

## COUNCIL OF APPELLATE LAWYERS

### STATE APPELLATE COURT STRUCTURE

STATE:	PERSON SUBMITTING REPORT:
Ohio	Harold R. Rauzi
FIRST LEVEL OF APPELLATE COURT	
Court's name	Ohio Court of Appeals
Total number of judges	68
Number on panels for oral argument	3
Jurisdiction discretionary or mandatory	Mandatory (plus limited original)
If discretionary, standard (e.g. "important to the jurisprudence of the state")	N/A
Jurisdiction (criminal, civil, or both)	Both
Oral argument discretionary or allowed as of right	Impliedly as of right. Some districts treat as waived unless expressly requested; others schedule unless expressly waived by both parties
Geographical coverage - number of courts and whether their coverage is statewide or district-wide	Twelve districts, ranging 1-17 counties; 3-12 judges
Opinions published -- some, all, or none (if some, estimate percentage)  Note whether unpublished opinions may be cited, and if so, whether they are binding or merely persuasive.	From 05/01/02, all appeals court opinions posted on supreme court website, <a href="http://www.sconet.state.oh.us">www.sconet.state.oh.us</a> . No distinction published/unpublished.
Bound by precedent of which other courts	Supreme Court of Ohio, US Supreme Court
Opinions are binding precedent on which other courts	Uncertain. Distinction between "controlling" and "persuasive" opinions abolished 05/01/02. Presumably, <i>stAre decisis</i> still applies to lower courts within districts.
Other unique characteristics of the system	N/A

<b>SECOND LEVEL OF APPELLATE COURT</b>	
Name	Ohio Supreme Court
Total number of justices	Seven
Number who sit on oral argument panel	Seven
Jurisdiction (criminal, civil or both)	Both
Jurisdiction discretionary or mandatory; if discretionary, give standard (e.g., "important to the jurisdiction")	Limited original jurisdiction. Mandatory appellate jurisdiction in cases originating in court of appeals; and, in certain agency appeals, all death penalty cases, constitutional questions, and conflicts among the appellate court districts. (Supreme Court determines in the first instance, however, if appeal involves "substantial" constitutional question, or if a conflict exists.) Discretionary jurisdiction in felony cases and in civil cases involving questions of "public or great general interest."
Opinions published -- some, all, or none (if some, estimate percentage) Note if unpublished opinions may be cited, and if so, whether they are binding precedent or merely persuasive.	All
Geographical coverage -- if divided into districts, give number of districts and whether their coverage is statewide or only district-wide.	N/A
Bound by precedent from which other courts	United States Supreme Court
Opinions are binding precedent on which other courts	All Ohio Courts
Other unique characteristics of the system	N/A
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