



Ohio Administrative Code

Rule 5120-9-47 Sanctions for filing frivolous actions.

Effective: May 22, 1997

(A) At any time, and upon its own motion or on the motion of a party, a court may conduct an inquiry into whether any civil action or appeal brought by an inmate was brought in good faith. An inmate who is found by a court to have brought a frivolous civil action or appeal in any court of this state or in any federal court, or who is found by a state court to have brought a malicious civil action or appeal, or who is found by a state court to have filed false allegations of indigency in a poverty affidavit, or who is found by a state court to have filed additional affidavits relating to waiver, prior actions or appeals, and grievances, as set forth in section 2969.25 and 2969.26 of the Revised Code, that were materially false, is subject to loss of certain privileges and or extra work duty.

(B) If a court issues such a written finding and forwards it to the appropriate institution for further action, the warden or designee shall, within a reasonable time, impose upon that inmate, one or more of the following sanctions:

- (1) Extra work duty, without compensation, for not more than sixty days;
- (2) The loss of commissary privileges for not more than sixty days;
- (3) The loss of television privileges for not more than sixty days;
- (4) The loss of radio privileges for not more than sixty days;
- (5) The loss of recreational activity privileges for not more than sixty days;
- (6) The loss of sundry package privileges for one time in any calendar year.

(C) The inmate shall receive written notice of the wardens or designees sanction(s) along with a copy of the courts finding. Department employees are not required to grant the inmate any further process.