

# EXECUTIVE AND JUDICIAL BRANCHES OF OHIO GOVERNMENT

New Legislative Staff Training  
Ohio Legislative Service Commission



# ABOUT THIS COURSE

- This course provides a general overview of Ohio's executive and judicial branches and the roles of statewide elected officials.
- If your employer is tracking your course completion, be sure to click on the course completion link at the end of the course.
- Additional references:
  - The Ohio Constitution – [Article III \(Executive Branch\)](#) and [Article IV \(Judicial Branch\)](#)
  - *A Guidebook for Ohio Legislators*, [Chapter 10 – The Executive Branch](#) (PDF) and [Chapter 11 – The Judicial Branch](#) (PDF), available at [lsc.ohio.gov](http://lsc.ohio.gov)
  - [The Supreme Court of Ohio & the Ohio Judicial System](#) (PDF), available at [supremecourt.ohio.gov](http://supremecourt.ohio.gov)



# PART 1

## THE EXECUTIVE BRANCH

# STATEWIDE ELECTED OFFICIALS

- Ohioans elect six statewide officials to lead the executive branch of state government:
  - Governor & Lieutenant Governor (elected together)
  - Attorney General
  - Secretary of State
  - Auditor of State
  - Treasurer of State
- These officials are elected in even-numbered years that are not presidential election years, such as 2022, 2026, and 2030.
- Each official is elected to serve a four-year term. Officials are limited to two consecutive terms in a particular office.

# GOVERNOR AND LIEUTENANT GOVERNOR



Governor  
Mike DeWine



Lt. Governor  
Jon Husted

For more information, see  
[The Governor's website](#)  
and  
[The Lt. Governor's website](#)

# GOVERNOR

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- The Governor is the head of the executive branch and is responsible for:
  - Proposing the biennial state budget;
  - Appointing directors of state departments and agencies;
  - Seeing that state laws are faithfully executed; and
  - Recommending legislation to the General Assembly.
  
- The Governor is also the commander-in-chief of the Ohio National Guard and the State Defense Force.
  - The Governor appoints an Adjutant General to oversee Ohio's military forces. See [ong.ohio.gov](http://ong.ohio.gov) for more information.

# LIEUTENANT GOVERNOR

- Under the [Ohio Constitution](#):
  - If the Governor is temporarily unable to serve because of a disability, the Lieutenant Governor serves as Governor.
  - If the Governor dies or resigns, or is impeached or otherwise removed from office, the Lieutenant Governor becomes the Governor.
- The Lieutenant Governor also performs other duties as assigned by the Governor, such as running a state agency.
  - Currently, the Lieutenant Governor oversees the Ohio Common Sense Initiative and directs the Governor's Office of Workforce Transformation and InnovateOhio.
  - Past Lieutenant Governors have overseen the Departments of Commerce, Development, Insurance, Public Safety, and Natural Resources.

# ATTORNEY GENERAL

- Ohio's Attorney General (AG) is the state's chief legal officer.
- The AG provides legal counsel and representation to state elected officials and state agencies, including the General Assembly.
- The AG also:
  - Runs Ohio's Bureau of Criminal Investigation and statewide law enforcement programs;
  - Operates a Consumer Protection Section that addresses consumer complaints; and
  - Oversees charitable organizations in Ohio, including regulating charitable bingo.
- See [ohioattorneygeneral.gov](http://ohioattorneygeneral.gov) for more information.

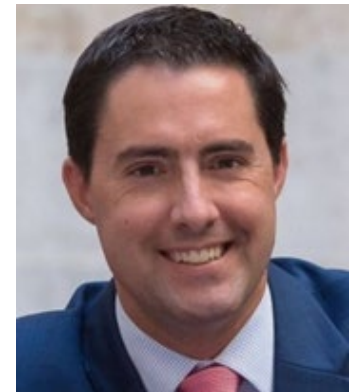


Attorney General  
Dave Yost



# SECRETARY OF STATE

- Ohio's Secretary of State serves in a number of roles, including:
  - Being the official custodian of laws enacted by the General Assembly and of administrative rules adopted by state agencies;
  - Serving as the state's chief elections official and overseeing each county's board of elections;
  - Administering a business services division that handles filings such as articles of incorporation and licenses for out-of-state businesses to operate in Ohio; and
  - Running Safe at Home, a program that allows victims of certain crimes to shield their addresses and other contact information from disclosure as public records.
- See [ohiosos.gov](https://www.ohiosos.gov) for more information.



Secretary of State  
Frank LaRose

# AUDITOR OF STATE

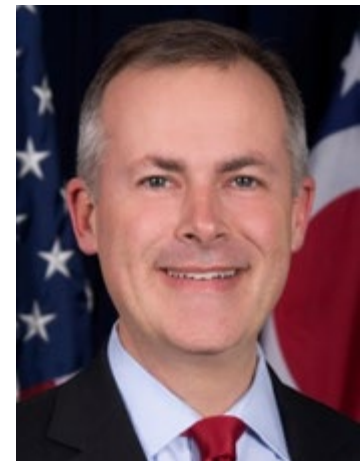
- Ohio's Auditor of State conducts financial and performance audits of public entities, including state agencies, local governments, public and charter schools, and state universities.
- The Auditor's Special Investigations Unit receives and investigates reports of potential fraud involving public funds.
- Unlike a county auditor, the Auditor of State does not assess or collect property taxes.
- See [ohioauditor.gov](http://ohioauditor.gov) for more information.



Auditor of State  
Keith Faber

# TREASURER OF STATE

- Ohio's Treasurer of State is the state's banker and chief fiscal officer.
- The Treasurer is responsible for collecting, investing, and protecting the state's money.
- Through the Ohio Checkbook, the Treasurer makes information available to the public about state revenue and state agencies' spending.
- See [tos.ohio.gov](https://tos.ohio.gov) for more information.



Treasurer of State  
Robert Sprague

# STATE DEPARTMENTS AND AGENCIES

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- State departments and agencies carry out state policy and administer state programs.
- The Governor appoints the directors of state departments and agencies and oversees their operations.
- State departments and agencies are subject to policies and procedures enacted by the General Assembly by law.
- If authorized by law, state agencies may adopt administrative rules to implement their programs.
- [Directory of state agencies](#)



# PART 2

## THE JUDICIAL BRANCH

# JUDICIAL POWERS

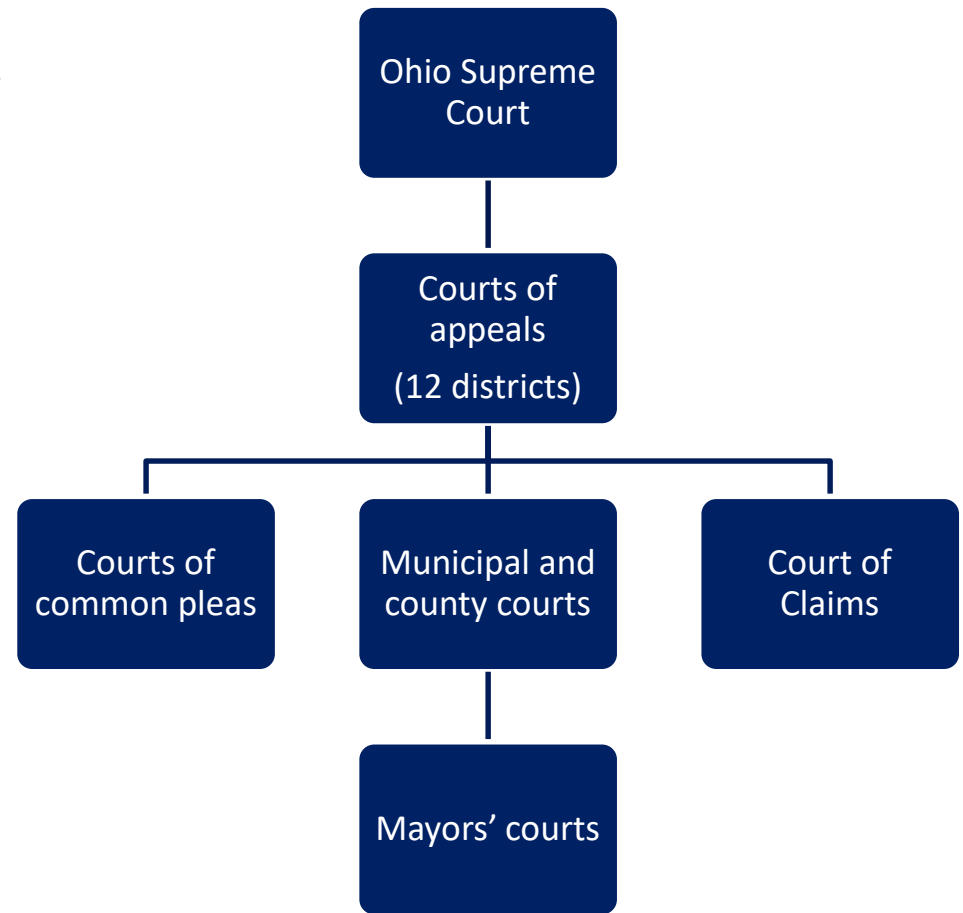
Ohio's courts hear cases to determine:

- Whether a law violates the Ohio Constitution or the U.S. Constitution;
- What Ohio's laws mean and how they apply in a given situation;
- Whether a person has violated the law and if so, what the consequences should be;
- Whether a person is entitled to compensation or another type of court order in a civil case.



# OHIO'S COURTS

- The Ohio Constitution establishes three types of courts:
  - Ohio Supreme Court
  - Courts of appeals
  - Courts of common pleas
- Additional courts are created by law:
  - The Court of Claims
  - Municipal courts
  - County courts
  - Mayors' courts



# SUPREME COURT OF OHIO



Chief Justice  
Sharon L. Kennedy



Justice  
R. Patrick DeWine



Justice  
Jennifer Brunner



Justice  
Patrick F. Fischer



Justice  
Michael P. Donnelly



Justice  
Joseph T. Deters



Justice  
Melody J. Stewart



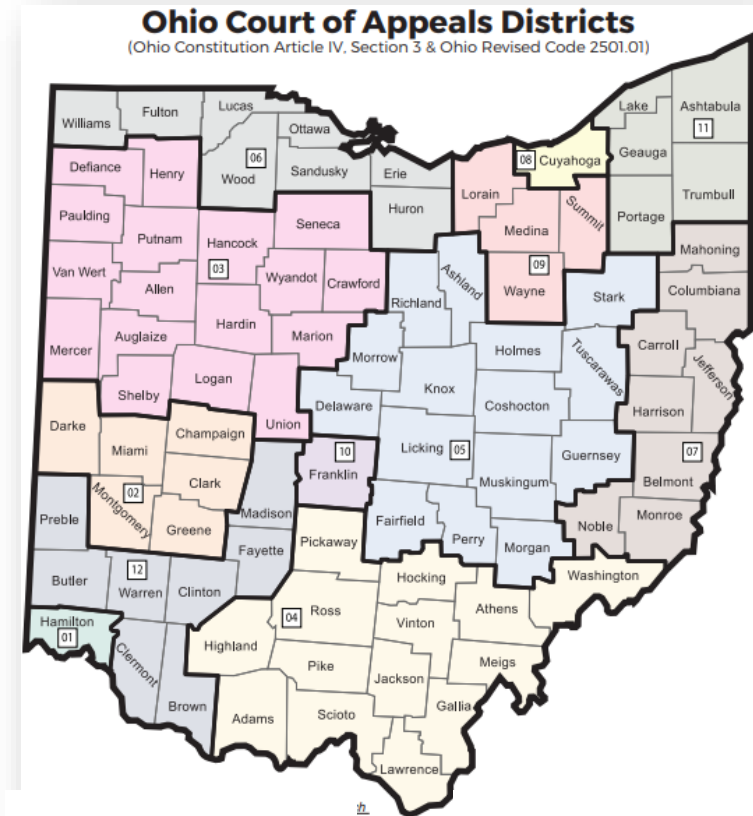
# SUPREME COURT OF OHIO

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- The Supreme Court of Ohio has seven justices, who are elected statewide and serve six-year terms.
- The Supreme Court hears appeals of decisions made by:
  - Ohio's courts of appeals;
  - The Board of Tax Appeals; and
  - The Public Utilities Commission of Ohio.
- Certain cases may be filed directly with the Supreme Court.
- The Supreme Court also oversees Ohio court procedures, Ohio's judges, and the practice of law in Ohio.
- Video of Ohio Supreme Court proceedings is available from [The Ohio Channel](#).

# COURTS OF APPEALS

- Each of Ohio's 12 courts of appeals serves a district.
- Each court of appeals has three judges, who are elected by the voters of the district to six-year terms.
- Courts of appeals review decisions by:
  - Courts of common pleas in the district;
  - Municipal and county courts in the district;
  - The Board of Tax Appeals; and
  - The Court of Claims (10<sup>th</sup> District).
- Certain cases may be filed directly with a court of appeals.



# COURTS OF COMMON PLEAS

- Each county has a court of common pleas. The people of the county elect common pleas judges to serve six-year terms.
- Some courts of common pleas have a single division, while others may have a general division plus domestic relations, juvenile, or probate divisions.
- Cases heard in a court of common pleas include:
  - Felony criminal cases, including criminal trials;
  - Civil cases involving more than \$15,000, including civil trials;
  - Offenses involving minors;
  - Marriages, adoptions, and paternity cases;
  - Divorces, dissolutions, and child custody and support; and
  - Estates of deceased persons.
- Courts of common pleas also hear appeals of decisions made by most administrative agencies.

# MUNICIPAL COURTS AND COUNTY COURTS

- A municipal court serves one or more cities, villages, and townships within a county. Some municipal courts serve an entire county, such as the Franklin County Municipal Court. If an area does not have a municipal court, a county court serves that area and performs the same functions as a municipal court.
- Municipal and county court judges are elected by the people of the court's territory to six-year terms.
- Cases heard in a municipal or county court include:
  - Misdemeanor criminal cases, including criminal trials;
  - Preliminary hearings in felony criminal cases;
  - Traffic tickets; and
  - Civil cases involving \$15,000 or less, including civil trials. Cases involving less than \$6,000 are heard in the court's small claims division.
- Municipal and county courts also hear appeals of decisions by mayors' courts.

# MAYORS' COURTS

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- Some cities and villages in Ohio have mayors' courts, which hear cases involving violations of local ordinances and state traffic laws – typically, cases involving fines.
- The mayor, who is not required to be a lawyer, may preside over the court personally. Or, the mayor can appoint a magistrate who is an attorney with at least three years of practice experience. The mayor or magistrate must complete training offered by the Ohio Supreme Court.
- Mayors' courts are not permitted to conduct jury trials.
- Decisions can be appealed to the municipal or county court.

# THE COURT OF CLAIMS

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- The Court of Claims, which sits in Franklin County, hears all civil cases for money damages that are filed against the State of Ohio and its agencies, such as:
  - Personal injury and property damage cases;
  - Contract disputes; and
  - Discrimination and wrongful imprisonment cases.
- These cases would be filed in a court of common pleas or in a municipal or county court (depending on the amount involved) if they were not brought against the state.
- Decisions of the Court of Claims may be appealed in the 10<sup>th</sup> District Court of Appeals, which serves Franklin County.

Time for a pop quiz!



# QUESTION 1

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True or False?

Under the Ohio Constitution, the Governor is the head of the executive branch.



# QUESTION 1 – ANSWER

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True

Article III of the Ohio Constitution outlines duties of the executive branch. Article III, Section 5 states: “The supreme executive power of this state shall be vested in the governor.”

## QUESTION 2

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True or False?

Ohio's six statewide elected officials are not subject to term limits. Only state senators and state representatives are term limited.

## QUESTION 2 – ANSWER

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False

Each statewide elected official is limited to two successive terms of four years.

## QUESTION 3

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True or False?

State agencies are a part of the executive branch and are responsible for administering state programs and sometimes adopting rules for those programs.

## QUESTION 3 – ANSWER

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True

State agencies are a part of the executive branch. They administer state programs and sometimes adopt rules for those programs.

## QUESTION 4

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Choose the correct statement:

1. The Governor is the state's chief elections official.
2. The Governor oversees most state agencies in the executive branch and is the state's chief executive officer.
3. The Auditor of State is the state's chief elections official.
4. The Secretary of State is responsible for performance and financial audits of units of government.

## QUESTION 4 – ANSWER

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2. The Governor oversees most state agencies in the executive branch and is the state's chief executive officer.

The Secretary of State is the state's chief elections officer.

The Auditor of State is responsible for performance and financial audits of units of government.

## QUESTION 5

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Choose the correct statement:

1. The Lieutenant Governor provides legal counsel to state agencies.
2. The Lieutenant Governor is the state's chief fiscal officer.
3. The Attorney General is the state's chief fiscal officer.
4. The Attorney General provides legal counsel to state agencies.



## QUESTION 5 – ANSWER

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4. The Attorney General provides legal counsel to state agencies.

The Lieutenant Governor performs duties as assigned by the Governor.

The Attorney General provides legal counsel to state agencies.

The Treasurer of State is the state's chief fiscal officer.

## QUESTION 6

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Which court serves one of the 12 particular districts of the state?

1. Court of common pleas
2. Court of Claims
3. Court of appeals
4. District court

# QUESTION 6 – ANSWER

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## 3. Court of appeals

Each court of appeals serves one of twelve districts in the state.

## QUESTION 7

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In what court are appeals from the Public Utilities Commission heard?

1. Court of Claims
2. Supreme Court
3. Court of appeals
4. Court of common pleas

# QUESTION 7 – ANSWER

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## 2. Supreme Court

The Ohio Supreme Court hears appeals of decisions made by the Public Utilities Commission as well as decisions made by the Board of Tax Appeals.

The Court also reviews decisions of courts of appeals and trial courts.

# QUESTION 8

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To which court(s) are judges or justices elected for six-year terms?

1. Supreme Court
2. Court of appeals
3. Court of common pleas
4. All of the above

# QUESTION 8 – ANSWER

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4. All of the above

Ohio Supreme Court justices, court of appeals judges, and court of commons pleas judges all are elected to serve six-year terms.

## QUESTION 9

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True or False?

Municipal and county courts hear the same types of cases.



# QUESTION 9 – ANSWER

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True

Both municipal and county courts hear misdemeanor criminal cases and civil cases involving a maximum amount of \$15,000.

County courts are only needed in areas not served by a municipal court.

## QUESTION 10

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True or False?

Ohio allows mayors' courts.

# QUESTION 10 – ANSWER

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True

Ohio allows mayors' courts, but they must be conducted by a magistrate or a mayor who has received training from the Ohio Supreme Court.

# THANK YOU FOR COMPLETING THIS COURSE.

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- [Click this course completion link](#) to report your completion of the course
- Email [Training@lsc.ohio.gov](mailto:Training@lsc.ohio.gov) if you have any questions or comments about this course