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Conference Committee Synopsis

Legislative Service Commission

Am. S.B. 128
126th General Assembly

The Conference Committee recommends the bill as passed by the Senate with the following changes:

Topic	House Version	Senate Version	Conference Committee Recommendation
Setting of bail	Eliminated requirement from R.C. 2919.251 that a person charged with an offense of violence against a family or household member appear before the court for the setting of bail if the person is subject to a protection order or consent decree related to domestic violence or previously was convicted of or pleaded guilty to certain specified offenses committed against a family or household member (<i>R.C. 2919.251</i>).	No comparable provision.	Senate version.
Lorain County Court of Common Pleas--Domestic Relations Division	No comparable provision.	No comparable provision.	Specifies that, on and after January 1, 2006, the judges of the Domestic Relations Division of the Lorain County Court of Common Pleas, in addition to the existing powers and jurisdiction of the Division, have jurisdiction over matters that are within the jurisdiction of the Probate Court under R.C. Chapter

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			<p>2101. and other Revised Code provisions and that from January 1, 2006, through February 8, 2009, the judges of the Domestic Relations Division are to exercise probate jurisdiction concurrently with the Probate Judge of Lorain County. (R.C. 2301.03(C)(1)(b).)</p> <p>Specifies that the judges of the Lorain County Court of Common Pleas Domestic Relations Division who are elected pursuant to R.C. 2301.02 also are to perform the duties and functions of the judge of the probate division of the court (R.C. 2301.02(C), last paragraph).</p> <p>Specifies that the judge of the Lorain County Court of Common Pleas whose term will begin on February 9, 2009, is to be elected and designated as a judge of the Domestic Relations Division of the Court, with all the powers and jurisdiction of the judges currently serving in that division and is the successor to the Probate Judge of the Lorain County Common Pleas Court who was elected in 2002 for a term that began on February 9, 2003. (R.C. 2301.02(C) and 2301.03(C)(1)(a) and (c).)</p>



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<p>Lorain County Court of Common Pleas--Probate Matters</p>	<p>No comparable provision.</p>	<p>No comparable provision.</p>	<p>Specifies that from January 1, 2006, through February 8, 2009, with respect to Lorain County, all references in law to the probate court must be construed as references to both the Probate Division and the Domestic Relations Division of the Lorain County Court of Common Pleas, and all references in law to the probate judge must be construed as references to both the judge of the Probate Division and the judges of the Domestic Relations Division of the Lorain County Court of Common Pleas and that, on and after February 9, 2009, with respect to Lorain County, all references in law to the probate court must be construed as references to the Domestic Relations Division of the Lorain County Court of Common Pleas, and all references to the probate judge must be construed as references to the judges of the Domestic Relations Division of the Lorain County Court of Common Pleas. (R.C. 2101.01(B)(2).)</p> <p>Specifies that, on and after February 9, 2009, with respect to Lorain County, all pleadings, forms, journals, and other records filed or used in probate matters must be entitled, "In the Court of</p>



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			<p>Common Pleas, Domestic Relations Division," but are not defective if entitled "In the Probate Division" or "In the Probate Court." (R.C. 2101.01(C).)</p> <p>Specifies that, on and after February 9, 2009, with respect to Lorain County, all references in law to the clerk of the probate court must be construed as references to the judge who is serving pursuant to Rule 4 of the Rules of Superintendence for the Courts of Ohio as the Administrative Judge of the Domestic Relations Division of the Lorain County Court of Common Pleas. (R.C. 2301.03(C)(2)(b).)</p>
Lorain County Court of Common Pleas--General Division	No comparable provision.	No comparable provision.	Creates a new judgeship for the General Division of the Lorain County Court of Common Pleas to be elected in 2006 for a term to begin January 6, 2007. (R.C. 2301.02(B).)
Morrow County Court of Common Pleas	No comparable provision.	No comparable provision.	Creates a new judgeship for the Morrow County Court of Common Pleas to be elected in 2006 for a term to begin January 1, 2007 (R.C. 2301.02(A)).

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