

# The Supreme Court of Ohio

---

## CASE ANNOUNCEMENTS

**November 15, 2023**

[Cite as *11/15/2023 Case Announcements, 2023-Ohio-4116.*]

---

## MISCELLANEOUS ORDERS

In re Judicial Campaign Complaint  
Against Stephanie Lynn Williams,  
Respondent.

Case No. 2023-1389

### ORDER OF THE COMMISSION OF JUDGES

This matter came to be reviewed by a commission of five judges appointed by the Supreme Court of Ohio on November 8, 2023, in accordance with Gov.Jud.R. II(5)(D)(1). The commission members are Judge Elizabeth Gill, Chair, and Judges Michael Ater, Samuel Bluedorn, Dominic Coletta, and Katarina Cook.

#### Procedural History

Complainant, Dino Conrad, filed a judicial-campaign grievance with the Board of Professional Conduct against respondent, Stephanie Lynn Williams, a candidate for Judge of the Cambridge Municipal Court. After review by a probable-cause panel of the board under Gov.Jud.R. II(5)(B), the director of the board filed a formal complaint. The complaint alleged that respondent violated Jud.Cond.R. 4.3(A) and (G) when she, knowingly or with reckless disregard, twice posted photographs of herself in a judicial robe without the appropriate disclaimer identifying herself as a magistrate and inaccurately referred to herself as a judge at a “Meet the Candidate” night and in two radio advertisements.

The formal complaint was heard by a hearing panel of the board. That hearing panel issued a report of its findings, conclusions, and recommendations. In the report, the hearing panel recommended that respondent pay a \$1,000 fine for her violation of Jud.Cond.R. 4.3(A) and (G), the costs of the proceedings, and attorney fees in an amount to be determined by the commission.

The commission received and reviewed the copy of the record certified by the board, including the joint stipulations, the joint exhibits, and the transcript of the proceedings before the

hearing panel. The commission also reviewed the panel's findings of fact and conclusions of law and recommended sanction. On November 9, 2018, the commission conducted a telephone conference during which it deliberated on this matter. Upon review of the entire record, the commission unanimously agreed with the panel's conclusion.

### **Commission Opinion**

Under Gov.Jud.R. II(5)(D)(1), the commission is charged with reviewing the record to determine whether it supports the hearing panel's findings and determine whether the hearing panel abused its discretion. Based on the record certified by the hearing panel and the report issued by the hearing panel, the commission unanimously holds that the hearing panel did not abuse its discretion and that the record supports the panel's findings that respondent violated Jud.Cond.R. 4.3(A) and (G) as alleged in Count 1 of the complaint and as stipulated by the parties.

Jud.Cond.R. 4.3(A) makes it a violation to “[p]ost, publish, broadcast, transmit, circulate, or distribute information concerning the judicial candidate or an opponent, either knowing the information to be false or with a reckless disregard of whether or not it was false.” Jud.Cond.R. 4.3(G) makes it a violation to “[m]isrepresent his or her identity, qualifications, present position, or other fact or the identity, qualifications, present position, or other fact of an opponent.”

To establish a violation of Jud.Cond.R. 4.3(A) and (G) by respondent requires a finding that respondent acted “knowingly” or “with reckless disregard.” The meanings of these terms are established by the Code of Judicial Conduct and case law. Specifically, Jud.Cond.R. 4.6(G) defines “knowingly” as meaning “actual knowledge of the fact in question. A person's knowledge may be inferred from circumstances.” A judicial candidate “acts ‘recklessly’ if the result is possible and the candidate chooses to ignore the risk.” *In re Judicial Campaign Complaint Against Moll*, 135 Ohio St.3d 156, 2012-Ohio-5674, 985 N.E.2d 436, ¶ 11.

Based on the joint stipulations, the joint exhibits, and the hearing transcript, the hearing panel did not abuse its discretion in finding that respondent knowingly or recklessly violated Jud.Cond.R. 4.3(A) and (G). Judicial candidates are responsible for reviewing and approving the contents of all campaign materials before they or their campaigns disseminate those materials. Jud.Cond.R. 4.2(A)(2). Paragraph one of the complaint addresses two instances in which respondent's campaign posted photos of her in a judicial robe but with no disclaimer or other language identifying her as a magistrate. The parties stipulated that on these two occasions, respondent's campaign committee posted the photos without a proper disclaimer. The photos are stipulated exhibits in the record, and the parties agreed that the exhibits are authentic and admissible. The parties also stipulated that these two photos knowingly or recklessly misrepresented respondent's qualifications. The hearing panel reviewed the evidence and agreed.

The same goes for the statement respondent made at a Guernsey County Republican Club “Meet the Candidate” event and the two radio advertisements referred to in paragraphs two and three of the complaint. The parties stipulated that the recordings of these events were authentic and admissible and each included respondent's misstatements that she was a judge when she was

actually a magistrate. The parties likewise stipulated that these misstatements were made knowingly or recklessly and that they violated Jud.Cond.R. 4.3(A) and (G). The hearing panel reviewed the evidence and agreed.

Accordingly, after reviewing the evidence in the record, the commission finds that clear and convincing evidence supports the hearing panel's findings of fact and conclusions of law. The commission further finds that the hearing panel did not abuse its discretion.

The commission concurs with the hearing panel's recommendation that respondent be required to pay a fine of \$1,000 for her violations of Jud.Cond.R. 4.3(A) and (G) and the costs of the proceedings. The commission also concurs with the hearing panel's recommendation that respondent pay complainant's reasonable attorney fees.

To determine the reasonable attorney fees, complainant and his counsel shall, within 14 days, submit briefing and any accounting, billing entries, and affidavit(s) in support of his request for attorney fees. Within 14 days of complainant's filing his brief and evidence in support, respondent shall submit any briefing and evidence in opposition. No replies are permitted. When the commission issues its award of attorney fees, it will finalize this court's order and direct its secretary to issue a statement of costs along with instructions regarding the payment of fines, costs, and attorney fees.