

On June 26, 2019, the Court's Fiscal Compliance Officer, Seth Miller, received a call from a Court vendor who was inquiring about a payment she had not received. Mr. Miller explained to her that the Court had submitted her invoice to the Auditor's office for payment on June 12, 2019, and the Court had not received any communication from the Auditor's office regarding the delay.

On June 27, 2019, Mr. Miller discussed the issue with the Court Administrator, Kimberly Laurie, and they decided to visit the Auditor's office to request a status update for the payment.

Upon arrival at the Auditor's office, one of the Deputy Auditor's, Heather Penrod, came to the counter and gave us purchase orders that needed signed, along with a stack of Court checks and their corresponding vouchers, which the Court had prepared and provided to the Auditor's office, and which now needed signed by a Court fiscal officer, as standard procedure.

As Mr. Miller began signing the Court's vouchers, I asked Ms. Penrod for a status update of the vendor's payment, since it was not among the checks that were just presented to us. She motioned for us to wait a moment, and walked to the back of the office. Mr. Miller continued to sign the Court's vouchers, and I quietly waited.

The Auditor's secretary, Pam McMahan, emerged and notified us that Auditor Walder instructed her to tell us that we needed to leave because we were (inexplicably) "causing a disturbance." As Mr. Miller had not finished signing the Court's vouchers, we suggested that we would take them with us so that he could finishing signing them and would then return them. Ms. McMahan said ok. As we were walking out the door, she asked us if we were allowed to take them, and I responded that that is a question for Kate Jacob, the Auditor's Compliance Officer, who was out of the office. Ms. McMahan did not insist that we leave the vouchers there, so we left with the Court's vouchers, with the understanding that they would be returned to the Auditor's office when Mr. Miller finished signing them.

Shortly thereafter, we were visited at the Court by a Chardon Police Officer who stated that Auditor Walder claimed that Mr. Miller had "stolen" the Court's vouchers, even though the Auditor's representative did not prohibit him from removing them from the office to finish signing them, and it was clear that he was going to return them after signing them (a step which could have been avoided had Auditor Walder allowed him to finish signing them at the Auditor's office in the first place).

When Mr. Miller finished signing the Court's vouchers, he and the officer delivered them to the Auditor's office as planned.

The Officer, his Lieutenant, and the Sheriff met with Auditor Walder and Prosecutor Flaiz, who was unethically representing one of his clients (the Auditor) to the detriment of his other client (the Court). The Lieutenant notified Mr. Miller and Ms. Laurie that the Auditor has banned them from conducting business in the public space of the Auditor's office, and if either of them attempt to conduct business in the public space of the Auditor's office in the future, an Officer will have to arrest them. Mr. Miller, Ms. Laurie, and the Lieutenant were discussing the practical implications of prohibiting Court fiscal staff from visiting the Auditor's office, when Judge Grendell joined the conversation. Judge Grendell stated that he is going to write an order directing Court staff to visit public offices and interact with public officials and their staff as necessary to conduct the Court's official business, and that if anyone, including law enforcement, attempts to impede upon the Court's ability to conduct its official business, they would face potential contempt charges and penalty. Judge Grendell never threatened to arrest the Officer. Judge Grendell, Mr. Miller, and Ms. Laurie then returned to the Court.