



THE SUPREME COURT *of* OHIO



TWENTY TWENTY ANNUAL REPORT



2020

Annual Report

Maureen O'Connor

CHIEF JUSTICE

Sharon L. Kennedy

Judith L. French

Patrick F. Fischer

R. Patrick DeWine

Michael P. Donnelly

Melody J. Stewart

JUSTICES

Jeffrey C. Hagler

ADMINISTRATIVE DIRECTOR

Stephanie E. Hess

DEPUTY ADMINISTRATIVE DIRECTOR



DEAR OHIOANS:

What a life-changing year 2020 turned out to be!

We started the year in a rather routine manner. But in about 10 short weeks, the COVID-19 crisis found its way to our state and courts. By mid-March, normal times were gone.

Yet, we kept our courts operating across the state with proactive and innovative approaches to social distancing and remote technology. Our courts proved that strict public health guidelines could be observed while maintaining our commitment to court access for Ohioans.

Caution reigned at our 300-plus courtrooms. We put common sense and courtesy to work for the benefit of citizens who came before the bench, as well as for staff members, attorneys, magistrates, and judges. Not one Supreme Court session was delayed or postponed during the COVID pandemic thanks to our use of virtual technology for oral arguments. We diverted \$6 million in Supreme Court funds to local courts so they could follow our lead into remote technologies, keeping their doors open as much as possible while holding sessions remotely and maximizing safety precautions.

The pandemic has been a trying time for trial courts. I am beyond proud of how judges, court staff, and our Supreme Court staff pivoted quickly to ensure judicial matters were resolved as expeditiously as possible while emergency situations were addressed urgently.

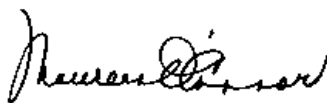
The pages of this report describe the earnestness of our efforts and the inspired initiative we employed in our work.

I also want to note that we intend to turn the technological lessons learned into greater access to justice in our state.

Not even three months into the worldwide health emergency, our country endured another kind of deep crisis –the death of George Floyd by Minneapolis police and the civic unrest that followed. Columbus wasn't immune to the discontent and, sadly, our beloved Thomas J. Moyer Ohio Judicial Center, one block from the Statehouse where hundreds gathered day after day, suffered damage at the hands of vandals who took advantage of those who had legitimate reason to protest. Our facilities and security staff members worked tirelessly and without delay to secure our building from further harm and restore it as quickly as possible to its enduring beauty. This document, too, provides a look at those events.

As this report is published in 2021, we remain in the midst of a public health emergency and we still are acting with great caution. Yet, we do so knowing these labors will benefit our future. My fellow justices join me in commending our staff members and the judges of Ohio for their remarkable efforts during these extraordinary times. May we never experience another year like 2020. But if we do, we stand ready to act responsibly and with a clear mission to carry out fair and equal justice.

God Bless,



Maureen O'Connor

Chief Justice

TABLE OF CONTENTS

1

SUPREME COURT
OF OHIO

2

SUPREME COURT
DECISIONS

11

RULE CHANGES

12

COURT BUILDING
REPAIRED WHILE
SOCIAL ISSUES PERSIST

14

SUPREME COURT AIDS
LOCAL JURISDICTIONS
THROUGHOUT
PANDEMIC

17

CHIEF JUSTICE
CONVENES TASK
FORCE ON WRONGFUL
CONVICTIONS

EXTRAORDINARY
EXAM: STATE'S FIRST
UBE HELD VIRTUALLY

18

STRIVING TOWARD
JUSTICE WITH DATA

20

JUSTICE FRENCH
TENURE REFLECTS
'ENERGY AND
DEVOTION'

22

CHIEF JUSTICE CREATES
REMOTE TECHNOLOGY
TASK FORCE

JUSTICES MAKE
HEADLINES
IN NATIONAL
PUBLICATIONS

23

STAFF NOTES

24

2020 YEAR IN REVIEW

28

ADMINISTRATIVE
OPERATIONS

29

CASE STATISTICS

33

JUDICIARY/SUPREME
COURT OPERATING
EXPENDITURES

35

2020 ADMINISTRATIVE
STRUCTURE

36

BOARDS,
COMMISSIONS,
ADVISORY
COMMITTEES, AND
TASK FORCES

40

VISITING JUDGES

SUPREME COURT OF OHIO



STANDING, FROM LEFT TO RIGHT: Justice Michael P. Donnelly,
Justice Patrick F. Fischer, Justice R. Patrick DeWine, and Justice Melody J. Stewart.

SEATED, FROM LEFT TO RIGHT: Justice Sharon L. Kennedy,
Chief Justice Maureen O'Connor, and Justice Judith L. French.

CHIEF JUSTICE MAUREEN O'CONNOR

Maureen O'Connor, Ohio's 10th chief justice, is also the first woman to be elected as chief justice. She was re-elected as the head of Ohio's judiciary in 2016. Since becoming chief justice, she has led significant reforms and improvements in the Ohio judicial system, including improving access to justice by advocating for "ability-to-pay hearings" before the imposition of court fines and fees. Chief Justice O'Connor led bail reform measures to ensure monetary bail is not the preferred choice when judges consider bail. She also established task forces to study access to justice; grand jury proceedings in Ohio; the administration of the death penalty; conviction integrity initiatives; and the use of technology in the courts post COVID. She also leads efforts of an eight-state initiative to combat the nation's opioid epidemic. She is past president of the national Conference of Chief Justices and former chair of the National Center for State Courts Board of Directors. Chief Justice O'Connor joined the Supreme Court in January 2003 as an associate justice. [Full biography.](#)

JUSTICE SHARON L. KENNEDY

A former Butler County Domestic Relations Court judge, Justice Sharon L. Kennedy won election to an unexpired term on the Supreme Court in November 2012, was elected to her first full term in November 2014, and re-elected to a second full term in November 2020. She served on the bench in Butler County from 1999 to 2012, where, as administrative judge, she improved its case management system to ensure the timely resolution of cases for families and children. Before becoming a judge, she was special counsel to the attorney general and a part-time magistrate. She began her career as a police officer. [Full biography](#)

JUSTICE JUDITH L. FRENCH

Justice Judith L. French is a former judge of the Tenth District Court of Appeals. She won election to a full term on the Supreme Court in November 2014. Before serving as an appellate judge, she was chief legal counsel to Gov. Bob Taft, as well as an assistant attorney general and then chief counsel to the attorney general. Twice, she argued before the U.S. Supreme Court, including on behalf of the state in the Cleveland school-vouchers case. She became the 155th justice of the Ohio Supreme Court in January 2013, after a gubernatorial appointment. Justice French's tenure on the Court ended Jan. 1, 2021. [Full biography.](#)

JUSTICE PATRICK F. FISCHER

Justice Patrick F. Fischer began his first term on the Supreme Court on Jan. 1, 2017, following his election in 2016. He previously was elected to Ohio's First District Court of Appeals in 2010, and was re-elected in 2012. Respected within the state's legal community, he served as president of the Ohio State Bar Association, and served on the OSBA's board of governors, and as president of the Cincinnati Bar Association. Practicing law for more than 30 years, Justice Fischer tried cases throughout the country and was named to Best Lawyers in America and Ohio Super Lawyers. [Full biography.](#)

JUSTICE R. PATRICK DeWINE

Justice Pat DeWine has served on the Supreme Court from January 2017, following his election in 2016. Before joining the Supreme Court, Justice DeWine served on the First District Court of Appeals and also served on the Hamilton County Common Pleas Court. Before becoming a judge, he practiced law for 13 years and began his legal career as a law clerk for the Honorable David A. Nelson on the U.S. Sixth Circuit Court of Appeals. He also served in local government, as a member of the Hamilton County Board of Commissioners and Cincinnati City Council. Justice DeWine is also an adjunct professor at the University of Cincinnati College of Law where he teaches Appellate Practice and Procedure. [Full biography.](#)

JUSTICE MICHAEL P. DONNELLY

Justice Michael P. Donnelly began his first term on the Supreme Court in January 2019, following his statewide election in 2018. Before joining the state court, Justice Donnelly served as a judge on the Cuyahoga County Court of Common Pleas, General Division, for 14 years, from 2005 to 2018. He was an assistant Cuyahoga County prosecutor from 1992 until 1997, and went on to practice civil litigation for seven years, representing plaintiffs and injured workers in asbestos litigation, personal injury lawsuits, and workers' compensation claims. Justice Donnelly was chair of the Supreme Court's Commission on Professionalism. [Full biography.](#)

JUSTICE MELODY J. STEWART

Justice Melody J. Stewart was elected in November 2018 to a full term as the 161st justice of the Supreme Court of Ohio. Prior to joining the Supreme Court, she served on the Eighth District Court of Appeals – elected to an unexpired term in 2006 and twice re-elected to full terms. Justice Stewart has more than 30 years of combined administrative, legal, and academic experience. She was an administrator for a health-care management company, a music teacher, a civil defense litigator, and a law school administrator and professor before being elected to the court of appeals. [Full biography.](#)



SUPREME COURT DECISIONS

The Supreme Court issued many opinions in 2020, some dealing with highly anticipated legal issues. The following is a sampling of rulings that drew public interest.



Click to watch archived video of oral arguments.

Takeover of Academically Distressed School Districts Ruled Constitutional

State lawmakers did not violate the Ohio Constitution when they added a 67-page amendment allowing the takeover of academically distressed local school districts to a 10-page bill and passed the measure on the same day.

The Court ruled in May that House Bill 70, introduced in 2015 to create community learning centers, had the same “common purpose of seeking to improve underperforming schools” when it was enacted. The bill contained provisions appointing a chief executive officer with “complete operational, managerial, and instructional” control of a distressed school district.

Writing the Court’s lead opinion, Chief Justice O’Connor wrote the Court was “sympathetic” to the Youngstown City Schools Board of Education, which challenged the takeover of the district and argued the last-minute addition of the amendment violated the Ohio Constitution’s “three-consideration rule.” However, the chief justice noted the rule does not require any specific level of deliberation or debate, as long as the bill is not “vitaly altered.”

▶ [2018-1131](#). *Youngstown City School Dist. Bd. of Edn. v. State*, [161 Ohio St.3d 24](#), [2020-Ohio-2903](#).

Law against Carrying Gun while Intoxicated Ruled Constitutional

The Court upheld the conviction of a Clermont County man for holding a shotgun in his home while intoxicated.

A divided Supreme Court ruled in December that Ohio’s law prohibiting carrying or using a firearm “while under the influence of alcohol or any drug of abuse” does not violate the Second Amendment of the U.S. Constitution.

Frederick Weber argued that the Second Amendment protected him from arrest for

a gun violation because he was in his home when officers were called in February 2018.

In the Court’s lead opinion, Chief Justice O’Connor noted that the U.S. Supreme Court’s Second Amendment decisions make clear that the right to bear arms is not without limitation, and that Ohio’s law is a targeted restriction that applies for a very limited time due to the inherently dangerous nature of carrying or using a gun while intoxicated.

▶ [2019-0544](#). *State v. Weber*, [163 Ohio St.3d 125](#), [2020-Ohio-6832](#).



City Blocked from Using Traffic-Camera Violations Appeals Process

Toledo cannot use an administrative procedure to hear appeals of traffic tickets issued through red-light and speed-detection cameras because state lawmakers gave municipal courts exclusive authority to consider the matters, the Court ruled in June.

In a unanimous decision, the Court granted motorist Susan Magsig’s request to block Toledo from using its procedure of having a city police hearing officer consider appeals of speeding violations caught on camera. Writing for the Court, Justice French stated that a change in state law, which took effect in July 2019, gives exclusive jurisdiction to municipal courts to decide all civil actions concerning traffic

violations, including traffic-camera citations.

▶ [2019-1526](#). *State ex rel. Magsig v. Toledo*, [160 Ohio St.3d 342](#), [2020-Ohio-3416](#).

Legislature Can Centralize Local Business Taxes, Court Rules

The state of Ohio has the authority to create a centralized system for the collection of all municipal business income taxes, but cannot charge local governments a fee to cover its administrative costs, the Court ruled in November.

A Court majority partially upheld and partially rejected the validity of two state laws adopted in 2014 and 2017. The laws enable companies to opt into a centralized system where a business could pass along all local business income taxes it collects to the state, which in turn would distribute the funds to the hundreds of cities and towns that impose local income taxes on businesses. More than 100 municipalities, including Akron, Elyria, and Athens, filed lawsuits, arguing that the new system violates the “home-rule” authority granted to them in the Ohio Constitution.

Writing for the majority, Justice Donnelly stated that the municipalities have the power under home rule to levy income taxes, but that two other provisions in the Ohio Constitution authorize the Ohio General Assembly to limit local taxation. The constitution allows state lawmakers to enact a set of rules governing how to assess, collect, and distribute the business income taxes, which are known as net-profits taxes.

The fee imposed on local government to pay for the administration of the tax collection program is not a “limit” on local power. That portion of the statutory scheme, violates the home-rule rights of municipalities, the majority ruled.

▶ [2019-0693](#) and [2019-0696](#). *Athens v. McClain* [163 Ohio St.3d 61](#), [2020-Ohio-5146](#).



City Does Not Qualify as 'Victim' under Voter-Approved Victims' Rights Law

Centerville, which sought \$1,375.56 in payroll losses from the maker of a false active-shooter report, is not a "victim" under the voter-approved Marsy's Law and is not entitled to restitution, the Court ruled.

A Supreme Court majority determined in November that voters presented with the ballot proposal in 2017 to add Marsy's Law to the Ohio Constitution would have believed the rights of victims to receive restitution would apply to natural persons and perhaps private corporations, but would not extend to municipal corporations such as the city of Centerville.

Writing for the Court majority, Justice French stated that Ohio voters were told Marsy's Law "would ensure that victims and their families receive due process, respect, fairness, and justice," and nothing suggests that voters understood and intended to include public corporations as victims.

▶ [2019-0873](#). *Centerville v. Knab*, [162 Ohio St.3d 623](#), [2020-Ohio-5219](#).

Regulator Must Reconsider Authority to Oversee Utility Resellers

The Public Utilities Commission of Ohio (PUCO) exceeded its authority when it made up a test, rather than follow state law, when determining that a "submetering" company was operating as an unregulated public utility, the Court ruled.

A Supreme Court majority noted that submetering, which involves the buying of natural gas, electricity, and other services from a public utility and reselling them, is now a "big business." Writing for the Court, Justice DeWine stated that a test the PUCO devised and employed to determine whether it has authority to regulate a submetering business "has no connection" to the state law that determines the commission's ability to oversee the companies.

The Court remanded to the PUCO the complaint of a central Ohio apartment complex tenant, who complained that Nationwide Energy Partners (NEP) was acting as a public utility and must follow the rules for public utilities. The PUCO had adopted NEP's position that as a reseller of utilities, NEP was not subject to the commission's jurisdiction.

▶ [2019-0273](#). *In re Complaint of Wingo v. Nationwide Energy Partners LLC*, [Ohio St.3d 208](#), [2020-Ohio-5583](#).

Court Clarifies Rule on Admissibility of 'Other-Acts' Evidence

In two criminal cases, the Court clarified the standards under which a prosecutor may introduce evidence of a defendant's prior bad acts in a trial for a new crime.

The Court's September opinion stated the decisions are meant to help Ohio courts and attorneys by clearing up "some of the confusion that exists regarding the use of 'other-acts evidence'" under the Ohio Rules of Evidence.

Writing for a unanimous Court, Justice DeWine explained that under Ohio Evid.R. 404(B), evidence of other "crimes, wrongs, or acts" cannot be admitted to prove the accused has the "propensity" or the natural tendency to behave in a particular way. The rule is meant to prevent a jury from concluding that because the accused has acted in a similar way in the past, the person must be guilty of the currently alleged crime.

While other-acts evidence cannot be used to prove a person's tendency to commit crime, the rule does allow a court to admit the evidence for several other purposes, such as proof of motive, intent, plan, or identity, or that the act was not a mistake or accident.

The opinion stated the courts have "long struggled with differentiating" whether the evidence is being used for a purpose on the "permitted list" or being used improperly in trying to prove the accused's guilt based solely on past behavior. The Court outlined a process for trial courts to follow when determining whether other-acts evidence can be admitted and explained ways that courts can better instruct juries about how to consider the evidence if it is used.

▶ [2019-0184](#). *State v. Hartman*, [Slip Opinion No. 2020-Ohio-4441](#) and [2018-1831](#). *State v. Smith*, [161 Ohio St.3d 214](#), [2020-Ohio-4440](#).

Failure to Properly Impose Postrelease Control Renders Sentence Voidable, But Not Void

When a trial court fails to properly impose postrelease control during criminal sentencing, the sentence is voidable, not void, and the error must be raised on direct appeal, the Ohio Supreme Court ruled in May.

Writing for the Court majority, Justice Kennedy explained the Court’s decision is intended to clear up years of confusion among judges and parties in criminal cases and to put them on notice that errors in imposing postrelease control do not result in a void sentence that may be challenged at any time. The Court needed to address the issue, she wrote, because prior decisions have led to “seemingly endless litigation asking us to determine which sentencing errors must be raised on direct appeal and which may be raised at any time.”

▶ [2018-1144](#). *State v. Harper*, [160 Ohio St.3d, 480 2020-Ohio-2913](#).

Rape Shield Blocks Questions about Accuser’s Nonconsensual Sexual Activity

Ohio’s rape-shield law prohibits an accuser’s consensual and nonconsensual sexual activity from being admitted as evidence in a criminal case, the Court ruled.

A unanimous Court rejected in April the argument of Cedric Jeffries that he could introduce evidence at his trial for rape and kidnapping that his accuser previously was sexually assaulted by another person when she was 4 or 5 years old. Jeffries argued that the purpose of the rape-shield law was to protect victims from being harassed about only their consensual sexual history.

Writing for the Court, Justice Donnelly stated the law does not distinguish between consensual and nonconsensual activity and that Jeffries’ narrow interpretation of the law “vastly underestimates the insidiousness of victim blaming.”

▶ [2018-0338](#). *State v. Jeffries*, [160 Ohio St.3d, 2020-Ohio-1539](#).



Adult Registration as Sex Offender Based on Juvenile Court Orders Constitutional

Requiring an adult to register as an adult sex offender for acts committed while a juvenile doesn’t violate the person’s constitutional rights, the Court ruled.

A Court majority ruled in May that the sex-offender-registration requirements that the juvenile court imposed following Robert Buttery’s 2011 adjudication as a delinquent for sex offenses can be used as the basis to convict Buttery for failure to register as an adult. Buttery challenged his 2015 conviction for failing to register when he was 19 years old.

Buttery’s challenge to the constitutionality of the registration law was based on the Ohio Supreme Court’s 2016 *State v. Hand* decision. *Hand* dealt with a statute that required penalties for certain felonies to be harsher for defendants who had prior convictions, and in that case the Court held that it was fundamentally unfair to treat the

defendant’s juvenile adjudication as a “prior conviction,” because juvenile adjudications do not include the right to trial by jury.

Writing for the Court’s majority, Justice Kennedy stated that Buttery’s case was distinguishable from *Hand* because, among other reasons, Buttery faced punishment not just because of a prior juvenile adjudication, but because he violated a court’s order to register as a sex offender.

▶ [2018-0183](#). *State v. Buttery*, [162 Ohio St.3d 10, 2020-Ohio-2998](#).

Teen’s Sex Crimes Confession to Caseworker Can Be Used in Court

A Cuyahoga County child-abuse investigator did not violate the constitutional rights of a 13-year-old boy when she provided police with a confession she obtained from him in which he admitted having sexual activity with a 12-year-old girl, the Court ruled.

The Court unanimously ruled in December that the child-abuse investigator was not required to provide *Miranda* warnings to the boy before interviewing him alone at the Cuyahoga County Department of Children and Family Services offices in December 2015. However, a divided Court determined that the boy’s due-process rights were not violated when prosecutors used his confession to the investigator in juvenile court.

In the Court’s lead opinion, Justice Kennedy wrote that the *Miranda* warnings were not necessary because the child-abuse investigator was not a law enforcement officer or acting under the direction or control of the police. Justice Kennedy also stated that under U.S. Supreme Court rulings, the boy’s due-process rights were not violated because no “police conduct” was involved in obtaining the confession.

▶ [2019-0621](#). *In re M.H.*, [163 Ohio St.3d 93, 2020-Ohio-5485](#).



Driving on Outer Edge Line Not Traffic Violation

An Ohio State Highway Patrol trooper incorrectly charged a motorist with a traffic violation for driving on – but not over – the single solid white line on the right edge of a state highway, the Court ruled.

The 5-2 decision in December found that the trooper was wrong to pull over and charge Ryan Turner for committing a marked-lanes violation on Old State Route 74 in Clermont County in 2018 – a stop that led to a charge of operating a vehicle under the influence (OVI).

Writing for the Court majority, Justice Kennedy stated that Ohio’s manual for “traffic control devices,” such as signals and markings, only “discourages or prohibits crossing” a single solid white line on the right-side edge of the roadway. It is not a violation if the car tire touches the line, she wrote.

▶ [2019-1674](#). *State v. Turner*, [163 Ohio St.3d 421](#), [2020-Ohio-6773](#).

Leaving Accident Scenes Permitted When Officers Unavailable

Ohio law does not require a driver to remain at the scene of an accident if the driver is unaware that the police have been or will be called to the accident scene, as long as the driver provides the required contact information to the operators or owners of other involved vehicles and to any person injured in the accident, the Court ruled.

In March a Supreme Court majority reversed a First District Appeals Court decision that found a Hamilton County man guilty of leaving the scene of an accident an hour after it occurred. The Court found that under R.C. 4549.02 motorists involved in accidents are expected to wait a reasonable amount of time after police have been notified.

Writing for the Court majority, Justice French stated that Ohio law does not require all motor vehicle accidents be reported to police, and the current statute is unclear how long a driver must wait when a police officer is not at the scene of the accident.

▶ [2018-1418](#). *State v. Bryant*, [160 Ohio St.3d 113](#), [2020-Ohio-1041](#).

Amazon Not Liable for Teen’s Death from Pure Caffeine Powder

Amazon never had possession or control of the caffeine powder that led to a Lorain County teen’s death, so the company cannot be held liable for the substance’s purchase from a vendor through Amazon’s website, the Court ruled.

A unanimous Court ruled in October that Amazon does not meet the definition of “supplier” under Ohio’s product liability law when a vendor uses the Amazon Marketplace to “source, sell, fulfill, ship, and deliver” products without involving Amazon.

Writing for the Court, Justice French stated that Amazon did not qualify under the law as a “supplier” under the theory that it “otherwise participates in the placing of a product in the stream of commerce.” As a prerequisite for subjecting Amazon to product supplier liability, she concluded, the company would have to have some control over the product, and it did not in this case.

▶ [2019-0488](#). *Stiner v. Amazon, Inc.*, [162 Ohio St.3d 128](#), [2020-Ohio-4632](#).

Workers Cannot Claim Invasion of Privacy after Direct-Observation Urine Tests

When workers at a private company provide urine samples for drug testing under the “direct-observation method” they cannot sue their employer for invasion of privacy, the Court ruled.

In a 4-3 decision, the Supreme Court reversed a Fifth District Court of Appeals decision, which found two current and two former Sterilite of Ohio employees had stated a “valid claim for invasion of privacy” based on the use of the “direct observation method” as part of Sterilite’s mandatory substance-abuse testing procedures.

Writing for the Court majority, Justice Kennedy in August noted that once the Sterilite employees proceeded with the drug test under the direct-observation method, without objection,

they consented to the test by producing or attempting to produce urine.

▶ [2018-1431](#). *Lunsford v. Sterllite of Ohio LLC*, [162 Ohio St.3d 231](#), [2020-Ohio-4193](#).

Spouse's Mental Health Records May Be Revealed in Child Custody, Spousal Support Cases

A person whose spouse is seeking custody and spousal support in a divorce can obtain the spouse's confidential mental health records that are deemed by a court to be relevant to the divorce, the Court ruled in June.

A divided Supreme Court affirmed an Eleventh District Court of Appeals decision, which found that a parent seeking child custody or a spouse seeking spousal support waives the physician-patient confidentiality privilege.

The Court's opinion reasoned that a trial court, by law, must consider the mental and physical conditions of parents and spouses when considering custody and support payments.

Writing the Court's lead opinion, Justice French explained the confidentiality privilege applies to a psychologist's or psychiatrist's patient relationship, but Ohio law allows for a narrow exception that can compel a mental health provider to produce the records, which the trial court reviews privately before determining if they can be used in the divorce proceedings.

▶ [2019-0416](#). *Torres Friedenber v. Friedenber*, [161 Ohio St.3d 98](#), [2020-Ohio-3345](#).

Toledo Educators Cannot Be Sued in Kindergarten Bullying Case

Toledo educators did not act with a "perverse disregard of a known risk" when one kindergartner allegedly punctured the face of another with a pencil, and the injured child's parents cannot sue the staff for failing to address alleged bullying, the Court ruled in July.

A Court majority found in November that the DeVeaux Elementary School staff members were immune from liability. The Court determined that the child's family failed to produce evidence the staff knew or had reason to know the classmate of the injured child posed a risk of physical harm to the injured child or any other student.

Writing for the majority, Justice Fischer stated that for the family to prevail in their lawsuit they had to prove that the educators were aware the other student may cause physical harm to their daughter and that the educators acted with conscious disregard or indifference to that knowledge. Justice Fischer stated that "just the opposite" occurred, and that the teacher, principal, and assistant principal took steps to curtail bullying.

▶ [2019-1355](#). *A.J.R. v. Lute, A.J.R. v. Lute*, [163 Ohio St.3d 172](#), [2020-Ohio-5168](#).

Conviction Not Required to Pursue Civil Lawsuit Based on Criminal Acts

Ohio law allows a person to pursue a civil lawsuit based on injuries caused by a criminal act without having to show the crime resulted in a conviction, the Court ruled in July.

The Court clarified two state statutes, which allowed a federal

court to move forward with a civil rights lawsuit filed by a Geauga County Health District employee who accused the health district's leaders of criminal acts that led to her dismissal.

Writing for the Court majority, Chief Justice O'Connor stated the laws do not state that a conviction is required before a lawsuit for civil liability based on criminal acts can be filed. Without clear indication from the legislature that a conviction is required, the Court "will not read such intent into" the law, Chief Justice O'Connor stated.

▶ [2018-1209](#). *Buddenberg v. Weisdack*, [161 Ohio St.3d 160](#), [2020-Ohio-3832](#).

Patient Can Pursue Hospital Suit for Alleged Abuse by Uncharged Doctor

A patient allegedly assaulted by a doctor while sedated does not have to prove the doctor is guilty of a crime or civilly liable before suing the hospital for lack of oversight, the Court ruled.

In a unanimous opinion in December, the Supreme Court ruled that Malieka Evans can continue her lawsuit against Akron General Medical Center for the negligent hiring, retention, or supervision of the doctor who allegedly assaulted her in 2012.

...Continued



CIVIL LAWSUITS

The decision reversed a Summit County Common Pleas Court ruling, which found that because police did not press charges against the physician and Evans did not file a personal injury lawsuit against him, she could not sue the hospital.

Writing for the Court, Justice Donnelly explained the ability to sue an employer for an employee's wrongdoing is not based on whether the employee has been or can be held legally accountable, but rather whether that the employee must be "shown to have committed an act that is legally wrong."

▶ [2019-0284](#) and [2019-0453](#). *Evans v. Akron Gen. Med. Ctr.*, [163 Ohio St.3d 284](#), [2020-Ohio-5535](#).

Time Limit for Medical Malpractice Cases Prevents Claims against Spine Surgeon

Patients claiming medical malpractice by a spine surgeon and Cincinnati-area hospitals waited too long to refile their cases when they attempted to move the cases from Butler County to Hamilton County, the Court ruled.

The Court's 5-2 December opinion written by Justice French dismissed the cases of two of the hundreds of former patients of Dr. Abubaker Atiq Durrani and his Center for Advanced Spine Technologies, as well as the hospitals where he performed surgeries, including UC Health in Cincinnati and the affiliated West Chester Hospital in Butler County.

The Court ruled Ohio's "statute of repose" for medical injury claims gives patients four years to file a claim against a healthcare provider. Justice French stated that the medical statute of repose "clearly and unambiguously precludes commencement of a medical claim more than four years after the occurrence" of the medical procedure.

▶ [2019-1560](#). *Wilson v. Durrani*, [Slip Opinion No. 2020-Ohio-6827](#).

PARENTAL RIGHTS



Adult May Prove 'Reasonable Parental Discipline' to Avoid Child-Injury Conviction

When a parent or caretaker is charged with a crime for injuring a child, the accused adult may prove their actions were a form of "reasonable parental discipline" to avoid a conviction, the Court ruled.

In February, the Supreme Court unanimously affirmed the conviction of a Delaware County man who argued that prosecutors must prove his punishment of a 7-year-old was unreasonable parental discipline. The Court was divided in its reasoning.

In the Court's majority opinion, Justice Fischer wrote that reasonable parental discipline is an "affirmative defense" and the adult must prove the use of force was justified once the prosecution proves the elements of the crime charged, such as assault. The state has no duty to also prove the parental discipline was unreasonable.

▶ [2018-1501](#) and [2018-1592](#). *State v. Faggs*, [159 Ohio St.3d 420](#), [2020-Ohio-523](#).

Minimal Payment of Child Support Does Not Retain Right to Stop Adoption

A parent may lose the right to object to the adoption of a child by failing, without justifiable cause, to make child-support payments "as required by law or judicial decree," the Court ruled in February.

A divided Supreme Court rejected a child's natural father's argument that any payment of support, no matter how meager, made during the year immediately before a stepfather filed an adoption petition preserved the father's right to consent to the adoption.

In the Court's lead opinion, Justice DeWine wrote the father's argument ignores the plain language of the statute, R.C. 3107.07(A), which provides that a parent's consent to a child's adoption is not required when the parent failed, without justifiable cause, to provide maintenance and support as required by law or judicial decree for at least one year prior to the filing of the adoption petition.

▶ [2018-1300](#). *In re Adoption A.C.B.*, [159 Ohio St.3d 256](#), [2020-Ohio-629](#).

Juvenile Court's 90-Day Limit to Conduct Supervision or Custody Hearings Is Mandatory

Ohio law gives a juvenile court 90 days to conduct a dispositional hearing to decide a child's placement in protective supervision or decide custody issues after authorities file complaints alleging the child is abused, neglected, or dependent, the Court ruled in March. If the hearing is not conducted within that timeframe, the case must be dismissed and authorities must start the process over, the Court concluded.

PARENTAL RIGHTS

A unanimous Supreme Court found that a 90-day hearing requirement in R.C. 2151.35(B)(1) is mandatory and juvenile courts must dismiss such cases without prejudice if the courts are unable to comply. The ruling reversed Fifth District Court of Appeals decisions in separate cases involving two mothers.

Writing for the Court, Justice French stated that state lawmakers set the strict hearing requirement to balance efforts to protect children against “the fundamental right of a parent to raise one’s own children.”

▶ [2018-1331](#), [2018-1375](#), [2018-1376](#), [2018-1377](#), [2018-1379](#), [2018-1380](#), and [2018-1381](#). *In re K.M.*, [159 Ohio St.3d 544](#), [2020-Ohio 995](#).

Court Clarifies Process for Terminating Shared-Parent Plans

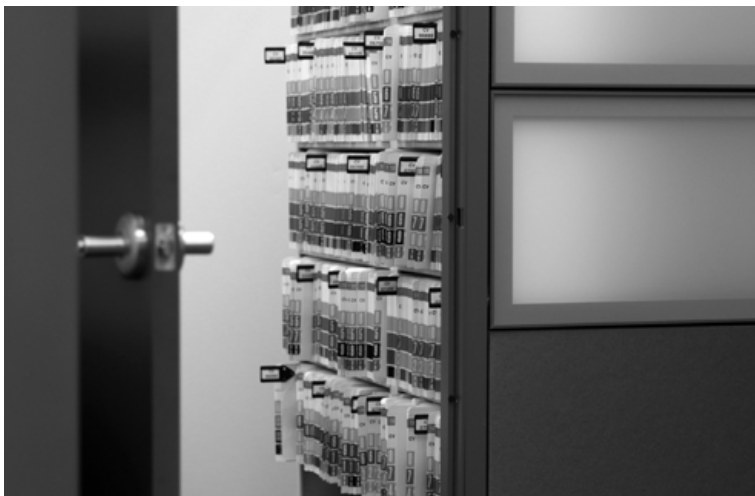
The Court clarified that when parents terminate a shared-parenting plan and seek to designate one parent as the residential parent and child’s legal custodian, a trial court need only to determine the child’s best interest when selecting the parent.

A Court majority in October resolved a conflict among Ohio appeals courts as to whether a trial court must also consider a “change in circumstances” along with the child’s best interest when ending a shared-parenting arrangement and picking one parent as the residential parent while granting the other parent several rights, including visitation.

Writing for the Court majority, Justice Stewart explained that under R.C. 3109.04, the procedures are different when a trial court needs to modify a shared-parenting plan and when it terminates a shared-parenting decree and plan. When a plan and decree are terminated, a court need only consider the child’s best interest, she wrote.

▶ [2019-1028](#) and [2019-1178](#). *Bruns v. Green*, [163 Ohio St.3d 43](#), [2020-Ohio-4787](#).

MEDIA AND PUBLIC RECORDS



School Not Required to Release Records of Deceased Dayton Shooter

Bellbrook-Sugarcreek Local School District does not have to release to the news media the school records of Connor Betts, who killed nine and injured 27 others in a 32-second mass shooting in Dayton in 2019, the Court ruled.

In a 6-1 November decision, the Court stated the Ohio Student Privacy Act (OSPA) prohibits the disclosure of student records without the written consent of an adult former student, and makes no exception if the former student died without giving consent.

Writing for the Court majority, Justice Stewart stated the General Assembly crafted some exceptions for the release of student records without consent, but did not expressly state that the death of a student permits a school district to release the records. Betts, a 2013 Bellbrook High School graduate, was 24 years old in August 2019 when police killed him at the scene of his shooting spree.

“The records of a person who attended a public school can be disclosed only with the consent of the student, if that student is 18 years of age or older. If that student is deceased, he is no longer available to grant consent,” the majority opinion stated.

▶ [2019-1433](#). *State ex rel. Cable News Network, Inc. v. Bellbrook-Sugarcreek Local Schools*, [163 Ohio St.3d 314](#), [2020-Ohio-5149](#).

Video of Judge Shooting Must Be Released by Jefferson County

Video from an exterior Jefferson County Courthouse security camera that captured the shooting of a judge is not a “security record” and must be released to the Associated Press, the Court ruled in November.

The Supreme Court rejected claims by the Jefferson County Prosecutor’s Office that the courthouse video showing the August 2017 shooting of Jefferson County Common Pleas Court Judge Joseph J. Bruzzese Jr. as he was about to enter the courthouse was exempt from the state’s public records law and could be withheld.

Writing for the Court majority opinion, Justice Donnelly stated the Ohio Public Records Act allows for the exemption from release of a record “directly used for protecting or maintaining the security of a public office,” but the county prosecutor never provided any evidence about how the county was using the video footage of the shooting for that purpose. Justice Donnelly wrote the county cannot reject the release of a record based on a “requester’s potential use or misuse of the record.”

▶ [2019-1481](#). *Welsh-Huggins v. Jefferson Cty. Prosecutor’s Office*, [163 Ohio St.3d 337](#), [2020-Ohio-5371](#).

Court's Ban on Future Social Media Postings about Relatives Unconstitutional

The Court vacated portions of Mercer County civil stalking protection orders that prohibited a man from posting anything on social media about his mother and sister, whom he accused of contributing to the deaths of their husbands.

In a unanimous decision, the Court ruled the complete ban on commenting about the two women was a prior restraint on free speech that violates the U.S. Constitution's First Amendment.

Writing for the Court, Justice Donnelly said the ban was remarkable in its scope and "went far beyond anything that the factual record before us could sustain and the First Amendment can tolerate."

The June decision reversed the Third District Court of Appeals, which upheld 2018 protection

orders granted to Joni Bey and Rebecca Rasaweher. The women claimed that Jeffrey Rasaweher's internet postings caused them mental distress and made them fear for their safety.

▶ [2019-0295. *Bey v. Rasaweher*, 161 Ohio St.3d 79, 2020-Ohio-3301.](#)

Father Entitled to Records Involving Son's Student Sex Conviction

The father of an imprisoned former school teacher is entitled to public records of his son's conviction on sex charges, the Court ruled.

The Court ruled 5-2 in December that the Mercer County Prosecutor's Office did not provide sufficient evidence for its claim that the father was acting at his son's direction by seeking the records in an attempt to circumvent the Ohio Public Records Act. The Court found the county must provide Charles

Summers with most of the records he requested concerning the 2013 sexual battery convictions of his son Chris Summers when he was a teacher at Fort Recovery High School.

The Court explained that under R.C. 149.43(B)(8), inmates must seek judicial approval of public record requests related to their convictions. Mercer County Prosecutor Matthew Fox and Sheriff Jeff Grey denied Charles Summers' requests, claiming that the father was acting as Chris' designee and must also receive judicial approval to obtain the records.

But the Court concluded the law applies to someone who is directed by an inmate to obtain the records, but not "someone who simply wants to benefit an inmate."

▶ [2018-0959. *State ex rel. Summers v. Fox*, 163 Ohio St.3d 217, 2020-Ohio-5585.](#)

Rule Changes

In 2020, the Supreme Court of Ohio approved several rule amendments, including to the Rules for the Government of the Bar and the Rules of Superintendence for the Courts of Ohio – many in response to the ongoing public health emergency caused by the COVID-19 pandemic. Among the rule changes were:

BAR EXAM AND BAR ADMISSIONS

A rule allowing Ohio to begin using the National Conference of Bar Examiner’s Uniform Bar Exam. *Effective June 1, 2020.*

A rule allowing applicants for admission without examination to apply to practice law while their application is pending. *Effective June 17, 2020.*

OHIO DISCIPLINARY SYSTEM

Rule amendments to the Rules for the Government of the Bar and the Government of the Judiciary of Ohio addressing the process for investigating and prosecuting allegations of professional misconduct by Ohio judges and attorneys. *Effective Nov. 1, 2020.*

STANDARDIZED FORMS FOR EXPUNGEMENT AND SEALING

Rule amendment to the Rules of Superintendence for the Courts of Ohio to create standard forms for the sealing or expungement of court records. *Effective Oct. 1, 2020.*

NEW REQUIREMENTS FOR COURT INTERPRETERS

Rule amendments to the Rules of Superintendence to require American Sign Language (ASL) interpreters and foreign language interpreters to undergo legal training. Specifically, both ASL and foreign language interpreters are required to attend orientation training before the written exam; pass the written exam with a score of 80% or higher; attend three Ohio Supreme Court courses on ethics, modes of interpretation, and legal terminology; and sign an oath to comply with the Code of Ethics for Interpreters.

Additionally, foreign language interpreters must complete an oral proficiency assessment and ASL interpreters must hold a Registry of Interpreters for the Deaf (RID) Generalist Certification. *Effective Jan. 1, 2021.*

UNIFORM MEDIATION ACT

Rule amendment to the Rules of Superintendence requiring all statewide courts that use mediation to incorporate into their local rule Ohio’s Uniform Mediation Act, as well as identify cases eligible for mediation, and address confidentiality. *Effective Jan. 1, 2020.*

GUARDIANS AD LITEM

Rule changes to Superintendence Rules 48 through 48.07 to increase GAL training requirements to 12 hours of pre-service education, six hours of which must be live and the other six earned from online courses, as well as teaching, writing, or mentoring, as approved by the appointing court.

Other amendments to Rule 48 include allowing the authority of the court to limit the scope of a GAL’s appointment to a specific item or issue, as well as require the court provide the GAL report to all parties, and also provide guidance for when an attorney is appointed as both a child’s attorney and GAL and the child’s wishes conflict with the GAL’s recommendation. *Effective Jan. 1, 2021.*

TEMPORARY MEDIATION TRAINING REQUIREMENTS

A temporary rule change to the Rules of Superintendence revising the mediation training requirements in relation to the pandemic that allow court

mediators to mediate delinquency and foreclosure cases without completing the “Fundamentals of Mediation Training” course if they complete 10.25 hours of that course, instead of the usual 16 required hours. Also, mediators are allowed to begin eviction and general civil cases if they have completed at least 6.25 hours of the “Settlement Event Mediation Training” course. *Effective June 26, 2020.*

SPECIALIZED DOCKET CERTIFICATION

Rule amendment changing the certification procedure for a specialized docket program, allowing a local court to seek docket certification provided the court’s program offers a “therapeutically oriented judicial approach to providing court supervision and appropriate treatment to individuals.”

Among other changes are the approval of initial certification to be effective for six months or until final certification and requiring six hours of a judge’s continuing education to be related to the docket during the three-year certification. Additionally, Judges inheriting a docket will have 12 months to submit their certification application, rather than six months.

The new rules also include a decertification process for dockets that are found to be out of compliance with certification standards and are unable to correct the concern with technical assistance and training. *Effective Jan. 1, 2021.*



COURT BUILDING REPAIRED While Social Issues Persist

Along with the rest of the country, Ohioans saw George Floyd die at the hands of Minneapolis police on Memorial Day 2020.

Over the ensuing days, people gathered in scores of U.S. cities to collectively and peacefully protest the killings of Floyd and other people of color, as well as the larger racial justice issues in the United States.

Columbus was one of those cities where peaceful protests followed in the name of racial justice. The grounds of the Ohio Statehouse were a focal point of peaceful demonstrations for weeks. However, while protesters exercised their constitutional rights, other individuals chose to vandalize the capitol, many downtown buildings, and the Moyer Judicial Center – the Supreme Court’s home.

“As disheartened as I was about what happened to our building, I’m equally as disheartened that people in


this state feel disenfranchised, and the treatment that they receive is unfair across all of our institutions,” Chief Justice O’Connor said in a short documentary about the damage and repair to the building.

The Court’s facilities staff dove in – their swift response and meticulous efforts documented in the video, which details the damage and the careful, weeklong restoration of the judicial center’s limestone façade, fountains, plazas, and windows.

“It was a tremendous effort by our facilities team,” Administrative Director Jeff Hagler said. “With as many buildings that had been damaged downtown, primarily with glass and window damage, they were the first to get plywood and materials to secure the building.”

As the repairs were made over the summer, the chief justice penned an Independence Day statement focused on the historic inequities endured by people of color in the United States, broader criminal justice reform, and an appeal to do better.

“In these times of the social unrest that erupted since the killing of George Floyd, it is important to examine the role of the judiciary as we move forward,” she wrote. “The law recognizes the importance of equal justice. But it is up to our court systems, the judges, and the lawyers to ensure that the constitutional guarantees are applied equally.”

 [CLICK TO WATCH the documentary](#)



“As disheartened as I was about what happened to our building, I’m equally as disheartened that people in this state feel disenfranchised, and the treatment that they receive is unfair across all of our institutions.”

CHIEF JUSTICE O’CONNOR





SUPREME COURT AIDS LOCAL JURISDICTIONS THROUGHOUT PANDEMIC

Early on in 2020, a deadly new virus changed the landscape of our lives. Donning masks, distancing physically, and washing hands more than ever became commonplace. And trial courts, appellate courts, and the Ohio Supreme Court had to rethink and reorganize to keep the wheels of justice moving – in a year truly like no other.

Courts were filled, as always, with criminal cases and civil disputes, forcing judges and court staff to pivot. And they did, displaying impressive flexibility, creativity, and resilience. They altered long-standing practices and found new ways to maintain the critical operations of the judicial branch.

The Supreme Court began the year with distributing the [“Judicial Guide to Public Health”](#) to all judges – an eerily prescient guide for courts in handling health emergencies – including a pandemic. The Court partnered with Ohio Department of Health experts to update and expand the piece, first published in 2010. Chief Justice O’Connor had been

a member of the National Center for State Courts Pandemic and Emergency Response Task Force, which published a pandemic handbook for courts in 2016. The chief justice encouraged the development of the updated Ohio guide and judges received the piece just weeks before COVID-19 hit the United States.

CHIEF JUSTICE O’CONNOR TAKES ACTION

As the coronavirus multiplied and people were asked to stay at home to “flatten the curve” – the upward climb of infection cases – Chief Justice O’Connor put leadership savvy to work, offering guidance and direction for courts statewide.

In mid-March, the chief justice sent [a letter to all state judges with guidelines](#) to help the courts weather the coronavirus crisis and keep courts open across the state. She spoke a few days later at a [daily news briefing](#) on the health emergency held by the governor for news media and the public.

“This is an unprecedented time, a time during which the judiciary

of Ohio, as well as the bar, and state and local leaders, must come together to guarantee the vital, continued operation of the state’s judicial system and the public’s access to its courts,” the chief justice declared.

She asked judges to prioritize their workload, reduce the need for jury pools, and minimize public traffic in courthouses. She urged them to consider lowering bonds, depend on summonses instead of arrests to lessen jail populations, and maximize technology.

The next week Chief Justice O’Connor issued an order allowing the delay of legal deadlines during the global pandemic. The [“tolling” order](#), made retroactive to March 9, provided uniformity, clarity, and legal continuity for courts. It also permitted the Supreme Court, local courts, hearing panels, boards, and commissions hearing cases to waive any requirement for in-person service or that a party appear in person.



SUPREME COURT HEARS EVERY CASE ON ITS SCHEDULE

Throughout the pandemic, the Supreme Court didn't miss a call to fulfill its central mission – deciding the state's toughest cases. For many matters reaching the state's court of last resort, the parties present oral arguments in person in a public forum before the justices. Restrictions on group gatherings shifted those sessions, normally held in the grand Courtroom at the Moyer Judicial Center, to online videoconferences.

Long an advocate for open proceedings in the judicial branch, the Court began periodically [videotaping and broadcasting oral arguments in 2002](#) and doing live broadcasts and streaming of every session in 2004. This history empowered the justices to adapt quickly to the unexpected, and they missed none of the 28 days scheduled for arguments during 2020, using video-conferencing technology to hear all cases. The public could watch the arguments live online and each case is archived on the Ohio Channel website.

SUPREME COURT DISTRIBUTES DOLLARS LOCALLY

Funding was key to the chief justice's efforts to support courts during the health crisis. Many of Ohio's 384 courts lacked the necessary technology to reduce in-person interaction. In March, the Supreme Court dipped into its budget to issue [\\$6 million in grants for technology to help local courts](#).

"It is my hope that by pushing out this funding on an emergency basis we can assist the local courts with a quick implementation of video conferencing for arraignments and other conferencing needs," Chief Justice O'Connor said.

This emergency funding enhanced the [\\$3.2 million in technology grants awarded in January](#) for 54 local court projects and [\\$725,000 given in civil justice grants to 19 courts and court-related associations](#) to provide legal assistance to low-income, underserved, and disadvantaged Ohioans – all dollars that took on elevated importance during the unparalleled circumstances.

GUIDANCE COMPILED FOR LOCAL COURTS

The Supreme Court took many other steps to address what had been common day-to-day court procedures that were complicated by the pandemic. For example, many Court-approved forms used by local courts require notarization, so [the Court approved temporary versions](#) that eliminated that requirement during the public health emergency.

The Court also issued a [report on handling an expected increase in evictions and foreclosures](#) due to increased unemployment and economic uncertainty, and [put together a summary](#) of the U.S. Centers for Disease Control and Prevention's September directive halting evictions. The Court developed handy benchcards for judges to [triage civil cases](#); to [handle hearing backlogs](#); and for [working with sign, foreign language, video, and telephonic interpreters](#) in online or remote hearings or proceedings.

Chief Justice O'Connor published direction for [mayor's](#)

[courts](#) and [submitting filings to the Supreme Court](#). As the COVID-19 pandemic persisted, the chief justice reached out regularly to the state's judges with updates, including [suggestions for continued safety at courts](#), a [response to questions about speedy trial rights](#), and a [holiday message with a roundup of informative resources](#).

[Tutorials for trial and appellate courts](#) about how to stream hearings were posted on the Court's website. Among the resources: platforms for remote broadcasts and livestreaming, how to set up a streamed hearing, how to record and archive the materials, and tips and ground rules for conducting the online proceedings.

STAFF AND AFFILIATES ADAPT AND DELIVER ALL YEAR

The health crisis also wreaked havoc on educational opportunities offered by the Court and its affiliate organizations throughout the year for judges, attorneys, and others. The dilemma provoked inventive solutions.

The biennial Dispute Resolution Conference, which draws about 500 attendees, was first postponed, then canceled. But keynote speaker Ken Feinberg had arrived in Columbus the night before the scheduled date of the March event. The acclaimed attorney and mediator demonstrated his improvisational skills by presenting his remarks to about 20 people who were already on-site for the conference. The talk was recorded so others could view it later.

Event organizers April Nelson, a long-time juvenile court mediator, and Dr. Adonis Bolden, a Delaware County assistant school principal, spearheaded a Dispute Resolution Section “Civility and Solutions” podcast on school attendance and mediation, while a few of the scheduled national speakers delivered their sessions virtually on the potential of special masters in state courts. Employees in the Court’s Dispute Resolution

Section even shifted to training mediation skills online and conducted their regular mediations virtually, with positive results.

The Court’s biggest event of the year – the Specialized Dockets Conference – was transformed from a two-day conference to two months of educational programming. The new Specialized Dockets Fall Education Series featured 16 free webinars focusing on topics impacting specialty courts, such as drug courts and human trafficking courts. Aside from saving time and money for travel and lodging, judges and court staff benefited from the chance to participate in more sessions because they were spread out over weeks.

At the Ohio Judicial College, staff were forced to adjust its popular on-site programs – a substantial chunk of its catalog of nearly 300 judicial branch courses held annually. The Judicial

College’s experienced team repurposed its offerings with vital and easy-to-access education, such as webinars, and promoted its self-study options. As the state’s courts sought guidance on how to best proceed under evolving health and safety standards, the College responded with a multiweek webinar series – “Courts and Coronavirus” – that detailed the impact of the pandemic on the judicial system. The College also gave an extraordinary assist to organizations representing judges, magistrates, clerks, and other court personnel, enabling the groups to still hold their summertime multiday conferences in online venues.

And it can’t go without mention that judges and court staff across the state made Herculean efforts to keep the justice system functioning in their communities in 2020.



CHIEF JUSTICE CONVENES TASK FORCE ON WRONGFUL CONVICTIONS

Chief Justice O'Connor assembled a new Ohio Supreme Court Task Force on wrongful convictions in 2020 that "analyzes current practices and recommends improvements to further our standards of justice."

Known as the Task Force on Conviction Integrity and Postconviction Review, the panel is comprised of a diverse group of members, each of whom "shall have experience or an interest in the integrity of convictions and post-conviction reviews."

"We know from exoneration data that justice isn't always served in our state and this task force

would be a great first step in making improvements," Chief Justice O'Connor said.

The task force's duties include:

- Analyzing the post-conviction review processes in Ohio and other states
- Analyzing the work of innocence commissions and conviction integrity units of other states
- Offering recommendations about DNA testing and "other advances in science"
- Recommending revisions to laws and Supreme Court rules

- Offering recommendations regarding education for judges, prosecutors, and defense attorneys about conviction issues
- And offering "any other recommendations the task force deems appropriate to further public trust and confidence in the post-conviction review process."

Public notice of all task force meetings are posted on the Supreme Court's website and open to the public.

Task force members serve without compensation.

EXTRAORDINARY EXAM: STATE'S FIRST UBE HELD VIRTUALLY

In October, a group of nearly 1,000 prospective Ohio attorneys became the first to partake in the newest testing format to practice law in the state – the Uniform Bar Exam (UBE).

Those applicants were also the first in Ohio to participate in a remote bar examination, which was necessitated by the pandemic.

Adopted in 38 states and the District of Columbia, each exam is offered on common dates several times a year, and test takers are able to transfer their scores to another UBE state without sitting for another exam, provided they pass that jurisdiction's minimum score requirement. In Ohio, it's 270.

"The UBE addresses the demand for lawyer mobility across jurisdictions in America today, and uniform licensing helps increase efficiency through the sharing of resources and expertise," Chief Justice O'Connor said.

The UBE is a two-day test comprised of three components. Ohio had used two of the three parts of the UBE – the Multistate Bar Exam and the Multistate Performance Test. Ohio added the

Multistate Essay Exam in place of the Ohio essay questions.

In order to be admitted to the state bar, those who pass the UBE also must pass the Ohio Law Component prepared by the Ohio Board of Bar Examiners.

Ohio will recognize acceptable UBE scores from other UBE states for five years. After that period,

an attorney from another state seeking to practice in Ohio would have to earn another passing score or be approved for "admission without examination" by the Supreme Court.

Of the 958 aspiring lawyers who sat for the October exam, 741 – or 77.4% passed. It's the highest success rate since July 2013.





STRIVING TOWARD JUSTICE WITH DATA

In 1999, an Ohio Supreme Court racial fairness commission called for a statewide sentencing database to gather concrete information about the fairness and proportionality of criminal sentences, and a related task force reiterated the request three years later. Dozens of commissions, task forces, and blue-ribbon panels in Ohio and across the country, over 25 years, have done the same.

The country's elevated awareness of racial fairness issues in 2020 presented an opportunity to reemphasize the value and role of data for understanding and evaluating sentencing practices, and in pointing out and combating discriminatory practices where they exist.

"The public must be informed so they can have faith in our justice system," Chief Justice

O'Connor said. "They must be able to see equal justice for all and believe what they see. And they must be able to see injustice when it occurs. The way to demonstrate, and then monitor, equal justice is in facts and figures, in metrics and transparency."

Nearly every state has identified the need for comprehensive, data-driven information about sentencing. However, successful implementation has been limited. Yes, there are obstacles, perceived and real, from technological to human, but the chief justice, the Ohio Criminal Sentencing Commission, state judges, and the legal community think now is the time to move forward. They drilled into the details in online forums held in the second half of 2020.

Key steps identified to move Ohio toward greater fairness and justice:

- Approve a uniform felony sentencing form
- Construct a centralized data platform
- Start small, build momentum
- Explain how cost isn't prohibitive
- Detail the price of doing nothing
- Ensure judges retain flexibility in sentencing
- Make clear how data can dispel bias
- Persuade prosecutors to back effort
- Garner support of broader legal community
- Alert General Assembly to advantages of data for legislation
- Capture the public's attention

“The way to demonstrate, and then monitor, equal justice is in facts and figures, in metrics and transparency.”

CHIEF JUSTICE O’CONNOR

THE DATA PLATFORM

At the core of this effort is a data platform for the state. Basic questions about adults sentenced for felony offenses cannot be answered: What sentence did courts impose for each felony offender? How many people were sentenced to a specific felony offense in a specific year and at what level? What number were placed in diversion programs? How many were found not guilty (weren’t sentenced)?

The strategy is to add a technological layer alongside each local court’s information to create a uniform, statewide data platform about felony sentencing. The Criminal Sentencing Commission reached out to universities to enlist their expertise in solving the sentencing data collection problem. The University of Cincinnati School of Information Technology and School of Criminal Justice, Ohio State University Moritz College of Law, and Case Western Reserve University School of Law are anticipated collaborators.

Although it’s a difficult problem without clear answers, the experts described the approach: Court stakeholders inform the platform design team about what’s needed all along the way, and the team tunnels deeper and deeper through the layers, learning as it goes.

UNIFORM SENTENCING ENTRY

Another key element – the development of a uniform sentencing entry for courts – was presented for consideration to the Ohio Criminal Sentencing Commission in September.

Home rule, at the heart of governing in Ohio, is a decentralized structure for government, including the judicial branch. While local self-

To discern what is, and isn’t, being gathered for the sentencing of adults for felonies, an ad hoc Court committee collected judgment entries on felony sentences from across the state. Based on its review, the committee designed a uniform sentencing entry – the engine for a statewide data platform. The committee prescribed the most concise minimum language required to



determination has its plusses, one outcome is the separate case management and collection of data by the state’s courts across 88 counties – that’s 88 common pleas courts (with many divisions for criminal, juvenile, domestic relations, and probate matters), 131 municipal courts, and 33 county courts.

comply with Rule 32 of the Ohio Rules of Criminal Procedure and existing case law. The proposed sentencing entry will provide uniformity for recording of sentencing information and will establish specific data points, including biographical and demographic information.



JUSTICE FRENCH TENURE REFLECTS ‘ENERGY AND DEVOTION’

When someone has a love for the law and is driven by public service, those connections can take the person to tremendous heights.

For Justice Judith French, that combination catapulted her to the Ohio Supreme Court for eight years.

“I was drawn to careers, like journalism and law, that are about figuring things out. I saw law as adding advocacy, history, and politics, too,” former Justice French said.

Her tenure on the Court is part of 25 years in the public sector. It includes service as a Tenth District Court of Appeals judge, the governor’s chief counsel, assistant state attorney general and later the attorney general’s chief counsel, and deputy director of legal affairs at the Ohio Environmental Protection Agency.

An enthusiast of constitutional law and author of 168 Ohio Supreme Court opinions, she relished debates on the bench during oral arguments and in deliberations with fellow justices. Prior to her judicial career, she argued twice before the U.S. Supreme Court.

As a civil servant, she said: “No matter what the issue is, you have to ask, ‘What’s in the best interest of the people of Ohio? What do they expect and deserve?’ I like answering those questions, because they have a broader meaning and purpose.”

During her time with the Supreme Court, [the 155th justice](#) used her platform to help improve the judicial system, specifically for low-income citizens who can’t afford to hire attorneys.

As the court of last resort’s liaison to the Ohio Access to Justice Foundation – a partnership she helped develop – Justice French worked to reform the state’s structure of legal aid and the Supreme Court’s role in it. That initiative was paramount in her remarks [when she was sworn in as an elected justice in January 2015](#).

“We’ve made things better for the lawyers who provide legal aid services and for the underserved Ohioans who rely on those services,” Justice French said.

The native of Sebring, near Youngstown, vowed to “give [the Court] the full measure of [her] energy and devotion.” Part of that mission was tirelessly traveling the state, promoting the efforts of the high court and explaining its role within the judicial system and the



three branches of government to students and residents in all 88 counties.

It was a way for her to shed light on the countless people behind the scenes who supported her and carry out the Supreme Court’s duties – from her judicial attorneys and law clerks to the hundreds of others who serve the Court and assist the lower courts.

“I’m here because many people throughout the course of my life helped me grow and develop as a person, as a lawyer, and as a judge,” Justice French said [during her initial investiture ceremony](#).

No matter the specifics of a case or the steadfastness of sentiments, Justice French had a “dignified manner and willingness to listen and share astute legal advice and opinions,” observed Chief Justice O’Connor.

That civility earned her the title of “the nice justice” from her colleagues and peers.

“My colleagues will agree that it has been a high honor to serve on the bench with her. We will miss her and wish her the best of luck,” Chief Justice O’Connor said.

Justice French said she planned to stay in the public arena,

continuing civic progress in another capacity and paying it forward out of respect to those who’ve encouraged her along a distinguished journey.

“The professionals working at the Court are extraordinarily good at their jobs, and I’ll leave knowing that, together, we produced good work,” Justice French said.

Justice French’s time on the court ended on Jan. 1, 2021.

CHIEF JUSTICE CREATES REMOTE TECHNOLOGY TASK FORCE

Chief Justice O'Connor convened a task force in 2020 to study how courts used technology during the coronavirus pandemic.

The task force is to identify best practices to be retained by courts in the post-pandemic era and ways their experiences will allow for the continuing use of technology to improve access to justice.

"The reliance of courts, including the Supreme Court, on remote technology has been critical to the administration of justice during this pandemic," Chief Justice O'Connor said.

"Now we will take our knowledge a step further by finding out how technology can help local courts become even more responsive to the public for the remainder of the pandemic and afterward."

Courts in 87 of Ohio's 88 counties are using \$6 million in equipment and software purchased since March 2020 to keep their operations open during the pandemic. Chief Justice O'Connor made the funds available from the Court's budget on an emergency basis.

The panel will be known as the Improving Court Operations Using Remote Technology (iCourt) Task Force.

The iCourt Task Force will:

- Examine how Ohio courts used technology during the pandemic, including their appearances and trials
- Survey judges and attorneys
- Identify technological best practices
- Discuss barriers to the effective use of technology, such as

limited internet access, wireless difficulties, costs, and equipment

- List practices to safeguard procedural due process and access to justice when technology is used
- Identify rules that may need to be updated and modernized
- Address how to conduct remote criminal jury trials.

The task force consisted of 24 voting members appointed by Chief Justice O'Connor. Justice DeWine is the Court's liaison to the task force.

Members included judges, magistrates, court administrators, information technology professionals, attorneys, and clerks of court.

The task force issued findings and recommendations to the Supreme Court in summer 2021.

JUSTICES MAKE HEADLINES IN NATIONAL PUBLICATIONS

How Data Can Help Reform Criminal Sentencing

Justice Donnelly co-authored an article in *The Atlantic* in December that sheds light on how data can become a key tool in reforming the criminal justice system.

Collaborating with First District Court of Appeals Judge Pierre Bergeron, the duo wrote "[How a Spreadsheet Could Change the Criminal Justice System.](#)"

"Many court systems lack basic data about themselves, including about their criminal-sentencing decisions," the jurists wrote.

This means that when a judge considers a sentence for a criminal defendant, he or she has no way to evaluate it against others handed down for similar crimes in the same state, or even the same county."

In July, Ohio Supreme Chief Justice O'Connor told the [state's criminal sentencing](#)

[commission](#) that establishing a statewide database would be the main focus of her final two years on the bench.

Call for Consistency in Administrative Agency Rulings

Justice DeWine made points in a national online journal that the Court should develop a more consistent method of determining when, if ever, it will defer to an administrative agency's interpretation of a law or rule.

Justice DeWine urged the Court to revisit "our administrative deference doctrines" in an October posting for "[Notice & Comment](#)," a blog from the Yale Journal on Regulation.

The journal is published by the Yale Law School and the American Bar Association's Section of Administrative Law & Regulatory Practice.

In his post, Justice DeWine explained that the Court has not

followed a consistent practice when deciding whether to defer to the expertise of state and local administrative agencies for their interpretations of the laws and rules they implement. The Court regularly hears challenges from those who believe an agency misinterpreted a law or rule.

"Our deference 'doctrine' is not really a doctrine at all; it is more like Hogwarts' Room of Requirement, where a judge or practitioner truly in need can always find some bit of law equipped for the seeker's purpose," Justice DeWine wrote, referring to the popular novel "Harry Potter and the Order of the Phoenix."

Justice DeWine concluded that Ohio legal practitioners, agencies, and lower courts could all benefit from additional clarity about exactly what the Court's doctrine is and when it applies.

Staff Notes

JOHN VANNORMAN PROMOTED TO CHIEF LEGAL COUNSEL

After 14 years in various capacities at the Court, John VanNorman was named chief legal counsel in February.

On top of managing the Office of Chief Legal Counsel, which oversees the legal, legislative, and policy affairs functions within the state's highest court, VanNorman serves on the Court's administrative leadership team. He also provides legal counsel and research support to the justices, Court staff, and implements policy initiatives concerning the administrative operation of the Court.

"I am deeply honored and humbled by the opportunity to continue my service to the Supreme Court, as well as the Ohio citizenry, as chief legal counsel," VanNorman said.

His previous roles included interim and deputy chief legal counsel. Prior to his time at the Court, VanNorman served as an attorney for the Ohio General Assembly's Legislative Service Commission. His efforts with the commission included legal research and legislative drafting, as well as staffing various House and Senate committees.



John VanNorman

FACILITIES DIRECTOR JERRY WILLIAMS PASSES AWAY



Jerry Williams

The Court lost a beloved colleague with the passing of Facilities Management Director Jerry Williams on June 17 after an extended illness at the age of 59.

Jerry joined the Court in March 2015, and was named Facilities Management director in March 2018.

"Jerry was a huge force in keeping The Thomas J. Moyer Judicial Center operational and its elements in the best shape possible," said Chief Justice Maureen O'Connor. "But his contribution as a boss, friend, and colleague is his greatest legacy."

RETIREMENTS

SUSAN BARKELOO
Custodian

Office of Facilities Management

JENNIFER MIDDELER
Senior Network Administrator
Office of Information Technology

STEVEN L. NEAL
Housekeeping Assistant
Office of Facilities Management

ELIZABETH REYNOLDS
Receptionist
Office of Disciplinary Counsel

EMPLOYEES DISTINGUISHED FOR QUALITY AND QUANTITY OF DUTY

The Supreme Court recognized dozens of staff members for employee excellence and years of service in its 16th annual ceremony. The event was held virtually on Nov. 17.

Three employees received Professional Excellence Awards, the highest honor given to Court employees: Greg Matthews, master commissioner in the Office of Legal Resources; Jason Monroe, database administrator in the Office of Information Technology; and Sara Stiffler, manager of the Civic Education Section in the Office of Public Information.

The Court also honored 40 employees for five, 10, 15, 20, 25, and 30 years of service.



From left: Greg Matthews, Jason Monroe, and Sara Stiffler.

2020 Year in Review

JAN

FEB

MARCH

APRIL

JAN. 6

The Court announces that 54 local court projects received \$3.2 million in technology grants.

JAN. 23

The Court publishes an extensive new Judicial Guide to Public Health to assist judges in preparing for health emergencies.

FEB. 7

The Court releases a new bench book to help mayor's courts navigate day-to-day operations.

FEB. 10

Justice Stewart addresses a crowded Courtroom audience on "The Harmony of Music and the Law" during the Court's annual Black History Month celebration.

FEB. 12

The justices approve a new amendment to the code of Judicial Conduct regarding judicial campaign contribution limits.

FEB. 13

Chief Justice O'Connor convenes a new task force to analyze wrongful convictions and make recommendations on improvements to the judicial system.

FEB. 14

The Court partners with the Ohio State Bar Association to provide sexual-harassment training to about 750 attorneys and judges.

FEB. 18

The chief justice and Administrative Director Jeff Hagler host the deans of Ohio and Kentucky law schools and members of the state's bar association to discuss key issues, including the Uniform Bar Exam.

FEB. 20

The Court and Ohio Access to Justice Foundation call on Ohio's 44,000 attorneys to complete a survey on pro bono services in an effort to gauge the state's efforts to provide legal assistance to needy Ohioans.

FEB. 28

Justices Fischer and Donnelly participate in a panel discussion hosted by the Ohio State Bar Association following a Columbus screening of the award-winning film "Just Mercy."

The Court opens a public-comment period on proposed amendments to the Rules for the Government of the Bar of Ohio and the Rules for the Government of the Judiciary of Ohio that address the process for investigating and prosecuting allegations of professional misconduct by Ohio judges and attorneys.

MARCH 10

Despite the cancellation of the statewide Dispute Resolution Conference, acclaimed attorney and renowned mediator Ken Feinberg delivers his keynote presentation to a small audience and for future video airing.

MARCH 14

☀ Chief Justice O'Connor issues her first guidelines to help local Ohio courts weather the coronavirus crisis and keep courts open across the state.

MARCH 19

☀ Chief Justice O'Connor participates in the governor's daily coronavirus briefing to discuss the operation of the state's court system and the public's access to its courts, in ways consistent with the state's public-health strategy; "Courts must be open to address emergency and time-sensitive matters," she says.

The chief justice also declares that the Ohio Supreme Court will offer millions of dollars in grants from its budget to help local courts acquire technology to operate during the public health crisis.

MARCH 27

☀ The Court issues a tolling order allowing for the delay of a variety of legal deadlines to help the state's courts grapple with the coronavirus crisis.

APRIL 7

☀ Chief Justice O'Connor releases a guide to the state's mayor's courts on how to operate during the coronavirus public health emergency.

APRIL 14

☀ The chief justice declares that the Rules of Practice of the Supreme Court will be reinstated for the Court on April 21, saying, "Our Court has the ability and obligation to continue hearing and considering cases and issuing decisions during this emergency period."

APRIL 20

The justices approve a new Model Uniform Traffic Ticket for the state.



Events related to the COVID-19 pandemic are marked with this symbol.

MAY

APRIL 28 – 29

The Ohio Supreme Court holds oral arguments using videoconferencing for the first time, with all justices and attorneys appearing remotely.

MAY 1

☀ Chief Justice O'Connor authorizes nearly \$6 million from the Court's budget for remote technology grants to 277 courts, in response to courts' urgent need to make operational changes under COVID-19 guidelines.

The Court announces that 124 people passed the February 2020 bar exam, a passage rate of slightly less than 50%.

MAY 6

☀ The Ohio Judicial College offers new web training called "Courts and Coronavirus," to help court staff learn how to operate successfully under public health guidelines.

MAY 11

The justices hold the 2020 spring bar admissions event virtually for the first time, due to the public health emergency.

MAY 11 – 14

The Ohio Judicial College holds orientation for 26 new judges during its biannual, weeklong orientation, completed via live webinars.

JUNE

MAY 13

☀ The Court postpones the summer bar exam due to public health concerns.

MAY 14

☀ The Court announces that recent law school graduates can apply to practice law pending admission while they wait to take the bar exam.

MAY 28 – 29

The Moyer Judicial Center, suffers extensive damage at the hands of vandals who took advantage of the widespread protests in downtown Columbus following the death of George Floyd by Minneapolis police.

MAY 29

☀ Justices Fischer and DeWine visit the Hamilton County Domestic Relations Court, seeing first-hand how the Supreme Court's technology grant of \$35,000 helps the court continue its work during the public health crisis.

JUNE 3

☀ The Court issues an order allowing any oath or affirmation required by a rule of the Court to be administered remotely by use of audio or video communication technology.

JUNE 4

Chief Justice O'Connor appoints 24 members of a new task force on conviction integrity and postconviction review, charging its members, including Justice Donnelly, with recommending improvements in criminal conviction procedures and how reviews are conducted after a conviction.

JUNE 8

☀ The justices issue an order addressing amended notarization requirements for certain Supreme Court forms during the coronavirus pandemic.

JUNE 29

☀ The Court touts mediation and technology as good remedies between home owners and lenders in a newly published guide on foreclosures and civil justice.

JUNE 30

☀ The Court adopts a revised mediation-training rule to assist in the anticipated increase in foreclosure and eviction cases during the pandemic.

JULY

JULY 3

Chief Justice O'Connor issues an Independence Day [statement](#) on criminal justice reform, saying, "The law recognizes the importance of equal justice. But it is up to our court systems, the judges, and the lawyers to ensure that the constitutional guarantees are applied equally."

JULY 13

Chief Justice O'Connor, Justice Donnelly, Criminal Sentencing Commission Director Sara Andrews and two appellate judges participate in a virtual public forum on criminal justice reform and the creation of a statewide sentencing database.

JULY 22

☀ The Court issues a report to state courts offering recommendations on handling an expected influx of eviction filings during the global pandemic.

JULY 23

☀ The Court approves a plan for attorneys to serve as volunteer election poll workers while earning credits for mandatory continuing education.

☀ The Court postpones the bar exam for an additional month, citing continued health-safety concerns.

AUG

SEPT


OCT

NOV

JULY 24

The Court issues more than \$700,000 in civil justice grants to 19 courts and court-related associations to help low-income, underserved, and disadvantaged Ohioans who need legal assistance.

JULY 31

 The Court issues an order to continue allowing remote appearances by parties in Ohio courts, as well as the remote administration of oaths and affirmations.

AUG. 4

The Court approves two amendments to the Code of Judicial Conduct revising certain requirements for judicial campaigns.


AUG. 7

 CBS This Morning features Chief Justice O'Connor on a segment in which she promotes Ohio's plan for lawyers to volunteer as poll workers to help close the expected shortfall of precinct officials during the general election.

AUG. 12

The Court issues a video showing the repairs to the Moyer Judicial Center and documenting the context of the events and circumstances that led to the peaceful protests and ensuing vandalism.

SEPT. 4


 The Court publishes guidance for state courts on the U.S. Centers for Disease Control and Prevention's directive halting evictions of home renters.

A sentencing committee releases 24 recommendations on uniform criminal sentencing to the Ohio Criminal Sentencing Commission.

SEPT. 10

The chief justice delivers her annual State of the Judiciary address live via remote technology, saying, "When those times present themselves, as judges, we must remember: If not us, who? Who is there to sit on the bench and try to mete out justice if not us?"

SEPT. 11

 Chief Justice O'Connor announces a new task force to study how courts used technology during the coronavirus pandemic and to identify best practices to be retained by courts after the public health crisis ends.

SEPT. 21

The Court enacts new uniform domestic relations and juvenile forms to help self-represented litigants access the justice system and to be used by parties, attorneys, and local courts around the state.

SEPT. 22

The Court accepts a portrait of former Justice Terrence O'Donnell during a morning Courtroom ceremony in which Justice O'Donnell addressed the small audience by videotape.

SEPT. 29

Justice Donnelly plays his guitar with fellow judges and attorneys, who together form the band "Faith and Whiskey," in the annual Jam for Justice event – virtual this year – to raise money for the Legal Aid Society of Cleveland.

SEPT. 30

The Judicial College holds three days of virtual orientation sessions for nearly 80 new magistrates.

OCT. 5 – 6

After multiple postponements due to COVID-19, the Court, for the first time, holds the two-day Uniform Bar Exam for nearly 1,000 applicants.

OCT. 13

 The Court issues two new bench cards to assist judges in managing case backlogs during the pandemic.


OCT. 15


The Court's Commission on Continuing Legal Education sanctions nearly 300 attorneys who failed to comply with their CLE requirements.

OCT. 19

The Court publishes a new toolkit to assist guardians appointed for Ohioans with developmental disabilities.

OCT. 30

 With COVID-19 cases and deaths escalating to record numbers, Chief Justice O'Connor issues a statement asking judges to adhere to stringent health precautions in their courtrooms.

 In a letter to Ohio's judges, the chief justice reminds the state's judiciary that they have the authority to continue jury and bench trials for defendants on a case-by-case basis if certain conditions are met.

NOV. 3

Justice Sharon L. Kennedy wins re-election to a second full term on the Court during the statewide general election.

Justice French loses her bid for re-election to Justice-elect Jennifer Brunner, who takes office in January 2021.



Events related to the COVID-19 pandemic are marked with this symbol.

NOV. 5

☀️ The Court issues new bench cards from its Language Services program to help courts working with sign, foreign language, video, and telephonic interpreters during the pandemic on the use of interpreters in remote hearings or functions.

NOV. 10

☀️ The Task Force on Improving Court Operations Using Remote Technology – iCOURT – surveys lawyers, judges, and court staff on how technology is being used during the pandemic.

NOV. 17

The justices recognize three Supreme Court staff members with Professional Excellence awards during a virtual ceremony, honoring their work in 2019.

The same ceremony, which was postponed earlier in the year, also honors 40 staff members' milestone service awards of five, 10, 15, 20, 25, and 30 years working for the Court.

NOV. 19

☀️ The Ohio Chapter of the American Board of Trial Advocates presents Chief Justice O'Connor with its Professionalism Award, stating, "Chief Justice O'Connor has clearly been our bellwether and led us through the crucible in this court coronavirus calamity."

NOV. 23

The Court launches two months of online educational programming in place of the annual Specialized Dockets Conference, which usually is the Court's largest annual event.

NOV. 24

The chief justice lauds the 1,026 Ohio attorneys who served as volunteer election-poll workers during the November election.

NOV. 30

The Court announces a 77%-passage rate for the October bar exam, saying 741 aspiring attorneys passed.

DEC. 10

☀️ Chief Justice O'Connor urges Gov. Mike DeWine to include the staff members of Ohio's courts in the state's Phase I distribution plans, saying the U.S. Department of Homeland Security has identified "judges, lawyers, and others providing legal assistance" as essential infrastructure workers.

DEC. 14

The Court holds its second virtual admissions ceremony welcoming nearly 750 new attorneys to the Ohio bar.

DEC. 7 - 11

Nearly 70 new judges participate in the Court's mandatory four-day orientation training, held virtually.

DEC. 17

☀️ Saying the next several months still will be difficult for courts operating under COVID-19 safety guidelines, the chief justice signs a 90-day order tolling case-time standards for Ohio's judges.



See the Supreme Court of Ohio website for a [full list](#) of all Supreme Court orders and resources related to the COVID-19 public health emergency.

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. The Administrative Division includes the offices of the Administrative Director, Chief Legal Counsel, Court Security, Fiscal Resources, Human Resources, Law Library, and Public Information. This division also oversees Court communication and outreach and provides support to the Court and Ohio judiciary in the areas of fiscal, human resources, and records management.

ATTORNEY SERVICES DIVISION

The Attorney Services Division assists the Supreme Court in its regulation of the practice of law in Ohio. This division includes the Office of Bar Admissions.

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 Supreme Court. In addition, the office maintains case dockets, the Court's journal, and relevant trial, appellate, board, and agency records. The office prepares and issues Court orders, schedules oral arguments and other case-related matters for the Court's consideration, and coordinates interagency communication in death-penalty cases. The division includes the Office of the Reporter, which publishes Supreme Court, appellate, and trial court opinions.

COURT SERVICES DIVISION

The Office of Court Services supports trial and appellate courts in the administration of justice. Its staff provides traditional and innovative services in response to and with respect for the needs of the courts and the public.

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, and ensures the safety and comfort of guests.

INFORMATION TECHNOLOGY DIVISION

The Information Technology Division operates the Supreme 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.

JUDICIAL & EDUCATION SERVICES DIVISION

The Office of Judicial Services is the lead office of the division, which includes the Ohio Judicial College. The Office of Judicial Services coordinates the management of division projects and provides oversight of the judges' database, support services for the creation of new judgeships, and the assignment of visiting judges. The Judicial College provides educational programs for Ohio's judges and non-judicial court personnel, as well as training for those Ohioans who serve as guardians ad litem and adult guardians.

LEGAL RESOURCES DIVISION

The Office of Legal Resources assists in resolving complex legal issues pending before the Supreme Court.

AFFILIATED OFFICES

In addition to its eight divisions, the Supreme Court has four affiliated offices with quasi-independent status because of the nature of their work: the Office of Disciplinary Counsel, the Ohio Board of Professional Conduct, the Lawyers' Fund for Client Protection, and the Ohio Criminal Sentencing Commission.

Complete descriptions of all Supreme Court offices and the affiliated offices are available at sc.ohio.gov/AdminOffices.

CASE STATISTICS

Nearly 1,600 cases were filed with the Ohio Supreme Court in 2020.

	Jurisdictional Appeals	Merit Cases	Practice Of Law Cases	Total
Cases Filed	1,083	376	133	1,592
Case Dispositions	1,108	561	128	1,797

113%
CLEARANCE RATE



- **46.8%** Criminal
- **17.9%** Civil
- **23.5%** Miscellaneous¹
- **3.4%** Domestic Relations, Probate & Juvenile
- **8.4%** Practice of Law

685 | CASES PENDING ON JAN. 1, 2020

480 | CASES PENDING ON DEC. 31, 2020

¹ Miscellaneous cases include certified conflict cases, certified questions of state law, direct appeals, original actions, and administrative appeals.

CASES FILED IN 2020

1,083 Jurisdictional Appeals

1,025	Jurisdictional Appeals
7	Death Penalty Postconviction Appeals
5	Appeals Involving Termination of Parental Rights/Adoption
46	Appeals from App.R. 26(B) Applications

376 Merit Cases

230	Original Actions
48	Habeas Corpus Cases
58	Direct Appeals (Cases Originating in Court of Appeals)
11	Certified Conflicts
0	Certified Conflicts Involving Termination of Parental Rights/Adoption
15	Appeals from Board of Tax Appeals
4	Appeals from Public Utilities Commission
2	Appeals from Power Siting Board
1	Death Penalty Cases
0	Appeals from App.R. 26(B) Application in Death Penalty Case
0	Certified Questions of State Law
0	Appeals from Denial of DNA Testing in Capital Case
0	Appeals of Contest of Election under R.C. 3515.15
0	Petition Challenges pursuant to Article II, Section 1g of the Ohio Constitution
0	Contests of an Election pursuant to R.C. 3515.08
7	Cases Purporting to Invoke Unspecified Original Jurisdiction

133 Practice of Law Cases

118	Disciplinary Cases
6	Bar Admission Cases
7	Unauthorized Practice of Law Cases
2	Other Matters Relating to the Practice of Law

1,592 Total Cases Filed

2020 FINAL DISPOSITIONS

1,112 Jurisdictional Appeals²

1,044	Jurisdictional Appeals ³
7	Death Penalty Postconviction Appeals
8	Appeals Involving Termination of Parental Rights/Adoption
50	Appeals from App.R. 26(B) Applications
3	Petitions to Transfer Board of Tax Appeals Appeal from Court of Appeals

557 Merit Cases

234	Original Actions
46	Habeas Corpus Cases
101	Direct Appeals (Cases Originating in Court of Appeals)
26	Certified Conflicts
2	Certified Conflicts Involving Termination of Parental Rights/Adoption
4	Appeals from Board of Tax Appeals
11	Appeals from Public Utilities Commission
1	Appeals from Power Siting Board
7	Death Penalty Cases
0	Appeals from App.R. 26(B) Application in Death Penalty Case
3	Certified Questions of State Law
0	Appeals from Denial of DNA Testing in Capital Case
0	Appeals of Contest of Election under R.C. 3515.15
0	Petition Challenges pursuant to Article II, Section 1g of the Ohio Constitution
5	Other Merit Cases
117	Jurisdictional Appeals Accepted for Merit Review ⁴

128 Practice of Law Cases

119	Disciplinary Cases
4	Bar Admission Cases
3	Unauthorized Practice of Law Cases
2	Other Matters Relating to the Practice of Law

1,797 Total Final Dispositions

² This category includes dispositions when the Court declined to accept jurisdiction and did not review the merits of the case.

³ This category includes jurisdictional appeals that were accepted and held, but later summarily decided without briefing.

⁴ This category does not include appeals that were accepted and held, but later summarily decided without briefing.

CASES PENDING ON DEC. 31, 2020

211 Jurisdictional Appeals

200	Jurisdictional Appeals
1	Death Penalty Postconviction Appeals
0	Appeals Involving Termination of Parental Rights/Adoption
10	Appeals from App.R. 26(B) Applications
0	Petitions to Transfer Board of Tax Appeals Appeal from Court of Appeals

211 Merit Cases

68	Original Actions
7	Habeas Corpus Cases
27	Direct Appeals (Cases Originating in Court of Appeals)
11	Certified Conflicts
0	Certified Conflicts Involving Termination of Parental Rights/Adoption
12	Appeals from Board of Tax Appeals
4	Appeals from Public Utilities Commission
1	Appeals from Power Siting Board
10	Death Penalty Cases
0	Certified Questions of State Law
0	Appeals from App.R. 26(B) Application in a Death Penalty Case
0	Appeals from Denial of DNA Testing in Capital Case
3	Other Merit Cases
68	Jurisdictional Appeals Accepted for Merit Review

58 Practice of Law Cases

46	Disciplinary Cases
5	Bar Admission Cases
7	Unauthorized Practice of Law Cases

480 Total Cases Pending

Judiciary/Supreme Court OPERATING EXPENDITURES

The Supreme Court of Ohio/Judiciary GRF budget totals **\$196.8 million**, which is used to support the operation of the Moyer Judicial Center, as well as the payment of the salaries of Ohio judges and district court of appeals staff.

	Expenditures FY 2020*	Percent of Total	Budgeted FY 2021**	Percent of Total
OHIO JUDICIARY				
Courts of Appeals Judges	\$ 14,395,166	7.3%	15,602,779	7.6%
Trial Court Judges	\$94,682,887	48.1%	98,696,207	48.1%
TOTAL OHIO JUDICIARY	\$109,078,053	55.4%	\$114,298,986	55.7%
COURT OF APPEALS STAFF	\$31,052,029	15.8%	\$34,624,504	16.9%
SUPREME COURT				
Supreme Court of Ohio Operations	\$50,889,731	25.8%	\$50,059,115	24.4%
Ohio Center for Law-Related Education	\$200,000	0.1%	\$200,000	0.1%
Ohio Courts Network Initiative	\$5,210,567	2.6%	\$5,435,625	2.6%
County Law Library Resources Board	\$226,772	0.1%	\$313,500	0.2%
Civil Justice Program Fund	\$224,718	0.1%	\$350,000	0.2%
SUPREME COURT TOTAL	\$56,751,788	28.8%	\$56,358,240	27.5%
OHIO JUDICIARY & SUPREME COURT TOTAL	\$196,881,870		\$205,281,730	

* Includes encumbrances and all fund sources.

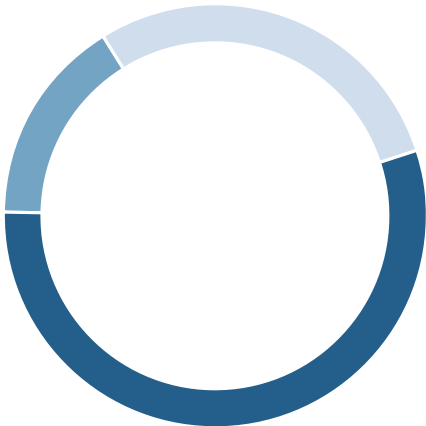
** Budget is as of January, fiscal year 2021.

NOTE: Numbers may be rounded up to the nearest dollar.

SOURCE: State of Ohio OAKS Fin System

Ohio Judiciary/Supreme Court

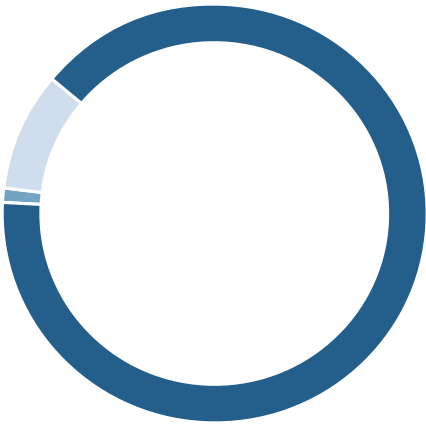
Fiscal Year 2020 Total Expenditures



- \$109,078,053
Ohio Judiciary
- \$56,751,788
Supreme Court
- \$31,052,029
Court of Appeals Staff

Supreme Court of Ohio

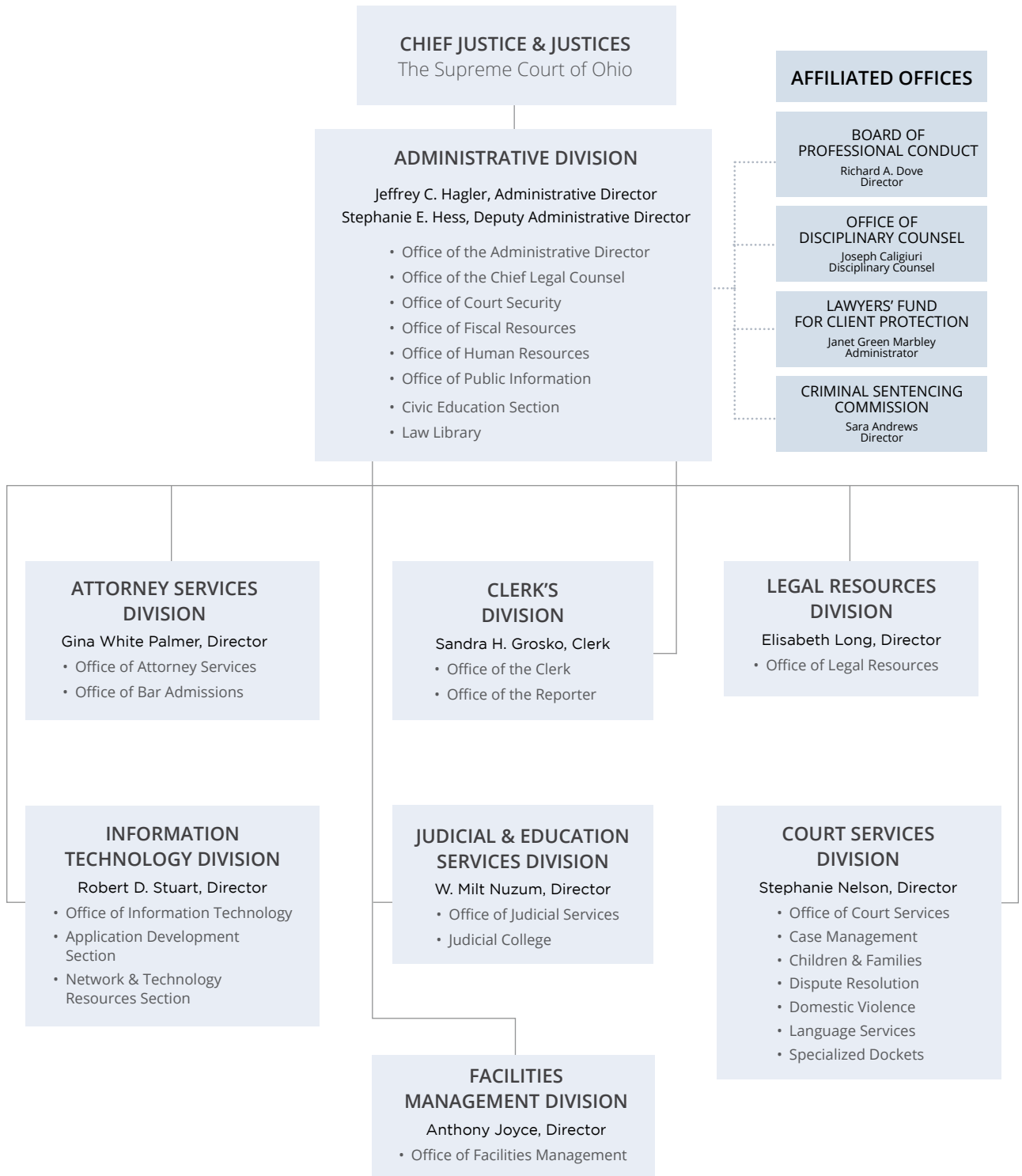
Fiscal Year 2020 Total Expenditures



- \$50,889,731
Ohio Supreme Court Operations
- \$5,210,567
Ohio Courts Network Initiative
- \$651,490
Ohio Center for Law-Related Education, County Law Library Resources Board, and Civil Justice Program Fund

THE SUPREME COURT *of* OHIO

2020 ADMINISTRATIVE STRUCTURE



BOARDS, COMMISSIONS, ADVISORY COMMITTEES, AND TASK FORCES

The Court relies on 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 help 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. To learn more about these bodies and the nature of their work, refer to sc.ohio.gov.

BOARDS

BOARD OF BAR EXAMINERS

Tiffany Kline
SECRETARY

Lisa Weekley Coulter
Jennifer E. Day
Patricia Gajda
Hon. Linda J. Jennings
Julie A. Jones
Kevin J. Kenney
Edward F. Kozelek
Robert M. Morrow
Michael E. Murman
William J. O'Neill
Hon. Fanon A. Rucker
Robert Sanker
Thomas J. Scanlon
Adam Seibel
John W. Waddy Jr.
Suzanne M. Waldron
C. Michael Walsh
Hon. Mark K. Wiest*

BOARD OF COMMISSIONERS ON CHARACTER & FITNESS

Gina White Palmer
SECRETARY

Charles H. Bean
Timothy Chai
Darrell A. Clay*
Faye D. Cox
McKenzie K. Davis
Brandon D. R. Dynes
Chad A. Heald
Bennett A. Manning
Hon. Denise L. Moody
James D. Sillery
Brian Sullivan
Hon. Marilyn Zayas

OHIO BOARD OF PROFESSIONAL CONDUCT

Richard A. Dove
DIRECTOR

George Brinkman
John R. Carle
James D. Caruso
Elizabeth E. Cary
Tim L. Collins
Hon. D. Chris Cook
Hon. Rocky A. Coss
Teri R. Daniel
David L. Dingwell
William H. Douglass
Lisa A. Eliason
Lindsay Ford Ellis
Robert B. Fitzgerald
Hon. Joseph Gibson
Thomas M. Green
David W. Hardymon
Lori A. Herf
Tad A. Herold
Hon. William A. Klatt
M. Lynn Lampe
Patrick M. McLaughlin
Danielle M. Parker
Kenneth E. Peller
Peggy J. Schmitz
Carolyn A. Taggart
Adrian D. Thompson
Hon. Adolfo A. Tornichio
Hon. John R. Willamowski
Hon. John W. Wise*
Patricia A. Wise
Frank C. Woodside III

BOARD ON THE UNAUTHORIZED PRACTICE OF LAW

Minerva B. Elizaga
SECRETARY

Richard L. Creighton Jr.
Leighann K. Fink
Roseanne Hilow
Kent C. Kiffner*
Jamar T. King
Paul T. Kirner
David A. Kutik
Amy Lewis
Jan A. Saurman
Wednesday G. Shipp
David Tom
David E. Tschantz
Alfred P. Vargas

LAWYERS' FUND FOR CLIENT PROTECTION

Janet Green Marbley
ADMINISTRATOR

Hon. Cassandra Collier-Williams
Gregory Delev
Jack R. Kullman Jr.*
Sara Peller
Hon. Guy Reece II (Ret.)
Monica Sansalone
Josue' Vicente

JUDICIAL COLLEGE BOARD OF TRUSTEES

M. Christy Tull
STAFF LIAISON

Hon. James W. Brown
Hon. Julia L. Dorrian
Thomas Freeman
Hon. David A. Hejmanowski
Hon. Mary Katherine Huffman
Hon. Stephen L. McIntosh
Hon. Maureen O'Connor

Hon. Jonathan Starn*
Hon. James T. Walther
Hon. Annalisa Stubbs Williams
Hon. Gene A. Zmuda

COMMISSIONS

COMMISSION ON CERTIFICATION OF ATTORNEYS AS SPECIALISTS

Bradley J. Martinez
SECRETARY

Steven A. Anderson
David S. Blessing
Justin R. Blume
Karen L. Bovard
Elizabeth Cooke
David R. Cory*
Jamie Eck
Janis E. Susalla Foley
Doron M. Kalir
Amy Beth Koorn
Patricia D. Lazich
Kathryn L. McBride
Hon. Thomas O'Diam
Hon. Colleen O'Donnell
Norman Ogilvie
David M. Rickert
Christopher Roederer
Thomas R. Theado

COMMISSION ON CONTINUING LEGAL EDUCATION

Gina White Palmer
SECRETARY

Douglas E. Bloom
Hon. Laurel A. Beatty Blunt
Julie A. Cohara
Hon. Marisa Cornachio
Richard L. Dana Jr.
Hon. William L. Dawson

Terri Enns
Barbara J. Howard
John C. Huffman
Tabitha D. Justice
Michael Kirby
Hon. Michael Krumholtz
Robert J. Mann
Hon. Michael Oster
Sky Pettey*
Stephen J. Pronai
Patricia Wagner
Karen Wiest
Kevin L. Williams

COMMISSION ON THE
THOMAS J. MOYER OHIO
JUDICIAL CENTER

W. Milt Nuzum
STAFF LIAISON

Lane Beougher*
Nils Johnson Jr.
Terence P. Joyce
Barbara Powers
Jeffrey W. Ruple
Cat Sheridan
Geraldine B. Warner
Stephen White
Gary Williams
Linda Woggon

COMMISSION ON
PROFESSIONALISM
Bradley J. Martinez
SECRETARY

Stephanie Adams
Felicia Bernardini
Hon. Timothy P. Cannon
Claudia Cortez-Reinhardt
Douglas Dennis
Eleana A. Drakatos
Mina Jones Jefferson
Jay Michael
Hon. Michelle Garcia Miller
Hon. Russell J. Mock II
Hon. Beth A. Myers
Denise Platfoot Lacey*
Karen E. Rubin
Emily C. Samlow
Hon. Latecia E. Wiles

*(Martha S. Asseff served as secretary
of the commission for part of 2020.)*

COMMISSION ON THE RULES
OF PRACTICE & PROCEDURE
IN OHIO COURTS

Jess Mosser
STAFF LIAISON

Rick Brunner
Richard S. Fambro
Hon. Alison Floyd
Hon. Richard A. Frye
Hon. Laura J. Gallagher
Jeff Hastings
John D. Holschuh Jr.
John Homolak
Hon. Mary Katherine Huffman
Daniel Izenson
Elizabeth Lenhart
M. Scott McIntyre
Hon. Donald Oda
Andrew S. Pollis*
Hon. Dana Preisse
Hon. James Shriver
Thomas J. Stickrath
Lori Tyack
Hon. Timothy VanSickle
Hon. Cheryl Waite
Jonathan Witmer-Rich
Judy C. Wolford

COMMISSION ON THE RULES
OF SUPERINTENDENCE

John S. VanNorman
STAFF LIAISON

Christopher Bazeley
Hon. David Bennett
T. Owen Beetham
Hon. Joyce Campbell
Hon. Donna Carr
Jeffrey C. Hagler, *ex officio*
Hon. David Hejmanowski
Hon. Thomas Januzzi
Gary Kohli
Tim Lubbe
Mark McCown
Hon. Jenifer Overmyer
Hon. Diana M. Palos*
Hon. Carol Ann Robb
Hon. Jonathan Starn
Hon. Matt C. Staley
Elizabeth W. Stephenson
Susan Sweeney
Hon. Terre L. Vandervoort

COMMISSION ON
TECHNOLOGY & THE COURTS

Robert D. Stuart
STAFF LIAISON

Hon. Thomas O. Beridon
Hon. Jeffrey J. Beigel
Berlin Carroll
Hon. Kevin W. Dunn
Barron Henley
Jason Hill
David Hunter
Nick Lockhart
Steve Longworth
Hon. Anita Laster Mays
Branden C. Meyer
Velta Moisio
Marlon Primes
Hon. Robert Rusu
Hon. Laura Smith
Brandon K. Standley
Hon. James Stevenson*
Hon. Jeffrey Welbaum
Hon. Latecia Wiles
Roger Wilson

COMMISSION ON
APPOINTMENT OF COUNSEL
IN CAPITAL CASES

Tammy White
STAFF LIAISON

Ann M. Baronas
Richard A. Cline
Jefferson Liston
Hon. Thomas Marcelain
John T. Martin*

OHIO CRIMINAL SENTENCING
COMMISSION

Sara Andrews
DIRECTOR

Lara N. Baker-Morrish
Hon. Kristin Boggs
Paula Brown
Brooke Burns
Hon. Beth Cappelli
Charles C. Chandler
Hon. Robert C. DeLamatre
Hon. John Eklund
Rick Fambro
Hon. Robert D. Fragale
Hon. Sean Gallagher
Kathleen Hamm

Gwen Howe-Gebbers

Ryan Gies
Hon. Terri Jamison
Hon. Jennifer Muench-McElfresh
Charles T. "Chip" McConville
Hon. Steve McIntosh
Kevin Miller
Aaron Montz
Hon. Maureen O'Connor*
David Painter
Elizabeth Poprocki
Hon. Bill Seitz
Hon. Nick A. Selvaggio
Larry L. Sims
Annette Chambers-Smith
Hon. Kenneth Spanagel
Brandon K. Standley
Hon. Cecil Thomas
Hon. Tyrone Yates
Timothy Young

COMMISSION
ON DISPUTE RESOLUTION

Catherine C. Geyer
STAFF LIAISON

Richard Altman*
Hon. Barbara Carter
Terrence Donnellon
Hon. Gene Donofrio
Lenny Eliason
Hon. Colleen Falkowski
Marc Fishel
Hon. Robert Fragale
William Froehlich
Douglas N. Godshall
Peggy Foley Jones
George Kaitza
Hon. Joyce V. Kimbler
Bryan Long
Marcie Patzak-Vendetti
James Petas
Hon. Karen Phipps
Hon. Lori Reisinger
Immy Singh

BOARDS, COMMISSIONS, ADVISORY COMMITTEES, AND TASK FORCES, CONTINUED...

COMMISSION ON SPECIALIZED DOCKETS

Monica Kagey
STAFF LIAISON

Abbie Badenhop
Lara N. Baker-Morrish
Hon. Teresa Ballinger
Hon. Jeffrey Benson
Mary Bower
Hon. Joyce A. Campbell
Hon. Theresa Dellick*
Hon. Ian B. English
Hon. Charlotte Coleman Eufinger
Scott Fulton
Susan L. House
Hon. John P. Kolesar
Marie Lane
Dawn Lucey
Laura Lynd-Robinson
Hon. David T. Matia
Wade Melton
Hon. Charles L. Patton
Hon. Jeffrey L. Reed
Robert Rice
Hon. James Shriver
Hon. Elizabeth Lehigh Thomakos
Hon. Annalisa Stubbs Williams

ADVISORY COMMITTEES

ADVISORY COMMITTEE ON CASE MANAGEMENT

Colleen Rosshirt
STAFF LIAISON

Hon. Craig R. Baldwin
Gretchen Beers
Elizabeth Blakley
Russell Brown
Hon. Kim A. Browne
Hon. Beth Cappelli
Hon. Michelle Earley
Hon. Laura J. Gallagher
Hon. Michael T. Hall
Hon. Kristen K. Johnson
Hon. Jerome J. Metz Jr.*
Hon. Michael Oster
Hon. Diane M. Palos
Hon. Tom Pokorny (Ret.)
Hon. John Rudduck
Elizabeth W. Stephenson
Hon. Terri L. Stupica
Susan Sweeney
Hon. Thomas Teodosio
C. Michael Walsh
Hon. Curt Werren
Hon. Latecia Wiles
Hon. Gene A. Zmuda

ADVISORY COMMITTEE ON CHILDREN & FAMILIES

David Edelblute
STAFF LIAISON

Jody Barilla
Hon. Anthony Capizzi
Hon. Denise Cubbon
Hon. Glenn Derryberry
Michelle L. Edgar
Ryan Gies
Hon. Elizabeth Gill**
Hon. Rosemarie A. Hall
Pamela Herringhaus
Patricia Hider
Hon. Steven Hurley
Matthew Kurtz
Hon. Denise Herman McColley**
Hon. Robert Montgomery
Hon. Dixilene Park
Hon. Matthew P. Puskarich
William Rickrich
Nicole Rodriguez
Doug Schonauer
Hon. Linda Tucci Teodosio
Craig Treneff
Tonya Whitsett

ADVISORY COMMITTEE ON COURT SECURITY

James P. Cappelli, Ryan J. Fahle,
& John A. Groom
STAFF LIAISONS

Tony Brigano
Hon. Chad Carey
Hon. Katarina V. Cook
Lorrain Croy
Andrew Elder
Hon. W. Scott Gwin*
Hon. Robert C. Hickson
Hon. Terri Jamison
Hon. Linda J. Jennings
Roger W. Kerner Jr.
David T. Marcelli
Hon. Eric Mulford
Hon. Gerald Parker
John Ralph
Hon. Cynthia W. Rice
Thomas Riggenbach
Hon. Christopher Roberts
Hon. Lee Sinclair (Ret.)
Kevin Talebi
Hon. Timothy Williams
Hon. Richard P. Wright

ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

Anne M. Murray
STAFF LIAISON

Cynthia Bailey
Hon. James Brown
Hon. Thomas Capper
Jennifer Dave
Micaela Deming
Michael Eachus
Hon. Marianne Hemmeter
Hon. Jeffrey Ingraham
Anthony Ingram
Richard Ketcham
Hon. Julie Monnin
Hon. David Nist
Hon. Andrea Peeples
Hon. Kathleen Rodenberg***
Alexandria Ruden
Hon. Joseph Schmenk
Hon. Laura Beth Smith
Hon. Linda Warner***
Hon. Richard Wright
Karen Zajkowski

ADVISORY COMMITTEE ON THE JUDICIAL FAMILY NETWORK

Dean T. Hogan
STAFF LIAISONS

Vallie Bowman-English
Susan Burchfield
Kelly Cicconetti
Jennifer Fuller
Tim Gorman*
Susan Hany
Sharon Hickson
Susan Ingraham
Bill Jennings
Kristine Puskarich
Laurie Repp
Cheryl Sieve
Sue Strausbaugh
Y. Elisia Triggs
Tom Zitter

ADVISORY COMMITTEE ON LANGUAGE SERVICES

Bruno G. Romero
STAFF LIAISON

Edward H. Chyun
Lisa K. Deters
Lidia Ebersole
Serpil Ergun
Rosalind C. Florez
Becky A. Guzman
Hon. David Hejmanowski*
John Homolak
Hon. Molly Johnson

Michael E. Kochera

Glenn A. Martinez
John Moore
Brian Patrick
Hon. Margaret M. Quinn
Hon. Suzan Marie Sweeney
Hon. Jazmin Torres-Lugo
Louis E. Valencia II
Hon. Gary L. Yost
Carlo Zambrano

COURT PERSONNEL EDUCATION & TRAINING COMMITTEE

Dot Keil & J. Kristopher Steele
STAFF LIAISONS

David Ballmann
Jody Barilla
Douglas Bettis
Sarah Brown-Clark
Michelle Butts
Carrie Connelly
Amy Gerstmeyer
Linda S. Janes
Kathy Lopez
Anthony Miller
Michael Moran
Michele Mumford
Juli Tice

OHIO CRIMINAL SENTENCING ADVISORY COMMITTEE

Sara D. Andrews
DIRECTOR

Jill Beeler
Douglas A. Berman
Jim Cole
Lori Criss
Paul Dobson
Hon. Doug Green
James Lawrence
David Magura
Jason McGowan
Karhlton Moore
Hon. Keith Spaeth
Hon. Paul Pfeifer
Cary Williams
Michael Williams
Andy Wilson
Hon. Gene A. Zmuda



TASK FORCES

TASK FORCE ON CONVICTION INTEGRITY AND POSTCONVICTION REVIEW

Justin T. Kudela
STAFF LIAISON

Sara Andrews
Hon. Pierre Bergeron
Hon. Rocky Coss
Hon. Michael P. Donnelly
Hon. Theresa Gavarone
Mark Godsey
Hon. David Leland
John Martin
Hon. Stephen McIntosh
Hon. Lindsay Navarre
Meredith O'Brien
Michael O'Malley
Tom Riggerbach
Hon. Nick Selvaggio
Andy Wilson
Hon. Dave Yost
Timothy Young
Hon. Gene A. Zmuda*

TASK FORCE ON IMPROVING COURT OPERATIONS USING REMOTE TECHNOLOGY

Kyana Pierson
STAFF LIAISON

Hon. Craig R. Baldwin
Douglas Bettis
Hon. Van Blanchard II
Hon. Rocky A. Coss*
Hon. Theresa Dellick
Hon. R. Patrick DeWine
Daniel P. Driscoll
Douglas W. Eaton
Hon. Ian B. English
Serpil Ergun
Hon. Jonathan P. Hein
Kelli R. Howard
Robert Incorvati
Nick Lockhart
Haley K. Martinelli
Ellen McCarthy
Velta Moisiso
Theresa Nelson
Hon. Deborah J. Nicastro

Hon. Andrea C. Peeples
Paul Rattermann
Kyle Silvers
Elizabeth W. Stephenson
Kenneth R. Teleis
Lori M. Tyack
Hon. James T. Walther

VISITING JUDGES

According to the Ohio Constitution, in the event of a recusal by a justice from a pending case, the chief justice can appoint any of the 69 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 2020.

HON. MICHELLE J. SHEEHAN
EIGHTH DISTRICT

*Pattiann McAdams
v. Mercedes-Benz USA, LLC, et al.*
Case No. 2018-1667
January 8

HON. DONNA J. CARR
NINTH DISTRICT

*ODJFS v. Delphi Automotive
Systems, LLC*
Case No. 2017-0553
January 29

HON. LISA L. SADLER
TENTH DISTRICT

State of Ohio v. Sharon D. Fips
Case No. 2018-1778
January 29

State of Ohio v. Mitchell Hartman
Case No. 2019-0184
February 25

HON. GENE A. ZMUDA
SIXTH DISTRICT

State v. Dent/State v. Walker
Case No. 2019-0651 / 2019-0654
February 26

HON. ROBIN N. PIPER III
TWELFTH DISTRICT

*State of Ohio/Village of Put-in-Bay
v. Mark Mathys and State of Ohio/
Village of Put-in-Bay v. Islander Inn*
Case No. 2019-0324
March 10

HON. LYNNE S. CALLAHAN
NINTH DISTRICT

*Madora Jones, Admin.
v. Cleveland Clinic Foundation, et al.*
Case No. 2019-0390
March 11

HON. ARLENE SINGER
SIXTH DISTRICT

*Defender Security Co.
v. Tax Commissioner of Ohio*
Case No. 2019-0531
April 28

HON. WILLIAM A. KLATT
TENTH DISTRICT

*City of Cincinnati
v. Fourth National Realty, LLC*
Case No. 2019-0898
June 3

HON. ROBIN N. PIPER III
TWELFTH DISTRICT

*City of Cincinnati
v. Fourth National Realty, LLC*
Case No. 2019-0898
June 3

HON. JOHN R. WILLAMOWSKI
THIRD DISTRICT

State of Ohio v. LaShawn Pettus
Case No. 2019-0914 / 2019-1027
June 16

HON. FREDERICK D. NELSON
TENTH DISTRICT

State of Ohio v. Adam Bowers
Case No. 2019-1282
July 7

HON. PIERRE BERGERON
FIRST DISTRICT

*Harmon Lingle and Mark Grosser
v. State of Ohio, et al.*
Case No. 2019-1247 / 2019-1309
July 8

HON. LAUREL BEATTY BLUNT
TENTH DISTRICT

State of Ohio v. Randy Jones, et al.
Case No. 2018-0444
August 4

HON. CANDACE C. CROUSE
FIRST DISTRICT

*Richard Binder, et al. and Gerald
Butterfield, et al. v. Cuyahoga County*
Case No. 2019-1232
August 4

HON. EILEEN A. GALLAGHER
EIGHTH DISTRICT

In re: R.B.
Case No. 2019-1325
August 5

HON. W. SCOTT GWIN
FIFTH DISTRICT

*Robert Wilson, et al.
v. Abubakar Atiq Durrani M.D., et al.*
Case No. 2019-1560
August 5

HON. WILLIAM A. KLATT
TENTH DISTRICT

*Robert Wilson, et al.
v. Abubakar Atiq Durrani M.D., et al.*
Case No. 2019-1560
August 5

HON. JOHN W. WISE
FIFTH DISTRICT

*Rayco Manufacturing, Inc.
v. Murphy, Rogers, Sloss & Gambel,
a Professional Law Corporation, et al.*
Case No. 2019-1498
August 18



HON. MICHELLE J. SHEEHAN



HON. ARLENE SINGER



HON. CANDACE C. CROUSE



HON. DONNA J. CARR



HON. WILLIAM A. KLATT



HON. EILEEN A. GALLAGHER



HON. LISA L. SADLER



HON. JOHN R. WILLAMOWSKI



HON. W. SCOTT GWIN



HON. GENE A. ZMUDA



HON. FREDERICK D. NELSON



HON. JOHN W. WISE



HON. ROBIN N. PIPER III



HON. PIERRE BERGERON

Visiting judges participated in remote oral arguments from April through August.



HON. LYNNE S. CALLAHAN



HON. LAUREL BEATTY BLUNT

This report is available for online viewing
and sharing at sc.ohio.gov/publications.

PUBLISHED BY
THE SUPREME COURT *of* OHIO
AUGUST 2021



THE SUPREME COURT *of* OHIO

2020 SUPREME COURT OF OHIO STAFF

OFFICE OF CHIEF JUSTICE MAUREEN O'CONNOR · Timothy P. Andersen · John D. Biancamano · Theresa M. Dean · Amy J. Ervin · Victoria C. Gooder · Sarah R. Stafford · OFFICE OF JUSTICE SHARON L. KENNEDY · Francis L. (Bud) Barnes III · Dorothy T. Gass-Lower · Alyssa A. Guthrie · James W. Sheridan · OFFICE OF JUSTICE JUDITH L. FRENCH · Pearl M. Chin · Sheena L. Helm · Jon E. Schelb · Kara N. Wells · OFFICE OF JUSTICE PATRICK F. FISCHER · Gerri L. Allen · Kylie A. Conley · Gregory R. Dick · Ronald L. Wadlinger II · OFFICE OF JUSTICE R. PATRICK DeWINE · Lina N. Alkanhawi · Hugh P. Dowell · Andrew T. Jordan · Daniel Z. Nelson · Lauren M. Staley · Paul D. Taske · Xin Wen · OFFICE OF JUSTICE MICHAEL P. DONNELLY · Robert L. Burpee · Christine A. Einloth · Cheryl L. Hannan · Rebecca F. Rabb · OFFICE OF JUSTICE MELODY J. STEWART · Caitlin Hill · Christina Madriguera · Arleathia Radcliffe · Timothy Riordan · Jaquan S. Williams · ADMINISTRATIVE DIVISION · Phillip Battle · Bethany L. Boston · Michael L. Bracone II · Marlys Watson Bradshaw · P. Michael Bradshaw · Diana L. Burroughs · Matthew J. Busser · Michael T. Callahan II · James P. Cappelli · Ronda E. Carver · William B. Crawford Jr. · Rachel M. Dilley · Carol C. Durley · Roger D. Eden II · Mary V. Edwards · Deborah S. Fagan · Ryan J. Fahle · Phillip A. Farmer · Mason T. Farr · Linda J. Flickinger · Nelson Roberto Frantz · Anna E. Gault · Timothy L. Gaunt · Michelle Graff · John A. Groom · Jeffrey C. Hagler · Stephanie E. Hess · Linda Hodge · Scott A. Irion · Jeffrey M. Jablonka · Michel M. Jendretzky · Sharon L. Jewett · Christine L. Kidd · Kenneth S. Kozlowski · Andrea N. Kulikowski · Michelle L. LaMaster · Erika L. Lemke · Lisa M. Lynch · Kathleen M. Maloney · Ely Margolis · Edward K. Miller · Jesse T. Mosser · Brandee E. Preston · Scott J. Schaller · Bryan M. Smeenk · George E. Smith · Sara S. Stiffler · Chelsey L. Stillwell · Csaba Sukosd · Davina Tate · Carol A. Taylor · James R. Theado · Jason L. Thomas · Daniel F. Trevas · Rodney M. Tyler · Terrence L. Upchurch · John S. VanNorman · Erin N. Waltz · Evan F. Ward · Lauren K. Watkins · Anne M. Yeager · CLERK'S DIVISION · Mary Joseph Beck · Katherine H. Biancamano · Alicia F. Elwing · Melissa M. Ferguson · Sandra H. Grosko · Kristopher A. Haines · Kimberly M. Hamiter · J. Fred Ingram · Joella Jones · Stephen M. Kahler · Stephanie B. Kellgren · Justin T. Kudela · Kaitlyn A. Mooney · Katherine J. Mosca · Douglas M. Nelson · Kathryn Patterson · Amy L. Reitz · Jodi L. Schneider · Anthony D. Schroeder · Katherine Szudy · LEGAL RESOURCES DIVISION · Kristopher Armstrong · Vladimir P. Belo · James F. Bumbico · Laura W. Dawson · Aaron D. Epstein · Daniel W. Fox · Erick Gale · Douglas H. Kohrt · Elisabeth A. Long · Robert C. Maier · Gregory P. Mathews · Ryan P. O'Rourke · Mel Prendergast · Kathryn E. Steveline · ATTORNEY SERVICES DIVISION · Elizabeth M. Arcos · Minerva B. Elizaga · Amie M. Chapman · Lori Gilbert · Ashlea M. Glaser · Niko M. Jackson · Tarik H. Jackson · Tiffany A. Kline · Penny L. Marchal · Bradley J. Martinez · Gina White Palmer · Kirstyn E. Podojak · Lori M. Robison-Embry · Shannon B. Scheid · Denise L. Spencer · Michelle A. Vasquez White · Tammy J. White · Cypress I. Williams · JUDICIAL & EDUCATIONAL SERVICES DIVISION · Terri R. Bidwell · Samuel A. Campbell · Christina L. Carter · Maria C. Danison · Christopher Fields · Samantha J. Goyings · Diane E. Hayes · Dean T. Hogan · Dot Keil · Lauren M. McMannis · Maria L. Mone · W. Milt Nuzum · Morgan E. Patten · Richard Presley · M. Christy Tull · J. Kristopher Steele · Katrina M. Webb · Debra E. Weinberg · Sharon L. Wells · Michael L. Woods · Cindy Wright · COURT SERVICES DIVISION · A. Renee Bellamy · Debra M. Copeland · Nicole DiCuccio · David Edelblute · Brian C. Farrington · Catherine C. Geyer · Joel M. Gottke · Christine L. Hahn · Quincella Harrison · Sarah E. Jeu · Monica D. Kagey · Kevin M. Lottes · Sheila Lovell · Katheryn Munger · Anne M. Murray · Stephanie Graubner Nelson · Kyana Darner Pierson · Bruno G. Romero · Colleen P. Rosshirt · Tasha R. Ruth · Lizett M. Schreiber · Latonya D. Adjei Tabi · Zachary M. Vicha · Alicia F. Wolf · INFORMATION TECHNOLOGY DIVISION · Kristina Halter Blake · W. Jeffrey Campbell · Randall Drum · Mark Dutton · J A Espinosa-Smith · Patrick A. Farkas · Randall J. Garrabrant · Christian L. Hampson · James A. Homer · Gregory K. Jarrett · Jeremy M. Johnson · Russell S. Johnson · Ryan C. Johnston · Joshua K. McCrea · Jennifer M. Middeler · Jason M. Monroe · Alan Ohman · Megan M. Real · Michelle A. Ridgway · Igor Stavniychuk · Robert D. Stuart · Lisa Marie Tenerove · Gerald K. (Butch) Thomas · Cynthia Ann Wendel · FACILITIES MANAGEMENT DIVISION · Susan Barkeloo · Robert J. Brown · Mary J. Harrison · Derrick K. Head · Anthony T. Joyce · Christopher R. Lozan · Riley J. McQueen · Troy A. Moran · Curtis Muhammad · Kristen N. Myers · Steven L. Neal · Ian N. Palmer · Joey L. Perkins · Sandra J. Preston · Michael A. Robison II · Harold F. Rutherford · Rick L. Stout · Linda F. Sykes · Richard L. Wardell · Jerry Williams · OHIO BOARD OF PROFESSIONAL CONDUCT · D. Allan Asbury · Richard A. Dove · Faith Long · Kristi R. McAnaul · LAWYERS' FUND FOR CLIENT PROTECTION · Meletha Dawson · Rikkhyia R. Favours · Janet Green Marbley · Abigail L. Wilson · OFFICE OF DISCIPLINARY COUNSEL · Paula J. Adams · Martha S. Asseff · Stacy Beckman · Adam P. Bessler · Jennifer A. Bondurant · Charles R. Bower Jr. · Michelle R. Bowman · Joseph M. Caligiuri · Jennifer A. Dennis · Linda Gilbert · Candie L. Gutierrez · Michelle A. Hall · Phoebe B. Heffron · Donald R. Holtz · Laura K. Johnston · Matthew A. Kanai · Cassandra R. Kilgore · Lori L. Luttrell · Christine McKrimmon · Lia J. Meehan · Sukia M. Neal · Thern E. Osborne · Karen Huang Osmond · Elizabeth Reynolds · Donald M. Scheetz · Kelli C. Schmidt · Samuel S. Simms · Katherine G. Stillman · Amy C. Stone · Audrey Varwig · OHIO CRIMINAL SENTENCING COMMISSION · Sara D. Andrews · Nikole D. Hotchkiss · Todd Ives · Scott Shumaker ·