

# CNO REVIEW

September 2015

JUDICIAL  COUNT

## Overcoming Voter Apathy and Ballot "Drop-Off" in Judicial Elections

When only one in four Ohio voters takes the time to vote for judges on Election Day, are we assured the voting public gave fair consideration to the candidates? **(Story on p. 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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10th Floor  
Columbus, Ohio 43215

A free monthly subscription to the CNO Review can be requested by e-mail or U.S. mail, or by calling 614.387.9250.



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the September Issue



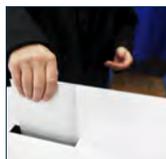
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# Cases

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

### Juvenile Court Laws and Rules Do Not Mandate Dismissal of Case for Venue Problems

A juvenile court is not required to dismiss a child-dependency complaint allegedly filed in the wrong venue, the Supreme Court ruled on Aug. 20. The state law and juvenile court rules governing where a dependency case should be heard provide direction to a juvenile court but do not remove the court's authority to hear the case when a possible venue problem exists, Chief Justice **Maureen O'Connor** wrote for the court. The Supreme Court concluded the Summit County Juvenile Court was permitted to reject a motion claiming the court had no jurisdiction in the case. The decision reversed the Ninth District Court of Appeals ruling and returned the case to that court to address L.R.'s other five arguments. The chief justice pointed out that statute R.C. 2151.27(A)(1) and the juvenile court rule, 10(A), directly involved in this case contain no language stating a court must dismiss a dependency complaint filed in the wrong venue. In reviewing the totality of the laws and rules about administering Ohio's juvenile courts, the Supreme Court concluded the venue provisions in R.C. 2151.27 and Juv.R. 10 "are directory rather than mandatory."

In re Z.R.  
Slip Opinion No. 2015-Ohio-3306

## Courts of Appeals

### Eighth District: Family Can Pursue Privacy Invasion Claim Against Cop-Calling Neighbors

A Cuyahoga County judge was too quick to dismiss the invasion of privacy, intentional infliction of

emotional distress, and other claims of a Gates Mills family who alleged their neighbors called the police on them more than 85 times, and climbed on a backyard swing set to video record them, an Ohio appeals court ruled. The Eighth District Court of Appeals on Aug. 6 reversed a trial court's decision to dismiss the lawsuit filed by William, Laurie, and Jonathan Mangelluzzi against Thomas and Katie Morley. The families have been neighbors since 2010. Judge **Mary J. Boyle** wrote the trial court was wrong to adopt the Morleys' claim that they had a right to video and take pictures of the Mangelluzzis in their backyard because a person's backyard is not "private." She noted that previous rulings dismissing invasion of privacy claims similar to the Morleys' came in decisions where more evidence had been gathered at a later stage in the lawsuit. The Mangelluzzis claim they spent an additional \$10,000 on a privacy fence to stop the Morleys from recording their children, but the Morleys climbed to the top of their children's swing set in order to continue taping. Judge Boyle ruled there is no bright-line rule that indicates an invasion of privacy claim fails if people are in their own backyard.

Mangelluzzi v. Morley  
2015-Ohio-3143

## Court of Claims

### Ohio University to Pay Student's Dental Bill After Fall

A student who broke two teeth after slipping and falling on ice on school property won her lawsuit against Ohio University. Hannah Scolaro, of Akron, sued the school in the Ohio Court of Claims after she fell on the ice and damaged her front teeth. OU investigated the incident and used *Brinkman v. Ross* (1993) to dispute

Scolaro's claim. The school stated that since she fell in February, Scolaro should have been aware of weather hazards and taken better precautions. On Aug. 11, the court agreed with Scolaro and in court documents stated there is an exception to *Ross*. It's limited in cases where a municipality or local government has a law requiring snow and ice removal. Athens, where OU is located, has such an ordinance. OU will pay Scolaro \$2,870 to cover her dental bill.

Hannah Scolaro v. Ohio University  
Case No. 2015-00304 AD

### Hospital Staff Throws Away Wedding Rings

Ohio State University Wexner Medical Center staff lost a woman's wedding rings and will compensate her \$7,000. In October 2014, hospital staff removed Reynoldsburg resident Catherine Goodyear's rings while she underwent a medical procedure and placed her gold diamond engagement ring, gold wedding band, and pearl and diamond ring in a biohazard bag. Her rings were gone when she went back to her room. In court documents filed with the Court of Claims, Goodyear said she assumed the bag was accidentally thrown away and asked the hospital to reimburse her for the missing rings. OSU Wexner Medical Center didn't refute Goodyear's claims, and in a settlement approved by the court on Aug. 6, will pay her \$7,025 for the three rings and the court filing fee. In exchange for the money, Goodyear agrees to not file any future claims with the hospital. Wexner Medical Center didn't admit liability in the settlement.

Catherine Goodyear v. Ohio State University  
Wexner Medical Center  
Case No. 2015-00693 AD

# Happening Now

News and Notes from Courthouses Across the Buckeye State

## Making the Case for Medication to Fight Heroin Addiction



National and state policymakers came together to discuss how to safely incorporate the use of medication-assisted treatment in drug courts. The Medication Assisted Treatment Forum was hosted by the Ohio Supreme Court Specialized Dockets Section at the Thomas J. Moyer Ohio Judicial Center on Aug. 17-18. The event brought together Ohio judges, state policymakers, physicians, and treatment professionals to meet with federal agencies and health organizations to discuss medication-assisted treatment as an essential intervention for people addicted to prescription opiates or heroin.

The meeting focused on:

- Educating Ohio judicial and treatment leaders about the role of medication assisted treatment in the criminal justice system.
- Developing written guidance on the use of medication in drug court.
- Identifying additional work that needs to be completed to make sure medications can be used in a fully accountable manner.

“This type of treatment is not always available to drug court participants. When it is, there are often restrictions on the medication type, length of treatment, and dose strength that cause unnecessary relapses and treatment failures,” Supreme Court Judicial Services Director **Milt Nuzum** said. “By bringing this diverse group together, we’ve created an opportunity to explain why medication-assisted treatment is important and what needs to be done to make it available to Ohioans who are struggling with addiction.”

Among the participants were representatives from the Ohio Department of Mental Health and Addiction Services, Ohio Department of Medicaid, Ohio Department of Health, Office of National Drug Control Policy, U.S. Department of Health and Human Services, and Substance Abuse and Mental Health Services Administration.



## Ohio Court of Claims Website One of the Best in U.S.

The recently redesigned Ohio Court of Claims website was voted one of the top 10 court websites in the country. The award was presented by the National Association for Court Management (NACM) during its annual conference in Louisville, Ky., in July.

The Summit County Clerk of Courts was also named in the top 10 court websites.

PICTURED: Jennie Parks, Mark Reed, Natalie Wilkinson, and Daniel Borchert of the Ohio Court of Claims with the NACM Top 10 Court Websites Award.

## Bar Exam Wrap-Up

There were 1,045 applicants who sat for the exam at the Roberts Centre in Wilmington, Ohio on July 28-30. They’ll find out their results on Oct. 30, and successful applicants who meet all the requirements will be sworn in during special sessions of the Ohio Supreme Court on Monday, Nov. 16. There will be two ceremonies at the Ohio Theatre in Columbus, beginning at 10:30 a.m. and 2 p.m.

## FEATURED VIDEO

When the Ohio Supreme Court this summer provided more than \$2.5 million to support local courts with their technology needs, Perry County jumped in line to obtain a grant.

The court in New Lexington received two grants worth more than \$28,000 from the Supreme Court. One grant went to update the court’s recording system. The second grant allowed the court to buy video equipment so it can conduct video arraignments with Southeastern Ohio Regional jail inmates.

Check out the video story at [courtnewsOhio.gov/happening/2015](http://courtnewsOhio.gov/happening/2015).

## Rules Clarified for Lawyers Seeking Business when Presenting Legal Seminars

Lawyers presenting legal seminars to prospective clients can make promotional brochures and information available, but cannot personally distribute material or discuss individualized legal matters one-on-one with potential clients after the session, according to an advisory opinion of the Ohio Supreme Court's Board of Professional Conduct.

The board, formerly the Board of Commissioners on Grievances & Discipline, issued Advisory Opinion 2015-2 last week regarding questions about conducting legal seminars and the solicitation of clients, which is governed by Prof.Cond.R. 7.3(a).

The board was presented with three questions:

- 1 May a lawyer present a legal seminar to prospective clients and provide brochures and folders with firm information at the entrance or exit of the seminar?
- 2 May a lawyer stay after a seminar to answer follow-up questions of attendees or meet with attendees who sign up to meet with a lawyer in advance of the seminar?
- 3 May a lawyer, during the course of presenting at a firm-sponsored seminar, make an offer of services to attendees, all of whom are employees of the existing organizational client of the firm? Does a "prior professional relationship" exist in that situation?

Prof.Cond.R. 7.3 governs a lawyer's direct contact with prospective clients and prohibits in-person, live telephone, or real-time electronic solicitation of clients, unless the contacted person is a lawyer, family member, close personal friend, or has a prior professional relationship with the lawyer.

The board said the rationale for the rule is to prevent the "potential for abuse" of prospective clients who are trying to evaluate all the information and alternatives when a lawyer is present and insisting upon being retained immediately.

The question about distributing brochures to prospective clients was previously addressed in prior advisory opinions Opinion 2013-2 and Opinion 2007-5, but not in the context of legal seminars. Examining past opinions and practices of other states, the board concluded that lawyers presenting seminars can leave information where attendees have the option to stop or simply walk away. A lawyer may provide brochures at the entrance or exit, as long as the lawyer or anyone representing the lawyer does not personally distribute information at the seminar.

Additionally, "If an attendee approaches the presenting lawyer with a personalized legal question, then the lawyer should advise that person to contact the office and make an appointment or seek legal counsel of his or her choice," the board said.

The board, however, noted two exceptions. The opinion does not apply to lawyers conducting seminars for other lawyers, since there is not a serious potential of abuse. Lawyers can also answer personal legal questions if the seminar is provided as part of a pro bono legal services presentation conducted by law school legal clinics, bar associations, legal aid organizations, or similar groups.

The "prior professional relationship" standard allows a lawyer to make an in-person solicitation to clients with whom the lawyer has worked with in the

Story continues on p. 9

## Workshop Proposals Requested for Upcoming Dispute Resolution Trainings

Court personnel or other professionals who have tips on parent coordinating, mediation techniques, and dispute resolution problem solving are asked to submit workshop proposals to help train mediators across Ohio.

As more courts mediate cases outside the courtroom, they are finding out what best works for them and their clients. The Ohio Supreme Court Dispute Resolution Section wants others to learn from these best practices and present them at one of seven training presentations scheduled for 2016.

The workshops will be presented to dispute resolution professionals and court personnel who provide mediation to Supreme Court and Court of Claims litigants and Ohio public officials.

**Workshop proposals are due by Oct. 1., and those who submit plans will know if their proposals were selected by November.**

## STATE OF THE JUDICIARY

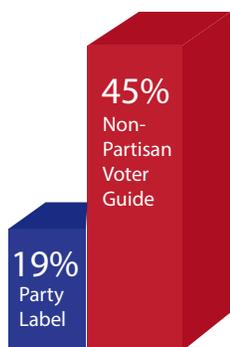
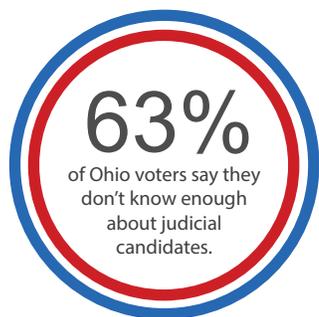


**MAUREEN O'CONNOR**  
CHIEF JUSTICE

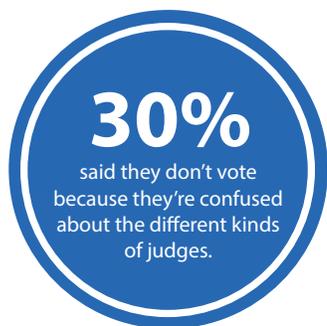
11 a.m.  
September 3, 2015  
Columbus, Ohio

Watch it live at [sc.ohio.gov](http://sc.ohio.gov).

# OVERCOMING VOTER APATHY & BALLOT "DROP-OFF" IN JUDICIAL ELECTIONS



What would be helpful in making a choice in a judicial election?



Results from the 2014 Judicial Elections survey, which was conducted by the Bliss Institute Oct. 1-Nov. 6, 2014. It is a random sample of 1,067 registered voters in Ohio, with a margin of error of plus or minus 3 percentage points. Full survey results at [uakron.bliss](http://uakron.bliss).

When only one in four Ohio voters takes the time to vote for judges on Election Day, are we assured the voting public gave fair consideration to the candidates?

This is reality in Ohio today – where judicial candidates are too often overlooked on the ballot. By law, court races are listed toward the end of voters' ballots, however long they may be.

In smaller, mostly rural counties, ballot fatigue isn't an issue, but in larger, metropolitan counties, election ballots can be long, even formidable, to an uninformed voter who isn't prepared to vote for dozens of races and a list of state or local issues.

Add in the fact that judicial races are seldom big news-makers like a presidential or gubernatorial race and it's understandable why ballot drop-off of 25 percent or more occurs in Ohio judicial elections. Drop-off occurs when voters make their selection at the beginning of the ballot and simply stop voting as they move through the sections.

Despite a history of voter apathy in judicial races, Ohioans repeatedly have rejected the idea to take away their right to vote for judges.

Judicial reform – how judges are selected – has been considered several times in Ohio, prior to and since the 1968 Modern Courts Amendment to the Ohio Constitution left judicial selection on the table for another day. Ohio voters formally rejected losing their right to vote for judges by a 2-1 margin in a 1938 election and a similar ballot issue was defeated by voters in 1987. In addition, the late Chief Justice Thomas J. Moyer led formal consideration of amending judge selection twice in his career.

Chief Justice **Maureen O'Connor** recently did the same. In 2013, she suggested eight ways to possibly amend judge selection and asked for public comment at the same time. Overwhelmingly, the public said they want to elect Ohio judges rather than allow future commissions, the governor, the legislature, or some hybrid, to do so for them.

After considering public feedback, in 2014, the chief justice put forth a plan to change when judges are elected and where court races are placed on the ballot, as well as to increase the years of experience attorneys need before running for judge.

She also promised to create a non-partisan, first-of-its-kind, comprehensive online tool to present information on all judicial candidates in the state and for each election. This website ([JudicialVotesCount.org](http://JudicialVotesCount.org)) also is intended to educate Ohioans on how the state's courts work and how judges and their decisions affect the public.

"Behind every judicial candidate name is an attorney with at least six years of practicing law," said Chief Justice O'Connor. "Voters deserve to know what that person has done in his or her legal career that would help in being a good judge."

In the fall of 2014, a survey commissioned by the Bliss Institute of Applied Politics at the University of Akron, the Ohio State Bar Association (OSBA), the League of Women Voters of Ohio, and Justice at Stake polled more than 1,000 registered voters in the state to gauge their knowledge of judicial elections and the courts.

The survey results showed two things: There simply isn't a good understanding of how courts work or how judges affect people's lives, and because voters don't have easy access to information on judicial candidates, they admittedly don't vote for those races.

"The results are revealing as to why voters are not voting for other candidates lower on the ballot, such as judges, and an overwhelming majority say they don't know enough about the candidates," said **John C. Green**, director of Akron University's Bliss Institute and a distinguished professor in political science. Specifically, 63 percent of those polled last fall said the reason they don't vote for judges is a lack of knowledge about judicial candidates.

"There also is a misperception about judges – Are they impartial? Does it matter who's elected?" said Chief Justice O'Connor. "We have to act in order to build confidence in the judiciary. That starts with voting."

The chief justice said she takes this effort personally and, as an elected official, feels an obligation to change how the public views judges and the courts.

"The codes of conduct expected of both attorneys and judges in Ohio clearly state a responsibility to help educate the public about the law and help ensure confidence in the judicial system," she said. "That's what I'm doing, along with my Judicial Votes Count partners. Educating Ohioans about judges and how our courts work is just as important as giving voters access to candidate information – our objective is two-fold."

Judicial Votes Count, the web tool touted by the Chief Justice and her partners, launched on Sept 1, with the presentation of biographical information on candidates throughout the state who are running for municipal court judgeships. The website also presents information on how Ohio's court system works and includes short videos highlighting former judges who talk about their previous work on the bench. Additionally, candidates were able to give long-answer responses to

questions like, "Why are you running for this particular court seat?"

"Ohio has four levels of courts in our judicial system, which includes eight types of courts" Chief Justice O'Connor said. "Not only do we want Ohioans to learn how courts work, but we want candidates to tell the public what experience they have to be a good judge in the specific court seat they aspire."

Along with the chief justice, the Judicial Votes Count partnership is made up of the Bliss Institute, the OSBA, the League of Women Voters of Ohio, the Ohio Newspaper Association, and the Ohio Association of Broadcasters. The organizations are working together to promote the website.

"The key to keeping Ohio's judiciary strong is encouraging everyone to learn about judicial candidates so they can make informed decisions when they cast their ballots," said **John D. Holschuh Jr.**, OSBA president.

Beginning in 2016, the online tool will present candidate information for both the primary and general elections.

"The beauty of a digital tool like Judicial Votes Count is that it can evolve and grow," the chief justice said. "We can add information in the future, or if we believe that we can do something better, then we can rethink our efforts and improve how we communicate."

Will this non-partisan collaboration and web tool make a difference?

"It is not our objective to increase voter turnout," the chief justice said. "But we will measure visits to the site and hope to see an increase in visitors as we move from our launch into next year's elections. And, within a couple of years, we hope to see a decrease in judicial election drop-off."

Perhaps within those couple of years, Chief Justice O'Connor's other recommendations to raise the profile of judicial elections will be approved. By then, it's hoped voting for judges will no longer simply be a missed opportunity.

## A CLOSER LOOK: JudicialVotesCount.org

Launched on Sept. 1, Judicial Votes Count is a non-partisan, comprehensive online tool where Ohio voters can learn more about judges in their areas so they can make informed decisions on election day.

The website provides information on:

- Judicial candidate backgrounds
- How the state court system works
- How judges and their decisions affect the public.

Voters are encouraged to visit [JudicialVotesCount.org](http://JudicialVotesCount.org) today to find out more about municipal court candidates on this November's ballot.

### Project Partners

Chief Justice Maureen O'Connor

Bliss Institute of Applied Politics  
at the University of Akron

Ohio State Bar Association

League of Women Voters of Ohio

Ohio Newspaper Association

Ohio Association of Broadcasters



## Board Advises Judges Regarding Ethics Requirements Governing Performance of Civil Marriages

Ohio judges who perform civil marriages may not ethically refuse to perform civil marriages involving same-sex couples while continuing to perform marriages involving opposite-sex couples. Ohio judges may not ethically decline to perform all marriages in order to avoid marrying same-sex couples based on their personal, moral, or religious beliefs. These conclusions are set forth in an Aug. 10 advisory opinion issued by the Board of Professional Conduct of the Supreme Court of Ohio.

Advisory Op. 2015-1 responds to two requests received by the board in July, including one submitted on behalf of all Ohio municipal and county court judges. The opinion requests were received following the U.S. Supreme Court decision in *Obergefell v. Hodges* that invalidated several state laws restricting or prohibiting same-sex marriages.

The advisory opinion states that a judge's decision regarding the performance of civil marriages must be made in a manner consistent with the judge's oath of office and six specific provisions of the Code of Judicial Conduct.

Advisory Op. 2015-1 quotes the statutory oath of office that obligates each judge to support the U.S. and Ohio Constitutions, administer justice without respect to persons, and impartially perform all judicial duties. Specific provisions of the Code of Judicial Conduct cited by the board require a judge to comply with the law, act in a manner that promotes judicial independence, integrity, and impartiality, perform duties fairly and impartially, perform judicial and administrative duties without bias or prejudice, and avoid allowing external influences to affect the performance of judicial duties.

The opinion observes that a judge's reliance on personal beliefs as a basis for declining to perform some or all civil marriages may require disqualification from cases in which the sexual orientation of the parties is at issue. Judges are further advised that personal, moral, or religious

beliefs should not be a factor in the performance of administrative duties, including the supervision of court personnel, and to be aware of the impact that a decision to decline to perform all civil marriages may have on the public's perception of the judiciary.

Advisory Op. 2015-1 is "a restatement of core tenets that have long governed judicial conduct and continue to guide the proper and ethical performance of a judge's constitutional and statutory obligations." The opinion offers advice similar to that provided by ethics authorities in four other states — Arizona, Louisiana, Nebraska, and Pennsylvania.

The advisory opinion does not answer the question of whether Ohio statutes authorizing the performance of civil marriages by judges are mandatory or permissive. The board's authority to issue advisory opinions extends only to providing interpretations of rules and codes adopted by the Supreme Court that govern the professional conduct of lawyers and judges. As such, the board is not permitted to address questions of statutory construction or interpretation.

*Advisory Opinions of the Board of Professional Conduct are nonbinding opinions in response to prospective or hypothetical questions regarding the application of the Supreme Court Rules for the Government of the Bar of Ohio, the Supreme Court Rules for the Government of the Judiciary, the Ohio Rules of Professional Conduct, the Ohio Code of Judicial Conduct, and the Attorney's Oath of Office.*

## Mahoning County Judge Goes to the White House

### Event Focused on Rethinking School Discipline



Mahoning County Juvenile Court Judge **Theresa Dellick** (right) and Mahoning County High School Superintendent **Jennifer Merritt** attend a school discipline conference at the White House.

Mahoning County Juvenile Court Judge **Theresa Dellick** attended a day-long conference at the White House that focused on helping school districts create positive school climates and implement effective discipline practices.

Judge Dellick and Mahoning County High School Superintendent **Jennifer Merritt** joined a group of other teams of superintendents, principals, and teachers from across the country on July 22 for “Rethink Discipline,” hosted by the U.S. Departments of Education and Justice.

“School suspensions and expulsions often lead students down a path to involvement with the juvenile justice system. It is the responsibility of the court to work with educators in the community to dedicate resources to keep students on a path to graduation and keep them from becoming involved in the justice system,” Judge Dellick said.

New resources and initiatives were announced to assist school leaders in their efforts to reduce suspensions and expulsions and provide safe and supportive school environments, and are available at [www.ed.gov/school-discipline](http://www.ed.gov/school-discipline).

The Mahoning County High School is a dropout recovery community school that serves “at-risk” students, including those with juvenile court involvement.

## Judicial Appointment: Lorain County Common Pleas Court

This month, a magistrate will become a judge on the Lorain County Common Pleas Court bench.

Gov. **John Kasich** appointed **Michele Silva Arredondo** to fill the seat left by Judge **James M. Burge**, who resigned. Arredondo must win in the November 2016 election to retain her seat for the remainder of the unexpired term, which ends on Jan. 4, 2019.

Arredondo received her bachelor’s degree from Miami University and her law degree from Cleveland-Marshall College of Law. She has served as a magistrate on the Lorain County Common Pleas Court since 1999. She has also served as an assistant attorney for the Lorain County Prosecutor’s Office and in private practice. Arredondo was admitted to the practice of law in Ohio on Nov. 6, 1981.

## RULES CLARIFIED:

### Story continued from p. 5

past. It does not apply to the employees of a business that is represented by the lawyer. Prof.Cond.R. 1.13 governs situations when lawyers represent an organization as a client. A lawyer may represent the organization and individual employees of the organization, but those employees must be informed of the arrangement and the potential conflicts that could arise. The board said the prior professional relationship exists only with the organization – not the employees of the organization – so when the employees attend a legal seminar, there is no prior professional relationship that allows for in-person solicitation. Therefore, the lawyer must provide information in the same manner required for any prospective client who is not a relative, close friend, lawyer, or who has a prior professional relationship.

*Advisory Opinions of the Board of Professional Conduct are informal, nonbinding opinions in response to prospective or hypothetical questions regarding the application of the Supreme Court Rules for the Government of the Bar of Ohio, the Supreme Court Rules for the Government of the Judiciary, the Ohio Rules of Professional Conduct, the Ohio Code of Judicial Conduct, and the Attorney’s Oath of Office.*



## Conferences & Meetings

**Sept. 2**  
**Ohio Courts of Appeals Judges Association (OCAJA) Fall Conference**  
 Member Judges, Columbus

**September 3 & 4**  
**Ohio Judicial Conference (OJC) Annual Meeting**  
 Judges, Columbus  
[ohiojudges.org](http://ohiojudges.org)

**Sept. 30 – Oct. 2**  
**Ohio Association of Magistrates (OAM) Fall Conference**  
 Member Magistrates, 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

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

**Sept. 3**  
**Cyber Security & Street Smart on Drugs**  
 Official Court Reporters  
 Columbus

**Sept. 9**  
**Guardian ad Litem Pre Service Course (7 of 9)**  
 Guardians ad Litem  
 Boardman/Youngstown

**Probation Officer Training Program: Introduction to Offender Behavior Management**  
 Probation Officers  
 Toledo/Perrysburg

**Sept. 9 – 11**  
**Court Management Program (CMP) 2016, Module IV: Managing Technology Projects & Technology Resources**  
 CMP 2016 Class  
 Columbus

**Sept. 10**  
**Criminal Procedure for Acting Judges (2 of 4)**  
 Judges & Magistrates, Acting Judges  
 Strongsville/Cleveland

**Sept. 11**  
**Abuse, Neglect & Dependency Web Conference**  
 Judges & Magistrates

**Sept. 14**  
**Guardian ad Litem Continuing Education Course: Substance Use**  
 Guardians ad Litem  
 Toledo/Perrysburg  
 1 p.m. – 4:30 p.m.

**Sept. 15**  
**Guardian ad Litem Continuing Education Course: Substance Use**  
 Guardians ad Litem  
 Toledo/Perrysburg  
 8:30 a.m. – Noon

**Probation Officer Training Program: Introduction to Cognitive Behavioral Interventions**  
 Probation Officers  
 Akron/Fairlawn

**Sept. 16**  
**Fundamentals of Adult Guardianship Course - Laypersons**  
 Adult Guardians  
 Ashland

**Sept. 16 – 18**  
**Court Management Program (CMP) 2017 Level II; Module II - Leadership**  
 CMP 2017 Class  
 Columbus

**Sept. 17**  
**Fundamentals of Adult Guardianship Course - Professionals**  
 Adult Guardians  
 Ashland

## 5 MORE WAYS TO GET COURT NEWS OHIO

**twitter**

[twitter.com/courtnewsohio](http://twitter.com/courtnewsohio)

**facebook**

[facebook.com/courtnewsohio](http://facebook.com/courtnewsohio)

**CNO TV**

[ohiochannel.org](http://ohiochannel.org)

**You Tube**

[youtube.com/CourtNewsOhioTV](http://youtube.com/CourtNewsOhioTV)

**CNO**

[courtnewsohio.gov](http://courtnewsohio.gov)

Sept. 18

**Criminal Procedure  
by the Numbers, Part III**  
Judges & Magistrates  
Columbus

Sept. 21

**Appellate Writing Seminar  
for Law Clerks (1 of 2)**  
Law Clerks  
Dayton; Simulcast in Columbus

Sept. 22

**Probation Officer Training Program:  
Intro to Offender Behavior  
Management**  
Probation Officers  
Columbus

Sept. 23

**Supervisor Series: Coaching for Top  
Performance (1 of 2)**  
Court Supervisors  
Columbus

Sept. 24

**Supervisor Series: Coaching for Top  
Performance (2 of 2)**  
Court Supervisors  
Columbus

Sept. 25

**Traffic Law (1 of 2)**  
Judges, Magistrates & Acting Judges  
Columbus

Sept. 28

**Appellate Writing Seminar for Law  
Clerks (2 of 2)**  
Law Clerks  
Cleveland

Oct. 2

**Sex Offender Management**  
Probation Officers  
Columbus

## Dispute Resolution Training

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

Sept. 17 &amp; 18

**Domestic Abuse Issues for Mediators**  
Columbus

Oct. 1 &amp; 2 and Oct. 20 – 22

**Specialized Family/Divorce Mediation  
(5-Day Training)**  
Columbus

## Language Services Training

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

Sept. 11

**Legal Procedure & Terminology**  
Cincinnati

Sept. 12

**Idioms, Slang & Metaphors in Court  
Interpretation**  
Cincinnati

Sept. 25

**The Fundamentals of Sexual Violence  
for Court Interpreters**  
Columbus

Sept. 26

**The Fundamentals of Sexual Violence  
for Court Interpreters**  
Independence

## Supreme Court of Ohio

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

Sept. 1

**Deadline for Biennial Attorney  
Registration**

Sept. 1 &amp; 2

**Oral Arguments**

Sept. 3

**State of the Judiciary Address**  
Chief Justice Maureen O'Connor  
Columbus  
*Remarks streamed live online at [sc.ohio.gov](http://sc.ohio.gov)*

Sept. 15

**Oral Arguments**

Sept. 16

**Oral Arguments at Off-Site Court**  
Sandusky County

## Ohio Center for Law-Related Education

[oclre.org](http://oclre.org)

Sept. 19

**Introduction to Mock Trial  
Professional Development**  
Columbus

September 20 &amp; 21

**Law & Citizen Conference**  
Columbus

## Miscellaneous

Sept. 11

**Ohio Community Corrections  
Association Training**  
*Effective Documentation Practices that  
Improve Service Delivery and Outcomes in  
Community Corrections*  
Columbus  
[occaonline.org](http://occaonline.org)

Sept. 24 &amp; 25

**Ohio Prosecuting Attorneys  
Association Fall Training**  
Cleveland  
[ohiopa.org](http://ohiopa.org)



## 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 283, Rep. Teresa Fedor (D-Toledo)**

To require DNA testing for misdemeanor convictions of voyeurism, public indecency, procuring, soliciting, loitering to engage in soliciting, and prostitution.

**STATUS:** Introduced in the House on July 7, 2015.

### **HB 286, Rep. Nino Vitale (R-Urbana)**

To provide that an ordained or licensed minister or religious society is not required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial.

**STATUS:** Introduced in the House on July 14, 2015.

### **HB 291, Rep. Ron Young (R-Leroy); Rep. Jonathan Dever (R-Cincinnati)**

To require notice and an opportunity for a hearing to a defendant before entry of judgment pursuant to a confession of judgment.

**STATUS:** Introduced in the House on July 22, 2015.

## Rule Amendment Summary

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

### **New Standard Probate Forms Proposed for Involuntary Treatment for Alcohol and Drug Abusers**

The Ohio Supreme Court requests public comment on a series of proposed new probate forms that would be used by probate court judges and petitioners for the involuntary treatment of a respondent who's abusing alcohol or drugs.

Forms 26.0 through 26.14 would be added to the Standard Probate Forms within the Rules of Superintendence for the Courts of Ohio.

Another new probate form suggested for public comment addresses a different topic. Form 21.06 would be used when an applicant who wants to change his or her name requests a waiver so that the name change is not published in a newspaper or other public notice as required under the Ohio Revised Code. The 30-day public comment period ends on Oct. 1, 2015.

### **Judicial Code of Conduct**

The Board of Professional Conduct recommended a change in the Judicial Candidate Training Deadline, (Jud.Cond.R 4.2(A)(4)) from 30 days after certification to be on the ballot up to 60 days after certification. The new rule went into effect in August.

Currently, the rule requires all judicial candidates, including incumbent judges who are seeking election, to attend a campaign practices seminar. To satisfy this requirement, a judicial candidate must attend an approved judicial candidate seminar not more than one year prior to or no later than 30 days after certification of candidacy by the board of elections or Secretary of State. This will now be extended to 60 days after certification.

### **Expanded Role Proposed for Ohio Court Interpreters**

The Ohio Supreme Court is considering new rules recommended by the Advisory Committee on Language Services and the Commission on the Rules of Superintendence.

Current Rules of Superintendence for the Courts of Ohio require the use of an Ohio Supreme Court certified interpreter in a "court or case function," like a hearing, trial, or pre-trial conference, when possible.

The language proposed in new rule 89 would expand that provision to include bilingual services to limited-English proficient individuals for "ancillary court services," such as communications with the clerk's office, alternative dispute resolution programs, pro se clinics, and other situations that call for the exchange of general or legal information.

An additional proposal would amend rule 87 to allow non-certified foreign language interpreters to officially register with the Supreme Court Language Services Program as "registered foreign language interpreters."

Written comments on the proposed rule amendments will be accepted until Oct. 1.