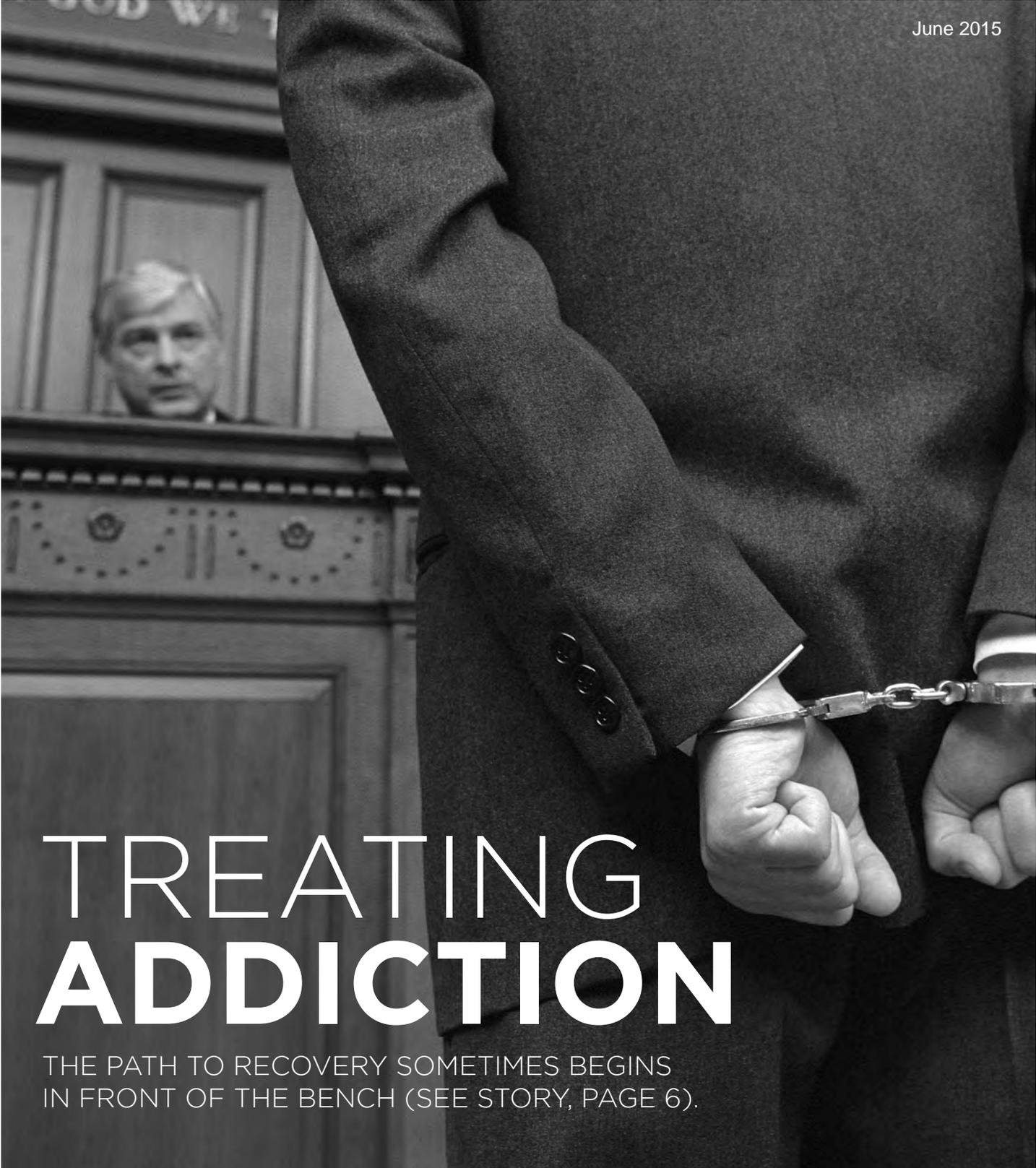


CNO REVIEW

June 2015



TREATING ADDICTION

THE PATH TO RECOVERY SOMETIMES BEGINS
IN FRONT OF THE BENCH (SEE STORY, PAGE 6).

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 (CNOTV), a Facebook page (facebook.com/courtnewsOhio), a Twitter feed (@courtnewsOhio), and a YouTube channel (youtube.com/CourtNewsOhioTV).

Content is produced and edited by the Public Information staff with video production assistance from the staff of Ohio Government Telecommunications. The views expressed in CNO content do not necessarily reflect those of the justices of the Supreme Court of Ohio, and the justices do not exercise direct editorial control over the content.

Submissions can be e-mailed to CNO@sc.ohio.gov or sent through the U.S. mail to:

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Inside

the June Issue



3 Cases

Sexual Abuse Lawsuits Against State Governed by 12-Year Time Limit



4 Happening Now

Ohio Probation Officers Training Marks First Anniversary



6 Cover Story

Treating Addiction: The Path to Recovery Sometimes Begins in Front of the Bench



8 Legislative Digest

Compilation of bills and resolutions introduced by the Ohio General Assembly of interest to the judicial community



9 Rule Amendment Summary

Rule to Take Effect for Courts to Electronically Share Critical Information



10 On the Bench

Preparing for Ohio's New Adult Guardianship Rules

12 The Agenda

June 24-26: Ohio Common Pleas Judges Association Summer Conference

Cases

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

Supreme Court of Ohio

Police Records at Private University Are Public

The Supreme Court ruled on May 21 in a per curiam opinion that the police department at a private central Ohio university is a public office and can be compelled to provide public records. In a 4-3 decision, the court ordered the Otterbein University police chief to produce the criminal records requested by a news editor at a student-run website. The court determined the university's police department was established by statute to enforce criminal laws and that function makes the department a public office under the state's Public Records Act.

State ex rel. Schiffbauer v. Banaszak
Slip Opinion No. 2015-Ohio-1854

Cincinnati Public Golf Courses Entitled to Property Tax Exemption

A private management firm operating Cincinnati's public golf courses earns fees and income from running the courses, but does not benefit in a way that would strip the facilities of their state property tax exemptions, the Ohio Supreme Court ruled on May 14. In a unanimous decision, the court found the Ohio Board of Tax Appeals (BTA) correctly reversed State Tax Commissioner Joseph P. Testa's decision to deny property tax exemptions for the six public golf courses the city employs Virginia-based Billy Casper Golf Management, Inc. to manage. Testa had stripped Cincinnati of its exemption after receiving a complaint. Testa had

found the golf courses are not used exclusively for a public purpose, a requirement for the exemption, but the city appealed his decision to the BTA, which sided with the city.

Joseph P. Testa, Tax Commissioner of Ohio
v. City of Cincinnati
Slip Opinion No. 2015-Ohio-1755

Sexual Abuse Lawsuits Against State Governed by 12-Year Time Limit

The 12-year limit for a childhood sexual abuse victim to file a suit applies to sexual abuse claims against the state, the Supreme Court ruled on May 14. The longer statutory deadline takes precedence over a two-year time period for initiating civil actions against the state, the court determined. In the 4-3 decision, Justice **Paul E. Pfeifer** concluded that the 12-year statute of limitations controls in cases alleging wrongdoing by a public or a private party under the childhood sexual abuse statute. The clock for these claims starts for most alleged victims when they turn 18, according to the law.

Watkins v. Dept. of Youth Servs.
Slip Opinion No. 2015-Ohio-1776

Courts of Appeals

Sixth District: Proper to Use Facebook Photo to Convict Double-Murder Suspect

A survivor of a robbery identified the Toledo man who shot him and killed another by the shooter's Facebook profile page. An Ohio appeals court affirmed the shooter's life sentence on May 1, finding that despite claims social media posts can be faked, posts

can be used as evidence. The Sixth District Court of Appeals upheld the conviction of Traquawn Gibson for the 2012 murders of his ex-girlfriend and of a man he and two others tried to rob. The appellate court indicated it was the first time it had to address whether Facebook posts and other social media could pass Ohio's rule for admitting evidence, even though police admit they can't be completely certain the suspect posted the information or if it was his page.

State v. Gibson
2015-Ohio-1679

Court of Claims

Woman Who Fell off Operating Table Settles with OSU Wexner Medical Center

A Dayton woman who fell off an operating room table while undergoing spinal surgery settled with The Ohio State University Wexner Medical Center. In May 2014, while under full anesthesia, Barbara Sue Phillips fell off the table and hit her head causing bleeding in her brain. Phillips had to undergo an emergency craniotomy and later rehabilitation. Phillips claimed she will suffer severe disabilities for the rest of her life. Phillips will receive \$50,000 in the settlement approved by the Ohio Court of Claims on May 4. In exchange for the money, Phillips agreed not to file any future claims with the hospital. The OSU Wexner Medical Center doesn't admit liability in the settlement.

Barbara Sue Phillips v. The Ohio State University Wexner Medical Center
Case No. 2015-00420

HappeningNow

News and Notes from Courthouses Across the Buckeye State



Ohio Probation Officers Training Marks First Anniversary

More than 550 probation and parole officers have completed nearly 3,200 training courses in the first year of new requirements, according to statistics released by the Ohio Supreme Court.

The Ohio Probation Officer Training Program began in January 2014, and was developed through a partnership of the Supreme Court, the Ohio Department of Rehabilitation and Correction, and the Ohio Chief Probation Officers Association (OCPOA) to meet requirements of a new state law to standardize training, reduce recidivism, and increase public safety.

“Probation officers come into the field with a variety of experience and education. The curriculum our committee developed is designed to give new probation and parole officers a comprehensive orientation to working with offenders, and by focusing on the core basics, we were able to develop courses of benefit to both new and experienced officers,” said **Kristopher Steele**, program manager at the Ohio Judicial College.

The minimum training standards require adult probation and parole officers hired after Jan. 1, 2014, to complete 18 courses on a variety of probation-related topics within a year of their hire date. The courses, six in-person and 12 online, are designed to give an officer foundational information for the new profession. Topics include ethics, effective interventions with offenders, officer safety, risk assessment, and working with special populations like sex offenders.

“I am proud of the collaboration with the Ohio Supreme Court Judicial College and the Department of Rehabilitation and Correction in providing professional training to probation officers within the state of Ohio,” OCPOA President **Melissa Litteral** said. “The training curriculum has been well-received by the association’s members and provides officers with core training in the criminal justice system, the courts, and evidenced-based practices that will provide a broad foundation of knowledge to the new officers.”

Forty probation and parole officers have been trained to conduct the in-person trainings at four regional sites in the state: Akron, Columbus, Dayton, and Perrysburg. There were 48 live courses offered in the first year, and nearly half of the participants were from the general division of the common pleas courts.

Beginning July 1, the online courses will be offered through the Judicial College, which will mean free access for all Ohio probation and parole officers.

Ohio Supreme Court Hires Legislative Counsel



The Ohio Supreme Court announced **Michael Farley** as its Judicial and Legislative Affairs Counsel on May 18. In this role, Farley will serve as the primary

liaison between the Supreme Court and the Ohio General Assembly, with communication responsibility with governmental entities and judicial associations on legislative matters affecting the judicial branch. He will also be involved in other projects in the legal and policy areas.

Prior to joining the court, Farley served on Lt. Gov. **Mary Taylor**’s executive staff as the assistant director for legislative affairs at the Ohio Department of Insurance. He has also served as director of government and external relations for the American Red Cross in Ohio; legislative liaison for former Ohio Gov. **Bob Taft**; director of public affairs for the Ohio Kentucky Concrete Association; and legislative aide to former state Rep. **David R. Evans**. He taught public administration and political leadership at Otterbein University as an adjunct professor.

Farley possesses extensive experience in developing positive relationships with legislators and in advancing legislative agendas. Most recently, he led efforts to pass legislation to modernize insurance regulation in Ohio, as well as legislation to allow for the formation of captive insurance companies.

Farley graduated from the University of Akron with a bachelor of arts in political science and history. He earned a Master of Public Administration from Ohio University and received his law degree from Capital University Law School.

Court of Claims: 2014 Was an Efficient and Effective Year

Through a streamlined process and a dedicated staff, the Ohio Court of Claims was able to yet again reduce expenses and process cases in a timely manner, its leader said.

“The year 2014 was once again a year of continued, steady improvement for the Court of Claims,” said **Mark H. Reed**, Court of Claims Clerk of the Court in the 2014 Annual Report. “The court disposed of more cases than were filed, ensuring that no backlogs have the chance of developing.”

The court recently released its annual report indicating that it took in 1,007 new or reactivated cases in 2014 and closed 1,084, including cases from prior years. The measure of incoming cases compared to cases closed is called the “clearance rate,” and is one of the most fundamental ways that a court measures effective case management, according to the report. A rate above 100 percent means a court is operating effectively. The Court of Claims reached a 108 percent clearance rate in 2014.

The court also adapted to a change in law that no longer required it to accept claims filed by victims of crime who were seeking reparations from the Crime Victims’ Compensation Program. Instead the Attorney General’s Office administers the program and the court hears any appeals of the Attorney General’s determinations. On average, the Court of Claims receives approximately 100 crime victim compensation appeals each year, although filings were down significantly in calendar year 2014, to only 63 appeals. It was the only area where the court received more than it cleared, 55 cases, for an 87 percent clearance rate.

The structural change removing the crime victim’s case management allowed the court to operate effectively with the budget reduction of about \$3.18 million in fiscal year 2013 to \$2.75 million in 2014 without amassing a backlog. Reed said the court staff is positioned to providing direct services to the public, is implementing electronic filing, and improving access to the court.



ODRC to Provide Court-Related Grants

The Ohio Department of Rehabilitation and Correction (ODRC) announced the renewal process for Probation Improvement and Incentive Grants (PIIG) and SMART Ohio Grants for all Ohio common pleas and municipal courts.

In April, current Probation Improvement and Incentive grantees received notice if they were eligible for automatic renewal for the 2016 and 2017 fiscal year grant cycle. The PIIG applications, which are available to courts with automatic renewals and first-time applicants, are due by June 10.

SMART grantees will receive their renewal applications in the coming weeks. The Request for Qualifications for Courts looking to receive a SMART Ohio grant for the first time will be released in early June.

Grant recipients can use their monies to supplement supervision and treatment costs, increase treatment resources, or increase use of community alternative sanctions for non-violent felony offenders. Grant funds may also be used for starting or supporting specialty dockets, purchasing kiosks for supervision activities, and increasing mental health and substance abuse treatment options, among other opportunities. Learn more about the grants at www.drc.ohio.gov.

2014 FILINGS & CLOSURES

ALL CASES

| | |
|----------------|-------|
| Incoming Cases | 1,007 |
| Outgoing Cases | 1,084 |

CLEARANCE RATE 108%



FEATURED VIDEO

For sisters Jessica Daniels and Hannah Tucker, traveling to all 88 county courthouses in Ohio was a lifelong dream. So last year they packed their bags, buckled up, and drove across the state to make it happen. Watch the video about their journey at courtnewsOhio.gov.



I HEREBY AFFIRM...

Nearly 200 lawyers who passed the February 2015 Ohio Bar Examination and satisfied all of the Supreme Court’s other requirements for admission walked the stage to receive their certificates of admission during a special court session at the Ohio Theatre in Columbus on May 4. Of 411 applicants who sat for the exam, 262, or 64 percent, received passing scores and 199 walked the stage to receive their certificates during the ceremony.



IMAGES: THINKSTOCK

Let's Treat it TOGETHER

THE PATH TO RECOVERY SOMETIMES BEGINS IN FRONT OF THE BENCH

Standing before a judge, hearing an order to remove children from the home and place them in foster care may be the lowest point in life for some Ohio parents. And for those who are there because of a drug addiction, it may also be the most important step to getting on the path to the lives with their children that they dream about.

Ohio, much like the rest of the nation, faces a growing problem with opiate addiction, and it is not only sending abusers to their graves, it's also ripping apart families. State policy makers are combating both these issues aggressively and family drug courts are a key ingredient to the solution.

Improving the effectiveness of family drug court and breaking down the barriers that limit the ability of families who need the direction and services courts provide is the subject of the second Ohio judicial symposium focused on opiate addiction. Taking place on June 23 in Columbus, the program is titled, "Ohio 2015 Judicial Symposium on Addiction and Child Welfare."

Opiates are the powerful painkilling drugs whose rise in prominence came with increased use and abuse of prescription painkillers, such as oxycodone, hydrocodone and morphine. As the state cracked down on prescription pill mills and the medical profession worked harder to deter abuse, heroin, another form of opiate, regained popularity as the pain killer of choice as its availability increased and its low price attracted users.

Its impact has been striking. The number of Ohioans treated for opiate addiction jumped from around 5,800 in 2002 to nearly 25,000 in 2012. And new figures released in May by the Ohio Department of Health show 2,110 deaths in 2013 were from unintentional drug overdoses with opiates accounting for nearly three-quarters of the overdoses that year. Since 2007, more Ohioans have died each year from drug overdoses than from car accidents.

Ohio Supreme Court Chief Justice **Maureen O'Connor** said while courts, law enforcement, and treatment professionals are addressing the issue, the problem is greater than these organizations can address on their own.

"This is a community problem. Our courts, law enforcement, and treatment communities across the state are forming strategies to work together on this problem," she said. "We are

making progress. However, we need the entire community to help us. Leaders of the business community, faith community, educators, medical profession, and many others need to get involved.”

Chief Justice O’Connor’s comments are part of a 20-minute video that features some of the state’s leading experts explaining how addiction alters the brain and what drugs are used to treat opiate addiction. The video will be distributed to judges statewide with the hope that they will show it when speaking before civic groups to discuss Ohio’s opiate addiction problem.

Ohio currently has 16 family drug courts certified by the Supreme Court. Family court is designed for parents that have a significant substance abuse problem and are involved in the judicial system by way of an abuse, neglect, or dependency matter. The goal of the courts is to focus on treatment and rehabilitation, and reunification of the family.

Drug abuse issues among those who have contact with Ohio’s child protective services isn’t a minor issue. More than 42 percent of parents in contact with children’s services have identified substance abuse issues, according to the Ohio Department of Job and Family Services (ODJFS).

The symposium is hosted through the partnership of the Supreme Court’s Specialized Docket and Children & Families sections, the Ohio Department of Mental Health and Addiction Services, ODJFS, and the Ohio Association of County Behavioral Health Authorities.

Ohio is one of five states to receive a Family Drug Court Statewide System Reform Program grant from the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention to help fund statewide systematic reform for family drug courts.

“The increase in opiate abuse is taking a toll on Ohio’s

families. Our family drug courts can provide families stability and increase well-being through court-monitored treatment. We will use this grant to identify the barriers that limit families’ ability to access the assistance drug courts provide. Removing these barriers is fundamental to participation and success,” Chief Justice O’Connor said.

Ohio Supreme Court Specialized Dockets Program Manager **Orman Hall** managed treatment programs for more than 25 years, and now manages the Supreme Court program that assists drug courts.

“The emphasis for this year’s opiate summit is working on policy development for parents who are struggling with opiate addiction and have a very real possibility of losing their children because of their inability to deal with their addiction problems,” Hall said.

Last June, nearly 900 participants representing 83 counties took part in the first Ohio Judicial Symposium on Opiate Addiction. Teams of five or six professionals whose work is impacted by addiction, the court system, and the child welfare system from each of the counties convened and heard from state leaders and experts who underlined the importance of local efforts to combat opiate and heroin addiction. They left with a mandate to develop plans, and teams continue to meet and implement plans to address the crisis in their communities.

At the upcoming event, juvenile judges will be invited to lead teams. Team members may include: judges, magistrates, child welfare directors, leaders of local alcohol, drug addiction and mental health boards, treatment providers, Guardians ad Litem, volunteer court advocates for children, attorneys representing parents, or other local representatives they feel can help. During the event, judicial, child welfare, and behavioral health leaders will address the teams. And

they will hear from some successful participants from Ohio programs.

One strong advocate for the drug court approach is Fairfield Municipal Judge **Joyce A. Campbell**. Judge Campbell said she and her municipal court colleagues are on the front line of the drug addiction war, and they have a chance to break through with an abuser before their charges lead to more serious crimes.

“And when you finally get them in the appropriate treatment, on the appropriate medication with the support system they need, and they come back and they are working a job, or maybe back in school, and they have reunited with their family, there is no better feeling in the world,” she said.



JUDICIAL SYMPOSIUM on Addiction & Child Welfare

WHEN: June 23, 2015

WHERE: Columbus, Ohio

The symposium will examine issues surrounding addiction as they relate to parents and caretakers involved in child welfare cases. Teams of juvenile judges, child welfare, behavioral health, and judicial professionals, whose work directly impacts families who come to the attention of courts because of substance abuse, will gather to hear from state and national experts and discuss how to apply what they learn at the local level. Participants will identify core local needs and limitations, steps they can take to support their community partners’ work, and resolve conflicting demands.

PARTNERS

The Supreme Court of Ohio

Ohio Association of Behavioral Health Authorities

Ohio Department of Mental Health and Addiction Services

Ohio Department of Job and Family Services



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 6, Rep. Sarah LaTourette (R-Chagrin Falls); Rep. Stephanie Kunze (R-Hilliard)

To extend the period of limitations for commencing a rape or sexual battery prosecution against a person who is implicated in the offense by DNA analysis.

STATUS: Introduced in the House on Jan. 28, 2015, and referred to the House Judiciary Committee. Passed the House on May 12, 2015, with an emergency clause (Emergency: 90-0; Bill: 91-0).

COMPANION BILL: SB 13, Sen. Shannon Jones (R-Springboro); Sen. Jim Hughes (R-Columbus)

HB 110, Rep. Brian Hill (R-Zanesville)

To increase the penalty for failure to stop after a traffic accident that results in the death of a person or serious physical harm to a person and to name this act Brandon's Law.

STATUS: Introduced in the House on March 10, 2015, and referred to the House Judiciary Committee. Passed the House on May 12, 2015 (87-0).

HB 123, Rep. Greta Johnson (D-Akron); Rep. Robert R. Cupp (R-Lima)

To change the time for notification of an alibi defense in a criminal case, to allow the court in a felony case to impose community control sanctions without a presentence investigation report upon agreement of the defendant and the prosecutor, and to request the Supreme Court to modify Criminal

Rule 32.2 to allow the court in a felony case to impose community control sanctions without a presentence investigation report upon agreement of the defendant and the prosecutor.

STATUS: Introduced in the House on March 17, 2015, and referred to the House Judiciary Committee. Passed the House on May 19, 2015 (96-1).

HB 151, Rep. Marlene Anielski (R-Walton Hills)

To expand the offenses of menacing by stalking and telecommunications harassment, to prohibit a person from knowingly causing another person to believe that the offender will cause physical harm or mental distress to a family or household member of the other person, to increase the penalty for assault when the victim is a volunteer firefighter, and to correct a cross reference in the theft statute to special purchase articles.

STATUS: Introduced in the House on April 13, 2015, and referred to the House Judiciary Committee. It was reported out of committee on May 26, 2015.

COMPANION BILL: SB 145, Sen. John Eklund (R-Chardon)

HB 171, Rep. Louis Blessing III (R-Cincinnati); Rep. Jonathan Dever (R-Cincinnati)

To decrease the minimum amount of heroin involved in a violation of trafficking in heroin or possession of heroin that makes the violation a felony of the first degree and that is necessary to classify an offender

as a major drug offender.

STATUS: Introduced in the House on April 28, 2015 and referred to the House Judiciary Committee. It reported out of committee on May 26, 2015.

SB 38, Sen. Bill Seitz (R-Cincinnati)

To provide transparency in contracts between the state and private attorneys.

STATUS: Signed by the Governor, May 12, 2015. Effective date: 90 days.

SB 161, Sen. Scott Oelslager (R-Canton)

To authorize probate judges to issue search warrants.

STATUS: Introduced in the Senate on May 12, 2015.

SB 162, Sen. Bill Seitz (R-Cincinnati); and Sen. Sandra Williams (D-Cleveland)

To provide that a person convicted of aggravated murder who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence for a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense.

STATUS: Introduced in the Senate on May 13, 2015.



Rule Amendment Summary

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

Rule to Take Effect for Courts to Electronically Share Critical Information

More than 4,000 users within Ohio's courts and criminal justice system are researching and sharing critical information on a daily basis through the Ohio Courts Network (OCN). To ensure Ohio courts can continue to share information, the Supreme Court has adopted a new rule requiring courts to link to the OCN.

The Supreme Court approved rule changes recommended by the Commission on Technology and the Courts and the Commission on the Rules of Superintendence. The new rules take effect July 1.

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

"The OCN court case data warehouse currently contains over 48 million case records and is receiving daily case record updates from 311 courts, representing 87 percent of the annual case volume in the state," **Robert Stuart**, Supreme Court Director of Information Technology, said in a memo outlining the rule.

More than 350 courts are using the OCN, but not all have the capability to share data through the system. The Supreme Court has invested more than \$3 million in building the OCN connectivity into electronic case management systems used by the local courts.

Stuart notes that courts are empowered to make their own decisions about using electronic case management systems and selecting the vendors to provide case records services. While some vendors have attempted to charge local courts for connecting to the OCN, the Supreme Court is paying to ensure all courts can connect with no further charge.

To facilitate the connection of the other courts connecting to the OCN, the rule has two main components:

- First, if a court already has a computer case management system that can send data to the OCN network, then the court shall connect to the system within a year of the rule taking effect.
- Second, for those courts that are changing or upgrading systems in the future, beginning one year after the passage of the rule, any new system coming online will have to connect to OCN.

Preparing for Ohio's New Adult Guardianship Rules

A video scenario about best practices for adult guardianship cases is among the educational coursework being developed by the Supreme Court's Ohio Judicial College to help those who serve as adult guardians with new requirements under rules that took effect on June 1.

The amendments under Rule 66 in the Rules of Superintendence for the Courts of Ohio approved by the Supreme Court justices are meant to raise the standards to ensure the best interest of wards is safeguarded.

"These are the minimum standards, so the courts can build on this and tailor them to their needs. I'm grateful that the courts will take a look at these. The probate judges will individually look at them and consult with their staff and figure out how they can make these rules work and enhance these rules for their local jurisdiction," Chief Justice **Maureen O'Connor** said.

Among the new rules, courts will adopt local rules to address emergency guardianship procedures and establish a complaint process.

There's a mandatory education requirement for a one-time fundamentals course and continuing education annually for all guardians.

At the Central Ohio Area Agency on Aging, Certified Master Guardian **Julia Nack** coordinates 120 volunteer guardians in six counties. To prepare for the new rules, Nack has been reviewing forms and procedures and meeting with court officials in each of the counties the agency serves.

"Operationally, yes, it's causing a few problems here and there. It certainly is going to be challenging for the courts as well, we know that, but the end result, I think, is better care for the people who need a guardian," Nack said.

"There've been problems within the guardianship system where people have left the individuals out of the decisions that are being made," said **Derek Graham**, attorney of record for Advocacy and Protective Services, Inc. that provides guardianship to more than 4,000 adults with developmental disabilities.

"The new rule provides an emphasis that guardians have to include the individual. It involves person-centered planning, and it redefines best interest from a standpoint of keeping the individual at the forefront of the decisions that are being made. It empowers them, and it enables the guardian to make the decisions that truly are in the best interest of the individual," Graham said.

Information about the new rules, including education requirements, is available on the Supreme Court's website at sc.ohio.gov/adultguardianship.

Committee to Examine Criminal Code Meets for First Time

When Ohio lawmakers passed a bill last year that would examine the state's criminal laws, the Criminal Justice Recodification Committee was formed. The group of judges, attorneys, state employees, and law enforcement met in May for the first time to explore current statutes.

The 130th General Assembly created the 24-member committee to work on a comprehensive plan for revising criminal laws. Lawmakers last year passed Am. Sub H.B. 483, intending the committee to study current criminal statutes and make recommendations to amend Ohio's Criminal Code with the goal of "enhancing public safety and the administration of criminal justice."

Auglaize County Common Pleas Judge **Fred Pepple** was elected chair and Ohio Public Defender **Tim Young** was elected as vice chair of the committee. Ohio Supreme Court Justice **Judith Ann Lanzinger** is one of the committee members.

"Generally, crimes under state law are found in Title 29 of the Ohio Revised Code, but they are not always easy to understand," Justice Lanzinger said. "We as a committee will study the current code, following our mission to recommend criminal laws that are fair and clear."

The group will meet again on June 11, and the committee is expected to complete its work by August 2016.

Ohioans Choose Municipal Court Candidates for November

| Municipal Court | Candidates |
|------------------|--|
| Clinton County | Mike Daugherty vs. Sharon A. Kornman |
| Barberton | Jill Flagg Lanzinger vs. Paul Adamson |
| Canton | Kristen Donohue Guardado vs. Curt Werren |
| Clark County | Daniel Carey vs. Eugene Nevius |
| Jefferson County | John Mascio (<i>unopposed</i>) |

The primary results are in, and this is how the municipal court judicial races are shaping up for November.

A four-way race for the vacant Clinton County Municipal Court judgeship highlighted a relatively quiet primary election night May 5 for the state’s judiciary.

Unofficial results show **Mike Daugherty**, a lawyer in solo practice since 2012 who has served as a local prosecutor, public defender, and village solicitor, as the winner of the Republican Party nomination for the post.

The vacancy opened when former Judge **Chad Carey** won election as the Clinton County Probate and Juvenile Court judge last fall.

With just more than 1,300 votes, Daugherty topped **Brian Shidaker**, the Wilmington law director, who received 1,202 votes. Following Shidaker was Judy Gano, a lawyer with experience as a common pleas court magistrate, law director, and local prosecutor, and **Richard L. Federle**, an attorney who Carey had in the past appointed to hear cases as an acting judge.

Daugherty will face **Sharon A. Kornman**, who filed as an independent, in the Nov. 3 general election.

In Barberton, recently appointed Municipal Court Judge **Jill Flagg Lanzinger** won the Republican primary, defeating **Brian Smith** by a nearly two-to-one margin. Lanzinger took office Feb. 19 after being appointed by Gov. **John Kasich** to take the place of Judge **Todd M. McKenney**, who was elected as a Summit County Common Pleas Court judge.

She will face Democrat **Paul Adamson**, who defeated **Joe Fantozzi**, 1,904 to 1,831. Adamson has practiced law for more than 32 years, both civil and criminal, at the local, state, and federal levels.

In other contested races, Canton Municipal Court prosecutor **Kristen Donohue Guardado** defeated Assistant Summit County Prosecutor **Angela Alexander** in the Democratic primary for Canton Municipal judge by a 6-percentage-point margin. This fall, she will face Judge **Curt Werren**, a Republican, who was appointed to the seat and took office Feb. 6 to fill the vacancy created by the resignation of former Judge **Stephen Belden**.

In Clark County, Assistant County Prosecutor **Daniel Carey** took 64 percent of the vote to beat fellow Assistant Prosecutor **Brian Driscoll** in the Republican primary for Clark County Municipal Court. In the fall, Carey faces incumbent Democrat Judge **Eugene Nevius**.

In Jefferson County, **John Mascio**, a private practice attorney since 1992, and municipal court prosecutor since 2005, won the Democratic primary for Steubenville Municipal Court with 61 percent of the vote, defeating **Gary Repella**. Mascio has no November opponent for the seat, which has been vacant since August when Judge **Dan Spahn** retired to become an attorney for the Jefferson County Educational Services Center.

In November, there are currently 56 municipal court judgeships up for election. If any municipal court judgeships become vacant in the coming months, then additional seats may open up for election. Several winners of the primary will have no opponent in the fall race, while others may face independent candidates who had until May 4 to officially declare their candidacies.

Lawyers Present Franklin County Judge with Award



Franklin County Common Pleas Court Judge **Mark A. Serrott** was awarded the 2015 George E. Tyack Award for Judicial Excellence

by the Central Ohio Association for Justice (COAJ).

The award is given annually in the memory of Judge Tyack, who served on the Franklin County Common Pleas Court from 1973 to 1984. Judge Serrott is currently serving his first term on the common pleas bench.

The COAJ also recognized **Catherine E. Culp**, secretary to Franklin County Common Pleas Court Judges **Richard S. Sheward** and **William H. Woods**, for her outstanding service, by presenting her with the “Norma J. Mitchell Award.”

The COAJ membership is more than 200 trial lawyers who practice in central Ohio courts.



Court Roundtable Meetings

All meetings are held at the Thomas J. Moyer Ohio Judicial Center in Columbus.

June 10

Juvenile Courts, Title IV-E
All Counties

June 11

Domestic Relations Magistrates
Urban & Suburban

July 10

Common Pleas Judges
Rural Courts/COUNTIES

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

judicialacademy.ohio.gov

June 9

Guardian ad Litem Continuing Education Course: Divorce: The Impact on Children
Guardians ad Litem
Beachwood/Cleveland
1 p.m. – 4:30 p.m.

Probation Officer Training Program: Intro to Cognitive Behavioral Interventions
Probation Officers, Toledo/Perrysburg

June 10

Guardian ad Litem Continuing Education Course: Divorce: The Impact on Children
Guardians ad Litem
Beachwood/Cleveland
8:30 a.m. – Noon

Ohio Chief Probation Officers Association Pre-Conference Session: Effective Interventions with Opiate Offenders
Probation Officers, Columbus

June 16

Probation Officer Training Program: Intro to Offender Behavior Management
Probation Officers, Akron/Fairlawn

June 18

Judicial Candidates Seminar
Judicial Candidates, Columbus
1:30 p.m. – 3:30 p.m.

June 19

Landlord/Tenant Issues in Municipal & Common Pleas Courts (2 of 2)
Judges & Magistrates, Columbus

June 23

Guardian ad Litem Pre-Service Course (5 of 9)
Guardians ad Litem
Dayton/Beavercreek

Probation Officer Training Program: Intro to Cognitive Behavioral Interventions
Probation Officers, Columbus

July 7

Probation Officer Training Program: Intro to Assessment and Case Planning
Probation Officers
Dayton/Beavercreek

July 8

Guardian ad Litem Continuing Education Course: Understanding Child Development
Guardians ad Litem, Athens
1 p.m. – 4:30 p.m.

July 9

Guardian ad Litem Continuing Education Course: Understanding Child Development
Guardians ad Litem, Cambridge
8:30 a.m. – Noon

Dispute Resolution Training

sc.ohio.gov/JCS/disputeResolution

June 18 & 19

Domestic Abuse Issues for Mediators
Columbus

June 26

Using Early Neutral Evaluation to Resolve Cases
Delaware

Language Services Events

sc.ohio.gov/JCS/interpreterSvcs

June 20

Protocol, Preparation and Presence for Court Interpreters
Akron

Supreme Court of Ohio

sc.ohio.gov

June 9 & 10

Oral Arguments

June 23 & 24

Oral Arguments

SUMMER CONFERENCES

June 9 – 11

Ohio Clerks of Courts Association Summer Conference
Sandusky | occaohio.com

June 24 – 26

Ohio Common Pleas Judges Association (OCPJA) Summer Conference
Columbus

June 25 & 26

Juvenile Court Clerks Conference
Columbus

June 26 & 27

Ohio Prosecuting Attorneys Association Summer Workshop
Sandusky | ohiopa.org