



LANCASTER

Law Director & City Prosecutor

**Stephanie L. Hall**

January 31, 2022

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## I. General Information

- A. Law Director & City Prosecutor – The City of Lancaster is organized under the general statutory plan of municipal government. Therefore, pursuant to Ohio Revised Code (“ORC”) § 733.49, the City Director of Law “shall be elected for a term of four years, commencing on the first day of January next after his election. He shall be an elector of the city.” In addition to being a Lancaster resident, ORC § 733.50 prohibits any person from being “eligible to the office of city director of law who is not an attorney at law, admitted to practice in this state.” Presently, Stephanie L. Hall, who resides within the municipal corporation limits and holds Ohio Attorney Registration Number 0082045, is the appointed Law Director & City Prosecutor.
- B. Contact Information – The Law Director & City Prosecutor’s Office is located on the second floor of the Fairfield County Municipal Court at 136 W. Main Street, Lancaster. The office is open from 7:45 am to 4:15 pm, Monday through Friday, and closed on all City holidays. You can reach the office during normal business hours by calling (740) 687-6616.
- C. Website – Additional information regarding the office can be located on the Law Director & City Prosecutor’s homepage which can be found on the City of Lancaster’s website at: <https://www.ci.lancaster.oh.us/196/Law-Director>.

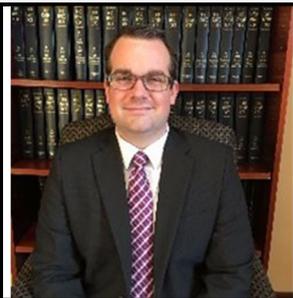


Law Director’s Office Swearing-In Group Photo, January 2022

## II. Law Director & City Prosecutor Staff



Law Director & City Prosecutor Stephanie L. Hall was appointed in January of 2022 but has been with the office since she started as a Licensed Legal Intern in 2006. As Law Director she is chief legal counsel for the City and as City Prosecutor she is responsible for the prosecution of all adult misdemeanor crimes in Fairfield County. Stephanie is an Amanda-Clearcreek graduate, and she received her bachelor's degree from Ohio University and her juris doctorate from Capital University Law School.



Senior Attorney Mitch Harden is responsible for both civil and criminal matters. He advises City administrators and elected officials, department superintendents, boards, commissions, and committees on a variety of legal issues. He also supervises the prosecution of criminal cases and appeals. Mitch is a Logan High School graduate, who received his bachelor's degree from The Ohio State University and his juris doctorate from Capital. He has been with the office since April of 2017.



Assistant Prosecutor Dave Klemp represents the City and State in all stages of prosecution in the Fairfield County Municipal Court and Fifth District Court of Appeals. Dave is a Westerville North graduate, and he received his bachelor's degree from The Ohio State University and his juris doctorate from Capital University Law School. He has been with the office since May of 2017. Prior to that he practiced in insurance subrogation.



Assistant Prosecutor Joe Sabo represents the City and State in all stages of prosecution in the Fairfield County Municipal Court and Fifth District Court of Appeals. Originally from Northeastern Ohio, Joe received his bachelor's degree from Kent State University and his juris doctorate from Case Western Reserve University. He has been with the office since January of 2019. Prior to that he practiced in the areas of civil litigation and non-profit law.



Assistant Prosecutor James Young represents the City and State in all stages of prosecution in the Fairfield County Municipal Court and Fifth District Court of Appeals. James received his bachelor's degree from The Ohio State University and his juris doctorate from Capital University Law School. He has been with the office since October of 2021. Prior to that he served in the Navy and practiced as a criminal defense attorney in Southeast Ohio.

	<p>Office Manager Teresa Sandy serves as support staff for the Law Director and Senior Attorney and prepares easements, contracts, legislation, and other legal documents as well as managing all budgeting, collections, supplies, payroll, and grant coordination. Teresa is a Fairfield Union graduate. She has been with the office since January of 1996.</p>
	<p>Victim Services Paralegal Jenny Swope serves as support staff for prosecutors exclusively handling victim-related offenses, including domestic and dating violence, sexual assault, and stalking. She also assists all victims of violent crime with navigating the prosecutorial process. Jenny is a Logan High School graduate, and she received her associate's degree from Hocking College. She has been with the office since July of 2007.</p>
	<p>Paralegal Elisabeth Azbell serves as support staff for prosecutors handling non-victim related and traffic offenses on Judge Ullom's docket. Elisabeth is a Berne Union High School graduate. She has been with the office since January of 2010.</p>
	<p>Paralegal Liz Martens serves as support staff for prosecutors handling non-victim related and traffic offenses on Judge Fields' docket. Liz is a Lancaster High School graduate, and she received her bachelor's degree from The Ohio State University. She has been with the office since December of 2014.</p>
	<p>Paralegal Sarah Marang serves as support staff for prosecutors handling Magistrate Innocenti's docket. Sarah's responsibilities also include assisting the public and law enforcement with requests for charges. Sarah is a Columbus High School graduate, and she received her associate's degree from Columbus State and a bachelor's degree from Franklin University. She has been with the office since February of 2017.</p>

### III. Civil Report

#### A. Civil Activities –

1. Legal Counsel: Pursuant to the Ohio Revised Code, the City Law Director is legal counsel for all City Departments, City Administration, City Council, City Boards, Committees and Commissions, and the Lancaster Board of Education. The Law Director’s Office attends all regularly scheduled council, committee, commission, and board meetings, as well as special meetings when requested. The Law Director also serves as legal counsel for the Lancaster Port Authority, a complex component unit dedicated to local economic development.
2. Legislation: The Law Director is responsible for preparing all legislation for City Council. See the chart below for the number of ordinances and resolutions provided in 2021 and how that compares to prior years.

YEAR	ORDINANCES	RESOLUTIONS
2016	36	136
2017	41	146
2018	30	100
2019	32	152
2020	35	140
2021	51	147

3. Legal Opinions: The Law Director & City Prosecutor issues oral and written legal opinions upon request of City Council, City Administration, City Departments, City Boards, City Schools, and the Lancaster Port Authority. The Law Director encourages written opinions so that the City develops an archive to assist with complex legal issues now and in the future. Many legal opinions were sought and issued in 2021 regarding a variety of topics. These opinions are not public records as they are privileged attorney/client communications.

#### B. Administration –

1. Internal Legal Counsel – The Law Director & City Prosecutor and her staff provide advice and legal counsel to the Mayor, Service Safety Director, Auditor, Treasurer, Income Tax Commissioner, and all department heads who administer the various City departments. In 2021, in addition to constant phone, text, and email communication, the Law Director met personally with the Mayor and Service Safety Director bi-weekly to assist with the lawful and efficient operation of the City.
2. Outside Counsel – The Law Director is responsible for coordinating the efforts of all outside counsel for the City. Below are the attorneys and firms the City used in 2021 for legal issues that required outside counsel.



- a. Bond and Tax Counsel: Squire Patton Boggs – The City utilizes the bond expertise of Attorney Allison Binkley and tax law expertise of Attorney Michael Cullers.
  - b. Labor Counsel: Fishel Downey Albrecht & Riepenhoff, LLP – The City utilizes the labor expertise of Attorney Marc Fishel.
  - c. Construction Law Counsel: Bricker & Eckler – The City utilizes the construction law expertise of Attorneys Mark Evans, Jeff McSherry, Doug Shevelow, and Jack Rosati.
  - d. Energy Counsel: Bricker & Eckler – The City utilizes the energy expertise of Attorneys Glenn Krassen and Caleb Bell.
  - e. Workers Compensation Counsel: Fishel Downey Albrecht & Riepenhoff, LLP – The City utilizes the Bureau of Worker’s Compensation expertise of Attorney David Riepenhoff.
  - f. Special Prosecutors: Various – In an effort to save taxpayer money, whenever there is a conflict of interest that precludes the City from prosecuting a criminal matter, the City trades special prosecution services with other political subdivisions and utilizes the Ohio Attorney General’s Office as needed as well.
  - g. Insurance Carrier Appointed Outside Counsel: Various – The City’s insurance carriers appoint various outside legal counsel to litigate lawsuits filed against the City in which the insurance carrier is providing coverage on the claim.
  - h. Right-of-Way and Telecommunications Law: Ice Miller – The City utilizes the right-of-way and telecommunications expertise of Attorney Chris Miller.
  - i. Income Tax Litigation: Frost Brown Todd LLC – The City utilizes the income tax expertise of Frost Brown Todd Attorneys Eugene Hollins, Stephen Smith, Frank Reed, Yazan Ashrawi, and Thad Boggs.
  - j. Tax Incremental Financing (TIF): Bricker & Eckler – The City utilizes the economic development expertise of Attorneys Caleb Bell and Colin Kalvas.
- C. Board of Education – Pursuant to Section 3313.35 of the ORC, the Law Director is authorized to represent the Board of Education of the Lancaster City School District. The Law Director & City Prosecutor provides advice and legal representation to Lancaster City Schools as needed.

#### D. Litigation –

1. Civil Litigation: In 2021, the City was actively involved in twelve (12) cases involving community block grant mortgage foreclosures, allegations of personal injury, allegations of federal and state law violations, declaratory relief actions, construction law claims, and constitutional law challenges. The Law Director & City Prosecutor's Office litigates these cases internally and, in some cases, with the assistance of outside counsel. Due to the nature of civil litigation, additional details regarding these pending civil litigation cases are attorney/client privilege and/or work product privilege but may be made available to City Council members for review.
2. Self-Insured Claims: The City received ten (10) insurance claims in 2021 involving vehicle, personal injury, and property damage. Of the ten (10) claims filed, seven (7) were denied; one (1) was paid by the Lancaster Fire Department; one (1) was paid by Lancaster Municipal Gas; and one (1) is pending. The Law Director's Office assumed this responsibility in 2006 in order to save the City approximately \$20,000/year. The Law Director & City Prosecutor's Office, in conjunction with the City's insurance agent, processes, investigates and reviews these claims against the City in the context of governmental immunity provided in the Ohio Revised Code. Due to the nature of these claims, additional details regarding their review and disposition are attorney/client privilege and/or work product privilege but may be made available to City Council members for review.

#### E. Miscellaneous

1. Additional Services
  - a. Down Payment Recovery – The Law Director reviews all contract forms for the Community Development Department for the award of Community Development Block Grant Funds and assists in the recovery of these funds in foreclosure and bankruptcy cases.
  - b. Collections for Damage to City Property – Since 1998, the Law Director's Office has conducted collections actions for all City departments when City property is damaged (i.e. fire hydrants, guardrails, and other City infrastructure). In 2021, the Law Director's Office obtained judgements for, collected and/or forwarded to collections \$20,244.84 in taxpayer funds.
  - c. Zoning and Code Enforcement – The Law Director & City Prosecutor's Office is mandated by ORC to handle misdemeanor zoning and code enforcement prosecution for the townships and villages in Fairfield County. As these political subdivisions adopt zoning and property maintenance codes, prosecutions for these violations continue to increase annually.
  - d. Special Assessments – When property owners fail to comply with property maintenance codes within the municipal corporation, the Code Enforcement Department may abate the violation using the services of a contractor. The abatement expense is then assessed against the property's tax duplicate by the

Fairfield County Auditor pursuant to ORC along with an administrative processing fee and a special assessment fee. The Law Director’s Office coordinates with Code Enforcement to and files these assessments for the City. The property cannot be transferred until the assessed amount is paid in full. See the chart below for Code Enforcement’s total expenditures to abate property maintenance violations for 2021 and how that compares to prior years.

Year	Annual Total	
2016	\$34,164.50	These amounts include all Code Enforcement expenditures for mowing, trimming, demolishing, securing and cleaning-up neglected properties.
2017	\$53,916.00	
2018	\$89,276.00	
2019	\$155,235.90	
2020	\$65,282.00	
2021	\$79,507.60	

- F. Grant Funding – Violence Against Women Act (VAWA) Grant – The Law Director & City Prosecutor applies annually for VAWA funding to cover the expense of one (1) Assistant Prosecutor position in our Family Violence Unit. This position focuses on and expedites the prosecution of domestic violence, dating violence, sexual assault and stalking cases and coordinates comprehensive victim services. In 2021, we were awarded \$46,200.00 in VAWA funds from the Office of Criminal Justice Services to continue funding this position for 2022, bringing the Law Director’s total grant funding award amount to \$2,897,888.09.

#### IV. Criminal Report

- A. Criminal Prosecution – Pursuant to ORC 1901.34, the Law Director & City Prosecutor’s Office is responsible for the prosecution of misdemeanor criminal cases arising in the City of Lancaster and in the unincorporated areas of the county. Since 1997, the Law Director & City Prosecutor has contracted for reimbursement to the City for prosecution work performed for all of the villages in Fairfield County (i.e. Amanda, Bremen, Carroll, Lithopolis, Millersport, Pleasantville, Rushville, Sugar Grove, Thurston, and West Rushville) by negotiating one contract with the Fairfield County Commissioners. Additionally, the Law Director negotiates prosecution contracts with the City of Pickerington and the City of Reynoldsburg due to the increased number of criminal cases being filed and prosecuted in the Fairfield County Municipal Court from those jurisdictions. Through this process, the Law Director is responsible for the prosecution of all adult misdemeanor crimes that occur in Fairfield County, Ohio. This provides uniformity of access and

expectations to Fairfield County law enforcement and the Municipal Court in the investigation and prosecution of adult misdemeanor crimes.

- B. Criminal Statistics – The Court’s statistics for the Law Director & City Prosecutor’s Office for 2021 represent the major use of resources of this office. Approximately 80% of the budgetary funding for the Law Director & City Prosecutor’s Office is directed towards criminal prosecution. Management and prosecution of the high volume of cases takes a team approach to file management and prosecution efforts. Because of the short timeline for prosecution of misdemeanor cases (30-90 days without a time waiver), cases continue regardless of the availability of the prosecutor. Our office assigns Assistant Prosecutors to the dockets as needed to keep cases moving forward in the courts. See the chart below for a breakdown of cases prosecuted in 2021 and how that compares to prior years.

<b>Fairfield County Municipal Court Statistics 2016 - 2021</b>						
Year	Misdemeanor	OVI	Other Traffic	Jury Trials	Trials to Court	New Court Filings
2016	2,956	694	13,028	15	2,725	19,932
2017	2,917	633	13,981	12	2,629	21,453
2018	2,517	532	12,347	13	2,114	19,616
2019	2,382	571	12,223	13	2,111	19,663
2020	1,782	372	8,381	3	1,182	13,539
2021	1,665	387	8,189	2	1,047	13,191



C. Family Violence Unit –To ensure efficient and effective prosecution of these cases pursuant to the Fairfield County Domestic Violence Protocol, and to assure that crime victims’ constitutional rights (Marsy’s Law) are guaranteed, the Law Director & City Prosecutor’s Office operates a Family Violence Unit. This Unit is funded in part by an annual VAWA grant designed to assist victims of domestic violence, dating violence, sexual assault and stalking. The Unit consists of two (2) Assistant Prosecuting Attorneys and one (1) Victim Paralegal that focus solely on coordinating and prosecuting these cases, separate and apart, from the other general criminal offenses being prosecuted by our office. The Unit makes it possible to devote the additional time and attention needed to successfully prosecute these cases. Unfortunately, while the total number of criminal cases filed in the Fairfield County Municipal Court has dropped sharply over the last two (2) years as a result of the on-going pandemic, there hasn’t been a corresponding reduction in victim cases. The number of domestic violence cases and total victims the Unit handles has remained steady demonstrating the pervasiveness of these violent crimes in the community. See the chart below for a breakdown of victim prosecutions and how that compares to prior years.

Family Violence Unit Statistics 2016 – 2021				
Year	DV Intakes	Stalking Intakes	Other SB 2 Cases	Total Victims Served
2016	200	16	484	700
2017	261	23	487	770
2018	284	27	600	905
2019	280	27	842	1,149
2020	252	14	752	1,018
2021	242	20	693	955

D. Law Enforcement Training – The Law Director & City Prosecutor’s Office provides free training annually on a variety of issues to all Fairfield Law Enforcement. In 2021, these trainings focused on the topics below. Each was also made available to all Fairfield County Law Enforcement via PowerPoint.

1. DV Forms Update: This training was provided to all Lancaster Police Department Officers to educate them about new forms implemented by the Supreme Court of Ohio.
2. Fairfield County Domestic Violence Protocol: This training was provided to all Lancaster Police Department Officers who are not familiar with the Fairfield County Domestic Violence Protocol which focuses on best practices for handling victim cases.

3. OVI Case Law Update: This training was provided to all Pickerington Police Department Patrol Officers to educate them about important changes to OVI case law in the Supreme Court of Ohio and Fifth District Court of Appeals.
  4. “Pink Slips”: This training was provided to all Fairfield County Law Enforcement officers attending this year’s ADAMH Crisis Intervention Training focused on the process of emergency admission for mentally ill individuals under the ORC.
- E. Attorney Training – Attorneys are required to complete twenty-four (24) hours of Continuing Legal Education (CLE) bi-annually. The Law Director and her assistants try to focus on topics that will inform their civil and criminal work for the City, but due to budget constraints, frequently rely on free CLEs provided by the Fairfield County Bar Association, the Ohio Traffic Resource Prosecutor and other legal organizations. The 2021 CLE trainings attended included:
1. Victims’ Rights in Ohio Post Marsy’s Law
  2. OVI Bootcamp for Prosecutors
  3. Prosecuting Drugged Driver
  4. Latest Developments in Retirement Accounts & Estate Planning
  5. Ohio Sunshine Laws
  6. Everything You Need to Know About Cannabis
  7. Field Sobriety Tests in Drugged Driving Cases
  8. Jury Selection
  9. The Art of Prosecuting a DUI Case
  10. Opening Statements in a DUI Case
  11. Basic Cross Examination and Impeachment in DUI Cases
  12. Pharmacology of the Drugged Driver
  13. DUI Cannabis – Making the Case
  14. DUI Report Writing: Best Practices for Completing the DUI Alcohol/Drug Influenced Report
  15. Packing the Court: Judicial Appointments in the Next Presidential Administration
  16. Health Equity During COVID-19 Pandemic: Legal Implications and the Need for Policy to Effect Change
  17. State-Provincial Approach to Harmful Algae Blooms in the Great Lakes Basin: Possibilities & Pitfalls
  18. Murder in the Family: Perpetrators, Motives, and Prevention

## V. Summary

In November of 2021, the Honorable Randall T. Ullom, Law Director & City Prosecutor, was elected to the Fairfield County Municipal Court bench. He resigned from the City on December 31, 2021, after nine (9) faithful years of invaluable service. While we will miss

working with him as Law Director, we are thrilled to have such a principled, conscientious jurist administering justice in the courtroom.

His departure is also an opportunity to evaluate our processes and procedures to determine what we are doing well and where we could improve. He left the office in a fantastic position, but we would be remiss if we didn't use our fresh perspective to refine operations as we move forward into 2022. If you have any comments or suggestions that you believe would be helpful, please don't hesitate to reach out.

We are fortunate to have the support of the Mayor, City Administration, City Council, Fairfield County Municipal Court and Clerk, as well as all of our partners in Fairfield County Law Enforcement, in this endeavor. We look forward to continuing to serve them and you as effectively and efficiently as possible in the future. Thank you.

Sincerely,



Stephanie L. Hall,  
Law Director & City Prosecutor