



STRATEGIES FOR ADDRESSING A BACKLOG OF HEARINGS

Tips for Ohio Courts

The COVID-19 pandemic has created unprecedented situations for Ohio's judicial branch. Courts may face a backlog of cases due to continuances over the past few months and an influx of new filings.

ALTERNATIVE CASE RESOLUTION

- **UTILIZE ALTERNATIVE DISPUTE RESOLUTION OR ALTERNATIVE PROGRAMS:** Mediators can resolve cases online, by phone, or by text-based mediation platforms. Consider diversion and intervention in lieu of conviction programs to reduce the number of hearings needed.
- **HOLD A SETTLEMENT EVENT:** Clear the docket by holding a “settlement week” with mediators.
- **RUN AN EXTRA DOCKET.** If possible, increase the court's capacity by including another docket. A short-term judicial officer, such as a visiting judge, may help courts move quickly through a backlog of cases.
- **MATCH RESOURCES TO THE NEEDS OF EACH CASE:** Group civil cases into general, streamlined, and complex categories. For example, streamlined cases present uncomplicated facts and legal issues requiring minimal judicial intervention. Supervision of streamlined cases by court staff allows judicial officers more time to address the needs of complex cases. Learn how to implement this approach from the [National Center for State Courts](#) (NCSC). Also, see the NCSC's [Civil Justice Initiative](#) and resources.

STAFFING

- **REALLOCATE STAFF:** Visiting judges, magistrates, and law clerks can help clear a backlog of cases.
- **CROSS-TRAIN STAFF:** Provide clear instructions and training on common tasks to increase staff flexibility.
- **EXPAND COURT HOURS AND OFFER STAFF FLEXIBLE HOURS:** Night court can increase the number of hearings conducted, as budget and staffing allows. Offer flexible, uninterrupted “catch up” hours for staff to process filings.
- **STAY INFORMED:** Register for a coronavirus webinar offered by the Supreme Court of Ohio Judicial College on [OhioCourtEdu](#).

COMMUNICATION

- **LISTEN BEFORE PLANNING:** Solicit ideas from the local bar, clerks, and judicial staff for creative ways to deal with the coming surplus of hearings.
- **COMMUNICATE:** Explain changes to stakeholders and frequently update the court's website.
- **SIMPLIFY ENTRIES:** Use form-based entries that can be electronically generated to save time.
- **SEEK AND SHARE ADVICE:** Reach out to other courts to discuss their approaches.

TRIALS, HEARINGS, & FACILITIES

- **CONDUCT CIVIL JURY TRIALS VIRTUALLY:** Many litigants would prefer a virtual trial to indefinite postponement.
- **HOLD REMOTE HEARINGS:** Remote hearings are safer for everyone, reduce travel time for attorneys and litigants, and result in fewer failures to appear (FTA).
- **REDUCE DELAYS RESULTING FROM FTA:** Consider all alternatives to pretrial detention for criminal warrant hearings, and adopt text reminders.
- **OFFER TECHNOLOGY TRAININGS OR MENTORS:** If utilizing virtual hearings, offer technology trainings to judges, attorneys, and other participants.
- **EXPLORE OFF-SITE VENUES:** Find a larger space allowing court staff, parties, and juries to maintain social distancing.
- **MAKE YOUR COURT SAFE FOR VISITORS:** Require staff and the public to have their temperature checked at the door, wear face coverings, make hand sanitizer available in multiple locations, follow social distancing in all areas, thoroughly clean after each in-person court event, and grant continuances for jury trials.