

State of the Judiciary
Chief Justice Sharon L. Kennedy, Ohio Supreme Court
Message to the Judicial Conference
September 11, 2025, at Ohio Judicial Conference, Columbus, Ohio

Before I begin my prepared remarks, I, like Judge Russo, would ask for a moment of indulgence.

First, I ask for a moment of silence for those who lost their lives in the attacks on the Twin Towers on 9/11, and their families. For the first responders who ran into harm's way and did not return home. And for the first responders who, since that day, have been dying and are dying as a result of their service on that day, and to their families.

Second, I ask for a moment of silence for Charlie Kirk and his family. As people, we come from all different walks of life, from different faiths, from different political views and perspectives. But what binds us together is humanity. Robust debates of differing viewpoints are essential to a free and civil society. As Justice Louis Brandeis once said, "If there is time to expose through discussion the falsehoods and fallacies, the remedy to be applied is more speech and not forced silence."

Thank you for your indulgence.

Well, good morning. Thank you, Judge Russo, for that very kind and short introduction, just like I like it. I extend my gratitude to retired Justice Paul Pfeiffer, the executive director of the Ohio Judicial Conference, for his friendship and leadership over the years. Thank you for ensuring that the voice of Ohio judges is heard.

Many thanks to the director of the Ohio Judicial College, Chris Fields, the advisory board, and the college's staff for their dedication to bringing relevant education to all of us. And finally, I welcome my colleagues, Justices Pat Fischer, Pat DeWine, Jennifer Bruner, Joe Dieters, Dan Hawkins, and Megan Shanahan. Thank you for being with us today.

Our republic was founded on respect for the rule of law and the preservation of judicial independence. As David Levy, former U.S. District Judge of the Eastern District of California and the 14th Dean of Duke Law School, noted, the founders believed that judicial independence was critical to fairness and impartiality. That independence was both decisional—meaning free from outside pressure in deciding cases—and institutional, with the judicial branch as a separate branch of the three. These principles remain the cornerstone of our collective work.

In Ohio's non-unified court system, each of you is independently elected. As you preside over your court, you take steps to preserve judicial independence every day. It is your independence and ingenuity that drive Ohio courts to meet people where they are by developing unique specialized dockets, by giving second chances to our youth through community partnerships, and by ensuring not simply that the courthouse doors are open, but that all who enter have a meaningful opportunity to be heard.

It is your work that preserves judicial independence by fulfilling your solemn responsibilities in the administration of justice: hearing the people and resolving legal disputes on time, being competent and knowledgeable of all things big and small on the bench, and protecting the public through timely and accurate BCI disposition reporting.

Together, our future is bright, with opportunities to preserve judicial independence by working to build the legal profession. We do this by not only eliminating Ohio's legal deserts but by reexamining the cycle of an Ohio attorney and finding ways to make sure practitioners succeed. We also take every occasion to educate citizens on the role of the judiciary through civic education.

Ohio's judiciary has long been the beacon of independence, and with that independence comes the freedom to innovate. Across our state, judges are finding creative ways to meet the needs of their communities, ensuring that justice is not only served but also accessible.

Specialized dockets have been a hallmark of Ohio courts, addressing the unique needs of individuals struggling with addiction, mental health challenges, and other barriers to success. These dockets are not just about accountability; they are about healing and second chances. They remind us that justice is not a one-size-fits-all solution. It is individualized and transformative.

Your commitment to specialized dockets is evident in that the Supreme Court of Ohio has certified 253 dockets across the state, each tailored to meet the unique needs of the participants and the community as well. But the numbers only tell part of the story.

In Cuyahoga County, Project 180 has been using certified peer recovery supporters for years to help graduates maintain recovery through peer connections, organized group activities, and structured events. Now, I am grateful that municipal courts in Elyria and Lorain, and Courts of Common Pleas in Summit and Butler Counties, are building similar networks.

In Marion Municipal Court, the mental health and substance use specialized docket is going one step further. Recognizing that recovery is significantly more difficult when basic human needs are not being met, they are partnering with community coalitions to help meet those basic needs and help their people succeed. This approach not only reduces recidivism but also saves money. Akron Municipal Court and Summit County Court of Common Pleas are building on that same program.

This year's specialized dockets conference on Tuesday, October 28, will focus on sessions about understanding trauma and the role of a treatment team. It will offer breakout sessions on peer support and veterans' re-entry. Attendees will also have the ability to experience a re-entry simulation to better understand the challenges that restored citizens face. I hope you and your staff can attend.

Research shows that citizens have greater trust in state courts than in other branches of government. Part of the reason for this is their support for treatment for justice-involved individuals. So, if you are operating a specialized court, I challenge you to find a way to promote

your successes in your community and then contact the director of the Public Information Office at the Supreme Court of Ohio. Let us share your stories of success across Ohio.

If you are considering establishing a specialized docket, please explore the specialized dockets drafting guide on our website. And if you have a new twist to meet the people where they are, let us help you bring your ingenuity to fruition. To borrow a phrase from Cameron Mitchell in the Office of Court Services, "The answer is yes. What is the question?"

If Stephanie tells you no, like she tells me, keep pushing forward.

But new ingenuity, however, is not limited to helping justice-involved people. It also applies to helping people avoid becoming justice-involved. The Supreme Court's Task Force on Juvenile Diversion has made 10 actionable recommendations to enhance programs focusing on pre-initial appearance diversion. This innovative approach redirects appropriate youth to intervention services before they enter a formal appearance. By tackling issues like unmet mental health needs, housing insecurity, or a lack of educational resources, youth stay connected to their communities and out of the justice system.

The task force members—representing judges, law enforcement, prosecutors, public defenders, victim advocates, legislators, and juvenile justice experts—were charged with a critical mission: to analyze the existing diversion statutes and rules, assess the interplay with victims' rights and protections under Marsy's Law, and make recommendations to improve statutes, local court practices, and rules.

Their efforts were guided by a singular goal: to create a system that balances accountability and the protection of victims' rights. The report can be found on the Supreme Court's website. As Task Force Chair Judge David Hemenowski aptly noted, "The question is not whether we should use diversion, but how we can do so effectively, with the right safeguards in place for the victim and the public."

As he states in his opening letter to the report, "We are giving courts the tools to utilize diversion in a way that will most effectively protect the public, make victims whole, and, to the benefit of future generations, produce productive adults." The work of the task force is a testament to what we can achieve together. Now it is up to all of us to take these recommendations and turn them into actions.

If at the heart of judicial independence is fairness and impartiality, then it demands justice be accessible to all. The constitutionally protected promise of open courts goes beyond breaking down physical obstacles or language barriers. It ensures that every person who cannot afford an attorney still has a meaningful opportunity to be heard.

That begins with clarity. When we introduce ourselves, explain our role, and outline the structure of a hearing, we reduce confusion and put litigants at ease. Using plain language is also critical. Legal jargon is second nature to us, but it is a communication barrier for those unfamiliar with it. Simplifying written instructions and materials, and reducing oral instructions to writing, also

helps. And when oral instructions are necessary, asking a litigant to repeat back what they heard helps ensure understanding.

As a former trial court judge who presided over numerous hearings involving pro se litigants, I know that what feels to us like just another day on the bench is often, for them, one of the most important days in their lives. So active listening and patience are essential. By listening carefully, responding respectfully, and maintaining neutrality, we create an environment where people feel heard. And that's what they want.

The Supreme Court of Ohio is committed to supporting you in this work. We have developed access-to-justice resources, a list of legal aid services, bench cards, and toolkits. They're all available on our website.

I want to thank those of your colleagues who are going the extra mile and making great strides in creating virtual self-help centers. Last year, Lorain County Domestic Relations and Juvenile Division launched Ohio's newest online self-help center in partnership with Ohio Legal Help. This mobile-first platform lets people find information, fill out and save court forms, and access support at any time. It is the first center to combine domestic relations and juvenile custody matters, helping grandparents and relatives caring for children navigate school enrollment and custody. And it is the first bilingual center.

Lorain joins Cuyahoga and Montgomery Counties, which also offer virtual self-help centers. All three allow the courts to text litigants when information is missing from a filing so that the user can log on at their convenience and correct it. This innovation shortens response time and keeps cases moving. Since 2019, Ohio Legal Help has assisted more than 4 million people in accessing justice.

This October, it will launch a new self-help center focused on simple estate matters, like summary release from administration and certificates of transfer for real estate.

Together, we can ensure that justice is not just a promise but a reality for every Ohioan. We deliver on that reality by tackling our solemn responsibilities in the administration of justice. Every case is not a number. It is a story. It is the family waiting for closure. It is the business waiting for a contract to be enforced. It is the victim waiting for justice.

One of the solemn responsibilities we bear in the administration of justice is to ensure that justice is timely delivered. When cases languish, justice delayed becomes justice denied.

It was evident in early 2023 that timeliness had to improve. The number of overage cases and backlogs was growing. Addressing them became an urgent priority, and we charted a course with a three-phase initiative to confront case delays head-on.

The results from phases one and two speak for themselves. Compared to 2022, in general divisions across the state, the average number of overage civil cases per month is down by 51 percent, even though a higher number of cases are coming in. In the domestic relations divisions, backlogs are down by 29 percent, and in juvenile divisions, backlogs are down 42 percent—five-

year lows. In municipal and county courts, criminal and traffic backlogs are down 34 percent and 44 percent, respectively.

And that's only part of the progress. Our data shows that timeliness is improving among all courts. This progress belongs to all of you—the judges who made timeliness a priority. Thank you for your dedication and leadership in helping the people be heard.

One especially powerful tool in our progress has been the use of Settlement Week. Courts that host Settlement Week report that 50 to 75 percent of the cases mediated during that week are resolved with a final agreement. These programs build on existing mediation efforts and have a proven track record of reducing case backlogs.

This year, nine courts are hosting Settlement Week. I especially want to thank our first-time hosts: the domestic relations divisions in Hamilton, Lorain, and Medina Counties, and the juvenile division in Hamilton County. If you have not hosted Settlement Week, please do not miss out on this great opportunity. The Office of Court Services stands ready with resources and support to help you succeed.

And now we turn to phase three. Soon, a report titled *Advancing Timeliness in Ohio's Courts* will be released. It is the culmination of a comprehensive statewide survey completed during phase two, which was answered by more than 3,000 attorneys and 469 judicial officers and court staff. That report provides practical solutions to strengthen case flow and reduce delays. Among them: improving discovery management, encouraging consistent use of scheduling orders, promoting early and firm trial dates, and tackling systemic challenges such as transcript production delays.

When it comes to our solemn responsibility in the administration of justice, timeliness is essential. But equally important is ensuring that we, as judges, are trained, competent, and prepared to make the decisions entrusted to us. Every decision you make has the power to shape lives, resolve conflicts, and uphold the rule of law.

We recognize that a strong, independent judiciary is built on a foundation of knowledge, preparation, and collaboration. That is why we are committed to providing you with the resources you need to excel.

Earlier this year, judges expressed the need to access resources in the moment while on the bench. That conversation inspired us to create Resources for the Bench. This comprehensive online library houses bench cards, guides, toolkits, and soon, all relevant Judicial College materials. No longer will you have to say, "What seminar was that in?" and begin rifling through your files to find the binder. It is going to be all at your fingertips.

The full collection can be explored by visiting supremecourt.ohio.gov/resourcesforthebench.

Included in the materials is a downloadable flyer and a postcard with a QR code for convenient access, making it simple to use the centralized repository of knowledge. When you review the repository, if you believe we're missing something, please email Chris Fields.

In advancing our solemn responsibilities in the administration of justice as members of the judicial branch, we join our co-equal branches and partners in government to protect Ohioans. For judicial independence does not mean seclusion.

One way we serve the public is by providing accurate and timely disposition information to the Bureau of Criminal Investigation (BCI). This supports the critical role of law enforcement and protects work and housing environments.

A critical step forward in our shared mission is the new Rule 5F of the Rules of Superintendence. It requires courts to adopt a local rule and a written plan to ensure statutorily mandated information is being reported to law enforcement databases. This rule is not about compliance; it is about building a stronger, safer Ohio.

Rule 5F took effect on September 1st and builds on the responsibilities of an administrative judge outlined in Rule 4.01(G). Each court or appropriate division must adopt a local rule and a written reporting and compliance plan by July 1st, 2026. The plan must be developed in collaboration with a clerk of court and other justice system partners. It must ensure the completeness and accuracy of all records and establish procedures and timelines for obtaining and submitting fingerprints as required by federal and state law, reporting case dispositions, mental health adjudications, and protection orders, and submitting required information to the Bureau of Motor Vehicles.

To assist you in your effort, Court Services has developed a resource titled Reporting to Law Enforcement and Compliance Plan Guide. It, along with other resources, is also available on the website.

Please know that I have heard you. Over the past year, many of you have expressed concerns that you are not the holder of all the records that BCI requires. To that end, the court hosted a statewide meeting with all justice system partners on August 21st, and we identified the gaps in those records. I pledge to you that in the coming months, we will focus on closing those gaps by working with other branches of government.

We may be at the forefront of BCI disposition reporting, but every justice system partner has a responsibility to protect Ohioans from those who pose a threat to their security and public safety. I urge each of you to take this responsibility seriously. Work with your teams, engage your justice system partners, and make use of the resources provided by the Supreme Court.

If you have not requested the list of cases open without disposition from BCI, I encourage you to submit your request today. For link information, contact the Office of Court Services or go to the court's website. The link is there.

Please understand, according to the Attorney General's office, a portal will open to the public in the fourth quarter of 2026, listing the names of courts and their rates of compliance on a public dashboard. Together, we can ensure that Ohio's courts continue to lead in a way that promotes safety, fairness, and justice for all.

But the preservation of judicial independence is not only about the work we do today; it is about building a legal profession for tomorrow by eliminating legal deserts, enhancing the life cycle of an Ohio attorney, and educating citizens about the role of the judiciary in our government. If judicial independence means fair and impartial hearings, then legal deserts across Ohio present a threat to that independence because people living in those areas lack representation. The General Assembly's Student Debt Relief Incentive Program only addresses one part of the problem. We must assertively address the other.

We must be speaking to young people to spark an interest in them to become attorneys. But silos cannot create fixes for systemic problems. That is why, in 2024, the court convened an alliance with the Ohio State Bar Association, the Access to Justice Foundation, and Ohio Legal Help. Together, we set clear objectives: civic education, expanding legal support, and legislative advocacy.

The court's focus is civic education, but our strategies are not isolated from one another. You have the ability to inspire a young person to want to become an attorney by inspiring them to see that being an attorney is being a person of service. Building that pipeline for those who will serve tomorrow's communities will not be enough.

We must also enhance the life cycle of an Ohio attorney, help them become practice-ready, and give them room to grow and flourish. A strong life cycle will help resolve other challenges that lawyers face.

The court is focused on identifying gaps and developing services to help new lawyers become practice-ready. This is important to all of us because practice-ready and better-prepared attorneys mean enhanced legal services for all communities.

The court hosts a quarterly meeting with law school deans. That partnership has led to expanding exam locations and honest conversations about how to make new lawyers practice-ready. While we will continue to promote the lawyer-to-lawyer mentoring program, we are undertaking a review of the new lawyer training requirements and the education offerings the court promotes.

I am committed to building a new lawyer training program that ensures new lawyers entering your courtroom are not only credentialed but prepared and capable. Unlike the practice of medicine, where students spend years in the field, legal education remains largely classroom-based. This is a national conversation, but Ohio will lead the way in driving practice readiness for students attending Ohio law schools and new admittees to the bar.

In furtherance of our goal, we are asking bold questions about the future of the practice of law in Ohio. By bringing together law school deans, legislators, bar leaders, and practitioners, the new Law School Accreditation Advisory Committee is going to give us the answers. By looking comprehensively at the life cycle of an Ohio attorney, we are building a profession that supports judicial independence today and into the future.

And while we're working on this, there is something each of you can do to support our efforts to preserve judicial independence: civic education.

The late Justice Sandra Day O'Connor warned that eroding faith in our judicial system stems from ignorance about the role of the judiciary. The antidote is civic education. We see America 250, that initiative, as a powerful opportunity to engage citizens in civic education as our nation marks the 250th anniversary of the Declaration of Independence in 2026.

The court is joining the celebration by creating The Story of America. This includes new exhibits like Women in Law, displays of foundational documents from the Declaration of Independence to the Ohio Constitution, and public programs like Offsite Court and After Hours Tours. These are not just events; they're invitations to engage every Ohioan, young and old, to see for themselves the necessity of judicial independence and the role of a judge in our tripartite system of government.

And you can do the same in your own communities. Build on the monthly theme of America 250. Visit a school and speak to a class. Address a service organization or host your own after-hours program. Or, if you're a member of a service organization, call me. I would love to attend as your guest and speak about the Ohio judicial system to your organization.

All civic education, no matter how small or how big, is an act to promote and restore trust, and it is a giant step forward to preserving judicial independence into the future.

Before closing, on behalf of my colleagues and myself, I would like to thank the leadership team at the Supreme Court of Ohio. Thank you, Bob Horner, for saying yes in July of 2023. Thank you, Deputy Administrative Directors Jim Capelli of Operations, Gina Palmer of Legal Services, and all of the directors for everything you do to support the work of the Court every day. Because of you, the Court is proactive, nimble, and innovative in finding the best solutions for Ohio.

In closing, the preservation of judicial independence is founded on public trust. That trust grows when we innovate to address the underlying causes of crime, wholly open our courthouses to all, proactively tackle our solemn responsibilities in the administration of justice, and build a bright, bold future for the legal profession in Ohio.

Thank you, all of you, for what you do across Ohio as judges. I am deeply honored and grateful to be your colleague.

May God bless all of you.