



THE SUPREME COURT *of* OHIO
2022 Annual Report



2022

Annual Report

Sharon L. Kennedy

CHIEF JUSTICE (BEGINNING JAN. 1, 2023)
JUSTICE (THROUGH DEC. 31, 2022)

Maureen O'Connor

CHIEF JUSTICE (THROUGH DEC. 31, 2022)

Patrick F. Fischer

R. Patrick DeWine

Michael P. Donnelly

Melody J. Stewart

Jennifer Brunner

Joseph T. Deters

(BEGINNING JAN. 5, 2023)

JUSTICES

Robert W. Horner, III

ADMINISTRATIVE DIRECTOR

Stephanie E. Hess

DEPUTY ADMINISTRATIVE DIRECTOR



Dear Ohioans:

On behalf of my colleagues, I present the Annual Report of the Supreme Court of Ohio for 2022. These pages chronicle the work of the justices and the staff of the court as we worked toward meeting our responsibilities as outlined in the Ohio Constitution. And it gives us another moment to remember the colleagues we lost and to bid farewell to and note the contributions of colleagues, including former Chief Justice Maureen O'Connor, who retired.

As Ohio's court of last resort, the Supreme Court addressed cutting edge questions of law associated with matters of public and great general interest to Ohio citizens. Within these pages we recount notable cases from 2022 touching on statewide issues, legal questions arising from the pandemic, the use of technology to enforce traffic laws, and specific areas of law.

This annual report also gives the court the opportunity to thank those appellate court judges who assisted the court in meeting its constitutional duties by agreeing to sit by assignment in certain cases. And it allows the court to publicly thank the many persons who serve on the court's numerous boards, commissions, advisory committees, and task forces.

Since the 1968 Modern Courts Amendment to the Ohio Constitution gave rulemaking authority to the Supreme Court, the court has regularly reviewed and updated rules governing Ohio courts, and 2022 was no exception. The court adopted amendments to rules ranging from the Rules of Superintendence for the Courts of Ohio to Ohio's Rules of Civil Procedure and Criminal Procedure.

Although Ohio courts are self-governing, throughout the year the Supreme Court offered and provided assistance to local courts to help those courts find local solutions to local problems through the Court Services Division. That division provided leadership and guidance to lower courts in the form of guides for court managers and probate clerks as well as tools for assisting litigants with limited English-language proficiency. The Supreme Court's Attorney Services Division ushered in new technology to bring the bar admission process into the digital age, and the Civic Education Section welcomed numerous visitors to the Thomas J. Moyer Ohio Judicial Center, including 60 schools from 22 counties.

The Annual Report also offers citizens a transparent look at the Supreme Court's case statistics and administrative operations as well as the operating expenses of Ohio's judiciary.

This report is a mere snapshot of what the court accomplished in 2022. Keep up with the ongoing work of the court by visiting our website at www.supremecourt.ohio.gov, by scheduling a tour of the Supreme Court through our Civic Education Section at 614.387.9223, or perhaps by taking in an oral argument or two.

May God bless you!



Sharon L. Kennedy

Chief Justice

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The Supreme Court of Ohio



Chief Justice Maureen O'Connor

Since becoming just the 10th chief justice in Ohio history, Maureen O'Connor has led significant reforms and improvements in the Ohio judicial system, including improving access to justice by advocating for constitutional bail practices and ability to pay assessments for court fines and fees. She spearheaded the creation of a statewide criminal sentencing database and the implementation of a uniform sentencing entry to establish standardized data for felony sentencing. The chief justice also established a task force to study grand jury proceedings in Ohio, created a committee to examine the administration of the death penalty, and led efforts of an eight-state initiative to combat the nation's opioid epidemic. Chief Justice O'Connor joined the Supreme Court in January 2003 and was elected twice as chief justice, in 2010 and 2016. She is past president of the national Conference of Chief Justices and former chair of the National Center for State Courts Board of Directors. [Full biography.](#)



Justice Sharon L. Kennedy

Justice Sharon Kennedy was first elected to the court in 2012 and was re-elected in November 2014 and 2020. In 2022 she was elected as the 11th chief justice and begins her term on January 1, 2023. She began her judicial career at the Butler County Court of Common Pleas, Domestic Relations Division. While serving as the administrative judge, she improved the case management system and worked with the General Assembly to resolve access to justice problems that families faced. Before joining the judiciary, she was a solo practitioner with a general practice and served the legal needs of families, juveniles, and the less fortunate. She began her justice system career as a police officer in the City of Hamilton. In 2021, she received the Freedom Award by the American Nationalities Movement. [Full biography.](#)



Justice Patrick F. Fischer

Justice Patrick F. Fischer joined the Supreme Court after being twice elected as a judge on the Ohio First District Court of Appeals. An honors graduate of Harvard Law School and Harvard College, Justice Fischer began his legal career with a clerkship for U.S. District Court Judge William Bertelsman. In 1987, he went to work for the law firm of Keating Muething & Klekamp and four years later became a partner in the trial department, litigating throughout the country. He was named to Best Lawyers in America, Top 50 Lawyers in Cincinnati, and Top 100 Lawyers in Ohio. Justice Fischer was elected as the 157th Justice of the Supreme Court of Ohio on Jan. 1, 2017. [Full biography.](#)



Justice R. Patrick DeWine

Justice R. Patrick DeWine served on the First District Court of Appeals and on the Hamilton County Common Pleas Court prior to that. He has served as an adjunct professor at the University of Cincinnati College of Law for the past nine years. Before becoming a judge, he practiced law for 13 years and began his legal career as a law clerk for the Honorable David A. Nelson on the U.S. Sixth Circuit Court of Appeals. He also served in local government, as a member of the Hamilton County Board of Commissioners and Cincinnati City Council. Justice DeWine began his first term on the Supreme Court on Jan. 2, 2017, following his election in 2016. [Full biography.](#)



Justice Michael P. Donnelly

Before joining the State Court, Justice Michael P. Donnelly served as a judge on the Cuyahoga County Court of Common Pleas, General Division, for 14 years, from 2005 to 2018. He was an assistant Cuyahoga County prosecutor from 1992 until 1997 and went on to practice civil litigation for seven years, representing plaintiffs and injured workers in asbestos litigation, personal injury lawsuits, and workers' compensation claims. Justice Donnelly is a past chairperson of the Supreme Court Commission on Professionalism. He began his first term on the Supreme Court in January 2019, following his statewide election in 2018. [Full biography.](#)



Justice Melody J. Stewart

Prior to joining the Supreme Court, Justice Melody J. Stewart served on the Eighth District Court of Appeals – elected to an unexpired term in 2006 and twice re-elected to full terms. Justice Stewart has more than 30 years of combined administrative, legal, and academic experience. She was an administrator for a health-care management company, a music teacher, a civil defense litigator, and a law school administrator and professor before being elected to the court of appeals. Justice Stewart was elected in November 2018 to a full term as the 161st justice of the Supreme Court of Ohio. In 2021 she received the NBA Region VI Living Legend Award and the St. Thomas Moore Award. [Full biography.](#)



Justice Jennifer Brunner

Prior to joining the high Court, Justice Jennifer Brunner served on the Tenth District Court of Appeals. Earlier in her career, she served on the Franklin County Court of Common Pleas. In 2006, Justice Brunner was elected Ohio's first female Secretary of State. In 2008, then Secretary Brunner received the bipartisan John F. Kennedy Profile in Courage Award for her public service, which recognizes public officials who demonstrate politically courageous leadership. She is the first of two Ohioans to receive the award since its inception in 1989. Justice Brunner became the 162nd justice of the Supreme Court of Ohio on Jan. 2, 2021. [Full biography.](#)



Chief Justice O'Connor Retires After 20 Years With Court

Maureen O'Connor's tenure for 12 years as chief justice and two decades on the Supreme Court was stacked with accomplishments and leadership likely to endure.

Chief Justice Maureen O'Connor had duties at the Supreme Court that are familiar because of their visibility. Most notably, she directed the Court's oral arguments – announcing each case, alerting attorneys to their time, and moving through the day's schedule.

But there's a lesser-known responsibility assigned to the chief justice by the Ohio Constitution – exercising the Supreme Court's "superintendence power" over the judicial branch.

After serving eight years as a justice, Chief Justice O'Connor embraced administration and management when she was elected in 2010 to lead the Court. She was suited for the role, given her career stops as lieutenant governor, head of the Department of Public Safety, administrative judge for the Summit County Common Pleas Court, and Summit County prosecuting attorney.

Chief Justice O'Connor's attention to this part of her duties – including bringing people together to tackle some of the toughest problems that the judicial branch has faced – will likely resonate for its positive impact on courts for years to come.

Pushing the Judicial Branch to Update

Among Chief Justice O'Connor's many endeavors on the administrative side, the most lasting is her leadership in modernizing Ohio courts.

Moving the judicial branch forward technologically was partially accomplished via Supreme Court grants to local courts each year. The grants she established enabled courts to upgrade outdated technology and to explore new ways of providing services to the public. Basics included building online dockets and making it possible for filers to pay fees online. More and more courts installed cameras, microphones, video conferencing tools, and needed software and hardware – pieces that empowered courts to hold proceedings online, build, expand options for interpreters, send text-message reminders to litigants about crucial court dates, and more.

Since 2015, when the grant program started, Chief Justice O'Connor awarded nearly \$40 million for local court technology initiatives.

Also on her watch:

- Starting in 2015 the Supreme Court has accepted case documents electronically.
- Improving the Ohio Courts Network to allow courts and justice system partners to share and search millions of cases, law enforcement, state agency, and prison records.
- Streamlining the process for local courts to report caseload statistics to the Supreme Court by enabling online submission.
- Creating an online forum for court IT leaders to communicate easily to share expertise on tech issues.

The need for modern technology in the judicial branch was perhaps never demonstrated more than when the COVID-19 pandemic arrived. Chief Justice O'Connor took steps to keep courts operating and to encourage more advances, and she distributed more grants to assist.

Then, thinking toward an ever-unpredictable future, Chief Justice O'Connor advocated for planning. She formed a task force to study how courts relied on technology

during the pandemic, to identify the best practices for courts to keep post-pandemic, and to decide how to continue using technology to improve the public's access to the justice system. The Improving Court Operations Using Remote Technology (iCOURT) Task Force report offered 97 recommendations as a map for the future.

50 recommendations to improve the state's system.

She also has convened task forces to improve the grand jury system, to overcome barriers to accessing the courts in civil cases, to ensure the integrity of criminal convictions, to reform inequities in the bail system, to develop commercial dockets, to examine the structure and funding of

Striving to Move the Judiciary Forward

A few other notable moments:

Chief Justice O'Connor convened the eight-state Regional Judicial Opioid Initiative in 2016 to leverage the often-disconnected resources of state judicial, criminal justice, and treatment systems against the escalating opioid epidemic, which ignored state lines. The initiative

"You bring everybody to the table, often people who normally wouldn't sit down and talk to one another. And they discuss what the issues are, what needs to be solved, and try to identify ways to resolve those issues and make recommendations."

Chief Justice O'Connor



Relying on the 'Wisdom of Crowds' for Problem-Solving

The iCOURT Task Force illustrates Chief Justice O'Connor's practice over her tenure of gathering people with a range of perspectives, to advance justice. Task forces she formed confronted the toughest problems facing courts and the legal profession.

"You bring everybody to the table, often people who normally wouldn't sit down and talk to one another. And they discuss what the issues are, what needs to be solved, and try to identify ways to resolve those issues and make recommendations," Chief Justice O'Connor said.

The consensus frequently found in those task forces led to new or updated rules for courts, as well as ideas the legislature could consider for modifying state laws.

In her first year as chief justice, she announced a task force to review how Ohio administered the death penalty so that it was conducted "in the most fair, efficient and judicious manner possible." The group made more than

the courts, and to update the state bar exam.

"I enjoy the public policy decisions that come out of those task forces that benefit not only the courts, but the citizens of Ohio, and that encourage good government," she noted.

These efforts to improve courts and justice didn't stop at the state's borders. She was co-chair of the National Task Force on Fines, Fees, and Bail Practices, and served as president of the national Conference of Chief Justices.

As OSBA President Robin Weaver stated when Chief Justice O'Connor was honored with the Thomas J. Moyer Award for Judicial Excellence in 2018:

"All Ohioans can be proud of her leadership on the state, national, and international stage, where she has used her considerable and growing influence to champion judicial reform, judicial independence, and judicial accountability."

became a model for other states.

She supported and pushed toward implementing the goals of the 1999 Commission on Racial Fairness, set in motion by the Supreme Court and the Ohio State Bar Association. In an Independence Day statement after George Floyd's murder in Minneapolis by a police officer in 2020, she wrote on the historic inequities endured by people of color in the country and appealed for the judicial branch to do better: "The law recognizes the importance of equal justice. But it is up to our court systems, the judges, and the lawyers to ensure that the constitutional guarantees are applied equally."

The commission's report emphasized collecting data, to bolster fairness and transparency. The chief justice repeatedly stressed the need for comprehensive, data-driven information about sentencing. She supported advances along the way which included development of uniform reporting among courts to track sentencing data; launch of the Ohio Sentencing Data Platform to aid Ohio courts in reporting criminal sentencing



information; and a partnership with the University of Cincinnati to build the technological infrastructure for a statewide database.

Throughout 12 years as chief justice, Chief Justice O'Connor has demonstrated a commitment to specialized dockets. The Supreme Court began a certification process in 2013 to assist local courts with programs for specific populations, such as veterans, victims of human trafficking, and individuals struggling with substance use disorders, giving many a second chance.

Also memorable are Chief Justice O'Connor's advocacy for diversity in the legal profession and on the bench, cameras in courtrooms to promote transparency, and many civic education programs – including education efforts at the Thomas J. Moyer Ohio Judicial Center, transportation grants for students to visit the Court, outreach activities such as holding oral arguments at high schools, to name a few.

Reinforcing the Impartiality of Judiciary

Of course, a justice's central responsibility is to weigh in on the toughest questions of law in Ohio. When

it comes to being a jurist, Chief Justice O'Connor is clear that she is one of seven independent legal minds.

"I'm no different than any other justice when it comes to votes," the chief justice notes. "My vote doesn't weigh any more as chief justice."

Chief Justice O'Connor wrote 281 majority or lead opinions and 188 decisions on requests for the disqualification of judges. She also penned 78 dissents, 54 concurrences, and 14 partially concurring/partially dissenting opinions. With that depth of experience, she has valuable insights on judges and courts.

Her convictions about the judicial branch compelled her to protest accusations of partisan special interests in Ohio's courthouses and speak out on the importance of fairness and impartiality in the courts. She holds firm to the role judges are to play.

"Not all people understand the fact that a judge must make decisions according to the law and the constitution. I have responded to those who want my Republican registration to play a role that, 'I don't want to be voting like a Republican. I don't want to be voting like a Democrat.' A judge's political party has no place

in the decision making. Just as religion or other affiliations have no place," she explained.

Valuing Service Above All

A look at Chief Justice O'Connor's resume reveals her deliberate choices to pursue a career in public service. Yet those job titles only hint at the long list of contributions to the government entities she has served, including the courts.

Chief Justice O'Connor believes her efforts have left the judiciary in better shape than when she began. As her mother and grandmother taught her, it's each person's responsibility to make things better. In that spirit, she hopes that judges across the state will find time to engage with the people of Ohio. She believes connecting with a wide range of people benefits the judiciary and the justice system.

Notable Case Decisions

Statewide Issues



Ohio General Assembly District Maps Remain Invalid

A set of Ohio House and Senate district maps previously ruled unconstitutional remain invalid, the Supreme Court of Ohio ruled. The Ohio Redistricting Commission must be reconstituted to draft and adopt new General Assembly maps that meet the requirements of the Ohio Constitution.

In a 4-3 decision, the Court rejected the commission's readoption of a plan termed "Map 3." The commission resubmitted the previously rejected map to the Court on May 5, a day before a Court-established deadline to adopt an entirely new district plan that complies with the Ohio Constitution.

The Court noted the redistricting commission has submitted four General Assembly district plans between September 2021 and March 2022. The Court has invalidated each of those plans because they did not comply with Article XI, Sections 6(A) and 6(B) of the Ohio Constitution. Those provisions

were included in a 2015 voter-approved state constitutional amendment and were aimed at reducing political gerrymandering so that the maps do not disproportionately favor any one political party.

▶ 2021-1193, 2021-1198, and 2021-1210. *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, [168 Ohio St.3d 522, 2022-Ohio-1727](#).

Court Invalidates Second Congressional Map

The Court invalidated a second proposed map of Ohio's 15 U.S. House districts because it violated the partisan gerrymandering prohibitions contained in the Ohio Constitution.

The Court ordered the General Assembly to pass a new map for Ohio's congressional districts that complies with the Ohio Constitution within the 30-day timeline required by Article XIX, Section 3(B)(1). The map will be used for the 2024 congressional elections.

In a 4-3 decision, the Court majority ruled that the revised plan is similar to

the one passed by the legislature in 2021 and ruled unconstitutional by the Court in January 2022. The per curiam opinion stated the latest map, drafted by the Ohio Redistricting Commission, violated provisions of Article XIX of the Ohio Constitution because it "unduly favors" the Republican Party.

The Court stated that the opponents to the new map proved beyond a reasonable doubt that the district plan ensures a reliable Republican partisan advantage that was not warranted by the neutral redistricting criteria added to the state constitution by voters in 2018.

2022-0298 and 2022-0303. *Nieman v. LaRose*, [169 Ohio St.3d 565, 2022-Ohio-2471](#).

Courts Not Mandated to Defer to State Agency Interpretations

The Court rejected the view that state courts must defer to an administrative agency's interpretation of the law.

In a decision written by Justice R. Patrick DeWine, the Court made clear that the so-called "Chevron



Click to watch archived video of oral arguments.

Statewide Issues



deference,” which is a doctrine used in the federal courts, has no place in Ohio law. The judiciary must always apply its own independent judgment when interpreting the law. Chevron deference stems from the U.S. Supreme Court’s 1984 decision in *Chevron, U.S.A., Inc. v. Natural Resources Defense Council, Inc.*

In a case dealing with the licensing of engineering firms, the Supreme Court of Ohio clarified its position on whether courts should defer to interpretations of law made by executive branch agencies, which has been debated recently in the U.S. Supreme Court and several state supreme courts.

The decision reversed a First District Court of Appeals ruling that denied TWISM Enterprises a certificate of authorization to provide engineering services because the company sought to name an independent contractor as its full-time manager. The First District held it must defer to the Ohio Board of Registration for Professional Engineers and Surveyors, which found the state law on certification required the manager to be a full-time employee of a firm.

▶ 2021-1440. *TWISM Ents., L.L.C. v. State Bd. of Registration for Professional Engineers & Surveyors*, [Slip Opinion No. 2022-Ohio-4677](#).

State Can Acquire Octagon Earthworks from Country Club

The Ohio History Connection can proceed with its efforts to transform the Octagon Earthworks of Newark

into a public park by extinguishing the Moundbuilders Country Club lease on the land, the Supreme Court of Ohio ruled.

The Court affirmed a Fifth District Court of Appeals decision allowing the History Connection to take the land through eminent domain. The state agency wants to convert the Octagon Earthworks into a public park so that it can nominate the structures to the World Heritage list as part of the interconnected Hopewell Ceremonial Earthworks.

Writing for the Court majority, Justice Michael P. Donnelly stated that establishing the earthworks as a public park will “help preserve and ensure perpetual public access to one of the most significant landmarks in the state of Ohio.”

▶ 2020-0191. *State ex rel. Ohio History Connection v. Moundbuilders Country Club*, [171 Ohio St.3d 663, 2022-Ohio-4345](#).

Cities Cannot Impose Franchise Fee on Streaming Services

Internet streaming services Netflix and Hulu are not “video service providers” under Ohio law and do not have to pay local franchise fees that wired cable and telecommunications companies pay, the Court ruled.

The Court rejected claims by the city of Maple Heights that the two streaming services need authorization from the director of the Ohio Department of Commerce to operate and that they owe

local government franchise fees.

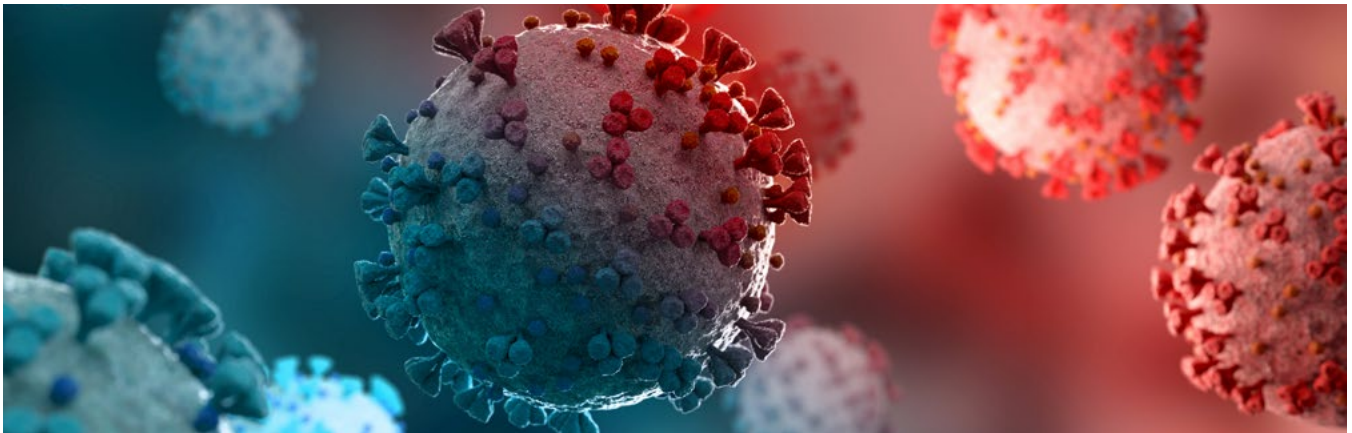
Maple Heights sued Netflix and Hulu in federal court. The U.S. District Court for the Northern District of Ohio asked the state Supreme Court to clarify the state’s cable franchising law before moving forward with the case.

Writing for the Court, Justice Michael P. Donnelly stated the state’s scheme for regulating video service applies to those who install wires in public rights-of-way to broadcast to subscribers. Because Netflix and Hulu are accessed through the public internet and do not install wires, they are exempt from the requirement that they be authorized by the state to provide service.

Not only are the streaming services exempt from the law, but the Court also said that only the commerce director, not any municipalities, can take legal action against a video service provider that is not complying with the cable franchise law.

▶ 2021-0864. *Maple Hts. v. Netflix, Inc.*, [171 Ohio St.3d 53, 2022-Ohio-4174](#).

Pandemic Issues



Commercial Insurance Policies Do Not Cover Financial Damages From Pandemic

An “all-risk” commercial property insurance policy does not cover the financial losses Ohio businesses suffered from state-mandated shutdowns at the onset of the COVID-19 pandemic, the Court ruled.

In a 6-1 decision, the Court wrote that a Cincinnati Insurance policy pays for damages for a “direct loss,” and that a direct loss requires there to be some loss or damage that is physical in nature. The general presence of COVID-19 in the community, the presence of the coronavirus on surfaces at a premises, and the presence of a person infected with COVID-19 on the premises do not cause a direct loss to property, the Court stated.

The Court upheld Cincinnati Insurance’s rejection of a claim from a Northeast Ohio audiology company that sought coverage from the financial losses suffered during a seven-week, state-ordered shutdown of nonessential businesses in early 2020. The company argued its inability to access its offices constituted a direct physical loss of its property, which should be covered by its insurance policy.

Writing for the Court majority, Justice Jennifer Brunner stated that, based on the language of the insurance policy, it is clear that a loss is defined as an “accidental physical loss or accidental physical damage” to property, and that payment of a claim is triggered only when there is some “actual, tangible physical alteration of property.”

► 2021-0130. *Neuro-Communication Servs., Inc. v Cincinnati Ins. Co.*, [171 Ohio St.3d 606](#), [2022-Ohio-4379](#).

Amusement Park Closure During Pandemic Did Not Violate Season Pass Terms

Cedar Point Amusement Park could alter its dates of operation without advance notice and close rides and attractions during the shutdown ordered by the state government in response to the COVID-19 pandemic, the Court ruled.

In a unanimous decision, the Court determined that Cedar Fair, the owner of the Sandusky amusement park, was not contractually bound by its season passes to open its parks in May and June of 2020.

Justice Sharon L. Kennedy wrote in the Court’s opinion that Cedar Fair reserved its right in the season pass terms to adjust the dates of operation in its parks without notice and to close its rides and attractions “for weather and other conditions.”

“[A]nd there is no question that Ohio’s government-mandated shutdown during the COVID-19 pandemic was a condition that required Cedar Fair to close its parks for approximately two months,” the opinion stated.

► 2021-0981. *Valentine v. Cedar Fair, L.P.*, [169 Ohio St.3d 181](#), [2022-Ohio-3710](#).

Court Refuses to Prevent Lawmakers From Passing Pandemic Protections

The Court rejected an effort to invoke a 2011 amendment to the Ohio Constitution to block the state from enacting or enforcing any COVID-19 related measures.

The Court dismissed complaints filed in October 2021 against the Ohio Senate and House of Representatives. The complaints sought a court order to

prevent any legislative action related to participating in a health care system. A group of 10 Ohio residents claimed that since March 2020, Ohioans have been subjected to constitutional violations through requirements to wear masks, have their temperatures taken, receive vaccinations, undergo contact tracing, and participate in the collection of healthcare information.

In a per curiam opinion, the Court stated it has no jurisdiction “to order the General Assembly to enact a specific piece of legislation,” nor can it “preemptively order the General Assembly not to enact legislation.”

Additionally, the citizens asked the Court to require the legislature to limit the authority of the Ohio attorney general to enforce health-related actions. The opinion stated the legislature may have the power to pass laws that restrain the attorney general’s actions, but the Court has no authority to order lawmakers to direct how the attorney general performs his duties.

2021-1312 and 2021-1313. *State ex rel. Jones v. Ohio State House of Representatives*, [168 Ohio St.3d 634](#), [2022-Ohio-1909](#) and *State ex rel. Johnson v. Ohio State Senate*, [168 Ohio St.3d 640](#), [2022-Ohio-1912](#).

Traffic Cameras



Appeals Court Ruling Denying Speed Camera Ticket Refunds Stands

The Village of New Miami will not have to refund \$3 million to motorists who received camera-generated speeding tickets, the Court ruled.

In a 4-3 decision, the Court let stand the Twelfth District Court of Appeals' October 2020 decision overturning a Butler County trial court ruling in favor of the drivers. The trial court found the village's process to contest the speeding tickets violated the constitutional rights of the ticketed people.

In 2013, a group of ticketed motorists filed a class-action lawsuit in Butler County Common Pleas Court seeking to declare New Miami's ASEP unconstitutional and requesting refunds of the citations paid. In 2014, the trial court granted an injunction that stopped the village from using the ASEP in March 2014 and permitted the motorists' case to move forward.

The village never resumed the ASEP after the trial court blocked its operation in 2014. However, the village contested the attempts by the ticket recipients to obtain refunds. In October 2020, the Twelfth District raised concerns about the fairness of New Miami's administrative hearing process, but the court ultimately ruled that the vehicle owners failed to prove the appeals procedure violated their due process rights. The Twelfth District reversed the trial court's ruling.

The Supreme Court heard the vehicle owners' challenge to the New Miami automated speed enforcement program

(ASEP) during oral arguments on Jan. 26. The Court then determined the case was improvidently accepted.

► 2021-0151. *Barrow v. New Miami*, [166 Ohio St.3d 423](#), [2022-Ohio-423](#).

State Funding Cuts for Cities Collecting Traffic Camera Fines is Constitutional

A law that reduces state funding to municipalities that use red-light and speeding photo enforcement is constitutional, the Court ruled.

The Court unanimously ruled that amendments to the state budget can "setoff" the amount of money raised by cities and villages using red-light camera programs. The Court also upheld a separate provision requiring the municipalities to pay an advance deposit to municipal courts when seeking to collect for photo-enforced tickets.

Writing for the Court, Justice Sharon L. Kennedy rejected claims by the village of Newburgh Heights and the city of East Cleveland that the changes infringe on their authority under the "home rule" provision of the state constitution. She wrote that "the Ohio Constitution does not require the General Assembly to appropriate any funds to municipalities," and lawmakers have "exclusive discretion to reduce the appropriation of local-government funds" to municipalities collecting fines based on traffic camera operations.

► 2021-0247. *Newburgh Hts. v. State*, [168 Ohio St.3d 513](#), [2022-Ohio-1642](#).

Drivers Ticketed by Cleveland's Traffic Cameras Not Entitled to Refund

Cleveland does not have to refund \$4.1 million to motorists who paid fines under a now-defunct traffic camera program used to catch red-light and speeding violators, the Court ruled.

Once drivers paid the fines and did not contest the tickets under the city's administrative appeal program, they lost the right to seek reimbursement through a class-action lawsuit, the Court ruled.

The lawsuit was filed by Janine Lycan and several other motorists who were ticketed at a time when Cleveland's program applied to the owners of the ticketed vehicles. In a separate ruling in another case, the Eighth District Court of Appeals held that people who leased their vehicles were not covered under the definition of "owner" under the Cleveland ordinance, and were not liable for fines from violations detected by traffic cameras.

When Lycan and other lessees of ticketed vehicles discovered that they were not included in the definition of owners and were not subject to the fine, they filed the class-action lawsuit arguing the city was unjustly enriched by the payments.

In the Court's lead opinion, Justice Sharon L. Kennedy wrote that the lawsuit was barred by the principle of res judicata.

► 2020-0341. *Lycan v. Cleveland*, [171 Ohio St.3d 550](#), [2022-Ohio-4676](#).

Marsy's Law Does Not Deprive Prosecutor of 'Standing'

The rights granted to crime victims through a 2017 voter-approved constitutional amendment do not impact the "standing" of prosecutors to appeal the denial of restitution to a crime victim, the Court ruled.

The Court ruled that the court of appeals erred in concluding the Montgomery County Prosecutor's Office lacked standing to appeal the denial of restitution to a man who allegedly sustained \$177,000 in medical bills after being assaulted by his fiancé's son. The Court noted that the parties and the court of appeals incorrectly framed the issue as whether the language in the ballot issue known as Marsy's Law, which amended Article 1, Section 10a of the

Criminal Law

Ohio Constitution, provides standing for the prosecutor's office to challenge the denial of restitution.

The Court was unanimous in its decision but split in its reasoning. The case was remanded to the Second District Court of Appeals to consider the merits of the prosecutor's appeal.

Writing for the Court majority, Chief Justice Maureen O'Connor explained that the Second District held that under Marsy's Law the state could not appeal a denial of restitution. The chief justice described the Second District's conclusion as "needlessly broad and inconsistent with the purposes of Marsy's Law."

► 2021-1047. *State v. Fisk*, [171 Ohio St.3d 479](#), [2022-Ohio-4435](#).

Attempted Murder Conviction Vacated; Statute of Limitations Expired

The Court vacated the conviction of a Logan County man, finding the statute of limitations to charge him with attempted aggravated murder ran out 20 years before his indictment.

In 2019, "genetic genealogy" led Logan County authorities to Ralph Bortree. He was charged with the kidnapping, rape, and attempted murder of 19-year-old Anita Clark in 1993. Clark survived after having her throat slashed. Because she lived, Bortree was prosecuted for attempted aggravated murder, rather than aggravated murder. While there is no statute of limitations for aggravated murder, the Court ruled the statute of limitations for attempted aggravated murder is six years.

"Under the particularly heinous set of facts in this case, the six-year statute of limitations that applies to attempted aggravated murder and attempted murder works a grave injustice," Justice Michael P. Donnelly stated in the Court's majority opinion. "However, we have no authority to rewrite the statute."

► 2021-1254. *State v. Bortree*, [170 Ohio St.3d 310](#), [2022-Ohio-3890](#).

Minors Cannot Be Charged in Adult Court for Crimes Rejected by Juvenile Court

If a juvenile court finds no probable cause that a child committed a criminal act, then an adult court has no authority to re-



charge and prosecute the juvenile on that charge, the Court ruled.

In a 4-3 decision, the Court ruled on which charges an adult court can consider when a juvenile is bound over to adult court on multiple charges.

The Court vacated the nine-year prison sentence of a Cuyahoga County man. He was a minor when he entered into a plea agreement on charges related to a juvenile bindover proceeding to adult court. At age 17, Nicholas Smith was facing 50 years in adult prison when his case was transferred to adult court.

After the initial charges were filed in juvenile court, the juvenile judge found insufficient evidence to charge Smith for half of the counts against him from a 2017 robbery. His case was transferred to adult court. The Cuyahoga County Prosecutor's Office re-charged him with all eight counts that were originally before the juvenile judge, including the ones that were rejected.

Writing for the Court majority, Justice Jennifer Brunner explained that the words "case" and "acts charged," as used in the state law allowing for the transfer of juveniles to adult court, did not authorize re-charging Smith in adult court with crimes rejected by the juvenile court. In reversing an Eighth District Court of Appeals decision, Justice Brunner wrote the only allegations the adult court can consider are those for which the juvenile court found probable cause.

► 2019-1813. *State v. Smith*, [167 Ohio St.3d 423](#), [2022-Ohio-274](#).

Court-Ordered Truck Forfeiture for Third Drunk-Driving Offense Found Constitutional

A Medina County man's constitutional rights against excessive fines were not violated when he was ordered to forfeit his \$31,000 truck after being convicted of his third drunk driving violation in 10 years, the Court ruled.

The Court found that the penalty levied by the Medina County Municipal Court against James O'Malley, which included the forfeiture of his 2014 Chevrolet Silverado, was "not grossly disproportional" to his July 2018 conviction for operating a vehicle under the influence of alcohol (OVI). The sentence did not violate the Eighth Amendment to the U.S. Constitution by causing him to pay an excessive fine, the Court stated.

Writing for the Court majority, Justice Patrick F. Fischer stated there is no simple bright-line test to determine whether a fine or forfeiture is excessive, and the Court relied on tests used in prior U.S. and Ohio Supreme Court cases to conclude the punishment was not excessive. The decision affirmed a Ninth District Court of Appeals ruling.

"In this case, the severity of O'Malley's offense, driving drunk on a holiday after already having two convictions for the same conduct, cannot be minimized," Justice Fischer wrote.

► 2020-0859. *State v. O'Malley*, [169 Ohio St.3d 479](#), [2022-Ohio-3207](#).



Offender Can Challenge Sentence-Extension Aspect of 'Reagan Tokes Law'

An Ohio inmate can challenge a provision in state law that allows correctional authorities to extend his prison sentence, even though it will be years before the state could do so, the Court ruled.

In a 4-3 opinion, the Court permitted Edward Maddox to challenge the constitutionality of the sentence-extension provision of the law, which took effect in March 2019 as part of the "Reagan Tokes Law." Tokes was a 21-year-old student who was abducted, raped, and murdered in 2017 by a man who was on parole for a rape conviction at the time of Tokes' murder. The sentencing laws were enacted in the wake of that case, and are not related to Maddox's conviction.

Maddox entered a September 2019 plea agreement in Lucas County for burglary that requires him to spend at least four years in prison.

Writing for the Court majority, Justice Melody Stewart stated that even though the harm that Maddox might face in the form of an unconstitutionally increased prison sentence is possible, Maddox and similarly situated defendants are harmed in other ways. The issue of whether the law is constitutional is presently under debate in appellate courts across the state with those courts reaching conflicting results, she explained. There is "no further factual development necessary for a court to analyze the challenge," she wrote.

🔗 2020-1266. *State v. Maddox*, [168 Ohio St.3d 292, 2022-Ohio-764](#).

Tort Damage Caps Unconstitutional When Applied to Sexually Abused Children

A state law capping the amount of damages awarded for claims such as "pain and suffering" in a personal injury lawsuit is unconstitutional as applied to certain cases of sexually abused children, the Court ruled.

In a 4-3 decision, the Court ruled caps on "noneconomic damages" should not be imposed on judgments awarded to child victims "who suffer traumatic, extensive, and chronic psychological injury as a result of intentional criminal acts and who sue their abusers for civil damages." The Court upheld a Cuyahoga County Common Pleas Court jury award of \$134 million to Amanda Brandt, including \$20 million for noneconomic damages for the mental health injuries caused by Roy Pompa.

Pompa of Brook Park was convicted in May 2007 on 93 sexual abuse-related counts, including 17 counts of rape and 21 counts of gross sexual imposition. Pompa sexually abused Brandt when she was 11 and 12 during sleepovers with his daughter. He was sentenced to life in prison without parole.

Writing for the Court majority, Chief Justice Maureen O'Connor noted the Court previously ruled the 2005 state "tort reform" law's provision capping losses for harder-to-prove noneconomic damages was constitutional because exceptions were allowed for those who suffered "permanent and substantial" physical injuries.

But Brandt was subjected to having her \$20 million award of noneconomic damages capped at \$250,000 because

she suffered severe psychological injury, but no permanent physical injuries, from Pompa's abuse. The Court stated that the cap in the tort reform law is unconstitutional as applied to sexually abused children like Brandt because the law "overlooked a small class of plaintiffs who are arbitrarily excluded from recovering the full amount" of noneconomic damages awarded by a jury.

🔗 2021-0497. *Brandt v. Pompa*, [171 Ohio St.3d 693, 2022-Ohio-4525](#).

Police Officer Cannot Anonymously Sue Protesters

A Cincinnati police officer cannot conceal his identity as he sues protestors for claiming that he is a white supremacist, the Court ruled.

The Court lifted the order by a Hamilton County Common Pleas Court judge allowing the officer to pursue his defamation case under the pseudonym "M.R." The Court also ruled against shielding from public view the officer's explanation of why he needed to conceal his identity.

The Court granted the requests of the Cincinnati Enquirer and UCLA law professor Eugene Volokh, a First Amendment scholar, to make the information immediately available.

Writing for the Court majority, Justice Melody Stewart stated that trial judge failed to link M.R.'s lawsuit and a threat of injury from retaliation by the people he is suing. Justice Stewart noted the judge cited the real risks police officers face from doing their jobs, but did not provide evidence that M.R. or his family had received any threat of physical harm.

The Enquirer and Volokh sought

Civil Lawsuits



access to M.R.'s lawsuit against some of the protesters who attended a June 2020 Cincinnati City Council meeting. At the meeting, M.R. was providing crowd control and security. He alleged that he was in a hallway occupied by a crowd chanting to "defund the police." He said that he made an "okay" hand gesture to someone who asked him about the status of another officer who had just left the scene. Some in the crowd interpreted the gesture as a white-supremacy hand signal. The next day, M.R. noted several derogatory comments about him on social media.

► 2021-0047 and 2021-0169. *State ex rel. Cincinnati Enquirer v. Shanahan*, [166 Ohio St.3d 382, 2022-Ohio-448](#).

Lawsuit Against Chiropractic Firm Not Permitted Once Chiropractor Dismissed From Case

If a physician cannot be held directly liable for malpractice, then a lawsuit seeking to hold the physician's employer vicariously liable must be dismissed, the Court ruled.

In a 4-3 decision, the Court upheld the dismissal of a lawsuit filed by a patient of a Montgomery County chiropractic firm. The decision reversed a ruling by Second District Court of Appeals, which held that Cynthia Clawson could sue Heights Chiropractic Physicians even though her malpractice claim against the chiropractor who allegedly harmed her had been dismissed as untimely.

Writing for the Court majority, Chief Justice Maureen O'Connor explained the Court was following the precedent of its holding in a 2009 case, which

found a law firm could not be held liable for legal malpractice when none of the firm's lawyers could be held liable for malpractice. In this case, because Clawson's claim against the chiropractor has been dismissed because she failed to serve him with the lawsuit within the statute of limitations, the case against Heights Chiropractic could not continue.

► 2020-1574. *Clawson v. Hts. Chiropractic Physicians, LLC*, [Slip Opinion No. 2022-Ohio-4154](#).

To Collect Punitive Damages Award, Attorneys Can Charge Opponent for Cost of Appeals

Traditionally, reasonable attorney fees can be recovered from the losing party in a lawsuit when punitive damages are awarded. The ability to recover these fees can extend to the attorney fees incurred when the losing party unsuccessfully appeals the case, the Supreme Court of Ohio ruled.

In a 5-2 decision, the Court reversed an Eighth District Court of Appeals decision that found attorney fees expended during an appeal cannot be recovered from the other party unless a state statute specifically permits it.

In the case of *Cruz v. English Nanny & Governess School*, attorneys representing a former student are entitled to collect the \$463,000 in attorney fees awarded by the trial court, which includes hours billed for representing their client on appeal.

Writing for the Court majority, Justice Melody Stewart noted the traditional "American Rule" requires each party to pay its own attorney fees. However, there are three exceptions, including allowing

the winning party to collect fees from the opponent when a jury awards punitive damages. In this case, punitive damages were assessed against executives and affiliated businesses connected to the Chagrin Falls-based nanny school.

Justice Stewart stated that "prevailing parties who were awarded reasonable attorney fees along with a punitive damages award may also recover attorney fees that they incur in successfully defending their judgments on appeal."

► 2020-1247. *Cruz v. English Nanny & Governess School*, [169 Ohio St.3d 716, 2022-Ohio-3586](#).

Insurer Not Obligated to Defend Opioid Distributor Against Underlying Government Lawsuits

Lawsuits brought by governmental bodies against a prescription opioid distributor seeking damages merely related to opioid-related addiction and overdoses do not invoke an insurer's duty to defend, the Court ruled.

In a 5-2 decision, the Court ruled local governments are attempting to recover economic losses they have experienced because of the opioid epidemic, but the policies that insurer Acuity sold to Masters Pharmaceutical do not cover such claims. The Court stated Acuity insured Masters against claims that seek "damages because of bodily injury."

Masters argued Acuity must defend the company because the governments seek "damages because of bodily injury," such as costs of medical care and other treatment the governments provided to their citizens suffering from opioid-related injuries.

Writing for the Court majority, Chief Justice Maureen O'Connor stated the Court declined Masters's "expansive interpretation" to include any lawsuit in which damages merely relate to bodily injury without tying the damage to any particular injury sustained by a person.

The majority opinion noted its ruling is part of a "growing and diverging" body of case law on whether insurance policies purchased by opioid makers and sellers provide coverage for claims seeking "damages because of bodily injury" brought by government entities.

► 2020-1134. *Acuity v. Masters Pharmaceutical, Inc.*, [169 Ohio St.3d 387, 2022-Ohio-3092](#).

Assigned Judges

According to the Ohio Constitution, in the event of a recusal by a justice from a pending case, the chief justice can appoint any of the 69 sitting Ohio appellate court judges to sit temporarily on the Supreme Court. The Court thanks the court of appeals judges who served as visiting judges for Supreme Court oral arguments in 2022.



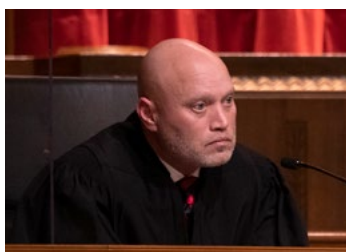
Hon. Michael D. Hess

FOURTH DISTRICT

State of Ohio v. G.K.

Case No. 2021-0124

February 8, 2022



Hon. Jason P. Smith

FOURTH DISTRICT

State of Ohio v. Monai Sherea Brown

Case No. 2021-0392

March 9, 2022



Hon. Laurel Beatty Blunt

TENTH DISTRICT

State of Ohio v. Chaz Bunch

Case No. 2021-0579

April 12, 2022



Hon. W. Scott Gwin

FIFTH DISTRICT

State of Ohio v. Terry Barnes, Sr.

Case No. 2021-0670

April 12, 2022

State of Ohio v. Michael Stansell

Case No. 2021-0948

May 24, 2022

Richard Elliot v. Abubakar Atiq Durrani, M.D., et al.

Case No. 2021-1352

August 2, 2022



Hon. Beth A. Meyers

FIRST DISTRICT

Disciplinary Counsel v. Honorable Pinkey Susan Carr

Case No. 2021-1518

April 12, 2022



Hon. Lisa L. Sadler

TENTH DISTRICT

Disciplinary Counsel v. Honorable Pinkey Susan Carr

Case No. 2021-1518

April 12, 2022



Hon. Betty S. Sutton
 NINTH DISTRICT
State ex rel. Hicks v. Clermont Co. Board of Commissioners
 Case No. 2021-0611
 April 26, 2022



Hon. Emanuella D. Groves
 EIGHTH DISTRICT
State ex Rel. Candy Bowling, et al. v. Michael DeWine, et al.
 Case No. 2021-1062
 May 25, 2022



Hon. Carol Ann Robb
 SEVENTH DISTRICT
State v. Messenger
 Case No. 2021-0944
 May 25, 2022



Hon. Mary Jane Trapp
 ELEVENTH DISTRICT
State v. Guynne
 Case No. 2021-1033
 June 14, 2022



Hon. Myron C. Duhart
 SIXTH DISTRICT
State of Ohio v. Kristofer D. Garrett
 Case No. 2019-1381
 June 15, 2022



Hon. Mary Eileen Kilbane
 EIGHTH DISTRICT
In the Matter of Establishing the Solar Generation Fund Rider
 Case No. 2021-1374
 July 12, 2022



Hon. William A. Klatt
 TENTH DISTRICT
Richard Elliot v. Abubakar Atiq Durrani, M.D., et al.
 Case No. 2021-1352
 August 2, 2022



Amendments to Supreme Court Rules

The Supreme Court of Ohio is responsible for the adoption and amendment of numerous rules affecting the judicial system and the practice of law in Ohio. The rules adopted by the Supreme Court include the following:

- The rules governing practice and procedure in Ohio courts. These consist of the Ohio Rules of Appellate Procedure, the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure, the Ohio Rules of Juvenile Procedure, the Ohio Rules of Evidence, and the Ohio Traffic Rules.
- The Rules of Superintendence for the Courts of Ohio.
- The rules governing Ohio judges and attorneys. These consist of the Supreme Court Rules for the Government of the Bar of Ohio, the Ohio Rules of Professional Conduct, the Supreme Court Rules for the Government of the Judiciary of Ohio, the Ohio Code of Judicial Conduct, and the Rules for Appointment of Counsel in Capital Cases.
- Mayors' Courts and Education and Procedure Rules.
- The Supreme Court Rules for the Reporting of Opinions.
- The Rules of the Court of Claims.
- The Rules of Practice of the Supreme Court.

As a general standard, proposed rules and rule amendments are published by the Supreme Court for public comment. Written comments on proposed rules and rule amendments are welcomed by the Supreme Court and assist the Justices in determining the final content of all rules.

Nearly 60 amendments to the Ohio rules of court and related forms went into effect in 2022. Among the rule changes were:

Amended Rules 5 and 13 of the Rules of Superintendence for the Courts of Ohio were among several updates proposed by the iCOURT Task Force to guide courts to advance their practices with the use of technology. Sup.R. 5 requires each court to adopt a technology plan for remote hearings, electronic service, and accepting electronic signatures. Sup.R.13 permits pre-recorded testimony at trial and expands accepted on which testimony and depositions can be taken.

Rules 66 through 66.09 of the Rules of Superintendence for the Courts of Ohio improve procedures for disputed visitation of wards – people under a court's legal care who are not able to look after their own affairs. The amendments address issues of potential abuse, fraud, and exploitation in such cases.

Rule X in the Rules for the Government of the Bar of Ohio permanently grants continuing legal education credit to attorneys who volunteer as election day officials.

Updates to the Civil Rules of Procedure incorporate technological flexibility: Rule 5 allows service among parties on mutually agreeable electronic platforms other than e-mail and requires courts to provide an electronic filing option for case documents ; Rule 11 clarifies that electronic signatures on court filings are acceptable; and Rule 28 authorizes court reporters to administer oaths to people testifying remotely from outside this state.

Rule 4 in the Criminal Rules of Procedure now permits law enforcement to issue electronic citations in misdemeanor cases. Meanwhile, defendants in traffic cases can now electronically enter a not guilty plea due to Traffic Rule 8.

For criminal trials, defendants must now notify a court earlier if they intend to establish an alibi or to argue self-defense, defense of other, or defense of residence. Criminal Rule 12.1-12.2 requires at least 14 days' notice ahead of trials in misdemeanor cases and 30 days before trial for felonies.

2022 Rules of Court Amendments

Rules of Superintendence for the Courts of Ohio

Sup.R. 2, 5, 13, 16.06, 36.08, 48.04 through 48.05, and 57 – iCOURT Task Force recommendations (*July 1*)

Sup.R. 91.01 through 91.09 – Custody evaluator standards (*Sept. 1*)

Sup.R. 66, 66.03, 66.06, 66.08, and 66.09 – Guardianship – Disputed Visitation) (*July 1*)

Standard Probate Forms 7.0, 21.6, and 66.05 and Sup.R. 66.05 – Miscellaneous updates (*Feb. 1*)

Rules for the Government of the Bar of Ohio

Gov.Bar R VIII – Lawyers’ Fund for Client Protection updates (*March 21*)

Gov.Bar R. X, Sec. 5 and Appendix I – CLE credit for election poll worker service (*Aug. 1*)

Gov.Bar R. X, Sec. 10, 11, and 17 – Magistrate CLE (*Sept. 1*)

Gov.Bar R. VII, Sec. 7 and Gov.Bar R. XII, Secs. 2 through 6 – Pro Hac Vice Fee Increase (*Dec. 1*)

Rules for the Government of the Judiciary of Ohio

Gov.Jud.R. IV, Secs. 1 through 12- Acting Judge CLE (*Sept. 1*)

Ohio Rules of Civil Procedure

Appendix of Forms of the Ohio Rules of Civil Procedure (Form 20) – Financial Disclosure / Fee Waiver Affidavit and Order (*April 15*)

Civ.R. 4.7 - Removing domestic relations cases from waiver of service (*July 1*)

Civ.R. 5 – Use of technology in service and filing (*July 1*)

Civ.R. 11 – Electronic signature permitted (*July 1*)

Civ.R. 16 – Remote technology for pretrial proceedings (*July 1*)

Civ.R. 26 – E-mail address disclosures in discovery (*July 1*)

Civ.R. 28 – Ohio oath for out of state deponents (*July 1*)

Civ.R. 31 – Electronic delivery of written deposition questions (*July 1*)

Ohio Rules of Criminal Procedure

Crim.R. 3 - Traffic ticket as a complaint (*July 1*)

Crim.R. 4 – Electronically produced criminal complaint and summons (*July 1*)

Crim.R. 12.1 - Notice of Alibi (*July 1*)

Crim.R. 12.2 - Notice of Self-Defense (*July 1*)

Crim.R. 29 - Motion for acquittal, lesser degree finding (*July 1*)

Crim.R. 33 - New trial motion, lesser degree finding (*July 1*)

Traffic Rules

Traf.R. 1 – Use of technology in traffic proceedings (*July 1*)

Traf.R. 2 – Definitions for use of technology in traffic proceedings (*July 1*)

Traf.R. 8 – Plea by electronic transmission (*July 1*)

Traf.R. 11 – Timing of certain motions (*July 1*)

Rules of Juvenile Procedure

Juv.R. 7 – Bail terms for release of alleged or adjudicated serious youthful offender (*July 1*)

Juv.R. 16 - Process: Service (*July 1*)

Juv.R. 24 - Discovery (*July 1*)

Rules of Evidence

Evid.R. 404 – Notice of other crimes, wrongs, or acts evidence (*July 1*)

Evid.R. 502 - Attorney-Client Privilege and Work Product; Limitations on Waiver (*July 1*)

Evid.R. 606 - Competency of juror as witness (*July 1*)

Evid.R. 801 – Clarifying hearsay definition (*July 1*)

Evid.R. 803 – Time for ancient documents (*July 1*)

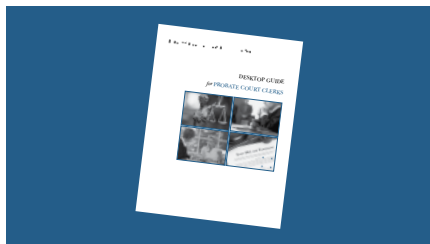
2022

Year in Review

JANUARY

Jan. 10

The Probate Court Clerk Guide is released, detailing each case type and processing considerations.



Jan. 12

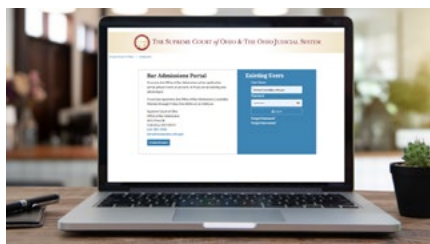
The Court issues the first decision that district maps for the Ohio House and Senate are unconstitutional under Article XI, Section 6(B) of the Ohio constitution.

Jan. 14

In a separate case, the Court invalidates the proposed map of Ohio's 15 U.S. Congressional House districts.

Jan. 26

The Office of Bar Admissions transitions to electronic filing of applications for admission to the practice of law, eliminating the previous paper-only system.



FEBRUARY

Feb. 17

The Judicial College kicks off a 12-month webinar series on "Access to Justice and Fairness in the Courts" for court personnel (e.g., ADA, Language Access, Racial Fairness, LGBTQ+).

Feb. 17

The Court Information Technology division launches 'Ask IT,' an initiative of the Court IT Leaders Forum. Ohio courts can email questions about technology ranging from case management systems, tools, software, and workflow. Any court in Ohio can benefit from the experience of the other court IT experts in the state.

Feb. 22

The Ohio Bar Examination returns to an in-person exam for more than 300 aspiring attorneys. The two-day exam is also the first in-person administration of the Uniform Bar Examination in Ohio.



MARCH

March 8

Supreme Court Civic Education conducted the first in-person school tour of the year after a hiatus due to COVID-19. The return of volunteer tour guides soon followed.



March 25

The Board of Commissioners on Character & Fitness hosted its biennial seminar for 155 attendees from bar associations, law school faculty, and defense counsel involved with Ohio's character & fitness process.

APRIL

April 27

Nearly 350 students in Fayette County get the chance to observe oral arguments during the 80th session of off-site court.

April 29

For the first time, bar examinees can immediately review their examination score on the day bar exam results are released, no longer waiting to receive the results by mail.

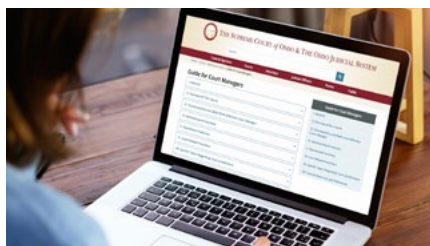
MAY

May 9

The Judicial College offers New Judges Orientation. A total of 96 judges completed the four-day orientation program in 2022.

May 19

A Guide for Court Managers is published online in conjunction with the Ohio Association of Court Administration. The Guide assists court administration with characteristics and skills of an effective court manager and operational guidance for court jurisdictions.



May 23

Results from an annual survey sponsored by the Supreme Court and the Ohio Access to Justice Foundation show attorneys provided nearly \$28 million in free legal services in 2021.

May 25

The Court issues a decision regarding district maps for the Ohio House and Senate, finding the maps were unconstitutional. The Court directs the Ohio Redistricting Commission to draft and adopt new General Assembly maps that meet the requirements of the state constitution.

May 27

The Ohio Supreme Court awards \$3.1 million to 48 local courts to upgrade technology making it possible for people to access justice more easily.

JUNE

June 13

The Civil Justice Grant Program awards \$600,000 to 11 programs working to assist Ohioans across the state with a variety of issues including human trafficking, evictions, disability rights, and more.

JULY

July 1

The Advisory Committee on Children and Families updates educational requirements for guardians ad litem.

July 12

The Court adopts final continuing legal education (CLE) amendments that removed the self-study cap for attorneys attending continuing legal education.

July 19

The Court invalidates a second proposed congressional map of Ohio's 15 U.S. House districts because it violated Article XIX of the Ohio constitution.

July 19

The Children and Families section unveils the online Permanency Docket Quarterly Report. The report provides welfare agency directors and juvenile court judges access to a broad range of data to support collaboration concerning court-involved children in their communities.

July 26

The two-day bar examination is held for 970 attorney candidates, including 847 first-time applicants who passed at a rate of 80%.

AUGUST

Aug. 1

The Supreme Court approves a Court rule allowing attorneys to receive up to four hours of CLE credit for serving as a poll worker on Ohio election days and completing the required training.

Aug. 2

Chief Justice Maureen O'Connor hears her last oral arguments. After giving thanks to justices, lawyers, and court staff, the chief justice exited the courtroom to find present and former colleagues sending her out with a "clap out."



Aug. 17

The iCOURT Task Force Technology Plan Guidance for Local Courts is released. Following a rule change, the Supreme Court now requires local courts to adopt a technology plan via local rule.



Aug. 17

The iCOURT Judicial Guide to Conducting Remote Hearings is released. The guide explains how to prepare for, conduct, and record a remote hearing, set up public access, and provide effective instructions and alternatives for participants.

SEPTEMBER

Sept. 1

The Judicial College launches a 40-hour mandatory Custody Evaluator Education Program to prepare licensed professionals to provide forensic custody evaluations to the courts, increasing professional standards.

Sept. 6

The Commission on Dispute Resolution updates the parenting coordination rule to simplify language. The new rule in family law cases provided more efficient resolution to issues regarding parental rights and responsibilities.

Sept. 6

The Commission on Dispute Resolution adopts a new rule on neutral evaluation, allowing third party neutral evaluators to share the strengths and weaknesses of a case based on claims and evidence.

Sept. 29

The Judicial College holds its second three-day orientation for new magistrates, educating 88 in 2022.

Sept. 30

Justice Fischer delivered remarks to kick off the Commission on Professionalism's 30th anniversary. Past commission chairs and secretaries attended an event at the Thomas J. Moyer Ohio Judicial Center.



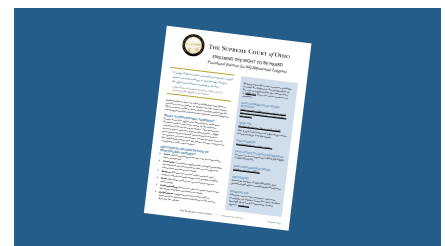
OCTOBER

Oct. 4

The Supreme Court awards \$19,800 in transportation grants to 60 schools in 22 counties for the 2022-2023 school year. These grants help offset a portion of the costs associated with travelling to the court, making it possible for schools to tour the education center to learn about the judicial system in Ohio.

Oct. 27

The Advisory Committee on Case Management releases the bench card "Ensuring the Right to Be Heard: Procedural Fairness for Self-Represented Litigants."



NOVEMBER

Nov. 8

General Election Day. Justice Sharon Kennedy is elected the eleventh Chief Justice of the Supreme Court of Ohio. Associate Justices Pat Fischer and Pat DeWine were re-elected to the Court.

Nov. 15

The Court adopts a rule revision which removes mental health as a stand-alone consideration in the character and fitness process. The revision also removes specific questions related to mental health on Ohio's applications for admission to the practice of law.

DECEMBER

Dec. 1

A three-panel mural “Century of Women and the Law” is donated to the Thomas J. Moyer Ohio Judicial Center. The artwork celebrates the history of women’s right to vote and serve on the Supreme Court of Ohio. It will be installed inside the Civic Center Drive entrance to the courthouse.



Dec. 9

As Chief Justice Maureen O’Connor concludes her term, her portrait is donated by the Ohio State Bar Association and dedicated, honoring her as the first woman elected to lead the state judicial branch of government, and the longest-serving statewide elected woman in Ohio history.



The Supreme Court releases the documentary “Raising the Bar: The Maureen O’Connor Years” showcasing her career from law school to leader of the top court. (www.ohiochannel.org/video/raising-the-bar-the-maureen-oconnor-years)

Dec. 22

The Board on the Unauthorized Practice of Law (UPL) holds a hybrid seminar focusing on UPL’s past, present, and future in Ohio. Approximately twenty individuals attended in-person and thirty attended remotely.



Dec. 29

The Civic Education staff completes their final tour of the year. In total, 4,872 visitors toured the Thomas J. Moyer Ohio Judicial Center including K-12 school groups, college students, and adults.

Dec. 31

In calendar 2022, the Judicial College delivered professional education via in-person, online, and webinars for 44,746 participants in 344 courses.

Strategies for Courts to Manage Complex Issues

The Division of Court Services of the Supreme Court annually compiles and produces resources for courts on emerging or continuing issues of interest to local courts. Resources include guides, toolkits, and bench cards which reference statutes, court decisions, emerging research, examples of best practices, promising plans, or innovative actions. Local courts can use these reference materials to serve the people of the state through the judiciary.

Administration of Courts

- [**A Guide for Court Managers**](#) is a resource for court administrators and directors in the day-to-day operation of courts. A Court Services workgroup including members of the Ohio Association of Court Administration developed this comprehensive web-based guide covering topics ranging from characteristics and skills of an effective court manager to the operational and administrative functions of Ohio courts in all jurisdictions. It is updated regularly with additions often made to its “General Resources and References” section.
- [**Desktop Guide for Probate Court Clerks**](#) encompasses the wide range of questions clerks may have when handling their duties, and detailed, concise instructions for educating new staff. Topics include managing the docket, issuing marriage licenses, certifying records, court costs, and more. Direct links to standard probate forms make it a useful companion to the bench cards used by judicial officers.
- [**Ensuring the Right to be Heard: Procedural Fairness for Self-Represented Litigants**](#)

Tools for Assisting Litigants With Limited English Language Proficiency

- [**Appointment & Credentialing of Foreign Language Interpreters**](#)
- [**Language Services in Case or Court Function and Ancillary Court Services**](#)
- [**Video Remote Interpreting \(VRI\) in Ohio Courts**](#)
- [**Working With Interpreters for Deaf & Hard of Hearing Persons in Courts**](#)

These resources are available on the website supremecourt.ohio.gov and printed by request at the Office of Public Information.



Tools for Remote Proceedings

Technology is becoming an integral part of efficient court operations statewide. New publications providing ideas and solutions were developed based on recommendations from the Improving Court Operations Using Remote Technology (iCourt) Task Force.

- [**A Judicial Guide to Conducting Remote Hearings**](#) identifies essential steps and minimum requirements when holding an online court proceeding. This guide addresses issues beyond the technology, including attorney-client communications, document exchange, accommodations for those with disabilities, limited English proficiency, and other factors.
- [**Technology Plan Guidance for Local Courts**](#) provides courts with a step-by-step approach to adopt a new technology plan. Beginning July 1, 2022 a court using new technology needs to adopt a local rule with a technology plan.

Bar Admissions Process Goes Digital

Prospective attorneys now can go online to work through the administrative process to be admitted to practice law in Ohio. What had been a paper-only system for decades was upgraded to an electronic one, which went live in January.

The procedure to determine whether candidates are eligible to practice law in Ohio takes months. The Supreme Court investigates and assesses whether a person meets character, fitness, and moral qualifications for the legal profession. Those seeking to become attorneys also must take, and pass, the Ohio Bar Examination, administered every February and July.

With the digital platform, applicants can submit the required documents to the Court electronically, and pay fees by credit card, debit card, or an electronic bank transfer. They also can obtain their individual bar exam results immediately, through a private portal, rather than waiting to receive their results by mail.

In-Person Exam Features Uniformity with Other States and Relies on New Volunteers

After two years of remote testing, the Court conducted the February 2022 Ohio Bar Examination in person. The three most recent exams were administered online because of the COVID-19 pandemic. The return to in-person testing in Wilmington, Ohio, focused on safety – with staggered start and departure times and more spacing between test-takers.

The exam was the first time the Uniform Bar Examination (UBE) was held in person in Ohio, requiring different instructions and implementation. The UBE, which was introduced in the state in February 2021, makes it easier for successful applicants to practice law in other states that have adopted the UBE – currently 38 states plus the District of Columbia and the Virgin Islands.

With all the procedural tweaks, it was invaluable to have exam-takers and Supreme Court staff at the same location. Staff could answer questions and address technical issues instantly instead of struggling to communicate online.

Successful bar exams also depend on proctors – volunteers who aid with the distribution, collection, and supervision of the exam. With the public health uncertainty surrounding COVID-19, many proctors opted out of this exam as a precaution. Of the 43 proctors needed to oversee two days of examination, 20 at this exam were first-time volunteers. Typically, only one or two new proctors are trained for each exam.

2022 by the Numbers

1,274

The Attorney Services Division administered the in-person Ohio bar examination to 1,274 aspiring lawyers.

2,794

Bar Admissions processed 2,794 registrations and applications for admission to the Ohio bar, this includes: 143 requests to be admitted by transferring a Uniform Bar Examination score earned in another jurisdiction; 128 applications seeking admission without examination from attorneys admitted in other jurisdictions; and 124 applications to practice in Ohio pending admission.

2,097

Bar Admissions processed 2,097 registrations for attorneys licensed in other states to practice pro hac vice in Ohio courts.

356

Bar Admissions processed 356 requests by law students who attend ABA law schools, to be certified as legal interns in Ohio.

Courts Are Open to All

Tours of the Thomas J. Moyer Ohio Judicial Center returned in March 2022 after a two-year hiatus due to the COVID-19 pandemic.

A total of 4,872 visitors took part in a guided tour of the building during the year. That includes students, teachers, and parent chaperones from the 104 schools visited the Court for formal tours of the history, art, and architecture.



To support school groups looking to expand their students' understanding of the judicial branch, \$19,800 in transportation grants were awarded to 60 schools for the 2022-2023 school year.

The 60 schools are from 22 Ohio counties. These grants help off-set a portion of the costs associated with travelling to the court, making tours of the Supreme Court of Ohio more accessible to schools and students.

The Court conducted oral arguments in Fayette County, as part of a program to increase access to high school students which allows them to see the high court first-hand.

On April 27, 2022, the Supreme Court of Ohio held the 80th session of Off-Site Court at Miami Trace High School. This event allowed nearly 350 students to observe oral arguments. Students also had the opportunity to engage in a question-and-answer session with the Justices and take part in moderated debriefings with the attorneys who argued the cases that they watched. To date, the Off-Site Court program has made it possible for more than 33,000 students to see the Supreme Court of Ohio in session.



The Civic Education Section continued building its offering of curriculum materials, adding a new case to the "Under Advisement: Ohio Supreme Court Cases on Demand" series. The Under Advisement series are lessons designed primarily for high school teachers to guide students through an actual case that has been heard and decided by the Supreme Court of Ohio.

The latest installment is the case *Rebecca Buddenberg v. Robert K. Weisdach et al.* The Ohio Supreme Court was asked to determine if a civil lawsuit based on a criminal act requires a conviction before the civil case can proceed in court. Under Advisement can be found on the website supremecourt.ohio.gov.



Boards, Commissions, Advisory Committees, and Task Forces

The Court relies on the volunteer services of dozens of committed judges, attorneys, clerks, court administrators, and private citizens who serve on the Supreme Court's many boards, commissions, advisory committees, and task forces. These bodies help the Court provide oversight to Ohio courts, regulate the practice of law, and provide efficient and helpful services to the judicial branch of Ohio government. To learn more about these bodies and the nature of their work, refer to www.supremecourt.ohio.gov.

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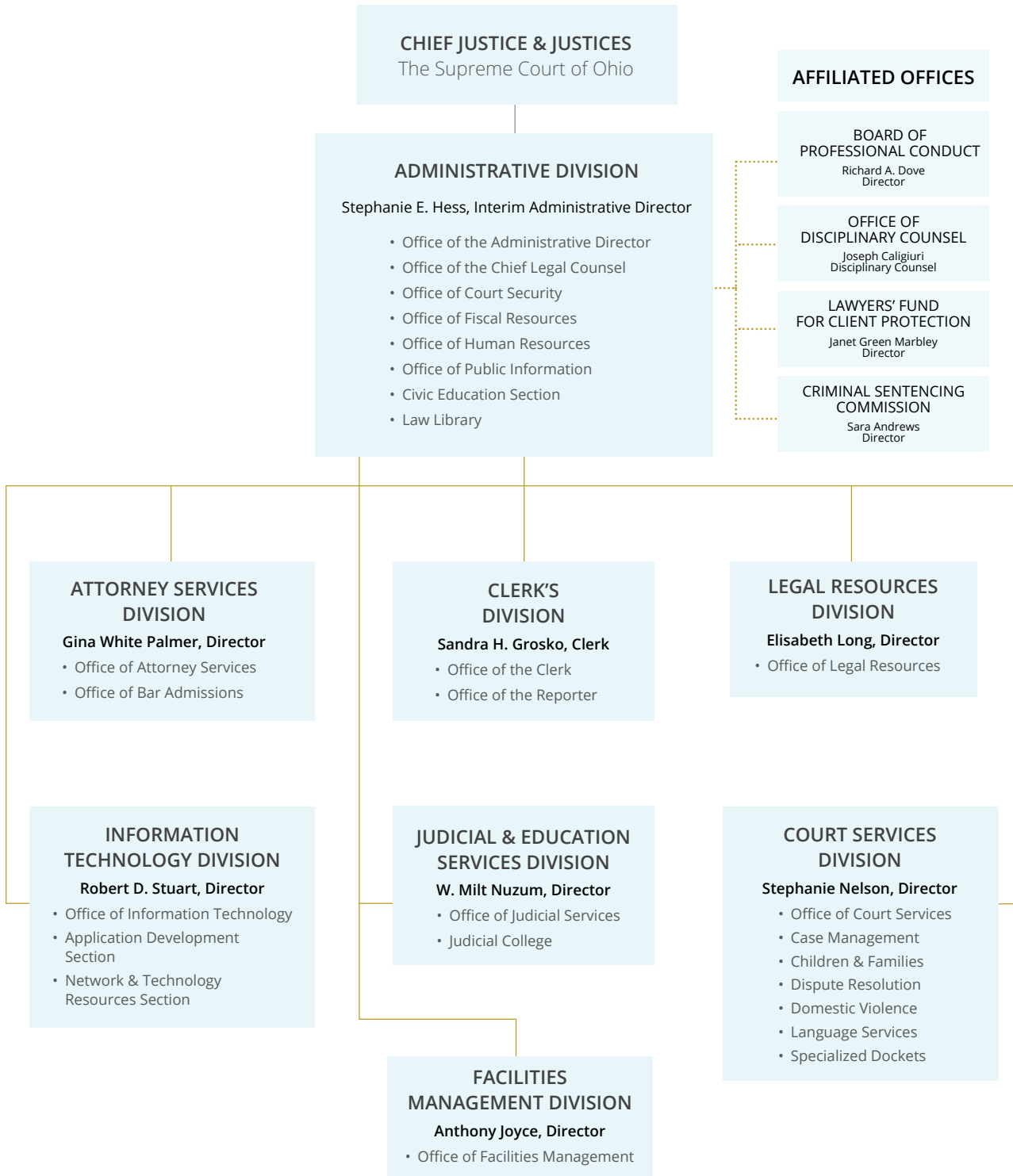
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THE SUPREME COURT *of* OHIO

2022 Administrative Structure



Administrative Operations

Administrative Division

The Administrative Division is the lead division of the Supreme Court. It assists in developing and communicating the long-term vision, values, and direction of the Court and the judicial branch of Ohio government. The Administrative Division includes the offices of the Administrative Director, Chief Legal Counsel, Court Security, Fiscal Resources, Human Resources, Law Library, and Public Information. This division also oversees Court communication and outreach and provides support to the Court and Ohio judiciary in the areas of fiscal, human resources, and records management.

Attorney Services Division

The Attorney Services Division assists the Supreme Court in its regulation of the practice of law in Ohio. This division includes the Office of Bar Admissions.

Clerk's Division

The clerk of the court supervises the filing of all case-related items and maintains all case files in matters pending before the Supreme Court. In addition, the office maintains case dockets, the journal of Court orders, and relevant trial, appellate, board, and agency records. The office prepares and issues Court orders, schedules oral arguments and other case-related matters for the Court's consideration, and coordinates interagency communication in death-penalty cases. The division includes the Office of the Reporter, which publishes Supreme Court, appellate, and trial court opinions.

Court Services Division

The Office of Court Services supports trial and appellate courts in the administration of justice. Its staff provides traditional and innovative services in response to and with respect for the needs of the courts and the public.

Facilities Management Division

The Facilities Management Division ensures the secure and efficient operation of the Moyer Judicial Center and maintains internal and external comfort, cleanliness, and building standards. The division provides building management services to Supreme Court employees and other building tenants, and ensures the safety and comfort of guests.

Information Technology Division

The Information Technology Division operates the Supreme Court's information technology systems and processes. The division also develops and implements the Ohio Courts Network, provides guidance to Ohio courts on technology-related matters, and facilitates the development of statewide information-technology standards for Ohio courts.

Judicial & Education Services Division

The Office of Judicial Services is the lead office of the division, which includes the Ohio Judicial College. The Office of Judicial Services coordinates the management of division projects and provides oversight of the judges' database, support services for the creation of new judgeships, and the assignment of visiting judges. The Judicial College provides educational programs for Ohio's judges and non-judicial court personnel, as well as training for those Ohioans who serve as guardians ad litem and adult guardians.

Legal Resources Division

The Office of Legal Resources assists in resolving complex legal issues pending before the Supreme Court.

Affiliated Offices

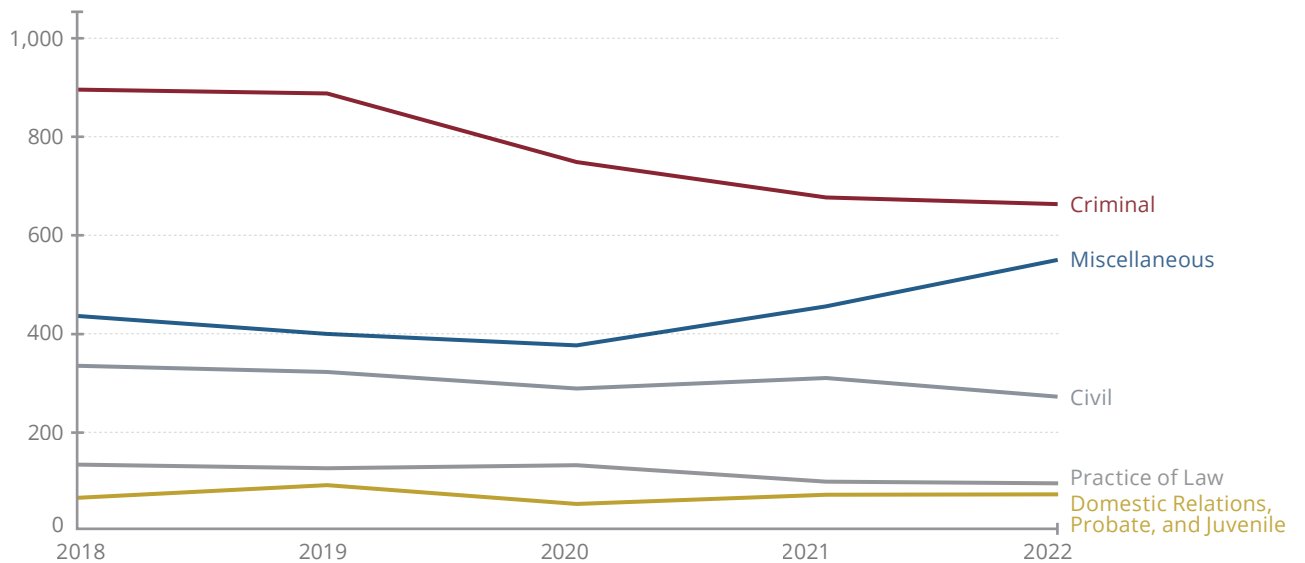
In addition to its eight divisions, the Supreme Court has four affiliated offices with quasi-independent status because of the nature of their work: Office of Disciplinary Counsel, Ohio Board of Professional Conduct, Lawyers' Fund for Client Protection, and Ohio Criminal Sentencing Commission.

Complete descriptions of all Supreme Court offices and the affiliated offices are available at www.supremecourt.ohio.gov.

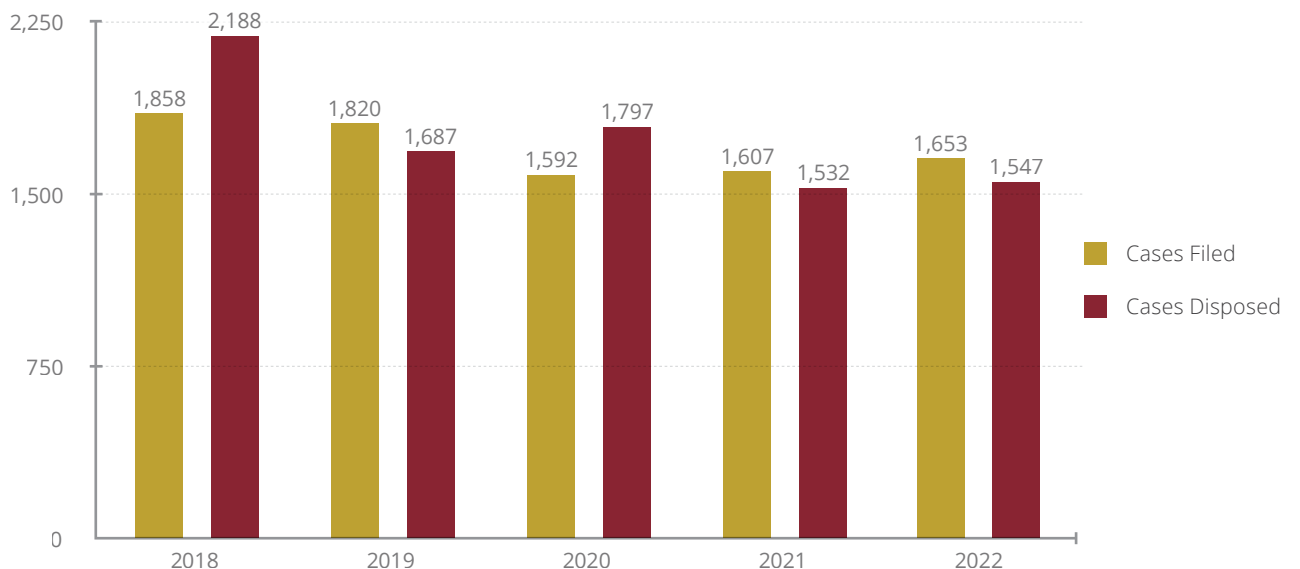
Case Statistics

Just over 1,000 cases were filed with the Ohio Supreme Court in 2022.

Cases Filed, 2018 – 2022



Cases Filed and Disposed, 2018 – 2022



Cases Filed in 2022

1,011 Jurisdictional Appeals

956	Jurisdictional Appeals
2	Death Penalty Postconviction Appeals
18	Appeals Involving Termination of Parental Rights/Adoption
35	Appeals from App.R. 26(B) Applications

547 Merit Cases

353	Original Actions
82	Habeas Corpus Cases
75	Direct Appeals (Cases Originating in Court of Appeals)
20	Certified Conflicts
1	Certified Conflicts Involving Termination of Parental Rights/Adoption
3	Appeals from Board of Tax Appeals
1	Appeals from Public Utilities Commission
3	Appeals from Power Siting Board
0	Death Penalty Cases
0	Appeals from App.R. 26(B) Application in Death Penalty Case
0	Certified Questions of State Law
0	Appeals from Denial of DNA Testing in Capital Case
0	Appeals of Contest of Election under R.C. 3515.15
0	Petition Challenges pursuant to Article II, Section 1g of the Ohio Constitution
0	Contests of an Election pursuant to R.C. 3515.08
7	Cases Purporting to Invoke Unspecified Original Jurisdiction
2	Redistricting Cases

95 Practice of Law Cases

92	Disciplinary Cases
3	Bar Admission Cases
0	Unauthorized Practice of Law Cases
0	Other Matters Relating to the Practice of Law

1,653 Total Cases Filed

2022 Cases Disposed

851 Jurisdictional Appeals¹

789	Jurisdictional Appeals ²
4	Death Penalty Postconviction Appeals
16	Appeals Involving Termination of Parental Rights/Adoption
42	Appeals from App.R. 26(B) Applications

596 Merit Cases

280	Original Actions
86	Habeas Corpus Cases
63	Direct Appeals (Cases Originating in Court of Appeals)
20	Certified Conflicts
1	Certified Conflicts Involving Termination of Parental Rights/Adoption
4	Appeals from Board of Tax Appeals
2	Appeals from Public Utilities Commission
1	Appeals from Power Siting Board
5	Death Penalty Cases
0	Appeals from App.R. 26(B) Application in Death Penalty Case
2	Certified Questions of State Law
0	Appeals from Denial of DNA Testing in Capital Case
0	Appeals of Contest of Election under R.C. 3515.15
0	Petition Challenges pursuant to Article II, Section 1g of the Ohio Constitution
9	Other Merit Cases
4	Redistricting Cases
119	Jurisdictional Appeals Accepted for Merit Review ³

100 Practice of Law Cases

96	Disciplinary Cases
2	Bar Admission Cases
1	Unauthorized Practice of Law Cases
1	Other Matters Relating to the Practice of Law

1,547 Total Cases Disposed

¹ This category includes jurisdictional appeals that were declined and the merits of the case were not reviewed by the Court.

² This category includes jurisdictional appeals that were accepted, held, and later summarily decided without briefing.

³ This category does not include jurisdictional appeals that were accepted, held, and later summarily decided without briefing.

Cases Pending on December 31, 2022

314 Jurisdictional Appeals

314	Jurisdictional Appeals
0	Death Penalty Postconviction Appeals
0	Appeals Involving Termination of Parental Rights/Adoption
0	Appeals from App.R. 26(B) Applications
0	Petitions to Transfer Board of Tax Appeals Appeal from Court of Appeals

331 Merit Cases

168	Original Actions
12	Habeas Corpus Cases
57	Direct Appeals (Cases Originating in Court of Appeals)
16	Certified Conflicts
1	Certified Conflicts Involving Termination of Parental Rights/Adoption
4	Appeals from Board of Tax Appeals
2	Appeals from Public Utilities Commission
3	Appeals from Power Siting Board
2	Death Penalty Cases
0	Certified Questions of State Law
0	Appeals from App.R. 26(B) Application in a Death Penalty Case
0	Appeals from Denial of DNA Testing in Capital Case
2	Other Merit Cases
3	Redistricting Cases
61	Jurisdictional Appeals Accepted for Merit Review

16 Practice of Law Cases

15	Disciplinary Cases
1	Bar Admission Cases
0	Unauthorized Practice of Law Cases
0	Other Matters Relating to the Practice of Law

661 Total Cases Pending

	Jurisdictional Appeals	Merit Cases	Practice Of Law Cases	Total
Cases Filed	1,011	547	95	1,653
Case Dispositions	851	596	100	1,547
				94%
				CLEARANCE RATE

Judiciary/Supreme Court Operating Expenditures

The Supreme Court of Ohio/Judiciary GRF budget totals **\$198.2 million**, which is used to support the operation of the Moyer Judicial Center, as well as the payment of the salaries of Ohio judges and district court of appeals staff.

	Expenditures FY 2022*	Percent of Total	Budgeted FY 2023**	Percent of Total
OHIO JUDICIARY				
Courts of Appeals Judges	\$14,805,169	7.5%	\$15,381,488	7.3%
Trial Court Judges	\$99,149,823	50.0%	\$103,070,647	48.6%
TOTAL OHIO JUDICIARY	\$113,954,992	57.5%	\$118,452,135	55.8%
COURT OF APPEALS STAFF	\$33,016,707	16.7%	\$36,523,513	17.2%
SUPREME COURT				
Supreme Court of Ohio Operations	\$46,679,359	23.5%	\$52,350,907	24.7%
Ohio Center for Law-Related Education	\$200,000	0.1%	\$200,000	0.1%
Ohio Courts Network Initiative	\$3,714,252	1.9%	\$3,843,940	1.8%
County Law Library Resources Board	\$307,714	0.2%	\$324,889	0.2%
Civil Justice Program Fund	\$372,897	0.2%	\$425,000	0.2%
SUPREME COURT TOTAL	\$ 51,274,222	25.9%	\$ 57,144,736	26.9%
OHIO JUDICIARY & SUPREME COURT TOTAL	\$ 198,245,921		\$ 212,120,384	

* Includes encumbrances and all fund sources.

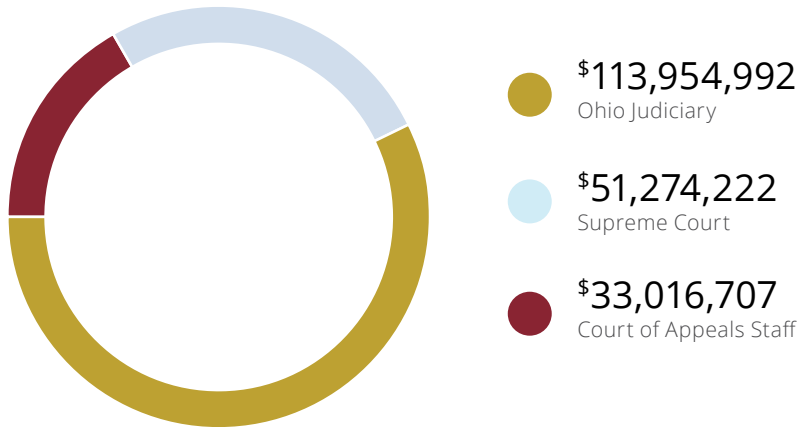
** Budget is as of January, fiscal year 2023.

NOTE: Numbers may be rounded up to the nearest dollar.

SOURCE: State of Ohio OAKS Fin System

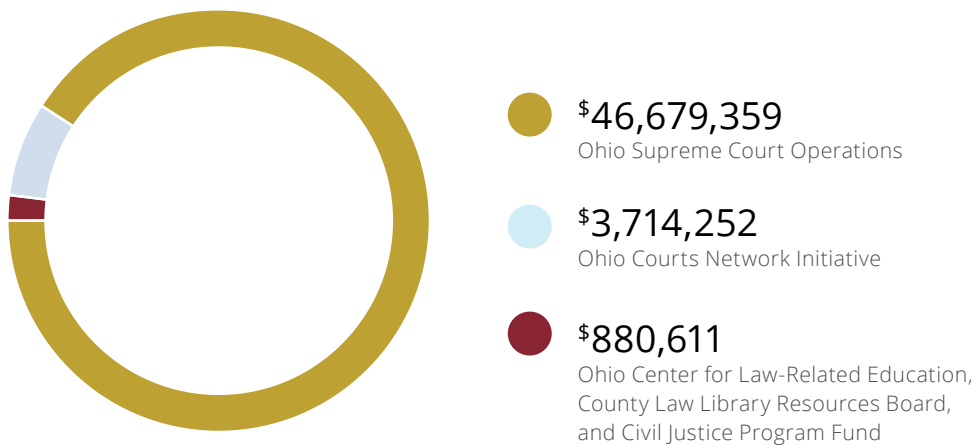
Ohio Judiciary/Supreme Court

Fiscal Year 2022 Total Expenditures



Supreme Court of Ohio

Fiscal Year 2022 Total Expenditures



Staff Notes

Professional Excellence Recognized

Three employees were nominated by their colleagues and the justices for exhibiting a high standard of professionalism and excellence in 2021. They were honored during the annual recognition ceremony in the Courtroom on Nov. 15. Award recipients included Mary Joe Beck (right), assistant reporter in the Office of the Reporter; Sam Campbell (not pictured), education program manager in the Judicial College; and Cassandra Kilgore (left), legal research analyst and executive assistant in the Office of Disciplinary Counsel.



The Court also recognized 33 employees who marked milestone years of their service to the Court and the citizens of Ohio.



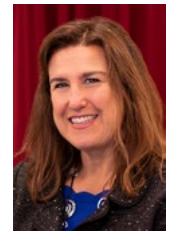
Phil Farmer
35 Years of Service



Amy L. Reitz
25 Years of Service



Linda Hodge
25 Years of Service



Debra A. Weinberg
20 Years of Service



Mary Jo Beck
15 Years of Service



Ryan J. Fahle
15 Years of Service



N. Roberto Frantz
15 Years of Service



Christine L. Hahn
15 Years of Service



Stephanie E. Hess
15 Years of Service



Tarik H. Jackson
15 Years of Service



Tiffany A. Kline
15 Years of Service



Karen H. Osmond
15 Years of Service



Ian N. Palmer
15 Years of Service



John S. VanNorman
15 Years of Service

10 Years of Service

Melissa M. Ferguson
Dorci T. Gass-Lower
Christopher R. Lozan
Rick L. Stout

5 Years of Service

Elizabeth M. Arcos
Randall Drum
J.A. Espinosa-Smith
Patrick A. Farkas
Christopher Fields
Anna Gault

Nikole D. Hotchkiss
Dot Davis Keil
Cassandra R. Kilgore
Penny L. Marchal
Lia J. Meehan
Ryan P. O'Rourke

Kyana Pierson
Jodi L. Schneider
Samuel S. Simms
Terrence L. Upchurch

Retirements

Mary Joseph Beck
Office of the Reporter

William B. Crawford, Jr.
Office of Court Security

Lori Gilbert
Attorney Services

Sandra Huth Grosko
Office of the Clerk

Mary Harrison
Office of Facilities Management

Sharon Jewett
Law Library

Kenneth Kozlowski
Law Library

Robert Maier
Office of Legal Resources

Maria Mone
Judicial College

Joey L. Perkins
Office of Facilities Management

Carol Taylor
Office of Public Information



Top Left: Sandra Huth Grosko (center), clerk of the court, retired on Nov. 1 following a historic career that included becoming the first woman to serve as reporter of decisions.

Top Right: Bill Crawford was celebrated by the justices and staff to honor his nearly 19 years of service at the Court. Bill joined the Court in 2004 as a security officer before serving as marshal until retirement.

Bottom Left: Robert Maier retired in May after 16 years as master commissioner. His extensive knowledge of tax law, strong work ethic, and unfailing collegiality were great contributions to the Court.

Bottom Right: Sharon Jewett retired in June after serving in the Law Library for more than 25 years.



Professional Certifications and Recognition

On Aug. 12, three Court employees celebrated their hard work and nationally recognized achievement during a virtual graduation ceremony. Christine Kidd, Doug Nelson, and Kyana Pierson embarked on a multiyear journey in 2019, to become Certified Court Managers. The Court Management Program (CMP) is a certification program available through the National Center for State Courts Institute for Court Management and The Supreme Court of Ohio Judicial College. The rigorous course of study improves the performance of courts and access to justice for members of the community.

Education Program Manager Kristopher Steele received the Carmen Rodriguez Member of the Year Award from the American Probation and Parole Association (APPA). He oversees the training program for Ohio probation officers and has volunteered at APPA national conferences for the past six years.

Rikkhya Favours, fiscal officer in the Lawyers' Fund for Client Protection office, graduated from the Ohio Fiscal Academy and is now a Certified Ohio Fiscal Professional. The academy is an intensive program to build leadership for state fiscal employees.

Procurement Administrator Mary Harper obtained the Certified Procurement Professional designation through the National Institute of Government Purchasing. The high-level certification helps leaders in procurement across the country to deliver successful practices in their organization.

In Memorium



Gerri Allen (1969-2022)

Gerri Allen joined the Court Services Division of the Supreme Court in 2007 as a program assistant in the Case Management section. Beginning in 2015, Gerri served as executive assistant to now-retired Justice Judith Ann Lanzinger until the end of her tenure on the Court. For the next six years, she served as executive assistant to Justice Patrick F. Fischer.

Always one to volunteer for special events and employee committees, Gerri seldom let a moment go by when she wasn't helping other people. Gerri passed away on Tuesday, March 22, 2022 during a battle with cancer.



Ryan Johnston (1985-2022)

Ryan Johnston joined the network and technology resources team at the Supreme Court in 2012. He worked his way through the ranks over the years and was promoted to Senior Systems Administrator in August 2020. Ryan was a valued member of the team who continually focused on improving the Court's technology products and services. Ryan was

respected by his colleagues and friends as professional and reliable, and for his service.

2022 Supreme Court of Ohio Staff

Paula Adams	Laura Dawson	Sandra Grosko	Stephanie Kellgren
Gerri Allen	Brandon Deaner	Alyssa Guthrie	Christine Kidd
Timothy Andersen	Cassandra Deskins-Taylor	Candie Gutierrez	Cassandra Kilgore
Sara Andrews	Rachel Dilley	Christine Hahn	Karen King
Elizabeth Arcos	Richard Dove	Kristopher Haines	Tiffany Kline
Kristopher Armstrong	Randall Drum	Michelle Hall	Douglas Kohrt
Damon Asbury	Mark Dutton	Kimberly Hamiter	Marya Kolman
Martha Asseff	Jake Eckelberry	Cheryl Hannan	Kenneth Kozlowski
Francis Barnes	David Edelblute	Mary Harper	Michelle Krocker
Phillip Battle	Roger Eden II	Mary Harrison	Michelle LaMaster
Dahria Beaver	Leah Edwards	Quincella Harrison	Alencia Lang
Mary Beck	Kimberly Eggerton	Diane Hayes	Julian Lawall
Anissa Belanger	Christine Einloth	Derrick Head	Michael Leavitt
Almaria Bellamy	Minerva Elizaga	Phoebe Heffron	Erika Lemke
Vladimir Belo	Alicia Elwing	Joshua Herd	Robert Little
Adam Bessler	Aaron Epstein	Stephanie Hess	Jeffrey Loeser
John Biancamano	Amy Ervin	Caitlin Hill	Faith Long
Katherine Biancamano	J Espinosa-Smith	Linda Hodge	Elisabeth Long
Terri Bidwell	Deborah Fagan	Dean Hogan	Kevin Lottes
Kristina Blake	Ryan Fahle	Donald Holtz	Richard Loutzenhiser
Bethany Boston	Patrick Farkas	Nikole Hotchkiss	Sheila Lovell
Charles Bower Jr	Phillip Farmer	Gabrielle Hughes	Karen Loy
Michelle Bowman	Mason Farr	Nicholas Hunt	Christopher Lozan
Michael Bracone II	Brian Farrington	Heather Huth	Lori Luttrell
Marlys Bradshaw	Rikkhya Favours	James Ingram	Lisa Lynch
Patrick Bradshaw	Melissa Ferguson	Anthony Ingram	Christina Madriguera
Stacy Brooks	Christopher Fields	Scott Irion	Robert Maier
Robert Brown	Adrianne Fletcher	Todd Ives	Kathleen Maloney
James Bumbico	Linda Flickinger	Jeffrey Jablonka	Janet Marbley
Robert Burpee	Jenna Foos	Niko Jackson	Penny Marchal
Diana Burroughs	Daniel Fox	Tarik Jackson	Ely Margolis
Matthew Busser	Nelson Frantz	Michele Jakubowski	Joshua Martin
Joseph Caligiuri	Erick Gale	Gregory Jarrett	Bradley Martinez
Samuel Campbell	Randall Garrabrant	Michel Jendretzky	Gregory Mathews
William Campbell	Angela Kay Garvey	Sarah Jeu	Syed Matin
James Cappelli	Dorothy Gass-Lower	Sharon Jewett	Kristi McAnaul
Ronda Carver	Anna Gault	Shreve Johnson	Joshua McCrea
Amie Chapman	Timothy Gaunt	Russell Johnson	Patrick McDonald
Abigail Christopher	Mallory Geib	Jeremy Johnson	Christine McKrimmon
Britney Cider	Christopher Geocaris	Becky Johnson	Riley McQueen
Lisa Colbert	Linda Gilbert	Laura Johnston	Lia Meehan
Kylie Conley	Lori Gilbert	Ryan Johnston	Blake Miller
Debra Copeland	Ashlea Glaser	Vivian Jones	Maria Mone
Nathan Coyne	Victoria Gooder	Joella Jones	Jason Monroe
William Crawford Jr	Joel Gottke	Alexander Jones	Kaitlyn Mooney
Michael Crofford	Samantha Goyings	Anthony Joyce	Troy Moran
Maria Danison	Michelle Graff	Stephen Kahler	Lindsay Morris
William Davies	Stephanie Graubner Nelson	Matthew Kanai	Katherine Mosca
Meletha Dawson	John Groom	Dorothy Keil	Jesse Mosser

Staff, Continued...

Kirstyn Moyers	Igor Stavniychuk
Curtis Muhammad	John Steele
Katheryn Munger	Kathryn Steveline
Anne Murray	Sara Stiffler
Kristen Myers	Chelsey Stillwell
Sukia Neal	Amy Stone
Douglas Nelson	Rick Stout
William Nuzum	Robert Stuart
Ryan O'Rourke	Katherine Sturges
Alan Ohman	Csaba Sukosd
Thern Osborne	Linda Sykes
Karen Osmond	Katherine Szudy
Ian Palmer	Laura Tainer
Gina Palmer	Nikola Tancevski
Joey Perkins	Paul Taske
Kyana Pierson	Davina Tate
Brittany Preece	Terry Taylor
Mel Prendergast	Carol Taylor
Alexis Preskar	Lisa Tenerove
Richard Presley	James Theado
Brandee Preston	Jason Thomas
Heather Pullins	Gerald Thomas
Rebecca Rabb	Anne Thompson
Arleathia Radcliffe	Adrian Tinsley
Megan Real	Lyn Tolan
Amy Reitz	Benjamin Tracy
Michelle Ridgway	Daniel Trevas
Trane Robinson	Christy Tull
Michael Robison II	Deanna Tuttle
Lori Robison-Embry	Rodney Tyler
Bruno Romero	Terrence Upchurch
Colleen Rosshirt	John VanNorman
Chelsea Rubin	Audrey Varwig
Harold Sauter	Michelle Vasquez White
Scott Schaller	Zachary Vicha
Donald Scheetz	Ronald Wadlinger II
Shannon Scheid	Erin Waltz
Jon Schelb	Richard Wardell
Kelli Schmidt	Katrina Webb
Jodi Schneider	Debra Weinberg
James Sheridan	Kara Wells
Scott Shumaker	Cynthia Wendel
Samuel Simms	Tammy White
Brent Small	Gabriel White
Bryan Smeenck	Cypress Williams
Jennifer Smith	Lisa Williams
Denise Spencer	Robert Willis
Sarah Stafford	Alicia Wolf
Lauren Staley	Lucinda Wright

2022 Externs

Olushola Adedeji	Dan Keller
Dilinigaer Aishan	William Lagrone
Ali Alfonson	Caroline Lahrmann
Kalie Bagent	Hannah Laubach
Virginia Bethune	Amanda Layman O'Dell
Anjelica Blair	Cayleigh Leikan
Alexandra Bond	Zachary Lemaster
Kayla Briskey	Koary Lutz
Kathlena Broughton	Mason Mackovjak
Kathlena Broughton	Motaz Mandili
Ashlee Buxton	Hailey Martin
Georgia Byers	Lindsay Miller
Kemal Catalan	Damini Mohan
Jessica Chapman	Desire Mukucha
Pierre Collins	Sarah Myer
Joshua Corbin	Kyle Nazareth
Katherine Crawford	Ernest Oleksy
Samuel DeWitt	Ryan Palko
Lauren Diaz	Megan Parker
Ryland Doerr	Edward Patton
Ian Dollenmayer	Riley Patterson
Mycala Duhart	Oliver Raker
Michkayla Edmondson	Natalie Rohrig
Karen Gilmore	Anastasia Sakairoun
Stephen Gittins	Kenneth Sapp
Elizabeth Graham	Gregory Seymour
Jocelyn Groll	Emily Smith
Dima Hajj Ahmad	Brent Smith
Ashlyn Hancock	James Stammen
Samantha Harton	Abigail Stout
Jewel Heath	Kirsten Thomas
James Hinton	Jennifer Tran
Matthew Hohman	Michael Watkins
Cameron Jenkins	

