

WHAT TOLLING MEANS:

1. Tolling allows for the pausing or delaying of the running of a period of time. It effectively freezes time from the date the tolling begins.
2. Am Sub. H.B. 197 (H.B. 197) tolls established time requirements such as statutes of limitations. The Ohio Supreme Court Tolling Order is intended to work in conjunction with H.B. 197, as it tolls time requirements imposed by Supreme Court Rules.

TIME FRAME OF TOLLING

1. Both H.B. 197 and the Tolling Order are retroactive to March 9, 2020 and both will expire on the earlier of the two following dates:
 - a. The date the Governor's declaration of emergency ends or
 - b. July 30, 2020.
2. Tolling applies to any time limitation set to expire between March 9, 2020 and July 30, 2020. Any deadlines outside of this time period are not affected by the tolling.

WHAT IS TOLLED

1. H.B. 197 tolls statutorily established time requirements including but not limited to: certificates of service of notice of probate of will; inventories; accounts; reports of distribution; bonds; receipts and deposit; and guardian's reports.
2. The Ohio Supreme Court Tolling Order tolls the "Rules of the Court," including but not limited to: Ohio Code of Judicial Conduct; Ohio Rules of Appellate Procedure; Ohio Rules of Civil Procedure; Ohio Rules of Evidence; Ohio Rules of Professional Conduct; Rules of Superintendence for the Court of Ohio.

All courts could issue orders overriding the Supreme Court Tolling Order that would require the parties to comply with a time requirement if it is a situation requiring immediate attention.

EXAMPLE 1:

If a deadline was set to expire on March 30, 2020 (21 days after March 9, the deadline will now expire 21 days after the Tolling Order is lifted, If the Tolling Order is lifted July 30, 2020, the deadline would then be August 20, 2020.

Example 2:

Fiduciary is appointed March 30. Inventory is due three months from appointment. Inventory would be due June 30 but this is within the tolling period so the three month time period starts on July 30 and the inventory is due October 30.

Example 3:

Fiduciary is appointed June 30. Inventory is due three months from appointment. Inventory would be due September 30 and tolling does not apply.

Please note that since the original requirements are set on Mondays through Fridays, the new requirement has been set on Mondays through Fridays or the following business day if it fell on a weekend. Pursuant to O.R.C. 2109.31, only citations will be issued for filings originally due from March 9, 2020 until July 29, 2020.