.

There is hereby created by the Supreme Court the Commission on Dispute Resolution.

RULE 16.02. Duties and Authority.

(A) Duties

The Commission on Dispute Resolution shall advise the Supreme Court and its staff on all of the following:

- (1) The promotion of statewide rules and uniform standards concerning the use of dispute resolution in Ohio courts;
- (2) The development and delivery of dispute resolution education and professional development activities for judges, magistrates, court personnel, attorneys, and court-affiliated dispute resolution professionals;
- (3) The development and delivery of dispute resolution services for disputes arising among state, county, and local public officials throughout Ohio;
- (4) The consideration of any other issues the commission deems necessary to assist the Supreme Court and its staff regarding the development and delivery of dispute resolution programs and services.

(B) Authority

The commission shall have no independent policy-setting authority.

RULE 16.03. Membership.

(A) Appointments

The Commission on Dispute Resolution shall consist of the following twenty-one members appointed by the Chief Justice and Justices of the Supreme Court:

- (1) Three members who shall be sitting or retired judges;
- (2) One member who shall be a judge of a court of appeals nominated by the Chief Judge of the Court of Appeals;

- (3) One member who shall be a judge of a court of common pleas with general jurisdiction nominated by the President of the Ohio Common Pleas Judges Association;
- (4) One member who shall be a judge of a court of common pleas with probate jurisdiction nominated by the President of the Ohio Association of Probate Judges;
- (5) One member who shall be a judge of a court of common pleas with juvenile jurisdiction nominated by the President of the Ohio Association of Juvenile Court Judges;
- (6) One member who shall be a judge of a court of common pleas with domestic relations jurisdiction nominated by the President of the Ohio Association of Domestic Relations Judges;
- (7) One member who shall be a judge of a municipal or county court nominated by the President of the Association of Municipal and County Court Judges of Ohio;
- (8) Two members, each of whom shall be a full-time magistrate with an Ohio court, nominated by the President of the Ohio Association of Magistrates;
- (9) One member nominated by the Superintendent of Public Instruction;
- (10) Two members nominated by the President of the County Commissioners' Association of Ohio;
- (11) Two members, neither of whom shall be a judge or county commissioner, nominated by the President of the Ohio Council of County Officials;
- (12) Two members nominated by the President of the Ohio Municipal League;
- (13) One member nominated by the President of the Ohio State Bar Association;
- (14) One member nominated by the President of the Ohio Mediation Association;
- (15) One at-large member.

(B) Nominations

The Administrative Director of the Supreme Court shall solicit a minimum of two nominees from each individual responsible for nominating a member of the commission pursuant to divisions (A)(2) through (14) of this rule.

(C) Qualifications

Each commission member shall have an appreciation for the importance of the use of dispute resolution to resolve disputes, which may include education or experience in dispute resolution.

(D) Composition

Commission membership should be broad based and multidisciplinary to represent a cross section of interests related to dispute resolution and reflect the gender, racial, ethnic, and geographic diversity of the state.

RULE 16.04. Terms and Vacancies.

(A) Initial terms

Initial terms for members of the Commission on Dispute Resolution shall be as follows:

(1) One of the members who is a sitting or retired judge, the member who is a judge of a court of common pleas with general jurisdiction nominated by the President of the Ohio Common Pleas Judges Association, the member who is a judge of a court of common pleas with juvenile jurisdiction nominated by the President of the Ohio Association of Juvenile Court Judges, the member who is a judge of a municipal or county court nominated by the President of the Association of Municipal and County Court Judges of Ohio, one of the members nominated by the President of the County Commissioners' Association of Ohio, one of the members nominated by the President of the Ohio Municipal League, and the member nominated by the President of the Ohio Mediation Association shall be appointed to a term that ends on December 31, 2012;

(2) One of the members who is a sitting or retired judge, the member who is a judge of a court of common pleas with probate jurisdiction nominated by the President of the Ohio Association of Probate Judges, the member who is a judge of a court of common pleas with domestic relations jurisdiction nominated by the President of the Ohio Association of Domestic Relations Judges, one of the members who is a full-time magistrate with an Ohio court nominated by the President of the Ohio Association of Magistrates, the member nominated by the Superintendent

of Public Instruction, one of the members nominated by the President of the County Commissioners' Association of Ohio, one of the members nominated by the President of the Ohio Council of County Officials, and the member nominated by the President of the Ohio State Bar Association shall be appointed to a term that ends on December 31, 2013;

(3) One of the members who is a sitting or retired judge, the member who is a judge of a court of appeals nominated by the Chief Judge of the Court of Appeals, one of the members who is a full-time magistrate with an Ohio court nominated by the President of the Ohio Association of Magistrates, one of the members nominated by the president of the Ohio Council of County Officials, one of the members nominated by the President of the Ohio Municipal League, and the at-large member shall be appointed to a term that ends on December 31, 2014.

(B) Subsequent terms and reappointment

Except as provided in division (A) of this rule, the term of a commission member shall be for three years. A commission member shall be eligible for reappointment, but shall not serve more than three consecutive full terms. A commission member shall be eligible for reappointment after serving three consecutive full terms, but only upon at least a one-year break in service. Abbreviated initial terms and appointments to fill a vacancy shall not constitute a full term.

(C) Judge, magistrate, and attorney vacancies

(1) If a commission member who is a judge involuntarily leaves office by reason other than Article IV, Section 6(C) of the Ohio Constitution, the member shall be disqualified and a vacancy shall occur.

(2) If a commission member who is a magistrate ceases to serve as a full-time magistrate with an Ohio court, the member shall be disqualified and a vacancy shall occur.

(3) If a commission member who is an attorney no longer practices in Ohio, the member shall be disqualified and a vacancy shall occur.

(D) Filling of vacancies

Vacancies on the commission shall be filled in the same manner as original appointments. A commission member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold the position for the remainder of that term.

RULE 16.05. Chairperson and Vice-Chairperson.

The members of the Commission on Dispute Resolution shall elect one member as chairperson and one member as vice-chairperson. The chairperson and vice-chairperson shall serve for two years and may be reelected to a second two-year term. A commission member shall not serve as chairperson or vice-chairperson for more than two consecutive full terms, provided elections to fill a vacancy in the position of chairperson or vice-chairperson shall not constitute a full term.

RULE 16.06. Secretary.

The Administrative Director of the Supreme Court shall assign a Supreme Court employee to serve as secretary to the Commission on Dispute Resolution. The commission secretary shall assist the commission as necessary, but shall at all times be considered a Supreme Court employee.

RULE 16.07. Meetings.

(A) Manner

The Commission on Dispute Resolution may meet in person or by telephonic or other electronic means available to the Supreme Court.

(B) Frequency

The commission shall meet as often as required to complete its work, provided the commission shall meet in person a minimum of two times per year. The commission may meet at the call of the chairperson or at the request of a majority of the commission members.

(C) Scheduling

All commission meetings shall be scheduled for a time and place so as to minimize costs to the Supreme Court and to be accessible to commission members, Supreme Court staff, and the public.

(D) Public attendance and notice

All commission meetings shall be open to the public. Public notice of all commission meetings shall be provided on the Supreme Court's website.

(E) Member attendance

For a fully effective commission, a commission member shall make a good faith effort to attend, in person, each commission meeting. A commission member who is unable to attend a meeting due to an unavoidable conflict may request the chairperson allow the member to participate by telephonic or other electronic means available to the Supreme Court. A commission member participating in this manner shall be considered present for meeting attendance purposes. Should a commission member miss three consecutive meetings, the commission or the commission secretary may recommend to the Chief Justice and Justices of the Supreme Court that the member relinquish the member's position on the commission.

(F) Minutes

Minutes shall be kept at every commission meeting and distributed to the commission members for review prior to and approval at the next meeting.

(G) Quorum

There shall be a quorum of the commission present when a majority of commission members is present for the meeting, including those members participating by telephonic or other electronic means.

(H) Actions

At any commission meeting at which a quorum is present, the commission members may take action by affirmative vote of a majority of the members in attendance.

RULE 16.08. Subcommittees.

(A) Creation

The Commission on Dispute Resolution may form such subcommittees it believes necessary to complete the work of the commission. A subcommittee should consist of select commission members and such other persons who the chairperson believes will assist in a full exploration of the issue under the review of the subcommittee.

(B) Size

A subcommittee should remain relatively small in size, not exceeding eight to twelve members, and have a ratio of commission members to non-commission members not exceeding one to three.

(C) Application of rules

Sup. R. 16.06, 16.07(A) through (D), (G), and (H), 16.09, and 16.11 through 16.14 shall also apply to the work of a subcommittee.

RULE 16.09. Code of Ethics.

Members of the Commission on Dispute Resolution shall comply with the Supreme Court's "Code of Ethics for Court Appointees." The commission secretary shall provide each commission member with a copy of the code following the member's appointment to the commission and thereafter at the first meeting each year of the commission.

RULE 16.10. Annual Report.

By January 31st of each year, the chairperson of the Commission on Dispute Resolution shall issue a report to the Chief Justice and Justices of the Supreme Court detailing the activities and accomplishments of the commission during the previous calendar year. The chairperson shall submit the report to the Administrative Director of the Supreme Court for publication on the Supreme Court's website and distribution to the Chief Justice and Justices.

RULE 16.11. Work Product.

The work product of the Commission on Dispute Resolution shall be the property of the Supreme Court.

RULE 16.12. Budget.

The budget of the Commission on Dispute Resolution shall be set by the Supreme Court through its internal budget process and as implemented by the Supreme Court Dispute Resolution Section. The commission shall have no authority to set its own budget.

RULE 16.13. Compensation.

A member of the Commission on Dispute Resolution shall serve without compensation.

RULE 16.14. Reimbursement of Expenses.

A member of the Commission on Dispute Resolution shall be reimbursed for expenses incurred in service to the commission as permitted by the Supreme Court's "Guidelines for Travel by Court Appointees."