



**NEW
FASTCASE 7**

Fastcase has launched a brand new user interface, Fastcase 7. Here are a few things you need to know about it.

You did not lose access to classic Fastcase. The only item that changed is a toggle switch so that you can switch between Fastcase 6 and 7, any time you want.

Switching to and from Fastcase 7 is easy. When you log into your account, you will see the toggle button appear on the upper right-hand side of your screen. Simply click on the button and you will automatically load the Fastcase 7 interface. Click on the button again to transition back to classic Fastcase.

Fastcase 7 is simple and intuitive. All the great features you know and love from Fastcase 6 have made the trip to Fastcase 7, and are joined by a host of new features and improvements.

Happy Searching!

Fastcase Seminars

Fastcase — Unlimited free legal research and webinars:
www.toledobar.org/fastcase

Some Fastcase webinars are available for Ohio CLE credit. Check listings on the Fastcase site above.

May 4; 1–2:00 PM • Intro to Legal Research

Designed for new Fastcase users; covers basic features with a focus on case law searches and statute searches.

May 11; 1–2 PM • Advanced Legal Research on Fastcase

Offers a quick refresher on case law search basics as well as a number of research tips that highlight advanced features.

May 18; 1–2 PM • Intro to Boolean (Keyword) Searches

Designed for users who are already familiar with the basics of Fastcase but are new to Boolean (keyword) searches.

Supreme Court Update

by Evy M. Jarrett and Tammy G. Lavalette

State v. Gonzales reversed on reconsideration.

At the close of last year, the Ohio Supreme Court determined in a narrow 4-3 majority that when prosecuting certain cocaine-possession offenses, the state must prove the weight of the actual cocaine, excluding the weight of any filler materials. *State v. Gonzales*, Slip Opinion No. 2016-Ohio-8319. The State moved for reconsideration, which the Court granted in March, reversing the holding of the Sixth Appellate District. *State v. Gonzales*, Slip Opinion No. 2017-Ohio-777.

Two members of the majority, Justices Lanzinger and Pfeifer, retired at the end of the year, and their replacements, Justices DeWine and Fischer, concurred in the reversal. DeWine’s concurrence noted that the court should immediately fix a wrongly decided case rather than hold the matter for a future case. Fischer wrote separately that he dissented from granting the motion for reconsideration, but he concurred in the decision on the merits.

Other motions to reconsider Supreme Court decisions from December remain pending, including a motion to reconsider another 4-3 holding, *State v. Aalim*, Slip Opinion No. 2016-Ohio-8278. Justices Lanzinger and Pfeifer both concurred in the majority in *Aalim*.

State ex rel. Miller v. Pinkney, Slip Opinion No. 2017-Ohio-1335 (April 12, 2017)

The Court concluded certain Cuyahoga County Sheriff’s records were “incident reports” subject to disclosure under the Public Records Act, rather than exempt “security records” as urged by the Sheriff. The Court attached the requested records to its opinion.

State ex rel. Dailey v. Dawson, Slip Opinion No. 2017-Ohio-1350 (April 13, 2017)

Five police officers were indicted for dereliction of duty by Cuyahoga County and subsequently, the East Cleveland Municipal Court, for the conduct of certain police officers during a pursuit that began in Cleveland and concluded in East Cleveland. Cuyahoga County subsequently dropped its charges. Respondents sought and received from the 8th District a writ of prohibition barring prosecution in the East Cleveland Municipal Court under the “jurisdictional priority rule,” which provides that if two courts have concurrent jurisdiction over a matter, the court in which jurisdiction was first invoked obtains exclusive jurisdiction.

The Court observed that a court has the ability to determine its own jurisdiction, and an appeal of that determination is an adequate remedy, unless “the tribunal patently and unambiguously lacks jurisdiction over the case.” Reversing, the Court concluded that the municipal court did not “patently and unambiguously” lack jurisdiction.