

SUPREME COURT OF OHIO

Cristino v. Ohio Bureau of Workers' Compensation

118 Ohio St. 3d 151 (Ohio 2008) · Decided May 7, 2008

SUMMARY

The Ohio Supreme Court held that a restitution claim seeking the difference between a lump-sum workers’ compensation payment and the alleged actual present value of permanent total disability benefits was based on an agreement with the Ohio Bureau of Workers’ Compensation. Because the claim sought money allegedly due under that agreement, it was a legal rather than equitable restitution claim. The court concluded that the Ohio Court of Claims had exclusive subject-matter jurisdiction and reversed the judgment of the Eighth District Court of Appeals.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Chief Justice Moyer; Justice Lundberg Stratton; Justice O'Connor; Justice O'Donnell; Justice Lanzinger; Justice Cupp; Justice Pfeifer
JURISDICTION	Ohio
DECIDED	May 7, 2008
DISPOSITION	reversed
PROCEDURAL POSTURE	The Ohio Bureau of Workers' Compensation and the State of Ohio appealed from an Eighth District Court of Appeals decision affirming the denial of their motion to dismiss for lack of subject-matter jurisdiction and the certification of a plaintiff class.
STANDARD OF REVIEW	The court reviewed de novo whether the Court of Common Pleas possessed subject-matter jurisdiction over the claim.
PRECEDENTIAL VALUE	Published opinion; binding precedent of the Supreme Court of Ohio
PARTIES	Ohio Bureau of Workers' Compensation, State of Ohio v. Pietro Cristino

TOPICS

- subject matter jurisdiction
- restitution
- contracts
- civil procedure
- class actions

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Cristino's restitution claim sought equitable relief within the jurisdiction of the courts of common pleas under R.C. 2743.03(A)(2), or legal monetary relief within the exclusive jurisdiction of the Ohio Court of Claims under R.C. 2743.03(A)(1).
2. Whether the claim was based on a statutory entitlement to permanent-total-disability benefits or on an agreement with the Bureau concerning a lump-sum payment.

HOLDINGS

1. A claim against the state for money due under a contract is not an equitable claim for restitution and must be brought in the Ohio Court of Claims.
2. The claim did not enforce a statutory right to permanent-total-disability benefits because Cristino sought a lump-sum payment under his agreement after relinquishing the statutory right to periodic payments, and no statute entitled him to the requested lump sum.

KEY QUOTATIONS

“We hold that the present claim against the state is not an equitable claim of restitution and that the Cuyahoga County Court of Common Pleas therefore lacks subject-matter jurisdiction over the action.” (¶ 1)

“We hold that his claim for restitution is not an equitable claim of restitution and that the court of common pleas therefore lacks subject-matter jurisdiction over the action.” (¶ 16)

FACTUAL BACKGROUND

Cristino was awarded permanent-total-disability benefits payable periodically until his death. He agreed to relinquish those periodic payments in exchange for a lump-sum payment described by the Bureau as the present value of his claim. He later alleged that the Bureau had improperly calculated the present value and sought restitution of the difference between the represented and actual present values on behalf of a class.

PROCEDURAL HISTORY

Cristino filed a class action in the Cuyahoga County Court of Common Pleas alleging that the Bureau improperly calculated the present value of lump-sum permanent-total-disability settlements. The trial court initially dismissed for lack of subject-matter jurisdiction, and the court of appeals affirmed. The Supreme Court of Ohio reversed and remanded under Santos. On remand, the trial court denied the jurisdictional motion and certified a class, and the court of appeals affirmed. The Supreme Court of Ohio accepted the Bureau's and State's discretionary appeal and reversed.

DISPOSITION

reversed

CASES CITED

- Santos v. Ohio Bureau of Workers' Compensation, 101 Ohio St. 3d 74, 2004-Ohio-28, 801 N.E.2d 441
- Great-West Life & Annuity Ins. Co. v. Knudson, 534 U.S. 204, 122 S. Ct. 708, 151 L. Ed. 2d 635 (2002)
- Bowen v. Massachusetts, 487 U.S. 879, 108 S. Ct. 2722, 101 L. Ed. 2d 749 (1988)
- Ohio Hosp. Assn. v. Ohio Dept. of Human Servs., 62 Ohio St. 3d 97, 579 N.E.2d 695 (1991)
- Wal-Mart Stores, Inc. v. Wells, 213 F.3d 398 (7th Cir. 2000)
- Hudson View II Assoc. v. Gooden, 222 A.D.2d 163, 168, 644 N.Y.S.2d 512 (1996)
- Johnson v. Trumbull Correctional Institution, Court of Claims No. 2004-08375-AD, 2005-Ohio-1241, 2005 WL 638698

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