DRAFT FOR REVIEW

Timely Rulings for Families Act

Model bill for the 136th General Assembly of Ohio, with an alternative form as an amendment to Sub. S.B. 174

Prepared for the Family Rights Movement, November 10, 2026. This is a citizen draft, not a bill drafted by the Legislative Service Commission (LSC). Bracketed notes marked **[LSC REVIEW]** flag drafting choices that need LSC review before introduction. Statute text quoted as existing law was read on codes.ohio.gov on November 10, 2026.

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PART A. STANDALONE BILL

A BILL

To amend section 2701.02 and to enact sections 2701.021, 2701.022, 2701.023, 2701.024, and 2701.025 of the Revised Code to require timely rulings on motions involving children in domestic relations and juvenile courts, to create a 14-day ruling track for cases involving domestic violence, to require notice, cure, and reassignment when a ruling deadline passes, and to require public reporting of overdue rulings, to be known as the Timely Rulings for Families Act.

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

Section 1. That section 2701.02 be amended and sections 2701.021, 2701.022, 2701.023, 2701.024, and 2701.025 of the Revised Code be enacted to read as follows:

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Sec. 2701.02.

(A) When submitted to a court on motion, demurrer, or motion for new trial, or when submitted to a court on appeal on questions of law or on final trial on the issues joined, a cause begun in a court of record shall be determined and adjudicated within thirty days after such submission.

This division applies to causes sent to a referee or special master, and to motions affecting the confirmation, modification, or vacation of a report thereof.

(B) Family motions, as defined in section 2701.021 of the Revised Code, shall be determined within the time limits set in section 2701.022 of the Revised Code. If division (A) of this section and section 2701.022 of the Revised Code both apply to a family motion, the time limit that expires first controls.

(C) The time limits in this section and in sections 2701.021 to 2701.025 of the Revised Code impose mandatory duties on the court and are not merely directory. A failure to meet a time limit does not divest the court of jurisdiction and does not by itself invalidate any order or judgment.

(D) This section does not affect, alter, or change the rules of the supreme court, except that where a rule of the supreme court and this section or section 2701.022 of the Revised Code both set a time limit for the same ruling, the shorter time limit controls.

> **[LSC REVIEW 1]** Division (A) is the existing text of R.C. 2701.02 (effective October 1, 1953), unchanged except for "This division" in place of "This section." Ohio courts have repeatedly held R.C. 2701.02 is "directory" rather than mandatory (see sources.md). Division (C) is written to reverse that reading for the future. LSC should confirm the clearest wording to make the duty mandatory while preserving the validity of late rulings, which protects families from having a late custody order thrown out.

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Sec. 2701.021. Definitions.

As used in sections 2701.02 to 2701.025 of the Revised Code:

(A) "Family motion" means any motion, objection to a magistrate's decision, or other written request for an order that is filed in either of the following and that seeks to establish, modify, enforce, suspend, or terminate an order described in division (A)(3) of this section:

(1) A domestic relations matter as defined in division (B) of section 3105.011 of the Revised Code;

(2) A proceeding in a juvenile court under division (A)(2) or (A)(3) of section 2151.23 of the Revised Code, or any other proceeding in a juvenile court to allocate parental rights and responsibilities, establish parenting time or companionship or visitation, or establish or modify child support;

(3) The orders referred to in division (A) of this section are orders concerning any of the following: the allocation of parental rights and responsibilities for the care of a child; parenting time, companionship, or visitation with a child; child support; temporary orders pending a final determination of any of those matters; the safety of a child or of a party; and the enforcement of any of those orders, including a motion to show cause or for contempt.

(B) "Temporary or emergency family motion" means a family motion that does either of the following:

(1) Requests a temporary order concerning a child that would remain in effect only until a final determination of the matter;

(2) Is captioned as an emergency motion and is supported by an affidavit stating specific facts showing an immediate risk of physical or emotional harm to a child, or showing that a child's court-ordered contact with a parent has been fully interrupted for more than fourteen days.

The court may, by journal entry issued within three court days after the filing, find that a motion filed under division (B)(2) of this section does not meet that division and redesignate it as a family motion. The redesignation shall state the reason.

(C) "Protected-party case" means a case in which any of the following applies, as shown by the court's own records, a certified copy of a court record, or an affidavit filed under division (C)(3) of this section:

(1) A protection order or consent agreement issued under section 3113.31 of the Revised Code, or a temporary protection order or protection order issued under section 2919.26 of the Revised Code, is in effect and protects a party, or a child of a party, from another party to the case; or a petition under section 3113.31 of the Revised Code by a party against another party to the case is pending;

(2) A party to the case is charged with, or within the preceding ten years has been convicted of or pleaded guilty to, a violation of section 2919.25 of the Revised Code, or of a substantially similar municipal ordinance, in which another party to the case, or a child of a party, was the victim;

(3) A party files an affidavit, sworn under penalty of law, stating specific facts that another party to the case committed domestic violence, as defined in division (A)(1) of section 3113.31 of the Revised Code, against the affiant or a child of a party within the preceding five years.

(D) "Submitted" means the date on which the record on a family motion is complete, which is the later of the following:

(1) The date the court concludes the last evidentiary hearing or oral argument that it holds on the motion, or, if the court orders written submissions after that hearing, the date the last of those submissions is due;

(2) If the court does not hold a hearing, the date on which the last memorandum in opposition or reply is due under the Rules of Civil Procedure, the Rules of Juvenile Procedure, or the court's local rules, or, if no rule sets that date, fourteen days after the motion is filed.

A motion is submitted under this division regardless of whether the court has scheduled a later trial or hearing on other matters in the case.

(E) "Assigned judge" means the judge or magistrate to whom a family motion is assigned, including a judge sitting by assignment of the chief justice of the supreme court.

(F) "Administrative judge" means the administrative judge of the court or division in which the family motion is pending.

(G) "Court day" means a day other than a Saturday, a Sunday, or a legal holiday.

(H) "Ruling" means a journalized entry that decides the family motion. An entry that only schedules a hearing, continues a hearing, refers the motion to a magistrate, or orders further filings is not a ruling.

> **[LSC REVIEW 2]** Sub. S.B. 174, which passed the Senate on November 12, 2025, replaces "parental rights and responsibilities" with "parenting responsibilities" and renumbers parts of R.C. 3109.04 and 3109.051. If S.B. 174 is enacted, the terms in division (A) must be conformed.

[LSC REVIEW 3] The juvenile court cross-references in division (A)(2) use R.C. 2151.23(A)(2) (custody of a child not a ward of another court) and (A)(3) (habeas corpus involving custody). LSC should confirm the complete list of juvenile child support and parentage provisions to include, and whether abuse, neglect, and dependency cases should be covered or left to their existing statutory deadlines in R.C. 2151.35.

[LSC REVIEW 4] The ten-year and five-year look-back periods in division (C) are policy choices. They are proposed so the protected-party track reaches survivors whose abuse is recent but not so far back that the label no longer reflects the current risk. Sponsors may choose different periods.

[LSC REVIEW 5] The "submitted" definition is the core of the bill. Without a backstop, a court could delay "submission" by never holding the hearing. Section 2701.022 therefore pairs each "after submission" deadline with an outer limit measured from filing.

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Sec. 2701.022. Ruling deadlines for family motions.

(A) **Standard track.** Except as provided in divisions (B) and (C) of this section, the assigned judge shall rule on a family motion not later than the earlier of sixty days after the motion is submitted or one hundred twenty days after the motion is filed.

(B) **Temporary and emergency track.** The assigned judge shall rule on a temporary or emergency family motion not later than the earlier of thirty days after the motion is submitted or forty-five days after the motion is filed.

(C) **Protected-party track.**

(1) In a protected-party case, the assigned judge shall rule on every family motion filed by any party not later than the earlier of fourteen days after the motion is submitted or thirty days after the motion is filed.

(2) If a hearing is needed on a family motion in a protected-party case, the court shall schedule the hearing for a date not later than ten court days after the motion is filed, and shall give every party notice of, and an opportunity to be heard at, the hearing.

(3) The court may continue a hearing under division (C)(2) of this section only for one of the following reasons, stated in a journal entry: a party has not been served with the motion and notice of the hearing; the parties consent; a party needs time to obtain counsel; or other good cause. A continuance for a reason other than party consent shall not exceed fourteen days unless the court finds in a journal entry that a longer continuance is necessary to protect a party's right to be heard.

(4) Placement of a case on the protected-party track affects only the timing of rulings. It is not a finding that domestic violence occurred, is not evidence in the case, and does not change any burden of proof, presumption, or best-interest standard that otherwise applies.

(5) Any party may move to remove a case from the protected-party track on the ground that the affidavit filed under division (C)(3) of section 2701.021 of the Revised Code was not made in good faith. The court shall rule on that motion within fourteen days. A false or bad-faith affidavit

is subject to every sanction available under existing law, including section 2323.51 of the Revised Code.

(6) This division does not change any time limit in section 2919.26 or 3113.31 of the Revised Code. A petition for a protection order shall continue to be heard within the times set in those sections. If a protection order temporarily allocates parental rights and responsibilities or establishes temporary parenting time, a family motion in the domestic relations or juvenile case to address that allocation or parenting time is on the protected-party track.

(D) **Tolling.** The time limits in this section are tolled only during the following periods:

(1) While an appeal from an interlocutory order, a bankruptcy stay, or a stay ordered by a higher court is in effect as to the motion;

(2) While an affidavit of disqualification of the assigned judge is pending under section 2701.03 of the Revised Code;

(3) For the period of any continuance requested in writing by a party and granted by journal entry, not to exceed thirty days in total for each motion unless all parties consent in writing.

A continuance ordered on the court's own motion, the court's calendar, or the reassignment of the case to a different judge does not toll any time limit.

(E) **Magistrates.** If a family motion is referred to a magistrate, the time limit applies to the magistrate's decision. Objections to the magistrate's decision are a new family motion on the same track as the original motion. Referral to a magistrate does not toll any time limit.

(F) **Trial settings.** Setting a family motion for decision at a later trial, or consolidating it with other motions, does not extend the time limit unless every party consents in writing.

(G) **Pending motions.** For a family motion pending on the effective date of this section, the time limits in this section run from that effective date. If the motion was already submitted before that date, it is treated as submitted on that date.

> **[LSC REVIEW 6]** The deadlines (60 / 30 / 14 days after submission, with 120 / 45 / 30 day outer limits from filing) are policy choices. The standard outer limit of 120 days matches the existing 120-day rule in Sup.R. 5.23(A)(3) but adds the shorter 60-day after-submission limit and real consequences. Sponsors could shorten the outer limit.
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> **[LSC REVIEW 7]** The 10 court day hearing window in division (C)(2) and the continuance grounds in division (C)(3) are patterned on R.C. 3113.31(D)(2)(a), which requires a full protection order hearing within seven or ten court days after an ex parte hearing and lists the grounds for a continuance. LSC should confirm the parallel is appropriate and that courts can meet it.
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> **[LSC REVIEW 8]** Due process for the other party: the 14-day track applies to every party's motions, guarantees notice and a hearing, lets a party challenge a bad-faith affidavit, and expressly says placement on the track is not evidence. LSC should review whether any further safeguard is needed, such as a minimum notice period before a hearing.

[LSC REVIEW 9] Tolling for a pending affidavit of disqualification assumes the assigned judge cannot rule while it is pending. LSC should confirm against R.C. 2701.03 as amended.

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Sec. 2701.023. Notice of overdue ruling; cure period; reassignment.

(A) **Automatic notice.** Not later than two court days after a time limit under section 2701.022 of the Revised Code passes without a ruling, the clerk of the court shall send a written notice of overdue ruling to each party or the party's counsel, the assigned judge, and the administrative judge. The notice shall identify the motion, the date it was filed, the date it was submitted if known, the time limit, and the number of days the ruling is overdue. Any party may also file a notice of overdue ruling, which the clerk shall forward the same day to the assigned judge and the administrative judge. No fee or court cost shall be charged for filing a notice under this division.

(B) **Cure period.** The assigned judge shall rule on the motion not later than fourteen days after the notice is sent, or seven days after the notice is sent for a temporary or emergency family motion or a family motion in a protected-party case.

(C) **Reassignment.** If the assigned judge does not rule within the cure period, the administrative judge, not later than seven days after the cure period ends, shall do one of the following and journalize the action taken:

(1) Reassign the motion to another judge of the court or division, who shall rule not later than thirty days after the reassignment, or fourteen days after the reassignment for a temporary or emergency family motion or a family motion in a protected-party case;

(2) If reassignment within the court or division is not possible because the court or division has one judge, the administrative judge is the assigned judge, the assigned judge sits by assignment of the chief justice, or every other judge is disqualified, notify the chief justice of the supreme court in writing and request the assignment of another judge under division (A)(3) of Section 5 of Article IV, Ohio Constitution.

(D) **Report to the supreme court.** When an administrative judge acts under division (C) of this section, the administrative judge shall also report the overdue ruling to the case management section of the supreme court.

(E) **Enforcement.** A party to a family motion has a clear legal right to a ruling within the time limits in sections 2701.022 and 2701.023 of the Revised Code, and the assigned judge has a clear legal duty to issue that ruling. A failure to rule within those limits is an undue delay for purposes of an action in procedendo or mandamus. Nothing in this section requires a party to file a notice of overdue ruling before seeking a writ.

(F) **Validity of late rulings.** A ruling issued after a time limit is valid. An appellate court shall not reverse a ruling solely because it was issued late, but late issuance does not excuse any party or court from the duties in this section.

[LSC REVIEW 10] Separation of powers, highest priority. Article IV, Section 5(A)(1) of the Ohio Constitution gives the Supreme Court "general superintendence over all courts in the state," exercised by the chief justice under rules the Court adopts. Divisions (C) and (D) direct administrative judges, whose duties are now set mainly by Sup.R. 4.12 and 5.23(B). LSC should assess whether the General Assembly can mandate reassignment, or whether division (C) should instead be written as a request to the Supreme Court (see Section 2 below). If the reassignment duty is held invalid, R.C. 1.50 (severability) keeps the rest of the Act in force.

[LSC REVIEW 11] Division (E) is written to close the gap identified in State ex rel. Culgan v. Collier, 2013-Ohio-1762, where the Supreme Court held that Sup.R. 40 (now Sup.R. 5.23) does not give litigants an enforceable right. A statute can create a legal right and duty, but it cannot expand the Supreme Court's or courts of appeals' constitutional writ jurisdiction (Ohio Const. Art. IV, Sec. 2(B)(1)(e) and 3(B)(1)(e)). LSC should confirm the wording stays within that limit.

[LSC REVIEW 12] Clerk duties in division (A) may require case-management software changes. The Legislative Budget Office should prepare a fiscal note on local costs.

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Sec. 2701.024. Public reporting by judge.

(A) Each court of common pleas, each domestic relations division, and each juvenile division that hears family motions shall publish on its website, not later than the fifteenth day of each month, a report for the preceding month that lists for each judge and each magistrate, including judges sitting by assignment, all of the following:

(1) The number of family motions filed, ruled on, and ruled on within the time limits in section 2701.022 of the Revised Code, by track;

(2) The number of family motions pending beyond a time limit on the last day of the month, and the number of days the oldest of those motions was overdue;

(3) The number of notices of overdue ruling issued and the number of motions reassigned under section 2701.023 of the Revised Code.

(B) The report shall not include the name of any party or child, any case number, or any other information that could identify a party, a child, or a person protected by a protection order.

(C) The court shall send each monthly report to the case management section of the supreme court. Not later than the first day of March each year, the court shall send a summary of the preceding calendar year to the clerk of the senate and the clerk of the house of representatives.

(D) Reports under this section are public records.

[LSC REVIEW 13] Sup.R. 5.32(A) already requires each domestic relations and juvenile judge to file a monthly statistical report, and Sup.R. 5.42 makes those reports public. Those reports count motions pending beyond time guidelines in aggregate. This section adds per-judge, per-track motion data published by the local court. LSC should check the overlap with the Supreme Court's reporting forms and whether a statute can direct reports to the Supreme Court's case management section, or should only request it.

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Sec. 2701.025. Relationship to court rules; construction.

(A) Sections 2701.02 to 2701.025 of the Revised Code set minimum standards for the timely determination of family motions. They do not prevent a court or the supreme court from requiring faster rulings.

(B) The general assembly finds that a timely ruling on a matter affecting a child's custody, parenting time, support, or safety protects substantive interests of children and parents, and that these sections are intended to secure those interests and not to prescribe rules of practice and procedure under division (B) of Section 5 of Article IV, Ohio Constitution.

> **[LSC REVIEW 14]** Under Article IV, Section 5(B), procedural rules adopted by the Supreme Court supersede conflicting laws. If a future Civil or Juvenile Rule addressed ruling times, a court might hold this Act superseded. The legislative finding in division (B) is meant to support treating the Act as substantive. LSC should advise whether that finding is useful or should be dropped.

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Section 2. (Uncodified) Request to the Supreme Court. The General Assembly respectfully requests that the Supreme Court of Ohio, under its authority in Section 5 of Article IV, Ohio Constitution, consider amending Sup.R. 5.23 of the Rules of Superintendence for the Courts of Ohio to:

(A) Adopt the ruling deadlines, submission definition, and protected-party track in sections 2701.021 and 2701.022 of the Revised Code;

(B) Require automatic notice to parties when a family motion passes its deadline;

(C) Require the administrative judge to reassign an overdue family motion, or request a judge by assignment, at the end of a set cure period;

(D) Publish per-judge data on family motions pending beyond time limits.

> **[LSC REVIEW 15]** Section 2 is the constitutionally safest path for the reassignment and reporting provisions. Sponsors may also wish to send a letter to the Court with the bill.

Section 3. (Uncodified) Findings. The General Assembly finds all of the following:

(A) Sup.R. 5.23(A)(3) of the Rules of Superintendence for the Courts of Ohio states that "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."

(B) The Supreme Court of Ohio has held that this rule does not give litigants an enforceable right to compel a ruling. State ex rel. Culgan v. Collier, 135 Ohio St.3d 436, 2013-Ohio-1762, at paragraph 8.

(C) R.C. 2701.02 has required decisions within thirty days after submission since at least 1953, but Ohio courts have held that the statute is directory, not mandatory.

(D) In State ex rel. M.D. v. Kelsey, 168 Ohio St.3d 679, 2022-Ohio-2556, a parent's motion to reinstate parenting time with his minor children had gone unruled for about two years while he

was denied parenting time throughout the pendency of the motion, and the Supreme Court issued a writ of procedendo compelling rulings.

(E) Families should not have to sue a judge to get a ruling on a motion about their children.

Section 4. (Uncodified) Severability. Section 1.50 of the Revised Code applies to this act.

Section 5. (Uncodified) Short title. This act shall be known as the Timely Rulings for Families Act.

Section 6. That existing section 2701.02 of the Revised Code is hereby repealed.

> **[LSC REVIEW 16]** Section 6 follows the Ohio form required by Article II, Section 15(D), which provides that amended sections "shall be repealed."

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PART B. ALTERNATIVE FORM: AMENDMENT TO SUB. S.B. 174 (136th G.A.)

Status of S.B. 174, checked on legislature.ohio.gov November 10, 2026: Primary sponsors Sens. Gavarone and Hicks-Hudson. Introduced in the Senate April 8, 2025; reported by Senate Judiciary as a substitute November 5, 2025; passed the Senate November 12, 2025; introduced in the House November 18, 2025; referred to House Judiciary November 19, 2025. No later action is listed. Title: "Regards allocation of parenting responsibilities."

Why S.B. 174 is the logical vehicle: It is the pending bill that rewrites Ohio's custody and parenting time law. It already amends R.C. 2701.03 (judge disqualification), 3105.011, 3109.04, 3109.051, 3113.31, and 2151.23, and it already contains its own hearing deadlines (for example, an oral hearing within 28 days after a request to modify a temporary order issued without a hearing, and an initial hearing within 28 days after service on a motion alleging interference with parenting time, according to the LSC bill analysis of the As Passed by the Senate version). It does not amend R.C. 2701.02 and contains no ruling deadline for motions.

Proposed House Judiciary Committee amendment (to be drafted by LSC in the required form):

1. In the title, after "2701.03," insert "2701.02,"; in the list of sections to be enacted, insert "2701.021, 2701.022, 2701.023, 2701.024, and 2701.025"; and at the end of the title, after "parenting plan," insert "and to require timely rulings on motions involving children, to be known in part as the Timely Rulings for Families Act".
2. Insert the text of sections 2701.02 to 2701.025 from Part A, Section 1, conformed to the bill's terms ("parenting responsibilities," "designated parent and legal custodian," and the bill's new section numbers).
3. Insert Part A, Sections 2, 3, and 5 as uncodified sections, and add "2701.02" to the bill's repeal section of existing sections.

> **[LSC REVIEW 17]** Article II, Section 15(D) of the Ohio Constitution requires that "No bill shall contain more than one subject, which shall be clearly expressed in its title." Ruling deadlines on

custody, parenting time, and support motions relate closely to S.B. 174's subject, but LSC should confirm the amendment is germane and that the title change is enough.

[LSC REVIEW 18] If S.B. 174 does not pass before the 136th General Assembly ends, Part A can be introduced as a standalone bill in the 137th General Assembly.