



STATE OF OHIO

STATUTE OF LIMITATIONS

(during COVID-19 pandemic)

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EXTENDED STATUTES OF LIMITATIONS DURING THIS TIME OF COVID-19

As of July 30, 2020, the tolling period in Ohio expired and was not extended. The following information explains Ohio's tolling period.

On March 27, 2020, Governor Mike DeWine signed Am. Sub. H.B. 197 which tolled all statutorily established time requirements, including statute of limitations, during the COVID-19 emergency. Because of the Constitutional separation of powers, the Supreme Court of Ohio issued an order on March 27, 2020, that tolled the time requirements established by all Supreme Court-promulgated rules.

The Court's March 27th order was intended to work in conjunction with Am. Sub. H.B. 197. All "time requirements" that were set to expire between March 9, 2020 and July 30, 2020 were tolled. As used in the order, "time requirements" is defined as "the time for filing all pleadings, appeals, and all other filings; time limitations; deadlines; and other directives related to time, including non-constitutional jurisdictional deadlines." In effect, the order tolled all litigation deadlines that were due March 9, 2020 through July 30, 2020.

Am. Sub. H.B. 197 and the Court's March 27th order applied to any criminal, civil, or administrative time limitations imposed by the Ohio Revised Code or the Ohio Administrative Code. Both Am. Sub. H.B. 197 and the Court's March 27th order were retroactive to March 9, 2020, the date of Governor DeWine's Executive Order 2020-01D.

On April 14, 2020, the Supreme Court of Ohio issued a second order with the effective date of April 21, 2020. The April 14th order reinstated only the time requirements in the Rules of Practice of the Supreme Court. All other Supreme Court-rule-imposed time requirements remained tolled for the duration of the Court's March 27th order.

As explained above, the duration of the March 27th order was only effective until July 30, 2020.

TEMPORARY RULES EXTENDING TIME LIMITS TO SERVE COMPLAINTS AND/OR SPECIAL RULES RELATING TO METHODS OF SERVICE

Under the Ohio Rules of Civil Procedure, service of a summons must be made within six months of filing of the complaint. During the COVID-19 pandemic, if the six-month deadline was set to

expire between March 9, 2020, and July 30, 2020, it would have been tolled under the Court's March 27th order.

As far as special rules for methods of service, there have not been changes made relating to methods of service.

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