

MEDINA COUNTY BAR ASSOCIATION

93 Public Square
Medina, Ohio 44256
Medina County Bar Association

www.medinabar.org

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UPCOMING EVENTS

October 2nd – Third Quarter Zoom meeting - 12:00 pm

December 4th – **Annual Meeting** – Williams on the Lake

- Presentation of MCBA Professionalism Award
- Professional Conduct CLE – William Price

December 10th – **Holiday Party** – The Oaks Lakeside

- Presentation of Years of Practice Awards



Medina County Bar Association

Our 2020 Executive Team:

President – Bradley J. Proudfoot, Esq.
President-Elect – Matthew B. Ameer, Esq.
Vice President – Michael Callow, Esq.
Treasurer – Melissa J. Piszczek, Esq.
Secretary – Rebecca Clark Esq.
Executive Secretary – Gina Hotchkiss

Newsletter Editors – Rebecca Clark & Bradley J. Proudfoot

Message From Our President

Warm greetings to our membership! I know that it has been a trying year for everyone due to Covid-19, but we are attempting to move forward despite uncertainty. This will be the longest newsletter that the Medina County Bar Association has ever distributed, but it is full of important information for our membership.

While Covid-19 has slowed most activities to a grinding halt, the MCBA Executive Committee has still moved forward. Currently, the new website is close to being complete. We are just a week or two away from entering the “Beta” phase which allows us to make the final edits to the content before it goes live. We are all very excited to see and use the new website.

Unfortunately, we were not able to have a Law Day celebration this year. As usual, the event was scheduled for the first Friday in May; however, due to Covid-19 restrictions, we could not have the event. We subsequently planned to have the event at the Galaxy in Wadsworth on Friday September 11th. I personally spoke to numerous practitioners and firms as to whether they would be interested in attending the event. I received a resounding “no” from our membership due to the safety concerns. Of course, safety and the well-being of our membership should be our first concern.

Our 2020 MCBA Law Day Scholarship recipient is Hannah Kim. Ms. Kim is a Brunswick graduate and will be attending Case Western Reserve University. We regret our membership couldn’t meet her in person, but hopefully next Law Day we could invite her back to at least be personally recognized by the MCBA.

I am pleased to announce that our 2020 recipient of the Medina County Bar Association Professionalism Award is Linda Hoffmann. It was my pleasure to be able to personally meet with Linda and inform her of being honored this year. As most of you know, the recipient is presented the Professionalism Award at our annual 4th quarter luncheon/meeting. Attorney Hoffmann joins other past recipients of this great honor, including Dennis Paul, Bob Bux, Steve Brown, and Norman Brague. See the article in the newsletter for more information and again congratulations Linda!

Currently, we are planning to move forward with all fourth quarter functions in person. We have reserved Williams on the Lake for our fourth quarter luncheon and also have reserved The Oaks Lakeside for our annual Holiday Party. We are also planning on live streaming the presentation of the MCBA Professionalism award in some manner, e.g. Zoom, Google Meet, or Facebook Live, for those members that do not want to attend in person. We do have back-up plans should our RSVP numbers be extremely low for those events. Obviously, we will work diligently to insure that all precautions including social distancing are observed.

Last, this newsletter is much longer than usual for a number of reasons. In this issue, we are including Questions/Responses from our candidates for Judge as well as Prosecutor. These questionnaires were sent out via email at the beginning of September for each candidate. Each

candidate received the exact same questionnaire and all verified receipt of these questionnaires. As such everyone was given the opportunity to participate. The MCBA does not endorse any candidate for these elected positions. This was merely done to give our candidates the opportunity to address the membership, in light of the various restrictions in place due to Covid-19.

Also, we have included an “In Memoriam” for Frank Raso. Frank was a great attorney but an even better human being. I want to thank Dave Sheldon for writing the “In Memoriam” for Frank.

Best wishes to all, and I hope to see you at the upcoming MCBA functions.

Bradley J. Proudfoot
2020 MCBA President
Assistant Law Director / Prosecutor – City of Wadsworth

A Call to Our Membership

As many of you know, we have been recognizing members of our great organization for their years of practice. We attempt to keep our records up-to-date and properly recognize our membership; however, we do not want there to be an oversight. If you know of any members that will be reaching the 50 Years of Practice mark or are reaching their 40 Years of Practice mark, please contact myself or our Executive Secretary, Gina Hotchkiss.



Left Photo: Brad Proudfoot (MCBA President 2020) and Jim McIlvaine, Esq., who was recognized at the 2019 Holiday Party for 50 Years of Practice.



Right Photo: Those honored for 40 Years of Practice at the 2019 Holiday Party the Oaks Lakeside.

2020 Medina County Bar Association Professionalism Award Recipient:



Linda Hoffmann

The Medina County Bar Association Professionalism Award was established to recognize an attorney's exceptional dedication to the standards of the profession and further to recognize one who has demonstrated integrity and humanitarian concern within the Medina County community. Professionalism among members of the Medina County Bar has been of concern to us all. All lawyers should have the high standards of our profession reinforced to ensure that they are a regular part of our practice.

At the MCBA's Annual Meeting on December 4, 2020, the MCBA Executive Committee will present this award to Attorney LINDA HOFFMANN. Linda Hoffmann is a named partner of Palecek, McIlvaine, Hoffmann & Morse, Co., L.P.A. Now in her 34th year of association with the law firm, she practices in the areas of domestic relations, basic estate planning, and civil litigation in Medina, Wayne, and Summit counties. She is a graduate of the University of Dayton and the University of Cincinnati College of Law.

Linda served as Medina County Common Pleas Law Clerk for Judge Phillip Baird and as Juvenile Court Referee/Administrator for Judge Thomas Skidmore. She is a past-President of the Medina County Bar Association and past long time member of its Grievance Committee. She was an appointed commissioner of Medina City's Civil Service Commission, and served several terms as a board member for a local drug and alcohol counseling agency.

She served six years as elected Council At Large for the City of Medina and 13 years as an appointed commissioner for the Medina County Public Defender Commission. She is active in community groups including The Kiwanis Club of Medina where she held several leadership positions including President and now chairs its successful Kiwanis Christmas Carol project raising funds to provide needed winter clothing to Medina area schoolchildren.

Her leadership skills earned her recognition as a YWCA Woman of Distinction, a *Gazette Today's* Woman, Medina County Leadership Public Service Honoree Award, and Kiwanian of the Year (twice). In her free time, Linda enjoys lifting her voice in her church choir, travel, and enjoying time with family and friends.

Past recipients of the MCBA Professionalism Award are Dennis Paul (2012), Robert Bux (2017), Steve Brown (2018), and Norman Brague (2019). Please join us in congratulating Attorney Hoffmann in joining this esteemed group of legal practitioners.

Candidate Responses to the MCBA Questionnaires

At the beginning of September, candidates for the following races were emailed a questionnaire:

- Medina County Common Pleas Judge (General Division) term beginning January 1, 2021
- Medina County Probate and Juvenile Judge term beginning February 9, 2021
- Ninth District Court of Appeals Judge term beginning February 9, 2021
- Medina County Prosecuting Attorney term beginning January 4, 2021

Each candidate was asked to respond to this questionnaire by Friday September 11th. The following questions and biographical information was requested of the candidates.

1. Name
2. Website
3. Undergraduate School (degree) / Law School
4. Current legal position
5. Past legal positions
6. Community Involvement
7. Professional Involvement
8. What attracted you to a judicial career?
9. Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.
10. Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.
11. Lastly, what makes you stand out as a judicial candidate?

Further, the following disclaimer was noted in the email:

"As a disclaimer, the MCBA has not in the past nor will it now be endorsing any candidates. These questions are merely to give our membership some insight into the candidates. This offer is being made to all judicial and prosecutor candidates."

I want to thank the candidates for taking the time to participate in the MCBA questionnaire. We, as the Executive Committee, felt it was necessary to reach out to our candidates especially in light of the restrictions that all candidates are facing during Covid-19. The following pages are the candidates responses.

Bradley J. Proudfoot

MCBA President - 2020

Judge Joyce V. Kimbler

Candidate for Judge - Medina County Court of Common Pleas

1. **Name:** Joyce V. Kimbler

2. **Website:** <http://www.judgejoycekimbler.com>

3. **Undergraduate School (degree) / Law School**

B.S. Evangel College Psychology

J.D. University of Akron School of Law

4. **Current legal position:1/1/2015-12/31/2020**

Judge Medina County Court of Common Pleas Courtroom # 2

5. **Past legal positions**

12/15/1985 – 12/31/2014 Trial Attorney for Nationwide Insurance Company, a Fortune 100 company. There I tried over 100 jury trials, handled appeals throughout the State of Ohio and successfully argued cases before the Ohio Supreme Court.

8/1/1984-12/15/1985 Judicial Attorney Ninth District Court of Appeals

11/1982-8/1/1984 Private Practice handling both Civil and Criminal matters.

6. **Community Involvement:**

As a member of St. Paul's Episcopal Church in Akron, Ohio since 1985 I have served as a Sunday School Teacher and Youth Group Leader and member of the Vestry. I have also volunteered as an attorney advisor for High School Mock Trial both locally for Springfield H.S. (my alma mater), as a mock trial judge in local competitions, and on the state level as a mock trial judge. I have been a speaker for local scouting troops, home schoolers, and the Medina Board of Realtors. Personally, I have been caring for twins, Lily and Violet, and their sister Lucy for the past 2 years as well as assisting with the care of my 88-year-old mother.

7. **Professional Involvement:**

I am a member of the Medina County Bar Association, the Ohio State Bar Association, and the American Bar Association. I am also a member of the American Inns of Court and the local chapter of the Inns of Court. I have served on the Ohio Supreme Court Commission on Alternative Dispute Resolution and in that capacity have been asked to teach at presentations to the local bar, the Ohio state bar as well as at the American Bar Association conference. I have also taught on the Constitution for Medina County Local Government Leadership.

Judge Joyce V. Kimbler

Candidate for Judge - Medina County Court of Common Pleas

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8. **What attracted you to a judicial career?**

As a judge I can make a positive impact on my community. One of the principles and purposes of sentencing set forth in the statute is rehabilitation. Under the current sentencing statutes, most fourth- and fifth-degree felons are not going to prison, they will receive some form of community control sanction which means they will remain in the community. Upon leaving prison, most defendants return to their home community. Therefore, if I can fashion sanctions that will help a person change their behavior, while protecting the community, I am changing the community for the better one person at a time. On the civil side, the court is the place of last resort for resolution of disputes between citizens of the county. By ensuring that citizens can trust that their cases will be fairly and expeditiously decided, the Court creates an environment in which people feel safe to invest, build businesses and start families.

9. **Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.**

Being a judge is a position of public trust. The citizens of your community believe that they can trust you to render judgments that are consistent with the values of the community, consistent with controlling state statutes and the Canons of Judicial Conduct. The role of the judge is to embody the values of the Constitution of the United States and the State of Ohio so that the citizens of the county will have respect for the law and the Courts. To meet these goals the qualities that are most important for the role are: 1. A dedication to the rule of law and not personal attention; and 2. A willingness to be independent and collaborative at the same time. At all times, you must remember that what you are doing is about the people involved and the community, and not about you as the judge. Also, you must be willing to listen to input from all stakeholders and then be independent and render an opinion that is in the best interest of everyone, based solely on the law. The greatest challenge to the role is knowing that you cannot make everybody happy and, usually, one side or the other is going to be unhappy with your decision.

10. **Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.**

Two cases that I presided over in the last six years which especially illustrate these points are:

State v Tench: In a death penalty case, the goal is to provide “super due process” to the defendant. This means that each step of the proceeding must be hyper-managed. This was a four-week process that ended with the jury recommending the imposition of the death penalty. To decide whether to follow the jury’s recommendation required an analysis of the factors as outlined in the statute and relevant case law. After reviewing the applicable factors, I concluded that the jury’s recommendation should be adopted and imposed the death penalty on a young man who was found guilty of murdering his mother. While this was a very emotional issue, the job is to follow the facts and the law and come to the correct legal conclusion. This is the method Judge William R. Baird taught me when I was his judicial attorney at the Ninth District Court of Appeals and it still holds true today.

Judge Joyce V. Kimbler

Candidate for Judge - Medina County Court of Common Pleas

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This is the same approach I used in making a determination to impose the sentence of life without the possibility of parole on an 18-year-old young man who murdered his 98-year-old neighbor in the case of State v Ramsay. This is the maximum penalty for a crime committed as a minor.

Both sentences have been upheld on appeal.

11. **Lastly, what makes you stand out as a judicial candidate?**

One word: Experience

Over the last six years I have successfully overseen a constantly growing docket. During that time, I was as one of three judges recognized by the Ohio Supreme Court in the documentary One Year in Ohio's Drug Courts. The documentary can be seen [by clicking here](#). My Supreme Court certified Mental Health Docket has also been mentioned favorably by the Chief Justice and I was asked to speak concerning my Mental Health Docket as part of a continuing education series.

We invested in new technology, funded in part, by a grant from the Ohio Supreme Court for which I applied as the Administrative Judge



Chief Justice O'Connor presents a technology grant to Medina County Court of Common Pleas. [Article from the Ohio Supreme Court 2019 Annual Report](#)

A 2019 analysis of both the criminal and civil dockets in Medina County found that on a per judge basis Medina County was in the top five of all counties for combined caseload per judge with a figure of 1305. Despite this workload, our courtrooms had a clearance rate of 98.645%, ranking us number one for clearance rates.

Judge Kevin W. Dunn

Candidate for Judge - Medina County Probate and Juvenile Court

1. **Name:** Kevin W. Dunn
2. **Website:** www.reelectjudgedunn.com
3. **Undergraduate School (degree) / Law School**

B.A., Miami University

Juris Doctorate, University of Akron

4. **Current legal position:**

Judge of Medina County Court of Common Pleas Probate/Juvenile Division

5. **Past legal positions**

Previously Private Practice 1991 to 2013,
Acting Judge Wadsworth Municipal Court,
Magistrate Medina County Court of Common Pleas Domestic Relations Court,
Magistrate Burbank Mayor's Court,
Acting Magistrate Medina Municipal Court,
Medina City Assistant Prosecutor.

6. **Community Involvement:**

Previous Board Member Medina County Red Cross, Past President of Medina Rotary, Inaugural Chairman of Medina County Public Defender Commission, Member of Medina and Wadsworth Chamber of Commerce, prior Board member of Medina Chamber of Commerce, Member of Medina County Suicide Coalition, Sons of American Legion and Consultant to Ohio Buckeye Boys State, Founding Member of Bluecoats of Medina County, Eucharistic minister Sacred Heart Church Wadsworth, OH.

7. **Professional involvement:**

Member of OSBA, Medina County Bar Association, Member of Ohio Academy of Probate Judges, Member of Ohio Academy of Juvenile Judges, Member of National Academy of Probate Judges, Member of Ohio Supreme Court Committee on Technology, Member of Ohio Supreme Court Committee on Court Administration, Member of Judicial Advisory Group, Member of Advisory Committee on Corrections for "because I said I would" foundation.

Judge Kevin W. Dunn

Candidate for Judge - Medina County Probate and Juvenile Court

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8. **What attracted you to a judicial career?**

I was inspired at a young age to pursue the study law and a judicial career through the encouragement of an individual who was a sitting Judge. That person's impact helped me to follow this path.

9. **Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.**

I subscribe to a patient, fair and impartial application of the laws, believe strongly in a diligent work ethic, support the concept that law is a "profession" and ought to be treated as such. The greatest challenges to the role is the negative public perception ascribed to the legal field as a whole.

10. **Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.**

I have numerous cases for which I am proud of to have been associated. One that reflects on my ability and judicial philosophy involved an Amish girl "Sarah" and Akron Children's Hospital. The hospital first attempted to have a finding that she was Neglected/Dependent in the Juvenile Court, then filed Guardianship ultimately through an order from the 5th District Court of Appeals. This was a medical, cultural and societal conflagration and was widely covered on the national and international news services. Upon taking the bench I was able to ensure that the child was safe and healthy, maintained that the Amish community and their way of life was respected, considered the child and her parent's wishes balanced with those of modern medicine and ensured that the raised medical concerns were resolved. I am proud to say today several years later that "Sarah" is doing well.

11. **Lastly, what makes you stand out as a judicial candidate?**

I had a significant private practice background working in both the Probate and Juvenile areas affected by the court. While performing the job for the last seven (7) years I have been able to formulate processes for the future operations, and have established significant working collaborations with community organizations in order to keep the court responding timely and efficiently to protect the community and all those who we serve.

Kimberly Oliver, Esq.

Candidate for Judge - Medina County Court of Common Pleas

1. **Name:** Kimberly L. Oliver
2. **Website:** www.kimberlyoliverforjudge.com
3. **Undergraduate School (degree) / Law School**
University of Pittsburgh (BA)
Duquesne University School of Law

4. **Current legal position:**

Private Attorney/Sole Practitioner

5. **Past legal positions:**

Magistrate: Medina County Court of Common Pleas, Domestic Relations Division
Magistrate: Summit County Court of Common Pleas, Domestic Relations Division
Hearing Officer: Akron Metropolitan Housing Authority
Ohio Supreme Court Mediator: General and Divorce/Family
Judicial Attorney: Akron Municipal Court
Child Advocate Attorney: Legal Aid Society of Pittsburgh (nka KidsVoice)

6. **Community Involvement**

American Association of University Women/Chair of Diversity Committee
Diversity Project of Medina County
Leadership Medina County, Class of 2019
Let's Make a Difference-Board Member
Medina Community Police Academy Alumni Association
United Way of Summit and Medina Counties- Board Member

7. **Professional Involvement**

Akron Bar Foundation Fellow
Akron-Canton Barristers
Medina County Bar Association
Ohio Association of Magistrates

Kimberly Oliver, Esq.

Candidate for Judge - Medina County Court of Common Pleas

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8. What attracted you to a judicial career?

I became attracted to a judicial career shortly after my first appointment as a Magistrate in the Medina County Court of Common Pleas, Domestic Relations Division. It was there that I realized that my life experience, legal education and involvement with the community would be best optimized in judicial service to Medina County.

9. Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.

My judicial philosophy examines how a judge understands and interprets the law. I believe that a judge should make decisions based upon the evidence presented, but with the mindfulness towards reaching a fair and just result. The qualities most important for the judicial role under this philosophy would be compassion, the ability to listen, knowledge of the norms of diverse socio-economic and cultural perspectives outside of one's own circle, but equally a part of the community, and using that knowledge to resolve the matter which protects the interest and welfare of those whose interest and welfare need protected and which protects the safety of the community.

The court functions in an adversarial environment. The greatest challenges to the judicial role are reaching fair and just decisions within the confines of the evidence and testimony properly admitted into the court.

10. Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.

The cases on which I represented abused, dependent and neglected children as an attorney or *Guardian Ad Litem* are cases of which I am proud. These types of cases focus on the best interest of the child within the child's environment and resources available. My work ethic is apparent in my diligent investigation of all possible contacts from different backgrounds or interests in families and professional disciplines in service providers. My work ethic was a major factor in my ability to provide appropriate recommendations to the Court. One must be able to respectfully engage with others and have the proper temperament to deal with what are sometimes hostile contacts. My service as a *Guardian ad Litem* and as a Magistrate is an example of the judicial philosophy under which I will work if elected as Juvenile/Probate Court Judge.

11. Lastly, what makes you stand out as a judicial candidate?

I purposefully dedicated my career to the areas of law and my community involvement to matters which impact children, families and the most vulnerable in the community. The Medina County Juvenile Probate Court hears matters ranging from the beginning to the end of life and greatly impacts the lives of children and families. My commitment to protecting, children, strengthening families, and engaging the community makes me stand out as a judicial candidate for the Medina County Juvenile /Probate Court.

Judge Julie Schafer

Candidate for Judge – Ninth District Court of Appeals

1. **Name:** Judge Julie A. Schafer
2. **Website:** www.SchaferforJudge.com
3. **Undergraduate School (degree) / Law School:**
Hiram College, Bachelor of Arts (Summa cum laude);
University of Akron, JD and Master of Business Administration
4. **Current legal position:**
I am currently Judge of the Ninth District Court of Appeals.
5. **Past legal positions:**
I was elected Judge of the Akron Municipal Court and before that I was in private practice for 12 years, focusing on Domestic Relations, Juvenile, Probate and Civil matters.
6. **Community involvement:**
I was elected four times to the Copley-Fairlawn City Schools Board of Education, serving the communities for a total of 14 years. I also served on the Ohio School Boards Association Board of Trustees, Executive Committee and as President of the Northeast Region, comprised of 22 counties including Summit, Lorain, Medina and Wayne. I served as a foster parent for Summit County Children Services for 15 years, providing a safe, loving home to over 30 children and eventually adopting three of them.
7. **Professional involvement:**
I am a member of the Ohio State Bar Association, the Akron Bar Association, Medina County Bar Association, Lorain County Bar Association, Wayne County Bar Association, and the Ohio Judicial Conference of Appellate Attorneys. I have served on several committees in the various associations over the years.
8. **What attracted you to a judicial career:**
My interest in pursuing a judicial career began in 2012 when I became concerned that many persons of power and authority in all branches of our government seemed to be overstepping the bounds of the Constitution. I firmly believe that adhering to our laws – as written and amended – and our judicial precedent – as applied – keep this country on a firm foundation. While the authority for changing statutes and laws belongs to the Legislative branch, individuals in the other branches who seemed to be unhappy with the slow process of political “sausage making” had become more bold in going a new direction with no lawful authority to do so. When it seems that our society is going in a direction that is different from the past and rules need to be changed, that happens in the Legislature. It is my faith in the brilliance of our Constitution that prompted me to declare my candidacy for Akron Municipal Court Judge in 2013 and then for the Ninth District Court of Appeals in 2014. I work tirelessly to ensure that our system of Justice stays the course and does not veer off into the realm of the Legislative or Executive branches.

Judge Julie Schafer

Candidate for Judge – Ninth District Court of Appeals

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9. **Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.**

My philosophy of the judicial role is that the Judiciary is to apply the laws as promulgated by the Legislative branch and enforced by the Executive branch of our government. Our Senators and Representatives have been charged with the duty to *make* laws – Judges apply the laws based on plain meaning and past precedent. The stability of our families, businesses and general welfare depends on the consistent application of our laws and sometimes, those laws have unintended consequences. When that happens, it is the duty of the Courts to call it to the attention of the Legislature so they can work to correct the language. That work is sometimes messy, and politics plays a big role in crafting laws. Qualities that are important to the role are being responsible, timely, diligent, informed, continually educating oneself, being open minded and unbiased - and leaving personal politics at home. The greatest challenge to Judges that I see is the temptation to “fix” things that aren’t in our wheelhouse to “fix” – “judicial restraint”. Frequently, attorneys raise issues on appeal that were not raised that should or could have been, or errors and omissions occurred that no one noticed in the trial courts, but when not properly and lawfully before the Appellate Court, it’s not the Judge’s role to simply “fix” it.

10. **Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.**

I believe that my real-life experiences – both in and out of court – over the past fifteen years in the realm of juvenile dependency, neglect and abuse cases demonstrate a unique perspective and a profound understanding of family and children’s issues. While serving as a Court Appointed Special Advocate (CASA) and guardian ad litem for children, I focused on what constitutes a child’s best interest and what services are available in our communities to help families succeed. While representing parents in these kinds of cases, I learned about the impediments and obstacles parents confront, both internally and externally, when working to reunite their families. As a foster parent for 15 years, caring for over 30 children, and adopting three, I learned about the tragic trauma our children suffer, both prenatally from maternal substance abuse, living in the homes of parents unable to cope and from being removed permanently from dysfunctional families. The effects on these children can be profound and last a lifetime. I learned and continue to learn about the kinds of treatments and services that these children need to recover, heal, and become successful community members as adults. As a Judge, we hear many permanent custody cases and the situations our children and families find themselves in are frequently heartbreaking. Having a broad perspective on all of these facets truly brings an expertise to these kinds of cases.

Judge Julie Schafer

Candidate for Judge – Ninth District Court of Appeals

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11. **What makes you stand out as a judicial candidate?**

What makes me stand out as a judicial candidate is that of the two contenders, I am the only one that actually has real life, practical experience in the kinds of law that come before the Court of Appeals. As a private practice attorney for over 12 years, I interacted daily with domestic relations, juvenile, probate and civil litigation in the trial courts. In fact, I am the only judge on the Ninth District Court of Appeals who focused on these kinds of cases extensively. As a municipal court judge, I heard misdemeanor criminal, civil and traffic cases. I have nearly 6 years experience in the role of Appellate Court Judge, hearing all of the kinds of cases that come before our Court. Further, in response to Covid-19, the Supreme Court of Ohio tolled filing deadlines from April until July 30. Now that our trial courts are scheduling and hearing trials again, a glut of those appeals will start to come to the Ninth District later this year and well into next year. Re-electing me will keep those cases on track and not result in any delays, bringing stability and finality to folks in these uncertain times. Another “stand out” is that I am the only Judge on the Court that does not reside in Summit County. Our jurisdiction covers Summit, Lorain, Medina and Wayne counties – over 1.2 million residents. At least one of our judges should come from a county other than Summit!

Betty Sutton, Esq.

Candidate for Judge - Medina County Court of Common Pleas

1. **Name:** Betty Sutton

2. **Website:** www.bettysuttonforjudge.com

3. **Undergraduate School (degree) / Law School**

Kent State University (B.A.)

University of Akron School of Law (J.D.)

4. **Current legal position**

Attorney, Bevan & Associates LPA, Inc.

5. **Past legal positions**

Attorney, Faulkner, Muskovitz and Phillips, LLP (2000-2007);

Attorney, A. William Zavarello, Co., LPA (1993-1995);

Attorney, William T. Whitaker, Co., LPA (1991-1993)

6. **Community Involvement**

At-Large Member, Barberton City Council (1990-1991)

At-Large Member, Summit County Council (1991-1993)

Representative for Ohio's 47th District, Ohio House of Representatives (1993-2000)

Representative for Ohio's 13th Congressional District, U.S. House of Representatives (Parts Medina, Lorain, Summit Counties) (2007-2013)

Life-long Member of Lakeview United Methodist Church

Esther Ryan Shoe Fund

Alzheimer's Association

Habitat for Humanity

Battered Women's Shelters of Summit and Medina County

Barberton Area Christian Ministries

Life Member of Akron and Barberton Branches NAACP

Humane Society

7. **Professional Involvement**

Akron Bar Association; Lorain County Bar Association; Ohio State Bar Association

Betty Sutton, Esq.

Candidate for Judge - Medina County Court of Common Pleas

1. **Name:** Betty Sutton

2. **Website:** www.bettysuttonforjudge.com

3. **Undergraduate School (degree) / Law School**

Kent State University (B.A.)

University of Akron School of Law (J.D.)

4. **Current legal position**

Attorney, Bevan & Associates LPA, Inc.

5. **Past legal positions**

Attorney, Faulkner, Muskovitz and Phillips, LLP (2000-2007);

Attorney, A. William Zavarello, Co., LPA (1993-1995);

Attorney, William T. Whitaker, Co., LPA (1991-1993)

6. **Community Involvement**

At-Large Member, Barberton City Council (1990-1991)

At-Large Member, Summit County Council (1991-1993)

Representative for Ohio's 47th District, Ohio House of Representatives (1993-2000)

Representative for Ohio's 13th Congressional District, U.S. House of Representatives (Parts Medina, Lorain, Summit Counties) (2007-2013)

Life-long Member of Lakeview United Methodist Church

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Habitat for Humanity

Battered Women's Shelters of Summit and Medina County

Barberton Area Christian Ministries

Life Member of Akron and Barberton Branches NAACP

Humane Society

7. **Professional Involvement**

Akron Bar Association; Lorain County Bar Association; Ohio State Bar Association

Betty Sutton, Esq.

Candidate for Judge - Medina County Court of Common Pleas

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8. What attracted you to a judicial career?

I grew up the youngest of six from a working class family. My parents valued education, the rule of law, and giving back to their community. Because of them, I have made the law and service the cornerstones of my career.

I attended law school at the University of Akron, where I was recognized for excellence in Constitutional Law by the Federal Bar Association. While still in school, I was elected to the Barberton City Council. I then served on the Summit County Council, before winning election to the Ohio House of Representatives and United States Congress. It was there that I learned to write the laws and oversee the courts as a member of the Judiciary and Rules Committees. After that, I was appointed by the President to serve as the Administrator of the Saint Lawrence Seaway Development Corporation, where I handled a wide array of complex legal issues to keep the Seaway open and American families working.

As an attorney for nearly 30 years, I began my legal career in private practice in 1991 working on both civil and criminal cases, with a primary focus on civil litigation, including personal injury, general negligence, medical malpractice, and workplace injuries. In approximately 2000, I began focusing more on labor and employment law matters representing workers, including teachers, nurses, fire fighters, building and construction trades worker, among others. I have represented clients in negotiations, mediations, arbitrations, before administrative bodies, and in court.

My background as a lawyer, lawmaker and executive has given me unique insight into the law and how it should be interpreted and applied. I believe my comprehensive background dealing with a variety of legal matters in a variety of roles and forums has given me an exceptional foundation for service on the Court of Appeals, which hears a wide variety of cases. Seeing the law from different perspectives has provided me with a unique understanding of the law and I want to use that understanding to deliver fairness and justice for all as a judge on the Ninth District Court of Appeals.

9. Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.

I believe in the fierce independence of the judiciary and that the law should be applied as written. Our Constitution requires it, our citizens deserve it, and I will work to ensure it. I believe it is crucial for judges to have integrity, be impartial, diligent, thoughtful, hardworking, and committed to fairness and justice for all who come before the court.

The Court of Appeals plays an essential role in the administration of justice and it is incumbent on an appellate judge to be focused and well-prepared for each case that comes before the Court. That means, reading the briefs and reviewing the record. It means identifying what may have gone wrong, researching the law, identifying the issues and questions that need to be resolved, and asking counsel those questions at argument so they have an opportunity to address them. It means conferencing with one's fellow judges, deliberating, and getting a sense of what the law requires in the matter. It means working with one's clerks and beginning to write the decision, but bearing in mind that the law may ultimately lead to a different conclusion. It means writing opinions grounded in the law that are well-reasoned and easy to understand by the parties, their attorneys, the lower court, and those who will look to the opinion for guidance in the future.

Betty Sutton, Esq.

Candidate for Judge - Medina County Court of Common Pleas

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If given the opportunity to serve as judge, I will pursue excellence in every case and work with my colleagues to address the challenge of improving access to justice.

10. Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.

One of the cases that I was especially proud to work on and resolve involved a factory worker who was unjustly terminated by his employer. The case was significant to me because it corrected the unjust termination of a man who had worked for a company for twenty-four years and it had a tremendous impact on his life. The gentleman was an older, quiet man, who suffered from a speech disability, which made his supervisor uncomfortable. He had been singled out and unfairly shuffled around by the company from job to job, with varying start times. Ultimately, he was unable to get there, was treated differently and unfairly in violation of the company's attendance policies, and was fired for absenteeism. It was my honor to fight for fairness for this gentleman. Getting to know him, pursuing fair treatment for him, and achieving his rightful reinstatement with back pay had an impact on me, as well as on him. Having the opportunity to help this gentleman, made me proud to be an attorney.

11. Lastly, what makes you stand out as a judicial candidate?

I know that fairness and justice belong to everyone and believe that the breadth of my background as a lawyer, lawmaker, and executive has given me unrivaled experience to ensure that they will get it. I respect the rule of law, an independent judiciary, and have a proven record of resolving a wide array of complicated legal issues.

As a lawyer for nearly 30 years, I have experience in civil, criminal, and administrative law. I have represented parents looking out for their children and people who have been injured through no fault of their own. I've represented nurses, first responders, teachers, construction trades workers and others to make sure that they were treated fairly under the law. I've represented people at mediation, arbitration, negotiation, and in court.

I have seen the law from many angles and my comprehensive experience in untangling, analyzing, and applying the law to complicated legal issues has provided me with an exceptional foundation for service on the Court of Appeals, which hears a wide variety of legal issues from a variety of lower courts.

Prosecutor S. Forrest Thompson
Candidate for Medina County Prosecuting Attorney

1. **Name:** S. Forrest Thompson
2. **Website:** www.sforrestthompson.com
3. **Undergraduate School (degree) / Law School**
Edinboro University of Pennsylvania (BA Political Science)
Akron University School of Law (J.D.)
4. **Current legal position**
Medina County Prosecutor
5. **Past legal positions**

1995-2010 Solo Practice Attorney
2010-2017 Partner Jones, Thompson & Funk, LPA
6. **Community Involvement**
Ducks Unlimited / Executive Committee
Wild Turkey Foundation/ member
NRA / past member
FOP # 204 / Member
Medina County CART team member
7. **Professional Involvement**
OPPA member
Attorney General Task Force for Facial Recognition
State of Ohio / “One Ohio” negotiation group member
8. **What attracted you to a career as a prosecutor?**
My interest in becoming a prosecutor arose when I learned about the pitfalls and difficulties citizens had with trying to get straight answers through the system. When I worked on their behalf I discovered the same difficulties. Communication was always the issue. I decided if given the chance I would strive to streamline that communication problem wherever I could.

Prosecutor S. Forrest Thompson

Candidate for Medina County Prosecuting Attorney

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9. Briefly describe your philosophy of the role of a prosecutor, the qualities that are most important for the role, and the greatest challenges to the role.

My philosophy regarding the Prosecutor's role is simple:

In Criminal cases; Evaluate the facts / apply the law / listen to ALL interested parties.

In Civil Issues: Always insure the best line of communication is open and available. Provide sound guidance to the civil clients.

Overall, return every call every day. Insure the staff has the tools they need to work efficiently and then trust them as professionals.

The primary quality of a prosecutor is a drive to find the truth. Strong work ethic, good listening skills and a desire to see that justice is always the end goal. (Justice is not just keeping score of convictions).

The greatest challenge is the frustration of knowing you can't make a criminal victim whole and that it knowledge that many times we can't do enough to help them.

10. Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, judicial philosophy, or temperament.

In July 2018 a young father left his six-month old daughter in a car for several hours while attending a family member's youth baseball game. The heat inside the car exceeded 125 degrees and the infant died. I was presented with the case on the same day and was involved in the supervision of the investigation. I wanted to rule out any possibility of an intentional act by the father and had the police return to the scene to inventory the diaper bag the father brought. This was to insure that the bag contained the essentials he would need to care for the child.

During my research I discovered that of roughly 25 similar cases only one or two had been prosecuted. My research and analysis drew me to the conclusion that leaving a baby in a hot car was a reckless act rather than a negligent act.

I filed the appropriate charges, secured an indictment and after numerous pretrial negotiations, secured a confession and conviction.

Prosecutor S. Forrest Thompson
Candidate for Medina County Prosecuting Attorney
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11. Lastly, what makes you stand out as a judicial candidate?

There is little doubt that any candidate for prosecutor has a strong sense of right and wrong.

I believe I am the best candidate because I have successfully built a strong working team in the office where, justice is the overriding goal every day. Additionally, I have brought state of the art technology to the office so that the line of communication between prosecutors, law enforcement, courts and defense counsel is open on virtually a 24 hour per day while almost doubling the number of cases we are able to manage. I have created new policies in the arena of child support collection that has moved Medina County to one of the top collection counties in the State and have collected in excess of \$450,000 in lump sum felony arrears cases from 2017-2019.

Finally, I strive to move forward with more innovation in order to prepare for the next decade of growth in Medina County.

Thank you for your consideration.

Dean Holman, Esq.

Candidate for Medina County Prosecuting Attorney

1. **Name:** **Dean Holman**
2. **Website:** **HolmanforProsecutor.com**

3. **Undergraduate School/Law School:**
 - University of Akron BA Degree
 - University of Akron Juris Doctorate Degree

4. **Current Legal Positions:**
 - Assistant Prosecutor, Lorain County, Ohio
 - Serving as Special Prosecuting Attorney in Erie and Cuyahoga Counties
 - Practicing Attorney

5. **Past Legal Positions:**
 - Medina County Prosecuting Attorney (1989-2016)
 - Special Prosecuting Attorney in 9 Ohio counties (1990-2020)
 - Private Practice, Brunswick, Ohio (1985-1997)
 - Chief Trial Assistant Huron Co. Prosecutor's Office (1985-1986)
 - Assistant Prosecuting Attorney, Medina County (1981-1985)

6. **Community Involvement:**
 - Present:**
 - Optimist Club of Brunswick (1991-Current)
 - Two-term President
 - Chairman, the Essay Contest, over many years
 - Chairman, 'Respect for Law' ceremony, honoring Police Officers
 - Started Annual Pancake Breakfast, now in its 29th year
 - Hands Foundation of Medina County, Board Member
 - Wadsworth Meals on Wheels, Volunteer (food delivery to Seniors)
 - Cloverleaf Schools Food Distribution, Volunteer (food to students)

 - Former:**
 - Medina Optimist Club of Medina (1985-1986)
 - Medina Co. Kidney Foundation, Board of Directors (1987)
 - Brunswick Chamber of Commerce (1987-2004)
 - Co-Chair MCDAC Levy Committee (1997)
 - Brunswick Salvation Army, Board of Directors
 - Cleveland Baseball Federation, Board of Directors
 - Task Force: University of Akron Center (goal to bring a facility to Medina Co.)

Dean Holman, Esq.

Candidate for Medina County Prosecuting Attorney

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7. Professional Involvement:

- Medina County Bar Association Member
- Ohio State Bar Association Member
- Ohio Prosecuting Attorneys Association (1989-Current)
 - Past President, 2008
 - Ohio Prosecutor of the Year, 2011
 - Executive Committee, Former Member
 - Legislative Committee, Former Chair and Member
 - Committee Member: For Open File Discovery, Criminal Rule 16

8. What attracted you to a career as a prosecutor?

I was attracted to this career out of a desire to protect the public, and this work provides an opportunity to do that through trial work and appellate practices – the subject matter and the law involved was intriguing. With time, I found that the work of the Prosecutor was crucial because facts matter; the truth matters; justice matters. It gave me great personal and professional satisfaction working with victims and law enforcement to achieve justice and protect the community.

9. Briefly describe your philosophy of the prosecutor’s role, the qualities that are most important for the role, and the greatest challenges to the role.

The role of a prosecutor is to seek and do justice. That means justice for the victim, the defendant, and the community – and we must follow the evidence, wherever it leads. Our role is to apply the law equally – to all persons – regardless of race, sex, class, party, social position, or other affiliation. Our prosecutors must carry out the duties as set forth in Ohio law in an ethical, professional manner... and this includes setting a proper tone for all employees of the office by leading by example.

I believe that the qualities most important in a prosecutor are personal character, integrity, and obedience to the oath of office. Prosecutors constantly face the inherent challenge of effectively administering the criminal justice system, while remaining cognizant of the duty to conserve taxpayer resources in view of budgetary constraints.

10. Briefly describe a case, or a legal issue on which you worked, of which you are particularly proud, or which is reflective of your legal ability, work ethic, prosecutorial philosophy, or temperament.

The 2016 aggravated murder/death penalty case of *State of Ohio vs James Tench* reflects my legal ability, work ethic, and organizational ability. The case involved over 50 witnesses and complex legal issues. Trial preparation included multiple seven-day work weeks, and frequent work into the late evening, for months prior to trial. In preparation for trial, my office gathered potential mitigation evidence pertaining to the Defendant and provided it to defense counsel, which demonstrated the high ethical standards of the office. I was lead trial counsel in the trial, which lasted approximately five weeks. I am proud we found justice for the victim in an open and fair manner.

Dean Holman, Esq.

Candidate for Medina County Prosecuting Attorney

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11. What makes you stand out as a candidate for prosecutor?

I believe that the contrast between myself and my opponent is found in our personal experiences, characters, and commitments to integrity.

Regarding experience in the office, I have *personally* tried hundreds of cases as a prosecutor, while my opponent has yet to actually try any case as the prosecutor (to my knowledge). While he ambitiously pursues press coverage and indictment statistics, I believe that trying cases and earning convictions is what the people need and expect from the office.

Furthermore, the contrast between our standards of personal character and integrity must be stated. My opponent was held in contempt for not paying \$14,000 of child support in 2011. He was *still* in arrears in child support payments as of 2018 – in his second year drawing a salary from the taxpayer. He failed to pay nearly \$2,000 in taxes, to the point of having liens filed against him in 2015 and 2016. He was sanctioned three times by the Ohio Supreme Court for not completing his CLE requirements ('98, '99, '08). And during his 2011 bankruptcy, he acted “knowingly and fraudulently” to the court regarding property owned in the State of Pennsylvania.

While personal hardships are a fact of life, I believe a person’s response to them and their willingness to be dishonest are true indicators of their moral fabric and integrity. It is the duty of the prosecuting attorney to hold people accountable for their bad acts while protecting victims, and so we need and deserve a prosecutor who holds himself to a higher standard.



“IN MEMORIAM”

Frank A. Raso

March 28, 1971 ~ June 23, 2020



Frank Raso is missed by many of us who knew him as a prosecutor and colleague as members of this close-knit legal community. His four-year long battle with cancer is a testament to Frank's willpower and eternal hope and faith in Christ. As Frank's friend Larry Daher eulogized at Frank's celebration of life ceremony, "Frank didn't lose the battle—heaven simply gained a new angel."

I met Frank when he joined the Medina County Prosecutor's Office in 1998. Dean Hblman took an immediate liking to Frank. Frank's smile, good humor, big heart and gregariousness were contagious, and he became an instant hit with the office. He was passionate about his work and was a quick study as we tried cases together in the Honorable James L. Kimbler's court room Frank learned a lot about trial practice from Judge Kimbler, just as I had when I tried his first jury trial as a common pleas judge. I will not bore you with trial stories—suffice it to say Frank and I had many good times battling many good attorneys. But Frank's work ethic was secondary to his devotion to his wife Kathy and children, Olivia and Antonio.

Frank's love for his family showed through his sharing of stories about Antonio's progress as he advanced in belts in martial arts or Olivia's passion while playing volleyball at Padua. His children's athletic pursuits should not come as a surprise since Frank was a black belt himself and gifted soccer player from a young age through his high school days at Padua. Frank was an avid fan of Champions League Soccer, Premier League, and La Liga and loved talking about a great game or great player. He and Kathy were devout Catholics and were very active in their parish, St. Ambrose of Brunswick.

Frank Raso loved life. He loved his family and friends. As one member of our bar commented, "In sum, he had an ever-pleasant demeanor, sense of brotherhood for other lawyers in the community, & maintained his focus on legal realities & likelihoods, rather than succumbing to passion & sheer principal." He made a lasting impression on all of us. His strength, love and positive attitude throughout these last four years are attributes I admire the most about him. He touched all of our lives through his kindness, integrity and character. Thank you, Frank, for being our friend, colleague and inspiration.

David C. Sheldon, Esq.