



Ohio Administrative Code Rule 102-9-01 General hearing procedures.

Effective: June 29, 2017

- (A) The commission shall schedule a hearing within ninety days after the filing of a complaint, but may continue the hearing at the request of any party.
- (B) The commission may conduct any inquiry appropriate to determine whether the respondent is unable to afford counsel without undue hardship, including, but not limited to, relying on forms and procedures promulgated by the Ohio Public Defender's Commission regarding indigent status.
- (C) All witnesses at any hearing before the commission shall testify under oath or affirmation. A witness may be accompanied and advised by legal counsel. Participation by a witness's counsel will be limited to protection of the client's rights. Counsel for a non-party witness may neither examine nor cross-examine any witness.
- (D) If a complaint is dismissed, the commission shall, on the written request of the respondent, make a public report of its findings. In such case, all evidence and the record of the hearing shall remain confidential unless the respondent requests, in writing, that the evidence and record be made available for public inspection.
- (E) The filing of a request, motion or notice related to a commission hearing shall comply with the following:
- (1) Any notice specifying the date, time, and place for a hearing mailed by the commission shall be served by certified mail. If the certified mail is returned unclaimed, the commission shall serve the notice by regular mail with a certificate of mailing, or by personal service to the accused. Any legal representative of record shall also be served the notice by regular mail at the address on file.
 - (2) The mailing date of any document mailed by the commission shall be the date appearing on the certified mail receipt or certificate of mailing, or date personal service was made as sworn to by an employee or agent of the commission.



(3) A document may be filed with the commission by hand-delivery, or regular U.S. mail, or encrypted electronic mail. If multiple copies of the same document are filed, only the first to be received by the commission will be time stamped and retained.

(4) A document is filed with the commission when the document is received and time stamped at the commission office located in Columbus, Ohio. Documents received after 4:30 p.m. on a business day will be time stamped as received by the commission the next business day.