

Legislative News: Two-Week Review



August 7, 2023

In Case You Missed It:

[Artificial Intelligence Offers Potential Benefits for Voir Dire; JD Supra, July 14, 2023](#)

[Child Deaths During Custody Battles; USA Today, July 17, 2023](#)

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

- On 7.26.23, the Ohio Supreme Court decided *State v. Hacker* ([Slip Opinion No. 2023-Ohio-2535](#)), which challenged the constitutionality of the **Reagan Tokes Act**, passed as [SB 201](#) in 2019. The indefinite sentencing scheme requires trial judges to set a minimum term for first- and second-degree felonies including rape, kidnapping, aggravated robbery and other violent crimes and a potential maximum term equal to the minimum term plus half the length of the minimum term. Inmates are presumed to serve the lesser period or an even shorter sentence based on earned credits while incarcerated unless DRC finds their respective security risks, time in restrictive detention, or rule infractions warrant more than the minimum term. The Court found the mechanism by which the Reagan Tokes Law lengthens an inmate's sentence constitutional.
- [HB 249](#) (Reps. Galonski, Hillyer) Involuntary Treatment, introduced 8.1.23. The bill creates a new psychiatric deterioration standard for a person with a mental illness subject to court order.
- [Recent changes](#) to the **Rules of Practice and Procedure**, including rules encouraging increased use of technology in the courts, went into effect 7.1.23. Also effective 7.1.23, the bail schedule rule in the Rules of Superintendence ([SupR 5.02](#)) was repealed. [Proposed changes](#) to the Rules of the Government of the Bar are open for public comment until 8.31.23.
- The [Take Control Teen Driving Program](#) administered by the Medina County Juvenile Court is such a success that the Ohio Attorney General has offered \$10,000 grant to any court willing to replicate the teen safe driving course; if interested, contact Judge Dunn at kdunn@medinaco.org.
- On 6.2.23, the Attorney General published [Opinion 2023-07](#) at the request of the Scioto County Prosecuting Attorney. Subject to approval by the court of common pleas, the county sheriff is authorized to promulgate rules and policies to **deny an arrestee admission to the county jail** when the jail physician determines that off-site treatment is required as a matter of medical necessity, and the medical costs of an arrestee denied admission to the county jail are borne by the custodial law-enforcement agency. If an arrestee is denied admission to the county jail based on medical necessity, custody remains with the outside law-enforcement officer and that officer is responsible for transporting and guarding the arrestee at the off-site medical facility.
- **Ohio Legal Help** is a nonprofit organization launched in 2019 to help all Ohioans access the civil justice system. Plain language information, interactive self-help tools and connections to local legal and community resources help people resolve their legal issues. In 2023, Ohio Legal Help is projected to help over 800,000 users. Ohio Legal Help's first **Virtual Self-Help Center** with the Montgomery County Domestic Relations Court officially launched this week. You can check it out here: <https://mcdrc.ohiolegalhelp.org/>
- [HB 33](#) (State Biennial Budget), [SB 21](#) (Agency Order Appeal), and [SB 16](#) (Marsy's Law Revisions) have all recently been passed or enacted. For OJC's [Enactment Summaries](#) on these and other bills, visit the OJC website.

For a complete collection of Enactment Summaries, please visit the [OJC website](#).



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