

Legal Insights

December 2020

Legal Insights is a newsletter of timely and practical legal information that we hope you can use in your professional and personal pursuits. Please contact your attorney at Nicola, Gudbranson & Cooper if you have any questions or comments or if you would like to suggest topics of interest for future issues.



NGC Successfully Argues Appeal to Uphold Home Rule Powers of South Euclid Against Tax Delinquent Rental Property Owners

By Michael Cicero, Member

Nicola, Gudbranson, & Cooper, LLC recently won a significant victory in an appeal that lead counsel Mike Cicero argued on behalf of the City of South Euclid. In *South Euclid v. Datillo*, 2020-Ohio-4999, Ohio's Eighth District Court of Appeals for Cuyahoga County reversed the trial court's decision to dismiss criminal charges against the Appellee. The Court of Appeals specifically found that South Euclid Codified Ordinance 1409.01(c), which precludes issuance of an occupancy certificate to rental property owners with a delinquent

Firm News

Jim Grove has stepped down from his position with NGC's Management Committee after more than 12 years of service in that role.

Michael E. Cicero has taken Jim's seat as a member of the Management Committee, accepting a three-year term through August 2023.

Continuing to serve on the firm's Management Committee are James R. Chriszt and Becky M. Scheiman.

Karen Moss and Brad Ortman were notified that NGC has received Tier 1 recognition from BestLawyers.com for the firm's Immigration Law practice.

This designation is reserved for the highest scoring law firms in each individual category, and NGC has been recognized with

property tax balance, is a valid and enforceable exercise of Home Rule power conferred upon it by the Ohio Constitution. The Court of Appeals held it is constitutionally permissible for a violation of the ordinance to be criminally enforced and remanded the case to the trial court for further proceedings.

Read the full article [here](#).

The Good News About Our Electoral Process

By [Brad Ortman](#) and [Matthew Stanley](#)

November 3, 2020 was no ordinary election day, as the COVID-19 pandemic created very unusual and highly challenging circumstances. Our electoral authorities also had to deal with record turnout, concern from both sides about the fairness of the electoral process, as well as documented foreign interference in recent U.S. elections. We are writing to share our perspective as two people from different political parties who assisted with the administration and oversight of the 2020 Presidential Election in Cuyahoga County.

Read the full article [here](#).



Why a Healthcare Directive and a Power of Attorney are More Critical Than Ever

By [Brenda L. Wolff](#), Member

There's no doubt about it. These are challenging times. As coronavirus spreads, more people are thinking about healthcare directives and financial powers of attorney.

A healthcare directive is a written document that lets you plan for your medical care when you can't make decisions for yourself. It allows you to state your wishes for medical care when you are unable to speak for yourself. You also can appoint a family member or someone close to you to make medical decisions. A healthcare directive is a basic estate planning document that all adults should have, not just seniors. COVID-19

this status for four consecutive years.

[Matt Fitzsimmons](#) has recently been appointed Secretary of MidTown Cleveland, Inc. for a two-year term. Matt continues to serve Midtown as a member of the Board of Directors, Chair of the Governance Committee, and member of the Executive Committee.

NGC law clerk John B. Moenk has passed the Ohio Bar Examination and will be sworn in by the Ohio Supreme Court on December 14.

Congratulations to John! John will continue with the firm as an associate attorney supporting the firm's education law practice and several other practice areas.

Nicola, Gudbranson & Cooper LLC
25 West Prospect Avenue, Suite 1400
Cleveland, Ohio 44115

Tel: (216) 621-7227

Fax: (216) 621-3999

www.nicola.com

has made having a healthcare directive more critical than ever.

Read the full article [here](#).

Major Shifts Likely in the Way Business is Done Between Major League & Minor League Baseball

By [Jim Juliano](#), Member

Since our last issue of Legal insights in September, things have been happening for the Minor League Baseball (MiLB) industry. You may recall that the foundational agreement between MiLB and Major League Baseball (MLB) expired on Sept. 30. To this date, the parties have been negotiating a new agreement.

Read the full article [here](#).

Changes to Open Meetings Law Allow for Virtual Meetings



By [Luke F. McConville](#), Member

Changes to the open meetings law, as codified in Ohio Revised Code §121.22, were necessitated by the public health concerns raised by COVID-19 combined with Governor DeWine's orders limiting the number of people (to ten) who can congregate indoors.

Read the full article [here](#).

Legal Responsibilities When Serving on a Nonprofit's Board of Directors

By [Bruce Waterhouse](#), Member

Serving on a nonprofit Board of Directors can have many advantages, from advancing altruistic purposes to making valuable personal and professional contacts. Such positions also carry significant responsibilities and can present serious legal obligations

and risks for both the Board Member and the organization if not approached with care and attention.

Read the full article [here](#).

Visit Our Website

Copyright 2020 by Nicola, Gudbranson & Cooper LLC

This newsletter contains general information that should not be considered legal advice or legal opinion concerning individual situations. Legal counsel should be consulted for specific advice. Unless otherwise stated, inclusions of attachments or links to third-party websites are meant to be informational and do not constitute agreement with or endorsement of material that is presented.

Nicola, Gudbranson & Cooper LLC | Landmark Office Towers, 25 West Prospect Avenue, Suite 1400,
Cleveland, OH 44115

[Unsubscribe {recipient's email}](#)

[Update Profile](#) | [About our service provider](#)

Sent by bertsch@nicola.com