

Executive

As Reported by House Finance and Appropriations

1            JSC - 2            Annual Compensation of Judges

R.C.        141.04

Specifies that the annual salary increases of the Supreme Court Chief Justice, Supreme Court justices, appeals court judges, common pleas court judges, full- and part-time municipal court judges, and county judges be paid with reference to a year, not with reference to a calendar year. (A "calendar year" is the period January through December. A "year," by contrast, is any 12-month period.)

**Fiscal effect: Potential savings effect, as it appears to make it easier for staff to process the payment of judicial salaries.**

R.C.        141.04

Same as the Executive.

**Fiscal effect: Same as the Executive.**

2            JSC - 12            Pay Period for Certain Clerks of Municipal Courts

No provision.

R.C.        1901.31

Changes the pay period for clerks of municipal courts other than those of the Auglaize County, Brown County, Hamilton County, Holmes County, Lorain County, Portage County, and Wayne County municipal courts from semimonthly to either semimonthly or biweekly as determined by the payroll administrator.

**Fiscal effect: Potential savings effect, as it appears to give certain administrators greater flexibility in the handling of certain payroll matters.**

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3 JSC - 15 Judges of the Lorain County Court of Common Pleas

No provision.

R.C. 2101.01, 2301.02, 2301.03, and Section 721.10

Provides that, as of September 29, 2009, the judge of the Lorain County Court of Common Pleas, Division of Domestic Relations, whose term began on February 9, 2009, is the probate judge of the Lorain County Probate Court and that successors to that judge must be elected as the judge of the probate division of that court.

**Fiscal effect: Absent this provision, it appears that Lorain County may incur significant one-time transitional costs as a result of being required to merge the probate and domestic relations divisions of the Lorain County Court of Common Pleas.**

4 JSC - 1 Supreme Court Filing Fee

R.C. 2503.17, and Section 313.20

Increases from \$40 to \$100 the filing fee charged by the clerk of the Supreme Court for each case entered upon its docket, provides that the filing fees so charged and collected are in full for each case filed in the Supreme Court under its Rules of Practice, precludes charging a filing fee or security deposit to an indigent party upon the Supreme Court's determination of indigency pursuant to its Rules of Practice; repeals current provisions specifically exempting a prosecutor from being charged the filing fee under specified circumstances; and requests the Supreme Court to modify its rule regarding filing fees and security deposits to be consistent with the previously described provisions.

R.C. 2503.17, and Section 313.20

Same as the Executive.

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**Fiscal effect: The filing fee increase is estimated to generate an additional \$84,000 to be deposited in the state treasury to the credit of the GRF. The repeal of the filing fee exemption for prosecutors is not expected to have any fiscal effect, as the Court intends to continue the current practice of not charging a prosecutor a filing fee.**

**Fiscal effect: Same as the Executive.**

5 JSC - 4 Law-Related Education

**Section: 313.10**

Specifies that GRF appropriation item 005406, Law-Related Education, be used for distribution to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs.

**Section: 313.10**

Same as the Executive.

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**6 JSC - 5 Ohio Courts Technology Initiative****Section: 313.10**

Specifies that GRF appropriation item 005409, Ohio Courts Technology Initiative, be used to fund an initiative by the Supreme Court to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners through the creation of an Ohio Courts Network, the delivery of technology services to courts throughout the state, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel, and operation of the Commission on Technology and the Courts by the Supreme Court for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts.

**Section: 313.10**

Same as the Executive.

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**7 JSC - 6 Legal Education Opportunity****Section: 313.10**

(1) Requires GRF appropriation item 005502, Commission for Legal Education Opportunity, be used to fund activities undertaken at the direction of the Chief Justice of the Supreme Court for purposes of introducing minority, low-income, and educationally disadvantaged Ohio students to the legal system and providing educational opportunities to those same students who are preparing for college and interested in the pursuit of a legal career.

**Section: 313.10**

(1) Same as the Executive.

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(2) Permits GRF appropriation item 005502 to be used by the Supreme Court, in cooperation with other entities, to establish and provide programs, courses, and activities consistent with the above purposes and to pay associated administrative costs.

(2) Same as the Executive.

**8 JSC - 7 Continuing Judicial Education**

**Section: 313.10**

Requires that the Continuing Judicial Education Fund (GSF Fund 6720) consist of fees paid by judges and court personnel for attending continuing education courses and other gifts and grants received for the purpose of continuing judicial education; requires related GSF appropriation item 005601, Continuing Judicial Education, be used to pay expenses for continuing education courses for judges and court personnel. Appropriates additional amount deemed as necessary by the Administrative Director of the Supreme Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from GSF Fund 6720 to any other fund, and requires any interest earned on the fund's moneys are credited to the fund.

**Section: 313.10**

Same as the Executive.

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9            JSC - 8            Federal Grants

**Section: 313.10**

Requires that the Federal Grants Fund (FED Fund 3J00) consist of grants and other moneys awarded to the Court by the federal government or other entities that receive moneys directly from the federal government; requires any moneys appropriated to its related FED appropriation item 005603, Federal Grants, be used in a manner consistent with the purpose of the grant or award. Appropriates additional amount deemed as necessary by the Administrative Director of the Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from FED Fund 3J00 to any other fund, and requires any interest earned on the fund's moneys be transferred or credited to the state's GRF.

**Section: 313.10**

Same as the Executive.

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## As Reported by House Finance and Appropriations

10      JSC - 9      Attorney Services

## R.C.      313.10

Requires that the Attorney Services Fund (SSR Fund 4C80), formerly known as the Attorney Registration Fund, consist of moneys received by the Supreme Court pursuant to the Rules for the Government of the Bar of Ohio; requires related SSR appropriation item 005605, Attorney Services, be used to compensate employees and to fund appropriate activities of the following offices of the Supreme Court: the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division, as well as other activities considered appropriate by the Supreme Court. Appropriates additional amount deemed as necessary by the Administrative Director of the Supreme Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from SSR Fund 4C80 to any other fund, and requires any interest earned on the fund's moneys are credited to the fund.

## Section: 313.10

Same as the Executive.

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11      JSC - 10      Grants and Awards

**Section: 313.10**

Requires that the Grants and Awards Fund (SSR Fund 5T80) consist of grants and other moneys awarded to the Court by the State Justice Institute, the Division of Criminal Justice Services, or other entities; requires any moneys appropriated to its related SSR appropriation item 005609, Grants and Awards, be used in a manner consistent with the purpose of the grant or award. Appropriates additional amount deemed as necessary by the Administrative Director of the Supreme Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from SSR Fund 5T80 to any other fund, and requires any interest earned on the fund's moneys be credited to the state's GRF.

**Section: 313.10**

Same as the Executive.

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12      JSC - 11      Supreme Court Admissions

R.C.      313.10

Requires the moneys appropriated to SSR appropriation item 005606, Supreme Court Admissions, be used to compensate Court employees who are primarily responsible for administering the Attorney Admissions Program, and to fund any other activities considered appropriate by the Court. Appropriates additional amount deemed as necessary by the Administrative Director of the Supreme Court. Prohibits the Director of Budget and Management and the Controlling Board from transferring moneys from SSR Fund 6A80 to any other fund, and requires any interest earned on the fund's moneys be credited to the fund.

Section: 313.10

Same as the Executive.

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Other Taxation Provisions

13      TAX - 17      Municipal Income Taxation of Justices and Certain Judges

R.C.      718.04

Authorizes only the City of Columbus and the municipal corporation of residence to levy an income tax on the income of the justices of the Ohio Supreme Court; authorizes only the municipal corporation of residence to levy a tax on the income of a judge sitting in assignment of the Chief Justice, or a judge of a district court of appeals sitting in multiple locations within the district, received as a result of services rendered as a justice or a judge.

**Fiscal effect: None on the state. However, the provision potentially increases municipal income tax revenue to Columbus and certain other municipalities.**

R.C.      718.04

Same as the Executive, but delays the applicability of proposed changes to the municipal income tax to January 1, 2010.

**Fiscal effect: Same as the Executive.**

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Local Government Provisions

14 MIS - 11 Court Employee Collective Bargaining Exemption

No provision.

R.C. 4117.01

Removes the exemption for employees and officers of the court and employees of the clerks of courts who perform a judicial function from the Public Employee Collective Bargaining Law.

**Fiscal effect: The impact on pay and benefits would depend on the terms of the collective bargaining contracts in jurisdictions where employees opt for representation.**