



**Current and Potential Future Impacts of the COVID-19 Pandemic
on Caseloads and Court Performance**

The following report has been prepared by the Supreme Court of Ohio's Office of Court Services in order to provide an assessment of the impacts of the COVID-19 pandemic on current and potential future statewide caseloads and court performance.

A. Executive Summary

Research by the National Center for State Courts (NCSC) points to concerns for potential surges and resulting backlogs in civil cases (especially foreclosures, evictions, and debt collection matters), child welfare cases, and domestic relations cases.

An analysis of Ohio caseload statistics supports NCSC's concerns and reveals other areas where there is a risk for the development of excessive backlogs that may strain court resources and adversely impact expeditious case management. As detailed further in this memorandum, going forward the Supreme Court and the local courts should continue to closely monitor caseloads across all matters heard by the courts, but especially in the following types of cases:

- **Criminal cases** (in the courts of common pleas) – Even though we do not anticipate any general statewide surges in new filings, statewide clearance rates suggest that many courts will be experiencing increases in pending caseloads. Overage rates in recent months have risen, underscoring the unique challenges courts have had during the pandemic to dispose of cases in a timely manner.
- **Foreclosures** – These cases are of particular concern due to the effects of the moratorium. The Supreme Court has been working to help courts position themselves to manage the anticipated surge in new filings through the development of case management resources and mediation training.
- **Domestic relations cases** (including custody, visitation, and support matters heard in juvenile courts) – We are not currently seeing any red flags at the statewide level. However, there is a degree of uncertainty concerning the long-term impacts of the pandemic on family dynamics.
- **Child welfare cases** – We are not seeing any current statewide backlogs but we share NCSC's general concerns about the impact of the pandemic on the well being and safety of children.
- **Evictions** – The Centers for Disease Control and Prevention's evictions moratorium is set to expire on June 30, 2021. Case filings (which are not precluded by the moratorium) remain substantially below historical filing rates. Similar to our response

to anticipated future foreclosure caseloads, the Supreme Court has been working to provide the courts with eviction case management and mediation resources.

- **Civil cases** (in municipal and county courts) – Despite the fact that we are not currently seeing any statewide rise in filings above pre-pandemic levels, we share NCSC’s concern about the potential for substantial growth in debt collection cases (reported under our Contracts case type in our Sup.R. 37 caseload statistical reporting program).

B. National Center for State Courts Research Findings

NCSC has been analyzing caseload statistics from a sampling of states in order to provide an assessment of where the states may expect to see caseload surges as the nation emerges from the pandemic.¹ NCSC predicts that there will be surges in civil cases (especially foreclosures, evictions, and debt collection), child welfare cases, and domestic relations cases. NCSC does not predict surges in criminal, juvenile delinquency, probate, or traffic cases. NCSC’s predictions for increases in civil, child welfare, and domestic relations cases are based on the following general hypotheses:

- **Civil** – The declines that states have seen in civil case filings during the pandemic are suggestive of fewer disputes arising due to the contracted economy, the general impact of stay-at-home orders, and the greater use of out-of-court settlements. In addition, there is concern that self-represented litigants either were unaware that the courts remained open during the height of the pandemic or simply decided to wait to file their cases at a later date. Predictions for surges in foreclosures, evictions, and debt collection cases are based on the direct result of the pandemic on employment levels and the heightening of economic hardships.
- **Child welfare** – As pandemic-related restrictions abate, children will have increased interaction with mandated reporters. Incidences of child abuse or neglect, which were unobserved during the height of the pandemic, will be recognized and reported. There is also cause for concern going forward of an increased rate of child maltreatment resulting from the increased incidence of substance use and mental health issues attributable to the pandemic.²
- **Domestic relations** – Under case type NCSC’s definitions, these cases include divorces and post-decree litigation (as heard in Ohio’s domestic relations courts) but also child custody and support matters arising between unmarried parents (as heard mostly in Ohio’s juvenile courts). Like civil litigants, self-represented parties in

¹ NCSC’s most recent report, published March 22, 2021:
https://www.courtstatistics.org/_data/assets/pdf_file/0022/61519/2020_4Q_pandemic.pdf

² NCSC cites this report from the Centers for Disease Control and Prevention: Czeisler MÉ , Lane RI, Petrosky E, et al. Mental Health, Substance Use, and Suicidal Ideation During the COVID-19 Pandemic — United States, June 24–30, 2020. MMWR Morb Mortal Wkly Rep 2020;69:1049–1057. DOI: <http://dx.doi.org/10.15585/mmwr.mm6932a1>

domestic relations cases may not have been aware that courts were open or they choose to wait to file their cases. NCSC also cites research supporting the idea that divorce case filings decrease during periods of economic uncertainty.³

NCSC's predictions that there will likely not be surges in criminal, juvenile delinquency, traffic, or probate cases are based on the following hypotheses:

- **Criminal, juvenile delinquency, and traffic** – NCSC cites research done by the University of Pennsylvania where there was found to be a widespread drop in criminal incidents, traffic incidents, and arrests beginning with the onset of the pandemic.⁴
- **Probate** – NCSC observes that the states are not reporting any significant declines in probate case filings during the pandemic and consequently there are no cases waiting to be filed.

C. New Filings, Pending Caseloads, Clearance Rates, and Overage Rates

In order to provide sufficiently detailed insight into what our caseload data shows, we present our analyses by grouping the statistics among the following case types or groups of case types, each of which likely has its own special set of circumstances that may explain filing trends during the pandemic as well the potential for filing surges in the future:

Common Pleas General

- Criminal
- Foreclosures
- All other civil

Domestic Relations

- All case types combined

Juvenile

- Child welfare (abuse, neglect, or dependency and permanent custody)
- Delinquency, unruly, and juvenile traffic
- Custody/visitation, support, and parentage

Probate

- All case types combined

Municipal and County

- Criminal
- Evictions
- All other civil
- Traffic cases (O.V.I. and other traffic)

For each of the above-referenced case types or groups of case types, presented below is a set of charts and tables showing: (1) the number of **new filings** between January 2018 and April 2021, (2) the number of **pending cases** each month, comparing 2019, 2020, January through April

³ Cohen, PN., Recession and Divorce in the United States, 2008-2011, Population Research and Policy Review 33 no. 5 (May 2015).

⁴ Abrams D. (2020). COVID and Crime: An early empirical look. U of Penn, Inst for Law & Econ Research Paper No. 20-49.

2021, (3) monthly **clearance rates** between January 2020 and April 2021, and (4) monthly average **overage rate** comparisons between 2019 and January through April 2021.⁵

Clearance rates and overage rates are key performance indicators used by the Supreme Court to assist local courts in understanding how well they are keeping up with incoming caseloads (clearance rates) and how well they are doing at disposing of cases within the time standards under Sup.R. 39 (overage rates). They are calculated as follows:

- **Clearance rates** are the ratio of outgoing cases to incoming cases over a defined time period, such as one month. For example, if in January a court received 100 incoming cases (new filings plus reactivations) and it terminated in that same month 120 cases, that court demonstrated a clearance rate of 120 percent (120 divided by 100). Clearance rates are best analyzed by looking for patterns over time. A series of clearance rates below 100 percent are indicative of a growth in pending caseloads.
- **Overage rates** reflect the percentage of cases pending at a point in time that have been pending for longer than applicable time standards. For example, if a court has 100 foreclosures pending on December 31, and 15 of those cases have been pending for longer than 12 months, that court is showing an overage rate of 15 percent (15 divided by 100). Typically, overage rates are assessed by averaging them over a series of months—and by putting those percentages in context with the actual number of overage cases. Case types of smaller volume may experience wide swings from month to month in their overage rates. Accordingly, aggregation across case types can be useful for understanding overall performance.

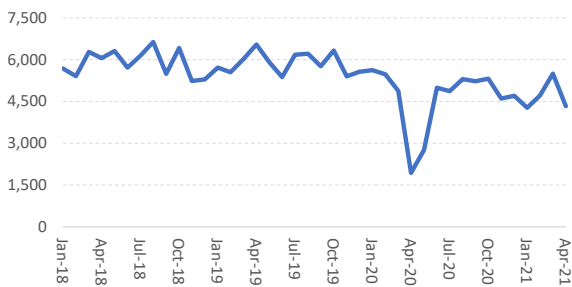
By displaying pending caseload data in overlapping line graphs, we can see how the volume of pending cases throughout 2020 and in the first several months of 2021 compare to the volume of pending cases in 2019. Because we know that the ability of the courts to process their dockets was curtailed to one degree or another in 2020, we would expect to see the 2020 lines higher than the 2019 lines in these charts. We know from our new filing data that the courts were receiving fewer cases coming in—albeit with notable differences among the different types of cases. Those two factors play a complementary role in determining the courts' pending caseloads at any point in time.

An important caveat for the following analyses is that the metrics are *statewide* figures. To be sure, some individual counties, courts, or regions of the state may have experienced more sizable declines in filings during the pandemic than others—and potentially may experience more impactful surges in the coming months. Moreover, variable levels of resources between individual courts will also play a significant role in how any given court will be able to adapt to future caseloads.

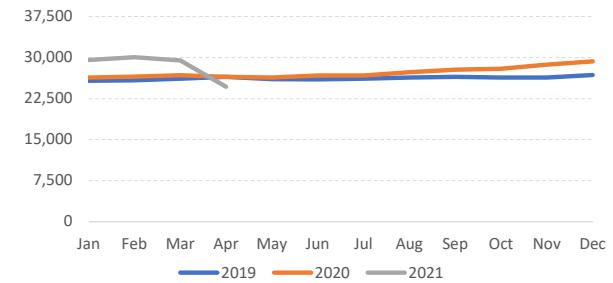
⁵ Although we are still in the process of collecting statistical reports for the month of April 2021, we have received the bulk of the reports. The somewhat incomplete April 2021 figures were nevertheless included in these analyses in order to provide a complete as possible picture of our current data.

Criminal Cases in the Courts of Common Pleas

**Common Pleas Criminal
New Filings**



**Common Pleas Criminal
Pending End of Month**



**Common Pleas Criminal
Clearance Rates**

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
106%	98%	96%	111%	104%	94%	100%	91%	93%	98%	87%	91%	96%	92%	92%	99%

**Common Pleas Criminal
Overage Rates**

	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	4,350	6,240	
Overage Rate	16.6%	26.5%	+10.0%

Criminal case filings in the courts of common pleas experienced sharp declines at the onset of the pandemic, but then quickly returned to nearly historical levels by July. The Office of Criminal Justice Services reports that compared to the same period in 2020, in the first three months of 2021 violent crimes overall were up 6 percent (with murder and manslaughter up 24 percent, but rape and robbery were down 18 percent and 13 percent, respectively). Property crimes overall were down 12 percent (with burglary and vehicle theft down 24 percent and 27 percent, respectively).⁶ Especially with property crimes being down compared to one year ago, we should likely not anticipate any significant overall surge in filings above the pre-pandemic baseline.⁷

Even though the number of new filings has continued to be less than pre-pandemic levels, we can see in the pending caseloads chart the impact of the continuing series of clearance rates below 100 percent since August 2020. Pending caseloads display an increase in the number of pending cases each month through the end of 2020 (the orange line) over the number of pending cases each month in 2019 (the blue line). That differential extends into 2021 (the gray line), but shows a potential return to previous levels in the April data.

As expected with the growth in the backlog, statewide average monthly overage rates in the first four months of 2021 show an increase of 10 percentage points over 2019 levels, with slightly more than one quarter of criminal cases statewide pending for longer than the six-month

⁶ Data sourced from the Office of Criminal Justice Services' Ohio Incident-Based Reporting System, using crime reports from 208 law enforcement agencies covering 42 percent of the state population.

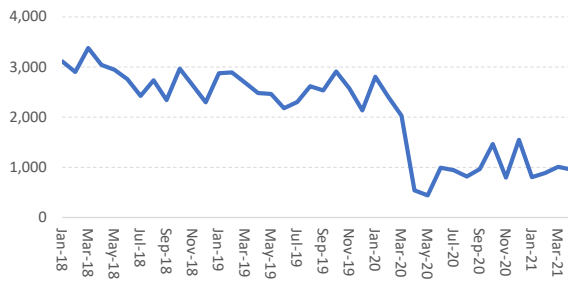
⁷ In 2017, the Office of Criminal Justice Services reports that 88 percent of all crimes in Ohio were property crimes. http://www.ocjs.ohio.gov/links/ocjs_crimebycounty2017.xlsx

time standard under Sup.R. 39. We will continue to monitor criminal clearance rates in particular because they function as a bellwether for future pending caseload volumes which, when elevated, will typically give rise to more delay.

Foreclosures

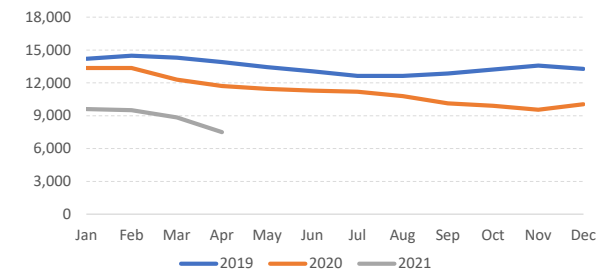
Foreclosures

New Filings



Foreclosures

Pending End of Month



Foreclosures

Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
98%	100%	146%	181%	140%	112%	109%	136%	155%	113%	134%	72%	144%	109%	134%	119%

Foreclosures

Overage Rates

	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	667	1,655	
Overage Rate	5.0%	23.2%	+18.2%

Foreclosure caseload data is particularly concerning. Between January 2018 and March 2020 the courts received on average each month a total of 2,645 new foreclosure cases. Since April 2020, that monthly average has dropped to 936 new cases, a 65-percent decline. This suggests that there may be over 22,000 foreclosure cases that were not filed during the period between April 2020 and April 2021 (based on the monthly average differential of 1,709 new filings) but otherwise would have been.

The current moratorium on seeking foreclosures on federally-backed mortgages—which contributed substantially to Ohio’s steep decline since the pandemic began—is set to expire on June 30, 2021. However, the Consumer Financial Protection Bureau announced in April 2021 that it will be seeking a rule change to extend protections for certain borrowers through the end of 2021.⁸

A sudden return to even pre-pandemic historical monthly filing rates would be jarring. More concerning is what will become of those 22,000 cases which plaintiffs were precluded from filing during the past year. Perhaps providing some degree of mitigation is the projected continuing strength in the housing market.⁹

Fortunately, the courts collectively appear to be managing well their ongoing dockets of active foreclosure cases. Statewide clearance rates have been very positive, with only one month since April 2020 being below the target of 100 percent. This success can be seen in the pending

⁸ <https://www.consumerfinance.gov/about-us/newsroom/cfpb-proposes-mortgage-servicing-changes-to-prevent-wave-of-covid-19-foreclosures/>

⁹ <https://www.washingtonpost.com/business/2021/01/11/2021-housing-market-predictions/>

caseloads chart, where the 2020 and 2021 pending caseload volumes have all been below pre-pandemic levels. Although statewide overage rates in 2021 show a fairly sizable increase over 2019 levels, this is attributable to the effect of the moratorium preventing courts from disposing of more cases within the ordinary 12-month time standard.

In order to help courts prepare for managing the anticipated influx of foreclosure cases (as well as eviction cases), the Supreme Court, in collaboration with the Ohio State Bar Association's Dispute Resolution Committee and its Ad Hoc Committee on Evictions, Foreclosures, and Civil Justice, provided foreclosure and evictions mediation training to nearly 1,000 attorneys and mediators on March 23 and 24, 2021. We also recently provided judges with information on how to work with the Ohio Access to Justice Foundation in order to avail themselves of trained mediators and reminded them of the various resources to support foreclosure mediation available on the Supreme Court's website, including a specific foreclosure mediation framework.¹⁰

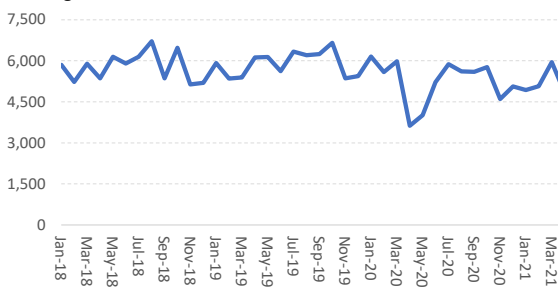
In addition, the Supreme Court obtained dedicated general revenue funding to establish online dispute resolution (ODR) pilot programs in three counties for foreclosure cases, with a possible fourth county joining soon. The outcomes of these programs will be evaluated and, if proven successful, ODR will be promoted statewide as an additional tool for courts to efficiently manage their caseloads.

¹⁰ <https://www.supremecourt.ohio.gov/coronavirus/resources/ForeclosureReport.pdf>

Common Pleas All Other Civil

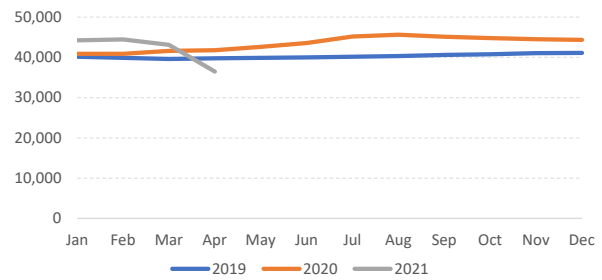
Common Pleas All Other Civil

New Filings



Common Pleas All Other Civil

Pending End of Month



Common Pleas All Other Civil

Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
103%	100%	89%	96%	80%	84%	75%	92%	108%	105%	106%	103%	103%	95%	100%	97%

Common Pleas All Other Civil

Overage Rates

	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	1,279	2,134	
Overage Rate	3.2%	6.2%	+3.0%

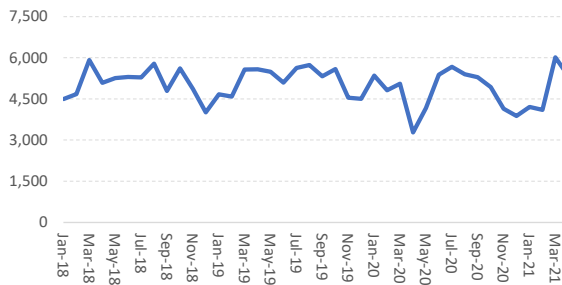
Other civil case filings in the courts of common pleas experienced a remarkably short-lived decline during the stay-at-home period, and quickly returned to historical levels. Whether there are a substantial number of cases that otherwise would have been filed in the April/May 2020 time frame that are now poised to be filed all at once is unclear. The rapid return to pre-pandemic levels suggests that we may not see any substantial overall surge in filings in the coming months. The short-lived dip in April and May 2020 may simply reflect the immediate impacts of the stay-at-home orders and the rapid contraction of economic and social interactions.

Statewide clearance rates since September 2020 have largely been positive, with only two months below 100 percent. The series of clearance rates below 100 percent during the period between March 2020 and August 2020 did give rise to a higher volume of pending cases than was seen during 2019. Early indications in 2021 are that the pending volume is returning to pre-pandemic levels. Overage rates in 2021 are up slightly over 2019 levels but still at fairly low levels. Given the general impacts of the pandemic on caseflow management, this overall rise is not concerning.

All Domestic Relations Cases

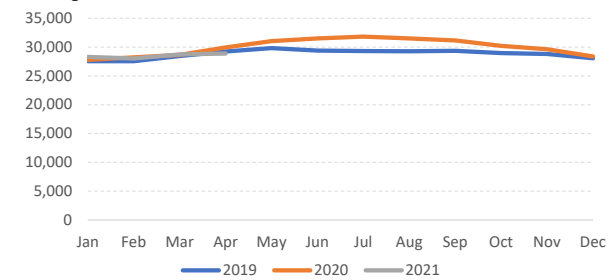
All Domestic Relations Cases

New Filings



All Domestic Relations Cases

Pending End of Month



All Domestic Relations Cases

Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
103%	95%	94%	76%	83%	95%	97%	103%	104%	112%	109%	119%	101%	104%	92%	87%

All Domestic Relations Cases

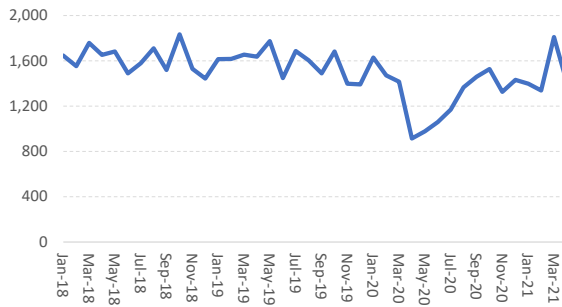
Overage Rates

	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	1,767	2,007	
Overage Rate	6.1%	8.6%	+2.5%

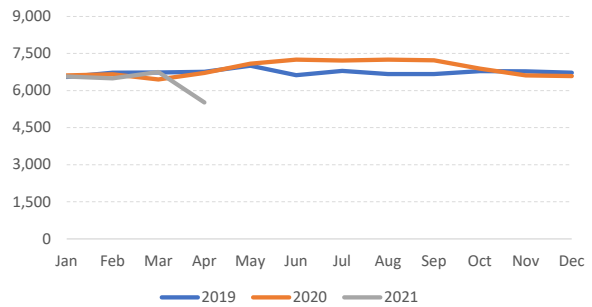
In our domestic relations courts, there was a momentary (but substantial) decline in filings in April with another fairly sizable decline in the last four months of 2020. Filings in March and April 2021 appear to have rebounded back to pre-pandemic levels. Clearance rates since August 2020 have been positive, except for the last two months. Accordingly, pending caseloads in 2020 and 2021 have largely been on par with 2019. Overage rates have risen slightly but remain at relatively low levels. We will continue monitoring domestic relations filings given the many unknowns concerning the potential broader impacts of the pandemic on family stability.

Child Welfare

Child Welfare Cases (AND, Permanent Custody)
New Filings



Child Welfare Cases (AND, Permanent Custody)
Pending End of Month



Child Welfare (AND, Permanent Custody)
Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
105%	98%	112%	79%	70%	89%	102%	98%	102%	119%	117%	101%	101%	104%	89%	92%

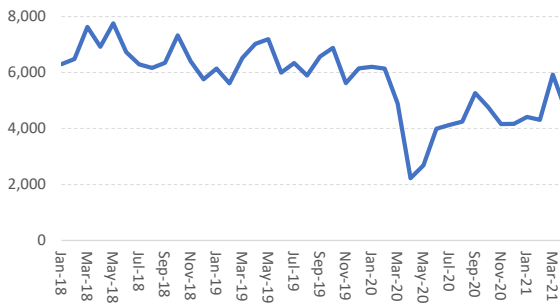
Child Welfare (AND, Permanent Custody)
Overage Rates

	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	1,023	577	
Overage Rate	15.2%	10.8%	-4.4%

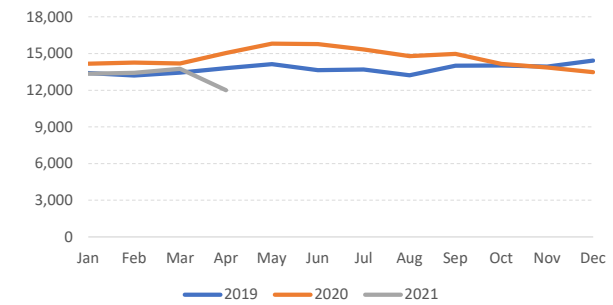
In child welfare cases, there was a sharp decline in new filings at the start of the pandemic, with filings returning to pre-pandemic levels by September/October. Early indications in 2021 are that there may be a rise in filings above historical levels. This should be monitored closely going forward. Clearance rates between April and June were low, but the courts appear to have rebounded fairly well, resulting in pending caseload volumes toward the end of 2020 and into 2021 that are in line with 2019 caseloads. At the statewide level, the courts have performed well against the time standards. Overage rates have declined in 2021 and, averaging 10.8 percent, they are at the lowest level we have seen going back at to 1997—the earliest year in our database.

Delinquency, Unruly, and Juvenile Traffic

Delinquency, Unruly, Juvenile Traffic
New Filings



Delinquency, Unruly, Juvenile Traffic
Pending End of Month



Delinquency, Unruly, Juvenile Traffic
Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
103%	99%	101%	69%	78%	101%	109%	110%	97%	114%	106%	107%	102%	99%	95%	98%

Delinquency, Unruly, Juvenile Traffic
Overage Rates

	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	1,038	1,346	
Overage Rate	7.6%	12.4%	+4.8%

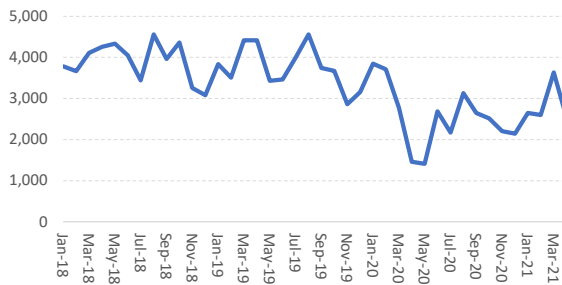
New filings of delinquency, unruly, and juvenile traffic cases fell sharply in March and April 2020 but rose in the summer and have since appeared to have leveled off at a somewhat level lower than before the pandemic. As we continue to emerge from pandemic-related restrictions, the general volume of incoming cases will likely return to pre-pandemic levels—which, it bears noting, have been declining steadily since 2006. Fairly low clearance rates in April and May 2020 resulted in an increase in the volume of pending cases until October 2020, when caseloads returned to 2019 levels.

The series of positive clearance rates between June 2020 and January 2021, coupled with the lowered rate of new filings, have allowed the courts to keep their pending caseload volume under control. Despite the courts' overall success in preventing a growth in a backlog, statewide overage rates in 2021 are averaging 12.4 percent, nearly five percentage points above 2019 monthly averages. We will continue monitoring the courts' performance in managing these cases.

All Other Juvenile Cases

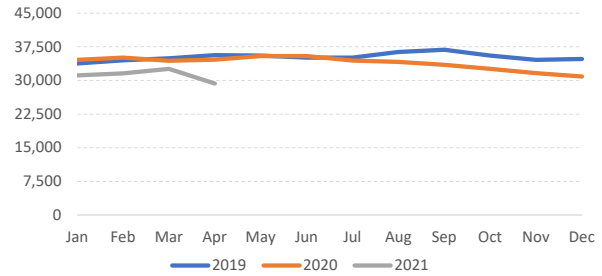
All Other Juvenile (Custody/Visitation, Support, Parentage, etc.)

New Filings



All Other Juvenile (Custody/Visitation, Support, Parentage, etc.)

Pending End of Month



All Other Juvenile (Custody/Visitation, Support, Parentage, etc.)

Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
103%	94%	111%	93%	76%	100%	118%	104%	111%	115%	118%	114%	96%	92%	87%	88%

All Other Juvenile (Custody/Visitation, Support, Parentage, etc.)

Overage Rates

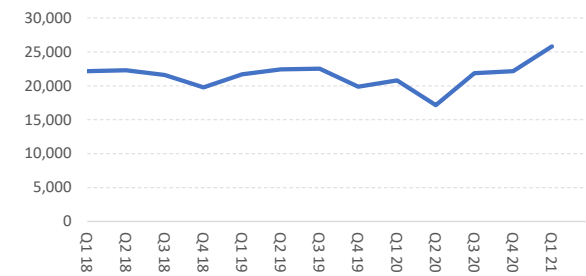
	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	1,845	1,612	
Overage Rate	5.2%	6.3%	+1.0%

New filings of all other juvenile cases, largely comprised of child custody and support matters, appear to have returned back to pre-pandemic levels, but the return has taken longer than the rebounds seen in many other case types. Because the courts as a whole were able to maintain effective clearance rates during the latter half of 2020, the volume of pending cases have been held below 2019 levels. Statewide overage rates in 2021, at a fairly low 6.3 percent, are on par with 2019. As with domestic relations cases, we should continue to closely monitor filing rates in these juvenile court case types, especially given the series of recent clearance rates below 100 percent.

All Probate Cases

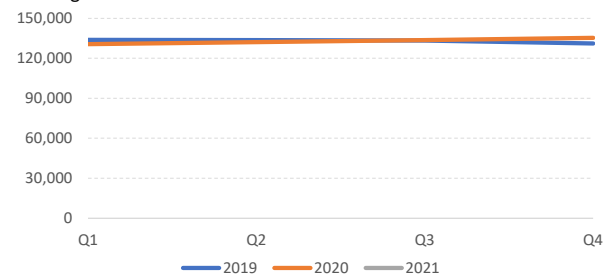
All Probate Cases

New Filings



All Probate Cases

Pending End of Quarter



All Probate Cases

Clearance Rates

Mar-20	Jun-20	Sep-20	Dec-20	Mar-21
101%	92%	93%	94%	90%

Probate case filings did not decline as precipitously in the early stages of the pandemic as did other case types. However, notable increases beginning in the third quarter of 2020 can be seen in the new filing chart. This increase is largely attributable to a nearly 20-percent rise in the number of Decedents' Estates matters being filed compared to the same period from one year earlier. We can probably safely assume that increase is the direct result of deaths from COVID-19. According to the Ohio Department of Health, death rates from COVID-19 continue to rapidly decline and this rise in Decedents' Estates cases should soon return to historical levels. The volume of pending cases in 2020 rose above 2019 levels, but only slightly. The Supreme Court does not promulgate time standards for probate cases. Accordingly, no case processing timeliness data is available.

Criminal Cases in Municipal and County Courts

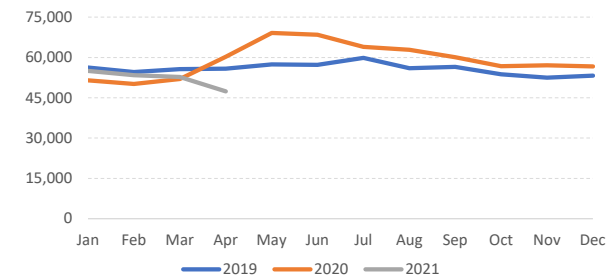
MC/CC Criminal (Felonies, Misdemeanors)

New Filings



MC/CC Criminal (Felonies, Misdemeanors)

Pending End of Month



MC/CC Criminal (Felonies, Misdemeanors)

Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
104%	103%	93%	61%	69%	101%	111%	102%	106%	108%	98%	100%	99%	103%	99%	105%

MC/CC Criminal (Felonies, Misdemeanors)

Overage Rates

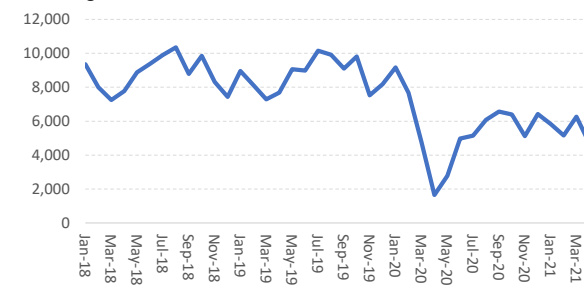
	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	2,980	5,948	
Overage Rate	2.6%	7.4%	+4.8%

Criminal case filings in municipal and county courts experienced a short-term decline during the initial months of the pandemic, but have since returned to pre-pandemic levels, which were generally on a slight downward historical trajectory. We do not anticipate any statewide surges in new criminal case filings in municipal and county courts. Due to the low clearance rates in April and May 2020, there was a rapid rise in pending caseloads, as can be seen in the pending caseloads chart. Nevertheless, the courts were able by the end of 2020 to bring their pending caseload volume back in line with 2019 levels. Statewide overage rates in 2021 are up over 2019, but remain relatively low.

Evictions

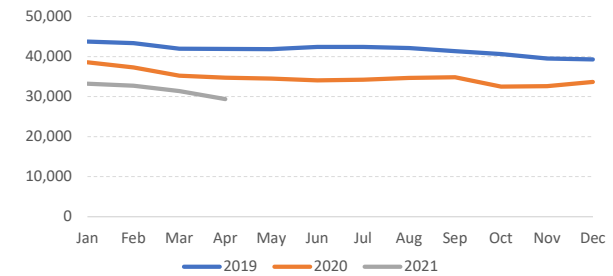
Evictions (MC/CC only)

New Filings



Evictions (MC/CC only)

Pending End of Month



Evictions

Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
108%	116%	142%	130%	106%	108%	97%	93%	97%	136%	98%	84%	101%	109%	119%	114%

Evictions

Overage Rates

	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	996	1,292	
Overage Rate	3.0%	6.2%	+3.2%

Eviction case filings in our municipal and county courts declined steeply due to the moratorium provisions of the federal C.A.R.E.S. Act. Those protections expired on July 25, 2020. The Centers for Disease Control and Prevention’s (CDC) evictions moratorium, issued in September 2020—set to expire on June 30, 2021—is currently being challenged in federal court.

The original moratorium and the CDC’s moratorium do not preclude the *filing* of eviction cases. Rather, they preclude a court from ordering that a person be evicted from their home. Following the sharp decline in the early phase of the pandemic, incoming cases appear to have levelled off at a notably lower level than before the pandemic. Pending caseloads are remaining below 2019 levels as a result of the decline in filings. Statewide overage rates remain low.

As noted above regarding foreclosure cases, the Supreme Court recently collaborated with the Ohio State Bar Association’s Dispute Resolution Committee and its Ad Hoc Committee on Evictions, Foreclosures, and Civil Justice, to provide foreclosure and eviction mediation training to nearly 1,000 attorneys and mediators. In addition, we have provided the judiciary with comprehensive detailed resources to help the courts plan for more efficiently managing eviction cases.¹¹

Along with foreclosure cases, the Supreme Court is currently working with eight municipal courts which have agreed to pilot an online dispute resolution tool in order to manage more efficiently their evictions caseloads. These pilot implementations will be evaluated in order to help us understand what elements lead to successful use of this innovative platform for resolving disputes.

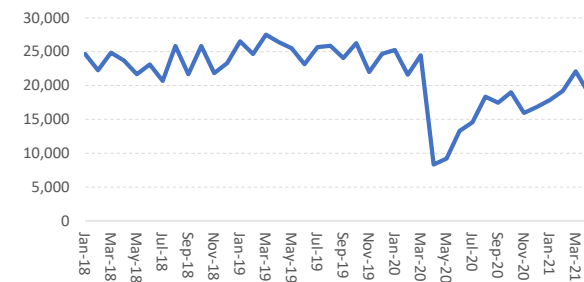
¹¹ <https://www.supremecourt.ohio.gov/Publications/JCS/evictionsReport.pdf>

The Ohio Development Services Agency has established the Ohio Home Relief Grant program, through which it is making available over \$564 million to provide Ohioans with rental, mortgage, and utilities assistance through their local Community Action Agencies.¹² Those grants are available to people who have experienced financial hardships as a result of COVID-19 and are at risk of housing instability or becoming homeless.

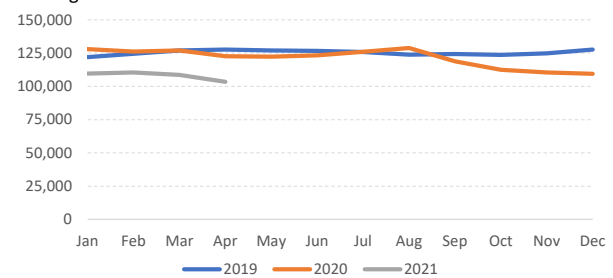
¹² <https://businesshelp.ohio.gov/home-relief-grant.html>

All Other Civil Cases in Municipal and County Courts

MC/CC All Other Civil (Contracts, Torts, Small Claims, Other Civil)
New Filings



MC/CC All Other Civil (Contracts, Torts, Small Claims, Other Civil)
Pending End of Month



MC/CC All Other Civil (Contracts, Torts, Small Claims, Other Civil)
Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
99%	108%	97%	147%	103%	93%	83%	85%	155%	131%	111%	106%	95%	95%	99%	95%

MC/CC All Other Civil (Contracts, Torts, Small Claims, Other Civil)
Overage Rates

	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	2,070	3,095	
Overage Rate	4.1%	7.9%	+3.8%

All other civil case filings in municipal and county courts experienced a remarkably sharp decline in April, with what appears to be a steady return to a level somewhat lower than pre-pandemic baselines. The courts did not experience low clearance rates until June 2020 (with July and August being particularly low). The courts quickly bounced back in the fall of 2020 with a series of positive clearance rates including particularly high rates in September and October. Because of that, the courts overall have succeeded in keeping their pending caseloads at or below 2019 levels. Overage rates have risen over 2019 pre-pandemic levels but remain relatively low. In any event, these cases should be closely monitored going forward to see whether the long-term economic impacts of the pandemic will result in, for example, a rise in consumer debt collection cases.

Traffic Cases

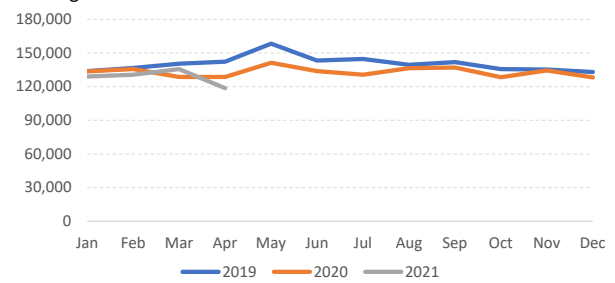
MC/CC Traffic (Other Traffic, OVI)

New Filings



MC/CC Traffic (Other Traffic, OVI)

Pending End of Month



MC/CC Traffic (Other Traffic, O.V.I.)

Clearance Rates

Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21
100%	98%	110%	100%	72%	113%	105%	93%	99%	111%	92%	110%	97%	97%	94%	103%

MC/CC Traffic (Other Traffic, OVI)

Overage Rates

	Monthly AVG 2019	Monthly AVG Jan-Apr 2021	% Point Change
Overage Cases	2,054	2,848	
Overage Rate	2.1%	3.8%	+1.7%

The onset of the pandemic was marked by a precipitous decline in April that was followed soon by a return to nearly pre-pandemic levels by August and September. We are not anticipating a surge in new filings except for that which might reflect a greater amount of traffic on the roads as the pandemic continues to wind down and police departments and the Ohio State Highway Patrol resume traditional levels of traffic law enforcement. Overage rates for traffic cases remain low.