

Certified Interpreter Requirement on Horizon for Ohio Courts



A requirement that Ohio courts hire a certified foreign language or sign language interpreter, when available, to ensure the “meaningful participation” of deaf and limited English proficient individuals in court proceedings will go into effect on January 1,

Adopted more than a year ago by the Ohio Supreme Court, Rule 88 of the Rules of Superintendence for the Courts of Ohio requires courts to “use all reasonable efforts” to avoid the appointment of interpreters who may have a conflict of interest.

The court interpreter rules are designed to ensure the due process rights of limited English proficient and deaf or hard-of-hearing individuals and to provide the most qualified interpreters available given the number of possible languages that may appear in the state court system that require a court interpreter, according to the most recent statistics available. Ohio courts accommodate about 70 languages and handle nearly 25,000 cases per year, 20,000 of which need Spanish interpreters.

The 2010 survey shows Ohio’s three largest counties – Cuyahoga, Franklin and Hamilton – each reported no less than 2,500 cases involving interpreters in that year. Approximately, 20 counties reported not having a single case involving an interpreter.

Bruno Romero, manager of the Supreme Court interpreter services program, said he’s been working with Ohio courts and judges to help them prepare for the new requirement. He said two concerns have been consistently raised by judges: the cost to be incurred by the local court and securing an adequate number of interpreters.

Sup. R. 88 does not require the court to pay the cost of the interpreter, which amounted to about \$1.1 million in 2010 across all jurisdictions statewide. However, the federal

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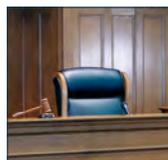
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On the Cover:

Ohio courts are preparing for January 1, 2013, when a rule takes effect that requires them to hire certified foreign language or sign language interpreters. Here, certified interpreters take an oath at a recent ceremony. They are, from left, Svetlana Ball, Marla Berkowitz, Angelica Duggan, and Alexander Etlin.

Cases

Visit courtnewsohio.gov for the most current decisions from the Ohio Supreme Court, Court of Claims, and courts of appeals.

Supreme Court of Ohio

State Ballot Board Ordered to Replace Ballot Language Describing Proposed Redistricting Amendment

The Ohio Supreme Court on September 12 granted a writ of mandamus sought by proponents of a proposed constitutional amendment that is scheduled to appear on the November 6 statewide ballot. The writ orders the Ohio Ballot Board to reconvene “forthwith” to replace a board-approved condensed description of the proposed amendment, which seeks to change the way in which state and federal legislative districts are drawn, with ballot language that “properly describes” the proposed amendment.

State ex rel. Voters First v. Ohio Ballot Bd., Slip Opinion No. 2012-Ohio-4149

Posting Details of Sheriff’s Sale on Website Does Not Give Required Notice of Sale to Party With Interest in Foreclosed Property

The Ohio Supreme Court on September 6 held that when the address of a party with a property interest in a foreclosure proceeding is known or easily ascertainable, a county sheriff cannot meet his constitutional obligation to provide notice of a sheriff’s sale of the foreclosed property by sending a letter to the party’s attorney directing the attorney to monitor the sheriff’s website for a listing of the date, time, and location of the sale.

PHH Mtge. Corp. v. Prater
Slip Opinion No. 2012-Ohio-3931

Private Landfill is Not a ‘Public Utility’ Exempt From Township Zoning Authority

The Ohio Supreme Court on September 5 ruled that a private landfill is not a “public utility” exempt from the zoning authority of a township in which it is located if the landfill is not subject to public regulation of its rates and charges, is not obligated by law or regulation to accept all solid waste delivered to it for disposal and the public does not have a right to demand and receive its services.

Rumpke Sanitary Landfill, Inc. v. Colerain Twp., Slip Opinion No. 2012-Ohio-3914

Courts of Appeals

First District: Conviction Vacated Based on Improper Admission of Evidence at Trial

In a decision announced September 7, the First District Court of Appeals vacated the conviction of a Cincinnati man for possession of criminal tools based on a finding that the trial court improperly admitted “other acts” testimony by a police officer about the officer’s previous arrest of the same defendant for possession of stolen property.

State v. Dorsey, 2012-Ohio-4043

Ninth District: Traffic Stop Must Reasonably Warrant Police Intrusion

A police officer’s suspicion of wrongdoing based on a vehicle’s out-of-state license plates and entry and exit from a dead-end private drive late at night were not a sufficient basis to stop and question the driver, according to a September 5 decision by the Ninth District Court of Appeals. Based on its finding of insufficient cause for a traffic stop, the court of appeals held that evidence obtained through that stop was inadmissible against the driver, and vacated his conviction for DUI.

State v. Browning, 2012-Ohio-4026

Ninth District Rules Liquor Agent’s Gambling Complaint Valid

An agent of the Ohio Department of Public Safety (ODPS) who observes illegal gambling activity while the agent is working on or adjacent to a liquor permit premises has authority to sign a criminal complaint charging defendants with violations of the state’s anti-gambling law, according to a September 5 decision by the Ninth District Court of Appeals.

State v. Cole, 2012-Ohio-4027

Happening Now

News and notes from courthouses around the Buckeye State.

Stephens Takes Leadership Position at CASA

The statewide organization that provides a voice in court for abused and neglected children recently hired a new executive director.

After nearly 30 years of service to Ohio courts, **Doug Stephens** retired from his position as director of the Judicial & Court Services Division at the Ohio Supreme Court at the end of 2010. In early September, he notified his Facebook friends that “retirement has officially ended” after accepting the position with Ohio CASA (Court Appointed Special Advocates).

Stephens said he feels blessed to be able to pursue work that has such a direct positive impact on children’s lives. “After 30 years in the court business, what I learned that first year is still true today: the most important work the courts do involves abused and neglected children,” he said. “Ohio CASA volunteers served 7,284 children in 38 counties in 2011. My goal – Ohio CASA’s goal – will always be to provide a CASA volunteer for every child in need in all 88 counties.”

Ohio CASA, formally known as the Ohio CASA/GAL (guardian ad litem) Association, supports local CASA/GAL programs and volunteers through the provision of leadership, technical assistance, training, and quality assurance. Volunteers focus on and advocate for a child’s best interest and the child’s need for a safe, nurturing, permanent home.

Victims of Attorney Theft Awarded More Than \$286,000

The Board of Commissioners of the Clients’ Security Fund of Ohio awarded a maximum amount of \$75,000 to a victim of attorney theft and two other \$50,000 awards at its meeting in early September. All told, the board awarded \$286,299 to 58 victims of attorney theft, as 22 former or suspended Ohio attorneys were found to have misappropriated client funds. One retired attorney and two deceased attorneys also were involved in the claims presented to the board. Visit the CourtNewsOhio.gov archive for a complete listing of the September 2012 victim awards.



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SCAM ALERT

Fictitious Law Firm Website Using Names of Real Attorneys in Scam



A Toledo attorney notified authorities recently that his name was falsely associated with a fictitious law firm website that attempts to scam consumers out of money.

The state disciplinary board is warning lawyers and consumers about the alleged scam.

In an e-mail to the Ohio Supreme Court’s Board of Commissioners on Grievances & Discipline, the attorney described the scam this way:

“It is my understanding that the defrauder, who purports to be me, informs the victim that they are an attorney in possession of a check for a large sum of money payable to the victim. The check, however, has expired and they require the victim to pay a processing fee to reissue the check.”

The attorney said two people contacted him and asked if he had contacted them about a check. He learned that a licensed attorney in another state had her name and address also listed on the website www.burkelawoffices.us. A second Ohio lawyer’s name and address also appears on the website.

The attorney from Toledo submitted details about the scam to the FBI. To report a suspected online crime, contact the FBI at www.ic3.gov.

Chief Justice Focuses on Court Efficiency, Judges Pay During State of Judiciary Address

Chief Justice **Maureen O'Connor** gave her State of the Judiciary address at the annual Ohio Judicial Conference meeting on September 13. She spoke to hundreds of Ohio judges about how courts are rising to the occasion in difficult economic times and finding creative ways to maintain the highest level of quality in the administration of justice.

“I want to take stock of some of the things we are doing to make the courts more efficient, encourage you to continue in your efforts at the local level, and make the case that our argument for adequate court funding – including adequate judicial compensation – is directly tied to our success in building more efficient courts,” Chief Justice O'Connor said.

“While we can make the case for more funding, we have the reciprocal responsibility of better management and use of those dollars,” she added.

Chief Justice O'Connor said Ohio judges are long overdue for a raise. She said there is support in the general assembly for increasing judges' salaries but cautioned that judges will have to make the case.

The chief justice also:

- Advocated for the creation of a commission that would make recommendations to the General Assembly regarding compensation for all elected officials in Ohio.
- Updated judges on the year-old Joint Task Force to Review the Administration of Ohio's Death Penalty.
- Spoke about plans for an Access to Justice Commission that would focus on underserved members of the community including those with disabilities and those who speak English as their second language.

The chief justice ended her speech with a tribute to Justice **Evelyn Lundberg Stratton**, who is retiring at the end of the year to focus on ways to improve the lives of veterans with mental illness.

Read the complete speech at www.sc.ohio.gov/PIO/Speeches/2012/SOJ.asp.

Other Highlights

The annual two-day meeting of the Ohio Judicial Conference helps judges advance the administration of justice. The judges attended several educational sessions such as courts adapting to new technologies, learning about court funding and consolidation, as well as discussing the Supreme Court's new writing manual.

Judges also had a chance to exchange ideas, discuss issues, and make recommendations for improving courts with their colleagues.

The Ohio State Bar Association presented the Innovative Court Practices Award to Stark County Family Court for its “Never-Married Parents Program” during the conference. Judges receive continuing judicial education credits for attending the conference.

Juries and Social Media



As Ohio courts continue to guard against the use of social media by jurors compromising trial proceedings, a federal

Judicial Conference Committee recently updated the model set of jury instructions federal judges use to deter jurors from using social media to research or communicate about cases on which they serve.

A recent national study reported that more than half (60 percent, up 4.5 percent from 2010) of state court judges report using routine juror instructions that include some component about digital media use during trial.

The new federal guidelines provide detailed explanations of the consequences of social media use during a trial, along with recommendations for repeated reminders of the ban on social media use.

The updated instructions to jurors by the presiding judge now pointedly note, “You can only discuss the case in the jury room with your fellow jurors during deliberations. I expect you will inform me as soon as you become aware of another juror's violation of these instructions.”

In Ohio, since 2010, model jury instructions from the Ohio State Bar Association Jury Instructions Committee and the Ohio Jury Instruction Committee of the Ohio Judicial Conference have contained admonitions on social media use by jurors.

The Ohio Judicial Conference model instructions state in part: “Do not discuss this case among yourselves or with anyone else. This includes family, friends, and the media. You must not post anything about this case on the Internet or on any electronic device including cell phones. This would include blogs and social networking sites such as MySpace, Facebook, Twitter, and others.”



How the Courts Failed Germany

Dr. William Meinecke, with the United States Holocaust Memorial Museum, spoke about the role of World War II German courts at a Forum on the Law program titled “How the Courts Failed Germany.”

The Jewish Federation of Cleveland hosted the forum, which addresses contemporary or historic legal topics, in collaboration with the Ohio Supreme Court.

The lecture outlined how the Nazis could not have succeeded in their plans without the complicit participation of the German legal establishment.

Dr. Meinecke spoke about the Nuremberg Laws, anti-Semitic laws introduced in 1935 that defined who was Jewish and excluded them from marrying “German or related blood.” Dr. Meinecke said the jurist who wrote the laws reminded judges to apply them without question.

He also talked about how judges were able to disregard sentencing guidelines when another series of anti-Semitic legislation passed after the Nuremberg Laws.

“It empowers judges to ignore sentencing guidelines in the law and how to increase criminal penalties for any crime, any crime whatsoever in Germany, up to and including the death penalty,” Dr. Meinecke said.

While some jurists were unwilling to give extreme punishments for minor crimes, Dr. Meinecke defined the courts as an assembly line for murder, as more than 15,000 death sentences were passed down in courts between 1941 and 1945.

He added that no judges or lawyers were removed from their position because of decisions they made in court.

The event marked the second time Dr. Meinecke presented the topic for the Forum on the Law program. He also spoke about the courts’ role in Nazi Germany in November 2010. Watch the complete program at ohiochannel.org.

New Program Helps Divorcing Families Resolve Conflicts

A new program helping families going through divorce or a legal separation by resolving conflicts also is saving courts time and money. It has been successful in Marion County, and officials in Cincinnati recently held a training seminar to learn about adopting the innovative practice.

The program is called Early Neutral Evaluation (ENE). It’s a type of alternative dispute resolution allowing parents and their attorneys to meet to discuss possible financial and custody solutions without having to go before a judge involving their children.

Hamilton County Domestic Relations Court Administrator **Lisa Gorrasi** said social workers, who work for the courts, would save about 40 investigating hours for each divorcing family. The investigations are done to find out what’s best for the children before going to trial.

Gorrasi said Hamilton County is looking forward to implementing ENE.

“We think we’re going to be able to resolve cases more effectively for the families,” Gorrasi said.

Hamilton County court staff is learning about ENE from Marion County Family Court Judge **Deborah Alspach**. Through a judicial scholarship, the Ohio Supreme Court sent Judge Alspach to the Association of Family and Conciliation Courts conference where she heard Minnesota court staff present ENE and thought Ohio could benefit from the program.

Judge Alspach said Marion County has experienced a 70 to 80 percent success rate in resolving divorce cases before they would go to trial since starting the program 18 months ago. She said parents seem happy with ENE.

“They come out with a resolution. They’ve taken control of their case and the outcome, and they feel as though their voice has been heard,” Judge Alspach said.

Besides sharing the success of ENE with Hamilton County, Judge Alspach is showing how litigants benefit from the opportunity to share their information in an informal setting.

“Everyone’s aware now that the court’s budget is shrinking, and the pressures on our staff – our staff’s reduced, time limits are greater, and we need to offer alternatives to litigants to resolve their cases in a more efficient manner,” said Judge **Susan Tolbert** with the Hamilton County Domestic Relations Division.

“I think families who are divorcing are in a high-stress situation and if we can minimize that for mom, dad and the children, I think that we’re going to be successful,” Gorrasi said.

Hamilton County plans to start using ENE within the next few months.



CNO Legislative Digest

Each month, Court News Ohio Review tracks bills and resolutions pending in the Ohio General Assembly that are of interest to the judicial community.

Photo courtesy of the Ohio Statehouse Photo Archive

HB 343, Sen. Tom Niehaus (R-New Richmond); Rep. Eric Kearney (D-Cincinnati)

To revise the law governing the Public Employees Retirement System.

STATUS: Introduced in Senate May 8, 2012. Passed in the House and Senate on September 12, 2012. Effective January 7, 2013.

SB 254, Sen. Tom Patton (R-Strongsville)

To increase from more than 100 to more than 200 the population necessary for a municipal corporation to have a mayor's court unless the municipal corporation is located entirely on an island in Lake Erie.

STATUS: Introduced November 9, 2011. Pending in Senate Judiciary Committee. Two hearings have been continued.

SB 160, Sen. Kevin Bacon (R-Columbus)

To require automatic notice to victims of first, second, or third degree felony offenses of violence of certain prisoner or alleged juvenile offender release or transfer proceedings; to expand victim participation in parole hearings; to make other changes in procedures effecting crime victims.

STATUS: Introduced in Senate April 28, 2011. Passed Senate May 3 (33-0). Pending in House Criminal Justice Committee since May 8.

Sub. HB 247, Rep. Jim Butler (R-Oakwood)

To authorize a court to cancel claims for uncollectible amounts due the court, to authorize a sentencing court to waive, suspend, or modify payment of the costs of prosecution, to define "case" in connection with the imposition of costs in a criminal case, and to abolish the Felony Sentence Appeal Cost Oversight Committee.

STATUS: Introduced June 1, 2011. Passed House December 6 (92-0) Amended and reported out of Senate Judiciary Committee June 6, 2012.

HB 265, Rep. Lynn Slaby (R-Copley Township); Rep. Sean O'Brien (D-Brookfield)

To authorize prosecuting attorneys to demand a jury trial in a criminal case, notwithstanding a defendant's waiver of trial by jury and over a defendant's objection.

STATUS: Introduced in House June 14, 2011. Passed House (50-41) March 28, 2012. Pending in Senate Judiciary Committee.

HB 197, Rep. Stephen Slesnick (D-Canton)

To require that all moneys collected by the clerk of a municipal or county court be paid to the appropriate person, fund, or entity on or before the 20th day of each month; to permit a municipal or county court to collect unpaid court costs, fees, or fines from an obligor's state income tax refund; to require the auditor of state to create and maintain a chart detailing the distribution of court costs, fees, and fines collected by municipal and county court clerks; to create the Committee on Court Costs; and to make other changes.

STATUS: Introduced in House April 12, 2011. Pending in House Judiciary & Ethics Committee.

SB 358, Sen. Tim Schaffer (R-Lancaster). Companion Bill HB 576, Jay Hottinger (R-Newark)

To require the court clerk to promptly give written notice to the county sheriff and chief law enforcement officer of the political subdivision in which a person accused of an offense of violence will reside as a condition of bail if the offense was not committed in that political subdivision and to require the Adult Parole Authority to give similar notice to the chief law enforcement officer of the political subdivision in which an inmate who served a prison term for an offense of violence and is on parole or post-release control establishes a residence if not the political subdivision in which that offense was committed.

STATUS: Introduced in Senate July 9, 2012.

COMPANION BILL STATUS: Introduced in House July 12, 2012. Referred to House Criminal Justice Committee on September 12, 2012.



IN MEMORIAM RACHEL HUTZEL

The first woman to serve as a judge on the Twelfth District Court of Appeals died on August 25 after losing her battle with cancer. **Rachel A. Hutzel** was 56.

Judge Hutzel joined the appeals court on February 10, 2011. She also claimed another first in her public service career, becoming the first woman to serve as Warren County prosecutor in 2003.

During her time as prosecutor, she made the prosecution of child abusers a priority and was instrumental in the opening of the Child Advocacy Center of Warren County in 2008.

Hutzel is survived by her husband Jeff Blazey, son Matt Blazey, mother Patricia Hutzel, seven brothers and five sisters.

Crisis Intervention Award Named for Justice Stratton

An annual award recognizing law enforcement officers who de-escalate crises and handle incidents involving people with mental illness recently was named for Justice Evelyn Lundberg Stratton.

Justice Stratton attended a Crisis Intervention Team advanced training conference in early September in Columbus and said she was surprised to learn of the honor.

"I thought you had to be dead to have an award named after you," she said.

Betsy Johnson, associate executive director of the National Alliance on Mental Illness of Ohio, said the awards committee considered giving Justice Stratton the first Evelyn Lundberg Stratton CIT Champion of the Year award, "but it seemed too little given all that she has done for the program over the years."

"Instead, the committee decided to name the CIT Champion of the Year Award in her honor, so year after year, we will be reminded of her contribution in making Ohio's one of the best CIT programs in the country," Johnson said.

Appellate Judges Elected to 2013 Association Offices

At its annual fall meeting, the Ohio Courts of Appeals Judges Association elected officers for next year. The officers will assume their leadership posts on January 1, 2013. Judges elected to leadership positions in the association include:

Chief Justice

Judge Stephen W. Powell
Twelfth District Court of Appeals

Chief Justice-Elect

Judge G. Gary Tyack
Tenth District Court of Appeals

Secretary/Treasurer

Judge John W. Wise
Fifth District Court of Appeals

In May, Justice Stratton announced her intention to retire by the end of the year after 16 years of service on the Supreme Court.

Justice Stratton presented the first award to Columbus Police Department Cmdr. Chris Bowling, who's been at the forefront of CIT in Franklin County since 2003 and assisted many other counties in launching CIT programs.

Terry Russell, NAMI Ohio executive director, also spoke of Justice Stratton's impact.

"On behalf of the over 525,000 Ohioans with serious mental illness and their families whom NAMI Ohio represents, we are grateful to Justice Stratton for her tireless efforts to improve the quality of their lives," he said. "Naming this award in her honor is our way of acknowledging her specifically for being the champion of Ohio's CIT program. Additionally, it will ensure that she is remembered for her contribution to this program each and every year when the award is given to others who follow in her footsteps."

Judicial Profiles

Judge Sylvia Hendon

First District Court of Appeals



When she applied and interviewed for a spot on the Hamilton County Municipal Court bench in 1983, Judge Sylvia Hendon didn't know she was in the running until she read about it.

"One day I opened the newspaper and it said that I was running for judge, so that's how I actually became a judge," said First District Court of Appeals Judge Sylvia Sieve Hendon, "And I was running against an incumbent, so I was not favored to win initially and lo and behold I did, and I've been here ever since."

Judge Hendon spent more than 10 years on the municipal court bench before spending 12 years in the juvenile court. "Which I just absolutely loved," she said. "I would go back there in a heartbeat."

Though her love for the hustle and bustle of the juvenile courts never waned, Judge Hendon changed scenery when a spot opened up at the First District Court of Appeals.

"It took me a little while to decide that I wanted to get out of the trial court business because I loved the people. I loved the interaction, and this is a very cerebral environment. But since I've been here, I've grown to love it. It is so varied," Judge Hendon said.

Judge Hendon compares the appeals court to law school. She's always reading and researching.

"I appreciate the time to think, which you don't have on the trial court bench," Judge Hendon said.

Judge Hendon said the appellate judges take their job seriously, but try to inject a bit of humor every now and then.

"I had one fellow who wrote his own appeal from the penitentiary and it was all in poetry, so I decided to write my opinion in poetry," she said.

Now in her seventh year as an appeals court judge, Judge Hendon said she'll continue reading, researching and writing opinions – most without poetry – throughout her remaining and last term on the bench.

Judge John Connor

Tenth District Court of Appeals



As a third generation attorney, John Connor learned from the best. His grandfather was admitted to the practice of law in 1904 and his father in 1939. So it was no surprise that Judge Connor would do well in the same field.

"I had my own practice for 20 years, and I excelled in my area, and I always said if I made enough money where I could afford public service, I would do it," he said.

And so in 1992, when he was elected to the Franklin County Common Pleas Court, John Connor became Judge Connor.

"I saw over the years as I was practicing how important the judiciary was. It certainly was to me and it was to the general public and my clients," Judge Connor said. "I just had this respect and reverence for the judiciary and the function and the way people depend on it."

Judge Connor became nationally known in 2006, when he was labeled by TV commentator Bill O'Reilly as "the worst judge in America," for sentencing a convicted sex offender to five years of probation instead of prison.

Judge Connor said he gave the offender probation and treatment in part because of recommendations of mental health professionals.

"The governor called for my resignation, the attorney general was trying to impeach me," Judge Connor said. "This went on and on, and I got through it and the guy went through five years (of supervision) and never committed another offense."

The public moved on, too. Fast forward to 2009, and Judge Connor began his first term at the Tenth District Court of Appeals.

Judge Connor said he loves his job – challenges and all – and said he is glad he went into public service.

"I really felt, for some reason, if there was an opportunity that I could serve and do something I wanted to do – something I knew I would enjoy and I did. And I never regretted it," he said.



FALL CONFERENCES

October 3 – 5

Ohio Association of Magistrates
Columbus

October 10-12

**Ohio Association of Municipal/
County Court Clerks**
Columbus

October 11 & 12

**Ohio Bailiffs & Court
Officers Association**
Columbus

**Ohio Justice Alliance for
Community Corrections**
Columbus

**Public Children Services
Association of Ohio**
Columbus

October 17–19

**Ohio Association
of Court Administrators**
Columbus

The Agenda

Upcoming events, training opportunities and conferences for judges and court staff. For more information, contact the event sponsor at the website provided.

Judicial College Courses

judicialecademy.ohio.gov

October 9 & 10

Mentally Ill Youth in the Courts
Juvenile Court Personnel, Columbus

October 10

Guardian Ad Litem 3-Hour Course
(19 of 23) 1 to 4:30 p.m.
GALs, Dayton South

October 11

Guardian Ad Litem 3-Hour Course
(20 of 23) 8:30 a.m. to Noon
GALs, Dayton South

October 12

Juvenile Traffic
Judges & Magistrates
Video Teleconference

October 15-19

Juvenile Detention Train the Trainer
Probation Officers, Columbus

October 18

U.S. Constitutional Law
Judges and Magistrates
Beachwood-Cleveland

October 19

**Ethics and Professionalism & Access
to Justice & Fairness in the Courts**
Judges, Beachwood-Cleveland

October 23

**Guardian Ad Litem 6-Hour
Pre-Service Course (10 of 12)**
Attorneys, Boardman-Youngstown

October 26

Municipal Course: Damages
Magistrates, Judges & Acting Judges
Video Teleconference

Pretrial Services Course
Court Personnel, Columbus

November 1

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

November 2

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

**Current Legal Issues
in General Division Courts**
Magistrates & Judges, Columbus

Guardian Ad Litem 3-Hour Course
(21 of 23) 8:30 a.m. to Noon
GALs, Athens

Paternity, Custody & Child Support
Judges & Magistrates
Video Teleconference

November 8

**Acting Judge Essentials (3 of 4):
Avoiding Potential Minefields**
Magistrates, Judges & Acting Judges
Cleveland-Strongsville

Dispute Resolution Trainingsc.ohio.gov/JCS/disputeResolution

October 9–10 & 16–18

Specialized Divorce/Family Mediation
Portsmouth

October 19

Mediation Roundtable
Columbus

November 14 & 15

Parenting Coordination
Portsmouth**Virtual Foreclosure Mediation**
Topic TBD
2 to 4 p.m. ET Teleconference**Interpreter Services Training**sc.ohio.gov/JCS/interpreterSvcs

October 11 & 12

Legal Procedure & Terminology
(Restricted for test candidates only)
Columbus

October 13

Idioms, Slang & Metaphors
Columbus

October 26 & 27

Domestic Violence Training
Location TBA

November 1-9

Interpreter Certification Oral Exam

November 16

Interpreter Certification Written
Application Deadline**Specialized Dockets Training**sc.ohio.gov/JCS/specDockets/events/

October 17

Beyond Equal Access: Gender
Responsive Programming from
the Bench to the Community
Court & agency personnel affiliated
with a specialized docket
Wadsworth

October 18

Beyond Equal Access: Gender
Responsive Programming from
the Bench to the Community
Court & agency personnel affiliated
with a specialized docket
Fairborn

October 19

Ohio Specialized Dockets Practitioner
Network Sub-Network Meeting
Program Coordinators
Columbus**Supreme Court of Ohio**sc.ohio.gov

October 25

Miller Becker Seminar:
Lawyers in Distress
Columbus

October 26

July 2012 Bar Examination
results announced

November 1

Application deadline for February
2013 Bar Examination

November 5

Bar Admissions Ceremonies
10 a.m. & 2 p.m., Columbus

November 15

Deadline for Timely Application to
Register as a Candidate for Admission
to the Practice of Law
For applicants in the second year
of law school**Miscellaneous**

October 9

Office of Criminal Justice Services:
Finding Funding and Sustainability
Columbus

October 16 & 17

Ohio Clerks of Courts Association
Committee & Membership Meetings
Columbus

October 20

Ohio Court Reporters Association:
BRATS: Bringing Realtime Around
The State
District A member event, Norwalk

October 25 & 26

Erie County Domestic Violence
Conference
Sandusky

November 8

Office of Criminal Justice Services
Free Grant-Writing Seminar
Columbus

November 13 & 14

Ohio Clerks of Courts Association
Committee & Membership Meetings
Columbus

November 15 & 16

Ohio Chief Probation Officers
Association Training, Membership
& CCA Meetings
Columbus

Intepreter Certification | Continued from page 1

Civil Rights Act of 1964 and the implementing federal regulations specifically prohibit recipients of federal funding, which includes courts, from charging the individual for the cost of the interpreter. Additionally, the Americans with Disabilities Act (28 C.F.R. § 35.130(f)) explicitly prevents public entities, including courts, from charging the costs of auxiliary aids or interpreter services to deaf or hard of hearing people.

The Supreme Court Advisory Committee on Interpreter Services is investigating ways to help courts control costs, which may include interpretation via video or telephone. The program is offering two testing cycles per year.

As to the availability of enough qualified interpreters, the Supreme Court announced the rules 18 months before the requirement would be implemented in order to conduct certification testing to increase the pool of certified interpreters. The Supreme Court began certifying court interpreters in 2010 after related amendments became effective January 1, 2010. The first group of court interpreters were certified February 1, 2011, and a second class of certified interpreters were honored at a ceremony on January 19 this year.

There are 32 Supreme Court-certified Spanish interpreters, seven certified interpreters with Special Certificate: Legal (SC:L) in American Sign Language, five certified Russian interpreters, one certified French interpreter and one certified Arabic interpreter in Ohio. In addition, there are 10 provisionally qualified Spanish interpreters as well as 17 qualified American Sign Language interpreters.

The Supreme Court certified requirement rule may be new, but a legal requirement that judges appoint interpreters has been in place for years. The Ohio Revised Code contains provisions addressing the appointment of interpreters (see R.C. sections 2311.14, 1901.33, 1907.201 and 2301.13). Additionally, the Ohio Rules of Evidence (see Evid. R. 604 and 702) dictate that an interpreter appointed to a case must have specialized knowledge, skills, experience, and training.

Judicial representatives from Ohio will attend an upcoming National Summit on Language Access in the Courts in October in Houston, Texas, to learn the very latest developments in this area. The five-person team, which was appointed by Chief Justice Maureen O'Connor, includes the chief justice, Supreme Court Administrative Director **Steven C. Hollon**, Romero, Ashtabula Common Pleas Court General Division Judge **Gary L. Yost** and Franklin County Municipal Court Judge **Andrea C. Peeples**.

At the summit, state courts and other stakeholders will share successful strategies and evidence-based practices in order to develop state action plans for system improvements. State team planning sessions will enable participants to share ideas and programs.



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