



Sub. H.B. 159*

125th General Assembly

(As Reported by S. Judiciary on Civil Justice)

Reps. Hagan, Oelslager, Seitz, Schaffer, J. Stewart, Callender, Latta, Young, Cirelli, Willamowski, Grendell, DePiero, Boccieri, Carmichael, Domenick, Fessler, Harwood, Hughes, McGregor, T. Patton

BILL SUMMARY

- Adds one additional full-time judge for the Fifth District Court of Appeals.
- Creates the separate office of the Clerk of the Clermont County Municipal Court, requires that candidates for that office in 2003 be nonpartisan candidates, and requires that nominating petitions for that office in 2003 be filed by the 75th day before the general election.

CONTENT AND OPERATION

Fifth District Court of Appeals

Under existing law, the Fifth District Court of Appeals has five full-time judges and one temporary judge. The temporary judge was elected in 2000 to serve one term that began February 11, 2001, and is scheduled to end February 10, 2007, with no successor to be elected. The Fifth District is composed of Ashland, Coshocton, Delaware, Fairfield, Guernsey, Holmes, Knox, Licking, Morgan, Morrow, Muskingum, Perry, Richland, Stark, and Tuscarawas counties. (R.C. 2501.011(A).)

Under the bill, the temporary judgeship becomes permanent, allowing for a successor to the current temporary judge. The successor will be elected in 2006. The Fifth District Court of Appeals will have six full-time judges. (R.C. 2501.011(A).)

** This analysis was prepared before the report of the Senate Judiciary on Civil Justice Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

Clermont County Municipal Court Clerk

Under existing law, in the Clermont County Municipal Court, the Clerk of Courts of Clermont County is the clerk of the municipal court. The Clerk, acting as the clerk of the Clermont County Municipal Court and assuming the duties of that office, must receive compensation at one fourth the rate that is prescribed for clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in the Revised Code. This compensation must be paid from the county treasury in semimonthly installments and is in addition to the annual compensation that is received for the performance of the duties of the Clerk of Courts of Clermont County. (R.C. 1901.31.)

The bill creates the separate office of Clerk of the Clermont County Municipal Court and requires that the candidates for the office of the Clerk of the Clermont County Municipal Court in 2003 be nonpartisan candidates only and file nominating petitions with the Board of Elections not later than 4 p.m. of the 75th day before the day of the general election. The bill also requires that the Clerk of Courts of Clermont County continue to serve as Clerk of the Clermont County Municipal Court through December 31, 2003.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-08-03	p. 330
Reported, H. Judiciary	05-30-03	p. 529
Passed House (98-1)	06-04-03	p. 542
Reported, S. Judiciary on Civil Justice	---	---

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