

**PROPOSED AMENDMENTS TO THE RULES OF SUPERINTENDENCE
FOR THE COURTS OF OHIO**

Comments Requested: The Supreme Court of Ohio will accept public comments until October 26, 2016, on the following proposed amendments to the Rules of Superintendence for the Courts of Ohio.

Comments on the proposed amendments should be submitted in writing to: John VanNorman, Senior Policy and Research Counsel, Supreme Court of Ohio, 65 South Front Street, 7th Floor, Columbus, Ohio 43215-3431, or john.vannorman@sc.ohio.gov not later than October 26, 2016. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendment:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

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

2
3 **RULE 4.01. Powers and Duties of Administrative Judge.**

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

6
7 (A) Be responsible for and exercise control over the administration, docket, and
8 calendar of the court or division;

9
10 (B) Be responsible to the Chief Justice of the Supreme Court in the discharge of the
11 administrative judge’s duties, for the observance of the Rules of Superintendence for the
12 Courts of Ohio, and for the termination of all cases in the court or division without undue
13 delay and in accordance with the time guidelines set forth in Sup.R. 39;

14
15 (C) Pursuant to Sup.R. 36, assign cases to individual judges of the court or division or
16 to panels of judges of the court in the court of appeals;

17
18 (D) In municipal and county courts, assign cases to particular sessions pursuant to
19 Sup.R. 36;

20
21 (E) Require timely and accurate reports from each judge of the court or division
22 concerning the status of individually assigned cases and from judges and court personnel
23 concerning cases assigned to particular sessions;

24
25 (F) Timely file all administrative judge reports required by the Case Management
26 Section of the Supreme Court;

27
28 (G) Develop accounting and auditing systems within the court or division and the office
29 of the clerk of the court that ensure the accuracy and completeness of all required reports;

30
31 (H) Request, as necessary, the assignment of judges to the court or division by the Chief
32 Justice or the presiding judge of the court;

33
34 (I) Administer personnel policies established by the court or division;

35
36 (J) Pursuant to Sup.R. 19(B), notify the Office of Attorney Services of the Supreme
37 Court of the appointment or termination of appointment of a magistrate of the court or
38 division;

39
40 (K) Perform other duties as required by the Revised Code, the Rules of Superintendence
41 of the Courts of Ohio, local rules of the court or division, or the Chief Justice;

42
43 ~~(K)~~(L) Perform any other duties in furtherance of the responsibilities of the administrative
44 judge.

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46

47 **RULE 19. Magistrate—Qualifications Magistrates.**
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49 **(A) Eligibility.** ~~A magistrate shall have been engaged in the practice of law for at least four~~
50 ~~years and be in good standing with the Supreme Court of Ohio at the time of appointment.~~

51
52 **(B) Qualification; procedure.** ~~A~~

53
54 A magistrate shall have the qualifications specified in division (A) of Sup.R. 19(A), Civil
55 Rule Civ.R. 53, and Traffic Rule Traf.R. 14. In civil matters, a magistrate shall act pursuant
56 to Civil Rule 53, and in traffic matters pursuant to Traffic Rule 14.

57
58 **(B) Notification**

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

63
64 **(C) Annual registration**

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

68
69 **(D) Oath of office**

70
71 **(1) Upon appointment to a court or a division of a court, a magistrate shall take an oath**
72 **of office administered by the administrative judge of that court or division. The oath shall**
73 **be the same or substantially similar to the following:**

74
75 “I, (name), do solemnly swear (or affirm) that I will support the Constitution of the
76 United States and the Constitution of Ohio, will administer justice without respect
77 to persons, and will faithfully and impartially discharge and perform all the duties
78 incumbent upon me as a magistrate of the (name of court) according to the best of
79 my ability and understanding.”

80
81 **(2) Within thirty days of appointment, a magistrate shall file a certificate of oath, signed**
82 **by the administrative judge administering the oath, with the clerk of the court in which the**
83 **magistrate serves.**

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85
86 **RULE 19.1. Magistrate Magistrates - Municipal Court.**

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