



Ohio Legislative Service Commission

Final Analysis

David M. Gold

Am. H.B. 11

131st General Assembly
(As Passed by the General Assembly)

Reps. Brenner and Ruhl, Celebrezze, Anielski, Antonio, Baker, Blessing, Boose, Buchy, Gerberry, Grossman, Kraus, McColley, Rogers, K. Smith, Stinziano, Young

Sens. Burke, Coley, Eklund, Faber, Hite, Hughes, Jordan, Patton, Seitz

Effective date: Emergency, October 19, 2015

ACT SUMMARY

- Creates a domestic relations division of the Delaware County Court of Common Pleas.
 - Creates a judgeship for the domestic relations division of the Delaware County Court of Common Pleas, to be filled by election in 2016.
 - Provides for a payment of \$750 to a retired assigned judge who completes at least 100 hours of service in a calendar quarter, and sets forth the purpose for these payments.
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CONTENT AND OPERATION

Delaware County Court of Common Pleas domestic relations division

The act adds a judgeship to the Delaware County Court of Common Pleas, which previously had two judges with general jurisdiction. The new judge will be elected in 2016 as the judge of the domestic relations division. All divorce, dissolution of marriage, legal separation, and annulment cases, including any post-decree proceedings, and cases involving questions of paternity, custody, visitation, child support, and the allocation of parental rights and responsibilities will be assigned to

that judge, except cases that for some special reason are assigned to another judge of the court.¹

Payments to retired judges

The act makes a retired assigned judge (a retired judge appointed to active duty by the Chief Justice) who completes at least 100 hours of service in the preceding quarter eligible to receive a taxable retired assigned judge payment of \$750 for the quarter. The act defines a "quarter" as the three-month period ending on the last day of March, June, September, or December. Payment must be made within 30 days after the end of the quarter or, in the case of a municipal or county court, within 30 days after receipt of a quarterly request for reimbursement submitted to the Supreme Court by the county treasurer. The payment does not affect any right of the retired assigned judge to any other vested retirement benefit under Ohio law.²

The act states that the authority for this provision is found in the Ohio Constitution in Section 6(C) of Article IV (assignment of voluntarily retired judges) and Article II (the legislature). It further states that the purpose of the payments is to ensure that retired assigned judges remain available for service to the state of Ohio in order to promote the effective administration of justice throughout the state. Given the unpredictable nature of case filings, the act states that the purpose of the section is to provide cost-effective means to address case-load surges and reduce case disposition delay that might otherwise require the addition of full-time sitting judges.³

HISTORY

ACTION	DATE
Introduced	01-28-15
Reported, H. Judiciary	03-04-15
Passed House (96-0)	03-17-15
Reported, S. Civil Justice	06-11-15
Passed Senate (33-0)	09-23-15
House concurred in Senate amendments (92-0)	09-30-15

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¹ R.C. 2301.02 and 2301.03(EE).

² R.C. 141.13(C) and 141.16(C), (D), and (E).

³ Section 3.

