

THE SUPREME COURT of OHIO



2019

ANNUAL REPORT



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Maureen O'Connor
Chief Justice

Sharon L. Kennedy
Judith L. French
Patrick F. Fischer
R. Patrick DeWine
Michael P. Donnelly
Melody J. Stewart
Justices

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DEAR OHIOANS:

Like every one before it, 2019 was a year of evolution in the Supreme Court of Ohio, as our work continually changed to meet the challenges of the day and the opportunities of the moment.

At the beginning of 2019 we welcomed two new justices to the Court. Justices Michael P. Donnelly and Melody J. Stewart brought a wealth of experience and knowledge to our bench and each settled in nicely to meet the demands of our important work.

Throughout the year, our staff worked with hundreds of judges and court personnel to address issues they face, providing them guidance on topical matters. Through hundreds of judicial and court education events, we presented the latest information from some of the country's leading experts on problems facing Ohio's courts – opioid addiction and our state's drug courts, responsibilities of adult guardians, alternative case resolution through mediation, pretrial services focusing on bail and fines, and much more.

Beginning in late spring, we helped to herald the work of one of our partner organizations with the debut of “Second Chances: One Year in Ohio's Drug Courts,” a documentary following the lives of Ohioans in recovery and the judicial officials helping to guide them to sobriety, rather than lock-up. With input by our public information and court services staff, the video was expertly filmed and edited and offered a compelling look at the work of three of Ohio's drug courts.

The year 2019 also brought the reporting of two task forces. The first studied the state's disciplinary system for judges and attorneys, and the second explored bail reform. Members of both task forces were conscientious in their consideration of these important matters and reported recommendations for the justices to consider.

I encourage you to explore these noted events and topics further in the following pages, where you also can read synopses of some of the Court's 2019 case opinions, as well as other operational highlights of the year.

As always, we welcome your input.

God Bless,

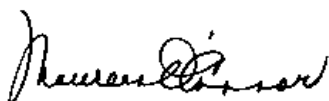




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VISITING JUDGES

SUPREME COURT OF OHIO



STANDING, FROM LEFT TO RIGHT: Justice Michael P. Donnelly, Justice Patrick F. Fischer, Justice R. Patrick DeWine, and Justice Melody J. Stewart.

SEATED, FROM LEFT TO RIGHT: Justice Sharon L. Kennedy, Chief Justice Maureen O'Connor, and Justice Judith L. French.

CHIEF JUSTICE MAUREEN O'CONNOR

Chief Justice Maureen O'Connor is the first woman and 10th chief justice in Ohio history. She was re-elected as the head of Ohio's judiciary in 2016. Since becoming chief justice, she has led significant reforms and improvements in the Ohio judicial system, including improving access to justice by advocating for reasonable court fines, fees, and bail practices, especially for economically disadvantaged communities. She also established a task force to study grand jury proceedings in Ohio, created a committee to examine the administration of the death penalty, and leads efforts of an eight-state initiative to combat the nation's opioid epidemic. She is past president of the national Conference of Chief Justices and former chair of the National Center for State Courts Board of Directors. Chief Justice O'Connor joined the Supreme Court in January 2003.

JUSTICE SHARON L. KENNEDY

A former Butler County Domestic Relations Court judge, Justice Sharon L. Kennedy won election to an unexpired term on the Supreme Court in November 2012, and was elected to her first full term in November 2014. She served on the bench in Butler County from 1999 to 2012, where, as administrative judge, she improved its case management system to ensure the timely resolution of cases for families and children. Before becoming a judge, she was special counsel to the attorney general and a part-time magistrate. She began her career as a police officer.

JUSTICE JUDITH L. FRENCH

Justice Judith L. French is a former judge of the Tenth District Court of Appeals. She won election to her first full term on the Supreme Court in November 2014. Before serving as an appellate judge, she was chief legal counsel to Gov. Bob Taft, as well as an assistant attorney general and then chief counsel to the attorney general. Twice, she argued before the U.S. Supreme Court, including on behalf of the state in the Cleveland school-vouchers case. She became the 155th justice of the Ohio Supreme Court in January 2013, after a gubernatorial appointment.

JUSTICE PATRICK F. FISCHER

Justice Patrick F. Fischer began his first term on the Supreme Court on Jan. 1, 2017, following his election in 2016. He previously was elected to Ohio's First District Court of Appeals in 2010, and was re-elected in 2012. Respected within the state's legal community, he served as president of the Ohio State Bar Association from 2012 to 2013, and also served on the OSBA's board of governors. While practicing law for 30 years, Justice Fischer tried cases throughout the country and was named to Best Lawyers in America and Ohio Super Lawyers.

JUSTICE R. PATRICK DEWINE

Justice Pat DeWine began his first term on the Supreme Court on Jan. 2, 2017, following his election in 2016. Before joining the Supreme Court, Justice DeWine served on the First District Court of Appeals and also served on the Hamilton County Common Pleas Court. Before becoming a judge, he practiced law for 13 years and began his legal career as a law clerk for the Honorable David A. Nelson on the U.S. Sixth Circuit Court of Appeals. He also served in local government, as a member of the Hamilton County Board of Commissioners and Cincinnati City Council.

JUSTICE MICHAEL P. DONNELLY

Justice Michael P. Donnelly began his first term on the Supreme Court in January 2019, following his statewide election in 2018. Before joining the state court, Justice Donnelly served as a judge on the Cuyahoga County Court of Common Pleas, General Division, for 14 years, from 2005 to 2018. He was an assistant Cuyahoga County prosecutor from 1992 until 1997, and went on to practice civil litigation for seven years, representing plaintiffs and injured workers in asbestos litigation, personal injury lawsuits, and workers' compensation claims. Justice Donnelly was chair of the Supreme Court's Commission on Professionalism.

JUSTICE MELODY J. STEWART

Justice Melody J. Stewart was elected in November 2018 to a full term as the 161st justice of the Supreme Court of Ohio. Prior to joining the Supreme Court, she served on the Eighth District Court of Appeals – elected to an unexpired term in 2006 and twice re-elected to full terms. Justice Stewart has more than 30 years of combined administrative, legal, and academic experience. She was an administrator for a health-care management company, a music teacher, a civil defense litigator, and a law school administrator and professor before being elected to the court of appeals.

Click on a justice's name to read their full biography.





SUPREME COURT DECISIONS

The Supreme Court issued many opinions in 2019, some dealing with highly anticipated legal issues. The following is a sampling of rulings that drew public interest.



Click to watch archived video of the oral argument.

Right to Contest Adoption Survives When Court Relieves Parent of Paying Child Support

The Court ruled in June that a child's natural parent does not give up the right to consent to the child's adoption for failure to provide "maintenance and support" if the parent receives a court order relieving the parent of the obligation to pay child support.

In its decision, the Supreme Court ruled that if a parent receives a court order allowing the parent not to pay child support, then that order supersedes any other legal requirement to financially support the child.

In the opinion, Justice Kennedy explains that Ohio parents are subject to a general legal obligation to support their children, but when there are court orders for child support, those orders establish the parents' obligation of support. The Clermont County Juvenile Court had granted the father of a child identified in court records as "B.I." a zero-support order. The Court held that the lack of payments made pursuant to that order could not be used to argue that the natural father lost his right to consent to an adoption for failure to financially provide for the child.

[2018-0181](#), [2018-0182](#), [2018-0350](#), and [2018-0351](#). *In re Adoption of B.I.* [157 Ohio St.3d 29](#), [2019-Ohio-2450](#). ▶

Common Pleas Court Can Consider High School's Sports Challenge

In July, the Court ruled a Hamilton County Common Pleas Court judge could consider a Catholic high school athletic league's challenge to the Ohio High School Athletic Association's (OHSAA) "competitive balance rules" that help determine which divisions high schools compete in for state championships. In its decision, the Supreme Court denied the OHSAA's attempt to block Judge Robert P. Ruehlman from further considering the schools' challenge to the competitive balance rules.

Writing for the Court, Justice DeWine stated that the common pleas court had jurisdiction over the case because the subject matter of

the dispute is within the jurisdiction of the common pleas court and no other court or government agency has exclusive jurisdiction to hear the claim.

[2018-1200](#). *Ohio High School Athletic Association v. Ruehlman*. [157 Ohio St.3d 296](#), [2019-Ohio-2845](#).

Law Limits Time to File Breach-of-Contract Lawsuits for Faulty Construction

The Court ruled Ohio's construction "statute of repose" applies to both tort and breach-of-contract claims, meaning property owners claiming defective construction by architects, engineers, and contractors must file lawsuits within 10 years of a project's completion. The Court decided in July that the designers and builders of the New Riegel Local School District's K-12 building can claim the district waited too long to file a breach-of-contract lawsuit against the companies in 2015.

The decision reversed the Third District Court of Appeals, which had ruled it was obliged to follow a 1986 Ohio Supreme Court decision finding the statute of repose applies only to tort lawsuits and not breach-of-contract claims. Writing for the Court, Justice French stated that when state lawmakers revised R.C. 2305.131, it was fully aware of the Court's prior decisions, and updated the statute of repose to apply to breach-of-contract lawsuits. A "statute of repose" places a specific time limit on when a lawsuit can be filed.

[2018-0189](#) and [2018-0213](#). *New Riegel Local School Dist. Bd. of Edn. v. Buehrer Group Architecture & Eng., Inc.* [157 Ohio St.3d 164](#), [2019-Ohio-2851](#). ▶

Banks Entitled to Restitution for Forged Checks

Under Ohio law, banks can be considered "victims" of forgery and a court can order a Franklin County man to pay restitution to three banks where he cashed seven checks, the Court ruled in November.

The Court's decision ruled that a bank, which is required by law to reimburse an account holder when it pays a forged check, can be

considered to be victim of a forgery crime. As a result, R.C. 2929.18 allows a court to order the forger to repay the bank. The decision reversed the ruling of the Tenth District Court of Appeals.

In the Court's opinion, Justice DeWine wrote the banks "were the victims of Allen's crimes under any plausible, common-sense understanding of the word 'victim.'"

[2018-0705](#). *State v. Allen*. [Slip Opinion No. 2019-Ohio-4757](#). ▶



Dog's History of Biting Can Be Used to Convict Owner of Crime

As long as the prosecution has reason to believe a dog has a history of being dangerous, an official designation of a "dangerous dog" is not required before the dog's owner can be charged with failing to contain and control a dangerous dog, the Court ruled.

The Court found in December that a 2012 state law provides a fair process for a dog warden to have a dog designated as dangerous, but the designation is not a prerequisite to charging an owner with crimes related to handling a dangerous dog.

Writing for the majority, Justice Stewart stated that if the prosecution has reason to believe that the dog's history included either causing a non-serious injury to a person or killing another dog, or the owner repeatedly failed to control the dog, then the owner can be charged with failing to control a dangerous dog.

[2018-0601](#). *State v. Jones*. [Slip Opinion No. 2019-Ohio-5159](#). ▶

COURT COSTS

Court Cost-Only Judgment Cannot Be Appealed

When a trial court decides not to impose a sentence for a minor misdemeanor, the Court ruled it then must clearly state in the judgment of conviction that no sentence was imposed before the convicted person can file an appeal.

The Court ruled in April on a Hamilton County trial court's issuance of a judgment of conviction that imposed court costs, but omitted any reference to a fine or other sanction. The case concerned a man convicted of failure to maintain reasonable control of his vehicle. The Court decided the decision could not be appealed because the trial court's ambiguously worded order did not include a reference to its decision not to impose a sentence.

Writing for the Court, Chief Justice O'Connor stated that when a trial court decides not to impose a sentence for a minor misdemeanor, a judgment of conviction cannot be appealed, unless it contains a statement indicating that no sentence would be imposed.

[2017-1292](#). *State v. White*. 156 Ohio St.3d 536. 2019-Ohio-1215. ▶

Trial Courts Can Waive Previously Imposed Court Costs

In an October decision, the Court ruled Ohio trial courts can waive, suspend, or modify unpaid court costs at any time for any case in which they imposed the costs.

In its decision, the Court ruled a 2013 state law indicating trial courts can waive the costs served to clarify that judges and magistrates always had that right. The decision reverses a December 2018 Court decision.

The Court agreed to reconsider its original ruling, which rejected the claims of death-row inmate David Braden, who asked a trial court in 2016 to waive the court costs imposed as part of his 1999 conviction. The Court had upheld the trial court's denial of the request, finding that trial courts were empowered to waive costs at any time, but only for sentences rendered after the law took effect in 2013. Writing for the latest Court majority, Justice French stated the law "plainly allows" trial courts to waive the costs for cases decided before 2013.

[2017-1579](#) and [2017-1609](#). *State v. Braden*. Slip Opinion No. 2019-Ohio-4204.

Cuyahoga County Not Immune from Lawsuit Filed by Fired Employee

The Court ruled in June that political subdivisions are not immune from lawsuits by former employees, as long as the worker's claim is connected to the "employment relationship" with the government body. The ruling rejected Cuyahoga County's argument that it was immune from a false-light invasion of privacy claim by Marcella King Piazza.

Writing for the Court majority, Justice French wrote that R.C. 2744.09(B) is an exception to the general principle that government bodies are immune from civil lawsuits. The law applies to actions "relative to any matter that arises out of the employment relationship between the employee and the political subdivision," the opinion stated. The law does not require the person to be a current employee, as the county argued. The opinion stated that the county's interpretation would encourage government bodies to terminate employees after an incident occurred to avoid being sued.

"It is unreasonable to presume the General Assembly intended to incentivize an employer to terminate an employee who may have an employment-related claim to preserve its entitlement to political subdivision immunity," Justice French wrote.

[2017-1649](#). *Piazza v. Cuyahoga Cty.* 157 Ohio St.3d 497. 2019-Ohio-2499. ▶

Public Bodies Cannot Use Secret Ballots to Take Official Action

The Court ruled in August that a governmental body cannot conduct public business by way of a secret ballot, siding with the operator of a community newspaper that sued the village of Bratenahl. Patricia Meade claimed the village council violated the Open Meetings Act when it voted by secret ballot to elect a councilmember to serve as the president pro tempore.

Writing for the Court, Justice DeWine rejected the village's



position that it could vote by secret ballot during a meeting that was open to the public.

“The act is not satisfied simply because the doors of a council meeting are open to the public,” Justice DeWine wrote. The Court pointed out that the act does not just say that meetings must remain open to the public. “We read this to mean that that portion of the meeting in which the formal action is taken – here, the vote – must be open,” the Court wrote. Such a reading, it explained, comports with the purpose of the law – to require public business to be conducted in a manner that is accessible to the public.

[2018-0440](#), *State ex rel. More Bratenahl v. Bratenahl*, 157 Ohio St.3d 309, 2019-Ohio-3233. ▶

State Workers Can Be Fired during Probationary Period at Employer’s Discretion

An August Court ruling found that Ohio government employers have the right to fire civil service employees for unsatisfactory service during their initial probationary periods.

The Court ruled a former administrator at the Sandusky Veterans Home did not cite any state law that would prevent the Ohio Department of Veterans Services from terminating him during his initial probationary period. Writing for the majority, Justice French explained the Court recognizes a “public policy” exception to the traditional rule that allows an employer to dismiss a worker without providing any reason, but the laws James Miracle cited did not prohibit probationary employees from being fired.

Justice French also noted that allowing a probationary employee to sue for wrongful discharge would actually have the effect of giving a new state worker more rights than a tenured civil service employee.

[2018-0562](#), *Miracle v. Ohio Dept. Veterans Servs.*, 157 Ohio St.3d 413, 2019-Ohio-3308. ▶



Court Upholds Statute Eliminating Residency Quotas in Cleveland’s Public Construction Contracts

The Court, in September, ruled that state lawmakers had the authority to enact a law invalidating the city of Cleveland’s ordinance that required public-works construction project contractors to hire city residents.

The Court rejected Cleveland’s claim that a state law could not prevent the city from enforcing a mandate that public construction contracts more than \$100,000 include a provision requiring city residents to perform 20 percent of the total construction hours on the project. In the Court’s opinion, Justice Kennedy wrote that the General Assembly has broad power under Article II of the Ohio Constitution to legislate for the welfare of working people, and the 2016 state law blocking the Cleveland requirement “protects all employees engaged in construction trades.”

Justice Kennedy explained that if R.C. 9.75 falls within the legislative power vested in the General Assembly by Article II, Section 34 of the Ohio

Constitution, then the state law prevails over local laws. Article II, Section 34 states: “Laws may be passed fixing and regulating the hours of labor, establishing a minimum wage, and providing for the comfort, health, safety and general welfare of all employees; and no other provision of the constitution shall impair or limit this power.”

[2018-0097](#), *Cleveland v. State*, 157 Ohio St.3d 330, 2019-Ohio-3820. ▶

Cincinnati Must Pay Newspaper’s Legal Bill for Withholding Arrest Videos

In September, the Court ruled the city of Cincinnati did not act in good faith when it delayed releasing to the Cincinnati Enquirer body-camera footage of police officers using Tasers to subdue two men during a 2017 arrest.

The Court denied the newspaper’s request for a writ of mandamus, which would have forced the city to turn over 19 videos, because the city provided redacted copies of those videos after the Enquirer’s request was filed. However, the Court ruled that

the Enquirer is entitled to have its attorney fees and court costs paid by the city because a 2016 public records law permits an award of attorney fees when a public office or official acts in bad faith when voluntarily providing records after a suit is filed.

The city's initial refusal to provide the videos to an Enquirer reporter stated the footage was exempt under the "confidential law enforcement investigatory records (CLEIRS)" exception to the state public records law. Writing for the Court, Justice Fischer stated the city's position "raises a question of whether the city even reviewed the videos before asserting that exception."

The city admitted that five videos contained "nothing of investigative value," but only show police officers driving. The opinion stated that the failure to produce the records "suggests the possibility the city never bothered to review any of the videos to see what they contained."

[2017-1618](#). *State ex rel. Cincinnati Enquirer v. Cincinnati*. 157 Ohio St.3d 290, 2019-Ohio-3876. 

Appeals Court Exceeded Its Authority in Portage County Surface Mining Case

In a November ruling, the Court determined an Ohio appeals court improperly "second-guessed" a Portage County trial court's decision allowing for sand and gravel mining on a former 225-acre horse farm in Streetsboro.

The Court determined the Eleventh District Court of Appeals improperly reweighed the evidence concerning Shelly Materials' application for a conditional-use permit to mine the property known as Sahbra Farms. Streetsboro's planning and zoning commission denied the permit shortly after the city adopted an ordinance to no longer allow surface mining in the city.

In the Court's lead opinion, Justice Stewart wrote the Portage County Common Pleas Court used the proper standard of review for



Shelly's appeal and that the Eleventh District could not substitute its judgment on the evidence for that of the common pleas court.

[2018-0237](#). *Shelly Materials, Inc. v. Streetsboro Planning & Zoning Comm.*, [Slip Opinion No. 2019-Ohio-4499](#). 

Township Cannot Be Sued Based on Hiring and Supervision of Officer Who Injured Motorist

Under Ohio law, a township cannot be held liable for negligence in the hiring, training, or supervising of a police officer who subsequently is involved in an accident during a high-speed pursuit of criminal suspects, the Court ruled in November.

A motorist injured when an officer slammed into her car while pursuing suspected car thieves sued Coitsville Township in Mahoning County on the theory

that the township failed to properly train and oversee the officer. The Court ruled that the township could not be held liable on that theory.

In the Court's opinion, Justice Kennedy stated that there is an exception to broad governmental immunity if an officer causes injury, death, or loss of property when "operating a motor vehicle" while responding to an emergency call. But the determination of the government's responsibility is based on the officer's driving at the time of the incident, not on a governmental body's hiring, training, or supervision. The governmental body can be liable if an officer's operation of the vehicle constitutes willful or wanton misconduct.

[2018-0377](#). *McConnell v. Dudley*, [Slip Opinion No. 2019-Ohio-4740](#). 

Search of Man Walking Near Where Gunshots Heard Was Constitutional

A police search of a man walking and talking on his cell phone in an area where gunshots were fired was lawful, and the handgun obtained during the search could be used as evidence, the Court ruled in May, denying Jaonte Hairston's claim that the search by Columbus police violated his Fourth Amendment rights against unlawful searches and seizures.

Writing for the Court, Justice DeWine wrote that the "cumulative facts" of the situation provided the required reasonable suspicion to stop and search Hairston.

After driving to the believed vicinity of the gunshots, officers stopped and searched Hairston and charged him with carrying a concealed weapon. He filed a motion to suppress the evidence, arguing the police lacked the required reasonable suspicion to detain him. During the suppression hearing, one officer testified that he patrolled that city zone for his entire six-year career and explained that various criminal activity frequently occurred in the area during the evening hours.

Applying the U.S. Supreme Court's 1968 *Terry v. Ohio* decision regarding the standards for police to conduct an investigatory stop of a person suspected of criminal activity, the trial court concluded the officers had reasonable suspicion to stop Hairston.

[2017-1505, State v. Hairston, 156 Ohio St.3d 363, 2019-Ohio-1622.](#) 

Court Must Reconsider Guilty Plea Withdrawal by Immigrant Facing Deportation

The Court ruled a Honduran native living in Stark County and facing deportation can pursue his claim that he received ineffective legal assistance. In a ruling in

May, the Court determined that a trial judge who warned Carlos Romero that he "may" be deported by pleading guilty to three drug-related crimes used the wrong standard to deny Romero his right to withdraw his pleas. The Court directed the Stark County Common Pleas Court to use a standard developed by the U.S. Supreme Court to determine if Romero's lawyer was ineffective and whether effective legal assistance would have changed the outcome of his case.

In the Court's opinion, Justice French outlined various factors the trial court should consider, including: the defendant's connection to the United States; the importance the defendant places on avoiding deportation; and the impact of the court advising the defendant of the consequences of pleading guilty to the crime. The Court's ruling gave the trial judge the discretion to rule on the matter based on the materials already presented or to conduct an evidentiary hearing.

[2017-0915, State v. Romero, 156 Ohio St.3d 468, 2019-Ohio-1839.](#) 

Judge Cannot Impose Community Controls to Be Served After Prison Sentence

In August, the Court ruled that Ohio's criminal sentencing laws do not allow a trial court to impose community-control sanctions for a felony offense to run consecutively to a prison sentence imposed for another felony offense. In the Court's lead opinion, Justice Fischer explained that judges are allowed only to impose sentences authorized by Ohio law, and nothing in the Ohio Revised Code authorizes a judge to impose community-control sanctions consecutively to a prison sentence.

Justice Fischer explained that in 1995, Ohio lawmakers "fundamentally altered Ohio's criminal sentencing system" by passing Senate Bill 2. The Court has since interpreted the reforms to

mean that Ohio courts may impose only sentences authorized by statute.

Justice Fischer explained there is proof that lawmakers did not intend, in general, to allow trial courts to run community-control sanctions consecutively to prison sentences because the legislature specifically permits the practice for one kind of offense. R.C. 2929.15(A)(1), the opinion noted, requires a community-control sanction to follow any prison time imposed on a person sentenced to prison for a third- or fourth-degree operating-a-vehicle-under-the-influence (OVI) conviction.


[2018-0012, State v. Hitchcock, 157 Ohio St.3d 215, 2019-Ohio-3246.](#) 

Double Jeopardy Protections Do Not Bar Prosecuting Man Who Changed Story about Son's Death

The Court ruled in October that dismissal of a charge through a plea agreement is not the equivalent of an acquittal, and a Putnam County man who was convicted of child endangering and served five years in prison for the death of his 2-year-old son can be charged with murder.

The Court sided with a Putnam County trial court, which rejected Travis Soto's argument that the double-jeopardy clauses of the U.S. and Ohio constitutions bar him from being tried for the 2006 death after he confessed 10 years later to beating his son to death. Soto pleaded guilty to child endangering after telling authorities he accidentally killed his child in an all-terrain vehicle accident.

Writing for the Court, Justice DeWine stated that because an involuntary-manslaughter charge against Soto was dropped before a jury was selected, jeopardy never attached to the charge. Double-jeopardy protections did not apply when prosecutors later sought to charge him for aggravated murder and other offenses.

[2018-0416, State v. Soto, 158 Ohio St.3d 44, 2019-Ohio-4430.](#) 




First Energy Electric Grid Modernization Charge Improperly Imposed

Since 2017, FirstEnergy Companies' customers have paid millions of dollars extra per year through a rider intended to incentivize the companies to modernize their energy-distribution systems. The Court ruled in June that the Public Utilities Commission of Ohio (PUCO) improperly authorized those charges and ordered them to be removed.

The Court ruled that the PUCO characterized the distribution modernization rider (DMR) as an incentive to "jump start the Companies' grid modernization efforts," but failed to place any conditions on the additional funds that would allow the rider to act as an incentive.

In the Court's opinion, Justice Donnelly stated that the critical problem is that the companies are not required to make any investments to modernize the distribution grid in exchange for the DMR revenues. He also noted that the commission failed to place effective conditions on the DMR that would protect ratepayers in the event the DMR money was not used for its intended purpose.

[2017-1444](#) and [2017-1664](#). *In re Application of Ohio Edison Co.* [157 Ohio St.3d 73](#), [2019-Ohio-2401](#). 

Modification of Wind Farm Permit Not Subject to Stricter Location Standards

The Court ruled in June that the Ohio Power Siting Board was authorized to allow a proposed 25-turbine wind farm in Huron County to change the model of turbines it will use without subjecting the facility to stricter turbine-setback requirements imposed by state lawmakers after the wind farm's original certification.

In its decision, the Supreme Court determined that 6011 Greenwich Windpark's request in 2015 to add three new models of turbines to the list of acceptable turbines for its facility did not require an amendment to the facility's operating certificate. A 2014 state law required any wind farm amending its certificate to follow the state's new setback requirements, which increased the distance between a turbine and a neighbor's property line.

Writing for the Court, Chief Justice O'Connor stated that the word "amendment" has a specific meaning in the state law pertaining to wind-energy facilities. She wrote that the siting board correctly concluded that Greenwich Windpark's request did not require an amendment to its certificate for purposes of subjecting the facility to the stricter setback requirements.

[2017-1375](#). *In re Application of 6011 Greenwich Windpark LLC.* [157 Ohio St.3d 235](#), [2019-Ohio-2406](#). 

Regulators Lack Authority to Impose Cost-Recovery Cap on Utilities' Energy Efficiency Plan

State law does not give the Public Utilities Commission of Ohio (PUCO) authority to preemptively cap the costs FirstEnergy can recover in its plan for energy efficiency and energy-demand reduction programs, the Court ruled in October.

The Court found that modifying the utility's proposed plan by imposing a preemptive "cost cap" on the amount FirstEnergy could recover was not authorized under the law. The Court rejected the commission's claim that it could do so under R.C. Chapter 49, as part of its broad authority to regulate electricity utilities.

Writing for the Court, Chief Justice O'Connor stated the justices found no "express or implied authorization in the language" of the statute (R.C. 4928.66) for the commission's action.

The commission capped the amount FirstEnergy could recover on its efficiency and demand-reduction programs at 4 percent of its annual revenues. The PUCO staff had proposed a 3-percent cap, while the company, supported by several environmental groups, maintained the caps were not lawful or necessary because other PUCO orders protected consumers against cost increases.

[2018.0379](#). *In re Application of Ohio Edison Co.* [158 Ohio St.3d 27](#), [2019-Ohio-4196](#). 

COURT STARTS YEAR WITH NEW MEMBERS

A new year and a new court came to session in January 2019 with two new justices on the Ohio Supreme Court: Hon. Michael P. Donnelly and Hon. Melody J. Stewart.

After serving the Cuyahoga County Common Pleas Court for 14 years, the 160th justice on the state's high court felt he needed to be a part of the bigger picture.

"I wanted to be in a position where I could work with my fellow justices, all the stakeholders in the system, and work on policies that will help make our justice system better and foster confidence in the citizens that we serve – that the justice system is working the way it's supposed to be and is transparent and is efficient as it should be," Justice Donnelly said.

Justice Donnelly was the first trial court judge elected to the Court since Justice Kennedy in 2012.

His term began on January 1.



"I WANTED TO BE IN A POSITION WHERE I COULD... WORK ON POLICIES THAT WILL HELP MAKE OUR JUSTICE SYSTEM BETTER AND FOSTER CONFIDENCE IN THE CITIZENS THAT WE SERVE."

JUSTICE DONNELLY



"I DON'T KNOW THAT YOU FEEL IT WHEN YOU'RE IN THE MOMENT. I CERTAINLY RECOGNIZE AND APPRECIATE THE HISTORIC ASPECT OF MY BEING ELECTED TO THIS SEAT AND THIS POSITION."

JUSTICE STEWART

A day later, former Eighth District Court of Appeals Judge Stewart – the Supreme Court's 161st justice – took office as the first African-American woman elected to the state's premier bench.

"I don't know that you feel it when you're in the moment. I certainly recognize and appreciate the historic aspect of my being elected to this seat and this position," Justice Stewart said. "I've never thought of myself as a person with ambition. I just learned things, learned about things."

Her path to the top of Ohio's judiciary was unique in other respects. Prior to her legal career, she spent several years in school not only taking notes, but playing them as well, culminating in a music degree from the University of Cincinnati.

Prior to the bench, her unconventional road made several stops in multiple industries. She was an administrator for a health care management company, a music teacher, a civil defense litigator, as well as a law school administrator and professor before being elected to the appellate court in 2006.

Rule Changes

The Court enacted a number of rule changes in 2019, including those that dealt with:

CLERK FILINGS

The Court adopted amendments that define an official record as the electronic version. The electronic version of documents, whether filed through the e-filing portal in the first instance or received by the Clerk's Office in paper format and subsequently scanned into electronic format, constitutes the official record in the case.

JUDICIAL FUNDRAISING

The Court adopted changes to the Ohio Code of Judicial Conduct to increase the time a judicial candidate's campaign committee can start soliciting and receiving campaign contributions.

According to the former rule, the campaign committee of a judicial candidate could begin soliciting and receiving contributions no earlier than 120 days before the date of the primary election. The change increased that time to 180 days before the primary date.

Additionally, the amendment corrected an error with regard to the date of the primary election in presidential election years. Before the rule change, it listed the presidential primary date as being the first Tuesday after the first Monday in March. The amendment correctly reflects that date as the second, rather than first, Tuesday after the first Monday.

MARSY'S LAW

Civil, criminal, and juvenile proceedings, and rules of evidence were updated. The changes included amendments to various rules that implement provisions of Marsy's Law, which extended new rights to crime victims. The changes also modify the process by which indigent criminal defendants request expert witnesses or investigators. In addition, the changes created more uniform time frames to respond to certain motions and also specified when the terms of plea agreements must be stated on the record.

OUT-OF-STATE-ATTORNEY ADMISSION RULE CHANGES

The Court adopted an amendment allowing attorneys who passed another state's bar exam to practice law in Ohio while their requests to be admitted to the Ohio bar without examination are pending.

SIGN LANGUAGE AND FOREIGN LANGUAGE INTERPRETERS

The Court adopted new amendments to require American Sign Language (ASL) interpreters and foreign language interpreters to undergo legal training. Although the foreign language requirements were programmatic prerequisites, they were codified to provide clarity and transparency for the benefit of candidates and courts.

Chief Justice Tasks Two Groups with Study of Critical Issues

Chief Justice O'Connor appointed two task forces in 2019, one to study the state's bail system and the other to examine Ohio's disciplinary system for judicial officers and attorneys.

The Supreme Court of Ohio Task Force to Examine the Ohio Bail System issued nine recommendations in its report, which was issued in July.

Among the report's recommendations:

- Require that a validated risk assessment tool be made available to the judge in every municipal, county, and common pleas court when setting bond or conditions of bond.
- Amend Ohio's Superintendence Rule 5, Local Rules, to require counties with more than one municipal or county court to adopt a uniform bond schedule to be used by each court in the county.
- Tailor pretrial services in Ohio courts to offer appropriate supervision and services that correspond to the level of a defendant's risk and needs.
- Consider all alternatives to pretrial detention.
- Leverage technology solutions, such as text and email reminders and remote video conferencing, as low-cost improvements to pretrial services.
- Implement a statewide, uniform data collection system to ensure a fair, effective, and fiscally efficient pretrial process.

Chaired by Montgomery County Common Pleas Court Judge Mary Katherine Huffman, the task force was comprised of 30 members, including judges, prosecutors, criminal defense lawyers, representatives from law enforcement, the bail industry, non-governmental organizations, two members of the state House of Representatives, and one state senator.

The Court's second task force, on the disciplinary process for judges and attorneys, issued its report in September.

In a 117-page report, the task force made recommendations to strengthen public trust and confidence in the judiciary system. Its proposals included:

- Expanding the role and responsibilities of local bar counsel in certified grievance committee investigations.
- Maintaining the current unitary system for investigating and adjudicating grievances against attorneys and judges.
- Requiring the Office of Disciplinary Counsel to have staff dedicated to the investigation and prosecution of allegations of misconduct by judicial officers.
- Streamlining and improving the process for investigating, prosecuting, and adjudicating grievances against Supreme Court justices.
- Creating procedures to address judicial fitness questions that arise during a disciplinary investigation or prosecution.
- Informing attorneys against whom a grievance has been filed of the available services from the Ohio Lawyers Assistance Program.
- Expediting disciplinary cases, through measures such as email, and increased use of disciplinary orders in lieu of full opinions.

The task force was comprised of 20 members from justice-related backgrounds and included Justice Fischer as a member. The group was chaired by Paul De Marco, former chair of the Ohio Board of Professional Conduct.



The report is available at
sc.ohio.gov/Publications/bailSys/report.pdf

COURT CHOOSES JEFFREY C. HAGLER AS ADMINISTRATIVE DIRECTOR

The Supreme Court selected retired U.S. Army Colonel Jeffrey C. Hagler as its new administrative director in April. Hagler, an Ohio native, started in the position in July.

“Hagler’s impressive experience as a lawyer and administrator, coupled with a career of proven leadership, parallels what we had hoped to find in an administrative director,” Chief Justice O’Connor said in the announcement. “His lifelong dedication to tackling problems and leading staff in new directions was central to this Court’s decision to appoint him.”

Hagler joined the Supreme Court after his retirement from the U.S. Army. He most recently served as a judge with the U.S. Army Court of Criminal Appeals in Fort Belvoir, Virginia, which conducts appellate reviews of Army court-martial convictions.

Prior to that position, Hagler was the primary legal adviser to the commander of the 18th Airborne Corps and to

Fort Bragg, North Carolina, the most populous military installation in the United States. From 2016 to 2017, he deployed as the primary legal adviser for Operation Inherent Resolve, the 70-nation counter-ISIS campaign in Iraq, Syria, and Kuwait.

Hagler also worked in several legal and legislative positions at the Pentagon; served in Afghanistan, where he managed rule-of-law initiatives, among many duties; and worked as a professor of criminal law at the U.S. Army Judge Advocate General’s Legal Center and School in Charlottesville, Virginia.

A graduate of the U.S. Military Academy at West Point, he earned his law degree from the University of Texas School of Law in Austin and is a licensed attorney in Texas.

Hagler is a native of Greene County, Ohio, where his father Judge Robert A. Hagler, served as probate judge in Xenia until his retirement in 2013.



Administrative Director Jeffrey C. Hagler addresses the Specialized Dockets Conference in November 2019.

NEW DISCIPLINARY COUNSEL NAMED

In September, the Supreme Court approved the appointment of Joseph Caligiuri as disciplinary counsel for the state of Ohio.

Caligiuri, who began a four-year term on Oct. 27, has worked in the Office of Disciplinary Counsel since 2002, serving as chief assistant disciplinary counsel since October 2012. He is the seventh person to serve full-time as disciplinary counsel since the position was established by the Supreme Court in 1977.

The Office of Disciplinary Counsel investigates and prosecutes complaints of ethical misconduct against Ohio lawyers and judges. The office also provides training to local certified grievance committees and participates in continuing education activities for lawyers and judges.

Caligiuri is president of the Association of Judicial Disciplinary Counsel, a national organization that promotes the integrity and effectiveness of state judicial disciplinary agencies. Prior to joining the Office of Disciplinary Counsel, he worked for more than three years as an assistant district attorney in Buffalo, New York.

SUPREME COURT HIRES REPORTER OF DECISIONS

The Supreme Court voted in July to hire Douglas M. Nelson as its new reporter of decisions.

In the position, Nelson leads the Reporter’s Office, which is responsible for editing, reporting, and overseeing the print publication of the Supreme Court’s opinions, rulings on motions, miscellaneous orders, and rule amendments. The Reporter’s Office also publishes the opinions of the Supreme Court, the Courts of Appeals, and the Ohio Court of Claims on the Supreme Court’s website.

Nelson, who joined the Supreme Court in 2015, served as an assistant reporter before assuming this role. As an assistant reporter, he edited drafts of opinions and oversaw the preparation and posting of case announcements and administrative actions to the Court’s website.



THE SUPREME COURT of OHIO

JUDICIAL GUIDE to Public Health



NEW COURT RESOURCE GUIDES JUDGES DURING PUBLIC HEALTH EMERGENCIES

In late October, the Court created a new guide for local Ohio courts to use in a pandemic and other public health emergencies.

Partnering with experts from the Ohio Department of Health, the guide outlined the legal authority to protect the health and well-being of Ohio citizens and communities.

The guide provides an in-depth look at federal-versus-state jurisdiction over public health emergencies, searches, restraints, and seizures,

**“WE WANT
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ARISES.”**

CHIEF JUSTICE O’CONNOR

and the protection of individual rights.

It covers the authority of Ohio’s health agencies, such as the Ohio Department of Health and local health departments, and addresses judicial authority in times of widespread crises, including how to manage court operations to ensure justice is carried out properly and expediently under trying circumstances.

“We want judges and communities to be prepared, before a serious health emergency arises,” said Chief Justice O’Connor, a member of the National Center for State Courts’ Pandemic and Emergency Preparedness Task Force. “Along with my counterparts from other states, I have been working with health experts to learn how to manage serious and likely threats to our communities.”

The Public Health Guide is available at
sc.ohio.gov/Publications/JCS/PublicHealthJudicialGuide.pdf



EVENTS KEEP JUSTICE PERSONNEL ON TOP OF LATEST COURT-RELATED INFORMATION

Every year, hundreds of judges, court officers, and treatment personnel come to Columbus to learn more about the state’s specialty courts. In 2019, they arrived in record numbers.

In November, more than 750 attendees participated in the 15th annual Ohio Supreme Court Specialized Dockets Conference at Ohio State University. The 28 sessions over the two-day event identified best practices and probed problems in drug courts, veterans’ courts, human trafficking courts, mental health courts, among others.

“You are taking part in a movement,” said Chief Justice O’Connor. “Ohio is on the forefront of changing the nature of court practices, and all of you are an essential part to that change.”

The lessons were conducted by regional and national experts, who’ve seen how committed local courts are to addressing issues stemming from substance use.

Whether it’s the implementation of medication-assisted treatment, or tailoring programs to each individual participating in a specialized docket instead of a “one size fits all” approach, data that compels courts to make changes is more accessible today for decision-makers. If it’s shared in person during conferences or through data dashboards on the Supreme Court’s website, that proof is helping court staff and treatment teams build on each other’s successes across the state.

“We have so much work to do to keep up with the problems that society delivers to us, but we are on the right track, and this gathering is proof of that,” Chief Justice O’Connor said.

IN MAY, hundreds of top judges, jail, and court personnel gathered to discuss strategies to make justice more fair in Ohio, regardless of how much money is in a defendant’s bank account at the Pretrial Justice Summit.

The Court hosted the event as way to talk about why bail reform is needed.

Pretrial is the part of the criminal justice system that begins when a person comes into contact with law enforcement and ends when any resulting charges may be resolved, either through a dismissal, plea, or trial.

“Too many Ohioans are in jail for one reason – they cannot afford bail,” Chief Justice O’Connor said to a forum held at Ohio State University. “Fifty-seven percent of people who sit in jail right now are not serving sentences. They have not been convicted of a crime. Instead, they are locked up because they can’t pay bail or post a bond.

“When people are in jail and wait for their cases to be disposed of, they risk losing jobs. They can also lose their homes – or custody of their children. In as little as three days, it can disrupt the life of an individual in ways that are very hard to remedy,” she said.

In 2017, the Baltimore, Maryland-based Pretrial Justice Institute named Ohio as a “state to watch” because several of the state’s most populous jurisdictions are taking steps to address pretrial release.



OPPOSITE PAGE: Tim Schnacke, executive director of the Colorado-based Center for Legal and Evidence-Based Practices, makes a presentation at the Pretrial Justice Conference in Columbus.

FROM TOP LEFT, CLOCKWISE: Melissa Darby, grants administrator for the Department of Public Safety's Office of Criminal Justice Services, leads a session on focusing grant applications. Brian Farrington, statistics analyst in the Supreme Court's Office of Court Services, discusses specialized-dockets data collection; graduates of Justice For Vets Mentor Corps gathered for a two-day Veteran Mentor Boot Camp program designed to provide veteran mentors working with veterans treatment court participants the knowledge and skills to support them throughout the program.



DATA DASHBOARDS

In February 2019, the Supreme Court launched online data dashboards containing interactive, real-time visualizations of Ohio's trial court caseload statistics. The data dashboards allow the general public, courts, and other justice partners to explore current and historical data regarding Ohio's court caseloads, case dispositions, and court performance.

FOR MANY YEARS, the Ohio Courts Statistical Report (formerly called the Ohio Courts Summary) was the sole comprehensive source of court caseload statistics available to the general public and observers of Ohio’s court system.

First published in 1960, the purposefully expansive report included exhaustive court-level caseload statistics in mostly tabular format, covering more than 200 pages.

Consumers of court caseload data, including media representatives, however, became increasingly sophisticated in how they wanted to use the data and, as a result, they frequently asked Supreme Court staff to produce electronic versions of selected data tables from the annual reports. Moreover, the general structure of the report – including its single-year snapshot framework and myriad detailed data tables – limited its ability to function as a tool for the public to easily examine and become better informed about the work done across Ohio’s courts.

Through the online data dashboards, users now have the ability to download spreadsheets of the court data underlying the visualizations. The visualizations themselves provide users

with the ability to see trends of incoming cases (by any case type selected) over the last 10 years. Among other options, users also can observe the distribution across Ohio’s counties of case volume per judge in the various courts and easy-to-understand charts are created allowing users to see the variable nature of how cases are disposed by the courts. Filter controls allow users to view the data at the statewide level or by a specific individual court.

Early in the development process, Supreme Court staff consulted with members of the Supreme Court’s Advisory Committee on Case Management to understand the usefulness of the data-dashboard concept from the viewpoint of Ohio’s judges, magistrates, and court administrators. In designing the current dashboards, staff sought a balance between providing local courts with actionable caseload management-related data and providing the general public with easily understood and attractive visualizations.

Supreme Court staff are eager to receive suggestions for future enhancements to the data dashboards in order to fulfill the Court’s constitutional duty to provide oversight of Ohio’s judicial branch of government.

To view the data dashboards, visit sc.ohio.gov/JCS/courtSvc/dashboards

OUT OF THE COURTROOM, INTO THE CLASSROOM

At the apex of the state’s court system, the Ohio Supreme Court makes decisions about important legal issues that impact people’s lives each day. Yet, teachers report they have difficulty finding curricula to educate students about state courts.

It’s an important void to fill, given that state courts conduct 96 percent of all court proceedings in the country. To address this gap, the staff of the [Supreme Court’s Civic Education Section](#) embarked on designing a curriculum for high school students. The new program, launched in August and called [“Under Advisement: Ohio Supreme Court Cases on Demand,”](#) follows selected cases on their journeys through the state’s courts.

Each Under Advisement case study begins with the facts that brought a situation to the courts. It then walks students step by step through the legal system, from the filing of charges or a lawsuit in trial court to the appeals made to the district appellate court and then the Ohio Supreme Court. At the Supreme Court level, the materials thoroughly explore case briefing, oral arguments, and the ultimate ruling.

“Ohio is a pioneer in this effort,” Chief Justice O’Connor notes. “We wanted to create a resource that would allow high school students across the state to experience oral arguments without having to leave their classrooms. This program was designed to be useful to teachers and engaging for students, and to support the Ohio Supreme Court’s mission to keep the Court and its proceedings transparent to all.”

MATERIALS OFFER SEPARATE STUDENT AND TEACHER PACKETS

Under Advisement is named for the chief justice’s comment at the end of each oral argument, “We’ll take the matter under advisement, and you’ll be notified of our decision.” The curriculum, which is free and available online, offers a packet designed for students and one for teachers, which mirrors the student’s, but includes extras, such as a multi-day

lesson plan. The Court selected two cases to launch the program, focusing on relatable issues to draw student attention. One is a civil case about a teen who died in an auto accident. The teen’s family sued because they believed the road conditions caused the accident. The second – a criminal appeal – turns on the point when law enforcement must advise an individual of Miranda rights before continuing with questioning.

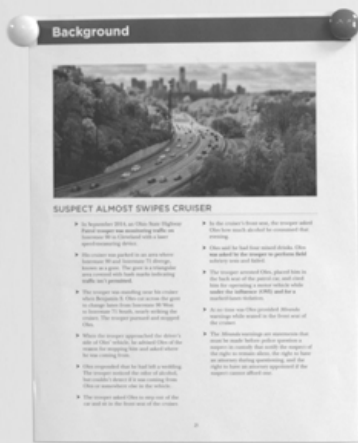
VISUALS ELEVATE INTEREST, SIMPLIFY CONCEPTS

Each packet includes eye-catching photos and illustrations that bring

the cases to life to help students understand the case. There also are graphics about the structure of Ohio’s court system and the location of the district appellate court that heard the case. Video of the arguments made by each side’s lawyers to the justices

“THIS PROGRAM WAS DESIGNED TO BE USEFUL TO TEACHERS AND ENGAGING FOR STUDENTS, AND TO SUPPORT THE OHIO SUPREME COURT’S MISSION TO KEEP THE COURT AND ITS PROCEEDINGS TRANSPARENT TO ALL.”

CHIEF JUSTICE O’CONNOR



CIVIL CASE

BAKER V. WAYNE COUNTY

A teenaged driver, 17-year-old Kelli Baker, was involved in a fatal car crash in 2011, while driving on a county road that was repaved days prior to her accident. Baker's family filed a lawsuit claiming that Wayne County was negligent in its repair of the road, leading to her death.

CRIMINAL CASE

CLEVELAND V. OLES

Benjamin Oles was placed in the front seat of a cruiser after being pulled over by an Ohio State Highway Patrol trooper in 2014. While seated in the cruiser's front seat, Oles admitted to consuming four alcoholic drinks at a wedding he had just left. The trooper arrested Oles after he failed a field sobriety test. At no point was Oles read his Miranda rights.

is another visual piece of the program. The Supreme Court broadcasts, live-streams, and archives all oral arguments. Video of the sessions gives students insight into the Supreme Court process – from the arguments lawyers make at this level to the types of questions the justices ask. Oral argument in each case typically lasts about 30 minutes. To help teachers zero in, as needed, on the most critical moments, the teacher's packet has an annotated guide to the arguments. The guide marks specific timeframes and identifies topics covered in each segment.

CONTENT FILLED WITH TOOLS FOR UNDERSTANDING COURTS

The Court aligned the materials with the statewide high-school learning standards for government from the Ohio Department of Education. Doing so helps teachers ensure that students meet necessary requirements. But the program does much more than that. The course content is packed with substance about each step at the Supreme Court, including a case preview, which pulls the main arguments from each side's briefs that were submitted to the Court, as well as a news article about the Court's decision when it ruled. The materials also explain the meaning of summary judgment, the importance of precedent to courts, the role state statutes play in court cases, and the function of amicus briefs. Rather than summarizing an event like a textbook, Under Advisement provides original court materials to students. The curriculum gives students information in a way they can handle, but also challenges them.

COURT PROCESSES EXPLAINED FOR NON-LAWYERS

The program is designed to minimize any intimidation or lack of expertise that teachers – most of whom aren't lawyers – have toward teaching about the legal system. The packets also offer suggested questions teachers can ask. The materials were structured carefully to allow teachers to pause and discuss the content with students along the way, and are presented in a realistic timeframe for the classroom.

"Teachers are dedicated to educating the next generation of citizens to be informed voters and civic leaders in our state," said Sara Stiffler, manager of the Court's civic education programs. "Providing engaging, standards-aligned resources to them for classrooms throughout Ohio helps support that effort."

For students who have the opportunity to visit the Supreme Court and watch an oral argument, Under Advisement fosters their understanding of the law and effectively prepares them for what they'll see. Under Advisement also creates an opportunity to educate those students from schools with fewer resources or chances to visit the Court. Teachers who reviewed Under Advisement during its development said they can use the course to teach about making good arguments and developing analytical skills. It also fosters critical thinking and writing, and skills that can be transferred to life outside of school, they said. In addition, the curriculum helps students understand that the law impacts everyone, and that their role as a citizen is larger than just voting.

Teachers can view the Under Advisement student packets from the [Civic Education Section of the Court's website](#). To access the teacher lesson plans, email underadvisement@sc.ohio.gov.

SUPREME COURT RELEASES DOCUMENTARY FILM ON OHIO DRUG COURTS

In May, the Court released a gripping one-hour film depicting the complicated struggle of drug addiction and how courts play a crucial role in the recovery attempts of users, their families, and communities.

Called “Second Chances: One Year in Ohio’s Drug Courts,” the film follows the drug use and adjudication of 19 Ohioans and shows their journey through a drug court recovery program. The documentary shows the work of three Ohio judges and their interaction with recovering addicts. The film was produced and edited by Anne Fife of Ohio Government Telecommunications under contract to the Court’s Office of Public Information.

“ONE THING I TOOK AWAY FROM THIS PROCESS WAS NOT TO GIVE UP ON PEOPLE.”

ANNE FIFE, FILM PRODUCER

It was released through the office’s [Court News Ohio](#) website and was made widely available, including showings during two public forums and airing on Ohio public television.

“Most Americans are familiar with the tragic data generated by our nation’s drug epidemic. But this film takes a very deep look into the human side of drug use, by the users and from the bench,” Chief Justice O’Connor said. “The film shows the thoughtful, caring, but firm work of drug courts as they deal on a personal level with the struggles of those trying to ‘get clean.’”

Fife and her crews made repeated trips to Medina County, not far from Cleveland; Marion County in the northern part of Central Ohio; and Hocking County, in Appalachia.

“We didn’t know what we were going to encounter each time we met with participants in court or out of court, or when we went to court and heard from the judges,” Fife said. “One thing I took away from this process was not to give up on people. There are many times that people surprised us by making small changes that really affected their lives in a positive way.”

The documentary begins with the story of a court participant being interviewed in front of the home where her severe drug use took place.

“It’s where the disaster started,” she said, gesturing toward the house. “It’s where my connection with my kids was lost. It’s where I stopped being a mom.”

The film documents the work of three judges, live from the bench and in interviews from their chambers. The featured judges are Medina County Common Pleas Court Judge Joyce Kimbler, Hocking County Municipal Court Judge Fred Moses, and Marion County Municipal Court Judge Teresa Ballinger.

“One thing that will stick with me is the realization that a person with addiction issues is more than just that label of addiction,” Fife said. “I met charismatic, funny, down-to-earth wonderful people. They were so much more than a point on a data summary, and much more than an addict.”



View the documentary at ohiochannel.org/video/second-chances-one-year-in-ohios-drug-courts



(From left) Senate President Larry Obhof, Rep. Phil Plummer, ACLU lobbyist Gary Daniels, Sen. John Eklund, Ohio Dept. of Health Medical Director Mark Hurst, Chief Justice O'Connor, and OSU Professor Doug Berman.

CRIMINAL JUSTICE REFORM

Lawmakers, jurists, and other stakeholders met in November to discuss strategies on how Ohio can be on the forefront of change.

The Ohio Criminal Sentencing Commission, an affiliated office of the Ohio Supreme Court, co-hosted the one-day workshop featuring several panel discussions, which brought proponents and opponents of State Issue 1 to the table for the first time since the measure was defeated in November 2018.

Issue 1, which would have changed the Ohio Constitution by reducing drug-possession offenses to misdemeanors, was crushed by Ohio voters by a 2-1 margin, with 63 percent of voters voting no.

Chief Justice O'Connor, who sat on two panels, said she fully supports the current House Bill 1. The legislation would expand intervention in lieu of conviction, seek less prison time for nonviolent drug offenders, and expand access for those who want to seal their criminal records.

"We have a drug epidemic in this state. It has made defendants out of people who otherwise may not have been defendants," Chief Justice O'Connor told the workshop. "It's because of

their addiction. We can't throw them away. It's a lack of programming and lack of treatment in prison.

"I would be in favor of building a new prison if that new prison would treat drug-addicted inmates and treat the drug addicted like they do at the Betty Ford Clinic. There ought to be resources in our prison system that's going to give them top-of-the line drug treatment. You want them to leave clean, educated, and motivated," she said.

Ohio state Rep. Bill Seitz, R-Cincinnati, doesn't agree with sending those who are addicted back to prison based on a technical parole violation.

"Where I come from, just because somebody hasn't passed a urine test doesn't mean they should be sent back to prison," Seitz argued. "Addiction is a long thing to overcome. What we have to do is build up the local probation and parole

infrastructure. We have way too many people being supervised by too few people."

"WE HAVE A DRUG EPIDEMIC IN THIS STATE. IT HAS MADE DEFENDANTS OUT OF PEOPLE WHO OTHERWISE MAY NOT HAVE BEEN DEFENDANTS."

CHIEF JUSTICE
O'CONNOR

STAFF NOTES

Employees Complete National Management Training Program

Four Supreme Court employees received national recognition in 2019 as certified court managers. They were honored with 36 other Ohio court professionals in an August graduation ceremony.

The national-level certification involves an intensive three-year training program for understanding courts, with a focus on day-to-day processes. The Court, through its Judicial College, partners with the Institute for Court Management at the National Center for State Courts to offer the training.

The Supreme Court employees who became certified court managers were:

D. Allan Asbury
Senior Counsel, Ohio Board
of Professional Conduct

Katrina Webb
Judicial Services Manager,
Ohio Supreme Court

Catherine Geyer
Manager, Dispute Resolution,
Ohio Supreme Court

Alicia Feehery Wolf
Policy Counsel,
Ohio Supreme Court

Employees Honored for Excellence and Service

The Supreme Court recognized more than 40 staff members for employee excellence and years of service in its 15th annual ceremony. The event was held May 7 during a Courtroom ceremony attended by justices and staff.

Three employees received Professional Excellence Awards, the highest honor given to Court employees: Roger Eden, security officer in the Office of Court Security; Kathy Maloney, judicial system writer in the Office of Public Information; and Erin Waltz, library public services manager in the Law Library.

The Court also honored 42 employees for five, 10, 15, 20, 25, and 30 years of service.



From left: Kathy Maloney, Roger Eden, and Erin Waltz.

2019 Retiring Supreme Court Employees

Julie Edmund
Payroll Officer
Office of Human Resources

Cynthia Ward
Administrative Assistant
Office of the Administrative
Director

Lei Moore
Administrative Assistant
Office of Attorney Services

Employees Recognized for Service to Judges Association

Two Supreme Court employees – Deb Weinberg and Trina Bennington – were recognized in March by the Association of Municipal and County Judges of Ohio. They were honored at the association’s winter conference for their dedicated service to the organization.

Weinberg is education program manager for the Ohio Judicial College, and Bennington is judicial services program coordinator in the Office of Judicial Services. Judge Brian Hagan of the Rocky River Municipal Court presented plaques to each employee.



Left: Deb Weinberg, Right: Trina Bennington, both with Judge Brian Hagan.

Technology Grants Fund Local Courts

Fifth Year of Program Supports Nearly Four Dozen Projects

Nearly 50 local court projects received more than \$2.9 million in technology grant funding through the Ohio Supreme Court in 2019. This was the fifth year of grant disbursements, with courts across the state receiving more than \$14 million.

Case management upgrades and security improvements were among the 47 local technology projects selected to receive funding in 2019 through the Ohio Courts Technology Initiative.

The projects selected for funding were scored by a 16-member panel of judges, court administrators, clerks, information technology professionals, security experts, and other personnel from local courts across the state.

Preference for this round of grants was given to those projects upgrading existing case management systems to improve case flow. Other priorities were for projects upgrading or purchasing other technology systems affecting case flow or the fundamental duties of courts; upgrading or improving computer hardware or equipment supporting case management or fundamental duties; and purchasing



Chief Justice O'Connor presents a technology grant to Medina County Court of Common Pleas, pictured with (from left) Judge Joyce V. Kimbler, Judge Kevin Dunn, and Judge Christopher J. Collier.

hardware, software or equipment related to the physical security of courts.

A portion of the funds were set aside to fund courtroom or related building security upgrades or equipment installations. Fourteen of the 47 funded projects were for court-security systems.

The Ohio Courts Technology Initiative was established to improve the exchange of information and warehousing of data by and between Ohio courts and other

justice system partners, an endeavor that includes the Ohio Courts Network.

Ohio appeals, common pleas, municipal, and county courts are encouraged each year to apply for grants to upgrade systems, hardware or equipment, or purchase new ones.

Technology grants from the Supreme Court have helped fund more than 400 court projects in Ohio since 2015.

Educational Video about Courts Debuts

In 2019, the Supreme Court unveiled a video titled [“How Does Ohio’s Court System Work?”](#)

The lively, entertaining take on the judicial branch explains the differences between the various types of courts in the state and importance of the justice system and the rule of law.

The video appeals to students and the public, using graphics and video

clips to explain the court system. This and other tools developed by the Court’s civic education staff inform teachers, students, and the public about the role the judiciary plays in the state and its importance in a fair and balanced government.

The new resource also encourages Ohio schools to visit the Thomas J. Moyer Ohio Judicial Center in Columbus for a tour

and to watch the seven justices participate in oral arguments.

For more information about educational resources available through the Ohio Supreme Court, or to schedule a tour of the Moyer Judicial Center, contact the Civic Education Section at 614.387.9223 or CourtTours@sc.ohio.gov.

2019 Year in Review



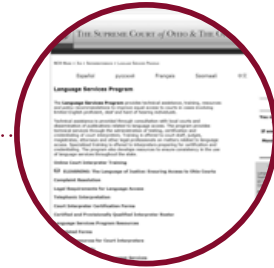
JANUARY

- 1 Justice Donnelly takes office as the 160th justice of the Supreme Court of Ohio.
- 2 Justice Stewart takes office as the 161st justice of the Court.
- 10 Justice French and Michigan Supreme Court Chief Justice Bridget Mary McCormack meet in Toledo to settle their November friendly bet on the Ohio State vs. Michigan football game, which the Buckeyes won.
- 23 Chief Justice O'Connor appoints a 24-member task force to study Ohio's bail system.
- 28 The Supreme Court's Commission on Dispute Resolution partners with the Ohio Department of Education, schools, and others to pilot a smartphone app aimed at curbing student truancy.
- 29 Chief Justice O'Connor accepts the President's Partnering for Quality Award from the Ohio Association of County Behavioral Health Authorities for her work explaining how the 2018 state Issue 1 would have negatively impacted the state.



FEBRUARY

- 7 The Court unveils interactive, real-time data dashboards offering online statistics on trial-court case loads.
- 11 The Court's Law Library staff install a historical display depicting how the law and the criminal justice system have been portrayed in comic books and graphic novels.
- 22 Crew members of the Navy submarine U.S.S. Columbus visit the Moyer Judicial Center; one sailor comments, "This building's history is as rich as I've seen anywhere else in the country."
- 24 The Court debuts a new civic education video explaining how the state court system works.
- 25 As part of its 11th annual Black History Month celebration, the Court welcomes a large Courtroom audience to hear COSI's chief executive officer Frederic Bertley, Ph.D., who shares how science connects to every culture and fabric in society.



MARCH

- 7 Justice Kennedy presents "The First Amendment: 45 of the Most Powerful Words Ever Written" during speech to a civic organization in Massillon.
- 12 The Office of Court Services' Interpreter Services program offers free online training to those interested in becoming court interpreters.
- 15 Justice Stewart meets with students of Cleveland State University's College of Urban Affairs to share her experience moving from a former district appellate judge to a sitting justice of the Supreme Court.





APRIL

- 12 The justices appoint retired U.S. Army Colonel Jeffrey C. Hagler as the Court's ninth administrative director.
- 17 The Court awards \$2.9 million to 47 local courts to fund technology projects.
- 24 Nearly 600 high school students watch oral arguments at Geneva High School in Ashtabula County as part of the Court's Off-Site Court Program.
- 26 The Office of Bar Admissions announces that 52.9 percent - 200 people - passed the February 2019 Ohio bar exam.
- 26 Justices Fischer and Stewart serve on the judges' panel for the state moot court championship; Justice Fischer helped establish the competition years ago.



MAY

- 6 The Court's Office of Court Services hosts its first Pretrial Justice Summit, drawing hundreds of judges and court personnel to discuss why bail reform is needed.
- 7 The Court honors three staff members for professional excellence during the 15th annual employee awards ceremony.
- 8 The documentary "Second Chances: One Year in Ohio's Drug Courts" debuts showing the complicated struggle of drug addiction and how courts play a crucial role in recovery.
- 13 The Court admits about 170 new attorneys to the Ohio bar during its annual spring bar admissions ceremony.
- 15 Chief Justice O'Connor accepts the Ohio Bar Medal, the state's highest legal honor, from the Ohio State Bar Association.



JUNE

- 7 The Court's Office of Court Services releases a new toolkit for use by judges and magistrates to help at-risk adults.
- 19 Justice Donnelly shows his guitar-playing skills during a performance with other judges and attorneys at the 11th Annual Jam for Justice in Cleveland, a fundraising event for legal aid.
- 28 The Office of Attorney Services opens its biennial attorney registration period for Ohio's 40,000+ lawyers.





JULY

- 15 The Law Library updates its display cases with information about maritime law and crime, with an historical look at the life and crimes of pirates who terrorized the Great Lakes.
- 24 The Task Force to Examine Ohio's Bail System makes nine recommendations to amend bail practices in its report to the justices.
- 26 The Court names Douglas M. Nelson as its new Reporter of Decisions.



AUGUST

- 15 Chief Justice O'Connor joins a local survivor and local judge on stage for a discussion following the public screening of "Second Chances" at the Marion, Ohio Palace Theater.
- 22 The Court's Civic Education staff present "Under Advisement," a new classroom program created for high school students to bolster their understanding of Ohio's court system.
- 23 Four Supreme Court staff members join 36 other Ohio court professionals in completing the three-year Court Management Program offered through the Judicial College and in conjunction with the National Center for State Courts' Institute of Court Management.



SEPTEMBER

- 12 Chief Justice O'Connor focuses on sentencing reform during her annual State of the Judiciary address.
- 16 The Court opens the application period for schools to apply for transportation grants, which help defray the travel cost to visit the Moyer Judicial Center.
- 19 The Task Force on the Ohio Disciplinary System issues its 117-page report with recommendations to the justices on how to improve the state's system that investigates and disciplines judges and attorneys.
- 21-22 More than 750 attendees participate in the 15th annual Ohio Supreme Court Specialized Dockets Conference.
- 23 The Ohio Board of Professional Conduct appoints Joseph M. Caligiuri as disciplinary counsel for the state of Ohio.
- 26 Justice Fischer draws on personal experiences as a lawyer, judge, and justice to illustrate the meaning of Constitution Day during a lecture at Ashland University.





OCTOBER

- 2-4 Thirty-seven new magistrates receive a three-day crash course on the transition from the bar to the bench during the Court's second annual magistrate orientation.
- 3 Justice DeWine coordinates a seminar to educate his fellow justices, other appellate judges, and judicial attorneys on corpus linguistics, which uses large searchable databases of texts to generate examples of how words or phrases actually are used in a given context.
- 15 The Court's Commission on Continuing Legal Education issues sanctions for 194 attorneys who failed to comply with CLE requirements.
- 16 Disciplinary Counsel Scott Drexel passes away after a short illness, days before his retirement.
- 18 About 30 children of Supreme Court staff members spend the day learning about the Court as part of the annual "Take Your Child to Work Day."
- 23 The Supreme Court justices hear oral arguments at Montpelier High School in Williams County, where more than 500 students and members of the public watched as part of its Off-Site Court Program.
- 24 The Court's Office of Court Services releases a new set of bench cards to assist domestic relations judges.
- 25 The Court releases the results of the 2019 July Ohio bar exam, which showed 647 passed the exam, a passage rate of 73.1 percent.



NOVEMBER

- 5 Ohio State University Professor Charles Klopp discusses how the insights of 18th century philosopher Cesare Beccaria influenced the American justice system during the Court's Forum on the Law lecture series.
- 6 The Court suspends the Ohio law licenses of 264 attorneys who failed to register with the Office of Attorney Services for the biennium that began Sept. 1, 2019.
- 6 Lawmakers, jurists, and other stakeholders – proponents and opponents of the failed 2018 State Issue 1 – meet to discuss how Ohio can be on the forefront of criminal justice reform during a workshop co-hosted by the Ohio Criminal Sentencing Commission.
- 7 Capital University Law School awards Justice Kennedy the sixth annual Esther H. Bocker Award, which memorializes the accomplishments of its first female graduate.
- 12 Nearly 600 new attorneys cross the stage to accept their credentials as members of the Ohio bar during the Court's annual fall bar admission ceremonies.



DECEMBER

- 9-12 More than 30 newly elected or appointed judges receive four days of specialized training during new judge orientation.



ADMINISTRATIVE OPERATIONS

Complete descriptions of the Supreme Court administrative offices are available at sc.ohio.gov/AdminOffices.

ADMINISTRATIVE DIVISION

The Administrative Division is the lead division of the Supreme Court. It assists in developing and communicating the long-term vision, values, and direction of the Court and the judicial branch of Ohio government. The Administrative Division includes the offices of the Administrative Director, Chief Legal Counsel, Court Security, Fiscal Resources, Human Resources, Law Library, and Public Information. This division also oversees Court communication and outreach and provides support to the Court and Ohio judiciary in the areas of fiscal, human resources, and records management.

ATTORNEY SERVICES DIVISION

The Attorney Services Division assists the Supreme Court in its regulation of the practice of law in Ohio. This division includes the Office of Bar Admissions.

CLERK'S DIVISION

The clerk of the court supervises the filing of all case-related items and maintains all case files in matters pending before the Supreme Court. In addition, the office maintains case dockets, the Court's journal, and relevant trial, appellate, board, and agency records. The office prepares and issues Court orders, schedules oral arguments and other case-related matters for the Court's consideration, and coordinates interagency communication in death-penalty cases. The division includes the Office of the Reporter, which publishes Supreme Court, appellate, and trial court opinions.

COURT SERVICES DIVISION

The Office of Court Services supports trial and appellate courts in the administration of justice. Its staff provides traditional and innovative services in response to and with respect for the needs of the courts and the public.

FACILITIES MANAGEMENT DIVISION

The Facilities Management Division ensures the secure and efficient operation of the Moyer Judicial Center and maintains internal and external comfort, cleanliness, and building standards. The division provides building management services to Supreme Court employees and other building tenants, and ensures the safety and comfort of guests.

INFORMATION TECHNOLOGY DIVISION

The Information Technology Division operates the Supreme Court's information technology systems and processes. The division also develops and implements the Ohio Courts Network, provides guidance to Ohio courts on technology-related matters, and facilitates the development of statewide information-technology standards for Ohio courts.

JUDICIAL & EDUCATION SERVICES DIVISION

The Office of Judicial Services is the lead office of the division, which includes the Ohio Judicial College. The Office of Judicial Services coordinates the management of division projects and provides oversight of the judges' database, support services for the creation of new judgeships, and the assignment of visiting judges. The Judicial College provides educational programs for Ohio's judges and non-judicial court personnel, as well as training for those Ohioans who serve as guardians ad litem and adult guardians.

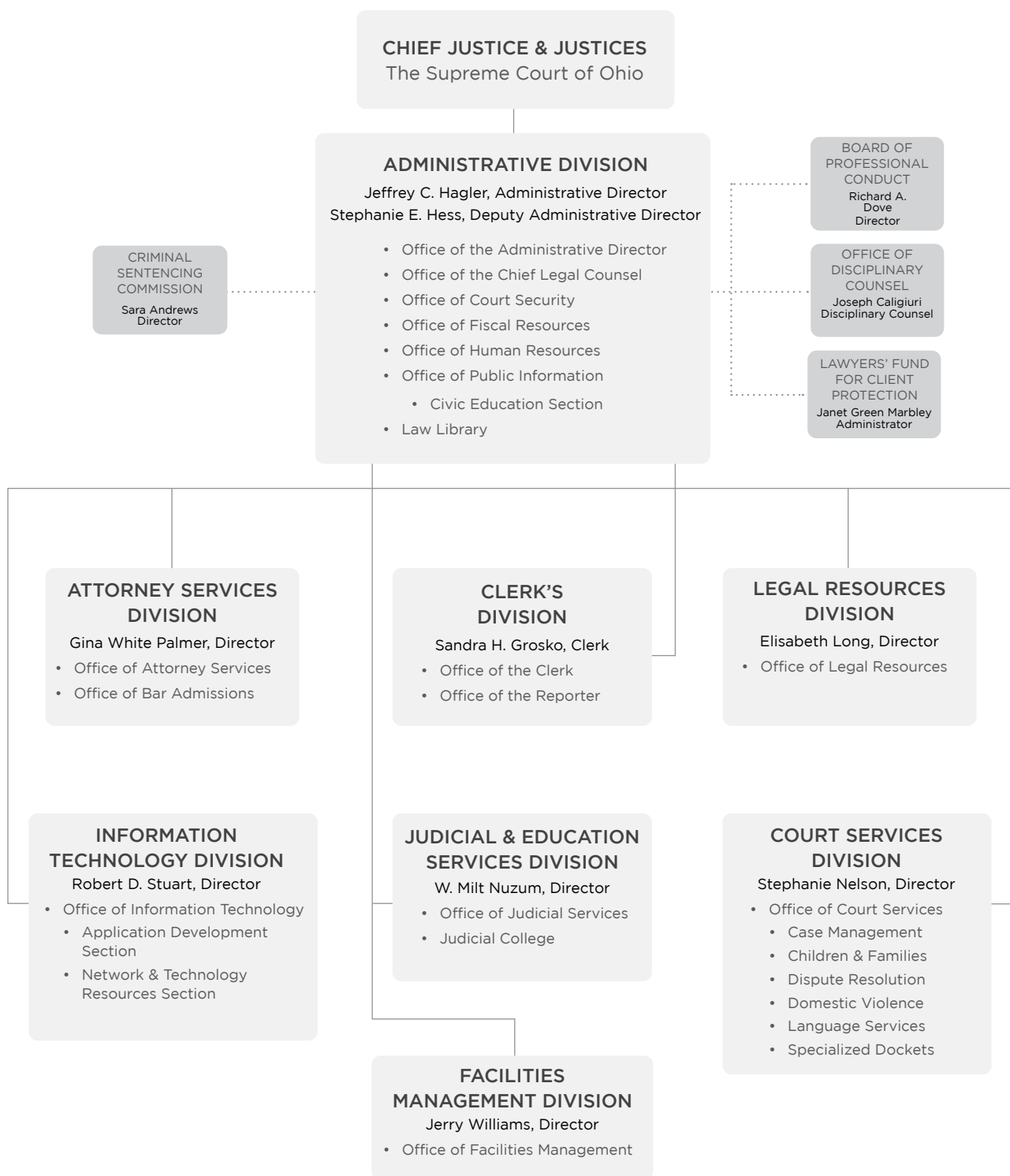
LEGAL RESOURCES DIVISION

The Office of Legal Resources assists in resolving complex legal issues pending before the Supreme Court.

AFFILIATED OFFICES: In addition to its eight divisions, the Supreme Court has four affiliated offices with a quasi-independent status because of the nature of their work: the Office of Disciplinary Counsel, the Ohio Board of Professional Conduct, the Lawyers' Fund for Client Protection, and the Ohio Criminal Sentencing Commission. Complete descriptions of these offices are available at sc.ohio.gov/AdminOffices.

THE SUPREME COURT of OHIO

2019 ADMINISTRATIVE STRUCTURE

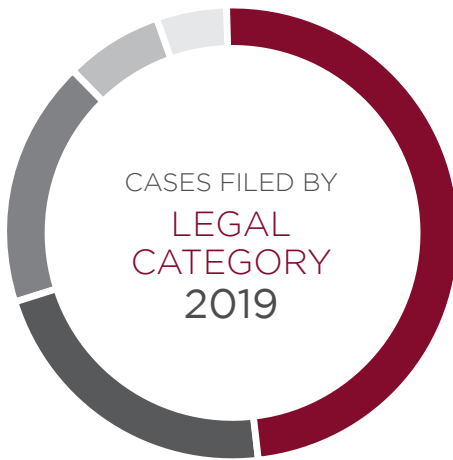


CASE STATISTICS

More than 1,800 cases were filed with the Ohio Supreme Court in 2019.

	APPEALS	MERIT CASES	PRACTICE OF LAW CASES	TOTAL
CASES FILED	1,288	405	127	1,820
CASE DISPOSITIONS	1,152	410	124	1,686

93%
CLEARANCE
RATE



- **48.8%**
Criminal
- **21.8%**
Miscellaneous¹
- **17.5%**
Civil
- **7%**
Practice of Law
- **4.9%**
Domestic Relations,
Probate & Juvenile

552
Cases pending
on **Jan. 1, 2019**

686
Cases pending
on **Dec. 31, 2019**

¹ Miscellaneous cases include certified conflict cases, certified questions of state law, direct appeals, original actions, and administrative appeals.

Cases Filed in 2019

1,288 Jurisdictional Appeals

1,188	Jurisdictional Appeals
8	Death Penalty Postconviction Appeals
20	Appeals Involving Termination of Parental Rights/Adoption
72	Appeals from App.R. 26(B) Applications
0	Petitions to Transfer Board of Tax Appeals Appeal from Court of Appeals

405 Merit Cases

215	Original Actions
45	Habeas Corpus Cases
95	Direct Appeals (Cases Originating in Court of Appeals)
21	Certified Conflicts
1	Certified Conflicts Involving Termination of Parental Rights/Adoption
2	Appeals from Board of Tax Appeals
11	Appeals from Public Utilities Commission
0	Appeals from Power Siting Board
8	Death Penalty Cases
0	Appeals from App.R. 26(B) Application in Death Penalty Case
1	Certified Questions of State Law
0	Appeals from Denial of DNA Testing in Capital Case
0	Appeals of Contest of Election under R.C. 3515.15
1	Petition Challenges pursuant to Article II, Section 1g of the Ohio Constitution
0	Contests of an Election pursuant to R.C. 3515.08
5	Cases Purporting to Invoke Unspecified Original Jurisdiction

127 Practice of Law Cases

117	Disciplinary Cases
5	Bar Admission Cases
3	Unauthorized Practice of Law Cases
2	Other Matters Relating to the Practice of Law

1,820 Total Cases Filed

2019 Final Dispositions

1,152 Jurisdictional Appeals²

1,049	Jurisdictional Appeals
9	Death Penalty Postconviction Appeals
14	Appeals Involving Termination of Parental Rights/Adoption
79	Appeals from App.R. 26(B) Applications
1	Petitions to Transfer Board of Tax Appeals Appeal from Court of Appeals

410 Merit Cases

199	Original Actions
45	Habeas Corpus Cases
81	Direct Appeals (Cases Originating in Court of Appeals)
8	Certified Conflicts
2	Certified Conflicts Involving Termination of Parental Rights/Adoption
2	Appeals from Board of Tax Appeals
7	Appeals from Public Utilities Commission
2	Appeals from Power Siting Board
2	Death Penalty Cases
0	Appeals from App.R. 26(B) Application in Death Penalty Case
0	Certified Questions of State Law
0	Appeals from Denial of DNA Testing in Capital Case
0	Appeals of Contest of Election under R.C. 3515.15
1	Petition Challenges pursuant to Article II, Section 1g of the Ohio Constitution
18	Other Merit Cases
43	Jurisdictional Appeals Accepted for Merit Review

124 Practice of Law Cases

116	Disciplinary Cases
3	Bar Admission Cases
3	Unauthorized Practice of Law Cases
2	Other Matters Relating to the Practice of Law

1,686 Total Final Dispositions

² This category includes dispositions when the Court declined to accept jurisdiction and did not review the merits of the case.

Cases Pending on Dec. 31, 2019

324 Jurisdictional Appeals

- 301 Jurisdictional Appeals
 - 1 Death Penalty Postconviction Appeals
 - 3 Appeals Involving Termination of Parental Rights/Adoption
 - 16 Appeals from App.R. 26(B) Applications
 - 3 Petitions to Transfer Board of Tax Appeals Appeal from Court of Appeals

309 Merit Cases

- 72 Original Actions
- 5 Habeas Corpus Cases
- 70 Direct Appeals (Cases Originating in Court of Appeals)
- 26 Certified Conflicts
 - 2 Certified Conflicts Involving Termination of Parental Rights/Adoption
 - 1 Appeals from Board of Tax Appeals
 - 11 Appeals from Public Utilities Commission
 - 0 Appeals from Power Siting Board
- 16 Death Penalty Cases
- 3 Certified Questions of State Law
- 0 Appeals from App.R. 26(B) Application in a Death Penalty Case
- 0 Appeals from Denial of DNA Testing in Capital Case
- 1 Other Merit Cases
- 102 Jurisdictional Appeals Accepted for Merit Review

53 Practice of Law Cases

- 47 Disciplinary Cases
- 3 Bar Admission Cases
- 3 Unauthorized Practice of Law Cases

686 Total Cases Pending

JUDICIARY/SUPREME COURT OPERATING EXPENDITURES

The Supreme Court of Ohio/Judiciary GRF budget totals **\$179.4 million**, which is used to support the operation of the Moyer Judicial Center, as well as the payment of the salaries of Ohio judges and district court of appeals staff.

	Expenditures FY 2019*	Percent of Total	Budgeted FY 2020**	Percent of Total
JUDICIARY				
Courts of Appeals Judges	\$14,561,740	8.1%	\$15,493,745	7.7%
Trial Court Judges	\$90,475,904	50.4%	\$97,438,110	48.5%
TOTAL OHIO JUDICIARY	\$105,037,644	58.5%	\$112,931,855	56.2%
COURT OF APPEALS STAFF	\$29,612,467	16.5%	\$34,427,338	17.1%
SUPREME COURT				
Supreme Court of Ohio Operations	\$40,503,311	22.6%	\$46,789,389	23.2%
Ohio Center for Law-Related Education	\$166,172	.1%	\$200,000	.1%
Ohio Courts Network Initiative	\$3,301,161	1.8%	\$5,391,025	2.7%
Criminal Sentencing Commission	\$463,719	.3%	\$674,970	.3%
County Law Library Resources Board	\$196,911	.1%	\$303,500	.2%
Civil Justice Program Fund	\$113,087	.1%	\$350,000	.2%
SUPREME COURT TOTAL	\$44,744,361	25%	\$53,708,884	26.7%
OHIO JUDICIARY & SUPREME COURT TOTAL	\$179,394,472	100%	\$201,068,077	100%

* Includes encumbrances and all fund sources.

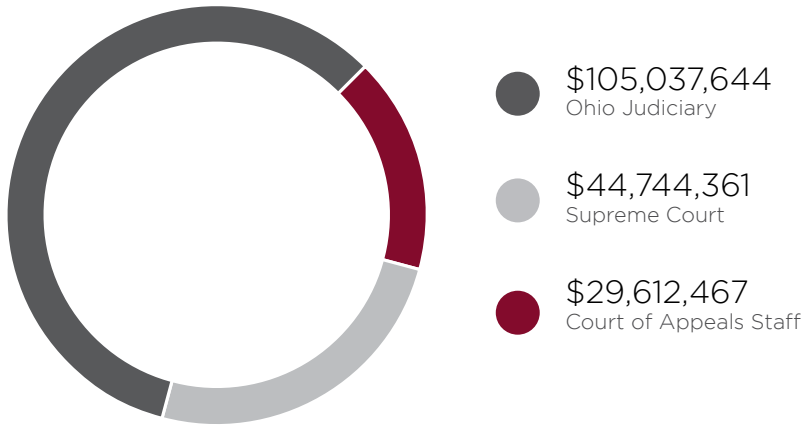
** Budget is as of January, fiscal year 2020.

NOTE: Numbers may be rounded up to the nearest dollar.

SOURCE: State of Ohio OAKS Fin System

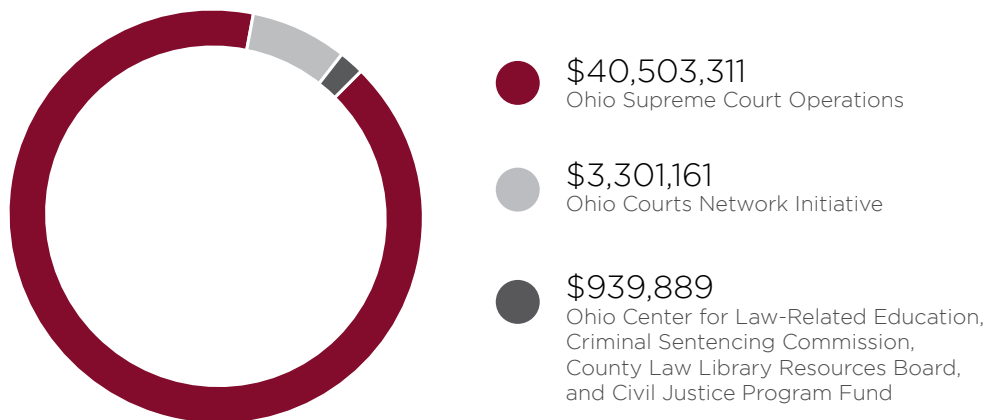
Ohio Judiciary/Supreme Court

Fiscal Year 2019 Total Expenditures



Supreme Court of Ohio

Fiscal Year 2019 Total Expenditures



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The Court relies on the volunteer services of dozens of committed judges, attorneys, clerks, court administrators, and private citizens who serve on the Supreme Court's many boards, commissions, advisory committees, and task forces. These bodies help the Court provide oversight to Ohio courts, regulate the practice of law, and provide efficient and helpful services to the judicial branch of Ohio government. To learn more about these bodies and the nature of their work, refer to sc.ohio.gov.

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According to the Ohio Constitution, in the event of a recusal by a justice from a pending case, the chief justice can appoint any of the 69 sitting Ohio appellate court judges to sit temporarily on the Supreme Court. The Court thanks the court of appeals judges who served as visiting judges for Supreme Court oral arguments in 2019.

HON. JEFFREY M. WELBAUM
SECOND DISTRICT
State of Ohio v. Gregory White
Case No. 2017-1292
January 9

HON. THOMAS J. OSOWIK
SIXTH DISTRICT
State of Ohio v. Ronald Amos
Case No. 2017-1778
January 9

HON. EARLE E. WISE JR.
FIFTH DISTRICT
Disciplinary Counsel v. Shimko
Case No. 2018-1438
January 29

HON. FRANK D. CELEBREZZE JR.
EIGHTH DISTRICT
Gembariski, et al. v. PartsSource, Inc.
Case No. 2018-0125
February 20

HON. JEFFREY E. FROELICH
SECOND DISTRICT
*Marcella King Piazza
v. Cuyahoga County, et al.*
Case No. 2017-1649
March 5

HON. WILLIAM R. ZIMMERMAN
THIRD DISTRICT
*Shelly Materials Inc. v. City of Streetsboro
Planning and Zoning Commission et al.*
Case No. 2018-0237
March 26

HON. THOMAS A. TEODOSIO
NINTH DISTRICT
State of Ohio v. Steven Allen Craig
Case No. 2018-0146
March 27

HON. CHERYL L. WAITE
SEVENTH DISTRICT
State of Ohio v. Joseph Jones
Case No. 2018-0601
May 8

HON. STEPHEN W. POWELL
TWELFTH DISTRICT
*Cleveland Metropolitan Bar Association
v. King*
Case No. 2018-1762
May 21

HON. JULIE A. SCHAFER
NINTH DISTRICT
*Beverage Holdings, LLC v. 5701
Lombardo LLC dba Valentino VAL, LLC*
Case No. 2018-0616
May 21

HON. MICHAEL L. TUCKER
SECOND DISTRICT
State of Ohio v. Lawrence A. Dibble
Case No. 2018-0552
May 21

HON. JENNIFER HENSAL
NINTH DISTRICT
*Irene Danopoulos
v. American Trading II, LLC*
Case No: 2018-1157
July 9

HON. EILEEN A. GALLAGHER
EIGHTH DISTRICT
State of Ohio v. Robert Buttery
Case No. 2018-0183
August 6

HON. TIMOTHY P. CANNON
ELEVENTH DISTRICT
*Disciplinary Counsel
v. Carol Beth Adelstein*
Case No. 2019-0801
November 13

**HON. ROBERT A.
HENDRICKSON**
TWELFTH DISTRICT
*State of Ohio ex rel. Elliot G. Feltner
v. Cuyahoga County, Ohio Board
of Revision et al.*
Case No. 2018-1307
November 13

HON. MARY JANE TRAPP
ELEVENTH DISTRICT
*Disciplinary Counsel
v. Carol Beth Adelstein*
Case No. 2019-0801
November 13

State of Ohio v. Andre D. Harper
Case No. 2018-1144
November 13

HON. JULIA L. DORRIAN
TENTH DISTRICT
State of Ohio v. Sheila A. McFarland
Case No. 2018-1116
December 10

HON. LISA L. SADLER
TENTH DISTRICT
State of Ohio v. Shawn M. Miller
Case No. 2018-0948
December 11



HON. JEFFREY M. WELBAUM



HON. THOMAS J. OSOWIK



HON. EARLE E. WISE JR.



HON. FRANK D. CELEBREZZE JR.



HON. JEFFREY E. FROELICH



HON. WILLIAM R. ZIMMERMAN



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JULY 2020

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