



2024

Commission on  
Appointment  
of Counsel in  
Capital Cases  
Annual Report

April 2025





# 2024 Annual Report

## Commission on Appointment of Counsel in Capital Cases

April 2025

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DEPUTY ADMINISTRATIVE DIRECTOR,  
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Gina White Palmer

DEPUTY ADMINISTRATIVE DIRECTOR,  
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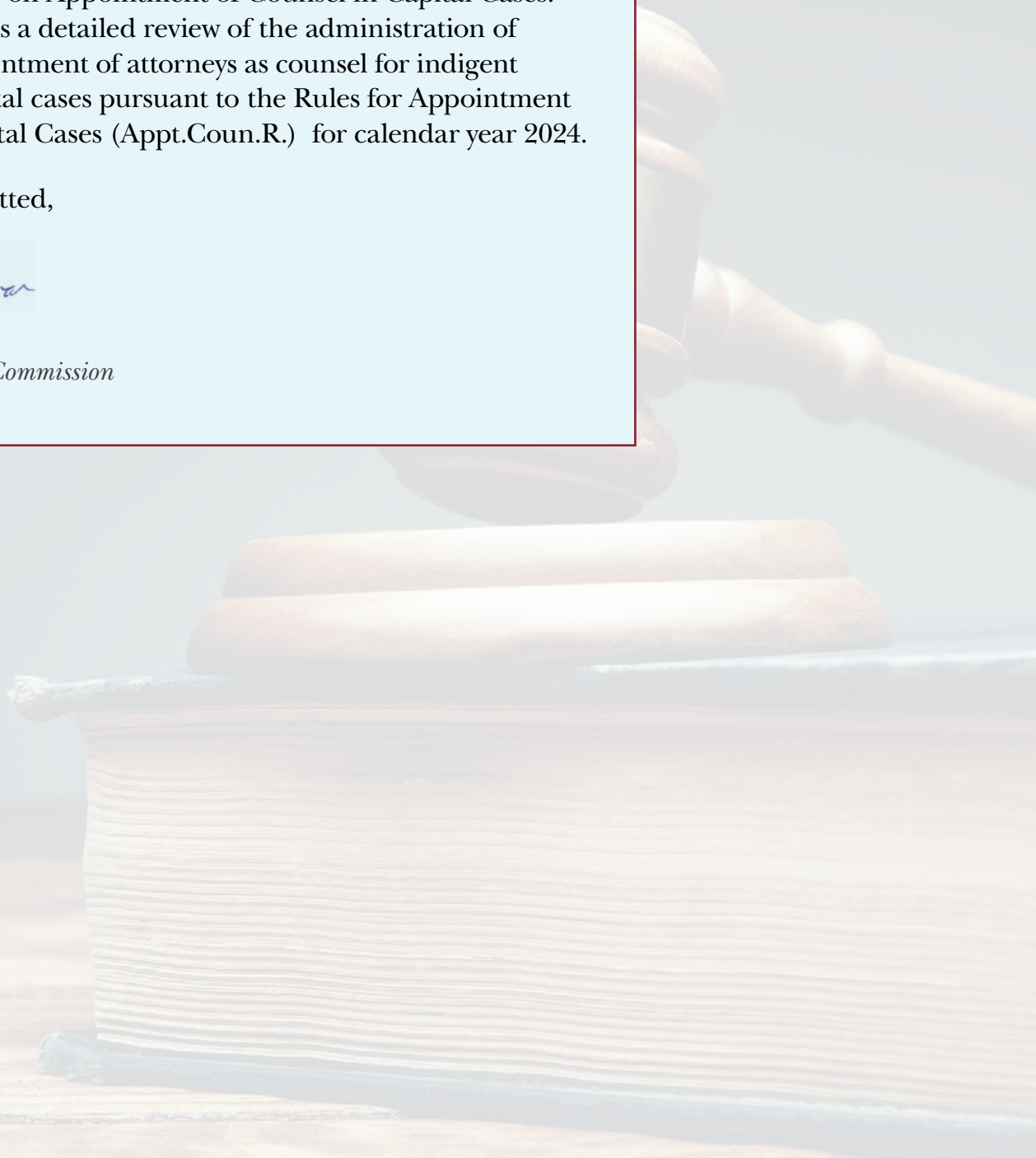
Dear Chief Justice and Justices  
*of the Supreme Court of Ohio,*

On behalf of the commissioners, I present the 2024 Annual Report of the Commission on Appointment of Counsel in Capital Cases. The report includes a detailed review of the administration of justice in the appointment of attorneys as counsel for indigent defendants in capital cases pursuant to the Rules for Appointment of Counsel in Capital Cases (Appt.Coun.R.) for calendar year 2024.

Respectfully submitted,



Ann Baronas, Esq.  
*Chair to the Capital Commission*



# 2024 Commission Roster

Ann Baronas, Esq., *Chair*  
LAW OFFICE OF ANN BARONAS, TOLEDO

Jefferson Liston, Esq., *Vice-Chair*  
LAW OFFICE OF JEFFERSON LISTON, LLC, COLUMBUS

Hon. Thomas Marcelain  
LICKING COUNTY COMMON PLEAS COURT, NEWARK

Kimberly Rigby, Esq.  
OHIO PUBLIC DEFENDER'S OFFICE, COLUMBUS

Timothy F. Sweeney, Esq.  
LAW OFFICE OF TIMOTHY FARRELL SWEENEY, CLEVELAND

Kirstyn Moyers  
*Staff Liaison to the Commission*  
SUPREME COURT OF OHIO, COLUMBUS

Joshua Martin  
*Staff Support to the Commission*  
SUPREME COURT OF OHIO, COLUMBUS

The Commission on Appointment of Counsel in Capital Cases is tasked by the Supreme Court of Ohio with the responsibility of helping ensure that the attorneys appointed by courts throughout the State in capital cases are qualified and prepared to assume this responsibility.

## Commission

The Commission on Appointment of Counsel in Capital Cases is comprised of five members appointed by the Chief Justice and Justices of the Supreme Court pursuant to Appt.Coun.R. 2.03. The Commission consists of one public defender, one Common Pleas Judge, and three attorneys who are engaged in the practice of law by representing persons charged with criminal offenses. Nominations are made by the Ohio Public Defender, Ohio Association of Criminal Defense Lawyers, Ohio Metropolitan Bar Association Consortium, Ohio State Bar Association, and the Ohio Common Pleas Judges Association for the Court's consideration and appointment. The term of a commission member is three years, with eligibility for reappointment for three consecutive full terms. After a minimum of a one-year break in service, a former commissioner who has served three consecutive full terms is eligible for reappointment.

## Chairperson

Ann Baronas was elected to serve as the Commission chairperson in 2024. Ms. Baronas is a criminal defense lawyer in private practice in Toledo.

## Vice-Chairperson

Jefferson Liston was elected to serve as vice-chairperson in 2024. Mr. Liston is a criminal defense lawyer in private practice in Columbus.

## Staff Liaison and Support

Kirstyn Moyers, Manager, Office of Attorney Services, serves as the staff liaison to the Commission. Joshua Martin, CLE & Accommodations Specialist, Office of Attorney Services provides support to the Commission.

## 2024 Summary

The Commission convened for seven meetings in 2024 to administer the requirements of the Rules for Appointment of Counsel in Capital Cases. The activities for the calendar year included:

- Certifying attorneys who were eligible to be appointed to represent indigent capital defendants;
- Reviewing applications for capital case training seminars to ensure Ohio attorneys are well trained; and
- Issuing Notices of Revocation of Certification to attorneys who failed to comply with the capital case training requirements to retain certification.

## Certification of Counsel

Prior to appointment as counsel for an indigent defendant in a capital case, an attorney must obtain certification from the Commission. The Commission ensures that attorneys who apply for certification as trial counsel or as appellate counsel have the experience that qualifies them to handle capital cases in accordance with the standards of the Rules for Appointment of Counsel in Capital Cases. The rule contains two requirements for those seeking certification to represent a capital defendant. It first imposes specific experience requirements for attorneys seeking capital certification. It also requires attorneys to attend specialized continuing legal education seminars to obtain and retain their certification. Both the experience and specialized training requirements have been revised and strengthened over the years, but they remain the core of the rule.

In 2024, the Commission certified twelve attorneys to accept appointments as trial counsel and/or appellate counsel for indigent defendants in capital cases. Currently, there are a total of 252 attorneys certified to accept appointments in capital cases throughout Ohio.

Courts can find a statewide list of attorneys who have met the certification requirements to accept appointments for indigent defendants in capital cases on the Supreme Court of Ohio [website](#).

## Defense of Capital Case Training

The Commission approves the content of the continuing education courses that capital-qualified attorneys must take to become and remain qualified to represent indigent defendants in capital cases. The purpose of the educational certification is to ensure that attorneys handling capital cases are specially equipped to serve clients in this unique area of representation where juries not only determine if a defendant is guilty but must also decide if a death sentence can be imposed. The Commission interacts annually with both the Ohio State Bar Association (OSBA) and Ohio Association of Criminal Defense Lawyers (OACDL), the two primary sources of capital continuing legal education in Ohio. Commissioners regularly teach at the trainings and have taught at both the OSBA and OACDL trainings. The Commission also receives applications from attorneys seeking credit for courses offered by other organizations that generally do not receive advance Commission accreditation. The Commission acts upon these requests on a course-by-course basis, holding these courses to the same requirements required for advance accreditation. In addition to the trainings offered by the Ohio State Bar Association and Ohio Association of Criminal Defense Lawyers, the Commission approved capital case trainings offered by the National Association of Criminal Defense Lawyers, and the Administrative Office of U.S. Courts, offering attorneys the ability to comply with the training requirements to retain their certification.

## 2025 Anticipated Projects

In 2025, the Commission will continue to pursue activities consistent with its mission. The Commission anticipates working on the following projects:

- Continue to work with IT to develop a new application to track attorney certifications and capital cases in accordance with the mandates of the rule.
- Continue to collaborate with sponsors of defense of capital case trainings, including appellate and post-conviction trainings.
- Review the qualifications for certification are adequate to ensure that attorneys are qualified and prepared to assume appointments in capital cases.



### Revocation of Certification

The Rules for Appointment of Counsel in Capital Cases require attorneys certified to accept appointments as counsel in capital cases to complete, every two years, at least twelve hours of training on the defense of capital cases. If certified as appellate counsel, at least six hours of the required twelve hours must be training on the appeal of capital cases. Failure to comply with the training requirements results in the revocation of the attorney's certification. If an attorney is serving as counsel in a capital case at the time of revocation, the attorney must immediately notify in writing the indigent defendant, the appointing court, and the Supreme Court staff liaison to the Commission. In 2024, the Commission revoked the certification of twenty-three attorneys who failed to comply with the capital case training requirements pursuant to Appt. Coun.R. 4. Until an attorney's certification is reinstated, the attorney is not eligible to accept future appointments as counsel for indigent defendants in capital cases.

### Capital Case Notification

In 2024, the records reflect the Supreme Court of Ohio received a total of two Notices to Supreme Court of Ohio of Filing of Indictment Charging Aggravated Murder with Specification(s) of Aggravating Circumstances pursuant to R.C. 2929.021(A). The Supreme Court of Ohio [Capital Indictment Table](#) provides a list of all notices filed with the Supreme Court of Ohio.

### Conclusion

The Commission will continue to take the steps necessary to certify attorneys to ensure judges are able to appoint quality representation for those charged with or convicted of a capital offense.