

Ohio Judicial Conference

Executive Committee Meeting

August 27, 2014

10:00 am – 2:00 pm

Hilton at Easton, Columbus, OH

Agenda

I. CALL TO ORDER

Jim D. James

- Roll Call & Introductions
- Minutes, May 2, 2014

II. FINANCIAL REPORT

Mark Schweikert/Jayma Umbstaetter

- Final Report June 2014
- Report July 2015
- 2016-2017 Budget Preparation

III. SUPREME COURT PERSPECTIVE

Mindi Wells

-

IV. JUDICIAL CONFERENCE

Chair's Report

Jim D. James

- Co-Chair Recognition

Executive Director

Mark R. Schweikert

- Staff Changes
- Strategic Plan Update
- The Opiate Summit – Next Steps
- Fairness
- AMCAD Roundtable
- Website Upgrades
- Ohio Constitutional Modernization Commission
- Annual Meeting Details
- Judicial Elections

V. OLD BUSINESS

-

VI. NEW BUSINESS

-

VII. JUDICIAL ASSOCIATIONS REPORT

- Ohio Court of Appeals Judges Association G. Gary Tyack/John W. Wise
- Ohio Common Pleas Judges Association Jonathan P. Hein/Guy L. Reece, II
- Ohio Association of Domestic Relations Judges Richard P. Wright/ Diane M. Palos
- Ohio Association of Juvenile Court Judges Debra L. Boros/Matthew P. Puskarich
- Ohio Association of Probate Judges Kenneth J. Spicer/Jan Michael Long
- Association of Municipal/County Judges of Ohio Beth W. Root/William A. Grim

VIII. COMMITTEE REPORTS

Appellate Law and Procedure	Sheila G. Farmer/Sylvia Sieve Hendon
Civil Law and Procedure	Philip M. Vigorito/Gene A. Zmuda
Community Corrections	James L. DeWeese/Howard H. Harcha, III
Court Administration	John J. Russo/James A. Shriver
Court Technology	Jonathan P. Hein/John W. Wise
Criminal Law and Procedure	Joyce A. Campbell/Cynthia Westcott Rice
Domestic Relations Law & Procedure	Cheryl S. Karner/David Lewandowski
Judicial Compensation	Timothy J. Grendell/Everett H. Krueger
Judicial Education	Stephen W. Powell
Judicial Ethics & Professionalism	Mary DeGenaro/Thomas M. Marcelain
Jury Instructions	Mary E. Donovan/Jeffrey L. Reed
Jury Service	Jeffery B. Keller/Reeve W. Kelsey
Juvenile Law and Procedure	Luann Cooperrider/Robert C. DeLamatre
Legislative	Jan Michael Long/John R. Willamowski
Magistrates	Carol J. Dezso/Beth W. Root
Personnel and Office Administration	John M. Durkin
Probate Law and Procedure	Jan Michael Long/Jack R. Puffenberger
Public Confidence and Community Outreach	David M. Gormley/Eugene A. Lucci
Publications	Nancy D. Hammond, <i>Retired</i> /Deborah J. Nicastro
Retired Judges	Mel Kemmer, <i>Retired</i> /Nodine Miller, <i>Retired</i>
Specialized Dockets	John M. Durkin/Carol Ann Robb
Traffic Law and Procedure	Mark B. Reddin/Jennifer P. Weiler

IX. OTHER BUSINESS

X. 2014 EXECUTIVE COMMITTEE MEETINGS

Friday, November 7 (10:00-2:00)

Executive Committee Meeting; Moyer Judicial Center

2015 EXECUTIVE COMMITTEE MEETINGS

Friday, March 20 (10:00-2:00)

Executive Committee Meeting; Moyer Judicial Center

Friday, May 1 (10:00-2:00)

Executive Committee Meeting; Moyer Judicial Center

Wednesday, September 2

Executive Committee Meeting; Hilton at Easton Columbus

Friday, November 6

Executive Committee Meeting; Moyer Judicial Center

XI. ADJOURNMENT



Appellate Law and Procedure Committee

Executive Committee Report August 27, 2014

Co-Chairs

Judge Sheila G. Farmer
Judge Sylvia Sieve Hendon

Members

Judge Mary DeGenaro
Judge Stephen W. Powell
Judge Cynthia Westcott Rice
Judge James D. Sweeney,
Retired
Judge G. Gary Tyack
Judge Steven A. Yarbrough
Judge Matthew W. McFarland
Judge Michael Walsh

The Appellate Law & Procedure Committee analyzes pending legislation with a judicial impact on laws regarding appeals, appeals courts and appellate procedure and reviews issues and proposals of relevance to judges with appellate jurisdiction. It makes recommendations to improve the Ohio Revised Code, Ohio Rules of Appellate Procedure, and relevant Supreme Court Rules of Superintendence.

The committee met earlier this morning to discuss two proposals related to appellate review of criminal sentences. The first proposal is a draft of legislation that would specify under R.C. 2953.08(A)(4), (B)(2), and (G)(2) that a sentence must be both contrary to law and “prejudicial to the appealing party.” The proposal was drafted by Rep. Pelanda in consultation with Judges Hendon, Tyack, and Gallagher in response to discussions at the Criminal Sentencing Commission.

The second proposal, developed by the Appellate Review Committee of the Criminal Sentencing Commission, attempts to define the scope of R.C. 2953.08, define the term “contrary to law,” create a standard of review of “clear and convincing” and define that term, and clarify what is known as the “agreed sentence exception.”



Civil Law and Procedure Committee

Executive Committee Report August 27, 2014

Co-Chairs

Judge Philip M. Vigorito
Judge Gene A. Zmuda

Members

Judge Richard E. Berens
Judge Tina Boyer
Judge Forrest W. Burt
Judge Barbara S. Carter
Judge William J. Corzine, *ret.*
Judge William R. Finnegan
Judge Richard A. Frye
Judge Joseph Gibson
Judge Michael R. Goulding
Judge Thomas J. Grady
Judge Robert G. Hart
Judge Reeve W. Kelsey
Judge Richard M. Markus, *ret.*
Judge Jerry R. McBride
Judge Jerome J. Metz, Jr.
Judge Beth A. Myers
Judge Mark S. O'Connor
Judge Charles L. Pater
Judge Joseph D. Russo
Judge Brendan J. Sheehan
Judge Kenneth R. Spanagel
Judge Jonathan Starn
Judge Tygh M. Tone
Judge John T. Wallace
Magistrate Dennis Sarisky
Magistrate Elizabeth Watters

The Civil Law and Procedure Committee last met on January 31, 2014 to discuss ongoing legislative issues. The meeting scheduled for May 9, 2014 was cancelled. The following topics are on the agenda for the next Committee meeting:

Receivership (House Bill 9/Rep. Stautberg and Sen. Coley). Judge Frye worked with the Senate Civil Justice Chair to craft an amendment to this bill, has testified as a proponent, has worked with the sponsor to sync the bill with model law language, and is currently awaiting the convening of a conference committee.

Uniform Determination of Indigency in Civil Filings. Representative Sykes and OLAF alerted the Ohio Supreme Court to the disparate determination of indigency across Ohio counties. The Committee has reviewed this issue and Judge Spanagel drafted a recommendation, which may be included as an amendment in a lame duck bill.

Private Selling Officers (Proposal by MDK, LLC). In the hopes of expediting sheriff's sales, MDK has proposed creating Private Selling Officers who can sell foreclosed properties. The Committee opposes this proposal. A memo was provided to MDK describing the judges' concerns. MDK hopes to continue working with the committee and will present information about their proposal at the next meeting.

Legislative Platform. Committee members have submitted proposals for the Judicial Conference 2015-2016 Legislative Platform.

The next meeting of the Civil Law & Procedure Committee will be held August 27, 2014 during the Annual Meeting.



Community Corrections Committee

Executive Committee
August 27, 2014

Co-Chairs

Hon. James L. DeWeese
Hon. Howard H. Harcha, III

Members

Hon. Teresa Lyn Ballinger
Hon. Robert J. Brown, *Retired*
Hon. Forrest W. Burt
Hon. Marilyn B. Cassidy
Hon. John A. Connor
Hon. Nancy A. Fuerst
Hon. L. Alan Goldsberry
Hon. T. Shawn Hervey
Hon. Harry J. Jacob, III
Hon. Linda J. Jennings
Hon. Everett H. Krueger
Hon. Julie M. Lynch
Hon. Jerry R. McBride
Hon. David H. McKenna
Hon. James L. Miraldi
Hon. Robert D. Nichols, *Retired*
Hon. Charles L. Patton
Hon. Mary Margaret Rowlands
Hon. John W. Rudduck
Hon. Michael J. Russo
Hon. Nancy Margaret Russo
Hon. Keith M. Spaeth
Hon. Elizabeth Lehigh Thomakos
Hon. Diane S.A. Vettori
Hon. Steven O. Williams, *Retired*

The Community Corrections Committee provides a judicial perspective and advice on legislation and innovation in the field of Community Corrections. The committee reviews community corrections programs, policies and proposals, makes recommendations to the judiciary and provides input as needed into the planning of various workshops, trainings and forums for judges, and court personnel on the subject of community corrections, jails, sentencing alternatives or other related topics.

ORAS for Municipal Courts

In March of this year, the workgroup met with Dr. Ed Latessa, University of Cincinnati, and Brian Lovins, formerly of University of Cincinnati, to review the draft of the proposed misdemeanor risk assessment tool (MATS). This month, the workgroup, in conjunction with AMCJO, sent a letter to ODRC Director Gary Mohr expressing support for improvements made by the new tool while outlining some continued areas of concern.

ODRC Update Following Annual Meeting

At the conclusion of the Annual Meeting, the Committee is sponsoring a non-CLE "DRC Update" session. This session will provide the opportunity for judges to hear the most current information from ODRC. Issues of mutual concern - include trending crime and population information, the impact of sentencing reform, performance based funding and budgets, ORAS and other general, yet relevant topics, will be addressed.

The next scheduled meeting of the committee will be a conference call on October 21, 2014.

Respectfully submitted,
Judge James L. DeWeese, co-chair
Judge Howard H. Harcha, III, co-chair



Court Administration Committee

Executive Committee Report

August 27, 2014

Co-chairs

Hon. John J. Russo
Hon. James A. Shriver

Members

Hon. Mary J. Boyle
Hon. Jerry L. Buckler
Hon. John S. Collier
Hon. Rocky A. Coss
Hon. Ronald P. Forsthoefel
Hon. Nancy A. Fuerst
Hon. Robert C. Hickson, Jr.
Hon. Terry Ivanchak
Hon. Thomas A. Januzzi
Hon. Mel Kemmer, *Retired*
Hon. Charles F. Kurfess, *Retired*
Hon. Jerry R. McBride
Hon. Deborah J. Nicastro
Hon. Colleen Mary O'Toole
Hon. Noah E. Powers, II
Hon. Kathleen M. Rodenberg
Hon. Charles A. Schneider
Hon. Nick A. Selvaggio
Hon. Corey E. Spitzer
Hon. Paul E. Spurgeon
Hon. John B. Street
Hon. Maureen Ann Sweeney

Others

Ms. Jo Ellen Cline
Magistrate Anthony D'Apolito
Magistrate John Homolak

The Court Administration Committee met last on January 24, 2014. The Committee meets next later today and will meet again on November 7, 2014. The Committee has the following updates since the last report in May:

Superintendence Rules. The committee sent a letter to the Commission on the Rules of Superintendence regarding OVI record retention procedures. The committee recommends modifying the rule to require courts to retain only the portions of the file that are necessary for determining prior convictions. A subset of the committee reviewed proposed changes to Sup. R. 49 – 49.02 regarding commercial docket judges and made no recommendations.

Legislation. The committee is currently reviewing the following proposals:

- **Indigent Defense** – The Ohio Public Defender has a revised proposal for indigent defense reform that would increase reimbursement to fifty percent, establish a standard system of rates and caps, and base reimbursement on compliance with system standards and accountability. The committee will provide the Public Defender with any comments.
- **Civil Indigency** – The committee is reviewing a proposal to authorize the waiver of court costs for indigents in civil cases. Committee members have concerns with the lack of clarity regarding judicial review of the indigency affidavit. The committee will work with the Civil Law & Procedure Committee to address concerns.
- **Judicial Retention Elections** – At the request of Rep. Bishoff, the committee reviewed a proposal that would give judges the option of running in a judicial retention election. The committee continues to discuss the proposal but voiced general concerns about eliminating judicial elections and practical concerns about whether the proposal would address the perceived issues of lack of voter knowledge and judicial fundraising.

Other issues. The committee is reviewing an issue regarding the authority of municipal courts to impose poundage under R.C. 2303.20 and whether legislative clarification is necessary. Finally, the committee plans to discuss the formation of a subcommittee to develop model local rules in collaboration with the Ohio State Bar Association.



Court Technology Committee

Executive Committee Report

August 27, 2014

Co- Chairs

Judge Jonathan P. Hein
Judge John W. Wise

Members

Judge K. William Bailey
Judge Jerry L. Buckler
Judge Gary L. Byers
Judge Timothy P. Cannon
Judge Anthony Capizzi
Judge Michelle D. Earley
Judge Ronald P. Forsthoefel
Judge Duane A. Goettemoeller
Judge James L. Hoover, *Retired*
Judge Michael P. Kelbley
Judge Eugene A. Lucci
Judge Alfred W. Mackey
Judge Lee W. McClelland
Judge Mark J. Mihok
Judge Carol White Millhoan
Judge Thomas S. Moulton, Jr.
Judge Deborah J. Nicastro
Judge Mark B. Reddin
Judge Robert W. Rettich, III
Judge Christopher D. Roberts
Judge Joseph D. Russo
Judge Brendan J. Sheehan
Judge Corey E. Spittler
Judge James F. Stevenson
Judge Maureen Ann Sweeney
Judge Diane S.A. Vettori
Judge Michael J. Voris, *Retired*
Judge Gayle Williams-Byers
Judge Richard P. Wright
Judge Robert S. Wynn
Judge Gary L. Yost

Others

Magistrate Charles Lawrie

The Court Technology Committee explores new developments in court technology and policies related to these developments. This committee also serves as a resource to help Ohio judges effectively use technology.

The Court Technology Committee held its last meeting on May 14th.

2014 Court Technology Conference on May 15th, 2014

Registrations as of 4/25/14 – Vendors: 40, Attendees: 318

New for 2014 was providing 3 hours of CLE:

- Barron K. Henley, Affinity Consulting Group – “Tech Tips, Tricks, Gadgets, and Cool Stuff”
- Nial Raaen, National Center for State Courts – “Records Management”

The co-chairs of the Court Technology Committee worked with the Ohio Association for Court Administrators and the Ohio Clerk of Courts Association to plan the 2014 Court Technology Conference. The goal was to build the Conference with organizations with similar purposes. While successful for 2014, the commitment of these same organizations in 2015 is not so strong. The Committee hosted its own exhibitor booth where Judges modeled technology currently being applied in their courts. This interactive display provided a Q & A opportunity for conference attendees and also increased judicial participation.

2015 Court Technology Conference

Several goals are being pursued: (1) increasing attendance of technology users, (2) adding more vendors with varied hardware and software applications, and (3) encouraging collaboration between local technology decision-makers. Based on favorable evaluations, CLE hours will likely be offered again with a few more subject matter options.

Website Maintenance

After the Ohio Judicial Conference website redesign was launched in July of last year, the OJC staff has been working with a new vendor (CGI) in a continuing effort to improve and ensure that our members are getting the best user experience possible.

Future Meetings:

- **Wednesday, August 27 – 2:00 PM to 4:00 PM-** (Hilton Easton)
- **Friday, November 21 – 12:00 PM to 1:00 PM** - (Conference Call)



Criminal Law and Procedure Committee

Executive Committee Report August 27, 2014

Co-Chairs

Judge Joyce A. Campbell
Judge Cynthia Westcott Rice

Members

Judge Dennis J. Adkins
Judge Michael M. Ater
Judge Ann E. Beck
Judge William David Branstool
Judge Michael A. Buckwalter
Judge Lynne S. Callahan
Judge William J. Corzine, ret.
Judge Vincent A. Culotta
Judge Michael P. Donnelly
Judge Gary Dumm
Judge Michelle D. Earley
Judge John L. Good
Judge David M. Gormley
Judge Gregory A. Grimslid
Judge Thomas M. Hanna
Judge Robert G. Hart
Judge Gary W. Herman

Judge T. Shawn Hervey
Judge Thomas A. Januzzi
Judge Mel Kemmer, retired
Judge James Lanzo
Judge Deborah A. LeBarron
Judge Thomas M. Marcelain
Judge Alan R. Mayberry
Judge George P. McCarthy
Judge Stephen B. McIlvaine
Judge David H. McKenna
Judge Timothy N. O'Connell
Judge Noah E. Powers, II
Judge Jennifer L. Sargus, ret.
Judge Jon P. Schaefer
Judge Megan E. Shanahan
Judge Brendan J. Sheehan
Judge James A. Shriver
Judge Lee Sinclair, Retired
Judge John M. Solovan, II
Judge Kenneth R. Spanagel
Judge Brett M. Spencer
Judge David N. Stansbury
Judge Jonathan Starn
Judge Diane S.A. Vettori
Judge Philip M. Vigorito
Judge Nanette Von Allman
Judge Mark W. Wall
Judge John T. Wallace
Judge Stephen Wolaver
Judge Tyrone K. Yates

The Criminal Law & Procedure Committee last met on June 18, 2014. The committee is working on the following items:

Rules.

- **Criminal Rule 11:** Judge Donnelly has spearheaded an effort to submit a Rule change proposal specific to transparency in the pleading process and factually-sound plea agreements. At the last meeting, the Committee reviewed a draft proposal and voted to submit it to the Rules Commission for consideration during the 2015 cycle.
- **Criminal Rule 19:** The Magistrates Committee has asked the Criminal Law and Procedure Committee to consider a change to the Rules that would allow magistrates to accept pleas in F4/F5 cases.

Legislation.

- **SORN Revision:** (S.B. 144/Sen. Seitz) The committee is reviewing the possibility of amending this bill to address difficulties with appeals for offenders whose appeal time has lapsed but who have been incorrectly re-classified under an intervening law.
- **Destiny's Law:** (H.B. 349/Rep. Hackett) A sub-bill includes a better-developed definition of "permanent disabling harm" and this bill is likely to move during the lame duck session.
- **H.B. 529/Rep. Conditt:** The bill increases penalties for sales of drugs to pregnant women and is likely to move during the lame duck session.

Other.

- The Committee has submitted proposals for the Judicial Conference 2015-2016 Legislative Platform.

The next meeting is scheduled for December 2, 2014, if needed.



Domestic Relations Law & Procedure Committee

Executive Committee Report August 27, 2014

Co-chairs

Judge Cheryl S. Karner
Judge David Lewandowski

Members

Judge Craig R. Baldwin
Judge Scott N. Barrett
Judge Jerry L. Buckler
Judge Leslie Ann Celebrezze
Judge Heather M. Cockley
Judge Janet R. Colaluca
Judge William J. Corzine, *Retired*
Judge Carol J. Dezso
Judge Colleen A. Falkowski
Judge Joseph Giulitto, *Retired*
Judge Paula C. Giulitto
Judge Rosemary Grdina Gold
Judge L. Alan Goldsberry
Judge Jeffrey A. Hooper
Judge Steven Hurley
Judge Jim D. James
Justice Sharon L. Kennedy
Judge Mary Kovack
Judge Katherine S. Lias, *Retired*
Judge Denise Herman McColley
Judge Judith Nicely, *Retired*
Judge Diane M. Palos
Judge Dana S. Preisse
Judge John P. Quinn
Judge Kathleen M. Rodenberg
Judge Beth A. Smith
Judge Laura B. Smith
Judge Matt C. Staley
Judge Russell A. Steiner, *Retired*
Judge David E. Stucki, *Retired*
Judge Susan Laker Tolbert
Judge Michael J. Voris, *Retired*
Judge Richard P. Wright
Magistrate Pamela Heringhaus
Magistrate Tom Tompkins

The Domestic Relations Law & Procedure Committee reviews issues and proposals of relevance to judges with domestic relations jurisdiction and analyzes pending legislation with judicial impact on family laws and procedures.

The Committee met last on June 17th in conjunction with the Association's Summer Conference. The Committee will meet later this evening in conjunction with the Annual Meeting.

Since the last Executive meeting, the Committee continues to finalize a draft of a pension bill that is part of the Conference's legislative platform. Committee Co-Chair Judge Dave Lewandowski met with representatives from each of the public pension boards earlier this week to discuss remaining issues in the bill. The bill will provide public pension survivor benefits to an ex-spouse when an employee dies before retirement. The Committee is currently seeking the support of other interested groups and meeting with the representatives of the public pensions to ensure smoother passage of the bill.

The Committee continues to monitor House Bill 243 and Senate Bill 177 regarding the inclusion of companion animals on Civil Protection Orders, House Bill 257 which terminates parental rights when a child is conceived as a result of rape, and Senate Bill 261 which would make a protection order enforceable if the respondent has actual notice of the order despite it not being served on him. The Committee has also drafted an amendment to a potential bill that will allow both a residential and nonresidential parent to give consent for their child to receive mental health treatment in certain situations.

At its last meeting, the committee began brainstorming several issues for potential legislative platform ideas. These issues include creating judicial oversight for Private Judging, seeking legislative support for local policies concerning the testimony of children and a potential venue for the termination of an order of separation when a couple resolves their marital issues.



Co-Chairs

Judge Timothy J. Grendell
Judge Everett H. Krueger

Judicial Compensation & Benefits Committee Report

Executive Committee Report August 27, 2014

Judicial Compensation

The OJC Judicial Compensation Committee last met on July 9, 2014 at 4:00 PM. All of the judicial association presidents and the co-chairs of the legislative committee have been participating in the meetings and conference calls. We are working with the other county elected official associations and the OSBA to develop a comprehensive and successful legislative strategy. Leadership of both caucuses in both the Senate and House of Representatives have designated legislators to work with us to develop and implement a successful strategy for 2014.

Representatives of the elected officials associations are meeting regularly with legislative leaders to consider the options available for a compensation package and which options might be preferred by the legislature. Selected efforts are being made to make sure legislators are aware of the importance of dealing with the compensation issue before the end of the year.

Over the legislative summer break the judicial association legislative counsel and this committee have been coordinating contacts between judges and local legislators to garner support for a comprehensive compensation package in the fall when the legislature returns. This effort has been coordinated with the Ohio Council of County officials.

Attached is the proposal being pursued at this time.

The OJC Judicial Compensation in Perspective 2014 Report is available on the OJC website at www.ohiojudges.org

Ohio Council of County officials
Proposal for Elected Official Compensation Legislation

Members of the OCCO committee on Elected Official Compensation began meeting in the Fall of 2013 with the purpose of developing a proposal for Elected Official Compensation Legislation in the fall of 2014. ***Because there has been no increase in compensation since 2008, and because there are restrictions on most elected officials on receiving any increase during term, the need for attention to this issue is immediate.***

Elected official compensation has fallen behind levels necessary to attract and retain the highest quality professionals to the most important positions in state government.

The General Assembly routinely has made a considerable adjustment following a period of no increases. This happened in 1973, 1975, 1979, 1985, and most recently in 2001 when it increased legislative pay by 21.8% and established a routine COLA based on cpi for 7 more years. Base salaries need to be re-set but done so in a way that is fiscally sensible.

Most Compensation management models would use a combination of cost of living and market value surveys to determine an appropriate base salary for any position. Since 2001 the US Bureau of labor statistics reports an increase of 33.42% inflation in cost of living. During the same period Ohio elected officials received a total increase of 17.25%, a shortfall of 16.17%

From a Market survey comparison, using Ohio Common Pleas trial court judges as a comparison, Ohio judges rank 42nd in the US, while Ohio ranks 7 in population and 8 in domestic product. Compared to an average of the comparable judges salary of the 10 most populous states, Ohio judges are paid \$30,611 less than the average of \$151,961. That's more that 20% behind. Other officials are in similar circumstances. For example, Ohio's top-paid prosecutor makes \$121,323, while all prosecutors in Indiana are paid \$134,113, and in Pennsylvania all are paid \$172,271. The top pay in Michigan is \$149,942.

A key element of the overall proposal is to establish a permanent process which will serve to address this issue as a long-term solution. The establishment of a State Elected Official Compensation Commission would remove the obvious conflict of the legislature setting their own salaries and the resulting reluctance of those officials to ordering themselves increases. Routine attention by such a commission would avoid the accumulating devaluation that has historically resulted and the vast fluctuations in elected official pay. The proposed two year interim adjustments would restore some of the existing devaluation but would leave a considerable task for such a commission or other mechanism to set the standards for the future.

The goals of such legislation would be threefold:

- ***A routine traditional cost of living adjustment (COLA) capped at 3% should be implemented and maintained on a long term basis.*** Elected officials and budgeting officials should have a basis to project future compensation. Persons seeking elected office should be able to expect that compensation levels for the position sought will at least keep pace with increases in the cost of living so that their compensation will not in effect be reduced over time.
- ***The General Assembly should apply an adjustment to all elected official salaries for each of calendar years 2015 & 2016.*** Combined with a COLA this solution allows some advancement towards real market value and maintains current cpi growth within reasonable budgeting limitations until the proposed long term solution can be implemented.
- ***The General Assembly should create a permanent mechanism to routinely establish appropriate compensation levels for all elected officials and make adjustments at regular intervals.*** This could include an Elected Official Compensation Commission that would make adjustments subject to being invalidated by legislative act.



Judicial Education Committee

Executive Committee Report August 27, 2014

Chair

Judge Stephen W. Powell

Members

Judge Debra L. Boros
Judge Jonathan P. Hein
Judge Beth W. Root
Judge Kenneth J. Spicer
Judge Richard P. Wright

The Judicial Education Committee works with the Executive Committee, judicial association presidents, the Judicial College, and the Judicial Conference staff to develop, organize, and present the Annual Meeting Education Program.

The Judicial Education Committee met by conference call on June 23, 2014, at noon in order to review the plans for the 2014 Annual Meeting. The theme for the Annual Meeting is "The Future of Justice: The Next 50 Years." The committee has opted to focus on topics that will be of increasing relevance to Ohio courts in the near future.

Presenters that have been extended invitations to speak at the Annual Meeting, include: Franklin County Sheriff's Office Operation Street Smart on Drugs, Mindset Digital, Courtroom Dogs, Professor Marianna Bettman, Columbus Police Detective Christine Roberts, Barron Henley, Esq. and FamilySearch International. Attendees will also have an option to attend a Legislative Update Session with Senators and Representatives and a Death Penalty Task Force Update. Additionally, during the Thursday plenary sessions a discussion panel regarding "Media and the Courtroom" is being developed with Judge Mike Russo serving as a moderator. Invitations have been sent to Chief Justice O'Connor and Ohio State Bar Association leadership to speak during the plenary sessions.

Respectfully submitted,

Judge Stephen W. Powell, Chair



Ohio Jury Instructions Committee

Executive Committee Report August 27, 2014

Co-chairs

Judge Mary E. Donovan
Judge Jeffrey L. Reed

Members

Judge Patrick Carroll
Judge John A. Enlow
Judge John F. Bender, Retired
Judge H.F. Inderlied, Jr., Retired
Judge N. Edward Lane, Jr.
Judge Patricia S. Oney
Judge Richard M. Rogers
Judge Charles A. Schneider
Judge Lee Sinclair, Retired
Judge Stephen Wolaver
Judge Michael P. Donnelly

Beth Cooke, Esq.
Jennifer Hansen, Esq.
Shawn K. Judge, Esq.
Richard Peck, Esq.
Mary Jane Trapp, Esq.
Gregory M. Travaglio, Esq.

The Ohio Jury Instructions (OJI) Committee meets seven times a year on weekends and at a summer retreat to draft Ohio Jury Instructions for newly enacted legislation and to update existing instructions as needed and required by intervening legal opinions or rule changes.

The OJI Committee met on June 6-7, 2014. The committee worked on instructions regarding Automobiles, Human Trafficking, and Promoting Prostitution.

The OJI committee held their Retreat on August 3-6, 2014, in Cleveland, Ohio. The committee worked on instructions regarding Workers Compensation and should have new and complete workers compensation instructions completed this fall. The Committee also drafted a new instruction on consideration of collateral sources.

The Ohio State Bar Association Casemaker contract for online publication was renewed on May 20, 2014. A subcommittee is working with OSBA representatives to remove OSBA Instructions from Casemaker that have become unnecessary as they have been replaced by OJI instructions.

The publication contract with Lexis expires in December 2014 and will need to be reviewed and renewed before then.

The committee's next meeting is September 19-20, 2014 at Embassy Suites in Dublin, Ohio. The agenda for the September meeting is currently in development.

Respectfully submitted,

Mary E. Donovan, co-chair
Jeffrey L. Reed, co-chair



Co-Chairs

Hon. Jeffery B. Keller
Hon. Reeve W. Kelsey

Members

Hon. Pinkey S. Carr
Hon. Christopher Collier
Hon. Vincent A. Culotta
Hon. Toni L. Eddy
Hon. Michael F. Higgins
Hon. Linda J. Jennings
Hon. Everett H. Krueger
Hon. Charles F. Kurfess, *Retired*
Hon. Robert G. Lavery, *Retired*
Hon. Marvin Shapiro, *Retired*
Hon. Kathleen Ann Sutula
Hon. Dean L. Wilson
Hon. Gary L. Yost

Others

Ms. Jean Atkin
Mr. Tom Shields

Jury Service Committee

Executive Committee Report August 27, 2014

The Jury Service Committee examines all aspects of jury service and makes recommendations for the proper and efficient functioning of the jury system.

Secretary of State Letter

The committee sent a letter to Secretary of State Husted asking him to advise local boards of elections of irregularities in how boards of elections report voters to jury commissions. Some boards remove the names of voters who have not voted in the previous four years before sending the voter list to the jury commissioners, and some do not.

Jury Service Video

The Supreme Court of Ohio's Public Information Office filmed the Jury Service video on July 31st, 2014. The Jury Service Committee worked with the Supreme Court to develop a script.

The next scheduled committee meeting is a conference call October 28th 12-1pm.

Respectfully submitted,

Judge Reeve W. Kelsey, co-chair
Judge Jeffery B. Keller, co-chair



Juvenile Law & Procedure Committee

Executive Committee Report August 27, 2014

Co-Chairs

Judge Luann Cooperrider
Judge Robert C. DeLamatre

Members

Judge K. William Bailey
Judge David B. Bender
Judge Anthony Capizzi
Judge Timothy L. Cardwell
Judge Margaret A. Clark
Judge J. Mark Costine
Judge Ronald R. Craft
Judge Theresa Dellick
Judge Kevin W. Dunn
Judge Charlotte Coleman Eufinger
Judge Alison L. Floyd
Judge Daniel R. Gerschutz
Judge Kathleen L. Giesler
Judge Timothy J. Grendell
Judge Robert H. Hoover
Judge Robert W. Hutcheson
Judge Jim D. James
Judge Nick Kuntz
Judge Thomas R. Lipps, *Retired*
Judge Jan Michael Long
Judge Denise Herman McColley
Judge Stephen D. Michael
Judge Joseph N. Monnin
Judge Thomas S. Moulton, Jr.
Judge Dana S. Preisse
Judge James S. Rapp
Judge Kathleen Dobrozi Romans
Judge James A. Shriver
Judge Ronald Spon
Judge Robert W. Stewart
Judge David E. Stucki, *Retired*
Judge Linda Tucci Teodosio
Judge Terre L. Vandervoort
Judge David E. Woessner
Judge Mary Pat Zitter
Magistrate Allan Carter
Magistrate Thomas J. Freeman

The Juvenile Law & Procedure Committee analyzes pending legislation with a judicial impact on juvenile laws and procedures and reviews issues and proposals of relevance to judges with juvenile jurisdiction. It makes recommendations to improve the Ohio Revised Code, Rules of Juvenile Procedure, and relevant Supreme Court Rules of Superintendence.

The committee met last on June 17th in conjunction with the Juvenile Judges' Association's Summer Conference. It will convene again for a conference call on November 10th.

Since the last Executive Committee meeting, the Governor signed Senate Bill 143 which readopts a former provision of the Revised Code that allows a juvenile judge to transfer a juvenile inmate to an adult facility if the juvenile is between the ages of 18 and 21 and the judge finds such placement *in the juvenile's best interests*. This change will be extremely beneficial in those counties where adult facilities provide programming not found at a corresponding juvenile facility, including work release programs.

Juvenile judges have also been participating in ongoing discussions about the Governor's legislative platform for the juvenile justice system. This platform has been developed after recommendations were made at a forum sponsored by the executive branch called *Communities 4 Kids*. After hearing input from several stakeholders involved with juvenile justice and the concerns of judges from the Conference, the result of this forum will be a series of bills that will soon be introduced in both chambers. A few juvenile judges have already been involved with drafting language for these bills.

The Committee continues to monitor several bills. House Bill 438 will require children services to instigate a claim of dependency when a nonparent/guardian obtains a power of attorney for a child to enroll the child in school or make healthcare decisions on their behalf. House Bill 334 would allow a superintendent to suspend a child if it is believed that the child might cause a threat to school safety. House Bill 392 will create a qualified immunity for a person under the age of 21 who seeks medical assistance for another young person who is overly intoxicated.



Co-Chairs

Judge Jan Michael Long
Judge John R. Willamowski

Judicial Members

Judge Tim Grendell
Judge Tyrone Yates

Association Counsel

Jeff Jacobson, OAJCJ
Tom Pappas, OADRJ and AMCJO

Legislative Committee

Executive Committee Report August 27, 2014

The Legislative Committee meets monthly to discuss progress on the Legislative Platform, pending legislation, and other issues of importance in the General Assembly. The Committee met last on June 12, 2014 and again earlier today at our Legislative Platform breakfast.

2013 – 2014 – Legislative Platform Update

Since the last written report in May, the following items on the 2013 – 2014 Legislative Platform have been enacted:

- Collectible Judgments and Community Service – Removes the 40 hour per month cap on the amount of credit a court may order for community service for a criminal offender who fails to pay a cost judgment or make a timely payment toward that judgment.
- Juvenile Justice Fixes – Restores some judicial discretion to place certain 18 – 21 year adjudicated delinquents in adult detention facilities when such a placement is in the best interest of that person.
- Community Alternative Sentencing Centers – Authorizes municipal corporations to establish such centers in the same manner as Boards of County Commissioners.

2015 – 2016 – Legislative Platform Planning

The Committee met earlier today along with the Co-Chairs of the Court Administration and Law & Procedure Committees to plan for the Judicial Conference's next biennial platform. In addition to items that will carry over from the 2013 – 2014 platform, the committee discussed new items such as OVI simplification, traffic law clean-ups, changes to pre-sentence investigation requirements, judicial authority over private judging, and changes to child support law among others. The committee will present the platform to the Executive Committee for approval at its November meeting.

Legislative Panel at OJC Annual Meeting

The committee arranged and held a planning conference call for a legislative panel as part of a breakout session at the OJC Annual Meeting. The committee would like to extend a special thanks to the four legislators who will be on the panel, Senators Larry Obhof and Joe Schiavoni and Representatives Matt Huffman and Tracy Heard.



Co-Chairs

Judge Carol J. Dezso
Judge Beth W. Root

Members

Judge Richard A. Bernat
Judge James P. Celebrezze,
Retired
Judge Steven L. Hurley
Judge Michael P. Kelbley
Judge Everett H. Krueger
Judge C. Allen McConnell
Judge Timothy N. O'Connell
Judge Kathleen M. Rodenberg
Judge Jonathan Starn
Judge Bruce Winters

Magistrate Gregory F. Clifford
Magistrate David Jump
Magistrate Roseanne Hilow
Magistrate David Laughlin
Magistrate Nancy McMillen
Magistrate Linda Warner

Magistrates Committee

Executive Committee Report August 27, 2014

The Magistrates Committee consists of judges who have an interest in the role of magistrates in Ohio courts. The committee examines magistrate qualifications, duties, training, and compensation. The committee also identifies those activities of magistrates that are of greatest importance to judges. This committee also collaborates with the Ohio Association of Magistrates on magistrate issues.

The committee met via conference call on June 3, 2014.

The Ohio Association of Magistrates (OAM) President reported the Association will be celebrating their 25th Anniversary. If judges would like to show their support of the OAM they may attend the October 2, 2014 dinner at Columbus Crowne Plaza. Please contact the OAM for additional details.

Also discussed:

- a. Magistrate McMillen reported that the Spring Magistrate Meeting was successful as many magistrates attended and the educational offerings were excellent.
- b. Magistrate McMillen reported that in the future, scholarships will be offered to Magistrates that may not have access to funding for these events.
- c. Magistrate McMillen reported that she was very happy and pleased to receive the resolution from the Ohio Judicial Conference and will be posting information in both the OAM newsletter and on the OAM website.

The committee is scheduled to meet via conference call on October 28, 2014, at Noon.

Respectfully Submitted,

Judge Carol J. Dezso &
Judge Beth W. Root, Committee Co-Chairs

OJC Resolution attached



Probate Law & Procedure Committee

Executive Committee Report

August 27, 2014

Co-chairs

Judge Jan Michael Long
Judge Jack R. Puffenberger

Members

Judge Van Blanchard, II
Judge Michael A. Borer
Judge Richard P. Carey
Judge James Cissell
Judge R.R. Denny Clunk, *Retired*
Judge Wilfrid G. Dues
Judge Kevin W. Dunn
Judge Charlotte Coleman Eufinger
Judge Robert D. Fragale
Judge Laura J. Gallagher
Judge Daniel R. Gerschutz
Judge Kathleen L. Giesler
Judge Timothy J. Grendell
Judge Charles G. Hague
Judge Robert H. Hoover
Judge Philip Alan B. Mayer
Judge Beverly K. McGookey
Judge Robert G. Montgomery
Thomas M. O'Diam
Judge Dixilene N. Park
Judge Stephen W. Powell
Judge Randy T. Rogers
Judge Robert N. Rusu
Judge James A. Shriver
Judge Kenneth J. Spicer
Judge Thomas A. Swift
Judge Kevin H. Taylor
Judge James T. Walther
Judge Latecia E. Wiles
Judge Steven O. Williams, *Retired*
Judge Mary Pat Zitter
Magistrate Lora Krider
Magistrate Nancy Miller
Magistrate Lora Lynne Stalknaker

The Probate Law & Procedure Committee reviews issues and proposals of relevance to judges with probate jurisdiction and analyzes pending legislation with a judicial impact on probate laws and procedures.

Since the last Executive Committee meeting, the Committee met over the phone on June 16th in conjunction with the Association's Summer Conference. The Committee will meet again on Thursday November 6, 2014.

The Committee drafted comments to potential change to the Rules of Superintendence dealing with guardianships. Certain provisions of the Rule's current draft will place a burden on attorneys who volunteer to serve as guardians as a favor to some courts. The Committee's work in the area of guardianships is ongoing and has become timely due to recent media attention to Guardianships in the State of Ohio. In an attempt to get ahead of the discussion, Judge Tom Swift has formed a Guardianship Best Practices Committee to study and identify proven guardianship programs and to share some of the State's best practices when it comes to guardianships. The Committee has meet twice and is working in conjunction with the Law & Procedure Committee, the Ohio Association of Probate Judges, the Supreme Court and the Ohio State Bar Association.

Several committee members have participated in training sessions to help ease the implementation of Senate Bill 43 regarding court ordered outpatient treatment for the mentally ill. Members have spoken with the National Alliance on Mental Illness and more recently with the Ohio Association of County Behavioral Health Authorities. The Committee will be working on a webinar training video for judges in conjunction with the Supreme Court's Judicial College. The legislation becomes effective in the middle of September and it is the goal of the Committee to provide this webinar before the enactment.



Public Confidence & Community Outreach Committee

Executive Committee Report
August 27, 2014

Co-Chairs

Hon. David M. Gormley
Hon. Eugene A. Lucci

Members

Hon. Jason R. Aslinger
Hon. Christopher M. Berhalter
Hon. Timothy P. Cannon
Hon. David A. Ellwood
Hon. Mary E. Fiser
Hon. Rosemary Grdina Gold
Hon. David E. Henderson
Hon. James D. Henson, *Retired*
Hon. Eva D. Kessler, *Retired*
Hon. Roger L. Kline, *Retired*
Hon. John P. Kolesar
Hon. Julie M. Lynch
Hon. Philip Alan B. Mayer
Hon. Jennifer Muench
McElfresh
Hon. Todd M. McKenney
Hon. Jerome J. Metz, Jr.
Hon. Mark J. Mihok
Hon. Mark S. O'Connor
Hon. J.T. Stelzer
Hon. Linda Tucci Teodosio
Hon. John R. Willamowski
Hon. William R. Zimmerman

Others

Magistrate Erica Gordon
Magistrate Ann Weatherhead

The Public Confidence and Community Outreach Committee promotes activities that instill public confidence in the Ohio judiciary by helping judges educate the general public about the function and operation of the state's judicial system.

Jury Service Video

The Supreme Court of Ohio's Public Information Office filmed the Jury Service video on July 31st, 2014. The Public Confidence and Community Outreach Committee worked with the Supreme Court to develop a script.

The next meeting of the committee will be a conference call on October 23, 2014.

Respectfully submitted,
Judge David M. Gormley, co-chair
Judge Eugene A. Lucci, co-chair

**Ohio Judicial Conference Public Confidence & Community Outreach
Jury Service Video**

April 24, 2014 Draft – INCORPORATING COMMENTS/CHANGES BY JURY SERVICE & PCCO CMTES

	Video	Audio
	Open space for local courts to customize	
1	Open with montage of former jurors (less than one minute)	(quick responses to why they served/the experience)
2	Title graphic: TBD	(SFX: Music up)
3	Wide Shot Chief Justice Maureen O'Connor on camera in Supreme Court courtroom	(SFX: Music under throughout video) I'm Ohio Supreme Court Chief Justice Maureen O'Connor. On behalf of the court, thank you for devoting the time away from work, school, or family to answer the call to jury service.
4	Medium Shot Chief Justice O'Connor	We are privileged to live in a country where our state and federal constitutions guarantee the right to a trial by a jury of our peers.
5	Cut to closer shot at different angle	This video will provide you with some information you need to help you in this important job, including what to expect as a juror and an overview of Ohio's court system. I hope that you will enjoy this opportunity to play a key role in our system of fair and impartial justice. The people involved in the case on which you may be selected as a juror are depending on you.
6	Title graphic: Ohio's Courts	(SFX: Music up)
7	Animated graphic showing three levels	Narrator: Ohio's state courts are divided into three levels: trial courts, appellate courts and the state supreme court.
8	Trial court level zooms to full screen	Trial courts consist of municipal, county, and common pleas courts.
9	Outside shot of a courthouse	Municipal and county courts have limited jurisdiction to hear civil cases for disputes under \$15,000, and criminal cases for misdemeanor offenses, like traffic tickets.

10	Inside courtroom	They can hold preliminary hearings in felony cases to determine whether probable and reasonable cause exists to hold the defendant. If there is cause to go forward with the case, it's transferred to the common pleas
11	Inside courtroom	A common pleas court hears cases for things like divorce, child custody, and juvenile and adult criminal matters, and civil matters
12	Animated graphic showing three levels with appeals court districts on map	The state's 12 appeals courts hear appeals from the trial courts in both civil and criminal matters.
13	Animated graphic showing three levels with Supreme Court level zooming out to full screen	The Supreme Court of Ohio is the state's highest appellate court.
14	Outside shot of building	It decides all state constitutional questions and cases involving questions of public or general interest.
15	B roll of oral arguments	It also hears appeals from the Board of Tax Appeals and the Public Utilities Commission of Ohio.
16	B roll of oral arguments	The Supreme Court also must hear all appeals involving criminal cases where a death penalty has been imposed.
17	Title graphic: Jury selection process	(SFX Music up)
18	Courtroom	A jury trial is a fundamental right available to everyone and is a treasured part of our legal system.
19	Courtroom	The types of cases heard in jury trials can be criminal or civil.
20	Courtroom Text graphic: Defendant	In a criminal trial, the person accused is called the defendant.
21	12 people in jury box	12 people are chosen for a jury trial in common pleas courts.
22	Dissolve to just 8 people in the jury box	8 people for municipal court jury trials.
23	Jury deliberating	In all criminal matters, the jury has to reach a unanimous decision to find the defendant guilty or not guilty.

24	Courtroom Text graphic: Plaintiff	Civil trials involve disputes between individuals or organizations– brought to court by the party called the plaintiff
25	Courtroom Text graphic: Defendant	against the party being sued – called the defendant. The cases can include contract disputes and personal injury lawsuits.
26	8 people in the jury box	There is an eight-member jury for a civil trial, and at least six must agree to the decision.
27	Text graphic: Jury Selection Trial Deliberations	There are three stages for jurors. Selection, the trial, when statements, evidence and arguments are presented, and deliberations to make a decision.
28	Wide shot of courtroom with all the participants	First, let's meet the participants in a trial.
29	Judge on bench Text graphic: Judge	There's the judge who presides over the trial.
30	Clerk Text graphic: Clerk	A court official is in charge of keeping all the documents, records and physical evidence for the trial,
31	Bailiff Text graphic: Bailiff	The bailiff – who maintains courtroom order and ensures the safety of the trial participants, including jurors.
32	Court Reporter seated Text graphic: Court Reporter	A record is made of everything that is said or done in the trial either by a court reporter or by audio-video recording.
33	Attorneys at table Text graphic: Attorneys	The attorneys present the evidence for the plaintiff and the defendant in the trial.
34	Text graphic montage of different legal terms / words: Objection, Sustained, Overruled, Sidebar, Voir Dire zooms in larger	There are many different terms you might hear in a courtroom. One of them is voir dire (vwaar deer). This comes from old French for "to speak the truth." It's the process when potential jurors are questioned by either the judge or a lawyer to determine their suitability for jury service.

35	Courtroom scene of jury selection process	(Lawyer asking question of potential juror)
36	Courtroom scene of jury selection process	These questions are not meant to pry into your personal affairs, but to learn if you have any knowledge of the case, a preconceived opinion, or if you have had any experience that might make it difficult to make a decision in a completely fair and unbiased
37	Courtroom scene of jury selection process	The attorney for each side may challenge a prospective juror for cause – concern that juror may not be impartial – and peremptory, meaning no cause needed, but it cannot be based on race or gender.
38	Courtroom scene of jury selection process	The idea is to ensure that a fair and impartial jury is selected.
39	Jurors raising hands to take oath	If you're selected for the jury, you'll be asked to take an oath to follow the law. The judge may also select alternate jurors in case a juror becomes sick or can't see the trial through the end of the process.
40	Text graphic: The Trial	(SFX: Music up)
41	Video clip from one of the "judge" TV shows (to show theatrics of courtrooms as portrayed in media)	(Audio from video clip)
42	Freeze frame of video clip	The courtroom drama portrayed on TV shows and movies is NOT reality. It's important to set aside any preconceived ideas and see how the judicial process REALLY works.
43	Attorney making opening statement to the jury	After the jury is selected, each side of the case may present opening statements, presenting key points that they plan to make during the trial.
44	Second attorney, zoom out to witness on stand	The plaintiff will then present evidence first. Evidence is the testimony given by a witness under oath, exhibits, and facts that the lawyers have agreed to and the court requires you to accept.

45	Jurors watching testimony, one of them takes notes	Some judges let jurors take notes during the testimony, others do not, so make sure you are aware of what is permitted.
46	Attorney with witness on the stand approaches bench with exhibit	After the plaintiff, the defendant has an opportunity to present evidence, and then the plaintiff may decide to offer additional evidence to explain or disprove the defendant's evidence.
47	Judge looking over exhibit	The judge is responsible for admitting evidence; you're responsible for deciding what is to be believed or how much weight to give it.
48	Witness looks at judge	Witnesses need not be believed simply because they are under oath. It is up to you as a juror to evaluate testimony.
49	Judge decides on exhibit	If the judge excludes evidence that has been heard, you will be instructed to disregard it.
50	Judge gives jury instructions	You will have an opportunity to hear each side in the case give their closing arguments in which they tell you what they think the evidence has shown. Their arguments are not evidence, however, and should not be relied on as such when you are deliberating. The judge will instruct you on the questions of fact that will be decided and the law that should be applied to the evidence presented.
51	Jurors file out of courtroom	After the final instructions, you will go in to the jury room to deliberate – decide the facts based on the evidence presented and apply the law as instructed by the judge.

52	Wide shot of jurors in room deliberating	Before you begin, you'll elect a foreperson to help you conduct your deliberations in an orderly manner and so that everyone can express their opinions. This person does not have any greater power, nor does that person's vote have any more importance, than others.
53	Medium shot of jurors in room deliberating	Civil cases require a vote of at least three-fourths of the jury to reach a verdict.
54	Wide shot of jurors in room deliberating	In a criminal trial, the jury must find the defendant guilty or not guilty by a unanimous vote.
55	Jurors file back in to the courtroom	The verdict is announced in court.
56	Verdict read	To ensure that a trial is conducted in a fair and impartial way, there are several things that you must remember while serving on a jury.
57	Courtroom graphic: No talking	You may not talk about the case with your family or friends during the trial. You may not discuss this case with your fellow jurors outside of the deliberations.
58	Courtroom graphic: Cell phone	Do not use social media to discuss the case.
59	Courtroom graphic: Computer/TV	Do not research the issues or laws on the Internet or watch or read news coverage of the trial.
60	Jurors listening to testimony	Keep an open mind - do not decide before all the evidence and arguments are heard and you receive the instructions on the law.

61	Text graphic: Stand when the judge enters No talking, reading, or using electronic devices Be attentive Arrive every day Arrive on time	Some notes about general courtroom behavior: Please stand when the judge enters; Do not talk, read, or use electronic devices when you're in the courtroom; Be attentive; Arrive every day and on time. Court cannot begin until everyone is present.
62	A juror with bailiff	If you have any questions, please do not hesitate to ask the bailiff or other members of the court's staff.
62a	Diversity statement	If you are seated on jury you will be teamed with people of all backgrounds, etc. Strength of jury system springs from this variety of perspectives. You may disagree with one another, but NO room for disrespect among jurors. You may decide issues that affect the life of someone very different from you. Your decision must be based upon the facts of the case and law given to you by the judge. Everything needed for your decision to be fair and impartial will be given to you. Judge will instruct you – follow the law as given.
63	Chief Justice O'Connor on camera	Chief Justice: Jury service is an important civic duty. It is direct citizen participation in government. Your efforts today help preserve the constitutional right we all share - to receive a fair trial by a jury comprised of fellow citizens. Thank you for your service.
64	Title text about this being a production of Ohio Judicial Conference? Perhaps: This video was produced by the Ohio Judicial Conference Ohio State Bar Association Supreme Court of Ohio	(SFX: Music up and out)
65	Open space for local courts to customize	



Publications Committee

Executive Committee Report, August 27, 2014

Co-Chairs

Judge Nancy D. Hammond
Judge Deborah J. Nicastrò

Members

Judge Duane A. Goettemoeller
Judge Timothy J. Grendell
Judge Alison McCarty
Judge Joy Malek Oldfield
Judge Kenneth R. Spanagel

Others

Magistrate Jeffrey Bender
Magistrate Ann Weatherhead

The Publications Committee provides guidance to Judicial Conference staff in its efforts to produce publications that meet the needs of Ohio judges by providing timely and relevant information, by encouraging dialogue, and by enhancing the Judicial Conference's ability to serve as the voice of Ohio judges.

The last Publications Committee meeting took place on May 9th, 2014.

For the Record

The Publications Committee has been taking on a greater role in the behind the scenes process of *For the Record*. Members of the committee have been seeking articles and suggesting topics for articles to be featured in future editions of the publication.

The Committee is seeking information and comments regarding evidentiary issues related to Facebook, other social media, and text messaging. We are interested in examples, your stories, comment, written decisions or articles you would like to write about the admissibility of such evidence and related issues. The 3rd Quarter edition for 2014 will be published 9/29/2014.

Distinguished Judicial Figure

The Publications Committee will continue with the Distinguished Judicial Figure initiative, in which the committee researches and suggests prominent judicial players to spotlight in a series featured in the quarterly *For The Record*. Judges are encouraged to submit suggestions for future issues.

Library of Reasoned Orders

The Library of Reasoned Orders (LRO) currently hosts over 192 opinions-many of the more recent opinions concerning the Intoxilyzer 8000 opinions and summaries put together by Judge William Grim of the Athens County Municipal Court.

OJC Publications Database

The Publications Committee will be maintaining a database of the last revision date for all OJC publications in order to ensure all materials distributed are kept accurate and updated regularly.

Future Meetings:

- Wednesday, August 27th – 1:00 PM – Committee Meeting @ Hilton Easton
- Friday, October 12th – 12:00 PM – Conference Call



Retired Judges Committee

Executive Committee Report

August 27, 2014

Co-chairs

Hon. Mel Kemmer, *Retired*
Hon. Nodine Miller, *Retired*

Members

Hon. Douglas J. Bennett, *Retired*
Hon. Eric Brown, *Retired*
Hon. Thomas F. Bryant, *Retired*
Hon. Jerome D. Catanzaro, *Retired*
Hon. Mark S. Froehlich, *Retired*
Hon. Joseph Giulitto, *Retired*
Hon. Jerry L. Hayes, *Retired*
Hon. John R. Hoffman, Jr., *Retired*
Hon. James L. Hoover, *Retired*
Hon. H. F. Inderlied, Jr., *Retired*
Hon. Teresa L. Liston, *Retired*
Hon. Richard M. Markus, *Retired*
Hon. Robert E. Messham, Jr., *Retired*
Hon. John R. Milligan, *Retired*
Hon. Judith A. Nicely, *Retired*
Hon. S. Dwight Osterud
Hon. Jennifer L. Sargus, *Retired*
Hon. Richard T. Schisler, *Retired*
Hon. Marvin Shapiro, *Retired*
Hon. Lynn C. Slaby, *Retired*
Hon. Russell A. Steiner, *Retired*
Hon. Mary Grace Trimboli, *Retired*
Hon. Michael J. Voris, *Retired*
Hon. Charles S. Wittenberg, *Retired*
Hon. William H. Wolff, Jr., *Retired*

The Ohio Judicial Conference Retired Judges Committee reviews and makes recommendations on issues faced by retired judges.

Retirement Planning Seminar

The committee met by conference call on August 13th to discuss the next Retired Judges Seminar scheduled for Friday, April 24, 2015. The Committee agreed to use the same session and break schedule that worked in 2013. They identified a number of programs including Supreme Court case law and legislative updates, sealing and expungement and hearsay evidence that they would like included in the 2015 program.

The next scheduled meeting of the committee will be a conference call on October 15, 2014.

Respectfully submitted,

Judge Mel Kemmer, retired, co-chair
Judge Nodine Miller, retired, co-chair



Specialized Dockets Committee

Executive Committee Report August 27, 2014

Co-Chairs:

Hon. John M. Durkin
Hon. Carol Ann Robb

Members

Hon. Jerry E. Ault
Hon. Teresa Lyn Ballinger
Hon. Joyce A. Campbell
Hon. Steve Christopher
Hon. Christopher Collier
Hon. Ethna M. Cooper
Hon. Luann Cooperrider
Hon. Glenn H. Derryberry
Hon. Charlotte Coleman Eufinger
Hon. Robert D. Fragale
Hon. Howard E. Hall
Hon. James D. Henson, *Retired*
Hon. Michael F. Higgins
Hon. Mary Katherine Huffman
Hon. John P. Kolesar
Hon. Alfred W. Mackey
Hon. Robert P. Milich
Hon. James L. Miraldi
Hon. Joy Malek Oldfield
Hon. Noah E. Powers, II
Hon. Mark B. Reddin
Hon. Carol Ann Robb
Hon. Michael J. Sage
Hon. James A. Shriver
Hon. Kristin W. Sweeney
Hon. Maureen Ann Sweeney
Hon. Linda Tucci Teodosio
Hon. Thomas A. Teodosio
Hon. Elizabeth Lehigh Thomakos
Hon. Dean L. Wilson
Hon. Gary L. Yost

Magistrate Lynne Schoenling

The Specialized Dockets Committee exchanges ideas, discusses issues and recommends policies related to the operation and administration of Ohio courts with specialty dockets (mental health courts, drug courts, re-entry courts, etc.). The Specialized Dockets Committee works to identify additional resources available to these courts.

Although the Committee has not met, there have been a number of things occurring at the state level that will hopefully impact the Specialized Docket Committee and Ohio courts in general.

The Committee agreed to postpone the last meeting because of Ohio's Judicial Symposium on Opiate Addiction that was held in Columbus on June 30, 2014. That Symposium was a collaborative effort between the Supreme Court of Ohio, the Governor's Cabinet Opiate Action team, and the Attorney General, to address the opiate epidemic in this state.

As a follow up to that Symposium, the Supreme Court has scheduled a meeting in Columbus on August 14, 2014, with smaller groups, including judges, known as the Opiate Symposium Focus Group.

Following that meeting, the co-chairs of the conference will be scheduling a meeting with the entire Committee to discuss the outcomes/ideas/best practices that were identified during the symposium and focus group.

The committee will host the Ohio Specialized Docket Practitioners Network, Judges Sub-Network meeting on November 19th, the evening prior to the OSDPN Annual Conference.

The next scheduled meeting for the committee will be a conference call on September 30, 2014.

Respectfully submitted,

Judge John M. Durkin, co-chair
Judge Carol Ann Robb, co-chair



Traffic Law and Procedure Committee

Executive Committee Report August 27, 2014

Co-Chairs

Judge Mark B. Reddin
Judge Jennifer P. Weiler

Members

Judge Jeffrey D. Adler
Judge Ann E. Beck
Judge Mary Kaye Bozza
Judge David M. Gormley
Judge William Allan Grim
Judge Robt. G. Hart
Judge Gary W. Herman
Judge Thomas A. Januzzi
Judge Deborah A. LeBarron
Judge Robert Hagen Lyons
Judge Lee W. McClelland
Judge John T. Rohrs, III
Judge James A. Shriver
Judge Kenneth R. Spanagel
Judge Terri L. Stupica
Judge Diane S.A. Vettori
Magistrate Michelle Paris

The Traffic Law and Procedure Committee last met on July 13, 2014. The Committee is continuing to focus on the following topics:

IDAT Funds: Judges Reddin and Shriver helped develop recommendations for changing possibilities for use of IDAT funds. These changes were passed as part of the Mid-Biennium Budget Bill (HB 483).

Ignition Interlock: Representatives Johnson and Scherer introduced HB 469; Judge Shriver met with Rep. Johnson to provide suggestions for improving the bill to preserve judicial discretion. A sub-bill, which was accepted right before the Committee recessed for the summer, does not restore judicial discretion. The Committee has sent a letter opposing the bill's deletion of this discretion to the bill sponsor, House Judiciary Committee Chair, and Co-Chair.

Financial Responsibility Study Committee and HB 71: The Study Committee, which includes Judge Spanagel, produced a final report in April, 2014. The Study Committee's recommendations are incorporated in HB 71. The Committee sent a letter supporting HB 71 to the House Insurance Committee.

Mandatory Driving Suspensions: Two resolutions concerning mandatory driving suspensions for drug charges have been introduced – SCR 27 and HCR 55. Senator Seitz is also drafting legislation that would change driving suspensions from mandatory to discretionary penalties. This OJC platform issue may see some traction during the lame duck session.

Legislative Platform: Committee members have submitted proposals for the Ohio Judicial Conference 2015-2016 Legislative Platform.

The next meeting of the Traffic Law and Procedure Committee is scheduled for November 17, 2014, if needed.