



## The Impact of Sequestration on Courts

A 5 percent across-the-board cut in federal funding that began March 1 does not have a direct impact on Ohio's state court system, but the sequestration could be felt nonetheless. Budget cuts will have a more consequential impact on federal courts and services, however.

Many courts across the state apply for and use federal grant money for special projects that would not occur without the funds. Money allocated from the U.S. Department of Health & Human Services Court Improvement Program (CIP) pays for coursework through the Ohio Supreme Court's Judicial College and the work of the Advisory Committee on Children, Families & the Courts, including some training. A few courts operating specialized dockets receive U.S. Department of Justice grant money. Many more local courts seek out funding from the Byrne Memorial Justice Assistance Grant, also from the Department of Justice.

The potential effect on federally funded court programs is obvious. As one example, some CIP monies have supported the development of specialized dockets in

juvenile courts. A consequence of a cut in CIP could be to impede the growth, expansion, and/or development of programs that provide targeted services to court-involved youth and their families through family dependency treatment courts or juvenile drug courts, said **Steve Hanson**, manager of the Children, Families & the Courts programs for the Supreme Court.

Before the cuts took effect, the White House distributed a state-by-state analysis of the sequestration impact. It estimated that Ohio would lose "about \$455,000 in Justice Assistance Grants that support law enforcement, prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, and crime victim and witness initiatives."

## About Court News Ohio

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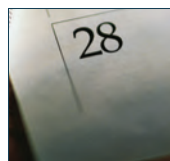
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From left: The Carl B. Stokes Federal Courthouse Building in Cleveland, Ohio (original photo: Andrew Bardwell); the Thomas J. Moyer Ohio Judicial Center, home to the Ohio Supreme Court; the U.S. Capitol Building; and the U.S. Supreme Court Building.

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# Cases

Visit [courtnewsohio.gov](http://courtnewsohio.gov) for the most current decisions from the Ohio Supreme Court, Court of Claims, and courts of appeals.

## Supreme Court of Ohio

### 'At Cost' Provision of Public Records Act Does Not Trump \$5 BMV Fee

On April 18, the Supreme Court ruled 6-0 that general language in the Ohio Public Records Act requiring government agencies to provide copies of records "at cost" does not bar the Ohio Bureau of Motor Vehicles (BMV) from enforcing an administrative rule that requires an employer or insurer to pay a \$5 fee for a copy of the record of a commercial driver license holder. Based on that analysis, the court denied writs of mandamus sought by a Columbus trucking company in two different cases in which the company attempted to use public record requests to obtain unredacted copies of its employees' driver license records at the BMV's copying cost of five cents per page.

State ex rel. Motor Carrier Serv., Inc. v. Rankin, Slip Opinion No. 2013-Ohio-1505

### Interlocutory Appeal Must Precede Post-Acquittal Appeal in Juvenile Cases

On April 17, the Supreme Court ruled that in juvenile cases, if the state fails to exercise its right to pursue an interlocutory appeal (an appeal prior to entry of final judgment) of an adverse ruling by the trial court, and the defendant is subsequently acquitted, the state has no right to pursue a post-acquittal appeal of that ruling under R.C. 2945.67. The 5-2 decision, which affirmed an Eighth District Court of

Appeals decision, was authored by Chief Justice Maureen O'Connor.

In re M.M., Slip Opinion No. 2013-Ohio-1495

### Attorneys Disciplined

In five separate disciplinary cases, the Supreme Court in April suspended four attorneys and disbarred one. On April 18, the court permanently disbarred attorney Peter F. Fletcher of Northfield. That same day, the court suspended the law license of Toledo attorney Anthony J. DeGidio for two years, with the second year of that term stayed on conditions. On April 17, the court indefinitely suspended the law license of Dayton attorney Kevin M. Hunt. Also on April 17, the law license of Akron attorney Jeffrey A. Carr was suspended indefinitely. On April 16, the court imposed an indefinite suspension against the law license of Columbus attorney Charles McGowan.

Visit the [courtnewsohio.gov](http://courtnewsohio.gov) "Cases" archive to read more about these disciplinary actions.

## Court of Claims

### Probate Court to Determine How Much of \$3.3 Million Award Family Will Receive in Wrongful Death Case

A probate court will determine how much of a \$3.3 million judgment will be paid by the Ohio Department of Transportation to the surviving family members of an Ohio woman who died in a head-on collision caused by a large pothole. Pauline Miller died in a March 2008 traffic

crash when a truck driver swerved into her lane after he hit a pothole in Columbiana County. The Court of Claims on April 4 ordered ODOT to pay Miller's surviving family the multi-million dollar award, but under Ohio law the probate court will determine how much the amount should be reduced based on collateral benefits already received by the family, such as insurance or disability. The first court proceeding to determine these amounts is scheduled for June 28.

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

## Court of Appeals

### Court Vacates Man's Sentence After Plea Deal Violation

The Sixth District Court of Appeals vacated a Wakeman man's convictions and sentence on April 5 after finding the state violated a plea agreement by re-filing charges it agreed to dismiss. Judge Stephen A. Yarbrough authored the unanimous decision that reversed the trial court judgment. Judge Yarbrough wrote that "clearly, in exchange for [Robert M.] Tite's no contest plea, the state agreed to dismiss all charges against Tite except the carrying a concealed weapon and using weapons while intoxicated charges. The state failed to discuss any additional requirement that Tite was to forgo his right to appeal. Further, the fact that the plea agreement would be revoked if Tite expressed his right to appeal was never mentioned."

State v. Tite, 2013-Ohio-1361



# Happening Now

News and notes from courthouses  
around the Buckeye State.

## Disciplinary Board Issues Opinions on Lawyers Texting, Working for Multiple Firms

The Ohio Supreme Court Board of Commissioners on Grievances & Discipline released two advisory opinions in April advising that lawyers can text prospective clients if they comply with applicable rules and abide by restrictions and that lawyers may practice with more than one firm in Ohio at the same time.

Opinion 2013-2 notes that Professional Conduct rule 7.2, which governs lawyer advertising, allows text message advertising, but “all lawyer advertising, including text message advertising, must comply with Prof.Cond.R. 7.1 and 7.3.” The opinion’s ethical guidance examines the implications of text message advertising in light of these rules. For example, one of the requirements cites that texts sent within 30 days of an accident or disaster must include the “Understanding Your Rights” statement in the body of the text and not as a link, attachment, or photograph.

Finding “substantial justification for a new perspective on practice in multiple firms” and considering “the context of current rules and modern practice,” the board concluded in Opinion 2013-1 that practice in multiple firms can occur in compliance with the Rules of Professional Conduct. The reasoning behind the update includes the fact that other jurisdictions have ruled that the practice is permissible, an expanded definition of “firm,” and financial considerations for lawyers in smaller communities who work more than one part-time job.

## A Forum on the Law: Gideon’s Promise

A panel of Ohio legal professionals will discuss how a jailhouse lawyer changed history 50 years ago during the Ohio Supreme Court’s Forum on the Law on May 23. Panelists will explore the U.S. Supreme Court’s decision in *Gideon v. Wainwright* – the landmark case requiring states to provide counsel for indigent defendants under the Fourteenth Amendment. Five decades later, is the guaranteed right to counsel being fulfilled? How does the structure and funding of Ohio’s indigent defense system impact that promise?

R.S.V.P. to [events@sc.ohio.gov](mailto:events@sc.ohio.gov) or 614.387.9003 by May 17. Registration begins at 5:30 p.m. with the panel discussion to begin at 6 p.m. A reception will follow at 7 p.m.

## Capital Law Alumni Recognize Graduate of the Last Decade



**Lindsay Ford Ellis**, a judicial attorney for Ohio Supreme Court Chief Justice **Maureen O’Connor**, received the Graduate of the Last Decade Award on April 12

from the Capital University Law School Alumni Association.

She and four other alumni as well as a program critical to Capital’s bar passage success were honored at the eighth annual recognition luncheon at the Sheraton Columbus Hotel at Capitol Square.

Ellis, a 2007 Capital Law graduate, joined the Supreme Court on January 3, 2011. The award recognizes alumni who have made significant achievements in their occupation and notable contributions to the legal profession and/or the law school.

Ellis serves as president of the law school’s African American Law Alumni Association, where she actively mentors current students. She also is membership chair of the John Mercer Langston Bar Association’s Board of Directors and a member of the Ohio State and Columbus bar associations.

Before her current position, Ellis was an associate attorney at Crabbe, Brown & James LLP, focusing on civil litigation, insurance defense and contracts. She is authorized to practice in all courts in the state, including the Supreme Court and the U.S. District Court for the Southern District of Ohio.

Ellis also is active in the community, serving on the Eldon and Elsie Ward YMCA Advisory Board, on the CATCO board, and as an African American Leadership Academy Fellow, Cycle 6.

She received her bachelor’s degree from the University of Michigan in 2003.

## First Woman Heads Clients' Security Fund



The Ohio Supreme Court appointed actuary **Sally W. Cuni** as the first woman and first non-lawyer to head

the Clients' Security Fund Board of Commissioners. The board is an agency of the Ohio Supreme Court that compensates clients of dishonest attorneys when a theft has occurred or when an attorney dies before he or she is able to complete the required work.

Cuni became the board's chair at the beginning of the year. She was first appointed to the CSF Board in January 2009 by then-Justice **Maureen O'Connor**, and was appointed to a second full term in January 2012. The Ohio Supreme Court appoints the CFS board chair and the seven commissioners every three years.

"It's an honor being appointed the first woman and non-lawyer to chair the Clients' Security Fund Board of Commissioners," Cuni said. "As an actuary, we deal with the financial impact of risk and uncertainty on a daily basis, and I will put my number crunching skills to good use on behalf of Ohioans seeking compensation from their dishonest attorneys."

Cuni is the founding partner and retired president of Cuni, Rust & Strenk, Inc. in Cincinnati. She received her bachelor's degree in mathematics from the University of Cincinnati in 1970 and became a fellow with the Society of Actuaries in 1981.

## A Juror's Perspective



It's a civic duty that it seems some Ohioans would like to avoid. But **Buddy Newberry** (pictured second from left) said being a juror on the Union County Common Pleas Court was a memorable and valuable experience.

"I'd often heard of jury duty from friends and relatives, and when I first got my summons I was excited to serve," Newberry said. "I gained a lot of satisfaction out of it. Overall the whole process was rewarding."

Newberry was part of a four-person panel that told a group of judges, jury coordinators, and other court personnel about their experiences as jurors at a jury management course on April 4, put on by the Ohio Jury Management Association in partnership with the Ohio Judicial College.

In Ohio, citizens are randomly selected for jury service from a list of registered voters or licensed drivers. The jurors on the panel told the court employees about the pros and cons of serving. The panelists said the courts they served on were well-run, but they said things like taking notes while hearing witness testimony or having a proctor available during deliberations would be beneficial.

Tiffin Municipal Court Judge **Mark Repp** said those types of requests differ from court to court because what's allowed is at the judge's discretion. For example, Judge Repp said he lets jurors take notes during trials in his courtroom.

"I allow that all the time, so it just kind of reaffirmed some of the things that you do," Judge Repp said. "It's always interesting to get feedback from jurors, and one of the things I routinely do is I sit down with them afterwards and talk with them."

Judge Repp said he's heard all types of excuses from those wanting to get out of jury duty.

"I forgot. Oh, I'm going to lose money," and you want to reiterate ... the United States is one of a few countries that puts enough trust in its populace to make these kinds of decisions," Judge Repp said. "I try to appeal to their sense of patriotism that this is a big obligation."

This is the second time jurors spoke at the conference about their firsthand experiences.

The daylong conference also featured discussions about jurors failing to show up to court, jury security, and social media and juries. While the program is centered on Ohio courts and jurors, the conference is open to all, and participants came from as far away as Puerto Rico.

## Retired Judge Celebrates 105th Birthday



When retired Judge **Joe Moorhead** (pictured above, left) was born in 1908, the 4th modern Olympic games opened in London. He is believed to be the oldest-living retired judge in Ohio as he celebrated his 105th birthday on April 27.

**J**udge Moorhead graduated from Ohio Northern University College of Law in 1939 and practiced in Findlay before being elected as the Hancock County prosecuting attorney one year later.

His tenure as prosecuting attorney was interrupted for two years when he served in the U.S. Army during World War II.

Judge Moorhead switched from the bar to the bench in 1949 when he was elected as a probate judge. In 1953, he was elected to the common pleas bench and served until his retirement in 1976.

Judge Moorhead is a little private when it comes to being interviewed but during his 100th birthday, he told the Findlay Courier that several changes to the courts, including the 1963 U.S. Supreme Court ruling *Gideon v. Wainwright*, requiring judges to assign

attorneys to poor defendants, transformed the justice system.

“It brought a lot of changes by the time I was leaving,” Judge Moorhead had said. “It was very different.”

Hancock County Probate and Juvenile Court Judge **Allan H. Davis** said he has known Judge Moorhead most of his life. His grandmother was friends with Judge Moorhead’s mother, and Judge Davis also spent time with him on the bench.

“I appeared in front of the judge when I started practicing law in 1968, and after I was elected to the bench worked with him as a colleague until he retired,” Judge Davis said.

Judge Davis said their friendship continued even after Judge Moorhead retired from the bench. Judge Davis said that although Judge Moorhead’s eyesight is



failing, the retired judge remains active and inquisitive about current affairs.

“I had lunch with him several weeks ago, and he maintains his interest in the local bar association, wanting to know who is practicing in what law firm,” Judge Davis said. “He is also curious about the new lawyers in town – wanting to know if they are from Hancock County, and if so who were their parents and grandparents. In most cases he will remember their family from his years on the bench or from teaching school.”

Judge Davis said Judge Moorhead’s passion of law and of life is evident as he marks this new milestone.

“Judge Moorhead is a remarkable individual that has maintained his interest in life and people well into his 105th year. We should be so fortunate to live that many years and still maintain our zest for life and interest in others,” Judge Davis said.

## Contested Judicial Races Featured in Two Communities in Upcoming Primary

Voters in the May 7 primary election in two Ohio communities will be the only ones casting ballots in contested races for municipal court judgeships.

Court News Ohio will post results from the judicial races as soon as they become available.

Three Republican candidates each in Norwalk and Perrysburg will be on the ballot, seeking to replace retiring judges. Norwalk voters will see **Scott Christophel**, **Harold Freeman**, and **Erie Weisenburger** on the ballot, while Perrysburg voters will see **C. Drew Griffith**, **Molly Mack**, and **Aram Ohanian** on the ballot.

Other communities will not hold primaries because of a lack of competitive races, because they operate as charter cities and hold their primaries at later dates in the year (as is the case in Toledo), or because candidates proceed directly to the general election.

All judges in Ohio are elected to six-year terms. Elections for municipal court judgeships occur in odd-numbered years, while elections for Ohio Supreme Court, appeals court, common pleas court, and county court judges occur in even-numbered years.

Supreme Court staff members assemble the election results from the local county boards of elections for administrative purposes, to communicate with new judges about payroll, benefits and other information.

For more information about judicial candidates, consult one of Ohio’s 88 county boards of elections.

## Judicial Appointments

The governor’s office continues to fill the large number of judicial vacancies left after dozens of judges retired from the bench last year. Gov. John Kasich recently appointed the following judges to courts around Ohio.



**April 11 | James A. Shriver**  
**Clermont County**  
**Probate/Juvenile Court**

Judge Shriver replaces former Judge **Stephanie Wyler**, who retired in December. Shriver must run in the November 2014 general election to serve a full six-year term on the probate/juvenile court, which begins February 9, 2015.



**April 3 | Timothy R. VanSickle**  
**Wayne County Municipal Court**

VanSickle assumed office on April 10, and must run in the November 2013 general election to retain the seat for the unexpired term, which ends December 31, 2015. VanSickle replaces retired Judge **Mark Clark**.

**March 28 | Gary A. Loxley**  
**Warren County Court**

Loxley assumes office on May 6, and must run in November 2014 to retain the seat for the unexpired term, which ends December 31, 2016. Loxley replaces **Donald E. Oda II**, who was elected to the Warren County General Division.



**March 18 | Carl J. Stich Jr.**  
**Hamilton County Common**  
**Pleas Court**

Stich fills the vacancy left by Judge **Pat DeWine**, who was elected to the First District Court of Appeals in November. Stich will need to win in the November 2014 general election if he wishes to serve a full six-year term on the bench that begins January 4, 2015.



## 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 9, Rep. Peter Stautberg (R-Cincinnati)**

Adds to and clarifies the powers of a receiver and to provide a procedure for a receiver's sale of real property.

**STATUS:** Introduced January 30, 2013, and referred to House Judiciary Committee. Passed the House on April 10, 2013 (96-0), and referred to the Senate Civil Justice Committee April 17, 2013.

### **HB 59, Rep. Ron Amstutz (R-Wooster)**

The state's Budget Bill, which authorizes operating appropriations for the biennium beginning July 1, 2013, and ending June 30, 2015, as well as providing authorization and conditions for the operation of state programs, includes a provision to limit liability damage awards against the state. Specifically, the provision would prevent the Court of Claims from awarding punitive damages and would prohibit non-economic damages in excess of \$250,000, except for wrongful death actions.

**STATUS:** Introduced on February 12, 2013. Amended and passed the House April 18, 2013 (61-35).

### **HB 61, Rep. Dorothy Pelanda (R-Marysville)**

Allows adopted persons within a specified time period to access their adoption records.

**STATUS:** Introduced in the House on February 12, 2013. Passed the House April 10, 2013 (96-1). Referred to the Senate Medicaid, Health & Human Services Committee April 17, 2013.

### **HB 69, Rep. Ron Maag (R-Lebanon)**

Prohibits the use of traffic law photo-monitoring devices by municipal corporations, counties, townships and the State Highway Patrol to detect signal light and speed limit violations.

**STATUS:** Introduced in the House on February 20, 2013, and reported to the House Transportation, Public Safety & Homeland Security Committee. Third committee hearing was April 23, 2013.

### **HB 74, Rep. Marlene Anielski (R-Walton Hills)**

Expands the offenses of menacing by stalking and telecommunications harassment and prohibits a person from knowingly causing another person to believe that the offender will cause physical harm or mental or emotional distress to a member of the other person's immediate family.

**STATUS:** Introduced in the House and referred to the Judiciary Committee on February 20, 2013. Second committee hearing was March 13, 2013.

### **HB 103, Rep. Matthew Huffman (R-Lima)**

Specifies the manner of sending a notice of intent to file a medical claim and provides a procedure for the discovery of other potential defendants within a specified period after the filing of a medical claim.

**STATUS:** Introduced in the House on March 13, 2013. Second hearing of the House Judiciary Committee was April 24, 2013.

### **HB 122, Rep. Stephanie Kunze (R-Hilliard)**

Requires as an element of the offense of criminal child enticement that the offender solicit, coax, entice, or lure the child for an unlawful purpose and to otherwise modify the offense.

**STATUS:** Introduced in the House on April 10, 2013, and referred to House Judiciary Committee on April 17, 2013. First hearing was April 24, 2013.



**HB 126, Rep. Stephanie Kunze (R-Hilliard); Rep. Michael Stinziano (D-Columbus)**

Allows a person who creates a durable power of attorney for health care to authorize the attorney in fact to obtain health information about the person, makes an individual who is designated as an alternate attorney in fact ineligible to witness the instrument that creates a durable power of attorney for health care, permits the principal to nominate a guardian in a durable power of attorney for health care, and establishes a presumption that a valid living will declaration revokes all prior declarations.

**STATUS:** Introduced in House on April 16, 2013, and referred to House Judiciary Committee on April 17, 2013. First hearing was April 24, 2013.

**SB 7, Sen. Chris Widener (R-Springfield); Sen. Bill Beagle (R-Tipp City)**

Requires that a court report certain information to the local law enforcement agency for entry into the appropriate National Crime Information Center file if the court approves the conditional release of a person found incompetent to stand trial or not guilty by reason of insanity or orders a person convicted of an offense of violence to receive mental health treatment and names this act the Deputy Suzanne Hopper Act.

**STATUS:** Introduced in the Senate on February 12, 2013. Passed the Senate on March 20, 2013 (32-1). Referred to the House Judiciary Committee on April 10, 2013. First hearing was April 17, 2013.

**SB 23, Sen. Bill Beagle (R-Tipp City); Sen. Dave Burke (R-Marysville)**

Allows adopted persons within a specified time period to access their

adoption records.

**STATUS:** Introduced in the Senate on February 12, 2013. Third hearing by the Senate Medicaid, Health and Human Services Committee was April 24, 2013.

**SB 47, Sen. Bill Seitz (R-Cincinnati)**

Revises the Election Law, in part, by restricting the time in which petition organizers can collect signatures.

**STATUS:** Introduced in the Senate on February 19, 2013. Passed the Senate on March 6, 2013 (23-10). Passed the House on March 20, 2013 (56-37) and signed by the governor on March 22, 2013.

**SB 64, Sen. Bill Beagle (R-Tipp City); Sen. Gayle Manning (R-North Ridgeville)**

Requires as an element of the offense of criminal child enticement that the offender solicit, coax, entice, or lure the child for an unlawful purpose and otherwise modifies the offense.

**STATUS:** Introduced in the Senate on March 7, 2013, and referred to the Criminal Justice Committee on March 12, 2013. Third committee hearing was April 17, 2013.

**SB 93, Sen. Shannon Jones (R-Springboro)**

Requires that further information be stated in motions to hold executive sessions under the Open Meetings Act, expands the fees and expenses that may be recovered for violations of the Act, and makes other changes to the Act.

**STATUS:** Introduced in the Senate on March 21, 2013, and referred to the State Government Oversight & Reform Committee April 9, 2013.

**SB 95, Sen. Jim Hughes (R-Columbus)**

Authorizes county commissioners to place the question of a property tax on the ballot for the purpose of providing funding to the probate court of the county to provide services for mentally ill or mentally incompetent adults in or from the county.

**STATUS:** Introduced in the Senate on March 28, 2013 and referred to the Ways and Means Committee April 9, 2013.

**SB 107, Sen. Tom Patton (R-Strongsville); Sen. Nina Turner (D-Cleveland)**

Increases the penalty for assault when the victim is an employee of an Ohio transit system whom the offender knows or has reasonable cause to know is such an employee engaged in the performance of the victim's duties; permits the court to impose a fine of up to \$5,000 and a six-month or lifetime prohibition from riding an Ohio transit system for assault committed in such specified circumstances; authorizes Ohio transit systems to post a warning sign indicating that abuse or assault of staff will not be tolerated and might result in a felony conviction; and increases the penalty for evading payment of the known fares of a public transportation system.

**STATUS:** Introduced in the Senate on April 10, 2013 and referred to the Criminal Justice Committee April 16, 2013.

**SB 109, Sen. Larry Obhof (R-Medina)**

Revises the law regarding election administration, ballots, and candidates.

**STATUS:** Introduced in the Senate on April 16, 2013 and referred to the State Government Oversight and Reform Committee on April 17, 2013.



## SPRING CONFERENCES

May 7-10

**Ohio Association for Court  
Administration Spring  
Conference**

OACA Members, Perrysville  
[ohiocourtadministration.org](http://ohiocourtadministration.org)

May 9 & 10

**Ohio Community Corrections  
Association Annual Conference**

Dublin  
[www.occaonline.org](http://www.occaonline.org)

May 22-24

**Ohio Association of Municipal/  
County Court Clerks Spring  
Conference**

Columbus  
[www.oamccc.org](http://www.oamccc.org)

June 7-8

**Ohio Bailiffs & Court Officers  
Association Spring Conference**

Perrysburg  
[www.ohiobailiffs.com/  
conference](http://www.ohiobailiffs.com/conference)

# 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](http://judicialecademy.ohio.gov)

May 3

**Sex Offender Management Course**  
Probation Officers, Columbus

**Introduction to Housing Options  
Available to People with Mental Illness  
(2 of 2)**

Judges, Magistrates, & Court  
Personnel  
Self Study, CLE Webinar  
Noon to 1 p.m.

May 10

**Civil Procedure By The Numbers  
Part IV: Discovery**  
Judges & Magistrates, Columbus

May 13-17

**Firearms Qualification Course**  
Probation Officers, London

May 14

**Guardian ad Litem  
Pre-Service Course (4 of 9)**  
Guardians ad Litem, Cincinnati

May 17

**Damages for Municipal & General  
Division Courts (1 of 2)**  
Judges & Magistrates, Cleveland

May 21

**Basic Defensive Tactics (1 of 2)**  
Probation Officers, Columbus

May 22

**Advanced Defensive Tactics (1 of 2)**  
Probation Officers, Columbus

June 5

**Guardian ad Litem Continuing  
Education Course: Child Trauma**  
Guardians ad Litem, Cleveland  
1 p.m. to 4:30 p.m.

June 6

**Domestic Relations Court  
Personnel Course**  
Court Personnel, Columbus

June 6

**Guardian ad Litem Continuing  
Education Course: Child Trauma**  
Guardians ad Litem, Cleveland  
8:30 a.m. to noon

June 7

**Personal Technology in the Courts**  
Judges & Magistrates, Columbus

June 10

**Civil Commitment in Probate Court**  
Judges & Magistrates, Toledo  
10 a.m. to 2 p.m.

June 13

**Judicial Candidates Seminar**  
Judicial Candidates, Columbus  
1:30 p.m. to 3:30 p.m.

## **Children, Families & the Courts**

[sc.ohio.gov/JCS/CFC](http://sc.ohio.gov/JCS/CFC)

May 21

**Judicial Leadership Seminar: A  
Pre-Summit Event for the 2014  
Domestic Relations Summit**  
Domestic Relations Judges  
Cleveland

May 22

**Judicial Leadership Seminar: A  
Pre-Summit Event for the 2014  
Domestic Relations Summit**  
Domestic Relations Judges  
Dayton

May 23

**Judicial Leadership Seminar: A  
Pre-Summit Event for the 2014  
Domestic Relations Summit**  
Domestic Relations Judges,  
Columbus

## **Interpreter Services Training**

[sc.ohio.gov/JCS/interpreterSvcs](http://sc.ohio.gov/JCS/interpreterSvcs)

May 4

**Interpreter Ethics**  
Columbus

May 24

**Certification Written Exam**  
Columbus

## **Dispute Resolution Training**

[sc.ohio.gov/JCS/disputeResolution](http://sc.ohio.gov/JCS/disputeResolution)

May 1-3 &amp; 6-7

**Specialized Family/  
Divorce Mediation**  
Cleveland

June 6-7 &amp; 10-12

**Specialized Family/  
Divorce Mediation**  
Cincinnati

## **Supreme Court of Ohio**

[www.sc.ohio.gov](http://www.sc.ohio.gov)

May 6

**Bar Admissions Ceremony**  
Columbus

May 7- 8 and 21

**Oral Arguments**

May 10

**Late Application Deadline  
to Take the July 2013 Bar Exam**

May 23

**Forum on the Law**  
Columbus

## **Ohio Center for Law Related Education**

[www.oclr.org](http://www.oclr.org)

May 7

**Youth for Justice Summit**

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## **LOCAL COURT ROUNDTABLES [SC.OHIO.GOV/JCS]**

May 10

**Common Pleas Judges**  
Rural counties

May 17

**Juvenile Chief Deputy Clerks**  
Rural courts, less than 60K

June 6

**Juvenile Courts, Title IV-E**  
All counties



## Sequestration | Continued from page 1

The White House also outlined what less funding could mean to domestic violence programs for the state. “Ohio could lose up to \$245,000 in STOP Violence Against Women Program funds that provide services to victims of domestic violence, resulting in up to 900 fewer victims being served.”

According to **Diana Ramos-Reardon**, manager of the Ohio Supreme Court’s Domestic Violence Program, although small, 5 percent of STOP VAWA funds are a mandatory set aside for courts.

“Potentially, courts could see fewer court advocates and more litigants coming unprepared to courts, which could have the net effect of stretching even more scarce judicial resources,” she said.

The state’s Office of Criminal Justice Services administers federal grant funds to Ohio’s criminal justice constituents. If local courts do feel a pinch in some of their programs, it won’t happen until a year from now as the grants lag behind the current year. Grant dollars for calendar year 2012 have been received and allocated and are not subject to sequestration.

However, in a recent weekly bulletin, OCJS warned that the federal appropriations bill gives the Department of Justice the ability to re-apportion money within its budget to mitigate the impact of furloughs. If that happens, grant programs could be cut another 5 percent.

To gauge just how much sequestration will adversely affect Ohio courts, Supreme Court staff members are working on a survey instrument designed to solicit that information. The Court Funding Task Force Project survey will be sent to local courts at the end of the month.

With the prospect of potentially less funding next year, a national survey indicates that a decrease in the federal grant funding over the last several years has already had some impact.

Conducted over the summer by the National Criminal Justice Association and the Vera Institute of Justice, the survey sought to anticipate the impact of sequestration and gauge the effect of federal budget cuts on public safety functions in state and local governments. This survey revealed a 43 percent decrease in federal justice assistance grant programs through the Department of Justice since Fiscal Year 2010 and anticipated that “additional deep cuts mandated by sequestration could leave the federal-state-local safety partnership virtually unfunded by FY2021.”

More than 75 percent of 714 respondents reported that their grant funding had decreased in Fiscal Year 2011. Sixty-two percent of the respondents receive Byrne grants.

One Ohio respondent to the national survey said fewer domestic violence victims had received court advocacy services in Montgomery County courts.

“If projected cuts in government funding proceed, we anticipate that our court advocacy program will be greatly curtailed, if not virtually eliminated,” the respondent wrote. “That means we will not be able to offer hands-on assistance in accompanying victims to court proceedings and in assisting clients to obtain protection orders. We anticipate not being able to do any court outreach which impacts our ability to assist in protecting victims of domestic violence.”

As for the federal court system, several courts have closed their doors on Fridays and implemented staff furloughs.

Chief Judge **Solomon Oliver Jr.** of the U.S. District Court for the Northern District of Ohio indicated that the court would be able to get through this year without furloughs, largely because the court has chosen not to fill a substantial number of positions in the Pretrial Services and Probation Office and the Clerk’s Office and to reprogram funds. He is not optimistic about the prospects for next year.

“Federal courts had been facing budget problems even before the so-called ‘sequestration,’” he said. “It is becoming increasingly more difficult to do all that we need to do with reduced staffing and resources.”

He also noted that, though the United States Attorney has indicated that his office may be able to proceed without furloughs for the time being, the Federal Public Defender’s Office is already furloughing its employees on Friday of each week.

“This obviously puts strain on the system. The funding for the courts and for those offices that are essential to the functioning of our justice system is simply inadequate. Our employees are working as hard as they can to fill the gaps, but they can only hold the fort for so long,” Judge Oliver said.

**John Hehman**, Clerk of Court for the U.S. District Court for the Southern District of Ohio, said the court has dramatically reduced and deferred expenses and non-salary accounts for this year. If budget cuts continue into next year, layoffs and furloughs will result. In addition, several staff members have taken advantage of early retirement, but he said the court won’t be able to fill their jobs.

The Administrative Office of the U.S. Courts reported last month that Chief Judge **Marcia S. Krieger** issued an order in the District of Colorado limiting the scheduling of criminal trials and hearings on Fridays in federal district court due to budgetary constraints and furloughs.

The Central District of California – one of the busiest trial courts in the country – will furlough staff and reduce court services on seven Fridays through August in three of its divisions.

In the news announcing the cutbacks, the Administrative Office noted that each court decides how to implement funding cuts, “but it is anticipated that nationwide up to 2,000 employees could be laid off this fiscal year, or face furloughs.” As for a total dollar amount, the Administrative Office reported that sequestration reduced the federal judiciary’s overall funding levels by almost \$350 million.

Those appearing in federal courts have also taken steps to absorb the cuts. In fact, one public defender eliminated his own position rather than have other attorneys in the office lose their jobs.

**Steve Nolder**, the top federal public defender for southern Ohio, explained his reasoning to *The Columbus Dispatch*.

“We have to cut bodies; we can’t furlough our way out of this situation,” he said. “As the manager of this office, it’s the right decision to make.”