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ASSOCIATION**

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## **General Assembly Tolls Court Deadlines & Statutes of Limitations Among Other Emergency Measures Update from OSBA President Eleana Drakatos**

A big **THANK YOU** to all the OSBA members who have reached out to share challenges, ideas and feedback regarding how the OSBA can help as you work to best serve your clients in this unprecedented time as well as maintain your practices. We are all in this together and speaking as the President of an organization made entirely of professional problem solvers, I know that the more we collaborate, the better off we will be. More than ever, I am reminded of how important it is to be an active member of this organization.

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### **We've Heard You**

We are pleased the Governor and his Director of Health were persuaded by the OSBA's pleas and formally declared what we knew already; that legal services are *essential* services. We've heard from many of you that though you appreciate that flexibility, for both health and safety reasons as well as for your continued ability to serve clients with pending legal matters, you would also like to see more guidance and uniformity when it comes to the need to go to court.

We have an important update on that front and some good news to share:

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### **Tolling on Court Deadlines and Statutes of Limitations**

Today Gov. DeWine signed into law [HB197](#), which was amended on Wednesday to incorporate the General Assembly's emergency legislative response to COVID-19. The OSBA was pleased to work closely with Chief Justice Maureen O'Connor to advocate for temporary law changes to ensure that Ohio judges have the authority they need to toll statutory court deadlines for all civil and criminal cases. The bill also tolls all statute of limitation deadlines for criminal and civil cases, as well as administrative acts where the deadline would have occurred between March 9 (when the state of emergency was declared) until the emergency is over or July 30, whichever comes first. This does not mean that you should not continue to file cases or meet your deadlines, if you are able to do so.

However, if you are unable to file pleadings or meet certain deadlines, HB197 gives you additional time. Be sure to check if the pertinent court allows for e-filing.

The OSBA is an organization built on ensuring equal justice for all, and so this was a very delicate balance to strike. However, in these unprecedented times (and only for the duration of this emergency), we felt this was the right approach.

Ohio is not a unified court system and our judges must still dictate what is best for their own courtrooms and dockets. Please continue to refer to the OSBA's [COVID-19 Resource Directory](#) as well as our [by-county](#) list of guidance provided by Ohio courts to date.

In conjunction with these legislative changes, Chief Justice O'Connor has issued a [new order](#) and [guidance](#) to Ohio judges to toll timing requirements in Supreme Court rules that govern the bench and bar. As a result, we expect there may be subsequent updates from courts in the days ahead, and we'll post them for you as soon as we have them. We thank Chief Justice O'Connor for her leadership.

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## Other Key Provisions in the Bill of Note:

The bill also includes a number of important provisions, which will impact you and the clients you serve, including unemployment compensation, tax filing deadlines, education, water disconnections, state licensing, open meetings, county recorder offices and of course, absentee voting in Ohio's Primary election.

We've included a summary in our regular [Weekly Legislative Report](#) and will be working with our subject matter experts in weeks ahead to develop guidance around many of these changes via new CLE programs and website content. Stay tuned and be sure to check our Resource Directory as well as your committee and section online member communities regularly.

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## Policy Matters in the Works

Speaking of problem solving and our subject matter experts, ours have been working overtime to try and address many other challenges you may be facing in your practices.

- The Estate Planning, Trust and Probate Law Section (EPTPL) has been discussing how to best use technology to simplify the signing of wills, powers of attorney and advanced directives during this public health crisis.
- Some OSBA sections are also discussing ways to potentially relax the requirements for online notarization platforms as the need for these new systems in Ohio has grown exponentially under COVID-19.
- OSBA members are working to address personal service-related issues as most carriers have relaxed signature requirements for delivery.
- We are also working to address the concerns related to the ability of counties to pay appointed counsel during the crisis.

If you have other ideas or concerns on which we can help or advocate, please send them directly to our CEO Mary Augsburger at [maugsburger@ohioabar.org](mailto:maugsburger@ohioabar.org) and we'll be sure to add them to our growing list.

Please continue to stay safe, healthy and as productive as you can be under the circumstances.

In Fellowship,



**Eleana Drakatos**

President, the Ohio State Bar Association

PS - Be sure to register for our complimentary COVID-19-related Quick Webcasts. On Thursday April 2, we are hosting [Coronavirus: Workplace Considerations Part 2](#) at 1p.m. There are more to come. All will be posted on our [COVID-19 Resource Directory](#).