



THE SUPREME COURT *of* OHIO

case statistics

2
0
1
2

Prepared by
Office of the Clerk





THE SUPREME COURT *of* OHIO

case statistics

2

0

1

2

Maureen O'Connor
Chief Justice

Paul E. Pfeifer
Evelyn Lundberg Stratton
Terrence O'Donnell
Judith Ann Lanzinger
Robert R. Cupp
Yvette McGee Brown
Justice until December 6, 2012
Sharon L. Kennedy
Justice beginning December 7, 2012
Justices

Steven C. Hollon
Administrative Director

Prepared by
Office of the Clerk
Kristina D. Frost ▪ Clerk



TABLE OF CONTENTS

I.	CASELOAD ACTIVITIES	1
	Summary of Activity	2
	Cases Filed	3
	Final Dispositions	4
	Cases Pending December 31, 2012	5
II.	CASELOAD 2008-2012	7
	Cases Filed by Legal Category – 2012	8
	Cases Filed	9
	Case Dispositions	10
	Cases Pending	11
	Appeals by Pro Se Litigants	13
	Jurisdictional Appeals filed 2007-2011 and Accepted for Merit Review	14
III.	TIME TO DISPOSITION 2008-2012	15
	All Cases	16
	Jurisdictional Appeals Accepted for Merit Review	17
	Jurisdictional Appeals Not Accepted for Merit Review	18
	Original Actions	19
	Disciplinary Cases on Report of Board	20
	Unauthorized Practice of Law Cases	21
	Character and Fitness Cases	22
	Cases Decided with an Opinion	23
IV.	BRIEFING TO ORAL ARGUMENT 2008-2012	25
	All Cases Argued	26
	Practice of Law Cases	27
V.	APPENDICES	29
	Appendix A – Practice of Law Cases - Cases Filed 2012	30
	Appendix B – Practice of Law Cases - Final Case Dispositions 2012	31
	Notes	33



section 1

caseload activities

The following tables provide a summary of the 2012 caseload activity for the court, including cases filed, final dispositions, and cases pending on December 31, 2012.

2012 case statistics

summary of activity

In 2012, the Supreme Court of Ohio had 2,187 new cases filed, an almost 10 percent decrease in new case filings from the 2,207 cases filed in 2011. It is the fourth consecutive year for a decline in new cases filed.

The court disposed of 2,171 cases in 2012, a decrease of 92 cases from the 2,263 cases disposed in 2011. The number of cases pending on December 31, 2012, was 773. The court's case clearance rate dropped from 103 percent in 2011 to 99 percent in 2012.

CASES PENDING JANUARY 1, 2012	757 ¹
----------------------------------	------------------

CASES FILED

Jurisdictional Appeals	1,629
Merit Cases	424
Practice of Law Cases	134

TOTAL CASES FILED	2,187
--------------------------	--------------

CASE DISPOSITIONS

Jurisdictional Appeals	1,512
Merit Cases	506
Practice of Law Cases	153

TOTAL CASE DISPOSITIONS	2,171
--------------------------------	--------------

CASES PENDING DECEMBER 31, 2012	773
------------------------------------	-----

CLEARANCE RATE	99%
----------------	-----

JURISDICTIONAL APPEALS

Claimed Appeals of Right	25
Discretionary Appeals (Non-felony) ²	759
Discretionary Appeals (Felony)	747
Death Penalty Postconviction Appeals	8
Appeals Involving Termination of Parental Rights/Adoption	12
Appeals from App.R. 26(B) Applications (<i>Murnahan</i> Appeals)	78
TOTAL	1,629

MERIT CASES

Original Actions	180
Habeas Corpus Cases	38
Direct Appeals (Cases Originating in Court of Appeals)	107
Certified Conflicts	28
Appeals from Board of Tax Appeals	42
Appeals from Public Utilities Commission	11
Appeals from Power Siting Board	1
Death Penalty Cases	6
Appeal from App.R. 26(B) Application in Death Penalty Case	1
Certified Questions of State Law	0
Appeals of Contest of Election under R.C. 3515.15	2
Petition Challenges pursuant to Article II, Section 1g	2
Contest of an Election pursuant to R.C. 3515.08	1
Apportionment Case pursuant to Article IX, Section 13	1
Cases Purporting to Invoke Unspecified Original Jurisdiction	4
TOTAL	424

PRACTICE OF LAW CASES³

Disciplinary Cases	125
Bar Admissions Cases	7
Unauthorized Practice of Law Cases	2
TOTAL	134

TOTAL CASES FILED**2,187**

2012 case statistics

final dispositions

JURISDICTIONAL APPEALS⁴

Claimed Appeals of Right	20
Discretionary Appeals (Non-felony) ⁵	695
Discretionary Appeals (Felony)	701
Death Penalty Postconviction Appeals	3
Appeals Involving Termination of Parental Rights/Adoption	10
Appeals from App.R. 26(B) Applications (<i>Murnahan</i> Appeals)	83
TOTAL	1,512

MERIT CASES

Original Actions	164
Habeas Corpus Cases	32
Direct Appeals (Cases Originating in Court of Appeals)	116
Certified Conflicts	36
Certified Conflicts Involving Termination of Parental Rights/ Adoption	1
Appeals from Board of Tax Appeals	31
Appeals from Public Utilities Commission	8
Appeals from Power Siting Board	1
Death Penalty Cases	5
Certified Questions of State Law	4
Appeals of Contest of Election under R.C. 3515.15	2
Petition Challenges Pursuant to Article II, Section 1g	2
Other Merit Cases	5
Jurisdictional Appeals Accepted for Merit Review	99 ⁶
TOTAL	506

PRACTICE OF LAW CASES⁷

Disciplinary Cases	142
Bar Admissions Cases	7
Unauthorized Practice of Law Cases	2
Other Matters Related to Practice of Law	2
TOTAL	153

TOTAL FINAL DISPOSITIONS

2,171

⁴ For notes, see pp. 33-34.

2012 case statistics

cases pending december 31, 2012

JURISDICTIONAL APPEALS

Claimed Appeals of Right	10
Discretionary Appeals (Non-felony) ⁸	208
Discretionary Appeals (Felony)	203
Death Penalty Postconviction Appeals	14
Appeals Involving Termination of Parental Rights/Adoption	3
Appeals from App.R. 26(B) Applications (<i>Murnahan</i> Appeals)	12
TOTAL	450

MERIT CASES

Original Actions	59
Habeas Corpus Cases	12
Direct Appeals (Cases Originating in Court of Appeals)	71
Certified Conflicts	17
Appeals from Board of Tax Appeals	32
Appeals from Public Utilities Commission	11
Appeals from Power Siting Board	1
Death Penalty Cases ⁹	23
Certified Questions of State Law	2
Appeal from App.R. 26(B) Application in a Death Penalty Case	1
Other Merit Cases	2
Jurisdictional Appeals Accepted for Review	42
TOTAL	273

PRACTICE OF LAW CASES

Disciplinary Cases	46
Bar Admission Cases	4
Unauthorized Practice of Law Cases	0
TOTAL	50

TOTAL CASES PENDING

773



section 2

caseload

2008-2012

The following charts show the caseload activity of the court, including total cases filed, total case dispositions, total cases pending, and appeals filed by pro se litigants for the years 2008 through 2012.

Also included in this section is a chart reflecting the number and percentage of jurisdictional appeals filed and accepted for review. The charts compare the years 2007 through 2011 because this data is measured by the year in which the appeal was filed. The most recent year for which the data is complete is 2011.

2011 case statistics

caseload 2007-2011

CASES FILED BY CATEGORY – 2012

On January 1, 2010, the clerk's office began to categorize cases according to the following designations:

- Civil
- Criminal
- Practice of Law
- Domestic Relations, Probate & Juvenile
- Miscellaneous.

The use of categories allows for a better description of the types of cases considered by the court. The categories correspond to those used by Ohio's courts of appeals. In time, use of the categories will permit an additional method for analyzing case dispositions and time to disposition.

CASES BY CATEGORY

Civil

422 cases (19%)

Criminal

1,115 cases (51%)

Practice of Law

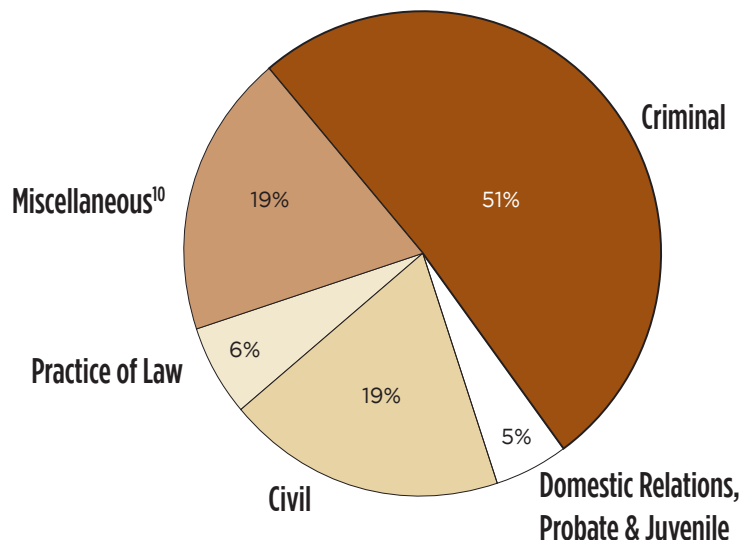
134 cases (6%)

Domestic Relations, Probate & Juvenile

99 cases (5%)

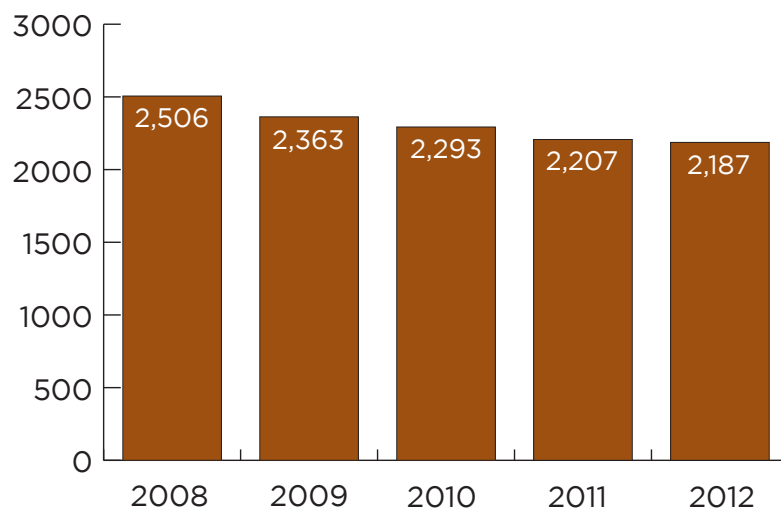
Miscellaneous¹⁰

417 cases (19%)



CASES FILED 2008-2012

In 2012, the Supreme Court of Ohio had 2,187 new cases filed, an almost 10 percent decrease in new case filings from the 2,207 cases filed in 2011. It is the fourth consecutive year for a decline in new cases filed. Of the 2,187 cases filed in 2012, 74 percent of the cases, or 1,629 cases were jurisdictional appeals.

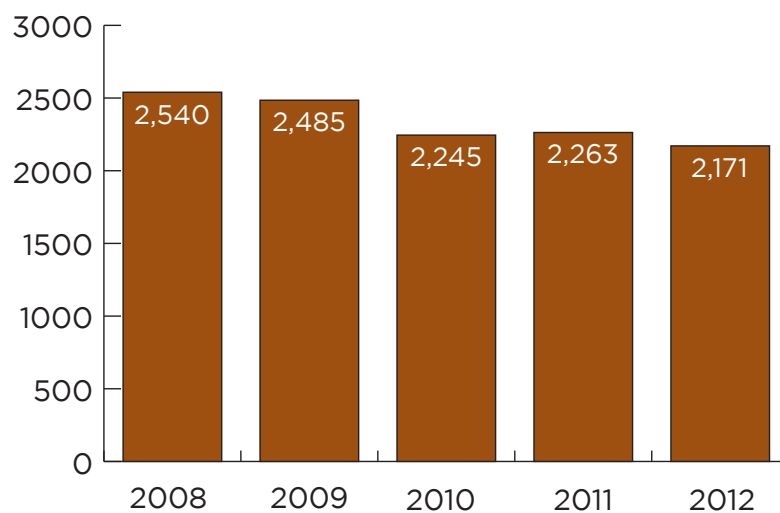


2012 case statistics

caseload 2008-2012

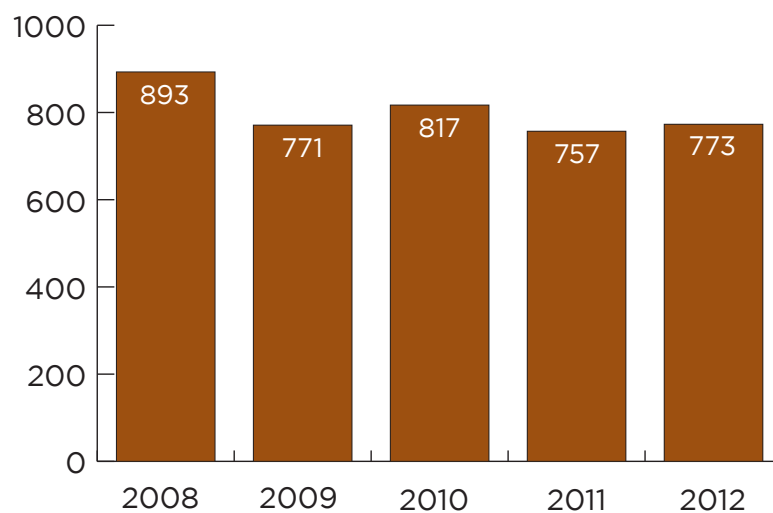
CASE DISPOSITIONS 2008-2012¹¹

The court disposed of 2,171 cases in 2012, a decrease of 92 cases when compared to the 2,263 cases disposed in 2011.



CASES PENDING 2008-2012¹²

The number of cases pending on December 31, 2012, was 773, an increase of 16 cases from the 757 cases pending at the end of 2011. The 2012 case clearance rate was 99 percent.



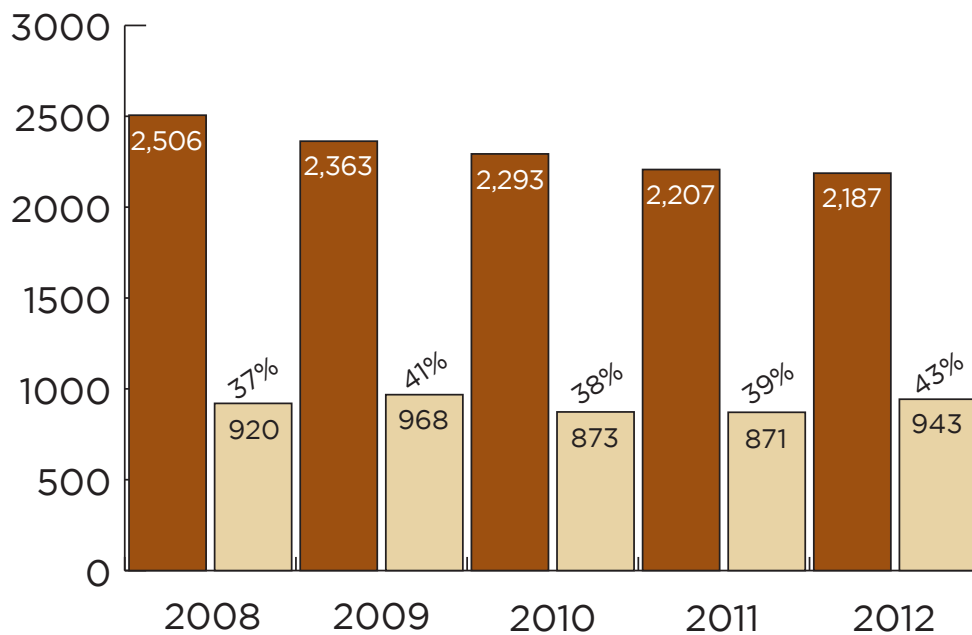
2011 case statistics

caseload 2008-2012

APPEALS BY PRO SE LITIGANTS 2008-2012

The percentage of cases filed by pro se litigants increased in 2012 by 4 percent to 43 percent of cases.

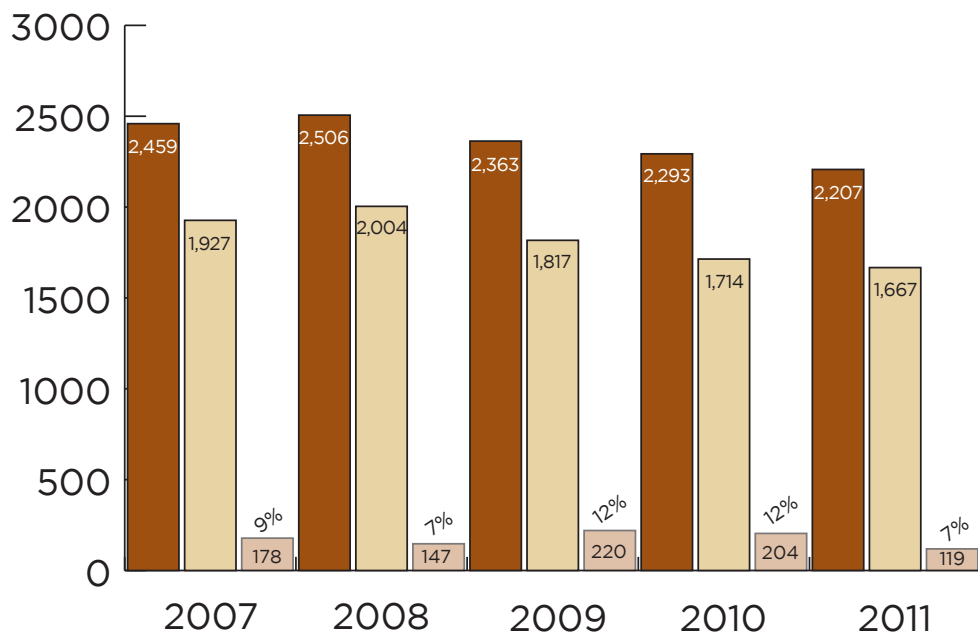
	2008	2009	2010	2011	2012
General cases	2,506	2,363	2,293	2,207	2,187
Pro se cases	920	968	873	871	943
Percent pro se	37	41	38	39	43



JURISDICTIONAL APPEALS FILED 2007-2011
AND ACCEPTED FOR MERIT REVIEW

The percent of jurisdictional appeals accepted in any given year is calculated for the year in which the appeal was filed and not the year in which the appeal is accepted. In 2011, for example, the number of jurisdictional appeals filed was 1,667 and, of these, 119 appeals, or 7 percent were accepted by the court for full consideration on the merits. As of December 31, 2012, 450 jurisdictional appeals were pending the court's consideration.

	2007	2008	2009	2010	2011
Cases filed	2,459	2,506	2,363	2,293	2,207
Appeals filed	1,927	2,004	1,817	1,714	1,667
Appeals accepted	178	147	220	204	119
Percent accepted	9	7	12	12	7





section 3 time to disposition 2008-2012

The following charts reflect length of time from the origination of an action to final disposition in broad categories of case types including:

- All cases
- Jurisdictional appeals accepted for merit review
- Original actions
- Disciplinary cases
- Unauthorized practice of law cases
- Character and fitness cases
- All cases decided with an opinion.

The charts provide data for the years 2008 through 2012 for purposes of comparison.

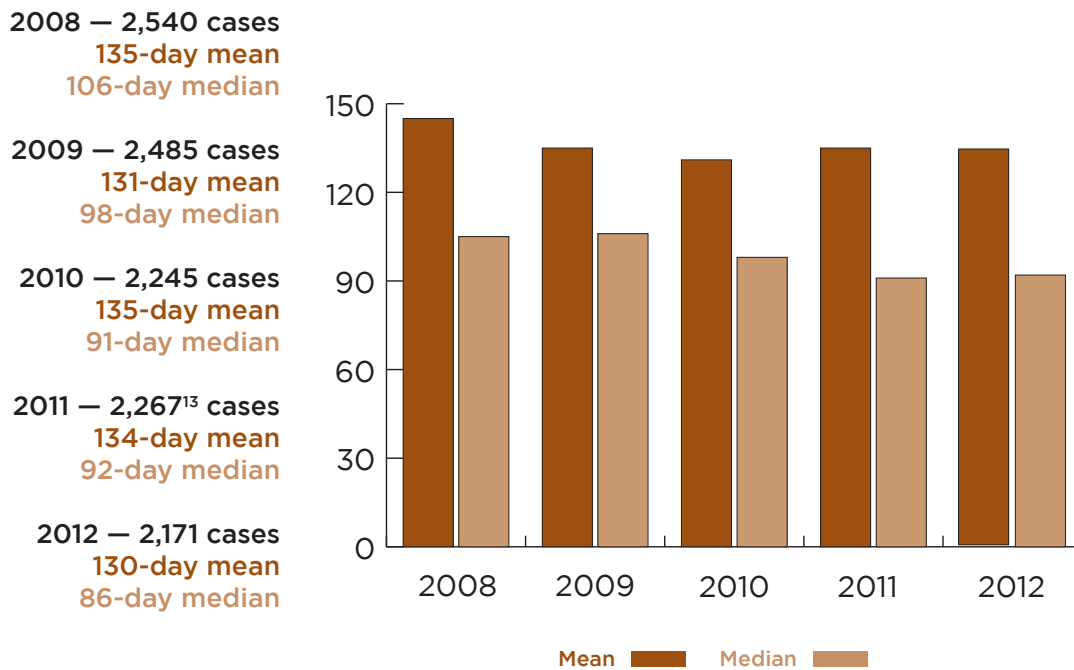
2012 case statistics

time to disposition 2008-2012

ALL CASES

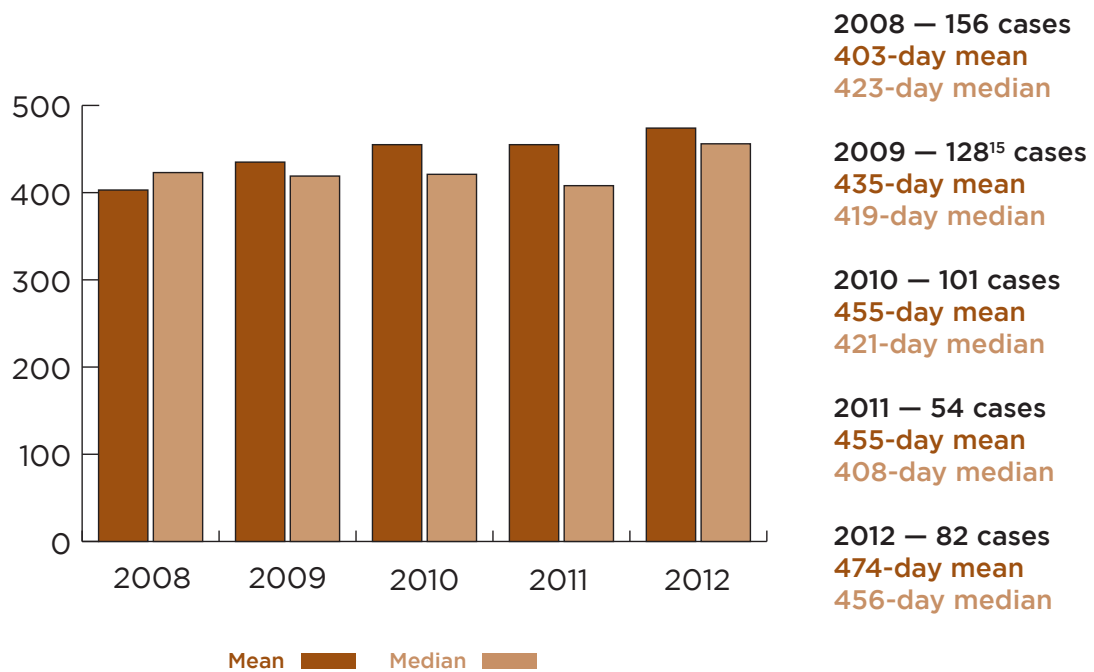
From Case Filing to Final Disposition

In 2012, the court disposed of 2,171 cases. The mean or average number of days a case was pending before the court decreased by 4 days in 2012.



JURISDICTIONAL APPEALS ACCEPTED FOR MERIT REVIEW¹⁴
 From Filing of Notice of Appeal to Final Disposition

Decisions in 82 jurisdictional appeals following full merit review were released in 2012. The time to disposition averaged 474 days.



2012 case statistics

time to disposition 2008-2012

JURISDICTIONAL APPEALS NOT ACCEPTED FOR MERIT REVIEW¹⁶ From Filing of Notice of Appeal to Final Disposition

The number of days taken by the court to consider and dispose of a jurisdictional appeal not accepted decreased slightly by 6 days in 2012.

2008 — 1,868 cases

101-day mean

104-day median

2009 — 1,793 cases

95-day mean

96-day median

2010 — 1,397 cases

88-day mean

86-day median

2011 — 1,583 cases

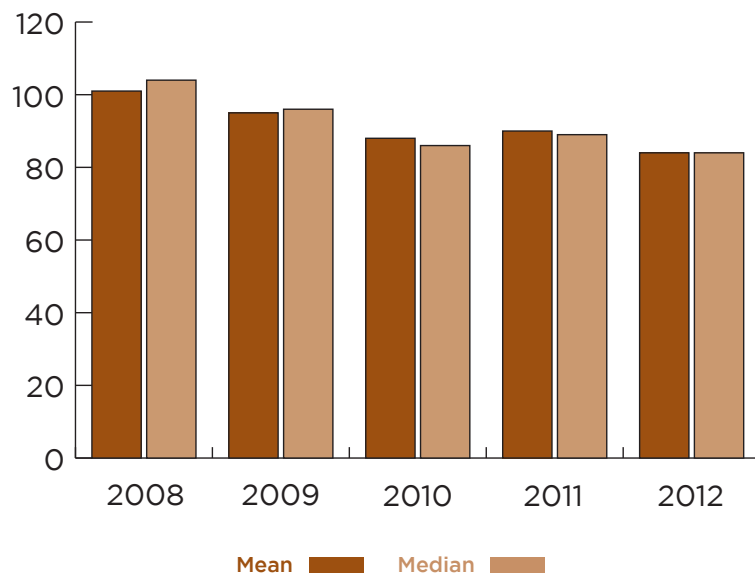
90-day mean

89-day median

2012 — 1,474 cases

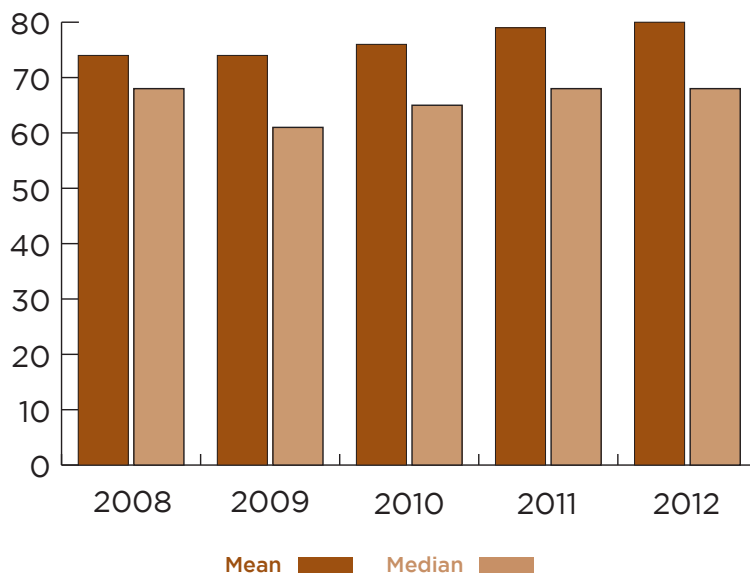
84-day mean

84-day median



ORIGINAL ACTIONS¹⁷
From Filing to Final Disposition

During 2012, 196 original actions were disposed of in an average of 80 days.



2008 – 199 cases
74-day mean
68-day median

2009 – 203 cases
74-day mean
61-day median

2010 – 233 cases
76-day mean
65-day median

2011 – 207¹⁸ cases
79-day mean
68-day median

2012 – 196 cases
80-day mean
68-day median

2012 case statistics

time to disposition 2008-2012

DISCIPLINARY CASES UPON REVIEW OF BOARD From Filing of Board Report to Final Disposition

In 2012, the number of disciplinary cases disposed of increased by 34 cases, from 63 cases in 2011 to 97 cases in 2012. The average number of days to final disposition increased by 60 days.

2008 — 70 cases

182-day mean

174-day median

2009 — 81 cases

164-day mean

161-day median

2010 — 88 cases

186-day mean

164-day median

2011 — 63¹⁹ cases

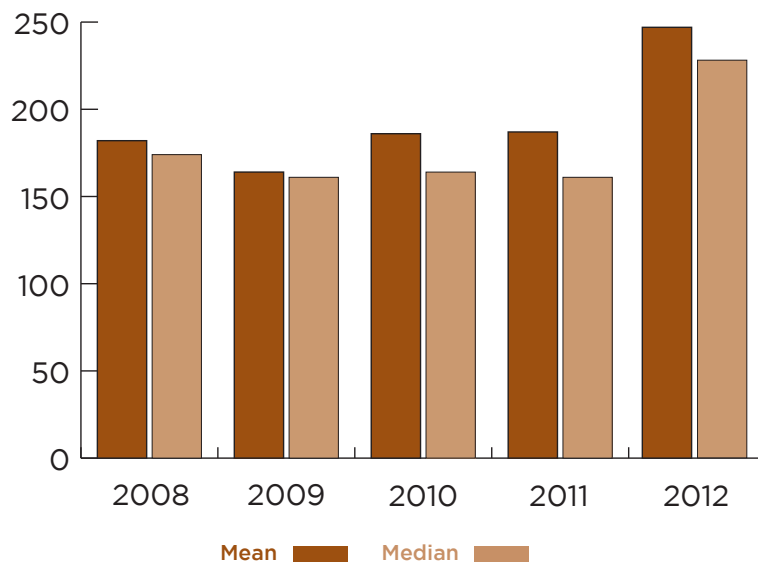
187-day mean

161-day median

2012 — 97 cases

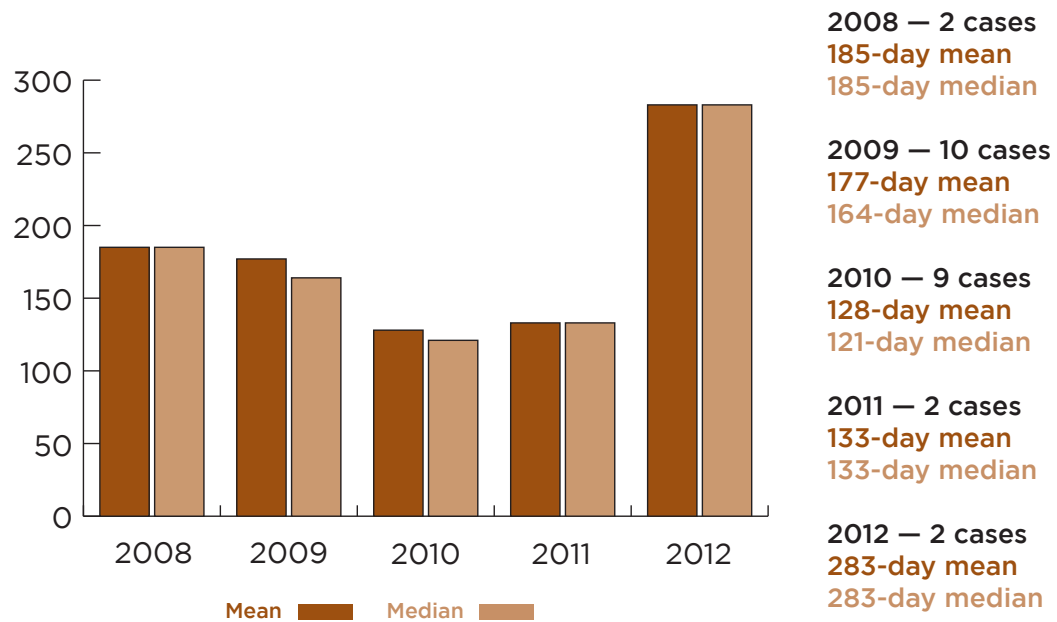
247-day mean

228-day median



UNAUTHORIZED PRACTICE OF LAW CASES
From Filing of Board Report to Final Disposition

The number of days taken to dispose of an unauthorized practice of law case increased by 150 days from 133 days in 2011, to 283 in 2012.



2012 case statistics

time to disposition 2008-2012

CHARACTER AND FITNESS CASES

From Filing of Board Report to Final Disposition

The number of character and fitness cases disposed of in 2012 increased by 1, from 6 cases in 2011, to 7 cases in 2012. The time to disposition increased by 161 days in 2012.

2008 — 6 cases

128-day mean

135-day median

2009 — 4 cases

157-day mean

161-day median

2010 — 12 cases

97-day mean

75-day median

2011 — 6 cases

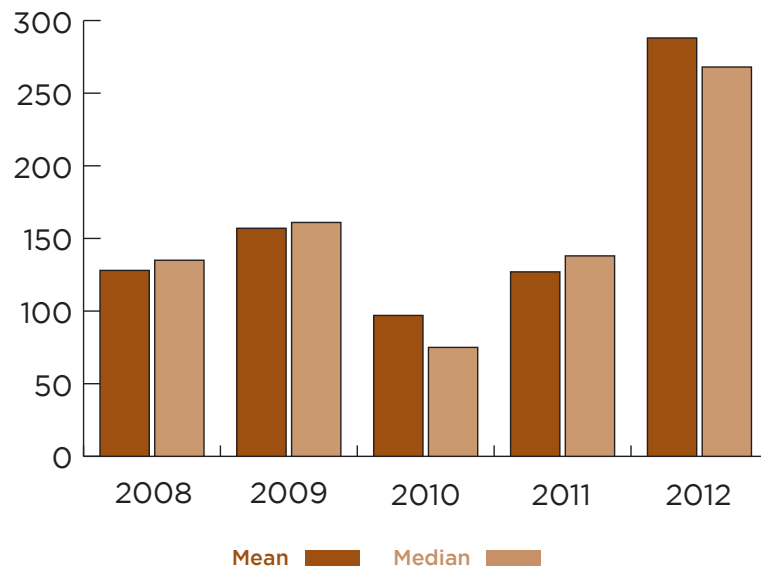
127-day mean

138-day median

2012 — 7 cases

288-day mean

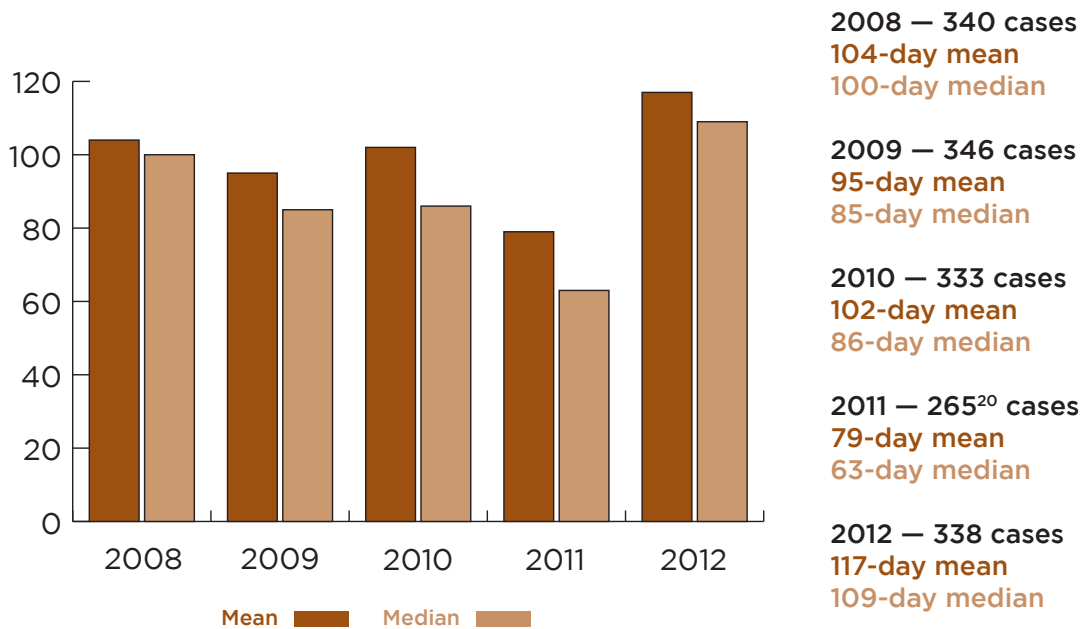
268-day median



CASES DECIDED WITH AN OPINION

From Submission to Court Until Issuance of Opinion

The number of cases decided with an opinion increased significantly in 2012, from 265²⁰ cases to 338 cases. The average number of days to issue an opinion increased by 38 days.





section 4

briefing to oral argument

2008-2012

The following charts show the time from the completion of briefing on a matter until oral argument is held. The time measured includes the six-week advance notice provided to parties who are scheduled to participate in oral argument. The charts provided include:

- All cases argued
- Practice of law cases (including disciplinary cases, bar admission cases, and unauthorized practice of law cases).

2012 case statistics

briefing to oral argument

ALL CASES ARGUED

From Completion of Briefing to Oral Argument

The average number of days from completion of briefing to oral argument decreased by 67 days, from 151 days in 2011 to 84 days in 2012. Of the cases disposed in 2012, 142 were orally argued.

2008 — 185 cases

102-day mean

100-day median

2009 — 159 cases

89-day mean

83-day median

2010 — 150 cases

85-day mean

58-day median

2011 — 102²¹ cases

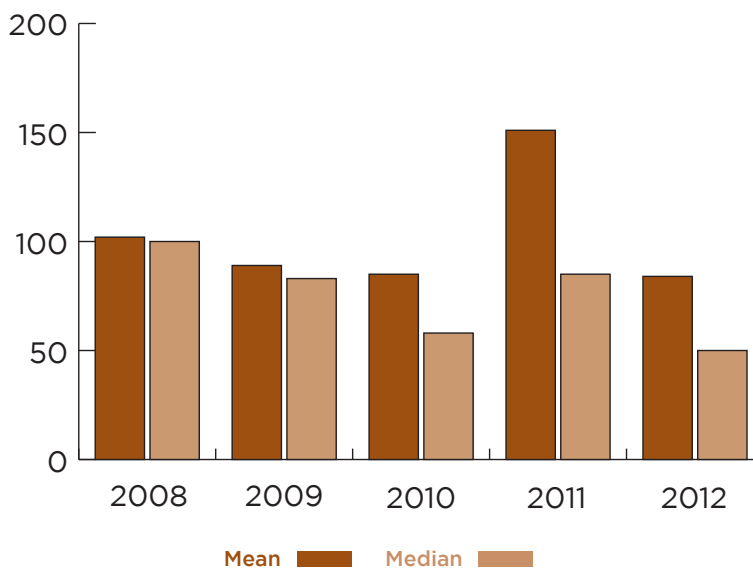
151-day mean

85-day median

2012 — 142 cases

84-day mean

50-day median



PRACTICE OF LAW CASES

From Completion of Briefing to Oral Argument

Including Disciplinary, Bar Admissions and Unauthorized Practice of Law Cases

A total of 32 practice of law cases were disposed of in 2012. The time from completion of briefing to oral argument for the 32 cases disposed in 2012 decreased by 14 days, to an average of 49 days.

2008 – 17 cases

45-day mean

47-day median

2009 – 20 cases

42-day mean

39-day median

2010 – 18 cases

40-day mean

40-day median

2011 – 16 cases

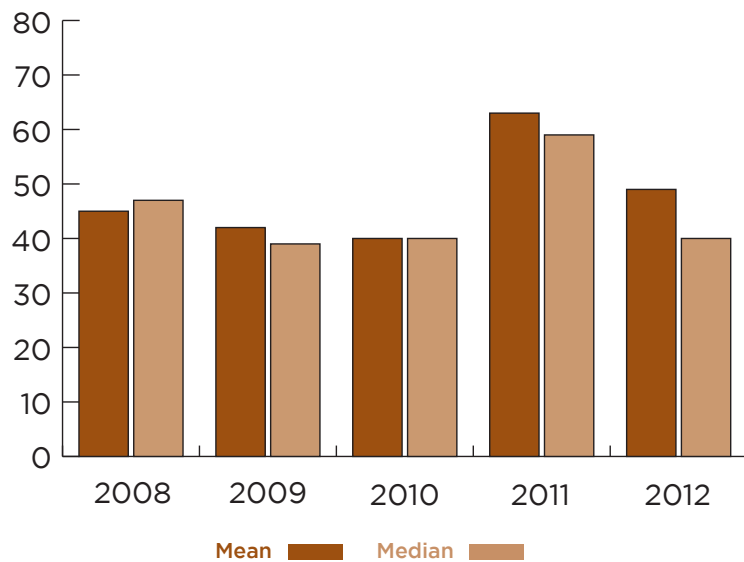
63-day mean

59-day median

2012 – 32 cases

49-day mean

40-day median





section 5 appendices

2012 case statistics

Appendix A: practice of law cases - cases filed

CASES PENDING DECEMBER 31, 2011	66
DISCIPLINARY CASES	
Cases on Report of Board	68
Consent to Discipline Cases	10
Case under Gov.Bar R. V(7)/Mental Illness	0
Attorney Resignation Cases	17
Reciprocal Discipline Cases	13
Cases upon Felony Conviction	8
Cases on Motion for Interim Remedial Suspension	0
Disciplinary Default Judgment Cases pursuant to Gov.Bar R. V(6a)	1
Judge Disciplinary Cases under Gov.Bar R. V	1
Judge Disciplinary Cases under Gov.Jud.R. II(5) ²²	6
Judge Disciplinary Cases under Gov.Jud.R. II(6) ²³	1
TOTAL	125
BAR ADMISSIONS CASES	
Character and Fitness Cases	7
TOTAL	7
UNAUTHORIZED PRACTICE OF LAW CASES	
TOTAL	0
OTHER MATTERS RELATING TO PRACTICE OF LAW	
Motion to hold respondent in contempt	2
TOTAL	2
TOTAL PRACTICE OF LAW CASES FILED	134

DISCIPLINARY CASES

On Report of Board	
Public reprimand	6
Definite suspension	50
Indefinite suspension	16
Disbarment	11
Dismissed	2 ²⁴
TOTAL	85
Consent to Discipline Cases	
Public reprimand	3
Definite suspension	7 ²⁵
Indefinite suspension	1
TOTAL	11
Consent to Discipline Cases on Remand	
Definite suspension	1
Attorney Resignation Cases	
Resignation accepted — disciplinary action pending	20
Reciprocal Discipline Cases	
Public reprimand	1
Definite suspension	6
Indefinite suspension	1
Disbarment	2
TOTAL	10
Cases Upon Felony Conviction	
Interim suspension	8
Judge Disciplinary Cases under Gov.Bar R. V	
Definite suspension	1 ²⁶
Judge Disciplinary Cases under Gov.Jud.R. II	
	6
TOTAL	46

2012 case statistics

practice of law cases - final dispositions

BAR ADMISSIONS CASES

Character and Fitness Cases

Applicant disapproved, may reapply 6

Applicant denied, precluded from reapplying 1

TOTAL 7

UNAUTHORIZED PRACTICE OF LAW CASES

On Report of the Board

Respondent enjoined from actions constituting the unauthorized practice of law and civil penalty imposed 1

Cases on Consent Decree

Respondent enjoined from actions constituting the unauthorized practice of law 1

TOTAL 2

OTHER MATTERS RELATED TO PRACTICE OF LAW

Respondent found in contempt and suspended pending compliance 1

Respondent found in contempt for engaging in unauthorized practice of law; fine imposed 1

TOTAL 2

TOTAL PRACTICE OF LAW DISPOSITIONS 153

CASES PENDING DECEMBER 31, 2012 50

PRACTICE OF LAW CLEARANCE RATE 114%

NOTES

1. The number of pending cases listed in the Supreme Court's 2011 annual report is 761, but should have been 757 due to a glitch in the case management system (CMS).
2. This category includes cases in which the appellant sought jurisdiction as both a discretionary appeal and a claimed appeal of right. A claimed appeal of right is an appeal claiming a substantial constitutional question, including an appeal from the decision of a court of appeals under App.R. 26(B) in a noncapital case. A discretionary appeal is an appeal involving a felony or a question of public or great general interest and invokes the discretionary jurisdiction of the Supreme Court.
3. See Appendix A for a breakdown of cases relating to the practice of law filed in 2012.
4. This category includes dispositions in which the court's jurisdiction was declined, leave to appeal was denied, or the appeal was dismissed.
5. See Note 2.
6. This number includes cases accepted and held for a decision in another case.
7. See Appendix B for the types of final dispositions entered in cases relating to the practice of law.
8. This category includes cases in which the appellant sought jurisdiction as both a discretionary appeal and a claimed appeal of right.
9. Miscellaneous cases include certified conflict cases, certified questions of state law, direct appeals, original actions, and administrative appeals.
10. Included in this category are two cases involving appeals from the courts of appeals in which the death penalty was imposed for an offense committed prior to January 1, 1995.
11. For 2011, the chart shows 2,263 dispositions, but should have been 2,267 because 4 cases were not properly closed as a result of the recently discovered CMS glitch, which occurred when two people released decisions at the same time and caused closed cases to reopen.
12. The 2011 annual report lists pending cases for 2011 at 761, but the actual number should have been 757. The change is a result of the CMS glitch.
13. The 2011 annual report shows 2,264 dispositions, but should be 2,267, due to 4 cases not being properly closed as a result of the recently discovered CMS glitch.
14. The calculation for the median time includes 29 days that transpire prior to the court's consideration of whether to accept jurisdiction, because the court must await the filing of a memorandum in response to jurisdiction or a waiver of the memorandum in response.
15. In years 2008 and 2009, the numbers included cases accepted and held for other decisions and cases accepted and summarily disposed without briefing based on the decision in another case. From 2010 to 2012, the number of cases, as well as the mean and median, do not include cases accepted, held, and never briefed, or cases that were accepted, summarily disposed, and never briefed.
16. This time includes the 29 days before which the court may consider whether or not to accept jurisdiction, because the court must await the filing of a memorandum in response to jurisdiction or a waiver of the memorandum in response.

2012 case statistics

NOTES

NOTES - CONTINUED

17. This category includes habeas corpus cases. In 2012, 32 of the 196 original actions were habeas corpus cases.
18. The 2011 annual report shows 206 cases, but it should be 207 due to 1 case not being properly closed as a result of the CMS glitch.
19. The 2011 annual report shows 62 cases, but it should be 63 due to 1 case not being properly closed as a result of the CMS glitch.
20. In the 2011 annual report, the number of cases decided with opinion in 2011 was listed as 264. As a result of correcting a disposition date, the number increased to 265.
21. In the 2011 annual report, the number of cases disposed after oral argument during that year was listed as 97 cases. That number increased to 102 because there were 5 cases in which the court initially declined jurisdiction and disposed of the case in 2011, but then later granted reconsideration and accepted the appeal. These cases were later scheduled for oral argument. The cases are listed in 2011, their official disposition year.
22. Six judicial campaign complaint cases were filed pursuant to Gov.Jud. R. II(5) and a five-judge commission was appointed by the court to decide the matters.
23. This case was a judicial campaign complaint case involving a Supreme Court candidate, filed pursuant to Gov.Jud.R. II(6). This matter was considered by an adjudicatory panel of 13 appellate judges pursuant to Gov.Jud.R. II(6)(D).
24. Case Nos. 2012-1330 and 2012-1332 were dismissed upon the filing of applications for dismissal.
25. Case No. 2011-0284 was consolidated with Case No. 2011-1755. Also, Case No. 2011-0309 was consolidated with Case No. 2011-1759.
26. Five cases were considered and decided, pursuant to Gov.Jud. R. II(5), by a five-judge commission appointed by the court. The court affirmed the decision of the five-judge commission in Case No. 2012-1186. Case No. 2012-0418 was considered and dismissed by an adjudicatory panel of 13 appellate judges, pursuant to Gov.Jud. R. II(6).

PUBLISHED BY
THE SUPREME COURT *of* OHIO
Office of the Clerk
March 2013



THE SUPREME COURT *of* OHIO

OFFICE OF THE CLERK
65 South Front Street
Columbus, Ohio 43215-3431
www.supremecourt.ohio.gov