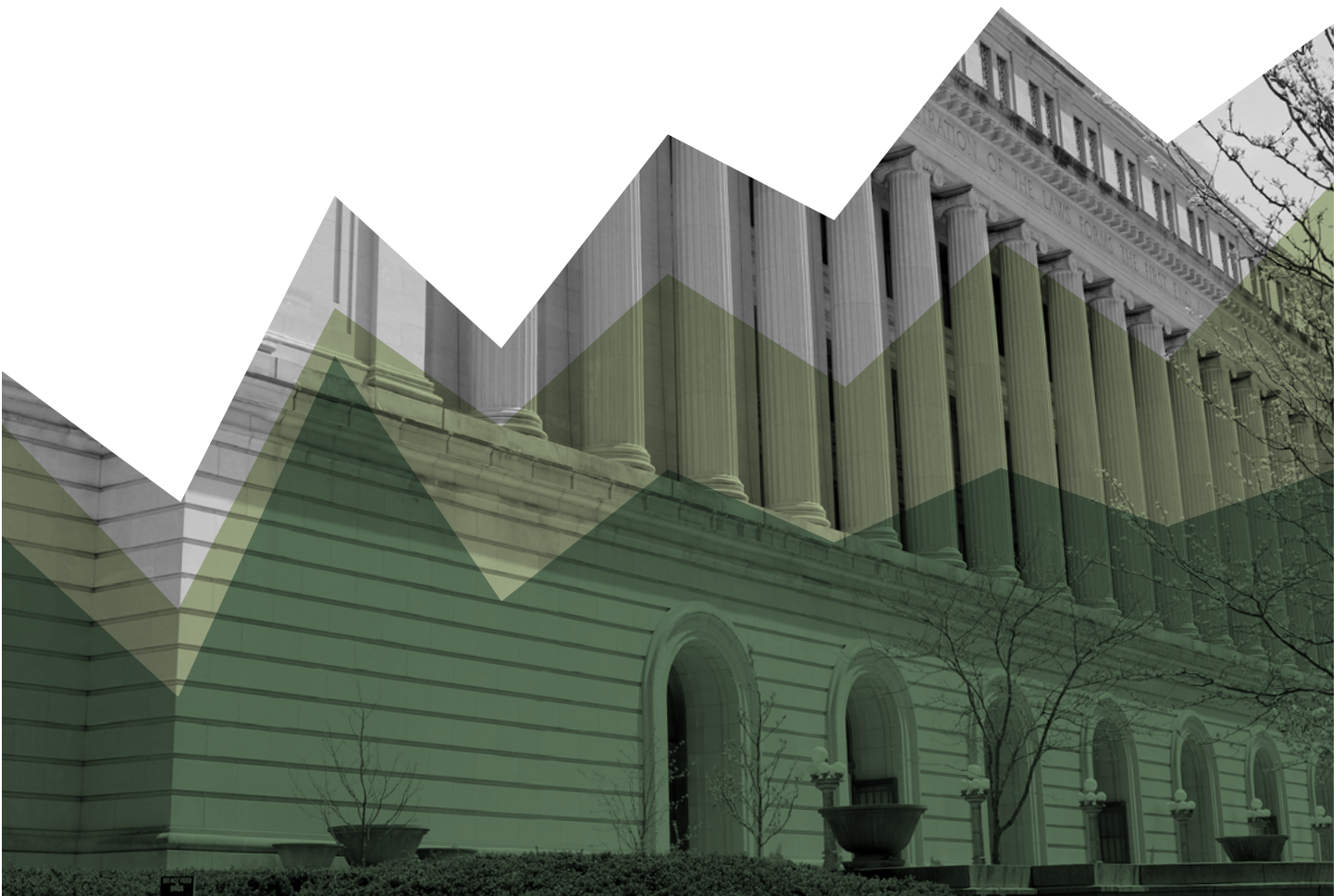




THE SUPREME COURT *of* OHIO

2018
OHIO
COURTS
**Statistical
Summary**



THE SUPREME COURT *of* OHIO

2018

OHIO COURTS STATISTICAL SUMMARY



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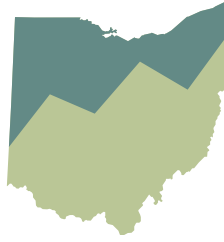
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A MESSAGE

From the Chief Justice

Since 1960, the Supreme Court of Ohio has issued an annual statistical report detailing the work of Ohio's judiciary. In 2008, the Supreme Court published the inaugural issue of this report, the Ohio Courts Statistical Summary, in which we provided an overview of the structure and operations of Ohio's court system and analyses of notable caseload trends and other aspects of the vital work performed every day by Ohio's judges, magistrates, and court staff. We are pleased to issue this 11th edition of the Ohio Courts Statistical Summary.

The Supreme Court reached an important milestone in 2019 in the evolution of its role of providing case statistics to the courts and the general public. In February, we unveiled a set of interactive online data dashboards that display detailed court-level information describing incoming-caseload trends, case dispositions, and court performance measurements. The dashboards replace the Supreme Court's long-standing Ohio Courts Statistical Report publication, the court-level detail report that was published as a companion to the Ohio Courts Statistical Summary.

By analyzing case-filing patterns and long-term trends, the Ohio Supreme Court attempts to assist in the efficient administration of justice at all levels of the judiciary. However, we do not examine or analyze larger social and governmental trends that may contribute to or influence changes in case-filing volumes.

What the data can tell those of us who work in the court system is how to better allocate our resources given the current case volume. In addition, providing reliable, transparent, and accessible data on the courts assists in enhancing public trust and confidence in the judicial branch.

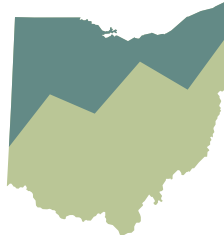
The Supreme Court commends Ohio's courts for their continued assistance in the timely submission of caseload statistical reports, without which we could not continue to fulfill our duty to inform the public about the crucial work performed by Ohio's dedicated judges, magistrates, and court staff.

MAUREEN O'CONNOR
Chief Justice

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NOTE: Pages 26-27 contain an overview of interactive data dashboards — new data visualization software.



AN OVERVIEW of the Statistical Reporting Process

The obligation for Ohio trial and appellate courts to report caseload statistics to the court's Case Management Section is established by Rule 37 of the Rules of Superintendence for the Courts of Ohio.

The requirement to submit regular caseload reports is fixed upon each individual judge for the cases assigned to him or her. An exception to this requirement exists in multi-judge municipal and county courts where certain activities are permitted in particular sessions of court in which cases are not assigned to individual judges, but instead are grouped by subject category and presided over by a rotation among the several judges of the court.

The reporting obligations established under Sup.R. 37 are as follows:

Court of Appeals

The presiding judge of each court of appeals district must submit a quarterly presiding-judge report that describes the status of all cases pending in that district. In addition, each individual judge must submit a quarterly appellate-judge report that provides further details on case terminations, as well as the cases assigned to the judge for authoring the district's opinions.

Courts of Common Pleas

Judges with responsibility over general, domestic relations, and juvenile subject-matter jurisdiction must submit a monthly report describing the number of new cases assigned to them, the number of cases pending at the beginning and end of the month, and the number of cases terminated for reporting purposes over the course of the month. If a judge is responsible for more than one category of subject-matter jurisdiction in his or her court, then the judge must submit a report for each such category. For example, a judge with responsibility over domestic relations and juvenile cases must submit two reports: one for domestic relations cases and one for juvenile cases.

Judges with responsibility over probate matters must submit a quarterly report describing the number of cases filed and closed over the quarter, as well as additional statistics.

Municipal and County Courts

As noted above, an exception to the ordinary requirement for judges to submit regular reports of the cases assigned to them exists for multi-judge municipal and county courts. Notwithstanding that exception, all municipal and county court judges must submit a monthly individual-judge report describing the number of new cases assigned to them, the number of cases pending at the beginning and end of the month, and the number of cases terminated for reporting purposes over the course of the month.

In addition to the individual-judge report, each municipal and county court administrative judge must submit a monthly report including the work performed on felony and small claims cases (which are not individually assigned) and the work performed during particular sessions of court on all other case types.

General Notes Concerning Caseload Statistics

The caseload statistics reported to the Supreme Court are summary in nature and consist only of counts of cases. The Supreme Court does not collect lists of individual cases that constitute the counts reported.

The report forms and instructions are available on the Supreme Court website. The instructions include detailed information concerning the proper manner of classifying cases by type, how a case is defined, and how to properly report incoming cases and terminations.

Regarding terminations, it is essential to understand that not all termination categories are dispositive in nature. Some termination categories render a case inactive for reporting purposes until such time as a condition in the case changes. An example is a criminal defendant who fails to appear for trial. The court, as long as it reasonably believes the defendant will not be apprehended in the immediate future, may terminate the case for reporting purposes. The court reactivates the case for reporting purposes when that defendant is arrested. This aspect of counting terminations is important to bear in mind when evaluating a court's case management performance against a time standard for disposing of cases.

Occasionally, a court will discover errors in its case counts following a case inventory or during an update to its case management system. Courts may submit amended reports at any time, and the changed data is entered into the Supreme Court's caseload statistics system immediately. Accordingly, the caseload statistics reported in a particular static report, such as this document, may change in the future following such amendments.

In order to promote accurate and uniform statewide reporting, the staff of the Supreme Court Case Management Section conducts regular training for court staff responsible for preparing monthly and quarterly reports.

Describing Data Using Median and Mean

In this document, sets of data are sometimes described using means and medians. Mean and median are measures of central tendency, or what value is "typical" across a set of data. The mean is calculated by dividing the sum of the values in a set of data by the number of values in that set. The resulting value is commonly referred to as the "average." The median is determined by sorting the values in a set of data from lowest to highest value and identifying the data point in the middle of the range. It is the midpoint of the data at which half the items are higher and half are lower (the 50th percentile). The median is a particularly useful measure of typicality because, unlike the mean, medians are not subject to the skewing effect of outliers (data points at an extreme margin on the range of values).

Population Data and Caseload Measures

Except where noted in the body of this summary, all data shown are statewide figures. Population data are from the 2010 U.S. Census.

Unless noted otherwise, the caseloads of the courts are presented in terms of their total incoming caseloads for the various years shown. Total

incoming caseloads consist of new filings, as well as reactivated cases (which previously were placed on inactive reporting status) and reopened cases (which previously were closed). Editions of this report prior to 2015 used the new filings metric. By presenting the data in terms of total incoming caseloads, a more complete picture of the workload imposed on Ohio's courts can be depicted and analyzed.

General Notes Concerning Performance Measures

When analyzing the work of Ohio courts and judges, the Case Management Section regularly evaluates two key performance measures readily available using caseload statistics reported by the courts: clearance rates and overage rates. Both measures can be applied to a court's overall docket, individual case types, or groups of case types. The clearance rates and overage rates presented in this report represent the courts' monthly averages across the years shown. For example, if the municipal and county courts are reported as demonstrating in 2017 a 3-percent overage rate for a particular case type, then that figure represents the average overage rate across each of the 12 months in the year.

Clearance Rate

This measure identifies how well a court keeps up with its incoming caseload. It is calculated as follows:

$$\text{Clearance Rate} = \frac{\text{Total number of outgoing cases}}{\text{Total number of incoming cases}}$$

Clearance rates can be calculated over any time period, as long as the incoming and outgoing values apply to that same time period. Using the monthly caseload statistical reports submitted by judges, the total number of outgoing cases is determined using the reported "total terminations" values. The ratio of outgoing cases to incoming cases (produced using the above formula) ordinarily is multiplied by 100 and expressed as percentage. The target is a clearance rate of 100 percent.

A clearance rate of 100 percent means over a given time period a court terminated exactly as many cases as it took in during that same time period. If a court's clearance rate regularly is less than 100 percent over an extended period of time, then the court will develop a backlog because the pace of incoming cases exceeds the pace of outgoing cases.

While valuable, clearance rates alone do not accurately depict a court's success in moving its entire docket forward in a timely fashion. A court may regularly demonstrate a 100-percent, or greater, clearance rate while simultaneously keeping a sizable number of cases from being disposed of within applicable time standards. Accordingly, clearance rates should be viewed alongside a measure that gauges the extent to which a court's caseload is pending beyond time standards, such as the overage rate.

Overage Rate

This measure identifies the extent to which a court's pending caseload lags past applicable time standards, or, is overage. The overage rate is a measure of the size of a court's backlog. It is calculated as follows:

$$\text{Overage Rate} = \frac{\text{Number of cases pending beyond time guidelines}}{\text{Total number of cases pending}}$$

Using the monthly caseload statistical reports submitted by judges, the total number of active cases pending for longer than the time guideline (the reported "cases pending beyond time guideline" value) is divided by the total number of active cases pending (the reported "pending end of period" value). The result is multiplied by 100 and expressed as a percentage.

While the application of clearance rates and overage rates affords a reasonable view of a court's case management performance, the numbers provide an incomplete assessment. The National Center for State Courts developed a set of 10 core court performance measures, packaged into a set of practical tools named CourTools, which provide a balanced perspective on a court's overall performance. Developed with input from a wide range of court professionals, they are designed to assist courts in laying a solid foundation for self-evaluation and in charting a course for future improvement. The Case Management Section provides CourTools training for court personnel.

STRUCTURE OF THE OHIO JUDICIAL SYSTEM

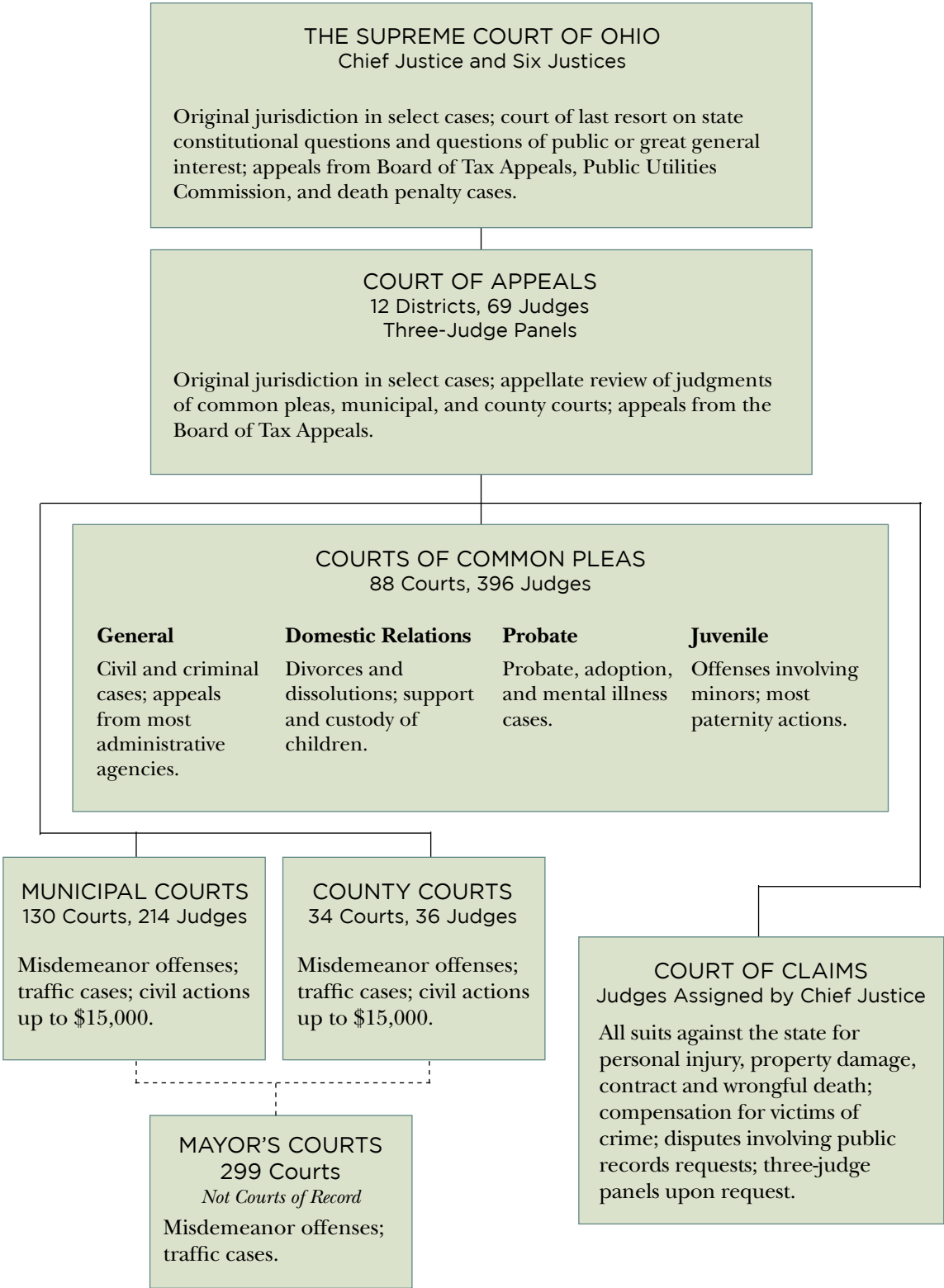




Table 1 (below) shows the number of new cases filed in Ohio courts over the past 10 years. Detailed information concerning the variety of cases constituting these figures is contained in the various court sections of this summary.

In 2018, a total of 3,013,338 incoming cases were reported across Ohio's courts, a decrease of 1.3 percent from 2017. Increases over 2017 were seen in the Supreme Court of Ohio and the Courts of Appeals, which experienced increases of 1.6 percent and 1 percent, respectively.

Figure 1 (below) shows the percentages of the total statewide volume of incoming cases in 2018, broken down by court type and sorted from highest to lowest. Municipal and county courts, which hear traffic cases involving adult drivers, constitute nearly 79 percent of the state's entire caseload.

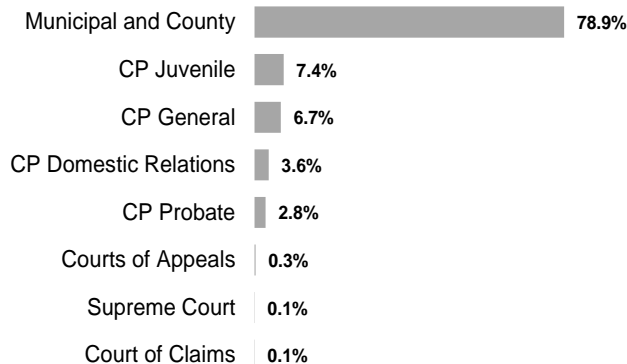
TABLE 1

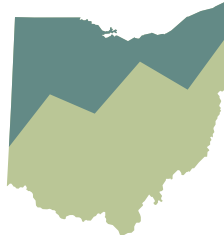
All Courts, All Case Types

Total incoming cases

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Supreme Court	2,363	2,293	2,207	2,187	2,055	2,255	2,107	1,914	1,828	1,858
Courts of Appeals	10,720	10,489	9,779	9,886	9,321	9,196	9,060	8,478	8,379	8,445
Court of Claims	1,001	1,327	1,337	865	793	1,007	1,073	929	1,041	1,527
Common Pleas	834,305	800,973	763,514	748,919	700,888	669,006	648,544	642,121	642,318	622,765
General	293,096	280,208	257,639	250,237	220,821	208,829	198,760	201,502	201,609	203,253
Domestic Relations	138,889	133,946	130,603	125,773	122,042	117,460	113,414	110,332	108,541	109,244
Probate	88,178	85,152	85,866	88,798	89,125	84,526	87,257	84,519	85,341	85,787
Juvenile	314,142	301,667	289,406	284,111	268,900	258,191	249,113	245,768	246,827	224,481
Municipal and County	2,750,680	2,603,791	2,539,375	2,533,302	2,540,366	2,486,742	2,364,735	2,313,223	2,399,423	2,378,743
Municipal	2,554,422	2,422,099	2,374,445	2,356,711	2,364,898	2,305,551	2,190,576	2,145,084	2,216,954	2,200,743
County	196,258	181,692	164,930	176,591	175,468	181,191	174,159	168,139	182,469	178,000
All Courts Combined	3,599,069	3,418,873	3,316,212	3,295,159	3,253,423	3,168,206	3,025,519	2,966,665	3,052,989	3,013,338

FIGURE 1





THE SUPREME COURT OF OHIO

The Supreme Court of Ohio is established by Article IV, Section 1, of the Ohio Constitution, which provides that “the judicial power of the state is vested in a Supreme Court, Courts of Appeals, Courts of Common Pleas and divisions thereof, and such other courts inferior to the Supreme Court as may from time to time be established by law.” Article IV, Section 2, of the Constitution sets the size of the court at seven — a chief justice and six justices — and outlines the jurisdiction of the court.

The Supreme Court is the court of last resort in Ohio. The court may grant leave to appeal criminal cases from the courts of appeals and may direct any court of appeals to certify its record on civil cases found to be “cases of public or great interest.”

The court must accept appeals of cases that originated in the courts of appeals, cases involving the death penalty, cases involving questions arising under the U.S. Constitution or the Ohio Constitution and cases in which there are conflicting opinions from two or more courts of appeals. The court also must accept appeals from such administrative bodies as the Board of Tax Appeals and the Public Utilities Commission.

The court has original jurisdiction for certain special remedies that permit a person to file an action in the Supreme Court. These extraordinary remedies include writs of habeas corpus (involving the release of persons allegedly unlawfully imprisoned or committed), writs of mandamus and procedendo (ordering a public official to do a required act), writs of prohibition (ordering a lower court to cease an unlawful act), and writs of quo warranto (against a person or corporation for usurpation, misuse, or abuse of public office or corporate office or franchise).

The Supreme Court makes rules governing practice and procedure in Ohio courts. Procedural rules adopted by the Supreme Court become effective unless both houses of the General Assembly adopt a concurrent resolution of disapproval. The Supreme Court also exercises general superintendence over all Ohio courts through its rule-making authority. The rules of superintendence set minimum standards for court administration. Unlike procedural rules, rules of superintendence do not require General Assembly review or approval to become effective.

The chief justice assigns judges to trial and appellate courts for temporary duty in cases of a court overload, when a judge is removed from a case because of an affidavit of disqualification, and when judges recuse themselves from a particular case.

The court has authority over the admission of attorneys to the practice of law in Ohio and may discipline admitted attorneys who violate the rules governing the practice of law.

The chief justice and six justices are elected to six-year terms on a nonpartisan ballot. Two justices are chosen during the general election in even-numbered years. In the year when the chief justice runs, voters pick three members of the court. A person must be an attorney with at least six years of experience in the practice of law to be elected or appointed to the court. The governor makes appointments for vacancies occurring between elections.

Caseloads

The Supreme Court reports detailed caseload statistics each year in its annual report. Readers are encouraged to review those reports to gain further insight into the work of the Court. In its annual report, and here, the Court presents performance-related statistics concerning the time to dispose of various case types.

For purposes of this analysis, the Court’s overall case filings are presented under four categories: **All Case Types Combined**, **Jurisdictional Appeals**, **Merit Cases**, and **Practice of Law Cases**.

All Case Types Combined

For all case types combined, the Court saw the filing of 1,858 new cases in 2018, an increase of nearly 2 percent from the 1,828 cases filed in 2017. (See **Table 1** and **Figure 1**.)

Jurisdictional Appeals

In 2018, a total of 1,299 new jurisdictional appeals were filed, a 5-percent decrease from the 1,365 cases filed in 2017, and a 20-percent decrease from 2014, when 1,623 new jurisdictional appeals were filed. (See **Figure 2**.)

TABLE 1

The Supreme Court of Ohio New filings

Case Type	2014	2015	2016	2017	2018
Jurisdictional Appeals	1,623	1,529	1,382	1,365	1,299
Merit Cases	513	457	425	370	428
Practice of Law Cases	119	121	107	93	131
Disciplinary Cases	107	109	101	84	120
All Other	12	12	6	9	11
All Case Types	2,255	2,107	1,914	1,828	1,858

FIGURE 1

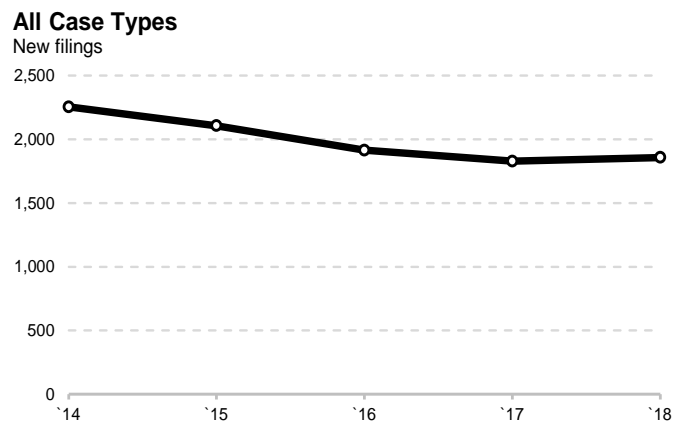


FIGURE 2

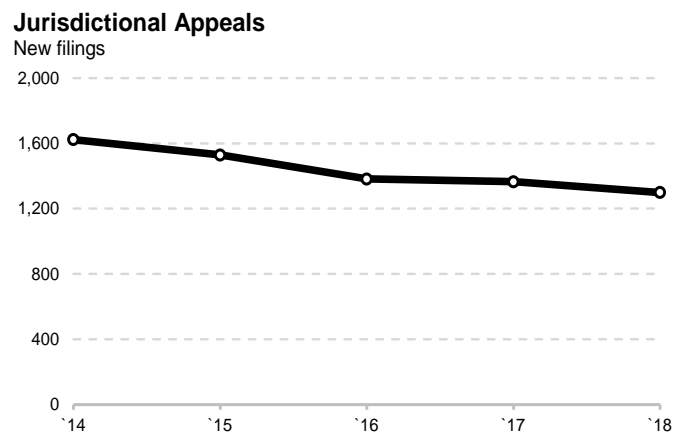


FIGURE 3

Merit Cases

New filings

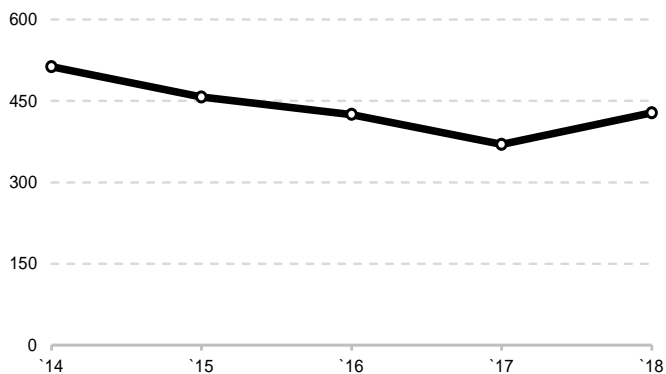
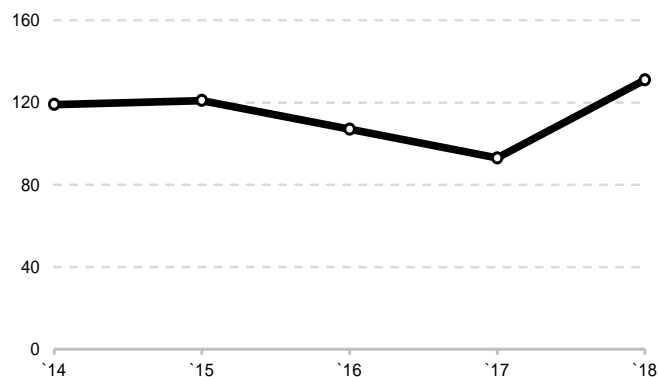


FIGURE 4

Practice of Law Cases

New filings



Merit Cases

These are cases the court must hear and render a decision on the merits. The general categories of merit cases consist of the following:

- Original actions;
- Habeas corpus cases;
- Direct appeals (cases originating in courts of appeals);
- Direct appeals involving termination of parental rights/adoption;
- Certified conflicts;
- Certified conflicts involving termination of parental rights/adoption;
- Appeals from Board of Tax Appeals;
- Appeals from Public Utilities Commission;
- Appeals for Power Siting Board;
- Death penalty cases;
- Certified questions of state law;
- Appeals from App.R. 26(B) application in death penalty cases;
- Other merit cases.

In 2018, a total of 428 merit cases were filed, a 16-percent increase over the 370 cases filed in 2017. (See **Figure 3.**)

Practice of Law Cases

These cases arise from the Court’s responsibility to govern the practice of law in Ohio. Included in this category are disciplinary cases involving allegations of ethical misconduct by attorneys and judges, bar admissions cases involving applications from people seeking admission to the Ohio bar, and cases alleging the unauthorized practice of law. The majority of practice of law cases involve attorney discipline. In 2018, a total of 131 practice of law cases were filed, a sharp increase of 41 percent over 2017. Of the 131 practice of law cases filed in 2018, a total of 120 (92 percent) were disciplinary cases, a 43-percent increase over the 84 disciplinary cases filed in 2017.

(See **Figure 4.**)

Time to Disposition Analyses

All Cases

From Filing to Final Disposition

In 2018, the Court disposed of 2,188 cases. The median number of days a case was pending before the court in 2018 was 89 days. (See **Figure 5**.)

Jurisdictional Appeals Accepted for Merit Review

From Filing to Final Disposition

Decisions in 57 jurisdictional appeals following full merit review were released in 2018. The time to disposition averaged 496 days, an increase over the average time to disposition of 425 days in 2017, but remaining lower than the average times between 2014 and 2016. (See **Figure 6**.)

Jurisdictional Appeals Not Accepted for Merit Review

From Filing to Final Disposition

In 2018, it took the court an average of 103 days to consider and dispose of jurisdictional appeals not accepted for full merit review, 32 percent shorter than the 150 days in 2017. Notably, the median time of 84 days in 2018 is less than each of the previous four years. (See **Figure 7**.)

FIGURE 5

All Cases

Days from filing to final disposition

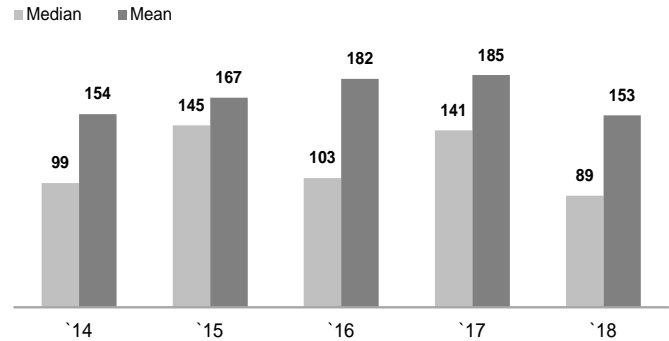


FIGURE 6

Jurisdictional Appeals Accepted for Full Merit Review

Days from filing to final disposition

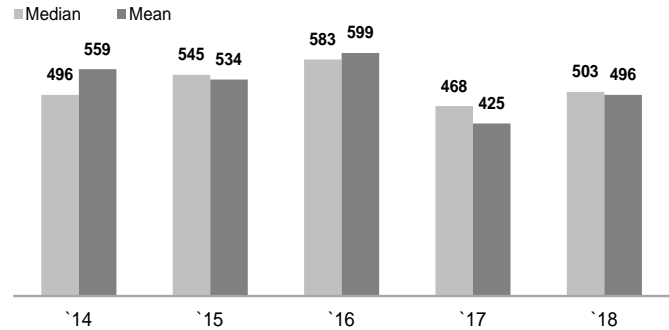


FIGURE 7

Jurisdictional Appeals Not Accepted for Full Merit Review

Days from filing to final disposition

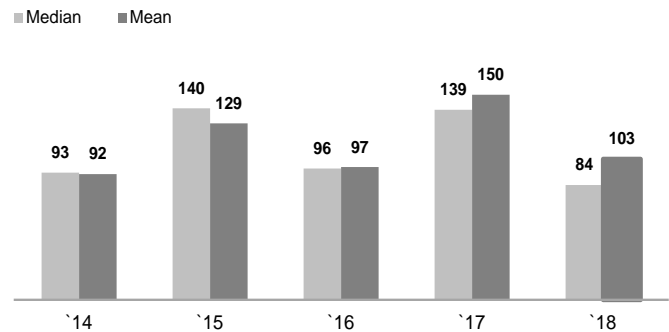
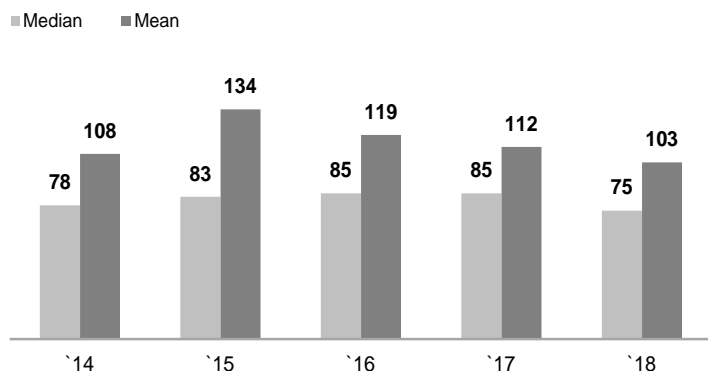


FIGURE 8

Original Actions

Days from filing to final disposition



Original Actions

From Filing to Final Disposition

During 2018, the Court disposed of 288 original actions (more cases than in the previous four years) in an average of 103 days. (See **Figure 8**.)

All Cases Decided with an Opinion

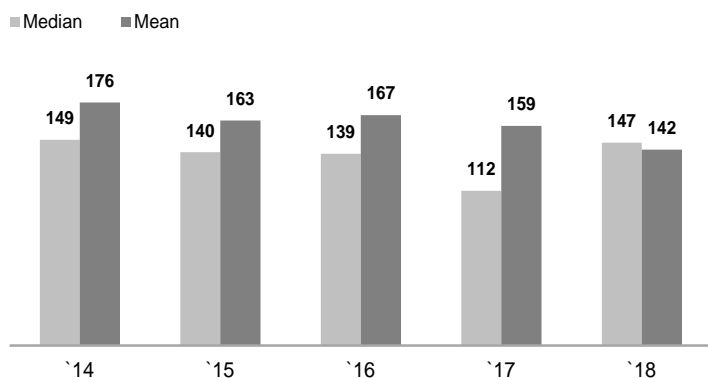
From Submission to Final Disposition

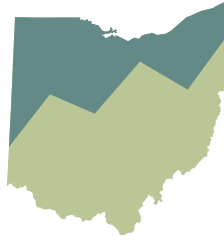
In 2018, the Court decided 273 cases with an opinion. The average number of days to issue an opinion in 2018 was 142 days, the shortest average time over the last five years. (See **Figure 9**.)

FIGURE 9

All Cases Decided with an Opinion

Days from submission to final disposition





COURT OF APPEALS

Ohio's court of appeals is established by Article IV, Section 1, of the Ohio Constitution and its jurisdiction is outlined in Article IV, Section 3. The court is divided regionally into 12 districts. As an intermediate-level appellate court, its primary function is to hear appeals from the courts of common pleas, and municipal and county courts, which may in turn be further appealed to the Supreme Court. Each case is heard and decided by a three-judge panel.

In addition to its appellate jurisdiction, the court of appeals has original jurisdiction, as does the Supreme Court, to hear applications for writs of habeas corpus, mandamus, procedendo, prohibition, and quo warranto. The Tenth Appellate District, consisting solely of Franklin County, also hears all appeals from the Court of Claims, except for decisions concerning the denial of public records requests under R.C. 2743.75.

The number of judges in each appellate district depends on a variety of factors, including the district's population and its caseload. Appeals court judges are elected to six-year terms in even-numbered years. They must be admitted to the practice of law in Ohio at least six years prior to the commencement of a term.

Caseloads

The cases heard in Ohio's court of appeals are classified into four broad types:

- **Criminal appeals** arising from criminal cases heard in the general divisions of the courts of common pleas, and in municipal and county courts.
- **Civil appeals** arising from civil cases heard in the general divisions of the courts of common pleas, and municipal and county courts.
- **Family law appeals** arising from cases heard in the domestic relations, juvenile, and probate divisions of Ohio's courts of common pleas.
- **Miscellaneous appeals** include original actions filed in the courts of appeals, habeas corpus cases, and appeals from administrative agencies and the Court of Claims.

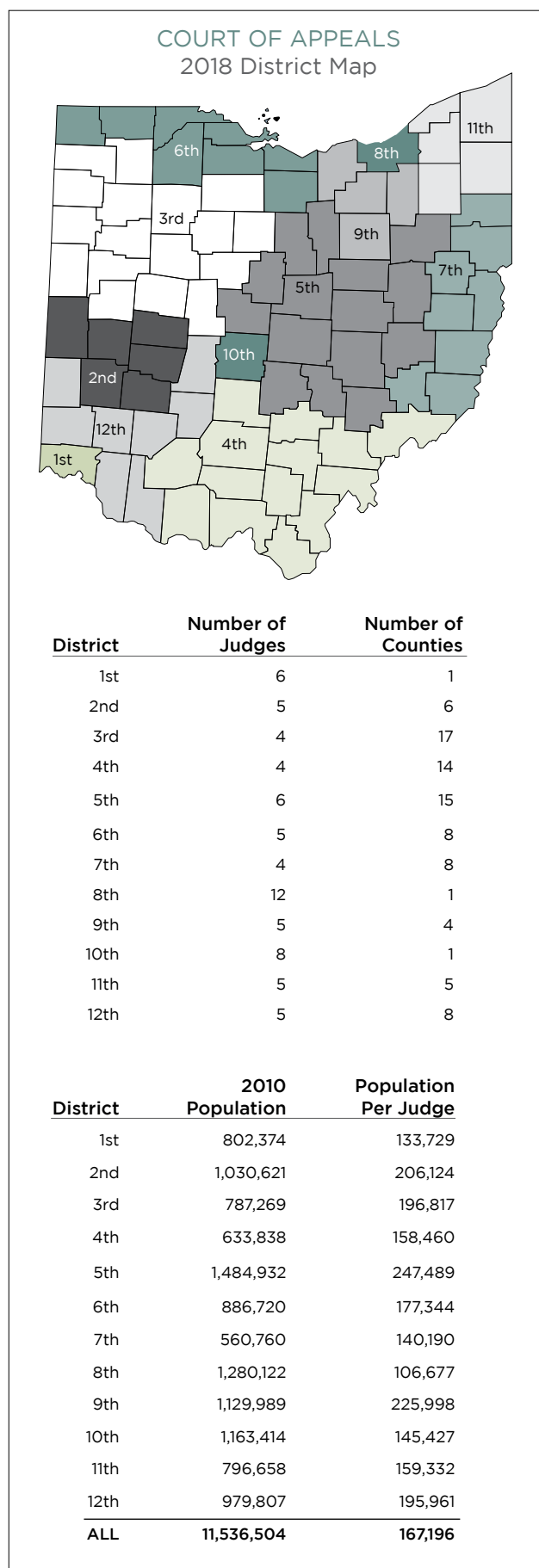
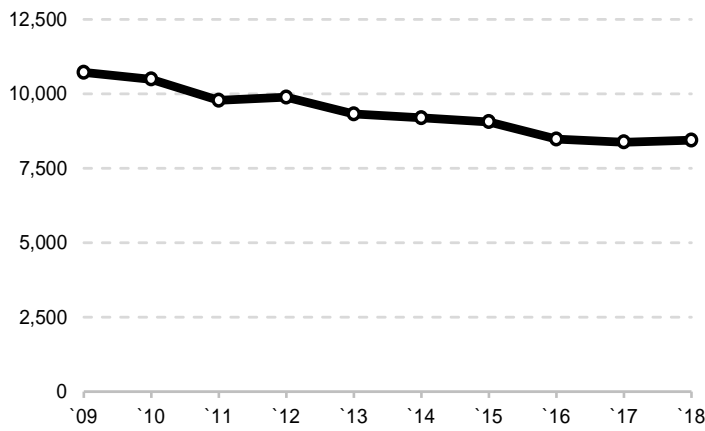


FIGURE 1

All Case Types

Total incoming cases



The overall number of appeals filed in Ohio’s court of appeals has been generally decreasing since 2009, with the exceptions of a small increase between 2011 and 2012, and in 2018 over 2017. In 2009, a 10-year high of 10,720 cases were filed. In 2018, a total of 8,445 cases were filed, a 21-percent decline from the 10-year high. However, the number of cases filed in 2018 represented a 1-percent increase over 2017. (See **Figure 1** and **Table 1**.)

TABLE 1

Court of Appeals

Total incoming cases

Case Type	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Criminal	4,833	4,844	4,351	4,409	4,199	4,329	4,294	4,010	4,035	4,053
Civil	3,361	3,141	3,041	3,139	2,873	2,595	2,633	2,449	2,203	2,122
Family Law	1,608	1,522	1,459	1,466	1,481	1,526	1,428	1,408	1,407	1,556
Miscellaneous	918	982	928	872	768	746	705	611	734	714
All Case Types	10,720	10,489	9,779	9,886	9,321	9,196	9,060	8,478	8,379	8,445

Figure 2 shows trends in the number of new filings over the past 10 years within the civil and criminal appeals categories. Criminal appeals exhibited a general downward trend since 2009, although the 4,053 new appeals filed in 2018 represent the third consecutive year of small increases. Civil appeals have declined at a fairly consistent rate over the past 10 years. The 2,122 civil appeals cases filed in 2018 are 37-percent fewer cases than the 3,361 civil appeals filed in 2009.

When viewed over the last 10 years, family law appeals remained largely stable. However, in 2018, a total of 1,556 new family law appeals were filed, an increase of nearly 11 percent over 2017, when 1,407 appeals were filed. (See **Figure 3**.)

Figure 4 shows the 10-year trend in the filing of miscellaneous appeals (including original actions, habeas corpus cases, and appeals from administrative agencies and the Court of Claims). In 2017, incoming miscellaneous appeals cases increased 20 percent over 2016. In 2018, the 714 miscellaneous appeals filed is a decline of almost 3 percent from the 734 appeals filed in 2017.

FIGURE 2

Civil and Criminal Appeals

Total incoming cases

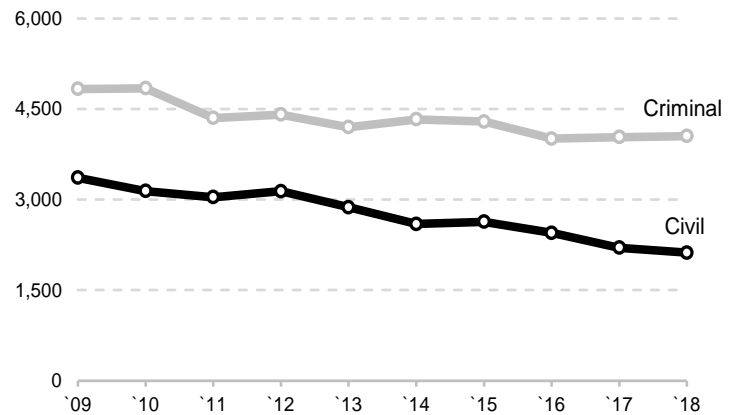


FIGURE 3

Family Law Appeals

Total incoming cases

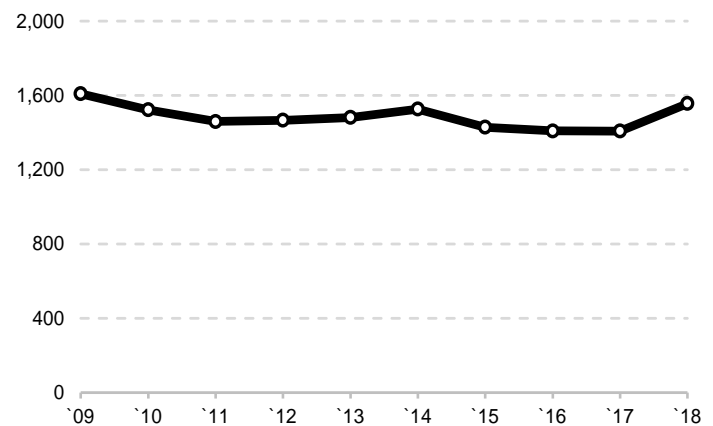
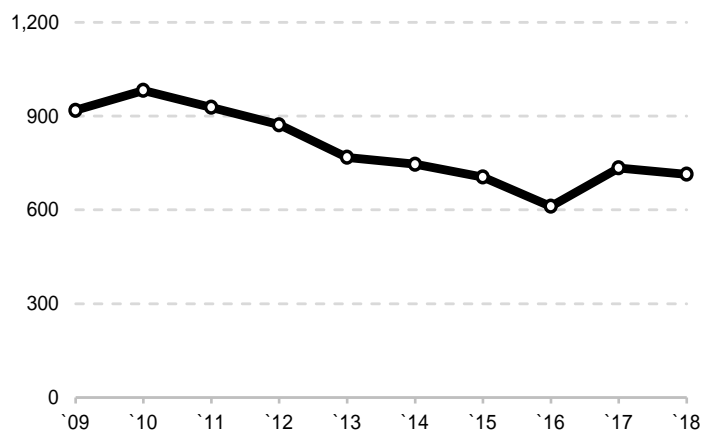


FIGURE 4

Miscellaneous Appeals

Total incoming cases





The Court of Claims has statewide original jurisdiction over all civil actions filed against the state of Ohio. Created pursuant to the Court of Claims Act in 1975, the Court of Claims sits in Franklin County.

Civil actions in the Court of Claims are determined in one of two ways, depending on the amount of monetary damages claimed.

Civil cases involving \$10,000 or less are determined administratively by the clerk or deputy clerk of the court. Cases involving more than \$10,000 are heard by a judge or magistrate. A judge of the court also may review and enter final judgment in a civil action determined administratively. Judges on the Court of Claims are assigned by the chief justice of the Supreme Court of Ohio.

On Sept. 28, 2016, Senate Bill 321 became law allowing citizens who believe a government entity improperly withheld public records to file a complaint in the Court of Claims. Public records cases first are referred to mediation, and if they are not resolved, a special master issues a report and recommendation to a judge of the court, who makes a final determination.

Most appeals from the Court of Claims are heard by the Tenth District Court of Appeals in Columbus, except for decisions concerning the denial of public records requests under R.C. 2743.75, which are heard in the district where the public office is located.

In addition to civil actions against the state of Ohio, the Court of Claims hears appeals from decisions of the Attorney General regarding claims for reparations by victims of crime.

The total incoming cases for the Court of Claims for the past five years is displayed in **Table 1**. Legislation was enacted in September 2016 allowing citizens who believed a government entity improperly withheld public records to file a complaint in the Court of Claims. Because 2017 was the first full year of the court receiving these cases, the two-year filing trend is displayed. Partial data for 2016 is not reported.

In 2018, a total of 311 judicial cases were filed, an increase of 11 percent from 2017, but generally at the level of the average over the last five years. (See **Figure 1**.)

The general makeup of the court's incoming caseload in 2018 is shown in **Figure 2**.

TABLE 1

Court of Claims
Total incoming cases

Case Type	2014	2015	2016	2017	2018
Judicial Cases	309	335	365	280	311
Administrative Determinations	635	659	509	607	1,072
Victims of Crime Appeals	63	79	55	50	41
Public Records Requests	-	-	-	104	103
All Case Types	1,007	1,073	929	1,041	1,527

FIGURE 1

Judicial Cases
Total incoming cases

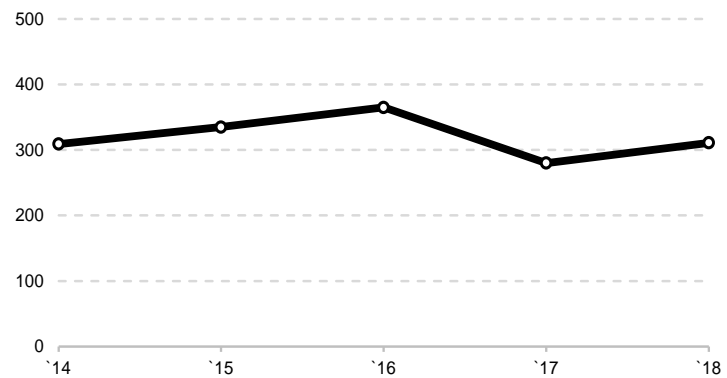


FIGURE 2

All Case Types
Total incoming cases in 2018

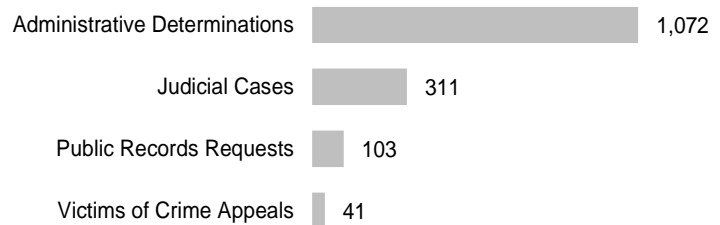
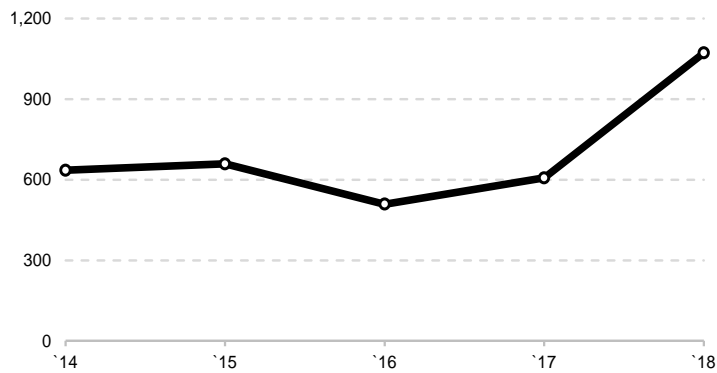


FIGURE 3

Administrative Determinations
Total incoming cases

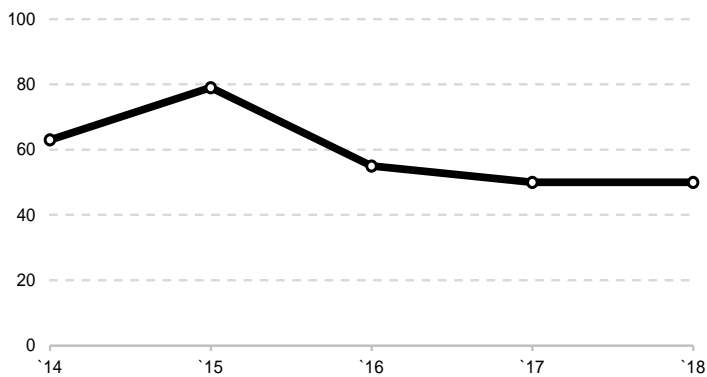


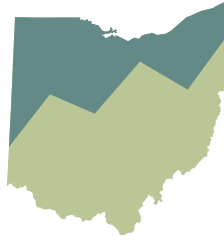
The 1,072 administrative determination cases filed in 2018 represents a sharp increase of 77 percent over the 607 cases filed 2017. Historically, the court has experienced fairly wide variability in the number of these cases being filed from year to year. (See **Figure 3.**)

The volume of victims of crime appeals also tends to fluctuate from year to year. In 2018, a total of 50 appeals were filed, the same number filed in 2017, and many fewer than the five-year high of 79 appeals in 2015. (See **Figure 4.**)

FIGURE 4

Victims of Crime Appeals
Total incoming cases





COURTS OF COMMON PLEAS

The courts of common pleas, the only trial courts created by the Ohio Constitution, are established by Article IV, Section 1, of the Constitution and their duties are outlined in Article IV, Section 4.

There is a court of common pleas in each of Ohio's 88 counties. The courts of common pleas have original jurisdiction in all criminal-felony cases and original jurisdiction in all civil cases in which the amount in controversy generally is more than \$15,000. Courts of common pleas have appellate jurisdiction over the decisions of some state administrative agencies.

Common pleas judges are elected to six-year terms on a nonpartisan ballot. A person must be an attorney with at least six years of experience in the practice of law to be elected or appointed to the court.

The courts of common pleas in most counties have specialized divisions created by statute to which judges are specifically elected in order to hear criminal and civil, domestic relations, juvenile, or probate cases — or some combination of those categories. The use of the term “division” when describing the jurisdictional structure of the various counties’ common pleas courts sometimes is at odds with how that term is applied when describing caseload statistics. For ease of description, it is common to group cases by their overall type — by division. For example, when describing caseloads of matters generally grouped together as “domestic relations cases,” they may be referred to as “domestic relations division cases,” even though a particular county technically may not have a domestic relations division. The courts of common pleas in Adams, Morgan, Morrow, Noble, and Wyandot counties have no divisions and the judges elected to those courts have responsibility over all types of cases.

Changes in 2017

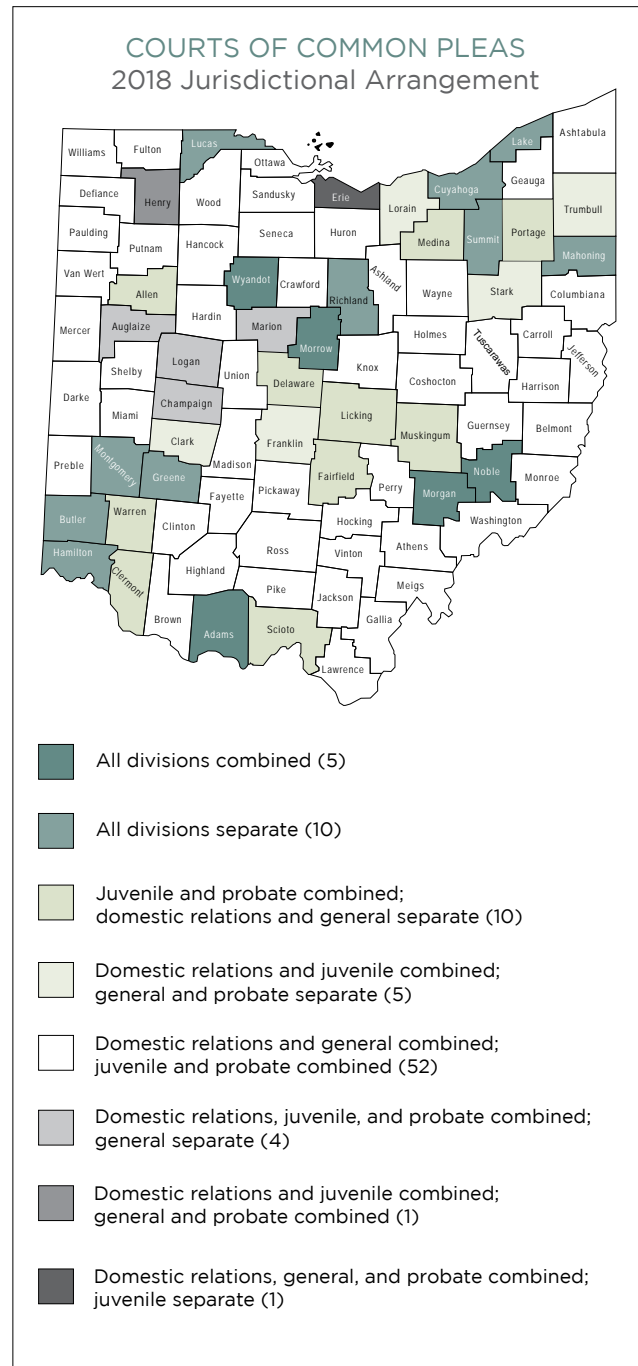
There were no changes to the jurisdictional structure or number of judgeships in Ohio's courts of common pleas during 2018. On Jan. 9, 2019, a new judgeship was added to the Franklin County Court of Common Pleas, Domestic Relations and Juvenile Division.

Future Changes

The Franklin County Court of Common Pleas, Domestic Relations and Juvenile Division will add one judgeship in 2021, with a term beginning Jan. 2.

Courts of Common Pleas Jurisdictional Distribution in 2018

JURISDICTIONAL STRUCTURE	NUMBER OF COUNTIES	NUMBER OF JUDGES
Separately Administered General Division	29	164
Separately Administered Domestic Relations Division	20	31
Separately Administered Probate Division	15	16
Separately Administered Juvenile Division	11	20
Combined General and Domestic Relations Division	52	70
Combined Domestic Relations, and Juvenile Division	6	15
Combined Domestic Relations, Probate, and Juvenile Division	4	7
Combined Probate and Juvenile Division	62	62
Combined General, Domestic Relations, and Probate Division	1	3
Combined General and Probate Division	1	1
Combined General, Domestic Relations, Probate, and Juvenile Division	5	6





The general divisions of the courts of common pleas have original jurisdiction over all criminal felony cases, all civil actions in which the amount in controversy is generally greater than \$15,000, and jurisdiction over the appeals of decisions of certain state administrative agencies.

For statistical reporting purposes, all criminal cases are counted together with no distinction based on specific charges. Civil cases are reported under a number of different case-type categories.

Cases involving tort claims are classified as either:

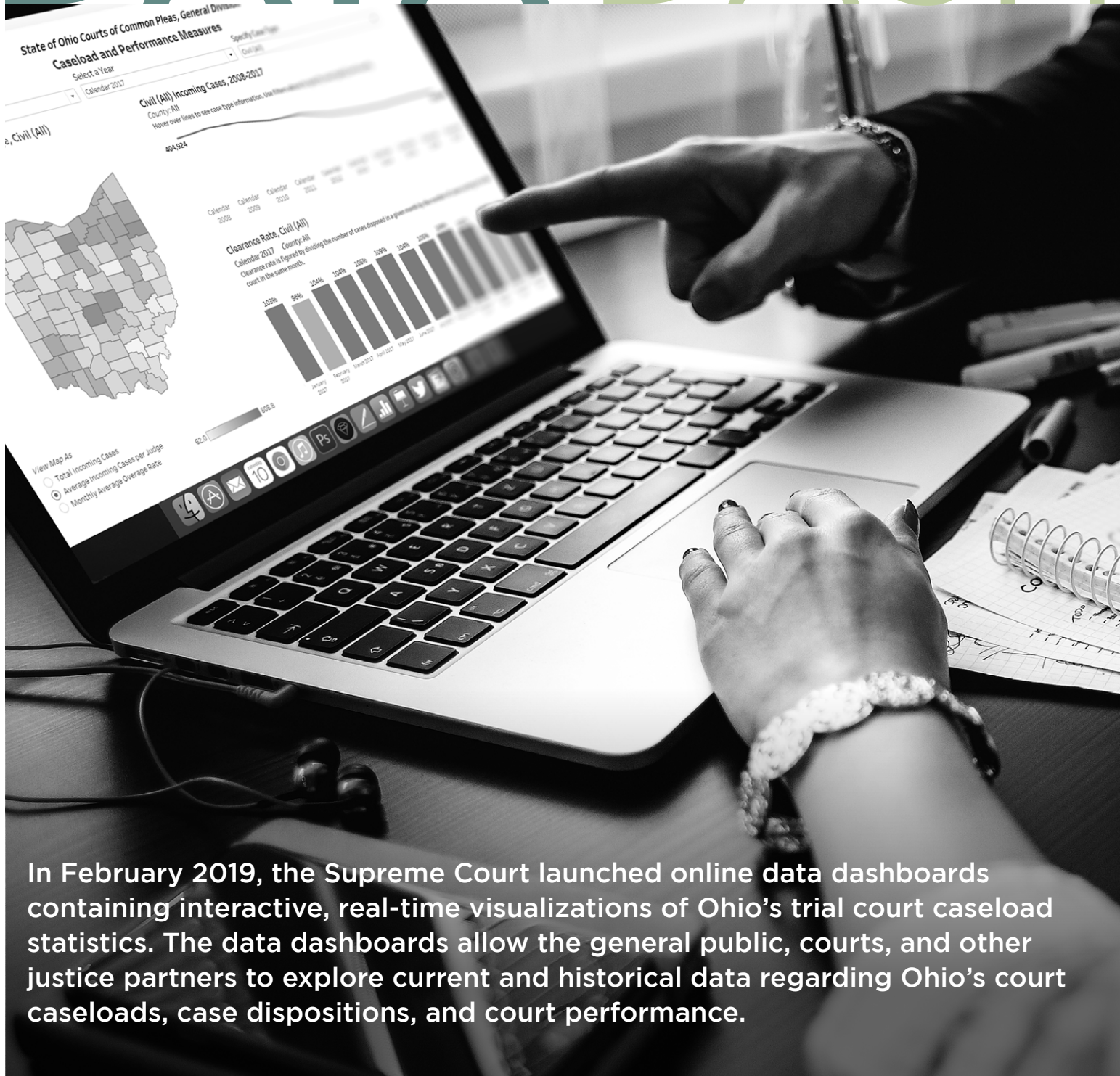
- Professional tort — such as medical and legal malpractice;
- Product liability;
- Other torts — tort cases not otherwise classifiable as professional tort or product liability cases.

The non-tort case-type categories are:

- Workers' compensation — typically involving appeals from a decision of the Industrial Commission;
- Foreclosures;
- Administrative appeals;
- Complex litigation — a special case type discussed further below;
- Other civil — civil cases not otherwise classifiable in other case-type categories.

The complex-litigation-case type is a special category reserved for civil cases involving novel or complicated issues of law and fact that are not likely to be resolved within the time guidelines established for other cases. A judge assigned to a civil case that meets the criteria prescribed under Sup.R. 42 may reclassify a civil case as a complex litigation case. Accordingly, no cases are filed with the courts as complex litigation cases. Instead, civil cases are classified first under their appropriate case types and then, if applicable, reclassified as complex litigation cases. Complex litigation cases are rare. Since 2009, on average, approximately one out of every 1,855 civil cases (0.06 percent) in the general divisions of Ohio's courts of common pleas are classified each year as complex litigation matters.

DATA DASH



In February 2019, the Supreme Court launched online data dashboards containing interactive, real-time visualizations of Ohio’s trial court caseload statistics. The data dashboards allow the general public, courts, and other justice partners to explore current and historical data regarding Ohio’s court caseloads, case dispositions, and court performance.

BOARDS

For many years, the Ohio Courts Statistical Report (formerly called the Ohio Courts Summary) was the sole comprehensive source of court caseload statistics available to the general public and observers of Ohio's court system.

First published in 1960, the purposefully expansive report included exhaustive court-level caseload statistics in mostly tabular format, covering more than 200 pages. Consumers of court caseload data, including media representatives, however, became increasingly sophisticated in how they wanted to use the data and, as a result, they frequently asked Supreme Court staff to produce electronic versions of selected data tables from the annual reports. Moreover, the general structure of the report—including its single-year snapshot framework and myriad detailed data tables—limited its ability to function as a tool for the public to easily examine and become better informed about the work done across Ohio's courts.

Through the online data dashboards, users now have the ability to download spreadsheets of the court data underlying the visualizations. The visualizations themselves provide users with the ability to see trends of incoming cases (by any case type selected) over the last 10 years. Among other options, users also can observe the distribution

across Ohio's counties of case volume per judge in the various courts and easy-to-understand charts were created allowing users to see the variable nature of how cases are disposed by the courts. Filter controls allow users to view the data at the statewide level or by a specific individual court.

Early in the development process, Supreme Court staff consulted with members of the Supreme Court's Advisory Committee on Case Management to understand the usefulness of the data-dashboard concept from the viewpoint of Ohio's judges, magistrates, and court administrators. In designing the current dashboards, staff sought a balance between providing local courts with actionable caseload management-related data and providing the general public with easily understood and attractive visualizations.

Supreme Court staff are eager to receive suggestions for future enhancements to the data dashboards in order to fulfill the Court's constitutional duty to provide oversight of Ohio's judicial branch of government.

 **Data Dashboards**
[Click here to visit the data dashboards.](#)

Caseloads

Figure 1 shows the breakdown of incoming cases in 2018 within the general divisions of Ohio’s courts of common pleas. Criminal cases, foreclosures, and other civil cases constitute 87 percent of all 2018 filings. See the *Appendix* for a table displaying the number of incoming cases for each individual case type from 2009 through 2018.

Figure 2 shows 10-year trends in the number of filings of criminal, foreclosure, and other civil cases. These major categories display clear trends over the 10-year period. Foreclosure cases reached their peak in 2009, when nearly 100,000 cases were filed. The 38,207 incoming foreclosure cases in 2018 represent a 6-percent decline from 2017 and a 61-percent decline from the 99,208 filings in 2009. Filings of other civil cases declined steadily between 2009 and 2013. The number of incoming other civil cases remained relatively stable since 2013. In 2018, there were a total of 49,137 incoming cases, a 2-percent increase over 2017 and a 34-percent decrease from the 10-year high in 2009.

Criminal cases declined slightly between 2009 and 2015. Beginning in 2016, however, the number of incoming criminal cases each year climbed steadily. In 2018, the courts reported a total of 90,166 incoming criminal cases, an increase of 5 percent over the 86,139 incoming cases in 2017.

Performance Measures

A description of court performance measures used by the Supreme Court is available on *page 3*.

As shown in **Table 1**, average monthly clearance rates in 2018 for all case types were near or more than 100 percent. Average monthly overage rates over each of the past five years are shown in **Table 2**. Average monthly overage rates at or above 10 percent are seen in four case types: administrative appeals, criminal, professional tort, and complex litigation. Other civil cases, which constitute 24 percent of the statewide general division caseload, are managed in a timely manner, with only a 3-percent-overage rate on average each month.

FIGURE 1

Total Incoming Cases
All case types in 2018

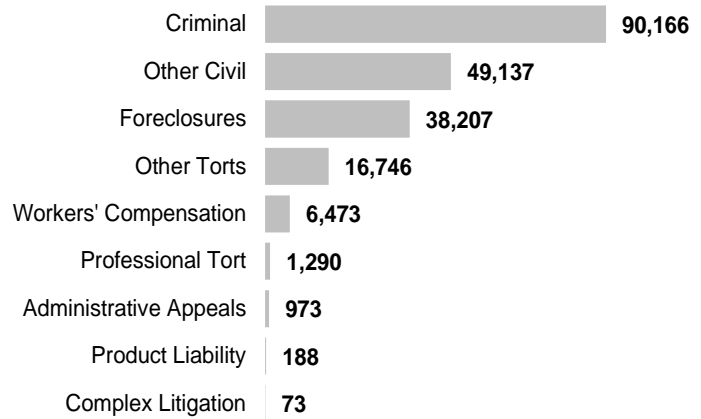


FIGURE 2

Total Incoming Cases
Selected major case types

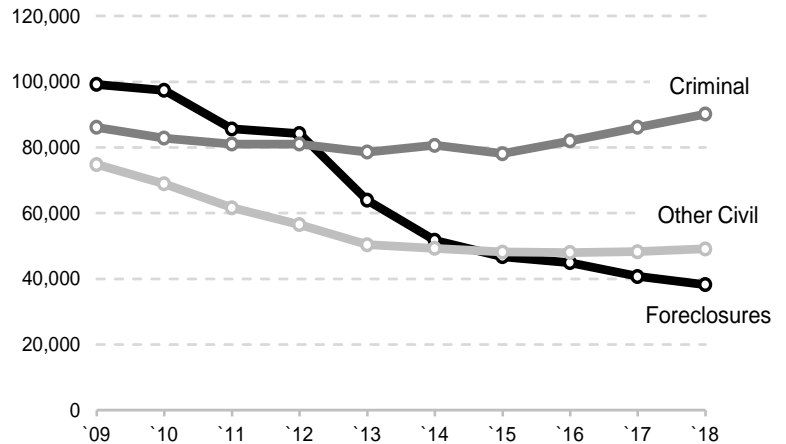


TABLE 1

Clearance Rates
Average per month in 2018

Case Type	Monthly Average
Administrative Appeals	105%
Complex Litigation	172%
Criminal	99%
Foreclosures	103%
Other Civil	98%
Other Torts	103%
Product Liability	118%
Professional Tort	103%
Workers' Compensation	97%

TABLE 2

Overage Rates

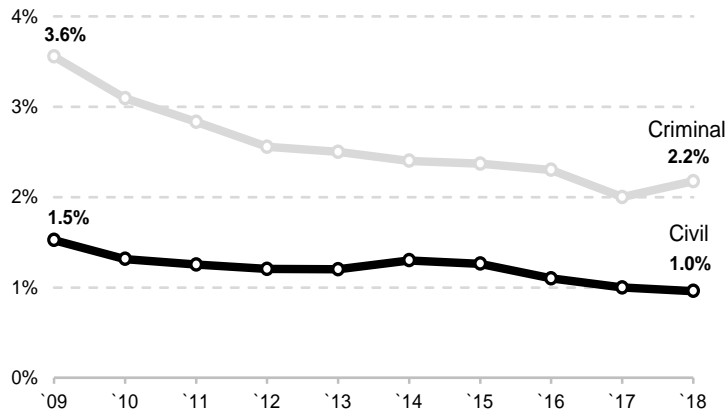
Percent of caseload pending past time guidelines, average per month

Case Type (Time guideline, in months)	2014	2015	2016	2017	2018
Civil	7%	6%	5%	5%	4%
Administrative Appeals (9)	25%	27%	25%	25%	24%
Complex Litigation (36)	6%	6%	22%	25%	8%
Foreclosures (12)	10%	7%	7%	6%	5%
Other Civil (24)	4%	4%	4%	3%	3%
Other Torts (24)	3%	3%	2%	2%	2%
Product Liability (24)	8%	4%	6%	9%	6%
Professional Tort (24)	9%	11%	12%	10%	9%
Workers' Compensation (12)	10%	10%	8%	9%	8%
Criminal (6)	16%	17%	17%	16%	16%

FIGURE 3

Trial Rates

Jury and court trials as a percentage of all final dispositions



Trial Rates

The rate of trials occurring in a court is a useful statistic when assisting courts in understanding the fundamentals of effective caseload management. Although it is not a measure of a court’s performance, per se, this statistic routinely is used by the Case Management Section as part of its caseload management training curriculum.

In order to calculate trial rates, the various termination categories reported by the courts first are separated into termination categories that are truly dispositive of the case and categories that instead render the case no longer active for reporting purposes. The number of dispositive terminations is then summed. The resulting sum is divided into the number of trials (either by jury, by court, or both) to produce the trial rate, expressed as a percentage.

It is conventionally understood among court observers at the national level that approximately 2 percent of civil cases and 5 percent of criminal cases ultimately go to trial.

Ohio’s general division common pleas trial rates fall below those figures. As shown in **Figure 3**, the trial rate for civil cases heard in the common pleas, general division courts in 2018 was 1 percent and 2.2 percent for criminal cases. Since 2009, the rates of cases proceeding to trial steadily declined, with the notable exception of a slight uptick in the 2018 criminal trial rate.

Cuyahoga County's Asbestos Docket

Not reflected in the caseload statistics in this report is a special group of asbestos-related cases pending in the Cuyahoga County Court of Common Pleas. This docket chiefly consists of product liability cases involving alleged exposure to products containing asbestos and, to a smaller extent, silica. Also included in this docket are premises liability cases against owners or possessors of property on which plaintiffs allege injury from exposure to asbestos-containing products.

The volume of these cases filed over the years in Cuyahoga County necessitated certain extraordinary means for management. The cases are heard by retired assigned judges with special designated staff and are not counted among Cuyahoga County's traditional caseload statistics.

The number of new cases filed each year over the past 10 years declined rapidly from a 10-year high in 2009 of 152 new cases, to a low of 53 new cases in 2017. In 2018, a total of 65 new cases were filed. (See **Table 3** and **Figure 4**.)

The number of cases pending over the past 10 years was at its highest in 2009, with 6,894 cases pending. The fewest number of pending cases over the past 10 years occurred in 2018, with 501 cases pending at the end of the year. (See **Figure 5**.) It should be noted that a given case, which can contain dozens of defendants, cannot be counted as being terminated until every defendant in the case is subject to a condition causing a reportable termination. Consequently, the number of cases terminated each year does not align as typically expected against the number of cases filed.

TABLE 3

Cuyahoga County Asbestos Docket
Overall caseloads

Year	New Filings	Pending at End of Year	Cases Terminated
2009	152	6,894	3,000
2010	114	6,851	321
2011	105	6,699	490
2012	102	5,174	1,635
2013	113	5,164	120
2014	85	3,067	2,182
2015	56	1,701	1,427
2016	54	1,307	453
2017	53	834	573
2018	65	501	378

FIGURE 4

Cuyahoga County Asbestos Docket
New filings

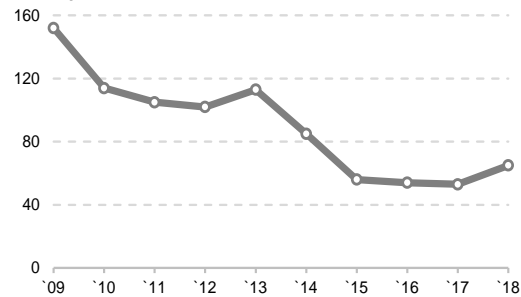
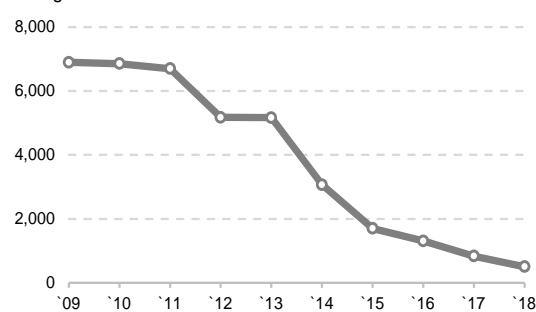
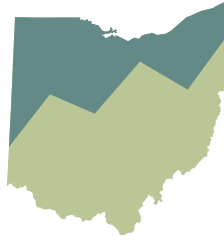


FIGURE 5

Cuyahoga County Asbestos Docket
Pending cases





COURTS OF COMMON PLEAS

Domestic Relations Division

Domestic relations divisions of the courts of common pleas have jurisdiction over all proceedings involving divorce or dissolution of marriages, annulment, legal separation, spousal support, and allocation of parental rights and responsibilities for the care of children. The domestic relations divisions of the courts of common pleas exist in most counties together with another division. The following counties have separately administered domestic relations divisions:

Allen	Hamilton	Muskingum
Butler	Lake	Portage
Clermont	Licking	Richland
Cuyahoga	Lucas	Scioto
Delaware	Mahoning	Summit
Fairfield	Medina	Warren
Greene	Montgomery	

Domestic relations cases are grouped into three general categories of cases:

Marriage Terminations and Dissolutions

Marriage terminations and marriage dissolutions involve the cessation of a marriage relationship. Both of these case categories are broken down further for caseload reporting purposes, depending on whether the married couple seeking a divorce or dissolution has any children.

Post-Decree Case Types

Following the dissolution or termination of a marriage, further activities can occur subsequent to the final decree and are classified under either the change of custody, visitation enforcement or modification (visitation), or support enforcement or modification categories (support). In some instances, a person may file a motion under more than one category. For statistical reporting purposes, such matters are counted only under the category of the earliest filed motion. When that motion is resolved, the matter is reclassified under the case type for the motion filed after the first, and so on.

Miscellaneous Case Types

The remaining domestic relations case types are:

- Domestic violence – petitions for civil protection orders;
- Uniform Interstate Family Support Act (U.I.F.S.A.) cases;
- Parentage;
- All others – cases not otherwise classifiable in other case-type categories.

Caseloads

Marriage terminations (divorces) and dissolutions comprise the core work performed in domestic relations courts. In 2018, Ohio's domestic relations courts reported a total 41,852 incoming divorce and dissolution cases. This is a decrease of 0.3 percent from 2017 and a 16-percent decline from the 10-year high of 49,718 cases in 2011. Incoming caseloads across the state in all case types from 2009 through 2018 are shown in a table in the *Appendix*.

Of particular note is the difference between new divorce and dissolution filings involving married couples with children and married couples without children. Between those two groups of case types, a generally equivalent amount of cases were presented each year between 2009 and 2011. However, beginning in 2012, more cases were filed that do not involve children than cases that do. As seen in **Figure 1**, the gap between the two groups continued to widen, although the size of the gap between the two case-type groups in 2017 and 2018 appears to hold steady.

FIGURE 1

Marriage Terminations and Dissolutions Total incoming cases

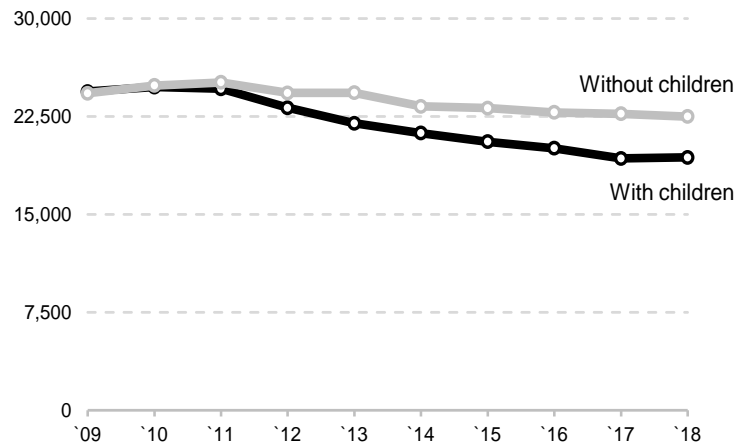
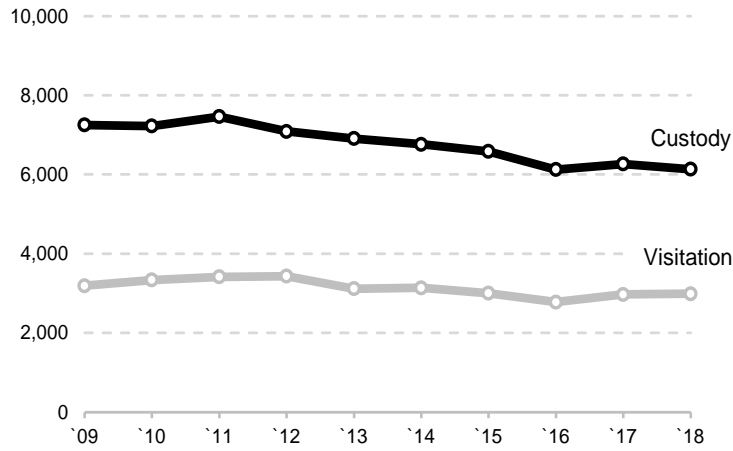


FIGURE 2

Custody and Visitation Cases

Total incoming cases

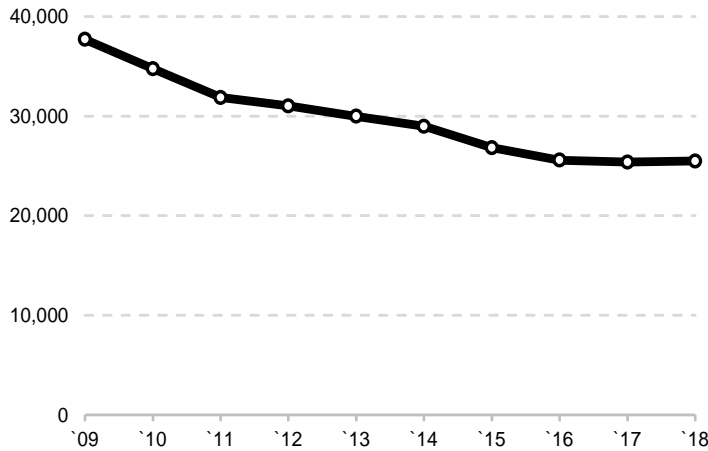


Post-decree matters in domestic relations courts also experienced general declines over the past 10 years. During 2018, a total of 6,133 motions seeking a change of custody were filed, a decrease of 2 percent from 2017 and a decrease of 18 percent from the 10-year high of 7,464 cases in 2011. When viewed across the last 10 years, the rate of filing of incoming visitation matters remained generally steady. (See **Figure 2**.) The number of filings seeking the enforcement or modification of a support order declined sizably over the last 10 years, though the number of support-matter filings over the last three years has remained fairly stable. (See **Figure 3**.)

FIGURE 3

Support Cases

Total incoming cases



Performance Measures

For a description of court performance measures used by the Supreme Court, see *page 3*.

As shown in **Table 1**, average monthly clearance rates for all case types were near or exceeding 100 percent in 2018. **Table 2** shows average monthly overage rates over each of the past five years. While the overage rates for divorces and dissolutions, along with several other case types in 2018, are well below 10 percent, the overage rates for domestic violence, change of custody, U.I.F.S.A., and all others are above 10 percent. Due to the limitations in the Supreme Court's reporting instructions and time guidelines for domestic violence and U.I.F.S.A. cases, the overage rates for those cases can appear particularly elevated. Without conducting additional research at the local court level, the reader is cautioned against interpreting these as accurate measures of the courts' actual case processing timeliness performance for those particular case types.

TABLE 1

Clearance Rates

Average per month in 2018

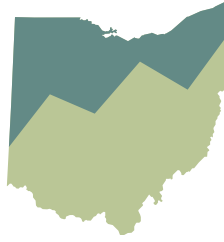
Case Type	Monthly Average
All Others	101%
Change of Custody	106%
Domestic Violence	99%
Marriage Dissolutions w/Children	102%
Marriage Dissolutions w/o Children	103%
Marriage Terminations w/Children	104%
Marriage Terminations w/o Children	104%
Parentage	101%
Support - Enforce or Modify	101%
U.I.F.S.A.	96%
Visitation - Enforce or Modify	100%

TABLE 2

Overage Rates

Percent of caseload pending past time guidelines, average per month

Case Type <i>(Time guideline, in months)</i>	2014	2015	2016	2017	2018
All Others ⁽⁶⁾	15%	15%	15%	16%	16%
Change of Custody ⁽⁹⁾	11%	13%	13%	11%	11%
Domestic Violence ⁽¹⁾	34%	34%	31%	24%	24%
Marriage Dissolutions w/Children ⁽³⁾	3%	4%	4%	3%	3%
Marriage Dissolutions w/o Children ⁽³⁾	2%	2%	2%	1%	1%
Marriage Terminations w/Children ⁽¹⁸⁾	3%	3%	3%	3%	3%
Marriage Terminations w/o Children ⁽¹²⁾	5%	5%	5%	5%	4%
Parentage ⁽¹²⁾	4%	6%	4%	3%	3%
Support - Enforce or Modify ⁽¹²⁾	4%	5%	4%	3%	3%
U.I.F.S.A. ⁽³⁾	25%	22%	25%	23%	18%
Visitation - Enforce or Modify ⁽⁹⁾	12%	13%	12%	10%	9%



COURTS OF COMMON PLEAS

Probate Division

In 1968, the Modern Courts Amendment to the Ohio Constitution transformed probate courts to a division of the Courts of Common Pleas. In addition to jurisdiction over wills, estate matters, and guardianships, probate divisions have jurisdiction over the issuance of marriage licenses, adoption proceedings, determination of sanity or mental competency, and certain eminent domain proceedings. Probate judges also can solemnize marriages within their counties.

The probate divisions of the courts of common pleas exist in most counties together with another division. However, the following counties have separately administered probate divisions:

Butler	Hamilton	Montgomery
Clark	Lake	Richland
Cuyahoga	Lorain	Stark
Franklin	Lucas	Summit
Greene	Mahoning	Trumbull

Caseloads

Overall probate caseloads declined slightly across the state over the last 10 years. As shown in a table in the *Appendix*, there were 85,787 incoming probate cases in 2018, a one-half-percent increase from the number of cases filed in 2017, and 3 percent fewer than the 10-year high in 2013.

Filings of guardianships of incompetents (adult guardianships), displayed in **Figure 1**, declined between 2009 and 2011, increased in 2012, then leveled off and eventually trended slightly downward. In 2018, a total of 6,759 guardianships of incompetents were filed.

Guardianships of minors, also shown in **Figure 1**, exhibited a general downward trend since 2009, with periods of relative stability between 2012 and 2015. In 2018, a total of 1,869 cases were filed, a decrease of 13 percent from 2017. The 2018 filings also represent a decline of 35 percent, compared to the 10-year high of 2,896 cases in 2009.

Decedents' estates cases, shown in **Figure 2**, exhibit a slight downward trend from 2009 to 2018. Minor increases were seen between 2011 and 2012 and again between 2014 and 2015. The 52,928 cases filed in 2018 are a 1-percent increase over 2017, and an 8-percent decrease from the 10-year high of 57,241 cases in 2012.

Adoption case filings in 2018 decreased 4 percent from 2017, with 4,278 cases. When viewed over the full 10-year period, the number of filings is largely stable, albeit with a notable decline in 2014. (See **Figure 3**.)

FIGURE 1

Guardianships of Adults and Minors

Total incoming cases

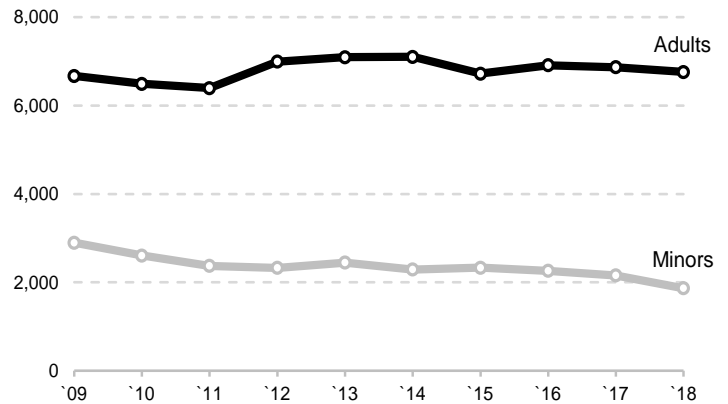


FIGURE 2

Decedents' Estates

Total incoming cases

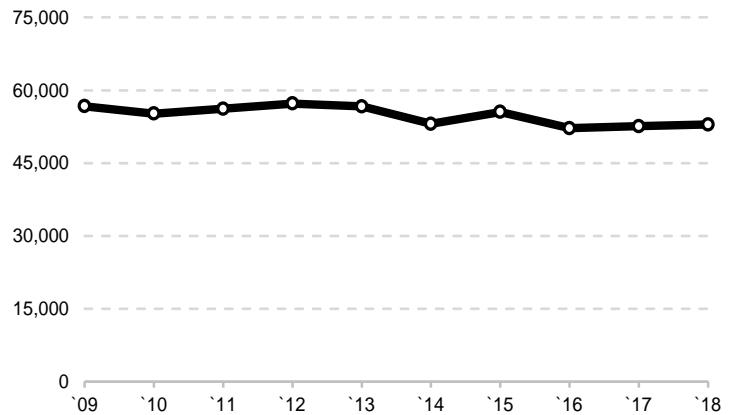


FIGURE 3

Adoptions

Total incoming cases

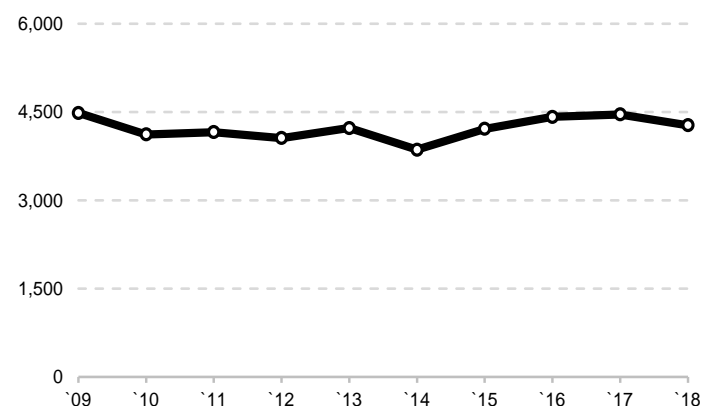
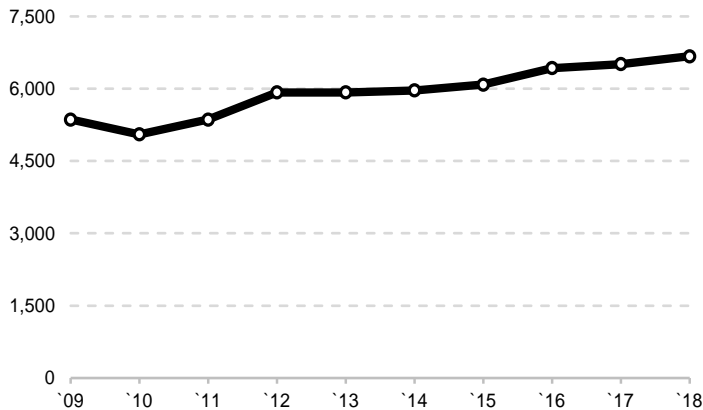


FIGURE 4

Mental Health and Civil Commitments

Total incoming cases



Mental health and civil-commitment matters constitute nearly 8 percent of the probate divisions' incoming cases. In 2018, a total of 6,674 new matters were filed, representing a 10-year high and a 32-percent increase over the 10-year low in 2010. (See **Figure 4**.)

Ohio's probate courts granted 68,356 marriage applications in 2018. Of note is the increased number of applications granted in 2016, when the probate courts granted 79,747. (See **Figure 5**.)

Performance Measures

For a description of court performance measures used by the Supreme Court, see *page 3*.

As shown in **Table 1**, probate divisions exhibited satisfactory clearance rates statewide in many case types in 2018, although in the guardianships-of-incompetents case type, an average quarterly clearance rate of 91 percent suggests a growth in a backlog. Because the Supreme Court does not promulgate time standards for probate cases, average rates are not calculable.

FIGURE 5

Marriage Applications

Total applications granted

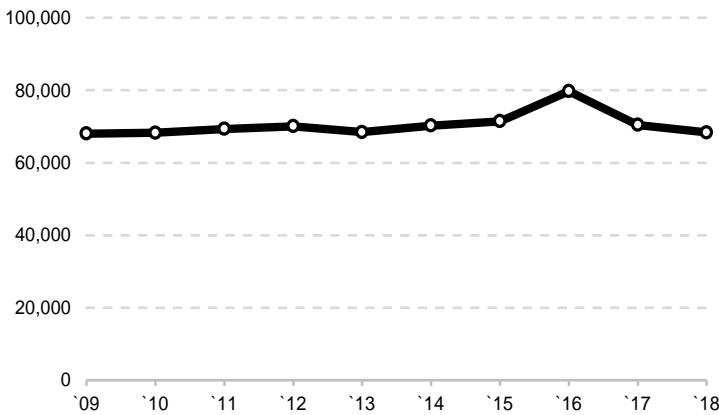
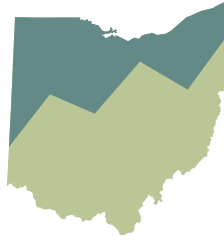


TABLE 1

Clearance Rates

Average per quarter in 2018

Case Type	Monthly Average
Adoptions	103%
Birth (Correction or Delayed Reg.)	104%
Change of Name	97%
Civil Actions	104%
Conservatorships	132%
Decedents' Estates	103%
Guardianships of Incompetents	91%
Guardianships of Minors	132%
Mental Health and Civil Commitments	105%
Minors' Settlements	113%
Testamentary Trusts	162%
Wrongful Death	107%



COURTS OF
COMMON PLEAS
Juvenile Division

Juvenile divisions of Courts of Common Pleas hear cases involving delinquent, unruly, and neglected and dependent children, and have jurisdiction in adult cases involving paternity, child abuse, non-support, contributing to the delinquency of minors, and the failure to send children to school.

Juvenile divisions exist in most counties together with another division. However, the following counties have separately administered juvenile divisions:

Butler	Hamilton	Montgomery
Cuyahoga	Lake	Richland
Erie	Lucas	Summit
Greene	Mahoning	

Caseloads

The *Appendix* contains a table showing the number of statewide new filings by type of case from 2009 to 2018. Caseloads in the juvenile division experienced more changes over a 10-year period than other divisions of the courts of common pleas. Overall, the state saw a 9-percent decline in the total number of incoming juvenile case filings in 2018, compared to 2017. Over the past 10 years, there was a 29-percent decrease in the number of incoming juvenile cases. Significant drivers of that decline were decreases in two of the largest case types — delinquency and traffic — which exhibited 10-year declines of 53 and 37 percent, respectively. (See **Figures 1 and 2.**)

FIGURE 1

Delinquency Cases

Total incoming cases

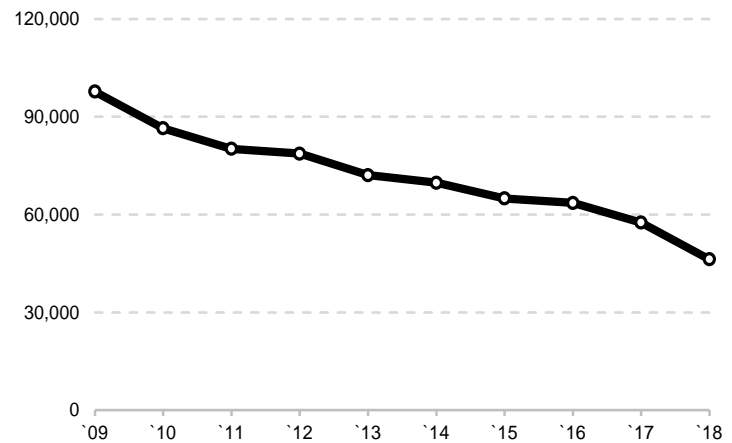


FIGURE 2

Juvenile Traffic Cases

Total incoming cases

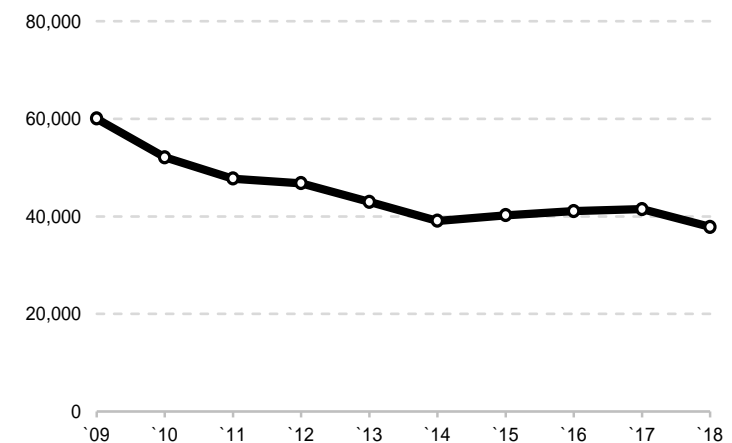


FIGURE 3

Child Welfare Cases

Total incoming cases

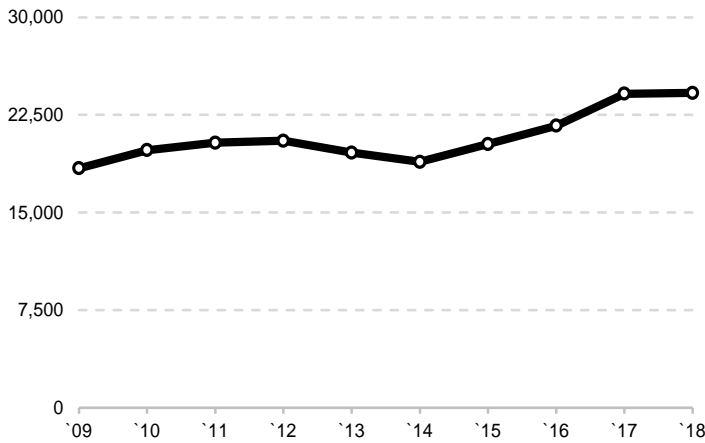


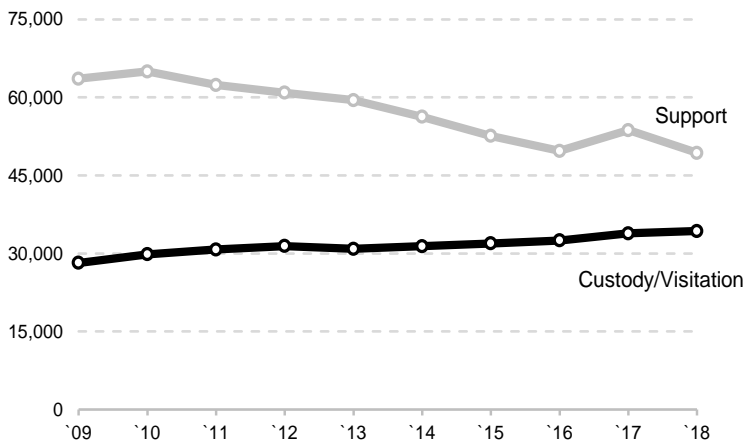
Figure 3 shows incoming child welfare-related cases consisting of abuse, neglect and dependency cases, and motions-for-permanent-custody cases. The number of incoming child welfare-related cases has climbed since 2014. In 2018, there was a total of 24,185 incoming child welfare cases, an increase of 28 percent over 2014.

Custody and visitation case filings (custody/visitation) exhibit a markedly smooth upward trend over the past 10 years, while support enforcement or modification filings have generally declined since 2010. In 2018, a total of 49,314 support matters were filed, an 8-percent decline from 2017, and a 24-percent decline from the 10-year-high of 64,988 cases in 2010. A 10-year high total of 34,300 incoming custody/visitation cases was reported in 2018, a 1-percent increase over the previous high in 2017. (See **Figure 4**.)

FIGURE 4

Custody/Visitation and Support Cases

Total incoming cases



It is notable that the generally upward trends in custody/visitation matters within the juvenile divisions align with the downward trends in related case types heard in Ohio's domestic relations divisions. The critical difference here is that the matters heard in juvenile divisions involve unmarried persons, whereas the related case types heard in domestic relations divisions generally are an outgrowth of a divorce or dissolution.

Performance Measures

For a description of court performance measures used by the Supreme Court, see *page 3*.

Table 1 shows the average monthly clearance rates over 2018 for each case type. In all case types except motions for permanent custody, the courts exhibited clearance rates at 100 percent or above. The average monthly overage rates over each of the past five years are shown in **Table 2**. For 2018, the overage rates in six of the 11 case types heard in Ohio's juvenile courts equal or exceed 10 percent. Of particular note, however, is the 15-percent overage rate in abuse, neglect, or dependency cases in 2018, the lowest average monthly overage rate in the last five years. Due to the limitations in the Supreme Court's reporting instructions for U.I.F.S.A. cases, the overage rates for those cases can appear particularly elevated. Without conducting additional research at the local court level, the reader is cautioned against interpreting these as accurate measures of the courts' actual case processing timeliness performance for those particular case types.

TABLE 1

Clearance Rates

Average per month in 2018

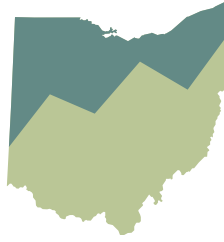
Case Type	Monthly Average
Abuse, Neglect or Dependency	100%
Adult Cases	104%
All Others	101%
Custody/Visitation	103%
Delinquency	103%
Motion for Permanent Custody	95%
Parentage	102%
Support - Enforce or Modify	100%
Traffic	102%
U.I.F.S.A.	99%
Unruly	102%

TABLE 2

Overage Rates

Percent of caseload pending past time guidelines, average per month

Case Type <i>(Time guideline, in months)</i>	2014	2015	2016	2017	2018
Abuse, Neglect or Dependency ⁽³⁾	20%	23%	21%	19%	15%
Adult Cases ⁽⁶⁾	18%	12%	8%	10%	10%
All Others ⁽⁶⁾	12%	12%	12%	9%	10%
Custody/Visitation ⁽⁹⁾	11%	9%	9%	8%	8%
Delinquency ⁽⁶⁾	7%	7%	7%	7%	7%
Motion for Permanent Custody ⁽⁹⁾	11%	7%	13%	14%	14%
Parentage ⁽¹²⁾	23%	3%	3%	3%	3%
Support - Enforce or Modify ⁽¹²⁾	5%	4%	4%	4%	3%
Traffic ⁽³⁾	13%	11%	11%	8%	7%
U.I.F.S.A. ⁽³⁾	24%	13%	16%	16%	15%
Unruly ⁽³⁾	16%	17%	16%	16%	18%



Municipal & County Courts

The Ohio Constitution of 1851 established the Supreme Court and four types of lower courts: district courts of appeals, courts of common pleas, probate courts and justice courts. In 1910, the General Assembly established the first municipal court in Cleveland. In 1957, the General Assembly replaced justice courts with county courts. Each county court was established to have under its territorial jurisdiction those regions of a county not otherwise served by a municipal court. The General Assembly, over the ensuing years, reduced the number of county courts and expanded the territorial jurisdiction and number of municipal courts.

The subject-matter jurisdiction of municipal and county courts is identical. Municipal and county courts have the authority to conduct preliminary hearings in felony cases and both have jurisdiction over traffic and non-traffic misdemeanors. These courts also have limited civil jurisdiction. They hear civil cases in which the amount of money in dispute does not exceed \$15,000. Judges of municipal and county courts have statewide authority to solemnize marriage ceremonies.

In 2018, there were 130 municipal courts with 214 judges, and 34 county courts with 36 judges. Three municipal courts have specialized divisions: Cleveland Municipal Court, Housing Division; Toledo Municipal Court, Housing Division; and Franklin County Municipal Court, Environmental Division.

Municipal court judges and county court judges must be attorneys with at least six years of experience in the practice of law. They are elected on a non-partisan judicial ballot. Municipal court judges serve on either a full-time or part-time basis, depending on the statutes establishing the individual municipal courts. The statutes provide that all county court judges serve on a part-time basis. A municipal court's territorial jurisdiction may be limited to one municipality or may extend across a range of municipalities, townships, or be countywide. A small number of municipal courts have territories that extend across more than one county.

In 2018, statutes provided for the judgeships in the following 12 municipal courts to be part-time:

Bellevue	Lebanon
Campbell	Mason
Franklin	Oakwood
Hardin County	Shelby
Huron	Struthers
Lawrence County	Vermilion

Changes in 2018

Effective Dec. 31, 2017, Perry County Court was abolished, and, effective Jan. 1, 2018, Perry County Municipal Court was established. The entire caseload of Perry County Court was transferred into Perry County Municipal Court.

Future Changes

Effective Dec. 31, 2019, Paulding County Court will be abolished, and, effective Jan. 1, 2020, Paulding County Municipal Court will be established. The entire caseload of Paulding County Court will be transferred into the new Paulding County Municipal Court.

Case Types Heard

The case types heard in municipal and county courts are grouped into three general categories.

Civil Cases

Civil cases heard in municipal and county courts are personal injury and property damage, contracts, forcible entry and detainer (F.E.D) (filed by landlords for eviction and possible recovery of money), other civil (a catchall for civil cases not otherwise classifiable in the other case type categories), and small claims cases (involving recovery of small debts and accounts not exceeding \$6,000).

Criminal Cases

This category includes felonies (preliminary hearings only) and misdemeanors.

Traffic Cases

This category includes operating a vehicle while under the influence (O.V.I.) and other traffic (all other cases involving the use of motor vehicles). Caseload statistics concerning parking violations and other vehicle-related infractions are not reported to the Supreme Court.

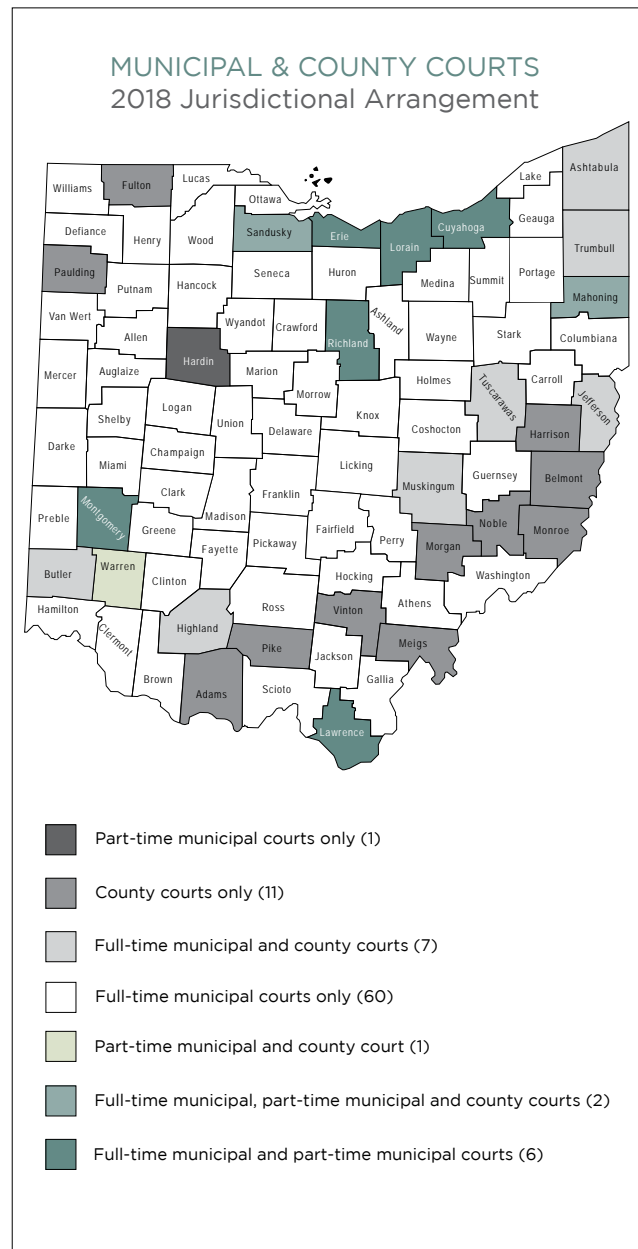


FIGURE 1

Felonies

Total incoming cases

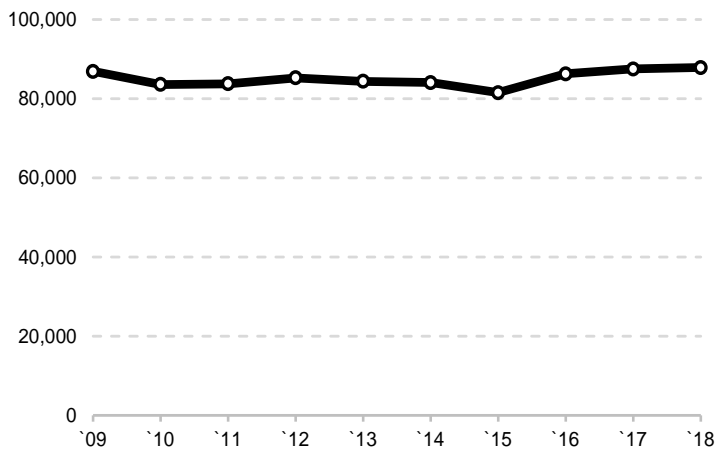


FIGURE 2

Misdemeanors

Total incoming cases

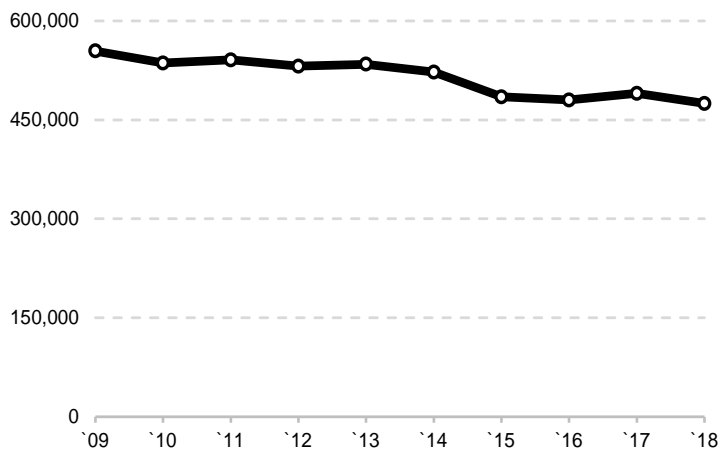
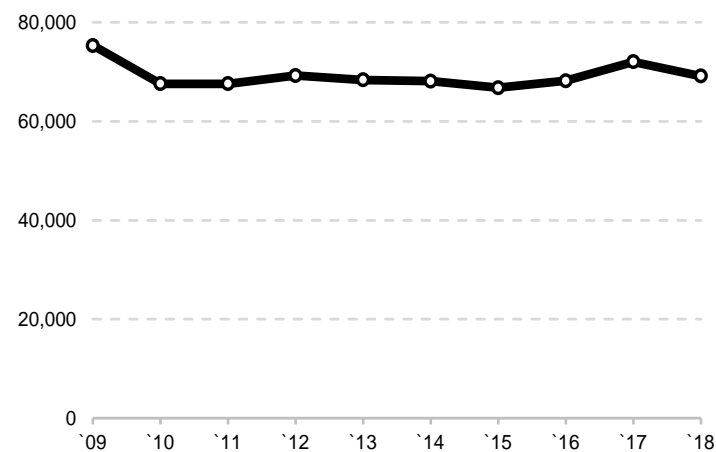


FIGURE 3

Operating a Vehicle While Under the Influence (O.V.I.)

Total incoming cases



Caseloads

For purposes of presenting 10-year-trend data concerning caseloads heard in Ohio municipal and county courts, the data reported by municipal and county courts are combined here to present a single unified perspective of the caseloads in Ohio's limited-jurisdiction trial courts.

As shown in a table in the *Appendix*, the total number of incoming cases each year in Ohio's municipal and county courts generally declined over the past 10 years. Since the 10-year high of 2,750,680 cases in 2009, the number of incoming cases has decreased by 14 percent.

Felony cases, in which municipal and county courts conduct preliminary hearings only, exhibited a slight upward trend over the 10-year period shown in **Figure 1**. Over the last three years, the number of incoming cases rose by 8 percent, following a period of relative stability between 2009 and 2015. The 87,895 incoming felony cases in 2018 constitute a 10-year high.

Misdemeanor cases, representing 20 percent of the courts' total overall caseload, trended downward over the past 10 years. The 474,789 incoming cases in 2018 is a 14-percent decrease from the 554,329 misdemeanor cases filed in 2009. (See **Figure 2**.)

Operating a vehicle while under the influence (O.V.I.) cases have been relatively stable since 2010. However in 2017, there was a 6-percent increase in incoming cases compared to 2016. In 2018, a total of 69,124 incoming cases were reported, a 4-percent decline from 2017. (See **Figure 3**.)

Other traffic cases (all moving violations other than O.V.I.), constituted 57 percent of the municipal and county courts' total incoming caseloads in 2018. Other traffic cases fluctuated widely over the past 10 years. In 2018, there was a total of 1,352,723 incoming other traffic cases, a 2-percent decrease from 2017. (See **Figure 4**.)

Small claims case filings exhibited steady and sizable decreases over the past 10 years. In 2018, a total of 47,919 small claims cases were filed, representing a 10-year decline of 38 percent. (See **Figure 5**.)

Incoming contracts cases, which in 2018 constituted 9 percent the courts' total caseload, declined sharply between 2009 and 2013. Between 2013 and 2015, the number of incoming cases remained relatively stable. However, beginning in 2016, the yearly numbers of incoming contracts cases increased substantially. In 2018, a total of 217,589 incoming cases were reported, a 47-percent increase over the 10-year low seen in 2014. The 2018 total remains lower than the 10-year high in 2009 of 232,175 cases. (See **Figure 6**.)

FIGURE 4

Other Traffic

Total incoming cases

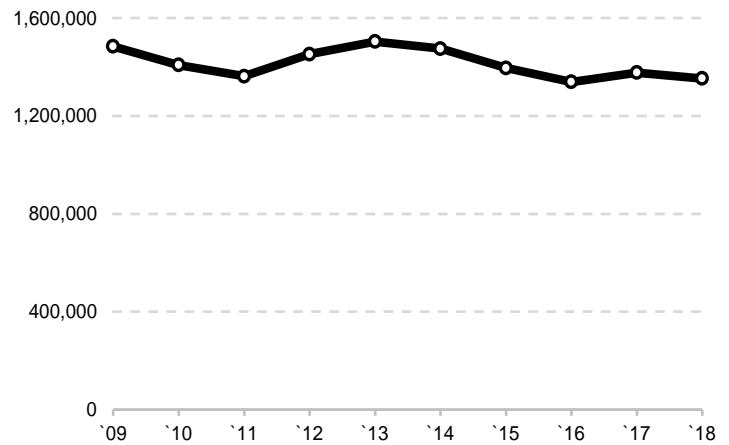


FIGURE 5

Small Claims

Total incoming cases

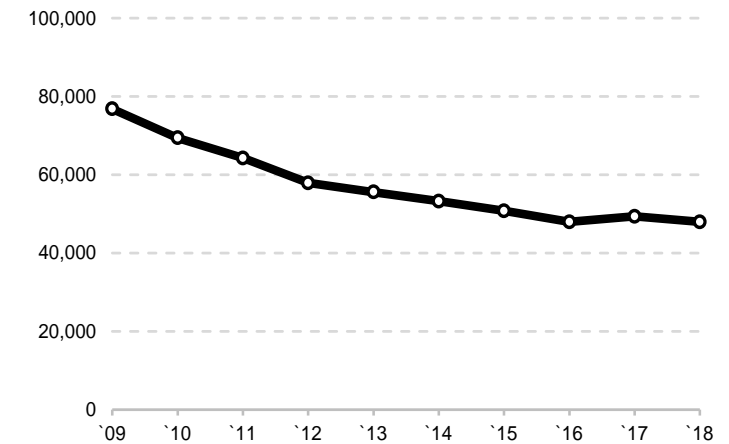


FIGURE 6

Contracts

Total incoming cases

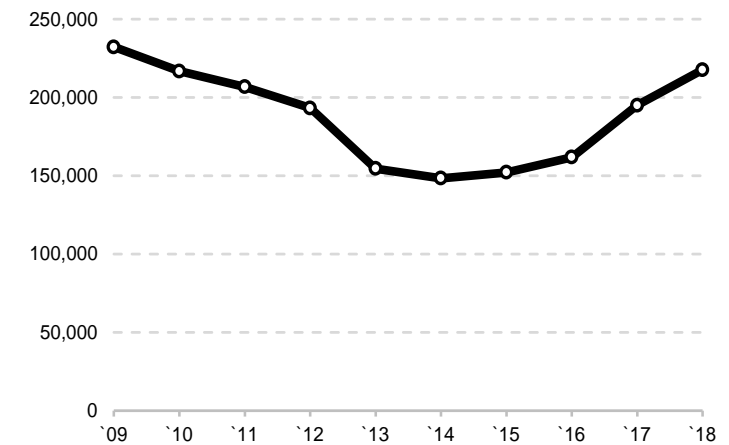


TABLE 1

Clearance Rates

Average per month in 2018

Case Type	Monthly Average
Contracts	96%
F.E.D.	101%
Felonies	100%
Misdemeanors	100%
O.V.I.	101%
Other Civil	103%
Other Traffic	100%
PI/PD	108%
Small Claims	100%

TABLE 2

Overage Rates

Percent of caseload pending past time guidelines, average per month

Case Type <i>(Time guideline, in months)</i>	2014	2015	2016	2017	2018
Contracts (12)	3%	4%	3%	2%	2%
F.E.D. (12)	2%	2%	3%	3%	3%
Felonies (1)	33%	25%	16%	16%	13%
Misdemeanors (6)	6%	7%	4%	4%	3%
O.V.I. (6)	6%	7%	4%	4%	4%
Other Civil (12)	6%	7%	3%	3%	2%
Other Traffic (6)	4%	5%	2%	2%	1%
PI/PD (24)	1%	1%	1%	1%	1%
Small Claims (6)	7%	7%	6%	5%	4%

Performance Measures

For a description of court performance measures used by the Supreme Court, see *page 3*.

As shown in **Table 1**, the clearance rates for most cases types in the limited jurisdiction courts in 2018 are at or above 100 percent in all case types except contracts, which exhibited a statewide clearance rate of 96 percent. Average monthly overage rates for the past five years are displayed in **Table 2**. The overage rate for felony cases in 2017, at 13 percent, is the only case type with an overage rate above 10 percent. It is notable, however, that the five-year overage rate trend in felony cases declined from the high of 33 percent in 2014.

Trial Rates

The rate of trials occurring in a court is a useful statistic when assisting courts in understanding the fundamentals of effective caseload management. Although it is not a measure of a court's performance, per se, this statistic is used by the Supreme Court's Case Management Section as part of its caseload management training curriculum.

In order to calculate trial rates, the various termination categories reported by the courts first are separated into termination categories that are dispositive of the case and categories that instead render the case no longer active for reporting purposes. The number of dispositive terminations then are summed. The resulting sum is divided into the number of trials (either by jury, by court, or both) in order to produce the trial rate, expressed as a percentage.

It is understood among court observers at the national level that approximately 2 percent of civil cases and 5 percent of criminal cases ultimately go to trial. Ohio trial rates are similar for civil cases, but far below 5 percent for criminal cases. **Figures 7, 8, and 9** display the trial rates in Ohio's municipal and county courts in misdemeanors, non-small claims civil cases, and traffic cases (O.V.I. and other traffic combined).

FIGURE 7

Misdemeanors (non-traffic)

Trials as a percentage of all dispositions

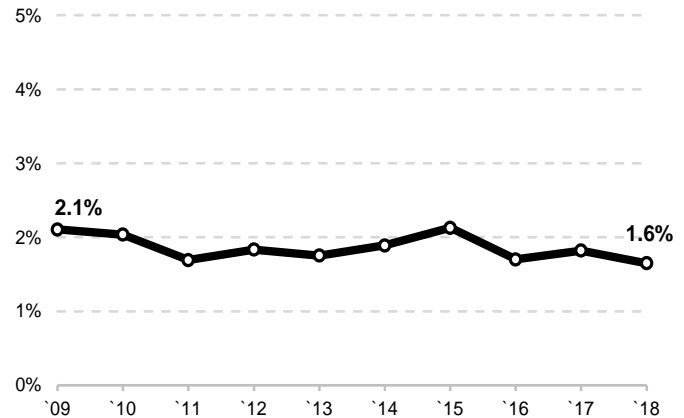


FIGURE 8

Civil (non-small claims)

Trials as a percentage of all dispositions

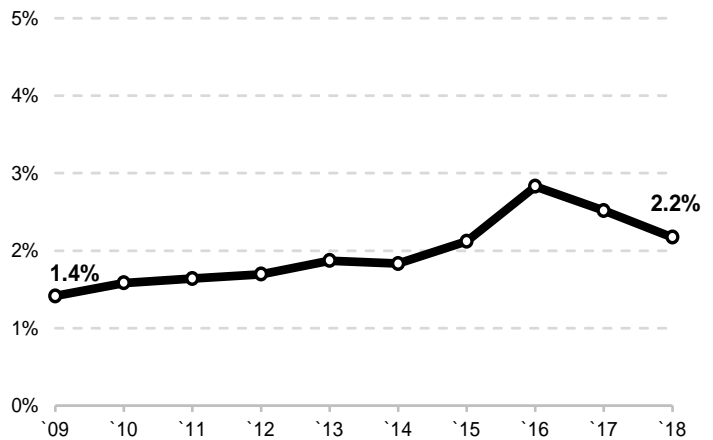
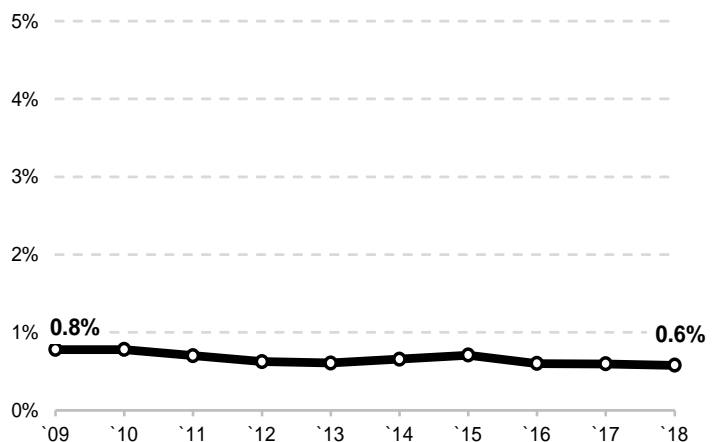
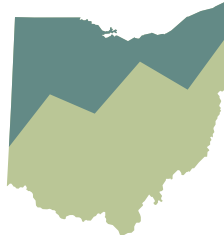


FIGURE 9

Traffic (O.V.I. and Other Traffic)

Trials as a percentage of all dispositions





MAYOR'S COURTS

In general, Ohio law allows mayors of municipal corporations populated by more than 200 people to conduct mayor's court where there are no municipal courts. These courts, which are not courts of record, only hear cases involving violations of local ordinances and state traffic laws. A person convicted in a mayor's court may appeal his or her conviction to the municipal or county court having jurisdiction within the municipal corporation.

Mayor's courts are required by law to register annually with and submit caseload statistical reports quarterly to the Supreme Court. At the request of the General Assembly, the Supreme Court adopted rules providing court procedures and basic legal education for mayors. Mayors whose courts hear alcohol- and drug-related traffic offenses have additional educational requirements. A mayor is not required to be a lawyer, but may appoint an attorney who has practiced law for at least three years to hear cases in mayor's court.

Mayor's court caseload statistics are published annually in a separate report.



A

Abuse, Neglect and Dependency: Juvenile cases concerning the neglected child, as defined by R.C. 2151.03; the dependent child, as defined by R.C. 2151.04; or the abused child, as defined by R.C. 2151.031.

Adult Cases: Juvenile court cases brought against an adult who is the defendant accused of contributing to the neglect, unruliness, or delinquency of a minor.

All Others: Any case that cannot appropriately be recorded in a listed category.

C

Change of Custody: Post-decree domestic relations cases in which the court must adjudicate a motion for change of custody, including requests for change of custody based upon an election by the child and cases where custody is contested. Juvenile cases are included where there is an application for writ of habeas corpus involving the custody of a child or where a motion for change of custody is filed pursuant to Juv.R. 10(A).

Clearance Rate: Clearance rates are statistical calculations measuring a court's performance in keeping up with its incoming caseload. A clearance rate of 100 percent indicates the court terminates an equal number of cases as it takes in. It is determined by dividing the total number of terminations by the total number of new filings, reactivations, and transfers. It is expressed as a percentage. For example, if 90 terminations and 100 total incoming cases are reported, the clearance rate is 90 percent.

Court Trial: A case is considered terminated by trial to the court (i.e., judge) if judgment is rendered after the first witness is sworn.

Criminal: Cases in which a person is charged with a violation of a state law or local ordinance other than a traffic law or ordinance. For purposes of tracking the age of the case for these reports, the case begins at arraignment.

D

Delinquency: Juvenile cases filed concerning a delinquent child, as defined by R.C. 2152.02.

Domestic Violence: Domestic violence actions filed as separate cases pursuant to R.C. 3113.31. This does not include miscellaneous matters filed in pending cases, such as motions to evict.

F

Felony: This type is defined by R.C.2901.02 and Crim.R. 2 as an offense specifically classified as a felony, regardless of penalty, or an offense in which imprisonment for more than one year can be imposed. When transferred to the common pleas court, these cases are reported as criminal cases by the receiving court.

Forcible Entry and Detainer (F.E.D.): A summary proceeding initiated under R.C. 1923 or R.C. 5321 for restoring possession of real property to one who is wrongfully kept out or wrongfully deprived of possession.

J

Jury Trial: A case is considered terminated by jury trial if judgment is rendered after the jury is sworn, regardless of the outcome of the trial.

M

Marriage Dissolutions: Domestic relations cases in which a petition for dissolution of marriage is filed pursuant to R.C. 3105.63.

Marriage Terminations: Domestic relations cases in which a complaint for divorce is filed pursuant to R.C. 3105.01.

Misdemeanors: A misdemeanor is defined by R.C. 2901.02 and Crim.R. 2 as an offense specifically classified as a misdemeanor, or an offense in which imprisonment for not more than one year can be imposed. While traffic offenses fall within this definition, they are reported as operating a vehicle while under the influence or other traffic offenses and not as misdemeanors.

Motion for Permanent Custody: Juvenile cases in which a complaint or motion for permanent custody is filed when custody is contested. This does not include voluntary placements.

O

Operating a Vehicle While Under the Influence (O.V.I.): Cases that include violating R.C. 4511.19 or any local ordinance that prohibits operating a motor vehicle while under the influence of alcohol or any drug of abuse.

Other Civil: Civil cases not included within other category. Ancillary proceedings are not reported as cases.

Other Traffic: Cases dealing with matters involving traffic offenders. Juveniles, as defined by R.C. 2152.02(N), and adult traffic cases include any violation of state law or local ordinance arising out of the use of a motor vehicle, except those involving operating a vehicle while under the influence charges.

Overage Rates: Overage rates are a measure of a court's backlog. At any point in time, a court will have some number of active pending cases. Of those, some percentage may be pending beyond the time guidelines prescribed by the Supreme Court pursuant to Sup.R. 39. That percentage of overage cases is referred to as the overage rate.

P

Parentage: Cases brought pursuant to R.C. Chapter 3111, the Uniform Parentage Act. Once paternity is established, the parentage case is considered terminated for reporting purposes.

Personal Injury and Property Damage: Civil cases in which the principal issue is liability for, or the amount of damages to be received for, allegedly tortious conduct resulting in personal injury.

S

Small Claims: Civil actions brought under R.C. 1925 for the recovery of small debts and accounts, not exceeding \$3,000, exclusive of interest and costs.

Support Enforcement/Modification: Post-decree domestic relations cases in which it is alleged there is disobedience of, or resistance to, a lawful judgment of the court requiring the payment of support. A case is reported only once, regardless of the number of pending motions.

T

Trial Rate: Trial rates are statistical calculations describing the rates at which trials occur compared against all other termination categories that are dispositive of a case.

U

Uniform Interstate Family Support Act (U.I.F.S.A.): Cases brought pursuant to R.C. Chapter 3115, the Uniform Interstate Family Support Act, handled by the domestic relations or juvenile divisions, including cases initiated in Ohio and cases in which Ohio is the responding state.

Unruly: Juvenile cases concerning unruly children, as defined by R.C. 2151.022.

V

Visitation Enforcement/Modification: Post-decree domestic relations cases in which it is alleged there is disobedience of, or resistance to, lawful judgment of the court relative to child-visitation rights. A case is listed only once, regardless of the number of pending motions.

W

Workers' Compensation: Appeals filed under R.C. 4123.512, including noncompliance actions by the state, for recovery of benefits or of premiums, and mandamus actions arising from claims or awards.

Courts of Common Pleas, General Division

Total incoming cases

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Administrative Appeals	1,531	1,537	1,488	1,404	1,116	1,183	1,018	1,070	1,034	973
Complex Litigation	94	76	59	67	102	149	67	54	77	73
Criminal	86,118	82,857	81,042	81,026	78,612	80,636	78,112	82,001	86,139	90,166
Foreclosures	99,208	97,412	85,629	84,196	63,940	51,697	46,725	44,913	40,713	38,207
Other Civil	74,813	68,907	61,647	56,510	50,392	49,249	48,170	48,008	48,265	49,137
Other Torts	20,666	19,280	18,303	17,981	17,669	17,239	16,153	17,008	17,393	16,746
Product Liability	263	257	203	234	254	184	186	173	176	188
Professional Tort	1,705	1,706	1,509	1,523	1,572	1,555	1,460	1,490	1,618	1,290
Workers' Compensation	8,698	8,176	7,759	7,296	7,164	6,937	6,869	6,785	6,194	6,473
Total	293,096	280,208	257,639	250,237	220,821	208,829	198,760	201,502	201,609	203,253

Courts of Common Pleas, Domestic Relations Division

Total incoming cases

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
All Others	16,271	14,457	14,029	13,582	12,948	12,686	11,892	11,409	9,794	9,195
Change of Custody	7,252	7,223	7,464	7,090	6,909	6,761	6,582	6,124	6,264	6,133
Domestic Violence	21,888	21,178	20,894	19,939	20,019	18,742	18,910	19,311	19,960	21,399
Marriage Dissolutions w/Children	8,031	8,621	8,455	8,028	7,667	7,398	7,370	7,149	6,877	7,064
Marriage Dissolutions w/o Children	10,463	10,732	10,550	10,167	10,316	10,087	10,011	9,974	9,806	9,908
Marriage Terminations w/Children	16,381	16,127	16,158	15,137	14,307	13,829	13,194	12,921	12,415	12,300
Marriage Terminations w/o Children	13,816	14,136	14,555	14,134	13,992	13,178	13,123	12,839	12,897	12,580
Parentage	2,271	2,261	2,133	1,987	1,704	1,577	1,440	1,275	1,282	1,314
Support - Enforce or Modify	37,703	34,751	31,866	31,018	29,975	28,982	26,831	25,584	25,386	25,496
U.I.F.S.A.	1,620	1,123	1,085	1,258	1,088	1,081	1,060	966	889	864
Visitation - Enforce or Modify	3,193	3,337	3,414	3,433	3,117	3,139	3,000	2,780	2,971	2,991
Total	138,889	133,946	130,603	125,773	122,042	117,460	113,413	110,332	108,541	109,244

APPENDIX

Courts of Common Pleas, Probate Division

Total incoming cases

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Adoptions	4,487	4,120	4,159	4,060	4,231	3,862	4,217	4,421	4,462	4,278
Birth (Correction or Delayed Reg.)	1,126	1,086	988	1,157	1,109	923	931	1,036	1,138	1,081
Change of Name	5,324	5,514	5,491	5,880	6,076	6,039	6,178	6,367	6,752	7,182
Civil Actions	2,439	2,402	2,462	2,581	2,816	2,848	2,834	2,519	2,308	2,251
Conservatorships	95	91	76	122	105	78	82	62	60	46
Decedents' Estates	56,686	55,199	56,188	57,241	56,669	53,084	55,519	52,169	52,578	52,928
Guardianships of Incompetents	6,668	6,488	6,393	6,993	7,091	7,099	6,721	6,911	6,864	6,759
Guardianships of Minors	2,896	2,608	2,372	2,329	2,447	2,291	2,333	2,262	2,159	1,869
Mental Health and Civil Commitments	5,360	5,052	5,360	5,923	5,925	5,965	6,085	6,428	6,510	6,674
Minors' Settlements	1,506	1,345	1,287	1,349	1,437	1,327	1,234	1,237	1,328	1,290
Testamentary Trusts	552	530	462	475	511	465	423	450	370	358
Wrongful Death	1,039	717	628	688	708	542	697	657	812	1,071
Total	88,178	85,152	85,866	88,798	89,125	84,523	87,254	84,519	85,341	85,787
Marriage Applications Granted	68,019	68,248	69,334	70,058	68,446	70,232	71,470	79,747	70,441	68,356

Courts of Common Pleas, Juvenile Division

Total incoming cases

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Abuse, Neglect or Dependency	16,456	18,114	18,307	18,292	17,183	16,231	17,430	18,690	21,041	20,780
Adult Cases	6,802	6,519	7,087	6,929	7,080	7,296	8,346	7,836	6,729	4,087
All Others	8,665	11,584	13,368	13,066	13,572	12,749	10,082	9,629	9,819	9,312
Custody/Visitation	28,173	29,833	30,756	31,427	30,887	31,380	31,928	32,482	33,850	34,300
Delinquency	97,708	86,448	80,183	78,681	72,078	69,778	64,951	63,580	57,522	46,272
Motion for Permanent Custody	1,946	1,677	2,053	2,218	2,414	2,664	2,831	2,981	3,088	3,405
Parentage	12,746	13,431	11,892	10,621	9,303	8,724	7,617	7,250	6,759	6,382
Support - Enforce or Modify	63,581	64,988	62,375	60,902	59,446	56,271	52,574	49,694	53,704	49,314
Traffic	60,040	52,111	47,747	46,782	42,959	39,082	40,229	41,075	41,493	37,847
U.I.F.S.A.	1,143	1,560	1,487	1,175	1,167	1,218	1,129	1,118	1,459	946
Unruly	16,876	15,400	14,152	14,018	12,811	13,020	12,173	11,433	11,362	11,836
Total	314,136	301,665	289,407	284,111	268,900	258,413	249,290	245,768	246,826	224,481

Municipal and County Courts

Total incoming cases

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Contracts	232,175	216,751	206,735	193,157	154,500	148,321	152,066	161,755	194,941	217,589
F.E.D.	109,544	108,118	116,007	113,065	114,961	112,480	110,491	107,872	107,058	106,521
Felonies	86,896	83,601	83,805	85,285	84,398	84,078	81,537	86,277	87,534	87,895
Misdemeanors	554,329	535,989	540,906	531,352	534,330	522,304	484,752	480,140	490,034	474,789
O.V.I.	75,299	67,594	67,585	69,247	68,368	68,098	66,753	68,180	72,009	69,124
Other Civil	124,231	107,879	90,569	24,794	18,397	17,317	17,763	16,831	17,243	17,553
Other Traffic	1,484,335	1,407,601	1,362,284	1,452,294	1,503,517	1,475,100	1,395,903	1,338,755	1,376,852	1,352,723
PI/PD	7,074	6,873	7,244	6,212	6,331	5,811	4,700	5,501	4,414	4,630
Small Claims	76,797	69,385	64,240	57,896	55,564	53,233	50,770	47,912	49,338	47,919
Total	2,750,680	2,603,791	2,539,375	2,533,302	2,540,366	2,486,742	2,364,735	2,382,669	2,457,970	2,378,743

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