

THE SUPREME COURT *of* OHIO

ADVISORY COMMITTEE ON CASE MANAGEMENT

Honorable Jerome J. Metz, Jr.

Hamilton County Common Pleas Court
Chairperson

Honorable Laura J. Gallagher

Cuyahoga County Court of Common Pleas
Vice Chairperson

Meeting Minutes

November 2, 2018

Committee Members Present:

Gretchen Beers, Esq.
Russell Brown, Esq.
Judge Kim A. Browne
Judge Rocky A. Coss
Judge Richard A. Frye
Judge Laura Gallagher
Judge Michael T. Hall

Judge Jerome Metz
Judge Tom Pokorny, Retired
Elizabeth W. Stephenson, Esq.
Judge Terri L. Stupica
C. Michael Walsh, Esq.
Judge Curt Werren
Judge Joseph J. Zone

Committee Members Absent:

Judge Craig R. Baldwin
Judge Timothy Cannon
Judge Anthony Capizzi
Judge Carol J. Dezso, Retired
Judge Gary Dumm

Lisa M. Gorrasi, Esq.
Judge Kristen K. Johnson
Judge Diane M. Palos
Susan Sweeney, Esq.
Judge Gene A. Zmuda

Supreme Court of Ohio Staff Members Present:

Brian Farrington
Niki Hotchkiss, Ph.D.
Ashley Gilbert, Esq.

Colleen Rosshirt, Esq.
Tasha Ruth, Esq.

New Business: Civil Justice Initiative Pilot Project

Recently, a group of Ohio judges and stakeholders, including Judge Beth Myers and John Holschuh, Esq., attended the Midwest Civil Justice Reform Summit. Following that event, the group came together to make a request of the Advisory Committee on Case Management:

“As the judicial system is a critical pillar in our democracy, we recognize the need for civil justice reform to ensure all Ohioans have meaningful access to a consumer-centric judicial system that provides certainty, clarity, access and efficiency. To that end, we recommend a pilot program implemented through the Ohio Supreme Court Advisory Committee on Case Management to effectuate an optimized form of case processing.”

Colleen Rosshirt will lead a workgroup to help implement these recommendations. You can read more about the Civil Justice Initiative [here](#).

During the conference call, the following ACCM members volunteered for the workgroup:

- Judge Browne
- Judge Palos
- Judge Pokorney
- Judge Stupica
- Mike Walsh, Esq.

If you would like to volunteer or would like more information, please contact Colleen Rosshirt at Colleen.Rosshirt@sc.ohio.gov.

New Business: The Future of the ACCM

Judge Metz lead a discussion with the group about how the ACCM can provide assistance to judges, both new and seasoned, and develop educational case management materials for judges and the bar. Several ideas were proposed including:

1. Emphasize case management more predominately during mentor/mentee discussions, perhaps in a similar format to the new lawyer mentoring program materials;
2. Provide a case management review or similar type audit to new judges to help them understand the status of the caseload they are inheriting and corresponding case management strategies;
3. Amend CLE requirements for judges to require some hours dedicated to case management education;
4. Provide new judges with a list of Supreme Court of Ohio resources and contacts (currently provided in New Judge Orientation Part I materials);
5. Encourage judges to send at least one person from their court to the [Ohio Association for Court Administration \(OACA\)](#) conferences;
6. Provide case management education at New Judge Orientation (currently about 45 minutes per/session is provided); and
7. Educate attorneys who are working in our courts about case management and the time standards.

The Case Management Section will work with the Judicial College to see where the ACCM can share our skills and ideas to provide education on best practices for case management. The ACCM's Court Consulting Subcommittee, chaired by Ret. Judge Tom Pokorny may be called upon to provide future guidance and leadership in this area. Any additional suggestions are welcome. Please email Tasha.Ruth@sc.ohio.gov.

Old Business: Superintendence Rule 36.020 – Assignment of Appellate Court Cases

Tasha provided an update on Sup.R. 36.020. During the public comment period, just two comments were received, both of which were in support of the new rule. This rule has been approved by the Commission on the Rules of Superintendence to go before the Justices for final adoption. Judge Cannon will present in February or March 2019. Below is the proposed new rule:

RULE 36.020. Assignment of Appellate Court Cases.

Cases filed in a court of appeals shall be randomly assigned to judges of the court through an objective and impartial system that ensures, to the extent practicable, equitable distribution of cases among the judges. The random assignment system should have no discernable pattern so that parties will not be able to predict to whom a case is assigned before the actual assignment.

Old Business: Superintendence Rule 37.05 Capital Case Reporting

Tasha provided an update on Sup.R. 37.05. This rule was presented to the Commission on the Rules of Superintendence requesting that it be abolished. The Commission agreed. Tasha will present the request to abolish the rule to the Justices in February or March 2019.

The current rule requires each judge of a court of common pleas to submit reports in hard-copy format to the Case Management Section of the Supreme Court when they are assigned a criminal case in which an indictment or a count in an indictment charges the defendant with aggravated murder and contains one or more specifications of aggravating circumstances listed in R.C. 2929.04(A). The Case Management Section views the collection of this data as redundant. Pursuant to R.C. 2929.021(A) the clerk of the court in a county in which an indictment is filed is required to file a notice with the Supreme Court Clerk's Office indicating that the indictment was filed, within fifteen days after the day on which it is filed and also file a notice of a plea of guilty, no contest, or dismissal of the indictment, within fifteen days after the day on which the plea or dismissal is filed. This information is publicly available by clicking the links located on the clerk's page [here](#).

Old Business: Data Dashboard Debut

Staff from the Court Services Division of the Supreme Court of Ohio have presented a draft version of a data dashboard to several groups of judges and court administrators over the summer and fall. With each presentation, staff have been met with overwhelming support for the dashboard concept.

The dashboard visually displays the 2.4 million data points collected annually by the Supreme Court of Ohio from local courts. The dashboard is a graphical demonstration of local court caseloads and terminations, from a courtwide and statewide view. This digital platform also includes interactive maps which display information in an easy-to-access manner. The dashboard, slated to go live in early 2019, is a public facing tool that will replace the printed version of the annual Ohio Courts Statistical Report.

Future meeting dates:

Friday, March 29, 2019 in room 281

Friday, May 17, 2019 in room 281

Friday, August 9, 2019 in room 281

Friday, October 11, 2019 in room 281