

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

The following amendments to the Rules of Superintendence for the Courts of Ohio (new Sup.R. 5.02) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

August 26, 2019	Initial publication for public comment
March 2, 2021	Final adoption by conference
July 1, 2021	Effective date of amendments

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: text

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 5.02. Bail Schedule.

(A) Definition

As used in this rule, “bail schedule” means a schedule covering misdemeanors, including traffic offenses, established by a court pursuant to Crim.R. 46(G).

(B) Presumption

Any bail schedule used by a municipal or county court shall include a rebuttable presumption that personal recognizance is the rule. A bail schedule is not to be used for offenses where the judge or magistrate is required by statute to set bail.

(C) Uniform bail schedule

If a county consists of more than one municipal or county court, the administrative judge of each court with a monetary bail schedule shall collectively establish a uniform bail schedule for use by those courts by September 29, 2021, and shall biennially review the schedule pursuant to Crim.R. 46(G). If the courts are unable to establish a uniform bail schedule, the courts shall use the model schedule as established by the Supreme Court. If a court has a non-monetary bail schedule, that court shall not be required to adopt a monetary bail schedule.

RULE 99. Effective Date.

[Existing language unaffected by the amendments is omitted to conserve space]

[(Insert division letter)] New Sup.R. 5.02, adopted by the Supreme Court of Ohio on March 2, 2021, shall take effect on July 1, 2021.

MODEL BAIL SCHEDULE

IN THE _____ COURT

_____ COUNTY, OHIO

Pursuant to Crim.R. 46(G), the bail schedule for misdemeanor charges, including traffic offenses, unless excluded below, shall be set as follows:

1. Personal recognizance is the rule.

If the police officer or prosecutor, based on the circumstances of the case, has reasonable cause to believe that a personal recognizance bond is insufficient, the judge or magistrate shall be contacted for additional authority. If the judge or magistrate determines that personal bail is insufficient, the conditions of release shall be set pursuant to Crim.R. 46.

When a judge or magistrate has previously set bail in a case, or has ordered a new amount in its last capias or warrant entry, that bail shall remain in effect unless otherwise ordered by a judge or magistrate.

For all other charges, the judge or magistrate of the court shall set bail pursuant to Crim.R.46. This includes:

2. Felonies;
3. Misdemeanor charges, regardless of whether charged under the Ohio Revised Code, local ordinance, or other statutory provision:
 - A. Domestic violence or any other offense of violence if the victim is a family or household member (see: R.C. 2919.251);
 - B. Violation of any protection order or condition of community control, supervision, or probation involving prohibition from contact with specified persons or places;
 - C. The following offenses if the accused was subject to a protection order and/or has a prior conviction involving the same complainant/victim, pursuant to R.C. 2903.212:
 - i. Aggravated menacing (R.C. 2903.21);
 - ii. Menacing by stalking (R.C. 2903.211);
 - iii. Menacing (R.C. 2903.22);

iv. Aggravated trespass (R.C. 2911.211);

v. Any sexually oriented offense as defined by R.C. 2950.01.

D. Any other offense when the victim, police officer, or prosecutor is seeking a protection order, no contact order, or other conditions of bond.