

THE SUPREME COURT *of* OHIO

Strategies for Addressing a Backlog of Evictions Cases

The COVID-19 pandemic has created unprecedented times for the judiciary and the bar of Ohio. Courts may face a surge of eviction cases due to a higher rate of unemployment. Landlords have justified expectations that their cases be heard as expeditiously as possible. Courts may already be facing a backlog of other civil cases due to continuances issued during the pandemic.

The following are case management tips courts can employ to address a surge in eviction cases and the backlog of other cases:

- ❑ **Use the Pathways Approach to Case Management.** Match resources to the needs of each case. Triage civil cases into “streamlined,” “general,” and “complex” cases. For example, streamlined cases present uncomplicated facts and legal issues and require minimal judicial intervention, but close court supervision. Learn how to implement this smart approach at sc.ohio.gov/JCS/courtsvcs/resources/pathwayapproach.pdf.
- ❑ **Alternative Dispute Resolution Programs.** Mediators can resolve eviction cases online, by phone, or by text-based mediation platforms.
- ❑ **Settlement Sessions.** Hold a “settlement week” so mediators can work with landlords and tenants.
- ❑ **Continue to Use Remote Hearings When Appropriate.** Remote hearings resolve transportation issues that affect low-income families. Plus, it’s safer for everyone and you’ll have fewer who fail to appear.
- ❑ **Simplify Entries.** Form-based entries that can be electronically generated save time.
- ❑ **Pre-filing Programs.** Use court-sponsored interventions to help landlords and tenants resolve their issues before filing becomes necessary.
- ❑ **Reallocate Staff.** Appellate/visiting judges, magistrates, and legal interns can help until the backlog is eliminated.
- ❑ **Run an Extra Docket.** Determine if you can increase your capacity.
- ❑ **Cross-Train Staff on Eviction Paperwork.** Write easy-to-follow instructions for common tasks.
- ❑ **Listen before Planning.** Solicit ideas from the local bar, clerks, and judicial staff for creative ways to deal with the coming surplus of hearings.
- ❑ **Communicate.** Explain changes to stakeholders and everyone involved and update your court website weekly. Post resources for Legal Aid, pre-filing interventions, mediation, and community resources at the court and on your website.
- ❑ **Civil Jury Trials.** Try holding them virtually; many litigants would prefer that to having them postponed indefinitely.
- ❑ **Explore Off-Site Jury Trials.** Auditoriums allow parties and juries to sit farther apart and social distance.
- ❑ **Night Court.** Can increase the number of hearings you can hold, if your budget and staffing allow for it.

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- **“Catch-up Hours.”** Offer flexible, uninterrupted “catch-up” hours for staff to process filings.
 - **Take a Webinar.** Check [OhioCourtEDU](#) for new offerings by the Supreme Court of Ohio Judicial College regarding evictions.
 - **Offer Local Trainings or Tech Mentors.** If you plan to have video-conference hearings, offer training to attorneys and judges who may be unfamiliar with the technology.

- **Legal Aid.** Tenants often are unfamiliar with the court system so having an attorney to assist them can make the process more efficient and fair.
- **Collect Email Addresses and Phone Numbers.** A tenant in a state of housing uncertainty may fail to update his or her address with the court. The court should provide additional notifications of court hearings, such as by text or email, thus reducing failure-to-appear rates.

Resources Available at
sc.ohio.gov/coronavirus

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