



Lisa Sandberg

*Bill Analysis*  
*Legislative Service Commission*

## **S.B. 130**

125th General Assembly  
(As Introduced)

**Sen. Mumper**

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### **BILL SUMMARY**

- Adds one judge to the Court of Common Pleas of Logan County, to be elected in 2004 as judge of the Domestic Relations-Juvenile-Probate Division for a term to begin January 2, 2005.
- Creates a Domestic Relations-Juvenile-Probate Division for the Logan County Court of Common Pleas and gives the division jurisdiction over all juvenile and domestic relations matters and, on and after January 1, 2009, concurrent jurisdiction over all probate matters.

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### **CONTENT AND OPERATION**

#### *Additional judge for the Logan County Court of Common Pleas*

##### *Existing law*

Under existing law, the Court of Common Pleas of Logan County has two judges: one in the general division, and one in the probate division (R.C. 2101.01, not in the bill, and R.C. 2301.02(A)).

##### *Operation of the bill*

The bill creates one additional judgeship for the Court of Common Pleas of Logan County. The new judge first will be elected in 2004, for a term to begin January 2, 2005. The new judge, and successors to that judge, will have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the Court of Common Pleas of Logan County, and will be elected and designated as judge of the new domestic relations-juvenile-probate division of that Court that the bill creates, as described below. (R.C. 2301.02(A) and 2301.03(CC)(1).)

The bill specifies that, except as otherwise specified in this paragraph: (1) the new judge of the Logan County Court of Common Pleas, as described above, whose term begins on January 2, 2005, and the successors to that judge, have all the powers relating to juvenile courts, and (2) all cases under the Juvenile Code, all cases arising under Chapter 3111. (the Parentage Law), all divorce, dissolution of marriage, legal separation, and annulment cases, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings must be assigned to that judge and the successors to that judge. Except as provided in the next paragraph and notwithstanding any other provision of any statute, on and after January 1, 2009, the new judge of the Logan County Court of Common Pleas that the bill creates, as described above, whose term begins on January 2, 2005, and the successors to that judge, will have all the powers relating to the probate division of that Court in addition to the powers previously specified in this paragraph, and will exercise concurrent jurisdiction with the judge of the probate division of that Court over all matters that are within the jurisdiction of the probate division of that Court under the Probate Code, and other provisions, in addition to the jurisdiction of the domestic relations-juvenile-probate division of that Court previously specified in this paragraph.

Under the bill, the judge of the domestic relations-juvenile-probate division and the judge of the probate division must rotate the position of clerk of the probate division and juvenile division of the Court of Common Pleas of Logan County based upon the order of seniority as determined by the total length of service on the Court. The term of the clerk shall be one year beginning on the first day of January. The clerk of the Logan County Court of Common Pleas who is elected pursuant to R.C. 2303.01 must keep all of the journals, records, books, papers, and files pertaining to the domestic relations cases. (R.C. 2301.03(CC)(2).)

The bill specifies that, on and after January 1, 2009, all references in Ohio law to "the probate court," "the probate judge," "the juvenile court," or "the judge of the juvenile court" must be construed, with respect to Logan County, as being references to both "the probate division" and "the juvenile-domestic relations-probate division" and as being references to both "the judge of the probate division" and "the judge of the domestic relations-juvenile-probate division." On and after January 1, 2009, all references in Ohio law to "the clerk of the probate court" must be construed, with respect to Logan County, as being references to the judge who is serving as described in the preceding paragraph as the clerk of the probate division of the Court of Common Pleas of Logan County. (R.C. 2301.03(CC)(3).)

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	09-17-03	p. 1041

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