

**AMENDMENTS TO THE SUPREME COURT
RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO**

The following amendments to the Rules of Superintendence for the Courts of Ohio (new Sup.R. 5.01) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

December 7, 2015	Published for public comment
March 8, 2016	Final adoption by conference
July 1, 2016	Effective date of amendments

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 5.01. Local Child Restraint Rule.

Each court or division of a court shall adopt a local rule governing the use of physical restraints on children appearing in court proceedings before the court or division. The local rule shall do all of the following:

- (A) Create a presumption that physical restraint shall not be utilized unless the judge or magistrate before whom the child is appearing makes an individualized determination on the record that there is no less restrictive alternative to the use of physical restraint and that the physical restraint of the child is necessary because of either of the following:
 - (1) The child represents a current and significant threat to the safety of the child's self or other persons in the courtroom;
 - (2) There is a significant risk the child will flee the courtroom.
- (B) Require the judge or magistrate to permit any party, as defined in Juv.R. 2(Y), to be heard on the issue of whether the use of physical restraint is necessary for that particular child at that particular proceeding;
- (C) If physical restraint is found necessary by the judge or magistrate, require the restraint be the least restrictive necessary to meet the risk requiring the restraint and in a manner which does not unnecessarily restrict the movement of the child's hands.

RULE 99. Effective Date.

[Existing language unaffected by the amendments is omitted to conserve space]

(UUU) New Sup.R. 5.01, adopted by the Supreme Court of Ohio on March 8, 2016, shall take effect on July 1, 2016.