



THE SUPREME COURT *of* OHIO  
**2017 ANNUAL REPORT**



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**ANNUAL  
REPORT**  
2017

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Maureen O'Connor  
Chief Justice

Terrence O'Donnell  
Sharon L. Kennedy  
Judith L. French  
William M. O'Neill  
Patrick F. Fischer  
R. Patrick DeWine  
Justices

Michael L. Buenger  
Administrative Director

Stephanie E. Hess  
Deputy Administrative Director

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# DEAR OHIOANS:

## **NUMBERS CAN TELL A COMPELLING STORY.**

In the pages of this Supreme Court of Ohio annual report, numbers form the foundation of articles large and small that recap a year of significant decisions from the bench, rule changes for courts, forays into civic education, and accomplishments that reflect the character and diverse work of our staff.

The year 2017 began with a welcoming of two new members to the Court. Justices Patrick F. Fischer and R. Patrick DeWine took office following their statewide elections the previous November to full six-year terms.

Education at many levels is reflected in the numbers. For the calendar year, nearly 23,000 Ohioans were educated through more than 200 Ohio Judicial College course offerings.

As part of our administration of the practice of law in Ohio, the Court registered more than 44,000 active attorneys during 2017's biennial registration period. Separately, the Court administered the Ohio bar exam twice last year to nearly 1,400 individuals.

Staff services were stepped up, and the numbers reflect it. The Court focused on further development and certification of specialized dockets in local courts to meet the changing, and often dire, needs of defendants. We certified court interpreters for non-English-speaking, deaf, and hard-of-hearing individuals who find themselves in court proceedings. We examined case flow and case management to ensure the timely adjudication of justice in local courts.

I'm pleased to present this annual report, and I encourage you to read on, paying particular attention to how numbers tell the stories of the Supreme Court of Ohio's work in 2017.

God Bless,



Maureen O'Connor  
Chief Justice



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# Ohio Supreme Court Justices

STANDING, FROM LEFT TO RIGHT: Justice Patrick F. Fischer, Justice Judith L. French, Justice William M. O'Neill, and Justice R. Patrick DeWine. SEATED, FROM LEFT TO RIGHT: Justice Terrence O'Donnell, Chief Justice Maureen O'Connor, and Justice Sharon L. Kennedy.

### 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 to her second term 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 for an eight-state initiative to combat the nation's opioid epidemic. She is president of the national Conference of Chief Justices (CCJ) and chair of the National Center for State Courts (NCSC) Board of Directors. Chief Justice O'Connor joined the Ohio Supreme Court as a justice in January 2003.

### Justice Terrence O'Donnell

Since joining the Ohio Supreme Court in 2003, Justice [Terrence O'Donnell](#) has led statewide efforts to increase professionalism among lawyers and judges. Previously, he served on the common pleas and appellate benches and worked as a school teacher. He also served as chairman of the Ohio Legal Rights Service Commission, which oversees the protection and advocacy of the developmentally disabled and mentally ill statewide.

### 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 six-year term in 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

Former appellate judge [Judith L. French](#) became the 155th justice of the Ohio Supreme Court in January 2013, after a gubernatorial appointment. She won election to her first full six-year term on the Supreme Court in 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. She argued before the U.S. Supreme Court twice, including on behalf of the state in a Cleveland school-vouchers case.

### Justice William M. O'Neill

A former Army officer, Vietnam veteran, reporter, registered nurse, and appellate judge, Justice [William M. O'Neill](#) – a member of the Ohio Veterans Hall of Fame – joined the Ohio Supreme Court in January 2013. He is a retired Army lieutenant colonel and a retired Judge Advocate General (JAG) lieutenant colonel in the Ohio National Guard. He received the Bronze Star and the Army Commendation Medal for his service in Vietnam. Justice O'Neill resigned from the Supreme Court in January 2018, about a year short of his term's end.

### 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. Previously, he 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 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 served in local government, as a member of the Hamilton County Board of Commissioners and Cincinnati City Council.





# Supreme Court Decisions

The Supreme Court issued many opinions in 2017, some dealing with highly anticipated legal issues. Here is a sampling 2017's most noteworthy rulings.

## STATEWIDE ISSUES

### Restrictions to Use of Red-Light Cameras Ruled Unconstitutional

Three of the many provisions of a 2015 state law regulating the use of red-light and speed cameras are unconstitutional because they infringe upon municipal authority without serving an overriding state interest, the Court ruled on July 26.

In a 5-2 judgment, the Court agreed with the city of Dayton's constitutional challenge to parts of Senate Bill 342, which took effect more than two years ago. In Justice Patrick F. Fischer's lead opinion, the Court found the regulations were not "general laws" that apply evenly throughout the state but instead were regulations that improperly "limit legislative power of a municipal corporation" to set police, sanitary, or similar regulations.

[2015-1549, \*Dayton v. State\*](#)  
[151 Ohio St.3d 168, 2017-Ohio-6909](#)

### Pike County May Withhold Portions of Autopsy Reports from Press

Portions of a county coroner's autopsy reports that are part of an open homicide investigation are not public records and not available for public inspection until investigators release them, the Court ruled on Dec. 14.

In a 4-3 decision, the Court determined the Pike County Coroner's Office properly denied the Cincinnati Enquirer and the Columbus Dispatch unredacted versions of the autopsy reports for eight members of the Rhoden and Gilley families, who were murdered in April 2016. Writing for the majority, Chief Justice Maureen O'Connor stated the legislature amended the law regarding coroner records in 2009 to exempt "confidential law enforcement

investigatory records (CLEIR)," and that the portions redacted by the coroner met the exemption.

[2016-1115 and 2016-1153, \*State ex rel. Cincinnati Enquirer v. Pike Cty. Coroner's Office\*](#)  
[Slip Opinion No. 2017-Ohio-8988](#)

### Landowners Can Challenge Increased Property Tax Value Placed on Woodlands

The Court ruled on Dec. 7 that landowners who complain that their agricultural lands are overtaxed may challenge their land values before the Ohio Board of Tax Appeals.

In a pair of decisions, the Court rejected arguments by the tax commissioner that the BTA lacked jurisdiction to hear objections to the current agricultural use values (CAUV) because the commissioner's entry was not a "final determination." Under guidelines established by administrative rules, the tax commissioner sets the CAUVs after consulting with an expert advisory committee. The values are adopted in a "journal entry." Justice R. Patrick DeWine's majority opinion noted that the entry is the last step in the process of setting CAUVs, so it is a final determination under the plain language of the law. The BTA has jurisdiction to hear final determinations and must hear the landowner's challenges, he wrote.

[2016-0256 and 2016-0510, \*Adams v. Testa\*](#)  
[152 Ohio St.3d 207, 2017-Ohio-8853](#)  
[and 152 Ohio St.3d 217, 2017-Ohio-8854](#)

### Duke Can Charge Customers to Clean Up Long-Closed Gas Plants

Duke Energy of Ohio can recover \$55.5 million from customers to pay for cleaning up pollution at two long-closed manufactured gas plant (MGP) sites near downtown Cincinnati, the Court ruled on June 29. The funds are to be

recovered through a rider added to customer bills.

In a 4-3 decision, the Court affirmed a Public Utilities Commission of Ohio decision to allow Duke to recover the costs of environmental remediation of two sites, one of which was selected to be in the pathway of a new Ohio-Kentucky interstate highway bridge. Writing for the majority, Justice Judith L. French ruled that state law allows the company to recover the expense as a "necessary and current cost of doing business" because it voluntarily agreed to clean up pollution that under federal law it was responsible for containing.

[2014-0328, \*In re Application of Duke Energy Ohio Inc.\*](#)  
[150 Ohio St.3d 437, 2017-Ohio-5536](#)

### Statute Requiring Disclosure of HIV-Positive Status to Sexual Partners Is Constitutional

The Court on Oct. 26 unanimously upheld the constitutionality of Ohio's HIV-disclosure statute, which makes it a crime for a person who has tested positive for HIV to knowingly engage in sexual conduct with another without disclosing that information, concluding that it does not violate either the free speech provision of the First Amendment or the equal protection clauses of the United States or Ohio constitutions.

Justice Terrence O'Donnell's majority opinion concluded that because R.C.2903.11(B)(1) regulates conduct, not speech, it does not violate the First Amendment, and because it is rationally related to the state's legitimate interest in preventing the transmission of HIV to sexual partners who may not be aware of the risk, it does not violate equal protection.

[2016-0903, \*State v. Batista\*](#)  
[151 Ohio St.3d 584, 2017-Ohio-8304](#)

## STATEWIDE ISSUES

### Strip Club Not Liable for Auto Accident Injuries Caused by Intoxicated Dancer

Ohio's "Dram Shop Act" limits the legal responsibility of liquor permit holders not only for acts of an intoxicated customer who causes an accident after leaving the establishment where drinks are sold, but also for acts of any intoxicated worker or person after they leave, the Court ruled on Sept. 6.

The 6-1 decision found the Dram Shop Act applied in a case where a dancer at a Dayton strip club was provided drinks by patrons and on her drive home hit a vehicle in which the passenger suffered multiple injuries and incurred more than \$1 million in medical expenses. The Court affirmed a Second District Court of Appeals decision that found the injured passenger could only pursue a claim against the club and its owner under the Dram Shop Act (R.C. 4399.18).

Justice R. Patrick DeWine's majority opinion concluded that the law holds a club responsible in limited circumstances, including if the owner or an employee knowingly sold drinks to a "noticeably intoxicated person." The trial court ruled correctly that the strip club dancer was not noticeably intoxicated when she left the premises and found the club was not liable for the damage, he wrote.

[2016-0790, \*Johnson v. Montgomery\*](#)  
[151 Ohio St.3d 75, 2017-Ohio-7445](#)

## JUVENILE CASES

The Supreme Court ruled on several issues regarding the charging and sentencing of juveniles with crimes or counts of delinquency.

### Court Approves State's Mandatory Bindover for Older Juveniles

The constitutional rights of older juveniles charged with certain serious crimes are not violated when they automatically are sent to trial in adult court, the Court ruled on May 25.

The ruling reversed *State v. Aalim*, a decision handed down on Dec. 22, 2016, in which a four-justice majority found the mandatory bindover law violated a juvenile's right to due process as guaranteed by the Ohio Constitution. The Court reconsidered the first ruling that found the constitutional rights of 16-year-old Matthew Aalim were violated when a Montgomery County juvenile court automatically transferred him to adult court for allegedly committing an act that would be considered a felony if committed by an adult, and using a gun to commit the crime.

Justice Sharon L. Kennedy's majority opinion stated that reconsideration was appropriate because the previous Supreme Court failed to consider that Article IV, Section 4(B) of the Ohio Constitution grants the General Assembly exclusive authority to define the jurisdiction of common pleas courts, including juvenile courts.

[2015-0677, \*State v. Aalim\*](#)  
[150 Ohio St.3d 489, 2017-Ohio-2956](#)

### Mandatory Sentences for Juveniles Constitutional

State laws mandating sentences for juveniles are constitutional, the Court ruled on July 6. A longer penalty imposed for a juvenile convicted at trial than for a codefendant who pleaded guilty is not a trial penalty, the Court also ruled.

Both rulings were handed down in the case of Rickym Anderson. Justice Terrence O'Donnell's majority opinion pointed out that Anderson was convicted of four felony offenses and received a longer prison term than his codefendant who pleaded guilty to three felonies and agreed to testify against him at trial. Hence, the sentence was not a penalty or "trial tax," Anderson's sentence was within the range authorized by law, and Anderson faced a potential 50-year sentence, the Court ruled. The Court also upheld Ohio's mandatory bindover law that allowed Anderson to be tried.

[2016-0317, \*State v. Anderson\*](#)  
[151 Ohio St.3d 212, 2017-Ohio-5656](#)

### Court Affirms Sentences for Crimes Committed by Juvenile

If a juvenile is convicted of committing a crime that, when charged, required the case to be transferred from the juvenile division to the general division of a common pleas court, the juvenile will be sentenced by the general division for all convictions in that case, the Court ruled on July 27.

The 6-1 ruling allowed a nine-year prison sentence to stand for a Montgomery County juvenile who was 17 years old when he used a

firearm to commit two aggravated robberies at two restaurants and forced multiple people into confined spaces against their will.

Justice Patrick F. Fischer, writing for the majority, explained the decision resolves a conflict among Ohio appeals courts in cases regarding a “reverse bindover,” where the juvenile offender is convicted on at least one charge that mandated transfer to the general division and convicted on additional charges that otherwise would be adjudicated in the juvenile division.

The lower courts’ dispute centered on what happens in such cases where the convictions include one that requires a mandatory transfer, but others that do not. The opinion noted the law states it is “the case” and not “the convictions” that determines what happens. The Court concluded that once the general division determines a 16- or 17-year-old was convicted of a crime that is subject to mandatory transfer, a court must then sentence the juvenile for all convictions in that case.

[2015-0192, State v. D.B.](#)  
[150 Ohio St.3d 452, 2017-Ohio-6952](#)

### **Guardian Ad Litem Must Be Appointed for Juveniles if Parents Are Deceased**

A juvenile whose parents are deceased does not need to request that a guardian ad litem (GAL) be appointed for an “amenability” hearing in juvenile court. A judge must appoint one as required by law, the Court ruled Sept. 13.

In juvenile proceedings, a GAL is appointed to represent the “best interests of a child.” If the judge

fails to make the appointment, the juvenile must prove the error affected the outcome of the trial. In a 4-3 ruling, the Supreme Court decided a 16-year-old Columbus male did not prove the failure to have a GAL appointed would have changed the result of his amenability hearing. After that hearing, he was transferred to the general division of the court of common pleas, pleaded guilty to several charges, and was sentenced to 18 years in prison.

Justice Sharon L. Kennedy’s majority opinion declared that the nature of an “amenability hearing,” where a juvenile court determines whether a minor can be rehabilitated in the juvenile system or transferred to the general division of common pleas court to face adult charges, has criminal aspects. To overturn a decision based on a plain error made by the judge, the minor must prove the outcome would have been different had the error not occurred.

[2015-0924, State v. Morgan](#)  
[Slip Opinion No. 2017-Ohio-7565](#)

### **Juvenile Court Can Dismiss Sexual Crimes Committed by Young Children**

The rules of juvenile court allow a judge to dismiss criminal gross sexual imposition charges against a minor under age 13 who engages in sexual conduct with a child close in age, the Court ruled on Oct. 25.

The Court ruled that a Franklin County Common Pleas Court judge had the power to dismiss a delinquency charge against a boy who was 12 years old at the time he engaged in sexual conduct with another boy who was almost

10. Justice William M. O’Neill’s lead opinion stated that Juvenile Rule 9(A) gives the juvenile court the power to end the criminal prosecution and order treatment at an early stage of the proceedings, instead of taking formal action.

The juvenile court judge in this case noted that since the children were close in age and the incident involved no threat of force or violence, it would be arbitrary to determine that one child should face delinquency charges, but not the other. The juvenile judge concluded that alternative methods to treat the needs of both children would be better than formal court action, and if the parents would not provide the treatment, the county could take action to treat the children.

[2016-0907, In re D.S.](#)  
[152 Ohio St.3d 109, 2017-Ohio-8289](#)

## SEARCH ISSUES

The Supreme Court resolved cases dealing with contested searches and questioning of suspects by law enforcement or government officials.

### **Book Bag Search that Led to Discovery of Gun at School Was Permissible**

The constitutional rights of a student who had bullets in his book bag were not violated when a high school used this discovery to search another of the student's bags and found a handgun, the Court ruled on May 11.

The Court's unanimous decision reversed a Tenth District Court of Appeals ruling. The appeals panel had agreed with a trial court that the gun was inadmissible as evidence because the search violated the U.S. Constitution's Fourth Amendment guarantees against unlawful search and seizure.

But the Supreme Court, in a decision by Justice Sharon L. Kennedy, wrote that schools have a compelling interest in protecting students from harm, making it reasonable for the school to conduct a warrantless search of property, like a book bag, to identify the owner and ensure the contents were not dangerous.

[2016-0271, \*State v. Polk\*](#)  
[150 Ohio St.3d 29, 2017-Ohio-2735](#)

### **No Rights Warnings Required to Question Intoxicated Driver in Police Vehicle Front Seat**

Placing a suspect in the front seat of a police cruiser during a traffic stop does not alone determine if the officer needs to read the suspect his rights before questioning, the Court ruled on July 19.

In a 6-1 decision, the Supreme Court declined to draw a "bright-line rule" that requires an officer



to provide the commonly known Miranda warnings to a suspect who has been removed from a stopped vehicle and placed into a police car. Instead, the Court offered guidelines that help determine if the stop is the type of "custodial interrogation" that mandate the warnings.

The decision reversed an Eighth District Court of Appeals ruling that an Ohio State Highway Patrol trooper improperly questioned a Cleveland driver about his alcohol consumption when he pulled the man over and sat him in the front seat of the cruiser. The trooper did not read the man his Miranda rights before questioning and the Eighth District ruled the statements were inadmissible evidence. Chief Justice Maureen O'Connor's majority opinion concluded the trooper only asked the typical questions of a routine traffic stop where alcohol is suspected to be a factor, and was not "the kind of interrogation — designed to pressure a suspect to confess to illegal conduct — that was of particular concern" to the U.S. Supreme Court when it decided *Miranda v. Arizona* in 1966.

[2016-0172 and 2016-0282, \*Cleveland v. Oles\*](#)  
[152 Ohio St.3d 1, 2017-Ohio-5834](#)

### **Evidence Can Be Used When Police with Warrant Improperly Enter Premises**

If a police officer with a search warrant violates Ohio's "knock-and-announce" law, the criminal evidence obtained during the search still can be used to prosecute the suspect, the Supreme Court ruled on Oct. 10.

A Court majority found the exclusionary rule, which is used to prevent the use of illegally obtained evidence, is not the appropriate remedy for a knock-and-announce violation. The ruling allows the use of evidence collected by Boardman police who burst into the home of a suspected heroin dealer without announcing they had a warrant to search the apartment where he was living. Justice William M. O'Neill's majority opinion explained the exclusionary rule was designed to protect against unconstitutional warrantless or illegal searches. The purpose of knock-and-announce is to protect the safety, property, and privacy of those on the premises "that can be destroyed by a sudden entrance."

[2016-0238, \*State v. Bembry\*](#)  
[151 Ohio St.3d 502, 2017-Ohio-8114](#)

# Rule Changes

The Court enacted a number of rule changes in 2017, including those that dealt with commercial dockets, post-conviction DNA testing, and the practice of law by military spouses.



## COMMERCIAL DOCKETS

Amendments to the rules governing commercial dockets included altering the process for appointing judges, their qualifications, term lengths, and education requirements and took effect March 1. Previously, the process required the chief justice to appoint a judge for a common pleas court with a commercial docket. The amendments transfer the appointment responsibility to the local court, which would select commercial docket judges by majority vote of the judges of the general division of that court.



## MEDIATION FOR STALKING ORDERS

The Court developed temporary rule changes so that a group of pilot courts around the state could test the concept of mediating a subset of civil stalking protection order cases. Beginning on June 1, the rules enabled the courts to mediate menacing disputes occurring between coworkers or neighbors, but cases involving domestic violence or sexually oriented offenses are not eligible.



## MAGISTRATES

New rules require magistrates to register annually with the Court's Office of Attorney Services, take an oath of office upon appointment, and complete 40 continuing legal education hours. Additionally, the rules, which took effect on Jan. 1, 2018, require a court's administrative judge to notify Attorney Services upon a magistrate's appointment or termination.



## DNA TESTING

A person sentenced to death may appeal the rejection of an application for post-conviction DNA testing directly to the Ohio Supreme Court as of June 1. The change is a result of a 2016 case (*State v. Noling*) in which the Court found that part of the state law that limits the appeals of capital offenders seeking DNA testing after a conviction was unconstitutional.



## MILITARY SPOUSES

Ohio joined 21 other states when it adopted rule amendments enabling an attorney-spouse of an active duty member of the U.S. military temporarily stationed in Ohio to be admitted temporarily to practice law under certain conditions. The Court's Task Force on Access to Justice and the Ohio State Bar Association recommended the amendment, which took effect on July 1.



## OTHER RULES

Other rule amendments governing civil, criminal, and juvenile proceedings, and rules of evidence were approved. The Supreme Court's Commission on the Rules of Practice and Procedure adopted several rules that received legislative approval, including one that established a new procedure for appointment of experts for indigent capital cases, as well as new standards for discovery in post-conviction relief in such cases.



# NEW JUSTICES HOLD COURT

Justices Patrick F. Fischer and R. Patrick DeWine were sworn in to their first terms on the state's highest court in early 2017.

**P**atrick F. Fischer won election in November 2016 to an open seat on the Ohio Supreme Court and began his first six-year term as the 157th Supreme Court justice on Jan. 1, 2017. His judicial experience includes six years on the First District Court of Appeals.

Justice Fischer took his ceremonial oath of office during a March 1 Courtroom [ceremony](#) surrounded by family and friends.

In his remarks, Justice Fischer listed four factors that make a good judge or justice: impartiality, independence, integrity, and professionalism. Noting his Jesuit high school education, he mentioned the order's motto, "A Man for Others," and the importance to him of the Jesuit tradition of service.

"It is this ability of one person who shall stand up for all others, sometimes alone, which is the gift of independence. And, for me, it is only with that independence that a judge can stand up for every person seeking justice," he said.

Justice Fischer thanked his late parents for sacrificing, saving, and scrimping for his education and that of his five siblings. Three of the Fischer children became lawyers.

"My parents' gift that education makes the future, and their importance on learning how to learn made all the difference," he said. "And, to me, it is only with that continuous learning that the law can maintain its integrity."

Justice Pat DeWine won election in November 2016 to an open seat on the Court and began his first six-year term as the 158th justice on Jan. 2, 2017.

His judicial experience includes nearly four years on the First District Court of Appeals and four years on the Hamilton County Common Pleas Court.

Chief Justice Maureen O'Connor administered the oath of office during a Feb. 9 Courtroom



PICTURED: Chief Justice O'Connor administers the oath of office to Justices Fischer (left) and DeWine (right) during separate swearing-in ceremonies in early 2017.

[ceremony](#), where Justice DeWine thanked his family, mentors, colleagues, and “virtually everyone” in the room for helping him along the way over the two years he campaigned for his seat on the bench.

Of his travels to all 88 counties, Justice DeWine said he realized the wisdom of making judges directly accountable to the voters and that he “learned a great deal about Ohio, and I think it really has made me a better judge.”

Justice DeWine also pledged to keep restraint and independence at the center of his decision-making, as called for by the framers of the Constitution.

“They understood that our freedoms would be guaranteed not by any single branch of government, but by the whole of our system, by the branches working sometimes together but also sometimes in tension with each other,” he said. “For that system to work, our judiciary must be independent, but at the same time, the great powers that our courts are vested with compel that we always exercise restraint.”



Retired Justice Judith Ann Lanzinger and artist Jeffrey Klopping.

## PORTRAIT DEDICATION CEREMONY **JUDITH ANN LANZINGER** { FORMER JUSTICE }

The Supreme Court dedicated the portrait of recently retired Justice Judith Ann Lanzinger during a Courtroom ceremony on Feb. 6, honoring her 12 years on the state’s highest court.

Justice Lanzinger is the only person in Ohio history to be elected to every level of the state’s judiciary. She could not run for re-election to the Court because of constitutional age restrictions for judges.

During the dedication celebration, Lanzinger used numbers — courts, campaigns, colleagues, staff, and jury trials — to quantify her career while acknowledging that they don’t tell the whole story.

“Each of the cases before me has told a story of dispute or conflict or even crime,” she told the attendees, including many family members. “These are all subjects for the law to resolve. We know that law is based on abstract principles, but in my view, at its center, law is also a helping profession because every story involves people. And I’ve been very privileged over the last 31 years to serve as a judge for the people of Ohio.”

Artist Jeffrey Klopping, Lanzinger’s cousin, spent six years completing the portrait after spending two years in the planning stages. After the family unveiled the portrait, Chief Justice Maureen O’Connor accepted it on behalf of the Court.

WATCH CEREMONY VIDEO AT [ohiochannel.org](http://ohiochannel.org)

Lanzinger Portrait Dedication







# ROBES ON THE ROAD

As part of an education program that turned 30 in October 2017, the Ohio Supreme Court hears cases in local communities, taking the highest level of the state judicial branch to the people.

**T**he Ohio Supreme Court didn't step tentatively into its [Off-Site Court Program](#). The late Chief Justice Thomas J. Moyer wanted to enhance student knowledge about Ohio's judicial system by taking the Court directly to the schools and their communities. At launch, the Court scheduled seven sessions in 18 months away from its Columbus Courtroom. The bold start began in October 1987.

The Court organized the inaugural off-site session in Marietta, which in 1987 was celebrating 200 years since becoming the first permanent settlement in the Northwest Territory. The tradition of the Supreme Court traveling to different locations across the state continues today. To commemorate the program's [30th anniversary](#), the Supreme Court returned to Marietta on Oct. 18, 2017, to hear oral arguments in front of hundreds of Washington County students at Marietta High School.

As part of the Court's civic education outreach, the Off-Site Court Program targets high school students to build understanding about how the Ohio Supreme Court, and the state's judicial system in general, operate. The bench and bar in local communities invite the Supreme Court to their county for an off-site session, and, as of October 2017, 68 counties had hosted the Court.

## Bringing Court to Life

Much goes into planning a session involving seven justices and crowds of students, from security, lodging, and food for the justices to coordinating the flow of students through the Court's session and preparing them ahead of time for the experience. Teachers and staff discuss with students the appropriate behavior for the formality of a court proceeding, and practice entering and exiting the venues that are transformed into a courtroom.



**CLOCKWISE FROM LEFT:** Justices hear oral arguments in Marietta in October 2017, marking the 30th anniversary of the Off-Site Court Program; students arrive at the 2011 Highland County session; staff in Van Wert County prepare to install the Ohio Supreme Court seal for an October 1995 off-site session; and the late Chief Justice Thomas J. Moyer speaks during the April 2007 session in Knox County.



In the weeks leading up to every off-site court session, students study the judicial system’s levels and the specific cases they will hear argued before the Court that day. Teachers and local attorneys volunteer to discuss the background of the scheduled cases with the students.

Court officials, teachers, and attorneys who’ve arranged past off-site court sessions across the state report that the Supreme Court session and educational activities in their communities made positive impressions on their students.

### Numerous High Points

Many participants appreciate the unscripted question-and-answer discussion that the justices have with students before Court begins. Each justice typically delivers a brief personal history and speaks candidly when talking with students.

Others highlight the “debriefings” after the Court’s session, when the attorneys who argued the cases

discuss with the students the oral arguments and the legal points.

After the Supreme Court heads home, court officials and educators often find themselves inspired to keep the productive dialogue going between courts and youth. Some local judges take time to speak with students. Various courts regularly host student groups for a Q&A session with judges, jail staff, attorneys, and probation officers. Some courts offer tours to youth and allow students to attend court hearings. Local bar associations also play a role, for example, by identifying guest speakers from the legal field to periodically visit schools and talk with students.

Organizers said that it’s a community gathering well worth the work.

# Civic Education

The Ohio Supreme Court is dedicated to promoting greater understanding of the courts and the judicial branch of government. In 2017, the justices acknowledged the considerable hours that volunteers devote to educating visitors to the Supreme Court, and staff developed an educational packet about the justice system for teachers.



**12,809**  
VISITORS IN 2017



SCHOOL  
TOURS

**9,880**  
STUDENTS

**14**

VOLUNTEER  
TOUR GUIDES

**341**

Tours of the Thomas J.  
Moyer Ohio Judicial Center

 **105**  
INTERNATIONAL VISITORS

**f**OURTEEN VOLUNTEERS WERE HONORED in September at the Thomas J. Moyer Ohio Judicial Center for their service giving tours to hundreds of visitors each year.

All seven justices were on hand for the [luncheon](#), and Chief Justice O'Connor surprised the group with a special pin depicting the historic building they guide visitors through each week. From young school children to adults, these volunteers teach the public about the role and the responsibilities of the judicial branch of government.

"It's an exceptional group that really cares about what they are teaching," said Toba Feldman, who's been giving tours for 12 years. "And providing information on the building, but more importantly about the judges, legal system, courts, lawyers, I think everyone finds it valuable and I wouldn't be doing it otherwise."

In 2017, guides volunteered approximately 533 hours, leading tours of the building and the Court's Visitor Education Center.

"Your knowledge and enthusiasm are appreciated by the staff and the justices. I want you to know that," Chief Justice O'Connor told the volunteers. "Those of us who work here are extremely proud of the building and proud of what you do for us in showcasing the building and this institution."

PICTURED (from left): David Binkovitz, Galen Graham, Karen Saffle, Paul Braunsdorf, Susan Voorhees-Murphy, Phil Smith, Toba Feldman, Elise Porter, Sara Stiffler (Civic Education & Outreach Program Coordinator), Catherine Stroup, Kate Graham, Martha Lighttiser, Monica Leck, and Dan Bennington. Not pictured: Patricia Davidson

# Civic Education Tools Developed

**a** **N EDUCATIONAL PACKET** made available to teachers in 2017 is designed to teach students about the state’s judicial branch and how courts work.

The teaching guides, developed by the Court’s Civic Education Section, give children of all ages a fun way to learn. The packet includes strategies to teach students about the justice system and lesson plans designed specifically to meet state educational standards.

Courts also can use the packets to facilitate discussion and activities when conducting outreach with schools in their communities or when students visit their courts.

In the packet, a note from Chief Justice O’Connor explains that the materials, including graphic novels developed by the National Center for State Courts, give students the chance to learn more about the least-understood branch of government — the judiciary. “You are learning some of the most important things that any American can learn: how your government works, how you can protect your rights, and how important it is that you become an active and engaged citizen,” she wrote.

The judicial branch education packet is free. Teachers, courts, and the public have immediate access to the materials from the Court’s website. (Go to [sc.ohio.gov](http://sc.ohio.gov), click “Civic Education,” then “Judicial Branch Education Resources.”) Files can be downloaded as PDFs, and some can be viewed as digital magazines. Teachers and courts may order print copies or obtain more information by emailing [CivicEd@sc.ohio.gov](mailto:CivicEd@sc.ohio.gov).



## What’s Inside

An array of educational resources are tucked into the Supreme Court’s practical, colorful packet. From graphic novels about the different roles of courts to bookmarks about the state’s judicial system, the packet includes multiple tools to teach students about the justice system.

- a** The Supreme Court of Ohio & the Ohio Judicial System Brochure
- b** Judicial Education Resources for Teachers Brochure
- c** Supreme Court Bookmarks
- d** National Center for State Courts Graphic Novels
- e** Ohio Curriculum Lesson Plans

# Staff Notes

Ohio Supreme Court employees are guided in their work by a vision statement, a mission statement, and three strategic directives.

## Vision Statement

For the Supreme Court of Ohio to administer justice with integrity and provide leadership for the Judicial Branch of Ohio government.

## Mission Statement

The Supreme Court will accomplish its vision by:

- Applying and promoting standards of impartiality and fairness
- Strengthening the judiciary, courts, and bar of Ohio
- Fostering collaboration with its justice system partners
- Serving as a catalyst for the strategic direction of the justice system.

## Strategic Directives

- Foster Uniformity
- Achieve Internal Efficiencies
- Support the Judiciary

## SENIOR STAFF



### Graubner Nelson Promoted to Court Services Director

In August 2017, **Stephanie Graubner Nelson** was named director of court services. She has been employed by the Court since August 2009.

The Court Services Division supports trial and appellate courts with the administration of justice in Ohio. In her role as the division director, Graubner Nelson oversees several sections and programs that provide traditional and innovative services to the courts.

Graubner Nelson brought her experience working in two sections to her new position. She served as manager and as policy counsel for the Children and Families Section, and as policy counsel for the Case Management Section. She was appointed interim director of the division in October 2016.

In 2014, she earned the certified court manager credential from the Court Management Program of the National Center for State Courts. Graubner Nelson helped form the Ohio chapter of the Association of Family and Conciliation Courts and has participated in mock trial activities for the Ohio Center for Law-Related Education.

### Long Selected to Lead Legal Resources Office

**Elisabeth Long** was promoted in May 2017 to director of legal services. In that position, she provides oversight and administrative direction for the Office of Legal Resources, which assists the Supreme Court justices in researching complex legal issues and preparing written analyses of those issues.

Long, who joined the Court in March 2013, acted as interim director of the office from November 2016 until her promotion. Before that, she specialized in death penalty and tax issues as a master commissioner.

Dedicated to public service, Long has worked in all three branches of government at the state and federal levels.

In 2017, she graduated from the Court Management Program of the National Center for State Courts as a certified court manager. She is licensed to practice law in the District of Columbia, Minnesota, Ohio, and Virginia, and is a member of the Ohio Association of Court Administrators and the Ohio State Bar Association.



## HONORS & ACHIEVEMENTS



### New Ohio Fiscal Academy Graduate

**Tim Gaunt**, fiscal officer in the Office of Fiscal Resources, graduated in September 2017 from

the Ohio Fiscal Academy, a nine-month academic program offered through the State of Ohio. With his graduation, Gaunt earned the certified-fiscal-professional credential.



### National Editorial Appointment

In September 2017, **Tasha Ruth**, case management program manager in the Office of Court Services,

was named editor of *Court Manager*, a publication of the National Association for Court Management.



# 4

## Professional Excellence Award Recipients

The Supreme Court's 13th annual ceremony honoring employee excellence and service recognized nearly three dozen staff members in a Courtroom ceremony on Feb. 28. Highlights of the event were the presentations of the Court's Professional Excellence Awards. Four employees were recognized with the highest honors given to Supreme Court employees (pictured L to R): **Katie Monahan**, graphic design editor in the Office of Public Information; **Jess Mosser**, staff attorney in the Office of Chief Legal Counsel; **Erick Gale**, master commissioner in the Office of Legal Resources; and **Kelly Peters**, executive assistant to Justice French. Another 31 employees were honored for 5, 10, 15, 20, 25, and 30 years of service to the Court.

# 2

RETIREES

12  
YEARS

**Roscoe S. Mayes**  
Custodian, Office of  
Facilities Management

21  
YEARS

**Lee Ann Ward**  
Director, Office  
of Bar Admissions

## Staff Earn National Court Management Credentials

Five Supreme Court employees earned national certification in 2017, after completing a three-year program of courses offered through the Supreme Court's Judicial College and the National Center for State Courts' Institute for Court Management.

### CERTIFIED COURT MANAGERS

**Elisabeth A. Long**  
Director, Legal Resources Division

**Melissa M. Ferguson**  
Case Management Counsel,  
Clerk's Office

### CERTIFIED COURT EXECUTIVES

**Gina White Palmer**  
Director, Attorney Services Division

**Diana Ramos-Reardon**  
Policy Counsel, Office of Court Services

**Jeremy Johnson**  
Senior Network Administrator,  
Office of Information Technology



Staff earned national court management credentials in 2017

# 20

Current Supreme Court Employees Certified as Court Managers or Executives



Ohio Court Personnel who Participated in the Court Management Program in 2017

# 2017 Year in

# 2

New Justices  
Joined the Court

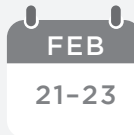
# 91

CASES HEARD

IN

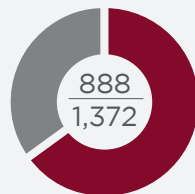
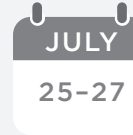
# 23

ORAL ARGUMENT  
SESSIONS



# 2

BAR EXAMS



Bar Exam  
Passage Rate:

# 65%



# 3

Bar Admissions  
CEREMONIES



# 10,344

Librarian  
Research  
Requests

# 2

OFF-SITE COURT SESSIONS

Morgan County

Washington County

## JANUARY 4

The Ohio Supreme Court opens its third annual technology grant application process for local courts statewide.

## JANUARY 10

The Court convenes oral arguments with new Justices Patrick F. Fischer and R. Patrick DeWine.

## JANUARY 31

Chief Justice Maureen O'Connor announces support for prescription database access for drug courts.

## FEBRUARY 6

The Court dedicates former Justice Judith Ann Lanzinger's portrait during a special Courtroom ceremony.

## FEBRUARY 9

The Court holds a celebratory swearing-in ceremony for Justice DeWine.

## FEBRUARY 9

Civics teachers participating in the OCLRE Ohio Government in Action program tour the Moyer Judicial Center, observe oral arguments, and meet with several justices.

## FEBRUARY 14

The Court unveils a shared resources website to encourage local courts to collaborate on projects to save time and money while still meeting their needs.

# Review



**44,473**

Attorneys registered during biennial registration period

**191**

Attorneys **SUSPENDED** for failure to register

**159**

Attorneys **SANCTIONED** for CLE non-compliance

## MENTORING PROGRAM

**623**

Attorney Mentors

**623**

New Lawyers



**225**  
SPECIALIZED  
DOCKETS

**24**

Certified in 2017

**87**

Recertified in 2017

**7**

**COURT  
INTERPRETERS**  
certified by the  
Court in 2017

**104**

Certified Court  
Interpreters  
in Ohio



**CASE MANAGEMENT**  
consultations with local courts

## COURT SECURITY SERVICES FOR LOCAL COURTS

**11**

Training  
Sessions

**17**

Reviews  
of Court  
Locations

**7**

Consultations

## DISPUTE RESOLUTION

**21** Trainings

**44** Days

**514** Attendees  
(includes eLearning)



**345**  
Mediation  
Sessions

### FEBRUARY 27

Clarence G. Newsome, president of the National Underground Railroad Freedom Center, speaks about freedom and the rule of law during the Court's annual Black History Month event.

### FEBRUARY 28

The Court recognizes four employees with its annual Professional Excellence Awards, and presents 31 staff with awards for years of service.

### MARCH 1

Justice Patrick F. Fischer takes his ceremonial oath of office surrounded by family and friends at the Moyer Judicial Center.

### MARCH 13

The Court debuts a new Visitor Education Center exhibit, "Eye in the Sky," about law enforcement use of a tracking device to uncover a drug deal.

### APRIL 6

The justices hear oral arguments in McConnellsville (Morgan County) as part of the Off-Site Court program.

### APRIL 20 & 21

Chief Justice O'Connor addresses a Harvard law panel on the need to improve fines, fees, and bails processes that prey on the poor.

### APRIL 26

The Court awards \$2.8 million in technology grants to 70 local courts.

### APRIL 28

The Court announces that 224 applicants (54 percent) pass the February Ohio bar exam.

### MAY 15

More than 200 new lawyers are sworn in to the Ohio bar during a ceremony at the Palace Theater in Columbus.

### MAY 30

The Ohio Judicial College launches OhioCourtEDU, a new website where judges, attorneys, guardians, and others can register for online courses.



## YEAR IN REVIEW

### JULY 12

Justice Judith French meets with Ohio State University Mandela Washington Fellows — a group of young African leaders who practice in the medical field, but have many questions on how law is carried out in the United States, specifically in Ohio.

The Court creates the Civil Justice Program Fund to provide direct civil legal assistance and increased access to assistance for Ohioans' civil legal needs, such as housing, healthcare, and economic security, among other areas.

### JULY 25-27

More than 900 prospective lawyers sit for the three-day Ohio bar exam.

### AUGUST 10

Two dozen teachers and administrators from Saudi Arabia visit the Court as part of a Kent State University program designed to build leadership through engagement with other cultures.

### AUGUST 21

A pair of legal delegates from Greece and the Democratic Republic of Congo meet with Court employees

and tour the Moyer Judicial Center as part of the Columbus International Program's "Rule of Law."

### AUGUST 29

President Warren G. Harding's family donates a plaster cast of his face to the Court. The plaster, which was sculpted by a Columbus artist, served as a mold for the bronze bas relief of President Harding that hangs in the judicial center's grand concourse.

### AUGUST 31

Chief Justice O'Connor addresses courthouse safety; fines, fees, and bail; and the opioid crisis in her annual State of the Judiciary address.

### SEPTEMBER 8

The Court's Children & Families Section releases two new toolkits to help juvenile court and child welfare staff assess best practices.

### SEPTEMBER 22

Nearly 50 current and former members of the Court's Commission on Professionalism gather at the Moyer Judicial Center to commemorate the group's 25th

anniversary and honor long-time judge and attorney mentors.

### SEPTEMBER 22

The Court announces the availability of transportation grants to help schools defray the costs of bringing students to and from the Moyer Judicial Center.

### SEPTEMBER 26

The Civic Education Section releases free judicial branch education resources for teachers, including bookmarks, "comic" books with corresponding lesson plans, and information on the Ohio judicial system.

### SEPTEMBER 28

The justices recognize the substantial contributions of the many volunteers who conduct tours of the Moyer Judicial Center during a special ceremony.

### OCTOBER 9

Chief Justice O'Connor welcomes more than 30 young visitors as part of the Court's annual Take Your Child to Work Day program.



# 832

Ohio Judicial College

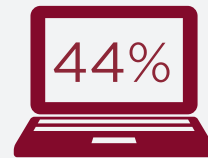
## FACULTY

(includes Court staff)



# 22,818

PEOPLE EDUCATED



COMPLETED  
COURSEWORK  
ONLINE

# 7,463

ADULT GUARDIANS  
EDUCATED DURING

# 19

TRAINING  
SESSIONS

# 26

GUARDIAN AD LITEM TRAINING SESSIONS

**OCTOBER 18**

The Court commemorates the 30th anniversary of its Off-Site Court Program by holding oral arguments in Marietta — where the program began in 1987.

**OCTOBER 20**

Justices attend the 2017 Red Mass at the Cathedral of St. John the Evangelist in Cleveland to congratulate Justice Terrence O'Donnell, the year's recipient of the St. Thomas More Award.

**OCTOBER 26**

Students from the University of Iceland's School of Law and Ohio Northern University's Pettit College of Law visit the Court and talk with Administrative Director Michael Buenger about differences between the legal systems in the U.S. and Iceland.

**OCTOBER 23 & 24**

More than 500 court personnel from around the state gather to exchange ideas at the annual Specialized Dockets Conference, hosted by the Court.

**NOVEMBER 1**

The Office of Attorney Services releases its 2017 fiscal year report, which shows nearly \$9 million in fees collected from Ohio lawyers.

Pakistani and Indian visitors from the Legislative Fellows Program, sponsored by the U.S. State Department, tour the Moyer Judicial Center and learn about the U.S. judiciary.

**NOVEMBER 7**

The Lawyers' Fund for Client Protection annual report shows \$841,227 in reimbursements for 158 claims of attorney theft by dishonest conduct in fiscal year 2017.

**NOVEMBER 13**

About 600 successful applicants participate in the bar admissions ceremonies at the Ohio Theatre in Columbus.

**NOVEMBER 15**

The application period for a new round of Supreme Court technology grants opens, allowing courts to apply for technology projects designed to remove barriers to justice.

**NOVEMBER 20**

More than 35 Ohio court professionals achieve national certification upon graduating from the three-year Ohio Court Management Program.

**DECEMBER 11-14**

More than 50 new judges attend a three-day orientation session hosted by the Ohio Judicial College.

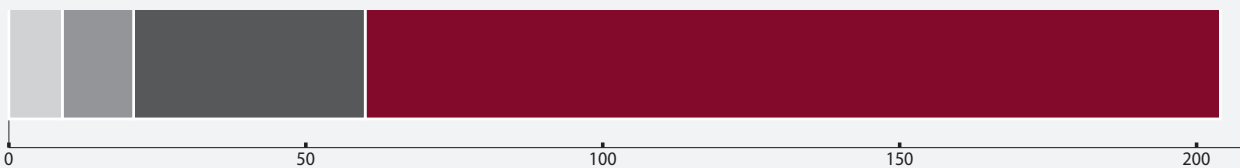
**DECEMBER 21**

The Court's Commission on Continuing Legal Education issues sanctions for 159 attorneys who failed to comply with CLE requirements.

**204**  
COURSES  
OFFERED

**9** WEBINARS/WEB CONFERENCES  
**12** BROADCASTS

**39** ONLINE MODULES  
**144** ONSITE/LIVE



# Administrative Operations

Complete descriptions of the Supreme Court administrative offices are available at [sc.ohio.gov/AdminOffices](https://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, Fiscal Resources, Human Resources, Public Information, and the Law Library. 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.

## 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.

## 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.

## Legal Resources Division

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

## Judicial & Education Services Division

The Judicial & Education Services Division, which includes the Ohio Judicial College, supports all Ohio appellate and local courts in the administration of justice by helping develop policies and procedures, training judicial offices and court staff, and providing access to funding and resources.

## Court Services Division

The Office of Court Services supports trial and appellate courts in the administration of justice. Its staff, through four sections and two additional programs, oversees and 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, ensures the safety and comfort of guests, and offers security assessments and assistance to Ohio courts. The division includes the Office of Court Security.

## Information Technology Division

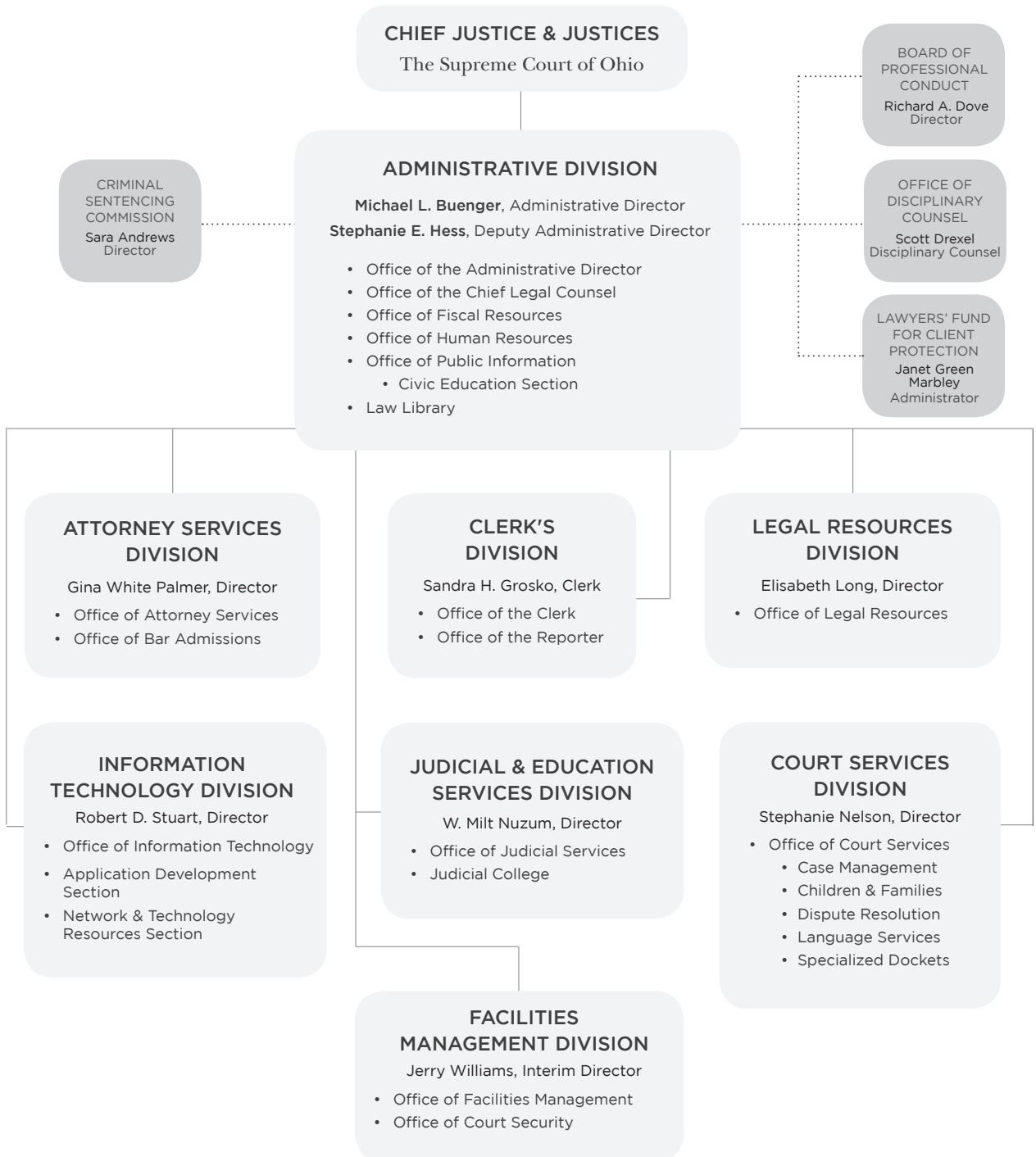
The Information Technology Division operates the Supreme Court's information technology systems and processes. The division also develops and implements the Ohio Courts Network, provides guidance to Ohio courts on technology-related matters, and facilitates the development of statewide information-technology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

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**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 **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](https://sc.ohio.gov/AdminOffices).

# THE SUPREME COURT of OHIO

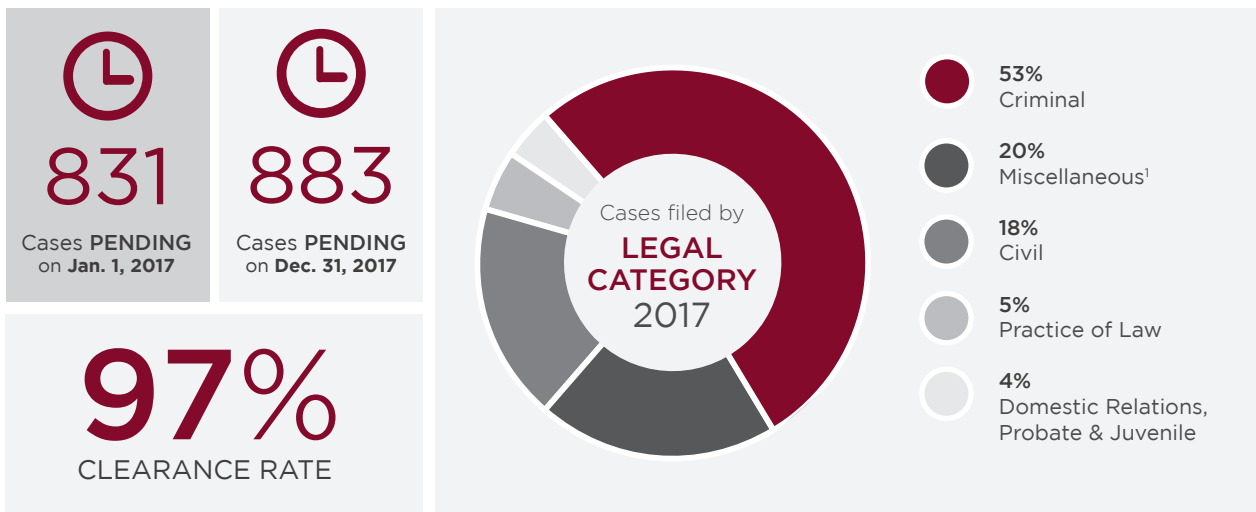
## 2017 ADMINISTRATIVE STRUCTURE



# Case Statistics

More than 1,800 cases were filed with the Ohio Supreme Court in 2017.

	Jurisdictional Appeals	Merit Cases	Practice of Law Cases	TOTAL
Cases Filed	1,365	370	93	<b>1,828</b>
Case Dispositions	1,260	423	93	<b>1,776</b>



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

## Cases Filed in 2017

---

### 1,365 Jurisdictional Appeals

1,256	Jurisdictional Appeals
3	Death Penalty Postconviction Appeals
20	Appeals Involving Termination of Parental Rights/Adoption
83	Appeals from App.R. 26(B) Applications
3	Petition to Transfer Board of Tax Appeals Appeal from Court of Appeals

### 370 Merit Cases

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

### 93 Practice of Law Cases

84	Disciplinary Cases
3	Bar Admission Cases
4	Unauthorized Practice of Law Cases
2	Other Matters Relating to Practice of Law

**1,828** Total Cases Filed

# 2017 Final Dispositions

---

## 1,260 Jurisdictional Appeals<sup>2</sup>

1,152	Jurisdictional Appeals
17	Death Penalty Postconviction Appeals
18	Appeals Involving Termination of Parental Rights/Adoption
72	Appeals from App.R. 26(B) Applications
1	Petition to Transfer Board of Tax Appeals Appeal from Court of Appeals

## 423 Merit Cases

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

## 93 Practice of Law Cases

84	Disciplinary Cases
3	Bar Admission Cases
4	Unauthorized Practice of Law Cases
2	Other Matters Relating to Practice of Law

**1,776** Total Final Dispositions

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<sup>2</sup> This category includes dispositions where the Court declined to accept jurisdiction and did not review the merits of the case.

# Cases Pending on December 31, 2017

---

## 556 Jurisdictional Appeals

- 532 Jurisdictional Appeals
  - 1 Death Penalty Postconviction Appeals
  - 2 Appeals Involving Termination of Parental Rights/Adoption
  - 19 Appeals from App.R. 26(B) Applications
  - 2 Petition to Transfer Board of Tax Appeals Appeal from Court of Appeals

## 287 Merit Cases

- 61 Original Actions
- 8 Habeas Corpus Cases
- 66 Direct Appeals (Cases Originating in Court of Appeals)
- 12 Certified Conflicts
- 66 Appeals from Board of Tax Appeals
- 11 Appeals from Public Utilities Commission
- 2 Appeals from Power Siting Board
- 11 Death Penalty Cases
- 4 Certified Questions of State Law
- 0 Appeals from App.R. 26(B) Application in a Death Penalty Case
- 1 Appeal from Denial of DNA Testing in Capital Case
- 1 Other Merit Cases
- 44 Jurisdictional Appeals Accepted for Merit Review

## 40 Practice of Law Cases

- 37 Disciplinary Cases
- 2 Bar Admission Cases
- 1 Unauthorized Practice of Law Cases
- 0 Other Matters Relating to Practice of Law

**883** Total Cases Pending



# Judiciary/Supreme Court Operating Expenditures

The Supreme Court of Ohio/Judiciary GRF budget accounts for **\$162.6 million**, which is used to support the operation of the Moyer Judicial Center, home to the Supreme Court, as well as the payment of the salaries of Ohio judges and district courts of appeals staff.

	Expenditures FY 2017*	Percent of Total	Budgeted FY 2018**	Percent of Total
<b>JUDICIARY</b>				
Courts of Appeals Judges	\$12,571,442	7.7%	\$13,545,966	7.6%
Trial Court Judges	\$79,151,246	48.7%	\$85,134,414	47.7%
<b>TOTAL OHIO JUDICIARY</b>	<b>\$91,722,688</b>	<b>56.4%</b>	<b>\$98,680,380</b>	<b>55.3%</b>
<b>COURTS OF APPEALS STAFF</b>	<b>\$27,253,430</b>	<b>16.8%</b>	<b>\$30,587,296</b>	<b>17.1%</b>
<b>SUPREME COURT</b>				
Supreme Court of Ohio Operations	\$40,195,460	24.7%	\$45,438,629	25.3%
Ohio Center for Law-Related Education	\$166,172	.1%	\$166,172	.1%
Ohio Courts Network Initiative	\$3,242,635	2.0%	\$3,350,000	2.0%
Civil Justice Program Fund	\$0	0%	\$350,000	.2%
<b>SUPREME COURT TOTAL</b>	<b>\$43,604,267</b>	<b>26.8%</b>	<b>\$49,304,801</b>	<b>27.6%</b>
<b>OHIO JUDICIARY &amp; SUPREME COURT TOTAL</b>	<b>\$162,580,385</b>	<b>100%</b>	<b>\$178,572,477</b>	<b>100%</b>

\* Includes encumbrances and all fund sources.

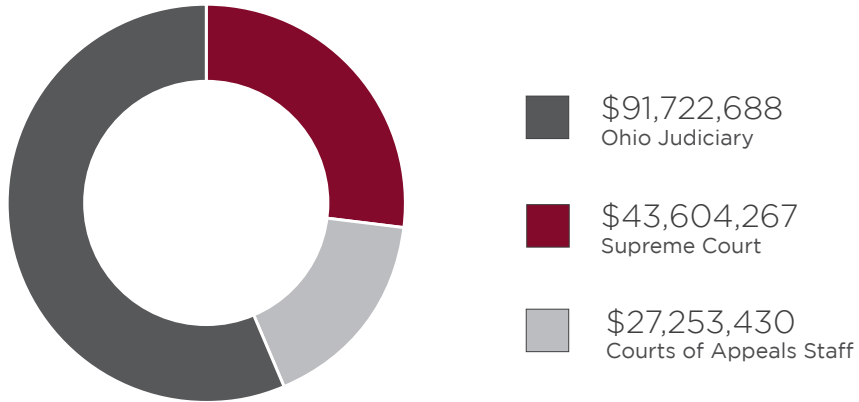
\*\* Budget is as of January, fiscal year 2017.

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

SOURCE: State of Ohio OAKS Fin System

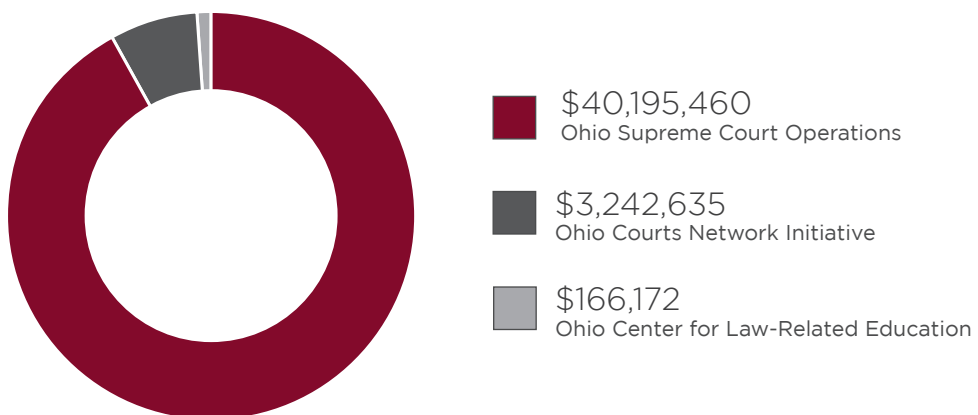
## Ohio Judiciary/Supreme Court

Fiscal Year 2017 Total Expenditures



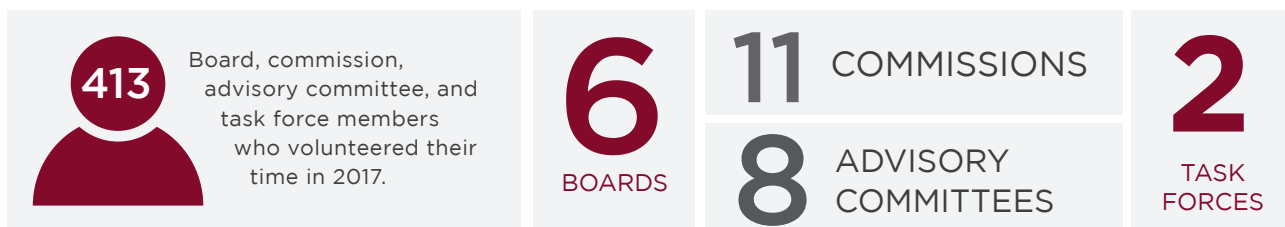
## Supreme Court of Ohio

Fiscal Year 2017 Total Expenditures



# Boards, Commissions, Advisory Committees, and Task Forces

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 [supremecourt.ohio.gov](http://supremecourt.ohio.gov).



## BOARDS

### BOARD OF BAR EXAMINERS

Lee Ann Ward  
SECRETARY

Michael M. Briley  
Hon. Thomas F. Bryant  
Lisa Weekley Coulter  
Jennifer E. Day  
Hon. Michael Donnelly  
Patricia Gajda  
Julie A. Jones  
Shawn Judge  
Kevin J. Kenney  
Edward F. Kozelek  
Hon. R. Scott Krichbaum  
Robert M. Morrow  
Michael E. Murman  
William J. O'Neill

Thomas J. Scanlon  
John W. Waddy  
Suzanne Waldron  
C. Michael Walsh  
Hon. Mark K. Wiest\*

### BOARD OF COMMISSIONERS ON CHARACTER & FITNESS

Lee Ann Ward  
SECRETARY

Gregory L. Arnold  
Mary Asbury  
Darrell A. Clay  
John C. Fairweather  
John E. Gamble  
Lynn A. Grimshaw  
Susan Gwinn

Chad A. Heald  
Todd C. Hicks  
Hon. Michael L. Howard  
John A. Kocher  
Bennett A. Manning  
G. Scott McBride  
Hon. Denise L. Moody  
Suzanne K. Richards\*

### BOARD OF PROFESSIONAL CONDUCT

Richard A. Dove  
DIRECTOR  
Hon. Pamela A. Barker  
Hon. Eric Blaine  
John R. Carle  
James D. Caruso

Tim L. Collins  
Patrick M. Condon  
Hon. Rocky Coss  
Jeff Davis  
David L. Dingwell\*  
William H. Douglass  
Lisa A. Eliason  
Robert B. Fitzgerald  
Lindsay Ford Ellis  
Hon. Joseph Gibson  
David W. Hardyman  
Hon. William A. Klatt  
M. Lynn Lampe  
Patrick M. McLaughlin  
Hon. C. Ashley Pike  
Peggy J. Schmitz  
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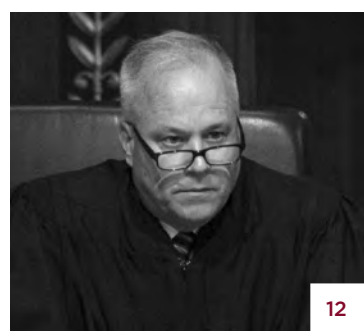
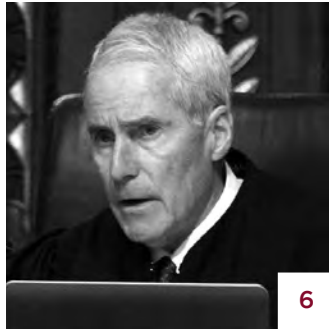
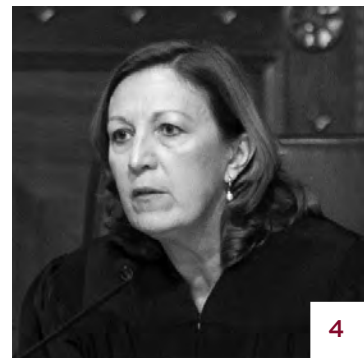
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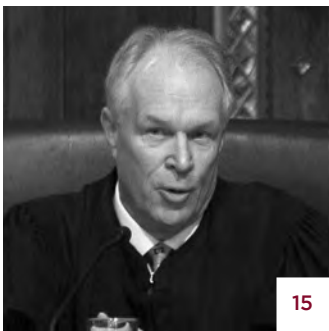
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# 17

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JUDGES

According to the Ohio Constitution, in the event of a recusal by a justice from a pending case, the chief justice can select 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 2017.



1

**Hon. Craig R. Baldwin**

Fifth District  
*Dayton v. State*  
Case No. 2015-1549  
January 10

2

**Hon. Sean C. Gallagher**

Eighth District  
*Clendenin v. Girl Scouts of W. Ohio*  
Case No. 2015-1993  
January 11

3

**Hon. Patricia A. Delaney**

Fifth District  
*Clendenin v. Girl Scouts of W. Ohio*  
Case No. 2015-1993  
January 11

4

**Hon. Jennifer L. Brunner**

Tenth District  
*McGowan v. Medpace*  
Case No. 2015-1756  
February 8

5

**Hon. Timothy P. Cannon**

Eleventh District  
*McGowan v. Medpace*  
Case No. 2015-1756  
February 8

6

**Hon. J. Timothy McCormack**

Eighth District  
*Ashtabula County Bar Assn. v. Brown*  
Case No. 2016-1147  
February 8

7

**Hon. Marie C. Moraleja Hoover**

Fourth District  
*State v. Rahab*  
Case No. 2015-1892  
February 9

8

**Hon. Eileen T. Gallagher**

Eighth District  
*State v. Wogenstahl*  
Case No. 1995-0042  
April 4

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**Hon. Donna J. Carr**

Ninth District  
*State v. Wogenstahl*  
Case No. 1995-0042  
April 4

10

**Hon. Arlene Singer**

Sixth District  
*Rush v. University of Cincinnati Physicians*  
Case No. 2016-0636  
May 3

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**Hon. Robert P. Ringland**

Twelfth District  
*State v. Beasley*  
Case No. 2016-1020  
May 16

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**Hon. Thomas R. Wright**

Eleventh District  
*State v. Batista*  
Case No. 2016-0903  
May 17

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**Hon. William A. Klatt**

Tenth District  
*State v. Noling*  
Case No. 2014-1377  
June 20

14

**Hon. Carol Ann Robb**

Seventh District  
*LGR Realty, Inc. v. Frank and London Insurance Agency*  
Case No. 2016-1307  
September 12

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**Hon. Mark L. Pietrykowski**

Sixth District  
*Thomasson v. Thomasson*  
Case No. 2016-1629  
*IMO Adoption of M.G.B.-E., et al.*  
Case No. 2017-0039  
*Disc. Counsel v. Mancino*  
Case No. 2017-1079  
November 21

16

**Hon. Cynthia Westcott Rice**

Eleventh District  
*State v. Myers*  
Case No. 2014-1862  
*State v. Upkins*  
Case No. 2016-1742  
*State v. Paige*  
Case No. 2016-1848  
December 5

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**Hon. Anita Laster Mays**

Eighth District  
*In the Matter of App. of Dayton Power and Light Co.*  
Case No. 2017-0241  
*State v. Moore*  
Case No. 2017-0483  
*Disc. Counsel v. Engel*  
Case No. 2017-1087  
December 6



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