



October 10, 2016

### Legislation and Policy in the News:

[How Heroin Took Over this Ohio Town; The Week, October 2, 2016](#)

[101 People Died in Domestic Abuse Incidents in Ohio in One Year; cleveland.com, October 5, 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

- [SB 357](#) (Sen. Hite) **Insurance & Opioid Analgesics**, introduced 9.27.16. The bill ensures that prior authorization requirements or utilization review measures required under Medicaid cannot be more restrictive for abuse-deterrent opioid analgesic drug products than for opioid analgesic drug products that are not abuse-deterrent.
- [SB 358](#) (Sen. Oelslager) **Fiduciary Access to Digital Assets**, introduced 9.27.16. The bill would enact the model Fiduciary Access to Digital Assets Act; the act allows access to digital assets through a power of attorney, although a court can deny access. The hearing on this decision is discretionary, except in guardianship cases, where a hearing is required.
- The **Criminal Recodification Committee** released its [recommendations](#), 9.29.16, in the form of a proposed bill. The most controversial recommendations are the changes proposed for Chapters 2925. (drug crimes) and 2929. (sentencing). The Committee will continue amending the bill until 10.21.16.
- Proposed [amendments to the Criminal Rules of Procedure](#) include: CrimR 5 (full transcript not necessary in bindovers); CrimR 6 (how to record grand jury proceedings and who may access those records); CrimR 32.2 (waiver of PSI permitted); and CrimR 42 (how to appoint an expert in post-conviction review of capital cases). [Public comments](#) are being accepted until 10.26.16.
- Proposed [amendments to the Civil Rules of Procedure](#) include: CivR 4.2 (allowing service through the Secretary of State if recipient is part of address confidentiality program); CivR 33, 34, & 36 (eliminating service of written discovery at same time as complaint); and CivR 62 (allowing for immediate stay of judgment). [Public comments](#) are being accepted until 10.26.16.
- The U.S. House of Representatives passed the [Supporting Youth Opportunity and Preventing Delinquency Act \(HR 5963\)](#), 9.22.16, which reauthorizes the Juvenile Justice and Delinquency Prevention Act, a law that sets requirements that states must follow to qualify for federal funding. The JJDA prohibits the detention of minors for status offenses, behaviors such as truancy or running away, unless a judge issues a court order. Both the House and Senate versions of the reauthorization bill end the "valid court exception" by phasing it out over three years, but the House bill allows states to apply for one-year hardship extensions. The bill still requires Senate approval.
- The Dayton Literary Peace Prize invites judges to [An Evening for Justice and Peace](#), featuring the life of [Thurgood Marshall](#), at the Victoria Theater in Dayton, 11.18.16. Discounted tickets are available for judges – please contact the OJC for details.

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



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