



## 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 have statewide authority to solemnize marriage ceremonies.

In 2015, there were 129 municipal courts with 215 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. The statutes provide that 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 2015, statutes provided for the judgeships in the following 12 municipal courts to be part-time.

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

In addition to the 12 courts identified above, two of the four judgeships in Montgomery County Municipal Court in 2015 were part-time judgeships.

## Changes in 2015

In 2015, no changes were made concerning the existence and nature of Ohio’s municipal and county courts.

## Future Changes

In 2010, legislation was enacted converting the Montgomery County Court into the Montgomery County Municipal Court. As a result of a vacancy being created on Dec. 31, 2015, one full-time judgeship was immediately abolished pursuant to that legislation and the remaining part-time judgeships were converted to full-time status, effective Jan. 1, 2016. The 2010 legislation further provides for a judgeship to be abolished on Dec. 31, 2021, which will result in two full-time judgeships remaining in the court from that point forward.

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.

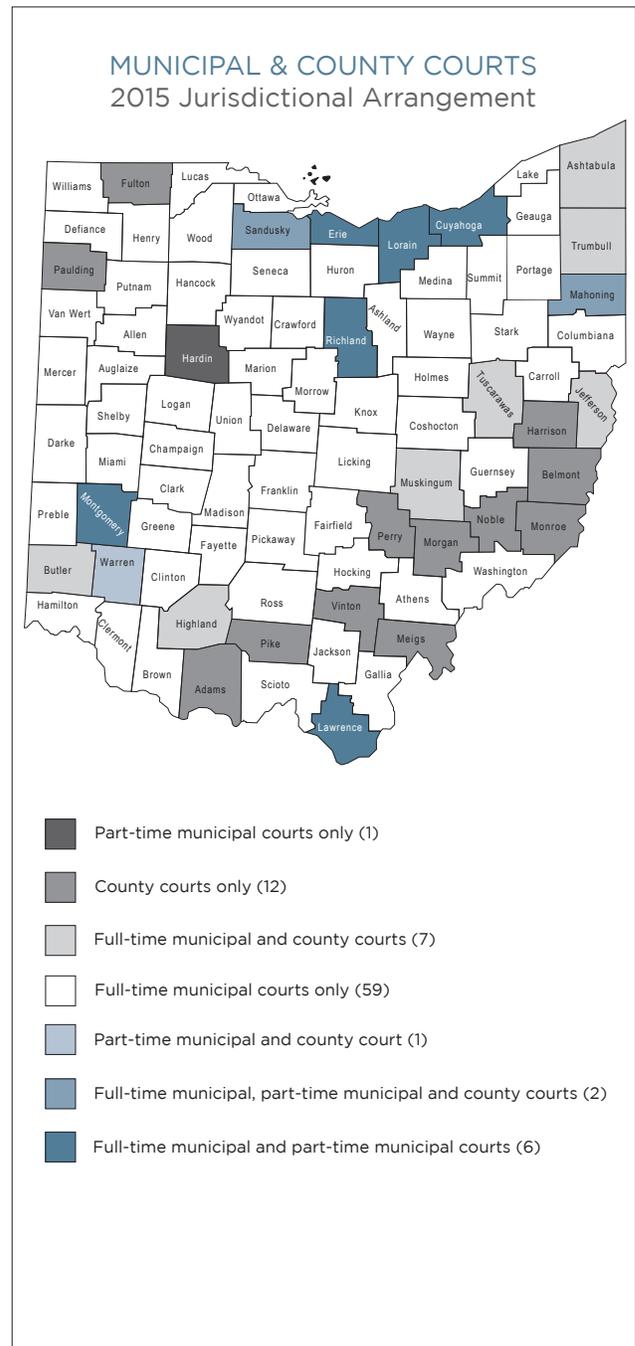


FIGURE 1

**Felonies**

Total incoming cases

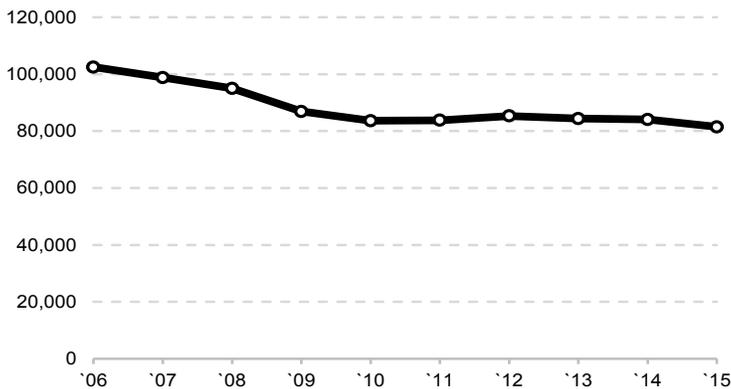


FIGURE 2

**Misdemeanors**

Total incoming cases

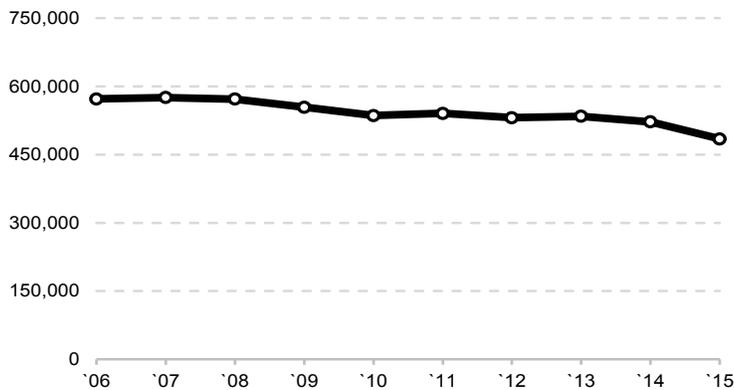
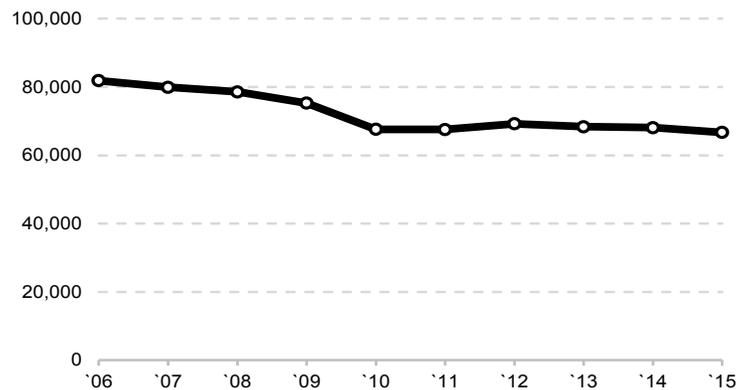


FIGURE 3

**Operating a Vehicle While Under the Influence (O.V.I.)**

Total incoming cases



**Caseloads**

For purposes of presenting ten 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*, the total number of incoming cases each year in Ohio's municipal and county courts has generally decreased overall during the past ten years. Since 2008 (the 10-year high), the number of incoming case has decreased by 20 percent. However, there was 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 hearings only, exhibited a notable shift in their growth rate over the ten year period shown in **Figure 1**. There was an 18-percent decline between 2006 and 2010. In the last five years, however, the volume of incoming cases has remained relatively stable. In 2015, a total of 81,479 incoming cases were reported.

Misdemeanor cases, constituting 20 percent of the courts' total overall caseload, have experienced a slight downward trend over the past ten years. A total of 484,580 incoming cases were reported in 2015, a 7 percent decrease from 2014 and a 16 percent decrease from the 10-year high of 575,755 cases in 2007. (See **Figure 2**).

Operating a Vehicle While Under the Influence (O.V.I.) cases exhibit a downward trend over the last ten years, although since 2010 the number of incoming cases each year has generally leveled off. In 2015, a total of 66,724 incoming cases were reported. (See **Figure 3**).

Other Traffic cases (all moving violations other than O.V.I.), constituted 59 percent of the municipal and county courts' total incoming caseloads in 2015. Other Traffic cases trended downward from 2006 through 2011 and after a reversal of this trend from 2011 to 2013 have resumed a decline. In 2015, there was a total of 1,395,469 incoming Other Traffic cases, representing a 5 percent decline from 2014 when 1,475,103 incoming cases were reported. (See **Figure 4**).

Small Claims case filings have trended downward over the past 10 years, with particularly sharp declines each year beginning in 2008. The 50,736 incoming Small Claims cases in 2015 are down 43 percent from the ten year high of 88,969 cases in 2007. (See **Figure 5**).

Incoming Contracts cases, which in 2015 constituted about 6 percent the courts' total caseloads, have declined noticeably since 2008. In 2015, a total 151,934 incoming cases were reported, representing a 3 percent increase over 2014 and a 46 percent decrease from the 10-year high in 2008 of 278,930 incoming cases. (See **Figure 6**).

FIGURE 4

**Other Traffic**  
Total incoming cases

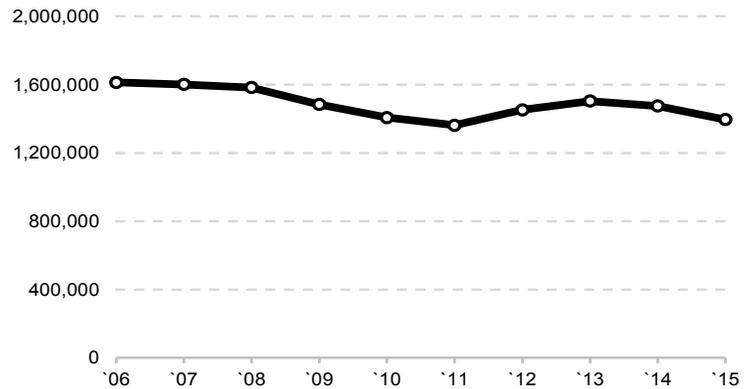


FIGURE 5

**Small Claims**  
Total incoming cases

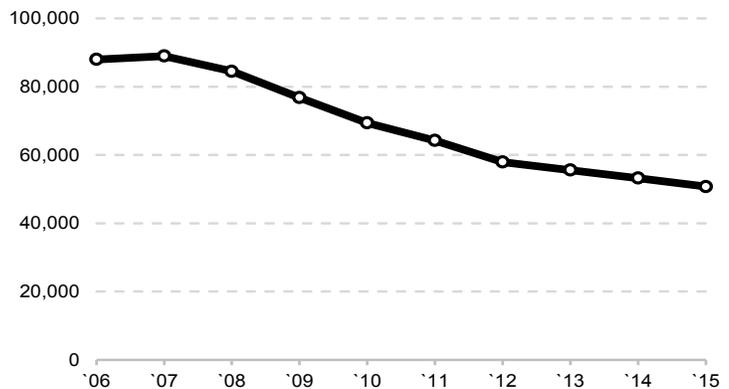


FIGURE 6

**Contracts**  
Total incoming cases

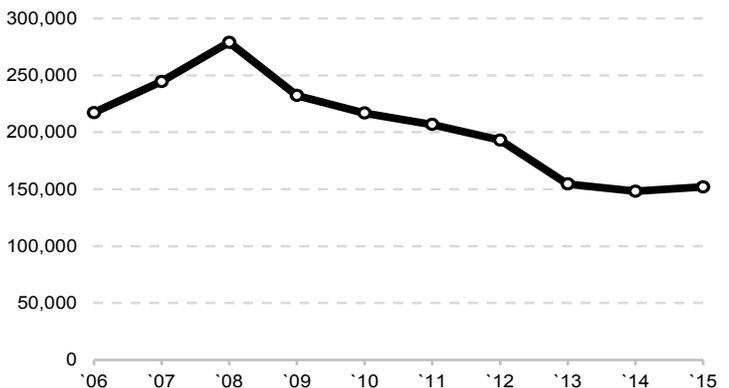


TABLE 1

**Clearance Rates**

Average per month in 2015

<b>Case Type</b>	<b>Monthly Average</b>
Contracts	98%
F.E.D.	103%
Other Civil	98%
PI/PD	104%
Small Claims	102%
Felonies	100%
Misdemeanors	100%
O.V.I.	99%
Other Traffic	100%

**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 most cases types in the limited jurisdiction courts in 2015 are near or equal to the 100 percent target, Contracts and Other Civil cases had the lowest statewide clearance rates, at 98 percent. Average monthly overage rates for the last five years are displayed in **Table 2**. The overage rate for Felonies in 2015, at 25 percent, is the only case type with an overage rate above 10 percent.

TABLE 2

**Overage Rates**

Percent of caseload pending past time guidelines, average per month

<b>Case Type</b> <i>(Time guideline, in months)</i>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Contracts <i>(12)</i>	3%	3%	4%	3%	4%
F.E.D. <i>(12)</i>	5%	5%	2%	2%	2%
Other Civil <i>(12)</i>	2%	6%	6%	6%	7%
PI/PD <i>(24)</i>	1%	1%	1%	1%	1%
Small Claims <i>(6)</i>	9%	9%	8%	7%	7%
Felonies <i>(1)</i>	15%	17%	20%	33%	25%
Misdemeanors <i>(6)</i>	5%	6%	6%	6%	7%
O.V.I. <i>(6)</i>	5%	6%	6%	6%	7%
Other Traffic <i>(6)</i>	4%	4%	4%	4%	5%

## Trial Rates

The rate of trials occurring in a court is a useful statistic when assisting courts in understanding the fundamentals of effective caseflow 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 caseflow 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.

It is conventionally understood among court observers at the national level that approximately 2 percent of civil cases and 5 percent of criminal cases ultimately go to trial. Ohio trial rates fall below those figures. **Figures 7, 8 and 9** display the trial rates in Ohio's municipal and county courts in Misdemeanors, non-Small Claims civil cases, and traffic cases (O.V.I. and Other Traffic combined).

FIGURE 7

### Misdemeanors (non-traffic)

Trials as a percentage of all dispositions

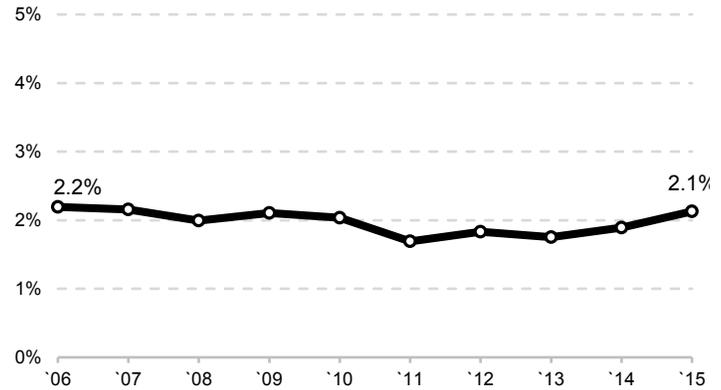


FIGURE 8

### Civil (non-small claims)

Trials as a percentage of all dispositions



FIGURE 9

### Traffic (O.V.I. and Other Traffic)

Trials as a percentage of all dispositions

