

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

Comments Requested: The Supreme Court of Ohio will accept public comments until August 15, 2018, 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: Catherine Geyer, Dispute Resolution Programs Manager, Supreme Court of Ohio, 65 South Front Street, 6th Floor, Columbus, Ohio 43215-3431, or ProbateADRComments@sc.ohio.gov not later than August 15, 2018. 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 79 is reserved for future use~~**

4
5 **RULE 79. Dispute Resolution.**

6
7 The probate division of a court of common pleas or a family court exercising probate jurisdiction
8 may encourage the use of alternative dispute resolution in any matter the court deems appropriate.
9 A judge is authorized to facilitate the use of voluntary alternative dispute resolution processes by
10 taking any one or more of the following actions in disputes brought to the attention of the court:

11
12 (A) Suggesting that the parties engage in settlement negotiations and appropriately
13 participate in such negotiations;

14
15 (B) Informing the parties about eldercaring coordination, if available, and, upon
16 agreement of the parties, entering an appropriate order either referring the dispute to
17 eldercaring coordination or implementing the result of the eldercaring coordination
18 process. As used in this rule, “eldercaring coordination” means a dispute resolution process
19 modeled after the concept of parenting coordination for high-conflict families regarding
20 the care and safety of elders.

21
22 (C) Referring the parties to mediation consistent with Sup.R. 16 and a local rule
23 governing mediation, if any;

24
25 (D) Informing the parties about the availability of early neutral evaluation programs,
26 including those offered by local bar associations, and, upon agreement of the parties,
27 entering an appropriate order doing any of the following:

28
29 (1) Referring the dispute to early neutral evaluation;

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31 (2) Staying the proceedings in the litigation for up to sixty days pending
32 completion of the early neutral evaluation process;

33
34 (3) Implementing the result of the early neutral evaluation process.

35
36 (E) Upon request of the parties to the litigation, evidenced by a written certification of
37 agreement from all parties, entering such orders to refer the dispute to any other alternative
38 dispute resolution method as the judge deems to be consistent with the interest of justice.