THE SUPREME COURT *of* OHIO

Ohio Courts
Statistical Summary
2017

The Supreme Court *of* Ohio

2017
OHIO COURTS STATISTICAL SUMMARY

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A MESSAGE
From the Chief Justice

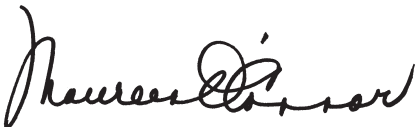
The Supreme Court of Ohio issues an annual statistical summary and detailed report designed to inform and identify trends throughout the Ohio judiciary.

For the first time since 2007, the total number of incoming cases in Ohio courts increased from the previous year. The 3,041,643 incoming cases in 2017 are a 2.5 percent increase from 2016.

By analyzing case filing patterns and trends, the Ohio Supreme Court attempts to assist in the efficient administration of justice at all levels of the judiciary. We do not, however, 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 of Ohio commends Ohio's courts for their continued assistance in submitting data on caseloads and case terminations.



Maureen O'Connor
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NOTE: Pages 26-27 contain and overview of Tableau — a 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 Supreme Court of Ohio 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 to occur 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 quarterly a presiding judge report that describes the status of all cases pending in that district. In addition, each individual judge must submit quarterly an 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 monthly a 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, 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 quarterly a 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 monthly an 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 monthly a 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 actual 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 simply 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 physical 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, in this edition of the Ohio Courts Statistical Summary, 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 had been previously placed on inactive reporting status) and reopened cases (which had been previously closed). Prior editions used nearly exclusively 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, 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) is ordinarily multiplied by 100 and expressed as percentage. The target is a clearance rate of 100 percent.

A clearance rate of 100 percent means a court terminated over a given time period exactly as many cases as it took in during that same time period. If a court's clearance rate is regularly less than 100 percent over an extended period of time, 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.

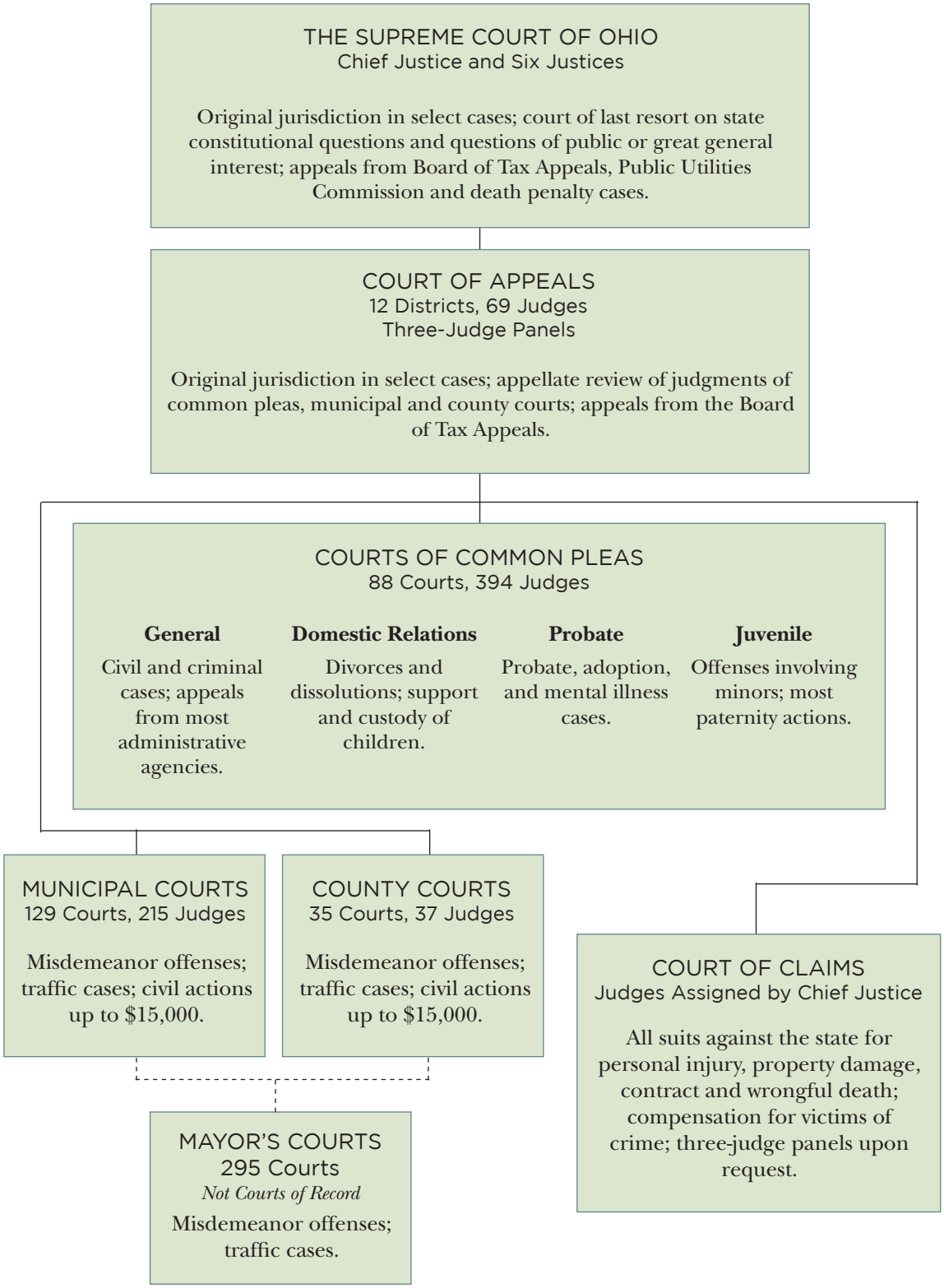
While the application of clearance rates and overage rates affords a reasonable view of a court's case management performance, the numbers provide an incomplete assessment. The National Center for State Courts developed a set of 10 core court performance measures, packaged into a set of practical tools 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.

Future Plans

In 2017, the Supreme Court acquired licenses to Tableau *(see pgs. 26-27)* and began development of interactive dashboards to make court statistics more readily available and useful to the public and to provide additional tools for local courts to improve their caseflow management.

As the Supreme Court continues to move forward in these areas, it will tap into the depth of knowledge and experience shared by the Ohio judiciary, court professionals, and justice system partners to fully explore the best means for advancing Ohio's use of caseload statistics.

2017 STRUCTURE OF THE OHIO JUDICIAL SYSTEM



ALL COURTS
New Filings

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.

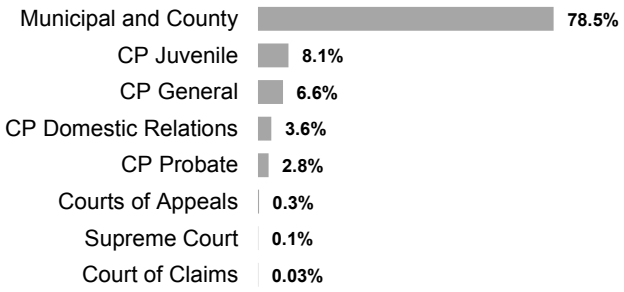
In 2017, a total of 3,041,643 incoming cases were reported across Ohio's courts, an increase of 2.5 percent over 2016 and the first year-to-year increase in incoming cases since prior to 2008. Increases were seen within all types of trial courts, except the domestic relations division of the courts of common pleas, which experienced a decrease of 1.6 percent compared with 2016. Among the remaining types of trial courts, the county courts experienced the largest increase in incoming cases, up nearly 4 percent from 2016.

Figure 1 (below) shows the percentages of the total statewide volume of incoming cases in 2017 broken down by court type, sorted from highest to lowest. Municipal and county courts, which hear most of the state's traffic cases, constitute more than 78 percent of the state's entire court caseload.

TABLE 1

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Supreme Court	**2,506**	**2,363**	**2,293**	**2,207**	**2,187**	**2,055**	**2,255**	**2,107**	**1,914**	**1,828**
Courts of Appeals	**11,362**	**10,720**	**10,489**	**9,779**	**9,886**	**9,321**	**9,196**	**9,060**	**8,478**	**8,379**
Court of Claims	**1,215**	**1,001**	**1,327**	**1,337**	**865**	**793**	**1,007**	**1,073**	**929**	**1,041**
Common Pleas	**862,173**	**834,305**	**800,973**	**763,514**	**748,919**	**700,888**	**669,006**	**648,544**	**642,121**	**642,318**
General	297,614	293,096	280,208	257,639	250,237	220,821	208,829	198,760	201,502	201,609
Domestic Relations	137,082	138,889	133,946	130,603	125,773	122,042	117,460	113,414	110,332	108,541
Probate	88,621	88,178	85,152	85,866	88,798	89,125	84,526	87,257	84,519	85,341
Juvenile	338,856	314,142	301,667	289,406	284,111	268,900	258,191	249,113	245,768	246,827
Municipal and County	**2,957,586**	**2,750,680**	**2,603,791**	**2,539,375**	**2,533,302**	**2,540,366**	**2,486,742**	**2,364,735**	**2,313,223**	**2,388,077**
Municipal	2,744,959	2,554,422	2,422,099	2,374,445	2,356,711	2,364,898	2,305,551	2,190,576	2,145,084	2,213,553
County	212,627	196,258	181,692	164,930	176,591	175,468	181,191	174,159	168,139	174,524
All Courts Combined	**3,834,842**	**3,599,069**	**3,418,873**	**3,316,212**	**3,295,159**	**3,253,423**	**3,168,206**	**3,025,519**	**2,966,665**	**3,041,643**

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 1,828 new cases in 2017, representing a 4.5 percent decrease from the 1,914 cases filed in 2016. (See **Table 1** and **Figure 1**).

Jurisdictional Appeals

In 2017, a total of 1,365 new jurisdictional appeals were filed, a 1 percent decrease from the 1,382 cases filed in 2016. (See **Figure 2**).

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

TABLE 1

The Supreme Court of Ohio
New Filings

Case Type	2013	2014	2015	2016	2017
Jurisdictional Appeals	1,492	1,623	1,529	1,382	1,365
Merit Cases	451	513	457	425	370
Practice of Law Cases	112	119	121	107	93
Disciplinary Cases	96	107	109	101	84
All Other	16	12	12	6	9
All Case Types	**2,055**	**2,255**	**2,107**	**1,914**	**1,828**

FIGURE 1

All Case Types Combined
New Filings

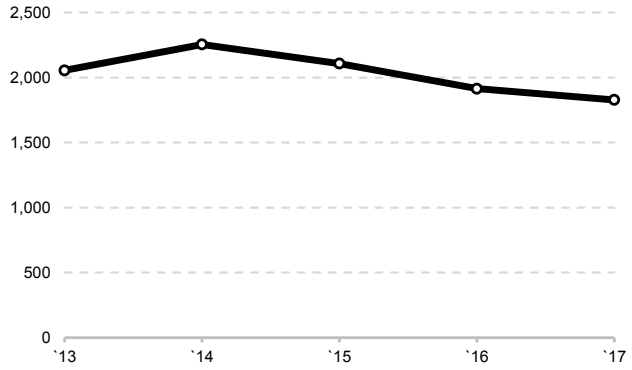


FIGURE 2

Jurisdictional Appeals
New Filings

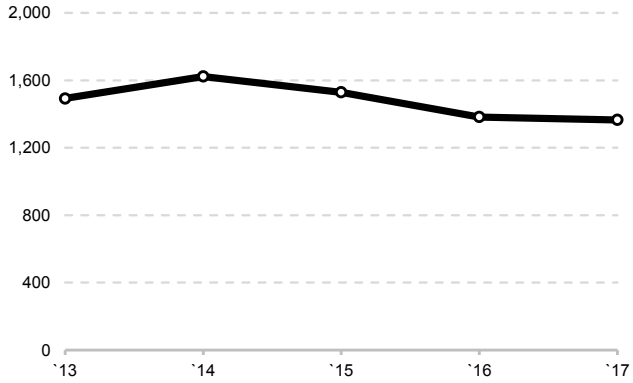


FIGURE 3

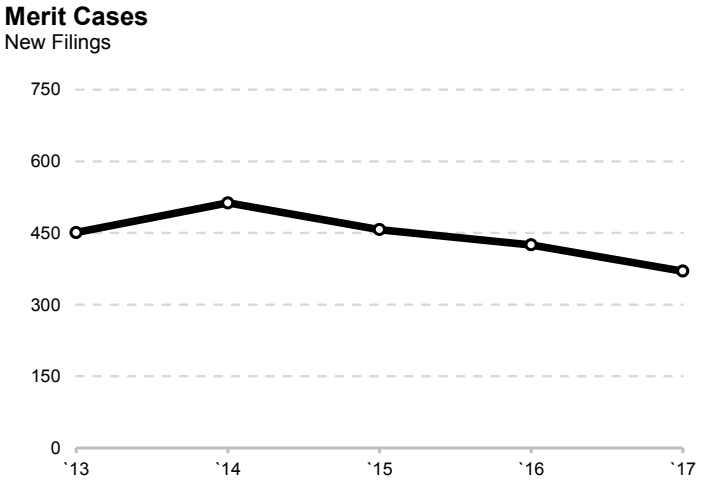
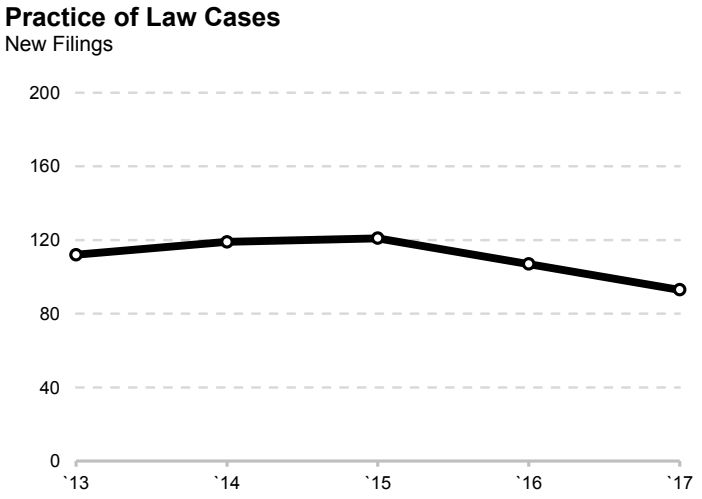


FIGURE 4



- 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 2017, a total of 370 merit cases were filed, nearly a 13 percent decrease from the 425 cases filed in 2016. (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 vast majority of practice of law cases involve attorney discipline. In 2017, a total of 93 practice of law cases were filed, a 13 percent decrease from 2016. Of the 93 cases filed in 2017, a total of 84 (90 percent), were disciplinary cases. (See **Figure 4**).

Time to Disposition Analyses

All Cases
From Filing to Final Disposition

In 2017, the Court disposed of 1,776 cases. The median number of days a case was pending before the court in 2017 was 141 days. (See **Figure 5**).

Jurisdictional Appeals Accepted for Merit Review
From Filing to Final Disposition

Decisions in 33 jurisdictional appeals following full merit review were released in 2017. The time to disposition averaged 425 days, a decrease from the average time to disposition of 599 days in 2016. (See **Figure 6**).

Jurisdictional Appeals Not Accepted for Merit Review
From Filing to Final Disposition

The mean number of days taken by the Court to consider and dispose of a jurisdictional appeal not accepted was 150 days. (See **Figure 7**).

FIGURE 5

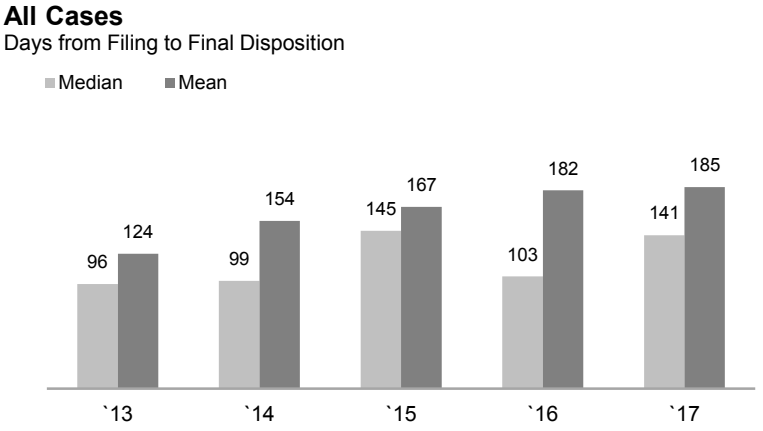


FIGURE 6

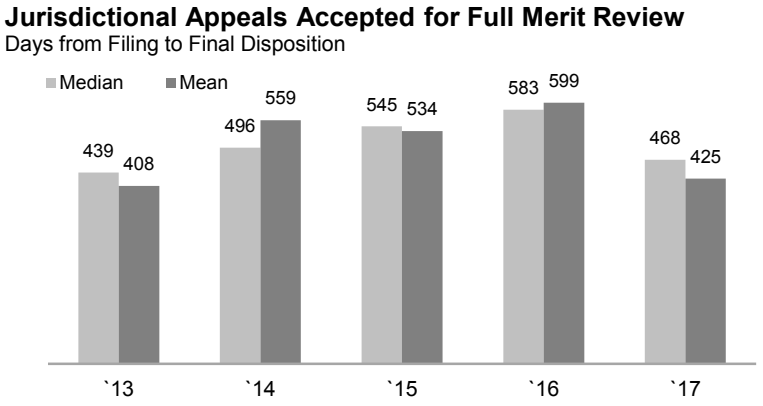


FIGURE 7

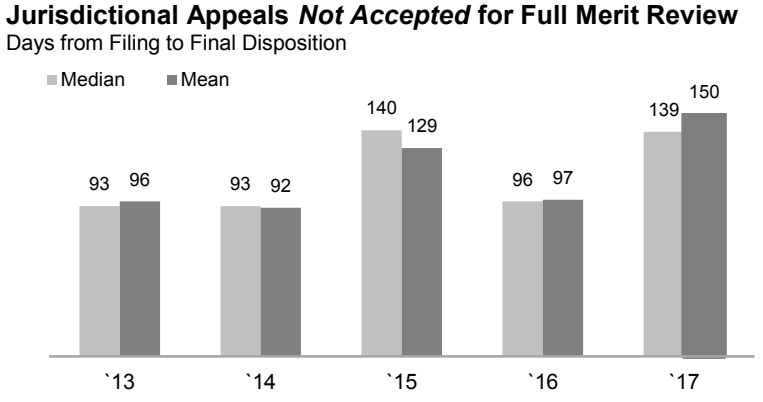


FIGURE 8

Original Actions
Days from Filing to Final Disposition

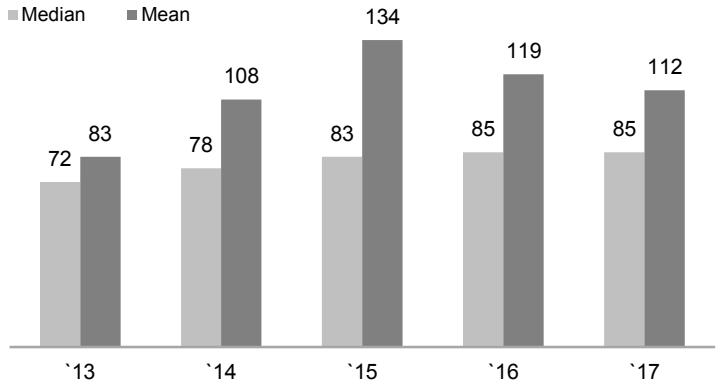
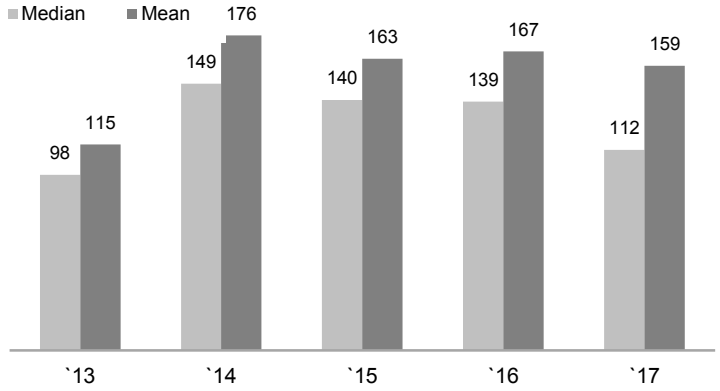


FIGURE 9

All Cases Decided with an Opinion
Days from Submission to Final Disposition



Original Actions
From Filing to Final Disposition

During 2017, the Court disposed of 197 original actions in an average of 112 days. (See **Figure 8**).

All Cases Decided with an Opinion
From Submission to Final Disposition

In 2017, the Court decided 198 cases with an opinion. The average number of days to issue an opinion was 159 days. (See **Figure 9**).

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.

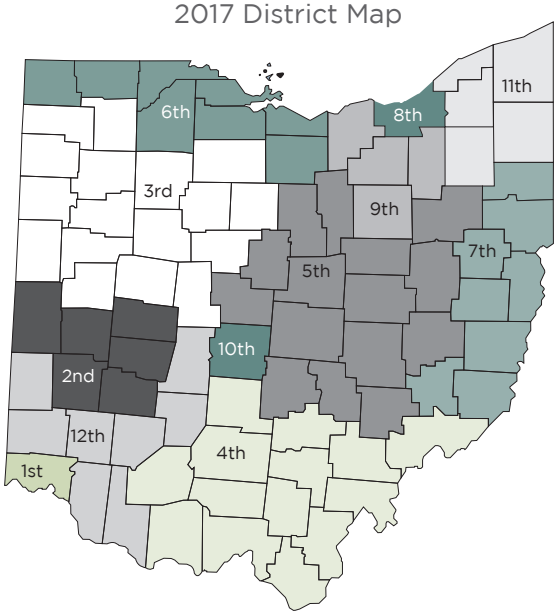
The number of judges in each appellate district depends on a variety of factors, including the district's population and its caseload. Appeals court judges are elected to six year terms in even-numbered years. They must be admitted to the practice of law in Ohio six years prior to the commencement of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

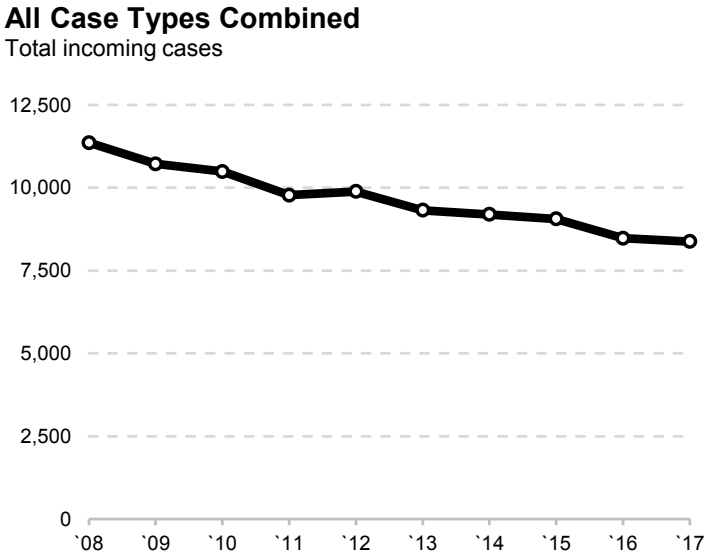
COURT OF APPEALS
2017 District Map



District	Number of Judges	Number of Counties
1st	6	1
2nd	5	6
3rd	4	17
4th	4	14
5th	6	15
6th	5	8
7th	4	8
8th	12	1
9th	5	4
10th	8	1
11th	5	5
12th	5	8

District	2010 Population	Population Per Judge
1st	802,374	133,729
2nd	1,030,621	206,124
3rd	787,269	196,817
4th	633,838	158,460
5th	1,484,932	247,489
6th	886,720	177,344
7th	560,760	140,190
8th	1,280,122	106,677
9th	1,129,989	225,998
10th	1,163,414	145,427
11th	796,658	159,332
12th	979,807	195,961
ALL	**11,536,504**	**167,196**

FIGURE 1



The overall number of appeals filed in Ohio's court of appeals has been decreasing since 2008, with the exception of a small increase between 2011 and 2012. In 2008, a 10-year high of 11,362 cases were filed. In 2017, a total of 8,379 cases were filed, a 26 percent decline from the 10-year high. The number filed in 2017 is also a 1 percent decrease from the number of incoming cases in 2016. (See **Figure 1** and **Table 1**).

TABLE 1

Court of Appeals
Total incoming cases

Case Type	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Criminal	5,276	4,833	4,844	4,351	4,409	4,199	4,329	4,294	4,010	4,035
Civil	3,614	3,361	3,141	3,041	3,139	2,873	2,595	2,633	2,449	2,203
Family Law	1,605	1,608	1,522	1,459	1,466	1,481	1,526	1,428	1,408	1,407
Miscellaneous	867	918	982	928	872	768	746	705	611	734
All Case Types	**11,362**	**10,720**	**10,489**	**9,779**	**9,886**	**9,321**	**9,196**	**9,060**	**8,478**	**8,379**

Figure 2 shows trends in the number of incoming cases over the past 10 years within the civil and criminal appeals categories. Criminal appeals have generally been trending down since 2008, though there was a small increase between 2013 and 2015. In 2017, there was a total of 4,035 criminal appeal filings, a 24 percent decrease from the 10-year high of 5,157 criminal appeal filings in 2008. Civil appeals have consistently declined since 2008. In 2017, the courts of appeals saw 2,203 civil appeal incoming cases, 39 percent fewer than the 10-year high in 2008 of 3,614 incoming civil appeals.

Family law appeals were stable from 2016 to 2017. (See **Figure 3**).

Figure 4 shows the 10-year trend in filing 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.

FIGURE 2

Civil and Criminal Appeals
Total incoming cases

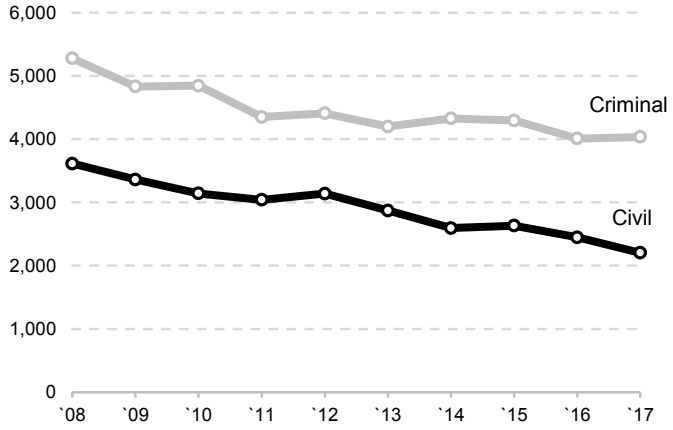


FIGURE 3

Family Law Appeals
Total incoming cases

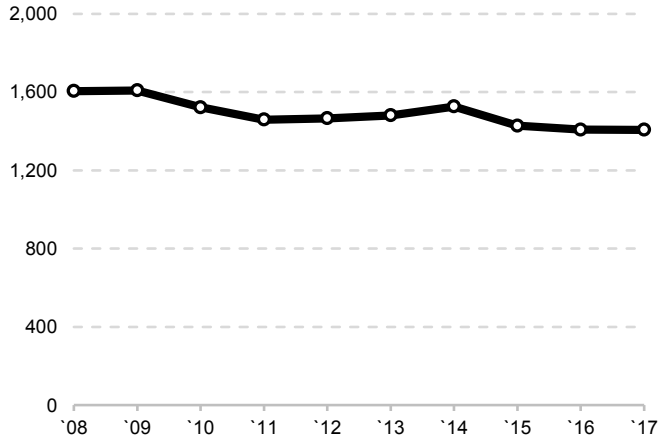
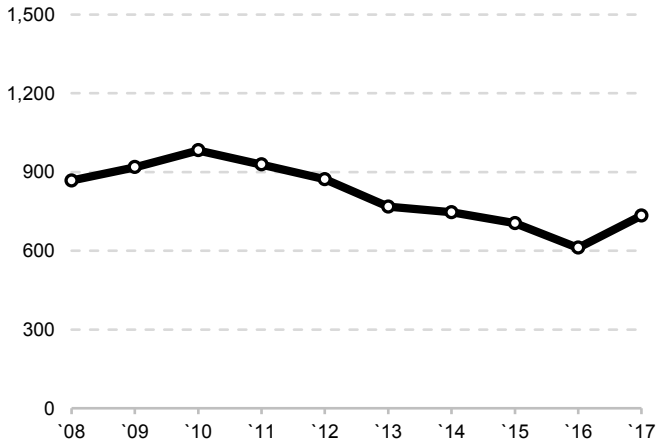


FIGURE 4

Miscellaneous Appeals
Total incoming cases



COURT OF CLAIMS

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 September 28, 2016, Senate Bill 321 became law allowing citizens who believe a government entity has improperly withheld public records to file a complaint in the Court of Claims. Public records cases are first 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 passed in September 2016 which allowed citizens who believed a government entity properly withheld public records to file a complaint in the Court of Claims. As 2017 is the first full year of the court receiving these cases, this is the first year such information is collected and displayed.

In 2017, a total of 280 judicial cases were filed, which is a decrease from the five-year high in 2016 (See **Figure 1**).

The makeup of the court's incoming caseload in 2017 is shown in **Figure 2**.

TABLE 1

Court of Claims
Total incoming cases

Case Type	2013	2014	2015	2016	2017
Judicial Cases	342	309	335	365	280
Administrative Determinations	371	635	659	509	607
Victims of Crime Appeals	80	63	79	55	50
Public Records Requests	-	-	-	-	104
All Case Types	**793**	**1,007**	**1,073**	**929**	**1,041**

FIGURE 1

Judicial Cases
Total incoming cases

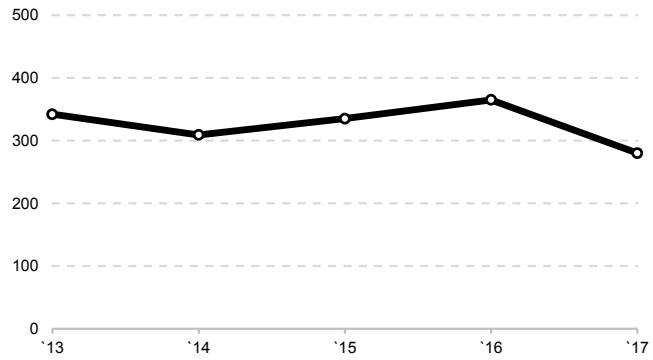


FIGURE 2

Incoming Cases in 2017
All Case Types

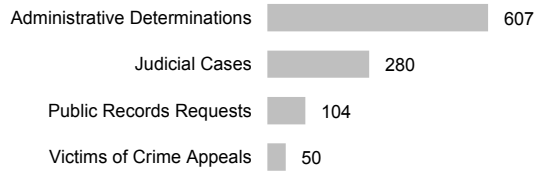
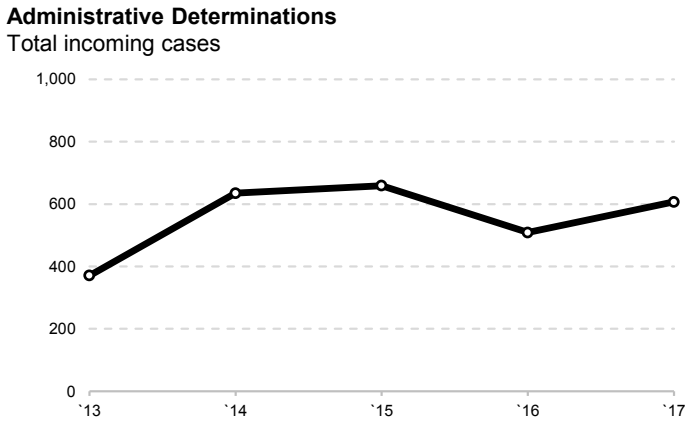


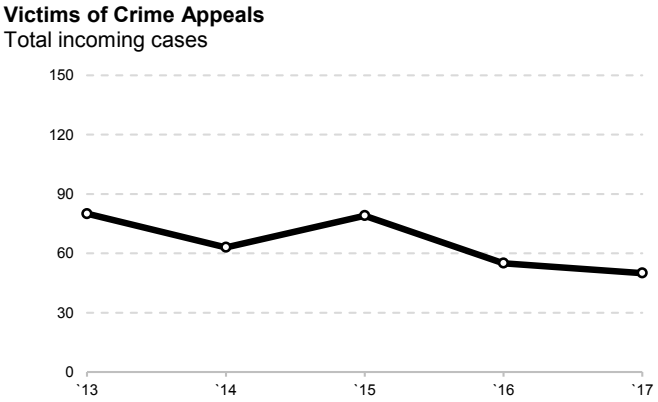
FIGURE 3



The number of administrative determination cases filed each year typically varies. In 2017, the court saw the filing of 607 cases, a 19 percent increase from 2016. (See **Figure 3**).

The volume of appeals from victims of crime decisions fluctuates from year to year. In 2017, a total of 50 appeals were filed, a 9 percent decrease from 2016. (See **Figure 4**).

FIGURE 4



COURTS OF COMMON PLEAS

The court of common pleas, the only trial court created by the Ohio Constitution, is established by Article IV, Section 1, of the Constitution and its 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 is generally 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 across the state 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 — that is, 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 may not technically 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 that come before the common pleas court.

Changes in 2017

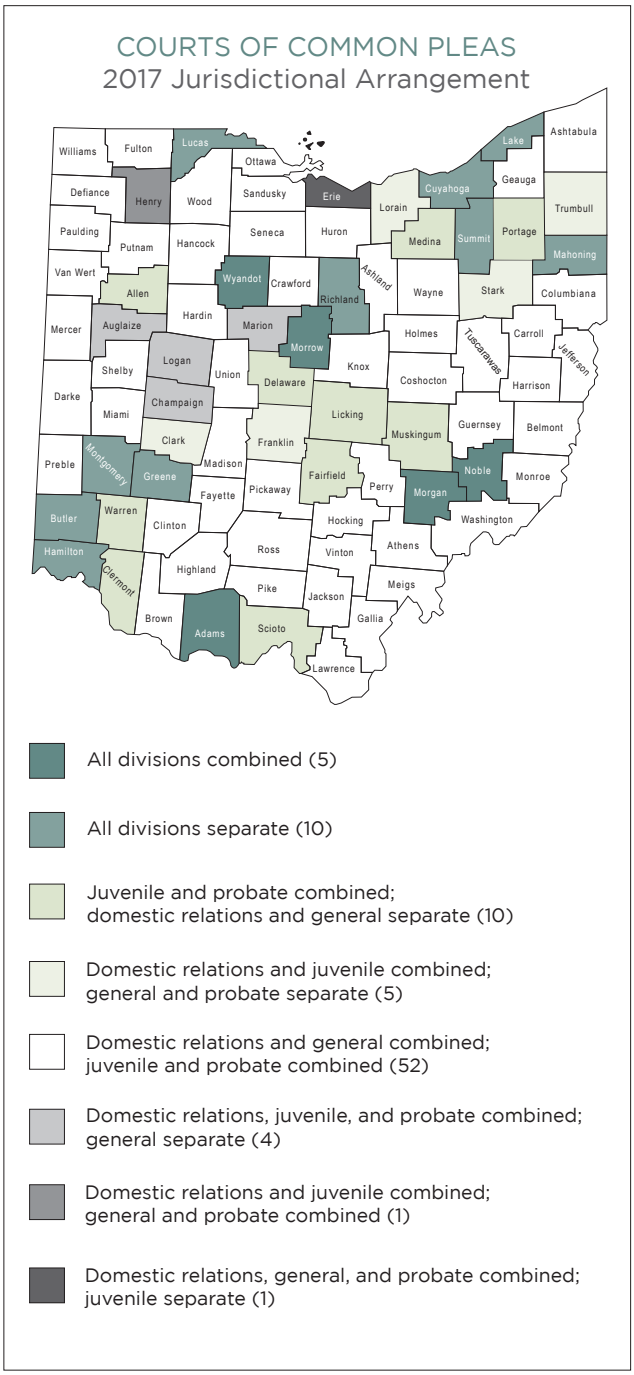
On Jan. 1, 2017, the combined general and domestic relations division of the Delaware County Court of Common Pleas split into a standalone general division and a standalone domestic relation division. In addition, the common pleas court added a new judgeship, which was added to the new domestic relations division.

Future Changes

In 2018, Franklin County Court of Common Pleas, Domestic Relations and Juvenile division will elect a judge to a new judgeship seat to begin Jan. 9, 2019. The court will add an additional judgeship elected in 2020 and beginning Jan. 2, 2021.

Courts of Common Pleas
Jurisdictional Distribution in 2017

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



COURTS OF COMMON PLEAS

General Division

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.

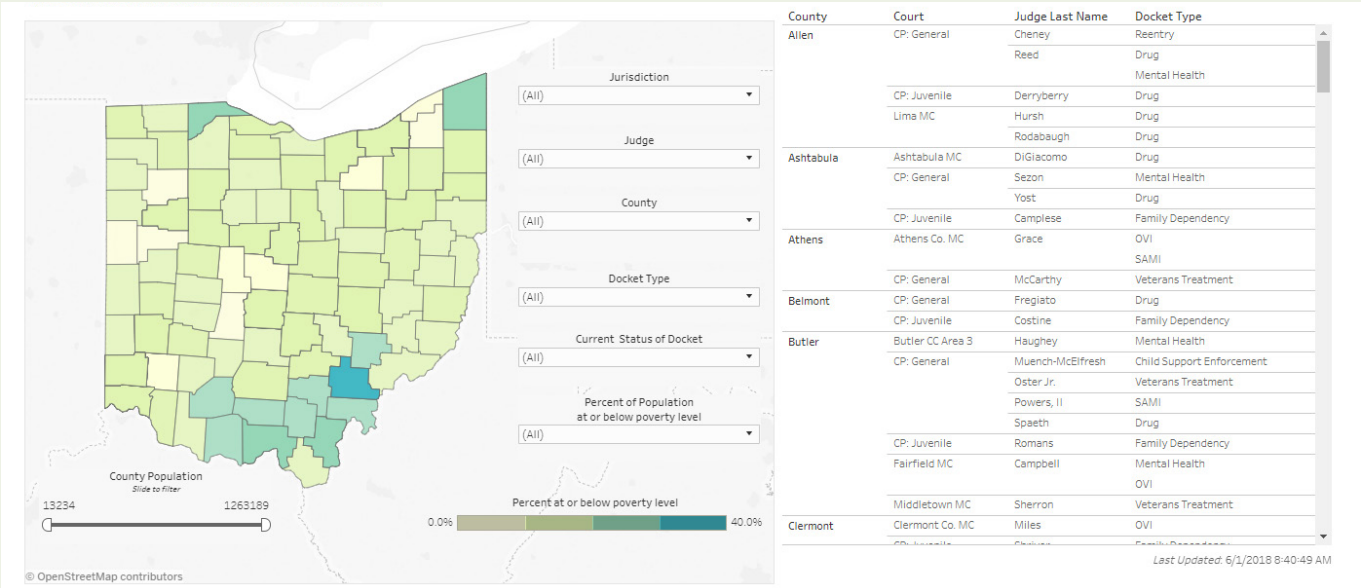
The non-tort case-type categories are:

- 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 first classified under their appropriate case types and then, if applicable, are reclassified as complex litigation cases. Complex litigation cases are rare. Since 2008, on average, approximately one out of every 1,855 civil cases (0.06percent) in the general divisions of Ohio's common pleas courts are classified each year as complex litigation matters.

VISUALIZING

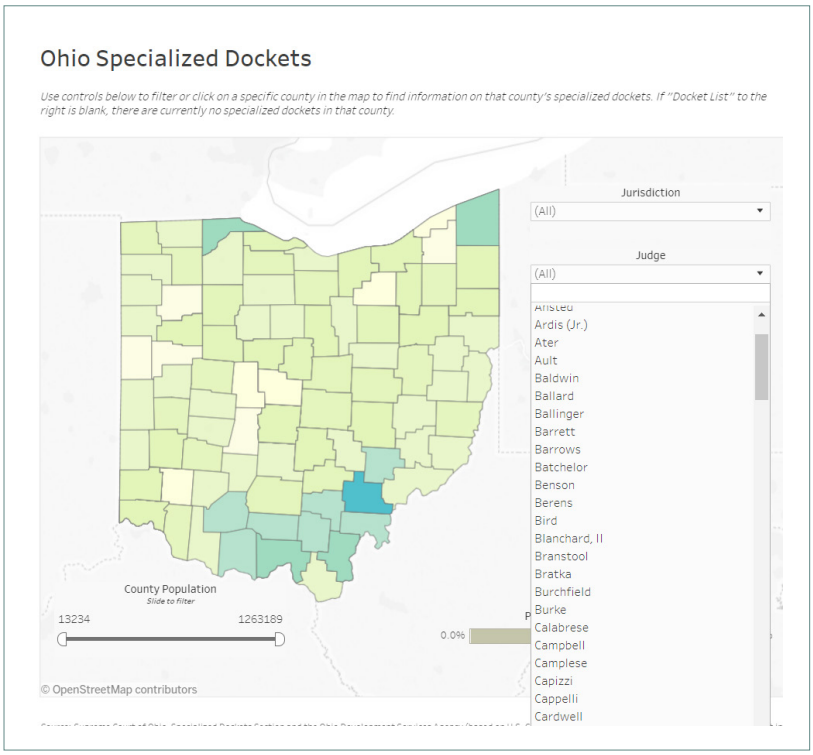
OHIO'S SPECIALIZED DOCKETS



County	Court	Judge Last Name	Docket Type
Allen	CP: General	Cheney	Reentry
		Reed	Drug
			Mental Health
	CP: Juvenile	Derryberry	Drug
	Lima MC	Hursh	Drug
		Rodabaugh	Drug
Ashtabula	Ashtabula MC	DiGiacomo	Drug
	CP: General	Sezon	Mental Health
		Yost	Drug
	CP: Juvenile	Camplese	Family Dependency
Athens	Athens Co. MC	Grace	OVI
			SAMI
	CP: General	McCarthy	Veterans Treatment
Belmont	CP: General	Fregiato	Drug
	CP: Juvenile	Costine	Family Dependency
Butler	Butler CC Area 3	Haughey	Mental Health
	CP: General	Muench-McElfresh	Child Support Enforcement
		Oster Jr.	Veterans Treatment
		Powers, II	SAMI
		Spaeth	Drug
	CP: Juvenile	Romans	Family Dependency
	Fairfield MC	Campbell	Mental Health
			OVI
	Middletown MC	Sherron	Veterans Treatment
Clermont	Clermont Co. MC	Miles	OVI

In 2017, the Supreme Court, in conjunction with the Ohio Department of Administrative Services, acquired licenses to **Tableau**, one of the nation's leading data visualization software tools.

Under Ohio law, every county in the state has a court of common pleas and one or more municipal or county courts. But not every county has judges who have opted to establish a specialized docket. That fact, coupled with the wide array of specialized docket types, lends itself to a map visualizing the complex patchwork of dockets. Accordingly, in 2017, the Supreme Court's Specialized Docket Section and the Office of Court Services developed the interactive map shown on these pages. The map, available on the Specialized Docket Section's webpage at **www.supremecourt.ohio.gov/JCS/specDockets** is regularly updated as new dockets are added.



Today, there are more than **240** specialized dockets in **60** of Ohio's **88** counties that are fully certified or are currently active in the certification process. This is nearly a **149 percent increase** since certification became effective.

PICTURED: The new Tableau software allows users to easily see locations and types of specialized dockets in Ohio. The interactive map is available on the Specialized Docket Section's webpage: **www.supremecourt.ohio.gov/JCS/specDockets**.

By using the specialized dockets map, the general public, the local courts, and the courts' various justice partners, can quickly and easily see the locations of the various types of specialized dockets in Ohio. Included in the interactive visualization are details concerning the individual dockets within the counties, including the name of the judge operating the specific type of specialized docket.

In accordance with Standard 12, in the appendix of Sup.R. 36.20, the Specialized Docket Section is currently developing a framework for the specialized dockets to provide regular reports to the Supreme Court concerning their docket participants. This reporting will allow the Supreme Court to compile detailed statistics describing the important work being performed every day in Ohio's specialized dockets. The Specialized Docket Section and the Office of Court Services will continue to explore new ways to provide the public with useful data concerning this critical component of Ohio's judicial system.

Caseloads

Figure 1 shows the breakdown of incoming cases in 2017 within the general divisions of Ohio's courts of common pleas. Criminal cases, Foreclosures, and Other Civil cases constitute 87 percent of all 2017 filings. See the Appendix for a table displaying the number of incoming cases for each individual case type from 2008 through 2017.

Figure 2 shows 10-year trends in number of filings of Criminal, Foreclosure, and Other Civil cases. These major categories of cases display clear trends over the 10-year period. Foreclosure cases reached their peak in 2009, when the trend reversed. The 40,713 incoming Foreclosure cases in 2017 is a 9 percent decline from 2016 and a 59 percent decline from the 10-year high of 99,208 in 2009. Filings of Other Civil cases declined steadily between 2008 and 2013. The number of incoming Other Civil cases has been relatively stable since 2013. In 2017, there were a total of 48,265 incoming cases, representing a 1 percent increase from 2016 and a 36 percent decrease from the 10-year high in 2008.

Criminal cases declined from 2008 through 2015, however this trend reversed in 2016 and the number of incoming cases continued to increase in 2017. In 2017, courts reported a total of 86,139 incoming criminal cases. This is an increase of 5 percent from 2016, and a decrease of 9 percent from the 10-year high of 95,152 cases in 2008.

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 2017 for all case types were near or over 100

FIGURE 1

FIGURE 2

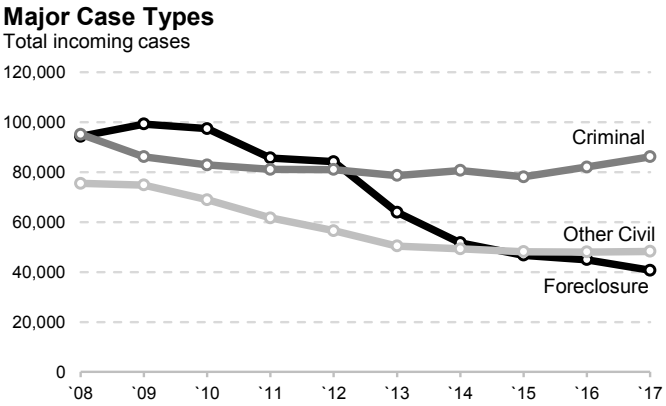


TABLE 1

Clearance Rates
Average per month in 2017

Case Type	Monthly Average
Administrative Appeals	103%
Complex Litigation	148%
Criminal	99%
Foreclosures	108%
Other Civil	100%
Other Torts	99%
Product Liability	123%
Professional Tort	108%
Workers' Compensation	108%

TABLE 2

Overage Rates

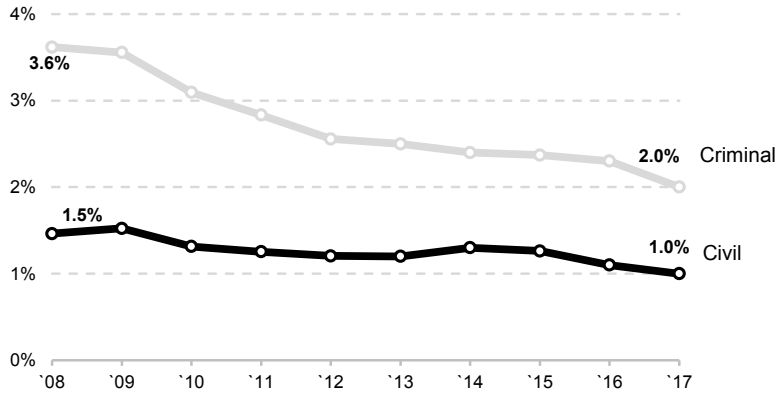
Percent of caseload pending past time guidelines, average per month

Case Type *(Time guideline, in months)*	**2013**	**2014**	**2015**	**2016**	**2017**
Civil	**6%**	**7%**	**6%**	**5%**	**5%**
Administrative Appeals *(9)*	24%	25%	27%	25%	25%
Complex Litigation *(36)*	16%	6%	6%	22%	25%
Foreclosures *(12)*	9%	10%	7%	7%	6%
Other Civil *(24)*	4%	4%	4%	4%	3%
Other Torts *(24)*	3%	3%	3%	2%	2%
Product Liability *(24)*	5%	8%	4%	6%	9%
Professional Tort *(24)*	9%	9%	11%	12%	10%
Workers' Compensation *(12)*	10%	10%	10%	8%	9%
Criminal *(6)*	**16%**	**16%**	**17%**	**17%**	**16%**

FIGURE 3

Trial Rates

Trials as a percentage of total dispositions



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 3 percent of the caseload overage on average each month.

Trial Rates

The rate of trials occurring in a court is a useful statistic when assisting courts in understanding the fundamentals of effective caseflow 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 caseflow 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 simply render the case no longer active for reporting purposes. The number of dispositive terminations are 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 Court of 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 2017 was 1 percent and 2 percent for criminal cases. When viewed over the last 10 years, the rates of civil and criminal cases proceeding to trial have steadily declined since 2009.

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 managing it. 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 has declined rapidly from a 10-year high in 2008 of 176 new cases to a low of 53 new cases in 2017. (See **Table 3** and **Figure 4**).

The number of cases pending over the past 10 years was at its highest in 2008, with 9,966 cases pending. The lowest number of pending cases over the past 10 years occurred in 2017, with 834 cases pending at the end of the year. The number of pending cases decreased substantially between 2007 and 2008 when 34,813 cases were terminated. (See **Table 3** and **Figure 5**). The majority (about 31,000) of those terminations were "administrative dismissals" rendering the cases inactive, pursuant to the passage of special asbestos-related tort reform legislation. The court found those cases did not contain the requisite medical evidence to warrant keeping the cases in active status. 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
2008	176	9,966	34,813
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

FIGURE 4

Cuyahoga County Asbestos Docket
New Filings

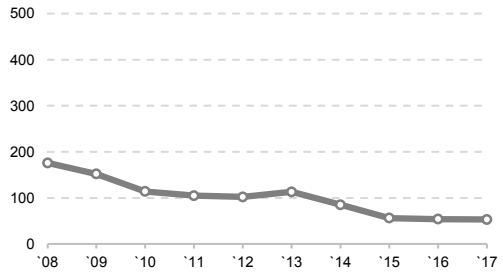
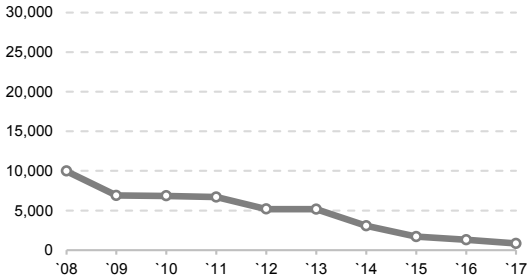


FIGURE 5

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 further broken down 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 of these categories. 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

Divorces and dissolutions comprise the core work performed in domestic relations courts. In 2017, Ohio's domestic relations courts reported a total 41,995 incoming divorce and dissolution cases. This is a decrease of 2 percent since 2016 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 2008 through 2017 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 2008 and 2010, a generally equivalent amount of cases were presented each year. However, beginning in 2011, more cases were filed that do not involve children than cases that do. As seen in **Figure 1**, the gap between the two groups has continued to widen.

FIGURE 1

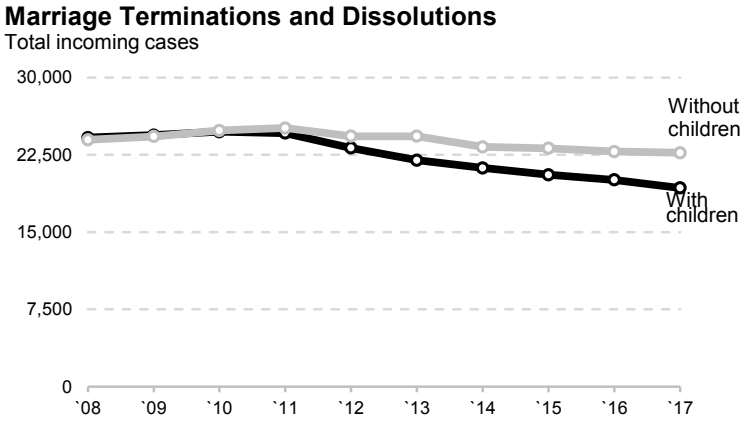
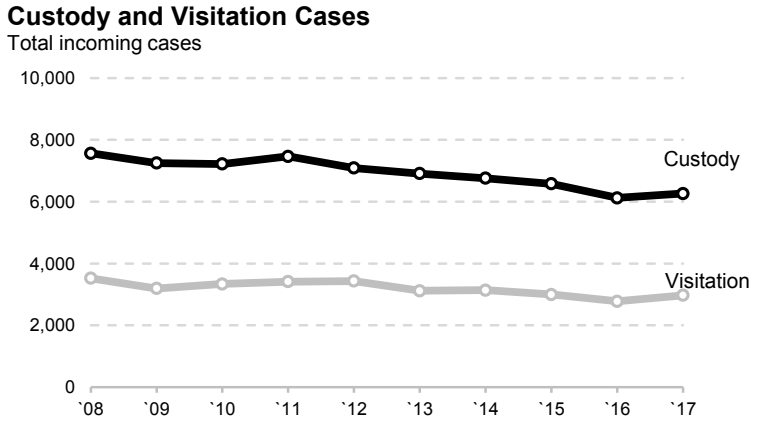
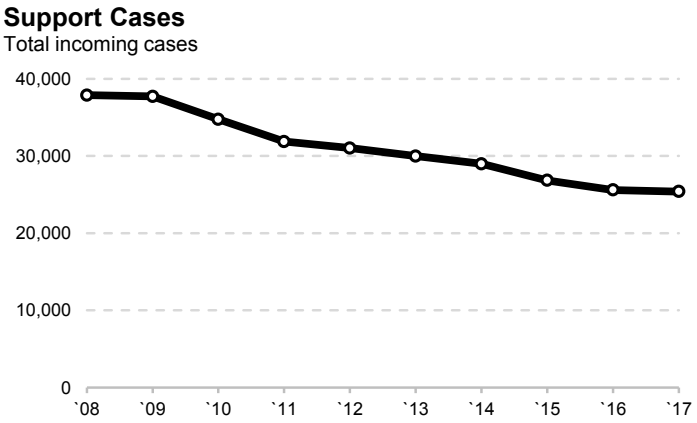


FIGURE 2



Post-decree matters in domestic relations courts have also experienced a decline in the past 10 years, though there was an increase in incoming cases from 2016 to 2017. During 2017, a total of 6,264 motions seeking a change of custody were filed, an increase of 2 percent from 2016 but a decline of 17 percent from the 10- year high of 7,569 cases in 2008. The rate of filing of incoming visitation matters also has generally declined over 10 years, about 16 percent between 2008 and 2017. (See **Figure 2**). The number of filings seeking the enforcement or modification of a support order declined by 33 percent over the same 10-year period. (See **Figure 3**).

FIGURE 3



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 at least 100 percent in 2017. **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 2017, are well below 10 percent, the overage rates for Domestic Violence, Change of Custody, U.I.F.S.A., Visitation, 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, and 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 2017

Case Type	Monthly Average
All Others	105%
Change of Custody	100%
Domestic Violence	100%
Marriage Dissolutions w/Children	101%
Marriage Dissolutions w/o Children	101%
Marriage Terminations w/Children	103%
Marriage Terminations w/o Children	101%
Parentage	106%
Support - Enforce or Modify	101%
U.I.F.S.A.	109%
Visitation - Enforce or Modify	101%

TABLE 2

Overage Rates

Percent of caseload pending past time guidelines, average per month

Case Type *(Time guideline, in months)*	2013	2014	2015	2016	2017
All Others *(6)*	16%	15%	15%	15%	16%
Change of Custody *(9)*	12%	11%	13%	13%	11%
Domestic Violence *(1)*	36%	34%	34%	31%	24%
Marriage Dissolutions w/Children *(3)*	3%	3%	4%	4%	3%
Marriage Dissolutions w/o Children *(3)*	1%	2%	2%	2%	1%
Marriage Terminations w/Children *(18)*	3%	3%	3%	3%	3%
Marriage Terminations w/o Children *(12)*	6%	5%	5%	5%	5%
Parentage *(12)*	6%	4%	6%	4%	3%
Support - Enforce or Modify *(12)*	4%	4%	5%	4%	3%
U.I.F.S.A. *(3)*	26%	25%	22%	25%	23%
Visitation - Enforce or Modify *(9)*	13%	12%	13%	12%	10%

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

Across the state over the last 10 years, probate caseloads generally have declined. As shown in a table in the *Appendix*, there were 85,341 incoming probate cases in 2017, a 1 percent increase from the number of cases filed in 2016, and 4 percent fewer than the 10-year high in 2013.

Filings of Guardianships of Incompetents (adult guardianships), displayed in **Figure 1**, were largely steady between 2008 and 2011, increasing in 2012. In 2017, a total of 6,864 Guardianships of Incompetents were filed. Guardianships of Minors, also shown in **Figure 1**, trended downward between 2008 and 2011, remaining relatively stable since 2012. In 2017, a total of 2,159 cases were filed, a decrease of 5 percent from 2016. The 2017 filings are a decline of 26 percent compared to the 10-year high in 2008.

Decedents' Estates cases, shown in **Figure 2**, exhibit a very slight downward trend from 2008 to 2017. Minor increases were seen between 2011 and 2012 and again between 2014 and 2015. The 52,578 cases filed in 2017 are a 9 percent decline from the 10-year high of 57,573 cases in 2008.

Adoption case filings in 2017 increased 1 percent over 2016, with 4,462 incoming cases. The 2017 filings are a 16 percent increase from the 10-year low of 3,862 cases in 2014. (See **Figure 3**).

FIGURE 1

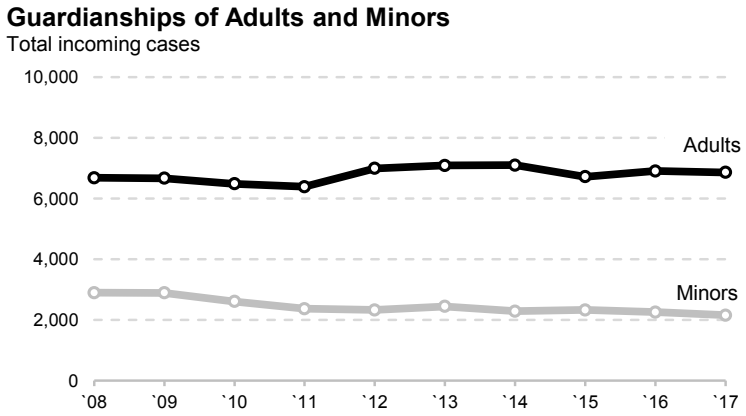


FIGURE 2

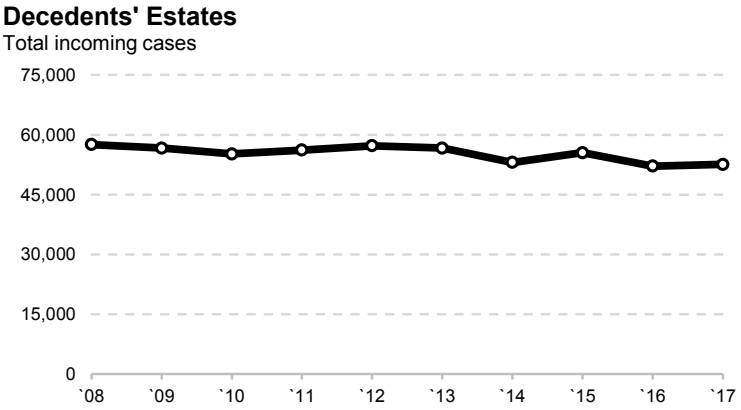


FIGURE 3

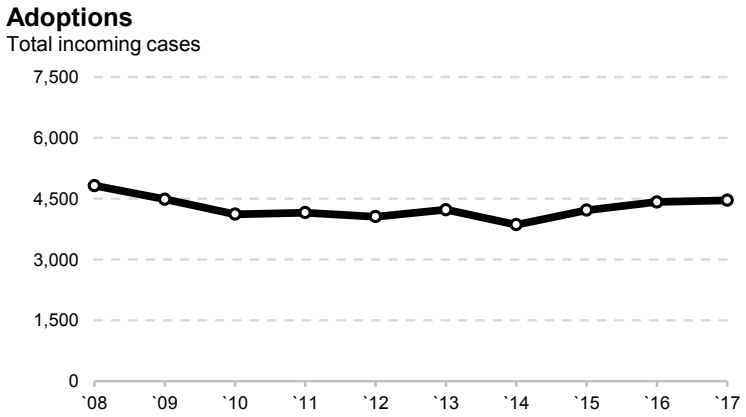


FIGURE 4

Mental Health and Civil Commitments
Total incoming cases

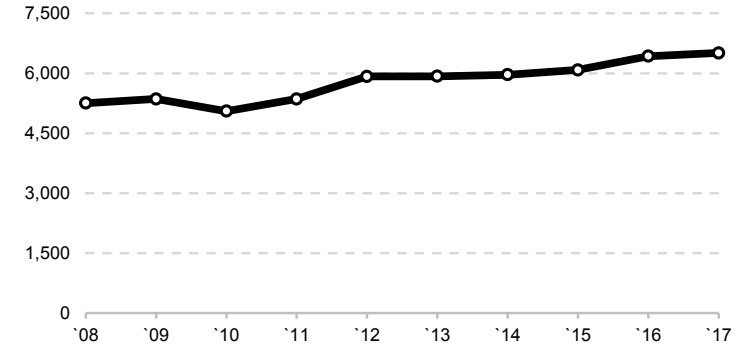


FIGURE 5

Marriage Applications
Total applications granted

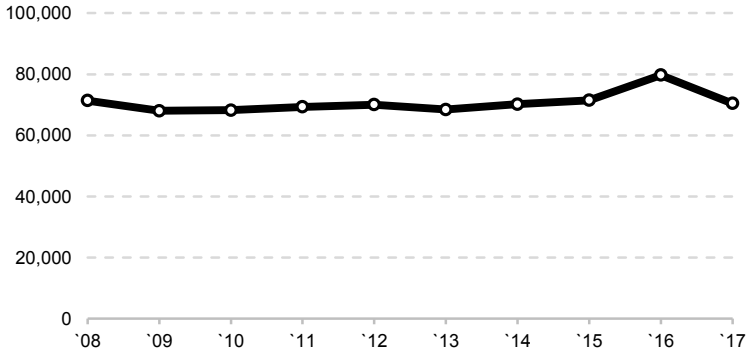


TABLE 1

Clearance Rates
Average per month in 2017

Case Type	Monthly Average
Birth (Correction or Delayed Reg.)	97%
Change of Name	97%
Civil Actions	115%
Conservatorships	157%
Decedents' Estates	102%
Guardianships of Incompetents	96%
Guardianships of Minors	186%
Mental Health and Civil Commitments	94%
Minors' Settlements	105%
Testamentary Trusts	194%
Wrongful Death	103%

Mental Health and Civil Commitments matters constitute about 8 percent of the probate division's incoming cases. In 2017, a total of 6,510 new matters were filed, representing a 10-year high and a 29 percent increase over the 10-year low in 2010. (See **Figure 4**).

Probate courts granted 70,441 marriage applications in 2017. This is a 12 percent decrease from the 79,441 applications granted in 2016. (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 of the case types in 2017, although in the Mental Health and Civil Commitments case type, an average quarterly clearance rate of 94 percent is suggestive of a growth in a backlog. Because the Supreme Court does not promulgate time standards for probate cases, overage rates are not calculable.

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 2008 to 2017. Caseloads in the juvenile division have experienced more changes over a 10-year period than other divisions of the courts of common pleas. Overall, the state saw no change in the total number of incoming juvenile cases in 2017 compared to 2016. Over the past 10 years, there has been a 27 percent decrease in 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 52 and 34 percent, respectively. (See **Figures 1** and **2**).

Figure 3 shows incoming child welfare-related cases consisting of Abuse, Neglect and Dependency cases and Motions for Permanent Custody cases. Following a decline in such cases until 2009, the number of incoming cases were relatively stable between 2010 and 2014 and have been increasing steadily since. In 2017, there was a total of 24,129 incoming child welfare cases. This is an 18 percent increase over 2016.

FIGURE 1

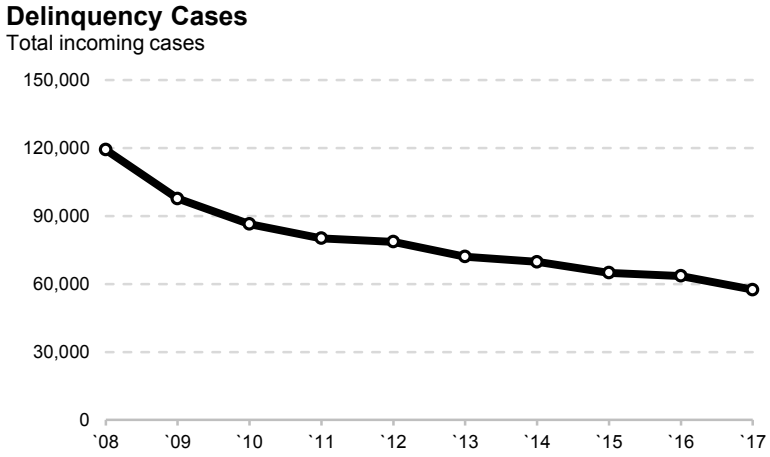


FIGURE 2

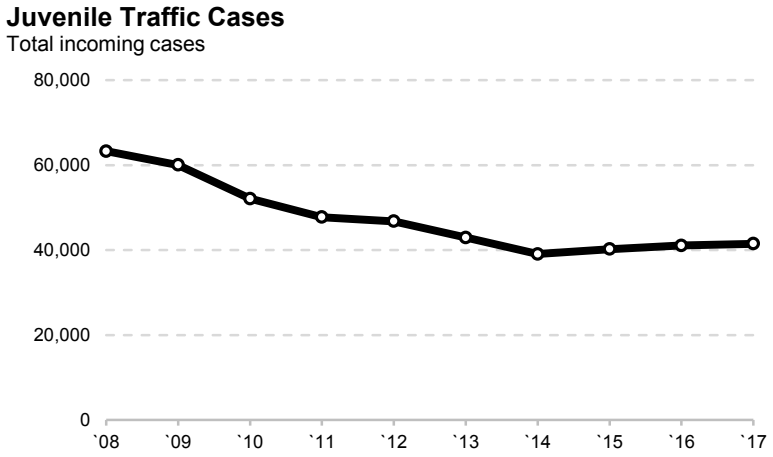


FIGURE 3

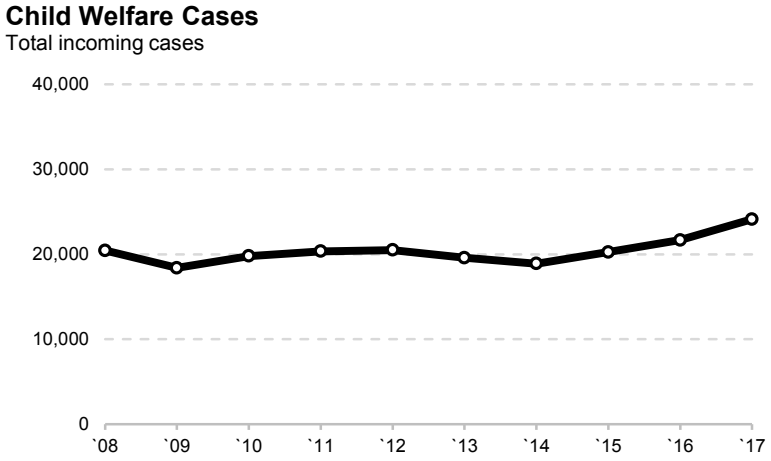
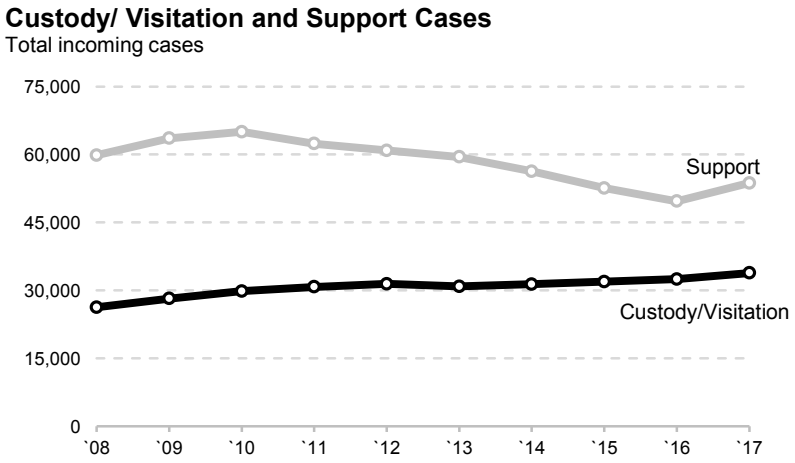


FIGURE 4



Custody and visitation case filings (Custody/Visitation) exhibit an upward trend over the past 10 years, while support filings (Support Enforcement or Modification) have steadily declined since 2010, until 2017. (See **Figure 4**). In 2017, a total of 53,705 support matters were filed, a 17 percent decline from the 10-year high of 64,988 cases in 2010. A 10-year high total of 33,850 incoming Custody/Visitation cases were reported in 2017, a 4 percent increase over the previous high in 2016.

It is notable to mention 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 are generally 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 2016 for each case type. In all case types, 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 2016, the overage rates in 5 of the 11 case types heard in Ohio's juvenile courts equal or exceed 10 percent. 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, and 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 2017

Case Type	Monthly Average
Abuse, Neglect or Dependency	101%
Adult Cases	133%
All Others	100%
Custody/Visitation	103%
Delinquency	103%
Motion for Permanent Custody	107%
Parentage	106%
Support - Enforce or Modify	101%
Traffic	102%
U.I.F.S.A.	101%
Unruly	103%

TABLE 2

Overage Rates

Percent of caseload pending past time guidelines, average per month

Case Type *(Time guideline, in months)*	2013	2014	2015	2016	2017
Abuse, Neglect or Dependency *(3)*	20%	20%	23%	21%	19%
Adult Cases *(6)*	16%	18%	12%	8%	10%
All Others *(6)*	13%	12%	12%	12%	9%
Custody/Visitation *(9)*	9%	11%	9%	9%	8%
Delinquency *(6)*	7%	7%	7%	7%	7%
Motion for Permanent Custody *(9)*	7%	11%	7%	13%	14%
Parentage *(12)*	22%	23%	3%	3%	3%
Support - Enforce or Modify *(12)*	6%	5%	4%	4%	4%
Traffic *(3)*	11%	13%	11%	11%	8%
U.I.F.S.A. *(3)*	44%	24%	13%	16%	16%
Unruly *(3)*	18%	16%	17%	16%	16%

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 2017, there were 129 municipal courts with 214 judges, and 35 county courts with 37 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 2017, 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 2017

In 2017, no changes were made concerning the existence and nature of Ohio's municipal and county courts.

In 2010, legislation was enacted converting the Montgomery County Court into the Montgomery County Municipal Court. This legislation provided for a judgeship to be abolished effective Dec. 31, 2017. This resulted in two full-time judgeships remaining in the court.

Future Changes

In 2017, the Governor signed into law a bill converting the Perry County Court into the Perry County Municipal Court, effective Jan. 1, 2018. On that date, the current part-time judgeship became a full-time judgeship.

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).

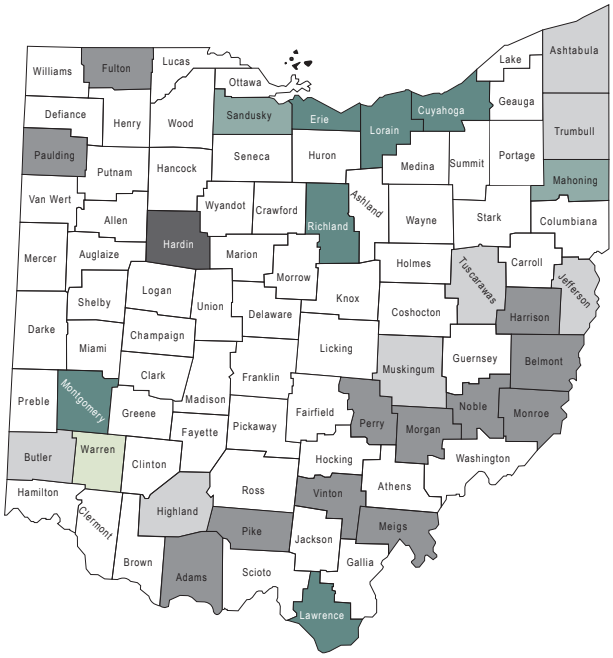
Criminal Cases

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.

MUNICIPAL & COUNTY COURTS
2017 Jurisdictional Arrangement



- Part-time municipal courts only (1)
- County courts only (12)
- Full-time municipal and county courts (7)
- Full-time municipal courts only (59)
- Part-time municipal and county court (1)
- Full-time municipal, part-time municipal and county courts (2)
- Full-time municipal and part-time municipal courts (6)

FIGURE 1

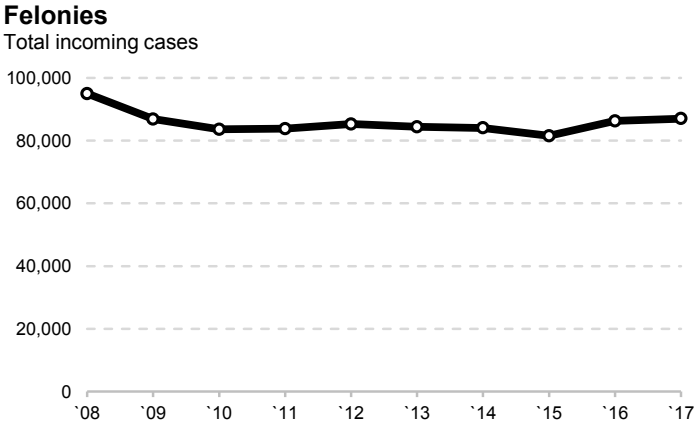


FIGURE 2

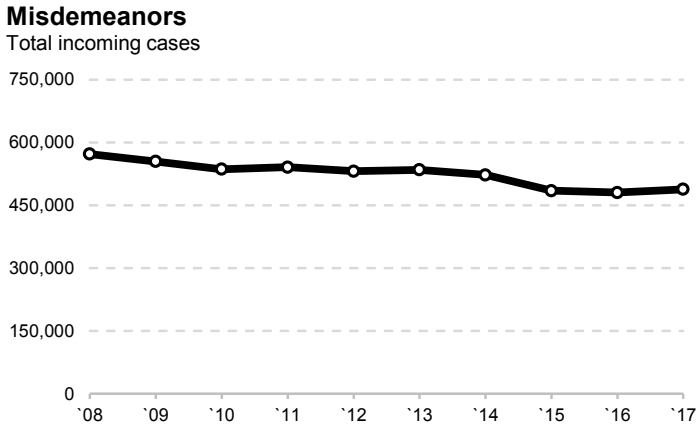
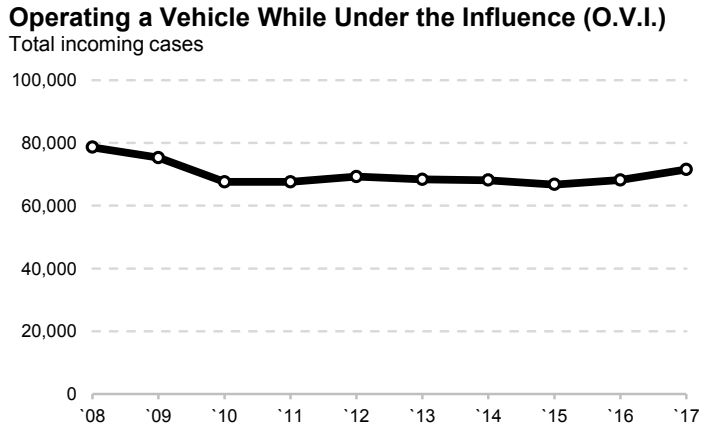


FIGURE 3



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 has generally decreased during the past 10 years, until 2017. Since 2008 (the 10-year high), the number of incoming cases has decreased by 19 percent.

Felony cases, in which municipal and county courts conduct preliminary hearings only, exhibited a shift in their growth rate over the 10-year period shown in **Figure 1**. Following a decline incoming cases between 2007 and 2010, the volume of cases remained relatively stable until an increase in 2016. In 2017 there was another increase in felony cases, a 2 percent increase over 2016.

Misdemeanor cases, constituting 21 percent of the courts' total overall caseload, have trended slightly downward over the past 10 years. This changed in 2017, with a total of 487,989 incoming cases, a 2 percent increase from 2016. (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 2017, a total of 71,555 incoming cases were reported. (See **Figure 3**).

Other Traffic cases (all moving violations other than O.V.I.), constituted 60 percent of the municipal and county courts' total incoming caseloads in 2017. Other Traffic cases have fluctuated over the past ten years. In 2017, there was a total of 1,370,420 incoming Other Traffic cases, a 3 percent increase from 2016. (See **Figure 4**).

Small Claims case filings have trended downward dramatically over the past 10 years. The 3 percent increase in incoming Small Claims cases in 2017 is the first increase in the numbers of Small Claims cases in at least 10 years. However, the number of incoming cases in 2017 is still a 42 percent decrease from the 10-year high of 84,499 cases in 2008. (See **Figure 5**).

Incoming Contracts cases, which in 2017 constituted about 8 percent the courts' total caseloads, declined steeply in 2008 and have been relatively stable since 2013. In 2017, a total 193,646 incoming cases were reported, a 21 percent increase over 2016 and a 31 percent decrease from the 10-year high in 2008 of 278,930 incoming cases. (See **Figure 6**).

FIGURE 4

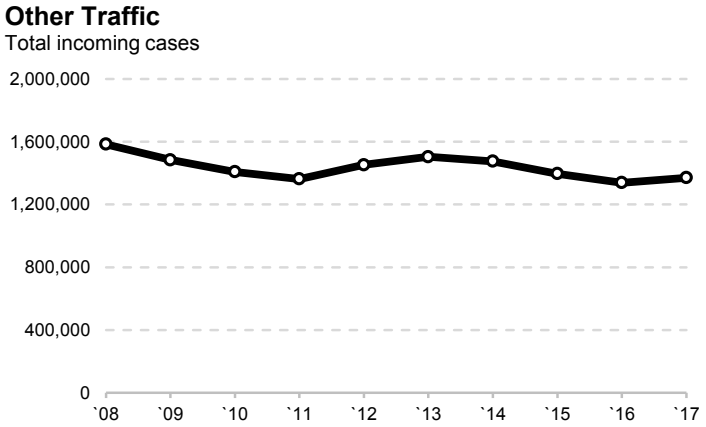


FIGURE 5

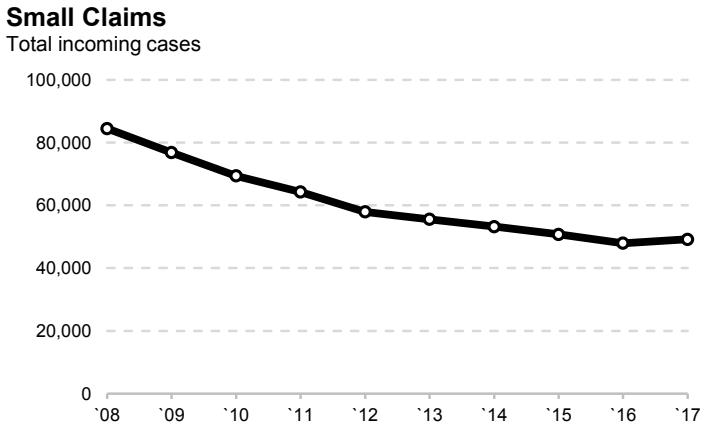


FIGURE 6

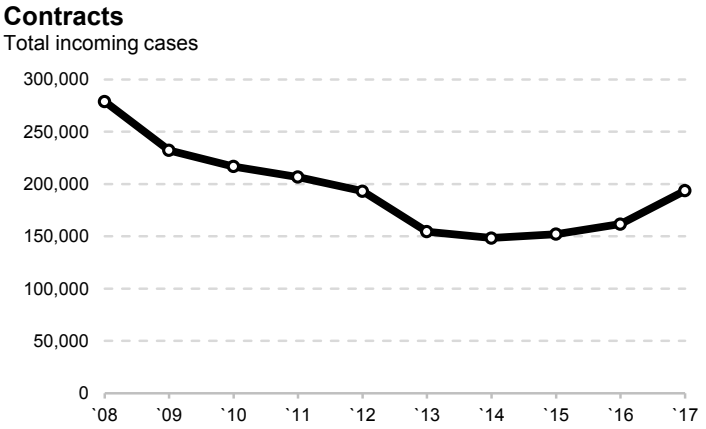


TABLE 1

Clearance Rates

Average per month in 2017

Case Type	Monthly Average
Contracts	96%
F.E.D.	101%
Other Civil	108%
PI/PD	103%
Small Claims	100%
Felonies	101%
Misdemeanors	101%
O.V.I.	102%
Other Traffic	101%

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 2017 are near or equal to the 100 percent target. Contracts cases had the lowest statewide clearance rates at 96 percent. Average monthly overage rates for the past five years are displayed in **Table 2**. The overage rate for Felonies in 2017, at 16 percent, is the only case type with an overage rate above 10 percent.

TABLE 2

Overage Rates

Percent of caseload pending past time guidelines, average per month

Case Type *(Time guideline, in months)*	2013	2014	2015	2016	2017
Contracts *(12)*	4%	3%	4%	3%	2%
F.E.D. *(12)*	2%	2%	2%	3%	3%
Other Civil *(12)*	6%	6%	7%	3%	3%
PI/PD *(24)*	1%	1%	1%	1%	1%
Small Claims *(6)*	8%	7%	7%	6%	5%
Felonies *(1)*	20%	33%	25%	16%	16%
Misdemeanors *(6)*	6%	6%	7%	4%	4%
O.V.I. *(6)*	6%	6%	7%	4%	4%
Other Traffic *(6)*	4%	4%	5%	2%	2%

Trial Rates

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

In order to calculate trial rates, the various termination categories reported by the courts first are separated into termination categories that truly are dispositive of the case and categories that instead simply render the case no longer active for reporting purposes. The number of dispositive terminations are then 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 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 trial rates are roughly 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

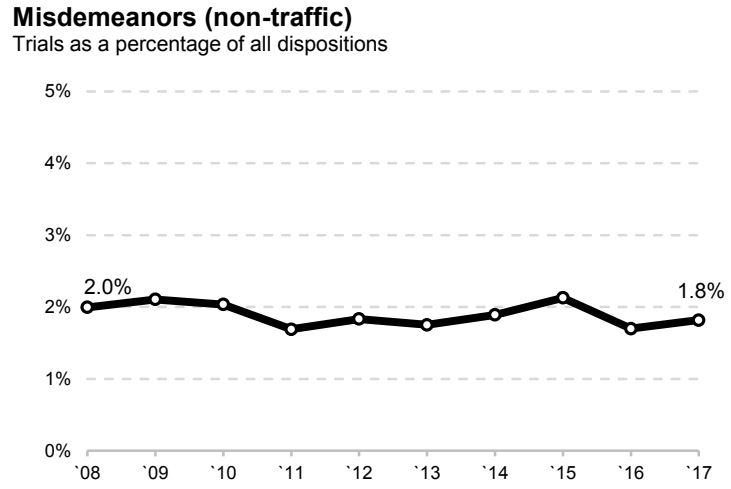


FIGURE 8

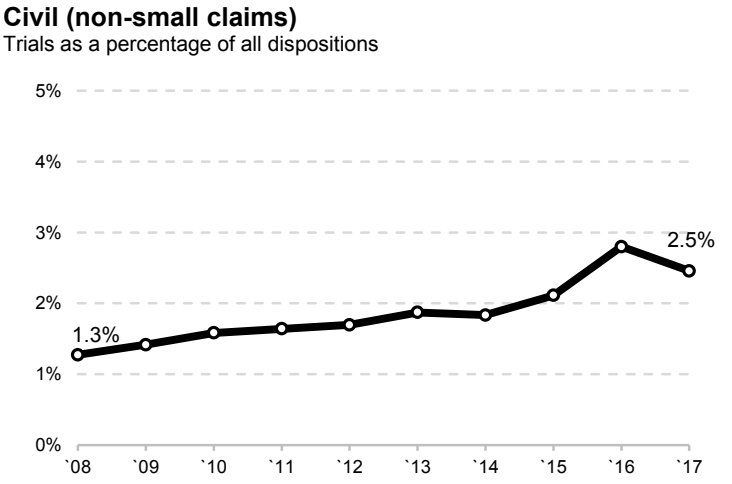
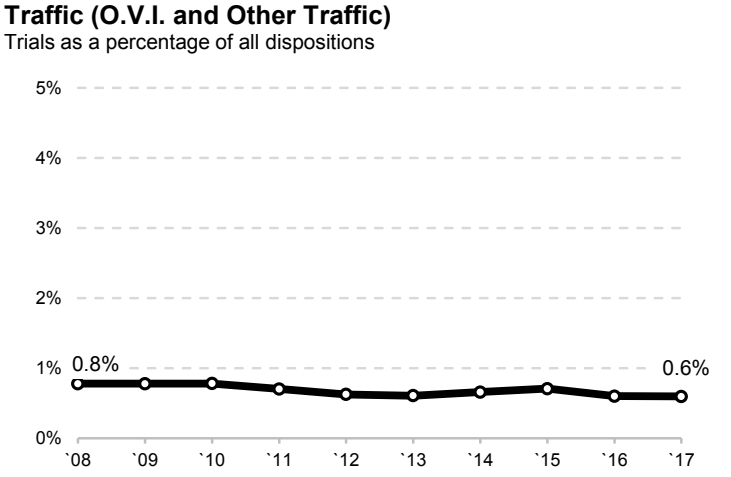


FIGURE 9



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.

GLOSSARY OF TERMS

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 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 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 any of the other categories. 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

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Administrative Appeals	1,748	1,531	1,537	1,488	1,404	1,116	1,183	1,018	1,070	1,034
Complex Litigation	106	94	76	59	67	102	149	67	54	77
Criminal	95,152	86,118	82,857	81,042	81,026	78,612	80,636	78,112	82,001	86,139
Foreclosures	94,295	99,208	97,412	85,629	84,196	63,940	51,697	46,725	44,913	40,713
Other Civil	75,471	74,813	68,907	61,647	56,510	50,392	49,249	48,170	48,008	48,265
Other Torts	20,498	20,666	19,280	18,303	17,981	17,669	17,239	16,153	17,008	17,393
Product Liability	328	263	257	203	234	254	184	186	173	176
Professional Tort	1,719	1,705	1,706	1,509	1,523	1,572	1,555	1,460	1,490	1,618
Workers' Compensation	8,297	8,698	8,176	7,759	7,296	7,164	6,937	6,869	6,785	6,194
Total	**297,614**	**293,096**	**280,208**	**257,639**	**250,237**	**220,821**	**208,829**	**198,760**	**201,502**	**201,609**

Courts of Common Pleas, Domestic Relations Division

Total incoming cases

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
All Others	15,993	16,271	14,457	14,029	13,582	12,948	12,686	11,892	11,409	9,794
Change of Custody	7,569	7,252	7,223	7,464	7,090	6,909	6,761	6,582	6,124	6,264
Domestic Violence	20,443	21,888	21,178	20,894	19,939	20,019	18,742	18,910	19,311	19,960
Marriage Dissolutions w/Children	8,033	8,031	8,621	8,455	8,028	7,667	7,398	7,370	7,149	6,877
Marriage Dissolutions w/o Children	10,206	10,463	10,732	10,550	10,167	10,316	10,087	10,011	9,974	9,806
Marriage Terminations w/Children	16,137	16,381	16,127	16,158	15,137	14,307	13,829	13,194	12,921	12,415
Marriage Terminations w/o Children	13,751	13,816	14,136	14,555	14,134	13,992	13,178	13,123	12,839	12,897
Parentage	2,181	2,271	2,261	2,133	1,987	1,704	1,577	1,440	1,275	1,282
Support - Enforce or Modify	37,863	37,703	34,751	31,866	31,018	29,975	28,982	26,831	25,584	25,386
U.I.F.S.A.	1,383	1,620	1,123	1,085	1,258	1,088	1,081	1,060	966	889
Visitation - Enforce or Modify	3,523	3,193	3,337	3,414	3,433	3,117	3,139	3,000	2,780	2,971
Total	**137,082**	**138,889**	**133,946**	**130,603**	**125,773**	**122,042**	**117,460**	**113,413**	**110,332**	**108,541**

Courts of Common Pleas, Probate Division

Total incoming cases

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Adoptions	4,825	4,487	4,120	4,159	4,060	4,231	3,862	4,217	4,421	4,462
Birth (Correction or Delayed Reg.)	1,159	1,126	1,086	988	1,157	1,109	923	931	1,036	1,138
Change of Name	5,151	5,324	5,514	5,491	5,880	6,076	6,039	6,178	6,367	6,752
Civil Actions	2,332	2,439	2,402	2,462	2,581	2,816	2,848	2,834	2,519	2,308
Conservatorships	111	95	91	76	122	105	78	82	62	60
Decedents' Estates	57,573	56,686	55,199	56,188	57,241	56,669	53,084	55,519	52,168	52,578
Guardianships of Incompetents	6,685	6,668	6,488	6,393	6,993	7,091	7,099	6,721	6,911	6,864
Guardianships of Minors	2,898	2,896	2,608	2,372	2,329	2,447	2,291	2,333	2,261	2,159
Mental Health and Civil Commitments	5,253	5,360	5,052	5,360	5,923	5,925	5,965	6,085	6,428	6,510
Minors' Settlements	1,535	1,506	1,345	1,287	1,349	1,437	1,327	1,234	1,237	1,328
Testamentary Trusts	527	552	530	462	475	511	465	423	450	370
Wrongful Death	572	1,039	717	628	688	708	542	697	657	812
Total	**88,621**	**88,178**	**85,152**	**85,866**	**88,798**	**89,125**	**84,523**	**87,254**	**84,517**	**85,341**
Marriage Applications Granted	71,401	68,019	68,248	69,334	70,058	68,446	70,232	71,470	79,747	70,441

Courts of Common Pleas, Juvenile Division

Total incoming cases

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Abuse, Neglect or Dependency	18,444	16,456	18,114	18,307	18,292	17,183	16,231	17,430	18,693	21,041
Adult Cases	7,131	6,802	6,519	7,087	6,929	7,080	7,296	8,346	7,836	6,729
All Others	8,062	8,665	11,584	13,368	13,066	13,572	12,749	10,082	9,629	9,819
Custody/Visitation	26,263	28,173	29,833	30,756	31,427	30,887	31,379	31,928	32,478	33,850
Delinquency	119,300	97,708	86,448	80,183	78,681	72,078	69,778	64,951	63,580	57,522
Motion for Permanent Custody	2,003	1,946	1,677	2,053	2,218	2,404	2,648	2,831	2,981	3,088
Parentage	12,507	12,746	13,431	11,892	10,621	9,303	8,724	7,617	7,250	6,759
Support - Enforce or Modify	59,852	63,581	64,988	62,375	60,902	59,446	56,271	52,574	49,694	53,705
Traffic	63,296	60,040	52,111	47,747	46,782	42,959	39,082	40,229	41,075	41,493
U.I.F.S.A.	1,128	1,143	1,560	1,487	1,175	1,167	1,218	1,129	1,118	1,459
Unruly	20,870	16,876	15,400	14,152	14,018	12,811	13,020	12,173	11,433	11,362
Total	**338,856**	**314,136**	**301,665**	**289,407**	**284,111**	**268,890**	**258,396**	**249,290**	**245,767**	**246,827**

Municipal and County Courts

Total incoming cases

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Contracts	278,930	232,175	216,751	206,735	193,157	154,500	148,321	152,066	161,755	193,646
F.E.D.	117,644	109,544	108,118	116,007	113,065	114,961	112,480	110,491	107,872	106,693
Other Civil	140,126	124,231	107,879	90,569	24,794	18,397	17,317	17,763	86,277	87,049
PI/PD	7,091	7,074	6,873	7,244	6,212	6,331	5,811	4,700	5,501	4,402
Small Claims	84,499	76,797	69,385	64,240	57,896	55,564	53,233	50,770	47,912	49,167
Felonies	94,988	86,896	83,601	83,805	85,285	84,398	84,078	81,537	86,277	87,049
Misdemeanors	572,066	554,329	535,989	540,906	531,352	534,330	522,304	484,752	480,140	487,989
O.V.I.	78,602	75,299	67,594	67,585	69,247	68,368	68,098	66,753	68,180	71,555
Other Traffic	1,583,640	1,484,335	1,407,601	1,362,284	1,452,294	1,503,517	1,475,100	1,395,903	1,338,755	1,370,420
Total	**2,957,586**	**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**

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