

# The Supreme Court of Ohio

## MEMORANDUM

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**TO:** Chief Justice Maureen O'Connor

**CC:** Jeff Hagler, Administrative Director  
Stephanie Hess, Deputy Administrative Director  
Stephanie Nelson, Director Court Services Division

**FROM:** Judge Theresa Dellick, Chairperson of the Commission on Specialized Dockets  
Monica Kagey, Manager, Specialized Dockets Section

**DATE:** December 11, 2020

**SUBJECT:** Commission on Specialized Dockets 2020 Annual Report

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In accordance with Rule of Superintendence 36.11, please accept this annual report detailing the activities and accomplishments of the Commission on Specialized Dockets for 2020.

The Commission on Specialized Dockets was created on November 13, 2012 with the adoption of Rule of Superintendence 36.02. The purpose and duties of the Commission are defined in Sup. R. 36.03(A):

The Commission on Specialized Dockets shall advise the Supreme Court and its staff on all of the following: (1) the promotion of statewide rules and uniform standards concerning specialized dockets in Ohio courts; (2) the development and delivery of specialized docket services to Ohio courts, including training programs for judges and court personnel; (3) the consideration of any other issues the Commission deems necessary to assist the Supreme Court and its staff regarding specialized dockets in Ohio courts.

The Commission is comprised of twenty-two members. Appointments were made based on specific roles defined in Sup. R. 36.04(A). The Commission met for the first time on April 10, 2013. During 2020, Judge Theresa Dellick of the Mahoning County Juvenile Court continued to serve as the chair of the Commission and Judge James Shriver of the Clermont County Probate/Juvenile Court served as the vice-chair.

In 2020, the Commission met virtually six times. The Commission activities included:

- recommending the certification of specialized dockets;
- planning and executing the Fall Education Webinar Series;
- working on Commission subcommittees; and
- developing and disseminating guidance to local dockets pertaining to emerging issues.

### *Certification Recommendations*

As of December 31, 2020, the Commission approved 92 specialized dockets for final certification during 2020. Re-certifications accounted for 82 of the dockets, and 10 of the dockets were new programs. Currently, there are 256 operational specialized dockets in Ohio that have achieved either initial or final certification with an additional six dockets that have more recently submitted their applications.

### *2020 Fall Education Webinar Series*

Due to COVID-19, the Annual Specialized Dockets Conference was converted to a virtual education series offered throughout the Fall. With the guidance of the Commission, the specialized dockets staff selected 16 of the sessions originally scheduled for the conference and worked with faculty to convert each to a webinar. Each session included a 60-minute presentation and up to 30 minutes of live interaction with the presenting faculty. The series started on October 15, 2020 and concluded on December 18, 2020. The average number of attendees at a session was 200, ranging from 72 to 302.

### *Commission Subcommittees*

Due to the restrictions and demands of COVID-19, the work of the Commission previously executed by subcommittees transitioned to the Commission at large and section staff throughout 2020.

Implementation of the data reporting requirements of Certification Standard 12-Effectiveness Evaluation continued during 2020. Despite the pandemic, the majority of dockets remained in compliance with the data reporting requirement. Overall, 92% of dockets have reported their data on at least one occasion since implementation; 83% have reported at least once since March of 2020; 72% have reported once during the last 90 days; and 62% submitted the report that was due by November 15, 2020. Of the 4% that have never reported, six are dockets that became operational in 2020 and may not yet have data to report. Previous to the pandemic individual outreach to each docket was completed. In 2021, new and additional enhancements to the data collection system, including the implementation of the drug court flag in the Ohio Automated RX Reporting System, will be released. Section staff will use this opportunity to provide support and technical assistance to any docket not yet reporting.

The public comment period for the Commission's proposed amendments and additions to Sup. R. 36.20-36.28 and its Appendix concluded on January 15, 2020, and resulted in only one comment. The comment was related to drug testing and was congruent with the guidance that was issued by the Commission on Specialized Dockets in 2017. Therefore, no action was necessary. Judge Dellick and Judge Shriver presented the revised rules and certification standards to the Court on August 18, 2020 and recommended the adoption of the proposed amendments with an effective date of January 1, 2021. The Court adopted the recommendation.

### *Emerging Issues*

The Commission continued to develop specific guidance for Ohio's dockets during 2020. Specifically, three guidance documents addressing the ongoing operation of specialized dockets during the pandemic were drafted and distributed. The first document, titled *Ideas and Considerations for Specialized Docket Responses to COVID-19*, addressed precautions, contingency planning, participant monitoring, treatment services and recovery supports, drug testing, treatment team meetings and status review hearings, and workforce considerations. Additional guidance, *Specialized Docket Certification Standards - COVID Guidance*, outlined Ohio's certification standards and recommends specific adjustments to each standard for the ongoing administration of dockets. Finally, *Stay Connected: Teleservices* provided a comprehensive listing of local, state, and national resources and references for

the implementation of virtual treatment, mutual support groups, supervision, and conference call services.

Thank you for your support and the continued opportunity to promote the advancement and provision of specialized docket services to Ohio courts. We welcome your feedback and suggestions on the work of the Commission.