

THE SUPREME COURT *of* OHIO

ADVISORY COMMITTEE ON CASE MANAGEMENT

Honorable Jerome J. Metz, Jr.

Hamilton County Common Pleas Court
Chairperson

Honorable Laura J. Gallagher

Cuyahoga County Court of Common Pleas
Vice Chairperson

Meeting Minutes

May 17, 2019

Committee Members Present (telephonically):

Gretchen Beers, Esq.
Judge Kim A. Browne
Judge Timothy Cannon
Judge Rocky A. Coss
Judge Gary Dumm
Judge Laura Gallagher
Lisa M. Gorrasi, Esq.
Judge Michael T. Hall
Judge Kristen K. Johnson

Judge Jerome Metz
Judge Tom Pokorny, Retired
Elizabeth W. Stephenson, Esq.
Judge Terri L. Stupica
Susan Sweeney, Esq.
C. Michael Walsh, Esq.
Judge Gene A. Zmuda

Committee Members Absent:

Judge Craig R. Baldwin
Russell Brown, Esq.
Judge Anthony Capizzi

Judge Richard A. Frye
Judge Diane M. Palos

Supreme Court of Ohio Staff Members Present:

Brian Farrington
Niki Hotchkiss, Ph.D.

Colleen Rosshirt, Esq.
Tasha Ruth, Esq.

Update on Superintendence Rule 36.020 – Assignment of Appellate Court Cases

Judge Cannon appeared before the Justices to request Sup.R. 36.020 be adopted at their conference on February 19, 2019. The Justices approved the amendment. The effective date of the amendment is January 1, 2020. (See pg. 3 below for the full text of the amendment.)

Update on Superintendence Rule 37.05 – Capital Case Reporting

Tasha Ruth appeared before the Justices to request Sup.R. 37.05 be abolished at their conference on February 19, 2019. The Justices agreed to abolish the requirement for trial courts to report capital cases to the Case Management Section using Form 37.05. The effective date of the amendment is March 1, 2019. (See pg. 5 below for the full text of the amendment.)

Update on Data Dashboard

Staff reported that the [data dashboards](#) are live with court-level data. Judge-level data is expected to go live in Summer 2019. The dashboards are a graphical demonstration of local court caseloads and terminations, from a courtwide and statewide view. This digital platform also includes interactive maps which display information in an easy-to-access manner. The dashboards are a public facing tool that have replace the printed version of the annual Ohio Courts Statistical Report.

Update on Civil Justice Initiative Pilot Project

Recently, a group of Ohio judges and stakeholders, including Judge Beth Myers and John Holschuh, Esq., attended the Midwest Civil Justice Reform Summit. Following that event, the group came together to make a request of the Advisory Committee on Case Management:

“As the judicial system is a critical pillar in our democracy, we recognize the need for civil justice reform to ensure all Ohioans have meaningful access to a consumer-centric judicial system that provides certainty, clarity, access and efficiency. To that end, we recommend a pilot program implemented through the Ohio Supreme Court Advisory Committee on Case Management to effectuate an optimized form of case processing.”

You can read more about the Civil Justice Initiative [here](#).

The ACCM Subcommittee on Civil Justice Pilot Projects met telephonically on January 17th, 2019. This group reviewed the background of the Civil Justice Reform and Ohio’s call to implement projects aimed at improving access to civil justice. The subcommittee also reviewed the Landscape of Civil Litigation in Ohio and discussed the need to complete similar landscape assessments in any court or county that participates in the project.

Possible site suggestions include courts that attended the 2018 Civil Justice Teams Seminar and those that have volunteered: Lorain County DR Court, Cuyahoga County Probate Court, and Summit County DR Court. Next steps for this committee include contacting the courts that

participated in the 2018 seminar to see if there is interest from Common Pleas, General Division courts or Municipal/County courts.

If you would like to volunteer or would like more information, please contact Colleen Rosshirt at Colleen.Rosshirt@sc.ohio.gov.

Future meeting dates:

Friday, March 20, 2020 in room 102

Friday, May 15, 2020 in room 102

Friday, August 28, 2020 in room 281

Friday, October 16, 2020 in room 281

**AMENDMENTS TO THE RULES OF SUPERINTENDENCE
FOR THE COURTS OF OHIO**

The following amendments to the Rules of Superintendence for the Courts of Ohio (new Sup.R. 36.020) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

June 4, 2018	Initial publication for public comment
February 19, 2019	Final adoption by conference
January 1, 2020	Effective date of amendments

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 36.020. Assignment of Appellate Court Cases.

Cases filed in a court of appeals shall be randomly assigned to judges of the court through an objective and impartial system that ensures, to the extent practicable, equitable distribution of cases among the judges. The random assignment system should have no discernable pattern so that parties will not be able to predict to whom a case is assigned before the actual assignment.

RULE 99. Effective Date.

[Existing language unaffected by the amendments is omitted to conserve space]

(LLLL) New Sup.R. 36.020, adopted by the Supreme Court of Ohio on February 19, 2019, shall take effect on January 1, 2020.

**AMENDMENTS TO THE RULES OF SUPERINTENDENCE
FOR THE COURTS OF OHIO**

The following amendments to the Rules of Superintendence for the Courts of Ohio (the repeal of Sup.R. 37.05) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

February 19, 2019	Final adoption by conference
March 1, 2019	Effective date of amendments

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 37.05. ~~Capital Case Reporting.~~ is reserved for future use

1. _____
2. ~~Each judge of a court of common pleas required to submit reports in hard copy format to the Case Management Section of the Supreme Court pursuant to Sup.R. 37(A) and who is assigned a criminal case in which an indictment or a count in an indictment charges the defendant with aggravated murder and contains one or more specifications of aggravating circumstances listed in R.C. 2929.04(A) shall include with the report form notice, on a form prescribed by the Manager of Case Management Programs, of any of the following events that occur during the reporting period:~~
3. _____
 4. _____(A) ~~The assignment of the case to the judge;~~
 5. _____
 6. _____(B) ~~The defendant pleading guilty or no contest to any offense in the case or the dismissal of the indictment or any count in the indictment;~~
 7. _____
 - (C) ~~The final disposition of the charges and specifications in the case. This shall include when the defendant is found guilty of capital charges and specifications, but does not receive the death penalty.~~

RULE 99. Effective Date.

[Existing language unaffected by the amendments is omitted to conserve space]

(KKKK) The repeal of Sup.R. 37.05, adopted by the Supreme Court of Ohio on February 19, 2019, shall take effect on March 1, 2019.