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H.B. 314
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Bird and Williams

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SUMMARY

- Repeals the law that gives the juvenile court the option to transfer a proceeding against a juvenile to the county where the juvenile resides.

DETAILED ANALYSIS

Repeal of law that allows for transfer of a juvenile proceeding to juvenile's county of residence

Under current law, a court may, on its own motion or the motion of a party, transfer a juvenile proceeding to the county of the child's residence upon the filing of the complaint or after the adjudicatory, or dispositional hearing when the proceeding begins in a county other than the child's county of residence, unless the child is alleged to be a serious youthful offender. A transfer may also be made if the child's county of residence changes during the proceeding. If other proceedings involving the child are pending in the juvenile court of the child's county of residence, then a transfer is mandatory. Upon transfer, the receiving court will proceed as if the original complaint had been filed in that court.¹

If a case is transferred to the county of the child's residence but it appears to the court of that county that the interests of justice and the convenience of the parties requires that the adjudicatory hearing be had in the county where the complaint was filed, current law permits the court to return the proceeding to the original county for the adjudicatory hearing.²

¹ R.C. 2151.217.

² R.C. 2151.217.

Certified copies of all legal and social records pertaining to the case accompany the transfer when transferred under current law.³

Repeal of current law eliminates the court's ability to transfer a juvenile case from the county in which the proceeding began to the county of the juvenile's residence and therefore the case will remain in the county where the case was filed.

HISTORY

Action	Date
Introduced	10-30-23

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³ R.C. 2151.217.