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CNO REVIEW

October 2013

Enhancing Language Services

During her annual address to Ohio judges in September, Ohio Supreme Court Chief Justice Maureen O'Connor announced a new initiative in a continuing effort to augment services for deaf or limited English proficient litigants in Ohio courts (see story, page 6).

About Court News Ohio

Court News Ohio is a service of the Office of Public Information of the Supreme Court of Ohio and Ohio Government Telecommunications. Court News Ohio includes a website (courtnewsohio.gov), a monthly print publication (CNO Review), a television program (CNO TV), a Facebook page (facebook.com/courtnewsohio) and a Twitter feed (@courtnewsohio).

Content is produced and edited by the Public Information staff with video production assistance from the staff of Ohio Government Telecommunications. The views expressed in CNO content do not necessarily reflect those of the justices of the Supreme Court of Ohio, and the justices do not exercise direct editorial control over the content.

Submissions can be e-mailed to CNO@sc.ohio.gov or sent through the U.S. mail to:

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Cases

Visit courtnewsohio.gov for the most current decisions from the Ohio Supreme Court, Court of Claims, and Court of Appeals.

Supreme Court of Ohio

Candidates Ordered On the Ballot in Summit, Richland Counties

In two separate expedited elections-related cases, the Ohio Supreme Court ruled September 9 that two candidates for public office should be placed on their respective ballots for the November general election. The court's rulings in both cases granted writs of mandamus ordering two boards of elections to place the candidates on the ballot. The Summit County case involved a candidate for Stow Municipal Court clerk of courts. The Richland County case involved a candidate for Mansfield City Council's 5th Ward. Both unanimous rulings found the boards of elections "disregarded clearly established law" by refusing to place the candidates on the general ballots.

State ex rel. Coughlin v. Summit Cty. Bd. of Elections. Slip Opinion No. 2013-Ohio-3867 ***and*** State ex rel. Yeager v. Richland Cty. Bd. of Elections. Slip Opinion No. 2013-Ohio-3862

Custodian of Public Records has Burden to Show Why Materials Are Exempt from Disclosure

On September 3, the Ohio Supreme Court ruled that the Ohio State Highway Patrol must demonstrate that materials withheld from a public records request are in fact exempt from disclosure under the Ohio Public Records Act. In its 7-0 per curiam opinion, the court reversed the Twelfth District Court of Appeals and returned the case to that court to determine whether documents that weren't released fall within the act's "confidential law enforcement investigatory record" exception, as the patrol asserts.

State ex rel. Miller v. Ohio State Highway Patrol, Slip Opinion No. 2013-Ohio-3720

Court of Claims

Collateral Recovery Reduces Award in Wrongful Death Case to $1.8 Million

The Ohio Department of Transportation will pay more than $1.8 million to the family of an Ohio woman who died in a head-on collision caused by a large pothole. The Court of Claims reduced the original $3.3 million award by the amount of collateral benefits – including attorney fees and case expenses – already received by the family, as required by law. In the August 30 judgment entry after the parties filed a stipulation of collateral sources, the court ruled that "the total amount of collateral benefits received, which must be set off from plaintiff's damages award, is $1,522,082.96. Accordingly, judgment is rendered for plaintiff in the amount of $1,820,942.04."

Dennis D. Miller, Admr., etc. v. Ohio Department of Transportation, et al., Case No. 2009-07679

Court of Appeals

Appeal Denied in Father's Day Murder Case

A Butler County man convicted of killing his stepfather on Father's Day last year remains in prison after an attempt to have the conviction thrown out was denied by the Twelfth District Court of Appeals on August 28. Michael Jacob Ray was sentenced last October to 15 years to life in prison for the June 17, 2012, stabbing death of Brian Schmidt in their St. Clair Township home. The two argued when Schmidt confronted the then-18-year-old Ray about his underage drinking. While he admitted to the stabbing, Ray claimed it was in self-defense in response to being hit by Schmidt. Judge **Robert A. Hendrickson** wrote in the court's decision that Ray failed to provide evidence that he faced either great bodily harm or that in order to stop his stepfather's attack he had to use a hunting knife: "Appellant used deadly force when he was not faced with deadly force, only fists."

State v. Ray, 2013-Ohio-3671

Third District Finds Fourth Amendment Rights Violation

A woman's claim that her Fourth Amendment right against unreasonable searches and seizures was violated was validated by an Ohio appeals court on September 16. Varaina Dulaney appealed her October 2012 conviction on aggravated vehicular homicide because the Paulding County Common Pleas Court denied her motion to suppress blood-alcohol evidence that she claimed was obtained with an invalid search warrant. A warrant to test Dulaney's blood samples for alcohol and other drugs was issued by a Paulding County judge, but the samples were at a medical center in neighboring Defiance County. In the decision, Third District Court of Appeals cited a similar federal court case, *United States vs. Master*, 614 F.3d 236, and R.C. 1907.18(A) that explicitly limits county court judges' authority and jurisdiction.

State v. Dulaney, 2013-Ohio-3985

Happening Now

News and notes from courthouses across the Buckeye State.

Court of Claims Streaming Trials Live

Live videos of some Ohio Court of Claims trials are now available for public viewing online thanks to a pilot program that launched September 9.

The Court of Claims is given original jurisdiction to hear and determine all civil actions filed against the state of Ohio and its agencies.

Court of Claims Clerk **Mark Reed** said viewing cases online gives the public a better understanding about what happens when someone sues the state.

"There's an idea out in the public that you can't sue the state, that you can't fight city hall," Reed said. "The Court of Claims exists to say, 'yes, you can,' and you can bring those cases to one court in the state of Ohio, so we're unique like that. You can only sue the state here, and that to me is what makes the Court of Claims so very interesting."

Last year, the court received more than 920 new or reactivated cases. Reed said on average, only about 60 of those cases actually go to trial.

He also said the court will stream cases that may be of great public interest or of educational value.

Darrell Houston v. State of Ohio was the first Court of Claims case broadcast live at www.ohiochannel.org. Houston was determined to have been wrongfully imprisoned and is suing for monetary compensation. He is seeking compensation for the 16 years he spent in prison, including money for lost wages. The state is arguing that Houston would have served up to eight years in prison on a separate conviction, and said since he was unemployed at the time of his imprisonment, Houston had no "direct" lost wages.

Homeowners Take Advantage of Mediation Program

Franklin County homeowners who dispute their property tax valuation are turning to a new mediation program to resolve their dispute. More than 800 cases have been settled in the first three months of the program.

"We've heard nothing but positive comments from property owners who've elected to go through mediation," Franklin County Auditor **Clarence Mingo** said. "This new model represents a swifter, more convenient way for taxpayers to find property tax resolution. They have a voice in the process and are able to bypass the long waits associated with Board of Revision hearings to get a decision in weeks, not months."

The Board of Revision mediation program is designed using a format similar to the Supreme Court of Ohio's Foreclosure Mediation Program Model that has received national recognition. The court worked with county representatives, including Treasurer **Edward Leonard**, County Commissioner **Marilyn Brown**, and Auditor Mingo, to design the program.

"Our goal is to make this a model program," said Supreme Court Dispute Resolution Programs Manager **Jacqueline Hagerott**. "We will continue to assess how the program design is working, make any necessary modifications, and then share it with other counties and states interested in providing mediation as an option for property owners."

Hagerott added that the model will be published and available for statewide implementation as early as January 2014.

The Franklin County mediations are conducted by phone with the property owner, a representative from the Franklin County Auditor's Office, and an outside mediator. If all sides agree to the resolution made during the mediation, the agreement is sent to the Board of Revision for approval.

Franklin County property owners who would like more information about the mediation program should call 614.525.HOME (4663).

State Justice Institute Visits Ohio Supreme Court

National Group Holds Quarterly Board Meeting, Discusses Grant Opportunities

Members of the State Justice Institute (SJI) met with Ohio court employees during its September 10 board meeting. The group meets four times a year, but only one time a year away from its Virginia headquarters, to discuss upcoming grant opportunities.

SJI is a non-profit corporation established by federal law in 1984 to award grants to courts across the nation. The grants are to improve the quality of justice in courts, facilitate better coordination between state and federal courts, and to find solutions for issues faced by all courts. SJI is governed by an 11-member board of directors appointed by the president and confirmed by the Senate.

"It's an honor for SJI to be here at the Ohio Supreme Court," said **Steven C. Hollon**, Ohio Supreme Court Administrative Director. "As hosts, SJI board members were able to hear about Ohio courts including their challenges, how they've used or are currently using SJI grants, and how SJI can continue to provide additional assistance throughout the upcoming years."

One program the Supreme Court highlighted was "CATCH Court" out of Franklin County. The program helps prostitutes who struggle with addiction to make their way back into society with the help of meetings with a judge. The women and men also have to meet certain requirements. Once the candidates graduate, their records are expunged. One of SJI's "priority investment areas" is human trafficking.

Chief Justice **Maureen O'Connor** spoke to the SJI members about how SJI grants and data-driven approaches have helped Ohio communities.

"Clearly this board understands the importance of having that data on hand as well as the need for funding to improve the quality of justice in state courts, facilitate better coordination between state and federal courts, and fostering innovative, efficient solutions to common issues faced by all courts," Chief Justice O'Connor said. "Thank you for fulfilling that mission of funding and considering several projects in Ohio that will result in furthering the efficient administration of justice in our state."

SJI grants have already funded three completed projects in Ohio, and two others are in progress.

COMPLETED

$50K → Cleveland Municipal Court
To enable the National Center for State Courts to conduct an operational assessment of the court to address the allocation of recourses in all administrative departments.

$25K → Franklin County Common Pleas Court
For a salary and benefits compensation study to provide internal equity, promote external competitiveness, and establish a base plan that could be modeled by other urban areas.

$50K → Mahoning County Bar Association
(On behalf of its four local courts), to contract with NCSC to study potential court consolidation.

IN PROGRESS

$50K → Barberton Municipal Court
To conduct a comprehensive assessment of the facilities, focusing on functionality, public safety, and security issues. The court intends to use the information to identify weaknesses of the current facilities and provide a blueprint for the design of a new justice facility.

$20,800 → Ohio Supreme Court
To host a statewide Domestic Relations Summit to provide a forum for domestic relations judges and their justice system partners.

Supreme Court Approves New Disciplinary Counsel

The state attorney discipline board has appointed a new head of the office that investigates and prosecutes complaints of misconduct by attorneys and judges in Ohio.

The Supreme Court approved the appointment by the Board of Commissioners on Grievances & Discipline of **Scott J. Drexel**, a California attorney and former head of the equivalent office in that state, to replace Disciplinary Counsel **Jonathan E. Coughlan** whose term expires on October 26.

California Attorney Scott Drexel (left) was appointed to replace Disciplinary Counsel Jonathan Coughlin (right), whose term expires October 26.

Under Gov.Bar R. V(3)(B)(1), the Board of Commissioners on Grievances & Discipline appoints the head of the Office of Disciplinary Counsel subject to the approval of the Ohio Supreme Court.

Drexel has dedicated most of his 37-year legal career to the regulation of the practice of law and to issues of legal ethics and professional responsibility. For more than four years he served as chief trial counsel for the State Bar of California, responsible for the investigation and prosecution of complaints against attorneys for professional misconduct and related regulatory proceedings involving attorneys, former attorneys, and applicants for admission to the practice of law.

Chief Justice Announces Major Initiative for Court Interpretation

During her annual address to Ohio judges last month (see sidebar story, page 8), Ohio Supreme Court Chief Justice **Maureen O'Connor** announced a new initiative in a continuing effort to augment services for deaf or limited English proficient litigants in Ohio courts.

Ohio courts accommodate about 80 languages and handle more than 25,000 cases per year that require an interpreter. State and federal laws require that courts ensure the people in these cases can understand the proceedings.

In fact, the U.S. Department of Justice has fashioned several consent decrees with several states and has negotiated with them to meet their obligation to provide language access. Ohio has been active for years in supporting the rights of people in the court system whose English ability is limited.

Chief Justice O'Connor told the judges that the implementation of Sup.R. 88 was a major step forward in this area. The rule took effect January 1 and required that a certified court interpreter be provided when one is available and offered guidelines for the appointment of interpreters. The rule was designed to ensure the "meaningful participation" of deaf and limited English proficient individuals in court proceedings.

She also acknowledged that meeting this requirement isn't easy for Ohio's judges because of either the costs local courts incur, identifying an adequate number of qualified interpreters, or both.

"This is why, we are embarking on a major effort to assist you in this area as well as to educate and inform courts and the general public about the issues surrounding court interpretation," she said.

She went on to outline the aspects of the court interpretation support, which include:

- A bench card that will be distributed to all judges to provide additional guidance in handling these cases.
- A training video for judges and court personnel that explains Sup.R. 88 and how to achieve compliance.
- A website, brochures, posters, and other material for judges to display in courthouses to inform litigants and others about rights and responsibilities in the area of language access in the courts.

Language Line

Chief Justice O'Connor explained in more detail what she called "perhaps the most effective tool" to assist in this area: telephonic interpretation services. She said courts would be able to connect with live interpreters when needed and appropriate in a legal proceeding or court function.

The free, round-the-clock, over-the-phone interpreting service offers interpreting in more than 200 languages, Chief Justice O'Connor said.

"The remote interpretation service is intended to operate just as though the interpreter is standing in the courtroom by communicating with the litigant about the judge's instructions or relaying questions from and answers to the prosecution or defense," Chief Justice O'Connor said.

"The right to a fair trial requires that all participants are fully involved and fully aware of what's occurring," she continued. "By providing this service, we are ensuring that every citizen – including those who are limited English proficient – understand fully the court proceedings in which they are involved and truly have their day in court."

She also pointed out that the new service supports judges in their jobs to fulfill this important obligation and in complying with the Title VI of the Civil Rights Act of 1964, Sup.R. 88, and other statutory requirements.

"I am very excited about these new tools that we have been able to bring together for Ohio to ensure equal access in our courtrooms, and I thank you for your continued help as we work together to address this important issue."

> "By providing this service, we are ensuring that every citizen – including those who are limited English proficient – understand fully the court proceedings in which they are involved and truly have their day in court."
>
> – Chief Justice O'Connor

Meeting the Requirements

Bruno Romero, manager of the Supreme Court Language Services Program, is working with Ohio courts and judges to help them prepare for and meet the new requirement.

"The fundamental role of the interpreter is to provide complete and accurate interpretation services in legal proceedings and/or court functions," Romero said. "The best way to accomplish this, especially in complex or prolonged proceedings, is to have the interpreter be present on-site where the hearing or court function is taking place.

"However, in some cases, this may prove either financially burdensome or difficult to produce due to the proximity of the interpreter," he continued. "For instance, if the only available interpreter is across the country and a continuance of the case would cause undue harm or delays, telephonic interpretation may offer a suitable alterative.

"Similarly, if securing an on-site interpreter for a simple routine court function would cause drastic inefficiencies, then telephonic interpretation is an appropriate alternative. Ultimately, however, telephonic interpretation should only be used when no certified, provisionally qualified or language skilled interpreter is reasonably available to facilitate communication in person at the location where services are needed."

The Supreme Court Advisory Committee on Interpreter Services recommended the telephone interpretation line as a way to help courts control costs.

Certified Interpreters

The Supreme Court began certifying court interpreters in 2010 when related amendments became effective January 1, 2010, and the first group of court interpreters was certified on February 1, 2011. A second class of certified interpreters were honored at a ceremony on January 19, 2012, and a third class was honored on February 4 of this year.

There are 35 Supreme Court certified Spanish interpreters, seven certified interpreters with Special Certificate: Legal (SC:L) in American Sign Language, five certified Russian interpreters, two certified French interpreters and one certified Arabic interpreter in Ohio. In addition, there are four provisionally qualified Spanish interpreters as well as 23 qualified American Sign Language Interpreters.

The Supreme Court certified requirement rule may be new, but a legal requirement that judges appoint interpreters has been in place for years. The Ohio Revised Code contains provisions addressing the appointment of interpreters *(see R.C. sections 2311.14, 1901.33, 1907.201, and 2301.13)*. Additionally, the Ohio Rules of Evidence *(see Evid. R. 604 and 702)* dictate that an interpreter appointed to a case must have specialized knowledge, skills, experience, and training.

ON THE BENCH

State of the Judiciary Includes Updates on Many Topics

In addition to announcing a new program to assist local courts with language services *(see story, page 6)*, Chief Justice **Maureen O'Connor** informed Ohio's judges about the progress of several other initiatives in last month's State of the Judiciary. Those include:

Chief Justice O'Connor delivered her annual State of the Judiciary Address to the Ohio Judicial Conference on September 13.

1. Encouraging the state's judiciary to "step in and step up" after the unprecedented turnover of members on the bench over the last year because of retirements.
2. Urging judges to share with her their ideas on how to solve the prison overcrowding problem, as she continues to meet with Ohio Department of Rehabilitation and Corrections Director **Gary Mohr**.
3. Renewing her call for judges to weigh in on her eight-point plan to strengthen judicial elections in Ohio, to empower Ohio voters, and to support the highest quality judiciary possible. (More information is available at OhioCourts2013.org).
4. Highlighting some of the innovative practices of judges around the state from individual programs in Williams County Probate/Juvenile Court and Lucas County Juvenile Court to more general recognition for common pleas courts that voted to continue their commercial docket programs and visiting judges for their willingness to take on difficult cases.

Appellate Judges Elected to 2014 Association Offices

At its annual fall meeting September 12, the Ohio Courts of Appeals Judges Association elected officers for next year.

The officers will assume their leadership posts on January 1, 2014.

Judge **Gary Tyack** has served on the Franklin County appeals court on three separate occasions, most recently winning re-election in 2012. During his time on the bench, he's held the positions of presiding judge and administrative judge. Judge Tyack has been involved with and served in leadership positions with many legal and judicial associations, civic organizations, and his church. He earned his law degree from the Ohio State University Moritz College of Law.

The association consists of 67 appeals court judges who serve in Ohio's 12 appellate court districts. As intermediate-level appellate courts, their primary function is to hear appeals from the common pleas, municipal, and county courts. Each case is typically heard and decided by a three-judge panel.

Chief Judge
Hon. G. Gary Tyack
Tenth District
Court of Appeals

Chief Judge-Elect
Hon. John W. Wise
Fifth District
Court of Appeals

Secretary/Treasurer
Hon. Cheryl L. Waite
Seventh District
Court of Appeals

Morrow County Resident to Chair Advisory Committee on Judicial Family Network

Hickson

Morrow County resident **Sharon Hickson** will lead the Advisory Committee on the Judicial Family Network as chair for 2013-14. She replaced **Sue Strausbaugh** whose one-year term as chair ended.

With more than 700 judges at all levels of the judiciary in Ohio, the 18-member advisory committee identifies the needs and concerns of judicial families and offers them educational opportunities and a supportive network.

Sharon, the wife of Morrow County Common Pleas Court Judge **Robert C. Hickson Jr.**, is serving her second term on the advisory committee after her appointment in 2008. The Hicksons have been married for 26 years and are the parents of triplet children.

Sharon received her bachelor of education degree from Ashland University and worked in human resources with Bank One and the Morrow County Hospital. She has also been active in United Way, Heart Association, the family's church, and other county service organizations.

She said she looks forward to her service on the advisory committee and to assisting the families of recently elected and appointed judges acclimate to judicial life.

"Because a record high number of appointments to the bench across the state were made in 2013, the importance of the advisory committee has only grown," Mrs. Hickson said. "But I remain optimistic about this new challenge before me and the group's proven benefits to judicial families."

Judicial Appointments

Gov. John Kasich recently appointed the following judges to fill vacancies:

Joshua W. Lanzinger | Toledo Municipal Court
Lanzinger, the son of Supreme Court Justice **Judith Ann Lanzinger**, assumed office on September 16. He must run in this November's general election to retain the seat for the full six-year term commencing January 1, 2014. He replaces Judge **Michael R. Goulding**, who was appointed to the Lucas County Court of Common Pleas.

Mark J. Bartolotta | Lake County Probate Court
Bartolotta took the probate bench in Lake County September 23. Bartolotta replaced Judge **Ted Klammer**, who died on March 13. Bartolotta will have to run in 2014 to retain the seat for the full term commencing February 9, 2015.

Rule Amendment Summary

A summary of select significant rule amendments proposed or enacted by the Ohio Supreme Court.

Mental Illness Reporting. On September 9, the Supreme Court proposed a change to rules governing Ohio's courts to allow for consistent reporting to law enforcement about convictions that involve violent mentally ill offenders. The proposal to add Rule 95 and Form 95 to the Rules of Superintendence for the Courts of Ohio was recommended by a workgroup of representatives from law enforcement and the judicial system convened by the court to address provisions in Ohio laws that took effect September 4. The law requires judges to report to law enforcement when they order a mental-health evaluation or treatment for a person convicted of an offense of violence, or if they approve a conditional release for someone found incompetent to stand trial or not guilty by reason of insanity. Public comments will be accepted until October 16.

Corporate Counsel Registration. The court announced on September 16 that out-of-state attorneys employed by a nongovernmental employer, and as a result of that employment, have a "systematic and continuous presence" in the state, must register for corporate counsel status. The amendment to Gov.Bar R. VI(3) takes effect November 1.

Rules of Practice and Procedure/Ohio Traffic Rules. On September 3, the court announced it would accept public comments until October 16 on amendments to the annual update to the Rules of Practice and Procedure and to the Ohio Traffic Rules. The proposed amendments to the Rules of Practice and Procedure concern changes to the rules of appellate procedure, civil procedure, criminal procedure, juvenile procedure, and the Ohio Rules of Evidence. The traffic rule amendment would clarify that a defendant's signature isn't necessary on an electronically produced ticket.

FALL CONFERENCES

October 2 – 4
Ohio Association of Magistrates Fall Conference
Association Magistrates
Columbus
www.ohiomagistrates.org

October 10 & 11
Ohio Justice Alliance for Community Corrections 27th Annual Conference
"Reducing Recidivism and Promoting Recovery"
Association Members
Columbus
www.ojacc.org

October 15 – 18
Ohio Association for Court Administration (OACA) Fall Conference & SuperMeeting
Association Members
Worthington
www.ohiocourtadministration.org

October 16 – 18
Ohio Association of Municipal/County Court Clerks Fall Conference & SuperMeeting
Association Members
Worthington
www.oamccc.org

The Agenda

Upcoming events, training opportunities, and conferences for judges and court staff.
For more information, contact the event sponsor at the website provided.

Judicial College Courses

judicialecademy.ohio.gov

October 1
Guardian ad Litem Continuing Education Course: Report Writing
Guardians ad Litem, Cincinnati
1 p.m. to 4:30 p.m.

October 2
Guardian ad Litem Continuing Education Course: Report Writing
Guardians ad Litem, Cincinnati
8:30 a.m. to noon

October 2 - 4
Court Management Program (CMP) 2014A Scarlet Class Module IV: Fundamental Issues of Caseflow Management
Scarlet 2014 Class, Columbus

October 10
Traffic Law (1 of 2)
Judges, Magistrates & Acting Judges
Cleveland

October 11
Lessons from the Amish
Judges & Magistrates, Berlin

October 16
Guardian ad Litem Continuing Education Course: Divorce – Impact on Children
Guardians ad Litem, Cleveland
1 p.m. to 4:30 p.m.

October 17
Guardian ad Litem Continuing Education Course: Divorce – Impact on Children
Guardians ad Litem, Cleveland
8:30 a.m. to Noon

October 17
SuperMeeting
Court Personnel, Columbus

October 18
Juvenile Traffic Video Teleconference
Judges & Magistrates
1 p.m. to 3:45 p.m.

October 25
Unauthorized Practice of Law and Vexatious Litigants in Municipal & Common Pleas General Division Courts Video Teleconference
Judges, Magistrates & Acting Judges
1 p.m. to 3:45 p.m.

October 29
Guardian ad Litem Pre-Service Course (8 of 9)
Guardians ad Litem, Columbus

November 1
Evidence
Judges & Magistrates, Columbus

Language Services Training

sc.ohio.gov/JCS/interpreterSvcs

October 10 & 11
Partial Oral Exams for Interpreter Certification
Columbus

October 17 & 18
Full Oral Exams for Interpreter Certification
Columbus

October 24 & 25
Full Oral Exams for Interpreter Certification
Columbus

November 1
Written Application Deadline for Interpreter Certification

Dispute Resolution Training

sc.ohio.gov/JCS/disputeResolution

October 17 & 18 and 21-23
Specialized Family/Divorce Mediation
Akron

Specialized Dockets Training

sc.ohio.gov/JCS/specDockets

September 20
Evidence Behavioral Practices to Compliment Medication-Assisted Treatment
Specialized Docket Personnel
Mt. Sterling

September 24
Evidence Behavioral Practices to Compliment Medication-Assisted Treatment
Specialized Docket Personnel
Wadsworth

Supreme Court of Ohio

www.sc.ohio.gov

October 8 & 9
Oral Arguments

October 10
Dedication of Justice Robert M. Duncan Portrait
Thomas J. Moyer Ohio Judicial Center, Columbus

October 15
Mayor's Court Quarterly Report Deadline
(For 3rd quarter)

October 22
Oral Arguments

October 23
Oral Arguments at Off-Site Court
Bucyrus

October 25
July 2013 Bar Exam Results Released

November 1
Application Deadline to take the February 2014 Bar Exam

November 4
Bar Admissions Ceremony
Ohio Theatre, Columbus

Ohio Center for Law Related Education

www.oclre.org/calendar

October 3
Youth for Justice/Project Citizen Professional Development
Akron

October 9
We the People Professional Development
Columbus, 9:30 a.m.

October 23
Moot Court Professional Development
Columbus, 9:30 a.m.

November 5 & 6
Government in Action
Ohio Statehouse & Thomas J. Moyer Ohio Judicial Center, Columbus

LOCAL COURT **ROUNDTABLES**

[sc.ohio.gov/JCS]

October 11
Juvenile Administrators
Midsized & Rural Courts
Columbus

October 22
Domestic Relations Magistrates
Rural & Midsized Counties
Columbus

October 24
Domestic Relations Magistrates
Urban & Suburban Counties

October 29
Juvenile Courts, Title IV-E
All Counties

October 31
Juvenile Chief Deputy Clerks
Midsized & Urban Courts
More than 60K population

November 1
Domestic Relations Custody Evaluators
All Counties

November 1
Juvenile Chief Deputy Clerks
Rural Courts
Less than 60K population

CNO Legislative Digest

Each month, Court News Ohio Review tracks bills and resolutions pending in the Ohio General Assembly that are of interest to the judicial community.

Photo courtesy of the Ohio Statehouse Photo Archive

HB 243, Rep. Marilyn Slaby (R-Akron), Rep. Michael Stinziano (D-Columbus)

To require a child who is adjudicated a delinquent child for cruelty to a companion animal to undergo a psychological evaluation and, if recommended, counseling, and to require the court to sentence other offenders who commit that offense to probation supervision.

STATUS: Introduced in the House on August 15, 2013. Referred to the House Judiciary Committee on September 19, 2013.

HB 257, Rep. Nikkie Antonio (D-Lakewood), Rep. Kirk Schuring (R-Canton)

Regarding the parental rights of a father who was convicted of or pleaded guilty to, or alleged to have committed, rape or sexual battery.

STATUS: Introduced in the House on September 4, 2013. Referred to the House Judiciary Committee on September 19, 2013.

HB 261, Rep. Jim Butler Jr. (R-Oakwood), Rep. Michael Stinziano (D-Columbus)

As suggested by the Supreme Court, this legislation seeks to abolish the office of the Court of Claims commissioner, to transfer the powers of a judge of the Court of Claims to the court; to specify certain powers of a Court of Claims magistrate, to modify the Attorney General's annual report on the crime victims compensation program, to conform existing law to the existing filing period for filing a claim for reparations by an adult, to eliminate the procedure for filing an affidavit of disqualification for a judge of a municipal or county court and instead include the disqualification of a judge of a municipal or county court and a judge of the court of claims within the procedure for filing an affidavit of disqualification for a probate judge, a judge of a court of appeals, and a judge of the court of common pleas, and to change the basis of the per diem compensation of a retired judge who serves on the Court of Claims from the annual compensation of a judge of a court of appeals to the annual compensation of a judge of a court of common pleas.

STATUS: Introduced in the House on September 10, 2013.

SB 183, Sen. Charleta Tavares (D-Columbus)

To provide that a defendant cannot be executed if the defendant's race was the basis of the decision to seek or impose the death penalty, to permit a defendant to file a motion alleging that the defendant's race was the basis of the decision to seek or impose the death penalty, to permit a defendant to establish that the death penalty was sought or imposed on the basis of race in the defendant's case by showing that race was a significant factor in decisions to seek or impose a sentence of death in the state, the county, or the prosecutor's office at the time that a sentence of death was sought or imposed in the defendant's case, to require a court that finds that race was such a significant factor in the defendant's case to order that the death penalty not be sought or to vacate the sentence of death and resentence the defendant to life imprisonment without parole, and to require a defendant to waive any objection to a sentence to life imprisonment without parole as a condition of filing the motion for relief.

STATUS: Introduced in the Senate on September 3, 2013.

SJR 4, Sen. Frank LaRose (R-Copley Twp.)

Proposing to enact Section 1h of Article II of the Constitution of the State of Ohio to authorize the General Assembly to invalidate rules proposed or adopted under a statute, and to create and empower one or more joint committees of the Senate and House of Representatives to review rules that have been proposed or adopted under a statute and to make recommendations to the General Assembly regarding those rules.

STATUS: Introduced in the Senate on September 3, 2013.