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S.B. 158*
135th General Assembly

Bill Analysis

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Version: As Reported by House Government Oversight

Primary Sponsor: Sen. Cirino

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SUMMARY

- Creates a new judgeship of the Adams County Common Pleas Court, to be elected in 2026, six-year term to begin February 9, 2027.
- Provides that beginning on February 9, 2029, such judge will be designated as the judge of the Adams County Common Pleas Court, Probate and Juvenile Division, with the powers relating to juvenile courts and probate courts.

DETAILED ANALYSIS

Adams County Common Pleas Court

New judgeship

Under current law, the Adams County Common Pleas Court has one judge, most recently elected in 2022, term began February 9, 2023.¹

The bill creates a new judgeship with that judge to be elected in 2026, six-year term to begin February 9, 2027.²

Judge of the Probate and Juvenile Division

Under the bill, subject to the following sentence, the judge of the Adams County Common Pleas Court whose term begins on February 9, 2027, and successors, will have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as

* This analysis was prepared before the report of the House Government Oversight Committee appeared in the House Journal. Note that the legislative history may be incomplete.

¹ R.C. 2301.02(A).

² R.C. 2301.02(A).

the other judge of the Adams County Common Pleas Court. Beginning on February 9, 2029, the judge of the common pleas court whose term begins on February 9, 2027, and successors, will be designated as the judge of the Adams County Common Pleas Court, Probate and Juvenile Division. The judge will have the following powers and cases:³

- All of the powers relating to juvenile courts, and all cases under the Juvenile Court Laws;
- All parentage proceedings arising under the Parentage Law over which the juvenile court has jurisdiction;
- All powers relating to probate courts, and all matters that are within the jurisdiction of the probate court under the Probate Court Law and other provisions of the Revised Code.

The bill provides that on and after February 9, 2029, all references in law to “the probate court,” “the probate judge,” “the juvenile court,” or “the judge of the juvenile court” are to be construed, with respect to Adams County, as being references to the Probate and Juvenile Division and as being references to the judge of the Probate and Juvenile Division.⁴

Election of judges of probate division of court of common pleas

Under current law, judges of the probate division of the court of common pleas are judges of the court of common pleas but are elected pursuant to the Probate Court Law, except in Adams and other specified counties in which the judge of the court of common pleas elected pursuant to the law pertaining to the election of judges of courts of common pleas also serves as judge of the probate division. The bill removes the exception for Adams County in the above provision.⁵

Conforming and corrective changes

The bill makes a conforming change in the Juvenile Court Law.⁶

The bill makes a corrective change with respect to the Hardin County Common Pleas Court to conform to the creation of an additional judge of that court by S.B. 312 of the 133rd General Assembly.⁷

³ R.C. 2301.03(GG)(1).

⁴ R.C. 2301.03(GG)(2).

⁵ R.C. 2301.02.

⁶ R.C. 2151.07.

⁷ R.C. 2301.02(A).

HISTORY

Action	Date
Introduced	09-19-23
Reported, S. General Gov't	09-27-23
Passed Senate (25-6)	09-27-23
Reported, H. Gov't Oversight	---
