The Supreme Court of Ohio

BOARD OF COMMISSIONERS ON GRIEVANCES AND DISCIPLINE

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OPINION 87-041
Issued: September 25, 1987

[Withdrawn- by Board on Dec. 5, 1997 due to amended Gov. Bar R. X §3 (D)(1)]

SYLLABUS: At present, referees are not required to comply with Rule IV of the Rules for the Government of the Judiciary, which mandates continuing legal education for judges. However, we encourage both part-time and full-time referees to participate in continuing legal education in order to increase their knowledge and understanding of their position as referees and their knowledge of the area of law over which they preside as referee.

OPINION: We have before us your request for our opinion on whether, as a full-time referee, you are required to participate in continuing legal education pursuant to Gov. Jud. R. IV. Referees, whether part-time or full-time, are not required to comply with Rule IV of the Government of the Judiciary.

In a recent publication of the Ohio State Bar Association Report (June 22, 1987) a proposed draft of a mandatory continuing legal education program for lawyers was printed and is being considered by the Supreme Court of Ohio. Continuing legal education in Ohio is undergoing a major transformation which will undoubtedly affect all members of the Ohio Bar, including referees. As both a referee and a lawyer in Ohio, you should keep yourself abreast of any changes in the area of continuing legal education.

Although mandatory continuing legal education is not thus far a reality for referees in Ohio, we encourage referees to participate in continuing legal education which will further their knowledge of the area in which they act as referees. The Ohio Judicial Conference in Columbus can advise you regarding any programs or courses being offered for referees.

In conclusion, it is our opinion, and you are so advised, that full-time and part-time referees are not presently required to comply with Gov. Jud. R. IV which mandates continuing legal education for judges.

This is an informal, non-binding advisory opinion, based upon the facts as presented and limited to questions arising under the Code of Judicial Conduct.

James W. Mason, Esq.
Secretary
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on Grievances and Discipline