

BAR JOURNAL

OF THE CLEVELAND METROPOLITAN BAR ASSOCIATION
VOL. 4 NO. 7 | FEBRUARY 2012

THIS ISSUE

Insurance Law



ROCK THE FOUNDATION 7

THE CLEVELAND METROPOLITAN BAR FOUNDATION'S
SIGNATURE CHARITABLE EVENT

presented by



FIRSTMERIT[®]
Wealth Management Services

**SATURDAY,
MARCH 10**



Barbara K. Roman

President | CMBA

Barbara K. Roman is a partner at Meyers, Roman, Friedberg & Lewis where she focuses on divorce and family law including child custody, support and related business issues.

She can be reached at broman@meyersroman.com.

Courting History

This is a perfect time to talk about our courts. In each of our practices, whether you are a litigator or a transactional business lawyer — at some point, some aspect of your work will likely come through the courts. Courts are the place that we, as lawyers, perform our skills or the place where our work products are tested, interpreted and enforced.

This is a very special year for our Courts. 2012 marks the 100th anniversary of the opening of the Lakeside County Courthouse, statuesquely situated at Lakeside Avenue and Ontario Street with its then-modern steel, concrete and granite faced structure ornamented with bronze sculptures representing historic lawgivers including Jefferson, Hamilton, Moses and John Marshall. The courthouse is the fifth such courthouse in local history — which today is home to our 8th

District Court of Appeals, Domestic Relations Court, Probate Court, Common Pleas Court visiting judges and the Cleveland Law Library. It is a grand structure built for \$4 million in the French Classical Revival Beaux Arts style as part of the Cleveland Group Plan of 1903 when a number of buildings in the immediate area were designed and constructed.

The Lakeside Courthouse is a treasure of marble Ionic columns, an impressive mezzanine surrounded by murals uncovered by more recent restoration work, a central rotunda, vaulted ceilings, and an elegant curving marble staircase along a large stained glass window representing Law & Justice. It has all the stature and pomp you would expect of a courthouse.

2012 also marks the 100th anniversary of the Cleveland Municipal Court. The centennial celebration started on January 2, 2012 at 9:30 a.m. by commemorating when the court was first gaveled into order. The Cleveland Municipal Court is the second oldest municipal court in the nation. As the court closest to the people, it is often the only contact a Clevelander will have with the judicial system. Over the years, countless notable local legal figures have served as its judges, including Senator Frank J. Lausche and Congressman Charles A. Vanik, along with Frank Celebrezze and Mary B. Grossman — the first female municipal judge in the United States and for 36 years considered to be the toughest of judges.

The Cleveland Municipal Court was the first to introduce service of summons by mail — a practice later adopted by the courts on a statewide basis. It has the oldest probation department in the country helping thousands of lawbreakers who committed petty crimes straighten out their lives. It was the first city court in the U.S. to offer psychiatric testing



Lakeside Courthouse



Lakeside Courthouse



Lakeside Courthouse

as part of its probation program. And its conciliation branch, or “poor man’s court,” as termed in 1913, has helped thousands who could not afford lawyers obtain quick settlements of small claims. The Court made its mark for diversity in the state as well. In 1942, Perry B. Jackson became the first African-American judge in Ohio and in 1969, Lillian W. Burke became the state’s first African-American female judge.

We also have a brand-new courthouse joining the inventory of revered places promoting the interests of justice and reinforcing the rule of law. The Cuyahoga County Juvenile Court’s new address is interestingly built near Cleveland Clinic and University Circle in an underutilized area of the city being developed as the Opportunity

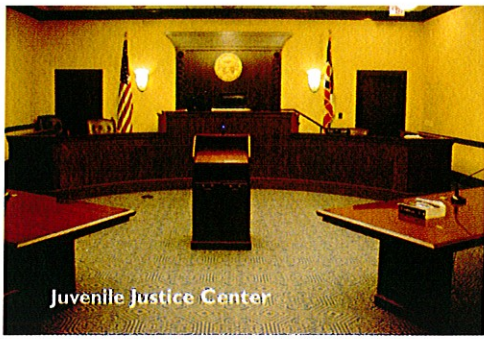
Corridor. The Opportunity Corridor has the potential to be a road to revitalization and progress helping provide economic resurgence and community reinvestment by breathing life into Cleveland neighborhoods. The new Juvenile Court has the same opportunity to bring guidance and structure to the youth of our city. The positive spillover

from the development will hopefully serve to energize the surrounding neighborhood.

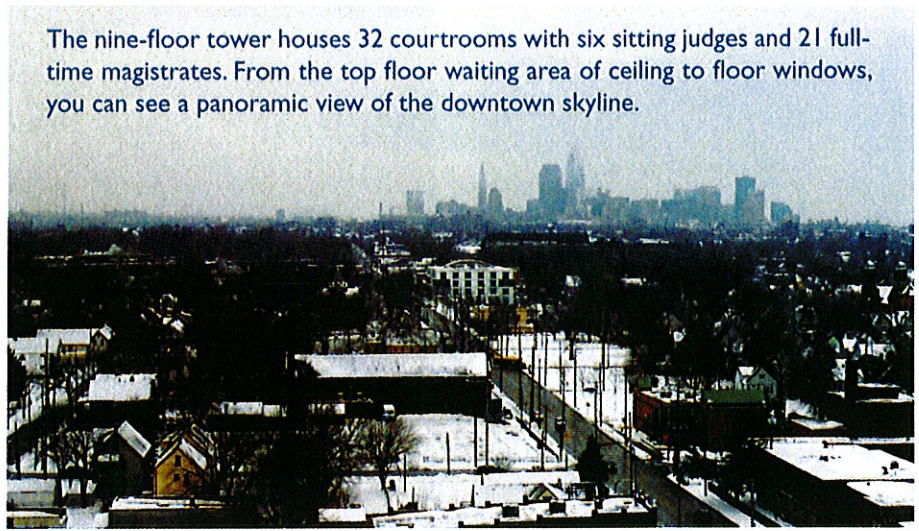
The Cuyahoga County Juvenile Justice Center is comprised of two main buildings — the Juvenile Division of the Court of Common Pleas and the Court’s Juvenile Detention Center. The nine-floor tower houses 32 courtrooms with six sitting judges and 21 full-



Juvenile Justice Center



The nine-floor tower houses 32 courtrooms with six sitting judges and 21 full-time magistrates. From the top floor waiting area of ceiling to floor windows, you can see a panoramic view of the downtown skyline.



time magistrates. From the top floor waiting area of ceiling to floor windows, you can see a panoramic view of the downtown skyline.

The Cuyahoga County Juvenile Court also has a rich history. Established in 1902, it was the second juvenile court in the nation. The first case involved a 14-year-old boy who was charged with stealing a pair of shoes. The matter was settled when the then-Law Director took the boy under his supervision. The original purpose of the Court was to provide for the care, protection and mental and physical development of children. O.R.C. 2151.01(A). While justice was to be dispensed in a court proceeding, the goals of the proceeding were investigation, diagnosis and treatment rather than the imposition of punitive sanctions. The proceedings were informal and closed — the public and juvenile records were confidential.

Today the Juvenile Court has a broad reach. It has exclusive jurisdiction to hear delinquent, unruly, abuse, neglect, and dependent cases - but it also determines issues of paternity, custody and child support. Additionally, the Court hears all juvenile traffic offender matters and abortion notification bypass cases. Jurisdiction had been expanded to include the issuance of civil and domestic protection orders.

At the beginning of the 21st century, new legislation transformed the philosophy of the court from traditional social work and *parens patriae* focus, to a law and order/public safety mission. Now O.R.C. 2152 protects the public interest and safety, holds offenders accountable, restores the victim and rehabilitates the offender.

The Juvenile Court provides an important public service and effectively does its job. Records indicate that the Court has assisted 300,000 families during its first 100 years. Over 1.5 million hearings have been conducted and today it is Ohio's largest court with 525 employees and more than 25,000 cases filed annually.

There have been critics and criticism about our Juvenile Justice Center. Many do not understand the investment of significant dollars and effort in the juvenile system, but after years of planning and controversy about the location and costs of the complex, we now have a state-of-the-art facility that replaces the old, cramped,

and disorganized facilities that had deteriorated while the services it delivered grew in size and scope. The previous courts were housed in separate scattered, overcrowded, and operationally obsolete buildings and were some of the worst conditions for a juvenile court in the nation. Let's focus on the milestone and the good work that is being accomplished.

For the first time the judges and magistrates will be able to conduct hearings in real courtrooms, wearing robes and securing the respect and dignity that a court should command in a setting where it is overwhelmingly important to impress the rule of law to juveniles and their families.

The Detention Center is a state-of-the-art, secure temporary holding facility for up to 180 juveniles who are alleged to have committed a delinquent act and are regarded as a risk to public safety. It is hoped that the Center can make a real difference in the lives of our city's delinquent youth. The units are divided to house residents based upon age and gender. Numerous community volunteers from as many as 35 area organizations provide special programming to assist the growth and development of our youth, motivation for positive behaviors, anger management, conflict readiness, substance abuse awareness, job readiness, tutoring and life skills — all instrumental in the growth and development of the residents at the Detention Center. Residents attend a Cleveland Metropolitan District school located in the Center and are offered an array of medical, mental health and other social services.



The Ohio Youth Assessment System (OYAS) is a new Ohio-specific juvenile justice process, which evaluates the needs and risk of the offending youth. There are five assessment tools used to evaluate these youths: diversion, detention, disposition, residential and re-entry. These tools help determine the greatest risk of further delinquency. I am hopeful that all of these positive changes in our juvenile court will result in measurable improvements in our handling of juvenile matters.

U.S. Supreme Court Justice Lewis F. Powell Jr. said when talking about historic courthouses, "Public buildings often accurately reflect the belief, priorities and aspirations of a people ... for much of our history, the courthouse has served not just as a local center of the law and government but as a meeting ground, cultural hub and social gathering place."

Whether we embrace the beauty and splendor of the Lakeside Courthouse, treasure the success of our historic Municipal Court or enjoy the modern convenience and services provided by the newest Juvenile Courthouse, we should be proud of the rich history of Cleveland jurisprudence. Many of you walk through these courthouses every day. Next time, look around and take pleasure in recognizing the fine tradition, physical beauty and achievements surrounding you.