

Election 2004: Campaign Contributions to Candidates for Chief Justice and Justice of the Ohio Supreme Court from November 2, 2003- September 30, 2004

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Executive Summary

Together all the candidates for Ohio Supreme Court have raised over \$5.1 million. Candidates for the Ohio Supreme Court are leading the nation in fundraising. So far this year candidates for seats on the Ohio Supreme Court have collectively outraised candidates for high courts in 19 other states. (Justice at Stake, 2004). Supreme Court elections vary widely from state to state and so does the filing process. However, based on available information, three of the five state Supreme Court candidates who have raised more than \$1 million are from Ohio. Alabama, second in fundraising and with the same number of candidates, has raised just over \$3 million.

According to *Buying Time 2004: Television Advertising in State Supreme Court Elections* (Brennan Center for Justice, 2004), which examines Supreme Court television advertisements from January 1 to October 10, Ohio candidates spent \$864,497 on television broadcast ads in Ohio's major media markets. Third party or "issue groups" spent an additional \$504,936 on television ads related to Supreme Court elections during this period. The Citizens for a Strong Ohio, an affiliate of the Ohio Chamber of Commerce, has expended \$254,512 on broadcast television. It should be noted that as of October 1, the Citizens for a Strong Ohio reported receiving \$941,500 in contributions for Supreme Court related activities and that they have also spent money on radio advertisement (Citizens for a Strong Ohio, 2004).

The three Republican candidates who are facing challengers have each already generated over \$1.2 million: Moyer \$1,314,312, Lanzinger \$1,270,314, and O'Donnell \$1,303,712. None of the Democratic candidates has hit the million-dollar mark. Democratic challenger and fierce critic of the current campaign finance system William O'Neill has raised only \$44,035, only three percent (3%) of the amount raised by his opponent, Terrence O'Donnell.

Top Organizational Contributors:

1. Cincinnati Insurance Companies	\$82,433
2. Nurenberg, Plevin, Heller & McCarthy	\$68,120
3. Nationwide Insurance	\$61,650
4. FirstEnergy	\$61,100
5. Vorys, Sater, Seymour & Pease	\$59,020
6. American Financial Group	\$57,700
7. Burke & McGrath, LLC	\$50,500
8. Porter, Wright, Morris & Arthur	\$39,750
9. Weisman, Kennedy & Berris	\$37,400
10. Ohio National Financial Services	\$37,350

Includes contributions from PACs, employees and organizations.

One hundred seventy-one (171) employees of the top organizational contributor, Cincinnati Insurance Companies, gave 467 contributions to the three contested Republican candidates, totaling \$82,433. Ninety-two percent (92%) gave to each of these three candidates. None of the employees of Cincinnati Insurance Companies contributed to Democratic candidates.

Ohio Republican Party committees contributed 29 times more than the Democratic committees. Ohio Republican Party committees contributed \$233,512 to candidates running for the Ohio Supreme Court from November 2, 2003 to September 30, 2004. Ohio Democratic Party committees contributed \$7,996.

So far this election cycle, county party committees contributed \$105,071 to candidates for Ohio Supreme Court. Republican county party committees contributed nearly 97% of this total, \$101,695. The county party money generated in 2004 exceeds the \$85,241 contributed by county party committees during the 2002 Ohio Supreme Court race.

Findings

Contributions to 2004 Candidates for Chief Justice and Justice of Ohio Supreme Court

2004 Candidates for Chief Justice of the Ohio Supreme Court <i>Contributions Raised November 2, 2003- September 30, 2004</i>			
Candidate	Party	Seat	Total
C. Ellen Connally	Democrat	Challenger	\$106,577
Thomas J. Moyer	Republican	Incumbent	\$1,314,312
Total			\$1,420,889
<i>Includes both monetary and in-kind contributions</i>			
2004 Candidates for Justice of the Ohio Supreme Court <i>Contributions Raised November 2, 2003- September 30, 2004</i>			
Candidate	Party	Seat	Total
Nancy A. Fuerst	Democrat	Open/ Primary winner	\$765,811
W. Scott Gwin	Democrat	Open/ Primary loser	\$234,244
Judith Lanzinger	Republican	Open	\$1,270,314
Paul E. Pfeifer	Republican	Incumbent	\$74,500
William O'Neill	Democrat	Challenger	\$44,035
Terrence O'Donnell	Republican	Appointed Incumbent	\$1,303,712
Total			\$3,692,616
All Candidates			\$5,113,505
<i>Includes both monetary and in-kind contributions</i>			

Contributions to both candidates for Chief Justice of the Ohio Supreme Court from November 2, 2003 to September 30, 2004 equal \$1,420,889. Total contributions to candidates for Justice equal \$3,692,616. **Together all the candidates generated over \$5.1 million.**

The three Republican candidates who are facing challengers have already generated over 1.2 million dollars: Moyer \$1,314,312, Lanzinger \$1,270,314, and O'Donnell \$1,303,712.

None of the Democratic candidates has hit the million-dollar mark. Democratic challenger and fierce critic of the current campaign finance system William O’Neill has raised only \$44,035, three percent of the amount raised by Terrence O’Donnell.

Contributions and Economic & Ideological Interests

Comparison of contributions from the top three Economic sectors for each candidate November 2, 2003- September 30, 2004

Candidate	Top Sector	Second Sector	Third Sector
C. Ellen Connally/ Democratic Challenger	Lawyers \$65,938	Labor Unions \$7,100	Ideological \$6,896
Thomas J. Moyer/ Republican Incumbent	Lawyers \$436,885	Insurance \$201,972	Health \$157,058
Nancy A. Fuerst/ Winning Democrat, Open Seat	Lawyers \$624,276	Labor Unions \$35,675	Business Services \$10,700
W. Scott Gwin/ Losing Democrat, Open Seat	Lawyers \$187,194	Labor Unions \$12,000	Ideological \$3,650
Judith Lanzinger/ Republican, Open Seat	Insurance \$243,358	Lawyers \$239,110	Health \$189,674
Paul Pfeifer/ Republican, Incumbent	Lawyers \$64,000	Labor Unions \$10,500	N/A
William O’Neill/ Democratic Challenger	Lawyers \$19,109	Labor Unions \$17,970	Ideological \$3,311
Terrence O’Donnell/ Appointed Incumbent	Lawyers \$283,340	Insurance \$231,965	Health \$174,159

These contributions include organizations, PACs and employee contributions.

*Ideological includes political parties, candidate committees and single-issue groups.

N/A means “not applicable.”

Contributions from lawyers, the insurance industry and the healthcare field accounted for at least half of the contested Republicans’ total contributions. Chief Justice Thomas Moyer received 61%; Lanzinger 53% and O’Donnell 53%.

The insurance industry has become increasingly active in Supreme Court elections. During the entire 2002 election cycle, the insurance industry contributed \$425,675. Insurance PACs and employees have already contributed \$681,160 to Supreme Court candidates.

Lawyers and law firms, the top economic sector for all but one of the candidates, contributed \$1,919,852 to candidates for Ohio Supreme Court. Over forty percent (42%) of the contributions from attorneys were from personal injury attorneys (\$811,401).

Together Democratic candidates (\$672,190) and uncontested Pfeifer received almost five times more from personal injury attorneys than the Republican candidates (\$139,211). However, Moyer received nearly two times more from personal injury attorneys than his challenger. O'Donnell also received more from personal injury attorneys than his challenger.

Comparison of contributions from physicians, insurance companies and personal injury attorneys November 2, 2003- September 30, 2004			
Candidate	Physicians & Hospitals Total*	Insurance Total	Personal Injury Attorneys Total
C. Ellen Connally-D	\$300	\$0	\$48,900
Thomas J. Moyer-R	\$149,008	\$201,972	\$92,486
Nancy A. Fuerst-D	\$1,900	\$1,265	\$409,711
W. Scott Gwin-D	\$1,500	\$2,600	\$140,669
Judith Lanzinger-R	\$172,324	\$243,358	\$27,975
Paul Pfeifer-R	\$0	\$0	\$57,500
William O'Neill-D	\$10	\$0	\$15,410
Terrence O'Donnell-R	\$159,584	\$231,965	\$18,750
Total	\$484,626	\$681,160	\$811,401

Includes contributions from PACs, employees and organizations.

**Totals do not include nursing homes.*

Three Republican candidates received fifteen percent (15%) or more of their contributions from the insurance PACs and employees. Lanzinger received 19% of her contributions from the insurance industry; O'Donnell 18%; and Moyer 15%. Gwin received 1% and Fuerst received 0.2%. O'Neill, Pfeifer and Connally did not receive any contributions from the insurance industry.

Top Contributions from Insurance			
	Firm	City	Total
1.	Cincinnati Insurance Companies	Cincinnati, OH	\$82,433
2.	Nationwide Insurance	Columbus, OH	\$61,650
3.	American Financial Group	Cincinnati, OH	\$57,700
4.	Ohio National Financial Services	Cincinnati, OH	\$37,350
5.	State Farm Insurance	Bloomington, IL	\$28,067

Includes contributions from PACs and from employees.

The Democratic candidates and the uncontested candidate each received at least 35% their contributions from personal injury attorneys from November 2, 2003 to September 30, 2004. Three of these candidates received more than half of their money from personal injury attorneys: Republican incumbent Paul Pfeifer received 77%, Democratic Primary Loser W. Scott Gwin received 60% and Nancy Fuerst received 54%. Chief Justice candidate C. Ellen Connally received 46% and William O’Neill received 35%. Chief Justice Thomas Moyer received 7% and both Judith Lanzinger and Justice Terrence O’Donnell received 2% or less of their contributions from personal injury attorneys. The Ohio Academy of Trial Lawyers contributed \$22,000 to all of the Democratic Justice candidates and Justice Pfeifer.

Top Contributions from Personal Injury Firms 11/2/03- 9/30/04			
	Firm	City	Total
1.	Nurenborg, Plevin, Heller & McCarthy Co., LPA	Cleveland	\$68,120
2.	Weisman, Kennedy & Berris Co., LPA	Cleveland	\$37,400
3.	Waite, Schneider, Bayless & Chesley	Cincinnati	\$37,200
4.	Spangenberg, Shibley & Liber	Cleveland	\$37,100
5.	Williams, Jilek, Lafferty, Gallagher & Scott	Toledo	\$36,000
<i>Includes contributions directly from the law firms or their PAC and from employees.</i>			

Individual Contributor Patterns

There were \$10,495 contributions from individuals totaling \$3,055,296.

Cincinnati Insurance Companies Employee Contribution Pattern			
Candidate	Dates of Multiple Contributions	Amount	Number of Contributions
Lanzinger	12/15/03	\$250	1
Lanzinger	7/23/04	\$10,599	37
Lanzinger	7/28/04	\$9,431	70
Lanzinger	7/30/04	\$1,380	14
Lanzinger	8/6/04	\$2,500	23
Lanzinger	8/20/04	\$1,495	25
Lanzinger	8/27/04	\$925	6
Lanzinger	8/30/04	\$120	1
Moyer	12/15/03	\$250	1
Moyer	7/27/04	\$7,696	57
Moyer	7/30/04	\$2,691	22
Moyer	7/31/04	\$1,467	5
Moyer	8/10/04	\$2,600	24
Moyer	8/19/04	\$1,396	11
Moyer	8/26/04	\$1,075	7
O'Donnell	12/15/03	\$250	1
O'Donnell	7/23/04	\$10,598	37
O'Donnell	7/30/04	\$9,789	70
O'Donnell	7/31/04	\$1,335	13
O'Donnell	8/6/04	\$2,700	23
O'Donnell	8/20/04	\$1,995	13
O'Donnell	8/30/04	\$545	6
Totals		\$71,087	467

One hundred seventy-one (171) employees of Cincinnati Insurance Companies gave 467 contributions to the three contested Republican candidates, totaling \$82,433. Ninety-two percent (92%) gave to each of these three candidates. None of the employees of Cincinnati Insurance Companies contributed to Democratic candidates.

Thirty (30) Nationwide employees gave \$45,150 to the three uncontested Republican candidates for the Supreme Court. Twenty-seven (27) of these employees gave to all three of these candidates and none contributed to Democratic candidates.

Ten employees from Nurenberg, Plevin, Heller & McCarthy contributed \$42,120 to Democratic Supreme Court candidates. Eight of these ten gave to all three Democratic candidates.

The average individual contribution size for Ohio Supreme Court candidates was \$291.12. Paul Pfeifer only received one contribution of \$1,000 from an individual donor. Nancy Fuerst received a contribution of \$50,000 from her brother-in-law. William O’Neill only received one contribution over \$10.

A weighted average removing these extremities is \$286.31 Nancy Fuerst’s average contribution size if the contribution of \$50,000 is removed is \$494.16

**Average Individual Contributions
11/2/03- 9/30/04**

Candidate	Average Contribution
C. Ellen Connally-D	\$213.81
Thomas J. Moyer-R	\$274.31
Nancy A. Fuerst-D	\$559.47
W. Scott Gwin-D	\$777.40
Judith Lanzinger-R	\$257.96
Paul E. Pfeifer-R	\$1,000.00
William O’Neill-D	\$14.71
Terrence O’Donnell-R	\$274.51
All Candidates	\$291.12

Political Party Giving

Ohio Republican Party committees contributed 29 times more than the Democratic committees. Ohio Republican Party committees contributed \$233,512 to candidates running for the Ohio Supreme Court from November 2, 2003 to September 30, 2004. Ohio Democratic Party committees contributed \$7,996.

This can be compared with the 2002 election cycle, in which the political party committees gave similar amounts. Democratic Party committees contributed \$378,026 and Republican committees gave \$395,153.

Leadership PACs contributed \$16,500, with the majority also going to the Republican candidates. America's Majority Trust, sponsored by U.S. Rep. Rob Portman (R-Cincinnati) contributed \$15,000. Lanzinger, Moyer and O'Donnell each received \$5,000 from America's Majority Trust. The American Liberty PAC, sponsored by U.S. Rep. Bob Ney (R-St. Clairsville), gave \$500 to Justice O'Donnell. Democracy for America, sponsored by former Governor Howard Dean (D-Vermont), gave \$1,000 to O'Neill.

Contributions from political party & candidate committees and leadership political action committees

11/2/03-9/30/04

Candidate	Total Contributions
Connally-D	\$6,846
Moyer-R	\$51,518
Fuerst-D	\$3,250
Gwin-D	\$3,650
Lanzinger-R	\$130,638
Pfeifer-R	\$0
O'Neill-D	\$3,301
O'Donnell-R	\$103,126
Democrats	\$17,047
Republicans	\$285,282
Total	\$302,329

Contributions from County Parties 11/2/03- 9/30/04	
Committees	Total Contributions
Summit County Democratic Executive Committee	\$2,000
Wood County Democratic Party	\$581
Mercer County Democratic Party	\$250
Lake County Democratic Party Judicial Account	\$220
Williams County Democratic Committee	\$125
Hardin County Democratic Executive Committee	\$100
Fairfield County Democratic Executive Committee	\$100
Democratic Party Total	\$3,376
Hamilton County Republican Party	\$42,000
Columbiana County Republican Judicial Account	\$35,445
Cuyahoga County Republican Party Judicial Fund	\$22,500
Mahoning County Republican Party Judicial Account	\$1,000
Stark County Republican Party	\$750
Republican Party Total	\$101,695
Total County Party Contributions	\$105,071

So far this election cycle, county party committees contributed \$105,071 to candidates for Ohio Supreme Court. Republican county party committees contributed nearly 97% of this total, \$101,695.

The county party money generated in 2004 exceeds the \$85,241 contributed by county party committees during the 2002 Ohio Supreme Court race. In 2002 the Republican county party committees gave over double the amount of the Democratic committees with \$59,950. However, during 2002 the Democratic county party committees were more active than they have been so far this year.

**Top 25 Organizational Contributors to Candidates
for Ohio Supreme Court
November 2, 2003-September 30, 2004**

	Organizational Contributors	Economic Sector	Amount
1.	Cincinnati Insurance Companies	Insurance	\$82,433
2.	Nurenberg, Plevin, Heller & McCarthy Co., LPA	Law Firm	\$68,120
3.	Nationwide Insurance	Insurance	\$61,650
4.	FirstEnergy	Utility/ Energy	\$61,100
5.	Vorys, Sater, Seymour & Pease	Law Firm	\$59,020
6.	American Financial Group	Insurance	\$57,700
7.	Burke & McGrath, LLC	Law Firm	\$50,500
8.	Porter, Wright, Morris & Arthur	Law Firm	\$39,750
9.	Weisman, Kennedy & Berris	Law Firm	\$37,400
10.	Ohio National Financial Services	Insurance	\$37,350
11.	Waite, Schneider, Bayless & Chesley	Law Firm	\$37,200
12.	Spangenberg, Shibley & Liber	Law Firm	\$37,100
13.	Williams, Jilek, Lafferty, Gallagher & Scott Co.	Law Firm	\$36,000
14.	Allen Schulman & Associates	Law Firm	\$34,530
15.	Squire, Sanders & Dempsey	Law Firm	\$34,100
16.	Okey Law Firm	Law Firm	\$31,000
	RPM International	Manufacturing	\$31,000
17.	Murray & Murray Co., LPA	Law Firm	\$30,619
18.	Boich Companies	Coal/ Energy	\$30,000
19.	Procter & Gamble	Manufacturing	\$29,210
20.	Baker & Hostetler	Law Firm	\$28,600
21.	State Farm Insurance	Insurance	\$28,067
22.	Roetzel & Andress	Law Firm	\$27,950
23.	Chester, Willcox & Saxbe	Law Firm	\$27,725
24.	Jones, Day, Reavis & Pogue	Law Firm	\$27,625
25.	Fifth Third Bank	Financial	\$27,050

Organizational contributions include PACs and employees

**Top Individual Contributors to Candidates for the Ohio Supreme Court
November 2, 2003- September 30, 2004**

	Name	City	Organizational Affiliation	Amount
1.	George Burke, Jr.	Quincy, MA	Burke & McGrath	\$50,500
2.	Carl Lindner, Sr.	Cincinnati, OH	American Financial Group	\$15,000
3.	John McConnell, Sr.	Worthington, OH	Worthington Industries	\$11,000
4.	Richard Lindner, Sr.	Cincinnati, OH	Rel Group Inc.	\$8,000
5.	Anthony Alexander	Akron, OH	FirstEnergy	\$7,500
	Becky Alexander	Akron, OH	FirstEnergy	\$7,500
	Emeline Boich	Columbus, OH	Boich Companies	\$7,500
	Wayne Boich, Sr.	Columbus, OH	Boich Companies	\$7,500
	Wayne Boich, Jr.	Columbus, OH	Boich Companies	\$7,500
	Douglas Borrer	Columbus, OH	Borrer Homes	\$7,500
	David Brennan	Akron, OH	Brennan Industrial Group	\$7,500
	Robert Duvin	Cleveland, OH	Duvin, Cahn & Hutton	\$7,500
	Joyce Farmer	Cincinnati, OH	Cintas	\$7,500
	Richard Farmer	Cincinnati, OH	Cintas	\$7,500
	Charles Jarrett	Pepper Pike, OH	Progressive Casualty Insurance	\$7,500
	William Jurgensen	Columbus, OH	Nationwide Insurance	\$7,500
	Betty Lindner	Cincinnati, OH	Homemaker	\$7,500
	Edyth Lindner	Cincinnati, OH	American Financial Group	\$7,500
	Frances Lindner	Cincinnati, OH	American Financial Group	\$7,500
	Keith Lindner	Cincinnati, OH	Chiquita Brands International	\$7,500
	Martha Lindner	Cincinnati, OH	Homemaker	\$7,500
	S. Craig Lindner	Cincinnati, OH	American Financial Group	\$7,500
	Edward Lozick	Pepper Pike, OH	Stren, Inc.	\$7,500
	Robert Murray	Cleveland, OH	Ohio Valley Coal Company	\$7,500
	H.C. Buck Niehoff	Cincinnati, OH	Peck, Shaffer & Williams	\$7,500
	Bernadette Noe	Maumee, OH	Wise & Dorner	\$7,500
	Thomas Noe	Maumee, OH	Vintage Coins & Cards	\$7,500
	David O'Maley	Cincinnati, OH	Ohio National Financial Services	\$7,500
	J. Gilbert Reese	Newark, OH	Reese, Pyle, Drake & Meyer	\$7,500
	Robert Rhein	Cincinnati, OH	Robert C. Rhein Interests	\$7,500
	Thomas Schiff	Cincinnati, OH	John & Thomas Schiff Insurance	\$7,500
	Lynn Schiff	Cincinnati, OH	Cloverhill Farm	\$7,500
	John Schiff	Cincinnati, OH	Cincinnati Insurance Companies	\$7,500
	Max Sovell	Columbus, OH	Boich Companies	\$7,500
	Robert Taft	Cincinnati, OH	State of Ohio	\$7,500
	Leila Vespoli	Akron, OH	FirstEnergy	\$7,500
	Les Wexner	New Albany, OH	The Limited	\$7,500

C. Ellen Connally
Candidate for Chief Justice of Ohio Supreme Court
Democrat/ Challenger
Total November 2, 2003- September 30, 2003—\$106,577



Average Individual Contribution—\$213.81
 Political Party and Candidate Committees and Leadership PACs—\$6,846
 Political Action Committee (PAC) Contributions—\$7,020
 Unincorporated Givers—\$17,192
 Labor Unions—\$7,100

Top Organizational Contributors to C. Ellen Connally		
Organizational Contributor	Type	Amount
1. Nurenberg, Plevin, Heller & McCarthy	Personal Injury Law Firm	\$23,500
2. Williams, Jilek, Lafferty, Gallagher & Scott	Personal Injury Law Firm	\$5,500
United Auto Workers	Union	\$5,500
3. Jeffries, Kube, Forrest & Monteleone	Personal Injury Law Firm	\$5,000
Ohio Academy of Trial Lawyers	Plaintiff Attorneys	\$5,000
4. Larrimer & Larrimer	Personal Injury Law Firm	\$2,500
Richard Lawrence & Associates	Personal Injury Law Firm	\$2,500
Vorys, Sater, Seymour & Pease	Corporate Law Firm	\$2,500
5. Inscore, Rinehardt, Whitney & Enderle	Personal Injury Law Firm	\$2,000
6. John K. Rinehardt Law Firm	Personal Injury Law Firm	\$1,500
7. Arthur, O'Neal, Mertz & Michel	Law Firm	\$1,000
Don C. Iler Co. LPA	Plantiff Law Firm	\$1,000
John S. Coury & Associates	Law Firm	\$1,000

Contributions include PAC's, employees and other contributions by organization. Totals include both monetary and in-kind contributions.

Top Political Party, Candidate Committees and Leadership PAC's	
1. Ohio Democratic Party	\$3,740
2. Wood County Democratic Party	\$581
3. Celebrezze for Judge Committee*	\$500
Dimora Boosters Committee	\$500
Friends of Raymond C. Pierce	\$500
4. Williams County Democratic Committee	\$125

*The C. Ellen Connally for Chief Justice Committee reports that this contribution was refunded.

Thomas J. Moyer
Candidate for Chief Justice of Ohio Supreme Court
Republican Incumbent
Total November 2, 2003- September 30, 2003—\$1,314,312



Average Individual Contribution—\$274.31
 Political Party and Candidate Committees and Leadership PACs—\$51,518
 Political Action Committee (PAC) Contributions—\$286,749
 Unincorporated Givers—\$153,109
 Labor Unions—\$2,000

Top Organizational Contributors to Thomas J. Moyer		
Organizational Contributor	Type	Amount
1. Cincinnati Insurance Companies	Insurance	\$27,895
2. Vorys, Sater, Seymour & Pease	Corporate Law Firm	\$23,070
3. Nationwide Insurance	Insurance	\$21,200
4. FirstEnergy	Utility	\$20,550
5. Janik & Dorman LLP	Corporate Law Firm	\$19,000
6. Baker & Hostetler	Corporate Law Firm	\$15,550
7. Porter, Wright, Morris & Arthur	Corporate Law Firm	\$14,530
8. Jones, Day, Reavis & Pogue	Corporate Law Firm	\$13,550
9. American Financial Group	Insurance	\$13,500
10. Squire, Sanders & Dempsey	Corporate Law Firm	\$11,600

Contributions include PAC's, employees and other contributions by organization. Totals include both monetary and in-kind contributions.

Top Political Party, Candidate Committees and Leadership PAC's	
1. Hamilton County Republican Party	\$15,000
2. Ohio Republican Party	\$14,193
3. Cuyahoga County Republican Party Judicial Fund	\$7,500
4. Friends of Governor Taft	\$5,500
5. America's Majority Trust (Congressman Rob Portman)	\$5,000

Nancy A. Fuerst
Candidate for Justice of Ohio Supreme Court
Democrat/ Open Seat
Total November 2, 2003- September 30, 2004—\$765,811



Average Individual Contribution— \$559.47
 Political Party & Candidate Committees and Leadership PACs—\$3,250
 Political Action Committee (PAC) Contributions—\$34,275
 Unincorporated Givers—\$274,581
 Labor Unions— \$29,625

Top Organizational Contributors to Nancy Fuerst

Organizational Contributor	Type	Amount
1. Burke & McGrath*	Law Firm	\$50,500
2. Nurenberg, Plevin, Heller & McCarthy	Personal Injury Law Firm	\$35,000
3. Weisman, Kennedy & Berris	Personal Injury Law Firm	\$26,800
4. Spangenberg, Shibley & Liber	Personal Injury Law Firm	\$23,000
5. Williams, Jilek, Lafferty, Gallagher & Scott	Personal Injury Law Firm	\$18,000
6. Charles Kampinski Co., LPA	Personal Injury Law Firm	\$15,500
7. Jeffries, Kube, Forrest & Monteleone	Personal Injury Law Firm	\$15,000
8. Scanlon & Gearinger Co., LPA	Personal Injury Law Firm	\$13,400
9. Okey Law Firm	Personal Injury Law Firm	\$13,000
10. Kelley & Ferraro LLP	Personal Injury Law Firm	\$11,000

Contributions include PAC's, employees and other contributions by organization. Totals include both monetary and in-kind contributions. *A family member made the contributions from Burke & McGrath. Family members are exempt from contribution limits in judicial races.

Top Political Party, Candidate Committees and Leadership PAC's

1. Friends of Tim Hagan	\$1,000
2. Cleveland Heights Democrats	\$300
3. Dimora Boosters Committee	\$250
Friends of Mayor Kelley	\$250
4. Alikan for Judge Committee	\$150
D.C. Democratic Executive Committee	\$150
Friends of Peter Lawson Jones	\$150
Fuerst Election Committee	\$150

Judith Lanzinger
Candidate for Justice of Ohio Supreme Court
Republican/Open Seat
Total November 2, 2003- September 30, 2003—\$1,270,314



Average Individual Contribution—\$257.96
 Political Party and Candidate Committees and Leadership PACs—\$130,638
 Political Action Committee (PAC) Contributions—\$294,929
 Unincorporated Givers—\$61,183
 Labor Unions—\$500

Top Organizational Contributors to Judith Lanzinger		
Organizational Contributor	Type	Amount
1. Cincinnati Insurance Companies	Insurance	\$27,151
2. American Financial Group	Insurance	\$24,200
3. FirstEnergy	Utility	\$20,550
4. Nationwide Insurance	Insurance	\$20,100
5. Ohio National Financial Services	Insurance	\$13,600
6. Porter, Wright, Morris & Arthur	Corporate Law Firm	\$12,735
7. Fifth Third Bank	Banking	\$11,850
8. State Farm Insurance	Insurance	\$11,099
9. RPM International	Manufacturing	\$11,000
10. Procter & Gamble	Manufacturing	\$10,550
Contributions include PAC's, employees and other contributions by organization. Totals include both monetary and in-kind contributions.		

Top Political Party, Candidate Committees and Leadership PAC's	
1. Ohio Republican Party	\$77,008
2. Columbiana County Republican Party Judicial Account	\$17,723
3. Hamilton County Republican Party	\$11,000
4. Cuyahoga County Republican Party Judicial Fund	\$7,500
5. Friends of Governor Taft	\$5,500

Paul Pfeifer
Candidate for Justice of Ohio Supreme Court
Republican Incumbent
Total November 2, 2003- September 30, 2004—\$74,500



Average Individual Contribution— \$1,000
 Political Party & Candidate Committees and Leadership PACs—\$0
 Political Action Committee (PAC) Contributions— \$7,500
 Unincorporated Givers— \$55,500
 Labor Unions— \$10,500

Top Organizational Contributors to Paul Pfeifer		
Organizational Contributor	Type	Amount
1. Ohio Education Association	Union	\$10,500
2. Allen Schulman & Associates	Personal Injury Law Firm	\$5,500
Charles Kampinski Co., LPA	Personal Injury Law Firm	\$5,500
Clark, Perdue, Roberts & Scott Co., LPA	Personal Injury Law Firm	\$5,500
Friedman, Domiano & Smith Co., LPA	Personal Injury Law Firm	\$5,500
Murray & Murray Co., LPA	Personal Injury Law Firm	\$5,500
Nurenberg, Plevin, Heller & McCarthy	Personal Injury Law Firm	\$5,500
Ohio Academy of Trial Lawyers	Plaintiff Attorneys	\$5,500
Spangenberg, Shibley & Liber	Personal Injury Law Firm	\$5,500
Weisman, Kennedy & Berris Co., LPA	Personal Injury Law Firm	\$5,500
Williams, Jilek, Lafferty, Gallagher & Scott	Personal Injury Law Firm	\$5,500
3. Palmer, Volkema & Thomas	Personal Injury Law Firm	\$5,000
4. Miraldi & Barrett Co., LPA	Personal Injury Law Firm	\$2,000
5. Lamkin, Van Eman, Trimble, Beals & Rourke	Personal Injury Law Firm	\$1,000
Linton & Hirshman	Law Firm	\$1,000
Contributions include PAC's, employees and other contributions by organization. Totals include both monetary and in-kind contributions.		

William O’Neill
Candidate for Justice of Ohio Supreme Court
Democratic Challenger
Total November 2, 2003- September 30, 2004—\$44,035



Average Individual Contribution— \$14.71
 Political Party & Candidate Committees and Leadership PACs—\$3,301
 Political Action Committee (PAC) Contributions— \$6,600
 Unincorporated Givers— \$14,140
 Labor Unions— \$16,950

Top Organizational Contributors to William O’Neill		
Organizational Contributor	Type	Amount
1. Laborers Int’l Union of North America	Union	\$2,000
AFSCME	Union	\$2,000
2. Pipefitters Local Union 120	Union	\$1,200
Sheet Metal Workers Union	Union	\$1,200
3. Nurenberg, Plevin, Heller & McCarthy	Personal Injury Law Firm	\$1,120
4. Allen Schulman & Associates	Personal Injury Law Firm	\$1,030
5. Casper & Casper	Personal Injury Law Firm	\$1,020
Friedman, Domiano & Smith Co., LPA	Personal Injury Law Firm	\$1,020
6. Ohio Education Association	Union	\$1,010
Charles Kampinski Co., LPA	Personal Injury Law Firm	\$1,010
7. Becker & Mishkind	Personal Injury Law Firm	\$1,000
Brian L. Zimmerman Co., LPA	Personal Injury Law Firm	\$1,000
Cincinnati Sheet Metal Workers	Union	\$1,000
Climaco, Lefkowitz, Peca, Wilcox & Garofoli	Personal Injury Law Firm	\$1,000
Contributions include PAC’s, employees and other contributions by organization. Totals include both monetary and in-kind contributions.		

Top Political Party, Candidate Committees and Leadership PAC’s	
1. Geneva Area Democratic Committee	\$1,000
Democracy for America (Howard Dean PAC)	\$1,000
2. Michael Drain for Judge Committee	\$351
3. Citizens for Keiper	\$250
Mercer County Democratic Party	\$250
4. Lake County Democratic Party Judicial Account	\$220
5. D.C. Democratic County Executive Committee	\$150

Terrence O'Donnell
Candidate for Justice of Ohio Supreme Court
Republican Incumbent
Total November 2, 2003- September 30, 2004—\$1,303,712



Average Individual Contribution— \$274.51
 Political Party & Candidate Committees and Leadership PACs— \$103,126
 Political Action Committee (PAC) Contributions— \$311,375
 Unincorporated Givers— \$75,383
 Labor Unions— \$2,100

Top Organizational Contributors to Terrence O'Donnell		
Organizational Contributor	Type	Amount
1. Cincinnati Insurance Companies	Insurance	\$27,388
2. Nationwide Insurance	Insurance	\$20,350
3. American Financial Group	Insurance	\$20,000
FirstEnergy	Utility	\$20,000
4. Vorys, Sater, Seymour & Pease	Corporate Law Firm	\$17,950
5. Squire, Sanders & Dempsey	Corporate Law Firm	\$13,500
6. Ohio National Financial Services	Insurance	\$13,000
7. Porter, Wright, Morris & Arthur	Corporate Law Firm	\$12,485
8. RPM International	Manufacturing	\$11,000
9. Ohio Casualty Insurance Company	Insurance	\$10,500
10. Boich Companies	Coal Company	\$10,000
House of LaRose	Beverage Distributor	\$10,000
Contributions include PAC's, employees and other contributions by organization. Totals include both monetary and in-kind contributions.		

Top Political Party, Candidate Committees and Leadership PAC's	
1. Ohio Republican Party	\$39,617
2. Columbiana County Republican Party Judicial Account	\$17,723
3. Hamilton County Republican Party	\$16,000
4. Cuyahoga County Republican Party Judicial Fund	\$7,500
5. Friends of Governor Taft	\$5,500

Following the Money

This study examines campaign contributions to candidates for Chief Justice and Justice of the Ohio Supreme Court from November 2, 2003 to September 30, 2004. The Ohio Citizen Action Education Fund based this study on filings with the Ohio Secretary of State.

The Ohio Citizen Action Education Fund was able to identify 85% of the employers of all individual contributors. The Education Fund identified the economic sector of ninety-seven percent (97%) of the total contributions from both individuals and organizations.

There were over five thousand (5,231) contributions from individuals over one hundred dollars (\$100). Approximately one fifth (1/5) had no employer identification or were identified only by broad classification. Candidates are required by Ohio law to identify the employer or the occupation of those self-employed, if the contribution is more than one hundred dollars (\$100). Fortunately, ninety-four percent (94%) of those contributions had employer identification. However, fifteen percent or seven hundred and ninety three (793) provided little meaningful employer identification, making it difficult to track the economic and policy interests of these contributors. Attorneys have traditionally been very active in judicial elections and represent a wide variety of interests and specialties. Physicians have become increasingly interested in judicial selection. Over ninety percent of those identified only in broad terms were listed as attorneys (343) or physicians (382).

While Ohio's Supreme Court general elections are nominally nonpartisan, Ohio political party committees provide substantial financial support for Supreme Court candidates. So far this election cycle, county party committees contributed \$105,071 to candidates for Ohio Supreme Court. These county party committees are not required to file electronically and their next filing deadline is October 21, making these contributions very difficult to track before Election Day.

Recommendations

Enhance disclosure by requiring employer identification, or if self-employed, the name of the contributor's business. Attorneys are the most active contributors in judicial races. However, they represent a wide variety of economic and policy interests. For disclosure to be meaningful, it is essential that all candidates, but especially judicial candidates, be required to report the name of the law firms.

All contributions to the 88 county parties should be reported to the Ohio Secretary of State. If any of the county party committees generate more than \$10,000 per reporting period, the committees should be required to file electronically and this information should be posted by the Ohio Secretary of State's office and available on their site. County party committees should provide the full names and full addresses of individual contributors. County parties should also provide the identity of the employer of those individuals who give more than \$100.

Candidates should identify attorneys and their law firms who have had business in their court in the past year. This would give Ohioans a clearer picture of campaign finance and

judicial elections. This reform could be accomplished by rules established by the Court. Disclosure could also be improved by eliminating “best effort” for judicial candidates. Candidates for Ohio Supreme Court should be required to identify the employer of individuals of contributions over \$100 rather than simply their occupation. Contributions that are unidentified should be considered “frozen” until properly identified. If the candidate committees are unable to identify, these funds should be returned to the contributor or given to the Client Security Fund. The Client Security Fund was established by the Court and compensates clients who suffer financial loss as a result of attorney misconduct. This is a change that would need to be accomplished legislatively.

Because the Ohio Supreme Court mandates campaign finance rules and some of these rules do not apply to other statewide candidates, the Court needs to mandate how this information should be provided. The Ohio Secretary of State does not dictate how judicial candidates are to electronically report contributions from family members, who do not have contribution limits. They also do not provide guidelines for contributions from employees of the Court.

Public financing of judicial campaigns would remove judges from serious fundraising and eliminates the perception that justice may be for sale. The First Steps Working Group on Public Financing continues to review reform options. North Carolina will become the first state in the nation to offer full public financing for its top courts this year and this should give other states, including Ohio, more information about the benefits and problems of implementing a judicial public financing system.

Methodology

The Ohio Citizen Action Education Fund analyzed contributions from November 2, 2003 through September 30, 2004 to candidates for Ohio Supreme Court Justice. Totals include contributions from political action committees (PACs), labor unions, unincorporated businesses, organizations and individuals. Unincorporated businesses are usually “mom and pop shops” but many law firms are limited liability companies. These unincorporated businesses are not required to have PACs to make their contributions.

The database is based on the filings of judicial candidates for Ohio Supreme Court, available in computerized form from the Ohio Secretary of State. These filings were submitted electronically by the candidate committees to the Secretary of State and are available on-line at www.state.oh.us/sos/.

To identify the employers or the organizational affiliations of contributors, the Ohio Citizen Action Education Fund obtained the following databases:

- A database from the Ohio Supreme Court of attorneys in Ohio,
- A list of lobbyists in Ohio from the Joint Legislative Ethics Committee,
- The *InfoUSA PowerFinder*, a national phone directory on CD,
- The 1999-2000 *Run for the Money* database, an analysis of 1999-2000 contributors and the 2002 *Contributions to Candidates for the Ohio Supreme Court*, an analysis of 2002 contributions to Supreme Court candidates. The Ohio Citizen Action Education Fund based both of these databases on the Ohio Secretary of State's database with further analysis.
- A list of Ohio Political Action Committees from the Ohio Secretary of State website to identify PAC sponsors.

There are many different kinds of attorneys. To identify personal injury attorneys, the Ohio Citizen Action Education Fund used a database of law firms that advertise in the *Yellow Pages* as personal injury attorneys. This database was cross-referenced with those who identified personal injury work as a primary focus in the *Martindale-Hubbell Lawyer Locator*. The *Martindale-Hubbell Lawyer Locator* on www.martindale.com provides free online access to the Martindale-Hubbell database. This captured those who publicly identified themselves as personal injury attorneys. However, this study likely underestimates contributions that can be attributed to personal injury attorneys and certainly does not include all plaintiff trial attorneys.

For each candidate the total amount in this database includes the following:

- Contributions received
- Contributions received at a social or fundraising event
- In-kind contributions received
- Contributions the candidate gave to his or her own campaign

The profiles do not include Statement of Other Income, which include interest, refunds, returns, and other non-contribution income.

It should be noted that contribution limits are based on whether the candidate is in a contested primary. For a chart of contribution limits for candidates for justice and chief justice of the Ohio Supreme Court, visit www.sconet.state.oh.us. Gwin for Supreme Court's initial Post Primary filing was amended and this study reflects the amended report.

Justice at Stake's *2004 State Supreme Court Monitoring Project* tracks contributions to candidates for state Supreme Courts. Visit www.justiceatstake.org to compare contributions to Ohio candidates with other state's campaign contributions.

Contributions to the Citizens for a Strong Ohio, the affiliate of the Ohio Chamber of Commerce is also available on line at www.ohiochamber.com/citizens/donor.asp.

The Brennan Center for Justice at New York University's *Buying Time 2004: Television Advertising in State Supreme Court Elections* tracks television advertisement related to state Supreme Court elections. The Brennan Center received information from a commercial firm that gathers the television ads through satellite. It should be noted that the amount spent is likely substantially less than the actual cost of advertising and is simply an estimate. The Brennan Center uses the "reasonable person standard" meaning that a reasonable person would interpret the advertisement as intended to affect the election. The Tri-County Physicians for Patients

Rights, for example, do not include a reference to a specific candidate or include a candidate's likeness. Visit www.brennancenter.org, to see comparisons with other states.

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Catherine Turcer and Brandi Whetstone are the co-authors of this report. Turcer is the campaign reform director and Whetstone is the research database manager for the Ohio Citizen Action Education Fund. The Ohio Citizen Action Education Fund is the non-profit, research and education affiliate of Ohio Citizen Action. The Education Fund produces studies on money and politics and on toxins in the environment.

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