



California Woman Caught with Marijuana in RV Denied Appeal (p. 3)



Supreme Court's Electronic Filing Portal Now Open (p. 4)

# CNO REVIEW

November 2014

## BALANCE YOUR GOVERNMENT

LEGISLATIVE BRANCH

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GENERAL ASSEMBLY  
CREATES THE LAW

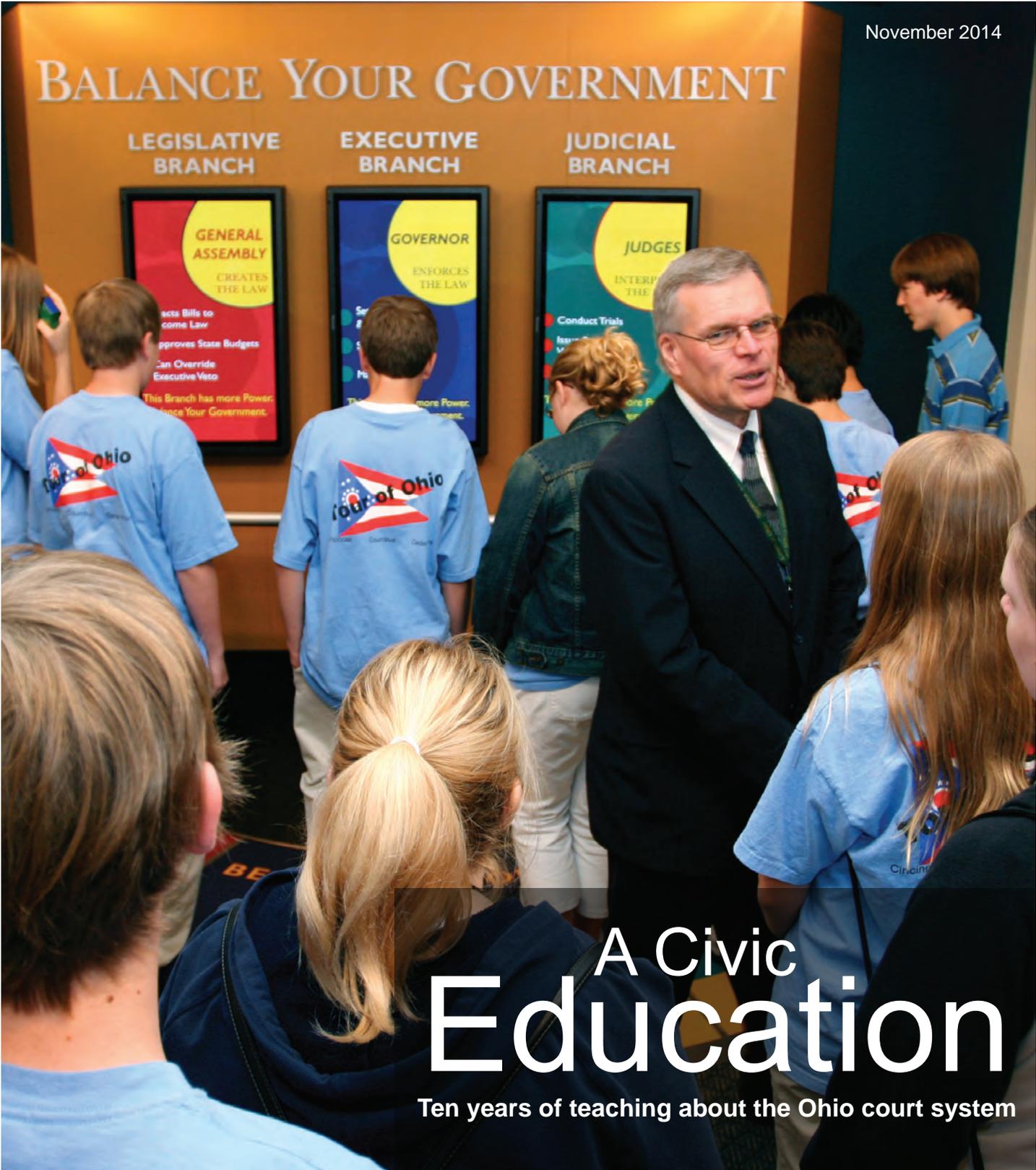
GOVERNOR  
ENFORCES THE LAW

JUDGES  
INTERPRET THE LAW

...acts Bills to come Law  
...approves State Budgets  
...Can Override Executive Veto  
This Branch has more Power.  
Balance Your Government.

...Selects  
...Enforces  
...More Power.  
Balance Your Government.

...Conducts Trials  
...Interprets  
...More Power.  
Balance Your Government.



## A Civic Education

Ten years of teaching about the Ohio court system

## About Court News Ohio

Court News Ohio is a service of the Office of Public Information of the Supreme Court of Ohio and Ohio Government Telecommunications. Court News Ohio includes a website (courtnewsOhio.gov), a monthly print publication (CNO Review), a television program (CNO TV), a Facebook page (facebook.com/courtnewsOhio), a Twitter feed (@courtnewsOhio), and a YouTube channel (youtube.com/CourtNewsOhioTV).

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# Cases

Visit [courtnews.ohio.gov](http://courtnews.ohio.gov) for the most current decisions from the Ohio Supreme Court, Courts of Appeals, and Court of Claims.

## Supreme Court of Ohio

### Accused May Contest Test Results and Operability of Intoxilyzer 8000

A person charged with operating a vehicle while under the influence of alcohol has the right to challenge the accuracy of the specific results from the breath analyzer machine used to conduct a breath-alcohol test, the Supreme Court ruled on October 1. The court's decision affirmed the appellate court's judgment, which upheld the trial court's exclusion of evidence from the breath analyzer used to test **Daniel Ilg** because the Ohio Department of Health did not comply with a discovery order to provide Ilg with data from the machine.

Cincinnati v. Ilg  
Slip Opinion No. 2014-Ohio-4258

### Parole Board Obligated to Investigate and Correct Significant Errors in Record Considered for Inmate's Release

The Supreme Court ruled on October 7 that information relied on by the state parole board when considering a prisoner for release must be reasonably accurate and relate to the prisoner. Because Ohio has established a parole system, and statutes and regulations require the state's parole authority to consider relevant information about a prisoner up for parole, the state has created a minimal due-process expectation that the information used when reviewing parole eligibility is substantively correct and pertinent, the court held. In a 6-1 decision, written by Justice **Judith Ann Lanzinger**, the court granted a writ to inmate **Bernard R. Keith**, ordering the Ohio Adult Parole Authority and the chair of the Ohio Parole Board to investigate Keith's allegations of errors and to correct any

substantive mistakes in the record used to consider him for parole.

State ex rel. Keith v. Ohio Adult Parole Auth.  
Slip Opinion No. 2014-Ohio-4270

### Electric Utility May Recover Costs from Customers Who Changed Companies

An electric utility is permitted to recover some of the \$36 million in undercharged transmission costs from customers who switched companies for that part of their electric services, according to an October 7 Supreme Court decision. Although customers who do not purchase generation service from Ohio Power Company (shopping customers) normally avoid paying transmission costs to the company, the Public Utilities Commission of Ohio decided it would be unfair to require Ohio Power's non-shopping customers to pay all of the \$36 million in underrecovered transmission costs. The court affirmed the commission's order in a unanimous opinion, written by Justice **Sharon L. Kennedy**.

In re Application of Ohio Power Co.  
Slip Opinion No. 2014-Ohio-4271

## Courts of Appeals

### California Woman Caught with Marijuana in RV Denied Appeal

A California woman found transporting 19 boxes of marijuana in a motorhome on an Ohio highway was denied an appeal. A Twelfth District Court of Appeals panel on September 29 affirmed the decision of the trial court in finding **Araceli Cruz** guilty of possessing marijuana and criminal tools. Cruz made several arguments in her appeal, including that there was no probable cause to search the

entire motorhome and that Marco, the drug-sniffing dog, was not reliable. Judge **Michael E. Powell** cited in the opinion the U.S. Supreme Court case *Florida v. Harris* that evidence of a dog's performance in a certification or training program can provide sufficient reason to trust its alert to the odor of drugs.

State v. Cruz, 2014-Ohio-4280

## Court of Claims

### Police Owe \$22,550 to OU Student for Broken Thumb

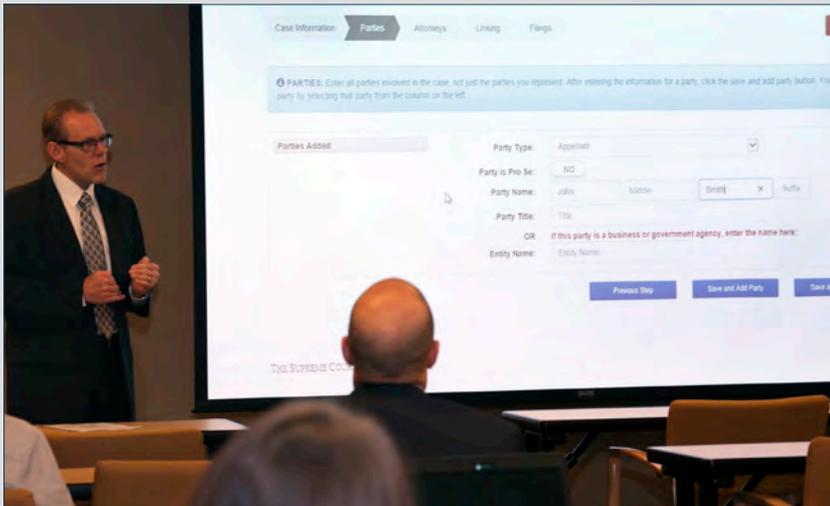
An Ohio University student who said a campus police officer broke her thumb while arresting her will receive \$22,554. The Court of Claims approved a magistrate's decision on October 1. **Lyndsey Howell**, of Chillicothe, filed a negligence lawsuit in January 2013 against the Ohio University Police Department. Howell said Lt. **Eric Hoskinson** broke her thumb and injured her hand in January 2012 while handcuffing her for driving under the influence. During trial proceedings, Lt. Hoskinson testified that he asked Howell if she was injured before he began her field sobriety tests, and she said no. He also said he grabbed Howell's fingers and pulled them in a downward motion, though he "did not recall making any contact with her thumbs." In June 2014, Magistrate **Holly True Shaver** wrote in her decision that "Lt. Hoskinson failed to use ordinary care when he placed handcuffs on her," and "more probable than not that Lt. Hoskinson's actions of pulling plaintiff's fingers downward behind her back while placing handcuffs on her resulted in the injury to her left hand."

Lyndsey Howell v. Ohio University Police Department, Case No. 2013-00001

# Happening Now

News and Notes from Courthouses Across the Buckeye State

## Supreme Court's Electronic Filing Portal Now Open



Ohio Supreme Court Director of Information Technology Robert Stuart provides training to lawyers and their staff on the e-filing pilot program.

The Ohio Supreme Court's new automated electronic case filing system launched October 23.

More than 85 lawyers who frequently file with the court are participating in an e-filing pilot program that is expected to last until the end of this year. The program will be expanded to all registered lawyers in early 2015 and to pro se filers later in the year.

"We have electronic filing in our county common pleas court and court of appeals and it's fast and easy to use," Franklin County Assistant Prosecutor **Steven Taylor** said during training for lawyers in the pilot program. "I'm looking forward to testing the Supreme Court's system. I think the system will be very helpful to prosecutors across the state, especially those facing a time crunch who would otherwise need to travel to Columbus to file their documents."

There are several guidelines for e-filing, including:

- Filing documents through the e-Filing Portal does not alter any filing deadlines imposed by the Rules of Practice of the Supreme Court of Ohio.
- Documents received after 5 p.m. Eastern Time through the e-Filing Portal will not be considered for filing until the next business day.

The portal is available on the Supreme Court website and includes a user guide with step-by-step instructions.

## Statistical Report: Trial Rates in Ohio Continue Decline

The rate of cases going to trial in Ohio courts is on the decline and the state has seen five consecutive years of fewer overall filings of new cases, according to figures released by the Ohio Supreme Court.

Last year, 2.6 million cases were filed in Ohio courts. With the exception of traffic court cases, filings in most case types across all levels of courts are lower, according to the *2013 Ohio Courts Statistical Summary*. The Supreme Court Case Management Section compiles the statewide statistics using data that Ohio courts are required to file. Detailed single-year data for 2013 in case types across all courts has been compiled in the companion *2013 Ohio Courts Statistical Report*.

Among the findings is the downward trend of trial rates. In the courts of common pleas where felony criminal cases and civil disputes involving more than \$15,000 are heard, the numbers of trials have dropped to a 2-percent rate for criminal cases and 1.2 percent for civil. At their 10-year peak in 2004, nearly 4 percent of criminal cases and just more than 2 percent of civil cases went to trial.

Trial rates are equally low at the municipal and county court levels. While the civil trial rate crept up slightly to 1.9 percent, criminal trial rates are at 1.8 percent and 0.6 percent for traffic case trials.

With the exception of the 1.4-percent increase in traffic cases, nearly every other category of cases saw a decline in the number of new filings in 2013. Because the 1.26 million traffic cases represent nearly half of all cases filed in the state, the number greatly impacts the overall results. The courts experienced an overall 3-percent decrease in cases filed in 2013 compared to 2012.

Some of the largest drops included contract cases filed in municipal and county courts, which dropped by 25 percent in the last two years and by 48 percent since the peak of those types of cases in 2008. There was also a single-year decline of 25 percent in foreclosures and an 8-percent drop in juvenile delinquency filings.

Story continues on page 11.

## Mayor's Courts Experience Decade Long Caseload Decline

Led by nearly a 25-percent decrease in intoxicated driving cases, mayor's courts in Ohio are seeing a decade of decline in the number of cases filed.

A new report by the Ohio Supreme Court of mayor's court activities mirrors similar findings of Ohio's other courts, such as municipal and common pleas courts, where the filing of cases has been on the decline. The one exception is the filing of traffic cases not involving Operating a Vehicle While Intoxicated (OVI). Traffic cases increased from 2012 to 2013 in mayor's courts by 3 percent.

New cases rose to 264,914 in 2013 for mayor's courts from 260,548 a year ago due to increased traffic cases. Overall, mayor's courts are receiving 14 percent fewer cases than 10 years ago.

Mayor's courts hear misdemeanors, OVI, and traffic code infractions. Mayor's courts have been operating in Ohio for decades, but beginning in 2004 the courts began reporting caseload statistics to the Ohio Supreme Court.

The current report provides the first opportunity to do a comparison of a full decade of caseloads. The largest decrease

Story continues on page 11.

## FEATURED VIDEO



Columbus attorney **Steve Chappelle** talks about the recently released American Bar Association opinion that ethically allows trial lawyers to use social media such as Facebook, Twitter, LinkedIn, and Instagram to pick out jurors. Check out the video at: [courtnesohio.gov/happening/2014/ABASocialMedia\\_100114.asp](http://courtnesohio.gov/happening/2014/ABASocialMedia_100114.asp).



## Ohio Adds to Certified Court Managers

Ohio added 31 certified court managers with a nationally recognized certification to its ranks during an October 10 ceremony in Columbus. The graduation ceremony closed the 3-year Court Management Program for the class, the second group to complete the program in 2014. The program, available through the Institute for Court Management of the National Center for State Courts and the Ohio Supreme Court Judicial College, includes six modules that address topics pertaining to the management of courts as organizations.



## Input Sought on Statewide Case Management System

There are dozens of different case management systems in use in Ohio. The Ohio Supreme Court is exploring ways it can support courts in the adoption and operation of a standardized case management system.

A survey was sent to all Ohio courts in October to collect information about existing systems and operations and any issues. The survey information will be used to assess the interest in the different solution and service alternatives being considered by the court, including:

- **Shared Case Management:** Participating courts would use a system selected, implemented, and operated by the Supreme Court.
- **Common Case Management:** Participating courts would implement a local, court-specific system with one vendor selected by the Supreme Court.
- **Standards-Based Case Management:** Participating courts could choose from a list of vendors selected by the Supreme Court.

In all three options, the Supreme Court would work with local courts to improve data exchange between courts, as well as maintain standards.

# A Civic Education

The Ohio Supreme Court celebrates a milestone this year as it commemorates the 10th anniversary of taking up residence inside the historic Thomas J. Moyer Ohio Judicial Center.

In 2004, for the first time in its more than 200-year history, the Supreme Court moved into a building devoted solely to the judicial branch. It was former Chief Justice **Thomas J. Moyer's** idea that paved the way for the court to have a home of its own and to emphasize the judiciary's independent role in state government.

Chief Justice Moyer also wanted to instill in the public the rich history of the judicial system by helping form the Civic Education Section (CES). The CES sets up tours so anyone across the state or country can learn more about Ohio's court system by exploring the building and its Visitor Education Center.

Judges, lawyers, students, and the public are all invited to visit the Moyer Judicial Center and tour one of the most beautiful buildings in the state, and perhaps in the country.

## The Supreme Court and the Visitor Education Center

Thousands of students and adults visit the Ohio Supreme Court and the Visitor Education Center (VEC) each year. In 2013, more than 11,800 visitors toured the Moyer Judicial Center. In its 10-year history, more than 138,000 people have visited the building.

Art lovers can enjoy two Dale Chihuly glass sculptures in the Supreme Court Law Library and dozens of paintings made by Ohio artists. Students can explore the Courtroom and learn about the deep history of the state's judicial branch. Visitors can also appreciate the home



of Ohio's court of last resort when they look at the building's marble walls, bronze carvings, mosaic ceilings, and walnut wood carvings.

"The civic education program is designed to provide visitors with an understanding and appreciation of the history, role, and responsibilities of the Ohio court system," said **Jay Wuebbold**, CES program manager.

The VEC features interactive exhibits where students can learn more about the judicial system through a fun, hands-on approach.

Wuebbold said elementary students learn the role of government, the constitution, and the significance of the First Amendment. Middle school students get an in-depth look at the constitution and the Bill of Rights as well as discuss concepts such as due process and equal protection under the law. He said high school students participate in advanced discussions about how the courts work to resolve conflicts as well as how court decisions establish precedent.

The Courtroom was designed specifically for students to watch oral arguments in progress. Wuebbold's research leads him to believe it's the only courtroom in the country intended solely for this purpose. Students enter from the back of the Courtroom and sit on benches that don't disrupt court proceedings.

"The program is dedicated to

informing citizens about the judiciary with the aim of building trust through knowledge and understanding," Wuebbold said.

## Valued Volunteers

The CES's volunteers help bring the court to life. They are the voice of the court to the thousands of people who visit and tour the building each year.

The CES currently has a wonderful group of volunteers, Wuebbold said. Some have walked the halls of the Moyer Judicial Center for more than a decade. But more volunteers are needed – especially during the school year. The CES is recruiting volunteers to lead tours and work with students and adults (*see box at right*).

"The guides engage the students throughout the course of the experience by leading discussion with grade-specific details and answering questions," Wuebbold said.

As official guides of the court, volunteers provide a behind-the-scenes view of the Ohio Supreme Court.

**Catherine Stroup** said she didn't know what to expect when she started leading tours almost two years ago.

Stroup said it's been a pleasant surprise to find out how much she enjoys working with young people.

"They are fun, like to participate, and you never know what they are going to say or ask," Stroup said.

Volunteer tour guide Catherine Stroup answers questions from student visitors in the Courtroom.

After 22 years as an attorney for the Ohio Environmental Protection Agency, she said it is possible to “get bogged down with too many legal details” while conducting a tour.

“You try to keep the discussion of cases and courts more general,” Stroup said. “You can tell by watching the students’ faces if they understand what you are saying. And of course, you continually engage the students by asking them questions.”

**Patricia Davidson** volunteered as a guide last year after five years as a high school teacher. She also had a background in law with a legal career in private practice, the Ohio State Medical Board, and the Tenth District Court of Appeals.

She said her appellate experience has been particularly helpful in fielding questions from students.

“Whether you are before a three-judge panel or leading a fourth grade tour, you are answering questions – one after another – from many different directions,” Davidson said.

While Stroup and Davidson have legal backgrounds, it’s not required for volunteers. Volunteers can also request to lead specific groups, such as for those interested only in the court’s artwork or for international delegates who visit Ohio. Most volunteers, though, lead students in a lively tour.

A volunteer since 2013, **Susan Voorhees-Murphy** said the experience is invaluable.

“What makes it worthwhile to me, as a volunteer, is the students are engaging and participate with their ideas about the cases and exhibits featured in the Education Center,” Voorhees-Murphy said.

## Transportation Grants

Transportation grants help Ohio schools offset costs to visit the Moyer Judicial Center and its education

center. The grants first became available during the 2011-2012 school year. Since then, the Thomas J. Moyer Ohio Judicial Center Foundation and the Ohio Supreme Court have provided more than \$48,000 for transportation grants.

By the end of the 2014-2015 school year another \$10,000 worth of transportation grants will be used to bring Ohio students to the Moyer Judicial Center for a total of nearly \$58,000.

The Supreme Court is currently accepting applications for transportation grants for those who plan to visit January through June 2015. All Ohio schools – public, non-public, and charter – receiving state funds are invited to apply through November 7. The court will only accept online applications.

The grants will be awarded to those schools with the highest percentage of students enrolled in the free- and reduced-lunch program as reported by the Ohio Department of Education. The grants are worth up to \$440 and are for students in the fourth through twelfth grades.

“Thanks to the foundation’s transportation grants, students across Ohio have visited the Supreme Court and education center,” Wuebbold said. “It is truly a wonderful program that provides money to schools that cannot otherwise afford to make these trips.”

In 2012 when transportation grants first started making an impact, **Martha Verde**, a teacher at Andrew J. Rickoff Elementary School in Cleveland, said her students wouldn’t have been able to tour the court without the grants.

“Most of my students never get the opportunity to leave Cleveland. There are no words grand enough to express how grateful I was that [the court was] able to help us out with a transportation grant,” Verde said. “We would not have been able to have this opportunity to make our government real without this grant.”

Last year, 78 schools applied for and received a transportation grant.



## BECOME A CIVIC ED VOLUNTEER

Interested in becoming a Visitor Education Center volunteer? Contact Sara Stiffler at 614.387.9223 or Sara.Stiffler@sc.ohio.gov to learn more about this rewarding experience working with students and adults from across Ohio.

### VOLUNTEER PROFILE:

- Comfortable speaking to groups
- Capable of leading 90-minute tours
- Enjoy working with students and adults of varying ages
- Have a general knowledge of the judicial system
- Interested in history and civics
- Appreciate art and architecture
- Available about six hours per month, weekdays only

In all, more than 150 schools have benefited from the grant program. The foundation plans to donate another \$20,000 for transportation grants for the upcoming 2015-2016 school year. More information about when to apply for these grants will be released next year.

For more information, email courttours@sc.ohio.gov or call 614.387.9223.

## County Juvenile Courts Awarded Federal Grants to Take New Approaches to Reducing Crime

Juvenile courts in Mahoning and Lucas counties recently received grants from the U.S. Department of Justice to test new approaches to the systemic problems of joining gangs and successfully reentering the community after serving time.

Taking a proactive approach to preventing young people in her community from becoming involved in gangs, Mahoning County Juvenile Court Judge **Theresa Dellick** put together a collaborative project with four area schools that has received approval of a three-year, \$600,000 federal grant.

More than one in three middle school students report gangs in their schools, according to a 2010 study conducted by the Department of Justice's Office of Juvenile Justice and Delinquency Prevention

"While the court continues to work with local law enforcement to curtail gang activity, we recognize that by forming a partnership with our local Educational Services Center we can intercede early with youth who are at risk to join gangs and curtail the spread of gang activity in our community," Judge Dellick said.

Mahoning County is one of only four juvenile courts in the country selected to receive the grant from the Department of Justice's Office of Justice Programs.

The program will incorporate gender-specific, evidence-based anti-gang programming and target moderate- to high-risk students at the Mahoning County High School. A court facilitator will provide evidence-based low-to-moderate-risk gender-specific anti-gang programming to students in Austintown, Boardman, and Struthers high schools. The grant provides funding for the court's mediation

and restitution program, and training for school resource officers, law enforcement, mental and behavioral health specialists, and court staff to support the initiative.

The court will gauge the effectiveness of the programming by tracking graduation rates, suspension and expulsion referrals to the court from the schools, and gang-related delinquent activity.

Lucas County received an Office of Justice Program grant to address repeat offenders in the juvenile justice system. A Second Chance Act grant of \$748,000 was presented to the Criminal Justice Coordinating Council and will seek to promote positive reentry into the community after confinement in juvenile detention.

At a news conference announcing the grant, Lucas County Juvenile Judge **Denise Cubbon** said developing programs that bring families closer to juvenile offenders while in the rehabilitation process can help the youths make changes in their lives, become productive citizens, and avoid reincarceration, according to the *Toledo Blade*.

The grant will look to reduce juvenile recidivism by 50 percent in five years by "filling the gaps" in the juvenile detention system with services offered before and after an offender is placed in the Lucas County Youth Treatment Center. The grant will help support services such as parent classes, mental health and substance abuse issues, and legal assistance.

### State Law Change Means Counties Can Be Reimbursed for Some Acting Judge Costs

Under a new state law, the Ohio Supreme Court can now reimburse counties for a portion of the compensation paid to acting judges appointed to serve

on municipal and county courts. The Supreme Court recently provided forms and guidelines to the counties to assist them in properly requesting reimbursement.

The change stems from the passage of House Bill 261 of the 130th General Assembly, which took effect on July 10. The legislation reinstated laws permitting county treasurers to

seek reimbursement from the Supreme Court for the state share of compensation paid to an acting judge. The legislation also clarified the formula for calculating the compensation payable to judges assigned by the chief justice.

County treasurers were informed in early October of the procedures the Supreme Court will use to pay the

## Cuyahoga County to Add Second Drug Court

Cuyahoga County Court of Common Pleas is adding a second drug court in 2015.

Judge **Joan Synenberg** will oversee the new docket beginning in January, joining Judge **David Matia** whose drug court has had nearly 250 participants since May 2009. The court's main goal is to expand the program to include those with substance-use disorder and trauma-related mental health issues.

"Judge Synenberg has been a member of the Mental Health Developmental Disability Court for five years and will bring her expertise in that area to the new docket beginning in January," Administrative and Presiding Judge **John J. Russo** said. "I think having Judges Matia and Synenberg working together and sharing their energy and enthusiasm is such a positive for our court and our community."

The court received funding from a Bureau of Justice Assistance (BJA) and Substance Abuse Mental Health Services Administration (SAMHSA) Adult Drug Court Grant. The BJA is providing \$300,000, while SAMHSA is granting \$975,000 over three years. The SAMHSA grant is contingent on showing success as the program moves forward year-to-year.

The addition of a second felony docket will expand availability of treatment for the burgeoning number of defendants with opiate-related diagnoses who require more intensive treatment. The target is to have 60 participants each year, or 180 for the three-year grant period.

Drug courts, such as the one in Cuyahoga County, are specialized dockets through which court and treatment personnel work collaboratively to assist defendants with treatment, instead of prison, for issues such as drugs, alcohol, and mental health. The success of specialized dockets is measured by reduced recidivism, improved treatment, and cost savings.

There are more than 150 specialized docket programs in Ohio as of April 2014.



Judge Synenberg (left) will join Judge Matia (right) in overseeing drug court dockets in Cuyahoga County.

## Research Backs Drug Court Effectiveness

The Cuyahoga County Court of Common Pleas now has research to back claims that its drug court works.

An independent analysis by the Mandel School of Applied Social Sciences at Case Western Reserve University looked at the court's 249 drug court participants from 2009 to 2013.

Key findings from the study included:

- Fifty-six percent completed the program successfully.
- Only 8.4 percent were re-arrested after 12 months, compared to 27 percent in a similar group that did not receive drug court programming.
- Less than 4.5 percent were re-arrested for felony crimes, compared to 14 percent of the non-drug court programming group.

"These numbers demonstrate that Drug Court is a great deal for the taxpayers," Cuyahoga County Common Pleas Drug Court Judge **David Matia** said. "Our program works extremely well in breaking the cycle of recidivism. Not everyone graduates from Drug Court, but they are all given the building blocks for long-term sobriety. Drug Court permanently closes the revolving door between prison and society."

reimbursement requests, and noted the counties could receive reimbursements for the time acting judges served since July 10.

Treasurers seeking reimbursement must submit quarterly requests, that include verifications by the county of the amounts paid and affidavits from the acting judges and assigned judges documenting the dates

and hours they worked. To assist with compliance of the new law, the Supreme Court created standardized forms for the local officials to use. Copies of these materials are available at [www.supremecourt.ohio.gov/JCS/judicialSvcs](http://www.supremecourt.ohio.gov/JCS/judicialSvcs).

Any questions regarding the new process can be directed to [reimbursements@sc.ohio.gov](mailto:reimbursements@sc.ohio.gov).



## Conferences & Meetings

December 2

**Ohio Association of Domestic Relations Judges (OADRJ) Winter Seminar**  
Member Judges  
Columbus

December 3 - 5

**Ohio Common Pleas Judges Association (OCPJA) Winter Meeting**  
Member Judges  
Columbus

December 4 & 5

**Ohio Association of Juvenile Court Judges (OAJCJ) Winter Meeting**  
Member Judges  
Columbus

December 4 & 5

**Ohio Prosecuting Attorneys Association Annual Meeting**  
Columbus  
[www.ohiopa.org](http://www.ohiopa.org)

December 4 & 5

**Ohio Bailiffs and Court Officers Association Winter Conference**  
Columbus  
[ohiobailiffs.com](http://ohiobailiffs.com)

# The Agenda

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

### Judicial College Courses

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

November 7

**Paternity, Custody & Child Support Video Teleconference**  
Judges & Magistrates  
1 p.m. – 3:45 p.m.

November 13

**Acting Judge Essentials 2014: Domestic Violence & Traffic Issues (4 of 4)**  
Judges, Magistrates & Acting Judges  
Columbus

**Probation Officer Training Program: Oral & Written Communication Skills (014)**  
Probation Officers, Toledo

November 14

**Evidence**  
Judges & Magistrates, Columbus

November 18

**Probation Officer Training Program: Introduction to Offender Skill Building (017)**  
Probation Officers, Akron

**Guardian ad Litem Continuing Education Course: Identifying, Understanding, & Accounting for Domestic Violence in Child Custody Cases**  
Guardians ad Litem  
Cincinnati/Blue Ash  
1 p.m. – 4:30 p.m.

November 19

**Probate Video Teleconference**  
Judges & Magistrates  
1 p.m. – 3:45 p.m.

**Probation Officer Training Program: Oral & Written Communication Skills (014)**  
Probation Officers, Columbus

**Guardian ad Litem Continuing Education Course: Identifying, Understanding, & Accounting for Domestic Violence in Child Custody Cases**  
Guardians ad Litem  
Cincinnati/Blue Ash  
8:30 a.m. – Noon

December 2

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

**Probation Officer Training Program: Introduction to Offender Behavior Management (018)**  
Probation Officers  
Dayton/Beavercreek

### Dispute Resolution Training

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

November 13 & 14

**Domestic Abuse Issues: Training for Mediation & Other Professionals**  
Cleveland

November 12 - 14  
**Specialized Family Divorce  
 Mediation Training**  
 Columbus

December 4 & 5  
**Parenting Coordination Training**  
 Columbus

## Language Services Training

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

November 8  
**Introduction to  
 Court Interpreting**  
 Strongsville

December 5 & 6  
**Orientation Training for  
 Written Exam Candidates**  
 Columbus

## Supreme Court of Ohio

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

November 11  
**Veterans Day**  
 Supreme Court  
 Offices Closed

November 14  
**Student to Lawyer Symposium**  
*Preparing the Leaders of Tomorrow's  
 Changing Legal Profession*  
 Columbus

November 17  
**Bar Admissions Ceremonies**  
 Columbus  
 Two Ceremonies: 10 a.m.  
 & 2 p.m.

**Deadline for Application to  
 Register as a Candidate for  
 Admission to the Practice  
 of Law**

November 20  
**Specialized Dockets  
 11th Annual Conference**  
 Columbus

## Miscellaneous

**Ohio Community  
 Corrections Association**  
[occaonline.org](http://occaonline.org)

November 14  
**Minimizing Resistance in  
 Community Corrections Settings**  
 Columbus

November 17  
**The Intersection of Risk,  
 Need & Responsivity:  
 Implications of Current  
 Dosage Research for  
 Correctional Practitioners**  
 Cincinnati

**Ohio Center for Law-  
 Related Education**  
[ocltre.org](http://ocltre.org)

November 13  
**Moot Court 2015  
 Professional Development**  
 Columbus

November 18  
**Middle School Mock  
 Trial 2015 Professional  
 Development**  
 Columbus

## STATISTICAL REPORT: Continued from page 4.

Read the full reports of the 2013 Ohio Courts Statistical Summary and the 2013 Ohio Courts Statistical Report at [www.supremecourt.ohio.gov/publications/annrep/13OCS/summary/trend.pdf](http://www.supremecourt.ohio.gov/publications/annrep/13OCS/summary/trend.pdf) and [www.supremecourt.ohio.gov/publications/annrep/13OCS/2013OCS.pdf](http://www.supremecourt.ohio.gov/publications/annrep/13OCS/2013OCS.pdf).

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over the last 10 years is in OVI, which dropped from 5,356 in 2004 to 4,045 in 2013, nearly 25 percent. Municipal and county courts have seen a dramatic drop in OVI with a nearly 16-percent decrease over the decade.

Misdemeanor filings in mayor's courts peaked for the decade in 2009 at 42,547 and dropped 9 percent to 35,172 in 2013.

While traffic cases rose by 3 percent in mayor's courts, they increased by 1.4 percent in Ohio's municipal and county courts from the prior year. The majority of court cases in Ohio are traffic-related and totaled 1.5 million in 2013 when combining the municipal, county and mayor's courts.

In 2013, a new state law limited mayor's courts to operating in municipalities with at least a population of 201 (except for Lake Erie island municipalities), and the number of mayor's courts in operation dropped from 318 in 2012 to 310 in 2013. The numbers of courts operating peaked for the decade at 336 courts in 2005.

Additional highlights from the 2013 statewide summary include:

- Nearly 79 percent of cases were disposed either by payments of fines to traffic violations bureaus with no court appearance or the entry of a guilty plea in court.
- Of the 291,628 cases disposed in mayor's courts in 2013, mayors presided over 330 trials, while magistrates appointed by mayors presided over 1,586 trials.



## 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.

### **HB 508, Rep. Jim Butler Jr. (R-Oakwood)**

To expand the offense of murder to also prohibit causing the death of another as a proximate result of selling the person a controlled substance when the death is caused by an overdose and to provide special life sentences for a violation of the prohibition.

**STATUS:** Introduced in the House on March 25, 2014, and referred to the House Judiciary Committee. Amended language approved during second committee hearing on September 30, 2014. Reported out of committee on October 8, 2014.

### **HB 15, Rep. Brian Hill (R-Zanesville)**

To exempt under certain circumstances a parent or a person acting in loco parentis from the prohibition of the interception of wire, oral, or electronic communications.

**STATUS:** Introduced in the House on January 30, 2013, and referred to the House Judiciary Committee. Amended language approved and bill reported out of committee during the third hearing on September 30, 2014.

### **HB 349, Rep. Bob Hackett (R-London)**

To require an additional definite term of imprisonment of 5 to 10 years for an offender who is convicted of or pleads guilty to a felony offense of violence if the offender is convicted of or pleads guilty to a specification that the victim suffered permanent disabling harm.

**STATUS:** Introduced in the House on November 13, 2013, and referred to the House Judiciary Committee. Amended language approved and bill reported out of committee during the third hearing on September 30, 2014.



## Rule Amendment Summary

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

### **Clients' Security Fund**

Come January 1, 2015, the Clients' Security Fund will be known as the Lawyers' Fund for Client Protection after the Ohio Supreme Court approved the renaming. Created in 1985 by the Supreme Court to reimburse victims of attorney theft, embezzlement, or misappropriation, the fund is supported by attorney registration fees. Two reasons spurred the fund to recommend the name change to the court: to provide a more accurate description of the fund and to come in line with the names of corresponding state and national organizations.

### **Judicial Emergency Rules**

On January 1, 2015, changes to rules that help local courts deal with emergencies will take effect. The changes provide clarity as to the chief justice's duties and responsibilities during a judicial emergency, and require the chief justice to:

- Issue an order declaring a judicial emergency and setting forth basic information such as the name of the affected court or division, a description of the circumstances necessitating the declaration, the duration of the judicial emergency (which is initially limited to 30 days), and any other relevant information.
- File the order declaring a judicial emergency with the clerk of the Supreme Court and, if possible, the clerk of the affected court or division.
- Consult with the administrative judge and court administrator of the affected court or division prior to taking action during a judicial emergency.