

The Supreme Court of Ohio

Annual Report

1992

THE SUPREME COURT OF OHIO

ANNUAL REPORT

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INTRODUCTION

For the Supreme Court of Ohio, the year 1992 was marked by important events and accomplishments. Among the highlights:

1. The reelection of Chief Justice Thomas J. Moyer, the retirement of Justices Robert E. Holmes and Herbert R. Brown, and the election of Judge Francis E. Sweeney and State Senator Paul E. Pfeifer to the Court;
2. A record 2,646 new cases filed in the Supreme Court;
3. The first Ohio Conference on Substance Abuse and the Courts, a multi-disciplinary approach to the war against drugs as it relates to the courts;
4. A historic visit by a six-member delegation from Ukraine and the creation of a formal relationship between Ohio and Ukraine judiciaries;
5. The first National Conference on State Court Law Libraries was hosted by the Supreme Court Law Library, which is the first state supreme court law library in the nation to be fully automated;
6. Registration of more than 40,000 lawyers for the first time;
7. Creation of the Supreme Court Committee on Professionalism and the Commission on Certification of Attorneys as Specialists;
8. Completion of the five-year Court Visitation Project, under which the Supreme Court staff visited each of the 269 appellate and trial courts in Ohio;
9. Expanded Supreme Court services to trial and appellate courts, including the employment of a Dispute Resolution Coordinator, the addition of a Case Management Coordinator under a grant from the Governor's Office of Criminal Justice Services, a new jury management initiative, and the continuation of support efforts in statistics and court technology;

10. Receipt of a record two-year total of \$628,900 in grant funds to maximize the use of general revenue funds;
11. Consideration of 22 proposals to amend or adopt Supreme Court rules and rules of practice and procedure for Ohio courts; and
12. Significant activity by eleven standing committees and offices, seven special committees, and two committees and commissions created as a result of legislation.

KEY ISSUES AND EVENTS OF 1992

Introduction

The National Center for State Courts recently announced that for the first time in history there were more than 100 million cases filed in the state courts of the United States. This is one case for every two and one-half persons. The 3.1 million cases filed each year in Ohio represent one case for every three and one-half persons, and constitute 3.1 percent of all cases filed in state courts.

The statistics reflect dramatic increases in several areas. In the juvenile courts, support enforcement motions were filed at a rate 50 percent higher than the previous year. Delinquency bind over cases increased 15 percent and 65 percent in the last two years. Criminal felony cases rose at an annual rate of 5.5 percent and 64 percent over the last five years.

Growing caseloads, brought about at least in part by the increase in drug-related cases, and budget concerns have required a strong effort to improve efficiency and maximize the use of available court resources. The Supreme Court has assisted the Ohio judiciary in finding better methods of case management, using technology to enhance efficiency, implementing dispute resolution alternatives, and educating court personnel to help them provide better service to the public.

Ohio Conference on Substance Abuse and the Courts

In November 1991, Ohio was among 36 states with representatives at the first National Conference on Substance Abuse and the Courts. The purpose of the Conference was to foster communication and develop working relationships between and among the courts, criminal justice, education, health, and social service agencies, and to develop specific plans and long-term strategies that states may implement to address the impact of substance abuse on the courts. Chief Justice Thomas J. Moyer was Chairman of the Conference, and led the Ohio Team consisting of the Directors of the Departments of Alcohol and Drug

Addiction Services, Rehabilitation and Corrections, and Youth Services, the Superintendent of Public Instruction, State Public Defender, and the Presidents of Common Pleas Judges Association, Prosecuting Attorneys Association, and the Fraternal Order of Police.

On June 29, 1992, the Supreme Court hosted the first Ohio Conference on Substance Abuse and the Courts. A total of 75 participants representing 43 agencies and organizations, members of the judiciary, and members of the General Assembly attended the Conference. The purpose of the Conference was to identify and frame issues to be considered in revising the Justice chapter of The State of Ohio's Alcohol and Drug Addiction Services Plan ("Ohio Plan").

The Supreme Court, in cooperation with the Ohio Team, secured a \$78,500 grant from the State Justice Institute to help sustain this effort. The grant will support a project coordinator, two additional statewide conferences, and eight regional conferences. A February 1993 Conference in Columbus is intended to further define the goals, objectives, and activities appropriate for the Justice chapter. This will be followed in April 1993 with a forum to receive comments on a proposed draft of the Ohio Plan prior to submission to the General Assembly.

Ohio-Ukraine Judiciary Program

In August, a six-member delegation from Ukraine visited Ohio to formally begin the Ohio-Ukraine Judiciary Program. The delegation consisted of Dr. Fedor G. Bourtchak, Head of the Law Department of the Supreme Rada (Parliament) of Ukraine and Deputy Head of the Union of Lawyers of Ukraine; Dr. Alexander N. Jakimenko, Head of the Supreme Court of Ukraine; Dr. Vladimir O. Sumin, First Deputy Head of the Union of Lawyers of Ukraine; Igor I. Tseluiko, Deputy Head of the Law Department of the Supreme Rada of Ukraine; Dr. Evgueni T. Roulko, Professor of the Kiev State University; and Dr. Mychajlo Vasilievich Kostitsky, Dean and Professor of the Lviv University.

In Columbus, the delegation received a briefing on the United States and Ohio judicial systems, toured the Supreme Court, observed a complete trial at the Franklin County Court of Common Pleas, and visited The Ohio State University College of Law. In Cincinnati, the delegation toured state and federal courts, and in Cleveland, the delegation visited the Eighth District Court of Appeals and participated in several academic programs at Case Western Reserve University School of Law.

At the conclusion of the Columbus visit, a Memorandum of Understanding and a Protocol were signed to formalize the relationship between the Ohio and Ukraine judiciaries.

Law Library Assumes National Leadership

The Supreme Court Law Library, which is the largest state supreme court law library in the nation with more than 350,000 equivalent volumes, has assumed a leadership role among state court law libraries nationally.

In 1992, the Supreme Court Law Library became the first state supreme court law library in the nation to install a totally integrated online library system.

In November, the Supreme Court Law Library hosted the first National Conference on State Court Law Libraries, supported by a grant from the State Justice Institute. The Conference brought together judges, court administrators, and law librarians from across the nation (see pages 21B and 22B).

Court Visitation Project

The five-year Court Visitation Project was completed in 1992. In 1988, the Supreme Court staff began a series of visits to each of the courts of appeals, common pleas, municipal, and county courts. The purpose of these visits was to meet with judges, administrators, and other court personnel, tour court facilities, and be available to respond to questions and concerns. By the end of 1992, each of the 269 courts in Ohio had received at least one visit from the Supreme Court senior staff, in addition to hundreds of visits by Court staff to provide technical or administrative assistance.

Court Services Division

As part of the reorganization of the Office of the Administrative Director to place greater emphasis on service, support, and responsiveness to the trial and appellate courts, the court employed a Dispute Resolution Coordinator and, under a grant from the Governor's Office of Criminal Justice Services, added a Case Management Coordinator. The Office of Court Statistics and the Office of Court Technology and Services also provided direct technical assistance to trial and appellate courts.

Dispute Resolution

The Court took important steps to implement the recommendations of the preliminary report of the Supreme Court Committee on Dispute Resolution. The Dispute Resolution Coordinator was employed to provide technical assistance and training to trial and appellate courts.

There are now eight volunteer-staffed mediation programs operating in the small- and medium-sized municipal and county courts, and at least three additional programs will begin in 1993.

The Court co-sponsored a national symposium, "Business and Government Dispute Resolution, A National Symposium: New Approaches for New Times," for business and government attorneys, with the National Institute for Dispute Resolution, American Bar Association Standing Committee on Dispute Resolution, Ohio State Bar Association, Columbus Bar Association, and the Ohio Commission on Dispute Resolution and Conflict Management. At the Conference, Chief Justice Moyer joined Governor George V. Voinovich, the Ohio State Bar Association, and the Ohio Chamber of Commerce to encourage Ohio corporations to become signatories to the "Ohio Pledge," a formal commitment to engage in dispute resolution as an alternative to litigation.

The Supreme Court adopted Rule 81 of the Rules of Superintendence for Courts of Common Pleas, which requires domestic and juvenile courts to establish the qualifications of mediators in court-administered programs involving child custody and visitation matters. The Supreme Court also adopted an amendment to Rule 15 to authorize the use of arbitration in the juvenile and domestic relations divisions of the common pleas courts.

Case Management

A Coordinator of Case Management Programs was hired under a grant from the Governor's Office of Criminal Justice Services to: provide consulting services to courts seeking assistance; design educational seminars for judges and court personnel; assess case management practices statewide; establish a clearinghouse of case management information from courts nationwide; implement pilot delay reduction projects; and support attendance at courses on case management.

Jury Management Project

The Jury Management Project team was formed to review the American Bar Association "Standards Related to Juror Use and Management" and recommend proposed jury management standards for Ohio. The Center for Jury Studies of the National Center for State Courts provided support through a grant from the State Justice Institute.

The Court considered the standards proposed by the team in November. The standards were circulated to judicial and lawyer associations, and will be published for public comment in 1993.

Grants

The Supreme Court has received a record total of \$628,900 in grants during the last two years, including grants from the State Justice Institute, the Governor's Office of Criminal Justice Services, and the Ohio Commission on Dispute Resolution and Conflict Management. The grants maximize the use of state general revenue funds and assist the Court in developing new and innovative programs in a number of areas, including dispute resolution and case management.

The Governor's Office of Criminal Justice Services provided the two largest grants, more than \$241,000, to conduct educational programs and provide direct technical assistance to help courts manage their dockets more efficiently. A \$123,000 grant has permitted the Supreme Court's Judicial College to present regional conferences on court and case management, including: 1) basic and advanced case management; 2) substance abuse; 3) adult probation; and 4) court security. A related \$118,000 grant has enabled the Court to: 1) provide on-site consulting services in the area of case management to criminal and juvenile courts; 2) establish a clearinghouse of information on court delay reduction efforts nationwide; 3) develop a case management training seminar; 4) provide funding for judges and court personnel to attend courses on case management; and 5) support several pilot court delay reduction projects.

Another \$44,000 grant from the Governor's Office of Criminal Justice Services supported a project to develop computer software to assist juvenile courts in the automation of information processing and the collection and analysis of juvenile court data statewide. The Court is working with the Ohio Association of Juvenile and Family Court Judges to determine the categories of information to be included in the data system (see page 24B).

The Supreme Court has received a total of five grants from the Supreme Court Commission on Dispute Resolution and Conflict Management, including: 1) a two-part grant to implement model mediation projects in small- and medium-sized municipal courts in Zanesville, Cambridge, Marietta, and Lancaster (\$60,000), which had settlement rates in targeted cases of 80 to 93 percent; two additional courts, Sidney Municipal Court and Brown County Court have been added, and an implementation and training manual has been provided to more than 20 courts; 2) a child support, custody, and visitation mediation model in Summit County (\$23,000); 3) a model program for mediation of juvenile assault cases in Montgomery County (\$19,000); and 4) a program for training attorneys in settlement week and early neutral evaluation concepts (\$20,000) (see pages 4B and 5B).

In addition, the Court has received seven separate grants from the State Justice Institute: 1) continuing legal education for referees through the use of teleconferencing (\$38,553); 2) continuing legal education for domestic relations referees through the use of teleconferencing (\$20,000); 3) measurement of trial court performance standards (\$50,000) (see page 20B); 4) faculty development workshops for judges and referees (\$11,500); 5) the National Conference on State Court Law Libraries (\$39,932) (see pages 4B, 21B, and 22B); 6) a Judicial College course on "Domestic Violence: The Crucial Role of the Criminal Court Judge" (\$4,131); and 7) preparation and implementation of a revised Ohio Alcohol and Drug Addiction Services Plan with direct involvement of courts and law enforcement (\$78,500) (see pages 2B and 3B).

The Court has also supported several successful grant proposals of the Ohio Judicial Conference and numerous grant proposals from trial and appellate courts throughout the state.

Budgetary Issues

In June, the Chief Justice, reacting to Ohio's continuing budget crisis, again reduced the budget of the judicial branch of government by extending the 1992 cost-savings plan to fiscal year 1993, including a reduction in the use of assigned judges; delay in the development and implementation of Project Benchmark, the computerization plan for Ohio courts; a ban on virtually all out-of-state travel; reduction in expenditures for the Supreme Court Law Library; and delay in filling vacant positions at the Supreme Court and courts of appeals. Similar efforts were undertaken by the Judicial Conference and the Court of Claims.

SUPREME COURT CASELOAD STATISTICS

A record 2,646 cases were filed in the Supreme Court in 1992, including 279 original actions, 5 federal court certifications of state law questions, 77 disciplinary matters, 12 admissions matters, 1 miscellaneous practice of law case, and 2,272 appeals, as follows: 1,342 motions to certify the record, 723 motions for leave to appeal, 124 direct appeals, 22 certified conflicts, 44 appeals from the Board of Tax Appeals, 11 appeals from the Public Utilities Commission, and 6 death penalty cases.

For additional statistical information, see Appendices A through F.

RULES AMENDED OR ADOPTED IN 1992

The Supreme Court considered 22 proposals to amend or adopt Court rules and rules of practice and procedure for Ohio courts. The full text of proposed and final rule amendments are published in the Ohio Official Reports Advance Sheets and the Ohio State Bar Association Report; the publication and effective dates are listed in Appendix G.

Rules of Practice and Procedure

Pursuant to Article IV, Section 5(B) of the Ohio Constitution, the Supreme Court submitted to the General Assembly proposed amendments to the Rules of Evidence and Rules of Civil, Criminal, Appellate, and Juvenile Procedure. The amendments included provisions addressing: depositions by telephone; the charge to the jury before closing arguments; the trial court's authority to control and limit discovery; the appealability of partial final judgments; items that must be included in appellate briefs; and rulings by appellate courts on assignments of error. The amended rules took effect July 1, 1992.

Lawyer Advertising

A major revision of the rule governing lawyer advertising, Disciplinary Rule 2-101 of the Code of Professional Responsibility, was adopted by the Court effective January 1, 1993. Among other things, the amendments address the permissible content of broadcast and print advertisements and establish rules for direct mail solicitation.

Attorney Disciplinary Procedures

Rule V of the Rules for the Government of the Bar of Ohio relative to attorney discipline was completely rewritten. Substantive revisions included the establishment of minimum standards for certified grievance committees to promote greater consistency in the investigation and prosecution of complaints; creation of a procedure in lieu of discipline for minor misconduct; increased accessibility to the public of disciplinary actions taken by the Supreme Court; and increased reimbursement for certified grievance committees.

Lawyer Specialization

In response to a decision by the United States Supreme Court, the Court adopted a new rule regarding lawyer specialization. Rule XIV of the Rules for the Government of the Bar of Ohio was adopted, effective January 1, 1993, to create

a Supreme Court Commission on Certification of Attorneys as Specialists. The Commission will create a mechanism by which attorneys with special expertise in a field of law may become certified as specialists. In addition, Disciplinary Rule 2-105 was amended to create guidelines for attorneys certified as specialists to communicate the fact of their specialization to the public.

Unauthorized Practice of Law

At the request of the Board of Commissioners on the Unauthorized Practice of Law, Rule VII of the Rules for the Government of the Bar of Ohio was amended. The amendments include provisions to streamline and expedite proceedings before the Board, to provide for additional reimbursement to bar associations for their unauthorized practice of law activity, and to authorize the Board to issue informal, nonbinding advisory opinions on unauthorized practice of law matters. The amended rule will be effective January 1, 1993.

Commission on Professionalism

Rule XV of the Rules for the Government of the Bar of Ohio creates the Commission on Professionalism. The Commission, which is patterned after a similar Commission established in Georgia, was formed based on recommendations from the Supreme Court Committee to Study Creeds of Professionalism and the 1991 Bench-Bar Conference. The Commission is charged with implementing the education recommendations made by the Committee and Conference, monitoring professionalism activities in Ohio and other states, promoting professionalism activities, and recommending methods of enhancing professionalism.

SUPREME COURT ACTIVITIES

Report to the Ohio Judicial Conference

In his sixth annual report to the Ohio Judicial Conference on the State of the Judiciary in September, Chief Justice Moyer announced three important new programs. In response to suggestions from judges throughout the state, the Chief Justice announced that he would encourage the preparation of judicial impact statements to assess the effect of legislation on the judicial branch of government. Citing an excellent relationship with the leadership of the General Assembly and the Governor, he stated that, "We can do a better job of communicating to legislators the impact that many bills have upon the administration of our court system." Chief Justice Moyer stated that he plans to

meet with legislative leaders and work closely with the Judicial Conference and the judicial associations in this effort. The Judicial Conference and Supreme Court staffs will begin to prepare judicial impact statements on selected bills on a pilot basis in 1993.

The Chief Justice announced his intention to restore closer relationships with the federal judiciary. Subsequently, the state and federal judiciary met in Columbus on December 2 to discuss issues of mutual interest and concern, including diversity of jurisdiction, mass tort litigation, habeas corpus in the context of death penalty cases, problems relating to the image and resources of state courts, interaction between the judicial and legislative branches, and the formation of a state/federal judicial council.

Chief Justice Moyer also noted that budget restrictions and the opportunity to seek advice from states that have had futures commissions have delayed the implementation of the Commission on the Future of the Ohio Court System. He announced that the Commission will include five task forces: Alternative Court Structure, Technology, Family Relations in the Courts, Civil Cases, and Crime.

Off-Site Court Program

Since 1987, the Supreme Court has conducted court sessions in counties throughout the state, primarily for the benefit of high school students. In 1992, the Court heard oral arguments in Lorain, Lake, Henry, and Butler Counties; 1,700 high school students participated and a total of 3,400 attended these sessions. The law-related education program includes meetings with editors and reporters from high school newspapers, briefings prior to and following oral arguments, and related coursework.

In the last six years, the Court has held sessions in 23 sites; 10,200 students have attended sessions as part of a total attendance of 14,300.

Court Education Activities

Students from The Ohio State University College of Law and the Ohio Northern University Pettit College of Law, including exchange students from Iceland, attended sessions of the Supreme Court.

The Supreme Court continued to support the Ohio Center for Law-Related Education, its Mock Trial and Ohio Government in Action programs, and other Center activities. The Court provides financial support and is represented on the board of trustees and board of directors.

The Supreme Court participated in the Youth in Government Model Supreme Court program, with nearly 50 high school students involved in the Supreme Court program.

In April, the Court hosted a statewide moot court competition for middle school students, designed to educate students on the role of the judiciary. Each school was paired with a team of law students or lawyers who served as mentors for the students. Nine schools participated in this event, which was sponsored by the Law-Related Education Committee of the Ohio State Bar Association.

The Supreme Court continued its law student extern program with the Capital University Law and Graduate Center, The Ohio State University College of Law, University of Toledo College of Law, University of Cincinnati College of Law, and Ohio Northern University Pettit College of Law. A total of 60 students participated during 1992, serving all seven Justices and the offices of the Administrative Director, Counsel to the Court, and Reporter. All nine Ohio law schools are expected to participate in 1993.

For the sixth year, the Supreme Court participated in the Bench-Bar-Deans Conference sponsored by the Ohio State Bar Association to discuss legal education, admissions to the practice of law, and other issues of common interest to the nine Ohio law schools, the bar, and the judiciary.

The Court continued its participation in the Continuing Legal Education Consortium with the Attorney General, Legislative Service Commission, and other state departments and agencies. The consortium provides a curriculum of continuing legal education courses for government attorneys. In 1992, the consortium presented ten courses for a total of 29 possible credit hours.

SUPREME COURT STANDING COMMITTEES AND OFFICES

Board of Bar Examiners

Chairman: James F. DeLeone; Secretary: Marcia J. Mengel

The Court increased the size of the Board of Bar Examiners from 12 to 24 members. The Court and the Board continued to implement changes in the administration and grading of the bar examination as recommended in 1990 by the Bar Examination Review Committee.

Beginning with the February 1992 bar examination, the bar examiners provided an automatic regrade of all essays written by applicants whose examination scores

came within one point of passing. Following both the February and July examinations, the Board also published essay questions and selected essay answers written by applicants who had received passing examination scores.

The Board adopted substantive amendments to the Policy on Applicants with Disabilities. Pursuant to this policy, the Board granted special examination accommodations for the February and July bar examinations to 11 applicants with disabilities.

Rules Advisory Committee

Chair: Kathleen B. Burke; Secretary: Keith T. Bartlett

The Rules Advisory Committee continued to review proposed new rules and rule amendments submitted by the Court, bar associations, attorney and judge associations, and other interested parties. The Committee's annual recommendations were submitted to the Court, published twice for public comment, and, after revisions, filed with the General Assembly. Subsequently, fifteen substantive amendments to the Rules of Evidence and Rules of Criminal, Civil, Appellate, and Juvenile Procedure took effect on July 1, 1992.

The Committee also reviewed additional proposals that were submitted to the Court for initial consideration in September. The proposed amendments approved by the Court for submission to the General Assembly in January 1993 will, unless modified by the Court or disapproved by the General Assembly, take effect on July 1, 1993.

Board of Commissioners on Grievances and Discipline

Chairman: Irene Keyse-Walker; Secretary: Jonathan W. Marshall

The Board of Commissioners on Grievances and Discipline completed a comprehensive review and revision of Rule V of the Rules for the Government of the Bar regarding lawyer discipline. The amendments were adopted by the Court effective July 1, 1992, and the Board assisted the certified grievance committees in implementing the new provisions. The Board assisted the Court and the certified grievance committees in providing for partial reimbursement to local committees for ongoing grievance and discipline expenses.

The Board also: 1) conducted a search for a new Disciplinary Counsel; 2) at the request of the Court, began consideration of revisions to the Code of Judicial Conduct based on the 1990 ABA Judicial Code of Conduct; 3) received 70 requests for advisory opinions and issued 20 opinions on ethical questions arising

under the Code of Professional Responsibility, Code of Judicial Conduct, Rules for the Government of the Bar, Rules for the Government of the Judiciary, and the Ohio Ethics Law; 4) conducted a fourth statewide training seminar for members of certified grievance committees, interested lawyers, and members of the public; 5) presented 21 continuing legal education programs for Ohio judges and lawyers; 6) received 70 new formal complaints in 1992 and certified 50 cases to the Supreme Court; and 7) conducted 57 disciplinary hearings and decided 60 cases.

Office of Disciplinary Counsel

Disciplinary Counsel: J. Warren Bettis

The Office of Disciplinary Counsel received a record 2,530 complaints. The Office also reviewed 317 appeals from decisions of certified grievance committees of bar associations and investigated 40 allegations of unauthorized practice of law, bringing the total number of cases to 2,887. After investigation, the Office dismissed 2,547 disciplinary cases and took formal action before the Board of Commissioners on Grievances and Discipline in 37 disciplinary cases.

In addition, the Office of Disciplinary Counsel made presentations at 21 ethics seminars throughout the state.

Board of Commissioners on Character and Fitness

Chair: Suzanne K. Richards; Secretary: Marcia J. Mengel

Seventeen new character and fitness cases were filed with the Board; nine of these were appeals from admissions committees determinations, and eight were sua sponte investigations. The Board continued to examine character and fitness issues relating to substance abuse and the impact of the Americans with Disabilities Act of 1990. Also, Board members and staff visited nine law schools in Ohio and Northern Kentucky to discuss the character and fitness review process with law students.

Board of Commissioners on the Unauthorized Practice of Law

Chairman: Kenneth F. Seibel; Secretary: Keith T. Bartlett

The Board of Commissioners on the Unauthorized Practice of Law considered four formal complaints alleging the unauthorized practice of law and granted authorization to seek injunctive relief in the court of common pleas.

In September, the Board presented a statewide seminar on the unauthorized practice of law. The day-long workshop, the first ever presented statewide on this

subject, was attended by more than 100 attorneys, paralegals, bar association representatives, and others.

Amendments to Rule VII of the Rules for the Government of the Bar were finalized, submitted to the Court, and approved effective January 1, 1993. Included were provisions to streamline Board proceedings, authorize the Board to issue advisory opinions, and provide additional reimbursement to bar associations for the investigation and prosecution of unauthorized practice of law matters.

Articles written by Board members were published in local bar journals and plans were initiated for the Board to present a seminar at the 1993 Ohio State Bar Association annual meeting.

Traffic Rules Review Commission

Chairman: Kirwan M. Elmers; Secretary: Richard A. Dove

The Traffic Rules Review Commission held its annual meeting in February to consider several proposed amendments to the Traffic Rules and Uniform Traffic Ticket. The Commission recommended amendments that allow law enforcement officers to include more than one offense on a single ticket and permit elimination of the abstract of court record from the Uniform Traffic Ticket if traffic convictions are reported electronically to the Bureau of Motor Vehicles.

The Commission also considered a proposal to eliminate required court appearances for second moving violations within a year, but deferred action on the proposal until the General Assembly reclassified those violations as minor misdemeanors.

Board of Commissioners of the Clients' Security Fund

Chairman: Thomas A. Heydinger; Administrator: James E. Green

The Fund received and docketed 151 claims and made 60 awards totalling \$584,104. The number of claims docketed increased by approximately 51 percent over 1991, and the number of claims paid increased 170 percent.

The Board and staff of the Clients' Security Fund continued their efforts to reach persons qualifying for relief under the Fund through a targeted outreach program.

Committee on the Appointment of Counsel for Indigent Defendants in Capital Cases

Chairman: Judge Everett Burton; Secretary: Keith T. Bartlett

The Committee continued to monitor the operation and impact of Common Pleas Superintendence Rule 65, and began consideration of proposed amendments to the rule.

The Committee approved two continuing legal education seminars to fulfill the specialized training requirement of Rule 65, continued to certify new applicants who met the requirement of the rule, decertified attorneys who did not satisfy the two-year continuing education standard, and distributed two updated lists of certified counsel to all common pleas judges. A total of 637 attorneys currently are certified to accept appointment as counsel for indigent defendants in capital cases.

Commission on Continuing Legal Education

Chairman: Stanley A. Freedman; Secretary: Diane Chesley-Lahm

The Commission implemented a change in Rule X of the Rules for the Government of the Bar to eliminate the \$15 fee for continuing legal education administration and to charge fees for accreditation of activities and established sponsors. Forty-six organizations were designated as established sponsors.

A total of 17,145 attorneys with last names beginning from A to L were required to report the completion of at least 24 hours of approved continuing legal education, including two hours of ethics and substance abuse instruction, during the preceding two years. By March 31, 1992, 88 percent were in full compliance with the rule.

The Supreme Court issued 566 sanction orders during 1992 against attorneys with last names beginning from M to Z, the group required to report in 1991. In addition, the Commission held hearings on notices of non-compliance; processed 9,000 applications for accreditation of continuing legal education activities from 3,400 sponsors; and considered 22 appeals from the Secretary's denial of accreditation. Interim progress reports and final reporting transcripts were mailed to 15,500 attorneys with last names beginning from M to Z who were required to report for the second time by January 31, 1993.

Judicial College Board of Trustees

Chairman: Judge George M. Glasser; Executive Director: Laurence B. Stone

The Judicial College presented 66 days of courses to 4,167 attendees, up significantly from 1991. The College also presented seven two-hour judicial ethics and substance abuse sessions attended by 245 judges.

Eleven teleconference programs were conducted for domestic relations, juvenile, and municipal court referees, with a total of 832 attendees.

Under a grant from the Governor's Office of Criminal Justice Services, the College presented three two-day courses on caseload management (138 attendees), four two-day courses on substance abuse (273 attendees), and three two-day courses on the role of the adult probation officer (254 attendees).

The College also videotaped the popular course on "The Ohio Court System." The tape will be edited and made available to courts for use in training court personnel.

In addition, the College administered the registration of referees pursuant to Rule X, Section (3)(D) of the Rules for the Government of the Bar, and processed enrollments for more than 1,000 attorneys participating in the Court-sponsored continuing legal education programs.

SUPREME COURT SPECIAL COMMITTEES

Bench-Bar Committee

Co-Chairs: Sandra J. Anderson and Judge John J. Donnelly; Staff Liaison: Richard A. Dove

In conjunction with the Ohio State Bar Association, a new Committee was appointed to plan the third Bench-Bar Conference for March 18-19, 1993. The Committee began preparations for a two-day Conference at which judges and attorneys from throughout Ohio will meet to address the civil legal needs of the poor, funding the criminal justice system, and alternative dispute resolution and case management.

Advisory Committee on Court Technology

Chairman: Judge Thomas A. Swift; Staff Liaison: Edward J. Nyhan

The Committee continued to provide support to the Court and the Office of Court Technology and Services. The role of the Advisory Committee is to

identify and research strategic technology issues for the present and future. The second Ohio Court Technology Conference in 1992 provided extensive educational programs, demonstrations, and displays for courts at all stages of the automation process.

During the course of the year, the Committee was involved in detailed review of Project Benchmark and statewide standardization case numbering, issues that will continue into 1993 (see page 24B).

Committee on Dispute Resolution

Chairman: David A. Ward; Staff Liaisons: C. Eileen Pruett and Arthur J. Marziale, Jr.

The activities of the Committee on Dispute Resolution are described on pages 4 and 5.

Task Force on the Unauthorized Practice of Law

Chairman: Joseph F. Cook, Sr.; Staff Liaison: Keith T. Bartlett

In response to a request by the Ohio State Bar Association, the Supreme Court Task Force on the Unauthorized Practice of Law was established in 1990 to conduct a complete review of the status of the unauthorized practice of law in Ohio and Rule VII of the Rules for the Government of the Bar, and report to the Court. The Task Force completed its work in December and will issue its final report early in 1993.

Committee to Review the Supreme Court Rules of Practice

Chair: Justice Alice Robie Resnick; Staff Liaison: Marcia J. Mengel

In September, the Committee to Review the Supreme Court Rules of Practice completed an extensive review of the Rules of Practice and submitted a report to the Supreme Court recommending the adoption of new Rules of Practice.

In December, the Committee's proposed Rules, with Committee commentary and sample forms, were published for public comment. The Court is expected to finalize the new rules after reviewing public comments early in 1993.

Joint Task Force on Gender Fairness

Co-Chairs: Justice Alice Robie Resnick and Carol J. Suter

The formal part of the work of the Joint Task Force on Gender Fairness is drawing to a close. The Task Force will present a seminar regarding its work on May 13, 1993, as part of the Ohio State Bar Association convention.

In 1992, the Task Force continued its work on the "Ohio Legal Rights Handbook: With Emphasis on Women's Issues." The Handbook will be published in May 1993.

The Task Force also continued work on several other projects, including surveys to examine women attorney's roles in government positions and the position of women in law schools. The Task Force also reviewed the area of domestic relations. Educational programs based on information acquired through the work of the Task Force will be made available to judges and lawyers in 1993.

Civil Legal Needs Assessment Implementation Committee

Chairman: Denis J. Murphy; Staff Liaison: Richard A. Dove

Following through on the recommendations in the 1991 Ohio Legal Needs Assessment, the Committee secured legislative enactment of a temporary civil filing fee increase to provide additional moneys for Ohio's legal aid fund. Beginning in January 1993, it is estimated this increase will provide an additional five million dollars in funding to address a portion of the unmet civil legal needs of the poor identified in the Assessment.

The Committee developed a voluntary pro bono rule that was submitted to the Ohio State Bar Association. The proposed rule, which is modeled after a rule recently adopted by the Florida Supreme Court, recommends that each Ohio attorney annually provide a minimum of twenty hours of pro bono representation to indigent persons or make a monetary contribution to the Ohio Legal Assistance Foundation based on the number of years the attorney has been admitted to practice.

The Committee also proposed several items for inclusion in the biennial budget bill that will be considered by the General Assembly in 1993. These proposals include additional general revenue funds to support Ohio's legal aid programs, revising the provisions of the Interest on Lawyers' Trust Accounts (IOLTA) law to include title companies and obtain more consistency in the interest rates paid by financial institutions on those accounts, and formation of the Ohio Legal Assistance Foundation to administer funds earmarked for legal aid, provide a statewide voice for legal aid programs, and assist in adoption of additional recommendations contained in the Assessment.

The Committee recommended that the Supreme Court require each attorney to provide IOLTA information, including account numbers, on the attorney registration form filed with the Court.

STATUTORY COMMITTEES

State Criminal Sentencing Commission

Chairman: Chief Justice Thomas J. Moyer

The Commission continued its review of Ohio sentencing laws and further developed recommended changes to the state's sentencing structure. The Commission's reporting deadline was extended by the General Assembly to July 1993.

Task Force on Court Costs and Indigent Defense

Chairman: Justice Craig Wright; Staff Liaison: Richard A. Dove

After organizing in late 1991, the Task Force worked to fulfill its statutory responsibility of proposing revisions in the delivery of representation to indigent criminal defendants. In its September 1992 report to the General Assembly and Governor, the Task Force included 23 recommendations to address the delivery of services to indigent defendants, the funding of those services, and methods to contain and recoup the costs of providing indigent defense.

A second committee was appointed in late 1992 to implement the recommendations of the Task Force. The implementation committee consists of judges, county commissioner representatives, attorneys, and former legislators and is considering several statutory amendments for submission to the General Assembly.

OFFICE OF THE ADMINISTRATIVE DIRECTOR

Stephan W. Stover, Administrative Director

Court Visitation Program

In 1992, the Supreme Court staff completed a five-year program to visit each of Ohio's 269 trial and appellate courts (see page 4B).

Technical Assistance Program

Since 1988, the Supreme Court, in conjunction with the National Center for State Courts, has operated the Technical Assistance Program to foster innovative programs and stimulate improvements in the administration of Ohio's courts. In 1992, the Program granted \$20,610 to 13 individual projects. A fine and fee

collection improvement project study conducted by the National Center for State Courts at the Mansfield Municipal Court was completed. In addition, \$15,000 was allocated to the Judicial College for court personnel education programs.

Technical assistance projects included: 1) development of standardized forms for the preparation of orders, judgment entries, and other official documents used in Lucas County Court of Common Pleas; 2) collaboration by Henry and Wood County Juvenile Courts to facilitate an interdisciplinary training seminar for 300 staff members from 19 area juvenile courts; 3) sponsorship of health enrichment programs for the Cuyahoga County Common Pleas Court staff; and 4) preparation of a public information brochure by the Franklin County Municipal Court.

Legal and Legislative Services

The staff of the Supreme Court assisted in the addition or modification of six judicial positions through cooperative efforts with local courts and by providing reports, recommendations, and testimony to the General Assembly. New judges were added to the domestic relations divisions of the Butler and Stark County Courts of Common Pleas, the general division of the Stark County Court of Common Pleas, the juvenile division of the Montgomery County Court of Common Pleas, and the Findlay Municipal Court. In addition, the Bellefontaine Municipal Court was made a full-time court, effective January 1, 1994.

The Court proposed the amendment of Section 2303.201 of the Revised Code and the enactment of several similar statutes impacting on municipal and county courts to allow an existing filing fee for computerized legal research to be used for computerization of the courts. The amendment and enactment were proposed by the Supreme Court Advisory Committee on Court Technology and adopted in Amended Substitute Senate Bill 246, effective March 24, 1993.

Trial Court Performance Standards

Ohio is one of the four states participating in the National Center for State Courts project to evaluate the National Center's Trial Court Performance Standards. The three-year project is funded in part through grants from the State Justice Institute and the Bureau of Justice Assistance. The general division common pleas courts in Meigs, Wayne, and Stark Counties are participating as demonstration sites. The courts are testing 22 performance standards in the following areas: access to justice; expedition and timeliness; equality, fairness, and integrity; independence and accountability; and public trust and confidence.

Affidavits of Disqualification

The Ohio Constitution and state statutes authorize the filing of an affidavit of disqualification as a procedure for requesting removal of a judge from a case on the grounds of bias, prejudice, or interest. Additional improvements were made in the administration of affidavits of disqualification, including the issuance of additional bench opinions.

A total of 192 affidavits were filed, compared to 209 filed in 1991.

Assignment of Judges

The Chief Justice made 2,550 assignments of judges to trial and appellate courts.

Court Statistical Reporting Section

The Court Statistical Reporting Section held annual regional training sessions in the Spring. The five sessions were attended by over 200 judges, clerks of court, and other court personnel from nearly 150 trial courts. Twelve courts were visited for further training and consultation, and five formal presentations were made to various groups.

Court Personnel Meetings

The Supreme Court staff coordinated and hosted meetings of the administrators of the eight largest common pleas courts, administrators of the eight largest municipal courts, and several technology interest groups.

LAW LIBRARY

Paul S. Fu, Librarian

The Supreme Court Law Library is the first state supreme court law library in the nation to establish a totally integrated online library system, when the installation of the serials and circulation modules was completed in August.

The Supreme Court Law Library hosted the first National Conference on State Court Libraries, which was held in Columbus in November. The Conference was cosponsored by the Supreme Court of Ohio and the National Center for State Courts with funding provided by the State Justice Institute. The purpose of the Conference was to develop a national strategy to enhance the operational

capabilities of state and local court libraries despite current economic difficulties. Justices and judges, court administrators and court professionals, county law librarians, and supreme court and state law librarians from 36 states, one United States territory, and Australia attended the Conference. Chief Justice Moyer delivered the keynote address.

A total of 35,854 patrons visited the Law Library, including personnel from more than 60 state agencies. The Library added 7,571 printed volumes, 42,428 pieces of microfiche, and 236 rolls of microfilm to the collection. In addition, the library staff responded to 22,761 reference questions.

CLERK'S OFFICE

Marcia J. Mengel, Clerk

Clerk's Office

The Clerk's Office processed a record 2,646 new cases and scheduled 174 cases for oral argument. The Clerk's Office also processed 687 continuing legal education enforcement matters, filed with the Court pursuant to Rule X of the Rules for the Government of the Bar.

Admissions Office

The Admissions Office processed nearly 3,600 admission applications, including 1,537 law student registrations, 1,934 bar examination applications, 126 applications for admission without examination, and two applications for temporary certification under Rule IX of the Rules for the Government of the Bar. The Admissions Office also issued approximately 2,100 certificates of good standing in 1992.

Amendments to Rule II of the Supreme Court Rules for the Government of the Bar became effective on January 1, and resulted in a substantial increase in law student applications for legal intern certificates. During 1992, the Admissions Office issued 562 legal intern certificates, a nearly 75 percent increase over the number of certificates issued the preceding year.

The Office administered two bar examinations and two admissions ceremonies in 1992. During the February bar examination, 450 applicants were tested. In May, the Office conducted an admissions ceremony at the Ohio Theatre for the 338 successful applicants. At the July examination, 1,286 applicants were tested, and November admissions ceremony was held for the 1,068 successful applicants.

Attorney Registration Office

By the end of 1992, a record 40,680 attorneys had registered for the 1991-1993 biennium, with 33,799 registering for active status, 5,401 as inactive, and 286 for corporate status, a status available to certain attorneys not admitted to practice in Ohio. In addition, 1,194 attorneys had registered for "retired" status, a new status created by the Court in 1991 for attorneys age 65 and over who no longer practice law.

REPORTER'S OFFICE

Walter S. Kobalka, Reporter

The Reporter's Office published 315 full Supreme Court opinions, 24 abbreviated entries, and 47 miscellaneous orders and orders in chambers, for a total of 386 edited works of the Supreme Court. Also, 919 court of appeals opinions and 68 trial court opinions were published in the Ohio Official Reports. Through the publication of six special Advance Sheets, 759 additional court of appeals opinions and 67 trial court opinions were published, for a total of 1,678 court of appeals opinions and 135 trial court opinions.

Supreme Court opinions, announcement lists, rules, and notices accounted for 29 percent of the pages available in the weekly edition of the Ohio Official Reports. Court of appeals opinions accounted for 67 percent, and trial court opinions accounted for four percent of available pages.

The Reporter's Office, in cooperation with the Office of Court Technology and Services, continued electronic transmission to the official publisher of opinions, announcement lists, rules, and notices. Also in cooperation with the Office of Court Technology and Services, the Reporter's Office began a pilot project in May 1992 to electronically transmit the Court's announcements and the full texts of the Court's opinions to OSCAN, Internet and Cleveland FREENET so that the public will have access to this information electronically.

OFFICE OF COURT TECHNOLOGY AND SERVICES

Edward J. Nyhan, Manager

Speaking to the second Ohio Court Technology Conference in October, Chief Justice Moyer emphasized the importance of court technology in the Ohio court system, stating that increasing caseloads and stagnant budgets have required courts to use technology to operate more efficiently. The Chief Justice stated

that the role of the Supreme Court is to provide leadership and coordination in our complex and dynamic court system. The Office of Court Technology and Services, supported by the Advisory Committee on Court Technology, provided enhanced leadership and technical assistance in the area of court technology.

The Conference featured 21 programs and an exhibit area including computer, ergonomic office furniture, and audio visual equipment. More than 100 judges and court personnel attended.

The Court supported legislation to permit courts to collect court costs to finance automation. These bills, coupled with Ohio's Cooperative Purchasing Program, will permit trial and appellate courts to move more quickly to automation.

Project Benchmark, the Supreme Court's comprehensive effort to automate and link the courts, clerks, and other components of the judicial system into a single information network, was delayed because of the state budget concerns. However, the Office began background work on the organizational and technical issues to plan for Project Benchmark, which will be revived in 1993.

The Office coordinated efforts to form the Juvenile Data Network, the first step in Project Benchmark, which will develop an information network involving the juvenile courts, and promote the electronic exchange of information among various state and local agencies in the juvenile justice system. Along with the National Center for Juvenile Justice and the Ohio Association of Juvenile and Family Court Judges, the Office participated in the preparation of a report identifying the data elements to be collected on juvenile cases.

The Office also provided technical consulting to trial courts, hosted a users meeting for courts using Ohio Supreme Court Computer-Assisted Record Keeping (OSCAR), evaluated the Court's case tracking system, and made numerous enhancements in the Court's computer system.

PUBLIC INFORMATION OFFICE

Harry Franken, Communications Director

The Public Information Office provided a continuing program of public information and education, including weekly announcements of Court decisions, publication of summaries of 463 opinions and other actions of the Supreme Court, up from 186 in 1991; 88 news releases, up from 67 in 1991; and memoranda to the news media on issues to be argued before the Supreme Court.

The Public Information Office responded to more than 1,434 requests from the public for assistance or information. The Office continued an education program with The Ohio State University School of Journalism.

FISCAL OFFICE

M. K. Rinehart, Fiscal Officer

The Fiscal Office provided administrative and support services for the Supreme Court and appellate and trial courts. Functions of the Office include preparation and maintenance of payrolls, administration of fringe benefits, and planning and preparation of the biennial budgets for the Judiciary and Supreme Court.

The Fiscal Office processes eight payrolls each month. Approximately 19,700 payroll warrants and electronic fund transfer statements were distributed, as well as 6,535 warrants and electronic fund statements for expense reimbursement and payment to vendors and retired assigned judges. The Office also processed payments, monitored the accounts for 12 grants and submitted financial reports as required.

MASTER COMMISSIONERS

James R. Jump, Counsel to the Court

The Master Commissioners continued to provide research support for the Supreme Court, primarily in death penalty cases, appeals from the Public Utilities Commission of Ohio and the Board of Tax Appeals, disciplinary cases, original actions filed in the Court, and direct appeals originating in the courts of appeals.

COURT OF CLAIMS

Miles Durfey, Clerk

The Court of Claims has statewide, original jurisdiction over all civil actions filed against the State of Ohio. The Court sits in Franklin County.

Civil actions in the Court of Claims are determined in one of two ways. Actions against the state of \$2,500 or less are determined administratively by the Clerk or Deputy Clerk. Civil actions in excess of \$2,500 are heard and determined by a single judge.

The Court of Claims may review a civil action determined administratively and enter judgment, and may hear and determine an appeal taken from an order of a panel of commissioners. In either event, the Court's judgment can not be the subject of further appeal.

Civil Case Management

In 1992, 532 cases were decided by the judges of the Court of Claims. The number of pending cases at the end of the year was 488. The number of filings of civil administrative determinations decreased from 830 to 669. There were 714 dispositions of these cases, and by the end of 1992, the number of civil administrative determinations pending was 301.

Victims of Crime Compensation Case Management

A record 7,941 victims of crime compensation cases were filed in 1992, up 15 percent from 1991 and three and one-half times the number filed in 1987. A record 6,277 victims of crime cases were disposed of, up 23 percent over the previous record year of 1991. At the end of 1992, 6,472 cases were pending. In addition, the number of cases pending before the panel commissioners and the Court was 298 and 25, respectively.

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CASES FILED

<u>JURISDICTIONAL MOTIONS</u>	<u>1992</u>	<u>1991</u>
Motions to Certify	1,342	1,338
Motions for Leave	723	646
<u>MERIT DOCKET</u>		
Original Actions	279	303
Direct Appeals	124	124
Certified Conflicts	22	32
Appeals from Board of Tax Appeals	44	23
Appeals from Public Utilities Commission	11	11
Appeals from Power Siting Board	0	1
Death Penalty Cases	6	9
Certified Questions of State Law	5	3
<u>PRACTICE OF LAW CASES</u>		
Disciplinary Cases*	77	72
Admissions Cases*	12	14
Other Practice of Law Cases*	<u>1</u>	<u>0</u>
<u>TOTAL</u>	<u>2,646</u>	<u>2,576</u>

* See Appendix E for a breakdown of cases relating to the practice of law that were filed in 1992.

FINAL DISPOSITIONS*

JURISDICTIONAL MOTIONS (<u>Denied</u> or <u>Dismissed</u>)	<u>1992</u>	<u>1991</u>
Motions to Certify	1,233	1,173
Motions for Leave	<u>626</u>	<u>606</u>
TOTAL	<u>1,859</u>	<u>1,779</u>
MERIT DOCKET		
Original Actions	282	310
Direct Appeals	156	148
Certified Conflicts	39	30
Appeals from Board of Tax Appeals	31	37
Appeals from Public Utilities Commission	19	2
Appeals from Power Siting Board	0	1
Death Penalty Cases	14	14
Merit Cases Pursuant to Allowance**	175	177
Certified Questions of State Law	<u>4</u>	<u>3</u>
<u>TOTAL</u>	<u>720</u>	<u>722</u>

* See Appendix F for final dispositions of cases relating to the practice of law.

** This category includes all discretionary appeals that were instituted as motions to certify the record or motions for leave to appeal, allowed by the Court, and heard and disposed of on the merits.

DISCRETIONARY CASES ALLOWED

	<u>1992</u>	<u>1991</u>
<u>MOTIONS TO CERTIFY</u>	134	134
<u>MOTIONS FOR LEAVE</u>	<u>15</u>	<u>29</u>
<u>TOTAL</u>	<u>149</u>	<u>163</u>

CASES PENDING

<u>CASE TYPE</u>	<u>PENDING AS OF 1/1/93</u>	<u>PENDING AS OF 1/1/92</u>
Motions to Certify & Motions for Leave*	665**	614
Original Actions	67	67
Direct Appeals	88	120
Certified Conflicts	20	36
Appeals from Board of Tax Appeals	39	26
Appeals from Public Utilities Commission	8	16
Death Penalty Cases	13	21
Certified Questions of State Law	5	<u>0</u>
<u>TOTAL</u>	<u>905</u>	<u>900</u>

* This category includes jurisdictional motions that were awaiting Court review on the first of the year. It also includes discretionary appeals that had been allowed in by the Court and were pending on the merits on the first of the year.

** One hundred twenty-two of these cases had been allowed in by the Court and were pending on the merits as of January 1, 1993. The remainder were pending as jurisdictional motions.

CASES RELATING TO THE PRACTICE OF LAW

CASES FILED

<u>DISCIPLINARY CASES</u>	<u>1992</u>	<u>1991</u>
Regular disciplinary cases	45	42
Automatic suspensions for felony convictions	13	8
Resignations	13	14
Reciprocal discipline cases	2	2
Disciplinary cases involving judges	1	0
Miscellaneous disciplinary matters	<u>3</u>	<u>6</u>
<u>TOTAL</u>	<u>77</u>	<u>72</u>

ADMISSIONS CASES

Character and fitness cases	3	7
Miscellaneous admissions matters	<u>9</u>	<u>7</u>
<u>TOTAL</u>	<u>12</u>	<u>14</u>

OTHER PRACTICE OF LAW CASES*

Cases relating to the unauthorized practice of law		0
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* "Other practice of law cases" includes cases that were filed pursuant to the Supreme Court's exclusive constitutional authority over matters relating to the practice of law and that are not considered either disciplinary cases or admissions cases.

CASES RELATING TO THE PRACTICE OF LAW

FINAL DISPOSITIONS

<u>DISCIPLINARY CASES</u>	<u>1992</u>	<u>1991</u>
Public reprimands	11	25
Definite suspensions	14	6
Definite suspensions with probation	3	10
Indefinite suspensions	10*	14
Disbarments	1	4
Automatic suspensions for felony conviction	9	8
Automatic suspension cases withdrawn	0	1
Automatic suspension cases where Court decided to impose no discipline	2**	0
Resignations	12	15
Resignations withdrawn before Court action taken	0	1
Reciprocal discipline imposed	2	0
Reciprocal discipline cases dismissed	0	1
Disciplinary cases involving judges	0	1
Disciplinary cases dismissed by the Court	2***	0
Miscellaneous disciplinary matters	<u>4</u>	<u>5</u>
<u>TOTAL</u>	70	<u>91</u>
<u>ADMISSIONS CASES</u>		
Character and fitness cases	5	4
Miscellaneous admissions matters	<u>7</u>	<u>8</u>
<u>TOTAL</u>	<u>12</u>	<u>12</u>

* In 1992, four attorneys who had been publicly reprimanded were subsequently suspended by the Court for not complying with the Court's orders of reprimand. These suspensions are not reported in this category. The number reported here relates only to indefinite suspensions imposed on the merits.

** The Court declined to impose discipline under Gov. Bar R. V, Sec. 5 (interim suspension from the practice of law for a felony conviction) against two attorneys who were given treatment in lieu of conviction pursuant to Ohio Revised Code 2951.041. However, the Court did refer these matters to the Disciplinary Counsel of the Supreme Court for further investigation.

*** One case was dismissed upon respondent's resignation from the practice of law in Ohio. The other case was dismissed after the Board of Commissioners on Grievances and Discipline had reconsidered the matter on remand and recommended to the Court that the matter be dismissed.

1992 RULE AMENDMENTS

Crim. R. 30, 32, & 59; Evid. R. 608 & 1102; Civ. R. 30, 51, 53, 54, & 86; App. R. 3, 4, 5, 9, 12, 16, 24, & 33; Juv. R. 40 & 47--Rules Advisory Committee Recommendations

Final publication: July 27, 1992

Effective date: July 1, 1992

Code of Professional Responsibility, DR 2-101--Lawyer Advertising

Final publication: July 6, 1992

Effective date: January 1, 1993

C.P. Sup. R. 81 - Mediator Qualifications

Final publication: September 7, 1992

Effective date: September 7, 1992

Traffic Rule 3 and Uniform Traffic Ticket--Multiple Counts

Final publication: April 20, 1992

Effective date: June 1, 1992

Gov. Bar R. I, V, VI, X, and XX--Revised Attorney Discipline Rules and Reimbursement to Certified Grievance Committees

Final publication: July 27, 1992

Effective date: July 1, 1992

Gov. Bar R. XIV and DR 2-105--Lawyer Specialization

Final publication: November 30, 1992

Effective date: January 1, 1993

Canon 3, Code of Judicial Conduct--Supreme Court Justice Disqualification

Final publication: April 6, 1992

Effective date: February 25, 1992

Gov. Bar R. VII--Unauthorized Practice of Law

Final publication: November 2, 1992

Effective date: January 1, 1993

C.A Sup. R. 3 and 99; C.P. Sup. R. 76 and 99--Judicial By-Pass of Parental Notification in Abortion Cases

Final publication: November 2, 1992

Effective date: November 1, 1992

Gov. Bar R. XV and XX--Supreme Court Commission on Professionalism

Final publication: August 31, 1992

Effective date: September 1, 1992

M.C. Sup. R. 1, 13, and 99--Corrective Amendments

Final publication: July 6, 1992

Effective date: July 6, 1992

C.P. Sup. R. 15--Arbitration; Juvenile and Domestic Relations Cases

Final publication: November 30, 1992

Effective date: November 30, 1992

Gov. Bar R. XII--Rules Advisory Committee Membership
Final publication: November 2, 1992
Effective date: January 1, 1993

Gov. Jud. R. VI--Private Judging
Final publication: November 2, 1992
Effective date: November 2, 1992

Gov. Bar R. I, III, IV, and VIII; Gov. Jud. R. I, II, III, and IV--Gender Neutral Revisions
Final publication: November 30, 1992
Effective date: January 1, 1993

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**SUPREME COURT OF OHIO
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1992**

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