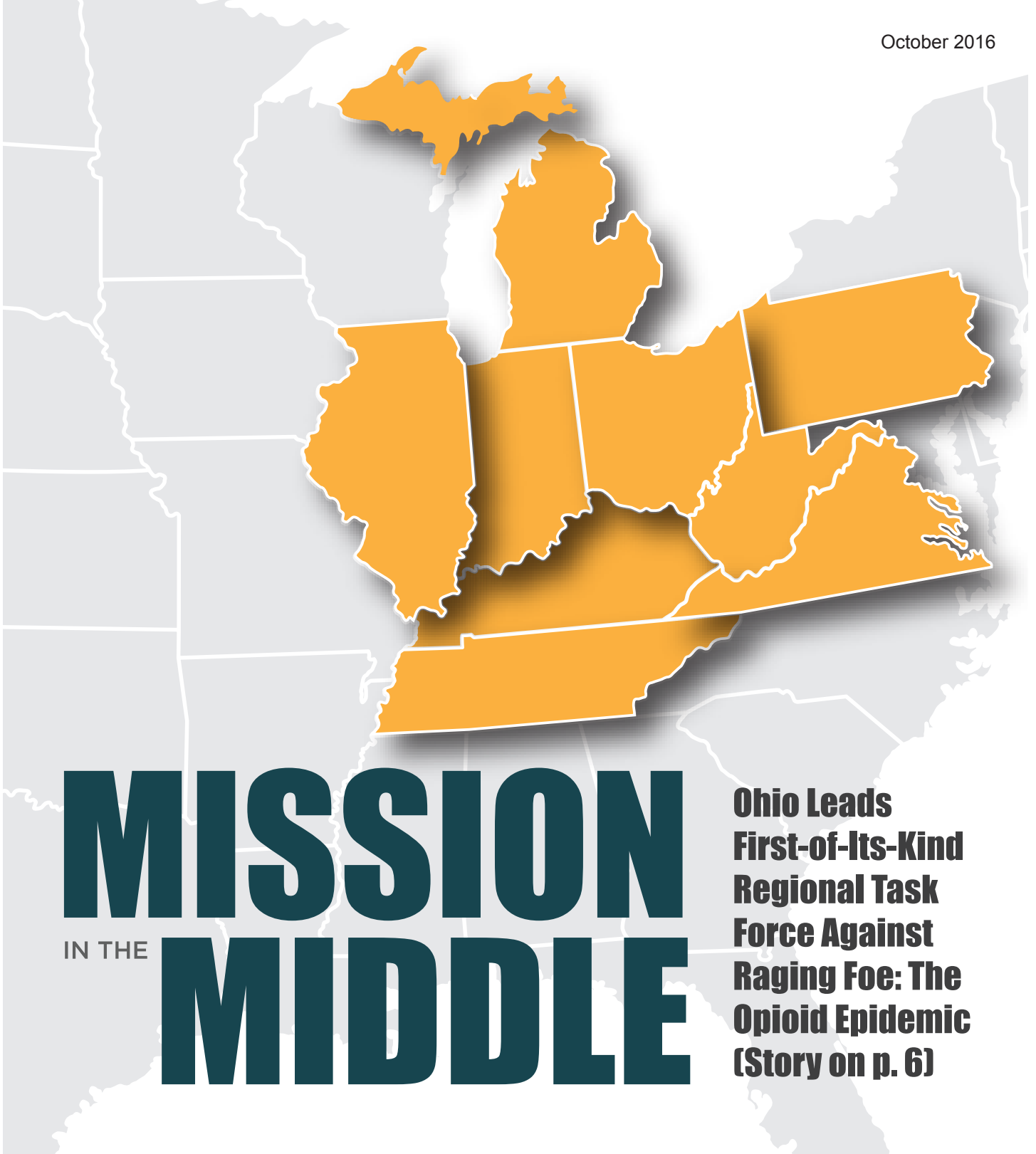


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CNO REVIEW

October 2016



MISSION IN THE MIDDLE

**Ohio Leads
First-of-Its-Kind
Regional Task
Force Against
Raging Foe: The
Opioid Epidemic
(Story on p. 6)**

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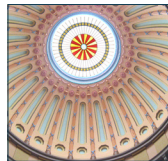
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Supreme Court of Ohio

Court Settles Fracking-Related Mineral Rights Claims

Hydraulic fracturing, also known as fracking, has led to numerous disputes about the ownership of oil and gas rights. On Sept. 15, the Ohio Supreme Court settled 14 fracking-related cases regarding how to interpret the Ohio Dormant Mineral Act (ODMA).

In the lead case, *Corban v. Chesapeake Exploration L.L.C.*, the Supreme Court ruled that the 1989 version of the ODMA did not automatically allow oil, gas, and mineral rights to be deemed abandoned and vested in a surface owner, but required the surface owner to seek a judicial decree that the mineral rights were abandoned. The Court clarified that any attempt by a surface owner to merge the surface and mineral rights after 2006 must follow the 2006 version of the ODMA requiring notice to the dormant mineral owners of the attempted merger.

In *Corban*, the surface property owner's family purchased the land from a coal company in 1959, and the company reversed rights to the oil and gas underneath it. No drilling or extracting activities took place until 2011. The surface owner claimed that under the 1989 version of the ODMA, the company abandoned its mineral rights and the rights automatically merged with the surface property. The Court rejected the argument, ruling the surface owner had to initiate legal action to claim the mineral rights.

The Court issued two other ODMA written opinions in *Walker v. Shondrick-Nau* and *Albanese v. Batman*. The remaining ODMA cases were decided with short entries citing the *Corban* and *Walker* decisions.

Corban v. Chesapeake Exploration L.L.C.
[Slip Opinion No. 2015-Ohio-5796](#)

Good Samaritan Law Applies to All Responding to Emergencies

Ohio's Good Samaritan law applies to any person who administers emergency care or treatment at the scene of an emergency and not just health care professionals, the Supreme Court ruled on Aug. 30.

The Court voted 4-3 to affirm the dismissal of a lawsuit against Larry Reese Jr., whose conduct severely injured Dennis Carter. Carter was trapped between his tractor-trailer and a loading dock when Reese responded to his calls of help. Reese, who did not know how to drive the truck, attempted to move it forward, yet it rolled backward instead, injuring Carter.

The Court clarified that the phrase "administering emergency care" in Ohio's Good Samaritan law applies not only to rendering medical care, but also to any other form of assistance to the safety and well-being of another when the result of an unforeseen combination of circumstances calls for immediate action.

R.C. 2305.23 provides immunity from civil liability, and the Carters argued that protection applies only for trained professionals who voluntarily administer emergency medical treatment at the scene. The Court rejected the Carters' argument stating the legislature did not express its intent to limit liability to certain care providers.

Carter v. Reese
[Slip Opinion No. 2016-Ohio-5569](#)

Court of Claims

Court of Claims Blocks Broken Basketball Seat Lawsuit

The Ohio Court of Claims rejected a \$10,000 claim from a man who said he was injured at a University of Akron basketball game when a seat he was attempting to sit in broke and dropped to the ground.

On Nov. 16, 2015, Raymond Williams attended a men's basketball game at the James A. Rhodes Arena on the University of Akron campus. Williams stated in his civil lawsuit that as he sat in a chair at the game, the seat bottom broke underneath him, causing injuries to his lower back, right hip, and right knee. Doctors' records state that Williams said he fell when the seat bottom collapsed. He asked for \$10,000 to cover his medical expenses and for pain and suffering.

In its investigation report, the university stated that an usher and a supervisor said Williams told them he hadn't fallen when the seat bottom dropped to the floor because he caught himself on the armrests. When asked by the staff, he declined medical treatment or an ambulance. The supervisor completed an incident report, which noted that Williams had a ticket for bleacher seating, but the broken seat was in the reserved ticket section. The university explained that a June 2015 inspection of the arena showed no problems with the seat Williams tried to sit in and that no one had reported a problem with the seat in question. The Court ruled on Aug. 18 that Williams didn't prove that the university failed to exercise ordinary or reasonable care.

Raymond Williams v. University of Akron
[Case No. 2016-00199 AD](#)

HappeningNow

News and Notes from Courthouses Across the Buckeye State

Rule Change Clarifies Lawyers' Responsibilities in Providing Services Related to Medical Marijuana



The Ohio Supreme Court on Sept. 20 adopted an [amendment](#) to the Ohio Rules of Professional Conduct clarifying the ethical responsibilities of lawyers under the state's new medical marijuana law. The amendment addresses counseling or assisting a client regarding conduct expressly permitted under the new law.

Specifically, the amendment modifies the provision in Prof.Cond.R. 1.2(d)(2) by adding a new subsection, which reads:

"A lawyer may counsel or assist a client regarding conduct expressly permitted under Sub.H.B. 523 of the 131st General Assembly authorizing the use of marijuana for medical purposes and any state statutes, rules, orders, or other provisions implementing the act. In these circumstances, the lawyer shall advise the client regarding related federal law."

The need to clarify the services that attorneys can offer clients arose after an Aug. 11 non-binding advisory opinion issued by the independent Board of Professional Conduct. The Board's advisory opinion acknowledged the state's new law, but stated that prohibitions in federal law might create ethical problems for lawyers counseling or assisting a client with regard to the new law, depending upon the nature of the services their clients seek.

Chief Justice **Maureen O'Connor** said the Court placed the rule change on an accelerated calendar for consideration, given the uncertainty surrounding Ohio law and federal law. "Ohio attorneys seeking guidance needed to know the do's and don'ts as quickly as possible," she said.

The amendment to the rule took effect on Sept. 20.

Drug Courts Expand Treatment Services with State Grant

More Ohioans enrolled in a certified drug court treatment program will get help through an expansion of a state program.

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) Bureau of Criminal Justice on Sept. 20 expanded the Addiction Treatment Program (ATP) to eight additional counties in Ohio. The ATP started as a pilot project in fiscal year 2014-15, and expanded to serve 14 counties in FY 2016.

The program decreases financial barriers to addiction treatment services and recovery for offenders seeking treatment in a certified drug court, who have an opioid and/or alcohol use disorder, and are deemed eligible for medication-assisted treatment (MAT). Treatment through the program includes MAT in conjunction with other clinical services offered by certified treatment providers.

Butler, Clermont, Lake, Lorain, Lucas, Mahoning, Stark, and Trumbull counties were added. The program will also continue in Allen, Clinton, Cuyahoga, Franklin, Gallia, Hamilton, Hardin, Hocking, Jackson, Marion, Mercer, Montgomery, Summit, and Warren counties.

New Supreme Court Rule Expands Who Can Provide Pro Bono Help

A new crop of attorneys is potentially available to provide free legal help to Ohioans after a new Ohio Supreme Court rule took effect on Sept. 15.

The changes to Rule VI of the Rules for the Government of the Bar of Ohio result from recommendations made by the Supreme Court Task Force on Access to Justice,

which was charged with identifying gaps in and obstacles to accessing the civil justice system in Ohio.

The new emeritus pro bono status is available to attorneys admitted to practice law in Ohio and associated with a law school clinic, legal aid, public defender's office, or other recognized legal services organizations. The attorney

may perform limited legal services only in association with and under the supervision of the pro bono organization. The emeritus attorney won't be allowed to receive compensation beyond reimbursement for expenses from the pro bono organization.

In addition, the attorney seeking emeritus status must have been practicing

for at least 15 years and be in good standing with the Supreme Court. Emeritus attorneys also must register biennially, pay a \$75 registration fee, and meet the continuing legal education requirements for attorneys on active status. Emeritus attorneys are required to file for either active or inactive attorney status once the emeritus



13 Juvenile Courts Awarded Technology Grants

The Ohio Supreme Court, through a national program, awarded 13 juvenile courts across the state with technology grants to support local projects.

Allocated from the U.S. Department of Health and Human Services Court Improvement Program (CIP), the money will help remove barriers and provide “a more efficient and effective administration of justice” for children and families involved in the child welfare system.

The grant recipients include Ashtabula, Coshocton, Greene, Hardin, Huron, Madison, Marion, Medina, Muskingum, Stark, Richland, Gallia, and Scioto county courts.

Greene County Juvenile Court plans to use its grant money to purchase computers and printers for courtrooms hearing Abuse, Neglect, and Dependency cases to complete entries and provide notice for future hearings prior to the parties leaving the courtroom.

“Parties in children services matters can sometimes be confused or unable to remember what orders were imposed upon them in court due to the stress of the proceedings or the complexity of the case,” Greene County Juvenile Court Judge

Adolfo Tornichio said. “Now, the parties will be able to walk out of the courtroom with a document clearly explaining why certain findings were made and what responsibilities that person will have in their children services case.”

Huron County Probate and Juvenile Court will use its money to purchase software to allow local children services agencies to access court documents.

“We are grateful for the funding necessary to acquire technology that will allow remote access of our docket by the Huron County Department of Job and Family Services,” said Huron County Juvenile Court Judge **Timothy Cardwell**. “Having this information at their fingertips will assist social workers in the field and improve communication with the agency.”

Other projects include obtaining new recording equipment in courtrooms, purchasing software to enhance data collection and deliver better reports on youth the court serves, and purchasing video conferencing equipment for youth and professionals unable to attend court hearings.

This is the second year the Supreme Court has offered the CIP technology grants.

status expires or is revoked.

The emeritus status rule joins other access to justice rule changes adopted by the Supreme Court that took effect on July 1. Amendments to the Rules for the Government of the Bar of Ohio increased attorney fees to help fund legal aid services in two ways.

Pro hac vice registration fees, which out-of-state attorneys pay if they want

to appear in an Ohio court proceeding, increased from \$150 to \$300. The new rules also implemented a \$50 voluntary “add on” fee to the biennial attorney registration. The \$350 registration fee hasn’t been raised since 2007. The Court will use the money collected from these two fees to help fund civil legal aid services for low-income or disadvantaged Ohioans.



Rule Amendment Summary

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

Case Inventories

New rules related to case inventories take effect on Jan. 1, 2017. Under Sup.R. 38, judges are required to conduct a case inventory by Oct. 1 of each year. In January, new judges will be required to complete a case inventory within three months of taking office instead of three months from the date of initial election or appointment. The new rules also added instructions for both new and experienced judges on how to properly inventory cases.

Assignment of Cases

A proposed rule under consideration would designate specifically when cases should be assigned to trial court judges and eliminate ambiguity. Current Sup.R. 36 states that a case is assigned by lot “upon the filing in or transfer to the court or a division of a court.” Courts have interpreted the language to mean different times in the progression of a case: pre-indictment; after indictment, but before arraignment; or after arraignment. The proposed rule identifies a specific event to guide courts in the assignment of civil, criminal, juvenile, and traffic cases in common pleas, county, or municipal courts.

Administrative/Presiding Judges

Under proposed rule changes to Sup.R. 3 and Sup.R. 4, local courts would be able to set longer terms for presiding and administrative judges. Currently, presiding and administrative judges only serve one-year terms. Local courts could set terms of up to three years, according to the proposed amendments.

MISSION IN THE MIDDLE

Ohio Leads First-of-Its-Kind Regional Task Force Against Raging Foe: The Opioid Epidemic



The crisis arrived swiftly and with overpowering potency, leaving the patient stunned, uncertain how to escape the drug-induced fog.

The patient is America and the problem is the opioid epidemic that claims hundreds of new victims daily.

Navigating the fog is a mashup of organizations and professions: Doctors, dentists, drug companies, pharmacies, drug importers and dealers, police, prosecutors, parole officers, judges, parents and children, along with federal, state, and local branches of government.

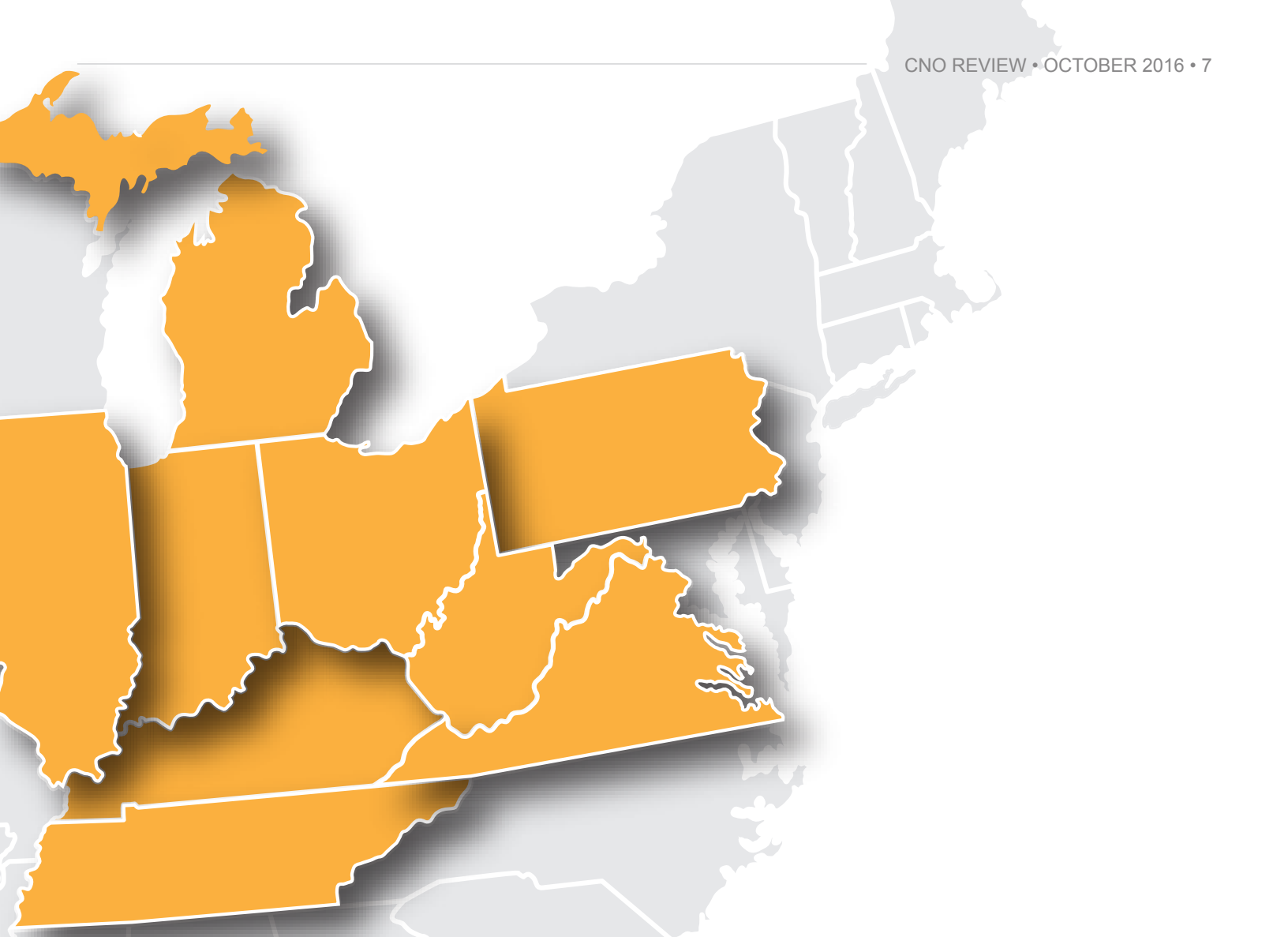
There's nothing new about drug or substance abuse. But addiction rates and deaths caused by prescription opioids and heroin have barnstormed across the country in a mere decade, clogging court dockets, jails, and prisons and claiming victims in cities, suburbs, and the countryside.

New Endeavor Created to Fight Crisis

Emerging from this institutional haze is a first-of-its-kind judicial enterprise aimed at tackling the opioid menace with the shared power of nine connected states in the heart of America's Midwest and Appalachian regions.

Led by Ohio, the Regional Judicial Opioid Initiative was launched in late summer on a mission to leverage the immense – but often disconnected – resources of state judicial, criminal justice, and treatment systems against the trend.

“As a former prosecutor and trial judge, I understand that drug addiction is a social ill that requires a multifaceted solution,” Ohio Supreme Court Chief Justice **Maureen O'Connor** told attendees to open the conference. “This includes effective interdiction by law enforcement, prompt access to treatment, broad-based community



action and robust statewide prescription drug monitoring programs.”

Yet, solving the problem also requires a change in mindset, Chief Justice O’Connor said: “The government’s response must jettison traditional notions of how government works – and think outside the box.”

Nine States Join Forces to Take Action

The unprecedented judicial summit took place over three days in centrally located Cincinnati and brought together 150 officials from Ohio, West Virginia, Pennsylvania, Michigan, Illinois, Indiana, Kentucky, Virginia, and Tennessee. The delegations were comprised of high-level state government and private sector leaders, along with their partners from national associations and the federal government.

Attendees included Supreme Court justices, judges, criminal justice officers, child welfare professionals, public

health experts, pharmacy boards and addiction specialists.

The day-to-day work of professionals in these fields uniquely positions them to play a major role in slowing, and some day reversing, the tide of the opioid and heroin crisis, as overwhelming as that goal may seem today. In establishing a high bar for the goals of the initiative, Ohio Supreme Court Administrative Director Michael Buenger told the conference that its mission wasn’t diagnostic. The crisis is sadly well-documented, producing new human casualties daily.

“Dissecting the problem is not enough,” Buenger said. “Simply discussing the problem won’t help. We must frame the problem from the outset with action-oriented outcomes in mind. Otherwise, the opioid scourge will continue to dominate headlines and devastate lives.”

Officials Define Specific Goals

State and regional action planning got under way amidst executive-level briefings from national experts. The conference set for itself a one-year deadline to reconvene and report progress on an array of fronts designed to reduce the number of opioids in circulation, track the overprescribing and abuse of the drugs and attack the growing varieties of illegal synthetic drugs, like fentanyl and its wildly powerful killer offspring carfentanil, an elephant tranquilizer 10,000 times more potent than morphine. All goals will be pursued in the context of criminal justice and treatment, and regional cooperation and innovation.

The nine-state cooperative seeks ways to improve treatment for “the individuals suffering from this disorder” and to help “their families

Story continues on p. 8.

MISSION IN THE MIDDLE | Continued from p. 7

and our communities,” as Chief Justice O’Connor put it.

Battling opioid proliferation also is a key goal. Under examination are ideas about how to:

- Improve drug prescription databases and make better information available for sharing across state lines – to identify pushers and users who take advantage of state boundaries to avoid detection.
- Explore a central information sharing system showing overdoses, drug poisonings, and outcomes. It also would record the type of drug or drug combination, whether Naloxone or another antidote was used – and the results of the efforts to help the drug user.
- Use and improve Prescription Drug Monitoring Programs (PDMP) across all nine states to speed up early identification of outbreaks and massive drug pushing efforts, so that a coordinated response can be mounted.
- Examine how the Interstate Compact systems would promote these kinds of cooperative efforts.
- Assess more deeply the impact of the opioid crisis on child welfare, including the removal of children from their homes when parents are suffering from a substance-use disorder and societal costs of incarceration.
- Develop cost-benefit analyses for users and families and

determine the economic impact of treatment versus traditional adjudication.

- Educate doctors, dentists, and health-care professionals on opioid use and treatment needs and opportunities for those individuals and families in the criminal justice system and the impact of their actions on their communities.
- Figure out how medical practitioners can provide adequate substance use treatment in hard-to-reach locales.

“I’m very impressed that the Ohio chief justice and the governor of the state would clear the decks and allow so many senior leaders to come here and work on this urgent issue.”

Chief Justice O’Connor noted an additional stretch goal in the sessions that she took part in: “Making heroin a thing of the past within five years.”

Such an objective is laudatory and difficult at the same time. But as Ohio Gov. **John Kasich** told the conference on its second day, “the lethality of these medications” wasn’t understood by the adults now succumbing to addiction, which is part of the reason that addiction rates have risen so quickly.

Government at all levels must help them, he said, “and deal with the (younger) generation that’s more aware. We have to communicate to them: ‘Don’t touch this stuff.’”

Efforts to Continue from Home States

The sobering facts of the epidemic were felt inside the hotel work rooms

and outside the hall. Every state in attendance included delegates with macabre stories from back home. In the host city the problem raged before, during, and after the conference. The *Cincinnati Enquirer* reported that from July 15 through Sept. 21 Hamilton County hospital emergency workers handled 1,004 drug overdose and poisoning cases, or an average of 15 per day. The conference took place during this spike period, which was attributed in part to the arrival of carfentanil-laced heroin.

Gloomy stats were everywhere, but so was a shared determination by attendees to reach across state lines from back

home and keep their work groups in full gear. The cooperative and committed mood was palpable.

“I’m very impressed that the Ohio chief justice and the governor of the state would clear the decks and allow so many senior leaders to come here and work on this urgent issue,” said **Maureen McDonnell**, director of business development and health care strategy at the non-profit Treatment Alternatives for Safe Communities of Illinois. “The breadth of authority and commitment in the room was extraordinary.”

Chief Justice O’Connor praised the determination of the work groups over the three days and asked for their continued involvement.

“We are not anywhere near the finish line,” she said.

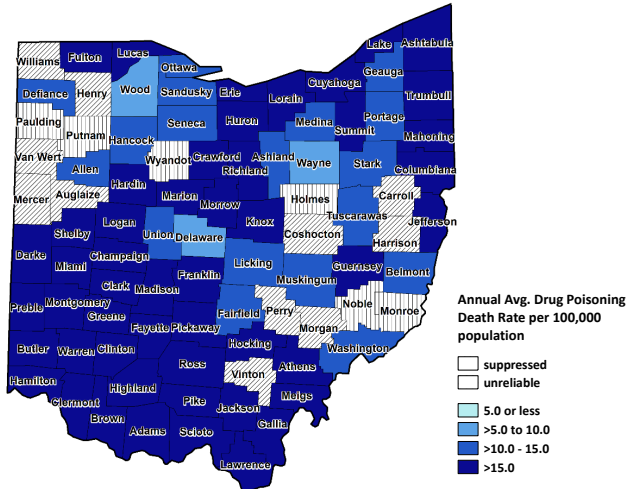
REGIONAL JUDICIAL OPIOID INITIATIVE

The following organizations took part in the summit kickoff – in addition to state delegates from Ohio, West Virginia, Pennsylvania, Michigan, Illinois, Indiana, Kentucky, Virginia, and Tennessee:

- 31st Circuit Court, Greene County, Missouri
- AdCare Criminal Justice Services
- Administrative Office of Kentucky Courts
- Association of Administrators of the Interstate Compact on the Placement of Children
- Casey Family Programs
- Centers for Disease Control and Prevention
- Cincinnati Bar Association
- Cincinnati Bar Foundation
- Fifth Third Foundation

Opioids and Heroin: How the Scourge Affects Ohio

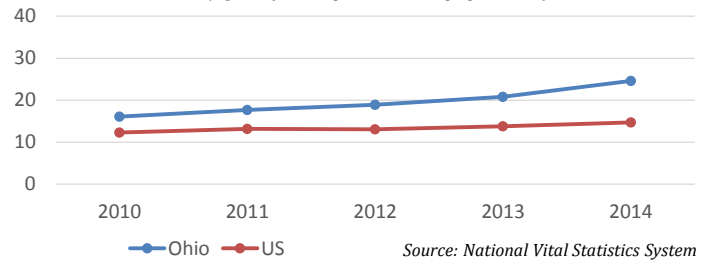
Drug Poisoning Death Rate per 100,000, by County, 2010-2014



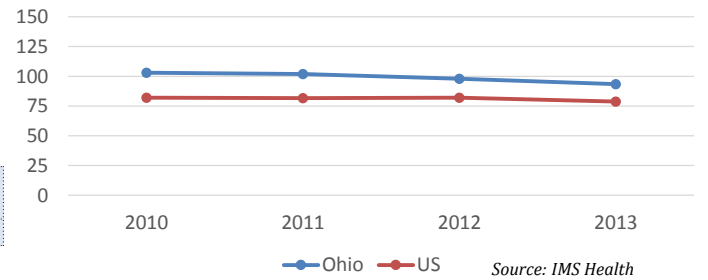
Source: CDC NVSS Multiple Cause of Death File, 2010-2014

Age-Adjusted Drug Poisoning Death Rate (2014): **24.6 per 100K population**
 (Avg. National Rate: 14.7)
 National Rank in Drug Poisoning Death Rate (2014): **5th**

Drug Poisoning Death Rate by State and National (age-adjusted per 100,000 population)

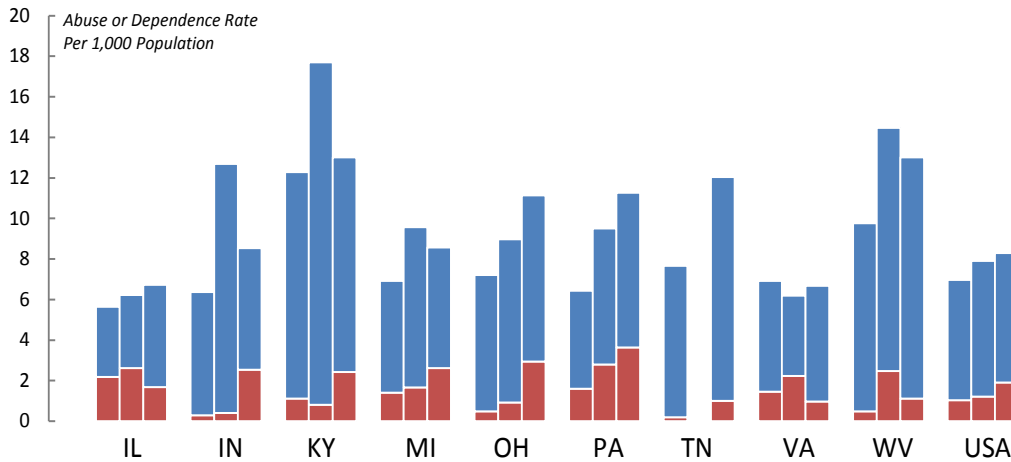


Annual rate of opioid pain reliever prescriptions dispensed by retail pharmacies (per 100 population)



Growth in Abuse or Dependence Rates of Heroin and All Opioids Per 1,000 Population Between 2003 and 2014

Data are shown across a series of three annual averages over four-year segments ('03 to '06, '07 to '10, and '11 to '14). The total height of each vertical bar shows the abuse or dependence rates for *all opioids*. The height of each red bar represents the abuse or dependence rates for *heroin*.



Source: SAMSHA, Center for Behavioral Health Statistics and Quality, National Survey on Drug Use and Health, 2003-2005, 2006-2008 (revised 3/12), 2009-2010 (revised 3/12), 2011-2014. [Note: no data available for Tennessee for the 2007-2010 segment.]

Sad Data

The data available on drug poisonings and the opioid epidemic are deep and wide-ranging.

At top, left: Federal data show the death rates by drug poisonings in each Ohio County. Above: Ohio's death trend line outpaces the nation's, as does the trend for pain-relief prescriptions.

Bottom left: Data from the nine states gives statistical confirmation to the belief that when opioid prescriptions decline, heroin use as a substitute often spikes upward.

- High Intensity Drug Trafficking Areas Program
- Interstate Commission for Adult Offender Supervision
- Interact for Health
- National Association of Drug Court Professionals
- New York University Langone Medical Center
- Ohio Department of Mental Health and Addiction Services
- Ohio Office of Criminal Justice Services
- Ohio State Bar Association
- R.C. Durr Foundation, Inc.
- Substance Abuse and Mental Health Services Administration
- The Supreme Court of Ohio
- Treatment Alternatives for Safe Communities
- U.S. Department of Health and Human Services
- U.S. Department of Justice, Bureau of Justice Assistance



State of the Judiciary

Chief Justice Addresses Opioid Epidemic

In the wake of continued fentanyl-related overdose deaths around the state, Chief Justice **Maureen O'Connor** on Sept. 15 urged courts and probation departments statewide to screen for fentanyl use among offenders under their supervision.

Those pointed remarks and others affecting the judicial branch were part of Chief Justice O'Connor's sixth State of the Judiciary address before a gathering of 150 judges at the annual Ohio Judicial Conference in Columbus.

"I would encourage all drug courts – make that all courts and all probation departments throughout the state – to include, if you don't already do so, fentanyl screening," she said. "We all know that fentanyl and other forms of illicit opioids are making their way onto the streets. Basic opioid testing may not reveal the breadth of a person's abuse. Without that screening, a person could be using and remain off the radar. This could happen even under court supervision. Loopholes like this need to be closed – and fast."

The fentanyl remarks were part of a section of the speech devoted to a recent nine-state regional judicial opioid initiative held in Cincinnati. The yearlong, first-of-its kind initiative of regional policy planning and development across state criminal justice, public health, family support, and

medical and behavioral treatment systems seeks to meaningfully engage partners on a regional level on ways to combat the opioid epidemic.

Chief Justice O'Connor also touched on her work nationally and statewide to eliminate so-called "debtors' prisons" regarding fines, fees, and bail that disproportionately affect economically disadvantaged communities. She serves as co-chair of the National Task Force on Fines, Fees and Bail Practices formed by the Conference of Chief Justices and the Conference of State Court Administrators.

Judges also were informed that proposed changes to Criminal Rule 6, which concerns grand juries, would address some of the recommendations of a grand jury task force. The group was charged with seeking ways to maintain public trust and confidence in the grand jury system.

Other topics covered in her remarks included three recent rules adopted by the Supreme Court to increase access to justice and a continued push for judges to spread the word about Judicial Votes Count, a statewide partnership to place more information online in one place about judicial candidates so Ohio voters can make informed decisions at the ballot box.

Ohio Judicial Conference Elects Officers

Clermont County Probate/Juvenile Court Judge **James A. Shriver** began a two-year term as chair of the Ohio Judicial Conference on Oct. 1.

He was among six judges elected as officers of the conference. *(See box for the complete list of other new officers).*

After serving as a judge for 18 years on the Clermont County Municipal Court, Judge Shriver was appointed in 2013 to the probate/juvenile bench. He won election in 2014 to a full six-year term. He organized Ohio's first OVI Court and now operates a Family Dependency Treatment Court to address the needs of drug addicts whose children have been removed and placed in the temporary custody of children's services.

"I am both humbled and honored that the judges of Ohio have placed their confidence and trust in me to lead the Ohio Judicial Conference in this time of a new beginning," Judge Shriver said. "Public confidence in our judicial system is essential to maintaining an orderly democratic society. I look forward to working closely with judges, courts and other entities to ensure the fair, effective and efficient administration of justice. Our organization must encourage and facilitate initiatives at the state and local level to enhance public knowledge about the justice system and the role of courts. I look forward to working with all to further improve the quality of justice for all Ohio citizens."

Chair-Elect

Hon. Stephen W. Powell
Twelfth District Court of Appeals

First Vice Chair

Hon. Joyce A. Campbell
Fairfield Municipal Court

Second Vice Chair

Hon. Paula C. Giulitto
Portage County
Domestic Relations Court

Immediate Past Chair

Hon. John M. Durkin
Mahoning County
Common Pleas Court

Honorary Chair

Hon. Maureen O'Connor
Chief Justice
Supreme Court of Ohio

Justice Lanzinger Receives 2016 OCLRE Founders' Award



Ohio Supreme Court Justice **Judith Ann Lanzinger** on Sept. 19 received the Ohio Center for Law-Related Education (OCLRE) Founders' Award for her significant contributions to the ideals and development of law-related education.

Created in 2002, the Founders' Award is OCLRE's highest honor. Past recipients include members of the judiciary, including the late Chief Justice Thomas J. Moyer and former Justice Robert R. Cupp, as well as Ohio educators, law

enforcement officials, and attorneys.

Chief Justice **Maureen O'Connor** presented the award to Justice Lanzinger during a ceremony at the annual Law and Citizenship Conference in Dublin.

"It's my great honor to accept this recognition," Justice Lanzinger said. "As a former teacher, I know it can be difficult to motivate students to learn about their government. OCLRE provides excellent support and resources to the teachers of civic and law-related classes as well as to the general public. And as an Ohio judge, I've been happy to help in this important task."

OCLRE said it wanted to recognize Justice Lanzinger for her "longstanding commitment to civic education" and her "leadership in promoting public understanding of the judicial system."

OCLRE noted that Justice Lanzinger has been particularly supportive of civic education, and in 2010 she launched her "Justice Judy" blog in an effort to engage an increasingly tech-savvy population of young people in understanding the purpose and function of Ohio laws and courts.

"Justice Lanzinger is very worthy of this recognition," OCLRE Director **Kate Strickland** said. "In addition to her service at every level of the state judiciary, she is passionate about instilling in young people an understanding of the law and the importance of civic responsibility. As readers of her 'Justice Judy' blog know, she is committed to providing meaningful and accessible information to the public, and she encourages questions and provides a space for civil public discourse."

Justice Lanzinger has served more than 30 years as a judge and is the only person ever elected to every level of Ohio's judiciary – the Ohio Supreme Court, the Sixth District Court of Appeals, the Lucas County Court of Common Pleas, and the Toledo Municipal Court. She has a Master of Judicial Studies degree from the University of Nevada and the National Judicial College, and has devoted her career to sharing a wide perspective of the state's court system through teaching and speaking at a variety of venues.

Because of Ohio's constitutional age restrictions, Justice Lanzinger will conclude her second, six-year term on the Supreme Court on Dec. 31, 2016.

Judicial Appointment: Mark C. Miller



Hancock County prosecutor **Mark C. Miller** became a judge on the Findlay Municipal Court on Sept. 23. He was appointed by Gov. **John R. Kasich** on Sept. 8 to fill a vacancy.

Miller must win in the November 2017 general election to retain the seat for the full six-year term commencing Jan. 1, 2018. Miller replaces Judge **Robert A. Fry**, who resigned.

Miller received his bachelor's degree from Kent State University and his law degree from Ohio Northern University. He was admitted to the practice of law in Ohio on Nov. 18, 1991. He served as prosecutor since 2007.

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.

SB 350, Sen. John Eklund (R-Chardon)

To provide generally a testimonial privilege for communications between a qualified advocate rendering advocacy services and a victim of sexual violence, menacing by stalking, or domestic violence, to exempt the nondisclosure of that privileged communication from the offense of failure to report a crime, to require a qualified advocate to report knowledge or reasonable suspicion of child abuse or neglect of the victim except for privileged communications, and to specify circumstances in which the victim is considered to have waived the privilege.

STATUS: Introduced in the Senate on Aug. 30, 2016.

SB 353, Sen. Joe Schiavoni (D-Boardman)

To prohibit the nonconsensual dissemination of private sexual images, to require that certain property involved in the offense be criminally forfeited, and to create certain legal rights and employment protections of a victim of the offense.

STATUS: Introduced in the Senate on Sept. 8, 2016.

HB 597, Rep. Kyle Koehler (R-Springfield)

Regarding the Medical Marijuana Control Program and reciprocity agreements.

STATUS: Introduced in the House on Sept. 20, 2016.

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

Oct. 6
Guardian ad Litem Continuing Education Course: Substance Use
 Guardians ad Litem
 Independence
 8:30 a.m. to Noon

Oct. 7
Criminal Rules by the Numbers: Part IV
 Judges & Magistrates
 Columbus

Oct. 11
Probation Officer Training Program: Introduction to Assessment & Case Planning
 Probation Officers
 Toledo

Oct. 13
Search & Seizure Drills – Juvenile
 Probation Officers
 London

Oct. 14
Search & Seizure Drills – Adult
 Probation Officers
 London

Oct. 18
Probation Officer Training Program: Introduction to Motivational Interviewing
 Probation Officers
 Akron/Fairlawn

Oct. 19
Guardian ad Litem Pre Service Course
 Guardians ad Litem
 Independence

Oct. 21
Issues in Debt Collection Cases: What's Hot and What's Not
 Web Conference
 Judges/Magistrates & Acting Judges

Oct. 25
Probation Officer Training Program: Introduction to Assessment & Case Planning
 Probation Officers
 Columbus

Oct. 27
U.S. Constitutional Law Update
 Judges & Magistrates
 Independence

Oct. 28
Judicial Conduct Course
(Judicial Conduct hours will be requested)
 Judges & Magistrates
 Independence

Dispute Resolution Training

sc.ohio.gov/JCS/disputeResolution

Oct. 12
Using Early Neutral Evaluation in the Courts
 Columbus

Oct. 19
Parenting Coordinators Roundtable
 Teleconference

Oct. 24-26
Eldercaring Coordination Training
 Columbus

Oct. 28
Removing Barriers in Mediation and Mediation Techniques for Various Case Types
 Columbus

Nov. 1-2
Domestic Abuse Issues Training for Mediators and Other Professionals
 Columbus

Nov. 3
Appellate Court Mediators Roundtable
 Columbus

Local Court Roundtables

sc.ohio.gov/JCS/roundtables.pdf

Oct. 6
Probate Court Administrators & Clerks
 Midsized & Rural Courts
 Thomas J. Moyer Ohio Judicial Center

Conferences & Meetings

Oct. 20
SuperMeeting
 Court Personnel
 Columbus

Oct. 18 – 21
Ohio Association for Court Administration Fall Conference
 Court Administrators
 Worthington

Oct. 27 – 28
Specialized Dockets Annual Conference
 Columbus

FREE CLE - 1 Credit Hour



**HIDDEN HISTORY:
 HOW THE CIVIL RIGHTS
 ACT OF 1866 LIVES
 IN OUR LAWS TODAY**

Noted civil rights attorney Avery Friedman will explore how the 1866 Civil Rights Act lives in our laws today and has been instrumental to ensuring fairness and equal opportunity in the United States.

Tuesday, Oct. 18, 2016, 5:30 p.m.

Thomas J. Moyer Ohio Judicial Center
 65 S. Front St., Columbus, Ohio 43215

RSVP to forum@sc.ohio.gov.