

**AMENDMENTS TO THE SUPREME COURT
RULES FOR THE GOVERNMENT OF THE JUDICIARY OF OHIO**

The following amendments to the Supreme Court Rules for the Government of the Judiciary of Ohio (Gov.Jud.R. II, Section 5 and Gov.Jud.R. III, Section 2) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

December 15, 2023	Initial publication for public comment
February 27, 2024	Final adoption by conference
March 1, 2024	Effective date of amendments

Key to Proposed 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

**SUPREME COURT RULES FOR THE
GOVERNMENT OF THE JUDICIARY OF OHIO**

RULE II. Disciplinary Procedure.

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

Section 5. Campaign Conduct; Enforcement and Sanctions.

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

(C) Appointment of hearing panel; proceedings on the formal complaint.

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

(3) Within five days of its appointment, the hearing panel shall conduct a formal hearing limited to the allegations contained in the complaint. The complainant and respondent shall be notified of the hearing. Within five days after conclusion of the hearing, the hearing panel shall issue a report of its findings and recommendations. If the hearing panel determines by clear and convincing evidence that a violation of Canon 4 has occurred, the hearing panel's report and the record of the proceeding shall be certified to the Supreme Court, together with a recommendation as to whether the complaint should be considered on an expedited basis and whether the five-judge commission appointed pursuant to division (D) of this section should issue a cease and desist order pursuant to division (D)~~(2)~~(3) of this section. If the hearing panel determines by clear and convincing evidence that a violation of Canon 4 has occurred, the hearing panel shall determine whether the respondent previously has been found to have violated Canon 4 and include the determination in its report.

(D) Appointment of five-judge commission; proceedings before the commission.

(1)(a) Within five days of receiving the report, the Supreme Court shall appoint a commission of five judges as provided in section 2701.11 of the Revised Code and Gov. Jud. R. III. The following shall apply to the commission:

(i) Each judge shall have served four or more years on the courts of this state;

(ii) If the respondent has declared his or her candidacy as a member of a major political party, as defined in section 3501.01 of the Revised Code, three of the judges shall be of the same political party as the respondent and two of the judges shall be of a different political party as the respondent;

(iii) No judge shall be a candidate for judicial office during the duration of the commission. The

(b) The judge having the longest total service on the courts of this state shall serve as the chair of the commission. After receipt of the notice of appointment and the receipt of the report, the chair promptly shall fix a day, time, and place for the first meeting of the commission.

(2) The commission shall expedite its consideration of the report and may make its determination from the report of the hearing panel, permit or require the filing of briefs, conduct oral argument, or order the hearing panel to take additional evidence. If the commission concludes the record supports the hearing panel's finding that a violation of Canon 4 has occurred and there has been no abuse of discretion by the hearing panel, the commission may enter an order that includes one or more of the following:

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

~~(2)~~(3) Upon recommendation of the hearing panel, motion of the complainant or sua sponte, the commission may enter an interim cease and desist order as it finds reasonable and necessary prior to making the determination required by division (D)(1) of this section. The interim order shall be based on the commission's preliminary review of the report and recommendation of the hearing panel and any record made before the commission.

~~(3)~~(4) A party may allege the existence of bias, prejudice, or other disqualifying factor on the part of a judge appointed by the Supreme Court to serve on a commission of five judges by filing a motion with the Chief Justice of the Supreme Court. The motion shall be filed within three days of the date the party receives notice of the appointment of the commission. If the Chief Justice finds the existence of bias, prejudice, or other disqualifying factor, the judge named in the motion shall be disqualified, and the Supreme Court shall appoint a substitute judge.

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

[Effective: July 1, 1983; amended effective January 1, 1986; October 1, 1986; September 1, 1987; January 1, 1988; January 1, 1993; July 1, 1995; September 1, 1995; January 1, 1996; June 1, 1997; November 1, 1999; January 1, 2004; January 1, 2010; August 11, 2015; November 1, 2020; April 1, 2023; March 1, 2024.]

RULE III. Disability Retirement, Removal, or Suspension of Judges.

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

Section 2. Action on the Complaint.

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

(B)(1)(a) If the report finds there is substantial credible evidence in support of the complaint, the Supreme Court shall appoint within a reasonable time after its receipt a commission of five judges, as provided in section 2701.11 of the Revised Code, that meets the following criteria:

(i) Each judge shall have served four or more years on the courts of this state;

(ii) If the respondent has declared his or her candidacy as a member of a major political party, as defined in section 3501.01 of the Revised Code, three of the judges shall be of the same political party as the respondent and two of the judges shall be of a different political party as the respondent.

(b) The judge having the longest total service on the courts of this state shall serve as the chair of the commission ~~appointed to determine the question of retirement, removal, or suspension of a judge shall be designated by the Supreme Court.~~ After receipt of the notice of appointment and the receipt of the complaint, the chair promptly shall fix a day, time, and place for the hearing.

(2) If the commission determines by majority vote that grounds for retirement, removal, or suspension without pay have been established by clear and convincing evidence as alleged in the complaint or as provided in section 2701.12 of the Revised Code, the commission shall make the necessary and proper order. Notice of any order shall be sent by electronic service address or certified mail with return receipt to the judge against whom the finding has been made and to the Supreme Court.

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[Effective: July 1, 1983; amended effective October 1, 1986; January 1, 1988; January 1, 1993; June 22, 1998; January 1, 2013; August 11, 2015; November 1, 2020; March 1, 2024.]