

# History of the Judges and Courthouses of Lake County

## ***The Origin of Lake County***

In Ohio, the organization of county government preceded the organization of the state and the constitution. Originally, the territory now comprising Lake County was a part of Washington County (1790), and as further subdivisions were made to create new counties, this territory became part of Jefferson County (1797), then Trumbull County (1801), then mostly in Geauga County (1806). In March 1840, Lake County was organized as a separate county, taking seven of its townships from Geauga County, and Willoughby Township from Cuyahoga County. As the eight townships did not embrace sufficient territory to meet the conditional requirements for a county, the deficiency was supplied by including the submerged land beneath the waters of Lake Erie in the northern boundary of the county.

## ***The Origin of Common Pleas Judges***

Under Ohio's Constitution of 1802, the judicial power of the state was vested in the supreme court, the court of common pleas, and the courts of the justices of the peace. Common pleas judges were appointed by joint ballot of both houses of the General Assembly for seven-year terms to serve in multi-county districts. A president judge, who was required to be admitted to the practice of law, and two or three associate judges were appointed to each judicial district, and held court once each term in each county of the district.

The Ohio Constitution of 1851 provided for the election of common pleas judges to serve five-year terms and required the incumbent to be a resident of the district in which elected. The state was divided into nine multi-county districts, with each district being subdivided into three parts. One common pleas judge was to be elected in each part. Lake County became a part of judicial district number nine, together with eight other counties.

The 1912 amendment to the constitution abolished the divisions and subdivisions provided by the constitution of 1851, and authorized the election of one or more common pleas judges in each county for six-year terms. The judges were required to be residents of the county of their election. By 1917, all common pleas judges were required to be admitted to the practice of law.

With population and caseload increases over the years, the Ohio legislature added Lake County common pleas judgeships: Domestic+Juvenile on January 2, 1961, General Division (2<sup>nd</sup>) on January 3, 1965, Juvenile Division on January 4, 1979, General Division (3<sup>rd</sup>) on January 5, 1979, and General Division (4<sup>th</sup>) on January 6, 2001.

## ***The Origin of Probate Courts***

The 1851 constitution also re-created the probate courts which had existed during the (Northwest) territorial period. The Constitution of 1802 had eliminated probate courts and had vested probate jurisdiction in common pleas judges. The probate judges held three-year terms until the 1912 constitutional amendment, when the terms became four years. In 1931, the new probate code required probate judges to be admitted to the practice of law. From 1904 through 1961, juvenile jurisdiction was vested in the probate judge. With the creation of a second Lake County common pleas judgeship in 1961 for domestic relations and juvenile matters, juvenile jurisdiction was removed from the probate court. Under the 1970 constitutional amendment, the probate court became a division of the common pleas court, with probate judges enjoying six-year terms beginning on the ninth day of February.

## ***The Origin of the Lake County Courthouse***

Lake County's first courthouse, begun in 1840 and completed in 1852, was built with funds collected by private subscription. It occupied the site of the original courthouse of the old Geauga County. The first courthouse became the site of the Painesville city hall upon completion of the new courthouse in 1908. Painesville still uses the first Lake County courthouse as its city hall.

On March 16, 1905, the electors approved a levy of \$160,000 for a new courthouse and \$40,000 for a jail. On February 26, 1906, the Lake County commissioners were sued and were enjoined

from appropriating the land. The principal died, and in February 1907, the land was sold to the county for \$18,000 for the courthouse and \$5,000 for the jail.

J. Milton Dyer was selected as architect. Dyer designed the Cleveland City Hall and the Summit County Courthouse in Akron, Ohio. The construction contract was awarded in May 1907 for \$280,682.82 (that is \$5,760,613.58 in 2005 dollars).

Concrete used in footers and foundation walls was found not to be to specifications and the bricks were termed of "inferior quality." Only twenty percent of these bricks were allowed to be used in the construction.

On August 10, 1907, the cornerstone was laid, without ceremony, only the janitor making "wise remarks." A sealed copper time capsule was placed in the cornerstone, containing, among other things, an 1832 map of the Western Reserve and a copy of Ohio Governor (later President) William McKinley's 1895 speech in Painesville. On June 12, 1908, the 1,000 pound bronze eagle was hoisted into place, making the courthouse 145 feet high. The eagle stands four feet high with a wingspan of fourteen feet.

In March 1909, dishonest contractors again delayed the work as workmen were diluting the paint with gasoline, causing runs and streaks. Bronze was used on the decorations instead of gold leaf, and the glazing on interior walls and ceiling lighting was of poor quality and was rejected by the architect.

On June 25, 1909, dedication ceremonies were held. The proceedings were to be held inside, but the large crowd and excessive heat forced the ceremony to the front steps. Rev. T.F. Phillips of the Methodist Episcopal Church offered the prayer and Prosecuting Attorney Elbert F. Blakely introduced the main speaker, the Hon. Paul W. Howland, congressman of the district. Howland presented the new courthouse to Judge Arlington G. Reynolds, who accepted it for the county.

During December 1912, the ornamental exterior carvings were completed. On tablets on each side of the main entrance were carved two inscriptions authored by Homer Harper, county prosecutor and poet. The left tablet ("That Regard be had for the Public Welfare is the Highest Law") referenced Cicero's DeLegibus (50 B.C.), and the right tablet ("The Right to a Free Government Presupposes the Duty of Every Citizen to Obey that Government") was a paraphrase from George Washington's 1796 farewell address.

The last detail was to commission the statues to be placed at the front entrance. Herman Matzen was chosen as the artist. Matzen designed the Soldiers and Sailors Monument in Indianapolis; the statues of Moses and Pope Gregory IX for the Cuyahoga County Courthouse; a monument to Schiller in Detroit; the law and justice monument for the Summit County courthouse; and the Collinwood Fire Memorial. He was the low bidder at \$5,000.

The statues depict Cain and Abel, not to symbolize what is produced in a courthouse, but rather, to symbolize why a courthouse is necessary. On November 4, 1913, the statues were placed, completing the project for \$413,681.44 (that is \$7,905,414.52 in 2005 dollars).

Originally the courthouse was constructed to house: a common pleas court, clerk of court, court of appeals, board of health, and board of education on the second floor; a probate court, treasurer, auditor, and recorder on the first floor; the commissioners, prosecuting attorney, child welfare board, farm security administration, division of aid for the aged, relief administration office, board of elections, and law library on the third floor; and engineer, highway department, sanitary engineer, work projects administration, assembly room, and kitchen on the ground floor.

Today, the structure houses four General Division judges and one Domestic Relations judge and their support staffs. The recent renovation to the Lake County Court House commenced on December 3, 2001, was completed in 2005, and cost little more than \$14.7 million. The West Annex acquisition and renovation (which houses the Probate Division and Clerk of Courts) cost \$5.9 million, and the Juvenile Justice Center two-phase renovation cost \$3.7 million.

## Judges That Served Lake County

### President Common Pleas Judges under the Constitution of 1802 in the Districts which included Lake County

Hon. John W. Willey	1840-1841
Hon. Reuben Hitchcock	1841
Hon. Benjamin Bissel	1842-1849
Hon. Philemo Bliss	1849-1851

### Associate Common Pleas Judges under the Constitution of 1802 in the Districts which included Lake County

Hon. Zenas Blish	1840-1846
Hon. William C. Matthews	1840-1846
Hon. David R. Paige	1840-1846
Hon. Warren A. Cowdery	1846-1847
Hon. William W. Branch	1847-1851
Hon. Jonathan Lapham	1847-1848
Hon. Aaron Wilcox	1847
Hon. Milo Harris	1848-1851
Hon. Henry Munson	1849-1850
Hon. John P. Markell	1850-1851

### Common Pleas Judges under the Constitution of 1851 in Districts which included Lake County

Hon. Reuben Hitchcock	1852-1855
Hon. Eli T. Wilder	1855
Hon. Horace Wilder	1856-1861
Hon. Norman L. Chaffee	1862-1871
Hon. C. E. Glidden	1872
Hon. Milton C. Canfield	1872-1875
Hon. H. B. Woodbury	1875-1884
Hon. Delos W. Canfield	1875-1900
Hon. Laban S. Sherman	1881-1891
Hon. William P. Howland	1891-1899
Hon. J. P. Cadwell	1900-1902
Hon. W. S. Metcalfe	1901-1909
Hon. Theodore Hall	1903-1904
Hon. J. W. Roberts	1905-1910
Hon. Arlington G. Reynolds	1909-1912

### Common Pleas Judges (Residents) of Lake County under the Constitutional Amendments of 1912 and 1970

Hon. Arlington G. Reynolds	1912-1928
Hon. Winfield Scott Slocum	1929-1942
Hon. William M. Hubbard	1942
Hon. Charles P. Baker, Jr.	1942-1946

Hon. Winfield Scott Slocum	1946-1964	
Hon. John F. Clair, Jr.	1961-1964	Domestic Relations+Juvenile Div. (Jan. 2)
Hon. Robert L. Simmons	1965-1970	General Div. (Jan. 3)
Hon. John M. Parks, Jr.	1965-1970	Domestic Relations+Juvenile Div. (Jan. 2)
Hon. John F. Clair, Jr.	1965-1980	General Div. (Jan. 1)
Hon. Ross D. Avellone	1971-1979	Domestic Relations+Juvenile Div. (Jan. 2)
Hon. John M. Parks, Jr.	1971-1986	General Div. (Jan. 3)
Hon. Fred V. Skok	1973-2003	Probate Div. (Feb. 9)
Hon. Ross D. Avellone	1980-1990	Domestic Relations Div. (Jan. 2)
Hon. Richard A. Hoose	1979-1990	Juvenile Div. (Jan. 4)
Hon. James W. Jackson	1980-2001	General Div. (Jan. 1)
Hon. Carol A. Mosher	1986	General Div. (Jan. 3)
Hon. Martin O. Parks	1986-2004	General Div. (Jan. 3)
Hon. Francine M. Bruening	1991-2002	Domestic Relations Div. (Jan. 2)

### Probate Judges of Lake County under the Constitution of 1851

Hon. Jerome Parmer	1852-1855
Hon. Lord Sterling	1855-1861
Hon. Charles S. Waring	1861-1862
Hon. Perry Bosworth	1863-1864
Hon. Moses S. Harvey	1864-1870
Hon. Grandison N. Tuttle	1870-1879
Hon. George H. Shepherd	1879-1891
Hon. Arlington G. Reynolds	1891-1897
Hon. Clinton D. Clark	1897-1902
Hon. Clark H. Nye	1903-1920
Hon. Addie Nye Norton	1921-1932
Hon. Ross G. Sweet	1933-1940
Hon. Elton L. Behm	1941-1942
Hon. J. Frank Pollock	1942-1973

### Current Common Pleas Judges of Lake County

Hon. Paul H. Mitrovich	1979-	General Div. (Jan. 5)
Hon. Eugene A. Lucci	2001-	General Div. (Jan. 6)
Hon. Richard L. Collins, Jr.	2002-	General Div. (Jan. 1)
Hon. Colleen A. Falkowski	2003-	Domestic Relations Div. (Jan. 2)
Hon. William W. Weaver	1991-2002, 2003-	Juvenile Div. (Jan. 4)
Hon. Ted Klammer	2003-	Probate Div. (Feb. 9)
Hon. Vincent A. Culotta	2004-	General Div. (Jan. 3)

*Compliments of Judge Eugene A. Lucci*

*May 12, 2005*