

The Supreme Court of Ohio

OPERATING GUIDELINES FOR THE ADVISORY COMMITTEE ON COURT SECURITY

These guidelines are issued by the Chief Justice of the Supreme Court and apply to the creation, organization, and operation of the Advisory Committee on Court Security to assist the Court in exercising the authority granted pursuant to Article IV of the Ohio Constitution.

These guidelines are intended to establish consistent standards and expectations in implementing this authority. While these guidelines may impose specific duties upon other persons, the Chief Justice may waive compliance with any guidelines to assist the exercise of that discretion.

These guidelines have not been adopted as rules pursuant to Article IV, Section 5 of the Ohio Constitution and should not be construed as requiring adoption.

SECTION 1.0. GENERAL GUIDELINES.

1.1. Creation.

There is hereby created by the Chief Justice the Advisory Committee on Court Security.

1.2. Duties.

The advisory committee shall provide ongoing advice to the Court and its staff regarding the promotion of statewide rules and uniform standards concerning the establishment and operation of court security programs in Ohio courts, including emergency preparedness programs; the development and delivery of services to Ohio courts on matters involving court security, including training programs for judges and court personnel; and the consideration of any other issues the advisory committee deems necessary to assist the Court and its staff regarding court security in Ohio courts.

1.3. Authority.

The advisory committee shall have no independent policy-setting authority.

SECTION 2.0. MEMBERSHIP.

2.1. Appointments.

The advisory committee shall consist of no more than twenty-four members appointed by the Chief Justice. The advisory committee and other interested parties may recommend to the Chief Justice persons for appointment who they believe will serve the purpose for which the advisory committee was created.

2.2. Nominations.

The Administrative Director of the Supreme Court shall solicit a minimum of two nominees from each individual or organization from which the Chief Justice seeks an advisory committee member nomination.

2.3. Composition.

Advisory committee membership should be broad based and multidisciplinary to represent a cross section of interests related to the subject matter of the advisory committee and reflect the gender, racial, ethnic, and geographic diversity of the state.

2.4. Chairperson and Vice-Chairperson.

The Chief Justice shall appoint one advisory committee member as the chairperson and one member as the vice-chairperson. The Chief Justice may appoint co-chairpersons, if appropriate.

2.5. Staff Support.

The Administrative Director shall assign one or more Court employees as may be necessary for the completion of the advisory committee's purpose. The Court employee shall assist the advisory committee as necessary, but shall at all times be considered an employee of the Court.

SECTION 3.0. TERMS AND VACANCIES.

3.1. Terms.

The term of an advisory committee member shall be for three years, provided that an initial appointment may be abbreviated and staggered to allow for a rotation of members. An advisory committee member shall be eligible for reappointment, but shall not serve more than two consecutive full terms. An advisory committee member shall be eligible for reappointment after serving two consecutive full terms, but only upon at least a one-year break in service. Abbreviated initial appointments and appointments to fill a vacancy shall not constitute a full term.

3.2. Judge, Magistrate, and Attorney Vacancies.

(A) Judge

If an advisory committee member who is a judge involuntarily leaves office by reason other than Article IV, Section 6(C) of the Ohio Constitution, the member shall be disqualified and a vacancy shall occur.

(B) Magistrate

If an advisory committee member who is a magistrate ceases to serve as a full-time magistrate with any Ohio court, the member shall be disqualified and a vacancy shall occur.

(C) Attorney

If an advisory committee member who is an attorney no longer practices in Ohio, the member shall be disqualified and a vacancy shall occur.

3.3. Filling of Vacancies.

Vacancies on the advisory committee shall be filled in the same manner as original appointments. An advisory committee member appointed to fill a vacancy shall hold the position for the remainder of the term.

SECTION 4.0. MEETINGS.

4.1. Manner.

The advisory committee may meet in person or by telephonic or other electronic means available to the Court.

4.2. Frequency.

The advisory committee shall meet as often as required to complete its work, provided the advisory committee shall meet in person a minimum of two times per year. The advisory committee may meet at the call of the chairperson or at the request of a majority of the advisory committee members.

4.3. Scheduling.

All advisory committee meetings shall be scheduled for a time and place so as to minimize costs to the Court and to be accessible to advisory committee members, Court staff, and the public.

4.4. Public Attendance and Notice.

All advisory committee meetings shall be open to the public, except in circumstances where the topic or issue being considered concerns the safety of judges and court personnel or the security of courts and courthouses. Public notice of all advisory committee meetings shall be provided on the Court’s website.

4.5. Member Attendance.

For a fully effective advisory committee, an advisory committee member shall make a good faith effort to attend, in person, each advisory committee meeting. An advisory committee member who is unable to attend a meeting due to an unavoidable conflict may request the chairperson allow the member to participate by telephonic or other electronic means available to the Court. An advisory committee member participating in this manner shall be considered present for meeting attendance purposes. Should an advisory committee member miss three consecutive meetings, the advisory committee or the Court employee who staffs the advisory committee may recommend to the Chief Justice that the member relinquish the member’s position on the advisory committee.

4.6. Minutes.

Minutes shall be kept at every advisory committee meeting and distributed to the advisory committee members for review prior to and approval at the next meeting.

4.7. Quorum.

There shall be a quorum of the advisory committee present when a majority of advisory committee members is present for the meeting, including those members participating by telephonic or other electronic means.

4.8. Actions.

At any advisory committee meeting at which a quorum is present, the advisory committee members may take action by affirmative vote of a majority of the members in attendance.

SECTION 5.0. SUBCOMMITTEES.

5.1. Creation.

The advisory committee may form such subcommittees it believes necessary to complete the work of the advisory committee. A subcommittee should consist of select advisory committee members and such other persons who the chairperson believes will assist in a full exploration of the issue under the review of the subcommittee.

5.2. Size.

A subcommittee should remain relatively small in size, not exceeding eight to twelve members, and have a ratio of advisory committee members to non-advisory committee members not exceeding one to three.

5.3. Application of Guidelines.

Guidelines 2.5, 4.1 through 4.4, 4.7, 4.8, 6.1, and 6.3 through 6.6 shall also apply to the work of a subcommittee.

SECTION 6.0. MISCELLANEOUS GUIDELINES.

6.1. Code of Ethics.

Advisory committee members shall comply with the Court’s “Code of Ethics for Court Appointees.” The Court employee who staffs the advisory committee shall provide each advisory committee member with a copy of the code following the member’s appointment to the advisory committee and thereafter at the first meeting each year of the advisory committee.

6.2. Annual Report.

By January 31st of each year, the chairperson shall issue a report to the Chief Justice and the Justices of the Supreme Court detailing the activities and accomplishments of the advisory committee during the previous calendar year. The chairperson shall submit the report to the Administrative Director for publication on the Supreme Court’s website and distribution to the Chief Justice and Justices.

6.3. Work Product.

The work product of the advisory committee shall be the property of the Court.

6.4. Budget.

The budget of the advisory committee shall be set by the Court through its internal budget process and as implemented by the office or section through which the advisory committee operates. The advisory committee shall have no authority to set its own budget.

6.5. Compensation.

An advisory committee member shall serve without compensation.

6.6. Reimbursement of Expenses.

An advisory committee member shall be reimbursed for expenses incurred in service to the advisory committee as permitted by the Court's "Guidelines for Travel by Court Appointees."

6.7. Dissolution.

The Chief Justice may dissolve the advisory committee at any time solely upon the discretion of the Chief Justice or upon the recommendation of the advisory committee indicating the advisory committee is no longer productive or has met the purpose for which it was created.

Effective Date: February 1, 2011

Amended: _____