



## Municipal & County Courts

The Ohio Constitution of 1851 established the Supreme Court and four types of lower courts: district courts of appeals, courts of common pleas, probate courts and justice courts. In 1910, the General Assembly established the first municipal court in Cleveland. In 1957, the General Assembly replaced justice courts with county courts. Each county court was established to have under its territorial jurisdiction those regions of a county not otherwise served by a municipal court. The General Assembly, over the ensuing years, reduced the number of county courts and expanded the territorial jurisdiction and number of municipal courts.

The subject-matter jurisdiction of municipal and county courts is identical. Municipal and county courts have the authority to conduct preliminary hearings in felony cases, and both have jurisdiction over traffic and non-traffic misdemeanors. These courts also have limited civil jurisdiction. They hear civil cases in which the amount of money in dispute does not exceed \$15,000. Judges of municipal and county courts have statewide authority to solemnize marriage ceremonies.

In 2014, there were 129 municipal courts with 215 judges, and 35 county courts with 37 judges. Three municipal courts have specialized divisions: Cleveland Municipal Court, Housing Division; Toledo Municipal Court, Housing Division; and Franklin County Municipal Court, Environmental Division.

Municipal court judges and county court judges must be attorneys with at least six years of experience in the practice of law. They are elected on a non-partisan judicial ballot. Municipal court judges serve on either a full-time or part-time basis, depending on the statutes establishing the individual municipal courts. The statutes provide that all county court judges serve on a part-time basis. A municipal court's territorial jurisdiction may be limited to one municipality or may extend across a range of municipalities, townships, or be countywide. A small number of municipal courts have territories that extend across more than one county. In 2014, statutes provided for the judgeships in the following 12 municipal courts to be part-time.

Bellevue	Lebanon
Campbell	Mason
Franklin	Oakwood
Hardin County	Shelby
Huron	Struthers
Lawrence County	Vermilion

In addition to the 12 courts identified above, two of the four judgeships in Montgomery County Municipal Court are part-time judgeships.

## Changes in 2014

On Sept. 14, 2014, the sole judgeship in Avon Lake Municipal Court was converted from a part-time to a full-time basis. On Jan. 1, 2014, Tiffin Municipal Court and Fostoria Municipal Court merged and became Tiffin-Fostoria Municipal Court. The judgeship that existed in Fostoria Municipal Court was abolished as part of the merger. Accordingly, as of that date, there exists a total of 215 municipal court judgeships across the state.

## Future Changes

In 2010, legislation was enacted converting the Montgomery County Court into the Montgomery County Municipal Court. The legislation includes a judgeship conversion and abolishment process which will, by Dec. 31, 2021 at the latest, yield a total of three full-time judgeships in the court.

The case types heard in municipal and county courts are grouped into three general categories:

### Civil Cases

Civil cases heard in municipal and county courts are Personal Injury and Property Damage, Contracts, Forcible Entry and Detainer (F.E.D) (filed by landlords for eviction and possible recovery of money), Other Civil (a catchall for civil cases not otherwise classifiable in the other case type categories), and Small Claims cases (involving recovery of small debts and accounts not exceeding \$3,000).

### Criminal Cases

This category includes Felonies (preliminary hearings only) and Misdemeanors.

### Traffic Cases

This category includes Operating a Vehicle While Under the Influence (O.V.I.) and Other Traffic (all other cases involving the use of motor vehicles). Caseload statistics concerning parking violations and other vehicle-related infractions are not reported to the Supreme Court.

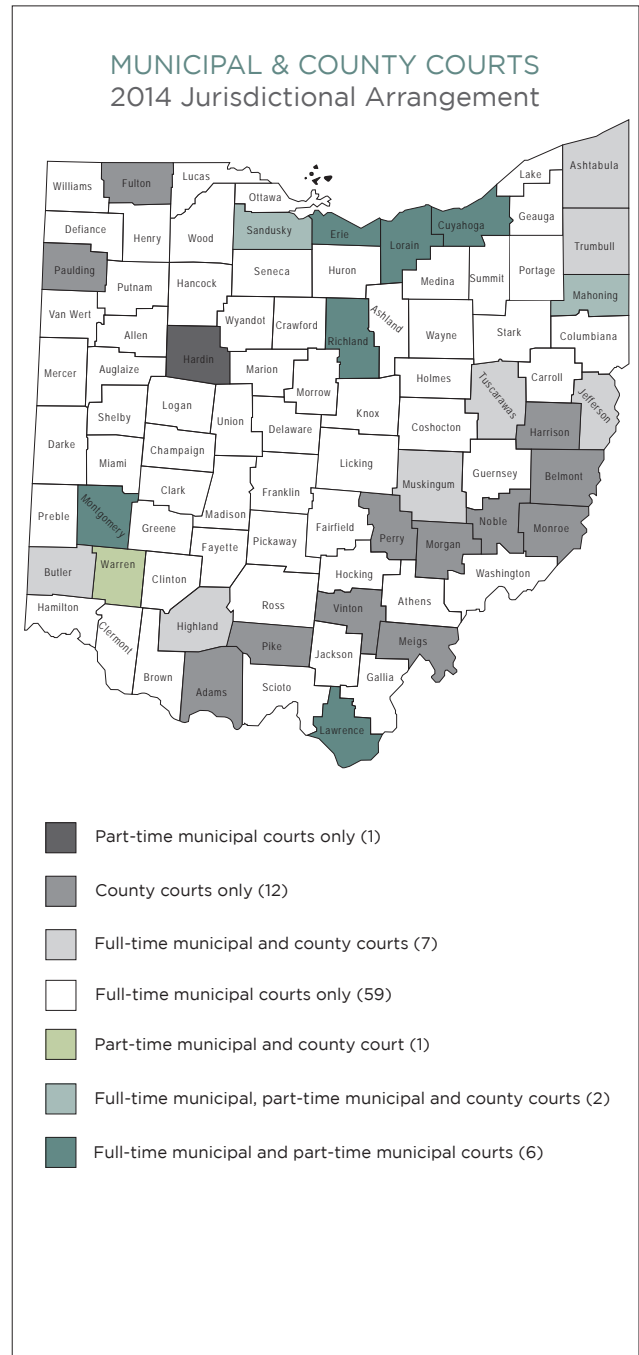


FIGURE 1

**Felonies**

Total incoming cases

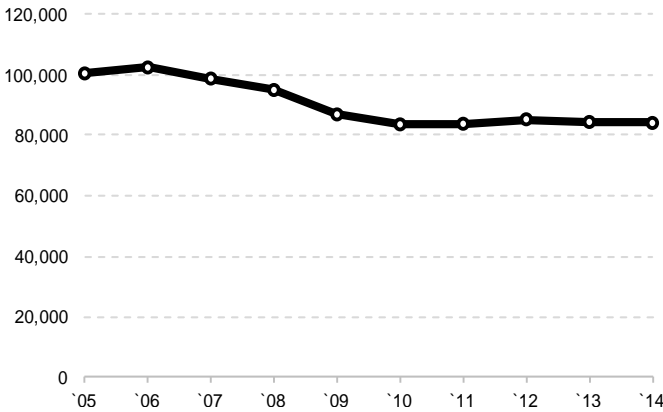


FIGURE 2

**Misdemeanors**

Total incoming cases

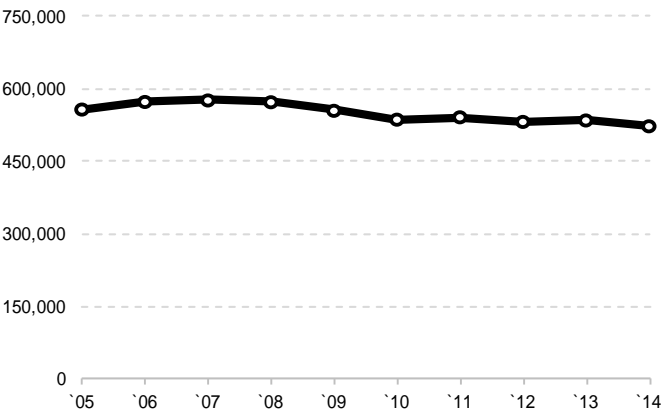
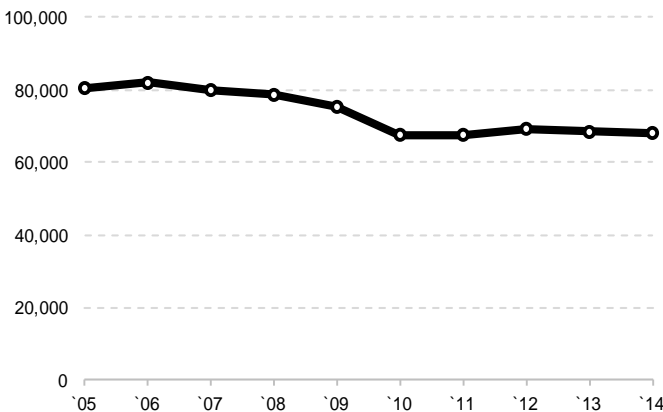


FIGURE 3

**Operating a Vehicle While Under the Influence (O.V.I.)**

Total incoming cases



Caseloads

For purposes of presenting 10-year trend data concerning caseloads heard in Ohio municipal and county courts, the data reported by municipal courts and county courts are combined here to present a single unified perspective over the caseloads heard in Ohio's limited jurisdiction trial courts.

As shown in a table in the *Appendix*, the total number of incoming cases each year in Ohio's municipal and county courts has generally decreased overall during the past 10 years. Since 2008 (the 10-year high), the number of incoming cases has decreased by 16 percent. However, there was growth in certain case types at least during certain periods over the past 10 years.

Felony cases, in which municipal and county courts conduct preliminary hearings only, exhibited a notable shift in their growth rate over the 10-year period shown in **Figure 1**. There was an 18-percent decline between 2006 and 2010. In the last five years, however, the volume of incoming cases has remained remarkably level. In 2014, a total of 84,070 incoming cases were reported.

Misdemeanor cases, constituting 21 percent of the courts' total overall caseload, have experienced a slight downward trend over the past seven years. A total of 522,281 incoming cases were reported in 2014, which represents a 2-percent decrease over 2013 and a 9-percent decrease from the 10-year high of 575,755 cases in 2007. (See **Figure 2**).

Operating a Vehicle While Under the Influence (O.V.I.) cases exhibit an overall downward trend over the last 10 years, although since 2010 the number of incoming cases each year has generally leveled off. In 2014, a total of 68,099 incoming cases were reported. (See **Figure 3**).

Other Traffic cases (all moving violations other than O.V.I.), constituted 59 percent of the municipal and county courts' total incoming caseloads in 2014. Other Traffic cases trended downward from 2006 through 2011. Since 2011, however, the trend has been upward. In 2014, there was a total of 1,475,103 incoming Other Traffic cases, representing a 2-percent decline over 2013 when 1,503,517 incoming cases were reported. (See **Figure 4**).

Small Claims case filings have trended remarkably downward over the past 10 years, with particularly sharp declines each year beginning in 2008. The 53,216 incoming Small Claims cases in 2014 represent a decrease of 40 percent from the 10-year high of 88,969 cases in 2006. (See **Figure 5**).

Incoming Contracts cases, which in 2014 constituted about 6 percent the courts' total caseloads, have demonstrated considerable volatility over the last 10 years and were, in 2014, at their lowest point in 10 years. There was, however, considerable growth in Contracts cases over the years between 2005 and 2008, but for the past six years the volume of incoming cases dropped markedly. In 2014, a total 148,089 incoming cases were reported, representing a 4-percent decrease over 2013 and a 47-percent decrease from the 10-year high in 2008 when 278,930 incoming cases were seen. (See **Figure 6**).

FIGURE 4

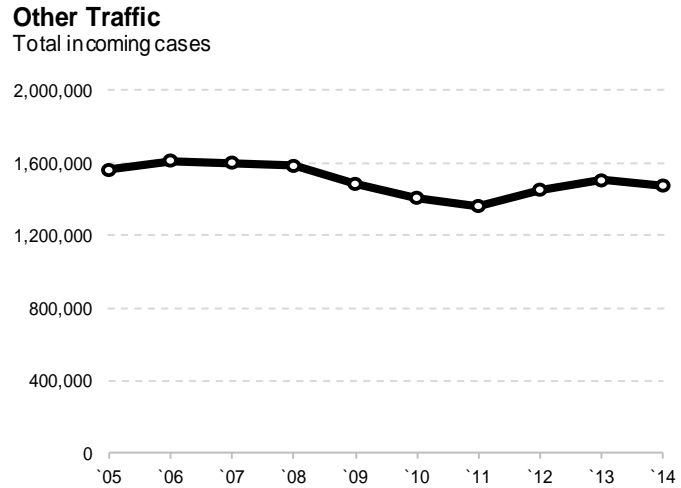


FIGURE 5

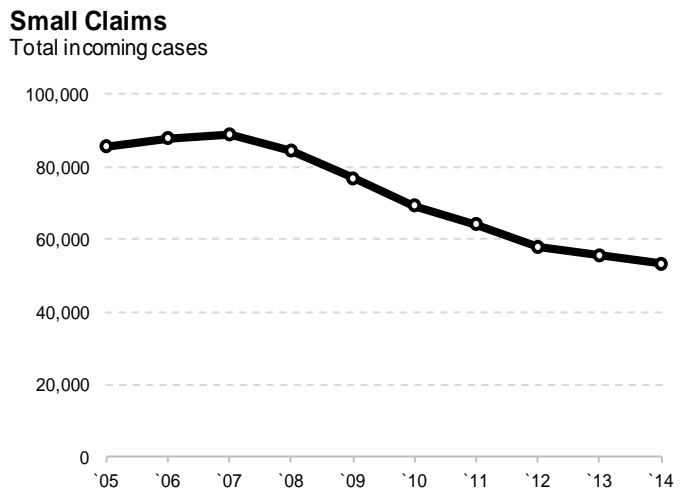


FIGURE 6

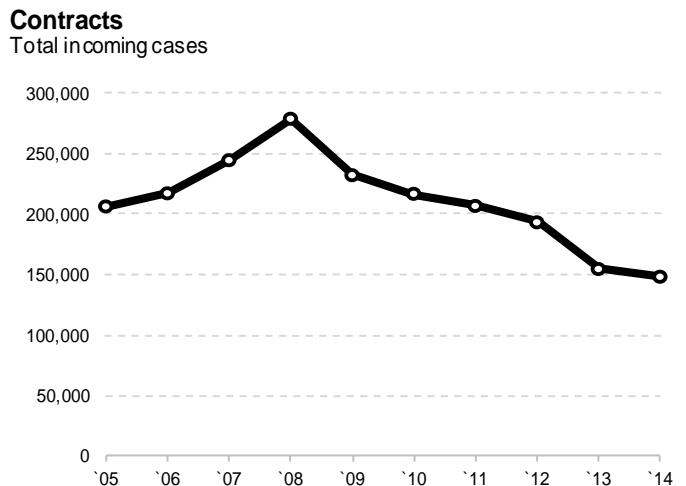


TABLE 1

**Clearance Rates**

Average per month in 2014

<b>Case Type</b>	<b>Monthly Average</b>
Contracts	99%
F.E.D.	100%
Other Civil	106%
PI/PD	128%
Small Claims	101%
Felonies	100%
Misdemeanors	100%
O.V.I.	100%
Other Traffic	101%

**Performance Measures**

For a description of court performance measures used by the Supreme Court, see *page 3*.

As shown in **Table 1**, the clearance rates for all cases types in 2014 are near or equal to the 100 percent target, with the sole exception of Contracts cases, which saw a statewide clearance rate of 99 percent. Average monthly overage rates for the last five years are displayed in **Table 2**. The overage rate for Felonies in 2013, at 22 percent, is the only double-digit overage rate.

TABLE 2

**Overage Rates**

Percent of caseload pending past time guidelines, average per month

<b>Case Type</b> <i>(Time guideline, in months)</i>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Contracts <i>(12)</i>	4%	3%	3%	4%	4%
F.E.D. <i>(12)</i>	6%	5%	5%	2%	3%
Other Civil <i>(12)</i>	1%	2%	6%	5%	7%
PI/PD <i>(24)</i>	1%	1%	1%	1%	1%
Small Claims <i>(6)</i>	8%	9%	9%	8%	8%
Felonies <i>(1)</i>	14%	15%	17%	17%	22%
Misdemeanors <i>(6)</i>	4%	5%	6%	5%	6%
O.V.I. <i>(6)</i>	5%	5%	6%	5%	6%
Other Traffic <i>(6)</i>	3%	4%	4%	3%	4%

## Trial Rates

The rate of trials occurring in a court is a useful statistic when assisting courts in understanding the fundamentals of effective caseload management. Although it is not a measure of a court's performance, per se, this statistic routinely is used by the Supreme Court of Ohio Case Management Section as part of its caseload management training curriculum.

In order to calculate trial rates, the various termination categories reported by the courts first are separated into termination categories that truly are dispositive of the case and categories that instead simply render the case no longer active for reporting purposes. The number of dispositive terminations are then summed. The resulting sum is divided into the number of trials (either by jury, by court, or both) in order to produce the trial rate, expressed as a percentage.

It is conventionally understood among court observers at the national level that approximately 2 percent of civil cases and 5 percent of criminal cases ultimately go to trial. Ohio trial rates fall below those figures. **Figures 7, 8, and 9** display the trial rates in Ohio's municipal and county courts in Misdemeanors, non-Small Claims civil cases, and traffic cases (O.V.I. and Other Traffic combined).

FIGURE 7

### Misdemeanors (non-traffic)

Trials as a percentage of all dispositions

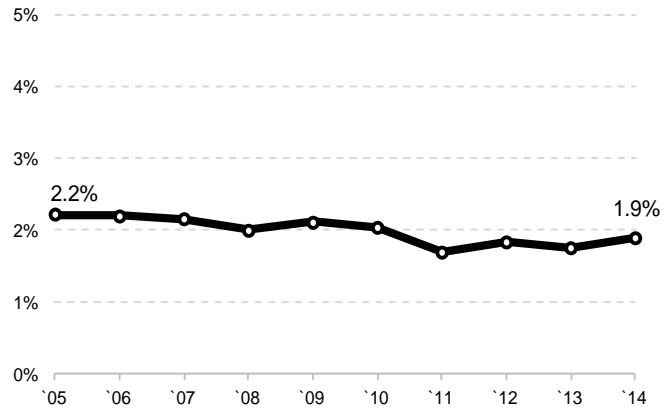


FIGURE 8

### Civil (non-small claims)

Trials as a percentage of all dispositions

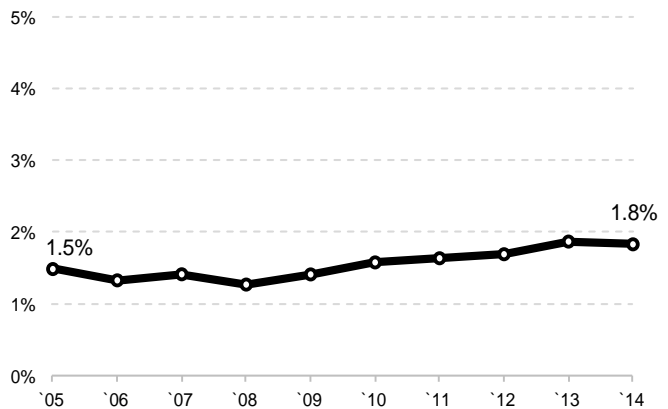


FIGURE 9

### Traffic (O.V.I. and Other Traffic)

Trials as a percentage of all dispositions

