

FILED
CLERK OF COURTS
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WASHINGTON CO. OHIO

RULE 38
CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT

1. The purpose of this rule is to define the specific requirements and processes that support a Petitioner's application for a Certificate of Qualification for Employment (CQE) as set forth in Revised Code 2925.25 and related rules established by the Department of Rehabilitation and Correction (DRC).
2. In order to request a Certificate of Qualification for Employment, the Petition for Certificate of Qualification of Employment (RC 2953.25) [Form A] shall be filed with the Clerk of Courts by the Petitioner. The Petitioner shall provide the DRC Electronic Petition Number and attach a printed receipt of electronic Petition if submitted through the DRC. If not submitted electronically through the DRC, a Petition must be completed in the form prescribed by the DRC and attached to the pleading.
3. All Petitions submitted through the DRC shall be accompanied by the Department of Rehabilitation and Corrections CQE Summary (CQE Summary).
4. Before any action is required to be taken on the Petition, the Petitioner must pay a deposit in the amount of \$125.00 to the clerk of this court. The Petitioner may submit an Affidavit of Indigency (Form B) or other relevant information for the Court's consideration if requesting a reduction or waiver in the required filing fees.
5. All social security numbers and other information that must be excluded from public record shall be redacted in accordance with the rules of this court and the Rules of Superintendence of The Ohio Supreme Court. Records or information received by a court to assist the court with making its decision under Section 2953.25 of the Revised Code, including information included on a petition, shall retain their character as public

or non-public records, as provided by law.

6. Upon receipt of a Notice of Petition and the required deposit, the Clerk of Courts shall assign the Petition a civil case number (CQ) and randomly assign the matter to a trial judge.
7. The Court shall obtain a criminal history for the Petitioner, either through the investigation ordered in support of the Petition (see Order for Investigation (Form F)) or otherwise.
8. The Court shall attempt to determine all other courts in the State of Ohio in which the Petitioner has been convicted of or plead guilty to an offense through review of the Petitioner's criminal history or other investigation. The Assigned Judge shall order the Clerk of Courts to send a Notice to Court Regarding Petition for Certificate of Qualification for Employment [Form C] and Submission of Information Regarding Petition for Certificate of Qualification for Employment (Form E) to each court so identified. Such Notice shall be sent via ordinary US mail.
9. The Assigned Judge shall also order the Clerk of Courts to send a Notice to the Washington County Prosecutor Regarding Petition for Certificate of Qualification for Employment [Form D] and Submission of information Regarding Petition for Certificate of Qualification for Employment (Form E) and to the Prosecuting Attorney of the county or counties in Ohio in which the Petitioner has been determined to have a prior criminal record.
10. The Judge or Magistrate shall review the Petition, criminal history, all filings submitted by the prosecutor or victim in accordance with the rules adopted by the division of parole and community services, and all other relevant evidence.
11. The Judge or Magistrate may order any report, investigation or disclosure by the Petitioner that it believes is necessary to reach a decision (see Order for Investigation (Form F) and

Order for Additional Information (Form G)).

12. Once all information requested has been received the assigned judge may have the Court's Assignment Commissioner may set an oral hearing on the petition. An oral hearing is not mandatory and if the assigned judge if he/she so chooses may enter a decision without a hearing. The assigned judge shall then decide whether to Grant (Form H) or Deny (Form I) the Petition within sixty days, unless Petitioner requests and is granted an extension of time.
13. The petitioner shall receive a file stamped copy of the Court's decision to grant or deny a petition. The Clerk shall notify the DRC of the disposition as required under the Administrative Rules, and if granted order the DRC to issue the CQU to Petitioner.

CQE PROCESS FLOWCHART

