



**FOR IMMEDIATE RELEASE:**

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**OHIO SUPREME COURT CASE UPDATE**

**COLUMBUS OHIO, September 26, 2017** - Here are recent Ohio Supreme Court cases that may be of interest: **State v. Morgan**, [Slip Opinion No. 2017-Ohio-7565](#) Â Held that when a juvenile whose parents are deceased appears at an amenability hearing, a GAL must be appointed as mandated by R.C. 2151.281(A)(1) and Juv. R. 4(B)(1).Â Further, in a matter of first impression, Â the Court held that the criminal plain-error standard should apply when errors that are not preserved arise in juvenile-delinquency proceedings. **Stewart v. Vivian**, Â [Slip Opinion No. 2017-Ohio-7526](#) Â In a case certified to the Supreme Court to resolve a split among Ohio appeals courts, the Court found that a health care provider's statement of apology per R.C. 2317.43 cannot be admitted as evidence in a civil lawsuit against the provider. **State ex rel. Ohio Presbyterian Retirement Services**, [Slip Opinion No. 2017-Ohio-7577](#) Â On Motion for Reconsideration, the Court upheld its decision that reversed the judgment of the court of appeals, finding that if an injured worker is receiving permanent-total-disability, the Industrial Commission does not have statutory authority to award permanent-partial-disability compensation pursuant to R.C. 4123.57(A) in the same claim. **State ex rel. Camaco LLC v. Albu**, [Slip Opinion No. 2017-Ohio-7569](#)Â Reversed the judgment of the court of appeals for a VSSR award under Ohio Adm Code 4123:1-5-17(G)(1)(a)(i), holding Â that an employer does not face liability for violation of a specific safety requirement when it did not know of the specific danger requiring a safety device. If you have any questions about this or any other loss prevention topic, please contact: Gretchen Koehler Mote, Esq., Director of Loss Prevention Ohio Bar Liability Insurance Company

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