



Advancing Timeliness In Ohio Courts



The information contained in this resource is a compilation of statutes, court rules, and court decisions in the State of Ohio, and it is intended as a summary of the law to assist judges, lawyers, and the general public. The information does not represent binding statements of law by the Supreme Court of Ohio.



Advancing Timeliness In Ohio Courts

January 2026

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Message from Chief Justice Sharon L. Kennedy

"The study of delay is not the study of inefficiency but is the study of the very purposes for which courts exist. . . Justice is lost with the passage of time. No matter how you look at it, whether it's a civil or a criminal matter, time destroys the purposes of courts."

– Ernest C. Friesen

On behalf of my colleagues and I at the Supreme Court of Ohio, we extend our sincere gratitude to the judges, magistrates, court administrators, attorneys, and Supreme Court staff who participated in this important initiative to advance timeliness in Ohio courts. Your time, candor, and insights were essential to this effort.

This project was launched to better understand the causes of delay in Ohio's courts from the perspective of those who work in and appear before them. Every day, the judicial system has the opportunity to demonstrate its commitment to resolving cases fairly and in a timely manner. To that end, practical, collaborative solutions have been developed so that courts across Ohio may consider and adapt them to meet each community's unique needs. We must work together to earn the public's trust and confidence—without which the justice system cannot function effectively.

This report reflects statewide collaboration and data-informed insights to deliver practical recommendations. It is intended as a foundation—a roadmap for courts to build upon—to improve efficiencies and reduce overage cases. We hope you find it informative and insightful. In particular, we encourage courts to focus on three critical strategies highlighted in the report:

- Implementing a culture of data-informed caseload management to identify bottlenecks, monitor performance, and drive continuous improvement.
- Strengthening scheduling practices and enforcing case processing time standards to maintain momentum and reduce unnecessary delays.
- Promoting education and leadership development for judges and magistrates to ensure consistent application of best practices.

I hope you find this report informative and insightful. Thank you to everyone who contributed to this effort. We invite all Ohio courts to consider how these findings and recommendations might strengthen their local practices and advance timely, fair justice for the people we serve.

Remember that every answer, every solution, begins and ends with the people we serve. Not what is easiest. Not what is expedient. What is best for them.

A handwritten signature in cursive script, reading "Sharon L. Kennedy".

Chief Justice Sharon L. Kennedy
Supreme Court of Ohio



“Timely case resolution is an essential component of a well-functioning court. Delay is costly, not just financially, but in terms of public trust and confidence.”

– Chief Justice Sharon L. Kennedy, State of the Judiciary, September 19, 2024.

I. Introduction and Acknowledgements

Timely case resolution is a cornerstone of a fair and effective justice system. In recognition of the persistent and varied challenges contributing to delay in Ohio's courts, Chief Justice Sharon L. Kennedy launched in 2024 a comprehensive effort to better understand the root causes of delay and identify actionable solutions. This report presents the results of that effort, which included statewide surveys of court professionals and attorneys, as well as collaborative discussions with subject matter workgroups composed of judges, magistrates, court administrators, and attorneys practicing before Ohio's courts. The goal of this initiative is to provide data-informed insights and practical recommendations that can assist courts across Ohio with improving efficiency, enhancing access to justice, and strengthening public confidence in the judicial system.

In May 2024, the Supreme Court of Ohio's Office of Court Services surveyed judges, magistrates, and court administrators about their perceptions on the causes of delay in Ohio's courts. A total of 469 court professionals responded. Later, in October 2024, attorneys practicing in Ohio courts were surveyed to gain the perspective of counsel appearing before the courts. A total of 3,007 attorneys provided their input on the causes of delay. Reports summarizing the findings of the judiciary survey and the attorney survey can be found as Appendix A and B, respectively.

In January 2025, the Supreme Court's Case Management Section convened three workgroups focused on distinct subject matter areas: Criminal, Civil, and Appellate. Each workgroup included judges, magistrates, court administrators, and attorneys actively engaged in the respective areas of practice. The Criminal workgroup also included prosecutors and defense attorneys. The Civil workgroup also included professionals with expertise in probate, juvenile, and domestic relations matters.

The workgroups met regularly to review the survey findings and engage in free form discussions. Their goals were to identify practical solutions to the causes of delay that either received high levels of concern in the survey responses or were deemed sufficiently important by the workgroup members to warrant deeper exploration.

The results of the surveys and the workgroups' discussions were shared with the Supreme Court's Advisory Committee on Case Management, which includes members who also participated in the subject matter workgroups. This final step provided an opportunity to gather further insight, validate key themes, and engage in additional collaborative brainstorming around potential solutions. Accordingly, the recommendations presented in the remainder of this report were developed and refined through the collective efforts of the workgroups, the Advisory Committee on Case Management, and Supreme Court staff and should be attributed to their collective expertise and input. The views expressed in this report should not be interpreted to reflect the opinions or official positions of the members of the Supreme Court.

Supreme Court staff gratefully acknowledge the time, expertise, and thoughtful contributions of the members of the subject matter workgroups and the Advisory Committee on Case Management. Their engagement was instrumental in shaping the findings and recommendations presented in this report, and their dedication to improving Ohio's courts is deeply appreciated.



I. Project Participants

Appellate Workgroup

- Cynthia J. Sgalla, Esq., *Deputy Court Administrator, Tenth District Court of Appeals (Chair)*
- Hon. Christopher B. Epley, *Second District Court of Appeals*
- Hon. Emanuella D. Groves, *Eighth District Court of Appeals*
- Hon. W. Scott Gwin, Retired, *Fifth District Court of Appeals*
- Hon. Mark C. Miller, *Third District Court of Appeals*
- Magistrate and Court Administrator Bennett A. Manning, *Twelfth District Court of Appeals*
- Patrick Clark, Esq., *Office of the Ohio Public Defender*
- Anthony Miranda, Esq., *Cuyahoga County Prosecutor's Office*

Criminal Workgroup

- Hon. Jeannine N. Pratt, *Miami County Court of Common Pleas, General and Domestic Relations Division (Chair)*
- Hon. Howard H. Harcha, III, *Scioto County Court of Common Pleas, General Division*
- Hon. Stephen L. McIntosh, *Franklin County Court of Common Pleas, General Division*
- Hon. Michael A. Oster, Jr., *Butler County Court of Common Pleas, General Division*
- James R. Flaiz, *Prosecuting Attorney, Geauga County*
- Ron Welch, *Prosecuting Attorney, Muskingum County*
- Brooke Burns, Esq., *Office of the Ohio Public Defender*
- Zach G. Ferrall, Esq., *Auglaize County*
- Maria Russo, *Clerk of Court and Court Administrator, Lakewood Municipal Court*

Civil Workgroup

- Magistrate and Court Administrator Serpil Ergun, *Cuyahoga County Court of Common Pleas, Domestic Relations Division (Chair)*
- Hon. Christian A. Jenkins, *Hamilton County Court of Common Pleas, General Division*
- Hon. Maria N. Kalis, *Muskingum County Court of Common Pleas, Domestic Relations Division*
- Hon. Joseph V. McNamara, *Lucas County Court of Common Pleas, General Division*
- Hon. Ronald J. Rice, *Trumbull County Court of Common Pleas, General Division*
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- Alexis R. Pannell, Esq., *Franklin County*
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- Maura E. Scanlon, Esq., *Summit County*
- Laura Schnecker, *Court Administrator, Warren County Court of Common Pleas, Probate and Juvenile Division*
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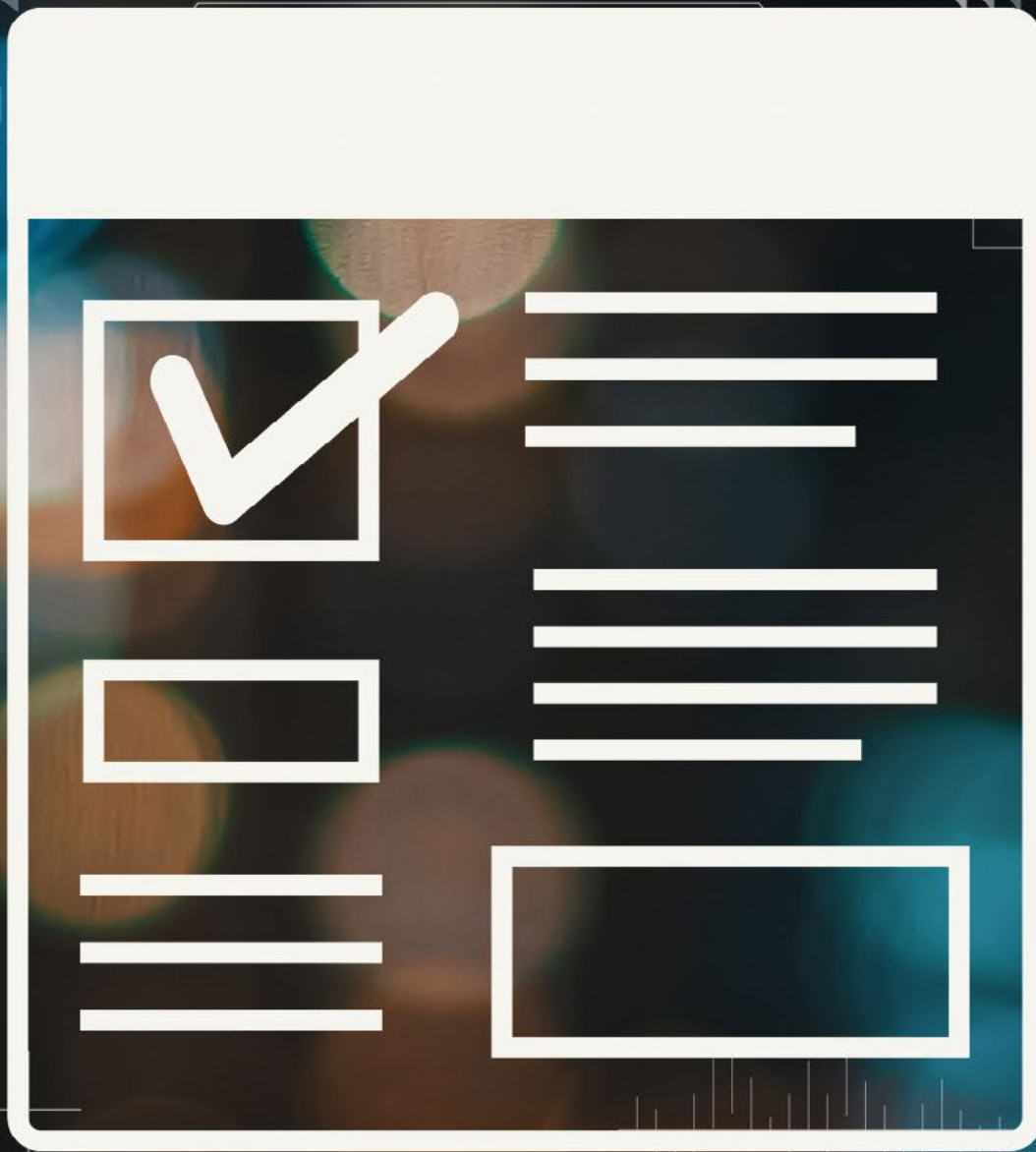
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- Hon. Craig R. Baldwin, *Fifth District Court of Appeals*
- Hon. Andrew P. Ballard, *Lawrence County Court of Common Pleas, General and Domestic Relations Division*
- Hon. David Brannon, *Montgomery County Court of Common Pleas, Probate Division*
- Hon. Patrick Carroll, Retired, *Lakewood Municipal Court*
- Hon. Kimberly Cocroft, *Franklin County Court of Common Pleas, General Division*
- Hon. Michelle D. Earley, *Cleveland Municipal Court*
- Hon. Mary E. Montgomery, *Montgomery County Court of Common Pleas, General Division*
- Hon. Terrance A. Nestor, *First District Court of Appeals*
- Hon. Michael A. Oster, Jr., *Butler County Court of Common Pleas, General Division*
- Hon. Jeannine N. Pratt, *Miami County Court of Common Pleas, General and Domestic Relations Division*
- Hon. Latecia E. Wiles, *Wayne County Court of Common Pleas, Probate and Juvenile Division*
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- Hon. Gene A. Zmuda, *Sixth District Court of Appeals*
- Magistrate Stephan P. Babik, *Stark County Court of Common Pleas, General Division*
- Magistrate Justin T. Kudela, *Delaware Municipal Court*
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- Wendy S. Roush, *Court Administrator, Muskingum County Court of Common Pleas, Domestic Relations Division*
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I. Caseflow Management

A. General Caseflow Management

Effective caseflow management is fundamental to the administration of justice, ensuring that cases progress in a timely, orderly, and fair manner from initiation to resolution. It encompasses a broad range of practices, including setting and enforcing deadlines, managing continuances, monitoring case milestones, and prioritizing case types based on urgency and complexity. By maintaining control over the pace of litigation, courts can reduce unnecessary delays, discourage strategic stalling, and better allocate judicial resources. Strong caseflow management not only improves operational efficiency and reduces costs for parties but also enhances the quality of justice delivered, promotes consistency in outcomes, and reinforces public confidence in the courts.

The vast majority of criminal and civil cases filed in Ohio courts are resolved without going to trial, whether through plea agreements, settlements, dismissals, or other pretrial resolutions. In Ohio's courts of common pleas in 2024, 2.1% of criminal cases and 0.9% of civil cases were disposed following a trial. Because trials are rare and resource-intensive, courts are better served by investing in strategies that promote early, informed decision-making and timely case resolution, such as robust pretrial processes, effective case screening, and facilitated settlement opportunities.

For clarity in presenting the workgroups' and Advisory Committee's discussions, several related items are addressed together in this section, rather than as separate sections of this report. The workgroups discussions covered a range of topics, including delays in judicial decision-making, overcrowded court dockets, timely resolution of discovery disputes, and the challenges posed by increasing case complexity. Set forth below are selected survey findings involving general caseflow management issues that were of particular interest to the workgroups:

- **Delayed decisions:** 42% of attorneys practicing in the trial courts and 51% of attorneys practicing in the courts of appeals cited delay in judicial officers issuing decisions/opinions as a major source of delay.
- **Overcrowded court calendars:** 21% of judiciary survey respondents cited overcrowded court calendars as a major source of delay.
- **Delayed rulings on discovery disputes:** 24% of attorneys practicing in the trial courts indicated that courts not being timely in ruling on discovery disputes was a major source of delay.
- **Increasing case complexity:** 28% of judiciary survey respondents, 28% of attorneys practicing in the trial courts, and 40% of attorneys practicing in the courts of appeals cited increasing case complexity as a major source of delay.
- **Maintaining firm trial dates:** 25% of attorneys cited the courts not maintaining firm trial dates as a major source of delay.

- **Enforcement of case processing time standards:** 21% of attorneys indicated that the courts' lack of enforcement of case processing time standards was a major source of delay. This view as expressed primarily by attorneys practicing in the area of civil litigation.
- **Failure of parties to appear for court:** 28% of judiciary survey respondents indicated that the failure of parties to appear for court is a significant contributing factor to delayed case processing.
- **Delayed criminal discovery:** 54% of judiciary survey respondents working in urban settings and 21% overall along with 30% of attorney survey respondents cited delayed production of criminal discovery to defense counsel is a major concern.

Recommendations

1. Promote Educational Resources Concerning Caseflow Management.

The Supreme Court should continue to prioritize educating the courts and justice partners on caseflow management best practices including the *Fundamentals of Caseflow Management and Statistical Reporting*, *Criminal Caseflow Best Practices*, and *Civil Caseflow Best Practices* webinars, which are available through the Ohio Judicial College's OhioCourtEDU learning management system. The Supreme Court should also strengthen its promotion of written resources, including the [Strategies for Addressing a Backlog of Hearings: Tips for Ohio Courts](#) bench card and the [Pathway Approach for Civil Cases](#) bench card. Through those resources, judicial officers would learn important practices, including:

- The importance of judicial officers controlling the pace of litigation and having a continuance policy that takes Supreme Court case processing time standards under [Sup.R. 39 and 40](#) into account when setting trial dates.
- Why it is vital that judicial officers work towards creating a culture of compliance to the time standards set forth in [Sup.R. 39](#). Communicating those expectations early to all the attorneys and parties is essential.
- The role of [Sup.R. 41\(D\)](#) in providing a mechanism for administrative judges to take corrective action if it appears that a judge or magistrate is overly indulgent in granting continuances.

2. Implement a Culture of Data-Informed Caseflow Management.

The Supreme Court should continue to encourage court leadership to implement a culture of data-informed caseflow management. Cultivating a data-informed caseflow culture turns anecdotal impressions into actionable insight, letting judges and administrators pinpoint bottlenecks before they become backlogs. Objective performance metrics build a transparent record that justifies resource requests and demonstrates accountability to funding authorities and the public. Regularly analyzing clearance rates, time to disposition, age of active pending caseloads, and continuance patterns empowers courts to target process improvements that shorten disposition times without sacrificing fairness. According to David Steelman, former Principal Court Management Consultant

with the National Center for State Courts, “Reports are critical to day-to-day caseflow management because they provide the information by which judges and court managers can measure their actual performance against expectations and identify problems that need attention.”¹ The National Center for State Courts’ [CourTools](#) court performance measure are well designed to support these efforts.

3. Expand Education for New Judges and Magistrates on Using Court Performance Data.

Another strategy to address pace-related delay issues is to bring awareness to how the court is currently performing when new judges are either elected or appointed. Understanding the performance measures that are available on the Supreme Court’s online [Sup.R. 37](#) data dashboards can help judges operate a more efficient court. The Ohio Judicial College, through its New Judge Orientation and New Magistrate Orientation programs, should consider providing increased education to judicial officers on the use of data to inform caseflow management planning.

4. Encourage Courts to Engage in Continuous Quality Improvement Practices.

The Supreme Court should encourage courts to implement a continuous quality improvement (CQI) approach by training staff to conduct regular self-assessments of their caseflow management practices and procedures. These assessments enable courts to identify bottlenecks, inefficiencies, and areas for improvement within their operations. To assist courts in this endeavor, the Supreme Court’s Case Management Section (Section) is available to provide case management services to help improve internal operations such as process mapping and case management reviews. The Section also provides technical assistance to courts interested in using the National Center for State Court’s [CourTools](#) set of performance measures. Based on these findings, courts can implement targeted solutions, monitor their outcomes, and evaluate whether those changes result in measurable improvements. If desired results are not achieved, courts can refine their approach and reassess. Embedding CQI practices within court operations fosters a culture of accountability, adaptability, and data-informed decision-making that supports more timely and effective case processing.

The Ohio Department of Administrative Services operates the LeanOhio program, in which it trains governmental employees on how to conduct assessments of an agency’s (or court’s) business processes with an eye toward identifying and removing bottlenecks and other constraints on the efficient and effective delivery of services. The Supreme Court should encourage local court leadership to consider directing their staff to seek out LeanOhio’s training programs to enable courts to formalize CQI programs.

1 Steelman, David C., with Goerdt, John A., and McMillan, James E., *Caseflow Management: The Heart of Court Management in the New Millennium* (National Center for State Courts, 2000)

5. Promote the Supreme Court's Case Inquiry Form Process.

The Supreme Court should continue to promote its Case Inquiry Form process, a public-facing webform first made available on the Supreme Court's website in 2023 through which parties or their counsel can submit an inquiry concerning the status of a case they believe to be delayed. Staff in the Supreme Court's Case Management Section research the matter using online court dockets. When it appears the court is dilatory in complying with the case processing time guidelines under [Sup.R. 39](#) or with the case processing timeframes set forth in [Sup.R. 40\(A\)](#), staff contact the judge assigned to the case in order to facilitate a resolution of the delay. Staff do not disclose the identity of the person making the inquiry. In 2023, the Supreme Court's Office of Court Services distributed posters for display in courthouses alerting parties and counsel to this service. The Supreme Court should continue to find ways to assist local courts with promoting this service.

6. Promote the Use of Scheduling Orders.

The Supreme Court should encourage courts to incorporate detailed discovery deadlines into their scheduling orders, particularly in civil cases. Courts should also communicate their expectations that all parties will adhere to these deadlines, reinforcing the importance of timely discovery in advancing case progression. Consistently setting and enforcing these deadlines can reduce unnecessary continuances, promote earlier case resolution, and help ensure that trials proceed as scheduled. The Supreme Court's Case Management Section should develop a sample scheduling order for local courts to guide local courts.

7. Strengthen Discovery Management Through Early Case Planning and Scheduling Orders.

The Supreme Court should encourage courts to adopt stronger practices to enforce discovery cut-off dates and promote early case planning. As a best practice, courts should, when appropriate based on the nature of the litigation, require parties in civil cases to confer pursuant to [Civ.R. 26\(F\)](#) and encourage them to resolve discovery issues early, using proactive engagement and proportional requests, and helping to narrow the scope of legal disputes and reduce unnecessary delays. These expectations could be communicated during the case management conference, where judicial officers can emphasize the importance of compliance with the court's scheduling orders. To support consistency and accountability, all deadlines and milestone dates could be explicitly included in the court's scheduling orders. Also, the Judicial College should offer education on the best practices related to Civ.R. 26(F).

8. Reduce Failure to Appear Using Text Message Reminders.

The Supreme Court should continue to promote the use of automated reminder systems, particularly text messaging, as a practical and cost-effective strategy to reduce nonappearances. Courts are encouraged to fine-tune the content of reminder messages to ensure they are concise and actionable. Language should emphasize the importance of

appearing, include the date, time, and location of the hearing, and provide instructions for rescheduling if necessary.² The National Center for State Courts has developed an [E-Reminders Toolkit](#) that offers implementation guidance, message templates, and best practices for designing effective reminder systems. The Supreme Court's Case Management Section partnered with the National Center for State Courts to complete a pilot project in collaboration with local courts to evaluate the impact of text message reminders on failure-to-appear rates. Preliminary findings suggest that well-crafted reminders can meaningfully reduce missed court appearances. These Ohio-based results could be leveraged in promotional efforts to encourage broader adoption of reminder technologies statewide.

9. Reinforce Marsy's Law Requirements.

The Criminal workgroup considered the challenges in coordinating schedules of witnesses and other case participants, including victims. The Supreme Court should continue to promote best practices and educational resources concerning Marsy's Law requirements so that sufficient notice is provided, and cases are not continued due to a lack of notice. The Supreme Court's [Marsy's Law and Crime Victim Rights](#) webpage provides various resources including a toolkit and forms to support the Courts in fulfilling the requirements of Marsy's Law. Courts should work with local partners to familiarize them with Marsy's Law obligations to create policies and procedures to meet requirements and reduce preventable delay. As this is an evolving area of law, courts should also consider leading regular meetings with partners to review changes and update policies and procedures as necessary.

10. Enhance Criminal Discovery Timeliness.

The Supreme Court should collaborate with the Ohio Prosecuting Attorneys Association to identify and promote best practices for timely and consistent discovery disclosures. By working together, the Supreme Court and prosecutors can develop practical guidelines or training initiatives that support efficiency while preserving fairness and due process.

B. Service of Process

Service of process is the formal delivery of legal documents such as complaints, summonses, or subpoenas to a party in a legal proceeding. It ensures that individuals are properly notified of legal actions involving them and it is a critical step for a court to establish jurisdiction and move a case forward.

Both the judiciary and attorney surveys identified delays in perfecting service of process as a recurring barrier to timely case resolution. In the judiciary survey, 35% of respondents cited service-related issues as a major source of delay. Attorneys expressed similar concerns: 33% reported delays in the return of certified mail service, while 32% cited ongoing problems related to the U.S. Postal Service's service confirmation practices,

2 Court Messaging Project, Legal Design Lab, <https://perma.cc/TGZ3-3N5W>

many of which stem from procedures adopted during the height of the COVID-19 pandemic in 2020. These findings underscore the need for more reliable and efficient service of process methods to support timely court proceedings.

Recommendations

11. Examine the Use of Private Process Servers and Alternate Carriers.

The Supreme Court should examine the use of private process servers and alternative carriers as a viable solution. Courts such as the Franklin County Municipal Court have already adopted these alternatives with positive results. Highlighting and promoting the experiences of such courts may encourage broader adoption of these practices statewide.

12. Evaluate Potential Rule Changes to Facilitate More Efficient Service of Process.

The Supreme Court's Commission on the Rules of Practice and Procedure should evaluate whether amendments to the applicable rules might further support timely and effective service of process across Ohio's courts. This review could include consideration of modernized service methods, clarification of timelines and proof of service requirements, and potential adjustments to reflect current challenges with certified mail and other delivery mechanisms. Enhancing the rules in this area could help reduce delays at the earliest stages of case initiation and improve the overall efficiency of court operations.

13. Explore Opportunities to Ensure Timely Service of Process upon Incarcerated Individuals.

Discussions were had concerning perceptions of increasing delay in providing service upon offenders incarcerated in Ohio Department of Rehabilitation and Correction (ODRC) facilities. The screening of incoming mail is an essential means to ensure the safety of the incarcerated individuals and corrections staff. The Supreme Court should seek further information on this issue by partnering with ODRC to explore emulating the Supreme Court Clerk's use of control numbers in the local courts and promote this practice. This will ensure that reasonable efforts are made to allow incarcerated individuals to receive timely service of process and receipt of other court notifications while still maintaining safety and security within ODRC facilities.

C. Dispute Resolution Services

Mediation and other forms of dispute resolution provide a timely, cost-effective alternative to litigation that can help resolve disputes early, reduce caseloads, and promote amicable outcomes. By narrowing or eliminating contested issues, mediation supports judicial efficiency and allows courts to focus resources on cases that require formal adjudication.

In the survey of attorneys, 20% of respondents practicing before Ohio's courts of appeals identified a general lack of dispute resolution services in the courts as a major cause of delay. During the Civil workgroup's discussions, the members discussed how effective dispute resolution services, such as mediation, are a critical element to the efficient management of a court's civil cases, especially in the family law arena.

Recommendations

14. Promote the Use of Dispute Resolution Services.

The Supreme Court should continue to explore ways to promote the use of dispute resolution services. To support that goal, the workgroup recommends strengthening local mediation programs and promoting them explicitly as a strategy for reducing delays. Courts may benefit from implementing mediation referrals at multiple points along the caseflow continuum, not just at the outset of a case. Resources for courts wishing to establish a mediation program, or bolster a pre-existing program, could be referred to the Supreme Court's Dispute Resolution Section, which has various resources available online ranging from educational opportunities for mediators to information on how to explore additional dispute resolution services including neutral evaluation, child protection mediation, and school attendance mediation, among others.

The Supreme Court should also continue developing public-facing informational materials that promote mediation, such as brochures, posters, and the use of QR codes to assist the parties and attorneys with easy access to resources. In courts without in-house mediation programs, additional education and guidance could be provided on available online resources and referral pathways, including connecting court personnel with the Dispute Resolution Section.

15. Develop Guidance on Screening Cases for Mediation.

Not every court case is suitable for mediation, which is why it is important for courts to screen cases for amenability before making a referral. Mediation requires time, resources, and the good-faith participation of both parties, and directing cases that are unlikely to benefit from the process can lead to wasted effort and unnecessary delays. The Supreme Court should develop this guidance and make it widely available to the courts as they bolster their mediation programs.

16. Promote the Use of the Settlement Week Model.

The Supreme Court should continue to promote the use of Settlement Week as an effective tool for resolving cases efficiently. The Settlement Week model is a formal program proven to reduce court backlogs in civil and domestic relations cases. Information on Settlement Week and how courts can go about promoting it and making it a success in their jurisdiction is available from the Dispute Resolution Section.

17. Strengthen the Use of Collaborative Family Law.

The Supreme Court should seek to strengthen the use of collaborative family law, a pre-filing dispute resolution process for marriage termination governed by R.C. 3105.41, et seq. Each party retains a collaborative family attorney, and the parties, their attorneys, and often other collaborative professionals, such as financial and child specialists, exchange information and work towards reaching an agreement that is acceptable to the parties. The agreement is then presented to the court, usually as a dissolution action, for the court to approve and terminate the marriage of the parties. If the parties do not



reach an agreement and wish to proceed with a court case, the collaborative attorneys are barred from representing the parties in litigation pursuant to R.C. 3105.45. There are active collaborative practice groups in Cincinnati, Columbus, Cleveland, and northwest Ohio. The Cincinnati collaborative practice group has been in existence since 1997.

Because collaborative family law is strictly a pre-filing process as specified in R.C. 3105.41, et seq., it is not available as a dispute resolution process for ongoing court cases. However, courts can reduce docket congestion by providing information on their websites, information desks or kiosks, and clerks' offices, about collaborative family law and other pre-filing dispute resolution processes, such as mediation, which parties can use to reach agreement on the terms of their marriage termination prior to filing a court case.

See also the Appellate Court-Specific Matters section of this report for a discussion concerning mediation in the courts of appeals.

D. Scheduling

Both the Criminal and Civil workgroups identified overcrowded calendars as a significant contributor to court delays. This concern was strongly reinforced by the findings of the judiciary survey, in which 48% of respondents cited attorney scheduling conflicts as a major source of delay. The issue is closely tied to the statewide shortage of attorneys, particularly in certain regions and practice areas, which limits availability and creates scheduling bottlenecks. While workforce shortages remain a broader challenge, courts can implement several best practices to help mitigate the impact of congested attorney calendars and improve overall caseflow efficiency.

Recommendations

18. Encourage the Use of Time Certain Scheduling.

The Supreme Court should encourage courts to use time certain scheduling and discourage “cattle call” approaches that require all parties to appear at the same time regardless of case readiness. In addition, for maximum optimization, courts should consider scheduling all remote settlement conferences in sequential time slots. Judicial officers should maintain control over their calendars and work closely with staff to ensure that docket time is used efficiently. Additionally, the Supreme Court should explore promoting the ability for parties to interact directly with the courts' calendars, allowing them to select a hearing date with consideration of their own calendar. This is ideal for high volume dockets that are currently using cattle call schedule (large blocks of time with many cases set at the same time). This benefits parties who may choose a date that works for them. An important factor is identifying cases that are ideal for this scheduling methodology.

19. Strengthen Caseflow Management Education and Resources Concerning Calendaring Strategies.

The workgroups also emphasized the importance of providing education and training for new judges and magistrates on effective calendaring strategies. In its various educational and support resources concerning caseflow management, the Supreme Court should include continuance policies, differentiated caseflow management for complex matters, and the value of accepting pleas or resolving issues on scheduled trial dates to avoid unnecessary adjournments.

20. Promote the Use of Remote Technology to Conduct Case Management Conferences.

The Supreme Court should continue to encourage courts to use remote technology, where appropriate. The Civil workgroup specifically highlighted the benefits of case management conferences as a practical tool for keeping cases on track. When conducted by teleconference or video, these conferences allow courts to triage matters, assign appropriate hearing formats, and address procedural issues early, thus minimizing in-person appearances and reducing strain on limited resources. Routine but essential interactions can be resolved more quickly, allowing courts to maintain momentum and move cases forward in a more timely and orderly fashion.

E. Attorney Preparation

A significant source of delay reported by judiciary survey respondents was attorneys being unprepared to proceed with trial. More than one-third of respondents (35%) cited this as a major source of delay. This lack of preparedness can result in last-minute continuances and extended case timelines. This impacts not only the parties in a given case but also the scheduling and efficiency of the court's broader docket.

This issue highlights the importance of proactive case management, including the use of status conferences, pretrial scheduling orders, and firm trial dates to encourage attorney readiness and accountability. Properly communicated expectations, early judicial involvement, and consistent enforcement of deadlines can serve as effective tools to reduce this form of delay.

A foundational principle of caseflow management is for the court to exert early and continuous control over legal proceedings, ensuring that cases progress efficiently, deadlines are met, and unnecessary delays are avoided through proactive scheduling, monitoring, and intervention when needed.

Recommendation

21. Educate Parties and Practitioners of Court's Caseflow Management Expectations.

Courts can reduce unnecessary delays by ensuring that parties and practitioners are fully informed about local caseflow procedures and expectations. A foundational strategy is to incorporate explanations of case time standards and scheduling practices into local rules. Courts should also provide new attorneys appearing before them with a copy of the

court's case management plan adopted pursuant to [Sup.R. 5](#), key rules, and an overview of expectations related to timeliness, discovery practices, and hearing readiness.

“Courts with successful caseload management programs know what they are trying to accomplish because their goals are reflected in the case processing time standards that they have adopted...Case-processing time standards or guidelines should reflect what is reasonable for citizens to expect concerning the prompt and fair conclusion of most cases of a given type.”³

To reinforce these practices, courts are encouraged to conduct regular outreach and educational sessions with their local bar associations, particularly targeting newer practitioners. These sessions can clarify the court's approach to case management and help foster cooperation in meeting case processing goals. To support this effort, the Supreme Court should consider developing a model orientation packet or presentation template that courts may adapt and use to best suit their local needs.

F. Timely Decision-Making

Timely decision-making by judicial officers is essential to maintaining momentum in case progression and ensuring that parties receive prompt resolution of their legal disputes. Delays in issuing rulings can stall proceedings, increase costs, and erode public trust in the efficiency and fairness of the court system. All three workgroups identified delay in judicial officers issuing decisions or opinions as a significant issue. In the attorneys survey, 42% of attorneys practicing in the trial courts and 51% of attorneys practicing in the courts of appeals cited delay in judicial officers issuing decisions and opinions as a major source of delay.

The National Center for State Courts stated in the *Trial Court Performance Standards Desk Reference Manual*:

“Courts are entrusted with many duties and responsibilities that affect individuals and organizations involved with the judicial system, including parties, jurors, attorneys, witnesses, criminal justice agencies, social service agencies, and members of the public. The repercussions from untimely court actions in any of these involvements can have serious consequences for the persons directly concerned, the court, allied agencies, and the community at large. A trial court should meet its responsibilities to everyone affected by its actions and activities in a timely and expeditious manner—one that does not cause delay. Unnecessary delay causes injustice and hardship. It is a primary cause of diminished public trust and confidence in the court.”⁴

3 Steelman, p. 73.

4 National Center for State Courts, 2003. *Trial Court Performance Standards Desk Reference Manual*.

Recommendations

22. Develop Resource Detailing Case Processing Time Standards.

The Supreme Court should explore ways to further promote the case processing time standards contained in the Rules of Superintendence for the Courts of Ohio, specifically [Sup.R. 39 and 40](#). To that end, the Supreme Court could create a case processing time standards bench card resource and a poster for public display in courthouses to set expectations for parties and attorneys and help in adherence to all applicable case processing time standards.

23. Allocate Dedicated Time for Decision Writing and Optimize Court Resources.

The Supreme Court should encourage judicial officers to formally incorporate dedicated writing time into their court calendars. Blocking off time for drafting decisions helps ensure timely decision-making and promotes more deliberate and thoughtful judicial reasoning. This practice is especially important in courts with high caseloads, where competing demands on judicial time can lead to delays in issuing decisions. Also, using unanticipated time, for example when a case is set for trial but then is settled, and encourage judicial officers to reallocate this time for writing decisions.

24. Promote the Use of Standardized Templates for Decisions on Motions.

The Supreme Court should encourage courts to develop standardized templates for ruling on motions as a strategy to improve consistency and efficiency in decision-making. Standard templates can streamline the drafting process, ensure that rulings are complete and legally sound, and promote uniformity in how similar issues are addressed across cases. This approach not only saves time for judicial officers but also enhances clarity for parties and attorneys. This practice is already being implemented in the Cuyahoga County Court of Common Pleas, Domestic Relations Division, where standardized ruling templates are used to support timely and consistent resolution of motions. Encouraging other courts to adopt similar tools can help reduce unnecessary delays and contribute to more efficient caseload management.

25. Encourage Multi-Judge Courts to Optimize Staff Attorney Resources.

The Supreme Court should consider engaging with leadership in multi-judge courts to explore opportunities for those courts to optimize their use of staff attorneys. This may entail, for example, exploring models that allow staff attorneys with specialized knowledge of certain areas of the law to apply that expertise to assist across chambers. Courts could also consider developing a centralized, searchable catalog of legal research memos and issue briefs prepared by staff attorneys that can be accessed and used among the courts' judges and staff attorneys. This shared resource could reduce duplication of effort, promote consistency in legal reasoning, and increase efficiency in resolving recurring legal issues. Court leaders could also explore ways to coordinate training and continuing legal education for staff attorneys to promote shared learning and specialization.

G. Transcript Production

Both the Civil and Appellate workgroups identified delays in the production of transcripts of proceedings as a contributing factor to broader case delays. In appellate proceedings, the record on appeal is not considered complete until the transcript is filed, meaning any delay in its production can effectively pause the entire process. These delays not only increase case timelines but also impact parties' access to timely justice and the efficient use of judicial resources.

Transcript production delays impact trial court proceedings when a judge must rule on objections to a magistrate's decision. The judge cannot rule until the transcript of the proceedings heard by a magistrate is available for review. As a result, delayed transcript production can hinder timely resolution not only in appeals but also in ongoing trial court matters, ultimately slowing the entire caseflow process and reducing the court's ability to deliver prompt justice.

Recommendations

26. Promote the Use of Emerging Technologies to Accelerate Transcript Production.

As transcription technology continues to evolve, it is essential that courts remain informed about tools and innovations that can help reduce turnaround times while maintaining accuracy. The Supreme Court should explore ways to play a key role in promoting the use of technology to support court reporters and stenographers in transcript preparation. For example, the Ohio Judicial Conference's Court Technology Conference recently featured a breakout session on this topic, led by Judge Andrew Ballard of the Lawrence County Court of Common Pleas, General and Domestic Relations Division. The session highlighted emerging solutions such as real-time transcription and automated translation services, which, when paired with human oversight, have the potential to significantly improve efficiency in transcript production. Sharing such examples and best practices can help courts across the state modernize their approach and mitigate delays related to transcript availability. While Judge Ballard described using Azure AI Speech to assist in the affordable production of transcripts, there are similar speech-to-text tools available for courts to consider using. These tools will vary in features, cost, integration options, and accuracy so courts should evaluate which solution aligns best with their specific operational and technological needs.

27. Enhance Access to Transcripts Through Secure Electronic Platforms.

The Supreme Court should explore opportunities to support the making of transcripts viewable to attorneys electronically. Options to consider include having the transcripts available through the court's case management system or allowing clerks to use secure file-sharing platforms (e.g., Dropbox, Google Drive, or similar) to provide timely and secure access to transcripts.



II. Court Workforce

A. Judicial Leadership Development

Judicial leadership plays a central role in addressing court delay by setting the tone, expectations, and priorities for how cases are managed. Strong leadership ensures that court resources are used effectively, caseflow is monitored proactively, and collaborative solutions are implemented to reduce bottlenecks. Developing leadership capacity among all judges, and particularly administrative judges, is essential to sustaining these efforts, as they are often responsible for establishing local rules, assigning duties, and guiding their courts through change.

Although the surveys did not directly solicit input concerning the role that judicial leadership plays in court operations, discussions on the various causes of delay would frequently include views that strong judicial leadership is a critical element in any court's endeavors to improve its operations.

Recommendations

28. Prioritize Judicial Leadership Education.

The Supreme Court should make judicial leadership development a top priority by promoting educational resources and leadership development opportunities specifically tailored to administrative judges. These offerings help judicial leaders sharpen their management skills, strengthen their understanding of caseflow principles, and foster innovation in their local courts. While the Ohio Judicial College already provides education on judicial leadership for new judges and within the annual Administrative Judges seminar, this should be examined and amplified. Investing in judicial leadership is ultimately an investment in court performance, access to justice, and public trust. The Judicial College should develop judicial leadership offerings.

29. Reinforce the Importance of Judicial Independence as a Foundational Principle for Demonstrating Sound Judicial Leadership.

Judicial independence is essential to a well-functioning justice system and plays a critical role in minimizing unnecessary delay. Judges who are empowered to make impartial decisions free from undue influence or administrative interference are better positioned to manage their dockets efficiently and resolve cases without delay. The Supreme Court should explore educational opportunities to foster judicial leadership that reinforces this independence through the cultivation of a culture of accountability, transparency, professionalism, and decisiveness on the bench, all of which contribute to improved caseflow and public confidence in the courts.

30. Promote the Use of the Supreme Court’s Judicial Mentoring Program.

The Supreme Court should continue to promote the value of the Ohio Judicial College’s judicial officer mentoring program in order to further leadership skills of the Ohio judiciary. As a component of the New Judges Orientation curriculum project, the Judicial College, starting in March 2025, began a comprehensive review of the program and will incorporate enhancements as they are identified. The Civil workgroup in particular identified this as a resource where mentor judges who are high performers can reinforce the importance of timely, efficient justice and connect their mentee judge with resources and best practices.

B. Judicial Officer Resource Levels

When judicial officer resource levels are inadequate, courts may experience backlogs, extended timelines for hearings and decisions, and diminished capacity for effective case management, all of which can hinder the timely administration of justice. Both the Criminal and Civil workgroups identified the insufficient number of judicial officers in some jurisdictions as a significant contributor to delay. One quarter (25%) of judiciary survey responders from urban areas indicated that courts had insufficient numbers of judicial officers. This view was shared by attorneys practicing civil litigation.

Recommendation

31. Implement Updates to the Supreme Court’s Caseload Statistical Reporting Program.

When evaluating proposals to alter a court’s organizational structure or number of judgeships, Supreme Court staff typically prepare a report analyzing the court’s caseload using data submitted under [Sup.R. 37](#) as part of the Supreme Court’s caseload statistical reporting program. The Advisory Committee on Case Management is currently undertaking a comprehensive review of that statistical reporting program, including an examination of the case type framework and associated workload measures. The Supreme Court should consider adopting enhancements to the reporting program that offer deeper insight into judicial and court workload. These updates would also better equip local courts to make informed decisions regarding magistrate staffing and other resource needs.

C. Clerk’s Office Staffing Levels

One-third (33%) of judiciary survey respondents working in urban courts cited high levels of clerk’s office staff turnover as a major concern. Judges that serve as ex officio clerks of court, appointed clerks of court, and elected clerks of court play a vital role in the timely processing of court documents, filings, and records, functions that are essential to keeping cases moving efficiently. When these offices are understaffed or experience high turnover, delays in docketing, notice issuance, and case updates can occur, creating ripple effects throughout the justice system. Focusing on staff retention and ensuring employees are well-trained helps preserve institutional knowledge and supports consistent, reliable service to the courts and the public.

Recommendation

32. Support Clerk's Office Staff Retention.

Judges that serve as ex officio clerk, or who appoint a clerk, should explore opportunities to address staff retention challenges. Collaborative efforts might include reviewing compensation levels, promoting professional development opportunities, or improving working conditions. Strengthening clerk's office staffing helps ensure the efficient processing of cases and supports the overall functioning of the court. The judges of the local courts with elected clerks of court should consider partnering with their clerks to explore opportunities to apply these same strategies for retention.



III. Attorney Workforce

A. Attorney Shortages

A shortage of available attorneys, particularly in rural and underserved areas, can significantly hinder the efficient and expeditious management of cases. When courts struggle to appoint counsel or parties face delays in securing legal representation, hearings are postponed, deadlines extended, and case progression stalls. This lack of attorney availability contributes directly to prolonged case timelines and limits the court's ability to move matters forward in a timely manner. The results of the surveys indicate that attorney shortages are pervasive and contribute in a significant way to delay. In the judiciary survey, 37% of responders identified the lack of attorneys, generally, as a major concern.

In 2025, the Ohio General Assembly enacted House Bill 96 (135th General Assembly) which changed R.C. 3333.132 by establishing a new threshold for determining a county's eligibility to be identified as underserved in the Ohio Department of Higher Education's [Rural Practice Incentive Program](#) under R.C. 3333.131. Under the new legislation, the statute defines counties as underserved if the ratio of attorneys to the population in the county is equal to or less than one attorney to 1,500 residents. The concerns over a shortage of attorneys in Ohio was not limited to rural areas. The survey results and workgroup discussions indicated that this is a widespread problem affecting courts in urban and suburban areas as well.⁵

5 Ohio State Bar Association. *Report of the Ohio State Bar Association Rural Practice Gap Task Force*. <https://www.ohiobar.org/globalassets/advocacy/access-to-justice/report-of-the-rural-practice-gap-task-force.pdf>

Recommendations

33. Continue Support of Rural Practice Opportunities.

The Supreme Court should continue to support initiatives that incentivize attorneys to practice in rural and underserved areas of Ohio. For example, in 2024, the Supreme Court adopted changes to the Rules for Government of the Bar of Ohio that streamline the process for admission to the Ohio bar, expand legal internship eligibility, and ease rules for out-of-state attorneys to practice in Ohio. Another important initiative is the Ohio Department of Higher Education's [Rural Practice Incentive Program](#), which provides financial incentives to attorneys who commit to serving in these communities. While the program may initially attract attorneys for short-term commitments, it also has the potential to foster long-term engagement, as attorneys build relationships and develop a deeper connection to the communities they had the opportunity to serve.

34. Encourage Courts to Promote Pro Bono Ohio.

In May 2025, the Ohio Access to Justice Foundation unveiled Pro Bono Ohio, an online platform connecting attorneys seeking to provide pro bono services with opportunities across the state. The foundation is currently planning to expand those opportunities to allow legal aid organizations and specialty legal service providers with the ability to list individuals seeking legal counsel in court matters. In its 2024 Pro Bono Report, the foundation highlighted that based on their survey findings, Ohio attorneys donated on average 1,656 hours of their time every week to advise low-income individuals on their legal needs. The nearly 3,000 attorneys who responded to that survey logged a total of 86,161 pro bono hours.⁶ The Supreme Court should ensure that courts across Ohio and their communities' legal aid organizations are aware of the foundation's new Pro Bono Ohio service and promote it as a means of connecting parties with counsel.

35. Explore Opportunities to Partner with the Ohio State Bar Association to Encourage Law Students to Consider Careers in the Courts.

The Supreme Court should continue partnering with the Ohio State Bar Association (OSBA) to explore additional opportunities to expand the pool of attorneys available to assist parties appearing before the courts across the entire state. Courts in urban areas of Ohio are not immune to the attorney shortage issue. The OSBA should also be encouraged to promote opportunities for law students to work as interns in local courts where they can gain firsthand experience observing the important work impacting people's lives. This exposure may lead some students to explore career opportunities in the courts. The Supreme Court adopted in April 2024 changes to Rule II of the Rules for the Government of the Bar that expand legal internship opportunities to include those students who have received at least one-third of their total hourly academic credits required for graduation.

6 Ohio Access to Justice Foundation. *2024 Pro Bono Ohio Report*. <https://www.ohiojusticefoundation.org/lawyers/pro-bono/probonoreports-2024>

36. Collaborate with Other Organizations to Expand Attorney Recruitment and Outreach Initiatives.

The workgroups stressed the importance of promoting the legal profession and investing in the next generation of attorneys. This includes engaging college and law students through internships, court observation opportunities, and mentorship programs. The Supreme Court should explore additional opportunities with its state-level justice partners and Ohio law school leadership to encourage practicing before Ohio's courts. It should also be noted that the Supreme Court's Advisory Committee on Children and Families, through its Subcommittee on Family Law Reform Implementation, is actively examining this issue and may offer complementary recommendations for addressing the attorney workforce pipeline.

37. Expand Use of Remote Technology to Enlarge Pool of Available Attorneys.

The Supreme Court should continue to promote the use of remote technology to facilitate attorney participation in court proceedings, particularly in jurisdictions that may be geographically inconvenient or underserved. Members of the Civil workgroup, including participating judges, noted that many courts already conduct certain hearings by telephone or video, increasing efficiency and reducing travel burdens for legal practitioners. The workgroups recommend further expansion and standardization of remote appearance practices to make it more feasible for attorneys to serve clients across a wider geographic area, especially in courts facing attorney shortages. Broadening the use of remote participation can help alleviate access issues and support more timely resolution of cases statewide.

B. Appointed Counsel Fee Rates

The workgroups identified appointed counsel fee rates as a factor affecting the ability of local courts to attract attorneys willing to accept court-appointed cases. In particular, low hourly rates and reimbursement caps were seen as contributing to attorney shortages in certain jurisdictions.

In the attorney survey, 48% of attorneys practicing before Ohio's courts of appeals and 53% of those practicing in trial courts identified inadequate appointed counsel fee rates as a major cause of delay, noting that low compensation serves as a disincentive for accepting court appointments. This concern was echoed in the judiciary survey, where 32% of respondents also cited low appointed counsel fees as a significant contributor to delays in case progression.

As of the current fiscal year, the state reimbursement rate for appointed counsel is 78%, but a March 2025 memorandum from the Office of the Ohio Public Defender announced that the rate would increase to 93% for the remainder of the fiscal year. The standard reimbursement rate is \$75 per hour for all non-capital case work and \$140 per hour for capital cases, subject to local court approval. While capital cases have no reimbursement cap, all other case types are subject to caps defined by local fee schedules.

Currently, federal court appointments compensate attorneys at \$175 per hour for non-capital cases, a rate more than double Ohio's reimbursement rate for non-capital cases.⁷ This disparity creates a financial disincentive for attorneys to accept appointments in state courts and contributes to the overall shortage of available counsel. Beyond compensation, it bears noting that all federal district courts use PACER (Public Access to Court Electronic Records), a centralized online system used to file and access case documents. Its uniformity and convenience make it easier for attorneys to manage multiple cases in different jurisdictions, reducing administrative burden. This streamlined access can serve as an incentive for attorneys to accept federal court appointments over state ones, where filing systems may vary widely and be less efficient.

Recommendation

38. Encourage Judges to Convene Local Justice Partners to Address Attorney Shortages.

The Supreme Court should encourage judges to convene their local justice partners to collaboratively identify practical, local solutions to attorney shortages. These conversations could reveal region-specific barriers and opportunities. The role of judicial leadership in initiating and facilitating these discussions is essential to ensuring continued access to representation and maintaining the integrity of court operations.

See also the Appellate Court-Specific Matters section of this report for a discussion concerning attorney shortage issues in the courts of appeals.

7 United States Courts Guide to Judiciary Policy, Vol. 7 - Defender Services. Chapter 2, § 230: Compensation and Expenses of Appointed Counsel. https://www.uscourts.gov/administration-policies/judiciary-policies/guidelines-administering-cja-and-related-statutes-6#a230_16

IV. Other Case Participants

A. Guardians ad Litem and Court Appointed Special Advocates

In family law cases, by independently investigating the child’s circumstances and speaking for the child’s best interests, guardians ad litem (GAL) and court appointed special advocates (CASA) help narrow the disputed issues, encourage earlier settlements, and keep the litigation on a predictable schedule. Research from Ohio CASA found that children appointed a CASA spent less time in out-of-home care and reached permanency faster, demonstrating how timely, high-quality advocacy translates into shorter case lifecycles.⁸

In the attorney survey, 20% of attorneys practicing in the family law area and 20% of judiciary survey responders overall and more than one-quarter of judiciary survey respondents practicing in family law courts cited the lack of guardians ad litem and court appointed special advocates as a major source of delay.

Recommendation

39. Promote the Use of Guardians ad Litem and Court Appointed Special Advocates.

The Supreme Court should continue to promote the use of GALs and CASA in juvenile abuse, neglect, and dependency court proceedings and explore ways to assist local courts with identifying people willing to perform these important functions. A key resource for the Supreme Court to promote is its [Guardians ad Litem Programs Judicial Guide](#) toolkit, which contains a variety of resources concerning recruitment and education as well as information to ensure program accountability.

Newly licensed attorneys are one potential source for individuals seeking to be GALs. New attorneys often apply to be on the court-appointed list as a means of generating revenue and gaining experience. The Supreme Court’s pre-service education is free and provides continuing legal education credit; therefore, the investment for new attorneys is minimal. Reaching out to a local bar association to speak at bar meetings or other events is a useful way of reaching attorneys who may be new to the practice of law or to the community.

In addition, courts can expand their pool of GALs by partnering with nearby law schools. Many schools offer family law courses or host student-led family law associations, which provide opportunities for courts to present on their GAL programs and engage with aspiring attorneys. Some institutions may also operate legal clinics or employ legal interns interested in volunteering as GALs. Under [Sup.R. 48 through 48.07](#), law students serving in this capacity are considered non-attorney GALs.

8 Crane, Dushka, & Bailey, Emily. (Aug. 31, 2023). *Ohio CASA evaluation: Final report*. Ohio Court Appointed Special Advocates & Ohio Government Resource Center. <https://ohiocasa.org/wp-content/uploads/2023/10/CASA-Evaluation-Final-Report-8-31-23.pdf>



Importantly, GALs do not need to be attorneys. Courts may also recruit counselors, social workers, retired teachers, or other individuals with relevant experience working with families and children. Outreach at community events and presentations to civic or professional organizations can be especially helpful recruitment strategies, particularly in smaller jurisdictions where the number of available attorneys may be particularly limited.

B. Language Services

Qualified interpreters play a critical role in ensuring that individuals with limited English proficiency or who are deaf or hard of hearing can fully participate in court proceedings. Their presence upholds due process, prevents misunderstandings, and helps ensure that all parties understand their rights, obligations, and the outcome of their cases. A lack of qualified interpreters can cause significant delays by forcing courts to reschedule hearings or prolong proceedings until appropriate language services are available, disrupting caseload and impeding timely access to justice.

In the judiciary survey, 22% of respondents working in courts in urban areas cited a lack of qualified interpreters as a major source of delay. However, demands on assistance from the Supreme Court's Language Services Section suggest that this concern is widespread and not limited to urban areas.

Recommendation

40. Promote Existing Resources Supporting Courts Requiring Interpreters.

To reduce interpreter-related delays, the Supreme Court should encourage local courts to take full advantage of the resources offered by the Supreme Court's Language Services Section. This includes promoting the use of qualified interpreters from the statewide roster, utilizing telephonic and video remote interpreting services to expand access, particularly in rural or high-demand areas, and supporting participation in training and certification programs for both contract and staff interpreters.

V. Self-Represented Parties

A. Self-Represented Parties

Self-represented parties are a growing segment of court users across Ohio and the nation. While these individuals have the legal right to represent themselves, navigating the complexities of court procedures without legal training can often lead to errors, missed deadlines, and procedural delays that affect not only their own cases but also the efficiency of the broader court system. By proactively accommodating and supporting self-represented parties through accessible resources and user-friendly processes courts can help ensure that cases involving self-represented parties proceed more smoothly. These efforts not only promote fairness and access to justice but also serve as a practical strategy for reducing avoidable delays in case processing.

Self-representation is largely driven by economics and the lack of affordable legal services. In an adversarial system with complex rules, self-represented parties forced to proceed alone are disadvantaged. Ineffective self-representation also hampers a court's ability to properly decide cases on their merits and expeditiously process cases, creating backlogs. The evolving impact of self-representation on the courts continues to be a topic of study by national court observers. "The National Center for State Courts' 2015 Study of the Landscape of Civil Litigation brought into sharp focus the large number of civil cases in which plaintiffs are represented but defendants are not."⁹

Issues with self-represented parties contributing to delay was seen as a major issue among both trial attorneys (25%) and appellate attorneys (20%). In addition, among judiciary survey respondents, 29% of magistrates indicated that self-represented party issues give rise to significant delay, especially in the context of family law cases, where self-representation is common. The workgroups identified several strategies to more effectively manage cases involving self-represented parties, recognizing that targeted support for these individuals can reduce procedural errors and avoidable delays.

Recommendations

41. Continue Supporting Online Resources for Self-Represented Parties.

The Supreme Court should continue with the work it has already undertaken in its [Access to Justice webpage](#) and a [bench card](#) to assist judicial officers in working most effectively with self-represented parties. In addition, [Ohio Legal Help](#) has developed an accessible website featuring legal resources tailored to self-represented parties.

9 *A Unified Theory of Civil Case Management*, Judicature, Vol. 107, No. 1, Bolch Judicial Institute, Duke University School of Law, at 40 (2023), citing Hannaford-Agor, Paula L., *Landscape of Civil Litigation in State Courts*, National Center for State Courts (2015). <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1026&context=judicature>

42. Promote Limited Scope Representation.

The Supreme Court should partner with appropriate external agencies such as the Ohio Access to Justice Foundation to explore additional opportunities to promote limited scope representation, which allows a lawyer to limit the scope of legal services provided to a client, either in or out of court. Limited scope representation can also be called “unbundling of legal services” or “a la carte legal services” because the lawyer is only performing a specific set of legal tasks as determined by the client. The limited representation must be reasonable, communicated to the client, and must be performed at the same level of competency by the lawyer as they would if they were engaging in full scope representation. Limited scope representation benefits clients, lawyers, and courts. Clients gain access to legal services they would not otherwise have been able to afford; lawyers earn income from representation that they may not have otherwise earned; and courts benefit from greater case management efficiency.

43. Identify and Promote Innovative Practices Support Self-Represented Parties.

The Supreme Court should continue to identify and promote in its online materials promising practices being done across the state that support self-represented parties. Local courts across Ohio have begun developing innovative approaches to assist self-represented parties. For example, the Cuyahoga County Court of Common Pleas, Domestic Relations Division has established an [online self-help center](#), while the Muskingum County Court of Common Pleas, Domestic Relations Division partners with a local legal aid clinic that visits the courthouse monthly. During these site visits, volunteer attorneys assist parties in ensuring that all required documents are properly completed and submitted.

44. Promote the Use of Mediators or Online Dispute Resolution Services to Facilitate Agreed Orders in Domestic Relations Cases.

A promising solution discussed by the workgroups involves facilitating the preparation of agreed orders in domestic relations cases where both parties are self-represented. This could include the use of mediators or online dispute resolution platforms to streamline the process and reduce the likelihood of disputes that prolong case timelines.

45. Continue Monitoring Emerging Technologies in Support of Self-Represented Parties.

The Supreme Court should continue to monitor emerging technologies being developed in jurisdictions in Ohio and in other states. For example, tools such as Philadelphia Municipal Court’s [Tenant/Landlord Digital Assistant](#) and [Consumer Debt Collection Information Bot](#) are designed to support self-represented parties through document assembly and guided court processes. These technologies offer potential models for innovation in Ohio courts.

See also the Appellate Court-Specific Matters section of this report for a discussion concerning self-represented parties in the courts of appeals.



VI. Evidence Management

A. Third-Party Evaluations and Testing

Third-party evaluations such as forensic testing, substance use assessments, and mental health evaluations play a critical role in informing judicial decisions, particularly in criminal and domestic relations cases. However, delays in obtaining these evaluations can significantly stall case progression. Timely access to these evaluations is essential for ensuring due process, protecting public safety, and avoiding unnecessary continuances.

Both the Criminal and Civil workgroups identified delays in third-party evaluations and testing as major contributors to delays, a concern echoed across survey responses. Among attorneys, 34% cited delays in forensic evidence testing, 33% in mental health evaluations, and 22% in substance use disorder evaluations as significant concerns. Judicial respondents shared similar views, with 36% identifying mental health evaluation delays and 32% citing forensic evidence testing delays as major causes of delay.

“Not only should court leaders be aware of its customers’ experiences, they also should coordinate with other governmental agencies to effect efficient caseload management. Court leaders must be attentive to the institutional concerns of the different public and private organizations that are involved each day in the court process if caseload management improvement efforts are to have support.”¹⁰

Recommendations

46. Identify and Promote Forensic Testing and Evaluation Resource Sharing Across Counties.

The Supreme Court should identify and promote examples of resource sharing across counties. For example, the Criminal workgroup discussed an initiative in Muskingum County where the court partnered with a neighboring jurisdiction to improve lab testing turnaround times. By helping to fund the purchase of a second laboratory machine at the regional testing center, the county was able to reduce wait times for toxicology results, a key factor in resolving many low-level drug and narcotics cases.

47. Confer with the Ohio Attorney General’s Office and Other Laboratory Service Providers on the Advancing Timeliness in Ohio Courts Initiative.

The Criminal workgroup identified issues in obtaining timely forensic testing results as one of the most significant contributors to delay in the criminal justice system. Testing backlogs often result in cases lingering in the system, particularly in low-level drug offenses, where timely lab results are critical for case progression. As such, the Supreme Court should share this report with the Ohio Attorney General’s Office to raise awareness and explore opportunities for statewide solutions. Where testing services are performed by laboratories not under the control of the Bureau of Criminal Investigation, leadership of the organizations operating those laboratories would need to be involved as well.

¹⁰ Steelman, p. 3

48. Collaborate with the Ohio Department of Behavioral Health to Enhance Efficiencies in Referrals for Competency Evaluation Referrals.

The Supreme Court should engage with the Ohio Department of Behavioral Health (DBH) (formerly the Ohio Department of Mental Health and Addiction Services) to better understand existing resources and successful strategies that have helped some courts reduce delays in mental health evaluations. Courts that have implemented effective practices could serve as models for others. Regarding mental health evaluations, data from DBH shows an 18% increase in the number of evaluations between 2023 and 2024. Although Ohio law prescribes a 30-day timeframe for forensic evaluations, representatives from many jurisdictions reported difficulty in consistently meeting this standard. Currently, there are ten certified forensic centers across the state. While 25 additional evaluators were added in the past fiscal year helping to improve turnaround times, the need for additional evaluator capacity remains evident. According to information provided to the Supreme Court by DBH, in Fiscal Year 2024, over 60% of people subject to competency to stand trial evaluations funded by DBH were found competent. Accordingly, the Supreme Court should partner with DBH to develop and provide education to attorneys and the courts to ensure the judicious use of forensic evaluation resources. Work being done at the national level may assist in moving Ohio forward in addressing this important issue.¹¹ The Supreme Court could develop an educational resource or implementation guide that provides general best practices for managing evaluation requests and reducing associated delays.

49. Enhance Collaboration Between Local Courts and Forensic Evaluation Centers.

To reduce court delays associated with court-ordered forensic evaluations, the Supreme Court should seek ways to strengthen the local courts' collaboration with Ohio's regional Forensic Evaluation Centers. These centers play a critical role in providing timely, high-quality competency and sanity evaluations, which are essential to moving criminal cases forward. The Supreme Court should encourage courts to engage proactively with their regional forensic center director, understand the referral process, and promote efficient practices, such as limiting unnecessary referrals and avoiding routine requests for second and third opinions. Additionally, training attorneys and judges on appropriate use of motions for evaluation and exploring diversion alternatives when appropriate could help ensure that forensic resources are reserved for cases where they are truly needed.

11 The CSG Justice Center, *Just and Well: Rethinking How States Approach Competency to Stand Trial* (New York: the CSG Justice Center, 2020), <https://csgjusticecenter.org/wp-content/uploads/2020/10/Just-and-Well27OCT2020.pdf>.

B. Body-Worn Camera Video Evidence

Police body-worn camera video serves as critical evidence in court proceedings, providing objective documentation of events, interactions, and conduct that can clarify facts and support the fair administration of justice. When production of body-worn camera video is delayed, it can stall case preparation, hinder pretrial resolution, and contribute to unnecessary continuances. Nearly 55% of judiciary survey respondents who work in urban courts cited delays in obtaining body-worn camera video as a major source of delay in criminal cases. The Criminal workgroup identified this as a significant issue across all areas of the state.

Recommendation

50. Encourage, Identify, and Promote Promising Practices Concerning Body-Worn Camera Video Evidence Management.

The Supreme Court should continue exploring ways to support courts in efficiently acquiring body-worn camera video evidence. This could entail encouraging judges to convene local criminal justice partners, including leadership from local law enforcement agencies, to discuss barriers and challenges to the timely sharing of body-worn camera video evidence. Additionally, the Supreme Court could identify and highlight courts that have successfully collaborated with local law enforcement and prosecutor's offices to address this challenge and promote these partnerships as promising practices that can be replicated across the state.



VII. Technology

A. Case Management Systems

Case management systems, when under-resourced or lacking in functionality, hinder the courts' ability to manage cases efficiently, track deadlines, and share information with justice partners. Both the Civil and Appellate workgroups, along with judiciary survey respondents, identified outdated or inadequate case management systems and limited funding as significant contributors to court delays. Nearly one-quarter (23%) of respondents from urban courts cited this as a major concern, as did 22% of respondents from family law courts.

Recommendations

51. Encourage Participation in Technology-Focused Education.

The Supreme Court should encourage judges, magistrates, and court staff to attend educational opportunities that showcase court technology solutions. Such opportunities may include professional conferences including the Ohio Judicial Conference's Court Technology Conference and the National Center for State Courts' Court Technology Conference. These events offer direct exposure to case management vendors, live product demonstrations, and implementation success stories from other jurisdictions.

52. Develop Case Management System Standards.

The Supreme Court should explore the development of statewide data standards for case management systems through its Commission on Technology and the Courts. These standards would define common data elements, functionality, and reporting formats that case management system vendors operating in Ohio could adopt to make their systems more marketable. Establishing a baseline for uniformity would facilitate improved data sharing, statewide analytics, and performance reporting, while still allowing courts the flexibility to choose a case management system that meets their local needs.

53. Support Cross-Court Learning on the Use of Technology.

The Supreme Court should enhance its role as a statewide clearinghouse for information on court technology practices, helping local courts learn from one another's experiences. By collecting, curating, and sharing examples of innovative technology use, including but not limited to the Supreme Court's Technology Inventory Survey data, the Supreme Court can support informed decision-making and promote more consistent and effective technology adoption across Ohio's courts.

B. Online Dockets and Related Services

Online dockets provide timely, transparent access to case information for attorneys, parties, and the public, reducing the need for in-person or phone inquiries. They help keep all parties informed of filings, hearings, and decisions, improve efficiency, reduce administrative workload, and support the fair and timely progression of cases. An area of concern identified by the workgroups is the limited availability and functionality of online court dockets, particularly in rural areas of the state. In many jurisdictions, attorneys do not receive electronic notifications when a decision is issued or a filing occurs, resulting in delays and additional administrative burden.

Recommendations

54. Educate and Promote Online Dockets.

The Ohio General Assembly has sought to address the lack of online dockets by passing statutory reforms that require courts to make their dockets available online. House Bill 567 (134th General Assembly) revised R.C. 2303.12 to require clerks to make records available for the general civil dockets for common pleas courts, excluding domestic relations, juvenile, and probate cases. House Bill 96 (136th General Assembly) expanded this requirement to criminal and probate dockets for common pleas courts and has not yet taken effect.¹²

The Supreme Court should educate common pleas courts and clerks about these new statutory requirements and identify best practices to ensure timely for implementation. It should also promote the value of implementing accessible, standardized online docket systems to improve transparency and timely access to court records to the leadership of municipal courts and common pleas courts, domestic relations and juvenile divisions. From a practitioner's perspective, these improvements would significantly reduce the need to call courthouses to check on the status of cases and manually obtain decisions. Expanding access to online dockets supports the broader goal of ensuring timely and equitable access to justice.

55. Develop Statewide Standards for Electronic Notifications.

The Supreme Court should explore a rule or the development of statewide standards for electronic case notifications, with the goal of ensuring that attorneys and parties receive timely updates as a matter of course. Such a measure would promote greater consistency across jurisdictions and reduce reliance on manual case-checking practices that contribute to inefficiencies and delays.

12 See [R.C. 2303.12\(D\)\(1\)\(b\)](#) and [R.C. 2101.11\(A\)\(1\)\(b\)](#).

C. Electronic Filing

Electronic filing (e-filing) is a critical tool for improving court efficiency, reducing paperwork, and ensuring more timely access to case information. It streamlines document submission for attorneys and parties, minimizes clerical errors, and allows courts to process filings faster, contributing to more consistent and predictable case progression. In the attorney survey, 25% of attorneys practicing in Ohio's trial courts and 22% of those practicing in the courts of appeals said that the courts have inadequate electronic filing capabilities which directly contribute to delay.

In 2024, Senate Bill 94 (135th General Assembly) was signed into law, requiring courts of common pleas, general and domestic relations divisions, municipal courts, and county courts to accept electronic filing as of July 21, 2025. The clerk of courts is permitted and considered compliant with this requirement by accepting emailed documents as a form of e-filing.

Recommendations

56. Promote the Use of Electronic Filing.

The Supreme Court should continue to promote the use of non-email electronic filing. Email submission lacks the functionality, security, and efficiency of a true e-filing system, which typically allows for automated docketing, document tracking, payment processing, and immediate access for all parties. Courts relying solely on email-based filing may continue to face administrative inefficiencies and delays that full-featured e-filing platforms are designed to eliminate. Staff should continue to engage with clerks through association meetings and other training events to provide valuable opportunities to share resources and success stories. For example, at a recent presentation, the Case Management Section highlighted a 2024 webinar entitled *Developing an Effective E-Filing System in Your Court*, available through OhioCourtEDU, which showcased how several courts have successfully reduced delays by investing in case management system upgrades to support electronic filing.

D. Funding Opportunities

Recommendation

57. Explore Funding Opportunities for Technology Solutions.

The Supreme Court should continue to identify and promote funding opportunities for courts to modernize their use of technology. Expanding access to funding can help courts implement systems that improve efficiency, enhance public access, and reduce delays in case processing.



VIII. Appellate Court-Specific Matters

The courts of appeals play a critical role in the Ohio judicial system by reviewing decisions made by trial courts to ensure they are legally sound and procedurally fair. As the primary avenue for error correction, their efficiency directly impacts the broader system. Delays at the appellate level can stall final resolution, prolong uncertainty for parties, and contribute to backlogs across both trial and appellate courts. Timely appellate review is essential to maintain public confidence in the justice system and support the overall flow of case processing.

In the attorney survey, 50% of attorneys involved in family law cases in the courts of appeals, and 22% of criminal defense attorneys practicing in the courts of appeals identified delays in the transmission of the lower court record as a major source of delay. In addition, the Appellate workgroup highlighted two additional issues contributing to significant delays in appellate proceedings. One involves incomplete record transmissions, particularly the omission of critical materials such as exhibits or documents maintained in separate, non-public files by the trial court, including pre-sentence investigation reports and psychological evaluations. These omissions often result in time-consuming requests for supplementation, which delay appellate review. The other issue related to variation among appellate districts in their practices related to granting extensions of time for filing briefs. While extensions are sometimes necessary, excessive or routinely granted extensions can delay the overall resolution of appeals and contribute to backlogs. Notably, some appellate districts have adopted practices that result in more timely completion of the briefing phase, demonstrating that greater efficiency is achievable.

Recommendations

58. Encourage Local Collaboration to Improve Transcript Timeliness.

The Supreme Court should convene a workgroup of appellate judges, local trial court judges, and court administrators to discuss recurring transcript delays and identify practical, collaborative solutions, including uniform procedural rules. These local conversations can foster mutual understanding of resource constraints, improve coordination, and lead to process improvements that reduce delay without the need for formal enforcement action.

59. Develop an Appellate Practice Guide for Timely Transmission of the Record.

To reduce delays associated with incomplete appellate records, the Supreme Court should promote greater uniformity in the handling of exhibits and non-public documents through the development of a best practices guide. This guide could include protocols for managing and transmitting exhibits and materials maintained in separate files, such as pre-sentence investigation reports and psychological evaluations, which are often omitted from the record. These best practices could be highlighted and discussed at the Supreme Court's clerks' roundtable sessions to raise awareness and encourage implementation. The resource could also recommend that attorneys request pre-sentence investigation

reports and psychological reports at the time the record is initially requested, and, where permitted, utilize electronic communication with the clerk's office to expedite the process when requesting supplemental materials.

60. Study the Legal and Practical Implications of Facilitating Access by Appellate Counsel and the Appellate Courts to Pre-Sentence Investigation Reports.

The Supreme Court's Advisory Committee on Case Management should undertake a review of the legal and practical implications surrounding appellate counsel's, and the appellate court's, access to pre-sentence investigation (PSI) reports pursuant to R.C. 2951.03. Inconsistent practices among appellate districts and uncertainties about record ownership and transmission procedures continue to contribute to delayed processing of criminal appeals. The Supreme Court should convene a workgroup to develop a uniform rule.

61. Explore Opportunities to Promote Uniform Electronic Appellate Record Sharing Across Counties.

The Supreme Court should explore opportunities to promote uniform electronic appellate record sharing across counties to improve the efficiency and consistency of appellate review by convening a workgroup to develop uniform rules of appellate practice and procedure. Standardized practices for transmitting records and transcripts electronically would reduce delays, minimize errors, and ease the burden on both trial and appellate courts. This effort should include careful consideration of how to handle confidential documents such as pre-sentence investigation reports that are essential for appellate review of sentencing decisions. Addressing this will likely require not only amendments to [App.R. 9](#) but also broader changes to the rules of practice and procedure to ensure that any document submitted to a judge is appropriately included and accessible in the appellate record, regardless of jurisdiction. Targeted funding will also be necessary to support counties that lack the technological infrastructure to implement these changes.

62. Expand and Standardize Mediation Programs in the Courts of Appeals.

There is significant variability among Ohio's appellate districts in the use and structure of mediation programs. While some districts have implemented effective mediation processes that help parties resolve disputes without full briefing and judicial review, others have limited or less formal mediation practices. To promote consistency, reduce caseload burdens, and improve access to early resolution, the Supreme Court should explore means to ensure that all appellate districts consider implementing or strengthening their mediation programs. Robust and well-structured appellate mediation can lead to more timely settlements, preserve judicial resources, and provide parties with a more collaborative and cost-effective resolution process. To accomplish this goal, the Supreme Court could work with the appellate courts to identify and share best practices from districts with successful mediation models and explore opportunities to support training, staffing, and procedural frameworks to expand mediation capacity statewide.

63. Promote Consistency and Timeliness in Briefing Schedules Across Appellate Districts.

To reduce unnecessary delays and promote consistency across the twelve appellate districts, the Supreme Court should engage with leadership in the districts and evaluate their current briefing extension policies and consider adopting standardized guidelines for granting extensions. These guidelines could include criteria for evaluating requests, presumptive timeframes, and limits on the number or duration of extensions. Sharing promising practices from districts with more efficient briefing timelines could further support consistency and help ensure that appeals are resolved in a more timely and predictable manner.

64. Offer Continuing Legal Education Incentives for Attorneys Practicing in the Courts of Appeals.

Appointed counsel fee rates can discourage attorneys from accepting assignments, further straining access to qualified legal representation and contributing to delay. To help address this challenge in the courts of appeals, the Supreme Court should explore the feasibility of offering free or subsidized continuing legal education (CLE) credits to attorneys who accept court-appointed appellate cases. This incentive could serve as a meaningful form of professional support and recognition, helping to encourage greater attorney participation in appellate work, particularly in regions where shortages are most acute. By tying CLE incentives to active appellate practice, the Supreme Court can promote both attorney engagement and competency, while also supporting the timely advancement of appeals.

65. Develop a Self-Represented Party Guide for Appellate Procedures.

The Supreme Court should encourage each appellate district to create a self-represented party resource guide that is tailored to meet the needs of the self-represented parties appearing before them. At least two Ohio districts have already developed such guides. Using these as a foundation, each appellate district could customize a core resource guide by incorporating local rules and practices and post the final version on the district's website to improve accessibility. The districts could share their guides with the Ohio Department of Rehabilitation and Correction to ensure that incarcerated individuals intending to file documents without legal representation can access the information. The guide could be accompanied by a checklist of filing requirements and distributed through professional legal organizations, clerk associations, and roundtable discussions to raise awareness and encourage consistent use. The guide could include specific reference to [App.R. 9](#) emphasizing the appellant's responsibility to request the trial court transcript. A lack of awareness on this point frequently results in unnecessary delays.

66. Develop Rule to Ensure Complete and Timely Transcript Production in Juvenile Bindover Appeals.

The Supreme Court should explore amending the Rules of Appellate Procedure to require the automatic production of transcripts from both the juvenile court's proceedings as well as the general division's proceedings at the initial stage of appeals in juvenile bindover cases. Currently, appellate counsel often must file a motion under [App.R. 9\(E\)](#) to supplement the record, causing avoidable delays in these time-sensitive matters. The Supreme Court should partner with the Ohio State Bar Association and other organizations providing education to attorneys practicing in this area to ensure that attorneys are aware of the amended rule and understand their responsibility to proactively confirm the completeness of the appellate record, thus minimizing unnecessary delays and ensuring prompt resolution of juvenile bindover appeals.

67. Develop Potential Rule Change to Expedite Concession of Error Cases.

The Supreme Court's Advisory Committee on Case Management should establish a subcommittee to consider recommending a rule change that would require parties to promptly notify the court when in their brief if one makes a concession of error. The aim of such a rule would be to reduce delays in conceded-error cases, minimize the burden on court staff, and ensure more timely relief for appellants in cases where legal error is acknowledged early in the appellate process. The Sixth District Court of Appeals has implemented a local rule, [Loc.R 10\(H\)](#), that accomplishes this purpose, which may serve as a model for the advisory committee's review

Appendix A:

Views of the Ohio Judiciary on the Causes of Delay
A Report on a Survey of Judges, Magistrates,
and Court Administrative Staff





THE SUPREME COURT *of* OHIO COURT SERVICES

Views of the Ohio Judiciary on the Causes of Delay A Report on a Survey of Judges, Magistrates, and Court Administrative Staff

In order to gain a better understanding of the ways in which Ohio courts are experiencing delay in the timely management of their cases, Chief Justice Sharon L. Kennedy directed the Supreme Court of Ohio's Office of Court Services to survey judges, magistrates, and court administrative staff in all courts across the state.

Survey Implementation

On April 23, 2024, Chief Justice Kennedy sent a letter via email to all judges, magistrates, and court administrators reminding them of the various provisions of the Supreme Court's caseload statistical reporting program that permit courts to place cases on inactive statistical reporting status when certain conditions arise. Placement of a case on inactive statistical reporting status entails tolling the calculation of case age against the Supreme Court's case processing time standards promulgated under Sup.R. 39. Contained in that communication was a request for the recipients to respond to an online survey concerning the causes of delay.

On April 24, 2024, staff in the Office of Court Services sent an email to members of the Ohio Association for Court Administration (OACA) email listserv, providing them with a link to the survey. On April 30, 2024, staff in the Office of Court Services sent an email to all judges, magistrates, and court administrators reminding them of the survey and again providing the link. Finally, a link to the survey was included in the judges' quarterly docket status updates sent via email to judges and court administrators by the Office of Court Services on May 16, 2024. On May 31, 2024, the survey was closed.

Survey Design

The main part of the survey consisted of 53 items describing specific potential sources of delay. Responders were asked to rate how much each item contributed to delay in their court using a five-level Likert scale ranging from "A Great Deal" to "Not at All". A "Not Applicable" option was available in the event the subject matter was not germane to the jurisdiction of the responder. The items were grouped into ten sections based on their general topic area. At the end of each section, responders were asked to describe solutions their court had implemented or is considering implementing to address the sources of delay raised in that section.

At the end of the survey, responders were asked to identify the primary causes of delay in their court that, if solved, would have the biggest impact on delay reduction. They were also asked

to identify barriers that prevent solutions to the primary causes of delay from being effectively implemented.

Although the survey was anonymous, responders had the option to identify themselves. Responders were asked to identify their professional role (i.e., judge, magistrate, or court administrative staff), the general territory of their court (i.e., rural, suburban, urban/suburban, or urban), and their court's subject matter jurisdiction (i.e., common pleas general, domestic relations, juvenile, probate, municipal/county, or appellate).

A copy of the survey instrument can be found in Appendix A.

Summary of Key Findings

More than one quarter of Ohio's judges and magistrates responded to the survey, many providing additional details and expert insight through their responses to the various open-ended questions. In total, 469 court professionals shared their diverse perspectives on the causes of delay. Although many causes are common across the courts, the survey results highlighted issues that vary significantly based on whether the court serves an urban or rural area or whether the court has family law jurisdiction or civil and criminal jurisdiction.

Shown in Table 1 are the sources of delay that were cited as major issues (i.e., responders selected either "A Great Deal" or "A Lot") by at least 20% of responders across all locations and subject matter jurisdiction types.

Table 1. Items with at Least 20% of Responders Selecting Either "A Great Deal" or "A Lot"

Item	Percent Saying "A Great Deal" or "A Lot"
Overcrowded attorney calendars.	47.9%
Unavailability of attorneys, generally.	36.7%
Delay in getting mental health evaluations completed.	36.1%
Attorneys unprepared to proceed with trial.	35.4%
U.S. Postal Service COVID practices resulting in unperfected service.	34.9%
Unavailability of appointed counsel.	32.3%
Delay in forensic evidence testing.	32.0%
Challenges in coordinating schedules of witnesses and other case participants.	29.5%
Defendants and other parties' failure to appear.	28.4%
Increasing case complexity.	28.2%
Inadequate time on calendar for judicial officers to dedicate to decision writing.	24.6%
Inadequate or incomplete praecipes for service.	23.6%
Overcrowded court calendars.	20.9%
Getting timely discovery from prosecutor on criminal cases.	20.6%

Additionally, at least 20% of responders in courts with civil and criminal jurisdiction cited the following additional items as major factors contributing to delay:

- A lack of qualified interpreters.
- Insufficient assistant prosecutor staffing levels.

At least 20% of responders in courts with family law jurisdiction cited the following additional items as major factors contributing to delay:

- A lack of collaboration between judicial officers in multi-judge courts.
- Inconsistent enforcement of case management policies between judicial officers in multi-judge courts.
- The lack of Guardians ad Litem or CASA volunteers.
- Inadequate support resources for self-represented litigants.
- Insufficient or antiquated case management systems and a lack of funding to acquire a new or upgraded case management system.

Response Rates and Responder Demographics

Of the 711 judges invited to respond, 193 did so, producing a response rate of 27.1%. Of the 865 magistrates invited to respond, 197 did so, producing a response rate of 22.8%. A total of 256 court administrators received the direct email communications from Chief Justice Kennedy and the Office of Court Services. An unknown number of court administrative staff received the link either directly through the OACA listserv or indirectly from a colleague. Accordingly, we are unable to calculate a response rate for court administrative staff. A total of 79 court administrative staff members responded to the survey. In total, 469 individuals responded. See Table 2.

Table 2. Response Rates by Professional Role

Role	Recipients	Responders	% of Total
Judges	711	193	27.1%
Magistrates	865	197	22.8%
Court Administrative Staff	Unknown	79	Unknown
Total		469	

Table 3 shows responder demographics by subject matter jurisdiction and professional role. Of the 469 total responders, 41.2% were judges, 42.0% were magistrates, and 16.8% were court administrative staff. In terms of subject matter jurisdiction, the largest number of responders (213, or 45.4% of the total of 469) were from a court with civil and criminal jurisdiction only (i.e., either a court of common pleas with only general jurisdiction or a municipal or county court.) A total of 189 responders (40.3%) were from a court with one or more forms of family law jurisdiction (e.g., domestic relations, juvenile, probate, or some combination of that subject matter), and no civil or criminal jurisdiction. Responders from a court with a mix of civil, criminal, and family law jurisdiction (e.g., a court of common pleas with general and domestic relations jurisdiction) constituted 9.4% of responders.

Table 3. Responder Demographics by Subject Matter Jurisdiction and Professional Role

Jurisdiction	Judges		Magistrates		Court Admin. Staff		Total	% of Total
	Number	% of Total	Number	% of Total	Number	% of Total		
Civil and Criminal Only	117	60.6%	62	31.5%	34	43.0%	213	45.4%
Family Law Only	44	22.8%	119	60.4%	26	32.9%	189	40.3%
Civil, Criminal, Family	21	10.9%	12	6.1%	11	13.9%	44	9.4%
Appellate	7	3.6%	2	1.0%	4	5.1%	13	2.8%
Unknown	4	2.1%	2	1.0%	4	5.1%	10	2.1%
Total	193	100.0%	197	100.0%	79	100.0%	469	100.0%
% of Total	41.2%		42.0%		16.8%		100.0%	

Table 3, above, also shows the proportion of total responders for each professional role that were from each type of subject matter jurisdiction. For example, 119 of the 197 magistrates that responded to the survey (60.4%) were working in courts with only family law jurisdiction. Of the 193 judges who responded, a total of 117 (60.6%) had only civil and criminal jurisdiction.

Table 4 shows the responder demographics by territory of the court and professional role. Among the 193 judges who responded to the survey, the largest subgroup (35.8%) identified their courts as being in an urban/suburban setting. Nearly half of magistrates (47.7%) identified their courts as being in an urban/suburban setting. Interestingly, the largest subgroup of court administrative staff (45.6%) said their courts were in rural settings.

Table 4. Responder Demographics by Territory and Professional Role

Territory	Judges		Magistrates		Court Admin. Staff		Total	% of Total
	Number	% of Total	Number	% of Total	Number	% of Total		
Rural	67	34.7%	49	24.9%	36	45.6%	152	32.4%
Suburban	32	16.6%	36	18.3%	14	17.7%	82	17.5%
Urban/Suburban	69	35.8%	94	47.7%	21	26.6%	184	39.2%
Urban	24	12.4%	18	9.1%	7	8.9%	49	10.4%
Skipped	1	0.5%	-	0.0%	1	1.3%	2	0.4%
Total	193	100.0%	197	100.0%	79	100.0%	469	100.0%
% of Total	41.2%		42.0%		16.8%			

Table 5 shows the responder demographics by subject matter jurisdiction and territory of the court. Just under one third of responders (32.4%) were from courts in rural areas. About half of the responders (49.6%) were from courts in urban areas or courts in combined urban and suburban areas.

Table 5. Responder Demographics by Subject Matter Jurisdiction and Territory

Professional Role	Urban/			Urban	No Answer	Total	% of Total
	Rural	Suburban	Suburban				
Civil and Criminal Only	48	41	92	30	2	213	45.4%
Family Law Only	59	32	82	16		189	40.3%
Civil, Criminal, Family Law	38	6	-			44	9.4%
Appellate	4	1	6	2		13	2.8%
Unknown	3	2	4	1		10	2.1%
Total	152	82	184	49	2	469	100.0%
% of Total	32.4%	17.5%	39.2%	10.4%	0.4%	100.0%	

Overall Ratings

Summaries of the overall ratings for each of the survey’s 53 main items, broken down into the general topic area sections, are shown in Tables 6 through 15. The number of people who provided substantive responses (i.e., selected one of the five Likert scale responses and not “Not Applicable” or who skipped the item altogether) are shown along with the percentage of those responders who selected each of the five Likert scale options. Also included is the percentage of responders who selected either “A Great Deal” or “A Lot”. The percentages are color coded, with any value at or above 50% having the deepest color saturation.

Although these overall findings are important for examining sources of delay from a broad perspective, differences between the views of various subgroups of responders depending on their professional role, territory, and subject matter jurisdiction are important for identifying issues that may, for example, be unique to or heightened within courts in urban settings or courts with family law jurisdiction. Those additional analyses are presented later in this report.

Overall, courtroom availability and facility design were not identified as major sources of delay. A sizable percentage of responders (19.1%) reported that inadequate support resources for self-represented litigants were major sources of delay (i.e., selected either “A Great Deal” or “A Lot”). See Table 6.

Table 6. Overall Ratings: Courtroom Availability, Facilities, and Self-Represented Litigant Support

ID	Courtroom Availability, Facility Design, and Self-Represented Litigants	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
1	Limited courtroom space or availability	450	11.3%	6.2%	5.1%	10.9%	15.3%	62.4%
2	Inefficient facility design	451	12.0%	6.0%	6.0%	8.9%	14.4%	64.7%
3	Inadequate support resources for self-represented litigants	456	19.1%	8.8%	10.3%	20.0%	28.3%	32.7%

On the whole, case management systems are not viewed as a major source of delay by the majority of responders. However, substantial percentages (ranging from 14.5% to 16.8%) indicated that issues involving their case management systems are major contributors to delay. See Table 7.

Table 7. Overall Ratings: Case Management System

ID	Case Management System	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
4	Insufficient or antiquated case management system	452	16.8%	6.4%	10.4%	15.9%	21.0%	46.2%
5	Lack of funding to acquire new or upgraded case management system	414	16.7%	7.5%	9.2%	15.5%	19.3%	48.6%
6	Insufficient management information reports (e.g., built in CourTools reports, continuances analytics, etc.)	429	15.6%	6.3%	9.3%	18.9%	22.1%	43.4%
7	No interoperability with justice partner systems	386	14.5%	7.0%	7.5%	15.5%	21.0%	49.0%

With a few exceptions, leadership, governance, and court administration matters were not viewed by the majority of responders as important sources of delay. However, there were a number

of responders who identified resistance to change, a lack of collaboration, and inconsistent case management policies between judicial officers in multi-judge courts as substantial sources of delay. See Table 8.

Table 8. Overall Ratings: Leadership, Governance, and Court Administration

ID	Leadership, Governance, and Court Administration	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
8	Insufficient administrative authority under the Rules of Superintendence to effect meaningful change	428	9.1%	4.0%	5.1%	9.6%	18.7%	62.6%
9	Court leadership has not made effective caseload management a significant priority among court staff and justice partners	445	7.2%	4.5%	2.7%	6.7%	11.5%	74.6%
10	Gaps in local rules regarding case management	441	3.6%	1.4%	2.3%	6.1%	20.0%	70.3%
11	General resistance to change and continuous quality improvement principles	444	14.6%	7.7%	7.0%	12.4%	22.1%	50.9%
12	In multi-judge courts, lack of collaboration between judicial officers (e.g., covering trials)	296	14.2%	7.8%	6.4%	11.1%	13.5%	61.1%
13	In multi-judge courts, inconsistent enforcement of case management policies between judicial officers	299	17.1%	8.4%	8.7%	11.0%	19.1%	52.8%
14	Ineffective or non-existent collaboration with justice partners on routine caseload management operations	415	9.9%	5.3%	4.6%	11.8%	24.1%	54.2%
15	Ineffective or non-existent collaboration with justice partners to plan and implement system changes (e.g., strategic planning)	414	10.9%	6.3%	4.6%	13.0%	24.6%	51.4%
16	Insufficient funding for adequate court administration leadership staff	433	11.5%	5.1%	6.5%	15.7%	22.9%	49.9%
17	Insufficient standard operating procedures	433	10.9%	4.2%	6.7%	9.7%	20.6%	58.9%

Having sufficient numbers of judicial officers to hear cases and sufficient numbers of attorneys available to represent parties coming before the courts are critically important to maintain effective caseload management and reduce unnecessary delay. When asked if the lack of attorneys available to take appointments or a lack of attorneys in general were causing delay, a large proportion of responders (32.3% and 36.7%, respectively) answered strongly in the affirmative. See Table 9.

Table 9. Overall Ratings: Judicial Officers, Staff Levels, and Attorney Availability

ID	Judicial Officers, Staff Levels, and Attorney Availability	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
18	Insufficient number of judicial officers	460	13.0%	6.7%	6.3%	10.0%	18.7%	58.3%
19	Lack of funding for hiring magistrates	441	16.3%	9.1%	7.3%	12.9%	18.1%	52.6%
20	Inadequate staffing levels within the court	456	18.6%	9.4%	9.2%	13.4%	23.0%	45.0%
21	Inadequate staffing levels within elected clerk's office (if applicable)	338	13.3%	7.4%	5.9%	10.7%	21.0%	55.0%
22	Issues caused by high court and clerk staff turnover (e.g., time spent recruiting and training new staff)	437	15.3%	7.1%	8.2%	13.7%	22.7%	48.3%
23	Insufficient assistant prosecutor staffing levels	385	19.5%	6.8%	12.7%	16.9%	22.9%	40.8%
24	Unavailability of appointed counsel	424	32.3%	14.9%	17.5%	20.5%	19.1%	28.1%
25	Unavailability of attorneys, generally	447	36.7%	20.4%	16.3%	20.1%	22.4%	20.8%

Issues surrounding service of process can be a frequent source of delay, especially when praecipes for service are inadequate. Nearly one quarter of responders (23.6%) said that this was the source for either “A Great Deal” or “A Lot” of delay in their courts. Practices instituted by the U.S. Postal Service during the COVID-19 pandemic that have, in many areas, not abated, continue to be a major source of delay, with nearly one in five responders (19.1%) indicating this as causing a “A Great Deal” of delay. See Table 10.

Table 10. Overall Ratings: Service of Process

ID	Service of Process	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
26	Inadequate or incomplete praecipes for service	449	23.6%	9.6%	14.0%	22.7%	31.0%	22.7%
27	U.S. Postal Service COVID practices resulting in unperfected service	450	34.9%	19.1%	15.8%	26.0%	23.1%	16.0%

Attorneys being unprepared to proceed with trial was rated highly as a factor causing delay. More than a third of responders (35.4%) ranked this as causing either “A Great Deal” or “A Lot” of delay. Increasing case complexity was also cited as a major source of delay by 28.2% of responders. See Table 11.

Table 11. Overall Ratings: Preparation by Parties and Counsel

ID	Preparation by Parties and Counsel	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
28	Inadequate notification methods, generally (e.g., no text messaging)	455	9.5%	3.1%	6.4%	21.3%	34.9%	34.3%
29	Attorneys unprepared to proceed with trial	455	35.4%	15.8%	19.6%	29.0%	28.1%	7.5%
30	Getting timely discovery from prosecutor on criminal cases	325	20.6%	10.8%	9.8%	18.2%	30.8%	30.5%
31	Inadequate facilitation of plea negotiations	336	11.6%	4.8%	6.8%	21.1%	30.1%	37.2%
32	Increasing case complexity	447	28.2%	12.5%	15.7%	22.6%	28.4%	20.8%

Relating to the general issue of attorney availability is the problem attorneys having overcrowded calendars, making timely and efficient scheduling a challenge. Nearly half of responders (47.9%) cited this as a major issue causing delay. Scheduling witnesses and other case participants was identified by many responders as a substantial issue as well. The failure of defendants and other parties to appear for court was reported as a major concern by 28.4% of responders. See Table 12.

Table 12. Overall Ratings: Failure to Appear; General Scheduling

ID	Failure to Appear; General Scheduling	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
33	Defendants and other parties failure to appear	451	28.4%	10.0%	18.4%	28.6%	35.0%	8.0%
34	Overcrowded court calendars	454	20.9%	11.2%	9.7%	20.5%	31.9%	26.7%
35	Overcrowded attorney calendars	457	47.9%	24.5%	23.4%	26.9%	20.4%	4.8%
36	Challenges in coordinating schedules of witnesses and other case participants	441	29.5%	11.8%	17.7%	24.7%	33.3%	12.5%
37	Effects of last-minute witness cancellations or no-shows	441	19.0%	7.9%	11.1%	24.0%	40.8%	16.1%

In addition to parties, their attorneys, and witnesses, there are a variety of other types of participants required for certain types of cases to proceed. A lack of interpreters was identified by 17.3% of responders as a major issue contributing to delay. Nearly one out of five responders (19.9%) noted a lack of Guardians ad Litem or CASA volunteers as a major source of delay. See Table 13.

Table 13. Overall Ratings: Other Case Participants

ID	Other Case Participants	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
38	Lack of qualified interpreters	452	17.3%	8.0%	9.3%	18.1%	33.2%	31.4%
39	Lack of understanding and utilization of video remote interpretation technology	441	8.2%	2.3%	5.9%	14.1%	27.2%	50.6%
40	Lack of understanding and utilization of other interpretation technology	434	8.1%	2.5%	5.5%	11.8%	26.5%	53.7%
41	Inadequate planning in anticipation of interpreter usage (e.g., no ability to preview evidence, other preparation, etc.)	439	7.5%	3.0%	4.6%	9.8%	29.8%	52.8%
42	Lack of Guardians ad Litem or CASA volunteers	291	19.9%	10.7%	9.3%	18.2%	19.6%	42.3%
43	Lack of expert evaluators (e.g., for guardianships)	238	16.0%	5.5%	10.5%	13.4%	21.4%	49.2%
44	Insufficient mediation or other dispute resolution services to alleviate court calendars	407	9.1%	4.2%	4.9%	12.5%	22.6%	55.8%

Delays in getting mental health evaluations completed and delays in obtaining forensic evidence test results were both identified a substantial sources of delay (36.1% and 32.0%, respectively). See Table 14.

Table 14. Overall Ratings: Evidence Acquisition and Management

ID	Evidence Acquisition and Management	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
45	Delay in obtaining body worn camera video	291	18.6%	10.7%	7.9%	15.5%	27.8%	38.1%
46	Delay in getting police reports	302	9.3%	5.6%	3.6%	15.2%	30.1%	45.4%
47	Delay in getting mental health evaluations completed	385	36.1%	17.9%	18.2%	24.9%	26.5%	12.5%
48	Delay in getting substance use disorder evaluations completed	366	18.9%	6.6%	12.3%	22.1%	31.4%	27.6%
49	Delay in forensic evidence testing	303	32.0%	19.8%	12.2%	23.8%	25.4%	18.8%
50	Delay in paternity testing	230	8.7%	2.2%	6.5%	15.2%	33.9%	42.2%
51	Lack of technology to efficiently manage digital evidence	371	8.9%	3.2%	5.7%	15.9%	27.5%	47.7%

Nearly one quarter of responders (24.6%) reported that having inadequate time on the calendar for judicial officers to dedicate to writing decisions was a major source of delay. See Table 15.

Table 15. Overall Ratings: Judicial Officer Workflow

ID	Judicial Officer Workflow	N	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
52	Inadequate time on calendar for judicial officers to dedicate to decision writing	451	24.6%	15.1%	9.5%	15.7%	26.8%	32.8%
53	Delayed processing of objections to magistrate decisions	406	13.1%	6.7%	6.4%	14.0%	25.1%	47.8%

Subject Matter Jurisdiction Differences

In order to identify differences in the views of the responders depending on their subject matter jurisdiction, Table 16 contains results for the 34 survey items where at least 20% of the members of any of the four subject matter jurisdiction groups responded by selecting the “A Great Deal” or “A Lot” options. Items for which there was a statistically significant difference between the views of responders who have only criminal and civil jurisdiction from those who have only family law jurisdiction are indicated in the table.¹ Responses from the mixed jurisdiction trial courts and the courts of appeals have been excluded from the statistical significance analysis due to their smaller sample sizes.

Differences between subject matter jurisdiction groups can be discerned through the color coding. For example, in Item 3 (inadequate support resources for self-represented litigants), more than one quarter of Family Law Only responders (25.8%) cited this as a major source of delay. Somewhat fewer responders (14.2%) from the Civil and Criminal Only courts identified this as a major issue.

¹ A chi-square test of independence was used to examine whether the proportion of strong responses (ratings of “A Great Deal” or “A Lot”) varied significantly between responders from Civil and Criminal Only courts and responders from Family Law Only courts. Statistical significance is defined as a p-level less than or equal to 0.05. Responses of “Not Applicable” or “Skipped” were excluded.

Table 16. Items with at Least 20% of Responders in One or More SUBJECT MATTER JURISDICTION Categories Selecting Either “A Great Deal” or “A Lot”

ID	Topic Area/Item	Civil and Criminal Only	Family Law Only	Civil, Criminal, and Family Law		Appellate
		* Difference is statistically significant				
Courtroom Availability, Facilities, Support for Self-Represented Litigants						
3	Inadequate support resources for self-represented litigants.	14.2%	25.8%	*	16.3%	7.7%
Case Management System						
4	Insufficient or antiquated case management system.	15.4%	21.7%		4.7%	18.2%
5	Lack of funding to acquire new or upgraded case management system.	12.3%	22.6%		12.5%	10.0%
6	Insufficient management information reports (e.g., built in CourTools reports, continuances analytics, etc.).	15.6%	16.0%		9.8%	20.0%
7	No interoperability with justice partner systems.	13.7%	13.8%		15.4%	30.0%
Leadership, Governance, and Court Administration						
11	General resistance to change and continuous quality improvement principles.	13.4%	14.6%		11.6%	36.4%
12	In multi-judge courts, lack of collaboration between judicial officers (e.g., covering trials).	10.5%	22.2%		9.5%	n/a
13	In multi-judge courts, inconsistent enforcement of case management policies between judicial officers.	13.6%	23.8%		4.8%	30.0%
14	Ineffective or non-existent collaboration with justice partners on routine caseload management operations.	8.7%	12.3%		2.6%	22.2%
15	Ineffective or non-existent collaboration with justice partners to plan and implement system changes (e.g., strategic planning).	9.8%	11.7%		5.1%	44.4%
Judicial Officers, Staff Levels, and Attorney Availability						
19	Lack of funding for hiring magistrates.	19.9%	16.6%		5.1%	0.0%
20	Inadequate staffing levels within the court.	20.7%	21.0%		2.4%	0.0%
23	Insufficient assistant prosecutor staffing levels.	24.4%	14.5%	*	15.4%	0.0%
24	Unavailability of appointed counsel.	26.0%	41.3%		36.6%	10.0%
25	Unavailability of attorneys, generally.	29.9%	43.6%		47.7%	0.0%
Service of Process						
26	Inadequate or incomplete praecipes for service.	18.8%	31.0%	*	18.2%	n/a
27	U.S. Postal Service COVID practices resulting in unperfected service.	30.5%	41.7%	*	31.0%	n/a
Preparation by Parties and Counsel						
29	Attorneys unprepared to proceed with trial.	39.0%	30.7%		40.9%	n/a
30	Getting timely discovery from prosecutor on criminal cases.	27.6%	10.6%	*	13.2%	n/a
32	Increasing case complexity.	25.6%	31.7%		27.9%	0.0%

Table 16. Items with at Least 20% of Responders in One or More SUBJECT MATTER JURISDICTION Categories Selecting “A Great Deal” or “A Lot” (CONTINUED)

ID	Topic Area/Item	Civil and Criminal Only	Family Law Only	Civil, Criminal, and Family Law	Appellate
		* Difference is statistically significant			
Failure to Appear; General Scheduling					
33	Defendants and other parties failure to appear.	33.2%	25.4%	15.9%	0.0%
34	Overcrowded court calendars.	22.2%	22.6%	11.4%	0.0%
35	Overcrowded attorney calendars.	42.8%	57.4%	40.9%	0.0%
36	Challenges in coordinating schedules of witnesses and other case participants.	30.1%	29.1%	30.2%	n/a
37	Effects of last-minute witness cancellations or no-shows.	26.8%	12.5%	7.3%	n/a
Other Case Participants					
38	Lack of qualified interpreters.	20.0%	17.2%	4.9%	0.0%
42	Lack of Guardians ad Litem or CASA volunteers.	n/a	26.4%	18.2%	n/a
43	Lack of expert evaluators (e.g., for guardianships).	12.9%	21.6%	0.0%	n/a
Evidence Acquisition and Management					
45	Delay in obtaining body worn camera video.	25.4%	7.9%	11.8%	n/a
47	Delay in getting mental health evaluations completed.	40.4%	27.0%	48.7%	n/a
48	Delay in getting substance use disorder evaluations completed.	18.1%	18.3%	21.1%	n/a
49	Delay in forensic evidence testing.	39.6%	15.4%	42.9%	n/a
Judicial Officer Workflow					
52	Inadequate time on calendar for judicial officers to dedicate to decision writing.	25.1%	30.1%	7.0%	11.1%
53	Delayed processing of objections to magistrate decisions.	9.6%	20.1%	2.7%	n/a

Territory Differences

In order to identify differences in the views of the responders depending on the territory of their court, Table 17 contains results for the 32 survey items where at least 20% of the members of any of the four territory groups responded by selecting the “A Great Deal” or “A Lot” options. Items for which there was a statistically significant difference between the views of responders based on their territory are indicated in the table.²

² A chi-square test of independence was used to examine whether the proportion of strong responses (ratings of “A Great Deal” or “A Lot”) varied significantly between responders from each of the four territory groups. Statistical significance is defined as a p-level less than or equal to 0.05. Responses of “Not Applicable” or “Skipped” were excluded.

Table 17. Items with at Least 20% of Responders in One or More TERRITORY Categories Selecting Either “A Great Deal” or “A Lot”

ID	Topic Area/Item	Rural	Suburban	Urban/ Suburban	Urban
		* Difference is statistically significant			
Courtroom Availability and Other Facilities					
3	Inadequate support resources for self-represented litigants.	23.8%	14.6%	16.9%	20.4%
Case Management System					
4	Insufficient or antiquated case management system.	11.2%	16.3%	20.1%	22.9%
5	Lack of funding to acquire new or upgraded case management system.	15.6%	16.0%	17.2%	20.0%
6	Insufficient management information reports (e.g., built in CourTools reports, continuances analytics, etc.).	10.1%	16.9%	18.1%	21.7%
Leadership, Governance, and Court Administration					
11	General resistance to change and continuous quality improvement principles.	8.9%	11.4%	19.3%	21.7%
13	In multi-judge courts, inconsistent enforcement of case management policies between judicial officers.	10.2%	13.0%	20.4%	20.0%
15	Ineffective or non-existent collaboration with justice partners to plan and implement system changes (e.g., strategic planning).	8.1%	12.2%	10.1%	20.0%
Judicial Officers, Staff Levels, and Attorney Availability					
18	Insufficient number of judicial officers.	7.4%	12.3%	14.9%	25.0%
19	Lack of funding for hiring magistrates.	11.3%	9.0%	20.8%	27.7%
20	Inadequate staffing levels within the court.	15.2%	14.6%	22.3%	22.9%
22	Issues caused by high court and clerk staff turnover (e.g., time spent recruiting and training new staff).	10.8%	7.8%	17.8%	33.3% *
23	Insufficient assistant prosecutor staffing levels.	19.9%	14.1%	20.9%	22.7%
24	Unavailability of appointed counsel.	40.0%	30.0%	29.9%	20.9% *
25	Unavailability of attorneys, generally.	44.3%	37.0%	33.3%	25.5%
Service of Process					
26	Inadequate or incomplete praecipes for service.	18.2%	23.1%	28.4%	24.4%
27	U.S. Postal Service COVID practices resulting in unperfected service.	29.9%	30.4%	38.6%	45.7%
Preparation by Parties and Counsel					
29	Attorneys unprepared to proceed with trial.	31.5%	30.4%	39.1%	43.5%
30	Getting timely discovery from prosecutor on criminal cases.	9.1%	20.0%	22.1%	53.8% *
32	Increasing case complexity.	18.6%	35.0%	32.0%	33.3% *
Failure to Appear; General Scheduling					
33	Defendants and other parties failure to appear.	25.0%	25.9%	32.0%	31.1%
34	Overcrowded court calendars.	11.5%	16.0%	29.5%	27.7% *
35	Overcrowded attorney calendars.	41.6%	47.5%	53.1%	51.0%
36	Challenges in coordinating schedules of witnesses and other case participants.	23.4%	33.8%	32.2%	32.6%
37	Effects of last-minute witness cancellations or no-shows.	14.6%	17.9%	21.1%	28.3%

Table 17. Items with at Least 20% of Responders in One or More TERRITORY Categories Selecting Either “A Great Deal” or “A Lot” (CONTINUED)

ID	Topic Area/Item	Rural	Urban/ Suburban		Urban
			Suburban		
* Difference is statistically significant					
Other Case Participants					
38	Lack of qualified interpreters.	12.6%	16.0%	22.5%	14.6%
42	Lack of Guardians ad Litem or CASA volunteers.	23.1%	14.6%	20.4%	13.0%
43	Lack of expert evaluators (e.g., for guardianships).	16.7%	8.7%	21.3%	9.5%
Evidence Acquisition and Management					
45	Delay in obtaining body worn camera video.	7.8%	8.2%	22.5%	54.3%
47	Delay in getting mental health evaluations completed.	35.6%	36.1%	33.8%	48.6%
48	Delay in getting substance use disorder evaluations completed.	14.1%	23.5%	20.5%	22.2%
49	Delay in forensic evidence testing.	31.5%	30.2%	28.8%	47.1%
Judicial Officer Workflow					
52	Inadequate time on calendar for judicial officers to dedicate to decision writing.	15.1%	17.1%	31.3%	44.4%

Professional Role Differences

As indicated in Table 2, 60.6% of the responding judges were from courts with Civil and Criminal Only jurisdiction, whereas 60.4% of the responding magistrates were from courts with Family Law Only jurisdiction. Therefore, the observed differences in responses between judges and magistrates are likely more attributable to their subject matter jurisdiction rather than their professional roles. To address this, we have cross-tabulated the results by both subject matter jurisdiction and professional role. This enables us to identify statistically significant differences in responses among judges, magistrates, and court administrators within each of the two primary jurisdictional categories.³

Among responders from the Civil and Criminal Only courts, there were nine survey items where the responses from the three professional role types were statistically significant in terms of how many responders selected the “A Great Deal” or “A Lot” options. Magistrates more frequently than judges or court administrative staff cited inadequate support resources for self-represented litigants as a major source of delay. Judges more frequently identified insufficient assistant prosecutor staff levels as well as delays in timely discovery from prosecutors in criminal cases as major sources of delay. Although the item concerning delay in processing objections to magistrate decisions did not receive at least 20% of responders selecting “A Great Deal” or “A Lot”, there was a statistically significant difference in the results, were few judges cited this as a major source of delay, but nearly one in five (18.3%) magistrates did so. See Table 18.

³ A chi-square test of independence was used to examine whether the proportion of strong responses (ratings of “A Great Deal” or “A Lot”) varied significantly between responders from each professional role. Statistical significance is defined as a p-level less than or equal to 0.05. Responses of “Not Applicable” or “Skipped” were excluded.

Table 18. Items with at Least 20% of Responders in One or More PROFESSIONAL ROLE Categories in CIVIL AND CRIMINAL ONLY Courts Selecting Either “A Great Deal” or “A Lot” (Statistically Significant Findings Only)

ID	Topic Area/Item	Judges	Magistrates	Court Admin.	
		* Difference is statistically significant			
Courtroom Availability and Other Facilities					
3	Inadequate support resources for self-represented litigants.	10.8%	24.2%	6.5%	*
Judicial Officers, Staff Levels, and Attorney Availability					
23	Insufficient assistant prosecutor staffing levels.	31.9%	8.3%	21.2%	*
Judicial Officers, Staff Levels, and Attorney Availability					
25	Unavailability of attorneys, generally.	35.3%	27.3%	15.2%	*
Preparation by Parties and Counsel					
30	Getting timely discovery from prosecutor on criminal cases.	31.3%	17.9%	25.8%	*
45	Delay in obtaining body worn camera video.	31.9%	8.8%	19.2%	*
47	Delay in getting mental health evaluations completed.	48.2%	26.5%	26.7%	*
49	Delay in forensic evidence testing.	45.9%	26.5%	29.2%	*
Judicial Officer Workflow					
52	Inadequate time on calendar for judicial officers to dedicate to decision writing.	22.8%	37.1%	9.7%	*
53	Delayed processing of objections to magistrate decisions.	4.1%	18.3%	10.0%	*

Among responders from the Family Only Courts, only one survey item produced a statistically significant difference in the responses in terms of the number of responders selecting either “A Great Deal” or “A Lot” depending on their professional role. Delay in forensic evidence testing was cited more frequently by judges as a major source of delay (25.0%) than did magistrates (9.5%) or court administrative staff (11.8%). See Table 19.

Table 19. Item with at Least 20% of Responders in One or More PROFESSIONAL ROLE Categories in FAMILY LAW ONLY Courts Selecting Either “A Great Deal” or “A Lot” (Statistically Significant Findings Only)

ID	Topic Area/Item	Judges	Magistrates	Court Admin.	
		* Difference is statistically significant			
Evidence Acquisition and Management					
49	Delay in forensic evidence testing.	25.0%	9.5%	11.8%	*

Open-Ended Question Responses

Each topic area section of the survey contained a comment box into which responders were able to respond to the following prompt: *“Describe any solutions your court has either implemented or is considering implementing to address these issues.”* At the end of the survey, responders were asked two general questions: *“What are the primary causes of delay in your court that if solved would have the biggest impact on delay reduction?”* and *“What barriers prevent solutions to the primary causes of delay in your court from being effectively implemented?”*. Many responders responded accordingly. Others opted instead to explain their Likert scale responses. Selected noteworthy and representative observations and feedback are shown below.

Self-Represented Litigants

- “I estimate that half of the cases we see have a self-represented party, and many have two self-represented litigants. Enormously difficult to process quickly.”
- “We have a volunteer-run Legal Clinic two days a week, four hours each day. It is a tremendous help; however, as a large county, our public’s need is greater than our volunteers can fill.”
- “We have had a significant increase in the number of self-represented litigants who request assistance in completing their pleadings beyond ‘information’ and typically moving into the request for legal advice. Lack of available pro bono services and/or legal services resources for domestic relations cases is a serious concern. Documents are frequently incorrect, and the parties become frustrated that they are asked to modify their pleadings to conform with the civil rules, local rules and statutory requirements related to their cases.”

Leadership, Governance, and Court Administration

- “The court is routinely under 2% of its cases past time guidelines. This is due to the fact that caseload management is a priority of all members of the court as well as its collaborating partners.”
- “We make small changes one at a time to improve rather than large scale, to ease people into modern ways.”
- “(1) Stricter adherence to trial dates is the best way to move cases. Set a trial date as early as possible and STICK TO IT. (2) General Division trial judges MUST give their civil dockets more attention/priority and try civil cases. (3) Unrealistic guidelines set us up to fail from the get-go, i.e., 6 months for felony 1’s and 2’s is ABSURD.”

Judicial Officers, Staff Levels, and Attorney Availability

- “Any issue this court may have is due in large part to the challenges of hiring and retaining quality employees. This issue does come down to funding. The court either needs more funding to pay its current employees more or the court needs more funding to pay additional staff to handle the high caseloads.”
- “Attracting attorneys to rural areas is difficult. The recent strides by the Supreme Court may help to attract competent attorneys.”
- “Judge has been working with the local bar association to bring attorneys to the county as well as communicating with local law schools.”
- “Our biggest problem evades a ready solution. There are simply too few attorneys, retained or appointed. Attorneys are so busy that it limits our ability to schedule cases in a timely fashion.”
- “Letter to bar association setting forth need for attorneys willing to take court appointments.”
- “We conduct a lot of hearings by zoom to accommodate attorneys that live in other counties.”
- “We constantly recruit promising new criminal defense attorneys to join our appointed counsel list.”
- “The biggest delay on criminal cases is lack of available counsel. The Public Defender’s Office has lots of conflicts and almost all of the appointed lawyers are out of county and covering multiple counties makes it extremely difficult to schedule.”
- “We have a very efficient court, but lack of attorneys, attorney preparation prior to court (public defenders and appointed counsel not meeting with their clients), the voluminous amount of discovery that both the state and defense must review now with video discovery, and clogged calendars of counsel make it difficult to schedule hearings.”

Service of Process

- “We cannot impact USPS issues. It would be nice if the Supreme Court would begin to consider alternative service possibilities.”
- “There isn’t much we can do. We’re not allowed to tell people how to perfect service. We can refer them to resources, but when they don’t understand, they come back in the same position.”
- “We have developed our own service documents specifically with pro se litigants in mind to increase their understanding and the amount of information we receive from them. I

don't know what we could do about the post office. I believe the poor performance of the post office should cause a change in the acceptable methods of initial service. Meaning this is a problem the Supreme Court could fix."

Preparation by Parties and Counsel

- "The Prosecutor's failure to provide timely discovery is the single biggest problem in this jurisdiction and is the primary reason for delay and over-age cases, and includes the need to declare mistrials, last minute continuances of jury trials, withdrawal of guilty pleas, and possibly the setting aside of convictions and release of incarcerated individuals where proper discovery has not been turned over prior to a plea and sentencing. The court has done everything in its power to address these issues, including reporting it to appropriate authorities at the Supreme Court. The problems persist despite the Judge's efforts. More backing of the Judges from the authorities under the Ohio Supreme Court's direction on this issue would be greatly appreciated."
- "We convened an all stakeholders meeting to discuss the long delay in police body camera discovery. Continued frustration with state's witnesses, including law enforcement officers not being sufficiently notified of court dates."
- "I am including discovery orders that are more precise and clearer. These orders provide for remedies if attorneys/parties do not follow. For example, a party may forfeit their right to present evidence after notice in a pretrial order. I address the parties and counsel at pretrials to set the stage for the exchange of information and discussion about why the information is needed. We also provide text notifications to the parties and counsel."
- "Only issue is that we are seeing more and more parties with mental health issues. It's becoming more common to have parties who have significant mental health issues and trying to make sure they understand what is taking place and/or appointing a guardian to help them make decisions on a case."
- "We have met with prosecutors office on discovery issues and things were better. However, staffing challenges cause this issue to resurface."
- "We implemented text reminders for parents and guardians, which increases participation."
- "Requiring prosecutor supervisors to be available at case management conferences to encourage early plea negotiations."

Failure to Appear and General Scheduling

- "Have pretty intense case management conferences and pretrials. Much of the case is resolved in those hearings. Have strict time limits for trial. Took a while but most attorneys are now used to how things are handled. Had 20 trials last year. Most were done in less than a day. Occasionally do a trial on Saturday (tend not to continue trials, but if a really

good reason then will do it. However, the new trial date can't be too far out from the old one, or we just do the trial on Saturday since everybody is free that day)."

- I don't grant last-minute trial continuances absent catastrophic circumstances. We accommodate witnesses by Zoom or phone as needed.
- "I believe our case reports reflect a dramatic improvement in this area from January 2023 to present. Fewer continuances are granted on the basis of parties or attorneys claiming they are 'not ready'. The expectation is that if an agreement is not reached prior to entering the Courtroom, we proceed. We began including settlement conferences into the trial schedule and enforcing local rules regarding pretrial reports, Rule 26 Reports, and exchange of discovery. We began offering hearings over the lunch hour or weekend. Because no one wants to do that, they started making sure they were ready at each and every pretrial or hearing."
- "Significantly greater demands are placed upon a justice system that is staffed via local resources. We have reached a breaking point. If our system is to be re-imagined, this endeavor must necessarily require substantial additional state-funded resources. It cannot be done on the backs of local funding sources. The substantial disparity in the availability of local resources will necessarily result in great disparity in the quality of justice from county to county. Five attorneys county-wide are available to or juvenile court for appointments. It is not unusual for all five to be assigned in some capacity to a single case. This means no other cases may proceed in which they are assigned. All adjacent counties (4) pay Seventy-five dollars (\$75) per hour for assigned counsel. Our county pays \$55 out-of-court, and \$65 in-court. This disincentive has been called to the attention of the funding authority repeatedly. No action to resolve has been taken."
- "We have developed a system partners working group to improve cross-collaboration and identify barriers to case completion in a timely manner. We recently agreed to retain a facilitator to try to break down existing barriers."

Mediation

- "Additional funding for mediators would allow for more aggressive scheduling of civil matters."
- "This court started a mediation program, and it seems to have helped the caseload."
- "We continue to look for grants for mediation services and other forms of alternative dispute resolution. We are concerned about funding for this in the future as we do not know whether litigants will be able to afford private mediation services."

Evidence Acquisition and Management

- "Requiring (Alcohol and Other Drug) AOD reports a week before the next pretrial, and making it a condition of bond, has helped."

- “We issue orders regarding discovery early in the case so that law enforcement is on notice of the need to preserve and produce evidence.”
- “Right now, it takes about 6-8 weeks to receive results back from genetic testing in paternity cases.”
- “Again, we need the cooperation between the police and the prosecutor’s office to make sure that there is a flow of information between them and also the attorneys representing the defendants. Some of this results from very young police officers not completing reports.”
- “We have a high volume of murder cases, shootings and sex offenses that routinely have large data evidence and forensic testing requiring expert reports/coroner reports ballistics, etc.”

Judicial Officer Workflow

- “Between the two divisions of the court there are four magistrates. Time to address objections is a significant issue. A judge is not a ‘rubber stamp’; however, daily exigencies and constantly shifting judicial and administrative priorities does create significant incentive/opportunity to create a ‘rubber stamp’ culture if funding and resource needs are left unaddressed. Burnout and health issues are also implicated.”
- “Each of our judicial officers has one day set aside for writing each week. But we often have to schedule on those days just to get things scheduled.”
- “Objections add mandatory 2-4 months of time to allow for objections, preparation of the transcript and supplemental objections. Cases should close at magistrate decisions and reopen if objection is filed.”
- “We have moved all permanent custody hearings to the judge’s docket to eliminate objections for those cases.”

Appellate Case Proceedings

- “Our delay is largely in the record and briefing phases. Particularly in cases with lengthy transcripts, a method for ensuring that transcripts are timely filed; consequences for dissenting/concurring judges delaying authoring judges’ cases; standard rules for extensions during briefing stage applying to all appellate courts.”
- “A big source of delay which has been an issue in the urban counties and which we are now beginning to witness in the rural counties has to do with the availability and ability of court reporters to timely prepare transcripts. We have worked with the urban courts to set out scheduling orders for their court reporters to prepare transcripts. Increased direct communication with court reporters (emailing) has improved communication and

transcript production in the urban courts however we are starting to see similar delays now in rural courts from overworked court reporters.”

Delay: Causes and Solutions

1. What is your professional role?

- ☐ Judge
- ☐ Magistrate
- ☐ Court Administrator

2. What is your court's subject matter jurisdiction? Select all that apply.

- ☐ General
- ☐ Domestic relations
- ☐ Probate
- ☐ Juvenile
- ☐ Municipal/County

3. How would you describe your court's territorial jurisdiction?

- ☐ Urban
- ☐ Urban/Suburban
- ☐ Suburban
- ☐ Rural

4. **Courtroom Availability and Other Facilities:** How much do these factors contribute to delay in your court?

	A great deal	A lot	Moderately	A little	Not at all	N/A
Limited courtroom space or availability.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inefficient facility design.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inadequate support resources for self-represented litigants.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

5. **Case Management System:** How much do these factors contribute to delay in your court?

[illegible]

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

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6. Leadership, Governance, and Court Administration: How much do these factors contribute to delay in your court?

[illegible]

APPENDIX A

In multi-judge courts, lack of collaboration between judicial officers (e.g., covering trials).

☐ ☐ ☐ ☐ ☐ ☐

In multi-judge courts, inconsistent enforcement of case management policies between judicial officers.

☐ ☐ ☐ ☐ ☐ ☐

Ineffective or non-existent collaboration with justice partners on routine caseflow management operations.

☐ ☐ ☐ ☐ ☐ ☐

Ineffective or non-existent collaboration with justice partners to plan and implement system changes (e.g., strategic planning).

☐ ☐ ☐ ☐ ☐ ☐

Insufficient funding for adequate court administration leadership staff.

☐ ☐ ☐ ☐ ☐ ☐

Insufficient standard operating procedures.

☐ ☐ ☐ ☐ ☐ ☐

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

7. Judicial Officers, Staff Levels, and Attorney Availability: How much do these factors contribute to delay in your court?

	A great deal	A lot	Moderately	A little	Not at all	N/A
Insufficient number of judicial officers.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of funding for hiring magistrates.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inadequate staffing levels within the court.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inadequate staffing levels within elected clerk's office (if applicable).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Issues caused by high court and clerk staff turnover (e.g., time spent recruiting and training new staff).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficient assistant prosecutor staffing levels.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unavailability of appointed counsel.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unavailability of attorneys, generally.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

8. Service of Process: How much do these factors contribute to delay in your court?

	A great deal	A lot	Moderately	A little	Not at all	N/A
Inadequate or incomplete praecipes for service.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
U.S. Postal Service COVID practices resulting in unperfected service.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

9. Preparation by Parties and Counsel: How much do these factors contribute to delay in your court?

	A great deal	A lot	Moderately	A little	Not at all	N/A
Inadequate notification methods, generally (e.g., no text messaging).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Attorneys unprepared to proceed with trial.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Getting timely discovery from prosecutor on criminal cases.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inadequate facilitation of plea negotiations.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increasing case complexity.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

10. Failure to Appear; General Scheduling: How much do these factors contribute to delay in your court?

	A great deal	A lot	Moderately	A little	Not at all	N/A
Defendants and other parties failure to appear.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Overcrowded court calendars.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Overcrowded attorney calendars.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Challenges in coordinating schedules of witnesses and other case participants.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Effects of last-minute witness cancellations or no-shows.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

11. Other Case Participants: How much do these factors contribute to delay in your court?

	A great deal	A lot	Moderately	A little	Not at all	N/A
Lack of qualified interpreters.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of understanding and utilization of video remote interpretation technology.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of understanding and utilization of other interpretation technology.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inadequate planning in anticipation of interpreter usage (e.g., no ability to preview evidence, other preparation, etc.).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of Guardians ad Litem or CASA volunteers.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of expert evaluators (e.g., for guardianships).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficient mediation or other dispute resolution services to alleviate court calendars.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

12. Evidence Acquisition and Management: How much do these factors contribute to delay in your court?

	A great deal	A lot	Moderately	A little	Not at all	N/A
Delay in obtaining body worn camera video.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delay in getting police reports.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delay in getting mental health evaluations completed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delay in getting substance use disorder evaluations completed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delay in forensic evidence testing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delay in paternity testing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of technology to efficiently manage digital evidence.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

13. Judicial Officer Workflow: How much do these factors contribute to delay in your court?

	A great deal	A lot	Moderately	A little	Not at all	N/A
Inadequate time on calendar for judicial officers to dedicate to decision writing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delayed processing of objections to magistrate decisions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Describe any solutions your court has either implemented or is considering implementing to address these issues (optional).

14. What are the **primary causes of delay** in your court that if solved would have the biggest impact on delay reduction?

15. What **barriers** prevent solutions to the primary causes of delay in your court from being effectively implemented?

16. **Optional Contact Information:** While this survey is anonymous, there may be instances where we have questions concerning your responses. At your option, please provide us with your contact information.

Name

Court

Position

Email Address

Phone Number



Appendix B:

Views of Attorneys on the Causes of Delay in Ohio Courts A Report on a Survey of Attorneys





THE SUPREME COURT *of* OHIO COURT SERVICES

Views of Attorneys on the Causes of Delay in Ohio Courts A Report on a Survey of Attorneys

In order to gain a better understanding of the ways in which Ohio courts are experiencing delay in the management of their cases, Chief Justice Sharon L. Kennedy directed the Supreme Court of Ohio's Office of Court Services to survey attorneys practicing before Ohio's courts.

Survey Implementation

On October 1, 2024, the Office of Court Services sent an email to 36,991 active registered attorneys using the email addresses associated with their attorney registration records. The email message contained a link to an online survey instrument. Excluded from the distribution list were active and former judges, currently registered magistrates, attorneys on staff with an Ohio state court or a federal court, and attorneys not residing in Ohio or a bordering state. The survey remained open until October 21, 2024.

Survey Design

The first question on the survey asked whether the attorney is currently, or has been, an attorney of record in a court matter within the last six months. If the attorney responded no, that ended the survey for them. If the attorney responded yes, were then presented with three preliminary questions concerning the Supreme Court's case processing time standards, the Court's work collecting caseload and performance statistics from the courts, and the publishing of those statistics on the Court's website.

Responders were then asked to identify their most frequent role in court matters and whether the majority of their time was spent working in trial courts or appellate courts. If the attorney responded as working the majority of their time in trial courts, they were directed to a series of 45 items describing specific potential sources of delay in trial courts. If the attorney responded as working the majority of their time in appellate courts, they were then directed to a series of 28 items describing specific potential sources of delay in appellate courts. In both instances, they were asked to rate how much each item contributes to court delay using a five-level Likert scale ranging from "A Great Deal" to "Not at All". A "Don't Know/Not Applicable" option was available in the event the subject matter was unknown to the attorney or otherwise not germane to their work.

A copy of the survey instrument can be found in Appendix A.

Response Rates

The cover email that provided the survey link indicated that the survey audience was only attorneys who had worked as an attorney of record in a court matter in the last six months. To filter out attorneys who did not meet this criteria but still accessed the survey, the first question of the survey asked if they had indeed been an attorney of record in a court matter in the last six months.

Of the 36,991 attorneys who received the survey, a total of 3,971 responded to that first question, producing an overall response rate of 10.7%. A total 3,774 attorneys answered the first question yes. Of those 3,774 attorneys who answered yes to the first question, a total of 3,007 went on to provide a response to at least one of the sources of delay items, producing a response rate—in the context of the sources of delay items portion of the survey—of 8.1%. See Table 1.

Table 1. Response Rates

Response Status <i>(of 36,991 who received survey)</i>	Responders	% of Recipients
Responded to First Question (about working in last six months)	3,971	10.7%
Worked as Attorney of Record in Last Six Months	3,774	10.2%
Responded to at Least One Source of Delay Item	3,007	8.1%

Response Status <i>(of 3,774 who worked as attorney of record in last six months)</i>	Responders	% of Responders
Responded to Initial Questions Regarding Statistics	3,613	95.7%
Identified Professional Role	3,623	96.0%

Also shown in Table 1 are the response rates among the 3,774 attorneys who indicated they had worked as an attorney of record in a court matter within the last six months to the set of questions concerning the Supreme Court’s case processing time standards and the collection and publishing of caseload and performance statistics. A total of 3,613 attorneys responded to those questions, producing a response rate of 95.7%. A total of 3,623 attorneys responded to the question asking them to identify their professional role, producing a response rate of 96.0%.

Awareness of Case Processing Time Standards and the Collection and Reporting of Caseload and Performance Statistics

Question 2 asked attorneys if they were aware that the Supreme Court promulgates case processing time standards for the courts. Of the 3,613 attorneys who answered this question, 3,397 (94.0%) indicated that they were aware that the Court promulgates time standards. Question 3 asked attorneys if they were aware that the Supreme Court regularly collects caseload and performance statistics from the courts. A total of 3,308 out of 3,613 attorneys (91.6%) indicated that they were aware that the Court collects caseload and performance statistics. Question 4 asked attorneys if they were aware that the Supreme Court makes court caseload and performance statistics publicly available on the Court’s website. A total of 1,971 out of 3,613 attorneys (54.6%) indicated that they were aware of the publicly available data. See Table 2.

Table 2. Awareness of Supreme Court Case Processing Time Standards and Data Collection and Reporting

Supreme Court Program	Aware		Unaware		Total Responders
	Responders	% of Responders	Responders	% of Responders	
Promulgates Time Standards	3,397	94.0%	216	6.0%	3,613
Collects Caseload Statistics	3,308	91.6%	305	8.4%	3,613
Publishes Caseload Statistics on Website	1,971	54.6%	1,642	45.4%	3,613

Most Frequent Practice Area

Question 5 asked attorneys to indicate what their most frequent practice area has been in their experience as an attorney of record in court matters. A total of 3,623 attorneys responded to this question. The largest percentage (25.0%) were attorneys who represent plaintiffs in non-family law civil matters. The smallest percentage (12.3%) were attorneys who prosecute cases before the courts.

Table 3. Most Frequent Practice Area

Professional Role	Attorneys	% of Total
Civil plaintiffs' counsel (non-family law)	906	25.0%
Civil defense counsel (non-family law)	864	23.8%
Family law (domestic relations, juvenile, probate, or Guardian ad Litem)	806	22.2%
Criminal defense (any form)	603	16.6%
Prosecution	444	12.3%
Total	3,623	100.0%

Court Type Where Majority of Time is Spent

Question 6 asked attorneys in which type of court the majority of their time is spent while working as an attorney of record. A total of 3,623 attorneys answered this question. The vast majority (96.4%) work in the trial courts. These findings are consistent with the difference between the volume of cases in the trial courts compared to the courts of appeals, where, on average each year, 99.6% of new cases in Ohio's courts are filed in the trial courts.

Table 3. Court Type Where Majority of Time is Spent

Court Type	Attorneys	% of Total
Trial courts	3,493	96.4%
Appellate courts	130	3.6%
Total	3,623	100.0%

Overall Ratings, Trial Attorneys

A summary of the overall ratings provided by attorneys working primarily in the trial courts for each of the 45 delay items, broken down into the general topic area sections, are shown in Table 4. Also included is the percentage of responders who selected either “A Great Deal” or “A Lot”. The percentages are color coded, with any value at or above 50% having the deepest color saturation.

Table 4. Overall Ratings, Trial Attorneys

ID	Topic Area/Item	Responders	A Great Deal or A Lot	A Great Deal	A Lot	Moder- ately	A Little	Not at All
Service of Process								
1	Delays with certified mail return of service.	2,719	33.3%	16.4%	16.9%	22.1%	27.1%	17.5%
2	Inability to effectuate service of process to commence actions.	2,669	27.0%	11.7%	15.2%	25.1%	29.6%	18.3%
3	U.S. Postal Service COVID practices resulting in unperfected service.	2,351	32.3%	17.2%	15.1%	18.2%	20.8%	28.7%
Judicial Officers, Staff Levels, and Attorney Availability								
4	Insufficient number of attorneys.	2,544	16.2%	7.0%	9.2%	17.8%	22.2%	43.8%
5	Insufficient number of judicial officers.	2,663	17.7%	6.8%	11.0%	19.0%	22.6%	40.7%
6	Insufficient number of prosecutors.	1,378	10.4%	4.0%	6.4%	13.9%	21.5%	54.3%
7	Unavailability of appointed counsel or public defenders.	1,332	22.7%	10.2%	12.5%	17.8%	22.5%	36.9%
8	Inadequate staffing levels within the courts or clerks' offices.	2,499	15.6%	5.7%	9.9%	16.7%	22.9%	44.8%
9	Appointed counsel fee rates are too low.	1,259	53.3%	31.1%	22.2%	20.5%	8.2%	18.0%
Discovery								
10	Not getting timely discovery from prosecutor on criminal cases.	1,257	29.5%	16.0%	13.5%	22.1%	23.2%	25.2%
11	Not getting timely ruling on discovery disputes.	2,572	24.3%	11.0%	13.3%	21.3%	27.7%	26.7%
General Caseflow Management								
12	Courts do not employ or sufficiently enforce their scheduling orders.	2,861	21.2%	8.9%	12.3%	22.6%	26.6%	29.6%
13	Courts do not keep firm trial dates.	2,874	25.0%	10.3%	14.7%	20.8%	27.0%	27.2%
14	Courts do not offer mediation or other dispute resolution services.	2,588	9.6%	3.4%	6.2%	13.3%	18.9%	58.2%
15	Courts do not sufficiently enforce compliance with case processing time standards.	2,777	20.8%	9.4%	11.4%	19.0%	26.9%	33.2%
16	Courts do not sufficiently enforce their continuance policies.	2,819	16.7%	7.6%	9.1%	17.7%	27.7%	38.0%
17	Courts do not sufficiently enforce their local rules.	2,805	14.7%	6.7%	8.0%	17.1%	25.9%	42.3%
18	Courts do not sufficiently use remote technology, where appropriate.	2,790	21.6%	8.9%	12.8%	19.2%	22.1%	37.0%
19	Delay in judicial officers issuing decisions (e.g., trials, objections to magistrate decisions, etc.).	2,909	42.4%	23.6%	18.8%	22.3%	19.3%	16.0%
20	Delayed processing of documents in the clerks' offices.	2,806	12.7%	5.8%	6.9%	14.6%	25.9%	46.8%
21	Delayed production of transcripts (e.g., for appeals or review of objections to magistrate decisions).	2,310	9.3%	3.4%	5.9%	14.6%	27.3%	48.8%

Continued on next page

Table 4. Overall Ratings, Trial Attorneys (Continued)

ID	Topic Area/Item	Responders	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
General Caseflow Management								
22	In multi-judge courts, lack of collaboration between judicial officers (e.g., covering trials).	1,922	16.1%	7.9%	8.2%	16.2%	19.5%	48.3%
23	Inadequate time available on court calendars.	2,798	31.8%	14.0%	17.8%	22.9%	24.6%	20.7%
24	Increasing case complexity (e.g., multiple cases across jurisdictions, multiple parties, novel legal issues, etc.)	2,527	27.8%	11.6%	16.2%	23.3%	25.6%	23.3%
25	Insufficient numbers of people summoned for jury duty.	1,775	5.4%	2.2%	3.2%	8.3%	20.2%	66.2%
Preparation by Parties and Counsel								
26	Lack of cooperation from clients.	2,853	23.0%	7.6%	15.4%	30.7%	32.6%	13.7%
27	Offers to resolve cases not timely.	2,886	28.4%	10.3%	18.2%	27.8%	28.4%	15.3%
28	Opposing counsel unprepared to proceed with trial.	2,838	27.4%	9.8%	17.6%	26.9%	30.2%	15.5%
29	Self-represented litigants.	2,481	25.0%	11.8%	13.2%	21.4%	32.4%	21.2%
Other Case Participants								
30	Lack of expert evaluators (e.g., for guardianships).	1,359	15.7%	7.3%	8.5%	24.4%	27.7%	32.2%
31	Lack of Guardians ad Litem or CASA volunteers.	1,206	17.0%	6.2%	10.8%	19.6%	25.5%	38.0%
32	Lack of qualified interpreters.	1,522	10.8%	3.6%	7.2%	15.7%	34.0%	39.6%
33	Lack of understanding and utilization of video remote interpretation technology.	1,841	12.2%	5.6%	6.6%	15.9%	30.4%	41.5%
Evidence Acquisition and Management								
34	Delay in forensic evidence testing.	1,320	34.2%	15.2%	19.0%	25.9%	24.8%	15.0%
35	Delay in getting mental health evaluations completed.	1,527	32.5%	14.7%	17.9%	29.1%	27.2%	11.2%
36	Delay in getting substance use disorder evaluations completed.	1,387	22.1%	7.7%	14.4%	27.3%	32.4%	18.2%
37	Delay in paternity testing.	893	12.1%	4.3%	7.8%	18.9%	31.1%	37.8%
38	Lack of technology to efficiently manage digital evidence.	1,812	17.4%	7.7%	9.7%	18.7%	29.2%	34.7%
Failure to Appear; General Scheduling								
39	Challenges in coordinating schedules of witnesses and other case participants.	2,741	26.6%	9.4%	17.2%	29.9%	33.3%	10.2%
40	Defendants and other parties' failure to appear.	2,566	18.7%	7.4%	11.3%	21.7%	35.8%	23.8%
Notifications								
41	Inadequate notifications from the courts (e.g., no electronic hearing notices, confirmation of service).	2,846	11.3%	4.3%	7.0%	17.0%	30.5%	41.1%
42	Inadequate reminders from the courts (e.g., no text message or email reminders)	2,745	12.7%	5.6%	7.0%	16.3%	27.8%	43.2%
Court Administration								
43	Courts have inadequate electronic filing capacity.	2,821	24.5%	13.5%	11.0%	19.9%	22.8%	32.8%
44	Courts have inadequate online dockets and case information.	2,886	25.3%	13.1%	12.2%	20.5%	22.6%	31.6%
45	Inadequate courthouse facilities for use by attorneys (e.g., no business center, private meeting space).	2,761	20.5%	10.8%	9.6%	18.3%	24.0%	37.3%

Overall Ratings, Appellate Attorneys

A summary of the overall ratings provided by attorneys working primarily in appellate courts for each of the 28 delay items, broken down into the general topic area sections, are shown in Table 5.

Table 5. Overall Ratings, Appellate Attorneys

ID	Topic Area/Item	Responders	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
Judicial Officers, Staff Levels, and Attorney Availability								
1	Insufficient number of attorneys.	74	23.0%	5.4%	17.6%	20.3%	25.7%	31.1%
2	Insufficient number of judicial officers.	73	19.2%	6.8%	12.3%	21.9%	16.4%	42.5%
3	Insufficient number of prosecutors.	64	18.8%	4.7%	14.1%	14.1%	10.9%	56.3%
4	Unavailability of appointed counsel or public defenders.	61	23.0%	8.2%	14.8%	24.6%	24.6%	27.9%
5	Inadequate staffing levels within the courts or clerks' offices.	67	17.9%	6.0%	11.9%	19.4%	23.9%	38.8%
6	Appointed counsel fee rates are too low.	56	48.2%	25.0%	23.2%	25.0%	12.5%	14.3%
General Caseflow Management								
7	Courts do not employ or sufficiently enforce their scheduling orders.	91	9.9%	4.4%	5.5%	17.6%	25.3%	47.3%
8	Courts do not keep firm oral argument dates.	94	1.1%	0.0%	1.1%	7.4%	9.6%	81.9%
9	Courts do not offer mediation or other dispute resolution services.	69	7.2%	0.0%	7.2%	11.6%	7.2%	73.9%
10	Courts do not sufficiently enforce compliance with case processing time standards.	85	18.8%	11.8%	7.1%	17.6%	18.8%	44.7%
11	Courts do not sufficiently enforce their continuance policies.	88	12.5%	4.5%	8.0%	11.4%	23.9%	52.3%
12	Courts do not sufficiently enforce their local rules.	88	6.8%	2.3%	4.5%	12.5%	18.2%	62.5%
13	Courts do not sufficiently use remote technology, where appropriate.	90	13.3%	5.6%	7.8%	22.2%	18.9%	45.6%
14	Delay in judicial officers issuing decisions/opinions.	97	50.5%	35.1%	15.5%	22.7%	11.3%	15.5%
15	Delayed processing of documents in the clerks' offices.	91	8.8%	3.3%	5.5%	17.6%	18.7%	54.9%
16	Delayed production of transcripts of trial court proceedings.	92	25.0%	15.2%	9.8%	21.7%	27.2%	26.1%
17	Delayed record on appeal (excluding transcript delay).	93	12.9%	7.5%	5.4%	7.5%	23.7%	55.9%
18	Inadequate time available on court calendars.	80	13.8%	6.3%	7.5%	16.3%	21.3%	48.8%
19	Increasing case complexity (e.g., multiple cases across jurisdictions, multiple parties, novel legal issues, etc.)	89	40.4%	18.0%	22.5%	18.0%	18.0%	23.6%
Preparation by Parties and Counsel								
20	Lack of cooperation from clients.	81	8.6%	1.2%	7.4%	18.5%	29.6%	43.2%
21	Opposing counsel unprepared to proceed.	90	11.1%	3.3%	7.8%	22.2%	33.3%	33.3%
22	Self-represented litigants.	69	20.3%	7.2%	13.0%	26.1%	18.8%	34.8%

Continued on next page

Table 5. Overall Ratings, Appellate Attorneys (Continued)

ID	Topic Area/Item	Responders	A Great Deal or A Lot	A Great Deal	A Lot	Moderately	A Little	Not at All
Language Services								
23	Lack of qualified interpreters.	43	7.0%	0.0%	7.0%	14.0%	16.3%	62.8%
24	Lack of understanding and utilization of video remote interpretation technology.	52	7.7%	1.9%	5.8%	19.2%	17.3%	55.8%
Notifications								
25	Inadequate notifications from the courts (e.g., no electronic hearing notices, confirmation of service).	92	9.8%	5.4%	4.3%	16.3%	20.7%	53.3%
26	Inadequate reminders from the courts (e.g., no text message or email reminders)	92	10.9%	6.5%	4.3%	14.1%	19.6%	55.4%
Court Administration								
27	Courts have inadequate electronic filing capacity.	98	22.4%	12.2%	10.2%	20.4%	18.4%	38.8%
28	Courts have inadequate online dockets and case information.	101	25.7%	11.9%	13.9%	21.8%	11.9%	40.6%

Major Sources of Delay, Trial Attorneys

Shown in Table 6 are the sources of delay that were cited as major issues—where at least 20% of trial attorneys in any of the five practice areas scored the items as contributing to delay either “A Great Deal” or “A Lot”.

Table 6. Major Sources of Delay, Trial Attorneys

		Percent of Attorneys Rating Item with "A Great Deal" or "A Lot" (Only Showing 20% or Higher)				
ID	Topic Area/Item	Civil Defense	Civil Plaintiffs	Criminal Defense	Prosecution	Family Law
Service of Process						
1	Delays with certified mail return of service.	20.4%	48.4%		22.6%	40.4%
2	Inability to effectuate service of process to commence actions.		38.4%		22.6%	31.3%
3	U.S. Postal Service COVID practices resulting in unperfected service.	20.8%	45.5%	22.6%		38.4%
Judicial Officers, Staff Levels, and Attorney Availability						
4	Insufficient number of attorneys.				21.5%	
5	Insufficient number of judicial officers.		20.9%			
7	Unavailability of appointed counsel or public defenders.			20.5%	28.0%	25.0%
8	Inadequate staffing levels within the courts or clerks' offices.		20.1%			
9	Appointed counsel fee rates are too low.	33.7%	52.0%	62.8%	32.4%	60.7%
Discovery						
10	Not getting timely discovery from prosecutor on criminal cases.	28.0%	21.5%	49.8%		22.4%
11	Not getting timely ruling on discovery disputes.	32.3%	29.7%			22.4%

Continued on next page

Table 6. Major Sources of Delay, Trial Attorneys (Continued)

ID Topic Area/Item		Percent of Attorneys Rating Item with "A Great Deal" or "A Lot" (Only Showing 20% or Higher)				
		Civil Defense	Civil Plaintiffs	Criminal Defense	Prosecution	Family Law
General Caseflow Management						
12	Courts do not employ or sufficiently enforce their scheduling orders.	25.3%	20.0%		22.7%	21.5%
13	Courts do not keep firm trial dates.	29.6%	26.7%		25.3%	24.9%
15	Courts do not sufficiently enforce compliance with case processing time standards.	27.1%	22.0%			20.3%
16	Courts do not sufficiently enforce their continuance policies.				22.2%	
18	Courts do not sufficiently use remote technology, where appropriate.		23.8%	25.8%	21.0%	22.1%
19	Delay in judicial officers issuing decisions (e.g., trials, objections to magistrate decisions, etc.).	56.2%	48.8%	21.4%	21.2%	46.2%
20	Delayed processing of documents in the clerks' offices.					21.2%
22	In multi-judge courts, lack of collaboration between judicial officers (e.g., covering trials).				20.5%	21.2%
23	Inadequate time available on court calendars.	25.3%	29.3%	31.7%	30.6%	41.7%
24	Increasing case complexity (e.g., multiple cases across jurisdictions, multiple parties, novel legal issues, etc.)	32.2%	23.6%	28.7%	31.7%	25.2%
Preparation by Parties and Counsel						
26	Lack of cooperation from clients.			33.7%	38.4%	29.9%
27	Offers to resolve cases not timely.		36.1%	37.3%		35.0%
28	Opposing counsel unprepared to proceed with trial.	22.8%	23.1%	23.9%	42.1%	31.4%
29	Self-represented litigants.		23.3%			42.2%
Other Case Participants						
30	Lack of expert evaluators (e.g., for guardianships).			23.9%		
31	Lack of Guardians ad Litem or CASA volunteers.					20.3%
Evidence Acquisition and Management						
34	Delay in forensic evidence testing.			50.1%	39.2%	23.6%
35	Delay in getting mental health evaluations completed.			42.4%	35.8%	29.5%
36	Delay in getting substance use disorder evaluations completed.			28.6%	21.0%	
38	Lack of technology to efficiently manage digital evidence.			26.9%		
39	Challenges in coordinating schedules of witnesses and other case participants.	20.8%	22.4%	29.5%	39.9%	27.6%
40	Defendants and other parties' failure to appear.			24.9%	48.3%	
Court Administration						
43	Courts have inadequate electronic filing capacity.	23.8%	27.2%	22.5%		27.3%
44	Courts have inadequate online dockets and case information.	25.6%	28.7%	21.6%		29.5%
45	Inadequate courthouse facilities for use by attorneys (e.g., no business center, private meeting space).			32.0%		27.3%

Major Sources of Delay, Appellate Attorneys

Shown in Table 7 are the sources of delay that were cited as major issues—where at least 20% of appellate attorneys in any of the five practice areas scored the items as contributing to delay either “A Great Deal” or “A Lot”.

Table 7. Major Sources of Delay, Appellate Attorneys

ID		Percent of Attorneys Rating Item with "A Great Deal" or "A Lot" (Only Showing 20% or Higher)				
		Civil Defense	Civil Plaintiffs	Criminal Defense	Prosecution	Family Law
Topic Area/Item						
Judicial Officers, Staff Levels, and Attorney Availability						
1	Insufficient number of attorneys.			25.0%	50.0%	
2	Insufficient number of judicial officers.	31.3%	27.3%		21.4%	
3	Insufficient number of prosecutors.		25.0%		42.9%	
4	Unavailability of appointed counsel or public defenders.			20.6%	36.8%	
5	Inadequate staffing levels within the courts or clerks' offices.				28.6%	
6	Appointed counsel fee rates are too low.	40.0%		64.7%		
General Caseflow Management						
9	Courts do not offer mediation or other dispute resolution services.	20.0%				
10	Courts do not sufficiently enforce compliance with case processing time standards.			28.6%		
11	Courts do not sufficiently enforce their continuance policies.	26.7%				
13	Courts do not sufficiently use remote technology, where appropriate.			20.0%		
14	Delay in judicial officers issuing decisions/opinions.	55.6%	58.8%	52.6%	36.4%	
16	Delayed production of transcripts of trial court proceedings.			43.2%		100.0%
17	Delayed record on appeal (excluding transcript delay).			22.2%		50.0%
18	Inadequate time available on court calendars.	23.1%				
19	Increasing case complexity (e.g., multiple cases across jurisdictions, multiple parties, novel legal issues, etc.)	46.7%	30.0%	29.7%	54.5%	50.0%
Preparation by Parties and Counsel						
22	Self-represented litigants.	30.8%			33.3%	
Court Administration						
27	Courts have inadequate electronic filing capacity.	20.0%	25.0%	30.0%		
28	Courts have inadequate online dockets and case information.			36.6%		

Differences in Overall Views by Attorney Type and Practice Area

Shown in Table 8 are counts of the number and percentage of items identified as major sources of delay (with at least 20% of responders selecting either “A Great Deal” or “A Lot”), broken down by attorney type and practice area. Overall, trial attorneys were more likely to identify an item in the survey as a major source of delay. Across all practice areas, more than three quarters of all 45 items (77.8%) were cited as major sources of delay among trial attorneys, compared to 64.3% of the 28 items presented to appellate attorneys.

Among trial attorneys, the practice area with the lowest number of items rated as major sources of delay was civil (non-family law) defense, with 15 out of 45 items (33.3%). Family law attorneys identified the highest number of items, citing 27 out of the 45 as major sources of delay (60.0%). Among appellate attorneys, criminal defense attorneys identified the most items, with 11 out of 28 (39.3%). Family law appellate attorneys identified the fewest, with three out of 28 (10.7%).

Table 8. Items Cited as Major Sources of Delay, by Attorney Type and Practice Area

Practice Area	Trial Attorneys		Appellate Attorneys	
	Items	% of All 45	Items	% of All 28
Civil Defense	15	33.3%	9	32.1%
Civil Plaintiffs	21	46.7%	5	17.9%
Criminal Defense	21	46.7%	11	39.3%
Prosecution	20	44.4%	8	28.6%
Family Law	27	60.0%	3	10.7%
All Practice Areas	35	77.8%	18	64.3%

Causes of Delay in the Courts

* 1. Are you currently, or have you been, an attorney of record in a court matter within the last 6 months?

- ☐ Yes
- ☐ No

Causes of Delay in the Courts

2. Are you aware that the Supreme Court of Ohio promulgates case processing time standards for the courts?

- ☐ Yes
- ☐ No

3. Are you aware that the Supreme Court of Ohio regularly collects court caseload and performance statistics?

- ☐ Yes
- ☐ No

4. Are you aware that the Supreme Court of Ohio makes court caseload and performance statistics publicly available on the Court's website?

- ☐ Yes
- ☐ No

* 5. In your experience as an attorney of record in court matters, what has been your most frequent role?

- ☐ Criminal defense (any form)
- ☐ Prosecution
- ☐ Family law (domestic relations, juvenile, probate, or Guardian ad Litem)
- ☐ Civil plaintiffs' counsel (non-family law)
- ☐ Civil defense counsel (non-family law)

* 6. Is the majority of your time as an attorney of record in court matters spent in appellate courts or trial courts?

- ☐ Trial courts
- ☐ Appellate courts

Causes of Delay in the Courts

7. Service of Process: How much do these factors contribute to delay in the trial courts?

[illegible]

8. Judicial Officers, Staff Levels, and Attorney Availability: How much do these factors contribute to delay in the trial courts?

[illegible]

9. **Discovery:** How much do these factors contribute to delay in the trial courts?

[illegible]

10. **General Caseflow Management:** How much do these factors contribute to delay in the trial courts?

[illegible]

APPENDIX A

[illegible]

11. **Preparation by Parties and Counsel:** How much do these factors contribute to delay in the trial courts?

[illegible]

12. **Other Case Participants:** How much do these factors contribute to delay in the trial courts?

[illegible]

13. Evidence Acquisition and Management: How much do these factors contribute to delay in the trial courts?

	A Great Deal	A Lot	Moderately	A Little	Not at All	Don't Know/Not Applicable
Delay in forensic evidence testing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delay in getting mental health evaluations completed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delay in getting substance use disorder evaluations completed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delay in paternity testing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of technology to efficiently manage digital evidence.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

14. Failure to Appear; General Scheduling: How much do these factors contribute to delay in the trial courts?

[illegible]

15. **Notifications:** How much do these factors contribute to delay in the trial courts?

[illegible]

16. **Court Administration:** How much do these factors contribute to delay in the trial courts?

[illegible]

Causes of Delay in the Courts

17. Judicial Officers, Staff Levels, and Attorney Availability: How much do these factors contribute to delay in appellate courts?

[illegible]

18. **General Caseflow Management:** How much do these factors contribute to delay in appellate courts?

[illegible]

[illegible][illegible][illegible]

22. **Court Administration:** How much do these factors contribute to delay in appellate courts?

[illegible]





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