

CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT –

MODEL LOCAL RULE

1. The purpose of this local rule is to define the specific local court requirements and processes that support a Petitioner’s application for a Certificate of Qualification for Employment (CQE) as set forth in Revised Code 2925.25 and related rules established by the Department of Rehabilitation and Corrections (DRC).
2. In order to request a CQE, the Petition for Certificate of Qualification for Employment (RC 2953.25) [Form A] shall be filed with the Clerk of Courts by the Petitioner. The Petitioner shall provide the DRC Electronic Petition Number and attach a printed receipt of electronic Petition if submitted through the DRC. If not submitted electronically through the DRC, a written Petition must be completed on the form prescribed by the DRC and attached to the pleading.
3. All Petitions submitted through the DRC shall be accompanied by the Department of Rehabilitation and Corrections CQE Summary (CQE Summary).
4. Before any action is required to be taken on the Petition, the Petitioner must pay a deposit in the amount of \$_____. Payment of this deposit may be made in any form otherwise accepted in the court of filing. A Judge may waive some or all of the deposit otherwise required by this Rule. The Petitioner may submit an Affidavit of Indigency (Form B) or other relevant information for the Court’s consideration if requesting a reduction in the filing fees.
5. All social security numbers and other information that must be excluded from public record shall be redacted in accordance with the rules of this court and the Rules of Superintendence. Records or information received by a court to assist the court with making its decision under Section 2953.25 of the Revised Code, including information included on a petition, shall retain their character as public or non-public records, as otherwise provided in law.

6. Upon receipt of a Notice of Petition and the required deposit, the Clerk of Courts shall assign the Petition a miscellaneous civil case number and randomly assign the matter to a trial judge.
7. The Court shall obtain a criminal history for the Petitioner, either through the investigation ordered in support of the Petition (see Order for Investigation (Form F)) or otherwise.
8. The Court shall attempt to determine all other courts in the state in which the Petitioner has been convicted of or plead guilty to an offense through review of the Petitioner's criminal history or other investigation. The Clerk of Courts shall send a Notice to Court Regarding Petition for Certificate of Qualification for Employment [Form C] and Submission of Information Regarding Petition for Certificate of Qualification for Employment (Form E) to each court so identified. Such Notice shall be sent via ordinary US mail.
9. The Clerk of Courts shall also send a Notice to Prosecutor Regarding Petition for Certificate of Qualification for Employment [Form D] and Submission of Information Regarding Petition for Certificate of Qualification for Employment (Form E) to the Prosecuting Attorney of the county in which the Petition was filed.
10. The Judge or Magistrate shall review the Petition, criminal history, all filings submitted by the prosecutor or victim in accordance with the rules adopted by the division of parole and community services, and all other relevant evidence.
11. The Judge or Magistrate may order any report, investigation or disclosure by the Petitioner that it believes is necessary to reach a decision (see Order for Investigation (Form F) and Order for Additional Information (Form G)).
12. Once all information requested has been received, a Judge shall decide whether to Grant (Form H) or Deny (Form I) the Petition within sixty days, unless Petitioner requests and is granted an extension of time. The decision to grant or deny a Petition may be referred to a Magistrate, and

then sent to the Judge for a final Judgment Entry and Order. All notice and objection periods regarding a magistrate's decision would apply as set forth in the civil rules.

13. The Clerk shall provide a written notice to the Petitioner of the Court's Decision and Judgment Entry. If denied, the notice shall include conditions, if any, placed on subsequently filings and language that a final appealable order has been filed. The Clerk shall also notify the DRC of the disposition of the petition as required under the Administrative Rules, and if granted order the DRC to issue the CQE to Petitioner.