

INSTRUCTIONS FOR PREPARATION OF STATISTICAL REPORT FORMS

COURT OF COMMON PLEAS – DOMESTIC RELATIONS DIVISION – FORM B

I. MATHEMATICAL ACCURACY AND CONSISTENCY

- 1. Month to Month Consistency.** The number of cases reported as pending at the end of any reporting period must equal the number of cases reported as pending at the beginning of the next reporting period.
- 2. Correction of Reporting Errors.** Errors may be corrected using the eStats process but only for the most recently-submitted report. To submit an amendment to a previously-submitted report, email the completed Excel template to the Case Management Section at casemgmt@sc.ohio.gov.

Where an error cannot be traced to a specific report period, adjustments shall be made on the current report form.

II. CALCULATION OF TIME

Each judge of the court of common pleas responsible for the disposition of cases in the domestic relations division is required to complete Form B. Form B shall be completed monthly and submitted via eStats to the Case Management Section. The form must be received by the fifteenth day of the next month.

For purposes of calculating the time a case has been pending use the chart below. Refer to Form B for each case type's time standard. The time standard is located on Form B above Line 18. If a case is placed on inactive status (using Line 10, Mediation or Conciliation, Line 11, Bankruptcy Stay or Interlocutory Appeal, or Line 14, Unavailability of Party) the time will stop until the tolling event is concluded. Upon the conclusion of the tolling event, the case is reactivated on Line 3 and time resumes again. To compute the length of time a case which has been redesignated has been pending, the starting date should be the date on which the still-pending motion was originally filed (See: Custody, Support, and Visitation Matters – Columns E, F, and G, below).

Form B Case Type	Time Starts	Time Ends
All cases except Domestic Violence	Upon the filing of the complaint or other initial pleading	Upon the journalization of the judgment entry or transfer to another court or referral to private judge
Domestic Violence	Upon the filing of the petition	Upon the conclusion of the first full hearing

III. EXPLANATIONS AND DEFINITIONS

A. Case Type Categories – Definitions

When a civil case may be reported in more than one category, it shall be reported only in the category that represents the principal issue in controversy. When a complaint is drafted in the alternative, the case may be entered only once. Court personnel will be required to use their best judgment as to categorization. Since it is not always possible to determine the principal issue, there will be instances in which decisions will have to be made when deciding the proper column

for reporting a particular case. This decision should be made based upon information from the attorney or party filing the complaint along with the experience of the court personnel in dealing with similar facts.

If subsequent pleadings or case activity indicate that an incorrect classification initially was made, the case should be terminated on Line 15, Other Terminations, and redesignated on Line 3 in the proper column.

- 1. Terminations of Marriages with Children – Column A.** This category is used to report cases in which a complaint for divorce, legal separation, or annulment has been filed and there are minor children for whom the allocation of parental rights and responsibilities must be adjudicated. Also include divorce, legal separation, or annulment cases where parentage is at issue.
- 2. Terminations of Marriages without Children – Column B.** This category is used to report cases in which a complaint for divorce, legal separation, or annulment has been filed and where there are no minor children for whom the allocation of parental rights and responsibilities must be adjudicated, and where no parentage matters are at issue.
- 3. Dissolutions of Marriages with Children – Column C.** This category is used to report cases in which a petition for dissolution has been filed that includes the allocation of parental rights and responsibilities of minor children.
- 4. Dissolutions of Marriages without Children – Column D.** This category is used to report cases in which a petition for dissolution has been filed that does not include the allocation of parental rights and responsibilities of minor children.
- 5. Custody, Support, and Visitation Matters – Columns E, F, and G.**

Columns E, F, and G are used to report cases in which there is a post-decree motion for a change in the allocation of parental rights and responsibilities for the care of a child or children, a motion for modification or enforcement of previously awarded visitation rights, or a motion for modification or enforcement of previously awarded support rights.

Where one or more motions involving custody, support, or visitation are filed in a previously-terminated case, the case should be reactivated on Line 3 and categorized under the first-filed motion. The case should not be counted as a new filing on Line 2 nor assigned a new case number pursuant to Sup.R. 37.04(A).

When a show cause motion for contempt is filed by a party after the case has been closed for reporting purposes, the case is reopened under the existing case number in the appropriate category on Line 3. The starting date for calculating the length of time the case has been pending should be the date the contempt motion was filed.

Where multiple motions are filed, the case shall be terminated on the appropriate line when the first-filed motion is resolved (e.g. Line 8, Trial by Magistrate) and

redesignated on Line 3 in the column applicable to the next-filed, still-pending motion. To calculate the length of time the redesignated case has been pending, the starting date should be the date on which the still-pending motion was originally filed.

Where a motion is filed in a case already being reported in a given column, the motion will not be reported separately. If upon termination of the case in a given column, a motion remains pending, then the case should be redesignated on Line 3 in the appropriate column.

Where an incoming case has no underlying marriage termination or dissolution case previously adjudicated in the court, the new motion is reported as a new case on Line 2 in the appropriate column.

- a. **Change of Custody – Column E.** This category is used to report cases in which the court must adjudicate a motion for a change in the allocation of parental rights and responsibilities for the care of a child or children. Motions for change in the allocation of parental rights and responsibilities for the care of a child or children where the allocation of parental rights and responsibilities for the care of a child or children is consented to or contested, should be included. Include cases that involve parents, parents and grandparents, or others.
 - b. **Visitation Enforcement/Modification – Column F.** This category is used to report cases in which there is a motion for modification or enforcement of previously awarded visitation rights. Motions for the termination of visitation rights and previously unadjudicated visitation motions also should be reported in this column.
 - c. **Support Enforcement/Modification – Column G.** This category is used to report cases in which there is a motion for modification or enforcement of previously awarded child or spousal support rights. Motions for the termination of support and previously unadjudicated support motions also should be reported in this column.
- 6. Domestic Violence – Column H.** This category is used to report domestic violence actions that are filed as separate cases pursuant to R.C. 3113.31. Domestic Violence cases should remain active until the first full hearing is held. After that hearing is held, the case may be terminated for reporting purposes. Pursuant to R.C. 3113.31, that hearing must be held within 7 to 10 days after the ex parte hearing.

In situations where service on the respondent has not been perfected by the time that the full hearing under R.C. 3113.31 is scheduled to commence, the case may be placed on inactive status on Line 14, Unavailability of Party as of the date of the full hearing. The case should then be reactivated on Line 3 once service has been perfected.

Where an additional motion is filed in an active Domestic Violence case, the additional motion should not be reported separately. Those additional motions should be filed under the Domestic Violence case number. If upon termination of the original Domestic Violence action, an additional motion remains pending, the case shall be redesignated to that case category and transferred to the appropriate column on Form B.

7. **UIFSA – Column I.** This category is used to report the Registration of a Foreign Support Order filed pursuant to R.C. 3115. in those courts where UIFSA (Uniform Interstate Family Support Act) matters are docketed in the Domestic Relations Division. Do not use this column if UIFSA actions are docketed in the Juvenile Division.

Cases filed pursuant to R.C. 3115. in which a petition to establish paternity has been filed shall only be reported in Column J, Parentage. Cases filed pursuant to R.C. 3115. in which a petition to establish support has been filed shall only be filed in Column G, Support Enforcement or Modification.

8. **Parentage – Column J.** This category is used to report cases in which an action to establish parentage has been filed. Once paternity is established, the case shall be terminated on the appropriate line. If support matters remain pending, the case shall be redesignated on Line 3 in Column G, Support Enforcement or Modification. To calculate the length of time the redesignated case has been pending, the starting date should be the date on which the support motion was originally filed.

9. **All Others – Column K.** This category is used to report all other cases that are not appropriately reported in the specific categories for Columns A through J, for example property division enforcement motions and UCCJEA cases. A conciliation petition filed prior to the pendency of an action for divorce, annulment, or legal separation, should be reported in this column.

10. **Total – Column T.** This column shows the sum of cases in Columns A through K that are on any horizontal line of the form. An entry should appear on each line of this column except Line 19, Number of Months Oldest Case is Beyond Time Guideline. If no activity is reported in any column on a line, a zero should appear in the Total column for that line.

11. **Visiting Judge – Column V.** This category is used to report the activity of retired assigned judges, or judges assigned from another division of the court, or from another court, who have presided during the reporting period over cases originally assigned to the reporting judge.

- a. **Visiting Judges Assigned by Chief Justice (Recusal):** Where the originally-assigned judge has recused from a case and the Chief Justice has assigned a visiting judge to preside over it, the case shall be terminated on Line 12, Transfer to Another Judge or Court, and redesignated on Line 3 in Column

V. The case is disposed of in due course in Column V, only. To calculate the length of time the redesignated case has been pending, the starting date should be the date the case was originally filed or the defendant was arraigned.

- b. **Visiting Judge Assisting:** When a judge, other than the originally-assigned judge has assisted in cases on the docket of the originally-assigned judge, those cases in which the visiting judge assisted shall be reported on the originally-assigned judge's statistical report both in the appropriate Columns A – K and in Column V. An example where cases would be reported in this manner is when a judge is on vacation and a visiting judge has been assigned for a period of time or where a court uses a visiting judge to assist with an overburdened docket.

During the reporting period, the visiting judge should use a copy of Form B as a worksheet to report their activity. These worksheets can then be given to the originally-assigned judge at the end of the reporting period, who will tabulate the numbers and include the totals in Column V and the appropriate Columns A – K on his or her report. The statistical report filed with the Case Management Section would thus include all of the activity of the originally-assigned judge, as well as all activity performed by the visiting judges who assisted the originally-assigned judge during the reporting period. In these situations, no related entries may appear in Column V for Lines 1 through 4 and 16 through 19, because the cases were never assigned to the visiting judges. Therefore, the visiting judge's only reportable statistics would be counts of cases terminated by them during the time they provided assistance with management of the originally-assigned judge's docket.

B. Report Lines – Definitions

Each line on Form B is marked with a numeric designator. These numbers, when used with the vertical column letters, may be used to identify any entry. The following definitions describe the types of case activity that should be reported on each line.

Other than Domestic Violence cases, cases are considered terminated when a judgment entry is journalized. For Domestic Violence cases, see Domestic Violence – Column H, above.

- 1. Pending Beginning of Period – Line 1.** All cases pending at the beginning of the reporting period must be reported in the appropriate column on this line. Line 1 must be the same as Line 17, Pending End of Period, of the Form B filed for the preceding month.
- 2. New Cases Filed – Line 2.** All new cases filed and assigned to the reporting judge during the month must be reported in the appropriate column on this line.
- 3. Cases Transferred In, Reactivated, or Redesignated – Line 3.**

- a. **Transferred in:** A case previously assigned to another judge and transferred to the reporting judge is reported in the appropriate column on Line 3. For example, Line 3 is used when the reporting judge receives a case because of the recusal or disqualification of the originally-assigned judge. To calculate the length of time the transferred case has been pending see below:
- i. **Transfers in from Another Court:** If a case is transferred in from another court, the calculation of time begins upon that transfer in the same manner as an ordinary new filing in the transferee court.
 - ii. **Transfers in from Another Judge of the Court:** If a case is transferred from one judge to another within the same court or division of the court – regardless of whether or not the two judges are within separate divisions of the court – the transfer does not impact the continued aging of that case. The starting date for the calculation of time is the date the case was originally filed.
- b. **Reactivated:** All cases previously terminated other than on the merits of the case (i.e., placed on inactive reporting status) are reported in the appropriate column on Line 3 during any month in which they are reactivated for further proceedings. See below for special instructions concerning the calculation of case age.
- i. **Reactivation (following remand):** If a case previously disposed is reactivated because the Supreme Court or a court of appeals has remanded the case back to the trial court for further proceedings, the calculation of time following that remand starts over as if the case was a new filing in that court.
 - ii. **Previous Unavailability of Party:** A case previously terminated on Line 14 because of the unavailability of a party is reactivated on Line 3 if the person subsequently becomes available. The indicated time period for termination is suspended for the period of time in which a person is unavailable for a hearing.
 - iii. **Bankruptcy Stay or Interlocutory Appeal:** A case previously placed on inactive reporting status on Line 11 after the filing of an interlocutory appeal or after a bankruptcy stay is issued is reactivated on Line 3 when the case is remanded or the stay is removed. The indicated time period for termination is suspended for the period of time in which the appeal or bankruptcy stay is pending.

For example, the court may terminate a case on Line 11, Bankruptcy Stay or Interlocutory Appeal, when the court receives notice of the filing of the interlocutory appeal. The case is

7. Trial by Judge – Line 7. This line is used to report cases that are terminated as a result of a trial by a judge. A case is considered terminated by a judge if judgment is rendered after the first witness is sworn or in which contested evidence is presented and the judge hears and determines the case.

8. Trial by Magistrate – Line 8. This line is used to report cases that are terminated as a result of trial by a magistrate. A case is considered terminated by a magistrate if judgment is rendered after the first witness is sworn or in which contested evidence is presented and a magistrate hears the case and submits a decision for review by the judge.

If, after review, the judge ultimately hears additional contested evidence and decides the case, it should be reported on Line 7, Trial by Judge. Although Civ.R. 53 permits a judge to immediately adopt a magistrate's decision, the case shall not be reported as disposed until either the 14-day objection period has elapsed or the parties have waived their right to object.

9. Voluntary Dismissal – Line 9. This line is used to report cases terminated as a result of the voluntary withdrawal of the pending action, for any reason, by the person who filed the action.

10. Mediation or Conciliation – Line 10. This line is used to report cases in which the parties are court ordered to engage in a dispute resolution process or, upon notice that the parties are voluntarily mediating their dispute pursuant to the Uniform Mediation Act and Sup.R. 16. This includes, but is not limited, to divorce, annulment, or legal separation cases in which a petition for conciliation has been filed that defers further action and prevents or suspends proceedings. Except as otherwise provided below for conciliation proceedings, cases are to be reactivated immediately upon the court receiving notice of the conclusion of the dispute resolution process and disposed of in due course.

If a conciliation petition is filed prior to the pendency of an action for divorce, annulment, or legal separation, the conciliation filing should be reported in Column K (All Others). If an action for divorce, annulment, or legal separation is filed after termination of unsuccessful conciliation proceedings, the case shall be terminated on Line 15, Other Terminations, and the action should be filed as a new filing in the appropriate category. If conciliation is successful, no further action is necessary for purposes of reporting on the Supreme Court Report.

11. Bankruptcy Stay or Interlocutory Appeal – Line 11. This line is used to report cases in which a bankruptcy stay has been issued or an interlocutory appeal taken. If the bankruptcy stay is removed or the case is remanded, the case is reactivated on Line 3. The indicated time period for termination is suspended for the period the stay is effective or the appeal is pending.

- 12. Transfer to Another Judge or Court – Line 12.** This line is used to report cases transferred from the originally-assigned judge to another judge in the same or another court or to a judge in another division of the court or to a visiting judge.
- a. **Visiting Judge Assigned by Chief Justice:** Where a judge, other than the originally-assigned judge has been assigned by the Chief Justice to preside over an individual case, the case shall be terminated on Line 12, Transfer to Another Judge or Court, and redesignated on Line 3 in Column V. The case is disposed of in due course in Column V only. To calculate the length of time the redesignated case has been pending, the starting date should be the date the case was originally. A case where all the judges of a particular court have recused and a request has been made to the Chief Justice for a visiting judge is an example of case that would be reported in this manner.
 - b. **Internal Transfer:** Where a case is reassigned to another judge of the court, the case shall be terminated on Line 12, Transfer to Another Judge or Court, on the originally-assigned judge’s statistical report. The case is then redesignated on Line 3 in the appropriate column on the newly assigned judge’s statistical report. To calculate the length of time the newly assigned case has been pending, the starting date should be the date the case was originally filed.
- 13. Referral to Private Judge – Line 13.** This line is used to report cases transferred from the reporting judge to a private judge in accordance with the provisions of R.C. 2701.10 and Gov.Jud.R. VI. Cases transferred to a visiting judge are not reported on Line 13.
- 14. Unavailability of Party – Line 14.** This line is used to report cases that are terminated for reporting purposes because of the unavailability of a party for a hearing.
- The failure of a party to appear at the time the case is set for trial or hearing does not, in itself, warrant termination by reason of unavailability.
- The case is reactivated on Line 3 when the court receives notice that the party is available to appear. The indicated time period for termination is suspended for the time the party is unavailable.
- Cases in which service has failed are not reported on Line 14 or otherwise placed on inactive status.
- 15. Other Terminations – Line 15.** This line is used to report cases terminated in any manner not specifically required to be reported on Lines 5 through 14. Clerical corrections and consolidated cases are two examples of cases that should be terminated on Line 15.

- 16. Total – Line 16.** The sum of Lines 5 through 15 is reported on Line 16. When added horizontally, the sum of Columns A through K reported in Column T on this line must equal the sum of Lines 5 through 15 in Column T.
- 17. Pending End of Period – Line 17.** This line is used to report the number of cases pending at the close of business on the last day of the reporting period. This figure is obtained by subtracting Line 16, Total terminations from Line 4, Total cases.
- 18. Cases Pending Beyond Time Guideline – Line 18.** This line is used to report the number of cases pending for a period of time in excess of the applicable time standard. If at least one case is reported on Line 18 as pending beyond the time standard, a number indicating the length of time the oldest case has been pending must be reported on Line 19, Number of Months Oldest Case is Beyond Time Guideline. The time standard for each category of case is indicated on the line immediately above Line 18. To calculate the length of time a case has been pending, the starting date should be the date the case was originally filed.
- 19. Number of Months Oldest Case is Beyond Time Guideline – Line 19.** This line is used to report the number of months that the oldest case reported on Line 18, Cases Pending Beyond Time Guideline, in each category is pending beyond the applicable time standard. This is the only line on the report that does not contain a number of cases; instead, this line contains the number of months a given case has been pending beyond the applicable time standard. To calculate the length of time a case has been pending, the starting date should be the date the case was originally filed.

For example, Marriage Terminations with Children case, Category A, filed on January 15, 2015 is 540 days old on July 8, 2016. On July 31, if the case remains pending, it shall be reported in the July report as pending beyond the 18-month time standard. Thus, if this were the only case pending beyond the time standard at the close of the July reporting period, Line 19 would reflect a “1”, or one month, pending beyond the time standard.