

**PROPOSED AMENDMENTS TO THE SUPREME COURT
RULES FOR THE GOVERNMENT OF THE BAR OF OHIO**

Comments Requested: The Supreme Court of Ohio will accept public comments until August 30, 2017, on the following proposed amendments to the Supreme Court Rules for the Government of the Bar of Ohio.

Comments on the proposed amendments should be submitted in writing to: Christy Tull, Director of the Ohio Judicial College, Supreme Court of Ohio, 65 South Front Street, 6th Floor, Columbus, Ohio 43215-3431, or Christy.Tull@sc.ohio.gov not later than August 30, 2017. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendments:

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

1 SUPREME COURT RULES FOR THE GOVERNMENT OF THE BAR OF OHIO

2
3 RULE X. CONTINUING LEGAL EDUCATION

4
5 [Existing language unaffected by the amendments is omitted to conserve space]

6
7 Section 10. Magistrates.

8
9 (A) *Definition.* As used in this section, “magistrate” means an individual appointed by
10 a court pursuant to Rule 53 of the Ohio Rules of Civil Procedure, Rule 40 of the Ohio Rules of
11 Juvenile Procedure, Rule 14 of the Ohio Traffic Rules, or Rule 19 of the Ohio Rules of Criminal
12 Procedure.

13
14 (B)(1) *Orientation program.* A person who, after [effective date of amendment] is
15 appointed as a new magistrate and has not completed the Supreme Court of Ohio Judicial College
16 Magistrate Orientation Program for that jurisdiction shall, within twelve months of the
17 appointment, complete the Magistrate Orientation Program developed and accredited by the
18 Judicial College.

19
20 (2) The Magistrate Orientation Program shall consist of the following two parts:

21
22 (a) Part I, which shall consist of a general and specific curriculum applicable to the
23 jurisdictions of the attendees. The Judicial College shall conduct Part I at least one time each year.

24
25 (b) Part II, which shall be the Judicial College Mentor Program. The mentor program
26 shall pair a new magistrate with an experienced magistrate-mentor within the same subject matter
27 jurisdiction. Each magistrate required to participate in the mentor program shall have regular
28 contact with the mentoring magistrate for a minimum of one year.

29
30 (3) A sitting magistrate who changes jurisdictions shall complete only the portions of
31 Part I that are specifically designed for the new jurisdiction.

32
33 (4) The Judicial College shall not charge tuition for participation in Part I.

34
35 (5) For good cause, the executive committee of the Judicial College Board of Trustees
36 may delay or excuse completion of the Magistrate Orientation Program.

37
38 (C)(1) *Credit hours.* ~~As part~~ Each magistrate shall complete a minimum of the forty credit
39 hours of continuing legal education requirements of this rule, a for each biennial compliance period
40 on subjects devoted to the law and judicial administration.

41
42 (2) As part of the minimum forty credit hours of continuing legal education required
43 by division (C)(1) of this section, each magistrate shall complete a minimum of ten credit hours
44 of continuing legal education for each biennial compliance period that are instruction offered by
45 the Supreme Court of Ohio Judicial College and that do not consist solely of the classroom
46 instruction on professional conduct required by Section 3(B) of this rule.

47 (3) As part of the minimum ten credit hours of Judicial College instruction required by
48 division (C)(2) of this section, each magistrate shall complete a minimum of three credit hours of
49 instruction offered by the Judicial College on one or any combination of the following four conduct
50 topics:

51
52 (a) Ethics, which shall include instruction on one or any combination of the Ohio Code
53 of Judicial Conduct, the Ohio Rules of Professional Conduct, the Judicial Creed, and Ohio ethics
54 laws;

55
56 (b) Professionalism, which shall include instruction on one or both of the following
57 topics:

58
59 (i) The role of magistrates in promoting ethics and professionalism within the judicial
60 system;

61
62 (ii) The role of magistrates in promoting ethics and professionalism among attorneys
63 by facilitating compliance with the requirements of the Ohio Rules of Professional Conduct, “A
64 Lawyer’s Creed,” “A Lawyer’s Aspirational Ideals,” and the “Statement Regarding the Provision
65 of Pro Bono Legal Services by Ohio Lawyers” adopted by the Supreme Court.

66
67 (c) Alcoholism, substance abuse, or mental health issues, which shall include
68 instruction on any of their causes, prevention, detection, and treatment alternatives, as applicable;
69

70 (d) Access to justice and fairness in the courts and how these issues impact public trust
71 and confidence in the judicial system and the perception of justice in Ohio, which shall include
72 instruction on one or any combination of the following topics:

73
74 (i) Interacting with self-represented litigants;

75
76 (ii) Encouraging pro bono representation;

77
78 (iii) Accommodating language interpretation;

79
80 (iv) Assuring fairness in matters of race, ethnicity, foreign origin, religion, gender,
81 sexual orientation, disability, socio-economic status, or other relevant topics.

82
83 (4) The Judicial College instruction related to conduct required by division (C)(3) of
84 this section may be obtained in a single program or activity or in separate programs or activities
85 that include one or more of the subjects set forth in that division.

86
87 ~~(C)~~(D) *Registration.* Each magistrate shall register annually with the Secretary of the
88 Supreme Court Commission on Continuing Legal Education in a manner authorized by the
89 Commission.