AMENDMENTS TO THE

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

 **On April 11, 2013, the Supreme Court of Ohio adopted the following amendments** to the Rules of Superintendence for the Courts of Ohio (Sup.R. 37 and 42 and new Sup.R. 37.01 through 37.07) effective July 1, 2013.

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

**RULE 37. Statistical Reports and Information.**

**(A) Submission of** **reports in hard-copy format**

Except as provided division (B) of this rule, the judges of the courts of appeals, courts of common pleas, municipal courts, and county courts shall submit to the Case Management Section of the Supreme Court in hard-copy format report forms as required by Sup.R. 37.01 through 37.03. The report forms shall be as prescribed by the Manager of Case Management Programs and submitted no later than the fifteenth day after the close of the reporting period.

**(B) Submission of reports in electronic format**

(1)Upon receipt of written notification to a court of appeals, court of common pleas, municipal court, or county court from the manager indicating the section is prepared to receive reports from the court in electronic format, the judges of the court shall submit to the section in electronic format via the Supreme Court website reports as required by Sup.R. 37.01 through 37.03. The reports shall be as prescribed by the manager and submitted no later than the fifteenth day after the close of the reporting period.

(2) The presiding or administrative judge of each court of appeals, court of common pleas, municipal court, or county court to which division (B)(1) of this rule applies shall take steps necessary to ensure the security of the Supreme Court website login credentials.

**RULE 37.01. Courts of Appeals Reports.**

**(A) Presiding judge reports**

The presiding or administrative judge of a court of appeals shall prepare and submit quarterly a completed “Presiding Judge Report,” which shall be a report of the status of all pending cases in the court. If submitted in hard-copy format pursuant to Sup.R. 37(A), the report form shall contain the signatures of the presiding or administrative judge and the preparer, if other than the presiding or administrative judge, attesting to the accuracy of the report. If submitted in electronic format pursuant to Sup.R. 37(B)(1), the presiding or administrative judge shall be deemed to have attested to the accuracy of the report.

**(B) Judge reports**

Each judge of a court of appeals shall prepare and submit quarterly a completed “Appellate Judge Report,” which shall be a report of the judge’s work. The report shall be submitted through the presiding or administrative judge of the court. If submitted in hard-copy format pursuant to Sup.R. 37(A), the report form shall contain the signatures of the reporting judge, the presiding or administrative judge, and the preparer, if other than the reporting judge, attesting to the accuracy of the report. If submitted in electronic format pursuant to Sup.R. 37(B)(1), the reporting judge and presiding or administrative judge shall be deemed to have attested to the accuracy of the report.

**RULE 37.02. Courts of Common Pleas Reports.**

**(A) Judge reports**

Each judge of a general, domestic relations, or juvenile division of a court of common pleas shall prepare and submit monthly a completed report of the judge’s work in that division. Each judge of a probate division of a court of common pleas shall prepare and submit quarterly a completed report of the judge’s work in that division. If submitted in hard-copy format pursuant to Sup.R. 37(A), the report form shall contain the signatures of the reporting judge, the administrative judge, and the preparer, if other than the reporting judge, attesting to the accuracy of the report. If submitted in electronic format pursuant to Sup.R. 37(B)(1), the reporting judge and administrative judge shall be deemed to have attested to the accuracy of the report.

**(B) Assigned judge reports**

Each judge temporarily assigned to a court of common pleas by the Chief Justice of the Supreme Court and each judge of a court of common pleas temporarily assigned to another division of the court by the presiding judge of the court shall prepare and submit monthly a completed report of the judge’s work in the division to which the judge has been assigned. The reports shall be submitted to the judge for whom the assigned judge is sitting and included in that judge’s report to the Case Management Section of the Supreme Court submitted by the administrative judge of the division pursuant to division (A) of this rule. If submitted in hard-copy format pursuant to Sup.R. 37(A), the report form shall contain the signatures of the reporting judge, the administrative judge, and the preparer, if other than the reporting judge, attesting to the accuracy of the report. If submitted in electronic format pursuant to Sup.R. 37(B)(1), the reporting judge and administrative judge shall be deemed to have attested to the accuracy of the report.

**RULE 37.03. Municipal and County Court Reports.**

**(A) Administrative judge reports**

Each administrative judge of a municipal or county court shall prepare and submit monthly a completed “Administrative Judge Report,” which shall be a report of all cases not individually assigned. If submitted in hard-copy format pursuant to Sup.R. 37(A), the report form shall contain the signatures of the administrative judge and the preparer, if other than the administrative judge, attesting to the accuracy of the report. If submitted in electronic format pursuant to Sup.R. 37(B)(1), the administrative judge shall be deemed to have attested to the accuracy of the report.

**(B) Individual judge reports**

Each judge of a municipal or county court shall prepare and submit monthly a completed “Individual Judge Report,” which shall be a report of all cases assigned to the individual judge. If submitted in hard-copy format pursuant to Sup.R. 37(A), the report form shall contain the signatures of the reporting judge, the administrative judge, and the preparer, if other than the reporting judge, attesting to the accuracy of the report. If submitted in electronic format pursuant to Sup.R. 37(B)(1), the reporting judge and administrative judge shall be deemed to have attested to the accuracy of the report.

**(C) Assigned judge reports**

Each judge temporarily assigned to a municipal or county court by the Chief Justice of the Supreme Court and each judge of a municipal or county court temporarily assigned to another division of the court by the presiding judge of the court shall prepare and submit monthly a completed report of the judge’s work in the division to which the judge has been assigned. The report shall be submitted to the judge for whom the assigned judge is sitting and included in that judge’s report to the Case Management Section of the Supreme Court submitted by the administrative judge of the division pursuant to division (B) of this rule. If submitted in hard-copy format pursuant to Sup.R. 37(A), the report form shall contain the signatures of the reporting judge, the administrative judge, and the preparer, if other than the reporting judge, attesting to the accuracy of the report. If submitted in electronic format pursuant to Sup.R. 37(B)(1), the reporting judge and administrative judge shall be deemed to have attested to the accuracy of the report.

**Staff Notes**

**Reports to administrative judge**

Under Sup.R. 4(B)(3), the administrative judge may require reports from each judge as are necessary to discharge the overall responsibility for the administration, docket, and calendar of the court. Sup.R. 38 sets out the duties of the administrative judge with respect to the preparation of reports.

**Municipal and county court reports**

The Administrative Judge Report pertains to cases pending on the docket of the court which have not been individually assigned pursuant to Sup.R. 36. The preparation of this report and the review of cases required by Sup.R. 40 are the principal tools that the administrative judge uses to discharge the responsibilities under Sup.R. 4.

The timely and accurate preparation of the Individual Judge Report and the review of cases required by Sup.R. 40 provide the information necessary for the individual judge to discharge the judge’s duties.

For purposes of this reporting requirement, an assigned judge may be an active or retired judge. Additionally, assigned judges, as well as acting judges, report their work in accordance with the instructions regarding the Visiting Judge column.

**RULE 37.04. Reporting Standards.**

The following standards shall apply in completing the statistical reports required by Sup.R. 37.01 through 37.03:

(A) In domestic relations cases, motions filed prior or subsequent to a final decree of divorce or dissolution shall be considered part of the original case and reported under the original case number;

(B) A motion filed in delinquency and unruly cases shall be considered part of the case in which the motion is filed, unless the motion is considered a separate delinquency case under R.C. 2151.02(B);

(C) A criminal case and a traffic case arising from the same act, transaction, or series of acts or transactions shall be considered separate cases.

**RULE 37.05. Capital Case Reporting.**

Each judge of a court of common pleas required to submit reports in hard-copy format to the Case Management Section of the Supreme Court pursuant to Sup.R. 37(A) and who is assigned a criminal case in which an indictment or a count in an indictment charges the defendant with aggravated murder and contains one or more specifications of aggravating circumstances listed in R.C. 2929.04(A) shall include with the report form notice, on a form prescribed by the Manager of Case Management Programs, of any of the following events that occur during the reporting period:

(A) The assignment of the case to the judge;

(B) The defendant pleading guilty or no contest to any offense in the case or the dismissal of the indictment or any count in the indictment;

(C) The final disposition of the charges and specifications in the case. This shall include when the defendant is found guilty of capital charges and specifications, but does not receive the death penalty.

**RULE 37.06. Public Access to Submitted Reports and Information.**

All reports and information submitted to the Case Management Section of the Supreme Court pursuant to Sup.R. 37 shall be available for public access pursuant to Sup.R 44 through 47.

**RULE 37.07. Requests for Additional Information; Accuracy of Reports.**

**(A) Chief Justice requests**

The Chief Justice of the Supreme Court or the Chief Justice’s designee may require additional information concerning the disposition of cases and the management of the courts in order to discharge the Chief Justice’s constitutional and statutory duties. All judges, clerks, and other officers of all courts shall furnish any requested information.

**(B) Accuracy of reports**

All judges, clerks, and other officers of all courts shall cooperate with the Case Management Section of the Supreme Court to ensure the accuracy of the reports submitted to section pursuant to Sup.R. 37.

**RULE 42. Complex Litigation--Court of Common Pleas.**

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**(C) Time; reporting.** A designation of a case as complex litigation pursuant to division (A) or (B) of this rule shall be made within six months of the date on which the case was filed. If a case is designated as complex litigation, the judge shall submit to the Case Management Section of the Supreme Court a report specifying the reasons for the designation of the case as complex litigation. The judge shall include the case in the statistical report submitted pursuant to Sup.R. 37.02(A) under the category of complex litigation. The judge shall have thirty-six months from the date of filing to terminate the case.

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**RULE 99. Effective Date.**

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(DDD) The amendments to Sup.R. 37 and 42 and new Sup.R. 37.01 through 37.07, adopted by the Supreme Court of Ohio on April 11, 2013, shall take effect on July 1, 2013.