DRAFT FOR REVIEW

Timely Rulings for Families Act: Summary

Family Rights Movement, November 10, 2026

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Plain-language summary

Right now, Ohio's 120-day limit for judges to rule on motions is a court rule, not a law. The Supreme Court of Ohio wrote it (Rule 5.23 of the Rules of Superintendence, formerly Rule 40), and the Court has said parents cannot enforce it. Ohio also has an old law, R.C. 2701.02, that says judges must decide matters within 30 days after they are submitted, but courts have called that law "directory," which means it has no teeth.

The Timely Rulings for Families Act gives these limits teeth for the motions that matter most to children: custody, parenting time, child support, temporary orders, and safety.

- **Shorter deadlines.** Judges must rule within 60 days after a motion is fully submitted, and never later than 120 days after it was filed. Temporary and emergency motions about children get 30 days after submission, and never later than 45 days after filing.
- **A 14-day track for domestic violence cases.** When a protection order is in place or pending, when a party faces a domestic violence charge or conviction involving the other party or a child, or when a party swears to specific facts of recent domestic violence, every family motion in the case must be ruled on within 14 days after submission, and never later than 30 days after filing. Any needed hearing must be set within 10 court days.
- **Fair to both sides.** The 14-day track applies to both parents' motions. Both sides get notice and a hearing. Being on the track is not proof of anything and does not change who wins. A parent can challenge a bad-faith affidavit, and false affidavits can be sanctioned under existing law.
- **Automatic notice.** When a deadline passes, the clerk must notify both parties, the judge, and the administrative judge within two court days. Parents can file the notice themselves for free.
- **A short cure period, then a new judge.** The judge then has 14 days (7 days on the faster tracks) to rule. If not, the administrative judge must move the motion to another judge, or ask the Chief Justice to assign one.
- **Real enforcement.** The law gives parents a clear legal right to a timely ruling, so a court cannot say the deadline is only a guideline.
- **Public report cards.** Each court must publish a monthly report, judge by judge, of how many motions were ruled on time and how many are overdue. No names of parents or children are published.
- **Safe for kids.** A late ruling still counts. No custody order is thrown out just because it was late.

- **Works with the Supreme Court.** The bill asks the Supreme Court to adopt the same deadlines in its own rules.

It can pass as its own bill, or as an amendment to Senate Bill 174, the custody and parenting time bill now in the House Judiciary Committee.

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Why it's needed

- **The 120-day rule cannot be enforced by families.** Sup.R. 5.23(A)(3) says "All motions shall be ruled upon within one hundred twenty days from the date the motion was filed, except as otherwise noted on the report forms." But the Supreme Court of Ohio held in State ex rel. Culgan v. Collier, 2013-Ohio-1762, that this rule (then Sup.R. 40) "does not give rise to an enforceable right in mandamus or procedendo."
- **The only consequence today is internal reporting.** Under Sup.R. 5.23(B), a judge reports overdue rulings to the administrative judge, who confers with the judge and "shall seek to rectify the delay within sixty days." Only then is the delay reported to the Supreme Court's Case Management Section. Parents get no notice, no deadline for the fix, and no new judge.
- **The 30-day law has been in its current form since 1953 with no teeth.** R.C. 2701.02 says matters "shall be determined and adjudicated within thirty days after such submission." Ohio courts have held that it is "only directory" (Keller v. Keller, 2003-Ohio-6462, Fourth District), and the Eighth District Court of Appeals has said it, like Sup.R. 40, does not give a parent an enforceable right to compel a ruling (State ex rel. S.Y.C. v. Floyd, 2021-Ohio-3467).
- **Parents are forced to sue judges.** In State ex rel. M.D. v. Kelsey, 2022-Ohio-2556, a father's motion to reinstate parenting time went unruled for about two years, while he had no parenting time. Only a writ from the Supreme Court of Ohio got rulings ordered.
- **Real Ohio families wait far longer than 120 days.** In one Ohio domestic relations case documented by the Family Rights Movement from the public docket, six motions, including a motion to modify custody, have been pending 615 to 718 days, and a seventh, on child support, 179 days, as of November 10, 2026, with no ruling.
- **Domestic violence survivors cannot wait.** Ohio already moves fast on protection orders: under R.C. 3113.31, an ex parte hearing is held the same day the petition is filed, and the full hearing must be set within 7 or 10 court days. But the custody, parenting time, and support motions that decide where a survivor's children live and how they are kept safe have no fast track at all.

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Section-by-section explanation

R.C. 2701.02 (amended). Keeps the existing 30-day rule. Adds that family motions follow the new deadlines, that whichever deadline is shorter controls, and that the deadlines are mandatory duties, not guidelines. Late rulings remain valid so children are not harmed by a voided order.

R.C. 2701.021 (new), Definitions.

- "Family motion" covers motions about custody, parenting time, child support, temporary orders, safety, and enforcement of those orders in domestic relations and juvenile custody cases, including objections to a magistrate's decision.
- "Temporary or emergency family motion" covers temporary orders and sworn emergency motions. A judge can relabel a motion within three court days if it is not a real emergency.
- "Protected-party case" is triggered by a protection order or pending petition under R.C. 3113.31, a protection order under R.C. 2919.26, a pending charge or a conviction within ten years under R.C. 2919.25 (domestic violence) involving the other party or a child, or a sworn affidavit with specific facts of domestic violence within five years.
- "Submitted" means the record is complete: the last hearing is over and any post-hearing briefs are due, or, with no hearing, the last response is due (or 14 days after filing if no rule sets it). Scheduling a later trial does not delay submission.
- A "ruling" must actually decide the motion. Setting or continuing a hearing does not count.

R.C. 2701.022 (new), Deadlines.

- Standard: 60 days after submission, 120 days after filing at most.
- Temporary or emergency: 30 days after submission, 45 days after filing at most.
- Protected-party: 14 days after submission, 30 days after filing at most, with a hearing within 10 court days. Continuances only for lack of service, consent, time to get a lawyer, or good cause, generally no more than 14 days.
- Fairness safeguards: applies to both parties, notice and hearing guaranteed, not evidence, no change to burdens or best-interest standards, bad-faith affidavits can be challenged within 14 days and sanctioned under R.C. 2323.51.
- Protection order cases keep their own faster timelines under R.C. 3113.31 and 2919.26. Motions to follow up on a protection order's temporary custody or parenting time go on the 14-day track.
- Tolling only for appeals, bankruptcy or higher-court stays, pending disqualification affidavits, and party-requested continuances (30 days total unless everyone agrees). The court's own calendar and judge changes do not stop the clock.
- Magistrate referrals do not stop the clock. Folding a motion into a later trial requires every party's written consent.
- Motions already pending when the law takes effect get the new deadlines counted from the effective date.

R.C. 2701.023 (new), Notice, cure, and reassignment.

- The clerk sends a notice of overdue ruling within two court days; parties can file one free.
- Cure period: 14 days, or 7 days on the faster tracks.
- If still no ruling, within 7 days the administrative judge must reassign the motion (new judge rules within 30 days, or 14 on faster tracks) or ask the Chief Justice for an assigned judge, and must report to the Supreme Court's Case Management Section.

- Parents have a clear legal right to a timely ruling, and a missed deadline is undue delay for a writ of procedendo or mandamus.

R.C. 2701.024 (new), Public reporting. Monthly website reports by judge and magistrate on motions filed, ruled, ruled on time, overdue, oldest overdue, notices, and reassignments. No names or case numbers. Copies to the Supreme Court, and a yearly summary to the General Assembly.

R.C. 2701.025 (new), Relationship to court rules. The Act sets a floor; courts may be faster. A legislative finding states the Act protects the substantive interests of children and parents in timely decisions.

Uncodified sections. A formal request that the Supreme Court adopt the same deadlines, notice, reassignment, and reporting in its own rules; findings; severability under R.C. 1.50; the short title; and the repeal of the old version of R.C. 2701.02.

Alternative form. The same text can be offered in the House Judiciary Committee as an amendment to Sub. S.B. 174 (Sens. Gavarone and Hicks-Hudson), which passed the Senate on November 12, 2025 and is pending in House Judiciary.

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Constitutional care

- The Ohio Constitution, Article IV, Section 5(A)(1), gives the Supreme Court "general superintendence over all courts in the state." Section 5(B) gives it power over rules of practice and procedure, and procedural rules override conflicting laws. The bill therefore sets deadlines as a matter of law, leaves late rulings valid, and formally asks the Supreme Court to adopt matching rules.
- Article IV, Section 6(B) says judges' pay "shall not be diminished during their term of office," and R.C. 141.04, the state judicial salary law, has no pay-withholding provision. The bill does not cut judges' pay.
- These choices, and every other flagged item, need review by the Legislative Service Commission before introduction.