



H.B. 433

125th General Assembly
(As Introduced)

Reps. T. Patton, DeGeeter

BILL SUMMARY

- Replaces the part-time judge of Berea Municipal Court with a full-time judge to be elected in 2005.

CONTENT AND OPERATION

Berea Municipal Court

Existing law establishes the Berea Municipal Court that has jurisdiction within the municipal corporations of Strongsville, Middleburgh Heights, Brook Park, Westview, and Olmsted Falls, and within Olmsted township, in Cuyahoga County. The Court is served by one part-time judge, who most recently was elected in 1999. (R.C. 1901.08 and 1901.01 and 1901.02--not in the bill.)

Municipal court judges serve six-year terms. In one-judge courts, generally the judge's term commences on the first day of January in the year after the election. In multi-judge municipal courts, generally their terms begin on successive days beginning on the first day of January, unless otherwise provided in R.C. 1901.08. The Berea Municipal Court at one time had two part-time judges, and R.C. 1901.08 specified that one judge's term began on January 1 and one on January 2. R.C. 1901.08 abolished the judge whose term began on January 1, and the remaining judge's term begins on January 2. (R.C. 1901.07--not in the bill.)

Operation of the bill

The bill replaces the part-time judge of the Berea Municipal Court with a full-time judge to be elected in 2005. Under the operation of provisions of existing law unaffected by the bill, the judge will serve a term of six years and begin the term on January 1, 2006. The bill specifies in uncodified law that the part-time judge of the Berea Municipal Court, who was elected in 1999, must remain the part-time judge of that Court until the end of the judge's term. The full-

time judge of the Berea Municipal Court who is elected in 2005 is the successor to the part-time judge of that Court who was elected in 1999. (R.C. 1901.08 and R.C. 1901.07--not in the bill; Section 3.)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	03-16-04	p. 1694

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