



November 12, 2024

In Case You Missed It:

[November is National Adoption Month](#)

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.

Legislative News: Two-Week Review

- **SB 325** (Sens. Gavarone, Hicks-Hudson) **Family Law Reform**, introduced 11.6.24. The bill significantly rewrites the allocation of parental rights and responsibilities language in Chapter 3109 with an emphasis on (and expansion of) the statutory “best interest of the child” factors and elimination of “custodial parent” and “residential parent” terminology. The bill’s reforms are based on recommendations from a subcommittee of the Supreme Court’s Advisory Committee on Children & Families that included members of the OJC’s Domestic Relations and Juvenile Law & Procedure Committees.
- **SB 321** (Sen. DeMora) **Liability for Injury from Food**, introduced 10.31.24. The bill provides a reasonable expectation test in determining liability for injury caused by consumption of food containing a substance injurious to health and requires a jury to make that determination.
- On 10.22.24, the Ohio Supreme Court decided [State ex rel. Cincinnati Enquirer v. Bloom \(Slip Opinion No. 2024-Ohio-5029\)](#), which interprets the Open Courts Provision of the Ohio Constitution to prohibit blanket **mandatory sealing of juvenile delinquency records** because of the lack of individualized determination balancing the interests of the state against the interests of the juvenile. R.C. 2151.356 – which mandates sealing of such records – is unconstitutional.
- On 10.25.24, the Ohio Supreme Court decided [State v. Echols \(Slip Opinion No. 2024-Ohio-5088\)](#), which held that evidence of witness intimidation must be analyzed under Evid.R. 404(B) if offered as **proof of an “other crime, wrong, or act”** but in this case, evidence of a man’s attempts to intimidate a witness was properly admitted because it showed a “consciousness of guilt.”
- Public comment is currently open for [proposed changes](#) to the Rules of Superintendence, which change a variety of **probate forms**. The 30 pages of new and amended probate forms include changes to the “Statement of Expert Evaluation” that require a licensed physician or clinical psychologist to approve emergency guardianship and that remove from the “Court Investigator’s Report on Proposed Guardianship” any determination whether mental, physical or environmental conditions supporting adult guardianship are “reversible”; a new “Service of Notice Information for Adult Guardianships” that requires prospective wards to be notified at least 7 days before a guardianship hearing; and a 5-page questionnaire to would-be guardians. Any comments should be submitted in writing before 11.18.24, to ruleamendments@sc.ohio.gov.
- The 135th General Assembly is coming to a close. The two legislative chambers each have only 5 session dates scheduled before the end of the year; the Ohio House of Representatives on: 12.3, 12.4, 12.10, 12.18 and 12.19; and the Ohio Senate on: 11.13, 11.20, 12.4, 12.11, and 12.18.
- Did you know? The Ohio Council of County Officials is advocating for an **increase in compensation for elected officials**, including judges, to help recover from unprecedented recent inflation. Along with this newsletter, we’ve attached a set of talking points that can be brought up with your local legislators.

[For Tools & Bench Aids, and the latest Bill Impact Statements, please visit the OJC Website](#)



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