

The Supreme Court of Ohio

MEMORANDUM

TO: Chief Justice Maureen O'Connor

CC: Jeff Hagler, Administrative Director
Stephanie Hess, Deputy Administrative Director
Stephanie Nelson, Director, Court Services Division

FROM: Judge Jerome Metz, Committee Chairperson
Hamilton County Common Pleas Court, General Division
Judge Laura Gallagher, Committee Vice Chairperson
Cuyahoga County Common Pleas Court, Probate Division
Tasha Ruth, Manager, Case Management Section

DATE: January 24, 2020

RE: Advisory Committee on Case Management 2019 Annual Report

In accordance with the Operating Guidelines for the Advisory Committee on Case Management, please accept this memo as the Advisory Committee's annual report of its work in 2019.

Created in 2011, the purpose of the Advisory Committee on Case Management (ACCM) is to provide ongoing advice to the Court and its staff regarding the promotion of statewide rules and uniform standards concerning case management and statistical reporting in Ohio courts; the development and delivery of case management services to Ohio courts, including training programs for judges and court personnel; and the consideration of any other issues the advisory committee deems necessary to assist the Court and its staff regarding case management in Ohio courts.

In 2019, the Advisory Committee focused its efforts on the following subject areas:

- (1) Data Dashboard – Individual Judge Data Rollout
- (2) Superintendence Rule 39
- (3) Revisions to the Instructions for Statistical Reporting
- (4) Superintendence Rule 37.05
- (5) Civil Justice Initiative Pilot Project

Data Dashboard

The data dashboard was created by the Supreme Court of Ohio as a digital platform with easy-to-access displays that allow for the graphical demonstration of local court caseloads and

terminations, from a courtwide and statewide view. This dashboard replaces the annual report and will assist the public in their requests for caseload information.

The Advisory Committee recognized the need to educate local court administrators and judicial officers about the dashboard and allow some time for courts to review their stats and, as needed, receive training from the Case Management Section regarding the Instructions for Statistical Reporting. The first iteration of the dashboard went live in early 2019 and the feedback from users was overwhelmingly positive. By the summer of 2019 it was requested that we display individual judge-level data which is now available on the dashboard.

Superintendence Rule 39, Time Standards

The Court initially considered the proposed revisions to Sup.R. 39 at its conference on January 26, 2016. Subsequently, the rule was published for a public comment period ending May 16, 2016. The rule was revised minimally following the public comment period. On January 23, 2018, the court considered the proposed amendments in light of the public comments and tabled its decision on the rule. In 2019, the Advisory Committee was asked to review the proposed recommendations they made in 2018. On November 26, 2019, the Advisory Committee voted unanimously to make no changes to the proposed amendments to Sup.R. 39, affirming the recommendations they made to the Court on January 23, 2018. The proposed revisions will be presented to the Court in February 2020.

Revisions to the Instructions for Statistical Reporting

The Advisory Committee voted to amend the instructions to allow for the tolling of time when the outcome of a current case is dependent upon another case. The group recognized that in some instances, a case cannot proceed until another pending case is finalized. For example, a criminal defendant may have a companion civil case related to the underlying criminal case. In that instance, the civil case may be placed on inactive status and time will toll until the criminal case is resolved. Upon the termination of the criminal case, the civil case is reactivated and time begins to toll again until the case is concluded.

Superintendence Rule 37.05, Capital Case Reporting

The Advisory Committee recommended eliminating the requirement that courts submit a hard-copy report indicating the filing or termination of a capital murder case. This data is already collected by the Clerk of the Supreme Court of Ohio in a more detailed format and is publicly available on the Court's website. The recommendation to abolish the rule was presented to the Commission on the Rules of Superintendence; the Commission agreed. The request to eliminate Sup.R. 37.05 was presented to the Justices in February 2019 and they voted to abolish the rule.

Civil Justice Initiative Pilot Project

Following the Midwest Civil Justice Reform Summit, the Advisory Committee on Case Management was requested to implement a pilot program to effectuate an optimized form of case processing for civil cases. A subcommittee was formed and Chardon Municipal Court agreed to participate as a pilot court. In 2019 a landscape study of the court's civil case processing was

conducted. The review included identifying key performance indicators: clearance rates, overage rates, time to disposition, and the number of event settings. The review also included assessing processing times between key events, the proportion of parties who are represented by counsel, and the effects of representation on the time to disposition and the number of settings. Judge Richard Frye of the Franklin County Common Pleas Court has agreed to conduct the same study of his civil caseload in 2020.

As you can see, the Advisory Committee has been working diligently on a number of projects. The members should be commended for their commitment and enthusiasm. Thank you for your support and the continued opportunity to improve the delivery of court services to the citizens of Ohio. We welcome your feedback and suggestions on the Advisory Committee's work.