



THE SUPREME COURT *of* OHIO

Judicial Assignment Program Overview

The Ohio Constitution Article IV, Sections [5\(A\)\(3\)](#) and [6\(C\)](#), and the Ohio Revised Code Sections [1901.121](#) and [1907.141](#) vest the Chief Justice of the Supreme Court of Ohio with the authority to make temporary assignments of sitting and retired judges to serve in the absence of a sitting judge due to circumstances that are subject to constitutional, statutory, and rule limitations. To establish consistent standards and expectations in implementing the judicial assignment program, the Chief Justice has amended the [Guidelines for Assignment of Judges](#).

Requesting an Assigned Judge

All requests for the assignment of a judge must be made by administrative judges or staff members who have been designated to submit requests on their behalf.

IGOR (Interactive Generator of Online Requests) is the Supreme Court's online system for requesting the assignment of a judge. All requests submitted through IGOR are deemed to have been approved by the administrative judge.

Access to IGOR is gained using login credentials issued to each administrative judge (the same credentials are used for reporting caseload statistics via the eStats system). Certificates of Assignment are delivered to the requesting administrative judge via email, with a courtesy copy delivered to the contact person and assigned judge via email. Instructions for using IGOR: www.supremecourt.ohio.gov/docs/JCS/judicialAssignment/igorInstructions.pdf

Types of Assignments

The Guidelines for Assignment of Judges provides for the following types of assignment requests:

Affidavit of Disqualification: When the Chief Justice has granted an affidavit of disqualification under [R.C. 2701.03](#), [2101.39](#), [2501.13](#), or [2701.031](#) and has referred the case to the administrative judge for reassignment to a new judge.

Discipline: Used when a judge has been suspended or disqualified from service as a judge due to disciplinary proceedings.

Disrupted Docket: When a judge has an extended trial scheduled and the administrative judge determines it will interfere with the remainder of the judge's docket.

On-Call Judges: Used for on-call coverage during a personal illness or family emergency in a single-judge court or division of a court. Retired judges may be assigned for a maximum of three months. Sitting judges may be assigned for a maximum of six months.

Overburdened Docket: When a court seeks assistance with alleviating a potential backlog. These requests trigger a statistical analysis by Supreme Court staff.

Reciprocal Agreement: Used when a group of judges from different courts opt to enter into an agreement to sit in each other's courts from time to time for any purpose other than a recusal.

Recusal – Case Specific: When a judge has recused from a case and the administrative judge requests that the Chief Justice assign a judge. See *Practice Tips* below for additional information.

Judicial Assignment Program Overview

Recusal – Block of Cases: When a judge anticipates recusing from potential future cases along with possibly one or more pending cases. Prior to requesting a judge to hear a block of cases due to recusal, the administrative judge must first contact the office of the Chief Justice at 614-387-9070 for prior approval.

Special Circumstances: Used for a special circumstance not covered by any other assignment request type. The administrative judge must first contact the office of the Chief Justice at 614-387-9070 for prior approval.

Specific Time Off: Used for coverage during a specific period of time a sitting judge is absent due to personal time off, a family emergency or illness, attendance at a legal education program,

attendance at a meeting of a Supreme Court board, commission, advisory committee, or task force, or attendance at a meeting of a state or national judicial association. See *Practice Tips* below for additional information.

Vacancy: When a judgeship becomes vacant. Requests for the assignment of a judge to sit by assignment during the period of a judicial vacancy shall not be entered into IGOR until the date the vacancy is effective. However, when an administrative judge becomes aware of an imminent vacancy, the administrative judge may contact the Judicial Assignment Analyst at 614-387-9415 in order to begin planning for coverage.

Practice Tips for the Most Common Types of Assignment

Recusals

In no event shall the recusing judge request or suggest that the case be assigned to a specific sitting or retired judge.

The administrative judge must upload to IGOR a file-stamped judgment entry documenting the recusal.

In a **single-judge** court or division of a court, when the judge recuses from a case, the judge shall submit a request in IGOR using the *Recusal – Case Specific* request type.

Pursuant to Sup.R. 4.01(H) and 36.019(B), in a **multi-judge court or division of a court**, if the administrative judge reasonably believes other sitting judges of that court or division are eligible to hear the case, the administrative judge must first attempt to randomly assign the case to another judge of the court or division. If after three attempts no sitting judge is eligible to hear the case, the administrative judge may submit a request in IGOR using the *Recusal – Case Specific* request type.

Rule of Necessity: This principle, articulated in Jud.Cond.R. 2.11, cmt. [3], provides that a judge who would otherwise be disqualified to hear a matter requiring immediate action (e.g., a probable cause determination) may do so if no other judge is available. However, upon performing the required immediate action, the judge should forthwith arrange for the case to be reassigned.

Judicial Assignment Program Overview

Specific Time Off Requests

In a **single-judge court without divisions**, in the event of the temporary absence of the sitting judge due to specific time off request, the judge may request the assignment of a judge by the Chief Justice.

In a **single-judge division of a multiple-division court**, in the event of the temporary absence of the sitting judge due to a specific time off request, the judge may request the presiding judge of the court to assign a judge from another division pursuant to Sup.R. 3.01 (B) to perform any unanticipated emergency duties of the sitting judge so long as the sitting judge has no hearings or trials scheduled during his or her absence. If the presiding judge is unable to assign a judge from another division of the court, he or she may request the Chief Justice to assign a judge.

In a **multi-judge court without divisions**, in the event of the temporary absence of a sitting judge due to a specific time off request, the administrative judge of the court shall attempt to

arrange for another judge of the court to perform the duties of the sitting judge who is requesting an assigned judge. If no other judge of the court is available, the administrative judge may request the Chief Justice to assign a judge.

In the event of temporary absence of a sitting judge due to a specific time off request in a **multi-judge division of a court**, the administrative judge shall attempt to arrange for another judge of the division to perform the duties of the sitting judge who is requesting an assigned judge. If no other judge of the division is available, the administrative judge may request the presiding judge of the court to assign a sitting judge from another division pursuant to Sup.R. 3.01 (B) to perform any unanticipated emergency duties of the sitting judge so long as the sitting judge has no hearings or trials scheduled during his or her absence. If the presiding judge is unable to assign a judge from another division of the court, he or she may request the Chief Justice to assign a judge.

Questions and Additional Information

General judicial assignment program information, including answers to frequently asked questions: www.supremecourt.ohio.gov/courts/judicial-assignment/

For questions regarding the Guidelines for Assignment of Judges and the use of IGOR, contact the Supreme Court's Judicial Assignment Analyst at 614-387-9415 or JudicialAssignments@sc.ohio.gov.

For questions regarding the Rules of Superintendence for the Courts of Ohio, contact the staff of the Office of the Chief Legal Counsel at 614-387-9510.

For questions regarding the Code of Judicial Conduct, contact the staff of the Ohio Board of Professional Conduct at 614-387-9370.