

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
November 26, 2019

Committee Members Present (telephonically):

Judge Craig R. Baldwin
Gretchen Beers, Esq.
Russell Brown, Esq.
Judge Timothy Cannon
Judge Anthony Capizzi
Judge Rocky A. Coss
Judge Laura Gallagher
Lisa M. Gorrasi, Esq.
Judge Michael T. Hall
Judge Kristen K. Johnson

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

Committee Members Absent:

Honorable Kim A. Browne
Honorable Gary Dumm
Judge Richard A. Frye

Honorable Curt Werren
Honorable Joseph J. Zone

Supreme Court of Ohio Staff Members Present:

Brian Farrington
Kate Munger, Esq.
Stephanie Nelson, Esq.

Colleen Rosshirt, Esq.
Tasha Ruth, Esq.

Meeting Minutes Approved

The May 17, 2019 Meeting Minutes were approved unanimously.

Update on Data Dashboard

Staff reported that the [data dashboards](#) now show judge-level data. There has been good feedback on this detailed view of caseload statistics. The appellate level data is currently court wide data, only.

Update on Task Force to Examine the Ohio Bail System

The [Task Force report](#) is on the Supreme Court of Ohio website. This report includes nine recommendations to improve Ohio's current bail system. One of those recommendations is to promulgate a model bond schedule as a Superintendence Rule; see [Superintendence Rule 5.02](#). This rule proposes a uniform countywide bond schedule with the presumption of release. The draft rule was published for public comment until October 25, 2019.

Update on Instruction Change to Allow Tolling for Mediation

The Instructions for Statistical Reporting have been updated to permit Common Pleas Courts General and Juvenile Divisions, and Municipal and County Courts to toll cases up to 60-days while parties participate in dispute resolution processes. Domestic Relations Division have previously been permitted to toll cases for dispute resolution services.

Update on Appellate Case Management System Implementation and Appellate Form Revisions

The new Appellate Case Management System will be rolled out in phases, over time, starting with the 2nd and 9th Districts in Phase I, then the other eight districts in Phase II. The revision of the Appellate Forms will be revisited after the roll out is scheduled. There will be a need for a subcommittee to review what needs to be collected and a business process map to be developed.

New Business: Superintendence Rule 39 – Time Standards

The revisions to the Time Standards began in 2011 by the ACCM and were published for public comment in 2016. Changes were made in accordance with the received feedback and in January 2018, the rule was presented to the Justices for approval. The rule was tabled by the Justices to allow time for the Supreme Court of Ohio to write its own process for time standards on case management. The rule will again be presented to the Justices for approval in February, 2020.

No further amendments to this rule were made by the ACCM during this meeting.

New Business: Proposal to Allow for Tolling When Outcome of Current Case Dependent on Another Case

The ACCM considered amending the Instructions for Statistical Reporting to include the allowance to toll time for a case when the outcome of the current case is dependent on another case. It was agreed that this allowance should be permitted and staff were asked to add the proposed language to the Instructions.

Thank you and Farewell to Committee Members

A farewell with gratitude to our long serving board members was made:

Honorable Timothy Cannon (1.1.11 to 12.31.19)
Honorable Anthony Capizzi (1.1.11 to 12.31.19)
Honorable Rocky A. Coss (1.1.11 to 12.31.19)
Honorable Gary Dumm (1.1.11 to 12.31.19)
Honorable Richard A. Frye (1.1.11 to 12.31.19)
Lisa M. Gorrasi, Esq. (1.1.11 to 12.31.19)
Honorable Joseph J. Zone (1.1.11 to 12.31.19)

Link to Supreme Court of Ohio Proposed [Rule Amendment Page](#) and Rules Recently Published for Public Comment

A reminder was made by Supreme Court staff that all proposed rule amendments are posted online for review and comment by the public. ACCM members were encouraged to review this page frequently and share it with colleagues. All comments are read and incorporated into conversation regarding amendments.

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

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.