



Ohio Legislative Service Commission

Bill Analysis

Aida S. Montano

Sub. H.B. 554

129th General Assembly
(As Reported by H. Judiciary and Ethics)

Reps. Kozlowski, Bulp

BILL SUMMARY

- Abolishes the Trumbull County County Court, and replaces it, effective January 1, 2013, with the Trumbull County Municipal Court, which will be a county-operated municipal court.
- Creates a full-time municipal court judgeship for the Trumbull County Municipal Court, with the judge to be nominated by petition and elected in 2017 for a six-year term of office, beginning January 1, 2018.
- Requires the two part-time judges of the defunct Trumbull County County Court to serve as part-time judges of that Court until December 31, 2012, and provides that beginning on January 1, 2013, the part-time judge of the Trumbull County County Court who was elected in 2010 must serve as the full-time judge of the Trumbull County Municipal Court until December 31, 2017.
- Provides transition provisions for transferring cases and documents from the abolished Trumbull County County Court to the Trumbull County Municipal Court.

CONTENT AND OPERATION

Creation of Trumbull County Municipal Court

The bill establishes a municipal court in Trumbull County, effective January 1, 2013, in any municipal corporation or unincorporated territory within Trumbull County, except the municipal corporations of Girard, McDonald, Newton Falls, Niles, and Warren and Bloomfield, Braceville, Bristol, Champion, Farmington, Howland, Hubbard, Liberty, Lordstown, Mesopotamia, Newton, Southington, Vienna, Warren,

and Weatherfield townships, that is selected by that court's legislative authority.¹ The court is to be styled and known as the Trumbull County Municipal Court² and has jurisdiction within all of Trumbull County except within the above named municipal corporations and townships.³ The Trumbull County Municipal Court will be a county-operated municipal court. As such, Trumbull County will be responsible for all costs of operating the Court.⁴

The Trumbull County Municipal Court replaces the Trumbull County County Court. The bill requires that the Trumbull County County Court's two part-time judges that were elected in 2006 and 2010 serve that Court until December 31, 2012. The Trumbull County County Court ceases to exist on January 1, 2013.⁵

Judge

Under the bill, one full-time judge must be elected as the Trumbull County Municipal Court in 2017, to take office January 1, 2018, and to serve a term of six years.⁶ That judge must be nominated by petition that is signed by at least 50 electors of the territory of the Court.⁷

Beginning on January 1, 2013, the part-time judge of the Trumbull County County Court that existed prior to that date and who was elected in 2010 must serve as the full-time judge of the Trumbull County Municipal Court until December 31, 2017.⁸

The bill provides that effective January 1, 2013, the Trumbull County County Court is abolished. It further provides that all causes, executions, and other proceedings pending in the Trumbull County County Court at the close of business on December 31, 2012, must be transferred to and proceed in the Trumbull County Municipal Court on January 1, 2013, as if originally instituted in the Trumbull County Municipal Court. Parties to those causes, judgments, executions, and proceedings may make any amendments to their pleadings that are required to conform them to the rules

¹ R.C. 1901.01(H).

² R.C. 1901.02(A)(30).

³ R.C. 1901.02(B).

⁴ R.C. 1901.03(F).

⁵ R.C. 1907.11(A).

⁶ R.C. 1901.08.

⁷ R.C. 1901.07(C)(6).

⁸ R.C. 1901.08.

of the Trumbull County Municipal Court. The Clerk of the Trumbull County County Court or other custodian must transfer to the Trumbull County Municipal Court all pleadings, orders, entries, dockets, bonds, papers, records, books, exhibits, files, moneys, property, and persons that belong to, are in the possession of, or are subject to the jurisdiction of the Trumbull County County Court, or any officer of that court, at the close of business on December 31, 2012, and that pertain to those causes, judgments, executions, and proceedings.

The bill requires that all employees of the Trumbull County County Court be transferred to and become employees of the Trumbull County Municipal Court on January 1, 2013. It also states that effective January 1, 2013, the part-time judgeship in the Trumbull County County Court is abolished.⁹

HISTORY

ACTION	DATE
Introduced	05-16-12
Reported, H. Judiciary and Ethics	05-23-12

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⁹ Section 3.

