



November 7, 2016

Legislation and Policy in the News:

[Probate Court Can Consider
Adoption Over Objections of
Children Services Agency
With Custody; CNO, October
20, 2016](#)



The Ohio Judicial Conference is dedicated to serving all Ohio judges. It is the voice of the judiciary and the primary resource to ensure the fair, unbiased, open, and effective administration of justice.

Legislative News: Two Week Review

- Proposed rules from the Department of Commerce were reviewed, 11.1.16, at the first meeting of the Medical Marijuana Advisory Committee, which was created in [HB 523](#). Public comment on the rules, open on the [website](#), will run for two weeks. Rules must also be approved by the Common Sense Initiative and JCARR.
- The [Criminal Recodification Committee](#) has developed a first draft of a bill and the latest amendments from members have been submitted. The proposed bill is not expected to pass before the end of the year, although some portion of it might. The last newsletter highlighted some proposed changes; here are some more proposals:
 - A general change to protection orders, in that any serious offense of violence triggers eligibility for a protection order – either civil or criminal – instead of the limited enumerated charges that can lead to protection orders now. DR courts have jurisdiction if the parties are married, are divorcing, or have custody orders pending. Common pleas courts have jurisdiction if the parties involved are not married and do not have children.
 - An ability to get protection orders expunged or sealed.
 - A prohibition against disseminating “sexts” to a third party; the recipient of the “sext” is not criminally liable if the sender willingly sent it and the recipient is the direct recipient. If the direct recipient sends the “sext” to anyone else, it is an M1; if the “sext” is posted online, it is an F5.
 - Removal of spousal immunity from rape, gross sexual imposition, and sexual imposition (i.e., a person can be charged with these crimes even if that person is married to the alleged victim of the crimes).
 - A change to how penalties are enhanced in the Theft Chapter and the Arson Chapter; valuations can increase the penalty (e.g. a loss of \$2,500 value can be enhanced to an F5 if it is not an F5 already). As is current law, prior convictions can increase the penalty as well.
- The Ohio Department of Mental Health & Addiction Services is hosting a webinar on Medicaid Changes and Implications for the Jail Population, 11.30.16 (1:00-3:00). [Register](#) online.
- The National Center for State Courts is making available to courts two posters: [Juror Responsibilities Regarding the Internet](#) and [Jury Scams](#). Please contact [NCSC](#) to order.
- If you have an interest in working on one of the OJC committees and have not yet returned your form to Trina.Bennington@sc.ohio.gov (or fax at 614.387.9759), it's not too late – please respond as soon as you can.

For a complete list of bills that affect the judiciary, please visit the [OJC website](#).



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