

## Courts

### Am. H.B. 174

**Reps.** Hughes and Lanese, Duffey, Blessing, Craig, K. Smith, Boggs, Brown, Galonski, Barnes, Celebrezze, Clyde, Holmes, Leland, Patton, Rogers, Sheehy, Sprague, Sweeney, Young

**Sens.** Coley, Bacon, Hackett, Kunze, Oelslager, Schiavoni, Tavares, Yuko

**Effective date:** Emergency: December 22, 2017

- Adds two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas, one to be elected in 2018 and one to be elected in 2020.

### Am. H.B. 215

**Reps.** Riedel, Manning, Celebrezze, Rogers, Seitz, Barnes, Brown, Craig, Galonski, Holmes, K. Smith, Sprague, Sweeney

**Sens.** Coley, Eklund, Gardner, Huffman, McColley, Manning, Oelslager, Schiavoni, Yuko

**Effective date:** Creation of the Paulding County Municipal Court and abolishment of Paulding County Court effective January 1, 2020; other sections effective March 23, 2018

- Effective January 1, 2020, abolishes the Paulding County County Court and its part-time judgeship and creates in Paulding the Paulding County Municipal Court with one full-time judge and having jurisdiction within the county.
- Specifies that the judge of the municipal court initially will be elected in 2019 and nominated only by petition.
- Requires the Paulding County Prosecuting Attorney to prosecute in the municipal court all violations of state law arising in that county.
- Authorizes the Paulding County Prosecuting Attorney to enter into an agreement with any municipal corporation in that county to prosecute all cases brought in the municipal court for violations of the municipal corporation's ordinances or for certain offenses occurring within the municipal corporation.

## Am. H.B. 223

**Reps.** Dever, Anielski, Antonio, Blessing, Boggs, Lepore-Hagan, Rogers, Sweeney

**Sens.** Coley, Eklund, Bacon, Dolan, Hackett, Hottinger, Huffman, O'Brien, Oelslager, Schiavoni, Terhar, Wilson

**Effective date:** March 23, 2018

### Transfer of structured settlement payment rights

- Modifies the requirements for the transfer of structured settlement payment rights by a payee under a structured settlement (which is an arrangement for periodic payments of damages for injuries or sickness in a settlement or court judgment of a tort claim).
- Modifies and expands the contents of a disclosure statement that a transferee of structured settlement payment rights must provide before the payee signs a transfer agreement, including the payee's right to cancel the agreement within three business days after signing it.
- Revises the procedures by which a transferee must file an application in court for approval of the transfer and serve a notice of the proposed transfer on all interested parties.
- Expands the notice's required contents to include a summary regarding certain prior transfers and proposed transfers by the payee.
- Revises the findings that a court must make to approve a transfer.

### Effects of transfer

- Specifies the effects of a transfer of structured settlement payment rights.
- Revises the immunities from liability granted to a payee, structured settlement obligor, and annuity issuer, and limits the prohibition against a waiver of the act's provisions to a waiver by any payee.
- Modifies and expands the effects on transfer agreements entered into prior to or on or after the act's effective date.
- Provides that transfers of structured settlement payment rights cannot extend to payments that are life-contingent, unless certain conditions are met.
- Provides that the act applies to a transfer of structured settlement payment rights under any transfer agreement entered into on or after the act's effective date.

## Fiduciary funds in IOLTA accounts

- Allows a fiduciary to transfer fiduciary funds to the fiduciary's attorney for deposit in the attorney's interest on lawyer's trust account (IOLTA) under certain circumstances.
- Permits any Ohio attorney, law firm, or legal professional association to establish and maintain in a financial institution an interest-bearing trust account, to deposit funds received by a client in the client's name as fiduciary of a trust or estate.

## Sub. S.B. 25

**Sens.** Hottinger, Coley, Bacon, Balderson, Dolan, Eklund, Gardner, Hoagland, Skindell, Thomas, Yuko

**Reps.** Manning, Rezabek, Conditt, Rogers, Barnes, Blessing, Boyd, Celebrezze, Galonski, Hill, Leland, Miller, Patton, Riedel, Schaffer, Seitz, Sheehy, K. Smith, Sprague, Sweeney

**Effective date:** Emergency, June 13, 2017; sections related to the Perry County Municipal Court effective January 1, 2018

## Perry County Municipal Court

- Effective January 1, 2018, abolishes the Perry County County Court and its part-time judgeship and creates in New Lexington the Perry County Municipal Court with one full-time judge and with jurisdiction within the county.
- Specifies that the judge of the municipal court initially will be elected in 2017 and nominated only by petition.
- Designates the Clerk of Courts of Perry County as the Clerk of the Perry County Municipal Court.
- Requires the Perry County Prosecuting Attorney to prosecute in the municipal court all violations of state law arising in Perry County.
- Authorizes the Perry County Prosecuting Attorney to enter into an agreement with any municipal corporation in the county to prosecute all cases brought in the municipal court for violations of the municipal corporation's ordinances or for certain offenses occurring within the municipal corporation.

## Criminal Justice Recodification Committee

- Allows the member of the Criminal Justice Recodification Committee who must be a Justice of the Supreme Court and the member who must be a sheriff to be a current or former Justice or sheriff, respectively.
- Requires members of the Committee who are elected officials to serve until the committee is abolished.