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# Annual Report

THE SUPREME COURT of OHIO

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THE SUPREME COURT *of* OHIO

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# Annual Report 2011

Maureen O'Connor  
Chief Justice

Paul E. Pfeifer  
Evelyn Lundberg Stratton  
Terrence O'Donnell  
Judith Ann Lanzinger  
Robert R. Cupp  
Yvette McGee Brown  
Justices

Steven C. Hollon  
Administrative Director

# THE SUPREME COURT *of* OHIO



Paul E. Pfeifer • Chief Justice Maureen O'Connor • Evelyn Lundberg Stratton  
Seated (Left to Right)

Robert R. Cupp • Terrence O'Donnell • Judith Ann Lanzinger • Yvette McGee Brown  
Standing (Left to Right)

The white marble building at 65 South Front Street in Columbus saw some significant changes in 2011. Among them were some new faces and a new name for the historic building.

I was honored to become the first woman chief in the court's history, and at the same time, Justice Yvette McGee Brown became the first African-American woman on the bench. The court bid farewell to 10 retiring employees and welcomed new faces at some key positions.

Through the year of change and transition, work continued unabated. A total of 2,263 cases were decided in the year. Cost savings measures continued with a flat budget. More than 1,300 attorneys were admitted to the practice of law. The dedicated staff of the Supreme Court worked in countless ways — seen and unseen — to support the fair and efficient administration of justice in Ohio.

Perhaps the biggest change — certainly one of the most satisfying to me and my colleagues — was the renaming of the building in honor of our late colleague and friend, Chief Justice Thomas J. Moyer.

Chief Justice Moyer was born in 1939, when the classic revival stalwart on the Scioto River was just a few years old and was known as the Ohio Departments Building. In the passing decades the building fell into disrepair. It might have been razed but for the vision of Chief Justice Moyer.

He was tireless in the quest to restore the building to its original grandeur and make it the permanent home of the Supreme Court. He eventually succeeded. The court moved in on Presidents Day 2004. Chief Justice Moyer enjoyed six years in the beautiful building before his untimely death on April 2, 2010.

While there were many accomplishments and milestones in 2011, I think we will remember it as the year that we dedicated the Thomas J. Moyer Ohio Judicial Center to a great Ohioan and friend.



Maureen O'Connor  
Chief Justice





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CHIEF JUSTICE  
O'CONNOR

Chief Justice Maureen O'Connor's November 2010 election as chief justice of the Supreme Court of Ohio made her the first woman to serve as chief justice in Ohio and only the 10th chief justice in the court's 208-year history. Chief Justice O'Connor is devoted to improving the judicial branch in Ohio, leading initiatives to promote diversity and access to justice, support impartial courts and bolster collaboration among judges. She is the 148th justice and sixth woman to serve on the Supreme Court of Ohio.



JUSTICE  
PFEIFER

Elected in 1992, Justice Paul E. Pfeifer is the most senior member of the Supreme Court of Ohio. He grew up on his family's dairy farm near Bucyrus, and he still lives just down the road raising Black Angus cattle on his farm. He served in both houses of the Ohio General Assembly, as chairman of the Senate Judiciary Committee for 10 years, and he crafted the legislation creating the Ohio Tuition Trust Authority.



JUSTICE  
STRATTON

The Supreme Court of Ohio is a long way from Justice Evelyn Lundberg Stratton's childhood home of Thailand, where she was raised by missionary parents, but the length of the journey is symbolic of her resolve and dedication to the U.S. justice system. It is that dedication that led to her election as the first woman judge on the Franklin County Court of Common Pleas. She is the 147th justice and the fifth woman justice on the Supreme Court of Ohio.



JUSTICE  
O'DONNELL

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



JUSTICE  
LANZINGER

After 26 years on the bench and now serving her second term on the Supreme Court, Justice Judith Ann Lanzinger is the only person ever elected to all four levels of the Ohio judiciary. She maintains an educational blog about the court, *justicejudy.blogspot.com*, and is the 150th justice and seventh woman justice on the Supreme Court of Ohio.



JUSTICE  
CUPP

Nearing the completion of his first term on the Supreme Court of Ohio, Justice Robert R. Cupp also has served as an appellate judge, Ohio senator, city prosecutor, county commissioner and university professor. Justice Cupp was born in rural Allen County and grew up on his family's farm. He earned his political science degree and law degree from Ohio Northern University.



JUSTICE  
McGEE BROWN

The newest addition to the Supreme Court, Columbus native Justice Yvette McGee Brown is the first African-American woman to serve as justice in Ohio. She is also the first Ohio justice on Twitter, where she has more than 1,000 followers. She is the 153rd justice and eighth woman to serve on the Supreme Court of Ohio.



# Staff Notes

Statistics Analyst **Brian Farrington** accepted a nomination to serve on the National Center for State Courts Court Statistics Committee.

Library Specialist **Lisa Lynch** was acknowledged in *No Winners Here Tonight: Race, Politics and Geography in One of the Country's Busiest Death Penalty States* by Andrew Welsh-Huggins for her help in tracking down various death penalty court rulings.

**Steven Hanson** received the 2011 Friend of the Clerk award during the Juvenile Court Clerks annual conference for his contributions to the continuing education and professionalization of juvenile clerks in Ohio. Hanson is the manager of the Children, Families & the Courts Section of the Judicial & Courts Services Division.



**Jon Marshall** (pictured with wife, Kay) was honored with Award of Merit at the Columbus Bar Association & Foundation Pro Bono Awards Luncheon April 28 in recognition of his service in the administration of justice.

## Celebrating Excellence



2010 Professional Excellence Award winners (from left): Bill Crawford, Jeremy Johnson, Diane Hayes and Nathan Wasson.

The chief justice and justices, as well as the many members of the court's advisory boards, committees and commissions, recognize the superior level of professionalism and exceptional service that are the court staff. Few acknowledgments of a job well done, however, are as meaningful to the staff as those coming from their peers in the form of the annual Employee Excellence Awards. Each year, Supreme Court employees are asked to nominate their co-workers for:

- Consistent professional excellence in the performance of regularly assigned duties.
- Superior achievement in the completion of a special project or assignment, or voluntary completion of a task that is above and beyond the call of duty.
- An exemplary display of a positive attitude toward work, fellow employees and constituencies of the court that serves as a model and motivation to others.

In February 2011, the justices and staff gathered in the Courtroom for the 7th annual presentation of awards, during which four employees were recognized for their professionalism and outstanding service to the court during 2010: Court Marshal **Bill Crawford**, PC Specialist **Jeremy Johnson**, Judicial Assignment Specialist **Diane Hayes** and Deputy Clerk **Nathan Wasson**.

# Transitions

Retirements around the court gave several staff members opportunities for new responsibilities:

**Jacob Delgado** took over as manager of the Office of Network & Technology Resources following the retirement of David Saffle in June.

**Richard A. Dove** resigned his duties as assistant administrative director and assumed the mantle of secretary to the Board of Commissioners on Grievances & Discipline. Dove replaced Jonathan W. Marshall, who retired June 30 after nearly 22 years of service.

**Michelle A. Hall**, senior counsel in the Office of Attorney Services, assumed the job of senior staff counsel to the Board of Commissioners on Grievances & Discipline in June, following the retirement of Ruth Bope Dangel after more than 20 years of service.

**Minerva Elizaga** then stepped up to fill the position of senior counsel in the Office of Attorney Services, where she is secretary to the Board on the Unauthorized Practice of Law. Elizaga previously served as counsel in the Office of Bar Admissions.



## First Woman Reporter of Decisions

**E**ight months after Ohioans elected the state's first-ever woman chief justice and woman African-American justice, the Supreme Court itself chose a woman to serve as reporter of decisions, the first time in the court's 208-year history the position has been filled by a woman.

When **Ralph Preston**, who served as reporter for seven years, announced his June 30 retirement, the court tapped **Sandra Huth Grosko**, then serving as case management counsel in the Office of the Clerk, to replace him. Grosko now leads the office that reports and publishes the court's opinions, rulings on motions, miscellaneous orders and rule amendments.

Grosko, employed at the court for more than 16 years, said it was an honor to step into the new role. "I look forward to collaborating with my colleagues in the office to uphold the high standard of work that has always been exhibited by the Reporter's Office," she said at the time of her appointment.

Chief Justice Maureen O'Connor said, "Sandra is not only intimately familiar with the substantive duties of the job, she is also a thorough professional who will partner with other members of the court's senior staff to make the Supreme Court of Ohio even better. The justices are delighted that she has accepted the new responsibilities."

## Retirees

In the summer of 2011, the court said goodbye to nearly 200 years of experience as several staff members took an early retirement option.

**Deborah Barrett**  
Administrative Assistant,  
Office of the Reporter

**Marjorie Crowder**  
Program Manager, Children,  
Families & the Courts Section

**Ruth Bope Dangel**  
Chief Counsel, Board of  
Commissioners on  
Grievances & Discipline

**Brenda English**  
Staff Assistant, Office  
of Disciplinary Counsel

**Cindy Farrenkopf**  
Attorney Registration Specialist,  
Office of Attorney Services

**Jonathan Marshall**  
Secretary, Board of  
Commissioners on  
Grievances & Discipline

**Ralph Preston**  
Reporter of Decisions,  
Office of the Reporter

**Justine Reichert**  
Public Information Specialist,  
Office of Public Information

**David Saffle**  
Manager, Office of Network  
& Technology Resources

**Doug Stephens**  
Director, Judicial  
& Court Services





# Historic Firsts

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In the first week of 2011, the Supreme Court of Ohio celebrated two historic milestones that took 208 years to reach.

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**O**n January 1, Maureen O'Connor became the first woman chief justice in Ohio history. Just seven days later, the new chief justice looked on as Yvette McGee Brown was sworn in as the first African-American woman to serve on the high court bench.

2011 thus marked the return of a female majority to the Supreme Court, which first occurred when Justice O'Connor joined the court in 2003. It also was the start of a friendship between Chief Justice O'Connor and Justice McGee Brown, a relationship that did not escape the attention of the media. The Columbus *Dispatch* later in the year headlined a feature article with, "Justices Discover They're Sisters in Law."

Ohio voters elected Chief Justice O'Connor on November 2, 2010, to a 6-year term as the Supreme Court's 10th chief justice. She became the state's 148th justice when her first term began January 1,

2003, and was later re-elected a justice of the court in 2008. She was only the sixth woman to join the Ohio Supreme Court. The first was Florence Allen in 1923.

At her swearing-in ceremony, Justice Paul E. Pfeifer administered the oath of office. Chief Justice O'Connor said she's looking forward to continuing the work with her colleagues on addressing the court's share of the budget burden facing the state.

"Without question, each branch of government will undergo some degree of belt-tightening while still delivering high-quality services," she said. "We are poised to make those difficult decisions strategically, collaboratively and soundly."

Several days later, the Ohio judicial community and the city of Columbus came together to honor Justice McGee Brown at her swearing-in ceremony on January 8. Then-Gov. Ted Strickland administered the oath of office at the King Arts





Complex in the near east side Columbus neighborhood where Justice McGee Brown was raised.

“Another barrier is broken today. This strengthens our democracy in an important and visible way.”

“This day is possible because of people from this neighborhood, people who are not famous,” Justice McGee Brown said. “Another barrier is broken today. This strengthens our democracy in an important and visible way.”

More than 700 people overflowed the theater and adjoining rooms of the King Arts Complex for the event and the reception that followed. Justice McGee Brown’s family, former teachers and friends were on hand for the celebration.

Among those joining the new justice and Gov. Strickland onstage and offering remarks were Chief Justice O’Connor, Ohio State Bar Association President Carmen V. Roberto, and Judge Nathaniel R. Jones of the U.S. Sixth Circuit Court of Appeals.

“I’ve had the pleasure of getting to know Justice McGee Brown well since her appointment,” Chief Justice O’Connor said. “I’m happy to call her a colleague, excited that such an accomplished, respected public servant has joined the court,



PICTURED TOP: Chief Justice O’Connor poses a question for counsel during her first oral argument as chief. PICTURED BOTTOM: Justice Yvette McGee Brown is sworn in by Gov. Ted Strickland as her husband and son look on.

and looking forward to tackling the important work we have ahead of us in a collaborative manner with her and the other members of the court.”

Dozens of Justice McGee Brown’s sorority sisters were in the audience, and several members of the leadership of the Alpha Sigma Omega Chapter of the Alpha Kappa Alpha Sorority made a special presentation to Justice McGee Brown at the conclusion of the ceremony.

Gov. Strickland appointed former Judge McGee Brown to the Supreme Court seat vacated by Chief Justice O’Connor when she began her term as the head of the judiciary.

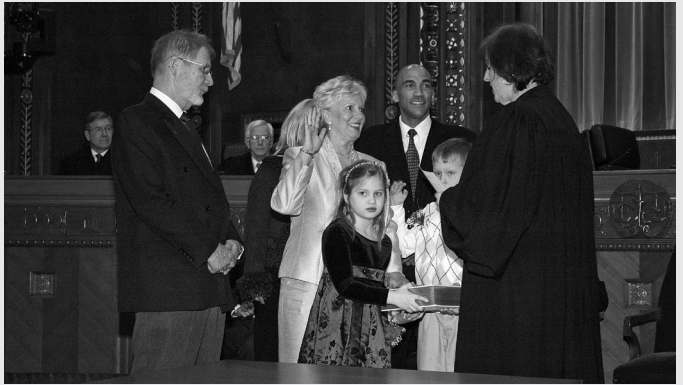
Justice McGee Brown said she was honored to join the court during historic times. “I have tremendous respect for the court and the important role it has in our democracy,” she said. “I am humbled by this opportunity and consider it a privilege to serve with the other distinguished jurists on the court.”

Justice McGee Brown follows former Justices Robert M. Duncan and Lloyd O. Brown as the third African-American member of Ohio’s high court and is the eighth woman to serve on the court.

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WATCH IT: Video of all of the swearing in ceremonies is available on the Ohio Channel website at [www.ohiochannel.org](http://www.ohiochannel.org).

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## Returning Justices Sworn In to New Terms

**B**efore hundreds of family, friends and guests, Justices Paul E. Pfeifer and Judith Ann Lanzinger took the ceremonial oath of office at a public Courtroom event January 18.

Ohio voters re-elected Justices Pfeifer and Lanzinger on November 2 to new six-year terms. Attorney Richard L. Cory, a partner in the Bucyrus law firm Cory & Cory, administered the oath to Justice Pfeifer, while Chief Justice O’Connor administered the oath to Justice Lanzinger. Pfeifer, who has served on the court since 1993, and Lanzinger, a member of the court since 2005, began their fourth and second terms, respectively. Each justice spoke of a desire to continue public service careers that began long ago. “It’s hard to believe that 18 years have passed since I first joined the court,” Pfeifer said.

“After 25 full years of serving in the judiciary, I can say that my time on the Supreme Court has been the most rewarding,” Justice Lanzinger said. “I am very blessed in being able to work with my dedicated colleagues in this beautiful building.”

Joining Justices Pfeifer and Lanzinger for the ceremony were the other members of the court: Chief Justice O’Connor and Justices Evelyn Lundberg Stratton, Terrence O’Donnell, Robert R. Cupp and Yvette McGee Brown. State leaders from the executive branch attended the ceremony, including Secretary of State Jon Husted and Auditor Dave Yost.





# THOMAS J. MOYER OHIO JUDICIAL CENTER

## — DEDICATION CEREMONY —

The home of the Supreme Court of Ohio is now named in memory of the great jurist who not only had the vision to restore the historic building, but who also served the Ohio judiciary with distinction for nearly 24 years.

**O**n December 2, 2011, more than 400 people, including many members of the judiciary, honored the late Chief Justice Thomas J. Moyer by attending an official session of the Supreme Court in which the Ohio Judicial Center was dedicated in his name. Chief Justice Moyer's official court portrait was unveiled during the ceremony and installed in the Grand Concourse among the images of the greatest

men to serve the citizens of Ohio. Internationally known artist Leslie Adams painted the portrait.

The dedication of the Thomas J. Moyer Ohio Judicial Center honors Chief Justice Moyer's significant contributions to civility, public service and the rule of law. He was the second-longest-serving chief justice in Ohio history, serving from January 1987 until his death in April 2010. One of his greatest legacies is his leadership role



Court Security staff members Stephanie Tansill and Jason Thomas unveil Chief Justice Moyer's portrait, which now hangs in the building's Grand Concourse.

in transforming the 1930s-era Ohio Departments Building into the Ohio Judicial Center. Reopened in 2004 after extensive refurbishment, the building is home to the court and its affiliated offices.

In the December dedication ceremony, Chief Justice O'Connor said Chief Justice Moyer helped ensure that, for the first time in the state's history, the court had a home of its own.

Chief Justice Moyer's wife, Mary, was in attendance as his stepdaughter, Elizabeth Emens, spoke on behalf of the family, saying the Chief had grand passions for history, law and the court.

Chief Justice Moyer was elected to his first term in November 1986 and took office on January 1, 1987. He was re-elected in 1992, 1998 and 2004.

Chief Justice Moyer was a leader in promoting improved access to the courts through alternative dispute resolution and computer technology.

He also sought to ensure equal access to the courts through the development of a certification process

for interpreters for non-English speakers and the hearing-impaired.

As Justice Paul E. Pfeifer wrote shortly after Chief Moyer's death, "Of course, his contributions were due to his possession of the usual requirements for success: a tireless work ethic, a gifted intellect and a creative mind. But ultimately the accomplishments of Thomas J. Moyer — the Chief — were made possible by the character of Tom Moyer — the man — soft spoken and humble, courteous and kind, always conscious of others and concerned for the greater good."

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**READ MORE:** More information about the Moyer Judicial Center and the life of Chief Justice Moyer, as well as videos of the December 2, 2011, dedication ceremony, the May 1, 2010, memorial service and a video tribute are available at [sc.ohio.gov](http://sc.ohio.gov).

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# Grants Help Defray Cost of Visiting Moyer Judicial Center



In the fall of 2011, numerous Ohio schools took advantage of a new grant opportunity to help pay for field trip transportation costs to visit the Moyer Judicial Center. This option came at a good time, as several school districts began eliminating field trips because of financial constraints.

Funding came from the Thomas J. Moyer Ohio Judicial Center Foundation, which gave \$30,000 to the Supreme Court Visitor Education Center specifically to finance 100 transportation grants. The money came from an anonymous donor who wanted to support the late Chief Justice Moyer's goal of educating young Ohioans. The first 13 schools qualified for grants in November and December.

More than 250 schools applied, showing both a real need for help in offsetting field trip costs, as well as widespread interest in visiting the home of the Supreme Court. Schools with students in the fourth grade and above are eligible, and teachers can apply for funding worth up to \$400, depending on distance traveled. All Ohio schools receiving state funds can apply. Grants are awarded to those schools with the highest percentage of students enrolled in the free- and reduced-cost lunch program.

Keene Elementary School from Coshocton was the first grant recipient school to tour the Moyer Judicial Center. On November 4, 2011, more than 75 fifth- and sixth-grade students from Keene studied a First Amendment case about freedom of religion and participated in a Harry Potter mock trial. They also interacted with digital animation and exhibits.

Civic Education Coordinator Julie Manning said it is important for students to experience government live and in action. She said several participating schools also sat in on Supreme Court oral arguments.

While this was the first time the Visitor Education Center received money to help bring students to the building, Manning said she hopes the foundation will consider funding transportation grants again in 2012, because students are the primary audience of the more than 14,000 visitors who tour the Moyer Judicial Center annually.



# Access to Justice

Chief Justice O'Connor emphasized diversity and access to justice as major issues for her incoming administration in her inaugural speech, and throughout the year her colleagues on the bench joined her in a series of changes marking progress to ensure all Ohioans have timely, fair access to the justice system, regardless of who they are or where they come from in life.

"In the next six years, we will do better in this area," Chief Justice O'Connor said. "This starts with continuing the good work we have already begun in this area. From the Law and Leadership program that prepares the next generation of urban students to consider a career in the law, to implementing a new education component to train judges to recognize and eliminate bias in the courtroom, to making more court forms accessible in many languages, to requiring court foreign language interpreters become certified, there are numerous ways the Supreme Court supports greater diversity throughout the legal system."

PICTURED: Chief Justice O'Connor congratulates a newly certified interpreter during a February 1, 2011, ceremony at the Supreme Court of Ohio as Interpreter Services Program Manager Bruno Romero looks on.

## Ensuring Access

The court made progress on several fronts in 2011:

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### PRO BONO SERVICE

Figures released in 2011 showed that more attorneys in Ohio appear to be volunteering legal service to people in need. Ohio attorneys reported 45 percent more pro bono hours in 2010 than in 2009, for a total of almost 140,000 hours, the most in the three years the statistics have been collected.

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### INTERPRETER SERVICES

In February, the court held a ceremony honoring the first group of 23 court interpreters to be certified by the Supreme Court of Ohio.

In July, the court adopted a new rule requiring courts to hire a certified foreign language or sign language interpreter, when available, to ensure the "meaningful participation" of deaf and limited English proficient individuals in court proceedings. The rule takes effect January 1, 2013. Sup.R. 88 also requires courts to "use all reasonable efforts" to avoid the appointment of interpreters who may have a conflict of interest.

# Court Launches New Online Judicial Education Site



Ohio's increasingly budget-conscious climate calls for technological advances to improve efficiency. One response was the April launch of the Supreme Court's new online judicial education site.

The Judicial eCademy enables anyone seeking education and training from the Ohio Judicial College to browse courses, access material, register and take selected courses entirely online — without leaving home or the office. The site is the culmination of nearly two years of work and planning among more than 20 staff members and outside consultants. The results are increased training options for local judges and court personnel, improved efficiency and reduced costs.

The Judicial College has offered online registration to judges and magistrates since February 2009. The new system extends the convenience to court personnel, guardians ad litem and others whose education needs are served by the Supreme Court. Courses and educational materials are available to all eCademy users.

“In these difficult budgetary times, we must continue to innovate and find ways to use technology to do an even better job for less money,” Chief Justice O'Connor said. “The Judicial eCademy enables us to educate and train judges, magistrates, court personnel and other partners in the court system while reducing travel expenses to local courts and reducing printing costs.”

Judicial eCademy users can browse the Judicial College catalog of traditional and online courses and register online for any course.

Judicial College Director Milt Nuzum said users will benefit from the ability to meet some of their continuing education requirements on the new site and will like the convenience of moving at their own pace.

“Judicial eCademy users can take some of the online courses anytime that's convenient for them,” he said. “They can stop the course midstream, research a little more about a particular aspect and pick up the session later.”

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CHECK IT OUT: Visit the judicial education site at [judicialedcademy.ohio.gov](http://judicialedcademy.ohio.gov).

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# Rule Changes

Among the rule changes adopted by the Supreme Court in 2011 were rules establishing a recusal process for justices, requiring courts to hire a certified foreign language or sign language interpreter, and creating standards for courts to receive specialized docket certification.

**O**n March 28, the court announced a rule allowing a party to a case to request the recusal of a justice, or an appeals court judge sitting by assignment on the Supreme Court, when questions arise about his or her impartiality in a case. The rule also enables a justice to self-disclose a potential basis for disqualification.

On July 18, the court announced the certified court interpreter rule to ensure the “meaningful participation” of deaf and limited English-proficient individuals in court proceedings. The rule, which takes effect January 1, 2013, also requires courts to use “all reasonable efforts” to avoid the appointment of interpreters who may have a conflict of interest.

On August 19, the court announced specialized docket standards intended to create a minimum level of uniform practices, while still allowing courts to tailor operations to meet local needs. The standards, which take effect January 1, 2013, also define the procedure for certification.

The year also saw several other rule amendments, including those:

- Establishing standards for local certified grievance committees, creating more definite procedures for decertifying grievance committees and increasing annual continuing education requirements for grievance committees bar counsel.
- Allowing suspended attorneys, in limited circumstances, to apply for reinstatement while subject to probation or other postconviction sanction under Gov.Bar R. V(10).
- Expanding the pool of lawyers who can participate in the Lawyer to Lawyer Mentoring Program by including those registered for corporate status under Gov.Bar R.(X).
- Requiring copies of jurisdictional memoranda and merit briefs to be single-sided, ensuring compliance with pro hac vice admission rules, and tolling the time to file a Supreme Court appeal pending the outcome of a sua sponte en banc review by an intermediate appeals court, under the Supreme Court Rules of Practice.
- Clarifying the authority of traffic violations bureaus, as well as conforming the required experience of magistrates, under the Ohio Traffic Rules.
- Making uniform all references to “limited liability partnerships” in Ohio rules.
- Adopting insurance coverage law as a new field of legal specialization.
- Adopting new uniform juvenile civil protection forms and probate forms.

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READ MORE: Complete text of rule changes is available at [sc.ohio.gov/RuleAmendments/Archive.aspx](http://sc.ohio.gov/RuleAmendments/Archive.aspx).

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# Year in Review

JANUARY 4

Chief Justice O'Connor and Justice Robert R. Cupp administer the oath of office to the 132 members of the Ohio Senate and House of Representatives during the opening sessions of the 129th Ohio General Assembly.

JANUARY 7

The Supreme Court hosts a public swearing-in ceremony in the Courtroom for Chief Justice Maureen O'Connor, the first woman elected to the post in the court's 208-year history. In her address, Chief Justice O'Connor identifies four areas of focus and pledges "to make the greatest system of justice even better."

JANUARY 8

Justice Yvette McGee Brown is sworn in as the first woman African-American justice in the 208-year history of the Supreme Court. The historic event is celebrated at the King Arts Complex on the near east side of Columbus where Justice McGee Brown was raised.

JANUARY 18

Justice Paul E. Pfeifer and Justice Judith Ann Lanzinger swear their oaths of office in a joint ceremony before an audience of family, friends, staff and public officials in the Courtroom.

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FEBRUARY 1: INTERPRETER CEREMONY



In a ceremony at the Ohio Judicial Center, 23 court interpreters are the first to be certified by the court after passing written and oral exams measuring their fluency and demonstrating their interpreting skills by objective standards.

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#### FEBRUARY 14

The American Bar Association recognizes the Ohio Law and Leadership Institute for excellence in establishing a pipeline program for those with plans to complete college and enter the legal profession. The Supreme Court initiative provides legally based instruction and leadership training to students in underserved communities.

#### FEBRUARY 25

The court makes Ohio local court rules available online in a centralized location. While Ohio courts file hard copies of their rules with the Office of the Clerk as required by Sup.R. 5, nearly 250 courts submitted their rules electronically or forwarded links to provide online access.

#### MARCH 1

The Lawyer to Lawyer Mentoring Program launches a social networking group on LinkedIn to facilitate communication among program participants and keep members informed of curriculum deadlines and upcoming events.

#### APRIL 20

The court hears oral arguments in the Guernsey County courthouse during the 61st session of the Off-Site Court Program, established in 1987.

#### APRIL 29

The Advisory Committee on Case Management meets for the first time. The statewide group is charged with advising the Supreme Court on case management, statistical reporting rules, and uniform standards to assist the court in the exercise of its constitutional powers of general superintendence over all Ohio courts.

#### MAY 9

More than 200 new attorneys who met the challenges of law school, passed the bar exam and met all other requirements for admission are sworn in at a ceremony officially admitting them to the Ohio bar.

Rules governing use of parenting coordination by Ohio courts are released for public comment. Developed by the Supreme Court Dispute

Resolution Section, the proposed rules define the role and qualifications of parenting coordinators, and establish the requirement for local rules governing the use of parenting coordination.

#### MAY 10

The portrait of former Chief Justice Frank D. Celebrezze, who served on the court for 14 years, is dedicated to the court during a special ceremony. During his tenure, Chief Justice Celebrezze shared the bench with his brother, James, for nearly two years in the early 1980s, marking the only time in the annals of the Supreme Court siblings have simultaneously served.

#### MAY 23

The court unveils a Web page telling the stories of the 153 men and women who have served as justices on the Supreme Court since 1803. A joint project of the court and the Ohio Historical Society, the new page includes biographies and photos.

#### JUNE 3

The court releases a video to help ensure access to justice for the deaf and hard of hearing. *Misconceptions about Deaf People and the Challenge for the Courts* was produced as a training and educational tool for judges and court personnel.

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#### JUNE 7: FORUM ON THE LAW LECTURE



Andrew Cayton, a professor of history at Miami University, explores the concept of self-government during a Forum on the Law titled, "A Question of Authority."

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## JULY 14

The family of former Justice Ralph Sidney Locher donates his official portrait to the court. Justice Locher, who served for two terms from 1977 to 1989, was credited with creating an atmosphere of collegiality on the court.

## AUGUST 29

The Children, Families & the Courts Section hosts a follow-up Summit on Aging with the Ohio Attorney General's Office and Ohio Association of Probate Judges. The event features teams of probate court judges and justice-system partners engaged in efforts to protect senior citizens.

## SEPTEMBER 8

In her first State of the Judiciary address, Chief Justice O'Connor announces the formation of a joint task force to study the application of the death penalty in Ohio, and calls on judges throughout the state to come together during difficult economic times to continue to improve the administration of justice.

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## SEPTEMBER 20: ALBIE SACHS' STORY



A packed Courtroom serves as the backdrop for the dramatic and inspiring life story of Albie Sachs, former justice on the Constitutional Court of South Africa, who spoke about freedom and human rights as part of the Supreme Court Forum on the Law lecture series.

## SEPTEMBER 30

The Ohio Criminal Sentencing Commission prepares judges and lawyers for changes to sentencing guidelines and penalties brought about by H.B. 86. Executive Director David Diroll makes a number of public appearances to aid in the understanding and application of the new rules.



## OCTOBER 21: OFFSITE COURT

During their 62nd Off-Site Court session, the justices hear oral arguments in the Highland County courthouse. Completed in 1834, it is the oldest courthouse in continuous use in Ohio.

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## OCTOBER 28

Justice McGee Brown is appointed to the Interagency Task Force on Mental Health & Juvenile Justice, which is charged with investigating and making recommendations for effectively treating teens who suffer from serious mental illness or emotional and behavioral disorders while giving attention to the needs of Ohio's economy.

## NOVEMBER 2

The court suspends the Ohio law license of more than 200 attorneys who failed to register for the 2011-2013 biennium. Nearly 70 more attorneys will be suspended for failing to register later in the month.

## NOVEMBER 3

The Joint Task Force to Review the Administration of Ohio's Death Penalty meets for the first time. Chief Justice O'Connor charged the group with providing guidance on current capital punishment laws, practices in other jurisdictions, data, costs and other information to the court and the state bar.

#### NOVEMBER 4

Thirty-five Ohio court professionals complete a 3-year program to become certified court managers. The professional development program, offered through a partnership between the Ohio Judicial College and the National Center for State Courts Institute for Court Management, focuses on key skills needed by court leaders.

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#### NOVEMBER 7: BAR ADMISSIONS



Nearly 900 new attorneys are sworn in during two bar admissions ceremonies organized by the Office of Bar Admissions.

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#### NOVEMBER 17

The court receives a \$30,000 grant to support and enhance the judiciary's response to domestic violence cases. The federal grant program promotes a coordinated, multidisciplinary approach to enhance advocacy and improve the criminal justice system's response to domestic violence, stalking and related crimes.

#### NOVEMBER 28

The court releases an updated writing manual. The three-part manual provides guidance on proper citation format for opinions, cases and statutes in court opinions; proper style for court opinions; and a new section with examples on structuring an opinion.

#### NOVEMBER 30

The four women justices take part in a panel discussion honoring Rosa Parks and the road she paved for women and minorities. Chief Justice O'Connor and Justices Judith Ann Lanzinger, Evelyn Lundberg Stratton and Yvette McGee Brown appear on a statewide television tribute to the civil rights pioneer called "The Power of One."

#### DECEMBER 2

The dedication of the Thomas J. Moyer Ohio Judicial Center honors Chief Justice Moyer's significant contributions to civility, public service and the rule of law. Around 400 members of the judiciary and other guests attend the ceremony, which includes the unveiling of the chief justice's official portrait.

#### DECEMBER 6

The Board of Commissioners of the Clients' Security Fund of Ohio holds its final quarterly meeting for 2011, having awarded more than \$1.3 million to 158 victims of attorney theft during the year.

#### DECEMBER 21

The Law Library activates a free iPhone and iPad app of the law library catalog, enabling individuals to place books on hold, renew items or check their library accounts with their smartphones.

# Administrative Operations

## ADMINISTRATIVE DIVISION

The Administrative Division is the lead division of the Supreme Court. It assists in developing and communicating the long-term vision, values and direction of the court and the judicial branch of Ohio government.

## CLERK'S DIVISION

The clerk of the court supervises the filing of all case-related items and maintains all case files in matters pending before the court. In addition, the office maintains case dockets, the court's journal and relevant trial, appellate, board and agency records. The office also prepares and issues court orders, schedules oral argument and other case-related matters for the court's consideration, and coordinates interagency communication in death-penalty cases.

## LEGAL RESOURCES DIVISION

The Office of Legal Resources assists in resolving complex legal issues pending before the Supreme Court. The Office of the Reporter publishes Supreme Court, trial and appellate court opinions. The Law Library is one of the largest state law libraries in the nation, with a comprehensive collection of Ohio, federal and state legal sources open to the public.

## ATTORNEY SERVICES DIVISION

The Attorney Services Division assists the Supreme Court in its regulation of the practice of law in Ohio.

## JUDICIAL & COURT SERVICES DIVISION

The Judicial & Court Services Division supports all Ohio trial and appellate courts in the administration of justice by helping develop policies and procedures, training judicial offices and court staff, and providing access to funding and resources. The division provides traditional and innovative court services in response to and with respect for the needs of local courts and the public they serve.

## FISCAL & MANAGEMENT RESOURCES

The Fiscal & Management Resources Division provides support to the Supreme Court and Ohio judiciary in the areas of fiscal, human resources and records management.

## FACILITIES MANAGEMENT DIVISION

The Facilities Management Division ensures the secure and efficient operation of the Moyer Judicial Center and maintains internal and external comfort, cleanliness and building standards. The division provides building management services to Supreme Court employees and other building tenants, ensures the safety and comfort of guests and offers security assessments and assistance to Ohio courts.

## INFORMATION TECHNOLOGY DIVISION

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

## AFFILIATED OFFICES

In addition to its eight divisions, the court has four affiliated offices with a quasi-independent status because of the nature of their work: the Office of Disciplinary Counsel, the Board of Commissioners on Grievances & Discipline, the Clients' Security Fund and the Ohio Criminal Sentencing Commission.

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**LEARN MORE:** Complete descriptions of the Supreme Court administrative offices are available at [sc.ohio.gov/AdminOffices/default.asp](http://sc.ohio.gov/AdminOffices/default.asp).

The work of the court's affiliated offices is explained at [sc.ohio.gov/AdminOffices/default.asp#affiliated](http://sc.ohio.gov/AdminOffices/default.asp#affiliated).

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# THE SUPREME COURT of OHIO

## 2011 ADMINISTRATIVE STRUCTURE

### CHIEF JUSTICE & JUSTICES

The Supreme Court of Ohio



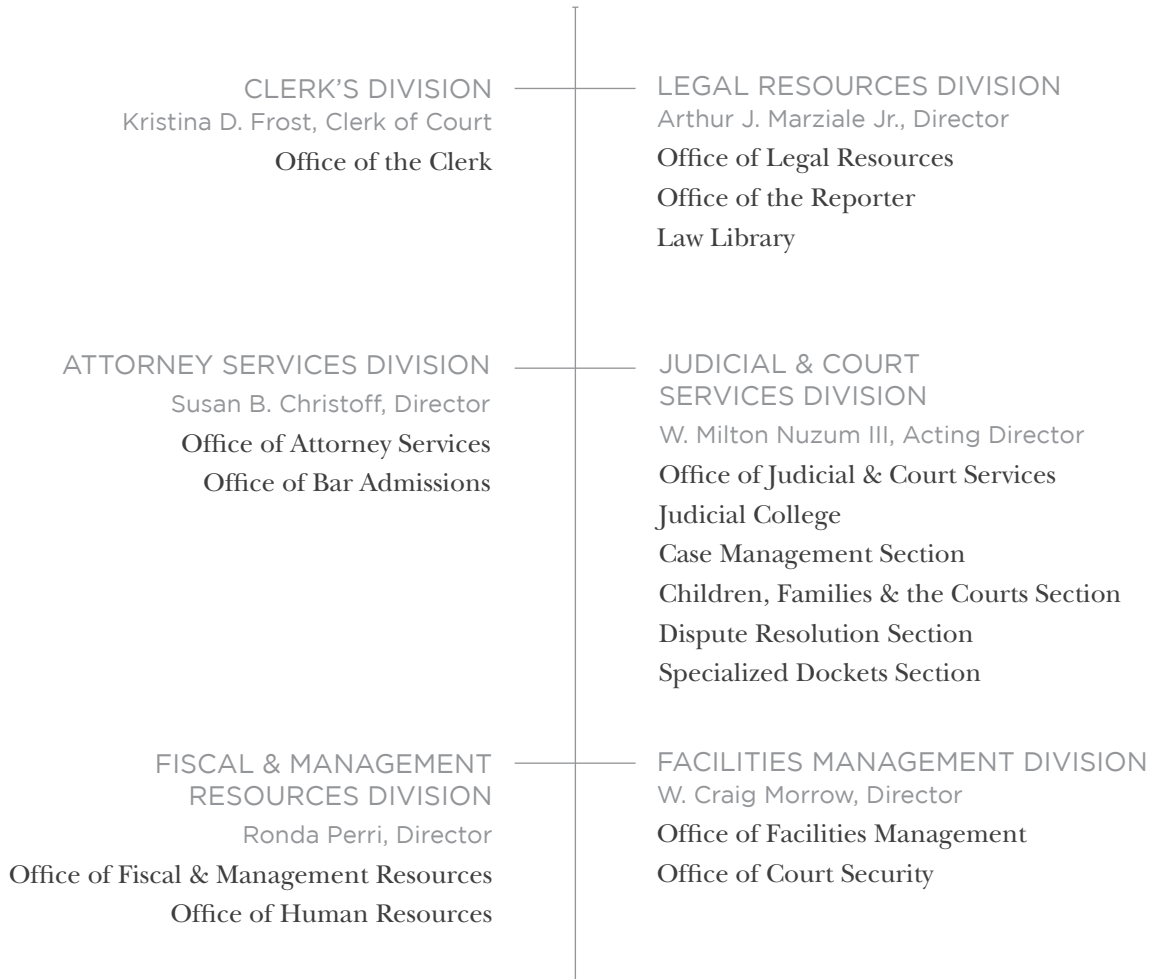
### ADMINISTRATIVE DIVISION

Steven C. Hollon, Administrative Director

Office of the Administrative Director

Office of Public Information

Civic Education Section



### INFORMATION TECHNOLOGY DIVISION

Robert D. Stuart, Director

Office of Information Technology

Office of Network & Technology Resources

# Case Statistics

## Supreme Court 2011

In 2011, the Supreme Court of Ohio had 2,207 new cases filed, a 4 percent decrease in new case filings from the 2,293 cases filed in 2010. It is the third consecutive year for a decline in new cases filed.

The court disposed of 2,263 cases in 2011, an increase of 16 cases over the 2,247 cases disposed in 2010. The number of cases pending on December 31, 2011, was 761. The court's case clearance rate rose from 98 percent in 2010 to 103 percent in 2011.

CASES PENDING JANUARY 1, 2011	817 <sup>1</sup>
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### CASES FILED

Jurisdictional Appeals	1,667
Merit Cases	408
Practice of Law Cases	132
<b>TOTAL</b>	<b>2,207</b>

### CASE DISPOSITIONS

Jurisdictional Appeals	1,589
Merit Cases	566
Practice of Law Cases	108
<b>TOTAL</b>	<b>2,263</b>

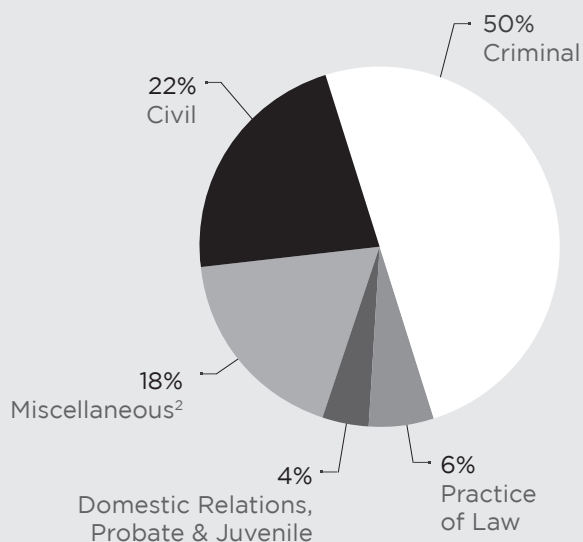
CASES PENDING DECEMBER 31, 2011	761
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CLEARANCE RATE	103%
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### CASES FILED BY LEGAL CATEGORY

On January 1, 2010, the Clerk's Office began categorizing cases according to the following designations: *Civil*, *Criminal*, *Practice of Law*, *Domestic Relations*, *Probate & Juvenile* and *Miscellaneous*.

Using categories allows for a better description of the types of cases considered by the court. The categories correspond to those used by Ohio courts of appeals. In time, the use of categories will permit an additional method for analyzing case dispositions and time to disposition.



## CASES FILED IN 2011

### JURISDICTIONAL APPEALS

Claimed Appeals of Right	16
Discretionary Appeals (Non-felony) <sup>3</sup>	811
Discretionary Appeals (Felony)	731
Death Penalty Postconviction Appeals	8
Appeals Involving Termination of Parental Rights/Adoption	12
Appeals from App.R. 26(B) Applications ( <i>Murnahan</i> Appeals)	89
<b>TOTAL</b>	<b>1,667</b>

### MERIT CASES

Original Actions	164
Habeas Corpus Cases	43
Direct Appeals (Cases Originating in Court of Appeals)	118
Direct Appeal Involving Termination of Parental Rights/Adoption	1
Certified Conflicts	29
Certified Conflicts Involving Termination of Parental Rights/Adoption	1
Appeals from Board of Tax Appeals	21
Appeals from Public Utilities Commission	8
Appeals from Power Siting Board	8
Death Penalty Cases	8
Certified Questions of State Law	1
Appeals from App.R. 26(B) Application in Death Penalty Cases	1
Other Merit Cases	5
<b>TOTAL</b>	<b>408</b>

### PRACTICE OF LAW CASES<sup>4</sup>

Disciplinary Cases	119
Bar Admissions Cases	7
Unauthorized Practice of Law Cases	4
Other Matters Relating to Practice of Law	2
<b>TOTAL</b>	<b>132</b>

**TOTAL CASES FILED** **2,207**



# FINAL DISPOSITIONS

## JURISDICTIONAL APPEALS<sup>5</sup>

Claimed Appeals of Right	19
Discretionary Appeals (Non-felony) <sup>6</sup>	780
Discretionary Appeals (Felony)	685
Death Penalty Postconviction Appeals	3
Appeals Involving Termination of Parental Rights/Adoption	14
Appeals from App.R. 26(B) Applications ( <i>Murnahan</i> Appeals)	88
<b>TOTAL</b>	<b>1,589</b>

## MERIT CASES

Original Actions	167
Habeas Corpus Cases	39
Direct Appeals (Cases Originating in Court of Appeals)	115
Direct Appeals Involving Termination of Parental Rights/Adoption	2
Certified Conflicts	19
Certified Conflicts Involving Termination of Parental Rights/Adoption	1
Appeals from Board of Tax Appeals	34
Appeals from Public Utilities Commission	17
Death Penalty Cases	3
Certified Questions of State Law	4
Appeal from App.R. 26(B) Application in Death Penalty Case	1
Appeal of Contest of Election under R.C. 3515.15	1
Petition Challenges Pursuant to Article II, Section 1g	1
Other Merit Cases	5
Jurisdictional Appeals Accepted for Review	157 <sup>7</sup>
<b>TOTAL</b>	<b>566</b>

## PRACTICE OF LAW CASES<sup>8</sup>

Disciplinary Cases	97
Bar Admissions Cases	6
Unauthorized Practice of Law Cases	3
Other Matters Related to Practice of Law	2
<b>TOTAL</b>	<b>108</b>

**TOTAL FINAL DISPOSITIONS** **2,263**

## CASES PENDING DECEMBER 31, 2011

### JURISDICTIONAL APPEALS

Claimed Appeals of Right	5
Discretionary Appeals (Non-felony) <sup>9</sup>	213
Discretionary Appeals (Felony)	160
Death Penalty Postconviction Appeals	10
Appeals Involving Termination of Parental Rights/Adoption	2
Appeals from App.R. 26(B) Applications ( <i>Murnahan</i> Appeals)	19
<b>TOTAL</b>	<b>409</b>

### MERIT CASES

Original Actions	44
Habeas Corpus Cases	6
Direct Appeals (Cases Originating in Court of Appeals)	80
Certified Conflicts	25
Certified Conflicts Involving Termination of Parental Rights/Adoption	1
Appeals from Board of Tax Appeals	21
Appeals from Public Utilities Commission	8
Appeals from Power Siting Board	1
Death Penalty Cases <sup>10</sup>	22
Certified Questions of State Law	6
Other Merit Cases	1
Jurisdictional Appeals Accepted for Review	65
<b>TOTAL</b>	<b>280</b>

### PRACTICE OF LAW CASES

Disciplinary Cases	66
Bar Admission Cases	4
Unauthorized Practice of Law Cases	2
<b>TOTAL</b>	<b>72</b>

**TOTAL CASES PENDING** 761

## PRACTICE OF LAW CASES: CASES FILED

### DISCIPLINARY CASES

Cases on Report of Board	70
Consent to Discipline Cases	11
Case under Gov.Bar R. V(7)/Mental Illness	1
Attorney Resignation Cases	15
Reciprocal Discipline Cases	3
Cases upon Felony Conviction	14
Cases on Motion for Interim Remedial Suspension	3
Judge Disciplinary Cases	2
<b>TOTAL</b>	<b>119</b>

### BAR ADMISSIONS CASES

Character and Fitness Cases	7
<b>TOTAL</b>	<b>7</b>

### UNAUTHORIZED PRACTICE OF LAW CASES

Cases on Report of Board	2
Consent Decree Cases	1
Miscellaneous UPL Cases	1
<b>TOTAL</b>	<b>4</b>

### OTHER MATTERS RELATING TO PRACTICE OF LAW<sup>11</sup>

<b>TOTAL</b>	<b>2</b>
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**TOTAL PRACTICE OF LAW CASES FILED** 132

# PRACTICE OF LAW CASES: FINAL DISPOSITIONS

## DISCIPLINARY CASES

On Report of Board	
Public reprimand	3
Definite suspension	26
Indefinite suspension	17
Disbarment	8
Dismissed	1
<b>TOTAL</b>	<b>55</b>
Consent to Discipline Cases	
Public reprimand	2
Definite suspension	4
<b>TOTAL</b>	<b>6</b>
Attorney Resignation Cases	
Resignation accepted — disciplinary action pending	12
Reciprocal Discipline Cases	
Public reprimand	1
Definite suspension	1
Indefinite suspension	1
Cases Upon Felony Conviction	
Interim suspension	14
Cases under Gov.Bar R. V(7)/Mental Illness	
Mental illness suspension	1
Cases on Motion for Interim Remedial Suspension	
Interim suspension	4
Judge Disciplinary Cases under Gov.Jud.R.II(5) On Report of Board	
Dismissed	1
Public reprimand	1
<b>TOTAL</b>	<b>36</b>
<b>TOTAL DISCIPLINARY CASE DISPOSITIONS</b>	<b>97</b>



## PRACTICE OF LAW CASES: FINAL DISPOSITIONS

### BAR ADMISSIONS CASES

#### Character and Fitness Cases

Applicant disapproved, may reapply	5
Applicant approved	1
<b>TOTAL</b>	<b>6</b>

### UNAUTHORIZED PRACTICE OF LAW CASES

#### On Report of the Board

Respondent enjoined from actions constituting the unauthorized practice of law and civil penalty imposed	1
----------------------------------------------------------------------------------------------------------	---

#### Cases on Consent Decree

Respondent enjoined from actions constituting the unauthorized practice of law	1
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#### Miscellaneous Cases

Respondent ordered to immediately cease and desist from unauthorized practice of law	1
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<b>TOTAL</b>	<b>3</b>
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### OTHER MATTERS RELATED TO PRACTICE OF LAW

Motion to Quash Subpoena/Motion for Protective Order denied	1
-------------------------------------------------------------	---

Respondent found in contempt; ordered to comply with subpoena and board's orders	1
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<b>TOTAL</b>	<b>2</b>
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<b>TOTAL PRACTICE OF LAW DISPOSITIONS</b>	<b>108</b>
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<b>CASES PENDING DECEMBER 31, 2011</b>	<b>72</b>
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<b>PRACTICE OF LAW CLEARANCE RATE</b>	<b>82%</b>
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## TIME TO DISPOSITION

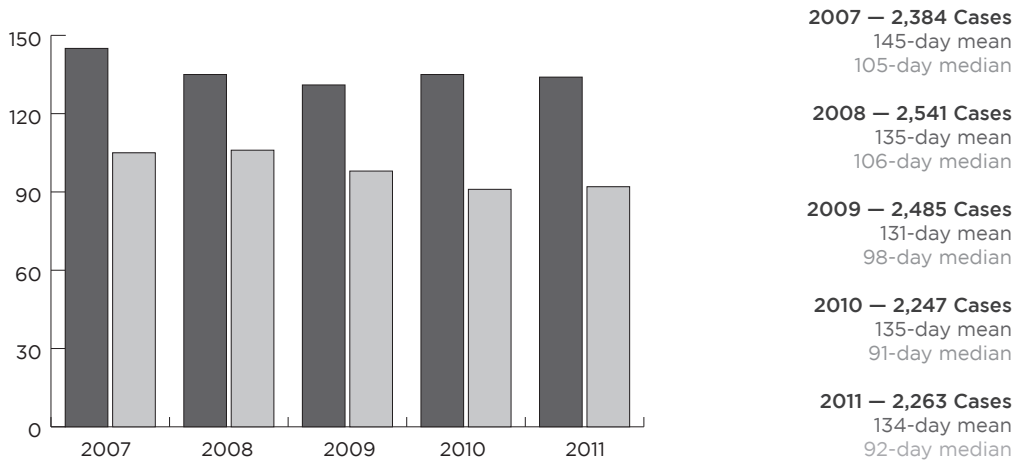
The case processing time reports look at cases from the date of disposition and reveal the mean and median number of days taken to dispose of cases. The median is the middle of the distribution of days where half the days are above the median number and half are below.

### ALL CASES

From Filing to Final Disposition

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In 2011, the court disposed of 2,263 cases. The mean or average number of days a case was pending before the court decreased by 1 day in 2011.



# TIME TO DISPOSITION

## JURISDICTIONAL APPEALS ACCEPTED FOR MERIT REVIEW

From Filing of Notice of Appeal to Final Disposition

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Decisions in 54 jurisdictional appeals following full merit review were released in 2011. The 54 jurisdictional appeal decisions do not include 86 appeals that were accepted and held for decisions in other cases, or 17 cases that were accepted and summarily disposed, without briefing, based on holdings in other cases. The time to disposition averaged 481<sup>12</sup> days.

Of the five decisions released in 2011 that took the most number of days from filing to final disposition, three cases involved issues related to juvenile sex offender classification and registration, one case involved the Lake Erie shoreline and one case was a death penalty issue involving an appeal of a trial court's denial of a motion for new trial based on newly discovered evidence.

**2007 — 191 Cases**

433-day mean  
462-day median

**2008 — 156 Cases**

403-day mean  
423-day median

**2009 — 128<sup>13</sup> Cases**

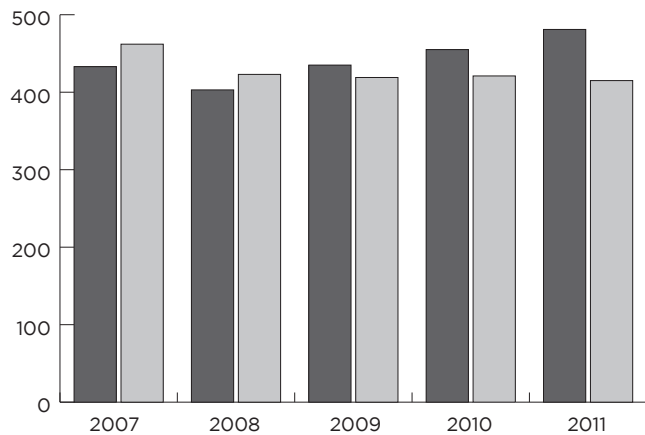
435-day mean  
419-day median

**2010 — 101 Cases<sup>14</sup>**

455-day mean  
421-day median

**2011 — 54 Cases**

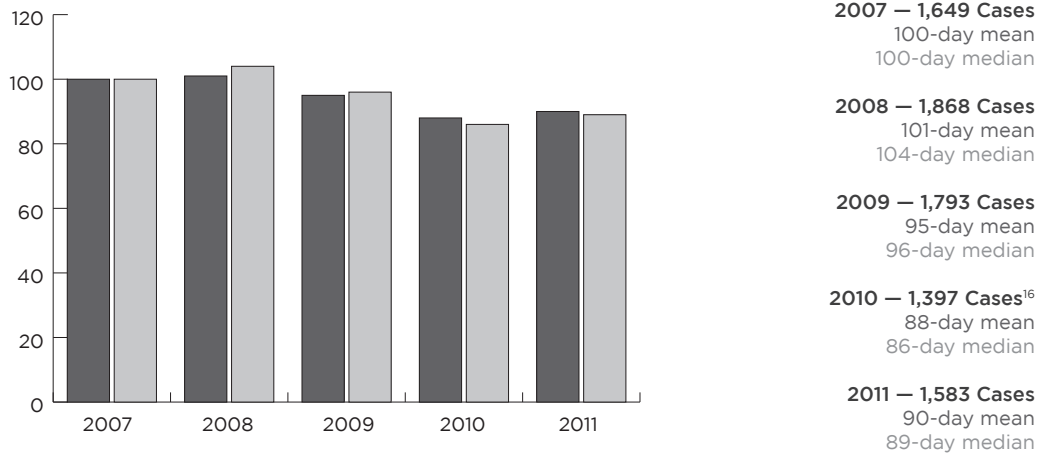
481-day mean  
415-day median



## TIME TO DISPOSITION

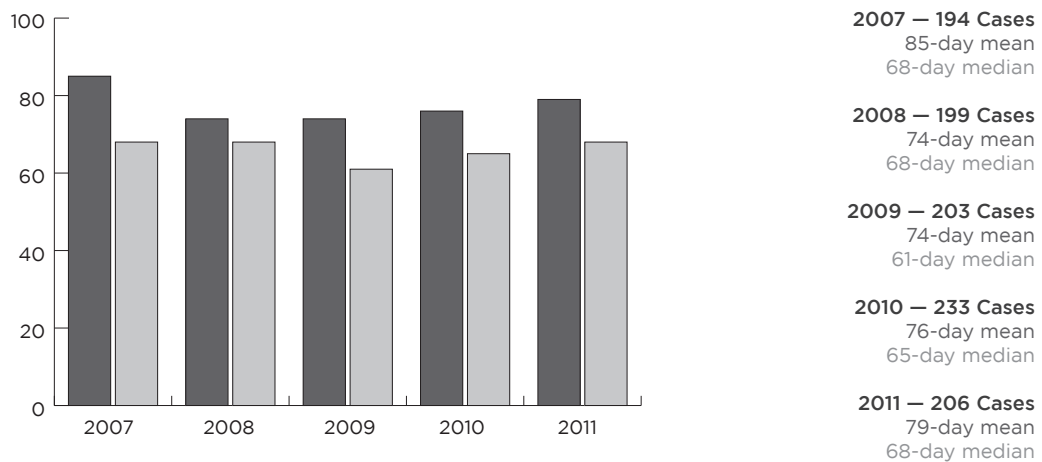
### JURISDICTIONAL APPEALS NOT ACCEPTED FOR MERIT REVIEW<sup>15</sup> From Filing of Notice of Appeal to Final Disposition

The number of days taken by the court to consider and dispose of a jurisdictional appeal not accepted increased slightly by 2 days in 2011.



### ORIGINAL ACTIONS<sup>17</sup>

During 2011, 206 original actions, including 39 habeas corpus cases, were disposed of in an average of 79 days.





## TIME TO DISPOSITION

### CASES DECIDED WITH AN OPINION

From Submission to Court Until Issuance of Opinion

The number of cases decided with an opinion dropped for the third straight year, from 333<sup>18</sup> cases to 264 cases. The average number of days to issue an opinion dropped by 23 days. The drop in the average number of days to issue an opinion in 2011 and the decrease in the number of opinions issued during 2011 can be attributed to the following factors:

- Traditionally, the court has the same 7-member panel hear a case, write the opinion and vote on the outcome. In late fall 2010, the court did not schedule oral arguments because of potential membership changes that could have resulted from the 2010 election. Consequently, there were fewer orally argued cases with opinions to decide between the end of 2010 and the first months of 2011.
- Cases that were decided in the early months of 2011 consisted mainly of direct appeals and original actions. Decisions and opinions issued in these cases do not require oral argument and are disposed of more quickly. As a result, the court began 2011 with a “fresh slate” of cases and was able to move efficiently through its workload during the year.

#### 2007 — 336 Cases

111-day mean  
106-day median

#### 2008 — 340 Cases

104-day mean  
100-day median

#### 2009 — 346 Cases

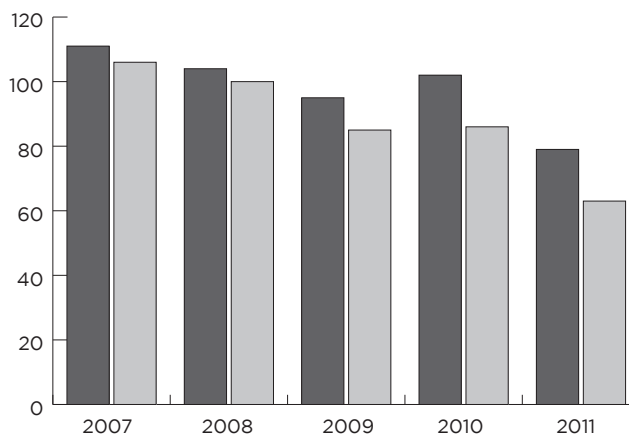
95-day mean  
85-day median

#### 2010 — 333 Cases

102-day mean  
86-day median

#### 2011 — 264 Cases

79-day mean  
63-day median



## CASE STATISTICS NOTES

1. The 2010 Annual Report listed the pending caseload on December 31, 2010, as 819 cases. Cases 2009-2119 and 2009-2339 were incorrectly included and were not pending as of January 1, 2011.
2. Miscellaneous cases include certified conflict cases, certified questions of state law, direct appeals, original actions and administrative appeals.
3. Non-felony discretionary appeals include cases in which the appellant sought jurisdiction as both a discretionary appeal and a claimed appeal of right. A claimed appeal of right is an appeal that claims a substantial constitutional question, including an appeal from the decision of a court of appeal under App. R. 26(B) in a noncapital case. A discretionary appeal is an appeal involving a felony or a question of public or great general interest and invokes the discretionary jurisdiction of the Supreme Court.
4. See *page 26* for a breakdown of cases relating to the practice of law filed in 2011.
5. Jurisdictional appeals include dispositions where the court's jurisdiction was declined, leave to appeal was denied, or the appeal was dismissed.
6. See Note 3.
7. Jurisdictional Appeals Accepted for Merit Review reflects cases disposed of in 2011 and includes cases accepted and held for a decision in another case. These appeals may have been filed in any preceding year. See *page 30* for a chart that reflects the percent of jurisdictional appeals filed and accepted for merit review.
8. See *page 27* for the types of final dispositions entered in cases relating to the practice of law.
9. Under cases pending, non-felony discretionary appeals include cases in which the appellant sought jurisdiction as both a discretionary appeal and a claimed appeal of right.
10. Included under death penalty cases pending on December 31, 2011, are two cases involving appeals from the courts of appeal in which the death penalty was imposed for an offense committed prior to January 1, 1995.
11. Disciplinary cases identified as "Other Matters Relating to Practice of Law" typically consist of cases pertaining to the enforcement of orders issued by the Board of Commissioners on Grievances & Discipline during the investigation of a disciplinary complaint.
12. The time to disposition for jurisdictional appeals accepted for merit review includes the 29 days before which the court may consider whether to accept jurisdiction because the court must await the filing of a memorandum in response to jurisdiction or a waiver of the memorandum in response.
13. In years 2007, 2008 and 2009, the number of jurisdictional appeals accepted for merit review included cases that were accepted and held for decisions in other cases, as well as cases accepted and summarily disposed without briefing based upon the holding in another case.
14. In 2010, our data collection was refined and we were able to parse the number of cases that were accepted and held from the number of cases accepted. As a result, this number does not include the 99 cases that were accepted and held for *State v. Bodyke*, and also does not include the 47 cases that were accepted and summarily disposed without briefing based on the holding of *State v. Bodyke*. It does include six cases that were accepted for briefing, but were later dismissed, either for want of prosecution or on application of the appellant.
15. The time to disposition for jurisdictional appeals not accepted for merit review includes the 29 days before which the court may consider whether to accept jurisdiction because the court must await the filing of a memorandum in response to jurisdiction or a waiver of the memorandum in response.
16. In the 2010 Annual Report, the number of jurisdictional appeals not accepted for merit review was reported as 1,396. Due to the change in disposition date of 2008-2119, the number of jurisdictional appeals not accepted for merit review was 1,397.
17. The category of original actions includes habeas corpus cases.
18. The total number of cases decided with an opinion during 2010 was reported in the 2010 Annual Report at 330. Three cases were added to this total. The 3 cases added were initially disposed of by the court without an opinion, but upon motions for reconsideration, the court granted reconsideration, accepted these appeals and scheduled them for oral argument. The cases are accounted for in calendar year 2010, their official disposition year.

# Expenditures

## Judiciary/Supreme Court

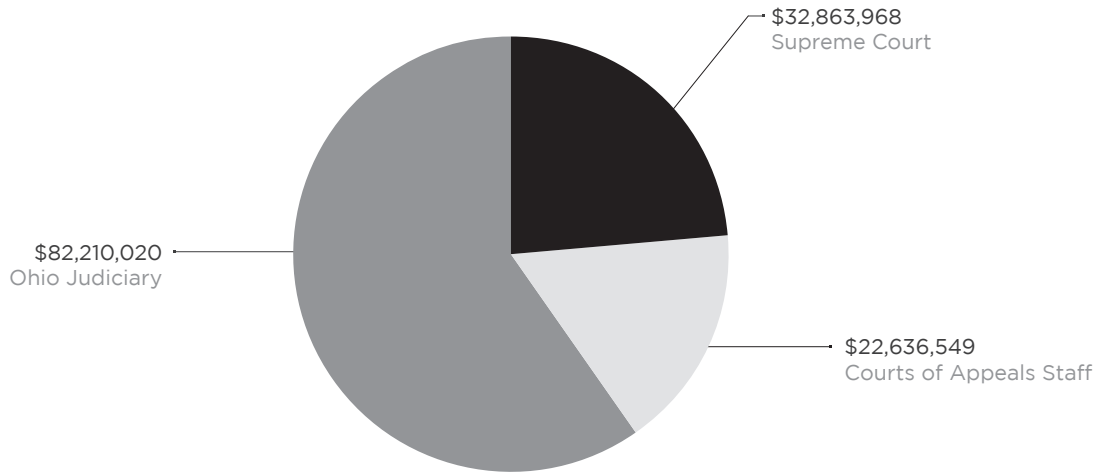
The Office of Fiscal & Management Resources manages the Supreme Court of Ohio/Judiciary budget of more than \$139 million, which is used to support the operation of the Thomas J. Moyer Ohio Judicial Center, home to the Supreme Court, as well as the payment of the salaries of Ohio judges and courts of appeals staff.

	EXPENDITURES FY 2011*	PERCENT OF TOTAL	BUDGETED FY 2012	PERCENT OF TOTAL
<b>OHIO JUDICIARY</b>				
Courts of Appeals Judges	\$ 11,590,271	8.3	12,588,902	8.8
Trial Court Judges	70,619,749	50.6	72,508,892	50.4
<b>TOTAL OHIO JUDICIARY</b>	<b>\$82,210,020</b>	<b>59.0</b>	<b>\$85,097,794</b>	<b>59.2</b>
<b>COURTS OF APPEALS STAFF</b>	<b>\$22,636,549</b>	<b>16.2</b>	<b>\$23,567,150</b>	<b>16.4</b>
<b>SUPREME COURT</b>				
Justices and Staff	\$ 4,103,116	2.9	4,157,657	2.9
Administrative Division	3,728,771	2.7	3,302,317	2.3
Clerk's Division	990,427	0.7	974,909	0.7
Legal Resources Division	3,512,385	2.5	3,921,415	2.7
Fiscal & Management Resources Division	1,506,495	1.1	1,373,548	1.0
Information Technology Division	3,125,900	2.2	2,436,187	1.7
Facilities Management Division	4,380,360	3.1	4,723,815	3.3
Attorney Services Division	5,200,656	3.7	5,779,984	4.0
Judicial & Court Services Division	5,557,255	4.0	5,871,976	4.1
Ohio Courts Network Initiative	2,032,068	1.5	2,150,000	1.5
Ohio Center for Law Related Education	236,172	0.2	236,172	0.2
Ohio Criminal Sentencing Commission	220,975	0.2	206,770	0.1
<b>SUPREME COURT TOTAL</b>	<b>\$32,863,968</b>	<b>24.8</b>	<b>\$35,134,750</b>	<b>24.4</b>
<b>OHIO JUDICIARY &amp; SUPREME COURT TOTAL</b>	<b>\$139,441,149</b>	<b>100.0</b>	<b>\$143,799,694</b>	<b>100.0</b>

\* Includes encumbrances spent and all funding sources.

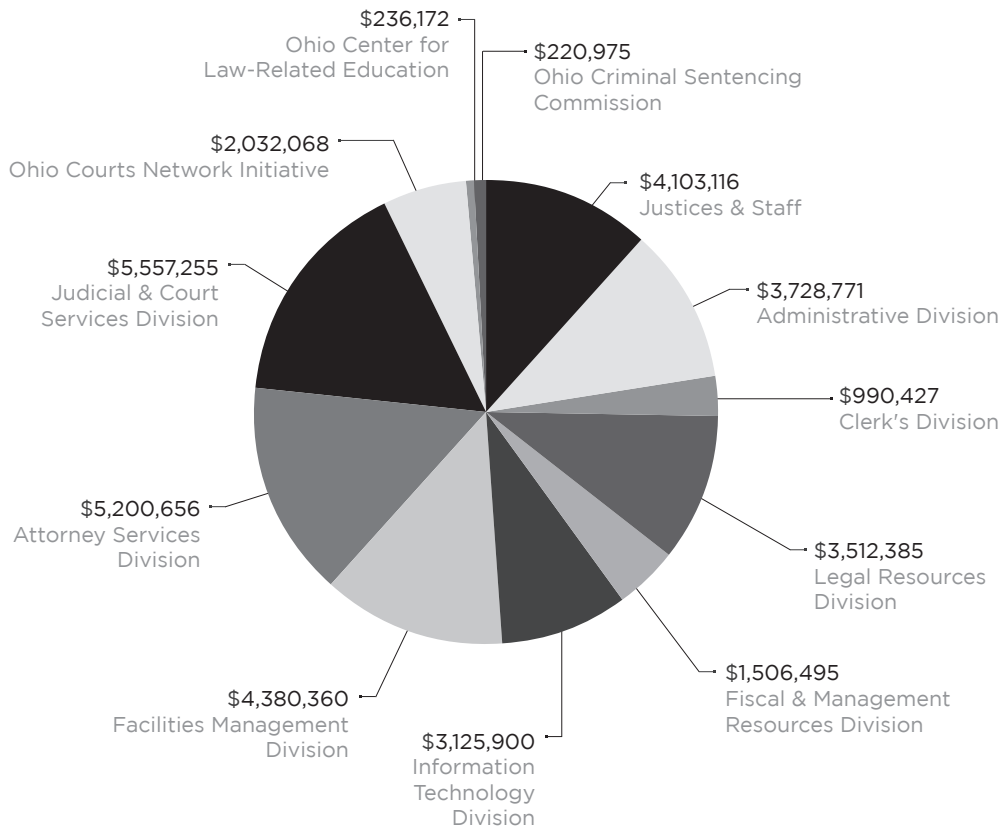
# OHIO JUDICIARY/SUPREME COURT

## Fiscal Year 2011 Total Expenditures



# SUPREME COURT OF OHIO

## Fiscal Year 2011 Total Expenditures





# Boards, Commissions, Advisory Committees & Task Forces

The court relies upon the volunteer services of dozens of committed judges, attorneys, clerks, court administrators and private citizens who serve on the Supreme Court's many boards, commissions, advisory committees and task forces. These bodies helped the court provide oversight to Ohio courts, regulate the practice of law and provide efficient and helpful services to the judicial branch of Ohio government in 2011.

For a complete listing of these bodies and the nature of their work, refer to the court website at [www.supremecourt.ohio.gov](http://www.supremecourt.ohio.gov).

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# Visiting Judges

According to the Ohio Constitution, in the event of a recusal by a justice from a pending case, the chief justice can select any of the 68 sitting Ohio appellate court judges to sit temporarily on the Supreme Court. The court thanks the court of appeals judges who served as visiting judges for Supreme Court oral arguments in 2011.



HON. RICHARD M. ROGERS  
Third District  
Case No. 2010-0298  
*New Destiny Treatment Ctr., Inc.  
v. Wheeler*  
February 15



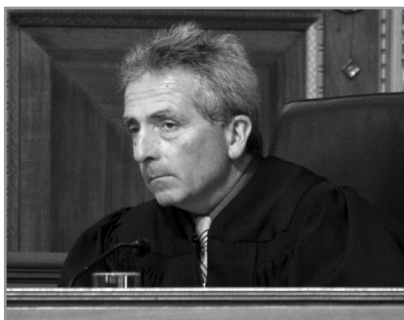
HON. MATTHEW W. McFARLAND  
Fourth District  
Case No. 2010-0211  
*State ex rel. Baker v. Coast to Coast  
Manpower, L.L.C.*  
March 2



HON. CARLA D. MOORE  
Ninth District  
Case No. 2010-0720  
*Ohio Bur. of Workers' Comp.  
v. McKinley*  
March 2



HON. MELODY J. STEWART  
Eighth District  
Case No. 2010-2021  
*Disciplinary Counsel v. Squire*  
April 5



HON. FRANK D. CELEBREZZE JR.  
Eighth District  
Case No. 2010-1548  
*Drees Co. v. Hamilton Twp.*  
June 8



HON. EVE BELFANCE  
Ninth District  
Case No. 2009-1292  
*State ex rel. Doner v. Zody*  
September 20



# In Memoriam



CLIFFORD F. BROWN

JUSTICE, JANUARY 1981 TO JANUARY 1987

**F**ormer Supreme Court of Ohio Justice Clifford F. Brown, 94, died January 14, 2011, in Sandusky. He served in the Ohio judiciary for nearly 30 years.

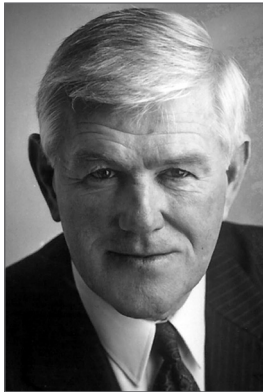
Justice Brown began his judicial career in 1958 on the bench of the Huron County Court where he was re-elected twice. In 1964, Brown was elected to the Sixth District Court of Appeals, where he was also re-elected twice. In 1976, his fellow judges elected him chief justice of the Ohio Court of Appeals Judges Association.

Brown unsuccessfully sought election to the Supreme Court three times: 1966, 1974 and 1978. However, in 1980, he achieved his goal by defeating Justice David D. Dowd Jr. Justice Brown could not seek re-election due to constitutional age restrictions.

While serving on the Supreme Court, Justice Brown was known for his passionate stance on workers' compensation issues. He believed that these laws exist to ensure that injured workers have access to adequate medical care and compensation. Brown felt that circumstances and procedures should not unduly burden injured workers, and, that like other legal proceedings, there should be an appeal process open to all claimants.

Born January 21, 1916, in Bronson Township in Huron County to Ignatius A. and Minnie R. Brown, the justice received a law degree from the University of Notre Dame in 1938. After passing the Ohio bar examination in 1938, he returned to Norwalk, where he entered the private practice of law until World War II interrupted his legal practice. Brown served in the U.S. Army from 1943 to 1946, where he worked as a legal clerk.

Justice Brown is survived by 4 children, 11 grandchildren and 9 great-grandchildren. He was preceded in death by his wife, Katharine M. Ruffing.



## FRANCIS E. SWEENEY

JUSTICE, JANUARY 1993 TO DECEMBER 2004

**F**ormer Supreme Court of Ohio Justice Francis Edward Sweeney Sr., 77, author of the first *DeRolph v. State* school funding decision, died April 10, 2011.

Chief Justice Maureen O'Connor, who served with Justice Sweeney for two years at the start of her first term on the court, said he had the perfect temperament for a judge. "He was fair, he was just and, most importantly, he was consistent and courageous with his judicial philosophy," she said. "He was a remarkable individual who will truly be missed."

Perhaps Justice Sweeney's most significant contribution while a member of the court was his majority opinion in *DeRolph v. State* (1997), which described the conditions many students in Ohio's poorest school districts endured to receive an education. In addition to deteriorating buildings, the school districts often did not have funds to purchase textbooks. Besides these problems, the school districts were so limited financially that they could not offer foreign language, computer, music, art, science lab or honors courses. Many students were hampered in their desire to attend college, because they could not take the courses many universities desired for college admission.

The Supreme Court ruled that Ohio's system of school funding was unconstitutional. The decision admonished the General Assembly to "create an entirely new school financing system." As a result of this decision, the Ohio General Assembly established the Ohio School Facilities Commission in 1997. From 1997 to 2004, more than \$3.5 billion was spent to build or renovate 293 school buildings in 124 school districts.

Sweeney was born in 1934, in Cuyahoga County, Ohio. He graduated in 1952 from St. Ignatius High School, a school well known for its outstanding football teams. He attended Xavier University in Cincinnati, receiving a bachelor's degree in 1956. From 1957 to 1958, he served with the U.S. Army in Fort Knox, Ky. He also played professional football for the Ottawa Rough Riders, Ottawa, Ontario, Canada.

Upon his return to Cleveland, Sweeney enrolled in Cleveland-Marshall Law School. At the same time, he worked in the legal department of Allstate Insurance Company in Cleveland. In 1963, Sweeney graduated with a law degree.

After the completion of his legal studies, Sweeney became an assistant prosecuting attorney with the Cuyahoga County Prosecutor's office in Cleveland. The voters of Cuyahoga County elected him judge of the Cuyahoga County Court of Common Pleas in 1970.

From 1988 to 1992, he served on the Eighth District Court of Appeals. In 1992, he was elected to the Supreme Court and re-elected in 1998. He was limited by constitutional age restraints from seeking re-election in 2004.

Justice Sweeney continued serving on the bench as a retired assigned judge until 2010 in Cuyahoga County Common Pleas Court where he presided over asbestos cases. He was married to Lee Marie Yesbak and raised four children with her.

## PAUL S. FU

LAW LIBRARY DIRECTOR, 1971 TO 2001

**P**aul S. Fu, 80, who served as director of the Supreme Court Law Library for 29 years beginning in 1971, died December 27, 2011.

Under his leadership, the Law Library enjoyed steady growth from housing a collection of nearly 115,000 volumes to 400,000 volumes by his retirement. The Law Library was also the first state supreme court library in the nation to install an integrated online library system.

Library Assistant Diane Taveira was a friend of Fu and remembered him as a devoted family man who loved the arts and took great pride in the Law Library.

“I know that he loved the library and kept it as one of the foremost state supreme court libraries in the nation,” Taveira said. “We all thought he was immortal. He was very Old World, and I always thought that he represented the best of both the ancient world and the contemporary world. He kind of walked that edge, and even though he thought of himself as very modern, he was also very ancient.”

She noted that after retirement, Fu turned a lifelong love of fine arts into practice, taking classes in oil painting and developing his own works.

Before joining the Supreme Court, Fu served as library director at the Ohio Northern University College of Law and the Detroit College of Law. He earned his law degree from Soochow University in 1960 and a library degree from the University of Illinois in 1968.

Fu was also active and served in leadership positions in national library associations. He was one of the co-founders of the State, Court and County Law Libraries (SCCLL) Special Interest Section of the American Association of Law Libraries. He also co-directed the first National Conference on State Court Libraries. He was the recipient of the SCCLL’s Bethany J. Ochal Award for Distinguished Service to the Profession in 2003.

Fu is survived by wife, Doris, two sons, Gene and Vincent, seven grandchildren, one brother and nieces and nephews.

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