

HON. THOMAS J. CAPPER, ADMINISTRATIVE/PRESIDING JUDGE
COMMON PLEAS COURT OF CLARK COUNTY, OHIO
101 N. LIMESTONE STREET
SPRINGFIELD, OHIO 45502
(937) 521-1753

Thursday, April 27, 2017

Rep. Ryan Smith, Chair, House Finance Committee
77 S. High Street, 13th Floor
Columbus, Ohio 43215

Dear Representative Smith:

In the last two days the Judges of the Clark County Common Pleas Court were made aware, for the first time, by our local media of a proposal that has been made to consolidate the operations of the Clark County Municipal Court Clerk's Office with those of the Clark County Court of Common Pleas Clerk's Office. It is our understanding that this proposal has somehow made its way to the 4,700 page Budget Bill set forth in HB49.

In the past two days I have discussed this issue with all of the Judges in both courts as well as the City Law Director and both of the Clerks of the respective Courts who would be impacted by this proposed legislation. All of the individuals who I talked to indicated that they were unaware that this proposed piece of legislation would be submitted for consideration at this time, particularly since we have not even discussed this issue at a local level.

In Clark County we have eight total Judges, four of whom are Republican and four who are Democrats. Our respective Clerk of Courts are also of opposite parties. In this community we pride ourselves on promoting an open forum for discussion and transparency in Government. We go out of our way not to allow petty politics to interfere with the workings of our local Government. In this instance, however, all of us are very concerned as to specifically how this piece of proposed legislation appeared for your consideration without those of us who are actually involved in the Court system first participating in a local discussion concerning this issue. There are many elected officials in our community that now share the opinion that this action was politically motivated, despite Representative Koehler's contention to the contrary.

The issue of the consolidation of our Clerk's Offices should first be addressed by those of us involved at a local level. Our State Representatives should be a part of that process, if they choose to be. Their position concerning the consolidation, however, loses credibility when the Representatives chooses to place the proposed legislation in the middle of a lengthy Budget Bill with virtually no advanced warning to local officials and without consulting with local officials who work within the Court system.

This morning, in my office, our Clerk for the Clark County Common Pleas Court sent a text directly to Representative Koehler asking him to withdraw that proposed piece of legislation from consideration.

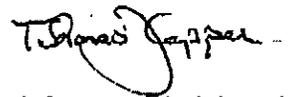
Under the terms of that proposed legislation, she would be the elected official in charge of both offices if a consolidation ever took place. Our Clerk also agrees with our position that this issue should first be discussed locally and that it should be removed from your consideration at this time.

I am the Chairman of the Clark County Criminal Justice Council which serves to address local issues. The Council consists of virtually every office impacted by our local Court system, including City and County Prosecutors; Public Defenders; Highway Patrol; Sheriff's Office; City Police; City administration; County administration; Judges from the various Courts; as well as local citizens in our community. Our next meeting is scheduled May 18, 2017 at noon and we would invite Representative Koehler to appear at that time to discuss the consolidation issue on a local level.

In consideration of the foregoing, we ask that the aforementioned legislation be stricken from HB49 so as to allow those of us at a local level to discuss this issue first in a fair and open fashion.

Should you have any questions or need any additional information, please feel free to contact me.

Very Truly Yours,



Thomas J. Capper, Administrative/Presiding Judge

Copies: Clifford Rosenberger, Speaker of the House
Representative Kyle Koehler
Representative Bill Seltz,
Senator Bob Hackett