

# The Supreme Court of Ohio

## GUIDELINES FOR SUPREME COURT ADVISORY COMMITTEES

These guidelines are issued by the Chief Justice of the Supreme Court and apply to the creation, organization, and operation of advisory committees that may be established by the Chief Justice to assist the Court in exercising the authority granted pursuant to Article IV of the Ohio Constitution.

These guidelines are intended to establish consistent standards and expectations in implementing this authority. While these guidelines may impose specific duties upon other persons, the Court may waive compliance with any guidelines to assist the exercise of that discretion.

These guidelines have not been adopted as rules pursuant to Article IV, Section 5 of the Ohio Constitution and should not be construed as requiring adoption.

### SECTION 1.0. GENERAL GUIDELINES.

#### 1.1. Creation.

The creation of an advisory committee may be authorized only by the Chief Justice upon notice to the Court.

#### 1.2. Purpose.

The purpose of an advisory committee is to provide ongoing advice to the Court and staff of the Court on the subject matter for which the advisory committee is created. When creating an advisory committee, the Chief Justice shall indicate the purpose for which the advisory committee is created and the expectations upon the advisory committee in meeting that purpose.

#### 1.3. Authority.

An advisory committee shall not have independent policy-setting authority.

### SECTION 2.0. ADVISORY COMMITTEE MEMBERSHIP.

#### 2.1. Appointments.

An advisory committee should consist of approximately ten to twenty-five members. The Chief Justice shall appoint all advisory committee members. However, the advisory committee and other interested parties may recommend to the Chief Justice persons for appointment who they believe will serve the purpose for which the advisory committee was created.

Membership should be broad based and multi-disciplinary when required to represent a cross section of interests related to the subject matter of the advisory committee. The membership should include judges, attorneys representing the various perspectives of the bar, and court professionals, including court administrators and clerks. When appropriate, the membership should also include representatives of appropriate funding authorities, representatives from executive branch agencies, recognized professionals in the subject matter, and lay persons.

Membership should represent the gender, racial, ethnic, political, and geographic diversity of the state.

## **2.2. Terms.**

An advisory committee member's term shall be for three years, provided that initial appointments to a newly-created advisory committee may be abbreviated and staggered to allow for a rotation of members. An advisory committee member shall be eligible for reappointment, but shall not serve more than two consecutive full three-year terms. An advisory committee member shall be eligible for reappointment after serving two consecutive full three-year terms, but only upon at least a six-month break in service. Abbreviated initial appointments and appointments to fill a vacancy shall not constitute a full term.

## **2.3. Chairperson; Vice-Chairperson.**

The Chief Justice shall appoint one advisory committee member to serve as the chairperson and one member to serve as the vice-chairperson. The Chief Justice may appoint co-chairpersons if appropriate.

# **SECTION 3.0. ADVISORY COMMITTEE MEETINGS.**

## **3.1. Meetings.**

An advisory committee shall meet a minimum of two times per year. All meetings of the advisory committee shall be open to the public, except in circumstances where the topic or issues being considered concern issues of the safety of judges and court personnel or the security of courts and courthouses.

Public notice of all meetings of an advisory committee shall be provided on the Court's Web site. Meetings shall be scheduled for a time and place so as to minimize costs to the Court and to be accessible to advisory committee members, Court staff, and members of the public.

## **3.2. Attendance.**

An advisory committee member shall make a good faith effort to attend each advisory committee meeting. Should an advisory committee member miss three consecutive

meetings, the advisory committee or the Court employee who staffs the advisory committee may recommend to the Chief Justice the member relinquish the member's position on the advisory committee.

An advisory committee member who is unable to attend a meeting may request the chairperson allow the member to participate by telephone, video, Web conference, or other method available to the Court. An advisory committee member participating in this manner shall be considered present for meeting attendance purposes. However, advisory committee members should be strongly urged to participate in person for a fully effective advisory committee.

An advisory committee member may occasionally designate a replacement for participation in meetings.

### **3.3. Quorum.**

There shall be a quorum present for the work of an advisory committee when a majority of advisory committee members is present for the meeting, including those members who participate by telephone, video, Web conference, or other method.

### **3.4. Voting.**

At any meeting of an advisory committee at which a quorum is present or has been declared, the advisory committee members may take action by affirmative vote of a majority of the members in attendance. Proxy votes shall not be permitted.

### **3.5. Minutes.**

Minutes shall be kept at every meeting of an advisory committee and distributed to the advisory committee members for review prior to and approval at the next meeting.

## **SECTION 4.0. MISCELLANEOUS GUIDELINES.**

### **4.1. Subcommittees.**

An advisory committee may form such subcommittees it believes necessary to complete the work of the advisory committee. A subcommittee should consist of select advisory committee members and such other persons who the chairperson of the advisory committee believes will assist in a full exploration of the issue under the review of the subcommittee.

Subcommittees should remain relatively small in size, generally not exceeding eight to twelve members, and have a ratio of advisory committee members to non-advisory committee members not exceeding one to three.

Guidelines 3.2 through 3.4, 4.2, and 4.4 through 4.8 shall also apply to the work of subcommittees.

**4.2. Work Product.**

The work product of an advisory committee is the property of the Court.

**4.3. Annual Summary.**

The chairperson of an advisory committee shall issue by the 31st day of January of each year a summary to the Chief Justice and the Administrative Director detailing the activity and accomplishments of the advisory committee during the previous calendar year.

**4.4. Staff Support.**

An advisory committee shall receive staff support from one or more Court employees, to be assigned by the Administrative Director, as may be necessary for the completion of advisory committee's purpose. The Court employee shall assist the advisory committee as necessary, but shall at all times be considered an employee of the Court.

**4.5. Budget.**

The budget of an advisory committee shall be set by the Court through its annual budget process and as implemented by the office or section through which the advisory committee operates. The advisory committee shall have no authority to set its own budget.

**4.6. Reimbursement of Expenses.**

An advisory committee member shall be reimbursed for travel and meal expenses incurred in service to the advisory committee as permitted by the Guidelines for Travel by Court Appointees.

**4.7. Code of Ethics.**

The appointment letter for an advisory committee member shall include a copy of the Code of Ethics for Court Appointees. At the first meeting each year of the advisory committee, the Court employee who staffs the advisory committee shall provide each advisory committee member with a copy of the code.

**4.8. Dissolution.**

The Chief Justice may dissolve an advisory committee at any time solely upon the discretion of the Chief Justice or upon the recommendation of the Administrative Director or the advisory committee indicating the advisory committee is no longer productive or has met the purpose for which it was created.

#### **4.9. Operating Guidelines.**

Every advisory committee established by the Chief Justice shall operate under operating guidelines as promulgated by the Chief Justice, which shall be in a format substantially similar to these guidelines.

Effective Date: September 1, 2005

Amended Effective: January 1, 2010; February 1, 2011