

SUPREME COURT OF OHIO

Annual Report
2000

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Supreme Court of Ohio Law Library
65 South Front St., 12th Floor
Columbus, Ohio 43215-3431

Year in Review

- Jan. 1 Court computers transition smoothly into the new year.
- Jan. 10 Court launches its first internal newsletter, *The Court Bulletin*.
- April 1 New rule giving priority to appeals of cases involving adoption and termination of parental rights becomes effective.
- April 12 Supreme Court conducts session in Geauga County.
 - Court releases opinion holding that Columbus city pool records containing personal information of swimmers are exempt from public disclosure (*McCleary v. Roberts*).
- April 17 Intranet site launched.
- April 28 Ohio's sex offender statute upheld as constitutional (*State v. Williams*).
- May 1 Ohio Courts Futures Commission final report issued.
- May 11 Supreme Court, for the second time, declares Ohio's school funding mechanism unconstitutional (*DeRolph v. State*).
- July 13 Chief Justice Moyer appoints 13-member task force to consider steps toward implementing findings of the Ohio Commission on Racial Fairness.
- July 25 Evaluation of practical legal skills incorporated into Ohio bar examination.
- Aug. 3 Post-release control provisions in Ohio's criminal sentencing statute upheld as constitutional, after Supreme Court finds no violation of the separation of powers doctrine or due process clause of the U.S. or Ohio Constitutions (*Woods v. Telb*).
- Aug. 23 Court decides that Kentucky has jurisdiction in controversial interstate adoption case (*In re Adoption of Justin Asente*). The ruling comes just one day after oral arguments, which attracted media attention from all over the state.
- Sept. 6 Supreme Court holds that Ohio does not recognize claims for wrongful life, and rules that a disabled girl cannot sue her mother's obstetrician for damages stemming from the child's congenital disabilities (*Hester v. Dwivedi*).
- Sept. 7 Advisory Committee on Technology and the Courts formed to assess the technology needs of all Ohio courts and develop standards to make all court computer systems compatible.
- Sept. 27 Ohio judicial campaign spending limits struck down by U.S. District Court.
- Oct. 1 Fees for bar exam raised from \$150 to \$225.
- Oct. 18 Supreme Court holds session in Fairfield County.
- Nov. 7 Justice Alice Robie Resnick is reelected to the court for a third term and Justice Deborah Cook is reelected for a second.
- Nov. 9 Taking note of attack ads by independent groups in the just-completed Supreme Court races, Chief Justice Moyer calls for intermediate and long-term campaign reforms.
- Dec. 14 The Supreme Court adopts a "Bridge-the-Gap" training program for new attorneys to help with the transition from law school to the real-world practice of law.

Hollon's Review

Steven Hollon, the Supreme Court's administrative director, looks back at 2000, assessing the pluses and minuses

What individual situation or issue did you find to be the most challenging in 2000?

I think getting my arms around the operation of the court. In my first few months here in 1999, I spent a great deal of time learning who is who and what is what. In 2000 I started to review the court's operational policies and procedures and how we do business and asked the question — is that the best way to do it? The process led to the creation of the Operations Committee and the Human Resources Committee.

What is the Operations Committee?

The purpose of the Operations Committee is to look at how we do business in terms of our fiscal policies, travel policies, purchasing policies, etc. All the daily business operational needs are run through this committee.

And what about the Human Resources Committee?

We have to keep in mind that we really did not have a separate office of Human Resources at the Court until July 1999. Before then, payroll was wrapped up in the Fiscal Office, and the remainder was managed through the Administrative Director's Office. In July of 1999, we created the Office of Human Resources, and we created it for an organization with 200 employees. The committee's charge is to help the human resources office get established within an already existing operation.

Quite a bit of time and energy was devoted to the position and salary classification plans. Please explain.

The development of a position classification plan and a salary classification plan was by far the most important thing we did internally and perhaps the most important thing that has gone on here in the last five years. With the aid of an outside consultant, we ranked our positions in relationship to one another in a position classification plan. We then developed a salary classification plan that built off the position classification plan. This has helped us put people in positions based upon objective criteria instead of subjective criteria that was used in the past. It has given our staff a sense of confidence that we are doing the very best job we can to make sure we recognize the valuable contributions made by all of our employees.

Where does the project go from here?

We have made significant strides but we still need to focus on performance evaluations. We see the total project as a three-legged stool. First, we completed the position classification plan, then we implemented the salary classification plan. The third leg is the development of performance evaluations. A subcommittee of the Human Resources Committee is working on that issue now. It is our intention to develop true performance evaluations that measure employee performance in an objective fashion and that will, to some degree, play into salary increases that staff receive. We see this as developing accountability — perhaps something that has been lacking in certain areas of government in the past. We are striving to bring modern business practices into the Supreme Court's operation.

Can you point to any outside or external accomplishments?

Yes, the Advisory Committee on Technology in the Courts. It signifies the new way we want to do business in terms of dealing with issues that affect judges and courts throughout the state. We are taking a topic that is large in scope, and using a multi-disciplinary approach to review its complexities, piece by piece. The committee is multi-disciplinary in the sense that we have judges, prosecutors, plaintiffs' counsel, MIS directors, clerks, administrators, local funding authorities, and law enforcement. We have brought them together to talk about technology issues. That group, in turn, will break down into subcommittees to address particular issues such as e-filing, digital signatures, the setting of standards, privacy matters, etc. We can apply that same model across the whole spectrum of issues facing the judicial system, and intend to do so in the years to come.

One of the external highlights was the completion of the Futures Commission report. It drew recommendations in many areas. What are your impressions and where do you think the court will take it?

The most important thing to remember about the Futures Commission report is that it is a vision for the next 25 years and not a vision for next week. The Futures Commission report has many new and innovative ideas, some of which are taking place today, some of which may take place within the near future, and some of which need to be looked at in a longer range approach. It is a blueprint of where the judicial system should be going. It is, in essence, a strategic plan that organizations need to undergo every five or 10 years. A lot of work and effort went into it, but it is certainly not the only document that is going to drive where the courts go over the course of the next quarter century.

Evidence of that would probably be the Racial Fairness Implementation Task Force that is still a work in progress.

Correct. The Racial Fairness Commission's Implementation Task Force, under the leadership of Judge Algenon Marbley of the U.S. District Court in Columbus, is diligently reviewing the recommendations of the Racial Fairness Commission Report that was issued in December 1999. We see promising work coming from that committee relating to such issues as a CLEO program, foreign language interpreters, and a need to look at all possible ways to increase diversity in the profession.

Of the different issues that you tackle, whether internally or externally, what was the easiest one? Were there any "slam dunks" that still had some challenge or significance?

As hokey as it may sound, I believe it is *The Court Bulletin*, our internal weekly communication piece we distribute to staff. It is a great communications device and I think it is the easiest thing we did. It is a link so that everybody does know what is going on and feels that there is some connectiveness. I believe the court's employees understand that we are paying attention to them by keeping them informed. This is hard to do when you have an institution of this size and spread out as much as we are.

What was not accomplished in 2000 that you had hoped would be?

The fact that we did not get written policies or rules in place. We want to develop these written policies and procedures and put them in the context of administrative rules and we did not complete that. I wanted to complete that by the end of 2000, and it looks like it is probably going to go on through the year 2001. This is not because of any neglect internally, because these committees are meeting regularly, but it is a question of volume and the level of discussion that is taking place. We want these issues to be thoroughly thought through. It is just taking longer than I had anticipated a year ago when we first set up these committees.

Final question – looking ahead to 2001 – what are your priorities?

Priorities that I have set for the administrative operation of the court deal with our Judicial and Court Services Division. We spent a great deal of time within the last year working on many internal things. We now want to turn our focus to external services, while we still manage some of the internal issues. The external services that we provide to judges and courts around the state need to improve. This is where the focus is going to be. It is our impression that judges and courts around the state are looking to us to provide this leadership. We get requests daily on technology questions, on case management questions, on drug and mental health court questions, on court relations, and on dispute resolution. We believe we have the obligation to provide as much leadership and assistance as possible. ■

Ohio Supreme Court Central and Judiciary Calendar Year 2000 Budget

Ohio Judiciary Calendar Year 2000 Budget

	Budgeted FY2000	Budgeted FY2001	Average for Calendar 2000
Courts of Appeals	\$23,436,488	\$23,864,679	\$23,650,584
Lower Courts	\$52,006,403	\$51,456,266	\$51,731,335
Total Ohio Judiciary	\$75,442,891	\$75,320,945	\$75,381,918

Ohio Supreme Court Central Calendar Year 2000 Budget

	Budgeted FY2000	Budgeted FY2001	Average for Calendar 2000	
Justices and Staff	\$2,992,373	\$3,181,190	\$3,086,782	12.9%
Administration	\$1,806,498	\$2,679,051	\$2,242,775	9.4%
Clerk's Office	\$1,911,539	\$1,999,169	\$1,955,354	8.2%
Reporter	\$728,675	\$637,558	\$683,117	2.9%
Library	\$2,871,367	\$3,220,053	\$3,045,710	12.7%
Legal and Legislative	\$2,077,020	\$2,376,965	\$2,226,993	9.3%
Court Operations	\$2,903,380	\$3,571,542	\$3,237,461	13.5%
Judicial and Court Serv.	\$5,558,456	\$5,186,420	\$5,372,438	22.4%
Attorney Registration	\$1,655,949	\$1,838,602	\$1,747,276	7.3%
Sentencing Commission	\$363,182	\$363,568	\$363,375	1.5%
Total Supreme Court Central	\$22,868,439	\$25,054,118	\$23,961,279	100.0%
Total Ohio Judiciary and Supreme Court Central	\$98,311,330	\$100,375,063	\$99,343,197	

Supreme Court Central
 \$23,961,279
 24.1%

Ohio Judiciary
 \$75,381,918
 75.9%

Sentencing Commission
 \$363,182
 1.5%

Justices and Staff
 \$2,992,373
 12.9%

Attorney Registration
 \$1,655,949
 7.3%

**Judicial and
 Court Services**
 \$5,558,456
 22.4%

Administration
 \$1,806,498
 9.4%

Clerk's Office
 \$1,911,539
 8.2%

Court Operations
 \$2,903,380
 13.5%

Reporter
 \$728,675
 2.9%

Legal and Legislative
 \$2,077,020
 9.3%

Library
 \$2,871,367
 12.7%

Technology... a Year of Progress



Ultimately it will be future generations who will decide if 2000 was the year the Supreme Court turned the corner on technology. But surely they will note it was a year of progress.

It was almost as if catapulted by the success of sailing through Y2K – no small feat for a system still heavily reliant on the ancient WANG – set the agenda for the next 12 months.

Changes were both tangible and symbolic. New hardware and software were purchased and additional staff was hired. And what, for years, had been the Office of Court Technology was renamed Information Technology.

The initiatives extended beyond the Supreme Court's 3rd floor, locked-down computer room. Serious efforts were launched towards establishing minimum technology standards for Ohio's courts and the promise of building a statewide network.

"The court took a new look at technology in 2000, making greater use of the efficiencies it offered and dedicating ourselves to making it state of the art," said Steven Hollon, court administrator. He readily acknowledges, "Still, there are miles to go."

David Saffle, who joined the court in May as the IT director, said he has attempted to shift the office's focus. "We are now more of a development shop than a maintenance shop."

This means more programs are written by IT staff rather than going outside to buy them.

"This makes us masters of our destiny. We can better customize and meet the court's needs, and at a lower cost," Saffle said.

And, of course, work continued to install new programs for attorney registration, admissions and case management. Once completed, the court will be able to forever cut itself loose from the WANG system that has lumbered along since 1988.

Programs and data from the WANG computer system were transferred to newer Microsoft-based computer systems. The old computer systems represented 80 different technologies that were not easily accessible. After developing a transfer plan, a database structure for new information was created. The project was split into seven areas and work progressed at different programming stages throughout the rest of the year.

The sense that the project is never-ending is because the offices that use the old system

rely so heavily on it, Saffle explained. "The painful part is you have to maintain the old system while you bring on the new systems. You can't just stop supporting the old system."

The year marked a major shift in how the court viewed and shaped its Internet site. Since it was established in 1995, the site was controlled by the technology office. Hollon, recognizing the site's unmet potential, shifted the responsibilities for content and design to the Communications Office.

Monique Jones joined the communications staff as the court's first Web editor and John Hopper joined IT as the first Web developer.

Other than a user survey, seeking comments and suggestions, initial changes were not readily apparent. Jones solicited feedback from managers and employees about new information and data that could be posted. Next came design style sheets and dynamic active server pages, editorial and layout standards, and a new, faster Web server. These changes made maintenance easier and set the stage for future growth.

"This is an evolving process, and all departments have been enthusiastic and full of energy and ideas, despite the uncertainty that this kind of transformation can create," Jones said.

Meanwhile, Hopper designed and deployed Web-based software that opened the door to launching the court's Intranet site. Early postings included a phone directory, a simple attorney registration look-up and Information Technology items. By the end of the year the employee newsletter, fiscal documents and travel regulations, and automated office request forms were posted to the Intranet.

The court's broader, more expansive approach to technology extended beyond its internal systems.

Chief Justice Thomas Moyer in September announced the formation of the Supreme Court Advisory Committee on Technology and the Courts. He noted that Ohio's 527 courts use 90 different computer systems, making "communication among them virtually impossible."

The chief justice asked the 23-member committee to assess the technology needs of Ohio's courts and develop standards that could make all court computer systems compatible.

Committee members, led by Judge John Bessey of Franklin County, began by reviewing the Ohio Courts Futures Commission's recommendations aimed at technology. The committee decided to focus on six goals:

- To establish minimum standards for technology in the courts.
- To develop privacy policies to protect the interests of citizens versus the right to access.
- To develop a statewide court network connecting computers from county to county.

- To centralize access to local court services, allowing people to research case records from their personal computers or to complete a standardized application for marriage for any probate court in Ohio.
- To provide technical assistance to local courts at no charge, including helping courts set up Web sites and offering educational programs.
- To develop security policies to protect against computer viruses and hackers.

The committee, looking forward to 2001, agreed to develop a two-year strategic plan outlining a timeline for what can be implemented and funded. The committee will present a finished strategic plan to the Supreme Court for approval.

In another project, the Supreme Court created its own temporary task force to make recommendations regarding electronic signatures and electronic filing for the judicial branch.

The Ohio Courts Digital Signatures Project, a joint effort of the Supreme Court and Ohio Judicial Conference, compared rules in other states and researched electronic technology and its applications in Ohio's courts. The task force found the current rules that govern Ohio's courts could not support new electronic technologies.

In December, the task force drafted new rules giving electronic signatures the same weight as traditional signatures, setting minimum levels of consistency and providing a mechanism for establishing minimum standards.

The Technology Resources Office, which operates under the Judicial and Court Services division, expanded its mission and reach. A new section was created to coordinate technology development throughout the court system and to provide training. ■





Futures Report

Recommendations call for major reforms affecting access, dispute resolution, jury service and judicial qualifications

Following almost three years of deliberations, including hundreds of hours of meetings, focus groups, statewide public hearings and the occasional burst of controversy, the Ohio Courts Futures Commission issued its final report May 1.

In essence, the commission recommended that by 2025 state courts adopt new approaches and expanded functions that depart significantly from traditional practices. The commission titled their 116-page report “A Changing Landscape.” It called for adopting 63 recommendations aimed at widening public access to the courts, expanding dispute resolution, providing a greater role for jurors, enhancing the qualifications for judges and embracing new technologies.

Chief Justice Thomas Moyer appointed the 52-member nonpartisan commission of 25 attorneys and judges and 27 non-attorneys in 1997. The Chief Justice’s broad mandate was for the commission to assist the courts in charting a course for the next 25 years.

“This is a significant document. It identifies issues and initiatives such as jury reform that can be immediately considered and implemented over the next one to three years,” Moyer said at the final commission meeting. “At the same time, it provides for establishing ongoing committees in such areas as technology and judicial qualifications that will allow courts to anticipate new realities that will arise during the next 25 years.”

Commission Co-chair Susan Lajoie Eagan, executive vice president of The Cleveland Foundation, said the final report adheres to the basic principles of a system that is accessible, effective, efficient, accountable and just.

Eagan said the call for expanded dispute resolution services is one of the key recommendations issued by the commission. “The commission believes our state courts should provide more mediation and other negotiation services. With each new case that comes to the courts, trained staff can refer it to the least expensive and most efficient track available. In many cases that can mean mediation or another settlement tool rather than the traditional trial.”

Co-chair Robert Duncan, a former state and federal judge, said judicial qualifications is another issue that courts will face during the next 25 years. “Based on the accelerated rate of change that we have and will continue to experience, courts will be asked to settle disputes involving complex technology, shifting family structures and other matters in an increasingly multi-cultural society. Judges must be prepared to decide these and other complicated matters.”

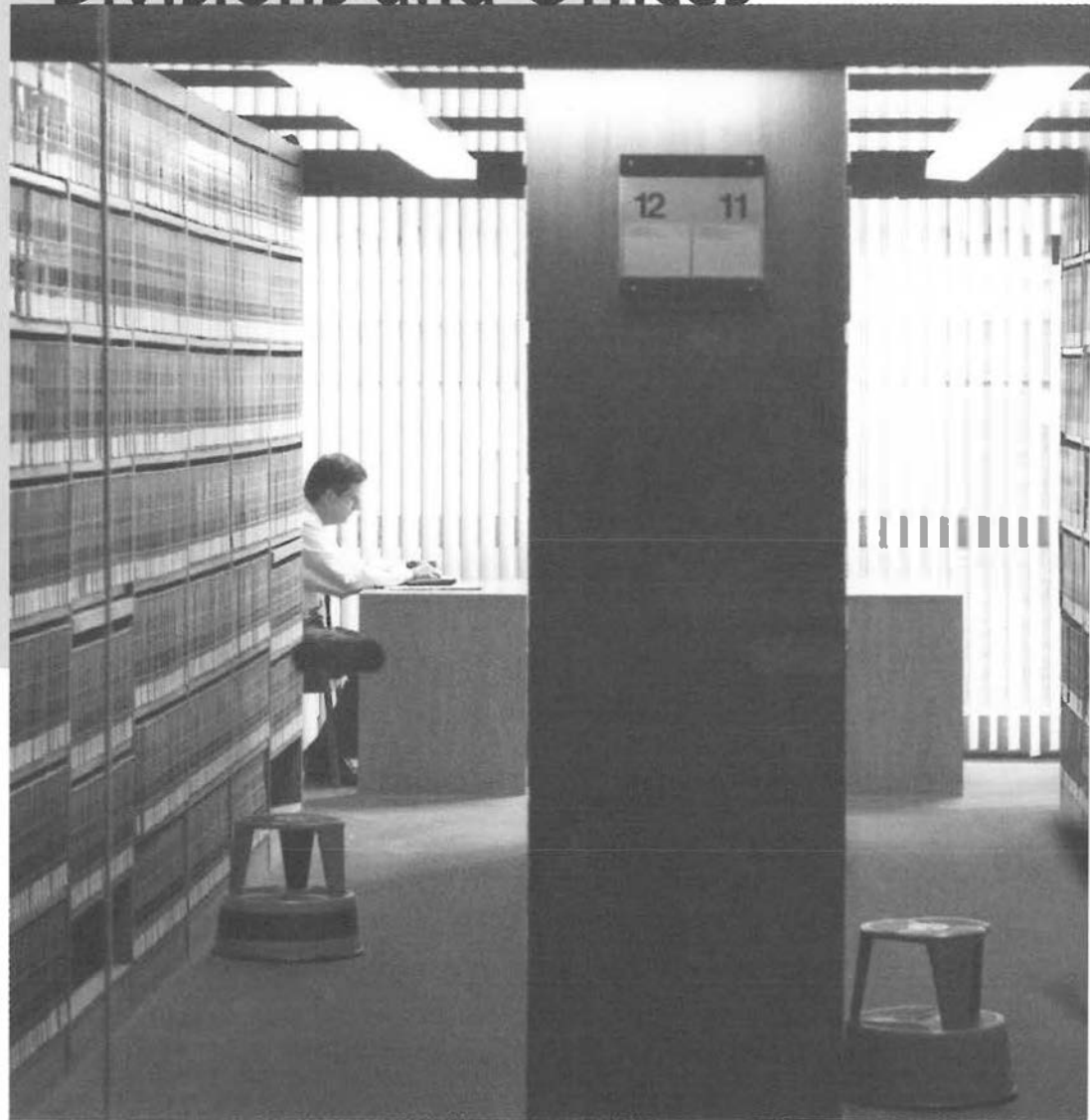
Duncan cited the recommendations establishing a judicial qualifications commission to ensure that judges are well qualified. That commission would set objective minimum standards for those who seek judicial office and determine whether prospective candidates meet the criteria. It would also assist the governor in appointing judges to fill in-term vacancies.

The commission's work initially drew criticism based on speculation that it would recommend the abolition of the state's smaller county courts and replace them with larger multi-county district courts. While the idea was floated at an early subcommittee session, it was never under serious consideration.

Other key recommendations in the report include:

- Expand current days and hours of court operation to include a reasonable range of evening and weekend hours;
- Increase the availability of legal aid attorneys, appointed counsel, pro bono volunteer attorneys and other affordable sources of legal assistance to help low-income families deal with civil (non-criminal) legal problems;
- Simplify court rules and procedures and provide clear plain-language notification letters, instructions and forms to guide citizens in their dealings with the courts;
- Provide state funding for essential court functions to provide equal access to justice and consistent adjudication services statewide;
- Encourage judges and other court staff to speak before local civic and community groups to explain court procedures and demystify the legal process;
- Work with educators to make more and better classroom materials explaining the legal system available to Ohio students at all grade levels;
- Establish uniform technology standards for Ohio courts, so that all hardware and software used in the judicial system is compatible and can be linked in a statewide information-sharing and communications network;
- Allow courts within each county to organize themselves in new ways that improve efficiency and make flexible use of local judges (this might include combining current common pleas, municipal and county courts into a single trial court);
- Replace mayor's courts with decentralized locations convenient to the public that are staffed with trained judicial officers;
- Use expanded source lists so that jury pools are more representative of the community;
- Be more considerate of jurors' time in scheduling and conducting jury trials, and allow jurors to play a more active role in trials by taking notes, receiving written copies of testimony and instructions and even questioning witnesses under court supervision;
- Reconsider the current prohibition against persons 70 or older running for judicial office. ■

Departments, Divisions and Offices



ADMINISTRATION

Steven C. Hollon, administrative director

Keith Bartlett, assistant administrative director

The Office of the Administrative Director oversees the operations of the Supreme Court. The court's six divisions – Clerk's Office, Reporter, Law Library, Court Operations, Judicial and Court Services, and Legal and Legislative Services – report to the Office of the Administrative Director.

The office also serves as the court's chief liaison to its affiliated agencies, which include the Office of Disciplinary Counsel and the Ohio Court of Claims.

Communications Office

Jay Wuebbold, director

The Communications Office was established in 1984 as the liaison between the court and the public, providing court news and case information to the media as well as to the public, and attorneys and parties involved in court cases.

In 2000, the office continued its paper distribution of both opinions and announcements while encouraging the public to access the court's Web site for decisions and rulings, which are posted immediately upon release. The office hopes to be distributing all decisions, announcements and opinions electronically within the next three years.

During 2000, the Communications Office released 370 opinions, summarizing 145 for greater public comprehension. The office also prepared 134 short synopses for cases argued before the court to help news media determine which arguments they wanted to cover.

The office issued 59 press releases on behalf of the various court divisions and responded to 3,250 telephone requests for information.

The court's first full-time Web editor joined the office in August to update Web pages, add court forms and simplify navigation. A user survey directed the court's immediate attention to high-traffic areas of the site. The remaining four months of the year saw many behind-the-scenes improvements that, while unnoticed by the public, made maintenance easier and set the stage for future growth.

The office improved its delivery of news clippings to court staff by switching to a daily e-mail version rather than a weekly paper version. The office also developed a weekly court newsletter, *The Court Bulletin*, which updates employees on the news and events of the week and is posted to the court's Intranet.

The office assisted local news media and editors of high school newspapers and yearbooks during the court's 2000 sessions in Fairfield and Geauga counties.



Steven C. Hollon,
administrative director



Keith Bartlett,
assistant
administrative director



Jay Wuebbold,
director,
Communications Office



Marcia J. Mengel,
clerk of court

CLERK

Admissions, Attorney Registration and Clerk's Offices

Marcia J. Mengel, clerk of court

Admissions Office

Beverly Braskett, manager

The Admissions Office assists the Supreme Court in its constitutional role of regulating admission to the practice of law in Ohio. Its functions include processing applications for admission to practice, tracking applicants' status, coordinating and administering semiannual bar examinations, and organizing an admissions ceremony for each exam's successful applicants.

With its six full-time and one part-time employee, the admissions office also issues miscellaneous certificates relating to attorney admission, including legal intern certificates for law students working in clinical programs and certificates for foreign legal consultants, who provide advice on foreign law.

Until 1984, when a separate office was established, admissions functions were performed by Clerk's Office staff. The clerk continues to oversee Admissions Office operations and Clerk's Office also helps support various functions of the office.

During 2000, the Admissions Office:

- Processed more than 3,400 admissions applications, including 1,202 law student registrations, 2,129 bar examination applications, and 97 applications for admission without examination.
- Administered two bar examinations, testing 604 applicants in February and 1,273 applicants in July.
- Coordinated admissions ceremonies in May and November.
- Issued 401 legal intern certificates, 2,155 certificates of good standing and three temporary certificates to practice law.

Attorney Registration Office

Cindy Farrenkopf, coordinator

Attorneys admitted to practice in Ohio are required to register biennially with the Supreme Court for either active, corporate, inactive or retired status. Registration fees – paid only by those registering active or corporate – are pooled to become the court's attorney registration fund. The fund finances the attorney disciplinary process by repaying

expenses incurred by the Board of Commissioners on Grievances and Discipline, the Office of Disciplinary Counsel, and certified grievance committees of local bar associations.

The Attorney Registration Office maintains a record for all attorneys admitted in Ohio, processing the attorney registration certificates of each and updating them with name and address changes. The office employs one full-time and one part-time registration clerk, except during peak biennial registration periods, when temporary employees are enlisted to help complete the registration process.

During 2000, the Attorney Registration Office processed 50,000 certificates of registration from Ohio attorneys, including:

- 38,940 for active status.
- 8,102 for inactive status.
- 2,549 for retired status, available to attorneys 65 and older no longer practicing law in Ohio.
- 262 non-Ohio attorneys for corporate status, available to attorneys admitted in other jurisdictions who provide full-time legal services to private Ohio employers.

Clerk's Office

Mary Ann Dix, chief deputy clerk

The Clerk's Office tracks and manages the procedural aspects of all cases filed with the Supreme Court by monitoring all case filings for compliance with the court's procedural rules, determining when various case matters are ready for court consideration, scheduling oral arguments, maintaining the court's journal and case dockets, and issuing legal process.

The Clerk's Office staff of 15 assists attorneys and litigants in complying with filing requirements and fields inquiries on the status of pending cases.

During 2000, the Clerk's Office:

- Processed 2,355 new cases.
- Scheduled 159 cases for oral argument before the court and seven tax appeals for hearing by a master commissioner.
- Processed 497 continuing legal education enforcement matters.
- Began work on a comprehensive case management computer system.
- Implemented the court's records disposal policy aimed at eliminating old case records with little retention value.

LAW LIBRARY

Paul S. Fu, law librarian

Looking toward the future, the Law Library's staff of 20 spent 2000 in consultation with architects designing the court's new home at 65 S. Front St. and readying the library's collection for the move, which is planned for 2004.

Staff provided building architects with data regarding the spatial requirements for shelves housing the general and special collections, patron work areas and staff offices and facilities. After reviewing the architects' schematic design, library staff recommended changes, bringing to a close the preliminary planning and designing phase of the court's new library.

In August, staff moved more than 5,500 boxes of law books from an in-house storage space to an off-site facility large enough to accommodate anticipated growth through 2004.

The library's carefully selected and well-maintained collection has grown significantly since the library was established in 1860. The initial collection of just under 2,000 volumes of law books has grown to more than 400,000 equivalent volumes, with materials available in a variety of media: print publications, audio-visual, microforms, digital and electronic. Today's collection distinguishes itself as one of the largest and highest-quality state supreme court law library collections in the nation.

Open to the public during the court's regular business hours, the library hosted 13,215 patrons, including personnel from more than 60 state agencies, as well as foreign and out-of-state visitors, during 2000. Staff also conducted orientation sessions and library tours for law school, university, technical college and high school students, and summer interns of Columbus-area law firms, and welcomed bar inductees and their families and friends at open houses that followed the court's two admissions ceremonies.

The library continued publishing its monthly acquisitions list and updated its lists of legal periodical and audio-visual materials in December.

In 2000, the library added 9,217 printed volumes, 37,940 pieces of microfiche, and 368 rolls of microfilm to the collection. In addition, reference staff responded to 10,458 questions.

REPORTER'S OFFICE

Walter S. Kobalka, reporter

The Reporter's Office is the third oldest department of the Supreme Court, falling in behind the justices and the Clerk's Office. Established by the court in 1823, the office reports and publishes the Supreme Court's opinions, entries, miscellaneous orders and rule amendments.

In 2000, the Reporter's Office published the following:

- 275 full Supreme Court opinions, 100 abbreviated entries and 73 miscellaneous orders in 2,878 pages.
- 657 court of appeals opinions in 5,832 pages.
- 59 trial court opinions in 376 pages.
- Four bound volumes of Supreme Court opinions.
- Eight bound volumes of court of appeals and trial court opinions.

Along with its print publications, the Reporter's Office posts the Supreme Court's opinions, announcements, and rule amendments to the court's Web site within minutes of their release, giving the public almost immediate access.



Walter S. Kobalka,
reporter

Committee to Review Reporting of Opinions

In 2000, inspired by advances in electronic publication, the chief justice appointed the Committee to Review the Reporting of Opinions. The committee is charged with reviewing the current publication process for opinions from the Ohio Court of Claims and from trial and district appeals courts statewide, as well as the criteria used in selecting opinions for publication. The committee will determine if the Supreme Court is publishing an appropriate number of opinions on subject matters relevant to the bench and bar, and whether opinions can be published more quickly.

The committee issued its draft preliminary report and proposed rule amendments Nov. 1, 2000 and circulated it among statewide judicial associations and the Ohio State Bar Association for comments.

Linden J. Beck
Hon. Peggy Bryant
Howard Fenton
Richard A. Frye, *chair*
Walter S. Kobalka
Joel Mirman
Hon. John Petzold
Hon. Jon Spahr
Hon. Mark Wall



James C. Porter,
director,
Court Operations

COURT OPERATIONS

Central Services, Fiscal Services, Human Resources,
Information Technology, and Security

James C. Porter, director

Central Services

Vikkie L. Wilson, coordinator

Formed in 1999, Central Services provides the court with interoffice and U.S. mail services, in-house printing and photocopying services, conference room scheduling and setup, maintenance, fleet operation, office supplies, and telecommunications and general support services.

During 2000, the Central Services team of six worked toward creating work plans and procedures to simplify day-to-day work life of court staff. To that end, the team introduced an online work order/service request form, which went into general use July 2000 and netted 112 requests.

The team processed 209 telecommunications service requests and arranged approximately 557 meetings in the court's conference rooms. The mailroom processed an average 95,000 pieces of outgoing mail per month, while receiving more than 100,000 incoming letters, packages and books.

The team also completed numerous special projects, including moving the Judicial and Court Services Division to its new office space, purging the court's off-site storage facility of useless furniture and equipment and securing new storage space for the library.

Fiscal Services

Ronda E. Perri, director

The Fiscal Office administered an approximate \$99 million budget for the Supreme Court and state judiciary, and provided fiscal and administrative management support for the Supreme Court, courts of appeals, trial courts, and affiliated entities. Other services of the office include purchasing, accounting, payment processing, expense reimbursements, regulatory reporting, and the establishment of internal controls and fiscal office procedures.

Accomplishments of the office in 2000 include:

- Processing more than 14,126 payments to judges; staff; commission, committee and board members; counties; and service providers.
- Developing and submitting the biennial budget for fiscal year 2002-2003 for the combined judiciary and the Supreme Court.
- Analyzing the Admissions Fund to effect changes in fee structure that fiscally will support the office long-term.
- Implementing 24-hour expense report processing.
- Revising travel regulations for judges and staff.
- Establishing monthly audit reporting and monthly cash reconciliation reporting for the Attorney Registration Fund.
- Developing monthly expenditure forecasting by office.
- Establishing an advance fund for out-of-state travel.

Human Resources

Janet Y. Robinson, director

The Human Resources Office has grown to include five employees, and has streamlined and automated processes involved with its primary function of administering payroll and benefits to approximately 800 judges and clerks across the state as well as 200 Supreme Court employees.

During 2000, the office enacted classification and compensation plans for Supreme Court employees, and continued work on a performance evaluation plan for the court. Staff also provided employee relations, training and recruitment and retention services to court administrators throughout the state.



Ronda E. Perri,
director,
Fiscal Services



Janet Y. Robinson,
director,
Human Resources



David K. Saffle,
director,
Information Technology

Information Technology

David K. Saffle, director

Information Technology guided the court to a number of significant accomplishments, including:

- Establishing an Intranet system.
- Transferring various programs and data from the WANG system to the more updated Microsoft-based system.
- Installing faster servers.
- Hiring the court's first Web developer and an additional programmer/analyst.
- Refurbishing Web pages.
- Implementing new security procedures.

A detailed account of the court's technology progress is on page 9.

Security

Officers from the Ohio State Highway Patrol and personnel from United Security Management Services Inc. operated the security checkpoint in the Rhodes State Office Tower lobby and patrolled court facilities several times each day.

JUDICIAL AND COURT SERVICES

Case Management Programs, Office of Dispute Resolution, Drug Court Programs, Ohio Judicial College and Statistical Reporting

Douglas Stephens, director

Case Management Programs

Diane Hatcher, coordinator

Established almost 10 years ago, Case Management helps courts throughout the state develop comprehensive approaches to managing case flow with an eye toward reducing delays. Accomplishments in 2000 include:

- Providing 14 courts with technical assistance, completing projects in seven courts in six counties.
- Establish baseline data to demonstrate performance and to provide accountability.
- Providing more than 100 resource materials to judges and administrators in 25 courts.

Drug Court Programs

Meghan M. Wheeler, manager

The goal of the Drug Courts Program is to support the creation and management of drug courts across Ohio. While the Supreme Court has been assisting local jurisdictions since 1995, the office was established in 1999.

Four new jurisdictions launched drug courts in 2000, bringing the statewide total to 38. Ohio ranks third in the country in the number of programs, following California and Florida.

The office organized and produced a series of training sessions focusing on ethics and confidentiality issues, drug testing, strategic planning and effective treatment efforts. In addition, specialized training and technical assistance was provided to individual jurisdictions.

A database was developed last year to aid drug courts in collecting key statistics to evaluate the effectiveness of their programs. Individual courts can then use the evaluations to define future needs and development.



Douglas Stephens,
director,
Judicial and Court Services

The Supreme Court Committee on Dispute Resolution

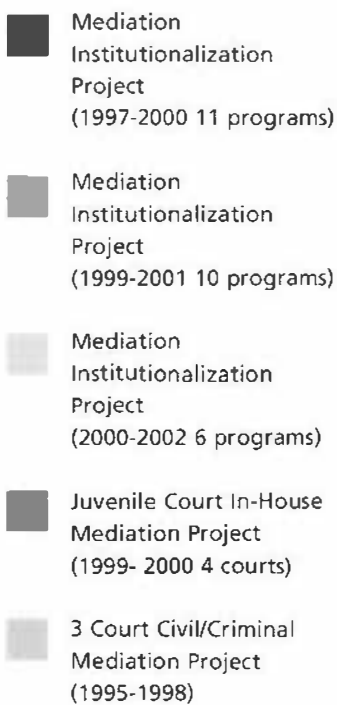
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Walter W. Kocher
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Office of Dispute Resolution

Eileen Pruett, coordinator

In 2000, the six staff members of the Office of Dispute Resolution worked with courts at every level, providing technical assistance, training and financial support for mediation and dispute resolution initiatives. Significant accomplishments for the past year include the following:

- Establishing 11 grant-funded mediation programs serving 14 counties, and seeing 28 courts establish their own permanent funding.
- Seeing six new programs, serving seven counties, receive new grants.
- Providing training on developing and implementing basic and advanced child protection mediation training, hosting mediator forums and mentoring group programs for grant-funded mediators, and developing a new course on mediator styles offered in conjunction with the Ohio Judicial College.



Since 1995, grants have funded mediation services in 32 programs, 42 counties and 58 courts.

The Office of Dispute Resolution works closely with the Ohio Commission on Dispute Resolution and Conflict Management. The most important cooperative project with the commission in 2000 was the Truancy Mediation Project, which implements and evaluates early mediation provided by court mediators in elementary and middle schools. Participants include parents, teachers, counselors, social workers and students, all working to reduce absenteeism among elementary and middle school children. Preliminary evaluation results from the 1999-2000 school year showed fewer days absent and improved school performance for children who participated in mediation.

The Supreme Court Committee on Dispute Resolution was also active in 2000, providing information and recommendations to the Ohio Courts Futures Commission and addressing issues surrounding domestic violence and mediation and victim-offender dialogue.

Ohio Judicial College

John Meeks, director

The Judicial College was established in 1976 to provide continuing legal education for Ohio judges and court personnel. Each year, the college offers a wide variety of courses that are designed to meet the educational needs of judges, magistrates, and non-judicial court personnel in municipal and county courts, common pleas courts – general civil, criminal, domestic relations, probate and juvenile divisions – and appellate courts.

In 2000, the college hosted approximately 6,000 attendees, more than 2,000 of which were non-judicial court personnel, at 103 courses. Thirteen of the courses were video teleconferences presented simultaneously to as many as 15 sites across Ohio. Courses included orientation programs for new judges and magistrates and Judicial College faculty development workshops, while others covered topics like ethics and cinema, court and personal security, judicial writing, and working effectively with the media.

In October, the college convened a meeting of judges and magistrates who, as leaders in their associations and other organizations, assisted the trustees in planning for the future of judicial branch education in Ohio. The meeting provided the basis for more effective coordination of education programming by the college and judge and magistrate associations.

Technology Resources Section

The Technology Resources Section traces its roots to 1993, when Chief Justice Moyer created a new program of technology assistance for Ohio's courts. Originally part of the Supreme Court's former technology services office, it was later combined with other court assistance programs in 1999. The four-member office consists of Technology Assistance



John Meeks,
director,
Ohio Judicial College

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Thomas H. Shields
Pat Snider
Kory Trimmer

and Technology Policy and Planning.

Accomplishments for Technology Assistance during 2000 include:

- Surveyed 382 of the 384 trial and appellate courts to find that 95 percent of Ohio's trial and appellate courts are automated. Nineteen courts are not automated, but seven have automation projects underway.
- Completed 14 (major) technical assistance projects.
- Maintained and developed the Supreme Court's Web page through August.

The Technology Policy and Planning office was created in July to coordinate statewide efforts to modernize the information technology tools of the court system. Accomplishments and highlights for Technology Policy and Planning in 2000 include:

- Responded to 158 requests for assistance covering a wide range of technology matters and made 72 site visits.
- Tech Net – Court Technology News & Information Service issued 53 bulletins to its 297 subscribers.

Supreme Court Advisory Committee on Technology and the Courts was created in September.

LEGAL AND LEGISLATIVE SERVICES DIVISION

Master Commissioners Office and Office of Continuing Legal Education and Certification of Attorneys as Specialists

Richard A. Dove, director

The Legal and Legislative Services Division monitors Ohio attorneys and judges for compliance with mandatory continuing education requirements, accredits continuing legal education courses, and certifies entities for accrediting Ohio attorneys as specialists.

The division acts as the Supreme Court's liaison with the General Assembly, tracking legislation affecting the court and the Ohio judiciary as a whole, and representing the court's interests before legislative committees.

The division also provides legal services to the justices and staff of the Supreme Court, including rule-drafting, preparing and reviewing purchasing and contract documents, monitoring litigation to which the court is a party, providing legal advice, and staffing selected boards, commissions, and committees.

First recognized as a separate office of the court in 1991, the division currently houses 20 full-time employees. Their accomplishments in 2000 include:

- Testifying or providing information to legislators on more than 24 bills, including legislation creating new judicial positions in Ohio's trial and appellate courts, establishing a committee to review Ohio appellate district boundaries, and transferring administrative responsibility for the Ohio Crime Victims Compensation Program to the state attorney general.
- Coordinating and presenting a judicial branch orientation session as part of the General Assembly's week-long orientation program for new legislators.
- Providing mandatory education seminars to more than 300 judicial candidates and campaign volunteers and responding to hundreds of inquiries about the judicial campaign provisions of the Code of Judicial Conduct.
- Presenting a paper on judicial campaign conduct at a national Summit on Judicial Selection, hosted by the National Center for State Courts.
- Coordinating Supreme Court visits to Geauga and Fairfield counties.
- Representing the court in professional and multidisciplinary organizations and committees, including the Center for the Prevention of Family and Community Violence, the Ohio Jury Management Association, the Ohio Association of Drug Court Professionals, the Ohio Center for Law-related Education, and the Ohio Legal Assistance Foundation.



Richard A. Dove,
director,
Legal and Legislative
Services Division



John J. Dilenschneider,
counsel to the court



Diane Chesley-Lahm,
director,
Office of Continuing Legal
Education and Certification
of Attorneys as Specialists

Master Commissioners Office

John J. Dilenschneider, counsel to the court

Established more than 30 years ago, the Master Commissioners Office is charged with evaluating Supreme Court cases in which the court's review or other actions is required by statute or by the Ohio Constitution: death penalty or workers' compensation appeals; appeals from the Board of Tax Appeals, the Public Utilities Commission or the Power Siting Board; requests for extraordinary writs or attorney discipline matters.

The office's professional staff of 11 includes former judges, department heads for the Office of the Judge Advocate General and major law firms, hearing officers at state administrative boards and commissions, assistant attorneys general, and an assistant county prosecutor.

Under the direction of the counsel to the court, the Supreme Court's master commissioners review the pleadings, evidence and briefs in their assigned cases; research and analyze the issues presented; prepare legal memoranda to assist the court's deliberations; and prepare draft opinions when requested. Master commissioners specializing in state tax law preside over oral arguments in selected appeals from the Board of Tax Appeals.

The office is home to the mediation section established in 1998 to facilitate the disposition of selected Supreme Court cases: tax valuation cases, suits against public officials, cases involving public records and public employment, and eminent domain cases. The section effected partial or full settlement in 70 percent of the cases referred in 2000. The court plans to expand the mediation program and extend its advantages – parties collaboratively solving their mutual problems – to a wider group of litigants.

Office of Continuing Legal Education and Certification of Attorneys as Specialists

Diane Chesley-Lahm, director

The five employees and director of this office provide support to the commissions on Continuing Legal Education and Certification of Attorneys as Specialists. The director also serves as secretary to both commissions.

The office annually reviews and accredits approximately 10,000 continuing legal education activities, maintains the continuing legal education records of 40,000 attorneys and judges, and issues a report to the Supreme Court of attorneys who are not in compliance, recommending a sanction for each.

Commission on Continuing Legal Education

Created in 1988, the commission is charged with administering and enforcing court rules requiring all Ohio judges and attorneys to complete and report a prescribed number of continuing legal education courses on specific topics.

During 2000, the commission:

- Drafted and proposed rule amendments that will require newly admitted attorneys to complete a new lawyers' training program within the first year after admission.
- Commenced a full review of court rules and commission regulations to clarify and confirm that each is in full accord with the other.
- Commenced the development of a computer program to support the new lawyers' training requirement, which becomes effective on July 1, 2001.

Commission on Certification of Attorneys as Specialists

Created by court rule in 1993, the Commission on Certification of Attorneys as Specialists oversees the process by which attorneys with special expertise can become certified as specialists, and recommends guidelines for those who wish to advertise their specialties. The commission ensures that certifying agencies and their programs meet standards for accreditation, and has accredited eight certification programs to date, adding two in 2000 – in the specialty areas of elder law and labor and employment law.

During 2000, the commission moved forward with the production of two video presentations to educate Ohio citizens and attorneys about certification. The commission prepared a script for the video targeted at attorneys and produced a demo to assist the production company selected to create both videos.

The commission also distributed informational inserts to be included in continuing legal education interim transcript mailings through summer 2001. ■

Commission on Continuing Legal Education

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David E. Pontius
Peter G. Rost
Kathleen E. Stimler
Hon. David E. Stucki
Michael R. Thomas

Standing Boards, Commissions, and Committees



Board of Bar Examiners

Marcia J. Mengel, secretary

Created by court rule, the Board of Bar Examiners examines applicants seeking admission to the practice of law in Ohio. Board members – Ohio attorneys serving by appointment – draft essay questions for semiannual bar examinations, grade essay and performance test answers, establish the minimum passing score and propose examination policy to the court.

With the court's approval, the board modified Ohio's bar examination beginning in July 2000 by adding the Multi-state Performance Test, a test of practical "lawyering" skills. At the same time, the board deleted two subjects formerly tested on the exam's essay portion.

In 2000, 604 applicants took the February exam, with an overall passing rate of 60 percent and a passing rate of 70 percent for first-time takers. The July exam tested 1,273 applicants, with an overall passing rate of 70 percent and a passing rate of 76 percent for first-time takers.

Board of Commissioners on Character and Fitness

Marcia J. Mengel, secretary

The Board of Commissioners on Character and Fitness oversees investigation of the character, fitness, and moral qualifications of applicants for admission to the practice of law in Ohio. The board consists of 12 Ohio attorneys – one from each appellate district – who serve by court appointment.

In 2000, the Board:

- Held eight hearings on appeals of a local admissions committee's recommendations.
- Held six hearings after conducting a *sua sponte* investigation of an applicant.
- Secured court approval of rule amendments addressing the confidentiality of character and fitness records and proceedings.

Board of Commissioners of the Clients' Security Fund

Janet Green Marbley, administrator

The Clients' Security Fund of Ohio compensates individuals who have lost money or property due to the dishonest conduct of an attorney. Since its establishment in 1985, the fund has awarded more than \$4 million to nearly 800 affected clients.

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Board of Commissioners on the Unauthorized Practice of Law

Susan B. Christoff, secretary

The Board of Commissioners on the Unauthorized Practice of Law administers the Supreme Court's constitutional authority to regulate the practice of law and all related matters.

In 2000, the board received 11 complaints alleging the unauthorized practice and filed two final reports with the Supreme Court. The board also considered and approved applications for reimbursement of expenses, responded to requests for advisory opinions, referred matters for investigation to either the Office of Disciplinary Counsel or a local bar association, and responded to public inquiries.

Commission on Professionalism

Melissa Knopp, secretary

The Commission on Professionalism was created in 1992 to promote professionalism among attorneys admitted to the practice of law in Ohio. To accomplish its purpose, the commission has formed the following committees: bar liaison, judicial responsibility, law schools, and professional education.

The commission focused its efforts in 2000 on judicial ethics and presented a judicial creed to the court in May. The creed was published for a 30-day public comment period at the end of June. The commission currently is revising the creed based on the comments received and plans to submit the final version for adoption by the court in spring 2001.

Committee for Lawyer Referral and Information Services

Melissa Knopp, secretary

The Committee for Lawyer Referral and Information Services was created to adopt regulations for the operation of lawyer referral services and ensure compliance of lawyer referral services with Ohio's Code of Professional Responsibility.

There were 15 operating lawyer referral services, which received more than 100,000 referral requests, registered with the Supreme Court in 2000. To provide a forum for discussing pertinent issues regarding current and future operations of referral services in Ohio, the committee held its annual provider meeting in May at the Ohio State Bar Association convention in Toledo. Discussions there spawned suggestions for amendments to regulations governing the services. In an attempt to network with referral services throughout the

country, three committee members attended the American Bar Association National Lawyer Referral Workshop, where they discovered that Ohio is a national leader in regulating referral services.

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

Nan P. Cairney, secretary

Established in 1988, the committee works to ensure quality representation of indigent defendants who could face the death penalty by developing education- and experience-based standards. The committee maintains a statewide attorney certification list, periodically reviews the relevant rule and recommends appropriate amendments, and approves death penalty training seminars for the required continuing education credit.

Rules Advisory Committee

Keith Bartlett, secretary

The Rules Advisory Committee reviews proposed new and amended rules of evidence, and civil, criminal and juvenile procedure.

In 2000, the committee effected changes that went into effect July 1 to rules addressing:

- The adoption of local court rules (Civ. R. 83).
- Indictments, pretrial conferences and magistrates (Crim. R. 7, 17.1 and 19).
- Appeals involving adoptions and parental rights (App. R. 11.2).
- The admission of evidence in cases charging negligence (Evid. R. 407).

In addition, in September, the committee published for comment proposed amendments to rules addressing:

- The dismissal of actions, and divorce, annulment and separation proceedings (Civ. R. 41 and 75).
- Stays or injunctions pending a civil or juvenile appeal, and appeals involving adoptions or parental rights (App. R. 7 and 11.2).
- Barring a potential witness from a court proceeding and exceptions to the hearsay rule (Evid. R. 615 and 804). ■

Committee for Lawyer Referral and Information Services

Robert N. Gluck
Carol Johnson
Marion Smithberger, *chair*
William L. Stehle
Benson Wolman

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

Hon. Everett Burton, *chair*
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Special Committees and Commissions



Appellate District Study Committee

Richard A. Dove, staff liaison

Established by the General Assembly, the Appellate District Study Committee is charged with reviewing Ohio's existing appellate district boundaries and recommending necessary changes. The committee consists of 12 judges and five at-large members appointed by the chief justice, and four members of the General Assembly appointed by the legislative leadership. The committee is required to provide a report, including any recommended changes in appellate district boundaries, to the General Assembly and chief justice by December 31, 2001.

The committee began its work in April by reviewing staff-provided research, including appellate case statistics and population information. In subsequent meetings, the committee heard presentations from interested parties and developed two proposals for minor boundary changes, which were circulated to more than 200 individuals and organizations for comment. The committee's work will continue into early 2001 with the development of its report on final recommendations.

Bench-Bar Planning Committee

Richard A. Dove, staff liaison

The Supreme Court, Ohio Judicial Conference, and Ohio State Bar Association have convened the Bench-Bar Conference regularly since 1990. The conference provides judges and attorneys throughout the state an opportunity to discuss a variety of significant issues, such as judicial selection, funding of legal services to the poor, court structure and organization, and jury reform.

Early in 2000, Chief Justice Moyer and the president of the Ohio State Bar Association appointed a six-member committee to plan the November 2000 conference. The committee chose "An Independent Judiciary: The Foundation of our System of Justice and Democracy" as the conference theme, and identified the following topics for discussion: mid-term evaluation of judges, judicial qualifications, and responding to unjust criticism of judges.

More than 180 judges and attorneys from throughout Ohio attended the conference November 9 and 10 in Columbus.

Appellate District Study Committee

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 Hon. Judith A. Christley
 Rep. Dean DePiero
 Hon. Thomas J. Grady
 Hon. W. Scott Gwin
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 Hon. Richard B. McQuade, *chair*
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 Dottie Tuttle
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 Rep. Ann Womer-Benjamin

Bench-Bar Planning Committee

Stephen E. Chappellear, *co-chair*
 Emily K. Cooper
 Barbara J. Howard
 Hon. Lisa Sadler, *co-chair*
 Hon. Russell Steiner
 William Weisenberg
 Hon. Thomas Zachman

Racial Fairness Implementation Task Force

Richard Aynes
Thomas J. Bonasera
 Hon. Lillian Greene
 James Hardiman
 Giselle Johnson
 Hon. Algenon Marbley, *chair*
 Shirley Mays
 Ernest McAdams Jr.
 Hon. Marc O'Connor
 Diana Ramos-Reardon
 Walter Reynolds
 Sandra Schwartz
 Rev. Daryl Ward
 Margaret Wong

Racial Fairness Implementation Task Force

Keith Bartlett, staff liaison

Chief Justice Moyer appointed the 15-member Racial Fairness Implementation Task Force in July 2000 at the recommendation of the Ohio Commission on Racial Fairness. The task force is charged with preparing an action plan of specific, concrete measures that can be taken to address the commission's other recommendations.

The task force is divided into six subcommittees that mirror the six areas identified by the commission with perceived biases or shortcomings:

- Conduct of attorneys and judges
- Court employment and appointment practices
- Participation in and selection for jury duty
- Criminal justice and sentencing
- Law school student and faculty populations, recruitment practices and curricula
- Interpreter services.

The task force met bimonthly throughout 2000 and expects to complete its work and submit an action plan to the court in late 2001.

Standard Forms Committee

Melissa Knopp, staff liaison

The Standard Forms Committee stemmed from 1996 recommendations of the Supreme Court Domestic Violence Task Force and is comprised of some original task force members. The committee's initial charge was to review periodically the standard domestic violence protection order forms that were developed by the task force and became effective on January 1, 1998. Additionally, the committee revises forms and submits them for Supreme Court review as necessitated by changes in law or procedure.

The court adopted revised stalking protection order forms and assigned them an effective date of March 1, 2000, and revised domestic violence protection order forms with an effective date of June 1, 2000.

Standard Probate Forms

Melissa Knopp, staff liaison

The use of standard probate forms in Ohio probate courts is mandated by court rule. The Forms Committee of the Ohio Association of Probate Judges is responsible for maintaining forms that comply with current law.

In 2000, the committee submitted to the court several changes to some existing forms and Rules of Superintendence. The committee requested that the standard notice of hearing on petition for adoption (Form 18.2) be changed to reflect legislative changes eliminating the requirement that courts notify the state Department of Human Services of hearings scheduled on adoption petitions.

In addition, the committee proposed a rule amendment to allow two-sided forms to be printed on separate sheets of paper, enabling the use of computer-generated forms.

Before fall 2000, Ohio had no standard probate forms for name change proceedings. To promote uniformity in probate practice throughout the state and due to the fact that most requests for name changes are filed *pro se*, the forms committee developed six standard probate forms for name change proceedings. The new series of forms became effective on November 1, 2000.

The Ohio Association of Probate Judges also proposed in the fall two new forms to effect the summary release of an estate from administration, a procedure newly created by the General Assembly. The proposed forms are an application for summary release from administration (Form 5.10) and entry granting summary release from administration (Form 5.11). The court published the proposed forms for a 30-day public comment period that ended November 18. The forms committee is reviewing the comments and will present the final version of the forms to the court in 2001.

Standard Forms Committee

Robin Bozian
 Hon. Michael Brigner, *chair*
 Roseanne Buell
 Rebecca Cochran
 Brenda Dunlap
 Becky Herner
 Nancy Neylon
 Sally Pack
 Hon. Jack Rosen
 Alexandria Ruden
 Michael F. Sheils
 Michael Smalz
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Criminal Sentencing Commission

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 Hon. Stephanie Wyler

STATUTORY COMMISSIONS

Criminal Sentencing Commission

David J. Diroll, executive director

The commission's focus in 2000 on juvenile sentencing reforms culminated in the enactment of legislation that broadens the focus of Ohio's juvenile justice system and provides a new sentencing option. Public safety, offender accountability, and victim restoration, along with the historical goals of protecting and rehabilitating youth, will be included in the juvenile justice system's mission.

The legislation, which will become effective Jan. 1, 2002, gives judges the option of imposing "blended sentences," giving serious youthful offenders both a juvenile disposition and an adult sentence. This new tool allows juvenile courts to work with troubled youth but invoke an adult sentence when juveniles continue to engage in criminal or threatening conduct.

The year saw considerable debate on another piece of legislation that was based on the commission's traffic proposals. However, the traffic bill never reached the passing lane and general misdemeanor proposals took a back seat during the traffic debate. Both packages should reemerge in 2001.

Commission members and staff continued to teach sentencing law changes at seminars for judges and court practitioners. As part of the commission's duty to monitor sentencing changes, the staff worked with researchers from the University of Cincinnati on a comprehensive evaluation of the state's major overhaul to felony sentencing for adults, which took effect in 1996. Finally, the Commission began debating reforms to Ohio's forfeiture laws, with an eye toward submitting proposals to the General Assembly in 2001.

Traffic Rules Review Commission

Richard A. Dove, secretary

Most citizens who have contact with the judicial system do so as a result of having received a traffic citation, and traffic cases are the largest single category of cases heard by Ohio courts. To assist courts in considering and disposing of these cases and reporting driving violations to the Bureau of Motor Vehicles, the court has prescribed the Ohio Traffic Rules and mandated using a uniform traffic ticket throughout Ohio.

The court established the 13-member Traffic Rules Review Commission in the early 1970s to review the rules and uniform ticket and recommend necessary amendments. In 2000, the commission reviewed recent legislative enactments affecting juvenile and adult traffic offenders and recommended amendments to bring the traffic rules into compliance with the law. The commission also considered changing the way magistrates may be used to hear and dispose of traffic cases, and the impact of technology on issuing citations and processing traffic cases through Ohio courts. ■

Traffic Rules Review Commission

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Hon. James J. Fais

Hon. Donna Congeni
Fitzsimmons

Hon. Francis X. Gorman

Hon. Frederick C. Hany II, *chair*

Paul M. Herbert

Karyn R. McConnell

Hon. Connie Price

Hon. Richard M. Rogers

Affiliated Agencies



Office of Disciplinary Counsel

Jonathan E. Coughlan, disciplinary counsel

The Office of Disciplinary Counsel was established in 1977 to investigate and prosecute matters involving the professional responsibilities of Ohio attorneys and judges. During 2000, the office addressed 3,602 such matters, which included appeals, 100 allegations of unauthorized practice of law, and 3,165 complaints of professional misconduct. The office dismissed 3,100 complaints after intake and investigation, filing formal actions with the Board of Commissioners on Grievances and Discipline in 42 instances.

In all, the office had 55 active disciplinary cases before the board and the Supreme Court, and filed five formal actions with the Board of Commissioners on the Unauthorized Practice of Law.

Ohio Court of Claims

Miles Durfey, clerk

The Court of Claims has exclusive, original jurisdiction over all civil actions filed against the state of Ohio. These actions are determined in one of two ways: administratively by a clerk if the action seeks \$2,500 or less, or judicially if the action involves a request for \$2,500 or more. Judges can also hear appeals of administrative determinations, and determine an appeal taken from an order issued by a panel of commissioners in a victim's compensation case. ■

Ohio Court of Claims

Commissioners

James Hewitt III

Steven A. Larson

Leo P. Morley

Karl H. Schneider

Hon. A. William Sweeney

Dale Thompson

Clark Weaver

Court of Claims Judges 2000

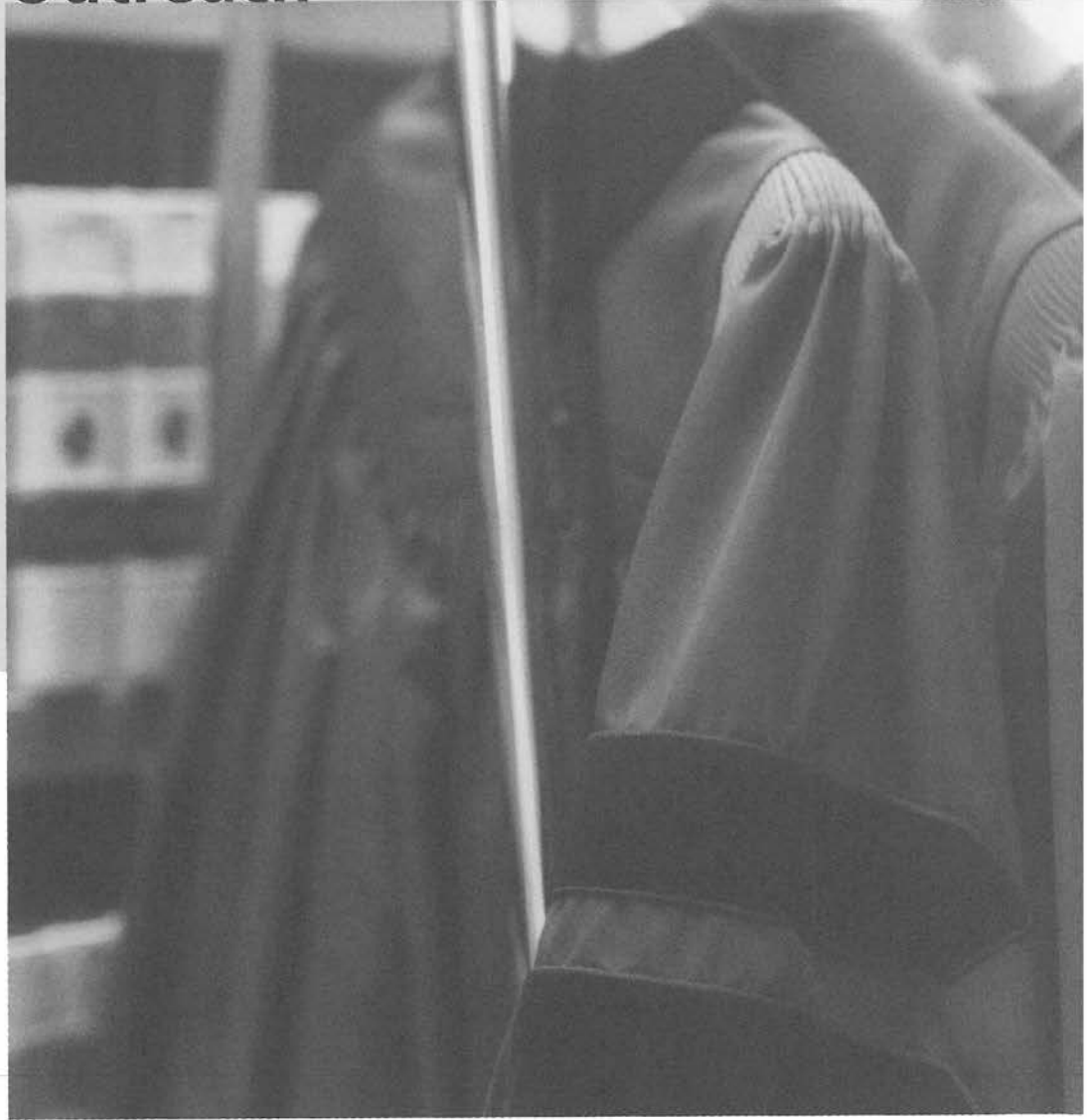
J. Warren Bettis

Everett Burton

Russell Leach

Fred J. Shoemaker

Outreach



Home...

Students from primary and secondary schools, colleges, universities, and law schools from Ohio, the nation, and the world visit the Supreme Court of Ohio each year. In 2000, approximately 6,200 people toured the court and 33,726 individuals visited on court business or to visit the library.

The court continued to support the Ohio Center for Law-related Education in 2000, with its participation in the center's Mock Trial and Ohio Government in Action programs. The court also provides financial support and is represented on the center's board of trustees.

In addition, the court participated in the Youth in Government 2000 Model Supreme Court program.

Away...

Twice each year, the Supreme Court travels to an Ohio county to hear cases, primarily for the benefit of high school students. In 2000, the court heard oral arguments in Geauga and Fairfield counties, welcoming approximately 800 people, 560 of whom were high school students.

The Off-site Court Program not only allows students to see the court in operation, it enables local media representatives and editors and reporters from high school yearbooks and newspapers to meet with justices, court staff and attorneys who practice before the Supreme Court. ■

Caseload Statistics



In 2000, the Supreme Court filed 2,355 new cases, including 120 original actions, 62 habeas corpus cases, four federal certifications of state law questions, 102 attorney disciplinary cases, two attorney admission cases, and six other cases related to the practice of law. The remaining new cases were all appeals, including:

- 42 claimed appeals of right
- 1,142 non-felony discretionary appeals
- 523 discretionary appeals involving felonies
- 150 direct appeals of cases that originated in courts of appeals
- 37 certified conflict cases
- 35 appeals from the Board of Tax Appeals
- 18 appeals from the Public Utilities Commission
- 6 death penalty cases
- 76 Murnahan appeals
- 1 appeal of an election contest
- 1 appeal under R.C. 4121.25

For additional statistical information, see Appendices A through F.

APPENDIX A

CASES FILED 2000

Jurisdictional Appeals

Claimed appeals of right	42
Discretionary appeals (non-felony)	1,142
Discretionary appeals (felony)	523
Death penalty postconviction appeals	21
Appeals involving termination of parental rights/adoption	7

Merit Docket

Original actions	120
Habeas corpus cases	62
Direct appeals	150
Certified conflicts	37
Appeals from Board of Tax Appeals	35
Appeals from Public Utilities Commission	18
Appeals from Power Siting Board	0

Death penalty cases ¹	6
Certified questions of state law	4
Murnahan appeals	76
Appeals of an election contest	1
Appeals under R.C. 4121.25	1
Appeals of right	0
 Practice of Law Cases ²	
Disciplinary	102
Admissions	2
Other	6
TOTAL	2,355

APPENDIX B

FINAL DISPOSITIONS 2000

Jurisdictional Appeals

(jurisdiction declined, leave to appeal denied and/or appeal dismissed)

Claimed appeals of right	48
Discretionary appeals (non-felony) *	975
Discretionary appeals (felony) *	345
Death penalty postconviction appeals	14
Appeals involving termination of parental rights/adoption	6
TOTAL	1,388

Merit Docket

Original actions	124
Habeas corpus cases	67
Direct appeals	167
Certified conflicts	34
Appeals from Board of Tax Appeals	30
Appeals from Public Utilities Commission	11
Appeals from Power Siting Board	0
Death penalty cases	14
Merit cases pursuant to allowance ⁵	215
Certified questions of state law	2
Murnahan appeals	70

Appeals of an election contest	1
Appeals under R.C. 4121.25	1
Appeals of right	0
TOTAL	736

APPENDIX C

DISCRETIONARY APPEALS and CLAIMED APPEALS OF RIGHT ALLOWED 2000

Claimed appeals of right	4
Discretionary appeals (non-felony) ⁶	111
Discretionary appeals (felony) ⁶	19
TOTAL	134

APPENDIX D

CASES PENDING 2000

Case type	Pending as of 01/01/01
Discretionary appeals and claimed appeals of right ⁷	487 ⁸
Original actions	27
Habeas corpus cases	7
Direct appeals	128
Certified conflicts	34
Appeals from Board of Tax Appeals	31
Appeals from Public Utilities Commission	15
Death penalty cases ⁹	39
Certified questions of state law	3
Murnahan appeals	22
Appeals of an election contest	1
Appeals of Right	1
TOTAL	795

APPENDIX E

CASES RELATING TO THE PRACTICE OF LAW FILED 2000

Disciplinary Cases

Regular	52
Mental illness suspension cases	1
Automatic suspensions for felony convictions	10
Automatic suspensions for child support violations	3
Interim remedial suspensions	2
Resignations	22
Reciprocal	8
Cases involving judges	1
Judicial cases filed pursuant to Gov. Jud. R. III	1
Judicial campaign cases	1
Miscellaneous disciplinary matters	1
TOTAL	102

Admissions Cases

Character and fitness	2
Miscellaneous admissions matters	0
TOTAL	2

Other Practice of Law Cases ¹⁰

Cases relating to the unauthorized practice of law	2
Other	4
TOTAL	6

APPENDIX F

CASES RELATING TO THE PRACTICE OF
LAW FINAL DISPOSITIONS 2000

Disciplinary Cases

Public reprimands	9
Definite suspensions ¹¹	15
Definite suspensions with probation ¹²	8
Suspensions pending compliance	2

Indefinite suspensions	12
Disbarments	10
Disciplinary cases dismissed.	1
Mental illness suspensions	2
Automatic suspensions for felony convictions.	7
Automatic suspensions for child support violations	3
Interim remedial suspensions.	2
Resignations	4
Resignations with disciplinary action pending	18
Resignations denied.	1
Resignations dismissed ¹³	1
Reciprocal discipline imposed	5
Reciprocal discipline cases dismissed	0
Disciplinary cases involving judges.	4
Disciplinary cases involving judges dismissed.	0
Judicial cases under Gov. Jud. R. III with sanction imposed	1
Judicial campaign cases with sanction imposed.	0
Judicial campaign cases decided by five-judge commission	1
Miscellaneous disciplinary matters.	1
TOTAL	107
Admissions Cases	
Character and fitness.	2
Miscellaneous admissions matters	0
TOTAL	2
Other Practice of Law Cases	
Cases relating to the unauthorized practice of law	5
Other	7
TOTAL	12

ENDNOTES

- 1 Includes three appeals from common pleas courts in which the death penalty was imposed for an offense committed on or after Jan. 1, 1995, and three cases involving appeals from the court of appeals for offenses committed prior to Jan. 1, 1995.
- 2 See Appendix E for a breakdown of cases relating to the practice of law filed in 2000.
- 3 See Appendix F for final dispositions of cases relating to the practice of law.
- 4 Includes discretionary appeals and claimed appeals of right.
- 5 Includes all discretionary appeals and claimed appeals of right allowed by the court, heard and disposed of on the merits.
- 6 Includes discretionary appeals and claimed appeals of right.
- 7 Includes discretionary appeals and claimed appeals of right awaiting court review on the first of the year, and discretionary appeals and claimed appeals of right previously allowed by the court and pending on the merits at the first of the year.
- 8 One hundred eleven of these cases had been allowed by the court and were pending on the merits as of Jan. 1, 2001. The remainder were pending as jurisdictional appeals.
- 9 Includes 23 appeals from courts of common pleas in which the death penalty was imposed for an offense committed on or after Jan. 1, 1995, one of which also has a companion appeal from a court of appeals. The remaining 15 appeals are from courts of appeals and related to offenses committed before Jan. 1, 1995.
- 10 Includes cases filed pursuant to the Supreme Court's exclusive constitutional authority over matters relating to the practice of law that are not considered disciplinary or admissions cases.
- 11 Includes suspensions for a definite period of time as well as suspensions that are completely or partially stayed, with or without conditions.
- 12 Includes cases in which respondent was ordered to be monitored and/or placed on probation for all or part of the suspension or serve a period of probation following a period of suspension.
- 13 Relates to a case in which the court disbarred respondent before accepting his resignation.

The Supreme Court of Ohio



Deborah L. Cook Francis E. Sweeney Paul E. Pfeifer Evelyn Lundberg Stratton
Andrew Douglas Thomas J. Moyer Alice Robie Resnick
Chief Justice

