AMENDMENTS TO THE

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

**On October 23, 2012 the Supreme Court of Ohio adopted the following amendments** to the Rules of Superintendence for the Courts of Ohio (amendments to Sup.R. 3 and 4 and new rules 3.01, 3.02, and 4.01 through 4.04) effective December 1, 2012.

**RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO**

**RULE 3. Designation or Election of Presiding Judge.**

**(A) Single-judge courts**

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

**(B) Multi-judge courts**

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

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

(a) The judge having the longest total service on the court shall serve as the presiding judge;

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

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

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

**(C) Term**

The term of a presiding judge of a court shall be one year beginning on January 1st. A presiding judge may serve consecutive terms.

**(D) Designation or election date**

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

**(E) Notification of designation or election**

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

**RULE 3.01. Powers and Duties of Presiding Judge.**

In addition to the powers and duties set forth in the Revised Code that do not conflict with the powers and duties of the administrative judge of a court or division of a court set forth in Sup.R. 4.01, a presiding judge of a court shall do all of the following:

(A) Call and conduct an annual meeting, and other meetings as necessary, of the judges of the court for the purpose of discussing and resolving administrative problems common to all divisions of the court;

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

**RULE 3.02. Presiding Judge Service as Administrative Judge.**

A presiding judge of a court may serve as an administrative judge of a court or division of a court pursuant to Sup.R. 4.

**RULE 4. Designation or Election of Administrative Judge.**

**(A) Single-judge courts and divisions**

In a single-judge court of common pleas, a single-judge division of a court of common pleas, or a single-judge municipal or county court, the judge shall serve as the administrative judge of the court or division.

**(B) Multi-judge courts and divisions**

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

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

(a) The judge of the court or division having the longest total service on the court or in the division shall serve as the administrative judge;

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

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

(d) If two or more judges were admitted to the practice of law in Ohio on the same date, the Chief Justice of the Supreme Court, for courts of appeals or multi-judge municipal and county courts, or the presiding judge of the court of common pleas, for multi-judge divisions of courts of common pleas, shall designate one of the judges of the court or division to serve as the administrative judge.

**(C) Term**

The term of an administrative judge of a court or division shall be one year beginning on January 1st. An administrative judge may serve consecutive terms.

**(D) Designation or election date**

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

**(E) Notice of designation or election**

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

**RULE 4.01. Powers and Duties of Administrative Judge.**

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

(A) Be responsible for and exercise control over the administration, docket, and calendar of the court or division;

(B) Be responsible to the Chief Justice of the Supreme Court in the discharge of the administrative judge’s duties, for the observance of the Rules of Superintendence for the Courts of Ohio, and for the termination of all cases in the court or division without undue delay and in accordance with the time guidelines set forth in Sup.R. 39;

(C) Pursuant to Sup.R. 36, assign cases to individual judges of the court or division or to panels of judges of the court in the court of appeals;

(D) In municipal and county courts, assign cases to particular sessions pursuant to Sup.R. 36;

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

(F) Timely file all administrative judge reports required by the Case Management Section of the Supreme Court;

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

(H) Request, as necessary, the assignment of judges to the court or division by the Chief Justice or the presiding judge of the court;

(I) Administer personnel policies established by the court or division;

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

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

**RULE 4.02. Modification or Vacation of Administrative Judge Actions.**

The judges of a court or a division of a court, by majority vote, may modify or vacate the actions of the administrative judge of the court or division.

**RULE 4.03. Administrative Judge Relief From Case or Trial Duties.**

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

**RULE 4.04. Administrative Judge Service as Presiding Judge.**

An administrative judge of a court or a division of the court may serve as a presiding judge pursuant to Sup.R. 3.

**RULE 99. Effective Date.**

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(AAA) The amendments to Sup. R. 3 and 4 and new rules 3.01, 3.02, and 4.01 through 4.04, adopted by the Supreme Court of Ohio on October 23, 2012, shall take effect on December 1, 2012.