

As Reported by the Senate Judiciary--Civil Justice Committee

**126th General Assembly
Regular Session
2005-2006**

S. B. No. 128

Senator Cates

—

A BILL

To amend section 2301.02 of the Revised Code to add 1
one additional judge for the general division of 2
the Butler County Court of Common Pleas to be 3
elected in 2006. 4

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

Section 1. That section 2301.02 of the Revised Code be 5
amended to read as follows: 6

Sec. 2301.02. The number of judges of the court of common 7
pleas for each county, the time for the next election of the 8
judges in the several counties, and the beginning of their terms 9
shall be as follows: 10

(A) In Adams, Ashland, Fayette, and Pike counties, one judge, 11
elected in 1956, term to begin February 9, 1957; 12

In Brown, Crawford, Defiance, Highland, Holmes, Morgan, 13
Ottawa, and Union counties, one judge, to be elected in 1954, term 14
to begin February 9, 1955; 15

In Auglaize county, one judge, to be elected in 1956, term to 16
begin January 9, 1957; 17

In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin, 18
Jackson, Knox, Madison, Mercer, Monroe, Morrow, Paulding, Vinton, 19

and Wyandot counties, one judge, to be elected in 1956, term to	20
begin January 1, 1957;	21
In Logan county, two judges, one to be elected in 1956, term	22
to begin January 1, 1957, and one to be elected in 2004, term to	23
begin January 2, 2005;	24
In Carroll, Champaign, Clinton, Hocking, Meigs, Pickaway,	25
Preble, Shelby, Van Wert, and Williams counties, one judge, to be	26
elected in 1952, term to begin January 1, 1953;	27
In Harrison and Noble counties, one judge, to be elected in	28
1954, term to begin April 18, 1955;	29
In Henry county, two judges, one to be elected in 1956, term	30
to begin May 9, 1957, and one to be elected in 2004, term to begin	31
January 1, 2005;	32
In Putnam county, one judge, to be elected in 1956, term to	33
begin May 9, 1957;	34
In Huron county, one judge, to be elected in 1952, term to	35
begin May 14, 1953;	36
In Perry county, one judge, to be elected in 1954, term to	37
begin July 6, 1956;	38
In Sandusky county, two judges, one to be elected in 1954,	39
term to begin February 10, 1955, and one to be elected in 1978,	40
term to begin January 1, 1979;	41
(B) In Allen county, three judges, one to be elected in 1956,	42
term to begin February 9, 1957, the second to be elected in 1958,	43
term to begin January 1, 1959, and the third to be elected in	44
1992, term to begin January 1, 1993;	45
In Ashtabula county, three judges, one to be elected in 1954,	46
term to begin February 9, 1955, one to be elected in 1960, term to	47
begin January 1, 1961, and one to be elected in 1978, term to	48
begin January 2, 1979;	49

In Athens county, two judges, one to be elected in 1954, term 50
to begin February 9, 1955, and one to be elected in 1990, term to 51
begin July 1, 1991; 52

In Erie county, four judges, one to be elected in 1956, term 53
to begin January 1, 1957, the second to be elected in 1970, term 54
to begin January 2, 1971, the third to be elected in 2004, term to 55
begin January 2, 2005, and the fourth to be elected in 2008, term 56
to begin February 9, 2009; 57

In Fairfield county, three judges, one to be elected in 1954, 58
term to begin February 9, 1955, the second to be elected in 1970, 59
term to begin January 1, 1971, and the third to be elected in 60
1994, term to begin January 2, 1995; 61

In Geauga county, two judges, one to be elected in 1956, term 62
to begin January 1, 1957, and the second to be elected in 1976, 63
term to begin January 6, 1977; 64

In Greene county, four judges, one to be elected in 1956, 65
term to begin February 9, 1957, the second to be elected in 1960, 66
term to begin January 1, 1961, the third to be elected in 1978, 67
term to begin January 2, 1979, and the fourth to be elected in 68
1994, term to begin January 1, 1995; 69

In Hancock county, two judges, one to be elected in 1952, 70
term to begin January 1, 1953, and the second to be elected in 71
1978, term to begin January 1, 1979; 72

In Lawrence county, two judges, one to be elected in 1954, 73
term to begin February 9, 1955, and the second to be elected in 74
1976, term to begin January 1, 1977; 75

In Marion county, three judges, one to be elected in 1952, 76
term to begin January 1, 1953, the second to be elected in 1976, 77
term to begin January 2, 1977, and the third to be elected in 78
1998, term to begin February 9, 1999; 79

In Medina county, three judges, one to be elected in 1956, 80
term to begin January 1, 1957, the second to be elected in 1966, 81
term to begin January 1, 1967, and the third to be elected in 82
1994, term to begin January 1, 1995; 83

In Miami county, two judges, one to be elected in 1954, term 84
to begin February 9, 1955, and one to be elected in 1970, term to 85
begin on January 1, 1971; 86

In Muskingum county, three judges, one to be elected in 1968, 87
term to begin August 9, 1969, one to be elected in 1978, term to 88
begin January 1, 1979, and one to be elected in 2002, term to 89
begin January 2, 2003; 90

In Portage county, three judges, one to be elected in 1956, 91
term to begin January 1, 1957, the second to be elected in 1960, 92
term to begin January 1, 1961, and the third to be elected in 93
1986, term to begin January 2, 1987; 94

In Ross county, two judges, one to be elected in 1956, term 95
to begin February 9, 1957, and the second to be elected in 1976, 96
term to begin January 1, 1977; 97

In Scioto county, three judges, one to be elected in 1954, 98
term to begin February 10, 1955, the second to be elected in 1960, 99
term to begin January 1, 1961, and the third to be elected in 100
1994, term to begin January 2, 1995; 101

In Seneca county, two judges, one to be elected in 1956, term 102
to begin January 1, 1957, and the second to be elected in 1986, 103
term to begin January 2, 1987; 104

In Warren county, four judges, one to be elected in 1954, 105
term to begin February 9, 1955, the second to be elected in 1970, 106
term to begin January 1, 1971, the third to be elected in 1986, 107
term to begin January 1, 1987, and the fourth to be elected in 108
2004, term to begin January 2, 2005; 109

In Washington county, two judges, one to be elected in 1952, 110
term to begin January 1, 1953, and one to be elected in 1986, term 111
to begin January 1, 1987; 112

In Wood county, three judges, one to be elected in 1968, term 113
beginning January 1, 1969, the second to be elected in 1970, term 114
to begin January 2, 1971, and the third to be elected in 1990, 115
term to begin January 1, 1991; 116

In Belmont and Jefferson counties, two judges, to be elected 117
in 1954, terms to begin January 1, 1955, and February 9, 1955, 118
respectively; 119

In Clark county, four judges, one to be elected in 1952, term 120
to begin January 1, 1953, the second to be elected in 1956, term 121
to begin January 2, 1957, the third to be elected in 1986, term to 122
begin January 3, 1987, and the fourth to be elected in 1994, term 123
to begin January 2, 1995. 124

In Clermont county, five judges, one to be elected in 1956, 125
term to begin January 1, 1957, the second to be elected in 1964, 126
term to begin January 1, 1965, the third to be elected in 1982, 127
term to begin January 2, 1983, the fourth to be elected in 1986, 128
term to begin January 2, 1987; and the fifth to be elected in 129
2006, term to begin January 3, 2007; 130

In Columbiana county, two judges, one to be elected in 1952, 131
term to begin January 1, 1953, and the second to be elected in 132
1956, term to begin January 1, 1957; 133

In Delaware county, two judges, one to be elected in 1990, 134
term to begin February 9, 1991, the second to be elected in 1994, 135
term to begin January 1, 1995; 136

In Lake county, six judges, one to be elected in 1958, term 137
to begin January 1, 1959, the second to be elected in 1960, term 138
to begin January 2, 1961, the third to be elected in 1964, term to 139

begin January 3, 1965, the fourth and fifth to be elected in 1978, 140
terms to begin January 4, 1979, and January 5, 1979, respectively, 141
and the sixth to be elected in 2000, term to begin January 6, 142
2001; 143

In Licking county, four judges, one to be elected in 1954, 144
term to begin February 9, 1955, one to be elected in 1964, term to 145
begin January 1, 1965, one to be elected in 1990, term to begin 146
January 1, 1991, and one to be elected in 2004, term to begin 147
January 1, 2005; 148

In Lorain county, eight judges, two to be elected in 1952, 149
terms to begin January 1, 1953, and January 2, 1953, respectively, 150
one to be elected in 1958, term to begin January 3, 1959, one to 151
be elected in 1968, term to begin January 1, 1969, two to be 152
elected in 1988, terms to begin January 4, 1989, and January 5, 153
1989, respectively, and two to be elected in 1998, terms to begin 154
January 2, 1999, and January 3, 1999, respectively; 155

In Butler county, ~~ten~~ eleven judges, one to be elected in 156
1956, term to begin January 1, 1957; two to be elected in 1954, 157
terms to begin January 1, 1955, and February 9, 1955, 158
respectively; one to be elected in 1968, term to begin January 2, 159
1969; one to be elected in 1986, term to begin January 3, 1987; 160
two to be elected in 1988, terms to begin January 1, 1989, and 161
January 2, 1989, respectively; one to be elected in 1992, term to 162
begin January 4, 1993; ~~and~~ two to be elected in 2002, terms to 163
begin January 2, 2003, and January 3, 2003, respectively; and one 164
to be elected in 2006, term to begin January 3, 2007; 165

In Richland county, four judges, one to be elected in 1956, 166
term to begin January 1, 1957, the second to be elected in 1960, 167
term to begin February 9, 1961, the third to be elected in 1968, 168
term to begin January 2, 1969, and the fourth to be elected in 169
2004, term to begin January 3, 2005; 170

In Tuscarawas county, two judges, one to be elected in 1956, 171
term to begin January 1, 1957, and the second to be elected in 172
1960, term to begin January 2, 1961; 173

In Wayne county, two judges, one to be elected in 1956, term 174
beginning January 1, 1957, and one to be elected in 1968, term to 175
begin January 2, 1969; 176

In Trumbull county, six judges, one to be elected in 1952, 177
term to begin January 1, 1953, the second to be elected in 1954, 178
term to begin January 1, 1955, the third to be elected in 1956, 179
term to begin January 1, 1957, the fourth to be elected in 1964, 180
term to begin January 1, 1965, the fifth to be elected in 1976, 181
term to begin January 2, 1977, and the sixth to be elected in 182
1994, term to begin January 3, 1995; 183

(C) In Cuyahoga county, thirty-nine judges; eight to be 184
elected in 1954, terms to begin on successive days beginning from 185
January 1, 1955, to January 7, 1955, and February 9, 1955, 186
respectively; eight to be elected in 1956, terms to begin on 187
successive days beginning from January 1, 1957, to January 8, 188
1957; three to be elected in 1952, terms to begin from January 1, 189
1953, to January 3, 1953; two to be elected in 1960, terms to 190
begin on January 8, 1961, and January 9, 1961, respectively; two 191
to be elected in 1964, terms to begin January 4, 1965, and January 192
5, 1965, respectively; one to be elected in 1966, term to begin on 193
January 10, 1967; four to be elected in 1968, terms to begin on 194
successive days beginning from January 9, 1969, to January 12, 195
1969; two to be elected in 1974, terms to begin on January 18, 196
1975, and January 19, 1975, respectively; five to be elected in 197
1976, terms to begin on successive days beginning January 6, 1977, 198
to January 10, 1977; two to be elected in 1982, terms to begin 199
January 11, 1983, and January 12, 1983, respectively; and two to 200
be elected in 1986, terms to begin January 13, 1987, and January 201
14, 1987, respectively; 202

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, and 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
in 1990, terms to begin July 1, 1991, and July 2, 1991,
respectively; and one to be elected in 1992, term to begin January
1, 1993.

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

In Summit county, eleven judges; four to be elected in 1954,

terms to begin January 1, 1955, January 2, 1955, January 3, 1955, 266
and February 9, 1955, respectively; three to be elected in 1958, 267
terms to begin January 1, 1959, January 2, 1959, and May 17, 1959, 268
respectively; one to be elected in 1966, term to begin January 4, 269
1967; one to be elected in 1968, term to begin January 5, 1969; 270
one to be elected in 1990, term to begin May 1, 1991; and one to 271
be elected in 1992, term to begin January 6, 1993. 272

Notwithstanding the foregoing provisions, in any county 273
having two or more judges of the court of common pleas, in which 274
more than one-third of the judges plus one were previously elected 275
at the same election, if the office of one of those judges so 276
elected becomes vacant more than forty days prior to the second 277
general election preceding the expiration of that judge's term, 278
the office that that judge had filled shall be abolished as of the 279
date of the next general election, and a new office of judge of 280
the court of common pleas shall be created. The judge who is to 281
fill that new office shall be elected for a six-year term at the 282
next general election, and the term of that judge shall commence 283
on the first day of the year following that general election, on 284
which day no other judge's term begins, so that the number of 285
judges that the county shall elect shall not be reduced. 286

Judges of the probate division of the court of common pleas 287
are judges of the court of common pleas but shall be elected 288
pursuant to sections 2101.02 and 2101.021 of the Revised Code, 289
except in Adams, Harrison, Henry, Morgan, Morrow, Noble, and 290
Wyandot counties in which the judge of the court of common pleas 291
elected pursuant to this section also shall serve as judge of the 292
probate division. 293

Section 2. That existing section 2301.02 of the Revised Code 294
is hereby repealed. 295