**PROPOSED AMENDMENTS TO THE RULES OF SUPERINTENDENCE**

**FOR THE COURTS OF OHIO**

Comments Requested: The Supreme Court of Ohio will accept public comments until July 9, 2014, on the following proposed amendments to the Rules of Superintendence for the Courts of Ohio.

Comments on the proposed amendments should be submitted in writing to: John VanNorman, Senior Policy & Research Counsel, Supreme Court of Ohio, 65 South Front Street, 7th Floor, Columbus, Ohio 43215-3431, or john.vannorman@sc.ohio.gov not later than July 9, 2014. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendment:

1. Existing language appears in regular type.  Example: text

2. Existing language to be deleted appears in strikethrough.  Example: ~~text~~

3. New language to be added appears in underline.  Example: text

**RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO**

**RULE 49. Definitions.**

As used in Sup.R. 49 through 49.12**:**

**(A) Business entity**

“Business entity” means a for profit or nonprofit corporation, partnership, limited liability company, limited liability partnership, professional association, business trust, joint venture, unincorporated association, or sole proprietorship.

**(B) Commercial docket judge**

“Commercial docket judge” means a sitting judge designated or retired judge assigned by the Chief Justice pursuant to Sup.R. 49.02 to hear cases assigned to a commercial docket.

**(C) Retired judge**

“Retired judge” has the same meaning as in Sup.R. 17(A)(1).

**RULE 49.02. Designation or Assignment of Commercial Docket Judges.**

**(A) Designation or assignment by Chief Justice**

(A) Each court of common pleas that has established a commercial docket pursuant to Sup.R. 49.01 shall select either of the following methods for designating or assigning commercial docket judges ~~to hear cases assigned to the docket~~:

(1) Request the Chief Justice of the Supreme Court to designate two or more sitting judges of the general division of the court. The Chief Justice shall not designate a judge unless the judge agrees to participate.

(2) Request the Chief Justice to assign one or more retired judges to active duty ~~to~~ on the court pursuant to Article IV, Section 6(C) of the Ohio Constitution.

**(B) ~~Title~~**

~~The judges designated or assigned by the Chief Justice shall be styled “commercial docket judges.”~~

**~~(C)~~ Candidate recommendations**

~~A~~ (1) The court of common pleas shall submit a written request for either designation or assignment of commercial docket judges to the commercial docket subcommittee of the Advisory Committee on Case Management. The request shall include the names of any candidates for designation or assignment, as applicable, as commercial docket judges. The subcommittee shall ~~recommend~~ submit a written report to the Chief Justice recommending the number of commercial docket judges for the court and candidates for designation or assignment, as applicable, as commercial docket judges ~~and the number of commercial docket judges for each court~~. In reviewing a candidate, the subcommittee shall consider each of the following:

(1) The candidate’s length of judicial experience;

(2) Any commercial or business-related education or experience the candidate may possess;

(3) Any commercial or business-related litigation experience the candidate may possess, including any specific commercial or business-related litigation in which the candidate participated as an attorney or over which the candidate presided as a judge;

(4) The candidate’s case management expertise and experience, including case management of complex litigation;

(5) If applicable, the candidate’s current caseload, including the number of pending cases the candidate may have that are beyond the time limits for disposition pursuant to Sup.R. 39;

(6) Whether the candidate has demonstrated a continuous commitment to the commercial docket concept;

(7) Whether the candidate demonstrates a willingness to assume any additional duties and responsibilities required by the commercial docket;

(8) Whether the candidate demonstrates a willingness to participate in commercial and business law-related training and education;

(9) The candidate’s judicial temperament;

(10) The input and opinion of the regional or local bar associations;

(11) Any other factors or qualifications the subcommittee determines to be relevant.