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Am. Sub. S. B. No. 71

**Senators Goodman, Harris, Amstutz, Fingerhut, Blessing, DiDonato,
Robert Gardner, Schuler, Stivers**

**Representatives Seitz, Grendell, Willamowski, Latta, Buehrer, DeGeeter,
Hollister, Niehaus, T. Patton, Reidelbach, Schmidt, Schneider, Slaby**

—

A B I L L

To amend sections 124.38, 1901.08, 1901.141, 2301.02, 1
2313.08, 2313.10, 2313.11, 2313.12, 2313.13, 2
2313.15, 2313.16, 2313.18, 2313.25, 2313.26, 3
2313.30, 2313.34, 2313.99, 2335.28, 2945.28, and 4
2947.23 and to enact section 2313.251 of the 5
Revised Code to change the penalties for failure 6
to attend as required by a notice for jury service 7
and to serve as a juror, to change the 8
circumstances under and methods by which jury 9
service may be postponed, to provide protections 10
for employees and small employers when employees 11
are summoned for jury service, to eliminate the 12
cap on juror compensation, to shorten the period 13
of jury service after which a juror may be 14
discharged, to allow the commissioners of jurors 15
to establish an electronic notification system to 16
allow jurors to be notified electronically that 17
the juror shall attend in person the term or part 18
of the term specified in the notice, to make other 19
changes to the jury selection procedures, to 20
eliminate the four-day maximum on the amount of 21

jury fees that are taxed as costs in a civil 22
action, to permit costs of summoning jurors to be 23
assessed against a defendant in certain nonjury 24
criminal trials, to expand the circumstances in 25
which a municipal court judge may appoint special 26
constables to also include circumstances in which 27
the municipal court has countywide jurisdiction 28
and is a successor court of a county court that 29
previously served the county, to add one judge to 30
the Clermont County Court of Common Pleas, to 31
modify the crediting of unused sick leave of 32
public officials returning to public employment, 33
and to change the status of the judge of the Berea 34
Municipal Court from part-time to full-time. 35

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 124.38, 1901.08, 1901.141, 2301.02, 36
2313.08, 2313.10, 2313.11, 2313.12, 2313.13, 2313.15, 2313.16, 37
2313.18, 2313.25, 2313.26, 2313.30, 2313.34, 2313.99, 2335.28, 38
2945.28, and 2947.23 be amended and section 2313.251 of the 39
Revised Code be enacted to read as follows: 40

Sec. 124.38. Each of the following shall be entitled for each 41
completed eighty hours of service to sick leave of four and 42
six-tenths hours with pay: 43

(A) Employees in the various offices of the county, 44
municipal, and civil service township service, other than 45
superintendents and management employees, as defined in section 46
5126.20 of the Revised Code, of county boards of mental 47
retardation and developmental disabilities; 48

(B) Employees of any state college or university; 49

(C) Employees of any board of education for whom sick leave is not provided by section 3319.141 of the Revised Code. 50
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Employees may use sick leave, upon approval of the responsible administrative officer of the employing unit, for absence due to personal illness, pregnancy, injury, exposure to contagious disease that could be communicated to other employees, and illness, injury, or death in the employee's immediate family. Unused sick leave shall be cumulative without limit. When sick leave is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour of absence from previously scheduled work. 52
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The previously accumulated sick leave of an employee who has been separated from the public service shall be placed to the employee's credit upon the employee's re-employment in the public service, provided that such re-employment takes place within ten years of the date on which the employee was last terminated from public service. An This ten-year period shall be tolled for any period during which the employee holds elective public office, whether by election or by appointment. 61
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An employee who transfers from one public agency to another shall be credited with the unused balance of the employee's accumulated sick leave up to the maximum of the sick leave accumulation permitted in the public agency to which the employee transfers. 69
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The appointing authorities of the various offices of the county service may permit all or any part of a person's accrued but unused sick leave acquired during service with any regional council of government established in accordance with Chapter 167. of the Revised Code to be credited to the employee upon a transfer as if the employee were transferring from one public agency to another under this section. 74
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The appointing authority of each employing unit shall require 81
an employee to furnish a satisfactory written, signed statement to 82
justify the use of sick leave. If medical attention is required, a 83
certificate stating the nature of the illness from a licensed 84
physician shall be required to justify the use of sick leave. 85
Falsification of either a written, signed statement or a 86
physician's certificate shall be grounds for disciplinary action, 87
including dismissal. 88

This section does not interfere with existing unused sick 89
leave credit in any agency of government where attendance records 90
are maintained and credit has been given employees for unused sick 91
leave. 92

Notwithstanding this section or any other section of the 93
Revised Code, any appointing authority of a county office, 94
department, commission, board, or body may, upon notification to 95
the board of county commissioners, establish alternative schedules 96
of sick leave for employees of the appointing authority for whom 97
the state employment relations board has not established an 98
appropriate bargaining unit pursuant to section 4117.06 of the 99
Revised Code, provided that the alternative schedules are not 100
inconsistent with the provisions of a collective bargaining 101
agreement covering other employees of that appointing authority. 102

Sec. 1901.08. The number of, and the time for election of, 103
judges of the following municipal courts and the beginning of 104
their terms shall be as follows: 105

In the Akron municipal court, two full-time judges shall be 106
elected in 1951, two full-time judges shall be elected in 1953, 107
one full-time judge shall be elected in 1967, and one full-time 108
judge shall be elected in 1975. 109

In the Alliance municipal court, one full-time judge shall be 110

elected in 1953.	111
In the Ashland municipal court, one full-time judge shall be elected in 1951.	112 113
In the Ashtabula municipal court, one full-time judge shall be elected in 1953.	114 115
In the Athens county municipal court, one full-time judge shall be elected in 1967.	116 117
In the Auglaize county municipal court, one full-time judge shall be elected in 1975.	118 119
In the Avon Lake municipal court, one part-time judge shall be elected in 1957.	120 121
In the Barberton municipal court, one full-time judge shall be elected in 1969, and one full-time judge shall be elected in 1971.	122 123 124
In the Bedford municipal court, one full-time judge shall be elected in 1975, and one full-time judge shall be elected in 1979.	125 126
In the Bellefontaine municipal court, one full-time judge shall be elected in 1993.	127 128
In the Bellevue municipal court, one part-time judge shall be elected in 1951.	129 130
In the Berea municipal court, one part-time <u>full-time</u> judge shall be elected in 1957, term to commence on the first day of <u>2005</u> , and one part time judge shall be <u>and one full-time judge shall be</u> elected in 1981, term to commence on the second day of January <u>2005</u> , next after election. The part time judge elected in 1987 whose <u>and one full-time judge shall be</u> term commenced on January 1, 1988, shall serve until December 31, <u>2005</u> , 1993, and the office of that judge is abolished, effective on the <u>and one full-time judge shall be</u> earlier of December 31, 1993, or the date on which that judge <u>2005</u> , resigns, retires, or otherwise vacates judicial office <u>2005</u> .	131 132 133 134 135 136 137 138 139

In the Bowling Green municipal court, one full-time judge shall be elected in 1983.	140 141
In the Brown county municipal court, one full-time judge shall be elected in 2005. Beginning February 9, 2003, the part-time judge of the Brown county county court that existed prior to that date whose term commenced on January 2, 2001, shall serve as the full-time judge of the Brown county municipal court until December 31, 2005.	142 143 144 145 146 147
In the Bryan municipal court, one full-time judge shall be elected in 1965.	148 149
In the Cambridge municipal court, one full-time judge shall be elected in 1951.	150 151
In the Campbell municipal court, one part-time judge shall be elected in 1963.	152 153
In the Canton municipal court, one full-time judge shall be elected in 1951, one full-time judge shall be elected in 1969, and two full-time judges shall be elected in 1977.	154 155 156
In the Celina municipal court, one full-time judge shall be elected in 1957.	157 158
In the Champaign county municipal court, one full-time judge shall be elected in 2001.	159 160
In the Chardon municipal court, one part-time judge shall be elected in 1963.	161 162
In the Chillicothe municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1977.	163 164 165
In the Circleville municipal court, one full-time judge shall be elected in 1953.	166 167
In the Clark county municipal court, one full-time judge	168

shall be elected in 1989, and two full-time judges shall be 169
elected in 1991. The full-time judges of the Springfield municipal 170
court who were elected in 1983 and 1985 shall serve as the judges 171
of the Clark county municipal court from January 1, 1988, until 172
the end of their respective terms. 173

In the Clermont county municipal court, two full-time judges 174
shall be elected in 1991, and one full-time judge shall be elected 175
in 1999. 176

In the Cleveland municipal court, six full-time judges shall 177
be elected in 1975, three full-time judges shall be elected in 178
1953, and four full-time judges shall be elected in 1955. 179

In the Cleveland Heights municipal court, one full-time judge 180
shall be elected in 1957. 181

In the Clinton county municipal court, one full-time judge 182
shall be elected in 1997. The full-time judge of the Wilmington 183
municipal court who was elected in 1991 shall serve as the judge 184
of the Clinton county municipal court from July 1, 1992, until the 185
end of that judge's term on December 31, 1997. 186

In the Columbiana county municipal court, two full-time 187
judges shall be elected in 2001 188

In the Conneaut municipal court, one full-time judge shall be 189
elected in 1953. 190

In the Coshocton municipal court, one full-time judge shall 191
be elected in 1951. 192

In the Crawford county municipal court, one full-time judge 193
shall be elected in 1977. 194

In the Cuyahoga Falls municipal court, one full-time judge 195
shall be elected in 1953, and one full-time judge shall be elected 196
in 1967. 197

In the Darke county municipal court, one full-time judge 198

shall be elected in 2005. Beginning January 1, 2005, the part-time judge of the Darke county county court that existed prior to that date whose term began on January 1, 2001, shall serve as the full-time judge of the Darke county municipal court until December 31, 2005.

In the Dayton municipal court, three full-time judges shall be elected in 1987, their terms to commence on successive days beginning on the first day of January next after their election, and two full-time judges shall be elected in 1955, their terms to commence on successive days beginning on the second day of January next after their election.

In the Defiance municipal court, one full-time judge shall be elected in 1957.

In the Delaware municipal court, one full-time judge shall be elected in 1953.

In the East Cleveland municipal court, one full-time judge shall be elected in 1957.

In the East Liverpool municipal court, one full-time judge shall be elected in 1953.

In the Eaton municipal court, one full-time judge shall be elected in 1973.

In the Elyria municipal court, one full-time judge shall be elected in 1955, and one full-time judge shall be elected in 1973.

In the Euclid municipal court, one full-time judge shall be elected in 1951.

In the Fairborn municipal court, one full-time judge shall be elected in 1977.

In the Fairfield county municipal court, one full-time judge shall be elected in 2003, and one full-time judge shall be elected in 2005.

In the Fairfield municipal court, one full-time judge shall	229
be elected in 1989.	230
In the Findlay municipal court, one full-time judge shall be	231
elected in 1955, and one full-time judge shall be elected in 1993.	232
In the Fostoria municipal court, one full-time judge shall be	233
elected in 1975.	234
In the Franklin municipal court, one part-time judge shall be	235
elected in 1951.	236
In the Franklin county municipal court, two full-time judges	237
shall be elected in 1969, three full-time judges shall be elected	238
in 1971, seven full-time judges shall be elected in 1967, one	239
full-time judge shall be elected in 1975, one full-time judge	240
shall be elected in 1991, and one full-time judge shall be elected	241
in 1997.	242
In the Fremont municipal court, one full-time judge shall be	243
elected in 1975.	244
In the Gallipolis municipal court, one full-time judge shall	245
be elected in 1981.	246
In the Garfield Heights municipal court, one full-time judge	247
shall be elected in 1951, and one full-time judge shall be elected	248
in 1981.	249
In the Girard municipal court, one full-time judge shall be	250
elected in 1963.	251
In the Hamilton municipal court, one full-time judge shall be	252
elected in 1953.	253
In the Hamilton county municipal court, five full-time judges	254
shall be elected in 1967, five full-time judges shall be elected	255
in 1971, two full-time judges shall be elected in 1981, and two	256
full-time judges shall be elected in 1983. All terms of judges of	257
the Hamilton county municipal court shall commence on the first	258

day of January next after their election, except that the terms of 259
the additional judges to be elected in 1981 shall commence on 260
January 2, 1982, and January 3, 1982, and that the terms of the 261
additional judges to be elected in 1983 shall commence on January 262
4, 1984, and January 5, 1984. 263

In the Hardin county municipal court, one part-time judge 264
shall be elected in 1989. 265

In the Hillsboro municipal court, one part-time judge shall 266
be elected in 1957. 267

In the Hocking county municipal court, one full-time judge 268
shall be elected in 1977. 269

In the Huron municipal court, one part-time judge shall be 270
elected in 1967. 271

In the Ironton municipal court, one full-time judge shall be 272
elected in 1951. 273

In the Jackson county municipal court, one full-time judge 274
shall be elected in 2001. On and after March 31, 1997, the 275
part-time judge of the Jackson county municipal court who was 276
elected in 1995 shall serve as a full-time judge of the court 277
until the end of that judge's term on December 31, 2001. 278

In the Kettering municipal court, one full-time judge shall 279
be elected in 1971, and one full-time judge shall be elected in 280
1975. 281

In the Lakewood municipal court, one full-time judge shall be 282
elected in 1955. 283

In the Lancaster municipal court, one full-time judge shall 284
be elected in 1951, and one full-time judge shall be elected in 285
1979. Beginning January 2, 2000, the full-time judges of the 286
Lancaster municipal court who were elected in 1997 and 1999 shall 287
serve as judges of the Fairfield county municipal court until the 288

end of those judges' terms.	289
In the Lawrence county municipal court, one part-time judge shall be elected in 1981.	290 291
In the Lebanon municipal court, one part-time judge shall be elected in 1955.	292 293
In the Licking county municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1971.	294 295 296
In the Lima municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1967.	297 298
In the Lorain municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 1973.	299 300
In the Lyndhurst municipal court, one part-time judge shall be elected in 1957.	301 302
In the Madison county municipal court, one full-time judge shall be elected in 1981.	303 304
In the Mansfield municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1969.	305 306 307
In the Marietta municipal court, one full-time judge shall be elected in 1957.	308 309
In the Marion municipal court, one full-time judge shall be elected in 1951.	310 311
In the Marysville municipal court, one part-time judge shall be elected in 1963.	312 313
In the Mason municipal court, one part-time judge shall be elected in 1965.	314 315
In the Massillon municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in	316 317

1971.	318
In the Maumee municipal court, one full-time judge shall be elected in 1963.	319 320
In the Medina municipal court, one full-time judge shall be elected in 1957.	321 322
In the Mentor municipal court, one full-time judge shall be elected in 1971.	323 324
In the Miami county municipal court, one full-time judge shall be elected in 1975, and one full-time judge shall be elected in 1979.	325 326 327
In the Miamisburg municipal court, one part-time judge shall be elected in 1951.	328 329
In the Middletown municipal court, one full-time judge shall be elected in 1953.	330 331
In the Morrow county municipal court, one full-time judge shall be elected in 2005. Beginning January 1, 2003, the part-time judge of the Morrow county county court that existed prior to that date shall serve as the full-time judge of the Morrow county municipal court until December 31, 2005.	332 333 334 335 336
In the Mount Vernon municipal court, one full-time judge shall be elected in 1951.	337 338
In the Napoleon municipal court, one full-time judge shall be elected in 2005.	339 340
In the New Philadelphia municipal court, one full-time judge shall be elected in 1975.	341 342
In the Newton Falls municipal court, one full-time judge shall be elected in 1963.	343 344
In the Niles municipal court, one full-time judge shall be elected in 1951.	345 346

In the Norwalk municipal court, one full-time judge shall be elected in 1975.	347 348
In the Oakwood municipal court, one part-time judge shall be elected in 1953.	349 350
In the Oberlin municipal court, one full-time judge shall be elected in 1989.	351 352
In the Oregon municipal court, one full-time judge shall be elected in 1963.	353 354
In the Ottawa county municipal court, one full-time judge shall be elected in 1995, and the full-time judge of the Port Clinton municipal court who is elected in 1989 shall serve as the judge of the Ottawa county municipal court from February 4, 1994, until the end of that judge's term.	355 356 357 358 359
In the Painesville municipal court, one full-time judge shall be elected in 1951.	360 361
In the Parma municipal court, one full-time judge shall be elected in 1951, one full-time judge shall be elected in 1967, and one full-time judge shall be elected in 1971.	362 363 364
In the Perrysburg municipal court, one full-time judge shall be elected in 1977.	365 366
In the Portage county municipal court, two full-time judges shall be elected in 1979, and one full-time judge shall be elected in 1971.	367 368 369
In the Port Clinton municipal court, one full-time judge shall be elected in 1953. The full-time judge of the Port Clinton municipal court who is elected in 1989 shall serve as the judge of the Ottawa county municipal court from February 4, 1994, until the end of that judge's term.	370 371 372 373 374
In the Portsmouth municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in	375 376

1985.	377
In the Rocky River municipal court, one full-time judge shall	378
be elected in 1957, and one full-time judge shall be elected in	379
1971.	380
In the Sandusky municipal court, one full-time judge shall be	381
elected in 1953.	382
In the Shaker Heights municipal court, one full-time judge	383
shall be elected in 1957.	384
In the Shelby municipal court, one part-time judge shall be	385
elected in 1957.	386
In the Sidney municipal court, one full-time judge shall be	387
elected in 1995.	388
In the South Euclid municipal court, one full-time judge	389
shall be elected in 1999. The part-time judge elected in 1993,	390
whose term commenced on January 1, 1994, shall serve until	391
December 31, 1999, and the office of that judge is abolished on	392
January 1, 2000.	393
In the Springfield municipal court, two full-time judges	394
shall be elected in 1985, and one full-time judge shall be elected	395
in 1983, all of whom shall serve as the judges of the Springfield	396
municipal court through December 31, 1987, and as the judges of	397
the Clark county municipal court from January 1, 1988, until the	398
end of their respective terms.	399
In the Steubenville municipal court, one full-time judge	400
shall be elected in 1953.	401
In the Struthers municipal court, one part-time judge shall	402
be elected in 1963.	403
In the Sylvania municipal court, one full-time judge shall be	404
elected in 1963.	405

In the Tiffin municipal court, one full-time judge shall be elected in 1953.	406 407
In the Toledo municipal court, two full-time judges shall be elected in 1971, four full-time judges shall be elected in 1975, and one full-time judge shall be elected in 1973.	408 409 410
In the Upper Sandusky municipal court, one part-time judge shall be elected in 1957.	411 412
In the Vandalia municipal court, one full-time judge shall be elected in 1959.	413 414
In the Van Wert municipal court, one full-time judge shall be elected in 1957.	415 416
In the Vermilion municipal court, one part-time judge shall be elected in 1965.	417 418
In the Wadsworth municipal court, one full-time judge shall be elected in 1981.	419 420
In the Warren municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1971.	421 422
In the Washington Court House municipal court, one full-time judge shall be elected in 1999. The part-time judge elected in 1993, whose term commenced on January 1, 1994, shall serve until December 31, 1999, and the office of that judge is abolished on January 1, 2000.	423 424 425 426 427
In the Wayne county municipal court, one full-time judge shall be elected in 1975, and one full-time judge shall be elected in 1979.	428 429 430
In the Willoughby municipal court, one full-time judge shall be elected in 1951.	431 432
In the Wilmington municipal court, one full-time judge shall be elected in 1991, who shall serve as the judge of the Wilmington	433 434

municipal court through June 30, 1992, and as the judge of the
Clinton county municipal court from July 1, 1992, until the end of
that judge's term on December 31, 1997.

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In the Xenia municipal court, one full-time judge shall be
elected in 1977.

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In the Youngstown municipal court, one full-time judge shall
be elected in 1951, and two full-time judges shall be elected in
1953.

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In the Zanesville municipal court, one full-time judge shall
be elected in 1953.

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Sec. 1901.141. (A)(1) Upon the written application of the
director of administrative services or of at least three
freeholders of the territory, a municipal judge may appoint one or
more electors who are residents of the county as special
constables, but only if ~~the~~ either of the following applies:

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(a) The territory within the jurisdiction of the municipal
court served by the municipal court judge is contiguous to
territory within the jurisdiction of a county court, where the
judge of that county court judge has appointed a special constable
to guard and protect territory abutting territory in the municipal
court's jurisdiction, and the abutting territory within the
municipal court's jurisdiction is the property within the
application for which a special constable is being sought. In

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(b) The territory within the jurisdiction of the municipal
court served by the municipal court judge is coextensive with the
boundaries of the county in which the court is located, and the
municipal court is a successor court of a county court that
previously served that county.

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(2) In order to be eligible to serve as a special constable
under this section, an elector shall hold a valid certificate

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issued by the Ohio peace officer training commission. 465

The special constables shall guard and protect from unlawful 466
acts the property of the state specified in the application or the 467
property of the applicant-freeholders and any property of the 468
state under lease to the applicant-freeholders specified in the 469
application. To the extent necessary to carry out the 470
responsibility to guard and protect the property involved, a 471
special constable shall have the same authority and shall be 472
subject to the same obligations as a peace officer, as defined in 473
section 2935.01 of the Revised Code. 474

(B) A municipal judge who appoints a special constable 475
pursuant to division (A) of this section shall make a memorandum 476
of the appointment upon the docket of the court. The appointment 477
shall continue in force for one year unless the judge revokes it 478
before the expiration of that one-year period. The 479
applicant-freeholders for whose benefit a special constable is 480
appointed shall pay the special constable in full for the special 481
constable's services, and the special constable shall receive no 482
compensation except from those applicant-freeholders. 483

If a municipal judge wishes to reappoint an elector for a 484
successive one-year period, before the elector may be appointed 485
the elector shall have successfully completed a firearms 486
requalification program approved by the executive director of the 487
Ohio peace officer training commission in accordance with rules 488
adopted by the attorney general under section 109.743 of the 489
Revised Code. 490

(C) A municipal judge who appoints a special constable 491
pursuant to division (A) of this section, the municipal court on 492
which the judge sits, the legislative authority associated with 493
that court, and all political subdivisions within the territory of 494
that court are not liable in damages in any tort or other civil 495
action for injury, death, or loss to person or property allegedly 496

caused by any act or omission of the special constable that 497
relates to the special constable's official responsibility to 498
guard and protect property. 499

(D) A special constable appointed pursuant to division (A) of 500
this section is not liable in damages in any tort or other civil 501
action for injury, death, or loss to person or property allegedly 502
caused by an act or omission of the special constable that relates 503
to the special constable's official responsibility to guard and 504
protect property, unless the act or omission was committed or 505
omitted with malicious purpose, in bad faith, or in a wanton or 506
reckless manner. The state, if the director of administrative 507
services requested the appointment of the special constable, or 508
the applicant-freeholders, if freeholders requested the 509
appointment of the special constable, shall be jointly and 510
severally liable in damages in any tort or other civil action for 511
injury, death, or loss to person or property caused by an act or 512
omission of the special constable that was committed or omitted 513
with malicious purpose, in bad faith, or in a wanton or reckless 514
manner. The state or the applicant-freeholders are not liable in 515
damages in any tort or other civil action for injury, death, or 516
loss to person or property caused by any other act or omission of 517
the special constable. 518

(E) This section does not affect any immunities from civil 519
liability or defenses established or recognized by Chapter 2744. 520
or any other chapter of the Revised Code, or available at common 521
law, to which the state or a municipal judge, municipal court, 522
legislative authority, political subdivision, special constable 523
appointed pursuant to division (A) of this section, or 524
applicant-freeholder may be entitled under circumstances not 525
covered by this section. 526

Sec. 2301.02. The number of judges of the court of common 527

pleas for each county, the time for the next election of the 528
judges in the several counties, and the beginning of their terms 529
shall be as follows: 530

(A) In Adams, Ashland, Fayette, and Pike counties, one judge, 531
elected in 1956, term to begin February 9, 1957; 532

In Brown, Crawford, Defiance, Highland, Holmes, Morgan, 533
Ottawa, and Union counties, one judge, to be elected in 1954, term 534
to begin February 9, 1955; 535

In Auglaize county, one judge, to be elected in 1956, term to 536
begin January 9, 1957; 537

In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin, 538
Jackson, Knox, Madison, Mercer, Monroe, Morrow, Paulding, Vinton, 539
and Wyandot counties, one judge, to be elected in 1956, term to 540
begin January 1, 1957; 541

In Logan county, two judges, one to be elected in 1956, term 542
to begin January 1, 1957, and one to be elected in 2004, term to 543
begin January 2, 2005; 544

In Carroll, Champaign, Clinton, Hocking, Meigs, Pickaway, 545
Preble, Shelby, Van Wert, and Williams counties, one judge, to be 546
elected in 1952, term to begin January 1, 1953; 547

In Harrison and Noble counties, one judge, to be elected in 548
1954, term to begin April 18, 1955; 549

In Henry county, two judges, one to be elected in 1956, term 550
to begin May 9, 1957, and one to be elected in 2004, term to begin 551
January 1, 2005; 552

In Putnam county, one judge, to be elected in 1956, term to 553
begin May 9, 1957; 554

In Huron county, one judge, to be elected in 1952, term to 555
begin May 14, 1953; 556

In Perry county, one judge, to be elected in 1954, term to begin July 6, 1956;	557 558
In Sandusky county, two judges, one to be elected in 1954, term to begin February 10, 1955, and one to be elected in 1978, term to begin January 1, 1979;	559 560 561
(B) In Allen county, three judges, one to be elected in 1956, term to begin February 9, 1957, the second to be elected in 1958, term to begin January 1, 1959, and the third to be elected in 1992, term to begin January 1, 1993;	562 563 564 565
In Ashtabula county, three judges, one to be elected in 1954, term to begin February 9, 1955, one to be elected in 1960, term to begin January 1, 1961, and one to be elected in 1978, term to begin January 2, 1979;	566 567 568 569
In Athens county, two judges, one to be elected in 1954, term to begin February 9, 1955, and one to be elected in 1990, term to begin July 1, 1991;	570 571 572
In Erie county, four judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1970, term to begin January 2, 1971, the third to be elected in 2004, term to begin January 2, 2005, and the fourth to be elected in 2008, term to begin February 9, 2009;	573 574 575 576 577
In Fairfield county, three judges, one to be elected in 1954, term to begin February 9, 1955, the second to be elected in 1970, term to begin January 1, 1971, and the third to be elected in 1994, term to begin January 2, 1995;	578 579 580 581
In Geauga county, two judges, one to be elected in 1956, term to begin January 1, 1957, and the second to be elected in 1976, term to begin January 6, 1977;	582 583 584
In Greene county, four judges, one to be elected in 1956, term to begin February 9, 1957, the second to be elected in 1960,	585 586

term to begin January 1, 1961, the third to be elected in 1978,	587
term to begin January 2, 1979, and the fourth to be elected in	588
1994, term to begin January 1, 1995;	589
In Hancock county, two judges, one to be elected in 1952,	590
term to begin January 1, 1953, and the second to be elected in	591
1978, term to begin January 1, 1979;	592
In Lawrence county, two judges, one to be elected in 1954,	593
term to begin February 9, 1955, and the second to be elected in	594
1976, term to begin January 1, 1977;	595
In Marion county, three judges, one to be elected in 1952,	596
term to begin January 1, 1953, the second to be elected in 1976,	597
term to begin January 2, 1977, and the third to be elected in	598
1998, term to begin February 9, 1999;	599
In Medina county, three judges, one to be elected in 1956,	600
term to begin January 1, 1957, the second to be elected in 1966,	601
term to begin January 1, 1967, and the third to be elected in	602
1994, term to begin January 1, 1995;	603
In Miami county, two judges, one to be elected in 1954, term	604
to begin February 9, 1955, and one to be elected in 1970, term to	605
begin on January 1, 1971;	606
In Muskingum county, three judges, one to be elected in 1968,	607
term to begin August 9, 1969, one to be elected in 1978, term to	608
begin January 1, 1979, and one to be elected in 2002, term to	609
begin January 2, 2003;	610
In Portage county, three judges, one to be elected in 1956,	611
term to begin January 1, 1957, the second to be elected in 1960,	612
term to begin January 1, 1961, and the third to be elected in	613
1986, term to begin January 2, 1987;	614
In Ross county, two judges, one to be elected in 1956, term	615
to begin February 9, 1957, and the second to be elected in 1976,	616

term to begin January 1, 1977; 617

In Scioto county, three judges, one to be elected in 1954, 618
term to begin February 10, 1955, the second to be elected in 1960, 619
term to begin January 1, 1961, and the third to be elected in 620
1994, term to begin January 2, 1995; 621

In Seneca county, two judges, one to be elected in 1956, term 622
to begin January 1, 1957, and the second to be elected in 1986, 623
term to begin January 2, 1987; 624

In Warren county, four judges, one to be elected in 1954, 625
term to begin February 9, 1955, the second to be elected in 1970, 626
term to begin January 1, 1971, the third to be elected in 1986, 627
term to begin January 1, 1987, and the fourth to be elected in 628
2004, term to begin January 2, 2005; 629

In Washington county, two judges, one to be elected in 1952, 630
term to begin January 1, 1953, and one to be elected in 1986, term 631
to begin January 1, 1987; 632

In Wood county, three judges, one to be elected in 1968, term 633
beginning January 1, 1969, the second to be elected in 1970, term 634
to begin January 2, 1971, and the third to be elected in 1990, 635
term to begin January 1, 1991; 636

In Belmont and Jefferson counties, two judges, to be elected 637
in 1954, terms to begin January 1, 1955, and February 9, 1955, 638
respectively; 639

In Clark county, four judges, one to be elected in 1952, term 640
to begin January 1, 1953, the second to be elected in 1956, term 641
to begin January 2, 1957, the third to be elected in 1986, term to 642
begin January 3, 1987, and the fourth to be elected in 1994, term 643
to begin January 2, 1995. 644

In Clermont county, ~~four~~ five judges, one to be elected in 645
1956, term to begin January 1, 1957, the second to be elected in 646

1964, term to begin January 1, 1965, the third to be elected in 647
1982, term to begin January 2, 1983, ~~and~~ the fourth to be elected 648
in 1986, term to begin January 2, 1987; and the fifth to be 649
elected in 2006, term to begin January 3, 2007; 650

In Columbiana county, two judges, one to be elected in 1952, 651
term to begin January 1, 1953, and the second to be elected in 652
1956, term to begin January 1, 1957; 653

In Delaware county, two judges, one to be elected in 1990, 654
term to begin February 9, 1991, the second to be elected in 1994, 655
term to begin January 1, 1995; 656

In Lake county, six judges, one to be elected in 1958, term 657
to begin January 1, 1959, the second to be elected in 1960, term 658
to begin January 2, 1961, the third to be elected in 1964, term to 659
begin January 3, 1965, the fourth and fifth to be elected in 1978, 660
terms to begin January 4, 1979, and January 5, 1979, respectively, 661
and the sixth to be elected in 2000, term to begin January 6, 662
2001; 663

In Licking county, four judges, one to be elected in 1954, 664
term to begin February 9, 1955, one to be elected in 1964, term to 665
begin January 1, 1965, one to be elected in 1990, term to begin 666
January 1, 1991, and one to be elected in 2004, term to begin 667
January 1, 2005; 668

In Lorain county, eight judges, two to be elected in 1952, 669
terms to begin January 1, 1953, and January 2, 1953, respectively, 670
one to be elected in 1958, term to begin January 3, 1959, one to 671
be elected in 1968, term to begin January 1, 1969, two to be 672
elected in 1988, terms to begin January 4, 1989, and January 5, 673
1989, respectively, and two to be elected in 1998, terms to begin 674
January 2, 1999, and January 3, 1999, respectively; 675

In Butler county, ten judges, one to be elected in 1956, term 676
to begin January 1, 1957; two to be elected in 1954, terms to 677

begin January 1, 1955, and February 9, 1955, respectively; one to
be elected in 1968, term to begin January 2, 1969; one to be
elected in 1986, term to begin January 3, 1987; two to be elected
in 1988, terms to begin January 1, 1989, and January 2, 1989,
respectively; one to be elected in 1992, term to begin January 4,
1993; and two to be elected in 2002, terms to begin January 2,
2003, and January 3, 2003, respectively;

In Richland county, four judges, one to be elected in 1956,
term to begin January 1, 1957, the second to be elected in 1960,
term to begin February 9, 1961, the third to be elected in 1968,
term to begin January 2, 1969, and the fourth to be elected in
2004, term to begin January 3, 2005;

In Tuscarawas county, two judges, one to be elected in 1956,
term to begin January 1, 1957, and the second to be elected in
1960, term to begin January 2, 1961;

In Wayne county, two judges, one to be elected in 1956, term
beginning January 1, 1957, and one to be elected in 1968, term to
begin January 2, 1969;

In Trumbull county, six judges, one to be elected in 1952,
term to begin January 1, 1953, the second to be elected in 1954,
term to begin January 1, 1955, the third to be elected in 1956,
term to begin January 1, 1957, the fourth to be elected in 1964,
term to begin January 1, 1965, the fifth to be elected in 1976,
term to begin January 2, 1977, and the sixth to be elected in
1994, term to begin January 3, 1995;

(C) In Cuyahoga county, thirty-nine judges; eight to be
elected in 1954, terms to begin on successive days beginning from
January 1, 1955, to January 7, 1955, and February 9, 1955,
respectively; eight to be elected in 1956, terms to begin on
successive days beginning from January 1, 1957, to January 8,
1957; three to be elected in 1952, terms to begin from January 1,

1953, to January 3, 1953; two to be elected in 1960, terms to
begin on January 8, 1961, and January 9, 1961, respectively; two
to be elected in 1964, terms to begin January 4, 1965, and January
5, 1965, respectively; one to be elected in 1966, term to begin on
January 10, 1967; four to be elected in 1968, terms to begin on
successive days beginning from January 9, 1969, to January 12,
1969; two to be elected in 1974, terms to begin on January 18,
1975, and January 19, 1975, respectively; five to be elected in
1976, terms to begin on successive days beginning January 6, 1977,
to January 10, 1977; two to be elected in 1982, terms to begin
January 11, 1983, and January 12, 1983, respectively; and two to
be elected in 1986, terms to begin January 13, 1987, and January
14, 1987, respectively;

In Franklin county, twenty-two judges; two to be elected in
1954, terms to begin January 1, 1955, and February 9, 1955,
respectively; four to be elected in 1956, terms to begin January
1, 1957, to January 4, 1957; four to be elected in 1958, terms to
begin January 1, 1959, to January 4, 1959; three to be elected in
1968, terms to begin January 5, 1969, to January 7, 1969; three to
be elected in 1976, terms to begin on successive days beginning
January 5, 1977, to January 7, 1977; one to be elected in 1982,
term to begin January 8, 1983; one to be elected in 1986, term to
begin January 9, 1987; two to be elected in 1990, terms to begin
July 1, 1991, and July 2, 1991, respectively; one to be elected in
1996, term to begin January 2, 1997; and one to be elected in
2004, term to begin July 1, 2005;

In Hamilton county, twenty-one judges; eight to be elected in
1966, terms to begin January 1, 1967, January 2, 1967, and from
February 9, 1967, to February 14, 1967, respectively; five to be
elected in 1956, terms to begin from January 1, 1957, to January
5, 1957; one to be elected in 1964, term to begin January 1, 1965;
one to be elected in 1974, term to begin January 15, 1975; one to

be elected in 1980, term to begin January 16, 1981; two to be
elected at large in the general election in 1982, terms to begin
April 1, 1983; one to be elected in 1990, term to begin July 1,
1991; and two to be elected in 1996, terms to begin January 3,
1997, and January 4, 1997, respectively;

In Lucas county, fourteen judges; two to be elected in 1954,
terms to begin January 1, 1955, and February 9, 1955,
respectively; two to be elected in 1956, terms to begin January 1,
1957, and October 29, 1957, respectively; two to be elected in
1952, terms to begin January 1, 1953, and January 2, 1953,
respectively; one to be elected in 1964, term to begin January 3,
1965; one to be elected in 1968, term to begin January 4, 1969;
two to be elected in 1976, terms to begin January 4, 1977, and
January 5, 1977, respectively; one to be elected in 1982, term to
begin January 6, 1983; one to be elected in 1988, term to begin
January 7, 1989; one to be elected in 1990, term to begin January
2, 1991; and one to be elected in 1992, term to begin January 2,
1993;

In Mahoning county, seven judges; three to be elected in
1954, terms to begin January 1, 1955, January 2, 1955, and
February 9, 1955, respectively; one to be elected in 1956, term to
begin January 1, 1957; one to be elected in 1952, term to begin
January 1, 1953; one to be elected in 1968, term to begin January
2, 1969; and one to be elected in 1990, term to begin July 1,
1991;

In Montgomery county, fifteen judges; three to be elected in
1954, terms to begin January 1, 1955, January 2, 1955, and January
3, 1955, respectively; four to be elected in 1952, terms to begin
January 1, 1953, January 2, 1953, July 1, 1953, July 2, 1953,
respectively; one to be elected in 1964, term to begin January 3,
1965; one to be elected in 1968, term to begin January 3, 1969;
three to be elected in 1976, terms to begin on successive days

beginning January 4, 1977, to January 6, 1977; two to be elected 773
in 1990, terms to begin July 1, 1991, and July 2, 1991, 774
respectively; and one to be elected in 1992, term to begin January 775
1, 1993. 776

In Stark county, eight judges; one to be elected in 1958, 777
term to begin on January 2, 1959; two to be elected in 1954, terms 778
to begin on January 1, 1955, and February 9, 1955, respectively; 779
two to be elected in 1952, terms to begin January 1, 1953, and 780
April 16, 1953, respectively; one to be elected in 1966, term to 781
begin on January 4, 1967; and two to be elected in 1992, terms to 782
begin January 1, 1993, and January 2, 1993, respectively; 783

In Summit county, eleven judges; four to be elected in 1954, 784
terms to begin January 1, 1955, January 2, 1955, January 3, 1955, 785
and February 9, 1955, respectively; three to be elected in 1958, 786
terms to begin January 1, 1959, January 2, 1959, and May 17, 1959, 787
respectively; one to be elected in 1966, term to begin January 4, 788
1967; one to be elected in 1968, term to begin January 5, 1969; 789
one to be elected in 1990, term to begin May 1, 1991; and one to 790
be elected in 1992, term to begin January 6, 1993. 791

Notwithstanding the foregoing provisions, in any county 792
having two or more judges of the court of common pleas, in which 793
more than one-third of the judges plus one were previously elected 794
at the same election, if the office of one of those judges so 795
elected becomes vacant more than forty days prior to the second 796
general election preceding the expiration of that judge's term, 797
the office that that judge had filled shall be abolished as of the 798
date of the next general election, and a new office of judge of 799
the court of common pleas shall be created. The judge who is to 800
fill that new office shall be elected for a six-year term at the 801
next general election, and the term of that judge shall commence 802
on the first day of the year following that general election, on 803
which day no other judge's term begins, so that the number of 804

judges that the county shall elect shall not be reduced.

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Judges of the probate division of the court of common pleas are judges of the court of common pleas but shall be elected pursuant to sections 2101.02 and 2101.021 of the Revised Code, except in Adams, Harrison, Henry, Morgan, Morrow, Noble, and Wyandot counties in which the judge of the court of common pleas elected pursuant to this section also shall serve as judge of the probate division.

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Sec. 2313.08. (A) The jury year in each county shall begin on the first Monday of August of each year, provided the court of common pleas may designate otherwise. A new and complete jury list shall be made up annually by the commissioners of jurors, and shall be certified by them and filed in their office before the beginning of each jury year. The names shall be entered in a suitable book or record, to be known as the "annual jury list," shall be arranged alphabetically so far as practicable and under convenient divisions by precincts, districts, and townships, and shall be properly indexed. With each name shall be recorded the occupation, place of business, place of residence, duration of residence in this state, citizenship status, date of birth, and social security number of the person, as nearly as they can be ascertained. A duplicate of the list shall be certified by the commissioners and filed in the office of the clerk of the court of common pleas. The commissioners may, by order of the court, add to the list, or enter on a supplementary list, the names of persons who shall thereafter be discovered to be qualified to serve as jurors.

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(B) In the selection of names for the annual jury list, the commissioners may select all names other than names of persons excused from service permanently pursuant to section 2313.16 of the Revised Code from the list of electors certified by the board

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of elections pursuant to section 2313.06 of the Revised Code or 836
may select all names other than names of persons excused from 837
service permanently pursuant to section 2313.16 of the Revised 838
Code from the list of qualified driver licensees certified by the 839
registrar of motor vehicles pursuant to section 2313.06 of the 840
Revised Code and from the list of electors certified by the board 841
of elections pursuant to section 2313.06 of the Revised Code. The 842
commissioners may not select for the annual jury list names of 843
persons who are excused from service permanently pursuant to 844
section 2313.16 of the Revised Code. 845

In the selection of the names for the annual jury list, 846
unless otherwise ordered by the court, the commissioners shall 847
assign a consecutive number to each name, starting with one, and 848
shall use a key number that shall be designated by the court. The 849
commissioners shall select the name of each prospective juror, 850
starting with the name that corresponds to a randomly selected 851
number that may range from the number one to the key number, and 852
proceeding accordingly in the numerical sequence of the key number 853
so designated, until the required number of prospective jurors has 854
been selected. 855

(C) Automation data processing procedures and visual display 856
apparatus may be utilized in the selection of the names for the 857
annual jury list, and in the actual compilation of the list. 858

Sec. 2313.10. (A) The commissioners of jurors may serve 859
personally or by mail on any person within the county, a notice 860
requiring ~~him~~ the person to attend before a commissioner at a 861
specified time, not less than five days after service of the 862
notice, for the purpose of testifying concerning ~~his~~ the person's 863
own qualifications or liability, or those of any other person, to 864
serve as a juror. A person so notified must attend and testify 865
accordingly. 866

(B) No prospective juror shall fail to attend as specified in 867
division (A) of this section. 868

Sec. 2313.11. (A) If a prospective juror fails to attend as 869
specified in the notice referred to in section 2313.10 of the 870
Revised Code, ~~for any cause except physical disability,~~ or if ~~he a~~ 871
prospective juror refuses to be sworn, or to answer any legal and 872
pertinent question put to ~~him~~ the prospective juror by a 873
commissioner of jurors, ~~such fact shall be reported by the~~ 874
commissioner shall report that fact to the court ~~and such person~~ 875
~~shall be dealt with as for contempt of court.~~ One or more 876
successive notices may be served upon the same person when ~~he~~ the 877
person fails to attend as required by the former notice ~~and he~~ 878
~~shall be liable to punishment as for contempt of court for each~~ 879
~~failure to attend. A commissioner may dispense with the personal~~ 880
~~attendance of a person so notified, when another person cognizant~~ 881
~~of the facts is produced and testifies in his stead.~~ When a person 882
has so attended twice for examination, ~~he~~ the person cannot be 883
required to attend again in the same jury year. 884

(B) No prospective juror shall fail to answer any legal and 885
pertinent question put to the prospective juror by the court. 886

(C) The court shall inform a prospective juror that the 887
prospective juror has the right to request an in-camera hearing, 888
on the record and with an attorney present, regarding any legal 889
and pertinent question put to the prospective juror by the court. 890
The court is not required to hold an in-camera hearing under this 891
division unless the information that is contained in the response 892
to the question put to the prospective juror by the court is 893
requested by any person, and the prospective juror requests that 894
the information should not be released. 895

Sec. 2313.12. It is the policy of this state that all 896

qualified citizens have an obligation to serve on petit juries 897
when summoned by the courts of this state unless the citizen is 898
excused as provided in sections 2313.01 to 2313.46 of the Revised 899
Code. The granting of an excuse or postponement to a juror shall 900
be permitted as prescribed by sections 2313.01 to 2313.46 of the 901
Revised Code and the general statutes of the state. The 902
commissioners of jurors, upon request, shall issue to a person who 903
is granted an excuse or postponement a certificate of that fact, 904
and the certificate shall excuse the person to whom it is granted 905
from jury service during the time specified in the certificate or 906
shall postpone the time for jury service of the person to whom it 907
is granted to the time specified in the certificate. The 908
commissioners shall keep a record of all proceedings before them 909
or in their office, of all persons who are granted an excuse or 910
postponement, and of the time of and reasons for the excuse or 911
postponement. 912

Sec. 2313.13. (A) The court of common pleas of a county or 913
the judge of the court of common pleas of a county ~~may discharge,~~ 914
~~for the term of a court or for part of a term of a court, one or~~ 915
~~more jurors summoned for jury duty whose attendance is not~~ 916
~~required for the trial of issues at that term or part of a term.~~ 917

~~(B)(1) The court of common pleas of a county or a judge of~~ 918
~~the court of common pleas of a county may, upon a request made at~~ 919
~~least two business days before the juror's initial appearance by a~~ 920
~~juror who appears in person or contacts the appropriate court~~ 921
~~employee appointed by the court by telephone, in writing, or by~~ 922
~~electronic mail, shall postpone the whole or a part of a juror's~~ 923
~~time of service on the juror's initial appearance for jury duty,~~ 924
~~after summoning the juror for jury duty, to either if both of the~~ 925
following apply: 926

~~(a) To a later date during the same term of court or part of~~ 927

~~a term of court;~~ 928

~~(b) To a subsequent term of court or part of a term of court
of the same jury year.~~ 929
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~~(2) Each~~ (1) The juror has not previously been granted a
postponement. 931
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(2) The juror and the appropriate court employee appointed by
the court agree to a specified date on which the juror will appear
for jury service. The specified date shall be one on which the
court is in session and, unless extraordinary circumstances exist,
that is not more than six months after the date for which the
juror was originally called to serve. If extraordinary
circumstances exist, the court may, at the court's discretion,
specify a date on which the juror will appear for jury service
that is more than six months after the date for which the juror
was originally called to serve. 933
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(B) The court of common pleas of a county or the judge of the
court of common pleas of a county may grant a second or subsequent
postponement of jury service to a juror only in the event of an
extreme emergency, such as a death in the juror's family, a sudden
illness of the juror, or a natural disaster or national emergency
in which the juror is personally involved, that could not have
been anticipated at the time the initial postponement was granted.
Before receiving a second or subsequent postponement, the juror
shall agree to a specified date on which the juror will appear for
jury service. The specified date shall be one on which the court
is in session and that is not more than six months after the date
of the postponement. 943
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Each juror whose time of service on jury duty is postponed 955
until a specified date may be required to attend the opening of 956
court on that day and on each day after that day until the juror 957
is discharged, without additional summons from the court. 958

(C) The court of common pleas of a county, or a judge of the court of common pleas of a county, may excuse until a specified date one or more jurors summoned for jury duty whose attendance is not required for the trial of issues until that day. Each juror excused until a specified date may be required to attend the opening of court on that day and on each day after that day until the juror is discharged, without additional summons from the court.

(D) The court of common pleas of a county or a judge of the court of common pleas of a county may excuse a juror, after summoning the juror for jury duty, from service on jury duty at that term of court for not more than three days at a time, if the exigencies of the juror's business require the juror's temporary excuse.

Sec. 2313.15. The commissioners of jurors shall report the names of all jurors granted a postponement or temporarily excused to a subsequent part of a term or to a subsequent term as provided in section 2313.13 of the Revised Code, to the officers attending the drawing of the jurors for that term or part of a term, and each such name shall be placed upon the list of jurors drawn as provided by sections 2313.01 to 2313.46 of the Revised Code. Such juror shall be made one of the total number directed to be drawn for that term or part of a term, and no more names shall be drawn from the jury wheel, or drawn by use of the automation data processing equipment and procedures described in section 2313.07 of the Revised Code, than are sufficient to make up the number ordered by adding the names of the jurors so excused to the names then drawn.

Sec. 2313.16. (A) Except as provided by section 2313.13 of the Revised Code, the court of common pleas shall not excuse a

person who is liable to serve as a juror and who is drawn and notified, unless it is shown to the satisfaction of the judge by either the juror or another person acquainted with the facts that one or more of the following applies:

~~(A) The juror is then necessarily absent from the county and will not return in time to serve.~~

~~(B)(1) The interests of the public or of the juror will be materially injured by the juror's attendance.~~

~~(C) The juror is physically unable to serve.~~

~~(D)(2) The juror's spouse or a near relative of the juror or the juror's spouse has recently died or is dangerously ill.~~

~~(E) The juror had been called as a juror for trial in a court of record in the county within the same jury year.~~

~~(F)(3) The juror is a cloistered member of a religious organization.~~

(4) The prospective juror has a mental or physical condition that causes the prospective juror to be incapable of performing jury service. The prospective juror, or the prospective juror's personal representative, must provide the court with documentation from a physician licensed to practice medicine verifying that a mental or physical condition renders the prospective juror unfit for jury service for a period of up to twenty-four months.

(5) Jury service would otherwise cause undue or extreme physical or financial hardship to the prospective juror or a person under the care or supervision of the prospective juror. A judge of the court for which the prospective juror was called to jury service shall make undue or extreme physical or financial hardship determinations. The judge may delegate the authority to make these determinations to an appropriate court employee appointed by the court.

(6) The juror is over seventy-five years of age, and the 1019
juror requests to be excused. 1020

(7) The prospective juror is an active member of a recognized 1021
amish sect and requests to be excused because of the prospective 1022
juror's sincere belief that as a result of that membership the 1023
prospective juror cannot pass judgment in a judicial matter. 1024

(B)(1) A prospective juror who requests to be excused from 1025
jury service under this section shall take all actions necessary 1026
to obtain a ruling on that request by not later than the date on 1027
which the prospective juror is scheduled to appear for jury duty. 1028

(2) A prospective juror who requests to be excused as 1029
provided in division (A)(6) of this section shall inform the 1030
appropriate court employee appointed by the court of the 1031
prospective juror's request to be so excused by not later than the 1032
date on which the prospective juror is scheduled to appear for 1033
jury duty. The prospective juror shall inform that court employee 1034
of the request to be so excused by appearing in person before the 1035
employee or contacting the employee by telephone, in writing, or 1036
by electronic mail. 1037

(C)(1) For purposes of this section, undue or extreme 1038
physical or financial hardship is limited to circumstances in 1039
which any of the following apply: 1040

(a) The prospective juror would be required to abandon a 1041
person under the prospective juror's personal care or supervision 1042
due to the impossibility of obtaining an appropriate substitute 1043
caregiver during the period of participation in the jury pool or 1044
on the jury. 1045

(b) The prospective juror would incur costs that would have a 1046
substantial adverse impact on the payment of the prospective 1047
juror's necessary daily living expenses or on those for whom the 1048
prospective juror provides the principal means of support. 1049

(c) The prospective juror would suffer physical hardship that 1050
would result in illness or disease. 1051

(2) Undue or extreme physical or financial hardship does not 1052
exist solely based on the fact that a prospective juror will be 1053
required to be absent from the prospective juror's place of 1054
employment. 1055

(D) A prospective juror who asks a judge to grant an excuse 1056
based on undue or extreme physical or financial hardship shall 1057
provide the judge with documentation that the judge finds to 1058
clearly support the request to be excused. If a prospective juror 1059
fails to provide satisfactory documentation, the court may deny 1060
the request to be excused. 1061

(E) When a ~~person~~ prospective juror who is liable to serve is 1062
excused in a case specified in this section, the prospective juror 1063
can be excused only by the judge presiding in the case or a 1064
representative of the judge. An excuse, including whether or not 1065
it is a permanent excuse, approved pursuant to this section shall 1066
not extend beyond that term. Every approved excuse shall be 1067
recorded and filed with the commissioners of jurors. After 1068
twenty-four months, a person excused from jury service shall 1069
become eligible once again for qualification as a juror unless the 1070
person was excused from service permanently. A person is excused 1071
from jury service permanently only when the deciding judge 1072
determines that the underlying grounds for being excused are of a 1073
permanent nature. 1074

Sec. 2313.18. (A) No employer shall discharge or, threaten to 1075
discharge, or take any disciplinary action that could lead to the 1076
discharge of any permanent employee who is summoned to serve as a 1077
juror pursuant to Chapter 2313. of the Revised Code if the 1078
employee gives reasonable notice to the employer of the summons 1079
prior to the commencement of the employee's service as a juror and 1080

if the employee is absent from employment because of the actual jury service.

(B) No employer shall require or request an employee to use annual, vacation, or sick leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process, or for time spent actually serving on a jury. Nothing in this division requires an employer to provide annual, vacation, or sick leave to employees under the provisions of this section who otherwise are not entitled to those benefits under the employer's policies.

(C) A court shall automatically postpone and reschedule the service of a summoned juror of an employer with twenty-five or fewer full-time employees, or their equivalent, if another employee of that employer has previously been summoned to appear during the same term or part of a term of that court for which that juror has been summoned and if that employer or employee demonstrates to the sufficiency of the court that the other employee has been so summoned. A postponement under this division does not constitute the excused individual's right to one automatic postponement pursuant to section 2313.13 of the Revised Code.

(D) Whoever violates this section shall be punished as for a contempt of court pursuant to Chapter 2705. of the Revised Code.

Sec. 2313.25. (A) The clerk of the court of common pleas shall deliver to the sheriff venires containing the names and addresses of the jurors drawn, and specifying when the jurors shall appear. The sheriff shall notify each juror named ~~therein~~ in the venires to attend, in person or electronically, as specified in division (B) of this section, the term or part of a term for which ~~he~~ the juror was drawn, by serving upon ~~him,~~ the juror at least six days before the commencement ~~thereof,~~ of the term or

part of a term a notice addressed to ~~him~~, the juror stating that 1112
he the juror has been drawn as a juror for, and is required to 1113
attend, in person or electronically, as specified in division (B) 1114
of this section, the term or part of a term specified in the 1115
notice. ~~Such~~ The sheriff shall serve the notice ~~may be served~~ 1116
personally, by mail, or by leaving it at the juror's residence, or 1117
at ~~his~~ the juror's usual place of business. Before the 1118
commencement of a term, or part of a term, the sheriff shall 1119
return the venires for that term or part of a term, with ~~his~~ the 1120
sheriff's services thereon, and ~~such~~ the return and service shall 1121
be presumptive evidence of the fact of such service. 1122

(B) If pursuant to section 2313.251 of the Revised Code, the 1123
commissioners of jurors establish a procedure for the electronic 1124
notification of a person who has been drawn as a juror, the notice 1125
addressed to the juror and served pursuant to division (A) of this 1126
section shall specify the procedure for electronically notifying 1127
the juror. 1128

Sec. 2313.251. The commissioners of jurors may establish an 1129
electronic notification system to allow a person who has been 1130
drawn as a juror to be notified electronically that the juror 1131
shall attend in person the term or part of the term specified in 1132
the notice. The types of electronic notification include, but are 1133
not limited to, cellular telephone, pager, or other forms of 1134
telecommunication. If the commissioners of jurors establish an 1135
electronic notification system, the commissioners shall establish 1136
a procedure for implementing the system, a procedure for the juror 1137
to select the method of electronic notification that is applicable 1138
to the juror, and a procedure for the juror to opt in or opt out 1139
of the electronic notification system, whichever is applicable. 1140

Sec. 2313.26. At any time, during the term of a court of 1141
record, the court may order an additional number of jurors to be 1142

drawn by the commissioners of jurors for the term, or for part of 1143
a term, at which the order is made, or for immediate service in a 1144
particular case. The order shall specify the number to be drawn, 1145
and the time of drawing. The drawing may be made either in open 1146
court, under the direction of the judge, or in the ordinary manner 1147
prescribed in sections 2313.01 to 2313.46, inclusive, of the 1148
Revised Code, except that notice of the drawing is not required to 1149
be given, provided that the required officers are present. The 1150
sheriff shall forthwith notify the jurors so drawn, in the same 1151
manner as other jurors are notified, to attend the term, or part 1152
of a term, in person or electronically, as specified in section 1153
2313.25 of the Revised Code, at the time specified in the order, 1154
and make due and proper return of the venires with ~~his~~ the 1155
sheriff's service thereon. Such return shall be presumptive 1156
evidence of the fact of such service. 1157

Sections 2313.24 and 2313.25 of the Revised Code apply to the 1158
notification of jurors drawn under this section. 1159

Sec. 2313.30. ~~When a~~ No person whose name is drawn and who is 1160
notified, ~~fails~~ shall fail to attend and serve as a juror at a 1161
term of a court of record, without having been excused, ~~the court,~~ 1162
~~besides imposing a fine as prescribed in section 2313.29 of the~~ 1163
~~Revised Code, may direct the sheriff to arrest him and bring him~~ 1164
~~before the court; and when he has been so brought in, it may~~ 1165
~~compel him to serve, or it may punish him as for contempt of~~ 1166
~~court.~~ 1167

Sec. 2313.34. (A) A person who is summoned as a juror and who 1168
has actually served as a juror in any county of the state under 1169
sections 2313.01 to 2313.46 of the Revised Code for ~~three~~ two 1170
consecutive calendar weeks shall be discharged by the court, 1171
except that the person shall not be so discharged until the close 1172
of a trial in which the person may be serving when the person's 1173

jury term expires. 1174

(B)(1) The board of county commissioners by resolution shall 1175
fix the compensation of each juror, ~~not to exceed forty dollars~~ 1176
~~for each day's attendance,~~ payable out of the county treasury. 1177

(2) After ten days of actual service, except as otherwise 1178
authorized by division (B)(2) of this section, the compensation of 1179
a juror shall be fixed for each additional day of actual service 1180
at an amount equal to the greater of fifteen dollars or one and 1181
one-half times the compensation fixed pursuant to division (B)(1) 1182
of this section. The board of county commissioners by resolution 1183
may set the compensation at a greater amount that shall not exceed 1184
two times the compensation fixed pursuant to division (B)(1) of 1185
this section. 1186

(3) Residents of townships that are comprised entirely of 1187
islands shall be reimbursed for the additional transportation 1188
costs they incur to serve as a juror, in the amount certified to 1189
be due by a judge of the court in which the jury service is 1190
performed. 1191

(C) A person who is discharged as prescribed in this section 1192
is thereafter prohibited from jury service in any court of the 1193
state until the second jury year after the day of the person's 1194
last service, except in counties of less than one hundred thousand 1195
population, in which cases the court shall make rules in the 1196
county applicable to subsequent jury service by persons of that 1197
nature. 1198

(D) Whenever the certificates of the clerk of the court of 1199
common pleas show that a person is entitled to a discharge as 1200
prescribed in this section, the commissioners of jurors, upon 1201
request, shall certify to that fact. No person shall be exempted 1202
from jury service for any reason, but a person may be excused from 1203
jury service or have the person's jury service postponed in 1204

accordance with sections 2313.01 to 2313.46 of the Revised Code 1205
and the general statutes of the state. 1206

(E) No person shall be exempted or excused from jury service 1207
or be granted a postponement of jury service by reason of any 1208
financial contribution to any public or private organization. 1209

Sec. 2313.99. (A) Whoever violates section 2313.10, 2313.11, 1210
2313.29, or 2313.30 of the Revised Code may be fined not less than 1211
~~twenty five~~ one hundred nor more than two hundred fifty dollars 1212
and may be punished as for contempt of court. 1213

(B) Whoever violates section 2313.47 of the Revised Code 1214
shall be fined not less than fifty nor more than five hundred 1215
dollars, imprisoned not less than thirty nor more than ninety 1216
days, or both. 1217

Sec. 2335.28. (A) Except as provided in ~~divisions~~ division 1218
(B) ~~and (E)~~ of this section, in any civil action in a court of 1219
common pleas in which a jury is sworn, the fees of the jurors 1220
sworn shall be taxed as costs unless the court determines that the 1221
payment of the fees by a party against whom they are proposed to 1222
be taxed would cause significant financial hardship to that party 1223
or would not be in the interest of justice. 1224

(B) If a civil action in a court of common pleas is settled 1225
after jurors are sworn, the fees of the jurors sworn shall be paid 1226
in accordance with the settlement agreement. If the agreement does 1227
not provide for the payment of the fees, the court shall order 1228
that the fees be paid by any party, allocated among the parties, 1229
or paid by the county. In making this determination, the court 1230
shall consider whether the payment of the fees by a party against 1231
whom they are proposed to be taxed would cause significant 1232
financial hardship to that party or would not be in the interest 1233
of justice. 1234

(C) Upon receipt of fees taxed as costs under division (A) or 1235
(B) of this section or paid in accordance with a settlement 1236
agreement, the clerk of the court shall pay the fees to the county 1237
treasurer to be deposited in the county treasury. 1238

(D) If any juror serves on more than one jury on the same 1239
day, the court shall tax ~~his~~ the juror's jury fees for that day as 1240
costs equally among the parties who are required to pay the fees 1241
under this section either as determined by the court or pursuant 1242
to a settlement agreement. 1243

(E) Jury fees shall be taxed as costs pursuant to this 1244
section for each day or part of a day that a sworn juror serves, 1245
~~up to a maximum of four days or parts thereof.~~ 1246

Sec. 2945.28. (A) In criminal cases jurors and the jury shall 1247
take the following oath to be administered by the trial court or 1248
the clerk of the court of common pleas, and the jurors shall 1249
respond to the oath "I do swear" or "I do affirm": "~~You shall well~~ 1250
and truly try, and true deliverance make between the State of Ohio 1251
and the defendant (giving his name). Do you swear or affirm that 1252
you will diligently inquire into and carefully deliberate all 1253
matters between the State of Ohio and the defendant (giving the 1254
defendant's name)? Do you swear or affirm you will do this to the 1255
best of your skill and understanding, without bias or prejudice? 1256
So help you God." 1257

A juror shall be allowed to make affirmation and the words 1258
"this you do as you shall answer under the pains and penalties of 1259
perjury" shall be substituted for the words, "So help you God." 1260

(B) If, on or after the effective date of this amendment, a 1261
court that impanels a jury in a criminal case uses the oath that 1262
was in effect prior to the effective date of this amendment 1263
instead of the oath set forth in division (A) of this section, the 1264

court's use of the former oath does not invalidate or affect the 1265
validity of the impanelment of the jury or any action taken by the 1266
jury. 1267

Sec. 2947.23. (A)(1) In all criminal cases, including 1268
violations of ordinances, the judge or magistrate shall include in 1269
the sentence the costs of prosecution and render a judgment 1270
against the defendant for such costs. At the time the judge or 1271
magistrate imposes sentence, the judge or magistrate shall notify 1272
the defendant of both of the following: 1273

(a) If the defendant fails to pay that judgment or fails to 1274
timely make payments towards that judgment under a payment 1275
schedule approved by the court, the court may order the defendant 1276
to perform community service in an amount of not more than forty 1277
hours per month until the judgment is paid or until the court is 1278
satisfied that the defendant is in compliance with the approved 1279
payment schedule. 1280

(b) If the court orders the defendant to perform the 1281
community service, the defendant will receive credit upon the 1282
judgment at the specified hourly credit rate per hour of community 1283
service performed, and each hour of community service performed 1284
will reduce the judgment by that amount. 1285

(2) The following shall apply in all criminal cases: 1286

(a) If a jury has been sworn at the trial of a case, the fees 1287
of the jurors shall be included in the costs, which shall be paid 1288
to the public treasury from which the jurors were paid. 1289

(b) If a jury has not been sworn at the trial of a case 1290
because of a defendant's failure to appear without good cause, the 1291
costs incurred in summoning jurors for that particular trial may 1292
be included in the costs of prosecution. If the costs incurred in 1293
summoning jurors are assessed against the defendant, those costs 1294

shall be paid to the public treasury from which the jurors were 1295
paid. 1296

(B) If a judge or magistrate has reason to believe that a 1297
defendant has failed to pay the judgment described in division (A) 1298
of this section or has failed to timely make payments towards that 1299
judgment under a payment schedule approved by the judge or 1300
magistrate, the judge or magistrate shall hold a hearing to 1301
determine whether to order the offender to perform community 1302
service for that failure. The judge or magistrate shall notify 1303
both the defendant and the prosecuting attorney of the place, 1304
time, and date of the hearing and shall give each an opportunity 1305
to present evidence. If, after the hearing, the judge or 1306
magistrate determines that the defendant has failed to pay the 1307
judgment or to timely make payments under the payment schedule and 1308
that imposition of community service for the failure is 1309
appropriate, the judge or magistrate may order the offender to 1310
perform community service in an amount of not more than forty 1311
hours per month until the judgment is paid or until the judge or 1312
magistrate is satisfied that the offender is in compliance with 1313
the approved payment schedule. If the judge or magistrate orders 1314
the defendant to perform community service under this division, 1315
the defendant shall receive credit upon the judgment at the 1316
specified hourly credit rate per hour of community service 1317
performed, and each hour of community service performed shall 1318
reduce the judgment by that amount. Except for the credit and 1319
reduction provided in this division, ordering an offender to 1320
perform community service under this division does not lessen the 1321
amount of the judgment and does not preclude the state from taking 1322
any other action to execute the judgment. 1323

(C) As used in this section, "specified hourly credit rate" 1324
means the wage rate that is specified in 26 U.S.C.A. 206(a)(1) 1325
under the federal Fair Labor Standards Act of 1938, that then is 1326

in effect, and that an employer subject to that provision must pay 1327
per hour to each of the employer's employees who is subject to 1328
that provision. 1329

Section 2. That existing sections 124.38, 1901.08, 1901.141, 1330
2301.02, 2313.08, 2313.10, 2313.11, 2313.12, 2313.13, 2313.15, 1331
2313.16, 2313.18, 2313.25, 2313.26, 2313.30, 2313.34, 2313.99, 1332
2335.28, 2945.28, and 2947.23 of the Revised Code are hereby 1333
repealed. 1334

Section 3. The part-time judge of the Berea Municipal Court 1335
who was elected in 1999 shall remain the part-time judge of the 1336
Berea Municipal Court until the end of the judge's term. The 1337
full-time judge of the Berea Municipal Court who is elected in 1338
2005 shall be the successor to the part-time judge of that court 1339
who was elected in 1999. 1340