AMENDMENTS TO THE RULES OF SUPERINTENDENCE
FOR THE COURTS OF OHIO

Comments Requested: The Supreme Court of Ohio will accept public comments until June 2, 2025, 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 Keely McWhorter, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, or RuleAmendments@sc.ohio.gov not later than June 2, 2025. Please include your full name and mailing address in any comments submitted by email.

Key to Adopted Amendments:

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

2.   Language that has been deleted appears in strikethrough. Example: ~~text~~

3.   New language that has been added appears in underline. Example: <u>text</u>

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 36.018.   Assignment of Cases to New Judicial Positions <u>and Successor Judges</u>.

(A)   <u>Newly Established Judicial Positions</u>

<u>(1)</u>   After the date of election, but prior to the first day of the term of a ~~new~~ <u>newly established</u> judicial position, the administrative judge of ~~a~~ <u>the</u> court or division <u>of the court, as applicable,</u> through a random selection of pending cases shall equitably reassign cases pending in the court or division between or among the judges of the court or division and shall create a docket <u>for the newly established judicial position</u> similar to a representative docket. Reassignment shall be completed in a manner consistent with this rule and may exclude criminal cases and cases scheduled for trial.

<u>(2)</u>   Any matters arising in cases assigned to the docket for the ~~new~~ <u>newly established</u> judicial position prior to the date on which the judge elected to that position takes office shall be resolved by the administrative judge or assigned to another judge.

(B)   <u>Successor Judges</u>

<u>Upon taking office, an appointed or elected successor judge shall assume all cases previously assigned to the predecessor judge. If the terms of two or more successor judges commence simultaneously and there is no identified predecessor judge for each successor judge, the administrative judge of the court or division shall randomly designate the predecessor judge for each successor judge.</u>

Commentary

~~This provision governs the reassignment of pending cases where a new judicial position is added to the court or division. Reassignment~~ <u>For newly established judicial positions, the reassignment</u> of cases must be random, equitable, and accomplished in a manner consistent with the principles set forth in Sup.R. 36.011(C)(2). In effect, a random selection system must be used, rather than culling cases from pending dockets. Certain dockets or portions of dockets may be created through the individual assignment system. This method may be particularly useful in assigning criminal cases. The process set forth in this rule should facilitate the creation of a balanced docket with a minimum disruption of the pending caseload of the court or division.

<u>Pursuant to Sup.R. 38(B), judges must complete a case inventory within three months of the date of taking office. Gov.Jud.R. VII, Sec. 2 requires the predecessor judge to deliver to the judge's successor all records; papers, books, and other instruments; and other property and effects belonging to the court.</u>