

1 **Ohio Case Numbering – Proposed Amendment to SupR 43**

2 **Draft 3-8-05**

3 **RULE 43. Case Numbering—Municipal and County Court.**

4 (A) **ALL COURTS.** THE CLERK OF EACH COURT SHALL ASSIGN A CASE  
5 NUMBER TO EACH ACTION AND PROCEEDING FILED IN, OR TRANSFERRED  
6 TO, THE COURT. THE CASE NUMBER SHALL NOT EXCEED TWENTY  
7 CHARACTERS AND SHALL CONTAIN THE FOLLOWING ELEMENTS IN THE  
8 FOLLWING SEQUENCE:

9 (1) THE FOUR-DIGIT COURT CODE ASSIGNED TO EACH INDIVIDUAL COURT  
10 AS SET FORTH IN THE APPENDIX.

11 (2) THE FOUR-DIGIT YEAR THE CASE WAS INITIATED IN THE COURT, E.G.  
12 2004; AND

13 (3) ANY SERIES OF UP TO TWELVE LOCALLY ASSIGNED LETTERS AND  
14 NUMBERS TO UNIQUELY IDENTIFY THE CASE IN ACCORDANCE WITH THE  
15 LOCAL RULES OF THE COURT.

16  
17 (B) CASE MANAGEMENT SOFTWARE SYSTEMS MUST BE CAPABLE OF  
18 EXPORTING THE UNIQUE CASE NUMBER. WHEN CASE INFORMATION IS  
19 SENT TO ANY OTHER COURT OR EXTERNAL ORGANIZATION, THE COMPLETE  
20 UNIQUE CASE NUMBER SHALL BE INCLUDED ON ALL DOCUMENTS.

21  
22 (C) **MUNICIPAL AND COUNTY COURTS.** ~~Method. When filed in the clerk's~~  
23 ~~office, cases~~ IN ADDITION TO THE CASE NUMBERING STANDARDS SET  
24 FORTH IN PARAGRAPH (A) OF THIS RULE, ALL ACTIONS AND PROCEEDINGS  
25 FILED IN A MUNICIPAL OR COUNTY COURT shall be categorized as civil,  
26 criminal, or traffic and SHALL BE serially numbered within each category on  
27 an annual basis beginning on the first day of January of each year. Cases  
28 shall be identified by year and by reference to the case type designator on  
29 the administrative judge report form. Additional identifiers may be added by  
30 local court rule. IN CRIMINAL OR TRAFFIC CASES INVOLVING MULTIPLE  
31 DEFENDANTS OR CHARGES, EACH DEFENDANT SHALL BE ASSIGNED A  
32 SEPARATE CASE NUMBER.

33  
34 (D) THIS RULE IS EFFECTIVE ON JANUARY 1, WHICH IS MORE THAN 2  
35 YEARS FROM THE TIME OF ADOPTION.

36 ~~(B) Multiple defendants or charges in criminal cases. (1) In criminal cases,~~  
37 ~~including traffic cases, all defendants shall be assigned separate case~~  
38 ~~numbers.~~

39 ~~(2)~~ (1) Where a defendant is charged with BOTH a ~~misdemeanor~~ CRIMINAL  
40 and a traffic offense, the defendant shall be assigned separate case numbers  
41 pursuant to Sup. R. 37(A)(4)(c). ~~The~~ WITHIN EACH category selected  
42 (CRIMINAL OR TRAFFIC), ~~for the case number and its~~ THE case type  
43 designator shall be that of the offense having the greatest potential penalty.

44 ~~(3)~~ (2) Where as a result of the same act, transaction, or series of acts or  
45 transactions, a defendant is charged with a felony or felonies and a  
46 misdemeanor or misdemeanors, including traffic offenses, the defendant  
47 shall be assigned separate case numbers, one for the felony or felonies and  
48 one for each other type of offense pursuant to Sup. R. 37(A)(4)(c). WITHIN  
49 EACH The category selected (CRIMINAL OR TRAFFIC) for the case number  
50 and its case type designator shall be that of the offense having the greatest  
51 potential penalty.

52 Commentary ~~(July 1, 1997)~~

53 PRIOR SUPERINTENDENCE RULE 43 WAS APPLICABLE ONLY TO MUNICIPAL  
54 AND COUNTY COURTS. THE RULE, AS AMENDED, NOW PRESCRIBES A  
55 SYSTEM FOR CASE NUMBERING FOR ALL COURTS IN THE STATE. THE NEW  
56 NUMBERING SYSTEM WILL ENSURE THAT EACH CASE HAS A UNIQUE CASE  
57 NUMBER; IT WILL NO LONGER BE POSSIBLE FOR TWO (OR MORE) CASES IN  
58 THE STATE TO BEAR THE SAME CASE NUMBER. THIS IS ACCOMPLISHED BY  
59 ASSIGNING A UNIQUE COURT CODE TO EACH COURT AND REQUIRING THAT  
60 CODE, TOGETHER WITH THE YEAR, TO BE PREFIXED TO THE SERIES OF  
61 LETTERS OR NUMBER TYPICALLY USED TO IDENTIFY A CASE BY THE COURT.

62 THE COURT CODES REFERENCED IN THIS RULE HAVE BEEN ADOPTED BY  
63 THE SUPREME COURT OF OHIO. THE TABLE OF COURT CODES IS DERIVED  
64 FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY, BUREAU OF MOTOR  
65 VEHICLES, WHICH CREATED COURT CODES FOR ITS OWN USE. THE TABLE  
66 OF COURT CODES IS APPENDED TO THIS RULE AND IS ALSO AVAILABLE ON  
67 THE SUPREME COURT OF OHIO WEBSITE.

68 THE FIRST TWO DIGITS OF THE COURT CODE REFER TO THE COUNTY AND  
69 THE SECOND TWO DIGITS REFER TO A SPECIFIC COURT WITHIN THE  
70 COUNTY. FOR EXAMPLE, A CASE FILED IN FRANKLIN COUNTY MUNICIPAL  
71 COURT UNDER THE PRIOR RULE WOULD HAVE A CASE NUMBER OF 2004-  
72 CVF-036299. UNDER THE CURRENT SCHEME, THE CASE NUMBER WOULD BE  
73 2520-2004-CVF-036299. THE COURT CODE, 2520, IS COMPOSED OF "25",  
74 THE COUNTY CODE FOR FRANKLIN; AND "20", THE DESIGNATION FOR  
75 MUNICIPAL COURT.

76 LIKewise, EACH COUNTY COURT OF APPEALS WILL USE ITS SPECIFIC  
77 COURT CODE, WHICH WILL PREVENT THE ASSIGNMENT OF THE SAME CASE  
78 NUMBER TO TWO (OR MORE) CASES WITHIN A SINGLE APPELLATE  
79 DISTRICT. FOR EXAMPLE, THE THIRD DISTRICT COURT OF APPEALS CASES  
80 WILL USE COURT CODE 0200 FOR ALLEN COUNTY. THE THIRD DISTRICT  
81 COURT OF APPEALS CASE NUMBER FOR A CASE APPEALED FROM ALLEN  
82 COUNTY WOULD BE 0200-2004-1-04 99.

83 WHEN DISPLAYING THE CASE NUMBER IN THE CASE MANAGEMENT  
84 SOFTWARE SYSTEM THE COURT MAY CHOOSE TO MASK THE COURT CODE  
85 AND YEAR FOR INTERNAL COURT PERSONNEL. ALSO, WHEN THE CASE

86 NUMBER IS RETRIEVED FOR REPORTS OR FOR DISPLAY ON THE COMPUTER  
87 SCREEN, IT WILL AND CAN APPEAR AS THE COURT DESIRES. FOR EXAMPLE,  
88 THE COURT MAY CHOOSE TO DISPLAY THE CASE NUMBER WITH THE COURT  
89 CODE MASKED IN THE EXAMPLE AS 2004-CVF-036299. EACH COURT  
90 SHOULD ADOPT A LOCAL RULE DICTATING LOCAL POLICY ON DISPLAYING  
91 CASE NUMBERS ON PLEADINGS AND OTHER DOCUMENTS. FOR PRE-  
92 COMPLIANCE CASE FILES, IT IS PERMISSIBLE TO TRANSMIT THE PAPER FILE  
93 WITH A COVER FORM THAT DISPLAYS THE UNIQUE CASE NUMBER.

94 ~~Rule 43 is analogous to former M.C. Sup. R. 12(E).~~

95 ~~Rule 43(A) Method~~

96 This division provides the basis for the case numbering system to be used by  
97 all courts to which these rules are applicable. The rule states the following  
98 minimum requirements:

99 (a) All cases must be categorized as civil, criminal, or traffic;

100 (b) All cases must be serially numbered within one of the three categories  
101 listed above on an annual basis;

102 (c) All cases must be identified by year;

103 (d) All cases must be identified with the appropriate alphabetic case type  
104 designator from the Administrative Judge Report.

105 The civil case category is used for Personal Injury and Property Damage  
106 cases, Contracts cases, F.E.D. cases, Other Civil cases and Small Claims  
107 cases. The criminal case category is used for Felony cases and non-traffic  
108 Misdemeanor cases. The traffic case category is used for O.M.V.I. cases and  
109 for all Other Traffic cases. Definitions of these case types are contained in the  
110 comment concerning preparation of the Administrative Judge Report.

111 The numbering system can be explained by example. If the first case filed in  
112 ~~2000~~ 2004 is a felony, its case number would be ~~00-CR-A-00001~~ 2520-2004-  
113 CR-A-00001. THE "2520" IS THE REFERENCE TO THE COURT CODE. The "00"  
114 "2004" is the year reference. The "CR" is the criminal case category  
115 reference. The "A" is the reference to the case type column on the  
116 Administrative Judge Report. The "00001" is the serial number for ~~2000~~ 2004  
117 within the criminal case category. If the second case filed is a non-traffic  
118 misdemeanor, it would be numbered ~~00-CR-B-00002~~ 2520-2004-CR-B-  
119 00002. If the third case filed is a driving under the influence case, it would be  
120 numbered ~~00-TR-C-00001~~ 2520-2004-TR-C-00001. [**PARAGRAPH BREAK**  
121 **REMOVED**](Note that this is the first serial number for ~~2000~~ 2004 in the  
122 traffic category.) If the fourth case filed is an Other Traffic case, it would be  
123 numbered ~~00-TR-D-00002~~ 2520-2004-TR-D-00002. If the fifth case filed is a

124 Personal Injury or Property Damage case, it would be numbered ~~00-CV-E-~~  
125 ~~00001~~ 2520-2004-CV-E-00001.

126 There are certain circumstances in which a case has been reported in one  
127 column on the Administrative Judge Report and the need subsequently arises  
128 for the case to be moved to another column.

129 Since the case designation on the Administrative Judge Report corresponds  
130 to the alphabetic designator segment of the case number, the alphabetic  
131 designator in the case number must be changed to reflect the change made  
132 on the Administrative Judge Report. This is the only segment of the case  
133 number which should ever be altered once a number is assigned. The  
134 combination of the year, category, and serial number form a unique number  
135 to identify a particular case. No matter what the alphabetic designator is,  
136 there should never be more than one case which has the same combination  
137 of year, category, and serial number. Thus, the alteration of the alphabetic  
138 designator segment cannot effect the uniqueness of the number.

139 The changes in the report and case number can be illustrated by the  
140 following example: Assume that a Small Claims case is filed. It is assigned  
141 the number ~~00-CV-I-00006~~ 2520-2004-CV-I-00006. It is reported as filed on  
142 the Administrative Judge Report and is shown as pending at the end of the  
143 report period. After the close of the report period the defendant files a  
144 counterclaim on a contract which exceeds the jurisdiction of the small claims  
145 division. The following action would be taken pursuant to the case numbering  
146 rule and the monthly report form requirements:

147 (a) The case would be listed as terminated by transfer on line 7 of Column I,  
148 Administrative Judge Report;

149 (b) The case would be shown as transferred in on line 3 of Column F,  
150 Administrative Judge Report;

151 (c) The case number would be changed from ~~00-CV-I-00006~~ 2520-2004-CV-  
152 I-00006 to ~~00-CV-F-00006~~ 2520-2004-CV-F-00006;

153 (d) The case would be shown as terminated by transfer to an individual judge  
154 on line 7, Column F, Administrative Judge Report; and,

155 (e) The case would be shown as a new case filed on line 2, Column F,  
156 Individual Judge Report.

157 ~~The last sentence of~~ Rule 43(A) provides that courts may add additional  
158 identifiers to suit their needs. For example, an identifier for the judge to  
159 whom the case is assigned, or an identifier for the degree of misdemeanor  
160 charged, may be added.

161 Rule 43(B) Multiple ~~defendants or~~ charges in criminal cases

162 ~~Under division (B), each criminal defendant is assigned at least one case~~  
163 ~~number.~~

164 ~~Multiple defendants charged with the same offense arising out of the same~~  
165 ~~act or transaction or series of acts or transactions receive separate case~~  
166 ~~numbers. Where there are multiple defendants, they may be charged in a~~  
167 ~~single complaint or each may be charged by separate complaints. In any~~  
168 ~~event, each defendant is assigned a separate case number and a copy of the~~  
169 ~~complaint is placed in the defendant's file.~~

170 Where one defendant is charged with more than one offense arising from the  
171 same act or transaction or series of acts or transactions, the defendant will  
172 be assigned separate case numbers pursuant to Rule 37(A)(4)(c). If the  
173 offenses charged fall in more than one category, e.g., both criminal and  
174 traffic, the case number assigned will correspond to the category. If the  
175 offenses charged fall into one category, e.g., traffic, but could be listed in  
176 more than one column on the Administrative Judge Report, then the case  
177 number assigned will be that of the offense which has the greatest potential  
178 penalty. For example, a defendant charged with O.M.V.I. and with a traffic  
179 offense other than O.M.V.I. would be assigned the case number of the  
180 offense having the greatest potential penalty.

181 Where a defendant is charged with more than one offense arising out of the  
182 same act or transaction or series of acts or transactions and one or more but  
183 not all of the offenses charged are felonies, case numbers for each offense  
184 type are assigned. One number is for the felony or felonies, and the other  
185 numbers are for each of the non-felony offense types. For example, a multi-  
186 count indictment that includes two felonies, two misdemeanors, and two  
187 traffic offenses would result in the assignment of three case numbers. In  
188 determining what number to assign to the non-felony offenses, the normal  
189 rule described above in this Comment is applied.

190 The criminal case numbering rule is illustrated by the following example.  
191 Assume that a defendant is charged with aggravated assault under section  
192 2903.12(A)(2) of the Revised Code, disorderly conduct under section  
193 2917.11(B)(2) of the Revised Code, menacing under section 2903.22(A) of  
194 the Revised Code, and driving under the influence of alcohol under section  
195 4511.19 of the Revised Code. Three case numbers are assigned to this  
196 defendant as follows:

197 ~~00-CR-A-00895.~~ 2520-2004-CR-A-00895.

198 Charge: Aggravated assault, R.C. 2903.12(A)(2)

199 ~~00-CR-B-000896.~~ 2520-2004-CR-B-000896

200 Charge: Disorderly conduct, R.C. 2917.11(B)(2), Menacing, R.C. 2903.22(A)

201 ~~00-TR-C-001334~~ 2520-2004-TR-C-001334

202 Charges: Operating a motor vehicle under the influence of alcohol, R.C.  
203 4511.19

204 The first case number is for the offense of aggravated assault, which is a  
205 felony. The rule states that a felony charged against a defendant will always  
206 receive a case number separate from any non-felony offenses charged which  
207 occur from the same act or transaction or series of acts or transactions. The  
208 "CR" indicates that the case is in the criminal category and the "A" indicates  
209 that the case is reported in the Felonies column of the Administrative Judge  
210 Report.

211 The second case number is for all the other criminal offenses. The third case  
212 number is for all the traffic offenses. The case number assigned is  
213 determined by comparing the potential penalties for the offenses charged.  
214 The case number is assigned based upon the offenses charged. In the  
215 example given, the offenses are as follows:

216 Driving under the influence of alcohol - ~~imprisonment for six months. R.C.~~  
217 ~~2929.21(B)(1)~~ MISDEMEANOR OF THE FIRST DEGREE

218 Disorderly conduct - ~~fine of not more than \$100. R.C. 22929.21(D)~~ MINOR  
219 MISDEMEANOR

220 Menacing - ~~imprisonment for thirty days. R.C. 2929.21(B)(4)~~ MISDEMEANOR  
221 OF THE FOURTH DEGREE

222 In the example, the case number assigned is ~~00-TR-C-001334~~ 2520-2004-  
223 TRC-001334 and ~~00-CR-B-000896~~ 2520-2004-CR-B-000896. The "TR"  
224 represents the Traffic category and the "C" represents the O.M.V.I. column  
225 on the Administrative Judge Report. The "CR" represents the Criminal  
226 category and the "B" represents the misdemeanor column on the  
227 Administrative Judge Report. Regardless of the number of offenses, there will  
228 never be more than three case numbers for a defendant stemming from one  
229 incident.

230 Rule 43(B) is designed to make the case numbering system consistent with  
231 the reporting requirements established by Rule 37(A)(3). If this rule is  
232 utilized properly, less bookkeeping will be needed to complete the review of  
233 pending cases required by Rule 40, and the record keeping necessary under  
234 the individual assignment system will be simplified.

235 THE RULE SHALL BE APPLICABLE TO ALL NEW CASES ON THE EFFECTIVE  
236 DATE OF THIS AMENDMENT. WHILE IT IS PERMISSIBLE, IT WILL NOT BE

237 NECESSARY TO RE-NUMBER A CURRENTLY OPEN OR CLOSED CASE. IN THE  
238 EVENT A CLOSED CASE IS RE-ACTIVATED, IT SHALL BE ASSIGNED A CASE  
239 NUMBER IN COMPLIANCE WITH THIS SUP.R. 43.