



## Municipal & County Courts

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

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

In 2011, there were 130 municipal courts with 217 judges, and 35 county courts with 37 judges. Three municipal courts have specialized divisions: Cleveland Municipal Court — Housing Division, Toledo Municipal Court — Housing Division and Franklin County Municipal Court — Environmental Division.

Municipal court judges and county court judges must be attorneys with at least six years of experience in the practice of law. They are elected on a non-partisan judicial ballot. Municipal court judges serve on either a full-time or part-time basis, depending on the statutes establishing the individual municipal courts. All county court judges serve on a part-time basis. A municipal court's territorial jurisdiction may be limited to one municipality or may extend across a range of municipalities, townships, or be countywide. A small number of municipal courts have territories that extend across more than one county. In 2011, statutes provided for the judgeships in the following 13 municipal courts to be part-time.

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

In addition to the 13 courts identified above, two of the four judgeships in the Montgomery County Municipal Court are part-time judgeships.

## Changes in 2011

In 2011, changes were made concerning the existence and nature of four of Ohio's municipal and county courts.

**Lyndhurst Municipal Court, Miamisburg Municipal Court, and Chardon Municipal Court:** Effective January 1, 2011, the judgeships in each of these courts converted from part-time to full-time status.

**Putnam County Court:** Effective January 1, 2011, the Putnam County Court was abolished and the Putnam County Municipal Court was established in its place. The enabling legislation also provided for the abolishment of one of the county court's two judgeships, effective December 31, 2010.

## Future Changes

**Sandusky County Court:** Effective January 1, 2013, the Sandusky County Court will be abolished and the Sandusky County Municipal Court will be established in its place. The enabling legislation also provides for the abolishment of one of the county court's two judgeships by January 1, 2013.

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

### Civil Cases

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

### Criminal Cases

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

### Traffic Cases

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

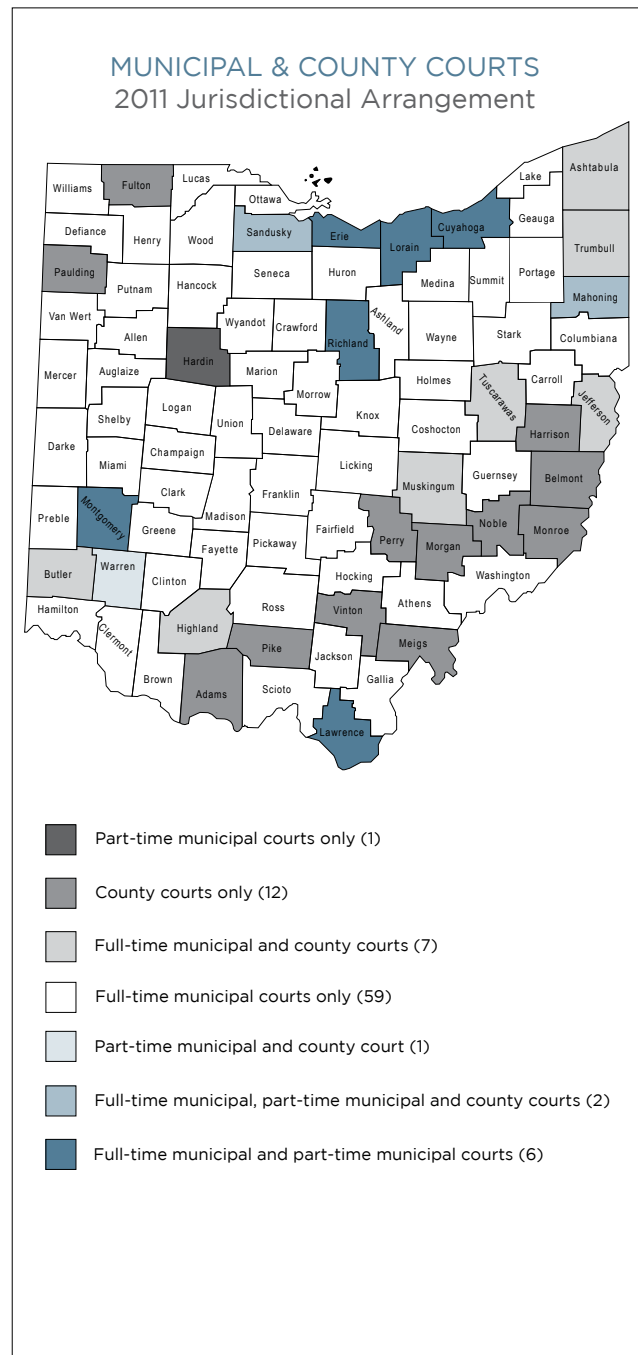


FIGURE 1

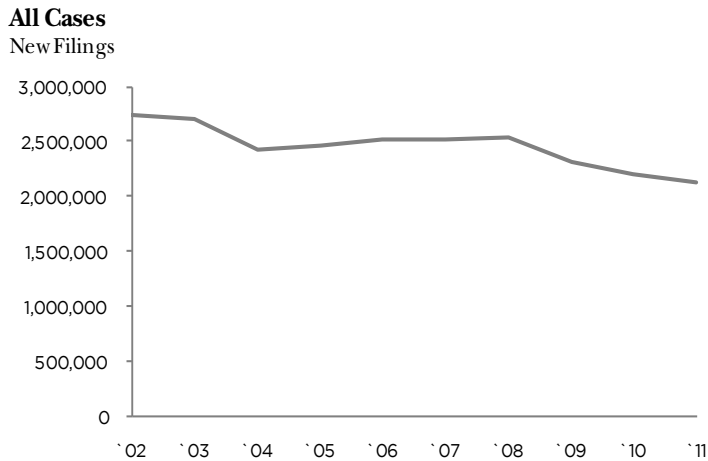


FIGURE 2

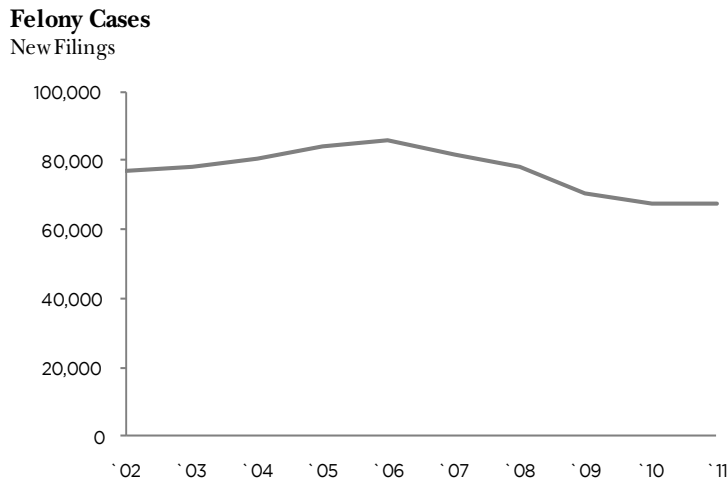


FIGURE 3



## Caseloads

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

As shown in a table in the *Appendix* and in **Figure 1**, the total number of new filings each year in Ohio's municipal and county courts decreased overall during the past 10 years but especially over the last three years. Since 2008, the number of new cases has decreased by 16 percent.

However, there was substantial growth in certain case types at least during certain periods over the past 10 years.

Felony cases, in which municipal and county courts conduct preliminary matters only, exhibited a notable shift in their growth rate over the 10-year period shown in **Figure 2**. From 2002 to 2006, the rate of increase was fairly sharp. Beginning in 2006, however, that trend reversed. The 67,219 Felony cases filed in 2011 represent a drop of 22 percent from the 10-year high in 2006 when 85,695 cases were filed.

Misdemeanor cases, constituting a sizable 17 percent of the courts' total caseload, have experienced a slight but fairly steady downward trend over the past 10 years. A total of 368,480 new filings were reported in 2011, which represents 11 percent fewer than in 2002. The 10-year high of slightly more than 419,000 cases were filed in 2007. (See **Figure 3**).

Not unlike the general downward trend seen in Other Traffic cases, O.V.I. cases also exhibit an overall downward trend, although in 2011 the courts experienced a slight uptick of 3 percent from 2010 following several years of continuing decreases. (See **Figure 4**).

Other Traffic cases (all moving violations except for O.V.I.), constituting 55 percent of the municipal and county courts' total caseload filed in 2011, have, on the whole, trended downward from 2002 through 2011, with a particularly sharp decline between 2003 and 2004 and consistent year-over-year decreases since 2006 (See **Figure 5**).

Small Claims case filings trended essentially downwards over the past 10 years, with sharp declines each year beginning in 2008. The number of new Small Claims cases filed in 2011 (61,733) represents a drop of 9 percent from 2010 and 33 percent fewer than 10 years ago. (See **Figure 6**).

FIGURE 4

**O.V.I. Cases**  
New Filings

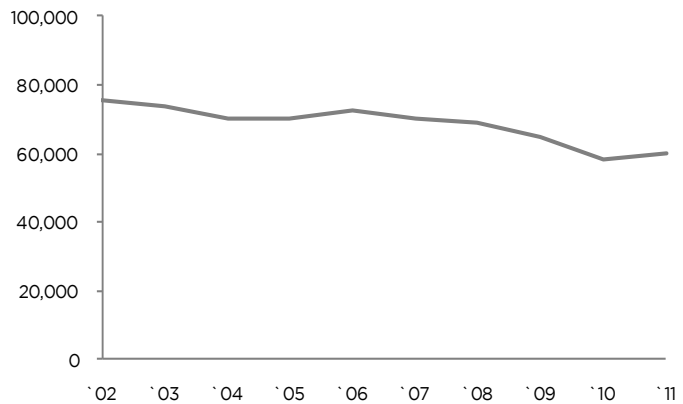


FIGURE 5

**Other Traffic Cases**  
New Filings

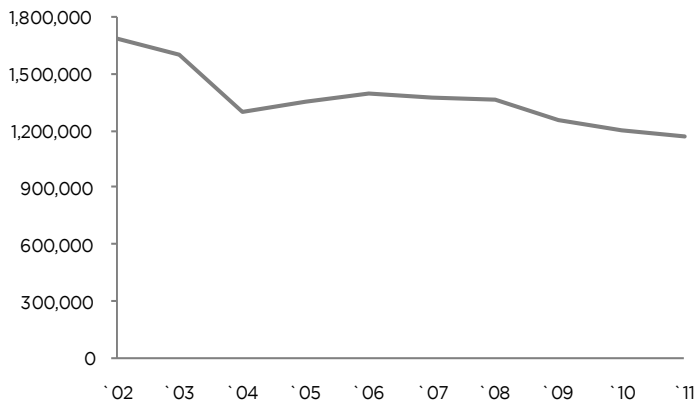


FIGURE 6

**Small Claims Cases**  
New Filings

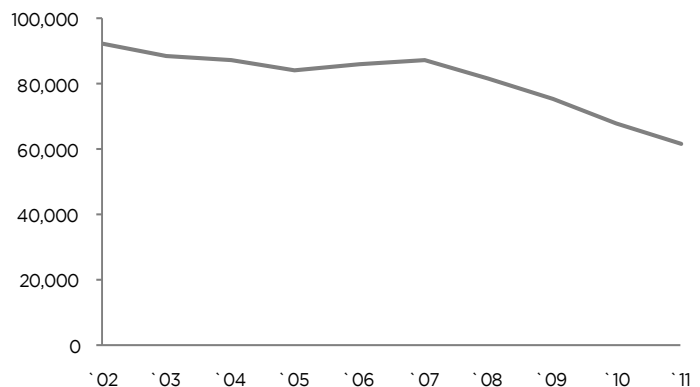
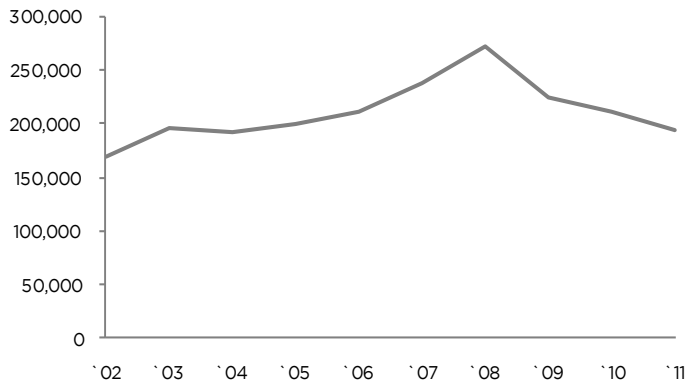


FIGURE 7

**Contracts Cases**  
New Filings



Contracts cases, constituting about 10 percent each year of the courts' total caseloads, have demonstrated considerable volatility. There was significant growth in Contracts cases over the years between 2002 and 2008, but for the past three years the volume of new cases has dropped markedly. In 2011, slightly more than 193,000 cases were filed, representing an 8-percent decrease from 2010 and a 29 percent decrease from the 10-year high in 2008. (See **Figure 7**).

TABLE 1

**Clearance Rates**

All Case Types, 2011 (average per month)

Case Type	Clearance Rate
Contracts	102%
F.E.D.	97%
Other Civil	110%
Pers. Inj./Prop. Damage	114%
Small Claims	105%
Felonies	100%
Misdemeanors	103%
O.V.I.	98%
Other Traffic	101%

**Performance Measures**

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

As shown in **Table 1**, the clearance rates for each case type in 2011 all exceed or equal the 100 percent target measure. Overage rates are displayed graphically in **Table 2**. The overage rate for Felonies, at 15 percent, is the only overage rate exceeding 10 percent.

TABLE 2

**Overage Rates**

All Case Types, 2007 through 2011 (average per month, statewide)

Case Type	2007	2008	2009	2010	2011
Contracts	4%	3%	4%	4%	3%
F.E.D.	30%	17%	7%	6%	5%
Other Civil	1%	1%	1%	1%	2%
Pers. Inj./Prop. Damage	2%	1%	1%	1%	1%
Small Claims	14%	11%	8%	8%	9%
Felonies	11%	12%	12%	14%	15%
Misdemeanors	2%	2%	3%	4%	5%
O.V.I.	4%	4%	5%	5%	5%
Other Traffic	1%	2%	2%	3%	4%

## Trial Rates

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

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

Figures 8, 9 and 10 display the trial rates for court trials (cases where the judge hears the evidence and renders a determination of the facts in the case) and jury trials for Civil, Misdemeanor (non-traffic) and Traffic cases.

In each instance, the rate of jury trials is very low (the highest rate being in Civil cases with a trial rate of 0.4 percent). Among court trials, the rates generally exhibit long-term downward trends although court trials in civil cases have begun to trend upwards beginning in 2007 following several years of consecutive decreases.

FIGURE 8

### Trial Rates in Misdemeanor (Non-Traffic) Cases

Percentage of Total Dispositional Terminations Reported by Individually Assigned Judges

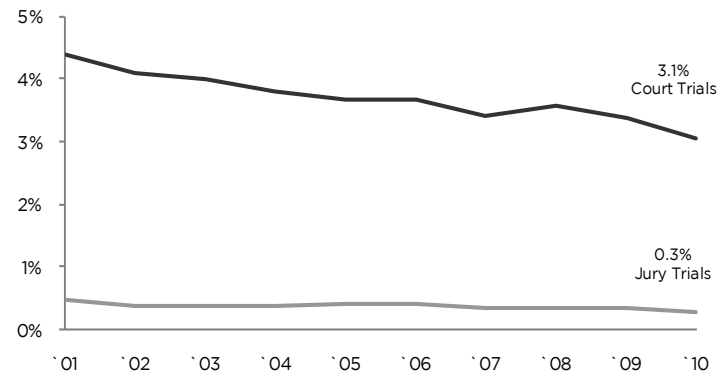


FIGURE 9

### Trial Rates in Civil Cases

Percentage of Total Dispositional Terminations Reported by Individually Assigned Judges

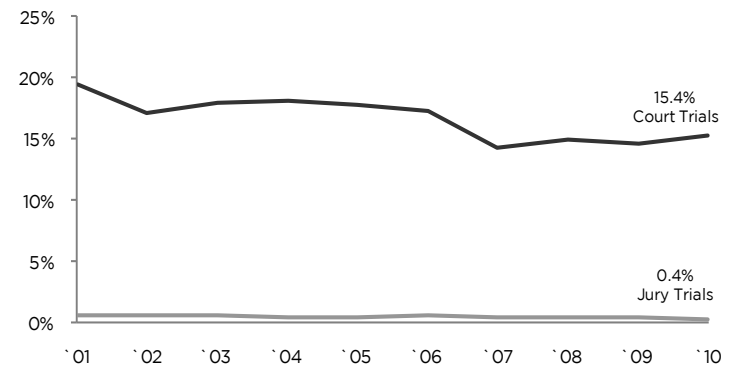


FIGURE 10

### Trial Rates in Traffic Cases

Percentage of Total Dispositional Terminations Reported by Individually Assigned Judges

