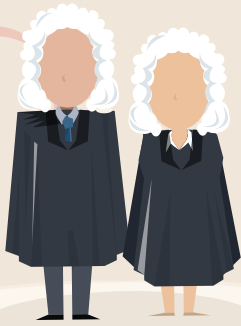




CNO REVIEW

February 2015



We are gathered here at the COURTHOUSE

A mutual love of the law can be a catalyst to romantic relationships as many in the legal profession go from law school or law firms to the altar. The Ohio judiciary has a history of couples bound in both matrimony and public service. In the spirit of Valentine's Day, here are some stories of judicial couples currently on the bench.

JUDGES THOMAS & LINDA TEODOSIO

If you refer to Judge Teodosio in Summit County Common Pleas Court, you must be more specific. Judge **Thomas A. Teodosio** has been on the general division bench since 2007, while his wife Judge **Linda Tucci Teodosio** has served on the juvenile court bench since 2003.

They met at the University of Akron School of Law and started dating in their second year. Between classes, studying, and passing the bar, loved bloomed. They'll celebrate their 32nd wedding anniversary this July.

"The secret to our successful marriage is that we've never worked together," Linda said jokingly.

In all seriousness, they like having a partner who shares a career.

"It's nice to have a spouse that understands the challenges of being a judge and making difficult decisions. We can support each other emotionally and intellectually, especially when one of us is involved in a very difficult case," Linda said.

"It also helps to have a spouse who understands the number of community activities and speaking engagements that may interfere with family time, especially when one of us is up for election," Thomas added.

Story continues on page 6.

About Court News Ohio

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Cases

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

Supreme Court of Ohio

Jury Instruction on “Foreseeability of Harm” Did Not Affect Result in Medical Malpractice Case

On Jan. 27, the Supreme Court determined that an unnecessary jury instruction did not change the outcome of a medical malpractice lawsuit filed by the parents of a 5-year-old. Their case alleged medical negligence after the child died while being treated at an Akron hospital. The jury instruction explained foreseeability of harm, a standard for determining “whether a physician has exercised reasonable care in understanding or determining the existence of a risk of harm associated with a particular course of treatment,” Chief Justice **Maureen O’Connor** wrote in the court’s majority opinion.

Cromer v. Children’s Hosp. Med. Ctr. of Akron
Slip Opinion No. 2015-Ohio-229

Supreme Court Interprets Elements Needed to Prove Corrupt Activity

In corrupt activity cases the same evidence can establish both the existence of an “enterprise” and the associated pattern of corrupt activity, the Supreme Court ruled on Jan. 27. Writing for the court’s majority, Justice **Paul E. Pfeifer** also concluded that the state does not have to prove defendants are associated with an organization that exists separately and distinctly from the pattern of corrupt activity in which it engages. The 5-2 judgment reverses the Second District Court of Appeals’ decision and returns the case to the trial court for resentencing.

State v. Beverly
Slip Opinion No. 2015-Ohio-219

Courts of Appeals

Twelfth District: Family of Couple Killed by Dump Truck During I-75 Night Construction Owed \$4 Million

A Cincinnati construction company owes \$4 million to the family of a Tennessee couple who slammed into the back of one of its dump trucks hauling loads at night in the fast lane of Interstate 75, a district appeals court ruled on Jan. 12. The Twelfth District Court of Appeals’ ruling upheld the judgment against John R. Jurgensen Co., an Ohio Department of Transportation contractor. It was levied by a Warren County Common Pleas Court jury in 2013. The company was deemed only 25 percent responsible for the accident that led to the death of Nicholas and Amanda Poe in 2009, and the appeals court rejected its effort to overturn the \$4 million in damages apportioned to the company.

Orren v. BWF Corp.
2015-Ohio-62

Twelfth District: Newspaper Not Entitled To BCI’s Investigation Records of Missing Money from Goshen Township Police Property Room

More than 700 pages of documents turned over to the Ohio Bureau of Criminal Investigation (BCI) to help locate more than \$8,000 in missing money orders for drug busts did not need to be provided to a local newspaper. The records were “specific investigatory work product,” a divided Twelfth District Court of Appeals ruled. The appellate court denied a writ of mandamus filed by the *Community Journal*, North Clermont, after the BCI rejected its public records request, but turned

over redacted public records to the newspaper in August 2014. Prior to the release, the *Journal* filed a writ in January 2014 to obtain the records. The Ohio Attorney General’s office, after announcing its investigation concluded, provided the redacted version and sought to have the court rule the writ moot. In a Dec. 31, 2014, 2-1 decision, the court sided with the attorney general concluding the BCI did not have to turn over any of its investigatory file to the *Journal*, not even a redacted version.

State ex. Rel. Community Journal v. Reed
2014-Ohio-5745

Eleventh District: Chardon Schools Justifiably Fired Employee Who Took Photo of Shooting Spree Aftermath

The estate of a Chardon Local Schools maintenance worker fired for taking a picture of a notorious crime scene may have to pay back unemployment compensation benefits awarded after the man challenged his termination. A split Eleventh District Court of Appeals affirmed the ruling of a Geauga County Common Pleas Court, which overturned the state’s award of unemployment compensation to **Perry T. Yowell**. The Dec. 22, 2014 ruling supports the Chardon Local Schools Board of Education’s objection to the determination. The case also involved the unusual situation where Ohio Attorney General **Mike DeWine** personally filed an amicus brief on behalf of the school district while his office was obligated to defend the Unemployment Compensation Review Commission.

Chardon Local School Dist. v. Keller
2014-Ohio-5623

HappeningNow

News and Notes from Courthouses Across the Buckeye State

Court Interpreter Goes the Distance



Catherine Piña Arrieta came to the United States at age 15 from Venezuela not speaking a word of English. Her family settled in Perrysburg, Ohio, after her dad received a promotion as a chemist and engineer with Owens-Illinois. In Ohio, Arrieta said she received the best education possible as her high school provided her with an interpreter.

That experience led to Arrieta wanting to become a professional interpreter. Already fluent in her native Spanish, Arrieta learned English, French, and Italian and became proficient in Portuguese. Arrieta put those skills to use and became a court interpreter with Cleveland Municipal Court and travels to Mahoning County Domestic Relations Court for additional assignments.

“As soon as I became a U.S. citizen, I wanted to give back my newly acquired skills to the U.S. government and its effort in protecting Title VI and constitutional rights,” Arrieta said.

The Ohio Supreme Court began certifying court interpreters in 2010, and in 2013, after adopting new rules, all Ohio courts are required to use certified foreign language or sign language interpreters when available to ensure equal access to justice to all deaf and limited English proficient individuals in court proceedings.

Arrieta began working in 2003 as a court interpreter before there were certification requirements. She worked on assignment with two language agencies: International Institute and International Language Source.

“I will never forget my first assignment in Lucas County Domestic Relations Court in Toledo,” Arrieta said. “It was a divorce trial. I did my best to prepare, but once I got there, I knew that in order to be true to the oath of interpreting everything accurately, completely, and impartially, I needed more training on the modes of interpretation and terminology.”

Arrieta kept busy during the next 10 years. She traveled across the state and worked in all types of courts. Then she learned about the Supreme Court’s new interpreter program, and she immediately started attending training sessions. She later became state certified in Spanish and hopes to become state certified in French this year.

“I was glad to be given the opportunity so that I could be an example to other interpreters that they can also make this into a career and even become trainers for others,” Arrieta said. “I feel that we can become pioneers in the profession here in Ohio.”

Ohio courts handle more than 25,000 cases per year that require a court interpreter. The Supreme Court’s Language Services Program certifies court interpreters in 20 languages. Program Manager **Bruno Romero** said it’s designed to provide services, training, resources, and policy recommendations to improve equal access to courts in cases involving limited English proficient and deaf individuals. The interpreters are required to pass written and oral tests.

Story continues on page 11.



Electronically Shared Court Data Used to Crackdown on Scrap Metal Thieves

Ohio scrap metal dealers are getting an improved way to combat illegal metal theft thanks to the data-sharing capabilities of the Ohio Courts Network (OCN).

On Dec. 19, the Ohio Supreme Court announced an agreement with the Ohio Department of Public Safety (ODPS) to implement a “Do Not Buy from Convicted Thieves” repository using information related to theft convictions gathered from the OCN.

As a deterrent to metal theft, Ohio lawmakers in 2008 established a requirement that scrap dealers register with the ODPS and for ODPS to deploy a system for scrap dealers to record daily transactions. Scrap dealers are prohibited from buying metal from known thieves and must check a prospective seller against the ODPS Do Not Buy database before buying a load of scrap metal.

The OCN is currently providing the department with more than 270,000 theft convictions from 196 courts. This has aided the ODPS’s efforts to build the Do Not Buy repository without requiring additional tasks from the courts participating in the OCN. ODPS is working with local law enforcement and courts to include data not provided by the OCN.

Supreme Court Chief Justice **Maureen O’Connor** said adding the

“do not buy” capability fits the OCN’s purpose.

“We developed the OCN to cast a wide net of current and accurate case-related data to benefit courts and our justice system partners. This new development only makes the data-sharing more effective and comprehensive,” Chief Justice O’Connor said.

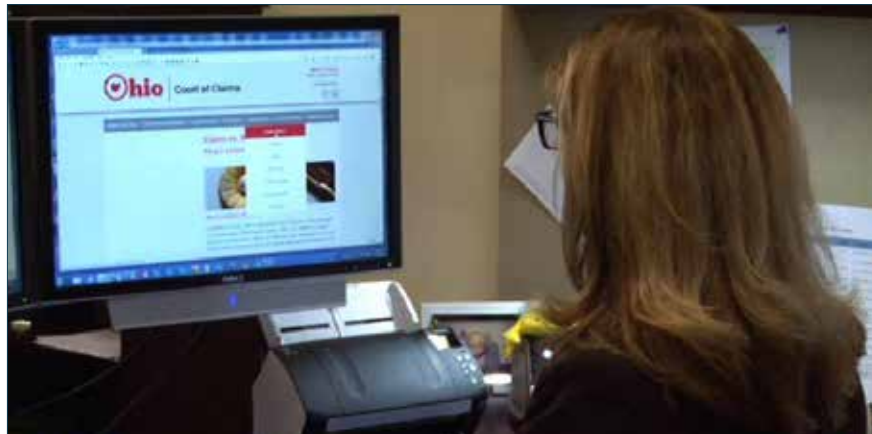
To retrieve the data, the OCN and ODPS Division of Homeland Security developed specific data requirements based on information already being collected by the OCN. On a weekly basis, the OCN creates a file of theft convictions from the case data sent from participating courts. ODPS retrieves the file and updates the Do Not Buy repository with the latest OCN information. Any new cases added to the OCN or updates to existing cases are reflected the following week.

More than 4,000 users within Ohio’s courts and criminal justice system are researching and sharing critical information on a daily basis through the OCN.

The OCN was launched in 2008 and users can search various records, including court cases, jail bookings, protection orders, Bureau of Motor Vehicles driving records, Bureau of Criminal Investigation arrests, and Ohio Department of Rehabilitation and Correction prison and supervision records.

The OCN data warehouse contains more than 46 million case records and receives daily case-record updates from more than 300 courts, representing 86 percent of the annual case volume in the state.

Court of Claims Debuts New Website



A new year brings a new look for the Court of Claims of Ohio website. The court on Jan. 20 debuted the new site (www.cco.state.oh.us), which was redesigned to be more user-friendly and with the public’s interest in mind.

Mark Reed, Court of Claims clerk of the court, said the new site will no longer be lawyer-oriented. The old site was designed in the 1990s and written by attorneys.

“We like the design of it well. It’s graphically pleasing. It’s less verbiage. It’s more about funneling people to the right place to get the information that they need quickly,” Reed said.

Reed said nearly two-thirds of Court of Claims cases are filed by the general public.

“I think it really presents an opportunity for people to use the website in a way they haven’t had in the past. They can search for a case. They’ll eventually be able to pay for any fees or costs they’ve have on there. You can sit at home and file your case from your living room,” Reed said. “We are quite proud of our new website.”

Browsers can now sign up and follow cases by name, attorney, or case type, which Reed said is new to the site.

“You’ve been able to look at cases, but you haven’t been able to subscribe to a case,” Reed said. “Subscribing to a case, I think, is really important. When we talked to the lawyers, they all loved that. They all believe they are not getting served as quickly as they should, so they want to know what is happening on their case immediately. But the people who really loved it were the press.”

Reed said the media can easily find out if something happens to a high-profile case they follow.

“Media do not want to keep checking on a case and calling us and those kinds of things. When they subscribe to a case, as soon as something happens on a case, they’ll know immediately, so it will save some time,” Reed said.

Online payments and electronic filing could be accepted within the next six months, and Reed anticipates it will allow for better accessibility for the end user. The website also has an extensive frequently asked questions section.

“That means, again, sitting in your home on a Friday night at 10 o’clock you’ll be able to figure out how to file or get any answers to your questions just by looking at our website,” Reed said.

“I really hope people begin to use the website in a way that makes accessibility to our court more apparent,” Reed added.



1 Judges Thomas and Linda Teodosio 2 The Teodosio family (son Christopher, Linda, daughter Andrea, and Thomas) 3 Judges Tim and Diane Grendell 4 Judges Gary and Stacy Cook on their wedding day 5 The Cook family (daughters Madison and Delaney, son Griffin, Stacy, and Gary) 6 Judges Ron and Cynthia Rice 7 The Rice family (daughters Madison and Morgan, son Tyler, Cynthia, and Ron).



There is the occasional “How was your day?” but they say work life doesn’t usually carry over into family time in the Teodosio household. When they aren’t at work, both enjoy cheering on Cleveland professional sports teams, traveling, and spending time with friends and family. Their son Christopher is an attorney with the Akron law firm Brouse McDowell. As to whether he’ll follow in his parents’ footsteps and become a judge, Linda is not sure.

“Probably not, but who knows? When his father and I were his age, we would never have dreamed that our career paths would have led us both to become judges,” she said.

Their daughter Andrea died at the age of 22 after a skiing accident in 2011. They started the Andrea Rose Teodosio Foundation in her memory and both serve on the board. The nonprofit organization supports projects that assist the underprivileged and elderly, addresses environmental issues, and promotes community service and education. One of the annual fundraisers is a 5K run that winds through the streets of downtown Akron, and the Teodosios are among the runners.

JUDGES TIM & DIANE GRENDALL

Tim Grendell was a Jones Day attorney having difficulty deposing a party who he said was feigning a medical problem to avoid the deposition. He reached out to Diane, a nurse-attorney in the Cleveland firm’s medical litigation group for help. With Diane’s assistance, Tim conducted the deposition and secured a victory for the firm’s clients.

That’s how Geauga County Probate/Juvenile Court Judge **Tim Grendell** and Eleventh District Court of Appeals Judge **Diane Grendell** met, and the two have since enjoyed careers together in public service. In addition to working on several litigation cases together in private practice, at one time Diane was the government affairs director for the Cleveland Area Home Builders Association as Tim served as the association’s legal counsel.

With the Eleventh District having oversight of Geauga County, Tim said he reads all of Diane’s rulings when they are

We are gathered here at the COURTHOUSE

OHIO’S JUDICIAL COUPLES

Story continued from page 1.

issued, and attorneys preparing to argue in the appellate court ask him for advice before presenting a case before his wife.

"I tell them to be prepared and ready for questions because Diane is prepared and will ask questions," he said.

Along with being private practice lawyers, the Grendells also each served several terms in the Ohio General Assembly. Diane said neither thought they would be judges.

"We are honored and grateful to the voters who have given us the opportunity to serve our community on the bench," she said.

"By both of us serving as judges, we appreciate the responsibilities and demands of the office. This provides us with the ability to give moral and emotional support to each other when working through difficult cases," she said.

The two have many mutual interests and leave court business at work when they are at home together. Hobbies include dance lessons, fly fishing, traveling, exercising, and spending time with their children and grandchildren.

As lawyers, Diane said the two appreciate the professional stress of practicing law and can empathize with each other about the demands of the profession. The same is true about being on the bench.

JUDGES STACY & GARY COOK

It was at a softball game in the summer of 1991 when **Gary Cook**, who worked at the public defender's office at the Toledo Municipal Court, first flirted with his future wife, **Stacy Cook**, who then worked as a bailiff to Judge Francis Gorman. Gary asked to borrow Stacy's mitt during the Prosecutor vs. Public Defender softball game.

"Of course I said yes, he was super cute!" Stacy said. Then, with Gary in the outfield, Stacy went to the plate to bat. "Assuming I would hit 'like a girl,' he moved in toward the infield," Stacy

said. "I really couldn't resist, and I put the ball over his head!" Gary said he remembers throwing Stacy out at third base. "He didn't," Stacy said.

They've been together ever since.

The Cooks technically first hit it off after a law school orientation at the University of Toledo College of Law, but they didn't see each other for another year. "Although I did try to find her," Gary said.

"He was a day student, and I was a night student. Our paths never crossed," Stacy said.

Their paths later crossed all the time when Gary became an assistant Lucas County prosecutor and Stacy was in private practice.

"We have enjoyed each other's points of view," Stacy said. "He was a prosecutor that worked toward justice as his outcome. It was never a win-loss column with him. I respected the work he did and he respected mine."

"Justice' was a common thread for both of us throughout our careers as attorneys," Gary said.

And now after 20 years of marriage and three children, they are both judges on the Lucas County Common Pleas Court.

"As for working together, it just feels normal," Stacy said. "I think we have always rounded each other out. There has always been a willingness to look at cases from the opposite point of view, the comfort we have had in this has helped each of us throughout our practice and even in our time on the bench."

JUDGES RON & CYNTHIA WESTCOTT RICE

Trumbull County Common Pleas Court Judge **Ron Rice** happened to be with his wife during an interview with a newspaper editor as she ran for a seat on the Eleventh District Court of Appeals that oversees Trumbull County.

"He looked at me and said: 'If your wife wins this election, she will be your boss and be able to overrule your decisions. How do you feel about that?'"

Ron recounted. "I smiled and asked him if he was married. He paused, smiled, and said, 'That was a dumb question.'"

Ron and **Cynthia Westcott Rice** met in their first year of law school and married two and a half years after graduation. Ron was first elected to the common pleas bench in 1992 and Cynthia to the appeals court in 2000. They practiced together for a short time before Cynthia became a full-time prosecutor.

The two do talk about each other's cases when they are at home. "I always read her rulings since she is my boss!" Ron said.

Cynthia said going through law school as a couple helped make the experience more enjoyable and less stressful. Being married to another lawyer is beneficial, she added. "I think lawyers gravitate to each other because they share a way of thinking and can understand each other's perspective."

Their children, Tyler, 25, Madison, 21, and Morgan, 19, enjoy having parents who are judges. There is one drawback, Morgan said. "It's awesome, but I can't get away with lying. Ever."

When they are off the bench, the Rices enjoy many hobbies, including skiing, boating, motor homing, scuba diving, hiking, golfing and going to Ohio State football games. "The only hobbies we don't share are shopping and hunting," Cynthia said.

Cynthia said the couple's friends are not intimidated by them being judges because of their laid back demeanors. Ron said their friends don't care that they're judges, and people they meet are often curious about what their jobs are like, especially the politics.

While Ron's father was a common pleas court judge, the Rices said they didn't set out to be judges when they started their legal careers.

"Being a judge is something I thought would be a rewarding position. We are both thankful for the privilege of serving the public and the bar," Ron said.

New Video Preps Potential Jurors



For Ohioans called to jury duty who may have questions about their role in the courtroom, an informative new video is now available.

The jury service video is a collaborative effort of the Ohio Judicial Conference, the Ohio Supreme Court, the Ohio State Bar Association, and the Ohio Channel.

“The video gives an overview of Ohio’s court system and explains what jurors should expect when they are called to serve,” said Delaware Municipal Court Judge **David Gormley**, who co-chairs the Ohio Judicial Conference’s Public Confidence & Community Outreach Committee. “The goal is to make the video available to all Ohio judges and courts as a way to educate the public about the key role that jurors play in our judicial system.”

Chief Justice **Maureen O’Connor** provides the video introduction, in which she states the importance of devoting the time to answer the call to jury service: “We are privileged to live in a country where our state and federal constitutions guarantee the right to a trial by a jury of our peers.”

Information in the video includes:

- What to expect during the jury selection process
- Procedures for jury deliberations
- Proper courtroom behavior

The video is available on the Ohio Judicial Conference website. Judges who would like DVD copies should contact **Justin Long** at Justin.Long@sc.ohio.gov or 614.387.9756.



Veteran Leads New Veterans Court

Jan. 1 marked the start of a new specialized docket just for felony defendants who are military veterans in Cuyahoga County.

Decorated Vietnam War veteran and Cuyahoga County Common Pleas Court Judge **Michael E. Jackson** presides over the new Veterans Court, and has begun the process of forming and fine-tuning it, with the goal of accepting the first cases in April.

“One of the reasons I ran for judge was because I wanted to eventually oversee a Veterans Court in Cuyahoga County,” Judge Jackson said. “I want to thank my colleagues who also saw the need for this specialized docket and voted to implement it.”

For his service during the Vietnam War, Judge Jackson was awarded five personal decorations for bravery in combat, including two Bronze Stars and the Purple Heart. He has been active in veterans’ affairs in the community and was one of the key organizers of the restoration of the Memorial Fountain located on Veterans Memorial Plaza in downtown Cleveland.

Veterans courts are designed to successfully rehabilitate veterans by diverting them from the traditional criminal justice system and providing them with treatment and other services needed to lead productive and law-abiding lifestyles.

Cuyahoga County Common Pleas Court judges will have the discretion to transfer a veteran’s case to the Veterans Court, where the defendant will take part in the program for a minimum of 12 months. All felony-level cases that are eligible for probation may be transferred to the Veterans Court, but priority will be given to high-risk, high-need veteran defendants.

There are 15 veterans courts in the certification process of the Ohio

Supreme Court specialized docket program. There are more than 170 specialized dockets in Ohio courts that bring together court and treatment personnel to work collaboratively to assist defendants with treatment instead of prison for issues such as drugs, alcohol, and mental health. The success of specialized dockets is measured by reduced recidivism, improved treatment, and cost savings.



Burchfield Appointed to Van Wert Co. Judgeship

Van Wert attorney

Martin D. Burchfield began his service on the Van Wert County Common Pleas Court on Feb. 2. He was appointed by Gov. **John R. Kasich** on Dec. 22, to replace retiring Judge **Charles D. Steele**.

Burchfield received his bachelor's degree from the University of Toledo and his law degree from the university's college of law. His previous experience includes working for the law offices of Kennedy & Burchfield, Johnson & Burchfield, and Martin D. Burchfield Co. L.P.A. He has also served with the Van Wert County Prosecutor's Office and as a public defender.

He has served in various capacities on the Van Wert City Council, including as president. He was a member of the Van Wert County Council on Aging and is also a member of the Van Wert Service Club and served previously as its president.

Burchfield, who was admitted to the practice of law in Ohio on Nov. 12, 1986, must win in the November 2016 general election to retain the seat for the remainder of the unexpired term, which ends Dec. 31, 2018.

Two Justices Take Ceremonial Oath of Office



Ohio Supreme Court Justices **Sharon L. Kennedy** and **Judith L. French** were honored Jan. 14 in front of nearly 300 family and friends during a traditional swearing-in ceremony at the Thomas J. Moyer Ohio Judicial Center in Columbus. Retired Justice **Evelyn Lundberg Stratton** emceed the program and told Justices Kennedy and French that Ohioans had two years to look at their decisions and chose the justices based on their quality of work and for the care and concern they have for the rule of law. Chief Justice **Maureen O'Connor** administered the oath of office to Justice French, who was appointed to the court in December 2012 and began her first full six-year term on January 2. Retired Butler County Common Pleas Court Judge **Matthew Crehan** administered the oath to Justice Kennedy, who began her first full term on Jan. 1. Justice Kennedy joined the court in December 2012 after she was elected to an unexpired term.



Rule Amendment Summary

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

Juvenile/Domestic Case Records

The Supreme Court will accept public comments until Feb. 20 on an amendment to the Rules of Superintendence that would require courts to treat sensitive personal information contained in the records of juvenile and domestic relations civil proceedings as confidential. The proposed rule comes after the Supreme Court's Advisory Committee on Children and Families recommended that confidential family information in these civil proceedings should be placed in a separate family file and the information remain accessible only to the parties in the case. Restrictions from public access would be placed on nine categories of documents by not defining them as a "case document." The docket, complaints, decisions, and records in other proceedings, however, would remain public records.



Chief Justice Asks State Constitution Commission to Consider Moving Judicial Elections to Odd Years

Ohio judicial races get lost compared to more heavily funded and media-driven presidential and gubernatorial campaigns, but are no less important to Ohioans, Chief Justice **Maureen O'Connor** told a statewide commission on Jan. 15.

Speaking to the Ohio Constitutional Modernization Commission's Judicial Branch and Administration of Justice Committee, Chief Justice O'Connor laid out a three-point proposal to strengthen the judicial election process, with one point requiring changing the state constitution to move all judicial elections to odd years.

The chief justice noted that judicial candidates are placed at the end of the ballot and when running in even years, they are on the same ballot as presidential candidates, other state executive branch candidates, and General Assembly candidates who get higher billing. She said research indicates voters in those elections don't continue to make candidate selections all the way through their voter ballots, and drop-off for judicial candidates is historically near 25 percent, but has peaked at a high of 40 percent in some counties.

"We need to make the judges more visible to Ohio voters and also

demonstrate that they are no less valued or no less important than races in the legislative and executive branches," she told the committee.

Chief Justice O'Connor appeared before the commission in August 2013, and noted she had an eight-point reform plan at that time. Saying she is a realist, she dropped her recommendations to three, and only changing the judicial elections year would require a constitutional change. The commission has been studying and taking suggestions on a number of ideas, and intends to present a comprehensive package of suggestions in the future to General Assembly. State lawmakers have the authority to present the changes to voters who must approve changes to the constitution.

In addition to moving the elections, the chief justice proposed increasing the number of years of legal practice necessary to become a judge from the current six years for all offices to more years. While not specifying a preference for a certain number, she noted past

proposals requiring eight years for common pleas court, 10 years for appeals courts and 12 years for Supreme Court justices have been proposed and seem reasonable. She said this could be changed by legislation.

Her final proposal was to increase voter education about judicial elections and judicial candidates. She said research has revealed the level of knowledge and understanding about the judiciary among the general public is inadequate and voters have said they don't have easy access to quality information.

Working with the Ohio State Bar Association, the League of Women Voters of Ohio, and the Bliss Institute of Applied Politics at the University of Akron, the Supreme Court will help develop the first statewide judicial voter education and outreach program.

"The program I envision will for the first time provide voters statewide with a website that will be a one-stop-shop for quality information about the candidates for judge at every level," Chief Justice O'Connor said.

The Bliss Institute would oversee the website and gather candidate information. It would work through traditional and social media, as well as sources to help provide more information to voters. The details of how to collect and present the information is still in the works, she noted.

"When taken together with my proposal to move judicial elections to separate years and up to the top of every ballot, the result will be more citizens voting for judge and doing so in an informed way," Chief Justice O'Connor said.

State Rep. **Michael Curtin**, a committee member, noted the odd-year elections have historically lower voter turnout than presidential and gubernatorial years. He suggested if the intent is to increase the number of citizens voting for judges, then using the off years would not achieve higher voter turnout.

Chief Justice O'Connor responded that a change would not immediately increase voter turnout and a cultural change would occur over time. She

pointed out that when women originally received the right to vote, the number of women voting didn't immediately jump dramatically, but occurred over time. If given the chance, the odd-year elections would become thought of as the "judicial year" elections, she said, and turnout would increase.

As she presented her changes, the chief justice stated Ohioans continue to receive a great deal of misinformation about judges and the courts and believe that judges are influenced by politics and campaign contributions. Committee members asked her if she favored proposals to add political affiliations to the judicial candidates like the other candidates and if she supported public financing of judicial races to reduce reliance on campaign contributions.

Chief Justice O'Connor said the party label would be a "miscue" to voters since the role of judges is to be independent and their work doesn't readily match itself to party ideology. She said judicial candidates are permitted to advertise their party affiliation, but it shouldn't be on the ballot. She suggested that public financing in other states hasn't worked effectively because special interest groups can advertise and influence elections and are not bound to any limits in campaign spending.

Asked directly by committee member **Dennis Mulvihill** if the problem with the Ohio judicial election system is that judges are influenced by campaign contributions, the chief justice rejected the notion.

"I think it's a perceived problem. But I don't believe a judge in Ohio would consider who their contributors are when they make their decisions," she said.

Mulvihill proposed, and the chief justice concurred, that contributors make donations because they share the judge's judicial philosophy and overall views on a judge's role.

Committee Chair **Janet Abaray** said the group will continue to take recommendations under advisement and report their proposed changes to the full commission.

COURT INTERPRETER | Continued from page 4.

"Court interpreters are crucial for providing equal access to justice," Romero said. "They become the voice of the litigant as they must interpret everything that is said or written without editing. Interpreters are not allowed to give advice or an opinion in the case they are helping with."

"We have become so in demand and the need for interpreters currently is great," Arrieta said. "The biggest challenge in my court is to cover the vast need of interpretations daily."

State and federal laws require court interpreters. The Cleveland Municipal Court recently hired a fourth court interpreter due to the high demands, and Arrieta credits Administrative and Presiding Judge **Ronald B. Adrine** with being so supportive of the growing need.

Judge Adrine has been close to the Supreme Court's language services program for a long time as he was chair of the program's committee from 2005 to 2010. Before that Judge Adrine also chaired the Ohio Commission on Racial Fairness. In 1999, the commission issued a report and one of the recommendations included a model rule for the appointment of interpreters in legal proceedings. This recommendation later became Rule 88. His work in this area spans over 20 years.

Judge Adrine said interpreters are vital to safeguarding people's rights, and that's why the municipal court has invested in so many.

"For me it's a no brainer. When an individual is in a courtroom setting and can't understand what's going on in front of them, they have no way at all to get due process," Judge Adrine said. "Everybody, regardless of where they are from or what language they speak – it's imperative that we make that happen for people."

Besides protecting litigants, Judge Adrine said interpreters also help uphold judgments as they protect the court record by making sure an individual is properly represented.

Arrieta started at Cleveland Municipal Court in 2009 and estimates she has participated in more than 6,000 hearings in Spanish, French, and Italian. Though she's stationed in Cleveland, Arrieta also travels to six other courts across the state to lend her expertise. She uses her vacation time to take on these assignments.

Arrieta shows these court employees the Ohio court interpreter roster and tells them about the Supreme Court's language services program.

"I go to become a resource for different counties and encourage courts to use certified interpreters when available," Arrieta said. "I also know that I can learn a lot from the different courts and the different procedures being done."

Arrieta continues to study for court certifications in different languages. Besides being state certified in Spanish, she recently passed her federal written test in Spanish and will soon take her oral exams. If she receives a passing score, Arrieta said she believes she would become the third federally certified interpreter in the state and could then work in federal courts and other state courts across the country.

"I will work as hard as I can to accomplish the goal of being certified in my other languages of expertise and become a resource for any who are interested in the profession," Arrieta said. "It is such a privilege to do what I do now for a living. I feel that the sky is the limit."

Contact Arrieta if interested in observing a trial or court proceedings with a court interpreter or attending additional trainings with the Community and Court Interpreters of the Ohio Valley at 216.664.3952.

For more information about becoming a certified court interpreter, contact the Language Services Program at 614.387.9404 or InterpreterServices@sc.ohio.gov.

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

judicialeducation.ohio.gov

Feb. 10

**Probation Officer Training Program:
Introduction to Offender Skill Building**

Probation Officers
Toledo/Perrysburg

Feb. 11

Judicial Candidates Seminar

Judicial Candidates
Dayton/Fairborn
1:30 p.m. – 3:30 p.m.

Feb. 18

**Probation Officer Training Program:
Professional Communication**

Probation Officers
Akron/Fairlawn

Feb. 19

**Guardian ad Litem Pre Service Course
(2 of 9)**

Guardians ad Litem
Toledo/Perrysburg

Judicial Candidates Seminar

Judicial Candidates
Cleveland
1:30 p.m. – 3:30 p.m.

**Web Conference: Understanding Ohio's
Court-Ordered Outpatient Treatment
Law: SB 43**

Probate Judges & Magistrates
1 p.m. – 3 p.m.

Feb. 24

**Probation Officer Training Program:
Introduction to Offender Skill Building**

Probation Officers
Columbus

Feb. 25

**Guardian ad Litem Continuing
Education Course: Psychiatric Disorders
in Children**

Guardians ad Litem
Toledo/Perrysburg
1 p.m. – 4:30 p.m.

Feb. 26

Appellate Judges Seminar

Judges
Columbus

**Guardian ad Litem Continuing
Education Course: Psychiatric Disorders
in Children**

Guardians ad Litem
Toledo/Perrysburg
8:30 a.m. - Noon

Feb. 26 & 27

Intercourt Conference

Juvenile Court Personnel
Columbus

Feb. 27

**Web Conference: Attorney Fees in
Municipal/Common Pleas Courts**

Judges, Magistrates & Acting Judges

March 3

**Probation Officers Training Program:
Intro to Cognitive Behavioral
Interventions**

Probation Officers
Dayton/Beavercreek

Language Services Events

sc.ohio.gov/JCS/interpreterSvcs

Feb. 20

**Orientation Training for Written
Certified Interpreter Written Exam**
Exam Candidates

Feb. 27

Certified Interpreter Written Exam
Exam Candidates

Supreme Court of Ohio

sc.ohio.gov

Feb. 16

Presidents' Day
Court Offices Closed

Feb. 24 & 25

Oral Arguments

Feb. 24 – 26

Administration of Ohio Bar Exam

March 10 & 11

Oral Arguments

Ohio Center for Law- Related Education

ocltre.org

Feb. 20

**High School Mock Trial
2015 Regional Competitions**
Various Locations