



# *for the* **RECORD**

Fourth Quarter 2013

**NEWS FOR THE OHIO COURTS**

## SEEKING THE PERFECT JUDGE

**MARK SCHWEIKERT, OHIO JUDICIAL CONFERENCE EXECUTIVE DIRECTOR**

Recently I had the opportunity to briefly address Ohio's newest judges at the Ohio Judicial College's New Judge Orientation Program. At the end of my presentation one of the new judges commented to me on all the topics they had to absorb that week. I couldn't help to think if one of those women or men might be the "perfect judge". The one with the perfect balance of compassion and discipline, contemplation and communication, intellect and common sense, the most wise.

One of the purposes of the Ohio Judicial Conference outlined in the statutory charge is "the encouragement of uniformity in the application of the law, rules, and practice throughout the state and within each division of the courts". That direction from the Ohio legislature clearly communicates that it is important that the law is evenly applied throughout the state. Perhaps more subtle, it says two additional things. 1) That judges are critical to the uniform application of the law, and 2) that uniformity is to be encouraged.

The fact that the word uniformity is used is not a surprise. The equal administration of the law is a basic tenet of justice as we know it. That the legislature directed this charge to the Judicial Conference is more enlightening of their intent. It recognizes that Ohio is a vast state with varying constituencies and the expectation that the judge will be instrumental in the effort. Another reference in the statutory charge to the exchange and sharing of experiences recognizes that no single judge has the full experience base; that one can learn from the other beyond just the knowledge of the law. Most enlightening is that uniformity is encouraged, that although the laws and rules are mandates, judges have a degree of local independence, that they will inevitably face different and unusual circumstances in their communities, and that they need to use what they learn from others to bring balance to their work.

In the distinguished judicial figure article this quarter, Justice French gives advice to aspiring judges, recognizing that each has unique interests and desires. Because of this, aspiring judges need to be careful to weigh all the demands of the job before engaging the career. In her recent comments to the Ohio Common Pleas Judges Association, Chief Justice O'Connor referenced Ohio's reliance on local courts and their responsibilities in the fair administration of justice.

The perfect judge may be an elusive pursuit. That judges should aspire to that goal through education, training, collective experiences, and collaboration is a principle recognized by law and a primary charge to the Ohio Judicial Conference.

*Mark Schweikert is a retired judge and Executive Director of the Ohio Judicial Conference.*

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# OHIO JUDICIAL CONFERENCE NEWS

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## Congratulations Louis Tobin, Esq.

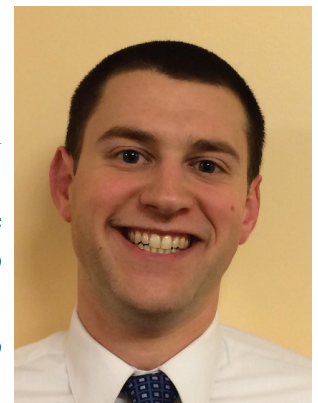
Louis Tobin, Esq. was promoted from Legislative Liaison to Legislative Counsel on October 7, 2013. Lou is a graduate of The Ohio State University and a graduate of the University Of Pittsburgh School of Law and has been employed with the Judicial Conference since September 2009.

## Welcome John Ryan, Esq.

John Ryan, Esq. joined the Ohio Judicial Conference, as Deputy Legislative Counsel on November 12, 2013.

John is a graduate of Ohio University, where he studied finance and business law. He received his Juris Doctor from Capital University Law School and was admitted to practice law in the State of Ohio.

Prior to joining the Judicial Conference, John interned at both Columbia Gas of Ohio and the Franklin County Probate Court.



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## Ohio Judicial Conference 2014 Annual Meeting

**August 28 - 29**

**Hilton Columbus at Easton**

***Save the Date!***

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# DISTINGUISHED JUDICIAL FIGURE: JUSTICE JUDITH L. FRENCH

INTERVIEWED BY JENNIE I. LONG  
PROGRAM SPECIALIST, OHIO JUDICIAL CONFERENCE

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As a freshman in college Justice Judith L. French quickly recognized that her interests in government, the legislative process, advocacy, writing and analysis, was a better fit for being a lawyer than a journalist.

Justice French likes being a lawyer. She enjoys the process of taking a problem and breaking it down into pieces, gathering additional information and evidence, then putting it back together in a logical order. As a lawyer, and as a judge, she has always tried to be straight forward and keep things logical and organized in her writings. Justice French likes looking at a statute or a rule and deciding what it means. She notes one of the big differences between a lawyer and a judge is that a lawyer can advocate for a specific meaning of a statute or rule, where a judge can only say “this is what this statute or rule means.”



*Justice Judith L. French*

One of Justice French’s professional highlights occurred when she delivered arguments before the U.S. Supreme Court in defense of Ohio’s school voucher program. The question to be answered was not “should we have a voucher program” but rather “can we have a voucher program.”

In spite of the criticism Attorney General Betty Montgomery received, the Attorney General never wavered in her choice of Justice French as lead counsel. Justice French says it was truly a great moment for her to stand before the U.S. Supreme Court knowing she was the right person to deliver the oral argument before the Court. Justice French believed Ohio had a very straightforward position. Looking back Justice French was a young woman who grew up in Ohio, attended public school, and whose mother was a public school teacher. Justice French was also a single parent at the time, and as a parent with a child in school she could relate to what other parents were grappling with in deciding what would be best for their children. Justice French said she will be forever, eternally grateful to Attorney General Montgomery for giving her such a great opportunity.

Throughout her judicial career Justice French has had several mentors. Her colleagues on the Tenth District Court of Appeals were always willing to help her and provide advice when necessary. The late Judge Peggy Bryant was someone whom Justice French wanted to emulate in the way she handled her cases and was conservative in use of judicial power.

*Continued on next page...*

The eight years Justice French was on the Tenth District Court of Appeals served as good training for her service now on the Supreme Court. One of the things she enjoys the most in her new position is how narrow in focus, and challenging, the questions are. On the appellate bench it was not uncommon to answer four assignments of error. On the Supreme Court it is likely to be one or two propositions of law at issue. Work on the Supreme Court has turned out to be every bit as challenging and interesting as she had hoped it to be.

Justice French knew the volume of cases at the Supreme Court would be high: approximately 1,700 cases per year. However, it was the actual volume of paper that was surprising, and when she saw five feet of paper, for one case, it was a physical reminder of the differences between the 10th District Court and the Supreme Court of Ohio.

When Justice French was asked if she thought a female majority on the bench affected case decisions, Justice French responded “only if we all agree.” She does think that gender plays a role in life, and in life experiences, and every judge comes to the bench with a different set of experiences. But gender is only one factor that plays into those experiences along with religion, socio-economic situation, and education.

Justice French is passionate about civic education. She believes strongly in the value of education. She is already working with the Ohio Center for Law Related Education (OCLRE) and educators, and has offered herself as resource. If there is a role Justice French can play to help teachers and students understand a judge’s role she is willing to help.

Justice French offers the following advice for aspiring judges; “There are two hurdles that need to be given serious consideration before deciding to seek a seat on the bench:

- 1) Do you want to be a judge? What type of judge? Trial or appellate court work? [It is] Very different work between these two types of judges; need to determine what you are best suited for.
- 2) Do you want to be a candidate? You have to be willing to be out of your office and to be involved with the public; not just in the year you are running for election but throughout the years you are in office.”

In Ohio, it’s not enough that are willing to be a judge, and believe you would be good judge, you also have to be prepared to be a candidate.

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*JEFF.JABLONKA@SC.OHIO.GOV*





**New in 2014:**

# Combined Court Technology Conference

Save the date!  
May 15, 2014

*Sponsored by:*

*Ohio Association for Court Administration*

*Ohio Clerk of Courts Association*

*Ohio Judicial Conference*

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# PROPOSED RULE TO SANCTION COMMON MAGISTRATE JURY PRACTICE

JUDGE TIMOTHY N. O'CONNEL  
MONTGOMERY CO. COMMON PLEAS COURT GENERAL DIVISION

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In 1995 Civil Rule 53 was modified to, among other things; permit Magistrates to preside at jury trials in civil cases upon the consent of all the parties. The practice of having magistrate jury trials in civil cases began a few years prior to that in, at least, one county in Ohio, being Franklin County. Rule 53 provides that upon unanimous consent of the parties a magistrate can preside over a trial of any case that will be tried to a jury.<sup>1</sup>

Magistrate jury trials increased judicial economy and afforded courts an opportunity to manage their dockets effectively. A number of county common pleas courts and, possibly, some municipal courts utilized this change in a very significant way. Many practitioners recommended to their clients a jury trial presided over by a magistrate. As a general rule, this allowed parties to have the case tried sooner than it would otherwise be tried. Many garden variety personal injury and workers compensation cases have been tried by juries with a magistrate presiding.

In the mid 90's judges and magistrates developed procedures to administer a civil jury trial presided over by a magistrate. The common practice was to have the parties agree that the magistrate would make the evidentiary rulings and that those decisions would be final and binding on the parties. The parties also agreed that there would be a waiver of objections to the magistrate's orders or decisions. All across the State, orders were signed by parties that not only consented to the magistrate presiding at their jury trial, but also provided that the magistrate would make any rulings that would normally be decided by a judge, including evidentiary rulings, entering judgment on the jury's verdict and deciding post-trial motions. In addition, the parties agreed that any magistrate's decision and/or orders would be final and binding upon them. Further, they agreed that they would nonetheless preserve their respective appellate rights.

This practice, apparently, worked without any significant issue until about 2001. Until that time it appears that no party to consent to a magistrate jury trial revoked a waiver of objections.

In 2001 parties challenged stipulations that no objections would be raised in a Seventh District Court of Appeals case and in a Second District Court of Appeals case. In both cases, the appellate court took issue with the propriety of the common agreement and stipulation used in a magistrate jury trial. The Seventh District held that parties to an action cannot stipulate as to legal matters which must be determined by the court. The Second District Court of Appeals said that a magistrate's oversight of an issue or issues, even an entire trial, is not a substitute for the trial court's judicial function.

Since 2001, there have been three other appellate court decisions finding the practice of waiving objections to various rulings by magistrates, in the civil jury trial context, invalid. The First District in 2007, the Tenth District in 2010 and the Seventh District in 2011 all found the common practice illegal.

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<sup>1</sup> Rule 53 of the Ohio Rules of Civil Procedure, 53(C)(1)(c).

Review of the appellate court decisions discloses a constitutional basis for the impropriety of the common practice for magistrate jury trials. The Ohio Constitution sets forth where judicial power is vested. Judicial power is vested in “a supreme court, courts of appeals, courts of common pleas and divisions thereof, and such other courts inferior to the Supreme Court as may from time to time be established by law.”<sup>2</sup> Magistrates are neither constitutional nor statutory courts. Magistrates and their powers are wholly creatures of rules of practice and procedure promulgated by the Supreme Court.<sup>3</sup>

Since magistrates are wholly creatures of rules of practice and procedure promulgated by the Supreme Court the common agreement or stipulation is invalid because the rules of practice and procedure require a party to have an opportunity to file objections to a magistrate’s decision and that the trial court conduct an independent analysis of the magistrate’s decision.

Consistent with this idea that a magistrate’s powers are wholly creatures of rules of practice and procedure promulgated by the Ohio Supreme Court an amendment to Rule 53 has been proposed. The amendment, if approved, would be effective July 01, 2014. The amendment, essentially, codifies the common practice.

The proposed Rule 53(F) indicates that a magistrate shall conduct the trial as if by the court and do everything necessary for the efficient performance of those responsibilities. Upon conclusion of the trial, the magistrate shall file a recommended entry of judgment. All post-trial motions are also submitted to the magistrate. The magistrate files a recommended entry of judgment with respect to post-trial motions. The trial court is to adopt and file such recommendations as entries of the court unless it determines there is an error of law or other defect evident on the face of the recommendations. If the court determines there is an error of law or other defect evident on the face of a recommendation the court can modify the recommendation to correct the error or defect and enter judgment accordingly. The court could refer the matter back to the magistrate to address the error or defect, or the court can terminate the reference and conduct appropriate further proceedings in the matter.

The amendment appears to address a key ground for invalidating the common practice as cited by the various appellate courts over the last twelve years. By this amendment, the Supreme Court would be promulgating rules of practice and procedure that enhance magistrate powers. It appears here that the combination of Supreme Court permission and voluntary consent by parties is enough to allow the common practice which promotes judicial economy and furthers trial courts discretion to manage their dockets effectively.

It is interesting to consider whether the proposed amendment to Rule 53 will allow the common practice to pass appellate court scrutiny. The constitutional ground in the appellate courts’ holdings is not adequately addressed by the amendment. A magistrate is not a court of common pleas. A magistrate aids a court of common pleas. The new rule does not address errors of law or defects not evident on the face of a recommendation. Errors such as the possible errors in evidentiary rulings and errors with respect to post-trial motions will not be evident on the fact of the recommendation. So, a trial court is not going to thoroughly independently review those issues. Judicial power is going to be vested in a magistrate who is not a court of common pleas with respect to evidentiary rulings and other errors not evident on the face of documents.

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2        *Section 1, Article IV, Ohio Constitution.*

3        *Yantek v. Coach Builders, Ltd. Inc.*, 1<sup>st</sup> Dist. No. C-060601, 2007 Ohio 5126.

Another argument to consider is the theory of freedom of contract. The parties to the suit are agreeing to allow a magistrate to exercise judicial power. This is the method of resolving their dispute that they are choosing. Parties can choose to resolve their disputes by arbitration, mediation and in some forums summary jury trial. Why can't they freely choose to resolve their case at a jury trial presided over by a magistrate which lacks the degree of trial court oversight one might consider ideal.

It will be interesting to see if the apparent values of freedom of contract, judicial economy, judicial discretion to effectively manage a docket and Supreme Court imprimatur will be sufficient to convince trial and appellate courts that allowing magistrates to conduct a trial as if by the court is sufficient to overcome concerns about the constitutional limits on the exercise of judicial power.

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## 2013 OHIO DEPARTMENT OF YOUTH SERVICES COMMUNITY RECOGNITION AWARDS

**HARVEY J. REED, DIRECTOR  
OHIO DEPARTMENT OF YOUTH SERVICES**

In partnership with the Ohio Association of Juvenile Court Judges and the Governor's Council on Juvenile Justice, the Ohio Department of Youth Services (DYS) presented the Fifth Annual Community Recognition Awards on December 5, 2013. The presentation highlighted youth who have done an outstanding job of turning their lives around and recognized community partners for providing valuable services to youth.



In August 2013, DYS began the call for nominations for the awards, and agencies from all over the state responded with recommendations of many successful youth and notable community programs. A committee composed of judges and staff, children's advocacy groups and DYS staff reviewed the nominations and had the challenging task of narrowing the selections to be highlighted at the presentation. Six deserving programs and six exemplary youth were selected.

The **Linda Modry Young Woman of Achievement Award** was given in honor of Linda Modry, who retired in 2011 as Deputy Director of Parole and Community Services at DYS. Throughout her career, Linda was passionate about seeing youth, especially young women, succeed. She was a key to the agency creating and preserving collaborative relationships with juvenile courts and community programs.

The **K12 Tejas Art Gallery** is the 2013 recipient of the Linda Modry Young Woman of Achievement Award. The K12 Gallery is dedicated to serving at-risk youth and has established a unique partnership with staff at the Montgomery

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County Juvenile Court, known as the HAALO Program, to expose court-involved youth to different mediums of art while also teaching them life skills that will assist them in being successful members of the community. Providing a safe and positive environment for self-expression, the gallery provides young people with the opportunity to study art history, learn different painting techniques, and plan the execution of a large-scale art project. Each youth's individual strengths are nurtured as they learn to be part of a performing team working toward a common goal. Participation in the program leads to critical thinking, problem solving, and enhanced communication skills as well as creativity, motivation, patience, and healthy esteem.

Maria has participated in the HAALO program at the K12 Gallery since 2010. Originally she was referred to the program because of issues surrounding truancy. Her probation officer felt that the program would provide structure and give her a healthy opportunity for expression. Through the program, Maria grew in her ability to trust staff and build relationships with co-participants. She has blossomed in many ways, including growing in esteem, confidence, and her ability to connect with others. I'm pleased to share with you that Maria is no longer involved with the court and has developed "a glow of confidence around her."

The **Y.E.S. Clubhouse (Youth Engaged in Service)** received a Community Recognition Award. This Licking County after-school and summer program is sponsored by Mental Health America and serves at-risk youth between the ages of 11 and 18. Every day between 2:00 and 6:00 pm, the clubhouse serves 45-60 youth and is a safe haven for teens during those times of day when they most need to stay busy. The program teaches life skills, includes mentoring, and provides homework assistance, tutoring, anger management classes and a daily meal. Membership to the clubhouse is free, but the children who attend are required to participate in service projects. Students from Newark High School are eligible to earn credits toward graduation for service.

A very special participant of the Y.E.S. Clubhouse is Macenzie. She has been an active member of Y.E.S. Clubhouse for 6 years after hearing about it from her older brother. When she first started going to the clubhouse, Macenzie struggled with confidence and fitting in with her peers. This began to change quickly as she found a second family in Y.E.S. Clubhouse. With newfound self-assurance, Macenzie now mentors younger youth in the program, offering support, guidance and advice. She makes herself available and is described as possessing "resiliency, confidence, kindness, determination and commitment." Macenzie wants to continue giving back by going to college to study sociology.

The **Union Savings Bank/Nicholas Residential Treatment Center** also received a Community Recognition Award for the Nicholas Residential Treatment Center which is a 24-hour non-secure residential facility that provides behavioral interventions for boys aged 11 to 17 in Montgomery County and on probation. Union Savings Bank has a unique partnership with the Nicholas Residential Treatment Center (Montgomery County Juvenile Court). The bank supports the center's youth in participating in events that otherwise would not have been possible, such as softball tournaments, Cincinnati Reds baseball games, Dayton Dragons games, pumpkin carving, corn-mazing, 5K runs, touring the Ohio Caverns, zip lining, winter holiday party, and feeding hungry boys at these special events. What's more, staff from the Union Savings Banks attends these activities with the youth. What an excellent opportunity for these youth to be exposed to professional, dedicated and positive role models

A young man named Joseph was placed at the Nicholas Residential Treatment Center after struggling with probation and exhausting available community resources. While in the program, Joseph began accepting responsibility for his actions, growing in accountability, and improving his decision making skills. Thanks to the center's partnership with Union Savings Banks, Joseph's improvements were rewarded with opportunities to participate in many fun and exciting activities. Joseph was selected by his school to be the representative at a community Martin Luther King Jr. Day event, and he will soon be graduating. He currently works for the Dayton airport, and Joseph plans to serve in the United States Army.

The **J. Thomas Mullen Achievement Award** is given in memory of Mr. Mullen's outstanding dedication to Ohio's youth. Tom was the second Director of DYS, President and CEO of Catholic Charities in Northeast Ohio, and Chair of the Governor's Council on Juvenile Justice.

The J. Thomas Mullen Achievement Award was presented to **National Youth Advocate Program**. The National Youth Advocate Program offers a variety of services, including foster parenting, sex offender treatment, mentoring, and CANEI, which stands for "Constant and Never Ending Improvement." The CANEI program is a 26-week, strength-based, in-home treatment program that teaches youth how to live with respect for the community and to develop compassion and empathy for family, friends and others. Through intensive, home-based services, group-based sessions and a multi-dimensional approach, Living Skills Training and Service Learning Project, CANEI youth transform themselves by cultivating a sense of self, purpose and responsibility. They positively reconnect with others and live productively and respectfully in their community.

A youth named Joseph became a participant in the CANEI program in response to some struggles at home and at school. He began to learn to process his feelings and identify more positive ways to address difficulties through new coping skills and pro-social behaviors. With help from CANEI, Joseph and his mom found more healthy and beneficial ways to relate to one another, and Joseph gained a new respect for rules and boundaries. His positive attitude has spread to his participation at school, where Joseph received a letter from the high school varsity baseball team. He is looking forward to college for when he graduates.

The **Thomas J. Stickrath Reentry Award** was given in honor of Tom Stickrath, the former Director of DYS and current Director of the Ohio Bureau of Criminal Investigation. From his time as Assistant Director of the Ohio Department of Rehabilitation and Correction to his years as Director of DYS and in his role today, Tom has been passionate about promoting successful reentry for adults and youth, reducing recidivism and enhancing public safety. Tom was on hand to present the Reentry Award named in his honor.

The Thomas J. Stickrath Reentry Award was given to the **Cuyahoga County Juvenile Court – Reentry Court**. The Reentry Court Accelerated Parole Program, or ReCAPP, is one of the many programs offered by the Cuyahoga County Juvenile Court. It seeks to reduce recidivism through evidence-based practices that equip youth with the skills and community supports that facilitate a smooth transition into the community. The program is voluntary and has 3 distinct phases. Phase 1 begins while a youth is still in a DYS facility and is a joint effort between DYS and Catholic Charities' Juvenile TASC, which stands for "Treatment Accountability for Safer Communities." Case managers begin work with youth 90-120 days prior to release by conducting weekly "Forward Thinking" groups and working with youth to develop an individualized multi-system community based intervention plan, which is put into action during phase 2.

Also during phase 2, the TASC case manager and DYS juvenile parole officer work together to identify and ensure the youth's access to needed community resources and programs. And finally, phase 3 is a time of ongoing support from DYS, TASC and the juvenile court that is provided to the youth and his or her family to foster a positive community readjustment, especially through rewards and graduated motivational tools. In addition, the program is monitored and evaluated by Case Western Reserve University and shows positive results in decreasing criminal activity, substance abuse, and traumatic stress levels while improving adaptive coping skills.

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Jerhmel was released from a DYS facility and was an active participant in ReCAPP, with Motivational Enhancement Therapy and Cognitive Behavioral Therapy sessions provided by his TASC case manager and juvenile parole officer. During his involvement, Jerhmel was fully committed and displayed much personal growth marked by cooperation, respect, and productivity. Jerhmel was invited back to his former DYS facility as a guest speaker for a graduation ceremony as well as to the reentry court to share with other participants. This fall, with scholarships and grants, Jerhmel began classes at Baldwin Wallace University, where is majoring in business.

The **Director's Award** was given to **Lake County Intensive Community Rehabilitation**. The Intensive Community Rehabilitation or "ICR" program is offered by the Lake County Juvenile Court and is located in the juvenile detention center. This program is designed to serve moderate or high-risk youth (based on the Ohio Youth Assessment System) with comprehensive interventions for the youth as well as the youth's family. Intensive programming includes the youth's participation in four group interventions a day and weekly interaction with the Intensive Case Worker with the youth and the family. In addition to the Intensive Case Worker, the ICR team includes a director, probation officer, court psychologist assistant, juvenile corrections officer, ICR specialist, art therapist, and education coordination. ICR is especially showing success with youth staying in school, avoiding new charges, working and remaining drug and alcohol free.

Williams is a highly successful participant of Intensive Community Rehabilitation. In the past, he faced significant obstacles and was using poor decision making. Once involved with ICR, Williams and his family took full advantage of all the interventions offered by ICR. Williams and his family improved their communication and re-established their relationships. He has gained insight into his thinking and has improved his ability to handle challenging situations. Since becoming involved in ICR, Williams has not had any violations. Williams transformed his life. He has been successful in school and has begun special career/academic opportunities. He is employed, saving money and has started his own landscaping business!

Congratulations to all of the nominees and award winners! I was encouraged by the youth sharing their appreciation and seeing many families and providers moved to tears. You are invited to watch for the next call for nominations in August 2014. The Community Recognition Awards provide an exciting forum to celebrate youth successes and thank staff for a job well-done.

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## WANT TO CONTRIBUTE TO THE NEXT EDITION OF FOR THE RECORD?

**OJC ALWAYS NEEDS TIMELY AND RELEVANT ARTICLES TO PUBLISH.**

*CONTACT **JEFF JABLONKA** AT THE JUDICIAL CONFERENCE*

*[JEFF.JABLONKA@SC.OHIO.GOV](mailto:JEFF.JABLONKA@SC.OHIO.GOV)*

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# OHIO JUDGES IN THE NEWS

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**The Ohio Common Pleas Judges Association** presented Golden Gavel Awards to seven recipients during the 2013 Winter Meeting on December 5, 2013. Golden Gavels are given to honor judges that have left the Common Pleas General Division Bench after ten years of service to justice.

**The following Judges were honored for their service:**

- James D. Henson of Richland Co. Common Pleas Court
- Leonard Holzapfel of Jackson Co. Common Pleas Court
- Judith L. Hunter of Summit Co. Common Pleas Court
- Robert D. Nichols of Madison Co. Common Pleas Court
- Michael Nunner of Harrison Co. Common Pleas Court
- Jennifer L. Sargus of Belmont Co. Common Pleas Court
- Michael W. Ward of Athens Co. Common Pleas Court

## OCPJA President's Award

Outgoing Ohio Common Pleas Judges Association (OCPJA) President Hon. Howard H. Harcha, III honored **Hon. Robert D. Nichols, Retired**, at the recent OCPJA banquet with the OCPJA President's Award. Judge Harcha highlighted Judge Nichols *Retired*, years of service to the Common Pleas Bench. Judge Nichols *Retired*, served as a Common Pleas Judge in Madison County for 38 years.

**The Ohio Association of Juvenile Court Judges** presented the following awards at their 2013 Winter Meeting on December 5, 2013:

**Judge Jan Michael Long**, Pickaway Co. Probate/Juvenile Court, received the **2013 OAJCJ President's Award**. This award is given to an association member who has made extraordinary contributions to the Association and to the system of justice. Judge Long has been involved with Juvenile Justice for many years and has been a strong advocate on behalf of the juvenile judges to the legislature. In addition, Judge Long is an outstanding teacher at juvenile law education sessions, where his presentations on case law have been well received by OAJCJ members.



**Judge Timothy J. Grendell**, Geauga Co. Probate/Juvenile Court, received the **2013 OAJCJ Distinguished Service Award**. This award is presented to an association member who has made extraordinary contributions to the local community. Judge Grendell is a strong advocate for Juvenile Justice. During the past year Judge Grendell has shown great leadership on many issues which directly affect Juvenile Justice.

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**Ms. Christy Tull**, Curriculum Development Manager, Supreme Court of Ohio Judicial College, is the recipient of the **2013 OAJCJ Court Service Award**. This award is presented to an individual nominated by an OAJCJ member for extraordinary conduct, service and support to the justice system. Ms. Tull was nominated by Judge Tony Capizzi because “she has taken the lead in our efforts with the curriculum committee over the last three years to develop a core education program for juvenile judges and has been a great contributor to the furtherance of education for all judges which has a positive effect on the families we all try to serve.”

## CHANGES RESULTING FROM THE 2013 JUDICIAL ELECTIONS

*This information reflects preliminary results as of November 5. Some elections are close and may change when absentee and provisional ballots are included in the count.*

- ★ 77 judicial elections
- ★ 16 contested judicial elections
- ★ 12 contested elections with an incumbent candidate
- ★ 12 contested elections where the incumbent was reelected
- ★ 0 contested elections where the incumbent was defeated

Two tables below list the new judges and the judges who are leaving.

### 6 New Judges

County	Court	New Judge	Comment
Champaign	Champaign Co. Municipal Court	Gil S. Weithman	Replacing Judge Susan J. Fornof-Lippencott
Cuyahoga	Cleveland Municipal Court	Ed Wade	Replacing Judge Charles J. Bauernschmidt
Montgomery	Oakwood Municipal Court	Margaret M. Quinn	Replacing Judge Robert L. Deddens
Stark	Alliance Municipal Court	Andrew L. Zumbar	Replacing Judge Robert G. Lavery
Summit	Akron Municipal Court	Julie A. Schafer	Replacing Judge John E. Holcomb
Wood	Perrysburg Municipal Court	Molly Mack	Replacing Judge S. Dwight Osterud

### 6 Leaving Judges; 6 Retiring

County	Court	Judge	Comment
Champaign	Champaign Co. Municipal Court	Susan J. Fornof-Lippencott	Retiring
Cuyahoga	Cleveland Municipal Court	Charles J. Bauernschmidt	Retiring
Montgomery	Oakwood Municipal Court	Robert L. Deddens	Retiring
Stark	Alliance Municipal Court	Robert G. Lavery	Retiring
Summit	Akron Municipal Court	John E. Holcomb	Retiring
Wood	Perrysburg Municipal Court	S. Dwight Osterud	Retiring

# SUPREME COURT OF OHIO JUDICIAL COLLEGE

## COURSE SCHEDULE

*(for Judges, Magistrates, Acting Judges, Court Personnel, Judicial Candidates)*

<u>DATE</u>		<u>COURSE</u>	<u>FOR</u>	<u>LOCATION</u>
<b>January 2014</b>				
15	Wed	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Quest Conference Center - Columbus
15 - 16	Wed - Thu	Court Executive Team Seminar Part I	Judges & Court Personnel	Embassy Suites Airport - Columbus
16	Thu	Guardian ad Litem Continuing Education (8:30 - noon)	Guardians ad Litem	Quest Conference Center - Columbus
29	Wed	Guardian ad Litem Pre Service Course (1 of 9)	Guardians ad Litem	Quest Conference Center - Columbus
<b>February 2014</b>				
3 - 5	Mon - Wed	Association of Municipal & County Judges of Ohio (AMCJO) Winter Conference	Judges*	Embassy Suites Dublin - Columbus
4	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Holiday Inn Fairborn - Dayton
5	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Holiday Inn Fairborn - Dayton
5	Wed	Judicial Candidates Seminar (1:30 - 3:30 p.m.)	Judicial Candidates	Holiday Inn Fairborn - Dayton
19	Wed	Guardian ad Litem Pre Service Course (2 of 9)	Guardians ad Litem	Holiday Inn Fairborn - Dayton
19	Wed	Judicial Candidates Seminar (1:30 - 3:30 p.m.)	Judicial Candidates	Holiday Inn - Strongsville
19 - 21	Wed - Fri	Court Management Program (CMP) 2014B Gray Class: Purposes	CMP Class of 2014 B	Embassy Suites Airport - Columbus
21	Fri	Municipal/Common Pleas (1 - 3:45 p.m.)	Judges & Magistrates	Video Teleconference
26	Wed	Guardian ad Litem Continuing Education (1 - 4:30 p.m.)	Guardians ad Litem	Ashland University - Ashland
27	Thu	Appellate Judges Seminar	Judges	Hilton Polaris - Columbus
27	Thu	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Ashland University - Ashland
27 - 28	Thu - Fri	Intercourt Conference	Juvenile Court Personnel	Embassy Suites Airport - Columbus
<b>March 2014</b>				
6	Thu	Judicial Candidates Seminar (1:30 - 3:30 p.m.)	Judicial Candidates	Thomas J. Moyer Ohio Judicial Center - Columbus
12 - 14	Wed - Fri	Court Management Program (CMP) 2014A Scarlet Class: Technology	CMP Class of 2014 A	Embassy Suites Airport - Columbus

## March 2014

12 - 14	Wed - Fri	New Magistrate Orientation	Magistrates	Mohican Lodge and Conference Center - Perrysville
14	Fri	Jury Trial Skills	Judges & Magistrates	Crowne Plaza Dublin - Columbus
18	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Holiday Inn French Quarter - Toledo
19	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Holiday Inn French Quarter - Toledo
19	Wed	Verbal Defensive Tactics (1 of 2)	Probation Officers	Crowne Plaza North - Columbus
20	Thu	Basic Defensive Tactics (1 of 2)	Probation Officers	Ohio State Highway Patrol Academy - Columbus
20 - 21	Thu - Fri	Juvenile Course	Judges & Magistrates	Hilton Polaris - Columbus
21	Fri	Advanced Defensive Tactics (1 of 2)	Probation Officers	Ohio State Highway Patrol Academy - Columbus
26 - 28	Wed - Fri	Court Management Program (CMP) 2016 Class: CourTools	CMP 2016 Class	Embassy Suites Airport - Columbus
27	Thu	Acting Judge Course (1 of 4)	Acting Judges	Hilton Garden Perrysburg - Toledo

## April 2014

2	Wed	Guardian ad Litem Pre Service Course (3 of 9)	Guardians ad Litem	Embassy Suites Blue Ash - Cincinnati
4	Fri	Judicial and Professional Conduct Course	Judges & Magistrates	TBD
10	Thu	Ohio Jury Management Association	Judges & Court Personnel	Thomas J. Moyer Ohio Judicial Center - Columbus
10 - 11	Thu - Fri	Capital Cases	Judges	Embassy Suites - Columbus
15	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Quest Conference Center - Columbus
16	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Quest Conference Center - Columbus
28 - 2	Mon - Fri	New Judges Orientation Part II	New Judges	Marriott NW, Dublin - Columbus
30 - 2	Wed - Fri	Ohio Association of Magistrates (OAM) Spring Conference	Magistrates*	Quail Hollow Resort - Painesville

## May 2014

6	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Holiday Inn Strongsville - Cleveland
7	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Holiday Inn Strongsville - Cleveland
9	Fri	Sex Offender Management Course	Probation Officers	Quest Conference Center - Columbus
12 - 16	Mon - Fri	Probation Officer Academy Firearms Course	Probation Officers	OPOTA - London

## May 2014

13	Tue	Guardian ad Litem Pre Service Course (4 of 9)	Guardians ad Litem	Quest Conference Center - Columbus
16	Fri	Municipal/Common Pleas Course (1 of 2)	Magistrates	Crowne Plaza North - Columbus
29	Thu	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Embassy Suites Blue Ash - Cincinnati
30	Fri	Civil Procedure By The Numbers	Judges & Magistrates	Embassy Suites Airport - Columbus
30	Fri	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Embassy Suites Blue Ash - Cincinnati

## June 2014

6	Fri	Technology Course	Judges & Magistrates	Columbus
10	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Quest Conference Center - Columbus
11	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Quest Conference Center - Columbus
12	Thu	Judicial Candidates Seminar (1:30 - 3:30 p.m.)	Judicial Candidates	Thomas J. Moyer Ohio Judicial Center - Columbus
13	Fri	Municipal/Common Pleas Course (2 of 2)	Judges & Magistrates	Holiday Inn Strongsville - Cleveland
17 - 19	Tue - Thu	Ohio Association of Probate/Domestic Relations/Juvenile Judges Summer Conference	Judges*	Hilton Easton - Columbus
18 - 20	Wed - Fri	Ohio Common Pleas Judges Association (OCPJA) Summer Conference	Judges*	Dayton Marriott
24	Tue	Guardian ad Litem Pre Service Course (5 of 9)	Guardians ad Litem	Hilton Garden Perrysburg - Toledo
26 - 27	Thu - Fri	Juvenile Court Clerks Conference	Juvenile Court Clerks	Embassy Suites Airport - Columbus

## July 2014

9	Wed	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Ohio University Inn - Athens
9 - 11	Wed - Fri	Court Management Program (CMP) 2017 Level II: Essential Components	CMP 2017 Class	Embassy Suites Dublin - Columbus
10	Thu	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Ohio University Inn - Athens
14 - 16	Mon - Wed	Association of Municipal & County Judges of Ohio (AMCJO) Summer Conference	Judges*	Sawmill Creek - Huron
16	Wed	Leadership Series (1 of 2)	Court Personnel	Quest Conference Center - Columbus
17	Thu	Leadership Series (2 of 2)	Court Personnel	Quest Conference Center - Columbus
29	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Holiday Inn Boardman - Youngstown



## July 2014

30	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Holiday Inn Boardman - Youngstown
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## August 2014

6	Wed	Guardian ad Litem Pre Service Course (6 of 9)	Guardians ad Litem	Quest Conference Center - Columbus
14	Thu	Judicial Candidates Seminar (1:30 - 3:30 p.m.)	Judicial Candidates	Thomas J. Moyer Ohio Judicial Center - Columbus
15	Fri	2014 Probate Course	Judges & Magistrates	Columbus
15	Fri	Delinquency Course (1 - 3:45 p.m.)	Judges & Magistrates	Video Teleconference
20	Wed	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Quest Conference Center - Columbus
21	Thu	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Quest Conference Center - Columbus
22	Fri	Computer Lab	Judges & Magistrates	Thomas J. Moyer Ohio Judicial Center - Columbus
27	Wed	Ohio Courts of Appeals Judges Association (OCAJA) Fall Conference	Judges*	Hilton Easton - Columbus
28 - 29	Thu - Fri	Ohio Judicial Conference Annual Meeting	Judges*	Hilton Easton - Columbus
29	Fri	Court Reporter Course	Court Personnel	Columbus

## September 2014

9	Tue	Guardian ad Litem Pre Service Course (7 of 9)	Guardians ad Litem	Holiday Inn Strongsville - Cleveland
10 - 12	Wed - Fri	Court Management Program (CMP) 2014 Scarlet Class: Purposes	CMP Class of 2014 A	Thomas J. Moyer Ohio Judicial Center - Columbus
12	Fri	Abuse, Neglect & Dependency (1 - 3:45 p.m.)	Judges & Magistrates	Video Teleconference
12	Fri	Criminal Procedure By the Numbers: Part II	Judges & Magistrates	Embassy Suites Airport - Columbus
17	Wed	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Holiday Inn Fairborn - Dayton
17 - 19	Wed - Fri	Court Management Program (CMP) 2016 Class: Caseflow	CMP 2016 Class	Embassy Suites Airport - Columbus
18	Thu	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Holiday Inn Fairborn - Dayton
19	Fri	Acting Judge Course (2 of 4)	Acting Judges	Holiday Inn Fairborn - Dayton
23	Tue	Leadership Series (1 of 2)	Court Personnel	Quest Conference Center - Columbus
24	Wed	Leadership Series (2 of 2)	Court Personnel	Quest Conference Center - Columbus

## October 2014

1 - 3	Wed - Fri	Ohio Association of Magistrates (OAM) Fall Conference	Magistrates*	Crowne Plaza North - Columbus
7	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Holiday Inn French Quarter - Toledo
8	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Holiday Inn French Quarter - Toledo
8	Wed	Verbal Defensive Tactics (2 of 2)	Probation Officers	Crowne Plaza North - Columbus
8 - 10	Wed - Fri	Court Management Program (CMP) 2014 Gray Class: HR	CMP Class of 2014 B	Thomas J. Moyer Ohio Judicial Center - Columbus
9	Thu	Basic Defensive Tactics (2 of 2)	Probation Officers	Ohio State Highway Patrol Academy - Columbus
9	Thu	U.S. Constitutional Law	Judges & Magistrates	Cleveland
10	Fri	Advanced Defensive Tactics (2 of 2)	Probation Officers	Ohio State Highway Patrol Academy - Columbus
10	Fri	Judicial Conduct Seminar	Judges	Cleveland
17	Fri	Acting Judge Course (3 of 4)	Acting Judges	Holiday Inn Strongsville - Cleveland
17	Fri	Juvenile Traffic (1 - 3:45 p.m.)	Judges & Magistrates	Video Teleconference
22	Wed	Guardian ad Litem Pre Service Course (8 of 9)	Guardians ad Litem	Holiday Inn Boardman - Youngstown
24	Fri	Municipal/Common Pleas Course (1 - 3:45 p.m.)	Judges & Magistrates	Video Teleconference
28	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Holiday Inn Strongsville - Cleveland
29	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Holiday Inn Strongsville - Cleveland

## November 2014

7	Fri	Paternity, Custody & Child Support (1 - 3:45 p.m.)	Judges & Magistrates	Video Teleconference
13	Thu	Acting Judge Course (4 of 4)	Acting Judges	Columbus
14	Fri	Evidence	Judges & Magistrates	Embassy Suites Dublin - Columbus
18	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Embassy Suites Blue Ash - Cincinnati
18 - 19	Tue - Wed	Court Executive Team Seminar Part II	Judges & Court Personnel	Embassy Suites Airport - Columbus
19	Wed	2014 Probate Course (1 - 3:45 p.m.)	Judges & Magistrates	Video Teleconference
19	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Embassy Suites Blue Ash - Cincinnati

## December 2014

2	Tue	Guardian ad Litem Pre Service Course (9 of 9)	Guardians ad Litem	Quest Conference Center - Columbus
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## December 2014

2	Tue	Ohio Association of Domestic Relation Judges (OADRJ) Winter Seminar	Judges*	Embassy Suites Dublin - Columbus
3 - 5	Wed - Fri	Ohio Common Pleas Judges Association (OCPJA) Winter Meeting	Judges*	Embassy Suites Dublin - Columbus
4 - 5	Thu - Fri	Ohio Association of Juvenile Court Judges (OAJCJ) Winter Meeting	Judges*	Columbus
5	Fri	Magistrate Ethics (1 - 3:45 p.m.)	Magistrates	Video Teleconference
8 - 12	Mon - Fri	New Judges Orientation Part I	New Judges	Embassy Suites Dublin - Columbus
16	Tue	Guardian ad Litem Continuing Education Course (1 - 4:30 p.m.)	Guardians ad Litem	Quest Conference Center - Columbus
17	Wed	Guardian ad Litem Continuing Education Course (8:30 - noon)	Guardians ad Litem	Quest Conference Center - Columbus

## PLEASE NOTE:

To view the Judicial College homepage for course calendars and additional information, please visit [www.supremecourt.ohio.gov/Boards/judCollege/default.aspx](http://www.supremecourt.ohio.gov/Boards/judCollege/default.aspx).

To register for a Judicial College course or to view a course announcement, please visit our online registration site at [www.judicialedcademy.ohio.gov](http://www.judicialedcademy.ohio.gov)

1. Full-time judges, part-time judges, and retired judges eligible for assignment are required to obtain 3.0 hours of instruction in Judicial Conduct from the Judicial College. (Gov. Jud. R. IV§ 3 ©) (effective 1.1.14)
2. Magistrates are required to obtain 2.5 hours of instruction in Professional Conduct. (Gov. Bar R. X) (effective 1.1.14)  
Magistrates do not need to obtain Professional Conduct hours from the Judicial College.
3. Acting Judges are required to obtain 2.5 hours of instruction in Professional Conduct. (Gov. Bar R. X) (effective 1.1.14)  
Acting Judges do not need to obtain Professional Conduct hours from the Judicial College.
4. Full-day courses typically consist of 5.5 CJE/CLE credit hours and are from 9:00 a.m. - 4:00 p.m., unless otherwise noted. Video Teleconferences typically consist of 2.5 CJE/CLE credit hours and are from 1:00 p.m. - 3:45 p.m., unless otherwise noted. Please refer to the course announcement for the approved CJE/CLE credit hours and for course registration information.
5. The Judicial College cannot accept registration for courses until the course announcement has been e-mailed and online registration opened through Judicial eCademy.
6. (\*) Indicates course registration through an association. All judge association programs will likely carry some judicial conduct credit hours; please check the course announcement when it is distributed to confirm the credit hours to be offered.  
  
All magistrate association programs will carry 2.5 professional conduct credit hours.
7. For all non-association courses, please check the Judicial College course announcement when it is emailed to confirm whether judicial/professional conduct hours will be offered.
8. (\*\*) Indicates no pre-registration or tuition for the Judicial Candidates Seminars; simply attend the session of your choice.

Abbreviations: AJ = Acting Judge; CJE = Continuing Judicial Education; CLE = Continuing Legal Education; CM = Court Managers; CMP = Court Management Program; CP = Court Personnel; GAL = Guardian ad Litem; J = Judges; JC = Judicial Candidates; JCC = Juvenile Court Clerks; JCP = Juvenile Court Personnel; M = Magistrates; NJs = New Judges; OAM = Ohio Association of Magistrates; OPOTA = Ohio Peace Officers Training Academy; POs = Probation Officers; TBD = To be Determined

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