



Ohio Legislative Service Commission

Matthew L. Stiffler

Fiscal Note & Local Impact Statement

Bill: [H.B. 438 of the 128th G.A.](#)

Date: April 6, 2010

Status: As Reported by House Judiciary

Sponsor: Reps. Letson and Stautberg

Local Impact Statement Procedure Required: No — No local cost

Contents: Liability of probate or juvenile judge for appointee's misconduct

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.
-

Detailed Fiscal Analysis

This bill eliminates the personal liability of a probate or juvenile judge for the default, malfeasance, or nonfeasance of any appointee or employee. Under current law, other judges do not face personal liability for the acts or omissions of their appointees or employees. Thus, the bill in effect extends this immunity from personal liability to probate and juvenile judges thereby making the legal protection granted to all judges in Ohio equivalent in this regard. As the bill does not directly impact any of the legal protections currently provided to judges by the state or any of its political subdivisions, it will have no direct fiscal effect on the state or any of its political subdivisions.

HB0438HR.docx / th