



Sub. S.B. 155

127th General Assembly
(As Reported by S. Judiciary - Civil Justice)

Sens. Faber, Schuler, Grendell, Spada, Kearney

BILL SUMMARY

- Adds one judge to the Court of Common Pleas of Champaign County to be elected in 2008 as a judge of the Domestic Relations-Juvenile-Probate Division for a term to begin February 10, 2009.
- Creates a Domestic Relations-Juvenile-Probate Division for the Champaign County Court of Common Pleas and gives the division jurisdiction over all juvenile and domestic relations matters and, on and after February 9, 2009, jurisdiction over all probate matters.

CONTENT AND OPERATION

Additional judge for the Champaign County Court of Common Pleas

Under current law, the Champaign County Court of Common Pleas 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)). The bill creates one additional judgeship for the Champaign County Court of Common Pleas. The new judge will be elected in 2008, for a term to begin February 10, 2009. The judge whose term begins February 9, 2003, and the new judge, and successors to those judges, will have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the Champaign County Court of Common Pleas. These judges will be elected and designated as judges of the Court of Common Pleas, domestic relations-juvenile-probate division that the bill creates, as described below. (R.C. 2301.02(A) and 2301.03(DD)(1).)

The bill specifies that, except as otherwise specified in this paragraph, those judges, and the successors to those judges, have all the powers relating to the juvenile courts. 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, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings must be assigned to those judges and the successors to those judges. Notwithstanding any other provision of any statute, on and after February 9, 2009, the judges designated as judges of the Court of Common Pleas, domestic relations-juvenile-probate division, and the successors to those judges, have all the powers relating to the probate courts in addition to the powers previously specified in this paragraph, and will exercise jurisdiction 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. (R.C. 2301.03(DD)(1).)

The bill specifies that, on or after February 9, 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 Champaign County as being references to the "domestic relations-juvenile-probate division" and as being references to the "judge of the domestic relations-juvenile-probate division." On and after February 9, 2009, all references in law to "the clerk of the probate court" must be construed with respect to Champaign County as being references to the judge who is serving pursuant to Rule 4 of the Rules of Superintendence as the administrative judge of the Court of Common Pleas, domestic relations-juvenile-probate division. (R.C. 2301.03(DD)(2).)

The bill provides that, effective February 9, 2009, the probate judge of the Court of Common Pleas of Champaign County will have all the powers relating to the domestic relations-juvenile-probate division of the Court of Common Pleas of Champaign County and will exercise concurrent jurisdiction with the judges of the domestic relations-juvenile-probate division of the Court of Common Pleas of Champaign County over matters that are within the jurisdiction of the domestic relations-juvenile-probate division (R.C. 2101.025).

HISTORY

ACTION	DATE
Introduced	04-25-07
Reported, S. Judiciary - Civil Justice	06-12-07

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