

Upcoming Events

March 9, 2010

Dinner Meeting - 5:30 pm at BOMA, 583 East Broad Street, Columbus. Featured speaker: Attorney General Richard Cordray

May 11, 2010

Annual Membership Luncheon and Awards Ceremony - 12:00 pm at BOMA, 583 East Broad Street, Columbus. Featured speaker: Justice Paul Pfeifer

To register for these events, please contact Renae Davies at rdavies@craiggroup.com or (614) 228-1017. COAJ welcomes all members of the Judiciary to attend as our guests.

Mission Statement

To promote justice for individuals in all local, state, and federal courts; to support our membership; to assist the legal community; to improve the judicial system; and to serve the citizens of Central Ohio.

Adult Strictly Liable for Minor's Negligent Driving

In *White v. Westfall*, 183 Ohio App.3d 807, 2009-Ohio-4490, a minor child caused a car wreck while driving. The Tenth District held that, because the child's father had signed the application for the child's probationary license and the child did not have proof of insurance, negligence was imputed to the father, who was strictly liable for his son's negligent driving under R.C. 4507.07. The *White* Court refused to allow a defense regarding precautions taken by the parent beforehand when it was not provided in the statute.

Warrantless Search of Cell Phone Violates Fourth Amendment

Noting that cell phones contain a tremendous amount of private information, including photos, email, and text messages, the Ohio Supreme Court held that the search of a cell phone was illegal in *State v. Smith*, 124 Ohio St.3d 163, 2009-Ohio-6426. Though the search was incident to arrest, the usual justifications for allowing the search (officer safety or preservation of evidence) were not present.

In Camera Inspection Required When Requested

The Tenth District recently held that a trial court's blanket order to disclose all of the plaintiff's prior medical records in a personal injury case without first conducting the in camera inspection requested by counsel to determine if they were causally and historically related was reversible error. *Mason v. Booker*, 2009-Ohio-6198, 10th Dist. No. 09AP-500.