

# THE OACA INQUIRER

Volume 4, Issue 1

OHIO ASSOCIATION FOR COURT ADMINISTRATION, INC.



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## 2011 Fall Conference

The 2011 Fall Conference will be October 19-21, at the Ohio Judicial Center and Doubletree Hotel, Columbus, OH.

The conference will feature social media as it relates to human resources management. The Supreme Court of Ohio's Director Human Resources, Monica Hunyadi, and Director of Public Information, Chris Davey, will also discuss how and when to conduct an investigation and other HR Issues. In addition, the Supreme Court's Court Security Officer, Tom Brown, will lead a panel discussion regarding building and renovating for safety. There will also be updates on OPERS.

## Hotel Information

Click [here](#) to make your hotel reservation, or go to <http://tinyurl.com/3v63zrt>. Our discounted rate is \$80 per night. Parking is \$20 per night in the Doubletree deck.

More details and conference registration forms will be posted on the site soon. For more information regarding conference schedules and registration, please contact the OACA at 1-877-257-6222.

## ABOUT OACA

The Ohio Association for Court Administration is a professional organization of court managers who are committed to excellence. The association was established in 1973, and the current membership consists of 231 members from all Ohio court jurisdictions, as well as members of court-related agencies. OACA is a member organization of the National Association for Court Management.

### OACA Goals:

- Enhance professional development
- Encourage solidarity
- Improve administration of justice
- Provide legislative and policy updates
- Encourage diversity
- Anticipate and meet the challenges
- Provide conferences with quality education

### OACA Member Benefits:

- Member newsletters
- Association website
- Legislative and policy updates
- Conferences
- Networking
- Mentor programs
- CEU and CLE opportunities
- Scholarship programs

*Upcoming  
OACA Conferences:  
October 19-21, 2011  
Columbus  
May 16-18, 2012  
Canton*

## SUMMER 2011 NEWSLETTER

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Newsletter designed by:  
*Lindsey Schmitz*  
The Supreme Court of Ohio  
Judicial College/OACA Member

## Message From OACA's President



Dear Colleagues,

It continues to be my privilege to represent OACA as your president in 2011. OACA continues its strong tradition of maintaining excellence in court administration in Ohio. Last month, I, along with President Elect Sylvia Argento, represented OACA at the National Association for Court Management Annual Conference. We had the opportunity to meet with national leaders as well as leaders from other state associations. We were pleased to observe that OACA continues to be at the "head of the pack" of state associations. While some association in other states have scaled back conferences and services, OACA has been able to maintain and grow while continuing to provide excellent education and networking for our members. This excellence could not exist without the dedication of our many members who serve on committees that arrange education, mentoring, communications, and other services for the association.

In these troubling economic times, we are often called upon to do more with less. In these times, more than ever, membership in a professional organization, such as OACA, is incredibly valuable in helping us do our jobs effectively. Our upcoming fall conference has an exciting array of educational programs scheduled, as well as a great amount of professional networking time to allow you to discuss best practices and items of common interests with your peers in other courts. We hope you can join us in Columbus at the conference.

Again, thank you for allowing me to lead this outstanding organization this year. If there is anything I or your association can do for you, please do not hesitate to contact me or any of your board members and we will be happy to help.

Sincerely,  
Kenneth R. Teleis, CCE  
OACA President, 2011

## Members of the 2011 Executive Committee



**PRESIDENT**  
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## Members of the 2011 Executive Committee (continued)



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**AT-LARGE REPRESENTATIVE**  
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**EDUCATION CO-CHAIR**  
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**EDUCATION CO-CHAIR**  
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**MEMBERSHIP CHAIR**  
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## Behind the Scenes

KUDOS to all the hard work from OACA'S committee chairs and members!

### **Education Committee** *Elizabeth Stephenson and Linda Lovelace, Co-Chairs*

Juanita Bryant  
Don Colby  
Melinda Cooper  
James Fox  
Jason Hill  
Angie House  
Bennett Manning  
Theresa McNea  
Marc Warner

### **Membership Committee** *Lori A. Henry, Chair*

Dawn Bailey  
Katherine Curfman  
Tammy Flannery  
Penny McGuire  
Pat Schwartz  
Cheri Shaw  
Marc Warner

### **By-Laws** *Bennett Manning, Chair*

Linda Lovelace  
Elizabeth Stephenson

### **Legislative Committee** *Tim Lubbe, Chair*

Jo Ellen Cline, *ex officio*  
Stephanie Hess  
Michael Kochera

### **Conference Site Committee** *Chair Needed*

### **Mentor Orientation** *Cheri Shaw, Chair*

Sylvia Argento  
Jean Atkin  
Andrew Bauer  
Becky Carpenter

### **Archival/Historian** *Tammy Dwyer, Chair*

Sylvia Argento  
Melinda Cooper  
Mike Durbin  
Cheri Shaw

### **Administrative Support** *Linda Lovelace, Chair*

Lori Clune  
Greg Popovich  
Kimberly Switzer  
Ken Teleis

### **Nominating Committee** *Lori Clune, Chair* Elizabeth Stephenson

### **Finance Committee** *Michael Kochera, Chair*

Andrew Bauer  
Don Colby  
Ken Teleis

### **Brochure Committee** *Chair Needed*

Elizabeth Stephenson  
Kimberly Switzer

### **Vendor Show Committee** *Chair Needed*

Kathleen Hanners  
Paula Houston

### **Communications Committee**

*Ken Teleis, Chair*  
George Denney  
Paula Houston  
Ed McNachtan

## Thomas J. Moyer Memorial Scholarship

This scholarship is available to OACA members to further your education in the court administration field. You may use the scholarship for educational programs or to attend conferences, including NACM conferences.

More information on the scholarship, including application forms, may be found here:

<http://ohiocourtadministration.org/scholarship-info/>. The scholarship application deadline is October 7, 2011 at 4:00 PM.

## **OAM Spring Conference: How to Motivate Employees in Tough Economic Times**

**Presenter: Gar Trusley, Gar Trusley and Associates**

**By Bennett A. Manning, Court Administrator, Twelfth District Court of Appeals**

The Spring Conference 2011 education presentation was "How To Motivate Employees in Tough Economic Times," presented by Gar Trusley. Mr. Trusley began by noting that, as most of us already suspected, more money does not usually mean more motivation. Money tends to motivate people only when (1) it is attached to performance, or (2) it is received as the result of a promotion. The things that do motivate people in the workplace are:

1. The work, if it is meaningful, as opposed to mundane;
2. The people, if they are good to work with;
3. Quality leadership;
4. The degree to which employees feel important; and
5. The degree to which employees feel they can influence the success of the organization.

"Meaningful work" is usually work that involves innovation, creativity and/or problem solving. Routine work is usually not very challenging or exciting, and employees who have to do a lot of routine work are generally not very happy. If you have employees who like to do routine work, or who have to do it for the organization to operate, the best thing you can do for these employees is to make them feel important. You need to recognize their efforts. There are many different ways to do this, and recognition can be public or private, depending on the circumstances and the employee(s) involved. Mr. Trusley talked about seven aspects of recognition:

1. Contingency: Recognition tied to performance/behavior
2. Timing: Now rather than later
3. Frequency: Can't do it too much, but you must be sincere
4. Formality vs. Informality: Informal is better

5. Public vs. Private: Depends on circumstances/employees involved
6. Significance of the "Recognizer": Highest possible level is better
7. Value to the recipient

Generally, the more freedom employees are permitted at work, the happier they will be. Mr. Trusley mentioned five levels of freedom:

1. Wait to be told
2. Get permission
3. Make recommendations
4. Take action if you think it's necessary and report to me
5. Take action; report routinely or not at all

The first two levels exhibit no trust and very little freedom; levels four and five exhibit more trust and incorporate the opportunity to fail. The organization needs to allow employees to fail to a certain extent to help them grow and gain confidence. As a manager, the more people you can get to levels four and five, the happier they will be.

Mr. Trusley also emphasized that building relationships with people is a more effective way to manage them than trying to distance yourself from them and control them. Employees will be happier and easier to manage if you take an interest in them and their lives and relationships, both at work and outside of work.

## OAM Spring Conference: Employment Law Update

**Presenter: Kimberly Vanover Riley, Esq., Montgomery, Rennie and Johnson, LPA  
By Melinda A. Cooper, Court Administrator, Fifth District Court of Appeals**

Attorney Kimberly Vanover Riley presented a very comprehensive, fact-filled overview of relevant employment law. Here are some highlights and resources to help us keep up with this ever-evolving area of administration.

New Department of Labor (DOL) Regulations should be released very soon (or were released recently, during the printing of this newsletter). The penalties for noncompliance are expected to be raised significantly and new DOL investigators have been hired. Thus, administrators should review the new regulations. You can see the goals of the new regulations at <http://www.dol.gov/sec/stratplan/2010/vision-2010.pdf>. For an explanation of how the DOL intends to enforce these regulations, see <http://www.dol.gov/regulations/2010RegNarrative.htm>.

One of the significant, expected requirements will be that employers will be required to create a written plan, created in conjunction with their employees, that identifies and fixes risks of violations, created by the employer and employees together. Further, if an employee contacts the DOL and DOL cannot assist the employee, the employee will be referred to attorneys through the ABA's Lawyer Referral and Information Service. The bottom line of the presentation was that ignoring wage and hourly law is no longer an option and assuming you are in compliance is not enough. Employers will have an affirmative obligation to get into compliance, document their analysis and share it with their employees.

As if that was not enough, we looked at the ethical role of court personnel as applied to legal advice versus legal information. Providing legal information is optional, but providing legal advice is practicing law and unethical because it damages a court's duty to be impartial and neutral. The trick is knowing where the line is. In general, legal

information is generic, involving books, pamphlets, guides and information about court processes, terminology, rules and legal concepts. Legal advice is generally specific and a tailored application, analysis or research that often affects the rights and obligations of an individual. It includes legal interpretations or applications, procedural advice, legal research or a legal opinion.

It is impossible to include everything that was covered. During the presentation, we also reviewed:

- Exempt versus non-exempt employees
- Minimum wage requirements
- FMLA changes
- New nursing mother regulations
- Discrimination, harassment and retaliation law
- Required GINA posters (See [www.dol.gov/ofccp/regs/compliance/posters/pdf/eeopost.pdf](http://www.dol.gov/ofccp/regs/compliance/posters/pdf/eeopost.pdf))
- ADAA changes

We even touched on social media and how it affects productivity cost, perception of the courts and the potential for confidential or inappropriate information to be disseminated. Plus, we were reminded that what we post could get us sued! Think about defamation, EEO complaints and invasion of privacy, retaliation, federal 1983 actions and more.

If you missed it, you missed a lot! In the face of such change and so much required knowledge to stay out of trouble, Attorney Riley reminded us that if we have any questions or concerns, each judge (and their court staff) may avail himself or herself of a limited number of hours of free legal advice from the law firm of Montgomery, Rennie and Johnson, LPA. She suggested we talk to our judges and consider using that free legal advice to prevent or solve employment problems.