



September 30, 2019

**Legislation and Policy
in the News:**

[New interview process for
condemned inmates
seeking mercy; September
22, Associated Press](#)

[Ohio lawmakers seek
tighter limits on
expunging juvenile
records; September 24,
Associated Press](#)

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Legislative News: Two Week Review

- [SB 196](#) (Sen. Eklund), [HB 337](#) (Reps. Stein and Galonski) **Testimonial Privilege** introduced 9.16.19 and 9.17.19, respectively. The bills create a privilege for communications between a qualified advocate rendering advocacy services and a victim of certain offenses, and requires such advocates to report instances of child abuse or neglect.
- [HB 335](#) (Reps. Lepore-Hagan and Boyd) **Domestic Violence and Firearms** introduced 9.17.19. The bill requires a person who is subject to a civil or criminal domestic violence protection order to surrender any firearms in his or her possession.
- [HB 338](#) (Rep. Greenspan), the **Mental Health Awareness and Community Violence Act**, introduced 9.17.19. The bill establishes a process by which law enforcement can petition a probate court for a "potential risk protection order" temporarily enjoining a person from having access to a firearm; requires law enforcement, within 24 hours of receipt of a protection order, to enter that order into LEADS; requires courts that issue protection orders to ensure that they are in a form that is accepted into the protection order database of the national crime information center (NCIC); prohibits anyone convicted of domestic violence or violating a protection order from acquiring, having, carrying, or using a firearm.
- The SB 201/Reagan Tokes Act sentencing calculator, created by Judge Ashley Kilbane, has been updated and is available on [our website](#).
- **CORRECTION:** In our last newsletter, we inaccurately listed only the law firm of Montgomery Rennie Johnson as the firm to represent judges facing ethics complaints. The firm of Isaac, Wiles, Burkholder & Teetor also handles these cases. To find out which firm you should contact, based on appellate district, visit the [Court's website on the state's Liability Self-Insurance Program](#).
- Through November 6, the Supreme Court is accepting public comments on [proposed amendments](#) to several Rules, including: (1) **Civ.R. 4, 4.1, 4.7** implementing a waiver of service provision; (2) **Civ.R. 16, 26** requiring a scheduling order for discovery and proportionality during discovery; (3) **Civ.R. 53** which streamlines civil jury trials heard by a magistrate; (4) **Crim.R. 46** requiring a court to use the least restrictive bond conditions and least amount of monetary bail; (5) **Crim.R. 44** requiring a court to appoint counsel in petty offense cases where jail time is possible; (6) **Crim.R. 19** allowing magistrates to take pleas in F4 and F5 cases; (7) **Evid.R. 601** specifying that all persons, regardless of age, are competent to testify unless the court determines they are not; (8) **Evid.R. 810** creating a residual hearsay exception, if the hearsay evidence is trustworthy and the opposing party is notified of its use; (9) **Evid.R. 902** allowing for self-authentication of business records; (10) **App.R. 3** clarifying that notices of cross-appeals must be filed with the clerk of the trial court; (11) **App.R. 19, 21** requiring page limits (rather than word limits) on briefs and limiting oral argument time to 15 minutes; (12) **Juv.R. 3** requiring appointed counsel at the earliest stage of proceedings; (13) **Juv.R. 4** clarifying that a new attorney is to be appointed if the GAL's duty conflicts with a child's wishes; (14) **Juv.R. 42** harmonizing the Rule with the recent statutory change prohibiting minors to consent to marry; and (15) a redesign of the Model Uniform Traffic Ticket.

For a complete list of bills & the latest issue of Billboard, please visit the [OJC website](#).



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