



Frequently Asked Questions Specialized Docket Certification

1. What is a specialized docket?

Sup.R. 36.20(A) defines a specialized docket as “a particular session of court that offers a therapeutically oriented judicial approach to providing court supervision and appropriate treatment to individuals...”(Sup.R. 36.20(A)).

2. When can a court use the term specialized docket?

The particular session of court that offers a therapeutically oriented judicial approach to providing court supervision and appropriate treatment to individuals may be titled a “specialized docket” only upon receipt of initial certification, pursuant to Sup.R. 36.24 or final certification pursuant to Sup.R. 36.26. See Sup.R. 36.27.

3. When must a specialized docket be initially certified?

Sup.R. 36.27 requires all specialized dockets to be initially certified by January 1, 2014.

4. What Rules of Superintendence apply to specialized docket certification?

Sup.R. 36.02 through 36.28 and Appendix I to the Rules of Superintendence; Specialized Docket Standards.

5. When are the Rules of Superintendence 36.02 through 36.28 effective?

Sup.R. 36.02 through 36.28 are effective as of January 1, 2013. Please note that Terminology Rule of the Code of Judicial Conduct is effective January 1, 2014, which changes the definition of specialized docket consistent with Sup.R. 36.02 through 36.28.

6. How does a court or division become certified?

Sup.R. 36.20 through 36.28 define the procedure for specialized docket certification. Sup.R. 36.20 specifically states that to receive specialized docket certification, the court or division is to comply with and adopt a local rule or issue an administrative order implementing the “Specialized Docket Standards” as set forth in Appendix I to the Rules of Superintendence; and successfully complete the certification application process pursuant to Sup.R. 36.21 through 36.26.

7. How does a court or division apply for specialized docket certification?

The court or division is to submit an application with a copy of the local rule or administrative order, a copy of the program description, a copy of the written participation agreement, and a copy of the written participant handbook. See Sup.R. 36.21.

8. Do Sup.R. 36.20 through 36.28 apply to all specialized dockets, including juvenile and family specialized dockets?

Yes, any court of common pleas, municipal court, county court or division of the court operating or establishing a particular session of court that offers a therapeutically oriented judicial approach to providing court supervision and appropriate treatment to individuals may receive certification pursuant Sup.R. 36.20(A). The particular session of court that offers a therapeutically oriented judicial approach to providing court supervision and

appropriate treatment to individuals may be titled a “specialized docket” only upon receipt of initial certification pursuant to Sup.R. 36.24 or final certification pursuant to Sup.R. 36.26. See Sup.R. 36.27.

9. If there are multiple specialized dockets within the same court, do all of the specialized dockets have to apply for certification?

Yes. Each specialized docket from the court is to be certified, even if the same judge operates each specialized docket. Each specialized docket application will be considered on its own, separate from any other applications from the same court or the same judge. It is possible for one specialized docket from the same court or judge to obtain final certification and another from the same court or judge not to obtain final certification. See Sup.R. 36.28.

10. Who submits the application for certification?

The judge who presides over the particular session of court that offers a therapeutically oriented judicial approach to providing court supervision and appropriate treatment of individuals submits the application for certification. The specialized docket application for certification is specific to the judge who presides over and operates the specialized docket. See Sup.R. 36.28.

11. What type of dockets cannot use the term specialized docket and, therefore, not apply for certification pursuant to Sup. R. 36.20 through 36.28?

Court of common pleas commercial dockets and housing or environmental divisions of municipal courts may not use the term specialized docket and cannot apply for certification pursuant to Sup. R. 36.20 through 36.28. Sup.R. 36.20(B). Programs or dockets that treat similar types of cases the same, which are known as dedicated dockets, also cannot use the term specialized docket and cannot apply for certification pursuant to Sup.R. 36.20 through 36.28.

12. What happens if the specialized docket certification application is incomplete upon submission?

Upon receipt of the application, local rule or administrative order, program description, participation agreement, and participant handbook, the application will be reviewed to make sure all materials are submitted and the application has the required signatures. If materials are missing or the application is somehow otherwise deficient, a notice will be sent to the specialized docket applicant that specifically identifies the deficiencies and the court will have 30 days to supplement the application. See Sup.R.36.21 and 36.22.

13. What happens if the application or the accompanying documents are deficient after the substantive review of the certification application by Specialized Docket Section staff?

Once it is determined the application is complete upon receipt, the application and accompanying documents will be reviewed on a substantive basis by Specialized Docket Section staff. If it is determined that the application for certification is substantively deficient, the Specialized Dockets Section staff shall provide the specialized docket applicant a notice by regular or electronic mail identifying the deficiency. The specialized docket will have 45 days to correct the deficiency. See Sup.R. 36.23.

14. What is initial certification?

Once the Specialized Dockets Section, pursuant to Sup.R. 36.23(A), determines that an application for certification submitted pursuant to Sup.R. 36.21(A) is substantively complete, the court or division shall receive initial certification from the Specialized Docket Section manager. See Sup.R. 36.24. Initial certification is effective until a determination is made on final certification pursuant to Sup.R. 36.26. See Sup.R. 36.24.

15. What is final certification?

After initial certification, Specialized Dockets Section staff will conduct a site review of the treatment team meeting and status review hearing of the specialized docket applicant. Once the site review is completed, the Specialized Dockets Section manager will issue a recommendation on final certification of the specialized docket to the Commission on Specialized Dockets. The members of the Commission on Specialized Dockets review and decide final certification. See Sup.R. 36.25, 36.26, and 36.27.

16. What happens if the site review is not satisfactory?

If a deficiency is identified by the Specialized Docket Section staff after conducting the site review, the Specialized Dockets Section shall provide the specialized docket applicant notice by regular or electronic mail identifying the deficiency. The specialized docket will have 45 days to make corrections. See Sup.R. 36.25.

17. What happens if any of the deficiencies are not corrected within the required timeframes?

The Specialized Dockets Section manager may recommend denial of the application to the Commission on Specialized Dockets. See Sup.R. 36.22, 36.23, and 36.25.

18. Who makes the final certification determination of a specialized docket?

The Commission on Specialized Dockets makes the decision regarding final certification of the specialized docket. See Sup.R. 36.24 and 36.26.

19. How will the specialized docket applicant know when the Commission is deciding final certification of the specialized docket?

Specialized Dockets Section staff will send to the specialized docket applicant, by regular or electronic mail, notice specifying the date and time the Commission will meet to review the recommendation for final certification. See Sup.R. 36.26

20. What if the Commission decides to not certify the specialized docket?

The court or division may reapply for certification at any time. The court or division may not call itself a specialized docket if it has not been certified. See Sup.R. 36.27. The court or division should also make note of the Terminology change to the Ohio Code of Judicial Conduct adopted by the Supreme Court on November 13, 2013.

21. When does the specialized docket have to be re-certified?

Every three years after the receipt of certification or within six months after a change in the judge assigned to the session. Please note that the Specialized Dockets Section may abbreviate the first certification period to allow for rotating periods among the courts and divisions. See Sup.R. 36.28.

22. Are there any other requirements for maintaining certification?

The specialized docket shall notify the Specialized Dockets Section of any changes to the procedures of or the documents or treatment providers used by the specialized docket. See Sup.R. 36.28.

23. Where can the court or division find the certification documents?

All documents concerning specialized docket certification including the application for certification can be found on the Specialized Dockets website:

<http://www.supremecourt.ohio.gov/JCS/specDockets/certification>

24. Who should be contacted if there are more questions concerning the specialized docket certification process?

The Specialized Dockets Section of the Supreme Court of Ohio can be reached at 614.387.9425.