

# THE SUPREME COURT OF OHIO

Annual Report 2002







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## ME COURT OF OHIO

Deborah L. Cook

Francis E. Sweeney

Paul E. Pfeifer

Evelyn Lundberg Stratton

Andrew Douglas

Thomas J. Moyer  
*Chief Justice*

Alice Robie Resneck

# The Supreme Court of Ohio

30 EAST BROAD STREET, 3RD FLOOR, COLUMBUS, OHIO 43215-3431

THOMAS J. MOYER, CHIEF JUSTICE  
ANDREW DOUGLAS  
ALICE ROBBIE RESNICK  
FRANCIS E. SWEENEY  
PAUL E. PFEIFER  
DEBORAH L. COOK  
EVELYN LUNDBERG STRATTON

THOMAS J. MOYER  
CHIEF JUSTICE

Dear Fellow Ohioans:

The Supreme Court of Ohio realized many successes in 2002. The work encompassed not only consideration of the more than 2,200 cases filed during the year, but also efforts to improve the administration of justice throughout the state.

On one level, the administration of justice includes promoting efficiency, updating the rules of practice and procedure in Ohio courts and enforcing strict codes of professional conduct. Through the course of the year, the court met or exceeded expectations.

Administering justice also calls on the court to actively pursue new avenues for ensuring that courts are accessible, impartial and inspire confidence. In 2002, the court met the challenge through the efforts of many. Examples of progress include the work of the Guardian Ad Litem Task Force and the Racial Fairness Implementation Task Force, both of which issued final recommendations that will help set new standards for the next generation. New initiatives were launched with the creation of the Task Force on Jury Service and the Advisory Committee on Children, Families & the Courts.

The justices and staff of the Supreme Court pledge to continue our efforts to enhance the administration of justice for the years to come.

Sincerely,



Thomas J. Moyer  
Chief Justice

2002

- JAN. 17** Chief Justice Moyer announces that he will name a task force on jury service to review current practices and recommend possible reforms.
- FEB. 1** Effective date of new court rule permitting law enforcement officers to issue electronic traffic tickets.
- APRIL 16** Ohio Government Telecommunications begins videotaping all oral arguments before the court.
- APRIL 24** Court conducts off-site session at Perry County Courthouse in New Lexington; 280 students attend.
- MAY 7** Guardian Ad Litem Task Force issues recommendations calling for standards for qualifications, training, responsibilities and funding.
- MAY 16** In remarks before the Ohio State Bar Association, Chief Justice Moyer announces an eight-point proposal for reforms in the rules and laws governing the selection of judges.
- MAY 20** Court launches pilot program allowing new attorneys to register online.
- JULY 1** The court's 23 offices and sections are reorganized into six separate divisions.
- JULY 19** The Task Force on Jury Service conducts its first meeting. The 25-member panel is chaired by Fairfield County Common Pleas Judge Joseph Clark.
- AUG. 23** Court hosts delegation of Bulgarian judges and administrators for conference on procedures and administration.
- OCT. 16** Court conducts off-site session at Licking County Courthouse in Newark; 400 students attend.
- NOV. 4** Chief Justice Moyer announces formation of the Supreme Court Advisory Committee on Children, Families & the Courts.
- NOV. 5** Justice Evelyn Lundberg Stratton is re-elected to a second term and Lt. Gov. Maureen O'Connor is elected to a first term.
- NOV. 22** Racial Fairness Implementation Task Force issues recommendations calling on legal profession to address current standards for court employment, juries, criminal justice, law schools and interpreter services.
- DEC. 31** Justice Andrew Douglas retires after serving on the court for 18 years.





SUPREME COURT OF OHIO

DIVISIONS



## OFFICE OF THE ADMINISTRATIVE DIRECTOR

Steven C. Hollon, administrative director

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COMMUNICATIONS &  
PUBLIC INFORMATION  
OFFICE  
Jay Wuebbold,  
director



OFFICE OF POLICY  
& PROGRAMS  
Richard A. Dove,  
director

The Office of the Administrative Director is the lead administrative office of the Supreme Court. The office provides leadership and guidance to the divisions, offices and sections through which the court executes its judicial functions and provides assistance to Ohio's trial and appellate courts.

In January, the administrative director implemented salary adjustments delayed from fiscal year 2001. The adjustments, put on hold because of cuts to the state budget, affected nearly all employees, including top-level managers, and judicial secretaries and clerks.

In July, the administrative director implemented a major reorganization of the court's 23 existing offices and sections. The restructuring – aimed at improving efficiency and preparing for the court's move to 65 S. Front St. – established six separate divisions, all of which report to the Office of the Administrative Director:

- Clerk's Division
- Legal & Research Support Division
- Fiscal & Management Resources Division
- Building Operations Division
- Attorney Services Division
- Judicial & Court Services Division.

The Clerk's Division, through its Office of the Clerk and Office of Bar Admissions, manages the Supreme Court's docket and enforces Supreme Court rules for becoming an attorney in Ohio.

Providing support on legal matters and case research, the Legal & Research Support Division assumed oversight of the Law Library and Office of the Reporter, which formerly reported directly to the Office of the Administrative Director. Also housed in the division is the Office of the Master Commissioners. The office is made up of staff attorneys who perform legal research and prepare case memoranda and opinions to assist the court. The Office of Legal Support assumed many of the duties of the former Legal & Legislative Office.

The division includes a significant addition to the court's structure: the Mediation Section. The creation of a distinct and separately staffed section eliminated the ethical concerns that existed under the former structure where the mediation function was part of the Office of the Master Commissioners.

The Fiscal & Management Resources Division provides internal, non-legal, management-related support for the court's operations and includes the offices of Fiscal Resources, Human Resources and Information Technology. The court hired a new Human Resources director in 2002 to complete the Supreme Court employee

classification and compensation plans undertaken in 2000 and continue work on a performance evaluation plan for staff.

The court's impending move to its new quarters is reflected in the creation of the Building Operations Division and the establishment of the division director position. The addition of a director of Building Operations answered a critical need for meticulous oversight of the final stages of the renovation and restoration project at 65 S. Front St. The division incorporates the newly formed Court Security and Maintenance & Grounds sections.

The Attorney Services Division assists the Supreme Court in meeting its constitutional duty to oversee the legal profession in Ohio. The division consists of the offices of Attorney Services and Continuing Legal Education, and the Attorney Registration Section. The division will also provide centralized staffing for the various boards and commissions that involve attorneys, professionalism and the practice of law.

The Judicial & Court Services Division provides support, guidance and consultation to trial and appellate court staff, clerks and judges throughout Ohio on case management, specialized dockets, dispute resolution, technology and continuing judicial education. The division also provides support to judges and their families on managing the challenges particular to life in the public eye.

## **Communications & Public Information Office**

Jay Wuebbold, director

The Communications & Public Information Office is the liaison between the court and its many audiences, providing court news and case information to Supreme Court staff, the media, Ohio citizens, trial and appellate judges and staff, parties to pending Supreme Court cases and attorneys.

In 2002, the Communications & Public Information Office wrote, distributed and posted to the court Web site 128 summaries of cases scheduled for oral arguments, 126 summaries of Supreme Court opinions, and 23 press releases and media advisories. The office also established a standard 9 a.m. daily announcement of Supreme Court decisions and administrative actions.

The office launched a graphic design effort to refine the Supreme Court's organizational identity and began producing print and multimedia pieces to better represent the court's many functions and capture the tone and dignity of the court's new home. Initial endeavors included fliers for media and legislative tours of the 65 S. Front St. project, recruiting documents, a training program brochure and slide presentations.

For Supreme Court employees, Communications & Public Information staff collaborated on a form for requesting updates to the court's Internet and Intranet sites intended to promote increased organization and efficiency. Staff

also added a technology feature and an employee profile to the biweekly staff newsletter that has proved to be an audience favorite.

Staff attended the off-site Supreme Court sessions in Perry and Licking counties, conducting justices' press conferences for student and professional media and moderating the debriefing sessions for high-school students following the arguments. Staff collaborated with Ohio Government Telecommunications (OGT) during the Licking County visit to begin production on a documentary of the Supreme Court's Off-site Court Program, which was established by Chief Justice Moyer in 1987.

The office's partnership with OGT also brought about the installation of OGT cameras in the Supreme Court courtroom to videotape oral arguments. The office continues to work with OGT on long-range plans, which call for the courtroom at 65 S. Front St. to be equipped with robotic cameras capable of broadcasting court proceedings live as well as streaming them through the court's Web site.

Staff also met with OGT for the initial development and mapping stages of [www.thenextsteps.org](http://www.thenextsteps.org), a Web site dedicated to Judicial Impartiality: The Next Steps, a forum scheduled for early 2003.

The office continued refining the Supreme Court Web site. Efforts included meetings with the court's Technology Resources Section, the Board of Commissioners on Grievances and Discipline and the Office of Disciplinary Counsel to establish a new Web presence for those entities; more than 250 updates to content, including the posting of the Ohio Courts Summary for 2000 and 2001; and major revisions to the Communications & Public Information Office, Office of the Clerk, Office of Bar Admissions, Technology Resources Section and Law Library pages on the Web site.

Staff collaborated with the Attorney Registration Section to further the court's e-registration, e-filing and other technology initiatives.

Staff also worked with the Technology Resources Section to prepare a homeland security funding proposal for the creation of a statewide network for all Ohio courts. The court's Web editor was named liaison of the Web Standards Work Group, a work group to the Advisory Committee on Technology & the Courts Standards Subcommittee.

## Office of Policy & Programs

Richard A. Dove, director

The Office of Policy & Programs is responsible for coordinating the Supreme Court's governmental relations activities, including monitoring legislative activity, maintaining the court's relationship with the Ohio Judicial Conference and state and local bar associations, providing staff assistance to the court's Rules Advisory Committee, and assisting in the identification and development of emerging issues and special initiatives within the judicial branch.

The Office of Policy and Programs – and its predecessor, the Office of Legal and Legislative Services – undertook the following during 2002:

Monitored legislation affecting the Ohio judiciary, including corrective legislation impacting the state operating and capital budgets; legislation to alter the makeup of the Brown and Morrow county courts; the Electronic Government Services Act (H.B. 482) and the Uniform Arbitration Act (H.B. 343).

Conducted education courses for and responded to questions from candidates for judicial office and other individuals involved in judicial campaigns. The office director



began serving on the National Center for State Courts' Ad Hoc Advisory Committee on Judicial Election Law, created to assist states in responding to challenges to judicial campaign conduct rules.

Began efforts to organize Judicial Impartiality: The Next Steps, a forum to be held in early 2003. The forum would gather leaders from throughout Ohio to discuss steps to enhance the principles of judicial impartiality and integrity, including changes to judicial selection, judicial qualifications, terms of judicial office, judicial campaign conduct and finance regulations, and voter awareness and education.

Provided staffing assistance to the Supreme Court Rules Advisory Committee and the newly created Task Force on Jury Service. The Rules Advisory Committee is a standing committee appointed by the Supreme Court to review and recommend changes to the rules of practice for which the court is responsible. The Task Force on Jury Service is charged by the chief justice with conducting a comprehensive review of the Ohio jury system and recommending changes to statutes and rules governing jury service and jury-related trial practices.

## CLERK'S DIVISION

Marcia J. Mengel, clerk of court

### OFFICE OF THE CLERK

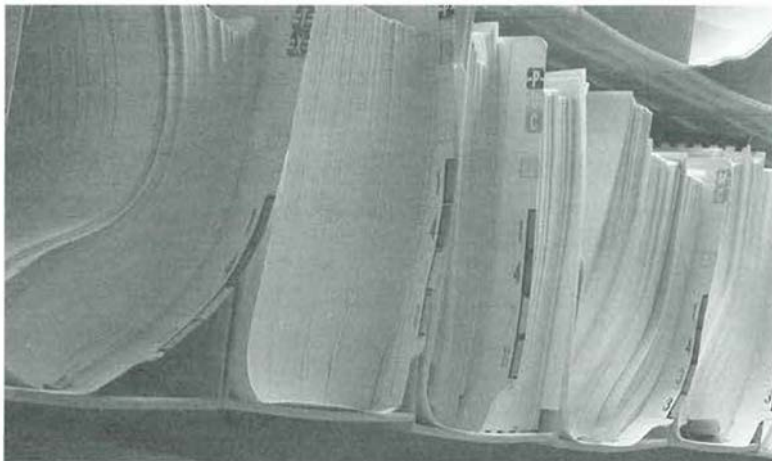
Marcia J. Mengel,  
clerk of court

Mary Ann Dix,  
chief deputy clerk

### OFFICE OF BAR ADMISSIONS

Marcia J. Mengel,  
director

### ATTORNEY REGISTRATION SECTION



The Clerk's Division has varied duties related to the management of cases filed with the Supreme Court and the practice of law in Ohio:

The Office of the Clerk manages all cases filed with the Supreme Court and provides assistance to the court, attorneys and litigants on procedural issues.

The Office of Bar Admissions regulates admission to the practice of law in Ohio.

The Attorney Registration Section, housed within the division through June, registers and tracks Ohio attorneys.

Each office made significant achievements in 2002. The Office of the Clerk revised its *Frequently Asked Questions* document to make it more helpful to unrepresented litigants. The document, which is posted on the court's Web site, also includes links to the court's applicable rules of practice. In addition, the office began developing an updated case management system.

The Office of Bar Admissions, working with the Board of Commissioners on Character and Fitness, proposed rule amendments to address the character and fitness standards and review process applied to bar applicants with felony records. The court adopted the amendments with an effective date of Feb. 1, 2003. The division director was elected to the Board of Trustees of the National Conference of Bar Examiners, a nonprofit organization that develops bar admissions tests and provides other bar admissions services to jurisdictions throughout the country.

The Attorney Registration Section launched a pilot project to allow newly admitted attorneys to register and pay biennial registration fees online.

## THE SUPREME COURT OF OHIO ■ 2002

### CASES FILED

#### JURISDICTIONAL APPEALS

Claimed appeal of right	22
Discretionary appeal (non-felony)	994
Discretionary appeal (felony)	520
Death penalty postconviction appeal	22
Appeal involving termination of parental rights/adoption	21
Appeal from App. R. 26(B) application ( <i>Murnahan</i> appeal)	<u>94</u>
TOTAL	1,673

#### MERIT CASES

Original action	135
Habeas Corpus case	47
Direct appeal (case originating in court of appeals)	133
Certified conflict	65
Certified conflict Involving termination of parental rights/adoption	1
Appeal from Board of Tax Appeals	60
Appeal from Public Utilities Commission	8
Appeal from Power Siting Board	0
Death penalty case <sup>1</sup>	7
Certified question of state law	2
Appeal from App. R. 26(B) application in death penalty case	4
Appeal of election contest under R.C. 3515.15	0
Appeal under R.C. 4121.25	<u>0</u>
TOTAL	462

#### PRACTICE OF LAW CASES<sup>2</sup>

Disciplinary case	107
Bar admissions case	3
Other	<u>4</u>
TOTAL	114

TOTAL NUMBER OF CASES FILED 2,249

<sup>1</sup> All of the appeals in this category are appeals from the courts of common pleas in which the death penalty was imposed for an offense committed on or after Jan. 1, 1995.

<sup>2</sup> See next page for breakdown of cases relating to the practice of law filed in 2002.

**THE SUPREME COURT OF OHIO ■ 2002**  
**JURISDICTIONAL APPEALS ACCEPTED FOR REVIEW**

Claimed appeal of right	2
Discretionary appeal (non-felony) <sup>1</sup>	99
Discretionary Appeal (felony) <sup>1</sup>	13
Appeal from App. R. 26(B) application ( <i>Murnahan</i> appeal)	<u>2</u>
TOTAL	116

**CASES RELATED TO THE PRACTICE OF LAW -  
 DETAIL OF CASES FILED**

**DISCIPLINARY CASES**

Case on report of board	63
Consent to discipline matter	4
Case under Gov. Bar R. V, Sec. 7/mental illness	2
Case upon felony conviction	11
Case upon default of child support order	1
Case on motion for interim remedial suspension	4
Miscellaneous disciplinary matter	0
Attorney resignation matter	10
Reciprocal discipline case	8
Judge disciplinary case under Gov. Bar R. V	1
Judge disciplinary case under Gov. Jud. R. III	0
Judge disciplinary case under Gov. Jud. R. II, Sec. 5	<u>3</u>
TOTAL	107

**BAR ADMISSIONS CASES**

Bar admissions/character and fitness Case	3
Miscellaneous bar admissions matter	<u>0</u>
TOTAL	3

**OTHER**

Unauthorized practice of law case/on report of board	4
Matter relating to practice of law	<u>0</u>
TOTAL	4

<sup>1</sup> This category includes cases involving both discretionary appeals and claimed appeals of right.

## THE SUPREME COURT OF OHIO ■ 2002

### FINAL DISPOSITIONS

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

Claimed appeal of right	17
Discretionary appeal (non-felony) <sup>1</sup>	818
Discretionary appeal (felony) <sup>1</sup>	351
Death penalty postconviction appeal	19
Appeal involving termination of parental rights/adoption	19
Appeal from App. R. 26(B) application ( <i>Murnahan</i> appeal)	<u>103</u>
TOTAL	1,327

### MERIT CASES

Original action	137
Habeas corpus case	45
Direct appeal (case originating in court of appeals)	160
Certified conflict	39
Certified conflict involving termination of parental rights/adoption	1
Appeal from Board of Tax Appeals	62
Appeal from Public Utilities Commission	11
Death penalty case <sup>2</sup>	20
Jurisdictional appeal accepted for review	141
Certified question of state law	12
Appeal from App. R. 26(B) application in death penalty case	10
Appeal of right	<u>1</u>
TOTAL	639

### PRACTICE OF LAW CASES<sup>3</sup>

Disciplinary case	136
Bar admissions case	5
Other	<u>11</u>
TOTAL	152

TOTAL NUMBER OF FINAL DISPOSITIONS 2,118

<sup>1</sup> This category includes cases involving both discretionary appeals and claimed appeals of right.

<sup>2</sup> Included in this category are nine cases involving appeals from the courts of common pleas in which the death penalty was imposed for an offense committed on or after Jan. 1, 1995. One of these cases also has a companion case appealed from the court of appeals. The remaining 10 cases involve appeals from the court of appeals for offenses committed prior to Jan. 1, 1995.

<sup>3</sup> See following two pages for the final dispositions entered in cases relating to the practice of law.

**THE SUPREME COURT OF OHIO ■ 2002**  
**FINAL DISPOSITIONS -**  
**CASES RELATED TO THE PRACTICE OF LAW**

Disciplinary Case/On Report Of Board (Gov. Bar R. V, Sec. 8)

Public reprimand	10
Definite suspension - without probation	29
Definite suspension - with probation	3
Indefinite suspension	33
Disbarment	13
Case dismissed	<u>2</u>
TOTAL	90

Disciplinary Case Involving Mental Illness (Gov. Bar R. V, Sec. 7)

Suspension	1
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Disciplinary Case/Felony Conviction (Gov. Bar R. V, Sec. 5)

Interim suspension	10
Case dismissed	<u>1</u>
TOTAL	11

Disciplinary Case/Default Of Child Support Order (Gov. Bar R. V, Sec. 5)

Interim suspension	1
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Disciplinary Case/On Motion For Interim Remedial Suspension  
(Gov. Bar R. V, Sec. 5a)

Interim suspension	3
Motion denied	<u>1</u>
TOTAL	4

Disciplinary Case/Consent To Discipline Matter  
(Gov. Bar R. V, Sec. 11[A][3][c]; BCGD Proc. Reg. Sec. 11)

Definite suspension	2
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Miscellaneous Disciplinary Matter

Respondent held in contempt	1
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**THE SUPREME COURT OF OHIO ■ 2002**  
**FINAL DISPOSITIONS -**  
**CASES RELATED TO THE PRACTICE OF LAW (continued)**

Attorney Resignation Case (Gov. Bar R. V, Sec. 11 [G])	
Resignation accepted	1
Resignation accepted - disciplinary action pending	<u>12</u>
TOTAL	13
Reciprocal Discipline Case (Gov. Bar R. V, Sec. 11[F])	
Public reprimand	2
Definite suspension - without probation	1
Definite suspension - with probation	3
Indefinite suspension	<u>2</u>
TOTAL	8
Judge Disciplinary Case On Report of Board (Gov. Bar R. V, Sec. 8)	
Public reprimand	2
Definite suspension from practice of law and definite suspension without pay from the bench	1
Indefinite suspension	<u>1</u>
TOTAL	4
Judge Disciplinary Case Involving Campaign Conduct (Gov. Jud. R. II, Sec. 5)	
Judicial canon violation found; fine imposed and suspended	1
Bar Admissions/Character And Fitness Case (Gov. Bar R. I, Sec. 12)	
Applicant disapproved, may reapply	3
Applicant disapproved, may not reapply	<u>2</u>
TOTAL	5
Unauthorized Practice Of Law Case/On Report Of Board (Gov. Bar R. VII)	
Respondent enjoined from actions constituting the unauthorized practice of law	10
Matter Relating To Practice of Law	
Respondent held in contempt and ordered to comply with subpoena	1



**THE SUPREME COURT OF OHIO ■ 2002  
CASES PENDING AS OF DECEMBER 31, 2002**

**JURISDICTIONAL APPEALS AND MERIT CASES**

Jurisdictional Appeal	438
Jurisdictional Appeal Accepted for Review	76
Original Action	25
Habeas Corpus Case	3
Direct Appeal (Case Originating in Court of Appeals)	72
Certified Conflict	52
Appeal from Board of Tax Appeals	32
Appeal from Public Utilities Commission	8
Death Penalty Case <sup>1</sup>	26
Appeal from App. R. 26(B) Application in Death Penalty Case	4
TOTAL	<u>736</u>

**DISCIPLINARY CASES**

Case on Report of Board	27
Consent to Discipline Matter	3
Case under Gov. Bar R. V, Sec. 7/Mental Illness	1
Case upon Felony Conviction	1
Attorney Resignation Matter	1
Reciprocal Discipline Case	2
Judge Disciplinary Case under Gov. Jud. R. II, Sec. 5	2
TOTAL	<u>37</u>

**BAR ADMISSIONS CASES**

Bar Admissions/Character and Fitness Case	1
TOTAL	<u>1</u>

**OTHER PRACTICE OF LAW CASES**

Unauthorized Practice of Law Case/On Report of Board	3
TOTAL	<u>3</u>

**TOTAL NUMBER OF CASES PENDING 777**

<sup>1</sup> Included in this category are 20 cases involving appeals from the courts of common pleas in which the death penalty was imposed for an offense committed on or after Jan. 1, 1995. The remaining six cases involve appeals from the courts of appeals for offenses committed prior to Jan. 1, 1995.

## LEGAL & RESEARCH SUPPORT DIVISION

Keith Bartlett, director

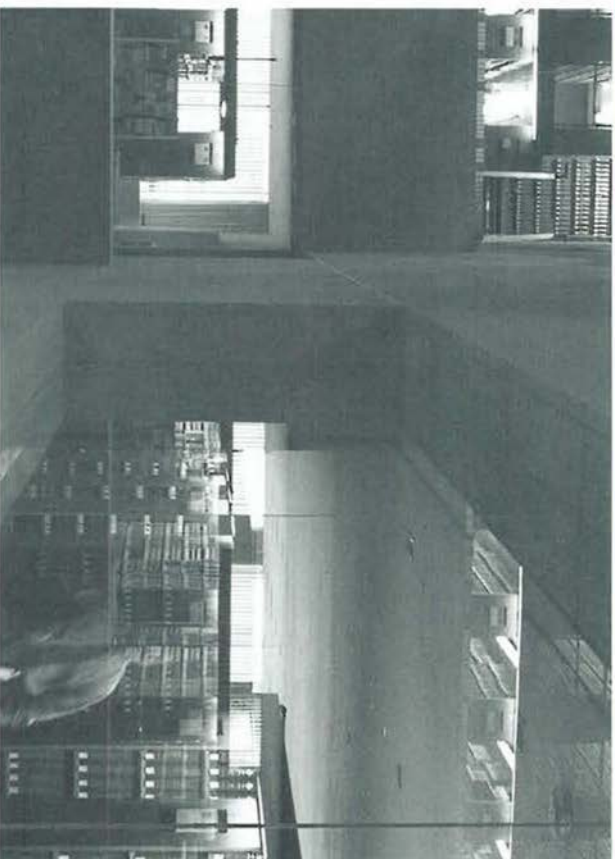
OFFICE OF LEGAL SUPPORT  
Keith Bartlett,  
director

OFFICE OF THE REPORTER  
Walter A. Kobalka,  
reporter of decisions

OFFICE OF THE  
MASTER COMMISSIONERS  
Jim Miles,  
senior master commissioner

LAW LIBRARY  
Diane Kier,  
acting director

MEDIATION SECTION



The Legal & Research Support Division provides the Supreme Court and its staff with counsel and support on legal matters, case research, library services, the publication of opinions and mediation services.

In 2002, the division's accomplishments included:

Integrating the offices of Legal Support, the Reporter and the Master Commissioners, the Law Library and the Mediation Section into a single division following the July 2002 reorganization of the Supreme Court's administrative structure.

Developing and submitting goals for 2003 and budgets for fiscal years 2004 and 2005 for the division.

Continued leadership by the Law Library's acting director during the search for a permanent director; operational improvements and enhancements to the Law Library and the completion of a project to eliminate unneeded acquisitions; continued weeding of the library's collections; and developing outreach efforts, including increased interlibrary loans.

Hiring a new director of the Law Library, naming a senior master commissioner and hiring a new master commissioner.

Releasing the final Action Plan of the Racial Fairness Implementation Task Force.

## FISCAL & MANAGEMENT RESOURCES DIVISION

Ronda Perri, director

OFFICE OF FISCAL RESOURCES  
Ronda Perri,  
director

OFFICE OF HUMAN RESOURCES  
Sharon Dunn,  
director

OFFICE OF  
INFORMATION TECHNOLOGY  
David K. Saffle,  
director



The Fiscal & Management Resources Division provides support and guidance for employees of the Supreme Court and the state judiciary in the areas of fiscal management, human resources, and information technology. This overall responsibility involves paying the state's portion of judicial and court personnel salaries, reimbursing allowable travel expenses, paying vendors for goods and services received, accounting for grants and subsidies, preparing fiscal reports, and implementing policies and internal controls for audit purposes.

The division also provides guidance in personnel actions; coordinates employee benefits; manages information technology requirements, including network administration and project management; and provides programming resources to meet the information and reporting needs of the Supreme Court.

Division accomplishments in 2002 include:

Managing an approximately \$100 million budget for the Supreme Court and Ohio judiciary. The division directed budget cuts of \$2.6 million from the court's operating budget to assist with the state's fiscal condition while accommodating the judicial salaries mandated by statute. The cuts represented a 14.4 percent reduction in the court's operating budget from fiscal year 2001.

Hiring Human Resources Director Sharon Dunn, who drove the completion of job descriptions for all Supreme Court employees, the drafting of personnel policies and the creation of an internal leadership training program to be implemented in 2003.

Installing a new opinions search engine and adding all appeals court opinions to the Supreme Court Web site.

Implementing a pilot program, in conjunction with the court's Attorney Registration Section, to allow new attorneys to register online and pay their fees by credit card through the Supreme Court Web site.

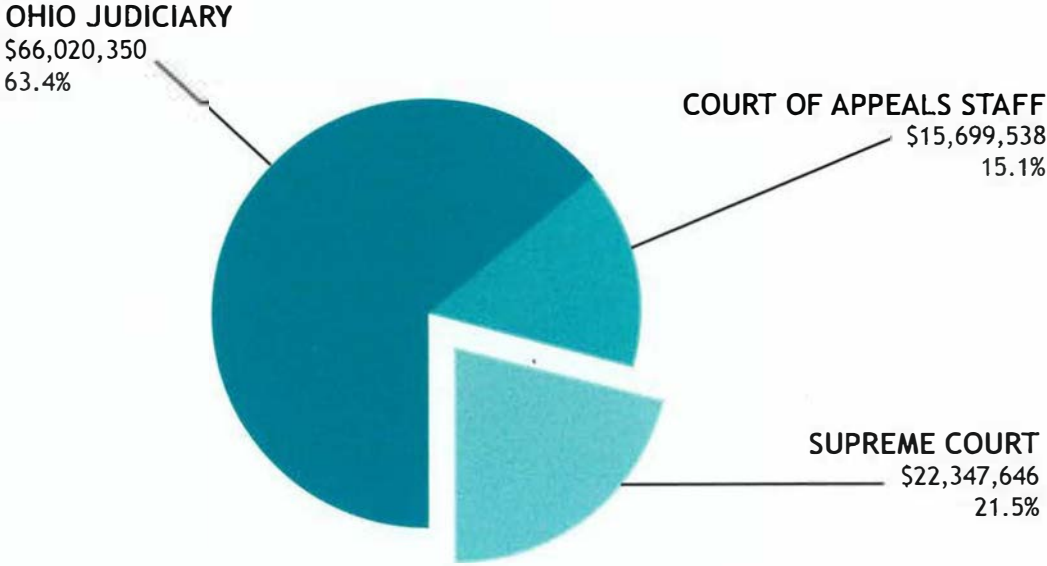
Installing a significant portion of the cable infrastructure for the future home of the Supreme Court at 65 S. Front St.

# JUDICIARY/SUPREME COURT BUDGET

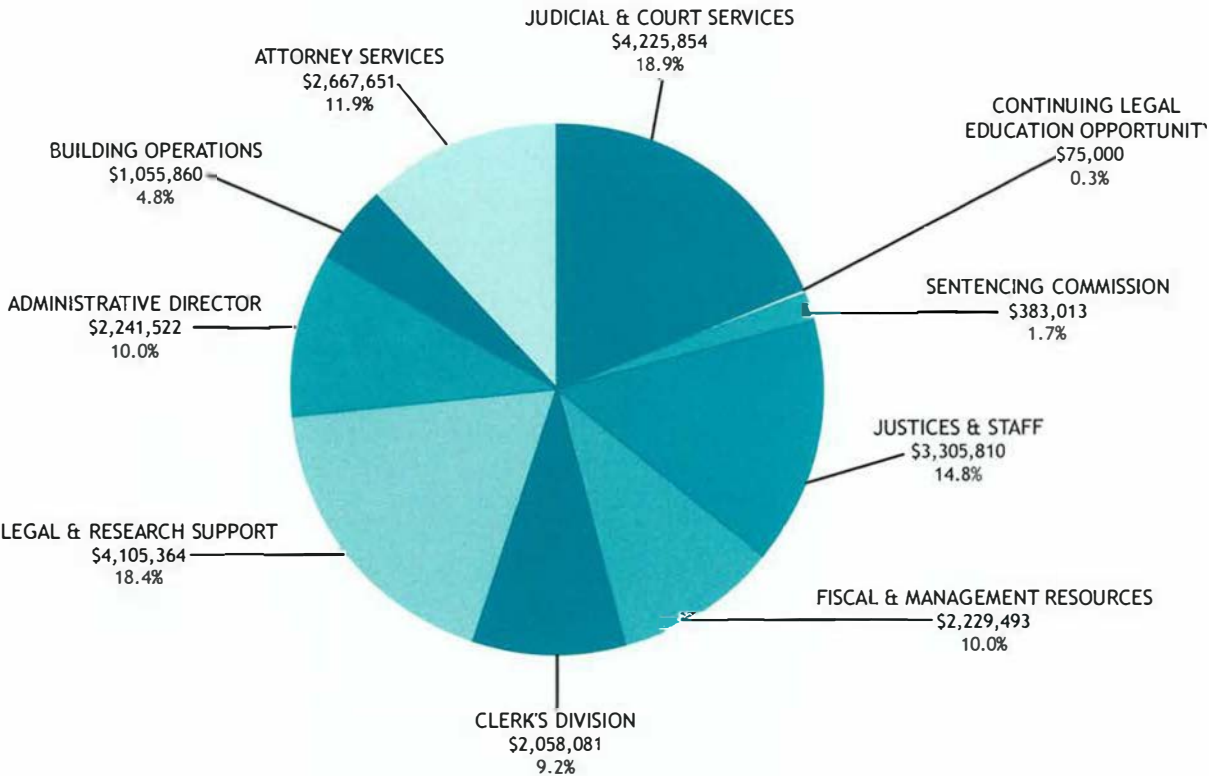
## FY 2002 and FY 2003

	FY2002 total budgeted	FY2003 total budgeted	Average for calendar 2002	
<b>Ohio Judiciary</b>				
Courts of Appeals Judges	9,555,767	9,666,921	9,611,344	
Trial Courts	55,135,488	57,682,523	56,409,006	
<b>Total Ohio Judiciary</b>	<b>\$64,691,255</b>	<b>\$67,349,444</b>	<b>\$66,020,350</b>	
<b>Courts of Appeals Staff</b>	<b>\$15,358,092</b>	<b>\$16,040,983</b>	<b>\$15,699,538</b>	
<b>Supreme Court</b>				
Justices and staff	3,304,597	3,307,023	3,305,810	14.8%
Office of the Administrative Director	2,212,200	2,270,843	2,241,522	10.0%
Clerk's Division	1,970,506	2,145,655	2,058,081	9.2%
Legal & Research Support Division	4,010,575	4,200,152	4,105,364	18.4%
Fiscal & Management Resources Division	2,053,402	2,405,584	2,229,493	10.0%
Building Operations Division	976,241	1,135,478	1,055,860	4.8%
Attorney Services Division	2,601,072	2,734,230	2,667,651	11.9%
Judicial & Court Services Division	4,388,741	4,062,967	4,225,854	18.9%
Continuing Legal Education Opportunity	0	150,000	75,000	0.3%
Sentencing Commission	332,535	433,491	383,013	1.7%
<b>TOTAL Supreme Court</b>	<b>\$21,849,869</b>	<b>\$22,845,423</b>	<b>\$22,347,646</b>	<b>100%</b>
<b>TOTAL Ohio Judiciary and Supreme Court</b>	<b>\$101,899,216</b>	<b>\$106,235,850</b>	<b>\$104,067,533</b>	

# OHIO JUDICIARY & SUPREME COURT TOTAL



# SUPREME COURT



## BUILDING OPERATIONS DIVISION

Byron C. Wilson, director

OFFICE OF  
BUILDING OPERATIONS  
Byron C. Wilson,  
director

COURT SECURITY SECTION  
James Cappelli,  
manager



The Building Operations Division was formed in July 2002 to assist the Supreme Court in its transition from its current role as a tenant of the Rhodes State Office Tower to its future role as a building owner. With the completion of the renovation and restoration of the Ohio Departments building – the future home of the court – the Supreme Court will occupy and be responsible for its own building for the first time in its nearly 200-year history. New responsibilities will include daily building operations and maintenance of the building infrastructure.

Division Director Byron Wilson joined the court in August 2002, assuming supervision of the 65 S. Front St. project. Since that time, division staff have escorted the entire court staff and other future tenants through the new building and finalized the furniture plan reusing most of the existing furniture at the court.



Along with operations and maintenance, the division provides security for the Supreme Court. The addition of Court Security Manager James Cappelli enables the division to provide consulting services to the Ohio judiciary.

The division also serves the Supreme Court and its staff by providing for all facilities needs, including mail delivery and handling, meeting scheduling and setup, transportation and large-volume printing and graphic reproduction, basic binding and document handling. In September 2002, the division began transferring telecommunications services to the Office of Information Technology in the Fiscal & Management Resources Division.

## THE OHIO DEPARTMENTS BUILDING

*an “adaptive reuse”*

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Since 1996, when the General Assembly first approved funding to renovate the future home of the Supreme Court at 65 S. Front St., the court and others have regarded the project as the renovation and restoration of a civic landmark.

Byron Wilson, who filled the Supreme Court’s newly established director of Building Operations position in August, prefers the term “adaptive reuse.” Wilson says it better describes the scope of the work - taking a former Executive Branch building and revamping it to accept the court and its affiliated offices. Wilson praises the character, history and craftsmanship of the 71-year-old building.

The building, with its majestic hearing room on the ground floor and historical details throughout, seemed a natural home for the Judicial Branch. The courtroom continued to see restoration to its murals and walnut paneling that will not be finished until the project ends in late 2003. Upon completion, the courtroom will seat 60 percent more observers than the current court chambers at 30 E. Broad St.

The restoration work - reflecting a commitment to the building’s architectural integrity - also focused on decorative artwork throughout the structure: the mosaics depicting Native American culture that tile the vaulted ceilings in the basement, the gold leaf that gilds the plaster work on the lower three floors and the oak bookcases that line the 11<sup>th</sup>-floor reading room.



Also of significance in 2002: The building infrastructure became operable. Lights came on and the heating and cooling system began stabilizing construction conditions inside. Workers later began erecting walls for offices on all floors.

Chief Justice Moyer and the architects began discussing a visitors center and looking at ways to incorporate it into the building design.

Outside, work began on waterproofing and relaying the marble plazas on the north and south ends of the building.

Wilson reports that work continued on schedule and under budget in 2002, bringing the project within 25 percent of completion at the end of the year.

The Supreme Court will take occupancy in the first quarter of 2004.

## ATTORNEY SERVICES DIVISION

Richard A. Dove, director

OFFICE OF ATTORNEY SERVICES  
Richard A. Dove,  
director

OFFICE OF CONTINUING  
LEGAL EDUCATION  
Diane Chesley-Lahm,  
director

ATTORNEY REGISTRATION  
SECTION



The Attorney Services Division assists the Supreme Court in satisfying its Constitutional duty to regulate the practice of law in Ohio.

Activities in 2002 included:

Establishing a structure and organization for the newly formed division and planning and completing the transition of attorney registration and attorney services responsibilities to the division.

Executing Phase II of the Electronic Registration Pilot Project, which allowed newly admitted attorneys to complete their initial registration and pay their registration fee online.

Developing new databases for the Office of Continuing Legal Education and Attorney Registration Section. Eventually, these databases will

facilitate Supreme Court oversight of continuing legal education and registration, enable greater public access to the information, and allow attorneys and other users to access the information and complete transactions via the Internet.

Establishing an Attorney Services page on the Court's Web site.

## JUDICIAL & COURT SERVICES DIVISION

Douglas R. Stephens, director

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OFFICE OF  
JUDICIAL & COURT SERVICES  
Douglas R. Stephens,  
director

JUDICIAL COLLEGE  
John Meeks,  
director

CASE MANAGEMENT SECTION

DISPUTE RESOLUTION SECTION

SPECIALIZED DOCKETS SECTION

TECHNOLOGY RESOURCES

COURT RELATIONS

TECHNOLOGY POLICY  
& PLANNING



The Judicial & Court Services Division offers resources and coordinates statewide efforts to assist local courts throughout Ohio with their mandate to serve the public in settling disputes. The division provides assistance at no cost to Ohio courts – fielding questions, researching issues, and providing comprehensive program development.

In 2002, Chief Justice Moyer created the Advisory Committee on Children, Families & the Courts to review initiatives in the area of family-related court disputes. Initially the committee will be developing a strategy to implement recommended guardian ad litem standards and the recommendations of the legislatively mandated Ohio Task Force on Family Law & Children.

Other significant developments include:

The establishment of a permanent, full-time judicial assignment officer to oversee all aspects of the assignment of judges by the chief justice. Responsibilities include reviewing requests, preparing recommendations for the chief justice's approval and processing related compensation reports. In the first year, the officer successfully implemented recently revised guidelines for the assignment of judges and realized a 28 percent reduction in expenses.

The successful installation of six more mediation programs in Ohio courts through leadership and start-up grants supplied by the Supreme Court. The dispute resolution section also completed the development of a training curriculum to assist mediators on screening for domestic abuse issues.

The computerization of three more Ohio courts with the assistance of federal grant money secured by the staff of the Technology Resources Section, leaving less than 1 percent of Ohio courts without computerization. The Advisory Committee on Technology & the Courts continued its work mostly through the Privacy & Public Access Subcommittee and the Standards Subcommittee.

Continued work on the Ohio Judicial Family Network to help judges' families adjust to public life. Staff continued facilitating roundtable discussion groups of various judicial and court personnel. One such group discussion brought about the development and distribution of an adoption procedures manual for probate court clerks.





SUPREME COURT OF OHIO

AFFILIATED  
OFFICES



## OFFICE OF DISCIPLINARY COUNSEL

Jonathan E. Coughlan, disciplinary counsel

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The disciplinary counsel is authorized by Supreme Court rules to investigate allegations and initiate complaints concerning misconduct and mental illness of judges and attorneys under the Code of Judicial Conduct, the Code of Professional Responsibility and rules governing the unauthorized practice of law.

During 2002, the office addressed 3,396 such matters, including 3,013 complaints of professional misconduct, 325 appeals of grievances dismissed by certified grievance committees of local bar associations and 58 allegations of the unauthorized practice of law. The office filed formal actions with the Board of Commissioners on Grievances and Discipline in 33 instances and dismissed 3,121 complaints after intake and investigation.

The Office of Disciplinary Counsel relocated from its former location at 270 S. Third St. to 250 Civic Center Dr. during the summer.

## BOARD OF COMMISSIONERS ON GREIVANCES & DISCIPLINE

Jonathan W. Marshall, secretary

Created by Supreme Court rule, the Board of Commissioners on Grievances and Discipline is charged with hearing matters asserting the unethical conduct or professional misconduct of an Ohio attorney or judge following the filing of a formal complaint by the Office of Disciplinary Counsel or the certified grievance committee of a local bar association. If the board determines a sanction is merited, it files its findings and recommendation with the Supreme Court. In 2002, the board filed 70 such cases. The board also conducts hearings and makes recommendations regarding the reinstatement eligibility of attorneys whose licenses to practice have been suspended for an indefinite period.

The board also oversees the filing of and monitors the financial disclosure statements required of all Ohio judges, magistrates and judicial candidates. In addition, the board issues advisory opinions on ethical questions at the request of and for the benefit of members of the Ohio bar and bench.

Other duties include initiating Supreme Court proceedings in instances involving Ohio attorneys who have been convicted of a felony, are alleged to be or have been adjudicated mentally ill or are found to have defaulted on a child support order. The board filed 14 cases involving these matters with the Supreme Court in 2002.

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Judge Arlene Singer  
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Myron A. Wolf

## CLIENTS' SECURITY FUND

Janet Green Marbley, administrator

The Supreme Court established the Clients' Security Fund in 1985 to ensure compensation for those who sustain financial losses due to the dishonest acts of attorneys acting in a fiduciary or legal capacity. Biennial registration fees paid by all Ohio attorneys and judges provide the monies for the fund.

After investigating claims, Clients' Security Fund staff submits them to the fund's board of commissioners for a determination of eligibility. No individual award exceeds \$50,000.

In 2002, the Clients' Security Fund awarded \$810,138 to 106 individuals for claims involving 30 former or suspended Ohio attorneys.

"The purpose of the fund is to aid in ameliorating the losses caused to clients and others by defalcating members of the bar acting as attorney or fiduciary, and this rule shall be liberally construed to effectuate that purpose."

-Gov. Bar R. VIII

### BOARD OF COMMISSIONERS OF THE CLIENTS' SECURITY FUND

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SUPREME COURT OF OHIO

BOARDS,  
COMMISSIONS,  
ADVISORY  
COMMITTEES  
& TASK FORCES



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“... shall be responsible for examination of applicants for admission to the practice of law in Ohio. Subject to the [c]ourt’s approval, the Board may promulgate rules and adopt procedures to aid in the administration and conduct of the examination.”

- Gov. Bar R. I

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“The Board of Commissioners on Character and Fitness shall be appointed by the [c]ourt and shall ... [s]upervise and direct the regional or local bar association admissions committees in the investigation of the character, fitness, and moral qualifications of applicants for admission to the practice of law.”

-Gov. Bar R. I

“There shall be a Board of Commissioners on the Unauthorized Practice of Law ... [which] shall receive evidence, preserve the record, make findings, and submit recommendations concerning complaints of unauthorized practice of law.”

- Gov. Bar R. VII

**BOARD OF COMMISSIONERS  
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“ ... to enhance public access to appropriate legal services by regulating the certification of lawyers as specialists.”

- Gov. Bar R. XIV

#### External agency liaison

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“Professionalism connotes adherence by attorneys in their relations with judges, colleagues, clients, employees, and the public to aspirational standards of conduct.”

- Gov. Bar R. XV

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“Each attorney authorized to practice law in this state shall complete and report ...at least twenty-four credit hours of continuing legal education for each two-year reporting period. At least two and one-half of the twenty-four credit hours of instruction shall be related to professional conduct and shall include ... [t]hirty minutes of instruction on substance abuse, including causes, prevention, detection, and treatment alternatives; ... [s]ixty minutes of instruction related to the Code of Professional Responsibility; ... [and s]ixty minutes of instruction related to professionalism (including A Lawyer's Creed and A Lawyer's Aspirational Ideals adopted by the Supreme Court).”

-Gov. Bar R. X



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“ ... for the purpose of adopting regulations for the operation of lawyer referral services and ensuring compliance of lawyer referral services ... ”

- Gov. Bar. R. XVI

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