



THE SUPREME COURT *of* OHIO

REPORT *and* RECOMMENDATIONS *of*
THE SUPREME COURT *of* OHIO

Task Force

on the Funding of Ohio Courts



NOVEMBER 2015

THE SUPREME COURT *of* OHIO

REPORT & RECOMMENDATIONS OF THE
Task Force on the Funding of Ohio Courts

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ACKNOWLEDGEMENTS

Dear Reader:

Nothing is more important to justice in the State of Ohio than keeping all courts open and properly funded. Little did we know that as members of the Task Force on the Funding of Ohio Courts we were facing the perfect storm of a lack of uniform financial information, recordkeeping and reporting, coordination problems, limited perspective and difficulty planning due to budgeting uncertainties.

Despite these obstacles, the Task Force members did their best in meeting the Chief Justice's charges. We fell short in meeting all charges, but not from lack of effort. Limitations on data, lack of uniform record-keeping practices, the current structure of Ohio's judicial system and the lack of availability and comparability of financial information held us back.

Notwithstanding this, our members gave a sincere and heartfelt effort in examining the current state of affairs and offering meaningful recommendations for the Chief Justice and the Justices of the Supreme Court to help them decide which course to take to ensure that each Ohio citizen receives justice.

My vice chair, Judge Lee Sinclair (retired), our Task Force members and I offer our sincere gratitude and utmost appreciation to Supreme Court staff, as the Task Force could not have accomplished what we did without their professionalism and hard work. We especially thank the following current and former employees, without whom any success we achieved would have only been a thought:

- W. Milt Nuzum, III – Director of Judicial Services
- Ronda Carver – Director of Fiscal Services
- John S. VanNorman – Senior Policy and Research Counsel and Staff Liaison
- Brian Farrington – Statistics Analyst
- Evan Ward – Fiscal Specialist
- Corey Schaal – Research Analyst
- Payal Thakur – Fiscal Manager.

Additional appreciation goes to Justin Kudela and Melissa Ferguson, Case Management Counsel in the Office of the Clerk of the Supreme Court, and Erin Porta, for their assistance compiling the list of constitutional and statutory functions and duties of Ohio courts, and Rosanne Buell for her work processing the local court budgets received by the Task Force.

Also, the success and “bringing it all together” would not have been possible without the talents and leadership of Bill Demidovich and Anna Karousis of LeanOhio. Our special thanks to them.

Finally, my personal thanks to Judge Sinclair, our committee chairs and all the participating members of our Task Force, who gave many selfless hours of their valuable time to this important, and dare I say, visionary work.

Sincerely,
Christopher A. Boyko
United States District Court
Chair, Task Force on the
Funding of Ohio Courts

INTRODUCTION

Overview

The economic environment over the past several years has presented government, including the judicial branch, with the classic dilemma of receiving declining revenue while meeting an increased demand for services. At the national level, the situation has been described by the American Bar Association’s Task Force on the Preservation of the Justice System as a “crisis.” Here in Ohio, recent state biennial budget cycles have been difficult for everyone, and local courts have experienced budget challenges.

In responding to these challenges, it is not enough for courts to cut costs and balance their current books. There is the need to look beyond this recent crisis and examine the long-term solutions that will strengthen the financial picture of Ohio’s courts. Ohio’s judges, court personnel, funding authorities, attorneys, and other stakeholders in the judicial system must pursue systemic change and cost savings through a collaborative process.

In March of 2012, Chief Justice Maureen O’Connor created the Supreme Court Task Force on the Funding of Ohio Courts. The Chief Justice charged the Task Force with identifying the method and manner by which Ohio courts are funded, determining the long term efficacy of the current funding models, and reviewing possible alternatives that might provide sustained and consistent funding for Ohio courts. For the past three years the Task Force has worked to meet its charge, engaging in various activities and exercises that culminate in the Task Force’s report and recommendations.

Work of the Task Force

Educational efforts

The Task Force began with a review of the current Ohio judicial system and funding mechanism, which revealed that although individual Task Force members were familiar with the portion of the judicial system with which they regularly operate or interact, few had a comprehensive understanding of the judicial system in its entirety, let alone the complexity of the current structure and funding system. As just one example, many members were unaware the compensation for municipal, county, and common pleas judges is paid by both the state and the local funding authorities.

Review of other states

Next, the Task Force turned to reviewing the experiences of other states. Working with Daniel Hall, Vice President of the Court Consulting Services Division for the National Center for State Courts, the Task Force identified seven states that have engaged in a similar review of the funding mechanisms of their judicial systems.¹ The Task Force reviewed the reports and recommendations from each of these states to determine what, if any, lessons and ideas could be gleaned from each. Several common themes were identified, such as increased efficiency through the use of technology. However, the Task Force ultimately concluded that because each state's recommendations addressed factors unique to that state, it was difficult to identify those recommendations that could easily apply to Ohio and have an equal and assured positive impact.

Surveys and data collection

With these two steps completed, the Task Force turned to the key to meeting its charge: reviewing financial data from the courts of the state. However, as the Task Force learned, the Supreme Court currently does not collect financial data from the courts. As a result, this information had to be obtained from each local court. To do this, the Task Force submitted to each administrative judge and court administrator a request for their court's operating budget for the years of 2010 through 2012, the court's latest annual report or yearly summary of operations, and a position roster. Additionally, the Task Force conducted a meeting with the following individuals with court administration and funding experience to prepare a ten-question survey aimed at ascertaining each court's unique funding situation and allowing each court to express its greatest funding needs and issues:

- Judge Joyce Campbell of the Fairfield Municipal Court
- Judge David Gormley of the Delaware Municipal Court
- Judge Michael Lowe of the Morgan County Court
- Tony Brigano, Court Administrator for the Warren County Probate/Juvenile Court
- Melinda Cooper, Court Administrator for the Fifth District Court of Appeals
- Patrick Dressing, the Hamilton County Court Administrator
- Jim Link, Clerk of the Lima Municipal Court
- Susan Luken, the Hamilton County Assistant Court Administrator
- Ben Manning, Court Administrator for the Twelfth District Court of Appeals
- Elizabeth Stephenson, Court Administrator for the Tuscarawas County Court of Common Pleas
- Sara Stegemoller, Chief Fiscal Officer for the Warren County Probate/Juvenile Court
- Kimberly Switzer, Director of Courts Services for Hancock County Court of Common Pleas.

¹ The states reviewed were Kansas, Minnesota, New Hampshire, New Mexico, Oregon, Utah, and Vermont.

In addition to the survey of local courts, the Task Force also surveyed the state court clerks. Specifically, with the assistance of Deborah Comery, Clerk of the Rocky River Municipal Court; Lori M. Tyack, Clerk of the Franklin County Municipal Court; and Andrea White, Clerk of the Kettering Municipal Court, the Task Force requested court revenue and disbursement data from court clerks for the years 2010 through 2012.

The Task Force now submits its final report and recommendations to the Supreme Court. The Task Force hopes the report will serve as an educational document for those unfamiliar with the current structure and funding of the Ohio judicial system and that the information and nine recommendations outlined herein will provide a proposed framework for improving each.

TASK FORCE CHARGE

Chief Justice Maureen O'Connor of the Supreme Court established the Task Force to identify the method and manner by which Ohio courts are funded, determine the long term efficacy of the current funding models, and review possible alternatives that might provide sustained and consistent funding for Ohio courts. Additionally, she requested the Task Force, in addressing these, do each of the following:

- I. Identify the constitutionally and statutorily mandated, discretionary, and operational functions and duties of Ohio courts
- II. Identify the various funding sources for the functions and duties of Ohio courts, including federal, state, and local government funding; designated or special funds; grants; and fines, fees, and costs
- III. Determine the total annual amount of financial resources expended in funding the functions and duties of Ohio courts
- IV. Determine the total annual amount of the various fines and fees collected by Ohio courts that are allocated to other public or private entities and functions
- V. Examine the ongoing budgetary needs of courts, including staff, facilities, technology, and programmatic efforts
- VI. Review the structure of the judicial system.

TASK FORCE GOALS AND CONSIDERATIONS IN MEETING CHARGE

During the course of its deliberations and in reaching the specific recommendations contained within this report, the Task Force was guided by several goals. Specifically, the Task Force aimed for recommendations that:

- Are based upon input from all justice partners, as their involvement and support is vital to the consideration and any future implementation of the Task Force’s recommendations
- Improve upon the current judicial structure and funding system and promote a sustained structure of the judicial system at a level that is appropriate for one of the three branches of government
- Promote efficiency, but not at the expense of justice, while acknowledging that inefficiency can be an obstacle to accessing justice
- Implement meaningful change with realistic expectations
- Are understood as being the first step in a longer process, but establish milestones for the future and the tools needed to begin reaching those milestones.

In addition to these goals, when discussing recommendations, including the specific elements of a recommendation and determining whether to ultimately include the recommendation in its report, the Task Force was guided by several considerations and realities. These included:

- The impact of the background environment, including Ohio’s rich home-rule tradition. The Task Force respects and values this tradition and with its recommendations aims to avoid negatively impacting the practice of local courts serving as laboratories for new ideas. As a result, the Task Force found there are few “one-size-fits-all” recommendations that would have equal positive impact upon every local court in the state.
- The variety of different funding and financial realities. The amount of funding necessitated by a local court can vary. For example, the financial needs of rural, suburban, and urban courts can differ greatly as the drivers of their financial costs can differ; yet even within each group there can be wide differences. Furthermore, there is the factor that the duties and responsibilities placed upon the courts originate with the General Assembly and the Supreme Court, while the operational funding to ensure

those duties and responsibilities are fulfilled comes, in part, from local government. Finally, there is the reality that in funding conflicts looms the potential for litigation.

- The complexity of the current funding system and structure of the Ohio judicial system. As outlined later in this report, the judicial system is currently funded by a mix of state and local government sources, with the specific amount and sources of funding varying between the different levels of courts. Additionally, the structures of the local judicial systems vary from county to county.
- The difficulty in conducting a comprehensive review of the current funding structure due to the lack of uniform reporting requirements. There currently is no requirement that local courts regularly provide the Supreme Court or other state entity with financial information. As previously noted, to address this lack of financial information, the Task Force requested three-years of budgets from local courts. Some courts were able to provide comprehensive financial information in a useful reporting format. However, this was not consistent among all courts. Ultimately, this led the Task Force to conclude that Ohio is not currently in a position for in-depth review and reflection of many topics the Task Force was established to review.

SUMMARY OF RECOMMENDATIONS

Recommendation	Page No.
(1) The Task Force recommends reviewing the statutorily established court administrative-related functions and duties to determine whether they should be addressed by Supreme Court rules and not the Revised Code.	12
(2) The Task Force recommends examining functions and duties established by the Revised Code for individual specific courts to determine whether they are necessary.	13
(3) The Task Force recommends the state provide 100% of the funding for judicial compensation.	19
(4) The Task Force recommends the Supreme Court continue to study implementing a statewide case management system or similar offering.	26
(5) The Task Force recommends that each local court annually report financial and funding information to the Supreme Court.	28
(6) The Task Force recommends the Supreme Court annually collect financial data from each mayor's court.	29
(7) The Task Force recommends the Supreme Court publish an annual report of financial information collected.	30
(8) The Task Force recommends the Supreme Court encourage courts to participate in resource-sharing partnerships.	31
(9) The Task Force recommends a weighted caseload study should be completed for all cases filed statewide.	34

REPORT AND RECOMMENDATIONS

I. Identify the Constitutionally and Statutorily Mandated, Discretionary, and Operational Functions and Duties of Ohio Courts.

A. Introduction

Courts have historically been understood as the institution by which problems in society are resolved, a view summarized by this statement: “[A] judge’s role is to interpret the plain meaning of the law and apply it strictly to the facts.”² In short, upon determining the facts, courts apply the law as developed by previous case precedent, a legislative body, or constitution and issue an order.

Under this traditional view, one way to understand the functions and duties of Ohio’s courts – i.e., what the courts are doing – is to look at caseload statistics. For many years, the number of filings in Ohio courts trended upward, reaching its apex in 2002. In that year, slightly more than 3.9 million total cases were filed. Since 2002, the trend has begun to reverse. In 2014, a total of approximately 3.1 million total cases were filed in Ohio’s courts.

However, this narrow slice of data does not accurately represent the real day-to-day functions and duties of the courts as it does not reflect the activities and expectations placed on our courts today. As society has changed and grown more complex, societal expectations have changed. As a result, today courts perform functions and duties beyond “interpreting the law and applying it to the facts.” Found within those raw caseload numbers are a myriad of other responsibilities, such as specialized docket case hearings, probation violation hearings, post release community control violation hearings, child and family issues, interactions with self-represented litigants and limited English proficient litigants, administrative demands, and more.

B. Court Functions and Duties

Pursuant to its first charge, the Task Force has compiled a chart listing the various functions and duties of Ohio’s courts as established by the Ohio Constitution and the Revised Code. In completing this work, a challenge arose in properly categorizing each of the myriad functions or duties as either mandatory or discretionary. In some instances, the nature of the laws establishing the functions and duties provide that *if* a judge is inclined to undertake doing some particular function (which is discretionary), the judge *must* adhere to some particular process or prescription (which is mandatory). Where ambiguities between the two categories exist, attempts were made, where practicable, to capture the essence of the laws and categorize them accordingly.

In summary, the Ohio Constitution and Revised Code establish a total of 1,034 functions and duties, which are outlined in the chart attached at **Appendix A** and online at www.sc.ohio.gov/Boards/courtFunding/resources/appendixA.pdf. As shown in the following

² Hanson, *The Changing Role of a Judge and its Implications*, Court Review (Winter 2002) 11.

table, 467 of the 1,034 functions and duties (or 45%) were categorized as discretionary. A total of 558 (or 54%) were categorized as mandatory. Nine functions and duties (less than 1%) were categorized as a hybrid.

Authority	Discretionary	Mandatory	Hybrid	Total
Constitution	8	19	6	33
Revised Code	459	539	3	1,001
Total	467	558	9	1,034

Another noteworthy aspect of the collection of laws in the chart is whether the provisions apply to all courts, or some subset of all courts based on subject matter jurisdiction, or whether the provisions apply to specific individual courts. As shown in the following table, a total of 34 provisions in the Revised Code (or 3.3%) are indeed not general but instead crafted specifically to apply to a particular court.

Authority	General	Specific	Total
Constitution	33	0	33
Revised Code	967	34	1,001
Total	1,000	34	1,034

Finally, numerous provisions in the Revised Code have not been captured within the chart because they speak not to court functions and duties, but instead to the establishment of specific courts, divisions of courts, and judgeships.

Naturally, all 33 of the functions and duties found within the Ohio Constitution are contained in Article IV, which establishes Ohio’s judicial branch of government. As shown in the following table, the 1,001 court functions and duties found within the Revised Code are widely distributed across seven titles in the Revised Code and within 102 separate chapters across those seven titles.

Revised Code Title	Chapters in the Title	Functions and Duties
Title [19] XIX Courts - Municipal - Mayor's County	2	150
Title [21] XXI Courts - Probate - Juvenile	20	247
Title [23] XXIII Courts - Common Pleas	17	315
Title [25] XXV Courts - Appellate	4	105
Title [27] XXVII Courts - General Provisions - Special Remedies	19	52
Title [29] XXIX Crimes - Procedure	28	81
Title [31] XXXI Domestic Relations - Children	12	51
	102	1,001

The Task Force intended the chart and the foregoing analysis of its contents to be useful in depicting the complexity, density, and depth of the myriad provisions in Ohio law concerning the functions and duties of Ohio’s courts. However, the Task Force would note shortcomings with the chart.

First, pursuant to Sup.R. 5, courts may adopt local rules which are not reflected in the chart and magnify the complexity and costs of the judicial system as a whole.³ Second, the chart does not provide any measure of the time and effort spent on fulfilling the various functions and duties. Moreover, local courts are free to undertake innovative case management and alternative dispute resolution techniques which are not referenced in state law. These innovative approaches, which local courts are encouraged to pursue, may have costs associated with them outside of the need for judges, magistrates, and other court staff to allocate some of their daily time and focus. Some solutions, such as the use of early neutral evaluation in family law matters, which can result in a substantial narrowing of disputed issues at the beginning stage of cases, require securing additional resources to support such innovative programming.

C. Recommendations

Although the Task Force was charged with only identifying the constitutional and statutory functions and duties of Ohio courts, the Task Force makes the following two recommendations.

Recommendation 1:

The Task Force recommends reviewing the statutorily established court administrative-related functions and duties to determine whether they should be addressed by Supreme Court rules and not the Revised Code.

Discussion:

The Revised Code establishes a variety of functions and duties for the courts, some of which are administrative in nature. For example, R.C. 2301.03(B) states that the judges of the Hamilton County Court of Common Pleas, Domestic Relations Division must annually select an administrative judge.

Some functions and duties are rightly established by the Revised Code as they concern matters that are regulated by the General Assembly. For example, R.C. 2101.03 requires probate judges to give a bond of not less than \$5,000. However, with regard to administrative functions and duties, having both the Revised Code and the Supreme Court's rules establish such functions and duties creates complexity and confusion. For example, both R.C. 1901.41 and Sup.R. 26.05 set forth retention schedules and destruction requirements for municipal court case records. R.C. 1901.41(A) states that municipal case files may be destroyed five years after the case has been disposed of by the court. However, Sup.R. 26.05(G)(1) says municipal civil cases are to be retained for only two years after the issuance of an audit by the Auditor of State.

³ In accordance with Sup.R. 5, courts must file their local rules with the Clerk of the Supreme Court. Links to the various local rules can be found online at www.supremecourt.ohio.gov/JudSystem/trialCourts.

Article IV, Section 5(A)(1) of the Ohio Constitution states:

[T]he Supreme Court shall have general superintendence over all courts in the state. Such general superintending power shall be exercised by the chief justice in accordance with rules promulgated by the Supreme Court.

Pursuant to this constitutional provision, the Task Force believes it is the Supreme Court and not the General Assembly that should regulate administrative matters for the courts. With this in mind, the Task Force recommends reviewing those statutorily established functions and duties to determine whether they are administrative in nature and should be addressed not by statute, but by Supreme Court rules. By removing confusion created by having multiple, and sometimes conflicting, sources of authority, this step will assist not only judges, clerks, and staff, but also practitioners.

Recommendation 2:

The Task Force recommends examining functions and duties established by the Revised Code for individual specific courts to determine whether they are necessary.

Discussion:

As previously noted, there are 34 statutorily established administrative-related functions and duties for individual specific courts. The existence of both statutorily and rule-established functions and duties creates complexity and confusion. The Task Force believes individual court-specific functions or duties only magnify the complexity and confusion. For example, as previously noted, R.C. 2301.03(B) provides that a majority of the judges of the Hamilton County Court of Common Pleas, Domestic Relations Division must elect one of the judges of the Division as Administrative Judge, while the election of administrative judges is currently addressed for all courts by Sup.R. 4.

To address this, the Task Force recommends examining these individual court-specific functions or duties to determine if they are necessary; a step that can be accomplished simultaneously with Recommendation 1.

II. Identify the Various Funding Sources for the Functions and Duties of Ohio Courts.

The current system for funding Ohio courts can best be described as a complex mosaic. However, the funds used to support Ohio courts generally come from three sources: (1) Ohio government funding authorities, which includes the state and local governments, (2) court fees and costs paid by litigants, and (3) grant monies from public and private sources.

A. Funding Source 1: Ohio Government Funding Authorities

1. Overview

The state and individual local governments provide the vast portion of funding for Ohio courts, the exact percentage of which varies from court to court. This funding can be broken down into two main categories: funding for judicial, clerk, and employee salaries and funding for other operational costs of the courts (e.g., facilities costs, supplies, etc.). Within these two funding categories, the percentage share paid by the state and local government can vary.

2. Salaries

The expenses for court salaries and benefits are paid for by the applicable state or local government entity. However, the precise source of this funding varies depending upon the type of court. The following tables summarize these different government funding sources for judges, clerks, and employees of the different types of courts.

JUDICIAL SALARIES

Court	Source
Supreme Court	Justice salaries are paid by the state. ⁴
Courts of appeals	Judge salaries are paid by the state. ⁵
Courts of common pleas	Judge salaries consist of a state and local share, with the local share paid by the county. The state share represents approximately 88% to 97% of the total salary depending upon population. ⁶
Municipal courts	Judge salaries consist of a state and local share. The municipal corporation pays 3/5 ^{ths} of the local share while the county pays 2/5 ^{ths} . The state share represents approximately 46% of the total salary. ⁷

⁴ R.C. 141.04(A)(1) and (2)

⁵ R.C. 141.04(A)(3)

⁶ R.C. 141.04(A)(4) and 141.05

House Bill 64 of the 131st General Assembly included a series of four 5% market adjustments to the judicial compensation schedule beginning Sept. 29, 2015. With these adjustments, the percentage of the state's share will increase.

⁷ R.C. 141.04(A)(5) and (6), 1901.11(C)

JUDICIAL SALARIES

Court	Source
County-operated municipal courts	Judge salaries consist of a state and local share, with the local share paid by the county. The state share represents approximately 46% of the total salary. ⁸
County courts	Judge salaries consist of a state and local share, with the local share paid by the county. The state share represents approximately 46% of the total salary. ⁹

CLERK SALARIES

Court	Source
Supreme Court	The Clerk's salary is paid by the state. ¹⁰
Courts of appeals	The clerk of the court of common pleas in each county serves as the clerk of the court of appeals. For this duty the clerk receives additional compensation from the state. ¹¹
Courts of common pleas	The clerk's salary is paid by the county. ¹²
Municipal courts	The clerk's salary is paid by the municipal corporation. ¹³
County-operated municipal courts	The clerk's salary is paid by the county. ¹⁴
County courts	If the clerk of the court of common pleas serves as the clerk of the county court, the clerk receives additional compensation from the county. If the board of county commissioners appoints a clerk for each county court judge, the clerk salary and benefits costs are paid by the county. ¹⁵

See footnote 7 concerning judicial compensation market adjustments.

If the court's territory spans two or more counties, the 2/5^{ths} county share is paid by each of the counties in the territory in a proportionate amount according to the county's share of the total population of the court's jurisdiction. (R.C. 1901.11(C).)

⁸ R.C. 141.04(A)(5) and (6), 1901.11(C)

See footnote 7 concerning judicial compensation market adjustments.

If the court's territory spans two or more counties, the county share is paid by each of the counties in the territory in a proportionate amount according to the county's share of the total population of the court's jurisdiction. (R.C. 1901.11(C).)

⁹ R.C. 141.04(A)(6), 1907.16, and 1907.17

¹⁰ R.C. 2503.05

¹¹ R.C. 2303.03(A) and 2501.17

¹² R.C. 325.01 and 325.17

¹³ R.C. 1901.31 and 1901.311

¹⁴ R.C. 1901.31 and 1901.311

¹⁵ R.C. 1907.20(A), (E)(1), (F)(1)

EMPLOYEE SALARIES

Court	Source
Supreme Court	Employee salaries are paid by the state. ¹⁶
Courts of appeals	Employee salaries are paid by the state. ¹⁷
Courts of common pleas	Employee salaries are paid by the county. ¹⁸
Municipal courts	Employee salaries paid by the municipal corporation. ¹⁹
County-operated municipal courts	Employee salaries are paid by the county. ²⁰
County Courts	Employee salaries are paid for by the county. ²¹

This report does not address the actual dollar amounts of the compensation paid to judges, clerks, and court employees. However, the Task Force notes that determining the specific amounts of compensation only adds to the complexity of court funding.

An example of this is municipal court clerk compensation. R.C. 1901.31(C)(1) provides that in a municipal court with a territorial population of less than 100,000, the municipal court clerk receives an annual compensation that is prescribed by the *presiding judge* of the court if the court’s certified revenue for the preceding year *is equal to or greater* than the expenditures for the operation of the court. However, if the certified revenue *is less* than the expenditures for the operation of the court, the municipal court clerk receives an annual compensation that is prescribed by the *legislative authority*. This method of setting salaries is made even more complicated by the fact that the entity charged with certifying the revenue is dependent upon whether the municipal court is operated by the municipal corporation or county. Furthermore, the statute provides that this scheme does not apply to the clerks of the Auglaize County, Brown County, Columbiana County, Holmes County, Putnam County, Sandusky County, and Lorain municipal courts.

3. Operational costs

As a general rule, other expenses for court operations not related to salaries and which are not specifically provided by statute to be paid from a special court fund are paid for by the applicable state or local government entity. However, the precise source of this funding varies depending upon the type of court. The following table summarizes these different government funding sources for the different types of courts.

¹⁶ R.C. 2503.05

¹⁷ R.C. 2501.16, 2501.17, 2701.07, and 2701.08

¹⁸ R.C. 2151.13, 2153.09, 2301.03, 2701.07, and 2701.08

¹⁹ R.C. 1901.32, 1901.33(A) and (D), 1901.36(A), and 1925.01(B)

²⁰ R.C. 1901.32, 1901.33(A) and (D), 1901.36(A) and 1925.01(B)

²¹ R.C. 1907.201(A) and (B), 1907.53(A)(1) and 1925.01(B)

OPERATIONAL COSTS

Court	Source
Supreme Court	Operational costs are generally paid entirely by the state. ²² However, certain services provided by the Supreme Court are, to an extent, self-funded. For example, bar examination, attorney registration, and Judicial College fees provide funding for those services.
Courts of appeals	Operational costs are shared by all counties in the appellate district with each county in the district paying their proportional share based upon that county’s population to the total population in the district. ²³
Courts of common pleas	Operational costs are paid by the county. ²⁴
Municipal courts with single-municipal corporation jurisdiction.	Operational costs are paid by the municipal corporation. ²⁵
Municipal courts with jurisdiction that extends beyond the territory of the municipal corporation in which it is located.	Operational costs are shared by all municipal corporations and townships within the territory of the municipal court with each paying a proportionate share equal to the percentage of the total criminal and civil caseload of the municipal court that arose in that municipal corporation or township. ²⁶

²² Article IV, Section 2 of the Ohio Constitution and R.C. 2503.01 establish the Supreme Court. However, there is no specific constitutional or statutory provision that specifically indicates that the state funds the operational costs of the Supreme Court.

²³ R.C. 2501.181(B) and (D).

The mechanism by which each county in an appellate district pays its proportionate share of the operational costs of the appellate court differs depending on whether the court of appeals has selected a county within its district to serve as its principal seat. If the appellate court has selected a county as its principal seat, the auditor of that county annually calculates the amount owed by each of the other counties in the district and issues a warrant for the proper amount to the treasurer of each county. (R.C. 2501.181(B).)

However, if the court of appeals has not selected a county within its district to serve as its principal seat, the auditor of each county within that district must annually submit a statement of expenses to the auditor of the most populous county in the district. The auditor of the most populous county then calculates the proportionate share of the total operational costs owned by each county in the district. If a county’s proportionate share exceeds the expenses that county incurred for that year, the auditor of the most populous county issues an order for payment to the county for the unpaid expenses. Upon payment of the unpaid expenses, the money is deposited into a special fund from which the auditor of the most populous county pays those counties which incurred expenses in excess of their proportionate share of the district expenses. (R.C. 2501.181(D).)

²⁴ R.C. 307.01 and 307.02

²⁵ R.C. 1901.36(A)

²⁶ R.C. 1901.026(A)

However, if a municipal corporation or township’s proportionate share of the operating costs exceeds the total amount of costs, fees, fines, bail, or other moneys received by the municipal corporation or township, the municipal corporation or township is not required to pay that proportionate share of the operating costs (R.C. 1901.026(B)).

The auditors or chief fiscal officers of each of the municipal corporations and townships within the territory of the municipal court must meet not less than once each six months at the office of the auditor or chief fiscal officer of

OPERATIONAL COSTS	
Court	Source
County-operated municipal courts	Operational costs are paid by the county. ²⁷
County courts	Operational costs are paid by the county. ²⁸

B. Funding Source 2: Court Fees and Costs

An additional source of funding for Ohio courts are the various court fees and costs levied by the court.²⁹ Regarding the specific types of court fees and costs that courts may charge, the Task Force directs the reader to the 2008 report of the Joint Committee to Study Court Costs and Filing Fees. The Joint Committee, which consisted of members of both the judicial and legislative branches of government, was established by the General Assembly in Substitute House Bill 336 of the 126th General Assembly and charged with studying “the determination, assessment, collection, and allocation of court costs and filing fees in criminal actions and in civil actions and proceedings in this state...” In its report, the Joint Committee lists the various court fees and costs courts may charge. The report is available at:

www.supremecourt.ohio.gov/Publications/JtCommCourtCostsReport.pdf

Unfortunately, the Task Force was unable to ascertain the specific total amount of court fees and costs levied by Ohio courts and the percentage these funds represent in the overall court budgets. As discussed in further detail later in this report, the budget information provided to the Task Force by many courts lacked detailed information, including specific information as to the distribution and amounts of the various court fees and costs levied by the court.

C. Funding Source 3: Grant Monies from Public and Private Sources

The third source of funding for Ohio courts are grant monies from public and private sources. The Task Force determined that grant monies do comprise part of Ohio courts’ funding. Again, due to the lack of specific information in the budget information data provided to the Task Force by many of the courts, the specific sources, names, and amount of grants and the percentage these grant funds represent in the overall court budgets are unknown. However, the Task Force did identify in the survey responses the following grant sources:

- Alcohol, Drug, and Mental Health Boards

the municipal corporation in which the court is located to determine the proportionate share due from each municipal corporation and township (R.C. 1901.026(C)).

²⁷ R.C. 1901.024

²⁸ R.C. 1907.01 establishes the county courts. However, there is no statutory provision that specifically indicates that the county funds the operational costs of the courts.

²⁹ The terms “court fees” and “court costs” are often used interchangeably, both in the Revised Code and in everyday practice. However, the term “court costs” generally refers to the amount charged to a litigant after the case is resolved while the term “filing fees” refers to the amount charged by a court upon the filing of various pleadings, motions, etc.

- Ohio Attorney General
- Ohio Department of Job and Family Services
- Ohio Department of Public Safety
- Ohio Department of Rehabilitation and Correction
- Ohio Department of Youth Services
- Ohio Department of Education
- United States Department of Health and Human Services
- United States Department of Justice.

D. Recommendation

The Task Force makes the following recommendation.

Recommendation 3:

The Task Force recommends the state provide 100% of the funding for judicial compensation.

Discussion:

The Task Force believes the current bifurcated compensation system for common pleas, municipal, and county court judges presents several problems. First, it adds to the complexity of the salary system. Additionally, it complicates budgeting for benefits. Finally, local funding of salaries creates the misperception that local courts are simply another local government agency or entity, rather than a separate and co-equal branch of government.

For these reasons, the Task Force recommends that the state provide 100% of the funding for common pleas, municipal, and county court judges' compensation, including benefits. The Task Force notes that such a shift in the funding source is not entirely unprecedented. For the past several years, judicial compensation increases have not been equally borne by the state and local governments, but rather entirely by the state, to the point where, depending upon the level of court, 46% to 97% of judges' compensation comes from the state. And with the adoption of House Bill 64 of the 131st General Assembly, which included a series of four 5% market adjustments to the judicial compensation schedule beginning Sept. 29, 2015, the percentage of the state's share will increase. Furthermore, this change would be in line with the national trend over the past fifty years – shifting the responsibility for some court funding from local government to state government when it promotes efficiency and reduces overall costs.³⁰

However, the Task Force acknowledges that implementing this recommendation is not without drawbacks. Because they receive compensation from the state and their local funding authority or authorities, common pleas, municipal, and county court judges have the option of selecting

³⁰ Baar, Hall, Cooper, Friesen, and Reinkensmeyer, *Financing the Third Branch in Lean Times: Placing the Present Fiscal Crisis in Perspective*, 6.

whether they wish to receive benefits, such as health insurance, from either the state or their local funding authority. This allows these judges to move periodically between state and local benefits depending upon which package, at the time, is most attractive to the judge. The state providing 100% of the funding for compensation would negate the ability of judges to choose between state and local funding authority benefits.

General Observation

Finally, the Task Force makes one observation regarding the current funding system for Ohio courts. As can be seen, the current funding system is complex. The Task Force believes eliminating this complexity can create a more efficient system. However, recommendations to address the complexity will require further study. Additionally, the funding complexity is, in part, the result of the complex structure of the judicial system itself, which reflects, directly and indirectly, numerous contingent choices regarding the allocation of responsibilities between state and local governments.

III. Examine the Ongoing Budgetary Needs of Courts, Including Staff, Facilities, Technology, and Programmatic Efforts.

A. Local Court Survey

This charge proved to be one of the most difficult for the Task Force to meet. To examine comprehensively the ongoing budgetary needs of the courts requires access to the courts' budgetary data. Unfortunately, this information does not exist in one location, as neither the Supreme Court nor any other state entity currently and regularly collects budgetary data from local courts.

In order to overcome this limitation, the Task Force engaged in the formidable effort of collecting budget data from the courts of the state. Specifically, the Task Force asked the courts to provide fiscal year budgets for 2010 through 2012, receiving budgets from 344 of the 383 courts in the state, for a total of over 1,000 budgets.³¹ Supreme Court staff then entered data from these budgets into standardized templates and scanned over three file drawers of budget material.

Despite the Task Force's efforts in collecting and analyzing the budget data, the usefulness of the data was extremely limited. Unfortunately, budget data was not presented consistently amongst the courts, nor was it always comprehensive. For example:

- Some budgets consisted of copies of hand written journal entries on a sheet of paper, while others were computer system reports of over 100 pages for each budget year;
- Some courts included many sources of funding and split out the funds with clearly defined fund names showing revenue, expenses, and cash balances while other courts submitted budgets with no such breakdown;
- Some budgets listed account numbers or fund numbers with no names to identify the source of funding or to know if it was a department budget or a grant.

The variability and inconsistency in the budget data and reporting received made it difficult to standardize and to rely on the data for concrete, informed analysis.

However, to understand better the funding issues facing local courts, as part of the budget request the Task Force also chose to survey the local courts, asking them to identify shortcomings with

³¹ Various attempts were made to obtain budget data from the courts. The Administrative Director of the Supreme Court provided each court administrator and administrative judge in the state with written notification of the request, which was followed by a letter from Chief Justice Maureen O'Connor. Later, a letter from Task Force Chair Judge Boyko was sent to each court administrator and administrative judge that had not responded to the request. Additionally, a variety of additional informal efforts were made, including emails and phone calls.

the current funding system.³² Those commonly mentioned issues or challenges addressed in the survey results are discussed below.

B. Shortcomings with Current Funding System

Survey respondents suggested many challenges to court operations resulting from the current court funding system used in Ohio. Comments generally fell into the categories described below:

- *Differences in resources* – There is a significant disparity in funding among the courts due to the heavy emphasis on local government funding for common pleas, municipal, and county courts. For various reasons, there are differences in the availability and distribution of resources among the local funding authorities, differences which create funding variations and disparities among the courts.
- *Lack of predictability in funding* – Related to differences in resources among local funding authorities is the lack of predictability in court funding in many locales. The demands placed upon courts are not always in harmony with economic realities that impact local funding. The lack of predictability in court budgets based on availability of local funds is problematic.
- *Disconnect with local funding authority* – An additional shortcoming of the current funding system identified by some courts is the lack of a functional working relationship between the court and its local funding authority. For funding authorities, the courts are just one among the various agencies or offices that the funding authorities must consider in allocating resources, instead of being a separate and independent branch of government. Moreover, some judges felt that their funding authorities lack a comprehensive appreciation of the resources necessary for courts to fulfill their functions and duties. Others noted a tendency of local funding authorities to make funding determinations based on historic trends rather than ever-changing environments and courts' needs.
- *Limitations with funding through court costs* – Although courts have the ability to levy court costs to litigants, several survey respondents noted that those funds are not a reliable source of local funding for court operations. In many instances necessary court operating expenses far exceed income derived from court cost assessment and collection. Additionally, due to statutory requirements, much of the court costs assessed and collected go to outside entities. But most importantly, the efficient and effective administration of justice is one of the most fundamental obligations of government and should be borne by the entire citizenry, not only those who avail themselves to the judicial system.

³² The survey was distributed to the both the administrative judge and court administrator for 381 appellate and trial courts. Responses were received from 183 courts, representing a 48% response rate.

C. Impact of Reduced Funding

In examining the ongoing budgetary needs of the courts of the state, one of the Task Force’s primary questions was what impact recent budget reductions have had on the courts’ ability to administer justice. To this end, as part of the Task Force’s survey, local courts were asked to identify and rank areas of their operations and services impacted as a result of budget reductions in the past three years by reviewing a list of 15 possible areas of impact and ranking those areas applicable to their local court. A total of 124 of the 183 responding courts (68%) selected at least one area. Shown in the table below are the 15 areas of impact and the number of responders who ranked those areas either first, second, third, fourth, or fifth among their selections. Also included is the number of courts who selected the area as their number one ranked area of impact.

Area Impacted by Budget Reductions (N=124)	Appearances in Top 5		Selected as
	Number	Percentage	Number One
Administrative staff to handle paperwork and recordkeeping	57	46%	19
Probation services	57	46%	22
Facilities/maintenance of facilities	43	35%	12
New technology to reduce paperwork and provide more efficient recordkeeping	42	34%	6
Treatment services	42	34%	5
Court security	36	29%	4
Access to the courts (hours of operation or reduced staffing)	33	27%	18
Other	33	27%	19
Public defense assistance	19	15%	5
Specialized dockets such as mental health court, drug court, or re-entry court	16	13%	4
Visiting judges	13	10%	3
Dispute resolution/mediation programs to resolve without trial	11	9%	1
Interpreter services	9	7%	0
Acting judges	7	6%	3
Availability of jurors	5	4%	1

Responders selecting “Other” were asked to describe the area of impact. Their comments fell into the following areas: (1) hiring and retaining adequate staff, (2) services, programs, and staff grouped together, (3) grant funding, (4) guardian ad litem fees and court supervised parenting, (5) detention funding (while legislative changes increased demand for beds), (6) community-based correctional facilities affecting prison diversion and treatment, and (7) payment for internships, fees for guardians ad litem, and jurors.

In order to assess what specific actions courts have taken to address funding reductions or restrictions, the responders were presented with a list of 18 possible actions. They were asked to identify and rank which of those actions they had taken in the past three years. A total of 130 of the 183 total responders (71%) selected at least one area. Shown in the table below are the 18 possible actions taken and the number of responders who ranked those areas either first, second, third, fourth, or fifth among their selections. Also included is the number of courts who selected the item as their number-one ranked action taken.

Reduction Taken Due to Budget Reductions (N=130)	Appearances in Top 5		Selected as
	Number	Percentage	Number One
Cross-training & sharing job responsibilities	89	68%	8
Not filling vacancies	87	67%	41
Freezing salaries	84	65%	32
Technology upgrades or enhancements	41	32%	4
Reducing staff/layoffs	38	29%	13
Restructuring	29	22%	4
Re-engineering or implementing new processes	28	22%	0
Cutting programs	26	20%	5
Furloughs	21	16%	7
Other	17	13%	10
Eliminating services	11	8%	0
Privatizing/outsourcing	10	8%	0
Pay reductions	9	7%	1
Centralizing operations	7	5%	0
Electronic filing	7	5%	1
Reducing operating hours	7	5%	3
Availability of jurors	7	5%	1
Reducing operating days	0	0%	0

The “Other” choice ranked by the courts as an action taken in responding to budget reductions or restrictions listed the following comments: (1) combination of actions, (2) increased fees or reallocated expenses to other funding sources, (3) did not replace needed items, (4) added programs to aid in moving case dockets or eliminating multiple court hearings, (5) modified detention (ankle monitors, flexible day beds, video for hearings, etc.), (6) assumed duties performed by outside entities, (7) reduced staff attorney fees for indigent defendants, (8) increased co-pay for employee healthcare, and (9) used law school externs for legal research and volunteers to categorize files and repair records.

To understand better where the courts see their areas of greatest unmet needs, the responders were asked to review a list of five possible broad areas of potential unmet needs and rank those which were applicable to them. A total of 131 courts of the 185 total responders (70%) responded to this question. Shown in the table below are their overall responses and their responses broken down by court type. For all types of courts except the courts of appeals, the most frequently-identified primary unmet need was in the Staff category. A total of 59 of the 131 responding courts (or 45%) identified Staff as their number one unmet need.

	Number of Courts Identifying Need					Total Selections	% of Responders
	Rank 1	Rank 2	Rank 3	Rank 4	Rank 5		
All Responders (N=131)							
Staff	59	28	20	3	1	111	85%
Technology	21	40	29	10	2	102	78%
Facilities	25	29	15	30	1	100	76%
Program services	17	17	24	29	2	89	68%
Other	9	1	4	2	28	44	34%
Municipal and County Courts (N=47)							
Staff	23	9	9	0	1	42	89%
Technology	9	12	9	6	2	38	81%
Program services	5	11	8	14	0	38	81%
Facilities	6	9	9	8	1	33	70%
Other	4	0	1	1	9	15	32%
Courts of Common Pleas (N=78)							
Staff	34	18	11	3	0	66	85%
Program services	20	18	6	16	1	61	78%
Technology	11	25	20	4	0	60	77%
Facilities	9	8	14	21	1	53	68%
Other	4	1	2	0	19	26	33%
Courts of Appeals (N=6)							
Technology	1	3	0	0	0	4	67%
Staff	2	1	0	0	0	3	50%
Facilities	2	0	1	0	0	3	50%
Other	1	0	1	1	0	3	50%
Program services	0	0	1	0	0	1	17%

Courts selecting “Other” were asked to describe their other unmet needs. Their descriptions fell into the following categories: (1) court security, (2) combination of unmet resource needs, (3) treatment, (4) electronic imaging and archiving technology, (5) special projects funds, (6) community-based correction facility and local detention centers, and (7) professional services for assessments and counseling.

The courts were asked if during the prior three years they had increased filings fees, courts costs, special project fees, computerization fees, probation fees, or mediation fees. A total of 129 of the 183 total responders (70%) selected at least one category and indicated that they had made increases in that category. Shown in the table below are the findings. Most of the responders (69% overall, and between 67% and 71% among the individual types of courts) indicated that they had raised filing fees. More than half of the responding trial courts indicated that, in addition to filing fees, they had raised court costs and special projects fees as well. This points to a troubling trend whereby courts are required to offset funding cuts by increasing fees on litigants precisely at the time when many litigants might also be experiencing economic hardship.

Area of Increase	All Courts (N=129)		Municipal and County Courts (N=45)		Courts of Common Pleas (N=81)		Courts of Appeals (N=3)	
	Number	%	Number	%	Number	%	Number	%
Filing Fees	89	69%	32	71%	55	68%	2	67%
Court Costs	84	65%	35	78%	49	60%	0	0%
Special Project Fees	77	60%	24	53%	52	64%	1	33%
Probation Fees	48	37%	27	60%	21	26%	0	0%
Computerization Fees	43	33%	11	24%	32	40%	0	0%
Mediation Fees	15	12%	1	2%	14	17%	0	0%

D. Recommendation

The Task Force makes the following recommendation.

Recommendation 4:

The Task Force recommends the Supreme Court continue to study implementing a statewide case management system or similar offering.

Discussion:

As noted earlier, the second highest ranked unmet need for all courts is technology. One form of technology increasingly being utilized by courts is a computerized case management system. However, due to limited financial resources, some courts in the state are unable to purchase, upgrade, or maintain a computerized case management system. The Task Force is aware that the Supreme Court is currently studying the various ways in which a statewide case management system or similar offering may be implemented. Given its importance, the Task Force recommends the Supreme Court continue studying this option.

IV. Determine the Total Annual Amount of Financial Resources Expended in Funding the Functions and Duties of Ohio Courts and Determine the Total Annual Amount of the Various Fines and Fees Collected by Ohio Courts that are Allocated to Other Public or Private Entities and Functions.

A. Review

As previously noted, the Task Force received budget material for fiscal years 2010 through 2012 from 344 out of 383 courts, or 89.8% of total courts. The total reported budgeted expenses for fiscal year 2012, as reported by the 344 courts that submitted reports, is categorized as follows:

Funding Source	Amount	Percent of Grand Total
State General Revenue Fund	\$ 135.3 M	13.70%
County General Revenue Fund	\$ 520.1 M	52.90%
Local General Revenue Fund	\$ 159.4 M	16.20%
Subtotal GRF	\$ 814.8 M	82.80%
Grant/Other Funds	\$ 116.3 M	11.80%
Special Project Funds	\$ 47.0 M	4.80%
Fines/Court Costs	\$ 5.9 M	0.60%
Subtotal	\$ 168.8 M	17.20%
Grand Total Funding All Sources	\$ 983.6 M	100.00%

There were obvious problems with analyzing the variety of budget documents submitted. In most instances they were not comprehensive and did not conform to any consistent format. For example, budgets for programs supported by grants/other were not always identifiable as state or federal grants. In addition, 55.9% of survey respondents said their budgets did not include facilities costs. Many did not include security, legal services, and administrative costs such as IT support. Additionally, 97 or 52.7% of court of common pleas budgets submitted did not appear to have health care benefit costs in their budgets. Estimating that missing piece alone indicates approximately \$80 million was not included in what would be considered fully funded budgets. Accordingly, the budget data by funding source and spending categories in this report are merely estimates.

The courts that submitted budgets represented 669 of Ohio’s 723³³ judgeships, or 92.5%. Taking into account the size of courts reporting and to reduce skewed estimates, the Task Force used the 92.5% reported and adjusted for the consumer price index through July 2014 to come up with a rough estimate of \$1.1 billion to support the judiciary. There are many caveats associated with the \$1.1 billion, as it is only as reliable as the data submitted in many various formats and levels of comprehensiveness as noted above. When projecting the \$1.1 billion estimate to fund the Ohio

³³ At the time budget request was made, there were 723 judgeships in the state. Since then this number has reduced to 722.

judiciary, the Task Force members discussed a possible high margin of error because of missing operational cost data in the court budgets received.³⁴

After receiving and compiling budget data from the courts, an additional survey was sent to 223 clerks around the state requesting revenue and disbursements data from their offices. 195 survey responses from the clerks were received and analyzed by the Task Force staff. Of those 195, 21% (41 surveys) contained no more information than the name of the court; 49% (96 surveys) contained answers to one or more of the survey questions but no new fiscal data or revenue provided; while 30% (58 surveys) contained some new fiscal data or revenue associated with a court budget in the analysis contained in this report. The majority of comments from the clerks who responded to the survey related to fiscal issues and problems with receiving funds from their local governments and concerns about the money the courts collected but had to send to other entities.

Total receipts for fiscal year 2012 given by those 58 clerks representing 30% of the survey respondents are broken down as follows:

Revenue Category	Amount
Civil revenue receipts (38 responses)	\$ 97,423,177
Criminal revenue receipts (31 responses)	\$ 134,630,412
Probate/juvenile receipts (21 responses)	\$ 16,053,669
Other receipts (9 responses)	\$ 1,878,270
TOTAL	\$ 249,985,528

Because of the low response rate and unreliability of revenue receipt data, the Task Force is not comfortable making any projections concerning revenue receipts. If the above data represents 30% of the revenue, then it would indicate total revenue to be approximately \$961,151,254. That amount does not seem reasonable nor a dependable figure to draw any solid conclusion or upon which to base any recommendations.

B. Recommendations

The Task Force makes the following recommendations.

Recommendation 5:

The Task Force recommends that each local court annually report financial and funding information to the Supreme Court.

³⁴ Many courts reside within a building operated by the court's funding authority and do not have responsibility of budgeting for operational costs. As a result, the budget data submitted to the Task Force by the court would not contain information regarding these costs.

Discussion:

As noted, there currently is no requirement that local courts regularly provide the Supreme Court or other state entity with financial or funding information. This information is necessary in order to have an understanding of the judicial system's current funding status and to offer recommendations on improving it.

To address this lack of information, the Task Force recommends the Supreme Court, via the Rules of Superintendence for the Courts of Ohio, require local courts to report annually certain financial information to the Supreme Court. To this end, the Task Force suggests the creation of a uniform or standardized financial reporting form that all courts must complete. This form would not only detail court costs and expenditures, but would also require courts to describe fully the source of funds and the recipients of revenue produced as a result of court activity. As for the specific information that should be requested as part of this requirement, the Task Force recommends that it include at least the following:

- The specific sources and amounts of all revenue
- Fine revenue distribution information
- Payroll (i.e., wages and fringe benefits)
- Facility costs
- Equipment, supplies, and maintenance costs
- Any other financial-related information the Supreme Court determines is necessary.

The Task Force acknowledges creating a standardized financial reporting system will require consideration of practical implementation issues. For example, how difficult will it be for individual courts to obtain the information requested? Is the information requested known or accessible by the local court? How often should the information be submitted? What is the best method by which this information should be submitted? Despite these practical implementation issues, the Task Force believes this information is important to understanding and improving the judiciary's current funding system.

Recommendation 6:

The Task Force recommends the Supreme Court annually collect financial data from each mayor's court.

Discussion:

Mayor's courts are not courts of record and, as such, have not been considered a part of the judicial branch of Ohio government.³⁵ As a result, the Supreme Court currently has limited oversight of these entities. Specifically, pursuant to R.C. 1905.033, the Supreme Court currently collects from mayor's courts caseload data and educational information concerning the mayor or magistrate that conducts the mayor's court.

³⁵ For more information on mayor's courts, see Appendix B.

Although mayor's courts are not considered a part of the judicial branch, the Task Force notes that they do serve a judicial function. In order to have a complete understanding of the current funding structure, the Task Force recommends the Supreme Court should also collect financial data from the mayor's courts. The Task Force notes that R.C. 1905.033 currently states (emphasis added):

(B) The mayor of any municipal corporation who conducts a mayor's court shall make the following reports:

(1) A report to the supreme court of all cases filed in the mayor's court and of all cases that are pending and are terminated in that court, and *any financial, dispositional, and other information that the supreme court prescribes by rule.*

To this end, the Task Force recommends the Supreme Court exercise this currently unused statutory authority to adopt rules requiring financial reporting from mayor's courts.

Recommendation 7:

The Task Force recommends the Supreme Court publish an annual report of financial information collected.

Discussion:

Implementing Recommendations 5 and 6 will ensure the Supreme Court receives the necessary financial information from the local courts and mayor's courts of the state. However, for this information to be of value, it should be made accessible to the public.

To this end, the Task Force recommends the financial information received by the Supreme Court should be compiled and published as an annual report on the funding of Ohio courts. Similar to the Supreme Court's current annual "Ohio Courts Statistical Report," an annual financial report would prove to be a valuable reference source for details concerning individual court funding. Specifically, an annual financial report would provide a uniform base of data that could be available for courts, funding authorities, and the public and could be helpful when making decisions regarding staffing, resource allocation, etc.

Recommendation 8:

The Task Force recommends the Supreme Court encourage courts to participate in resource-sharing partnerships.

Discussion:

A key tool to assisting courts with meeting their financial needs would be resource-sharing partnerships. As the example of the Ohio Intrastate Mutual Aid Compact shows, it is not always necessary for the same resources to be duplicated at each local court.³⁶

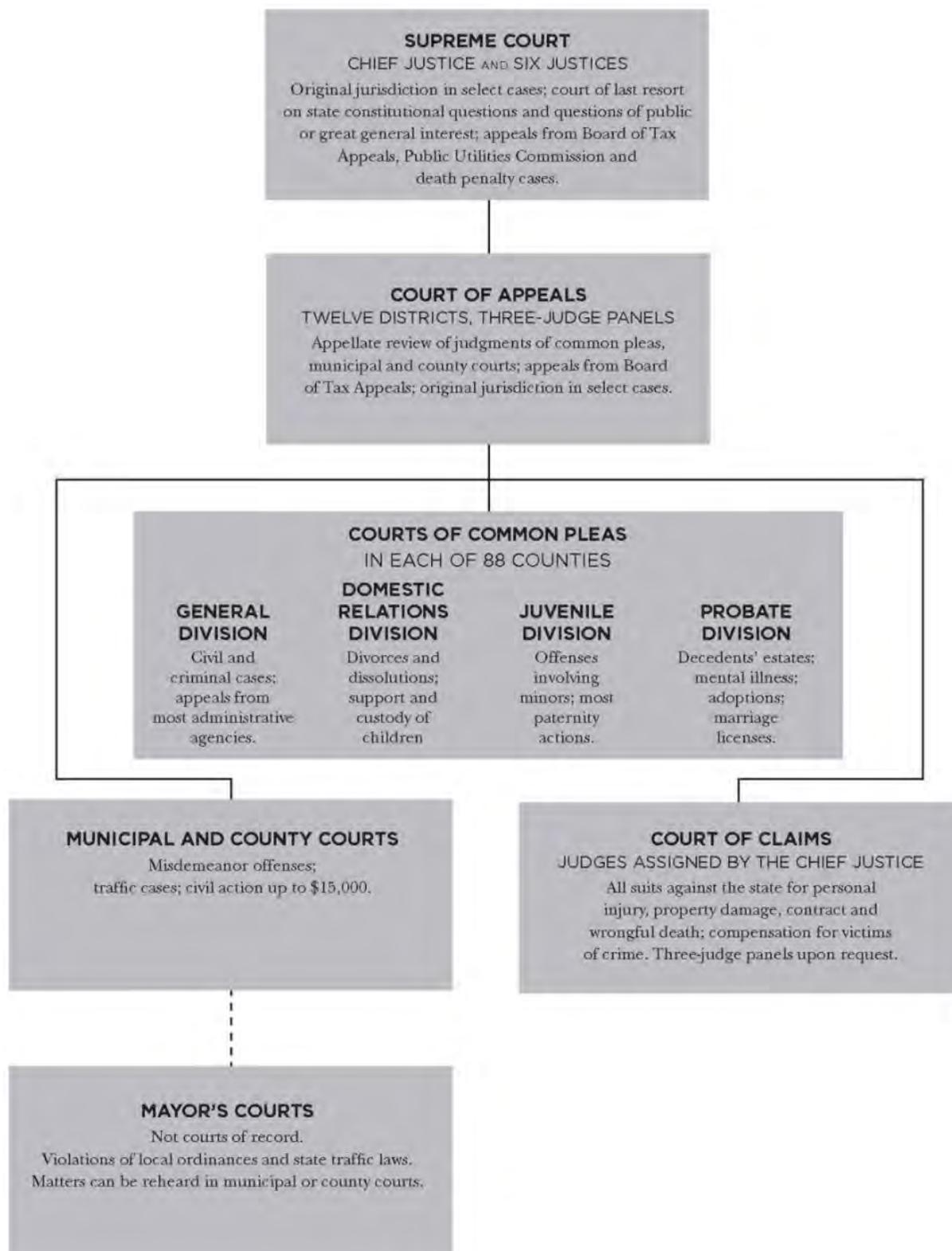
To this end, the Supreme Court should encourage courts to participate in resource sharing partnerships within counties, among counties, and between local and state courts and agencies, such as shared probation services and technology acquisitions. This should include specific mechanisms to achieve this goal that could be facilitated by the Supreme Court, such as exploratory roundtables.

³⁶ Established by R.C. 5502.41, the Intrastate Mutual Aid Compact (IMAC) is mutual aid agreement through which all political subdivisions can request and receive assistance from any other political subdivisions in the state. A key element of IMAC is the requirement that political subdivisions identify and inventory the current services, equipment, supplies, personnel, and other resources related to the preparedness, response, and recovery activities in order that these resources may be shared with other political subdivisions in the event of an emergency.

V. Review the Structure of the Judicial System.

A. Overview

There are essentially three levels of courts in Ohio. The first level consists of a variety of trial courts – courts of common pleas, municipal courts, and county courts – that operate at the vanguard by being the first, and usually the only court, to hear the vast majority of the roughly 3,000,000 cases filed each year in Ohio’s court system. The second level consists of a regionally-distributed set of intermediate appellate courts that hear appeals from decisions arising from the trial courts as well as a small number of special types of cases. At the third level is the state’s court of last resort, the Supreme Court, which chiefly hears constitutional questions and questions of public or great general interest and has a caseload consisting of appeals filed from decisions of the lower courts. The diagram on the following page illustrates the relationships between the various types of courts in Ohio.



The foregoing general description of the three basic levels of courts belies the bewildering degree of variability that exists across the state, especially in how individual trial courts are structured and in how courts administer operations. This highly variable structure of Ohio's judicial system at the local trial court level is a reflection of our state's rich home-rule tradition, manifested in the laws governing court structure as enacted over the state's history by the General Assembly and embedded in the Constitution. For a detailed discussion of the structure of the Ohio judicial system, see **Appendix B**.

B. Recommendation

Recommendation 9:

The Task Force recommends a weighted caseload study should be completed for all cases filed statewide.

Discussion:

A fundamental aspect of an efficient organization is a rational allocation of resources based on need. Because a court's most important resource is its judicial officers, any systematic process for determining how many, and where, judicial officers are needed across the entire landscape of Ohio's courts must be based on a quantification of the workload in each court.

Pursuant to Sup.R. 37, each trial and appellate judge must routinely report caseload statistics to the Supreme Court. However, those *caseload* statistics alone do not necessarily convey *workload*. In the context of resource allocation, the distinction between caseloads and workloads is critical. Consider two municipal courts: one exists in an urban setting and has a caseload that primarily consists of criminal and civil cases and relatively few traffic cases; the other exists in a rural setting with a major highway running through its territory with a caseload that consists mostly of traffic cases. In terms of total incoming caseload, the two courts may have identical volumes but the judicial (and staff) resources required to manage the two caseloads are quite different. The defendants in the majority of traffic cases in Ohio will waive their right to appear in court and opt instead to simply pay their fine, requiring virtually no work on the part of judges or magistrates. However, the municipal court in our example that is located in the urban center will likely have many busy days each week with multiple hearings and other events requiring the presence of a judge or magistrate.

An objective means to translate caseload into workload is the key to assessing a court's needs for judicial officers and staff. To this end, the National Center for State Courts has developed a framework for assessing workload that may be utilized in conducting a caseload study of Ohio's courts.³⁷

³⁷ Flango and Ostrom, *Assessing the Need for Judges and Court Support Staff* (National Center for State Courts, 1996). See: <http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/ctadmin&CISOPTR=407>.

The following are some potential uses in Ohio for case weights:

- Formulating and evaluating new judgeship proposals
- Gauging the appropriateness of current and proposed court divisional configurations
- Achieving equitable distribution of judicial workloads across appellate districts
- Establishing a means for determining when overburdened docket situations exist for purposes of assigned judges
- Identifying courts that might be in need of consulting services from the Case Management Section of the Supreme Court
- Forming a rational basis for the alteration of the current landscape of the judicial system pursuant to Section 4(A) and Section 23 of the Ohio Constitution
- Greater precision in the apportionment of operating costs of a municipal court that has a territory that includes multiple municipalities or townships
- More information regarding the establishment and allocation of resources among areas of separate jurisdiction within county court districts.

For this reason, the Task Force recommends the Supreme Court conduct a statewide weighted caseload study.

CONCLUSION

The Task Force emphasizes that considerable work lies ahead for making Ohio’s judicial system efficient, meaningful, responsive, relevant and responsible, while carrying out the judiciary’s constitutional, statutory, discretionary and administrative duties.

Viewed objectively, the system is more a “collection of parts” than a finely-tuned machine. While perfection always remains elusive, realistic funding, reporting requirements, partnerships, intelligent resource allocation and a willingness to make hard decisions in an uncertain political and economic environment are imperative to making Ohio’s judicial system a shining example of government at its best.

The good people of Ohio deserve no less.

Respectfully Submitted,

Christopher A. Boyko
United State District Judge
Chair, Task Force on the
Funding of Ohio Courts

APPENDIX A

COURT FUNCTIONS AND DUTIES

Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
Ohio Constitution, Article IV, Section 1	All	Exercise judicial power of Ohio.	Mandatory	Jurisdiction
Ohio Constitution, Article IV, Section 18	All	Judges have and must exercise the power and jurisdiction as may be directed by law, “at chambers, or otherwise.”	Mandatory	Jurisdiction
Ohio Constitution, Article IV, Section 2(A)	Supreme Court	Replace a disposed justice with any judge from court of appeal.	Discretionary	Appointments
Ohio Constitution, Article IV, Section 2(B)(1)	Supreme Court	Has original jurisdiction over: (a) Quo warranto; (b) Mandamus; (c) Habeas corpus; (d) Prohibition; (e) Procedendo; (f) In any cause on review as may be necessary to its complete determination; (g) Admission to the practice of law, the discipline of persons so admitted, and all other matters relating to the practice of law.	Hybrid	Jurisdiction
Ohio Constitution, Article IV, Section 2(B)(2)	Supreme Court	Has appellate jurisdiction as follows: (a) In appeals from the courts of appeals as a matter of right in the following: (i) Cases originating in the courts of appeals, (ii) Cases in which the death penalty is affirmed, (iii) Cases involving questions arising under the constitution of the United States or of this state; (b) In appeals from the courts of appeals in cases of felony on leave first obtained; (c) In direct appeals from the courts of common pleas or other courts of record inferior to the court of appeals as a matter of right in cases in which the death penalty has been imposed; (d) Such revisory jurisdiction of the proceedings of administrative officers or agencies as may be conferred by law; (f) Any case certified by any court of appeals pursuant to section 3(B)(4) [COAs in conflict].	Hybrid	Jurisdiction
Ohio Constitution, Article IV, Section 2(B)(2)(e)	Court of Appeals	Must certify its record to the Supreme Court upon direction (in cases of public or great general interest).	Mandatory	Jurisdiction
Ohio Constitution, Article IV, Section 2(B)(2)(e)	Supreme Court	May exercise its appellate jurisdiction over cases of public or great general interest.	Discretionary	Jurisdiction
Ohio Constitution, Article IV, Section 2(C)	Supreme Court	Report all case decisions of the Supreme Court.	Mandatory	Reporting
Ohio Constitution, Article IV, Section 22	Supreme Court	Work with a Supreme Court Commission, if one is created by the Governor. Share clerk and reporter with the Supreme Court Commission.	Mandatory	Organization, Employment
Ohio Constitution, Article IV, Section 23	Common Pleas, Probate, Juvenile, Municipal, County	One judge must serve as judge of the court of common pleas, judge of the probate court, judge of the juvenile court, judge of the municipal court, and judge of the county court, or of two or more of such courts, if a law is passed allowing this arrangement.	Mandatory	Organization, Employment
Ohio Constitution, Article IV, Section 3(A)	Court of Appeals	May conclude necessity requires the court to hold sessions in each county of the district.	Discretionary	Organization

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
Ohio Constitution, Article IV, Section 3(A) & (B)(3)	Court of Appeals	Three judges must participate in the hearing and disposition of each court of appeals case, and a majority of the judges hearing the cause is necessary to render a judgment.	Mandatory	Organization, Employment
Ohio Constitution, Article IV, Section 3(B)(1)(a)-(e)	Court of Appeals	Have original jurisdiction in: (a) Quo warranto; (b) Mandamus; (c) Habeas corpus; (d) Prohibition; and (e) Procedendo;	Hybrid	Jurisdiction
Ohio Constitution, Article IV, Section 3(B)(1)(f)	Court of Appeals	Have original jurisdiction in...[i]n any cause on review as may be necessary to its complete determination.	Hybrid	Jurisdiction
Ohio Constitution, Article IV, Section 3(B)(2)	Court of Appeals	Have appellate jurisdiction as may be provided by law to review and affirm, modify, or reverse judgments or final orders of the courts of record inferior to the court of appeals within the district (except for direct appeals on judgments imposing death sentence) and review and affirm, modify, or reverse final orders or actions of administrative officers or agencies.	Hybrid	Jurisdiction
Ohio Constitution, Article IV, Section 3(B)(4)	Court of Appeals	If reaching a different outcome on same question as another court of appeals, certify the record of the case to the Supreme Court.	Mandatory	Jurisdiction
Ohio Constitution, Article IV, Section 3(C)	Court of Appeals	Report court of appeals cases if required by law.	Mandatory	Reporting
Ohio Constitution, Article IV, Section 4(B)	Common Pleas	Have original jurisdiction over “all justiciable matters” and powers of review of proceedings of administrative officers and agencies as may be provided by law.	Mandatory	Jurisdiction
Ohio Constitution, Article IV, Section 4(C)	Common Pleas	Establish other divisions of the courts of common pleas as may be provided by law.	Mandatory	Organization
Ohio Constitution, Article IV, Section 4(C)	Probate	Establish a probate division, unless otherwise provided by law.	Mandatory	Organization
Ohio Constitution, Article IV, Section 4(C)	Probate	Employ and control the clerks, employees, deputies, and referees of such probate division of the common pleas courts.	Mandatory	Organization, Employment
Ohio Constitution, Article IV, Section 5(A)(1)	Supreme Court	Promulgate rules to govern its general superintending power.	Mandatory	Rule-making, Supervision
Ohio Constitution, Article IV, Section 5(A)(1)	Supreme Court	"General superintendence" over all courts in the state, led by the Chief Justice.	Mandatory	Supervision
Ohio Constitution, Article IV, Section 5(A)(2)	Supreme Court	Appoint an administrative director.	Mandatory	Appointments, Administration
Ohio Constitution, Article IV, Section 5(A)(3)	Supreme Court	Chief Justice must temporarily assign judges as necessity arises.	Hybrid	Appointments
Ohio Constitution, Article IV, Section 5(A)(3)	Supreme Court	Adopt rules to provide for the temporary assignment of judges.	Discretionary	Rule-making, Appointments
Ohio Constitution, Article IV, Section 5(B)	Court of Appeals, Inferior courts	Adopt additional rules concerning local practice in their respective courts which are not inconsistent with the rules promulgated by the Supreme Court	Discretionary	Rule-making, Supervision
Ohio Constitution, Article IV, Section 5(B)	Supreme Court	Prescribe rules governing practice and procedure in all courts of the state which do not abridge, enlarge, or modify any substantive right.	Mandatory	Rule-making, Supervision
Ohio Constitution, Article IV, Section 5(B)	Supreme Court	Make rules governing the admission to the practice of law and discipline of persons so admitted.	Mandatory	Rule-making, Supervision
Ohio Constitution, Article IV, Section 5(B)	Supreme Court	Make rules to require uniform record keeping for all courts of the state.	Discretionary	Rule-making, Supervision

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
Ohio Constitution, Article IV, Section 5(C)	Supreme Court	Chief Justice or designate must review the disqualification of any judge of the courts of appeals or courts of common pleas or division thereof.	Mandatory	Supervision
Ohio Constitution, Article IV, Section 5(C)	Supreme Court	Adopt rules to provide for the hearing of disqualification matters involving judges of courts established by law.	Discretionary	Rule-making, Supervision
Ohio Constitution, Article IV, Section 6(C)	Supreme Court	The Chief Justice may assign any voluntarily retired judge, or any judge who must retire because of age limitations, to active duty as a judge.	Discretionary	Appointment
R.C. 2307.26	Common Pleas	May enforce contribution against one or more tortfeasors.	Discretionary	Procedure; Judgments
R.C. 2331.10	Supreme Court, Court of Appeals, Common Pleas, Probate, Municipal, County	Discharge imprisoned debtor.	Discretionary	Enforcement
R.C. 2301.23	Common Pleas	Direct the official reporter to furnish to the court and the parties copies of decisions rendered and charges delivered by the court in pending cases.	Discretionary	Reporting
R.C. 2301.23	Common Pleas	Make full and accurate transcripts of the notes or electronic recording, if the court or either party to the suit requests written transcripts of any portion of the proceeding.	Mandatory	Reporting
R.C. 2506.05	Common Pleas	Have an expedited appeal if certain conditions are met and there is a final order regarding adult entertainment establishment.	Mandatory	Procedure; review
R.C. 1901.022	Municipal	Within their physical jurisdiction boundaries, appoint trustees to receive and distribute earnings (in accordance with R.C. 2329.70).	Discretionary	Appointment
R.C. 1901.026	Common Pleas	Hear any civil action that is commenced to determine the current operating costs of a municipal court, the proportionate share of the current operating costs to be paid by a particular municipal corporation or township within the territory of the court, or whether a municipal corporation or township is not required to pay any part of its proportionate share.	Mandatory	Jurisdiction
R.C. 1901.04	Municipal	Exercise concurrent jurisdiction with mayor's courts and county courts where indicated by law.	Mandatory	Jurisdiction
R.C. 1901.041	Municipal Housing and Environmental	Administrative judge must assign cases within the jurisdiction of the housing or environmental division to the judge of that division, unless he or she is on vacation, sick, absent, or is unavailable.	Mandatory	Case administration
R.C. 1901.12(A)	Municipal	Each municipal court judge must hold not less than two hundred forty days of open session, unless all business of the court is disposed of sooner.	Mandatory	Employment; Faculty operation
R.C. 1901.12(B)	Municipal	Presiding municipal court judges may appoint, when necessary, "substitute judges" to cover for municipal judges' vacations or absences.	Discretionary	Appointments
R.C. 1901.121(A)(1)	Municipal, Supreme Court	Chief Justice may assign an assigned judge to temporarily serve on the court if a vacancy occurs in the office of a judge of a municipal court that consists of only one judge or if the judge of a municipal court of that nature is incapacitated or unavailable due to disqualification, suspension, or recusal.	Discretionary	Appointments
R.C. 1901.121(A)(2)	Municipal	If a judge of a municipal court that consists of only one judge is otherwise temporarily absent for a reason other than as listed previously, the judge may appoint an acting judge or ask the Chief Justice to assign an assigned judge.	Discretionary	Appointments
R.C. 1901.121(B)	Municipal	If a vacancy occurs in the office of a judge of a municipal court that consists of two judges or if a judge of a municipal court of that nature is incapacitated, unavailable, or temporarily absent, the presiding judge may appoint an acting judge or ask the Chief to assign an assigned judge.	Discretionary	Appointments
R.C. 1901.121(C)	Municipal	If a vacancy occurs in the office of a judge of a municipal court that consists of three or more judges or if a judge of a municipal court of that nature is incapacitated, unavailable, or temporarily absent, the presiding judge may do appoint an acting judge or request the Chief Justice to assign an assigned judge.	Discretionary	Appointments
R.C. 1901.121(D)	Municipal	When the volume of cases pending in any municipal court necessitates an additional judge, the judge, if the court consists of a single judge, or the presiding judge, if the court consists of two or more judges, may request the Chief Justice to assign an assigned judge.	Discretionary	Appointments

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 1901.13(A)(1)	Municipal	Exercise any power necessary to give effect to the jurisdiction of the municipal court and to enforce its judgments, orders, or decrees, including issuing process, preserving order, punishing contempts, summoning and impaneling jurors, referring matters to a referee, setting aside a verdict, granting a new trial or motion in arrest of judgment, vacating or modifying a judgment, suspending execution of sentence upon filing of notice of appeal, admitting the defendant to bail, fixing the amount of bond and approving the sureties, inquiring in to the financial responsibility of proposed sureties on all bond in both civil and criminal actions or proceedings and, on the motion of any party or on its own motion, requiring security or additional security.	Discretionary	Judgment, Enforcement
R.C. 1901.13(A)(2)	Municipal	Issue any necessary orders in any proceedings before and after judgment, for attachment or garnishment, arrest, aid of execution, trial of the right of property, revivor of judgment, and appointment of a receiver of personal property, for which authority is conferred upon the courts of common pleas or a judge of the court of common pleas.	Discretionary	Judgment, Enforcement
R.C. 1901.13(A)(3)	Municipal	Hear and determine questions of exemptions upon application or action of any party to a pending cause.	Discretionary	Judgment, Enforcement
R.C. 1901.13(A)(4)	Municipal	Control and distribute all property or the proceeds of property that are levied upon or seized by any legal process issuing from the court and that may come into the hands of its officers, and to order immediate sale of any property of a perishable nature that may come into the hands of an officer of the court upon any process issuing from the court. Any money realized from the sale of property of a perishable nature must be deposited with the clerk until distributed by order of the court.	Discretionary	Property and cash management
R.C. 1901.131	Municipal Housing and Environmental	Determine, preserve, and enforce all rights and legal and equitable remedies in a properly brought action or proceeding, including: granting temporary restraining orders and temporary and permanent injunctions; rendering personal judgment irrespective of amount in favor of any party; and to render any judgments and make any findings and orders in the same manner and to the same extent as the court of common pleas.	Discretionary	Jurisdiction
R.C. 1901.14(A)(1)	Municipal	All fees (including marriage fees) collected by municipal judges that are not connected with any pending cause or proceeding must be paid to the appropriate city or county treasury.	Mandatory	Property and cash management
R.C. 1901.14(A)(1)	Municipal	Municipal judges have the power to perform marriage ceremonies.	Discretionary	Jurisdiction
R.C. 1901.14(A)(1)	Municipal	Municipal judges have the power to acknowledge deeds and other instruments.	Discretionary	Jurisdiction
R.C. 1901.14(A)(1)	Municipal	Municipal judges have the power to administer oaths.	Discretionary	Jurisdiction
R.C. 1901.14(A)(1)	Municipal	Municipal judges have the power to perform any other duties that are conferred upon county court judges.	Discretionary	Jurisdiction
R.C. 1901.14(A)(2) & (A)(3)	Municipal	Municipal judges have the power to adopt, publish, and revise rules for the regulation of the practice and procedure of their respective courts; for the selection and manner of summoning persons to serve as jurors in the court; and relating to the administration of the court.	Discretionary	Rule-making
R.C. 1901.14(A)(4)	Municipal	Provide court operating report to the legislative authority and to the board of county commissioners of each county within its territory.	Mandatory	Reporting
R.C. 1901.14(C)	Municipal Housing and Environmental	Adopt, publish, and revise rules for the regulation of the practice and procedure of the division; for the selection and manner of summoning persons to serve as jurors in the division; and for the administration of the division.	Discretionary	Rule-making
R.C. 1901.141(A) & (B)	Municipal	A municipal judge may appoint, reappoint, and revoke appointment of one or more electors who are residents of the county as special constables, if certain conditions apply.	Discretionary	Appointment
R.C. 1901.15	Municipal	Presiding municipal judge has the general supervision of the business of the court.	Mandatory	Court administration
R.C. 1901.15	Municipal	Presiding municipal judge must approve all official bonds.	Mandatory	Court administration
R.C. 1901.15	Municipal	Presiding municipal judge may appoint, dismiss, and discharge a qualified substitute clerk of court/deputy clerk when incumbent is temporarily absent or incapacitated.	Discretionary	Appointment; Reporting
R.C. 1901.151	Municipal Housing and Environmental	Judges of the housing and environmental divisions must notify the administrative judge of an insufficient caseload. Where the housing and environmental divisions have insufficient caseloads, the administrative judge must assign housing and environmental judges supplemental cases and/or sessions according to statute parameters and the Rules of Superintendence.	Mandatory	Court administration; Case management
R.C. 1901.16(A)	Municipal	Municipal judges must meet at least once a month for consideration of the business of the court.	Mandatory	Court administration
R.C. 1901.16(A)	Municipal	The presiding judge may direct municipal judges to sit separately or otherwise.	Discretionary	Court administration
R.C. 1901.16(B)	Municipal	Majority of judges may vote to vacate, amend, or modify any order of the presiding judge.	Discretionary	Court administration
R.C. 1901.16(C)	Municipal	Majority of judges may vote to exercise the administrative authority of court.	Discretionary	Court administration

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 1901.17	Municipal	Appoint trustees to receive and distribute earnings of certain judgment debtors.	Discretionary	Jurisdiction, Enforcement
R.C. 1901.17 / 1901.22(C)	Municipal	Has original jurisdiction only in those cases in which the amount claimed by any party, or the appraised value of the personal property sought to be recovered, not to exceed \$15,000 (doesn't apply to environmental or housing divisions).	Mandatory	Jurisdiction
R.C. 1901.18(A)	Municipal	Municipal court has original jurisdiction, within its territory and subject to the \$15,000 monetary restriction over: (a) Civil actions of which county courts have jurisdiction; (b) Recovery of money or personal property of which court of common pleas has jurisdiction; (c) Contract cases; (d) Actions or proceedings involving encumbered personal property; (e) Interpleader actions or proceedings; (f) Replevin actions; (g) Forcible entry and detainer actions; (h) Issuance and enforcements of temporary protection orders and protection orders; (i) Environmental or housing as provided by statute, if that court has the applicable division; (j) Actions between manufactured home park operators, owners, and tenants; (k) Civil actions that relate to a public nuisance; (l) Proceedings brought by the owner of a dog that has been designated as a nuisance dog, dangerous dog, or vicious dog.	Mandatory	Jurisdiction
R.C. 1901.18(B)	Cleveland Municipal Court	In addition to the typical original jurisdiction designations, the Cleveland Municipal Court has origination jurisdiction over: (a) Actions and proceedings for the sale of real property under a MC judgment lien or machinery/material/fuel furnished or labor lien, irrespective of amount; (b) Actions of foreclosure of a mortgage or enforcement of other liens for money/encumbrances on real property, when the amount claimed does not exceed \$15,000; (c) Actions for the recovery of real property to the same extent as courts of common pleas; (d) Actions for injunction to prevent or terminate violations of the ordinances and regulations of the city of Cleveland enacted or promulgated under the police power of the city of Cleveland, over which the court of common pleas has or may have jurisdiction.	Mandatory	Jurisdiction
R.C. 1901.18(B)(1)	Cleveland Municipal Court	Cleveland Municipal Court may foreclose and marshal all liens and all vested or contingent rights, appoint a receiver, and render personal judgment irrespective of amount.	Discretionary	Jurisdiction, Enforcement
R.C. 1901.181(A)(1)	Municipal Housing and Environmental	Housing or environmental division has exclusive jurisdiction, within its territory, over civil or criminal action for a violation of any local building, housing, air pollution, sanitation, health, fire, zoning, or safety code, ordinance, or regulation applicable to premises used or intended for use as a place of human habitation, buildings, structures, or any other real property subject to any such code, ordinance, or regulation; and any civil action from R.C. 3767.41(B)(1) that relates to a public nuisance.	Mandatory	Jurisdiction
R.C. 1901.181(A)(2)	Municipal Housing and Environmental	Exercise concurrent jurisdiction with mayor's courts as required by law.	Mandatory	Jurisdiction
R.C. 1901.181(B)(1)	Municipal Housing and Environmental	Administrative judge must assign another judge according to Rules of Superintendence, if environmental or housing judge is on vacation, sick, absent, or is unavailable because of recusal or another reason.	Mandatory	Case management; Court administration
R.C. 1901.181(B)(2)	Franklin County Municipal Environmental	Franklin County Municipal Court may adopt, by rule, procedures for other judges of the court to handle particular proceedings arising out of environmental court actions when the environmental judge is unable for any reason to handle a particular proceeding.	Discretionary	Court administration; Rule-making
R.C. 1901.182	Municipal	Jurisdiction over violations of township resolutions adopted pursuant to R.C. 503.52 (Adult entertainment establishment regulations) or 503.53 (resolutions regulating or restricting adult-oriented businesses) or R.C. Chapter 504 (Limited Home Rule Government).	Mandatory	Jurisdiction

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 1901.183	Municipal Environmental	In addition to jurisdiction otherwise granted, the environmental division has jurisdiction within its territory in all of the following actions or proceedings and to perform all of the following functions: (a) Sales of real property under a lien or judgment of the environmental division or a lien for machinery, material, fuel furnished, or labor performed, irrespective of dollar amount; (b) Foreclosure and liens actions when in aid of execution of a judgment of the environmental division; (c) Actions for injunction to prevent or terminate violations of the ordinances and regulations of any municipal corporation within its territory enacted or promulgated under the police power of that municipal corporation, over which the court of common pleas has or may have jurisdiction; (d) Actions for injunction to prevent or terminate violations of the resolutions and regulations of any political subdivision within its territory enacted or promulgated under the power of that political subdivision, over which the court of common pleas has or may have jurisdiction; (e) In any civil action to enforce any provision of R.C. Chapter 3704 (air pollution control), 3714 (construction and demolition debris), 3734 (solid and hazardous wastes), 3737 (fire safety), 3767 (nuisances), or 6111 (water pollution control) over which the court of common pleas has or may have jurisdiction; (f) Actions and proceedings in the nature of creditors' bills; (g) (Concurrent jurisdiction with the court of common pleas) criminal actions or proceedings related to the pollution of the air, ground, or water within the territory of the environmental division of the municipal court, for which a sentence of death cannot be imposed; (h) Review or appeal of any final order of any administrative officer, agency, board, department, tribunal, commission, or other instrumentality that relates to a local building, housing, air pollution, sanitation, health, fire, zoning, or safety code, ordinance, or regulation, in the same manner and to the same extent as in similar appeals in the court of common pleas.	Mandatory	Jurisdiction
R.C. 1901.183	Municipal Environmental	May foreclose on liens and vested and contingent rights, appoint receivers, render personal judgment in certain circumstances.	Discretionary	Enforcement
R.C. 1901.183(J)	Franklin County Municipal Environmental	Has original jurisdiction to hear appeals from dog kennel licensing and regulation adjudication hearings.	Mandatory	Jurisdiction
R.C. 1901.184	Municipal	Has jurisdiction over actions filed under R.C. 3729.13 relating to how campsite operators should deal with personal property left at the camp sites.	Mandatory	Jurisdiction
R.C. 1901.185(A)	Municipal Environmental	Has jurisdiction to hear and decide actions and proceedings on foreclosing liens on blighted parcels arising under R.C. 3767.50.	Mandatory	Jurisdiction
R.C. 1901.185(B)	Municipal Environmental	Has jurisdiction to foreclose liens on blighted parcels.	Mandatory	Jurisdiction; Enforcement
R.C. 1901.19(A)(1)	Municipal and Municipal Housing and Environmental	May compel attendance of witnesses in any pending action or proceeding in the same manner as the court of common pleas.	Discretionary	Jurisdiction; Enforcement
R.C. 1901.19(A)(2)	Municipal and Municipal Housing and Environmental	May issue executions on its own judgments.	Discretionary	Jurisdiction; Enforcement
R.C. 1901.19(A)(3)	Municipal and Municipal Housing and Environmental	May enforce the collection of its own judgments in any legal or equitable action or proceeding.	Discretionary	Jurisdiction; Enforcement
R.C. 1901.19(A)(4)	Municipal and Municipal Housing and Environmental	May issue and enforce any order of attachment.	Discretionary	Jurisdiction; Enforcement

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 1901.19(A)(5)	Municipal and Municipal Housing and Environmental	May subject the interest of a judgment debtor in personal property to the payment of a judgment of the court.	Discretionary	Jurisdiction; Enforcement
R.C. 1901.19(A)(6)	Municipal and Municipal Housing and Environmental	May issue and enforce temporary protection orders and protection orders.	Discretionary	Jurisdiction; Enforcement
R.C. 1901.19(B)	Municipal and Municipal Housing and Environmental	In a proceeding in aid of execution, has jurisdiction in counties outside of its jurisdiction but in a county contiguous to the county where the municipal court is located, to subject a judgment debtor's interest in personal property to payment of the judgment.	Discretionary	Jurisdiction; Enforcement
R.C. 1901.19(C)	Municipal and Municipal Housing and Environmental	Serve process outside its territory, in proceedings for garnishment of personal earnings; garnishment of property, other than personal earnings; and motion for the attachment of property, other than personal earnings, upon a garnishee who resides in a county contiguous to that in which the court is located.	Discretionary	Jurisdiction
R.C. 1901.19(D)	Cleveland Municipal Court	Has jurisdiction in all actions and proceedings in the nature of creditors' bills, and in aid of execution to subject the interests of a judgment debtor in real or personal property to the payment of a judgment of the court.	Mandatory	Jurisdiction
R.C. 1901.20(A)(1)	Municipal and Municipal Housing and Environmental	Has criminal and traffic jurisdiction, within its territory of: (a) Violations of municipal corporation ordinances, if it's not required to be handled by a parking violations bureau; (b) Violations of any misdemeanor committed within the limits of its territory; (c) Violations of a vehicle parking or standing resolution or regulation, if a local authority has specified that it is not to be considered a criminal offense and it's not required to be handled by a parking violations bureau; (d) Any criminal action over which the housing or environmental division is given jurisdiction by R.C. 1901.181.	Mandatory	Jurisdiction
R.C. 1901.20(A)(2)	Municipal and Municipal Housing and Environmental	A judge of a municipal court must entertain a criminal complaint, charge, information, or indictment at the urging of the prosecutor, even if the complaining witness asks for dismissal.	Mandatory	Jurisdiction
R.C. 1901.20(B)	Municipal and Municipal Housing and Environmental	Has jurisdiction to hear felony cases committed within its territory.	Mandatory	Jurisdiction
R.C. 1901.20(B)	Municipal and Municipal Housing and Environmental	May discharge, recognize, or commit a felony defendant.	Discretionary	Judgment
R.C. 1901.20(B)	Municipal and Municipal Housing and Environmental	May conduct preliminary hearings and other necessary hearings prior to the indictment of a felony defendant or prior to the court's finding that there is probable and reasonable cause to hold or recognize the felony defendant to appear before a court of common pleas.	Discretionary	Jurisdiction
R.C. 1901.20(C)	Municipal	Has jurisdiction of an appeal from a judgment or default judgment entered on local, noncriminal parking infractions.	Mandatory	Jurisdiction; Judgment; Court administration
R.C. 1901.21(A)	Municipal Housing and Environmental	For criminal cases and proceedings, the power of the municipal court in relation to the prosecution is the same as the power that is conferred upon county courts.	Mandatory	Jurisdiction
R.C. 1901.22(C)	Municipal	In an action in a municipal court for the recovery of personal property where an appraised value prior to judgment exceeds \$15,000, the judge must certify the proceedings in the case to the court of common pleas.	Mandatory	Jurisdiction

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 1901.22(D)	Municipal	Whenever any property is seized or sought to be recovered in any action in a municipal court, the property must be at once appraised.	Mandatory	Procedure; Property and cash management
R.C. 1901.22(E)	Municipal	Certify the proceedings to the court of common pleas, when the amount claimed by any defendant in any statement of counterclaim exceeds \$15,000 (except in Cleveland Municipal Court).	Mandatory	Procedure; Jurisdiction
R.C. 1901.22(F)	Municipal	Enter judgment for the “residue” amount, when the amount due either party exceeds \$15,000 and the party remitted the excess in writing.	Mandatory	Procedure; Jurisdiction
R.C. 1901.23	Municipal	If both the bailiff and the sheriff are interested in the civil action, the court or the judge must appoint a person to which writs and process can be directed to / executed by.	Mandatory	Procedure; Appointments
R.C. 1901.23	Municipal	Writs and process in a municipal court must be served, returned, and publication made in the manner provided for service, return, and publication of summons, writs, and process in the court of common pleas.	Mandatory	Procedure; Jurisdiction
R.C. 1901.23	Municipal	Issue summons, orders of interpleader, all other writs, and mesne and final process, including executions necessary or proper for the complete adjudication of the issues and determination of the action, to the bailiff (for service in territory) and to the sheriff (out of territory or where bailiff is a party or interested).	Discretionary	Procedure
R.C. 1901.23	Municipal	Issue warrants, executions, subpoenas, writs, and processes in all criminal and quasi-criminal cases to the bailiff of the court, a police officer of the appropriate municipal corporation, or to the sheriff of the appropriate county.	Discretionary	Procedure
R.C. 1901.25	Municipal	Establish the fees of jurors in that court and coordinate with county treasury or municipal corporation treasury for payment.	Mandatory	Jury management; Fees/Costs
R.C. 1901.25	Municipal	Jurors must be impaneled in the same manner and challenged for the same causes as jurors in the court of common pleas.	Mandatory	Procedure; Jury management
R.C. 1901.25	Municipal	Selection of jurors must be made from residents within the territory and those appearing to reside outside the territory must be returned to the annual jury list.	Mandatory	Procedure; Jury management
R.C. 1901.25	Municipal	Provide by rule the manner in which jurors are chosen, and may provide that jurors to be used in the court may be chosen and summoned by the jury commissioners of the county.	Discretionary	Procedure; Jury management; Rule-making
R.C. 1901.26(A)(1)(a)	Municipal	Require an advance deposit for the filing of any new civil action or proceeding when required by R.C. 1901.26(C).	Mandatory	Court administration; Fees/Costs
R.C. 1901.26(A)(1)(a)	Municipal	Establish, by rule, a schedule of fees and costs to be taxed in any civil or criminal action or proceeding not covered under R.C. 1901.26(C).	Mandatory	Court administration; Fees/Costs; Rule-making
R.C. 1901.26(A)(2)	Municipal	Require, by rule, an advance deposit for the filing of any civil action or proceeding and publication fees. Waive upon affidavit or other evidence that a party is unable to make the required deposit.	Discretionary	Court administration; Fees/Costs; Publication
R.C. 1901.26(A)(3)	Municipal	If a jury is called, tax the fees of a jury as costs.	Mandatory	Court administration; Fees/Costs; Jury management
R.C. 1901.26(A)(3)	Municipal	Require a party demanding a jury trial to make an advance deposit, unless, upon affidavit or other evidence, the court concludes that the party is unable to make the required deposit.	Discretionary	Court administration; Fees/Costs
R.C. 1901.26(A)(4)	Municipal	Compensate witnesses according to statute.	Mandatory	Court administration; Witnesses
R.C. 1901.26(A)(5)	Municipal	Add to trial costs the reasonable charge for dealing with/storing motor vehicle and personal property.	Discretionary	Court administration; Fees/Costs; Property management
R.C. 1901.26(A)(6)	Municipal	Preserve any seized chattel property pending final disposition, and pay custodian of stored chattel property a reasonable charge.	Mandatory	Court administration; Fees/Costs; Property management
R.C. 1901.26(A)(7)	Municipal	Refund all deposits and advance payments of fees and costs, including those for jurors and summoning jurors, when paid by the losing party.	Discretionary	Court administration; Fees/Costs
R.C. 1901.26(A)(8)	Municipal	Tax as part of costs the charges for the publication of legal notices required by statute or order of court.	Discretionary	Court administration; Fees/Costs; Publication

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 1901.26(B)(1)	Municipal	If special assessment under R.C. 1901.26(B)(1), adjust the special assessment periodically, but not retroactively, so that the amount assessed in those cases does not exceed the actual cost of providing the project, service, or program.	Mandatory	Court administration; Fees/Costs; Special projects
R.C. 1901.26(B)(1)	Municipal	Pay special assessments to appropriate government body.	Mandatory	Court administration; Fees/Costs; Special projects
R.C. 1901.26(B)(1)	Municipal	If a specific fund for special assessment is terminated, order leftover money in fund to be transferred to an account established for a similar purpose.	Discretionary	Court administration; Fees/Costs; Special projects
R.C. 1901.26(B)(1)	Municipal	Assess fee to acquire and pay for special projects, programs, and services of the court.	Discretionary	Court administration; Operations; Employment; Special projects; Training; Rule-making
R.C. 1901.26(C)	Cleveland Municipal	Tax reasonable charges for investigating titles of real estate to be sold or disposed of under any writ or process.	Discretionary	Court administration; Fees; Title search; Real estate
R.C. 1901.26(C)	Municipal	Collect additional filing fees in each new civil action or proceeding, as specified in statute, to benefit the public defender/legal aid. Collection of this additional fee cannot be waived, unless all fees are waived.	Mandatory	Court administration; Fees/Costs; Public defender funding; Legal Aid funding
R.C. 1901.26(C)	Municipal	Retain up to one per cent of additional filing fees to cover administrative costs, including the hiring of any additional personnel, necessary to collect the public defender / legal aid fees.	Discretionary	Court administration; Fees/Costs; Public defender funding; Legal Aid funding
R.C. 1901.261(A)(1)	Municipal	Access a fee to computerize the court, to make available computerized legal research services, or to do both.	Discretionary	Court administration; Fees/Costs; Operations; Technology
R.C. 1901.261(A)(2)	Municipal	Pay collected fees for “computerizing” to appropriate treasurer by specific time.	Mandatory	Court administration; Fees/Costs; Operations; Technology
R.C. 1901.261(A)(2)	Municipal	Declare a surplus in the “computerizing” fund and expend surplus fund subject to certain requirements.	Discretionary	Court administration; Fees/Costs; Operations; Technology
R.C. 1901.261(B)(1)	Municipal	Pay collected fees for “computerizing” clerk's office to appropriate treasurer by specific time.	Mandatory	Court administration; Fees/Costs; Operations; Technology
R.C. 1901.261(B)(1)	Municipal	Include (if applicable) an additional specific charge for computerizing clerk's office in schedule of fees and direct the clerk of the court to charge the fee.	Discretionary	Court administration; Fees/Costs; Operations; Technology
R.C. 1901.262(A)	Municipal	Direct the clerk of the court to charge additional dispute resolution fees, if applicable.	Mandatory	Fees; ADR; Procedure
R.C. 1901.262(A)	Municipal	Include mediation as a part of any procedures adopted to resolve disputes.	Mandatory	Rule-making; ADR
R.C. 1901.262(A)	Municipal	Include a reasonable additional filing fee to implement dispute resolution procedures, in the court's schedule of fees.	Discretionary	Fees; ADR; Procedure
R.C. 1901.262(A)	Municipal	Establish, by rule, procedures for the resolution of disputes between parties.	Discretionary	Rule-making; ADR

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 1901.262(B)	Municipal	Pay collected fees for dispute resolution procedures to appropriate treasurer by specific time.	Mandatory	Fees; ADR; Procedure
R.C. 1901.262(C)	Municipal	Declare a surplus in the “computerizing” fund and expend surplus fund subject to certain requirements.	Discretionary	Fees; ADR; Procedure
R.C. 1901.263	Municipal	Direct the clerk to cancel uncollectible debts.	Discretionary	Fees; Collection
R.C. 1901.31(A)(2)(a)	Municipal	Appoint the clerk (in certain jurisdictions).	Mandatory	Appointment; Employment
R.C. 1901.31(E)	Municipal	Require, by rule, public records (general index, a docket).	Discretionary	Rule-making; Public records
R.C. 1901.31(F)	Municipal	Direct the clerk to perform additional duties by rule or order.	Discretionary	Operations; Rule-making
R.C. 1901.31(H)	Carroll County Municipal	Judge may appoint deputy clerks for the court and prescribe compensation.	Discretionary	Appointment
R.C. 1901.311(A)	Municipal	Appoint a special deputy clerk to administer each branch office.	Discretionary	Appointment
R.C. 1901.311(A)	Municipal	Require special deputy clerks to give bond of not less than \$3,000, conditioned for the faithful performance of duties.	Discretionary	Appointment
R.C. 1901.311(A)	Municipal	Establish one or more branch offices.	Discretionary	Organization; Operations
R.C. 1901.311(B)	Tiffin-Fostoria Municipal	Appoint a special deputy clerk to administer the branch office on a full-time basis.	Mandatory	Appointment
R.C. 1901.311(B)	Tiffin-Fostoria Municipal	Establish a branch office in Fostoria.	Mandatory	Organization; Operations
R.C. 1901.311(B)	Tiffin-Fostoria Municipal	Prescribe duties for the special deputy clerk.	Mandatory	Rule-making
R.C. 1901.32(A)(1)	Municipal	Appoint a bailiff (except for the Hamilton County Municipal Court).	Mandatory	Appointment
R.C. 1901.32(A)(1)	Municipal	Prescribe bailiff compensation.	Mandatory	Employment
R.C. 1901.32(A)(2)	Municipal	Prescribe deputy bailiff compensation, if applicable.	Mandatory	Employment
R.C. 1901.32(A)(2)	Municipal	Appoint deputy bailiffs (except for the Hamilton County Municipal Court).	Discretionary	Appointment
R.C. 1901.32(A)(3)	Municipal	Approve car expenses, maintenance, and upkeep of bailiff / deputy bailiff used court vehicles.	Mandatory	Employment; Operations; Court Cars
R.C. 1901.32(A)(3)	Municipal	Prescribe any allowances, costs, and expenses for the operation of private motor vehicles by bailiffs and deputy bailiffs for official duties.	Mandatory	Employment; Operations; Court Cars
R.C. 1901.32(A)(3)	Municipal	Determine if bailiffs and deputy bailiffs need the use of motor vehicles to perform their duties.	Discretionary	Employment; Operations; Court Cars
R.C. 1901.33(A)	Municipal	Direct assignment commissioners.	Discretionary	Employment; Appointment
R.C. 1901.33(A)	Municipal	The judge or judges of a municipal court may appoint one or more interpreters, one or more mental health professionals, one or more probation officers, an assignment commissioner, deputy assignment commissioners, and other court aides on a full-time, part-time, hourly, or other basis.	Discretionary	Employment; Appointment; Probation
R.C. 1901.33(A)	Municipal	Judge or judges of the court may designate the duties of probation officers.	Discretionary	Employment; Appointment; Probation
R.C. 1901.33(A)	Municipal	The judge or judges may appoint one or more typists, stenographers, statistical clerks, and official court reporters.	Discretionary	Employment; Appointment; Reporting
R.C. 1901.33(B)	Municipal	Designate employees as the department of probation for the court.	Discretionary	Employment; Appointment; Probation
R.C. 1901.33(D)	Municipal	The judge or judges of a municipal court in which the clerk of the court is elected may appoint an administrative assistant to handle the personnel related matters of the court and perform any other administrative duties assigned by the court.	Discretionary	Employment; Appointment

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 1901.331(A)(1)	Municipal Housing and Environmental	Judge (except for Franklin County Municipal environmental and Toledo Municipal housing) may appoint one or more housing or environmental specialists and housing or environmental division referees, and may appoint for the division any employee or officer whom the judges of a municipal court can appoint pursuant to R.C. 1901.32 (bailiffs) or R.C. 1901.33(A)(interpreters, one or more mental health professionals, one or more probation officers, an assignment commissioner, deputy assignment commissioners, and other court aides on a full-time, part-time, hourly, or other basis; one or more typists, stenographers, statistical clerks, and official court reporters).	Discretionary	Employment; Appointment
R.C. 1901.331(A)(1)	Municipal Housing and Environmental	Judge (except for Franklin County Municipal environmental and Toledo Municipal housing) must appoint a chief housing or environmental specialist.	Mandatory	Employment; Appointment
R.C. 1901.331(A)(2)	Toledo Municipal Housing	Judges of the court must appoint a chief housing specialist.	Mandatory	Employment; Appointment
R.C. 1901.331(A)(2)	Toledo Municipal Housing	Judges of the court may appoint one or more housing specialists and housing division referees, and may appoint any employee or officer whom the judges can appoint pursuant to R.C. 1901.32 (bailiffs) or R.C. 1901.33(A)(interpreters, one or more mental health professionals, one or more probation officers, an assignment commissioner, deputy assignment commissioners, and other court aides on a full-time, part-time, hourly, or other basis; one or more typists, stenographers, statistical clerks, and official court reporters).	Discretionary	Employment; Appointment
R.C. 1901.331(A)(3)	Franklin County Municipal Environmental	Judges of the court must appoint a chief environmental specialist.	Mandatory	Employment; Appointment
R.C. 1901.331(A)(3)	Franklin County Municipal Environmental	Judges of the court may appoint one or more environmental specialists and environmental division referees, and may appoint any employee or officer whom the judges can appoint pursuant to R.C. 1901.32 (bailiffs) or R.C. 1901.33(A) (interpreters, one or more mental health professionals, one or more probation officers, an assignment commissioner, deputy assignment commissioners, and other court aides on a full-time, part-time, hourly, or other basis; one or more typists, stenographers, statistical clerks, and official court reporters).	Discretionary	Employment; Appointment
R.C. 1901.331(A)(3)	Franklin County Municipal Environmental	In lieu of, or in addition to, appointing environmental specialists, environmental division referees, and other environmental division employees or officers to perform duties only for that division, the judges of the court may appoint environmental specialists, referees, and other employees and officers to perform duties for the environmental division and the other divisions of the court.	Discretionary	Employment; Appointment
R.C. 1901.331(A)(3)	Franklin County Municipal Environmental	The administrative judge of the court may assign other referees, employees, and officers of the court to perform functions for the environmental division.	Discretionary	Employment; Appointment
R.C. 1901.331(A)(4) & (B)	Municipal Housing and Environmental	Control / supervise / prescribe duties for specialists, referees etc.	Mandatory	Employment
R.C. 1901.36(A)	Municipal	Maintain a law library, complete sets of reports of the supreme and inferior courts, and such other law books and publications as are considered necessary by the presiding judge.	Discretionary	Operations
R.C. 1901.41(A)	Municipal	By rule, order the destruction or other disposition of the files of cases that have been finally disposed of by the court for at least five years as follows.	Discretionary	Case File Management; Rule-making; Records retention
R.C. 1901.41(B)	Municipal	Copy or reproduce files to be destroyed or otherwise disposed of, where required by statute; retain and preserve file copies or reproductions for a period of ten years.	Mandatory	Case File Management; Records retention
R.C. 1901.41(D)	Municipal	Retain all dockets, indexes, journals, and cash books of the court (originals or reproductions) for at least twenty-five years.	Mandatory	Court administration
R.C. 1901.43	Municipal	Order for accused to appear for fingerprinting, where required.	Mandatory	Procedure
R.C. 1901.44(A)	Municipal	Order the offender to perform community service in lieu of costs and to pay the costs in installments according to a schedule set by the court.	Discretionary	Sentencing; Fees; Probation; Personnel

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 1901.44(B)	Municipal	If a person fails to appear or fails to pay costs in time, cause defendant's motor vehicle registration or transfer of registration to be blocked until defendant complies.	Discretionary	Procedure; Fees; Collection
R.C. 1901.44(C)	Municipal	When the fine or costs have been paid in full, inform the registrar of the payment.	Mandatory	Procedure; Fees
R.C. 1905.22	Municipal	Municipal court has jurisdiction to hear appeals from mayor's courts.	Mandatory	Jurisdiction
R.C. 2101.01(A)	Probate	Employ and supervise all clerks, deputies, magistrates, and other employees of the probate division; supervise all probate court investigators and assessors.	Mandatory	Employment; Jurisdiction; Procedure
R.C. 2101.022	Marion County Probate	Has all powers relating to probate court and must exercise concurrent jurisdiction with judge of domestic relations-juvenile-probate court.	Mandatory	Jurisdiction
R.C. 2101.023	Erie County Probate	Probate judge designated as a judge of court of common pleas, general division, has all powers relating to general division of court of common pleas, is clerk of probate court, must exercise concurrent jurisdiction with the other judges of the general division.	Mandatory	Jurisdiction
R.C. 2101.024	Logan County Probate	Probate judge has all powers relating to domestic relations-juvenile-probate court and must exercise concurrent jurisdiction with judges of domestic relations-juvenile-probate court.	Mandatory	Jurisdiction
R.C. 2101.025	Champaign County Probate	Probate judge has all powers relating to domestic relations-juvenile-probate court and must exercise concurrent jurisdiction with judges of domestic relations-juvenile-probate court.	Mandatory	Jurisdiction
R.C. 2101.026	Franklin County Probate	Accept funds or other program assistance from ADAMH and mental health services of Franklin County or Franklin County Board of Developmental Disabilities.	Discretionary	Mental Health Fund
R.C. 2101.03	Probate	Probate judge must give a bond to the state in a sum not less than five thousand dollars.	Mandatory	Bond
R.C. 2101.04	Probate	Make rules regulating the practice and conducting the business of the probate court; submit those rules to the Supreme Court.	Mandatory	Rules
R.C. 2101.06	Probate	Appoint a special master commissioner, upon motion of a party or judge's own motion, in any matter pending before judge.	Discretionary	Appointments
R.C. 2101.08	Probate	Appoint court reporter; fix their compensation.	Discretionary	Appointments
R.C. 2101.10	Probate	Enforce the collection of amercement by execution or other process, by imprisonment as for contempt of court, or both against sheriff, coroner, or constable.	Discretionary	Collection
R.C. 2101.11(A)(1)	Probate	Have care and custody of the files, papers, books, and records belonging to the probate court.	Mandatory	Court Records
R.C. 2101.11(A)(1)	Probate	Perform the duties of clerk of the judge's court; appoint deputy clerks, court reports, a bailiff, and any other necessary employees.	Discretionary	Court Records, Appointment
R.C. 2101.11(A)(2)(a)	Probate	Provide for one or more probate court investigators to perform the duties that are established for a probate court investigator by the Revised Code or probate judge.	Mandatory	Employment, Appointment
R.C. 2101.11(A)(3)(a)	Probate	Provide for one or more persons, public children services agencies, private child placing agencies, or private noncustodial agencies to perform the duties of an assessor.	Discretionary	Court Records
R.C. 2101.11(B)(2)	Probate	Submit a written request for appropriation to the board of county commissioners.	Mandatory	Expenses
R.C. 2101.11(C)	Probate	Require any appointee to give bond in the sum not less than one thousand dollars.	Discretionary	Court Records
R.C. 2101.12	Probate	Keep an administrative docket, a guardian's docket, a civil docket, a journal, a record of wills, a final record, an execution docket, a marriage record, a naturalization record, a permanent record of births and deaths, a record and index of adoptions, and a summary release from administration docket.	Mandatory	Court Records
R.C. 2101.141	Probate	Order that certain records be destroyed or otherwise disposed.	Discretionary	Court Records
R.C. 2101.15	Probate	File an itemized account of fees with county auditor.	Mandatory	Court Records
R.C. 2101.16	Probate	Charge and collect fees.	Mandatory	Fees
R.C. 2101.161	Probate	Order that prepaid and unearned costs be deposited with a bank, savings bank, savings and loan institution, credit union, or trust company.	Discretionary	Costs
R.C. 2101.162	Probate	Probate judge may charge fee to computerize the court and/or make available computerized legal research services for the efficient operation of the court.	Discretionary	Fees
R.C. 2101.163	Probate	Establish dispute resolution procedures.	Discretionary	Fees
R.C. 2101.164	Probate	Waive fees for wills and estates of combat zone military casualties.	Mandatory	Fees
R.C. 2101.165	Probate	Cancel all or part of uncollectible debts owed to the court.	Discretionary	Fees
R.C. 2101.22	Probate	Issue any process, notices, commissions, rules, and orders that are necessary to carry into effect the powers granted to the judge.	Mandatory	Process

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2101.23	Probate	Probate judge has authority throughout state to compel performance of any duty incumbent upon any fiduciary appointed by or accounting to the judge.	Discretionary	Contempt
R.C. 2101.24(A)	Probate	Has exclusive jurisdiction to: (a) Take the proof of wills; (b) Grant and revoke letters testamentary and of administration; (c) Direct and control conduct and settle accounts of executors and administrators and order the distribution of assets; (d) Appoint the attorney general to serve as the administrator of an estate; (e) Appoint and remove guardians, conservators, and testamentary trustees, direct and control their conduct, and settle their accounts; (f) Grant marriage licenses; to make inquests respecting mentally impaired that are unable to manage their property and affairs effectively subject to guardianship; (g) Qualify assignees, appoint and qualify trustees and commissioners of insolvents, control their conduct, and settle their accounts; (h) Authorize the sale of lands, equitable estates, or interests in lands or equitable estates on petition; (i) Authorize the completion of real property contracts on petition; (j) Construe wills; (k) Render declaratory judgments; (l) Direct and control the conduct of fiduciaries and settle their accounts; (m) Authorize the sale or lease of any estate on petition; (n) Terminate a testamentary trust; (o) Hear and determine will contests; (p) Make a determination of the presumption of death of missing persons; (q) Act for and issue orders regarding wards pursuant to R.C. 2111.50; (r) Hear and determine actions against sureties on the bonds of fiduciaries appointed by the probate court; (s) Hear and determine actions involving informed consent; (t) Hear and determine actions relating to durable powers of attorney for health care; (u) Hear and determine actions commenced by objecting individuals; (v) Hear and determine complaints that pertain to continuation or withholding life-sustaining treatment; (w) Hear and determine applications that pertain to withholding or withdrawal of nutrition and hydration; (x) Hear and determine applications of attending physicians in accordance with section 2133.15(B); (y) Hear and determine actions relative to the use or continuation of comfort care; (z) Hear and determine applications for an order relieving an estate from administration; (aa) Hear and determine actions relating to the exercise of the right of disposition; (bb) Hear and determine applications for an order granting a summary release from administration; (cc) Hear and determine actions relating to the disinterment and reinterment of human remains; (dd) Hear and determine petitions for an order for treatment of a person suffering from alcohol or drug abuse.	Mandatory	Jurisdiction
R.C. 2101.24(B)	Probate	Concurrent jurisdiction with general division of the court of common pleas to issue writs and orders and to hear and determine actions that involve inter vivos trusts, trust created pursuant to R.C. 5815.28, a charitable trust or foundation, a power of attorney, medical treatment of a competent adult, writ of habeas corpus, a probate estate, guardianship, trust, or post-death dispute.	Discretionary	Jurisdiction
R.C. 2101.25	Common Pleas	Jurisdiction in road, sewer district, or any county water supply case filed in probate court if judge certifies case to common pleas court.	Mandatory	Jurisdiction
R.C. 2101.26	Probate	Report alleged abuse or financial exploitation of persons of advanced age, an incompetent, or a minor under guardianship or the alleged theft from an estate to the appropriate law enforcement agency.	Discretionary	Jurisdiction
R.C. 2101.27	Probate	Probate judge has authority to solemnize marriages within county and may charge fee.	Discretionary	Jurisdiction
R.C. 2101.32	Probate	Probate judge has the powers provided for and be governed by the rules that apply to common pleas judges; costs may be awarded to, taxed against, and apportioned between parties.	Mandatory	Jurisdiction; Rules; Costs
R.C. 2101.33	Probate	Probate judge has power to vacate and modify its orders or judgments.	Discretionary	Judgments
R.C. 2101.34	Probate	Probate judge may enter judgments of confession in cases pending in court of common pleas of county.	Discretionary	Judgments

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2101.37	Probate	Judge of court of common pleas may act as probate judge or in conjuncture with probate judge if probate judge is absent or unable to attend court or the volume of work necessitates it.	Discretionary	Jurisdiction
R.C. 2103.041	Probate	Determine present value and priority of dower interest pursuant to R.C. 2131.01 and award spouse a sum of money equal to the present value of the dower interest in any action involving the judicial sale of real property.	Mandatory	Substantive Law
R.C. 2105.09(A)	Common Pleas	On application of auditor, appoint three disinterested freeholders of county to appraise real property escheated to the state that is located in the auditor's county and outside the incorporated area of a city.	Mandatory	Procedure
R.C. 2105.09(C)	Probate	Direct administrator or executor of estate that contains escheated property to commence an action in probate court for authority to sell the real property pursuant to R.C. 2127.	Discretionary	Procedure
R.C. 2106.10	Probate	Issue certificate of transfer if value of property and allowance for support that spouse is entitled to receive is equal to or greater than the value of decedent's interest in mansion house.	Mandatory	Surviving Spouses
R.C. 2106.11	Probate	Examine application that includes an inventory of personal property and make a finding of the amount of personal property to be distributed to the surviving spouse and must order that the personal property be distributed to the surviving spouse. Probate court must make a finding of the amount of money that remains due and payable to the surviving spouse.	Mandatory	Surviving Spouses
R.C. 2106.13	Probate	Order distribution of allowance of support in certain circumstances.	Mandatory	Surviving Spouses
R.C. 2107.083	Probate	Conduct a hearing on the validity of a will when a complaint is filed pursuant to R.C. 2107.081.	Mandatory	Wills
R.C. 2107.084(A)	Probate	Declare will valid if it finds that the will was properly executed and that the testator had the requisite testamentary capacity and was not under any restraint.	Mandatory	Wills
R.C. 2107.084(C)	Probate	Conduct a hearing on the validity of a revocation or modification of a will in the same manner as it would on any initial complaint for judgment declaring a will to be valid.	Mandatory	Wills
R.C. 2107.09	Probate	Compel person having custody or control of will to produce it before the court for the purpose of being proved.	Discretionary	Wills
R.C. 2107.17	Probate	Issue a commission with the will annexed directed to any suitable person when a witness to a will resides out of its jurisdiction or is unable to attend court.	Discretionary	Wills
R.C. 2107.18	Probate	Admit a will to probate if it appears from the face of the will or the testimony of the witnesses to the will that the execution of the will complies with the law in force at the time of the execution of the will in the jurisdiction in which it was executed, with the law in force in this state at the time of the death of testator, or with the law in force in the jurisdiction in which the testator was domiciled at the time of the testator's death. Probate court must admit a will to probate when there has been a prior judgment by a probate court declaring that the will is valid.	Mandatory	Wills
R.C. 2107.181	Probate	Enter an interlocutory order denying probate of the instrument if it appears that the instrument purporting to be a will is not entitled to admission to probate.	Mandatory	Wills
R.C. 2107.22(A)(1)(a)	Probate	Admit will of later date to probate court the same as if no earlier will had been so admitted if it appears from the face of the will of later date that the will was lawfully executed.	Discretionary	Wills
R.C. 2107.22(A)(1)(b)	Probate	Cause at least two witnesses to the will of later date to come before the probate court and provide testimony upon the demand of a person interested in having a will of later date admitted to probate.	Mandatory	Wills
R.C. 2107.26	Probate	Admit the lost, spoliated, or destroyed will to probate if (1) proponent of will establishes that the will was executed with the formalities required at the time of execution by the jurisdiction in which it was executed and the contents of the will, and (2) no person opposing the admission of the will established that the testator revoked the will.	Mandatory	Wills
R.C. 2107.27	Probate	Order that the testimony of any witness, who resides out of its jurisdiction or is infirm or unable to attend, be taken and reduced to writing by some competent person.	Discretionary	Wills
R.C. 2107.28	Probate	Hear testimony if a will is lost, spoliated, destroyed, mislaid, or stolen after it has been admitted to probate but before it has been recorded.	Discretionary	Wills
R.C. 2107.71	Probate	Proceed with complaint contesting the validity of a will or codicil in the same manner as if the will, modification, or codicil had not been previously declared valid.	Mandatory	Wills
R.C. 2107.75	Probate	Allow as part of the costs of administration, after finding that writing produced is not the will or codicil of the testator, the amounts to the fiduciary and to the attorneys defending the purported will or codicil that the court finds to be reasonable compensation for the services rendered in the will contest action.	Mandatory	Wills

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2108.521(B)	Probate	Order the requested autopsy or post-mortem examination if it finds that the department of developmental disabilities or county board of developmental disabilities has demonstrated the need for the autopsy or post-mortem examination.	Mandatory	Human Bodies
R.C. 2108.521(B)	Probate	Conduct a hearing on a petition filed pursuant to R.C. 2108.521(A).	Discretionary	Human Bodies
R.C. 2108.82(A)	Probate	Assign to any person the right of disposition for a declarant or deceased person.	Discretionary	Human Bodies
R.C. 2109.021	Probate	Accept filings by mail in matters of estates, guardianships, or trusts after letters of appointment are issued unless court notifies that personal appearance is necessary or otherwise required by law.	Mandatory	Fiduciary
R.C. 2109.04(A)(2)	Probate	Appoint a fiduciary without bond if the instrument creating the trust dispenses with the giving of a bond.	Mandatory	Fiduciary
R.C. 2109.04(A)(2)	Probate	Require bond to be given in any amount it fixes if court is of opinion that interest of trust demands a bond.	Discretionary	Fiduciary
R.C. 2109.04(A)(4)	Probate	Waive or reduce bond when the probable value of personal property and of annual real property rentals are less than ten thousand dollars.	Discretionary	Fiduciary
R.C. 2109.04(B)	Probate	Dispense with giving of a bond when executive director of children services or agency under contract with department of developmental disabilities is appointed the trustee of the estate of a ward.	Discretionary	Fiduciary
R.C. 2109.04(C)	Probate	Require bond to be given in an amount fixed by the court when letters are granted without bond.	Discretionary	Fiduciary
R.C. 2109.05	Probate	Remove trustee from trust if trustee fails to give bond within time ordered by court.	Mandatory	Fiduciary
R.C. 2109.06	Probate	Determine upon the filing of the inventory whether the amount of the bond of the fiduciary is sufficient and must require new or additional bond if the interests of the trust demands it.	Mandatory	Fiduciary
R.C. 2109.13	Probate	Direct deposit with a bank of any suitable personal property belonging to the estate in lieu of bond.	Discretionary	Fiduciary
R.C. 2109.14	Probate	Authorize or direct that works of nature or art be deposited with a corporation conducting the museum or other similar institution.	Discretionary	Fiduciary
R.C. 2109.19	Probate	Order fiduciary to render an account and execute to the surety a bond of indemnity if a fiduciary wastes or unfaithfully administers an estate.	Discretionary	Fiduciary
R.C. 2109.21(B)	Probate	Require that nonresident executor, trustee, or ancillary administrator assure that all assets of decedent that are in county at the time of death will remain in county until distribution or until court determines that assets may be removed from county.	Discretionary	Fiduciary
R.C. 2109.21(B)(2)	Probate	Appoint an ancillary administrator pursuant to R.C. 2129.08.	Mandatory	Fiduciary
R.C. 2109.21(C)	Probate	Appoint a nonresident of state as guardian of estate if conditions apply.	Discretionary	Fiduciary
R.C. 2109.21(F)	Probate	Remove a fiduciary if fiduciary fails to comply with R.C. 2109.21.	Discretionary	Fiduciary
R.C. 2109.24	Probate	Accept the resignation of any fiduciary and may remove any fiduciary or trustee.	Discretionary	Fiduciary
R.C. 2109.25	Probate	Remove a fiduciary and appoint a substitute or authorize the remaining fiduciaries to execute a trust when fiduciary is unable to perform duties due to military service; person may be reappointed.	Discretionary	Fiduciary
R.C. 2109.26	Probate	Require a final account of all dealings of the trust to be filed by the fiduciary if a living person and able to act when sole fiduciary dies, is dissolved, declines to accept, resigns, is removed, or becomes incapacitated prior to the termination of the trust.	Mandatory	Fiduciary
R.C. 2109.302	Probate	Designate a deputy clerk, agent of surety, or commissioner to examine guardian's securities and passbook or bank statement and report to court.	Discretionary	Fiduciary
R.C. 2109.303	Probate	Designate a deputy clerk, agent of surety, or commissioner to examine trustee's securities and passbook or bank statement and report to court.	Discretionary	Fiduciary
R.C. 2109.31	Probate	Issue citation to fiduciary if fiduciary neglects or refuses to file an account, inventory, certificate of notice of probate of will, or report when due.	Discretionary	Fiduciary
R.C. 2109.32(A)	Probate	Inquire into, consider, and determine all matters relative to the account and the manner in which the fiduciary has executed the fiduciary's trust and may order the account approved and settled or make any other proper order.	Mandatory	Fiduciary
R.C. 2109.361(C)	Probate	Hold a hearing on an application filed pursuant to R.C. 2109.361(B).	Mandatory	Fiduciary
R.C. 2109.361(D)	Probate	Approve third-party distribution in whole or part.	Discretionary	Fiduciary
R.C. 2109.47	Probate	Appoint disinterested persons to fully investigate the necessity for and advisability of making repairs or improvements and the probable cost before authorizing a guardian to mortgage real property for the purpose of borrowing money.	Mandatory	Fiduciary

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2109.48	Probate	Fix the amount to be borrowed, direct what real property must be encumbered by mortgage, and issue an order directing fiduciary to ascertain and report the rate of interest and length of time for which fiduciary can borrow amount when granting complaint to borrow money and mortgage real property.	Mandatory	Fiduciary
R.C. 2109.50	Probate	Compel persons suspected of concealing or embezzling assets to appear before it to be examined under oath.	Mandatory	Fiduciary
R.C. 2109.51	Probate	Commit person to the county jail for refusing to answer interrogatories propounded pursuant to R.C. 2109.50.	Mandatory	Fiduciary
R.C. 2109.52	Probate	Determine whether person accused is guilty of having concealed, embezzled, conveyed away, or been in the possession of assets of the estate, trust, or guardianship.	Mandatory	Fiduciary
R.C. 2109.53	Probate	Remove fiduciary against whom a judgment is rendered pursuant to R.C. 2109.52.	Mandatory	Fiduciary
R.C. 2109.54	Probate	Complete and deliver certificate of judgment in favor of a fiduciary on demand.	Mandatory	Fiduciary; Certificate of Judgment
R.C. 2109.57	Probate	Order payment of money in whole or part to person who was unknown, a nonresident, or not ascertained and is entitled to all or part of the proceeds of property sold.	Mandatory	Fiduciary
R.C. 2109.58	Probate	Enter its findings on the journal regarding exceptions to the inventory of a fiduciary and also tax costs.	Mandatory	Fiduciary
R.C. 2109.59	Probate	Issue a citation to the fiduciary and command fiduciary to appear and show cause why judgment should not be rendered against the fiduciary when a creditor or other person files a petition to enforce payment or distribution.	Mandatory	Fiduciary
R.C. 2109.60	Probate	Transfer R.C. 2109.59 proceeding to common pleas court.	Discretionary	Fiduciary; Jurisdiction
R.C. 2109.62(A)	Probate	Terminate a trust.	Discretionary	Fiduciary
R.C. 2109.62(C)	Probate	When a trust is terminated pursuant to R.C. 2109.62, order the distribution of the trust estate in accordance with any provision in the trust instrument for the premature termination of the trust or, if there is no provision, order the distribution of the trust estate among the beneficiaries in accordance with their beneficial interests and in equitable manner.	Mandatory	Fiduciary
R.C. 2112.02	Probate	Treat a foreign country as if it were a state for purposes of R.C. 2112.	Discretionary	Adult Guardianship and Protective Proceedings
R.C. 2112.03	Probate	Communicate with other state courts concerning a proceeding arising under R.C. 2112.	Discretionary	Adult Guardianship and Protective Proceedings
R.C. 2112.04	Probate	Request that appropriate court of another state take certain action.	Discretionary	Adult Guardianship and Protective Proceedings
R.C. 2112.05	Probate	Order that testimony of a witness be taken in another state, permit a witness located in another state to be deposed by telephone, audiovisual, or other electronic means, and adopt local rules that promote the use of any device or procedure to facilitate the expeditious disposition of cases.	Discretionary	Adult Guardianship and Protective Proceedings
R.C. 2112.21	Probate	Has jurisdiction to appoint a guardian or issue a protective order for a respondent in certain circumstances.	Discretionary	Adult Guardianship and Protective Proceedings
R.C. 2112.22	Probate	If the court lacks jurisdiction pursuant to R.C. 2112.21, has special jurisdiction to do certain action.	Discretionary	Adult Guardianship and Protective Proceedings
R.C. 2112.24	Probate	If the court has jurisdiction under R.C. 2112.21 to appoint a guardian or issue a protective order, decline to exercise jurisdiction if court determines that a court of another state is a more appropriate forum.	Discretionary	Adult Guardianship and Protective Proceedings
R.C. 2112.25	Probate	If the court acquired jurisdiction to appoint a guardian or issue a protective order because of unjustifiable conduct, decline to exercise jurisdiction, exercise limited jurisdiction, or continue to exercise jurisdiction.	Discretionary	Adult Guardianship and Protective Proceedings
R.C. 2112.31(C)	Probate	Hold a hearing on a petition filed pursuant to R.C. 2112.31(A).	Mandatory	Adult Guardianship and Protective Proceedings

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2112.32(C)	Probate	Hold a hearing on a petition filed pursuant to R.C. 2112.32(A).	Mandatory	Adult Guardianship and Protective Proceedings
R.C. 2112.43(B)	Probate	Grant relief available under the Revised Code to enforce a registered order of guardianship or protective order from another state.	Discretionary	Adult Guardianship and Protective Proceedings
R.C. 2113.01	Probate	Upon the death of a resident of this state who dies intestate, the probate court of the county in which the decedent's was a resident at the time of death must grant letters of administration of the decedent's estate.	Mandatory	Executors and Administrators
R.C. 2113.01	Probate	If the will of any person is admitted to probate, the probate court in which the will was admitted to probate must grant letters testamentary or of administration.	Mandatory	Executors and Administrators
R.C. 2113.03	Probate	Order estate released from administration.	Discretionary	Executors and Administrators
R.C. 2113.031	Probate	Order a summary release from administration of a decedent's estate only if certain requirements are satisfied.	Mandatory	Executors and Administrators
R.C. 2113.05	Probate	Issue letters testamentary to executor named or nominated when a will is approved and allowed if executor is suitable, competent, accepts the appointment, and gives bond that is required.	Mandatory	Executors and Administrators
R.C. 2113.06	Probate	Commit administration to some suitable person who is resident of state or attorney general, if Department of Medicaid is seeking to recover costs, if there is no other person who is entitled or suitable or neglected to apply for administration of the estate.	Mandatory	Executors and Administrators
R.C. 2113.11	Probate	Cause notice of the proceeding to be forwarded by registered mail to the nearest consular representative of the country of which deceased was a citizen upon the filing of an application for appointment of the estate of a deceased alien with surviving heirs residing in a foreign country.	Mandatory	Executors and Administrators
R.C. 2113.112	Probate	Grant letters testamentary to other executor if named or nominated executor refuses to accept trust, neglects to appear, or neglects to give any required bond.	Mandatory	Executors and Administrators
R.C. 2113.15	Probate	Appoint special administrator to collect and preserve effects of deceased when there is a delay in granting letters testamentary or of administration.	Discretionary	Executors and Administrators
R.C. 2113.16	Probate	Compel transfer by citation or attachment if special administrator neglects or refuses to transfer assets of estate to executor or administrator.	Discretionary	Executors and Administrators
R.C. 2113.18	Probate	Remove an executor or administrator if there are unsettled claims between them and the estate or upon motion of the surviving spouse, children, or other next of kin.	Discretionary	Executors and Administrators
R.C. 2113.19	Probate	Grant letter of administration to some suitable person when a sole executor or administrator dies without having fully administered the estate.	Mandatory	Executors and Administrators
R.C. 2113.21	Probate	Require additional bonds when a will is contested.	Discretionary	Executors and Administrators
R.C. 2113.26	Probate	Authorize the examination of executor or administrator under oath on any matter relating to the administration of the estate.	Discretionary	Executors and Administrators
R.C. 2113.311	Probate	Authorize executor or administrator to assume management and rental of real property.	Discretionary	Executors and Administrators
R.C. 2113.37	Probate	Allow a credit for a tombstone or monument for the deceased.	Discretionary	Executors and Administrators
R.C. 2113.40	Probate	Authorize executor or administrator to sell at public or private sale any part or all of the personal property belonging to the estate with exceptions.	Discretionary	Executors and Administrators
R.C. 2113.40	Probate	Order alteration or cancellation of contract for sale of real property entered into before decedent's death.	Discretionary	Executors and Administrators
R.C. 2113.43	Probate	Authorize executor and administrator to sell on credit.	Discretionary	Executors and Administrators
R.C. 2113.50	Probate	Order completion of decedent's contract to buy land.	Discretionary	Executors and Administrators
R.C. 2113.58	Probate	Order that personal property to a person having a limited estate be delivered or held.	Discretionary	Executors and Administrators

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2113.64	Probate	Order that unclaimed funds be turned over to county treasurer or invested.	Discretionary	Executors and Administrators
R.C. 2113.71	Probate, Common Pleas, Court of Appeals, and Supreme Court	Have the same authority over foreign executors and administrators as if they were appointed in this state.	Mandatory	Executors and Administrators; Jurisdiction
R.C. 2113.81	Probate	Direct that money and property for nonresidents of United States be paid into county treasury to be held in trust or delivered to a trustee.	Discretionary	Executors and Administrators
R.C. 2113.87	Probate	Determine apportionment of tax.	Discretionary	Executors and Administrators
R.C. 2115.03	Probate	Issue order requiring executor or administrator to return an inventory if they neglect or refuse to return an inventory.	Mandatory	Executors and Administrators
R.C. 2115.16	Probate	Set a hearing upon the filing of the inventory required by R.C. 2115.02.	Mandatory	Executors and Administrators
R.C. 2117.17	Probate	Assign all claims against estate for a hearing.	Discretionary	Claims Against Estate
R.C. 2119.01	Probate	Appoint trustee to take possession and charge of property of absentee.	Discretionary	Trustee for Absentee
R.C. 2121.03	Probate	Set hearing for purpose of ascertaining whether presumption of death is established.	Mandatory	Presumption of Death
R.C. 2121.08	Probate	Vacate the decree establishing the presumption of death within a three-year period from the date of the decree.	Discretionary	Presumption of Death
R.C. 2123.05	Probate	Hear proof and find who are and where the heirs or next of kin of decedent.	Discretionary	Determination of Heirship
R.C. 2127.03	Probate	Order executor or administrator to commence an action pursuant to R.C. 2127.02 or 2127.03 if executor or administrator fails to do so.	Mandatory	Sale of Lands
R.C. 2127.18	Probate	Determine equities among parties and priorities of liens and order a distribution of money in accordance with its determination.	Discretionary	Sale of Lands
R.C. 2127.19	Probate	Make the necessary order for an entry of release and satisfaction of all mortgages and other liens upon the real property, except the mortgage assumed by the purchaser, when an action to obtain authority to sell real property is determined by the probate court.	Mandatory	Sale of Lands
R.C. 2127.20	Probate	Authorize sale of lands subject to mortgage.	Discretionary	Sale of Lands
R.C. 2127.21	Probate	Authorize the survey and platting of real property if guardian's complaint seeks to have real property laid out in town lots.	Mandatory	Sale of Lands
R.C. 2127.22	Probate	Order sale in accordance with appraisal.	Discretionary	Sale of Lands
R.C. 2127.27	Probate	Require executor, administrator, or guardian to execute a bond upon the return and approval of the appraisal provided for in R.C. 2127.22.	Mandatory	Sale of Lands
R.C. 2127.28	Probate	Allow a real estate commission and payment for certificate or abstract of title or policy of title insurance.	Discretionary	Sale of Lands
R.C. 2127.35	Probate	Confirm sale and order executor, administrator, or guardian to make a deed to the purchaser.	Mandatory	Sale of Lands
R.C. 2129.08	Probate	Appoint an ancillary administrator for a nonresident decedent.	Mandatory	Ancillary Administration
R.C. 2129.24	Probate	Charge and collect the same fees for services required by R.C. 2129.01-2129.30 as those charged for similar services in the administration of estates of resident decedents.	Mandatory	Ancillary Administration
R.C. 2129.30	Probate	Appoint a trustee under a foreign will.	Discretionary	Ancillary Administration
R.C. 2133.05(B)(4)	Probate	Conduct a hearing on a complaint filed pursuant to R.C. 2133.05(B)(2).	Mandatory	DNR
R.C. 2133.08(E)(1)	Probate	Conduct a hearing on a complaint filed pursuant to R.C. 2133.08.	Mandatory	DNR
R.C. 2151.07	Juvenile	Exercise the powers and jurisdiction conferred in R.C. 2151 and 2152.	Mandatory	Jurisdiction
R.C. 2151.10	Juvenile	Juvenile judge must annually submit a written request for an appropriation to the board of county commissioners that sets forth the estimated administrative expenses of the juvenile court that the judge considers reasonably necessary for the operation of the court; if judge considers appropriation to be insufficient, judge must commence an action under R.C. 2731,	Mandatory	Expenses

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2151.12(A)	Juvenile	Judge of domestic relations division who is specifically designated by R.C. 2301.03 as being responsible for administering R.C. 2151.13, 2151.16, 2151.18, and 2151.71 must be the clerk of court for all records filed with the court; if clerk of court of common pleas and agreeing judges enter into agreement, clerk of common pleas court must keep records filed with juvenile court.	Mandatory	Records
R.C. 2151.12(B)	Juvenile	Juvenile judge must execute and file bond when judge is clerk of judge's own court.	Mandatory	Records; Bond
R.C. 2151.13	Juvenile	Juvenile judge may appoint bailiffs, probation officers, and other employees as necessary and may fix their titles, duties, compensation, and expense allowances; juvenile court may authorize any deputy clerk to administer oaths; judge may require an employee to give bond in the sum not less than one thousand dollars.	Discretionary	Appointments; Compensation; Oaths; Bonds
R.C. 2151.14(D)(1)	Juvenile	Issue order requiring boards of education, governing bodies of chartered nonpublic schools, public children services agencies, private child placing agencies, probation departments, law enforcement agencies, and prosecuting attorneys requesting the records of child who had been found unruly, delinquent, or a juvenile traffic offender.	Mandatory	Orders; Records
R.C. 2151.142(D)	Juvenile	Disclose to a journalist the residential address that is confidential under certain circumstances.	Mandatory	Orders
R.C. 2151.151	Juvenile	Contract with an agency, association, organization, or individual for the provision of supervisory or other services to children placed on probation who are under the custody and supervision of the juvenile court.	Discretionary	Contracts
R.C. 2151.152	Juvenile	Enter into an agreement with DJFS pursuant to R.C. 5101.11 for the purpose of reimbursing the court for foster care maintenance costs and associated administrative and training costs incurred on behalf of a child.	Discretionary	Contracts
R.C. 2151.16	Juvenile	Appoint and fix the compensation of referees.	Discretionary	Appointment
R.C. 2151.17	Juvenile	Prescribe rules regulating the docketing and hearing of causes, motions, demurrers, and other matters and governing of its officers and employees, including conduct, duties, hours, expenses, leaves of absence, and vacations.	Discretionary	Rules; Employees
R.C. 2151.18(A)	Juvenile	Maintain records of all official cases brought before it, including an appearance docket, a journal, and records.	Mandatory	Records
R.C. 2151.18(B)	Juvenile	Prepare an annual report by June covering the proceeding calendar year showing the number and kind of cases that have come before it, the disposition of the cases, and any other data.	Mandatory	Records; Annual Report
R.C. 2151.20	Juvenile	Have a seal which must consist of the coat of arms of the state within a circle one and one-fourth inches in diameter and must be surrounded by the words "Juvenile court. . .county."	Mandatory	Seal
R.C. 2151.21	Juvenile	Has the same jurisdiction in contempt as courts of common pleas.	Mandatory	Jurisdiction
R.C. 2151.22	Juvenile	Juvenile judge may adjourn court or continue any case whenever such continuance is warranted.	Discretionary	Sessions
R.C. 2151.23(A)	Juvenile	Has exclusive original jurisdiction in certain matters.	Mandatory	Jurisdiction
R.C. 2151.23(B)	Juvenile	Has original jurisdiction in certain matters.	Mandatory	Jurisdiction
R.C. 2151.23(C)	Juvenile	Has jurisdiction to hear, determine, and make a record of any action for divorce or legal separation that involves the custody and care of children that is filed in the court of common pleas and certified by the court of common pleas to the juvenile court for trial after consent of the juvenile judge.	Mandatory	Jurisdiction
R.C. 2151.23(D)	Juvenile	Has jurisdiction to hear and determine all matters as to custody and support of children duly certified by the court of common pleas to the juvenile court after a divorce decree has been granted, including jurisdiction to modify the judgment and decree as to custody and support of children.	Mandatory	Jurisdiction
R.C. 2151.23(E)	Juvenile	Has jurisdiction to hear and determine the case of any child certified to the court by any court of competent jurisdiction if the child comes within the jurisdiction of the juvenile court.	Mandatory	Jurisdiction
R.C. 2151.23(F)	Juvenile	Exercise its jurisdiction in child custody matters in accordance with R.C. 3127.01 to 3127.53, 5103.20 to 5103.22, and 5103.23 to 5103.237.	Mandatory	Jurisdiction
R.C. 2151.23(G)	Juvenile	Comply with R.C. 3119, 3121, 3123, and 3125 when it makes or modifies an order for child support.	Mandatory	Jurisdiction
R.C. 2151.23(J)	Juvenile	Retains all dispositive powers consistent with existing rules of juvenile procedure and may also exercise its discretion to adjudicate proceedings as provided in R.C. 2151.34 and 3113.31, including the issuance of protection orders or the approval of consent agreements, when exercising its exclusive original jurisdiction under R.C. 2151.23(A)(16).	Discretionary	Jurisdiction
R.C. 2151.27(B)	Juvenile	Has jurisdiction to hear and dispose of a complaint of an unruly child even if the complaint were filed and hearing held after the child arrived at the age of eighteen.	Mandatory	Jurisdiction
R.C. 2151.271	Juvenile	Transfer the proceeding to the county of the child's residence.	Discretionary	Jurisdiction
R.C. 2151.272	Juvenile	Order the release or transfer of records for child who is alleged or adjudicated an abused, neglected, or dependent child.	Discretionary	Records

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2151.28(A)	Juvenile	Set a time for an adjudicatory hearing no later than seventy-two hours after a complaint is filed.	Mandatory	Hearing
R.C. 2151.28(B)	Juvenile	Determine whether child is abused, neglected, or dependent and must determine whether child should remain or be placed in shelter care.	Mandatory	Hearing
R.C. 2151.28(C)	Juvenile	Issue a summons to the child, parents, guardian, custodian, or other person with whom the child may be and any other person to appear to answer allegations of complaint.	Mandatory	Summons
R.C. 2151.28(L)	Juvenile	Incorporate determination that child is neglected, abused, dependent, delinquent, or unruly into written findings of fact and conclusions of law.	Mandatory	Order
R.C. 2151.281	Juvenile	Appoint a guardian ad litem to protect the interest of child.	Mandatory	Appointments
R.C. 2151.30	Juvenile	Issue warrant against parent, custodian, guardian, or child if it appears citation under R.C. 2151.29 will be ineffectual or welfare of child requires it.	Discretionary	Warrants
R.C. 2151.313(B)(1)	Juvenile	Limit the initial retention of fingerprints and photographs of a child arrested or taken into custody to a period of time shorter than thirty days.	Discretionary	Arrest
R.C. 2151.314	Juvenile	Inform the parties of their right to counsel and to appointed counsel or to the services of the county public defender at hearing on detention or shelter care.	Mandatory	Right to Counsel
R.C. 2151.32	Juvenile	When placing a child under any guardianship or custody other than its parent, select a person or an institution or agency governed by persons of like religious faith as that of the parents of the child or of the child, or of either parent.	Mandatory	Custody
R.C. 2151.33	Juvenile	Make any temporary disposition of any child that it considers necessary to protect the best interest of the child like provide for emergency medical and surgical treatment and other actions.	Discretionary	Temporary Care
R.C. 2151.331	Juvenile	Arrange with a public children services agency or private child placing agency to receive a child; court must fix cost of board for child.	Discretionary	Temporary Care
R.C. 2151.34	Juvenile	Issue a protection order against a minor.	Discretionary	Protection Order
R.C. 2151.35	Juvenile	Conduct hearings in an informal manner and may adjourn its hearings from time to time; procedures for hearings.	Discretionary	Hearing
R.C. 2151.3514	Juvenile	Issue an order requiring parent or other caregiver to submit to assessment and treatment from alcohol and drug addiction program.	Mandatory	Order
R.C. 2151.3519	Juvenile	Hold an emergency hearing as soon as possible to determine whether the child is a deserted child.	Mandatory	Hearing
R.C. 2151.3520	Juvenile	Commit a child to the temporary custody of a public children services agency or a private child placing agency if child is adjudicated as deserted.	Mandatory	Temporary Care
R.C. 2151.3521	Juvenile	Treat a deserted child as a neglected child.	Mandatory	Temporary Care
R.C. 2151.3528	Juvenile	Require a parent seeking reunification with deserted child to submit to a DNA test.	Mandatory	DNA Test
R.C. 2151.353	Juvenile	Take certain action if child is adjudicated as abused, neglected, or dependent.	Discretionary	Orders of Disposition
R.C. 2151.354	Juvenile	Take certain action if a child is adjudicated as unruly.	Discretionary	Orders of Disposition
R.C. 2151.356	Juvenile	Promptly order the immediate sealing of records pertaining to a juvenile in certain circumstances.	Mandatory	Sealing Records
R.C. 2151.357	Juvenile	Reply that no record exists upon inquiry if a record has been sealed pursuant to R.C. 2151.356.	Mandatory	Sealing Records
R.C. 2151.358	Juvenile	Expunge all records sealed under R.C. 2151.356 five years after the issuance of the sealing order or upon the twenty-third birthday of the person, whichever date is earlier.	Mandatory	Expungement
R.C. 2151.359	Juvenile	Make an order restraining or controlling the conduct of a parent, guardian, or other custodian.	Discretionary	Order
R.C. 2151.36	Juvenile	Issue orders requiring that the parent, guardian, or person charged with child's support pay for the care, support, maintenance, and education of the child.	Mandatory	Child Support
R.C. 2151.361	Juvenile	Issue order requiring that the parent pay for the care, support, maintenance, and education of adopted child who is placed into temporary custody or committed.	Discretionary	Child Support
R.C. 2151.362	Juvenile	Determine the school district that is to bear the cost of educating the child.	Mandatory	Child Support
R.C. 2151.414	Juvenile	Conduct a hearing on a motion requesting permanent custody.	Mandatory	Custody
R.C. 2151.415	Juvenile	Conduct a hearing and issue an order of disposition upon termination of temporary custody order.	Mandatory	Custody
R.C. 2151.417	Juvenile	Review at any time the child's placement or custody arrangement, the case plan, the actions of the public children services agency or private child placing agency in implementing that case plan, the child's permanency plan or placement or custody arrangement.	Discretionary	Custody
R.C. 2151.419	Juvenile	Determine whether agency made reasonable efforts to prevent the removal or to return a child safely home.	Mandatory	Custody

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2151.42	Juvenile	Consider whether it is in the best interest of the child when asked to modify or terminate an order of disposition.	Mandatory	Custody
R.C. 2151.424	Juvenile	Give notice and opportunity to foster caregiver, relative, or prospective adoptive parent to present evidence.	Mandatory	Custody
R.C. 2151.54	Juvenile	Tax and collect the same fees and costs as are allowed the clerk of the common pleas court for similar services.	Mandatory	Fees and Costs
R.C. 2151.541	Juvenile	Determine that additional funds are required to computerize the court, to make available computerized legal research services, or both.	Discretionary	Costs
R.C. 2151.542	Juvenile	Direct clerk of court to cancel uncollectible debts.	Discretionary	Costs
R.C. 2151.85	Juvenile	Conduct a hearing and make a determination when an unmarried, unemancipated minor seeks an abortion without notice to parent, guardian or custodian.	Mandatory	Hearing
R.C. 2152.02(C)(6)	Juvenile	Has jurisdiction over a person who is adjudicated a delinquent child or juvenile traffic offender prior to attaining eighteen years of age until the person turns twenty-one years of age.	Mandatory	Jurisdiction
R.C. 2152.11(H)	Juvenile	Impose a number of dispositions on a delinquent child.	Discretionary	Disposition
R.C. 2152.12	Juvenile	Transfer a case, in which a child is alleged a delinquent for committing an act that would be aggravated murder, murder, attempted aggravated murder, or attempted murder if committed by an adult, if certain conditions apply.	Mandatory	Transfer Case
R.C. 2152.121	Juvenile	Retains jurisdiction of transferred cases for purposes of making disposition of the child.	Mandatory	Jurisdiction
R.C. 2152.13	Juvenile	Impose serious youthful dispositional sentence and serious youthful offender dispositional sentence when required.	Mandatory	Disposition
R.C. 2152.14	Juvenile	Conduct a hearing and determine whether to invoke the adult portion of a person's serious youthful offender dispositional sentence.	Discretionary	Disposition
R.C. 2152.16	Juvenile	Commit delinquent child to youth services department for secure confinement.	Discretionary	Disposition
R.C. 2152.19	Juvenile	Make specific orders of disposition if child is adjudicated a delinquent child.	Discretionary	Disposition
R.C. 2152.191	Juvenile	Make determination, adjudication, or order that delinquent child is registered sex offender.	Discretionary	Disposition
R.C. 2152.192	Juvenile	Notify institution or association where child is placed that child has committed a sexually oriented offense.	Mandatory	Notice
R.C. 2152.20	Juvenile	Make specific orders of disposition if child is adjudicated a delinquent child or juvenile traffic offender.	Discretionary	Disposition
R.C. 2152.201	Juvenile	Order child to pay costs of investigating, prosecuting, and responding to acts of terrorism.	Discretionary	Disposition
R.C. 2152.202	Juvenile	Order child to pay costs for positive drug test.	Discretionary	Disposition
R.C. 2152.21	Juvenile	Make specific orders of disposition if a child is adjudicated a juvenile traffic offender.	Discretionary	Disposition
R.C. 2152.51	Juvenile	Adopt rules to expedite proceedings under R.C. 2152.51 to 2152.59.	Mandatory	Rules
R.C. 2152.58	Juvenile	Conduct hearing and make determination of competency.	Mandatory	Hearing
R.C. 2152.61	Juvenile	Make orders restraining or otherwise controlling the conduct of any parent, guardian, or other custodian.	Discretionary	Orders
R.C. 2152.71	Juvenile	Maintain records of official cases, including an appearance docket, journal, arrest and custody records, complaints, journal entries, and hearing summaries.	Mandatory	Records
R.C. 2152.73	Juvenile	Participate in programs that have as their objective the prevention and control of juvenile delinquency.	Discretionary	Education
R.C. 2152.82	Juvenile	If the court adjudicates a child as delinquent, issue as part of the dispositional order an order that classifies the child a juvenile offender registrant if certain conditions apply.	Mandatory	Disposition
R.C. 2152.83	Juvenile	If the court adjudicates a child as delinquent, issue as part of the release order an order that classifies the child a juvenile offender registrant if certain conditions apply.	Mandatory	Disposition
R.C. 2152.831	Juvenile	Conduct a hearing to determine whether to classify the child a tier I, II, or III sex offender.	Mandatory	Hearing
R.C. 2153.08	Cuyahoga County Juvenile	Administrative judge is clerk of court; may appoint deputies and clerks; may require bonds.	Mandatory	Records; Appointments
R.C. 2153.09	Cuyahoga County Juvenile	Administrative judge must fix compensation of employees.	Mandatory	Employees
R.C. 2153.11	Cuyahoga County Juvenile	Administrative judge may appoint bailiffs.	Discretionary	Appointments
R.C. 2153.13	Cuyahoga County Juvenile	Has the same jurisdiction in contempt of court proceedings provided for the court of common pleas and other courts of record.	Mandatory	Jurisdiction
R.C. 2153.14	Cuyahoga County Juvenile	Have a seal.	Mandatory	Seal

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2153.15	Cuyahoga County Juvenile	Vacate and modify judgments and adopt, publish, and revise rules.	Discretionary	Judgments; Rules
R.C. 2153.16	Cuyahoga County Juvenile	Juvenile court must exercise jurisdiction and powers conferred by R.C. 2151 and 2152.	Mandatory	Jurisdiction
R.C. 2301.03	Juvenile	Handling, servicing, and investigation of juvenile cases and counseling and conciliation services that may be made available.	Mandatory	Court administration; Juvenile; Employment
R.C. 2301.03	Domestic Relations	Handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and the provision of counseling and conciliation services as specified.	Mandatory	Court administration; Domestic relations
R.C. 2301.03	Domestic Relations and Juvenile	Making available counseling and conciliation services.	Discretionary	Court administration; Domestic relations; Juveniles; Employment
R.C. 2301.03	Domestic Relations and Juvenile	In addition to the judge's regular duties, specific judge of the division of domestic relations or juvenile judge is in charge of the employment, assignment, and supervision of division personnel, including any necessary referees.	Mandatory	Court administration; Domestic relations; Juveniles; Employment
R.C. 2301.03(A)	Franklin County Domestic Relations	Judge who is senior in point of service must serve on the children services board and the county advisory board.	Mandatory	Court administration; Service on boards; Domestic relations
R.C. 2301.03(A)-(DD)	Domestic Relations and Juvenile	Specified domestic and/juvenile judge is the administrator of the domestic relations division and its subdivisions and departments. The administrative judge of the division of domestic relations also must designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division, and must fix the duties of its personnel.	Mandatory	Court administration; Domestic relations
R.C. 2301.03(B)	Hamilton County Domestic Relations	Majority of the judges of the division of domestic relations must elect one of the judges of the division as administrative judge of that division.	Mandatory	Court administration; Domestic relations
R.C. 2301.03(B)	Hamilton County Domestic Relations	Issue summonses, warrants, citations, subpoenas, and other writs.	Discretionary	Court administration; Domestic relations
R.C. 2301.03(B)(3)	Hamilton County Domestic Relations	Maintain and run a drug court.	Mandatory	Court administration; drug court; Jurisdiction
R.C. 2301.03(B)(3)	Hamilton County Domestic Relations	Judge of the general division of the Hamilton County Court of Common Pleas and a judge of the Hamilton County Municipal Court may refer a case to the drug court if certain conditions are met.	Discretionary	Court administration; drug court; Jurisdiction
R.C. 2301.03(B)(4)	Hamilton County Domestic Relations	Administrative judge, in accordance with the Rules of Superintendence for Courts of Common Pleas, must assign individual cases to the drug court judge from the general docket of the court if drug court caseload is insufficient.	Mandatory	Court administration; drug court; Jurisdiction
R.C. 2301.03(EE)	Domestic Relations and Juvenile	General docket judges fill in for or work concurrently with sick/absent domestic relations and juvenile judges or where case load necessitates it.	Mandatory	Court administration; Juvenile; Domestic Relations
R.C. 2301.031	Domestic Relations	Domestic relations judges may determine that for the efficient operation of the court additional funds are required to computerize the court, to make available computerized legal research services, or to do both.	Discretionary	Court administration; Fees; Operations; Technology
R.C. 2301.031(A)(1)	Domestic Relations	If need to computerize domestic relations division is found, authorize and direct the division or general clerk to charge an additional specific charge.	Mandatory	Court administration; Fees; Operations; Technology
R.C. 2301.031(A)(2)	Domestic Relations	Pay collected computerization fees to appropriate treasurer by specific time.	Mandatory	Court administration; Fees; Operations; Technology

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2301.031(A)(3)	Domestic Relations	Declare a surplus in the computerization fund and expend surplus fund subject to certain requirements.	Discretionary	Court administration; Fees; Operations; Technology
R.C. 2301.031(B)(1)	Domestic Relations	Pay collected fees for computerization of the clerk’s office to appropriate treasurer by specific time.	Mandatory	Court administration; Fees; Operations; Technology
R.C. 2301.031(B)(1)	Domestic Relations	Include (if applicable) an additional specific charge for computerization of division clerk’s office in schedule of fees and direct the clerk of the court to charge the fee.	Discretionary	Court administration; Fees; Operations; Technology
R.C. 2301.05	Common Pleas	Calendar year may, by written order of the judges of the division, be divided into parts for purposes of Chapter 2313 (jurors).	Discretionary	Court administration; Operations
R.C. 2301.10	Common Pleas	Order for accused to appear for fingerprinting, where required.	Mandatory	Procedure
R.C. 2301.11	Common Pleas	Each judge must hold not less than two hundred forty days of open session per judge during the year, unless he/she disposed of all business assigned to him/her before that.	Mandatory	Court administration; Operations
R.C. 2301.12(A)	Common Pleas	Appoint and direct court interpreter.	Discretionary	Appointments; Employment
R.C. 2301.12(B)	Common Pleas	Appoint criminal bailiff.	Discretionary	Appointments; Employment
R.C. 2301.12(C)	Common Pleas	Appoint and direct chief court constable, in certain sized courts, to have supervision over the jurors.	Discretionary	Appointments; Employment
R.C. 2301.12(D)	Common Pleas	Appoint one or more psychiatrists, psychologists, or other examiners or investigators, in certain sized counties.	Discretionary	Appointments; Employment
R.C. 2301.12(E)	Common Pleas	Appoint and direct an administrative assistant.	Discretionary	Appointments; Employment
R.C. 2301.13	Common Pleas and Municipal	Enter into agreements to “share” appointed psychiatrists, psychologists, or other examiners or investigators.	Discretionary	Appointments; Employment
R.C. 2301.16	Common Pleas	Fix criminal bailiff’s compensation.	Mandatory	Appointments; Employment
R.C. 2301.17	Common Pleas	Appoint additional temporary bailiff.	Discretionary	Appointments; Employment
R.C. 2301.18	Common Pleas	Appoint official reporter of the court.	Mandatory	Appointments; Employment; Reporting
R.C. 2301.20	Common Pleas	File notes and electronic records in the office of the official reporter and carefully preserve them according to statute.	Mandatory	Reporting; Record keeping; Case File Management
R.C. 2301.20	Common Pleas	Record all civil and criminal actions.	Mandatory	Reporting; Record keeping; Case File Management
R.C. 2301.20	Common Pleas	Reporter must take accurate notes of or electronically record oral testimony.	Mandatory	Reporting; Record keeping; Case File Management
R.C. 2301.21	Common Pleas	Tax fees for reporters.	Mandatory	Fees/Costs; Reporting
R.C. 2301.22	Common Pleas	Fix reporter compensation.	Mandatory	Employment; Reporting
R.C. 2301.24	Common Pleas	Fix compensation of reporters for making written transcripts.	Mandatory	Reporting; Employment
R.C. 2301.24	Common Pleas	Provide physical copies for a fee or electronic copies for free of transcripts, if more than one transcript of the same testimony or proceeding is ordered.	Mandatory	Reporting; Fees/Costs
R.C. 2301.25	Common Pleas	Tax fees for transcripts, when appropriate.	Mandatory	Reporting; Fees/Costs

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2301.26	Common Pleas	Appoint reporters as referees.	Discretionary	Appointments; Reporting
R.C. 2301.27(A)(1)(a)	Common Pleas	Appoint chief probation officer and the number of other probation officers and employees, clerks, and stenographers; comply with hiring requirements.	Mandatory	Probation; Employment
R.C. 2301.27(A)(1)(a)	Common Pleas	Fix salaries of chief probation officer, other probation officers and employees, clerks, and stenographers; supervise their work.	Mandatory	Probation; Employment
R.C. 2301.27(A)(1)(a)	Common Pleas	Enter establishment of probation department in the journal of the court.	Mandatory	Record-keeping; probation
R.C. 2301.27(A)(1)(a)	Common Pleas	Establish a county department of probation.	Discretionary	Organization; Probation
R.C. 2301.27(A)(1)(c)	Common Pleas	Designate duties of the probation officers.	Mandatory	Probation; Employment
R.C. 2301.27(A)(2)	Common Pleas	Train probation officers in line with established minimum standards.	Mandatory	Probation; Employment; Training
R.C. 2301.27(A)(2)	Common Pleas	Jointly establish a probation department with other counties.	Discretionary	Organization; Probation
R.C. 2301.27(B)(1)(a), (b) & (2)(a),(b)	Common Pleas	Request the board of county commissioners to contract with any nonprofit, public, or private agency, association, or organization for the provision of probation services and supervisory services for persons placed under community control sanctions.	Discretionary	Probation; Employment
R.C. 2301.271	Supreme Court	Consult/collaborate on minimum standards for the training of adult probation officers.	Mandatory	Rule-making; Probation
R.C. 2301.28	Common Pleas-Probation Departments	Receive into legal control or supervision persons placed on probation.	Mandatory	Probation
R.C. 2301.29	Common Pleas-Probation Departments	Exercise supervision over probation department by adopting rules that are not inconsistent with law or with the rules of the adult parole authority.	Mandatory	Rule-making; Probation
R.C. 2301.30	Common Pleas-Probation Departments	Require county probation departments to observe statutorily mandated duties, such as standard written statements to parolees, reporting requirements, establishing policies.	Mandatory	Rule-making; Probation
R.C. 2301.31	Common Pleas-Probation Departments	Arrest without a warrant parolee for any violation of any condition of parole.	Discretionary	Probation; Arrest
R.C. 2301.32	Common Pleas-Probation Departments	Enter agreement for supplemental investigation or supervisory services from adult parole authority.	Discretionary	Probation
R.C. 2301.51(D)	Common Pleas	Determine that the court no longer wants to be served by community-based correctional facility and program.	Discretionary	Correctional Facilities
R.C. 2303.11	Common Pleas	File written order (praecipe) to clerk demanding issuance of all writs and orders for provisional remedies, and process of every kind.	Mandatory	Writs / orders / process
R.C. 2303.17	Common Pleas	Order, on the journal, the clerk of the court of common pleas to make a complete record within six months after final judgment or order of the proper court.	Discretionary	Record-keeping; Case management
R.C. 2303.17	Common Pleas	Remove clerk for failing to make complete record within statutory requirements.	Discretionary	Record-keeping; Employment
R.C. 2303.19	Common Pleas	Direct common pleas clerk to make a re-index of all pending suits and living judgments, then on the dockets of either the court of common pleas or the court of appeals.	Discretionary	Record-keeping; Case management
R.C. 2303.201(A)(1)	Common Pleas	If need to computerize is found, authorize and direct clerk to charge an additional specific charge.	Mandatory	Court administration; Fees/Costs; Operations; Technology

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2303.201(A)(1)	Common Pleas	Determine that for the efficient operation of the court additional funds are required to computerize the court, to make available computerized legal research services, or to do both.	Discretionary	Court administration; Fees/Costs; Operations; Technology
R.C. 2303.201(A)(2)	Common Pleas	Pay collected computerization fees to county treasurer by specific time.	Mandatory	Court administration; Fees/Costs; Operations; Technology
R.C. 2303.201(A)(3)	Common Pleas	Declare a surplus in the computerization fund and expend surplus fund subject to certain requirements.	Discretionary	Court administration; Fees/Costs; Operations; Technology
R.C. 2303.201(B)(1)	Common Pleas	Pay collected computerization fees to county treasurer by specific time.	Mandatory	Court administration; Fees/Costs; Operations; Technology
R.C. 2303.201(B)(1)	Common Pleas	Include (if applicable) an additional specific charge for computerization of common pleas clerk’s office in schedule of fees and direct the clerk of the court to charge the fee.	Discretionary	Court administration; Fees/Costs; Operations; Technology
R.C. 2303.201(C)	Common Pleas	Collect additional filing fees in each new civil action or proceeding, as specified in statute, to benefit the public defender/legal aid.	Mandatory	Court administration; Fees/Costs; Public defender funding; Legal Aid funding
R.C. 2303.201(C)	Common Pleas	Retain up to one per cent of “additional filing fees” to cover administrative costs, including the hiring of any additional personnel, necessary to implement this division.	Discretionary	Court administration; Fees/Costs; Public defender funding; Legal Aid funding
R.C. 2303.201(D)	Common Pleas	Collect additional filing fees in each new annulment, divorce, or dissolution action or proceeding to help fund shelters for victims of domestic violence.	Mandatory	Court administration; Fees/Costs; Domestic violence shelters funding
R.C. 2303.201(E)(1)	Common Pleas	If special assessments, adjust the special assessment periodically, but not retroactively, so that the amount assessed in those cases does not exceed the actual cost of providing the service or program.	Mandatory	Court administration; Fees/Costs; Special projects
R.C. 2303.201(E)(1)	Common Pleas	Pay special assessments to county treasurer.	Mandatory	Court administration; Fees/Costs; Special projects
R.C. 2303.201(E)(1)	Common Pleas	Add special assessments to cover special programs or services.	Discretionary	Court administration; Fees/Costs; Special projects
R.C. 2303.201(E)(1)	Common Pleas	If a specific fund is terminated, order leftover money in fund is to be transferred to an account established for a similar purpose.	Discretionary	Court administration; Fees/Costs; Special projects
R.C. 2303.201(E)(1)	Common Pleas	Determine that, for the efficient operation of the court, additional funds are necessary to acquire and pay for special projects of the court.	Discretionary	Court administration; Operations; Employment; Special projects; Training

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2303.201(E)(1)	Common Pleas	By rule, charge a filing fee (in addition to all other court costs) to cover special projects.	Discretionary	Fees/Costs; Rule-making; Court administration; Operations; Employment; Special projects; Training
R.C. 2303.23	Common Pleas	Direct the clerk of the court to cancel all or part of an amount owed to the court.	Discretionary	Fees/Costs
R.C. 2305.01	Common Pleas	Original jurisdiction in civil cases.	Mandatory	Jurisdiction
R.C. 2305.01	Common Pleas	Jurisdiction in manufactured home cases.	Mandatory	Jurisdiction
R.C. 2305.01	Common Pleas	Jurisdiction along the Ohio River.	Mandatory	Jurisdiction
R.C. 2305.01	Common Pleas	Transfer for trial (on its own motion) any action in the court to any municipal court in the county having concurrent jurisdiction of the subject matter and the parties, if the amount sought by the plaintiff does not exceed one thousand dollars and if the judge or presiding judge of the municipal court concurs in the proposed transfer.	Discretionary	Jurisdiction; Procedure
R.C. 2305.02	Common Pleas	Has jurisdiction for wrongful imprisonment claims and proceedings.	Mandatory	Jurisdiction
R.C. 2305.251(3)	Common Pleas	For the claim of negligent credentialing, upon the motion of the defendant, enter judgment in favor of the hospital, health insuring corporation or sickness/accident insurer if the plaintiff fails to rebut the presumption of no negligence as provided in statute.	Mandatory	Judgment
R.C. 2307.12	Common Pleas	When "next friend" is insolvent, on motion, require security for costs of the action brought by him.	Discretionary	Fees
R.C. 2307.131	Common Pleas	Appoint trustees of persons not yet born.	Discretionary	Trustees / guardians
R.C. 2307.14	Common Pleas	Compensation for guardian ad litem's or trustee's services must be taxed in the costs against the minor or the unborn persons.	Mandatory	Trustees / guardians
R.C. 2307.14	Common Pleas	Remove trustee or guardian ad litem if not doing his or her duty.	Discretionary	Trustees / guardians
R.C. 2307.14	Common Pleas	Fix a compensation for the guardian ad litem's or trustee's services.	Discretionary	Trustees / guardians
R.C. 2307.15	Common Pleas	Try the question, or impanel a jury to try question, of the insanity of a party when that fact is disputed and not manifest to the court.	Discretionary	Procedure
R.C. 2307.23	Common Pleas	In determining the percentage of tortious conduct attributable to a party in a tort action under R.C. 2307.22 or 2315.32 to 2315.36, make findings of fact.	Mandatory	Procedure
R.C. 2307.382	Common Pleas	Exercise personal jurisdiction over a person who acts directly or by an agent, as to a cause of action arising from one of the nine enumerated conditions.	Discretionary	Jurisdiction
R.C. 2307.385	Common Pleas	Exercise jurisdiction on any other basis authorized in the Revised Code, notwithstanding the code sections for long-arm and PJ.	Discretionary	Jurisdiction
R.C. 2307.39	Common Pleas	Apply Ohio law as agreed upon by the parties.	Mandatory	Jurisdiction
R.C. 2307.41	Common Pleas	County in which such injury occurred, or in any county on or over which the aircraft passes in the course of the voyage, has jurisdiction over aircraft negligence.	Mandatory	Venue
R.C. 2307.45	Common Pleas	Enforce statutes of other states regarding taxation.	Mandatory	Reciprocity
R.C. 2307.46(A)	Common Pleas	Conduct ex parte hearings regarding certain abortion issues.	Mandatory	Procedure
R.C. 2307.46(B)	Supreme Court	Prescribe rules to implement confidentiality of movant for civil action related to abortions.	Mandatory	Rule-Making
R.C. 2307.52	Common Pleas	Award reasonable attorney's fees to defendant in frivolous civil action for damages for terminating or attempting termination of pregnancy after viability where defendant was adversely affected by the frivolous suit.	Mandatory	Judgment; Awards
R.C. 2307.62(C)(2)	Common Pleas	Determine the amount of any punitive or exemplary damages authorized by R.C. 2315.21 and the amount of reasonable attorney's fees, court costs, and other reasonable expenses to be awarded for civil actions for damages by cable television owner or operator.	Mandatory	Judgment; Awards
R.C. 2307.80(B)	Common Pleas	Determine and award punitive damages.	Discretionary	Judgment; Awards
R.C. 2307.87(B)	Common Pleas	If challenged by the defendant, determine the adequacy of prima facie evidence of physical impairment for silicosis or mixed dust disease claim, and apply the standard for resolving a motion for summary judgment.	Mandatory	Procedure
R.C. 2307.87(C)	Common Pleas	Administratively dismiss a plaintiff's claim without prejudice upon a finding of failure to make the prima-facie showing for physical impairment for silicosis or mixed dust disease claims.	Mandatory	Procedure

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2307.87(C)	Common Pleas	Maintain its jurisdiction over any silicosis or mixed dust disease case administratively dismissed due to failure to make prima-facie showing.	Mandatory	Procedure; Jurisdiction
R.C. 2307.93(A)(2)	Common Pleas	Extend date for written report and supporting cause filing for asbestos claim.	Discretionary	Procedure
R.C. 2307.93(A)(3)(a)	Common Pleas	Determine which statutory sections to apply to asbestos claims arising before effective date of the statute.	Mandatory	Procedure
R.C. 2307.93(A)(3)(c)	Common Pleas	If court finds plaintiff failed to provide sufficient evidence to support the plaintiff's asbestos claim under statute, administratively dismiss the plaintiff's claim without prejudice & maintain its jurisdiction over the case.	Mandatory	Procedure; Jurisdiction
R.C. 2307.93(B)	Common Pleas	If challenged by defendant in asbestos action, determine whether prima-facie evidence meets statutory minimum requirements & by applying the standard for resolving a motion for summary judgment.	Mandatory	Procedure
R.C. 2307.93(C)	Common Pleas	Administratively dismiss the plaintiff's asbestos claim without prejudice upon a finding of failure to make the required prima-facie showing & maintain its jurisdiction over any case that is administratively dismissed.	Mandatory	Procedure; Jurisdiction
R.C. 2307.952(B)	Common Pleas	Decline to assign an initial trial date or extend the date set for trial in an asbestos tort action for failure to provide to all of the parties in the action all required trust claims material in a timely manner.	Discretionary	Procedure
R.C. 2307.952(C)	Common Pleas	Require any additional disclosures in asbestos trust claim.	Discretionary	Procedure
R.C. 2307.953(D)(1)	Common Pleas	If burdens are met, determine by a preponderance of the evidence if a successful asbestos trust claim could be submitted in good faith to each asbestos trust identified in the defendant's motion for an order to stay the proceedings.	Mandatory	Procedure
R.C. 2307.953(D)(2)	Common Pleas	Determine if claimant's or attorney's fees and expenses to prepare asbestos claim form and file or submit the asbestos trust claim identified in the defendant's motion for an order to stay the proceedings exceed the claimant's reasonably anticipated recovery from the asbestos trust claim. If the court determines claimant/attorney's fees and expenses exceed anticipated recovery, require claimant to file certain verified statement.	Mandatory	Procedure
R.C. 2307.953(D)(3)	Common Pleas	Stay proceedings for asbestos trust claim, if court determines good faith basis exists for filing an asbestos trust claim with asbestos trust.	Mandatory	Procedure
R.C. 2307.954(E)(1)	Common Pleas	Has jurisdiction to reopen its judgment in asbestos tort action in certain circumstances and to do certain things.	Discretionary	Jurisdiction
R.C. 2309.59	Court of Appeals and Supreme Court	Disregard any error or defect in the pleadings or proceedings that does not affect substantial rights of adverse party; don't reverse or affect a final judgment or decree because of such error or defect.	Mandatory	Review
R.C. 2309.59	Court of Appeals and Supreme Court	When reviewing any appeal of a civil action for reversal or new trial, certify in its journal whether "substantial justice has been done" to the party complaining.	Mandatory	Review
R.C. 2309.59	Court of Appeals and Supreme Court	If substantial justice done, affirm (or modify if it will do more complete justice to the party complaining).	Mandatory	Review
R.C. 2309.59	Court of Appeals and Supreme Court	If substantial justice not done, reverse and render final judgment/decree or remand with instructions.	Mandatory	Review
R.C. 2311.04	Common Pleas	Try issues of law, unless Rules of Civil Procedure say otherwise.	Mandatory	Procedure
R.C. 2311.04	Common Pleas	Have jury try issues of fact arising in actions for the recovery of money only, or specific real or personal property (unless a jury trial is waived, or unless all parties consent to a reference under the Rules of Civil Procedure); all other issues of fact must be tried by the court.	Mandatory	Procedure
R.C. 2311.04	Common Pleas	Order any issue to be tried by a jury, or referred.	Discretionary	Procedure
R.C. 2311.05	Common Pleas	Set cases for particular days, in the order in which they stand on trial docket.	Mandatory	Procedure; Court administration
R.C. 2311.07	Common Pleas	Try cases in which there is an issue of fact or damages in the order in which they stand on the trial docket, unless consent of parties or order of the court changes regular order.	Mandatory	Procedure; Court administration
R.C. 2311.07	Common Pleas	Put actions for wages and reinstatement/reemployment rights actions first in order for trial.	Mandatory	Procedure; Court administration
R.C. 2311.07	Common Pleas	Order case with issue of fact or damages to be continued, placed at the end of the docket, or (for good cause shown) assigned for trial or hearing out of the regular docket order.	Discretionary	Procedure; Court administration

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2311.08	Common Pleas	Assign for trial the cases triable to a jury, in a series, in the order in which they stand upon the docket, giving preference always to actions for wages, reinstatement/reemployment rights actions, and cases not triable to a jury, in a series in like manner.	Discretionary	Procedure; Court administration
R.C. 2311.08	Common Pleas	Direct cases to be heard in an order other than the regular trial docket list.	Discretionary	Procedure; Court administration
R.C. 2311.09	Common Pleas	Hear a motion or demurrer and, by rule, prescribe the time of hearing motions and demurrers.	Discretionary	Procedure; Court administration; Rule-making
R.C. 2311.11	Common Pleas	Require certain actions to be placed on the trial docket.	Discretionary	Procedure; Court administration
R.C. 2311.14(A)(1)	Common Pleas	Appoint interpreters when needed.	Mandatory	Procedure; Employment; Interpreters
R.C. 2311.14(C)	Common Pleas	Determine a reasonable fee for all such interpreter service.	Mandatory	Interpreters; Fees/Costs
R.C. 2311.39	Common Pleas	Change venue to the adjoining county most convenient for both parties in certain corporate suits.	Mandatory	Venue
R.C. 2311.42	Common Pleas	Where board of county commissioners of the county in which the action is pending is a party to the action, (upon application) must certify that fact to the court in any adjoining county and order clerk and commissioners of jurors in that county to draw jurors.	Mandatory	Jury
R.C. 2313.01(A)	Common Pleas	Appointments for commissioners of jurors must be made in writing, by the judge or a majority of all the judges, filed in the clerk's office, and entered in the court's journal.	Mandatory	Jury; Appointments
R.C. 2313.01(A)	Common Pleas	Appoint two non-attorneys of different political parties as jury commissioners.	Mandatory	Jury; Appointments
R.C. 2313.01(A)	Common Pleas	When a jury commissioner vacancy occurs, the judges must, as soon as practicable and in like manner, appoint a successor of the same political party as the commissioner whose place is to be filled.	Mandatory	Jury; Appointments
R.C. 2313.01(A)	Common Pleas	Appoint court employees to be commissioners of jurors for the county.	Discretionary	Jury; Appointments
R.C. 2313.01(A)	Common Pleas	Judge(s) may at any time, by a vote of a majority of all their number, remove any jury commissioner and appoint a successor.	Discretionary	Jury; Appointments
R.C. 2313.02(A)	Common Pleas	Fix compensation for the commissioners of jurors.	Mandatory	Jury; Appointments; Employment
R.C. 2313.02(A)	Common Pleas	Fix compensation for the deputy commissioners of jurors.	Mandatory	Jury; Appointments; Employment
R.C. 2313.02(A)	Common Pleas	Give or withhold consent for deputy jury commissioner's appointments.	Discretionary	Jury; Appointments
R.C. 2313.02(A)	Common Pleas	Change compensation for the deputy commissioners of jurors.	Discretionary	Jury; Appointments; Employment
R.C. 2313.05	Common Pleas	Establish date jury year begins.	Mandatory	Jury; Court administration
R.C. 2313.05	Common Pleas	Divide each jury year into parts.	Discretionary	Jury; Court administration
R.C. 2313.06(A)	Common Pleas	Order date for annual compilation of jury source list.	Mandatory	Jury
R.C. 2313.06(B)	Common Pleas	Order changes to the composition of the annual jury source list.	Discretionary	Jury
R.C. 2313.06(D)	Common Pleas	Order jury commissioners to supplement the annual jury list.	Discretionary	Jury
R.C. 2313.07(B)	Common Pleas	Order jurors to be summoned.	Discretionary	Jury
R.C. 2313.08	Common Pleas	A judge or judge's rep must attend jury list selection process.	Mandatory	Jury
R.C. 2313.11(A)	Common Pleas	Fix times for summoned jurors to appear.	Mandatory	Jury
R.C. 2313.11(A)	Common Pleas	Order sheriff or commissioners of jurors to summon additional jurors as are necessary in certain circumstances.	Discretionary	Jury
R.C. 2313.14	Common Pleas	Excuse juror, in certain circumstances.	Discretionary	Jury
R.C. 2313.14(A)(4)	Common Pleas	Require documentation from a licensed physician verifying that a mental or physical condition renders the prospective juror unfit for jury service for the remainder of the jury year.	Discretionary	Jury
R.C. 2313.14(A)(5)	Common Pleas	Make undue or extreme physical or financial hardship determinations.	Mandatory	Jury

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2313.14(A)(5)	Common Pleas	Delegate the authority to make undue or extreme physical or financial hardship determinations.	Discretionary	Jury
R.C. 2313.14(D)	Common Pleas	Deny request to be excused if a prospective juror fails to provide satisfactory documentation supporting undue or extreme physical or financial hardship.	Discretionary	Jury
R.C. 2313.15	Common Pleas	Grant a postponement of the juror's initial appearance for jury duty if certain conditions apply.	Mandatory	Jury
R.C. 2313.15	Common Pleas	Specify a postponement date more than six months later if extraordinary circumstances exist.	Discretionary	Jury
R.C. 2313.15(B)	Common Pleas	Grant a second or subsequent postponement of jury service to a juror only in the event of an extreme emergency.	Discretionary	Jury
R.C. 2313.15(C)	Common Pleas	After a juror appears for jury duty, postpone the juror's service for not more than three days at a time if the exigencies of the juror's business require the juror's temporary excuse.	Discretionary	Jury
R.C. 2313.15(D)	Common Pleas	Excuse until a specified date one or more jurors summoned for jury duty whose attendance is not required for the trial of issues until that day.	Discretionary	Jury
R.C. 2313.15(E)	Common Pleas	Automatically postpone and reschedule, to a mutually agreeable date not more than six months from the date of the summons, the service of a summoned small business juror if another employee had previously been summoned within thirty days prior.	Mandatory	Jury
R.C. 2313.16	Common Pleas	Set aside a whole jury array in certain circumstances.	Discretionary	Jury
R.C. 2313.18(C)	Common Pleas	Inform a prospective juror that if a question put to the prospective juror involves a legitimate privacy interest of that prospective juror, the prospective juror has the right to request and have an in-camera hearing on the record with counsel for the parties present to respond to that question.	Mandatory	Jury
R.C. 2313.21(A)	Common Pleas	Discharge potential jurors for past service.	Mandatory	Jury
R.C. 2313.21(B)	Common Pleas	In counties of less than 100,000, make rules applicable to subsequent jury service by persons discharged for past service.	Mandatory	Jury; Rule-making
R.C. 2313.23	Common Pleas	Determine the retention period for all documents and electronic media filed with the commissioners of jurors.	Mandatory	Jury; Record-keeping
R.C. 2315.01(A)	Common Pleas	Follow statutory trial court procedure... "unless for special reasons the court otherwise directs."	Discretionary	Procedure
R.C. 2315.01(B)	Common Pleas	In all tort actions, instruct the jury regarding the extent to which an award of compensatory damages or punitive or exemplary damages is or is not subject to taxation under federal or state income tax laws.	Mandatory	Procedure; Jury instructions
R.C. 2315.02	Common Pleas	Allow jurors to view property which is the subject of litigation or of a place where a material fact occurred.	Discretionary	Procedure; Jury
R.C. 2315.03	Common Pleas	Maintain control over jurors.	Discretionary	Jury
R.C. 2315.05	Common Pleas	Discharge the jury in certain circumstances.	Discretionary	Jury
R.C. 2315.06	Common Pleas	When the jury is discharged during a trial or after a cause is submitted, such cause may at once be tried again, or on a future day, as the court directs.	Discretionary	Jury
R.C. 2315.08	Common Pleas	Apply provisions related to trial by jury to trials by court.	Mandatory	Procedure
R.C. 2315.09	Common Pleas	Hear and determine agreed-to case and render judgment as if an action were pending.	Mandatory	Procedure
R.C. 2315.18(D)	Common Pleas	In nonjury trial, make findings of fact on compensatory damages in tort action to recover damages for injury or loss to person or property, and a plaintiff prevails.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.18(E)(1)	Common Pleas	Enter a judgment in favor of the plaintiff for compensatory damages for economic loss in the amount determined by the jury according to statute parameters.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.18(E)(1)	Common Pleas	Enter a judgment in favor of the plaintiff for compensatory damages for noneconomic loss.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.19(A)	Common Pleas	Review of evidence supporting damages for noneconomic loss challenged by defendant as excessive.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.19(B)	Common Pleas	When upholding an award of compensatory damages for noneconomic loss, set forth in writing its reasons.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.19(C)	Court of Appeals and Supreme Court	Use a de novo standard of review when considering an appeal of an award of compensatory damages for noneconomic loss on the grounds that the award is inadequate or excessive.	Mandatory	Review; Judgment; Awards
R.C. 2315.21(B)(1)	Common Pleas	Bifurcate the trial of a tort action tried to a jury and in which a plaintiff makes a claim for compensatory damages and a claim for punitive or exemplary damages.	Mandatory	Procedure; Judgment; Awards

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2315.21(B)(3)	Common Pleas	In a tort action that is tried to a court and in which a plaintiff makes a claim for both compensatory damages and punitive or exemplary damages, make its determination with respect to whether the plaintiff is entitled to recover compensatory damages for the injury or loss to person or property from the defendant and, if that determination is in favor of the plaintiff, must make findings of fact that specify the total compensatory damages recoverable by the plaintiff from the defendant.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.21(D)	Common Pleas	Consider punitive or exemplary damages awards previously rendered against that defendant as required by statute.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.33	Common Pleas	Diminish any compensatory damages recoverable by the plaintiff according to contributory fault determination.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.34	Common Pleas	In nonjury action, make findings of fact if contributory fault is asserted and established as an affirmative defense to a tort claim.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.35	Common Pleas	Diminish the total amount of the compensatory damages that would have been recoverable by an amount that is proportionately equal to the percentage of tortious conduct that is attributable to the plaintiff.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.35	Common Pleas	Where plaintiff's fault is greater than all the defendants and nonparties, enter judgment in favor of the defendants.	Mandatory	Procedure; Judgment; Awards
R.C. 2315.36	Common Pleas	Where plaintiff is contributorily at fault, but still entitled to recover compensatory damages, enter a judgment in favor of plaintiff and impose joint and several liability.	Mandatory	Procedure; Judgment; Awards
R.C. 2317	Common Pleas	Follow rules of evidence.	Mandatory	Evidence
R.C. 2317.21	Common Pleas	Use power of contempt for disobeying subpoena.	Discretionary	Witnesses
R.C. 2317.22	Common Pleas	Punish witnesses for contempt when witness fails to attend in obedience to a subpoena, with fine of not more than fifty dollars. In other cases, court may punish witnesses with fine of not more than fifty dollars, nor less than five dollars; or the court or officer may imprison such witness in the county jail, there to remain until he submits to be sworn, testifies, or gives his deposition.	Discretionary	Witnesses
R.C. 2317.24	Common Pleas	Discharge imprisoned witness if it appears that such imprisonment is illegal.	Discretionary	Witnesses
R.C. 2317.47	Common Pleas	Order one or more "blood-grouping tests," whenever it is relevant in a civil or criminal action or proceeding to determine the paternity or identity of any person involved in the controversy or proceeding; select physicians.	Mandatory	Blood tests
R.C. 2317.47	Common Pleas	Determine how and by whom the costs of such paternity or identity tests must be paid.	Mandatory	Blood tests
R.C. 2317.47	Common Pleas	Provide restrictions or directions for paternity or identity tests as the court or judge deems proper.	Discretionary	Blood tests
R.C. 2317.56(H)(1)	Common Pleas	In the civil action against physician who illegally performs or induces an abortion, enter any injunctive or other equitable relief that it considers appropriate.	Discretionary	Judgment; Injunctive & equitable relief
R.C. 2321.18	Common Pleas	Grant new trial or reversal only once on the weight of the evidence against the same party in the same case.	Mandatory	New trial
R.C. 2323.06	Common Pleas	Require parties to mediate foreclosure.	Discretionary	ADR
R.C. 2323.07	Common Pleas	Order sale of property where mortgage foreclosed/lien enforced in certain situations.	Mandatory	Real property sale
R.C. 2323.07	Common Pleas	Order the officer(s) who makes the sale to subdivide, appraise, and sell them in parcels, or sell any one of the tracts as a whole.	Discretionary	Real property sale
R.C. 2323.12	Common Pleas	Enter and enforce judgments by confession.	Mandatory	Judgment
R.C. 2323.122	Common Pleas	Impose driver's license suspension if motor vehicle used in illegal conveyance of firearm.	Mandatory	Sentencing
R.C. 2323.13(C)	Common Pleas	Immediately upon entering judgment on warrant of attorney, notify the defendant of the entry of the judgment by personal service or by registered or certified letter mailed to him at the address set forth in the petition.	Mandatory	Judgment; Notice
R.C. 2323.23	Common Pleas	Order clerk to make complete record.	Mandatory	Record-keeping; Case management
R.C. 2323.24	Common Pleas	If volume is a problem, order record to be made by abbreviating them or inserting a pertinent description of them, or by omitting them entirely.	Discretionary	Record-keeping; Case management
R.C. 2323.27	Common Pleas	Direct clerk to transcribe judicial records.	Discretionary	Record-keeping
R.C. 2323.31	Common Pleas	By rule, require cash deposits as security for the filing of any civil action or proceeding.	Discretionary	Fees/Costs; Court administration; Rule-making
R.C. 2323.33	Common Pleas	Dismiss civil action if security for costs is not given, at any time before the commencement of trial, on motion of defendant and with notice to plaintiff.	Mandatory	Fees/Costs; Court administration; Rule-making

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2323.33	Common Pleas	Allow reasonable time to give security.	Discretionary	Fees/Costs
R.C. 2323.35	Common Pleas	Dismiss action if satisfied that the surety has removed from this state, or is not sufficient, unless, in a reasonable time, to be fixed by the court, sufficient security is given.	Discretionary	Fees/Costs
R.C. 2323.42	Common Pleas	Conduct hearing on the existence of good faith to bring medical, dental, optometric, or chiropractic claim.	Mandatory	Procedure
R.C. 2323.42(A)	Common Pleas	Upon good cause shown, grant extension to plaintiff to obtain evidence demonstrating the existence of a reasonable good faith basis for civil medical claim, dental claim, optometric claim, or chiropractic claim.	Mandatory	Procedure
R.C. 2323.42(C)	Common Pleas	Make award to defendant if no good faith basis for civil medical, dental, optometric, or chiropractic claim.	Mandatory	Award; Procedure
R.C. 2323.43	Common Pleas; Probate	Determine noneconomic caps on medical related claims for damages.	Mandatory	Judgment; Award; Jurisdiction
R.C. 2323.45(A)(1)	Common Pleas	Allow parties not less than thirty days from notice to respond to motion to dismiss Medical liability action for noninvolvement by health care provider.	Mandatory	Procedure
R.C. 2323.45(B)(2)	Common Pleas	If affidavit of noninvolvement is challenged, hold a hearing to determine if the defendant was involved, directly or indirectly, in the care and treatment of the plaintiff, or was obligated, directly or indirectly, for the care and treatment of the plaintiff.	Mandatory	Procedure
R.C. 2323.45(B)(3)	Common Pleas	Rule on all challenges to the affidavit of noninvolvement within seventy-five days after the filing of the affidavit of noninvolvement.	Mandatory	Procedure
R.C. 2323.45(B)(3)	Common Pleas	Dismiss civil action based upon the defendant's lack of involvement in the elements of the plaintiff's medical claim.	Discretionary	Procedure
R.C. 2323.45(C)	Common Pleas	Reinstate claim against health care provider if the court determines that health care provider falsely filed or made false or inaccurate statements in an affidavit of noninvolvement.	Mandatory	Procedure
R.C. 2323.45(D)	Common Pleas	Impose sanctions on person who signed the affidavit of noninvolvement and/or represented defendant who knowingly filed a false or inaccurate affidavit of noninvolvement.	Mandatory	Procedure; Sanctions
R.C. 2323.45(E)	Common Pleas	Impose sanction on the party and/or party's counsel where party falsely objected to a defendant's affidavit of noninvolvement, or knowingly provided an inaccurate statement regarding a defendant's affidavit.	Mandatory	Procedure; Sanctions
R.C. 2323.51	Common Pleas	Determine and award damages for bringing a frivolous lawsuit.	Mandatory	Integrity of judicial system; Procedure; Award; Sanctions
R.C. 2323.52	Common Pleas	Take action against vexatious litigator.	Discretionary	Integrity of judicial system; Review; Sanctions
R.C. 2323.55(D)(1)	Common Pleas	Follow certain procedures in determining future damages in medical malpractice actions, including conducting hearing, giving notice.	Mandatory	Procedure
R.C. 2323.55(D)(2)	Common Pleas	Determine whether future damages will be periodic payments or lump sum.	Mandatory	Judgment
R.C. 2323.55(D)(3)	Common Pleas	Determine whether all or any part of the future damages in medical malpractice claim recoverable by the plaintiff should be received in periodic payments rather than lump sum.	Discretionary	Judgment
R.C. 2323.55(G)(1)	Common Pleas	Require interest on the judgment for periodic payments plan for future damages in med-mal claims.	Mandatory	Judgment
R.C. 2323.55(G)(1)	Common Pleas	Modify, approve, or reject any submitted periodic payments plan for future damages in med-mal claims.	Discretionary	Judgment
R.C. 2323.55(G)(2)	Common Pleas	Require security on the periodic payments plan for future damages in med-mal claims.	Mandatory	Judgment
R.C. 2323.55(G)(3)	Common Pleas	Reserve continuing jurisdiction over periodic payment plan for future damages in med-mal claims, when plan spans five years or more.	Discretionary	Judgment; Jurisdiction
R.C. 2323.55(G)(4)	Common Pleas	Put future damages judgment and terms of any approved periodic payments plan in the entry of judgment for tort action.	Mandatory	Judgment
R.C. 2323.56(B)(1)	Common Pleas	Instruct jury to return general verdict and answer specific interrogatories on damages in any tort action tried to a jury in which a plaintiff makes a good faith future damages claim against the defendant that exceeds \$200K.	Mandatory	Jury instructions; Award
R.C. 2323.56(B)(2)	Common Pleas	In any tort action tried to a court in which a plaintiff makes a good faith future damages claim against the defendant that exceeds \$200K, make determination on tort claim and if in favor of plaintiff, make findings of fact that specify damages.	Mandatory	Judgment; Award
R.C. 2323.56(C)&(D)	Common Pleas	If future damages exceeds both two hundred thousand dollars and twenty-five per cent of the total of the damages and either plaintiff or defendant makes motion, court must follow certain procedures (conduct hearing, provide notice).	Mandatory	Judgment; Award; Procedure

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2323.56(D)(2)	Common Pleas	Consider certain factors in determining whether future damages will be received in a series of periodic payments rather than in a lump sum.	Mandatory	Judgment; Award
R.C. 2323.56(E)(1)(d)	Common Pleas	In approving any periodic payments plan, take into consideration interest on the judgment.	Mandatory	Judgment; Award
R.C. 2323.56(E)(1)(d)	Common Pleas	Modify, approve, or reject any submitted periodic payments plan.	Discretionary	Judgment
R.C. 2323.56(E)(1)(e)	Common Pleas	Require security on the periodic payments plan for future damages.	Mandatory	Judgment
R.C. 2323.56(E)(1)(f)	Common Pleas	Reserve continuing jurisdiction over periodic payment plan for future damages, when plan spans five years or more.	Discretionary	Judgment
R.C. 2323.56(E)(1)(g)(3)	Common Pleas	Put future damages judgment and terms of any approved periodic payments plan in the entry of judgment for tort action.	Mandatory	Judgment
R.C. 2323.581; R.C. 2323.583	Common Pleas	Approve, in a final order, transfers of transfer of structured settlement payment rights based on certain express findings.	Discretionary	Award
R.C. 2323.584	Common Pleas	Follow certain procedures related to the filing of applications for approval in advance of transfer of settlement rights (hearing, notice).	Mandatory	Award
R.C. 2327.01	Common Pleas	Issue garnishments and executions against judgment debtors.	Discretionary	Execution; Enforcement; Property and cash management
R.C. 2327.03	Common Pleas	Order trustee of money or thing which is the subject of the litigation to be deposited in court or delivered to party, with or without security, subject to its further direction.	Discretionary	Enforcement; Property and cash management
R.C. 2327.04	Common Pleas	Order sheriff to take the money or thing and deposit or deliver it in conformity with the court's direction.	Discretionary	Enforcement; Property and cash management
R.C. 2327.04	Common Pleas	Punish with contempt disobedience of order to deposit/deliver money or thing.	Discretionary	Enforcement; Sanctions; Property and cash management
R.C. 2329.024	Common Pleas	Stay enforcement of foreign judgment against judgment debtor in accordance with statute.	Mandatory	Procedure; Enforcement; Property and cash management
R.C. 2329.09	Common Pleas, Municipal, Court of Appeals, and Supreme Court	Issue writ of execution.	Discretionary	Enforcement; Property and cash management
R.C. 2329.091(D)	Common Pleas	Conduct hearing on whether property is exempt from execution in certain circumstances.	Mandatory	Procedure; Enforcement; Property and cash management
R.C. 2329.091(E)	Common Pleas	Appoint a levying officer to execute the writ of execution and serve the notice and the hearing request form upon the judgment debtor.	Mandatory	Procedure; Enforcement; Appointment; Property and cash management
R.C. 2329.091(F)	Common Pleas	Appoint custodian of property if the nature of the property executed upon precludes the levying officer from taking immediate physical possession.	Mandatory	Procedure; Enforcement; Appointment; Property and cash management
R.C. 2329.091(H)	Common Pleas	Determine portions of property exempt (if a hearing is conducted) and issue order to levying officer with that determination and order to sell the rest.	Mandatory	Enforcement; Property and cash management
R.C. 2329.091(I)	Common Pleas	Have appraisals done if it is necessary to ascertain the amount or value of the judgment debtor's personal property.	Discretionary	Enforcement; Appraisal; Property and cash management
R.C. 2329.13(B)(4)	Common Pleas	Enter order confirming the sale of the goods and chattels on execution.	Discretionary	Enforcement; Property and cash management
R.C. 2329.15	Common Pleas	Make an order directing the sheriff, or other officer holding the process, to sell goods and chattels at private sale for cash rather than public auctions.	Discretionary	Enforcement; Property and cash management

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2329.15	Common Pleas	Fix the amount remaining unpaid on claims in favor of the state for the purpose of goods/chattel sale, and require the parties to the suit to furnish satisfactory evidence of such unpaid amount.	Discretionary	Enforcement; Property and cash management
R.C. 2329.151	Common Pleas	All public auctions of goods, chattels, or lands levied upon by execution must be conducted personally by an officer of the court or by a licensed auctioneer.	Mandatory	Enforcement; Auctions; Property and cash management
R.C. 2329.17	Common Pleas	Have lands appraised when execution is levied upon them.	Mandatory	Enforcement; Property and cash management
R.C. 2329.192(B)(2)	Common Pleas	Presume the appearance of state lien holder for purposes of jurisdiction in judicial sale, and take judicial notice that the state has a lien against the real estate.	Mandatory	Enforcement; Jurisdiction; Property and cash management
R.C. 2329.21	Common Pleas	Fix the amount remaining unpaid on claims relating to the enforcement of junior liens, and require the parties to the suit to furnish satisfactory evidence of such unpaid amount.	Discretionary	Enforcement
R.C. 2329.27(B)(3)	Common Pleas and Court of Appeals	Enter order confirming the sale of the lands and tenements.	Discretionary	Enforcement; Property and cash management
R.C. 2329.30	Common Pleas and Court of Appeals	Punish purchaser of lands or tenements for failure to pay.	Discretionary	Enforcement; Sanctions; Property and cash management
R.C. 2329.31	Common Pleas	Direct clerk to confirm sale and order attorney to make to the purchaser a deed for the lands/tenements.	Mandatory	Enforcement; Property and cash management
R.C. 2329.31	Common Pleas	Stay confirmation of the lands/tenements sale to permit a property owner time to redeem the property or for any other reason that it determines is appropriate.	Discretionary	Enforcement; Property and cash management
R.C. 2329.32	Common Pleas	Examine officer's proceedings in sale of property of a judgment debtor.	Mandatory	Enforcement; Procedure; Property and cash management
R.C. 2329.32	Common Pleas	Order officer in proceeding for sale of property of a judgment debtor to pay the purchase money to person entitled to it.	Mandatory	Enforcement; Procedure; Property and cash management
R.C. 2329.33	Common Pleas	Where judgment creditor exercises his right of redemption on sales of real estate on execution or order of sale, make an order setting aside such sale, and adjust payments according to statute.	Mandatory	Enforcement; Procedure; Property and cash management
R.C. 2329.33	Common Pleas	Set aside sales of real estate on execution or order of sale for any reason for which it might have been set aside prior to April 16, 1888.	Discretionary	Enforcement; Property and cash management
R.C. 2329.34	Common Pleas	Put the reason a master commissioner or special master should sell the real estate (rather than the county sheriff) in the judgment, order, or decree for such sale.	Mandatory	Enforcement; Property and cash management
R.C. 2329.34	Common Pleas	Make or issue an order to a master commissioner or special master for the sale of real estate if there exists some special reason why the sale should not be made by the sheriff of that county.	Discretionary	Enforcement; Property and cash management
R.C. 2329.40	Common Pleas	If lands and tenements levied on, or ordered to be sold, are not sold upon execution, other executions may be issued to sell them.	Discretionary	Enforcement; Property and cash management
R.C. 2329.51	Common Pleas	Get new appraisal on unsold property or aside the levy and appraisal and award a new execution to issue.	Mandatory	Enforcement; Property and cash management
R.C. 2329.51	Common Pleas	When real estate goes unsold twice, direct the amount for which it must be sold.	Discretionary	Enforcement; Property and cash management
R.C. 2329.52	Common Pleas	After premises not sold, order reappraisal and direct the amount for which premises, or a part thereof, may be sold as specified by statute.	Discretionary	Enforcement; Property and cash management
R.C. 2329.70	Municipal and County	Provide, by rule or otherwise, for notice to creditors, the authentication and proof of claims, the time and manner of payment by the debtor, the distribution of funds, the bond of the trustee if required, and all other matters necessary or proper to carry into effect the jurisdiction conferred by this section.	Mandatory	Rule-Making; Enforcement

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2329.84	Common Pleas	Immediately upon the receipt of notice and schedule of goods claimed by third parties, make an entry of them on his docket, and issue a summons to the county sheriff/constable commanding him to summon five disinterested men to determine the claimant's right to the property in controversy.	Mandatory	Property and cash management; Procedure;
R.C. 2329.85	Common Pleas	Render judgment in trial of right of property based on jury findings. If the jury fails to agree and is discharged, tax costs and summons another jury.	Mandatory	Property and cash management; Procedure
R.C. 2329.91, R.C. 2329.92	Common Pleas	Enforce foreign judgments, unless one of the enumerate statutory reasons exists.	Mandatory	Enforcement
R.C. 2329.93	Common Pleas	Stay proceedings based on foreign judgments pending appeal.	Discretionary	Enforcement
R.C. 2329.94	Common Pleas	Recognize judgments in situations not covered by foreign judgment statutory sections.	Discretionary	Enforcement
R.C. 2331.02, R.C. 2331.03, R.C. 2331.04, R.C. 2331.05	Supreme Court, Court of Appeals, Common Pleas, Probate, Municipal, County	Issue an execution against the person of a debtor, according to statutory requirements.	Discretionary	Enforcement
R.C. 2331.14	Supreme Court, Court of Appeals, Common Pleas, Probate, Municipal, County	Discharge certain prisoners (persons a part of governing process) arrested improperly under statute.	Mandatory	Substantive Law
R.C. 2333.05	Common Pleas	Issue attachment against garnishee if he fails to appear.	Discretionary	Enforcement; Property and cash management
R.C. 2333.09	Common Pleas, Probate	Issue order for the examination of a judgment debtor concerning his property, income, or other means of satisfying the judgment upon proof by affidavit that such judgment is unpaid in whole or in part.	Mandatory	Enforcement; Property and cash management
R.C. 2333.10	Common Pleas, Probate	Require examination of judgment debtor after execution issues.	Discretionary	Enforcement; Property and cash management; Procedure
R.C. 2333.11	Common Pleas, Probate	Issue a warrant requiring the sheriff to arrest and bring judgment debtor before him where there is danger of the debtor's leaving the state, or concealing himself, to avoid an examination.	Discretionary	Enforcement; Property and cash management
R.C. 2333.12	Common Pleas, Probate	Order judgment creditor to enter into a bond, with surety, in such sum as the judge prescribes, that he will attend examination as directed.	Discretionary	Enforcement; Property and cash management
R.C. 2333.12	Common Pleas, Probate	In default of entering into bond for examination, by warrant, commit judgment debtor to county jail for contempt.	Discretionary	Enforcement; Property and cash management
R.C. 2333.16	Common Pleas, Probate	For an examination of a judgment debtor concerning his property, income, or other means of satisfying the judgment, order a reference to an agreed upon or appointed referee to report the evidence or the facts.	Discretionary	Enforcement; Property and cash management; Procedure
R.C. 2333.17	Common Pleas, Probate	Compel a party or witness to and testify at an examination of a judgment debtor concerning his property, income, or other means of satisfying the judgment.	Discretionary	Enforcement; Property and cash management
R.C. 2333.19	Common Pleas, Probate	Punish person, party, or witness who disobeys an order of the judge, court, or referee, issued and served for an examination of a judgment debtor concerning his property, income, or other means of satisfying the judgment.	Discretionary	Enforcement; Sanctions
R.C. 2333.21	Common Pleas, Probate	Order nonexempt property of judgment debtor to be applied on execution.	Discretionary	Enforcement; Property and cash management
R.C. 2333.22	Common Pleas, Probate	Appoint receiver and prohibit transfer of property.	Discretionary	Enforcement; Property and cash management; Appointment

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2333.24	Common Pleas, Probate	Approve proceedings of sale before the execution of the deed.	Mandatory	Enforcement; Property and cash management
R.C. 2333.25	Common Pleas, Probate	Order requiring judgment debtor to appear for examination must be reduced to writing and filed with clerk.	Mandatory	Enforcement; Property and cash management
R.C. 2333.27	Common Pleas, Probate	Allow compensation for clerks, sheriffs, referees, receivers, and witnesses in judgment debtor examination proceedings as in other cases, tax compensation as costs in the case, and enforce collection by order.	Mandatory	Enforcement; Fees
R.C. 2333.28	Common Pleas, Probate	When a judgment is not for the recovery of money or real property, enforce by attachment, preceded by notice of the motion, or a service of a copy of the rule.	Discretionary	Enforcement; Property and cash management
R.C. 2335.02	Supreme Court, Court of Appeals, Common Pleas, Probate, Municipal, and County	Set reasonable and proper compensation for appointed appraisers, commissioners, or arbitrators.	Mandatory	Fees; Appointment; Appraisal; Commissioners; Arbitrators; ADR
R.C. 2335.021	Supreme Court, Court of Appeals, Common Pleas, Probate, Municipal, and County	Appoint a licensed auctioneer to conduct any public auction of goods, chattels, or lands required to be sold by an officer of the court.	Discretionary	Appointments ; Auctions
R.C. 2335.021	Supreme Court, Court of Appeals, Common Pleas, Probate, Municipal, and County	Set reasonable and proper compensation for auctioneers.	Discretionary	Fees/Costs; Auctions
R.C. 2335.03	Common Pleas	Make an entry in the court journal designating assignment commissioners, and fixing their compensation.	Mandatory	Employment; Assignment Commissioners
R.C. 2335.03	Common Pleas	In counties with two or more judges, appoint assignment commissioners, determine their duties, and determine their compensation.	Discretionary	Appointments; Employment; Assignment Commissioners
R.C. 2335.04	Common Pleas	In counties with one judge, appoint an assignment commissioner, determine compensation not to exceed \$3k/yr, determine when he/she will work.	Discretionary	Appointments; Employment; Assignment Commissioners
R.C. 2335.061(E)	Common Pleas	Determine whether the testimony sought from or given by the coroner or deputy coroner is expert testimony or fact testimony.	Mandatory	Procedure; Experts
R.C. 2335.09	Common Pleas	Judge, magistrate, or coroner may appoint interpreters in any criminal proceeding or prosecution for the violation of an ordinance, or in a hearing before a coroner.	Discretionary	Appointments; Interpreters
R.C. 2335.16	Municipal and County	Render judgment for fine for a person charged with the commission of an offense, and must tax such costs for himself, the constable, and witnesses as are allowed by law.	Mandatory	Fees/Costs
R.C. 2335.20	Municipal and County	When issuing execution for a judgment, indorse thereon the amount of the costs.	Mandatory	Fees/Costs
R.C. 2335.26	Common Pleas	Require clerks to give additional bonds.	Discretionary	Bonds

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2335.28	Common Pleas	If any juror serves on more than one jury on the same day, tax the juror's jury fees equally among the parties who are required to pay the fees.	Mandatory	Jury; Fees/Costs
R.C. 2335.34	Common Pleas, Probate, and Court of Appeals	Publish lists of unclaimed costs at a public area of courthouse or court web site of the court, on the second Monday of January, for the same period of time.	Mandatory	Fees/Costs
R.C. 2335.39	Common Pleas	On motion, determine and issue order whether compensation may be had for fees incurred by prevailing party in connection with action or appeal.	Mandatory	Fees/Costs; Procedure
R.C. 2335.39(B)(2)(b)	Court of Appeals	Modify order of trial court regarding compensation for fees (only where abuse of discretion).	Discretionary	Fees/Costs; Review
R.C. 2335.39(E)	Common Pleas	Prepare yearly report stating any compensation for fees to be paid to a prevailing eligible party.	Mandatory	Fees/Costs; Reporting
R.C. 2337.09(B)	Common Pleas	Increase or decrease the amount of prejudgment or pre-award interest otherwise payable in a judgment or award in foreign money to the extent required by the law of this state governing a failure to make or accept an offer of settlement or offer of judgment, or conduct by a party or its attorney causing undue delay or expense.	Mandatory	Judgment; Award; Sanctions
R.C. 2337.12	Common Pleas	Amend the judgment or award to account for "currency revalorization."	Mandatory	Judgment; Award
R.C. 2501.01	Court of Appeals	Organize into 12 judicial court of appeals districts.	Mandatory	Organization
R.C. 2501.02	Court of Appeals	In addition to the original jurisdiction conferred by Section 3 of Article IV, Ohio Constitution, has jurisdiction upon an appeal upon questions of law to review, affirm, modify, set aside, or reverse judgments or final orders of courts of record inferior to the court of appeals within the district, including the finding, order, or judgment of a juvenile court that a child is delinquent, neglected, abused, or dependent, for prejudicial error committed by such lower court.	Mandatory	Jurisdiction
R.C. 2501.02	Court of Appeals	Issue writs of supersedeas in any case, and all other writs, not specially provided for or prohibited by statute, necessary to enforce the administration of justice.	Discretionary	Writs / orders / process
R.C. 2501.03	Court of Appeals	Judges of the court of appeals must meet annually.	Mandatory	Court administration
R.C. 2501.03	Court of Appeals	Choose one of their members as chief judge and one as secretary for the next judicial year.	Mandatory	Court administration
R.C. 2501.03	Court of Appeals	Adopt rules to govern the organization.	Discretionary	Rule-making; Court administration
R.C. 2501.04	Court of Appeals	Hold sessions in each county of the district as the necessity arises (no terms).	Discretionary	Court administration
R.C. 2501.05	Court of Appeals	Hear each cause in the county in which the cause originated, unless, for good cause shown, the court of appeals determines that the cause may be heard in another county of the district.	Mandatory	Jurisdiction
R.C. 2501.06(B)	Court of Appeals	Adopt local rules to provide a method for selecting the presiding judge different from that provided by statute.	Discretionary	Rule-making; Court administration
R.C. 2501.06(C)	Court of Appeals	Administrative judge must assist the presiding judge in the performance of his duties, and must perform the duties of the presiding judge during the absence or disability of the presiding judge.	Mandatory	Court administration
R.C. 2501.06(C)	Court of Appeals	Designate an administrative judge in addition to the presiding judge.	Discretionary	Court administration
R.C. 2501.08	Court of Appeals	Judges of the court of appeals, or a majority of such judges, may make and publish such uniform rules of practice, for all the districts, not in conflict with statute or the rules of the Supreme Court.	Discretionary	Rule-making; Court administration; Publication
R.C. 2501.09	Court of Appeals	Dispose of formerly dismissed/disposed of cases that come back into court as if it had retained its original place on the docket.	Mandatory	Procedure; Court administration
R.C. 2501.09	Court of Appeals	Direct a sequence of handling cases different than docket order.	Discretionary	Procedure; Court administration

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2501.09	Court of Appeals	Dispose of certain cases in advance of their assignment or order on the docket: (a) Proceedings in quo warranto, mandamus, habeas corpus, prohibition, or procedendo; (b) Cases in which the person seeking relief is imprisoned or has been convicted of a felony; (c) Cases involving the validity of a tax levied or assessment made, or the power to make such levy or assessment; (d) Cases involving the construction or constitutionality of a statute or a question of practice, in which the questions arising are of general public interest; (e) Cases in which the relief sought is damages for personal injury, or for death caused by negligence, and in which the person injured makes affidavit that the person's livelihood is dependent upon daily labor, or, in case of death, in which the surviving spouse or any next of kin of the deceased makes an affidavit that such surviving spouse or next of kin was dependent for livelihood upon the person's or the decedent's daily labor.	Discretionary	Procedure; Court administration
R.C. 2501.14	Court of Appeals	Assign judges from another district, upon being satisfied that the business of such district requires it.	Discretionary	Court administration; Assignments
R.C. 2501.15	Court of Appeals	Make certificate for appropriations for expenses of assigned judge.	Mandatory	Court administration; Assignments; Employment; Costs/Fees
R.C. 2501.16(A)	Court of Appeals	Appoint one or more official reporters, law clerks, secretaries, and any other employees that the court considers necessary for its efficient operation.	Discretionary	Court administration; Assignments; Employment
R.C. 2501.16(A)	Court of Appeals	Direct duties of each appointed officer and employee.	Discretionary	Court administration; Assignments; Employment
R.C. 2501.16(B)	Court of Appeals	Adjust the special projects assessment periodically, but not retroactively, so amount does not exceed the actual cost of service/program.	Mandatory	Court administration; Fees/Costs
R.C. 2501.16(B)	Court of Appeals	Pay money collected for special projects to the treasurer of "principal seat" county.	Mandatory	Court administration; Fees/Costs
R.C. 2501.16(B)	Court of Appeals	Determine that additional funds are necessary to acquire and pay for special projects of the court.	Discretionary	Court administration; Assignments; Employment
R.C. 2501.16(B)	Court of Appeals	Upon that determination, by rule charge a fee, in addition to all other court costs, on the filing of each case or cause over which the court has jurisdiction.	Discretionary	Court administration; Assignments; Employment; Costs/Fees; Rule-making
R.C. 2501.16(B)	Court of Appeals	By rule assess an additional charge, over and above court costs, to cover the special program or service.	Discretionary	Court administration; Fees/Costs; Rule-making
R.C. 2501.161	Court of Appeals	Direct clerk to cancel uncollectible debts.	Discretionary	Fees/Costs
R.C. 2501.17	Court of Appeals	Fix compensation for appointed officers and employees of a court of appeals.	Mandatory	Employment
R.C. 2501.17	Court of Appeals	Fix compensation for reporters of a court of appeals.	Mandatory	Employment
R.C. 2501.18	Court of Appeals	Request furnishing of supplies and courtrooms.	Discretionary	Court administration
R.C. 2501.181(A)	Court of Appeals	Select one of the counties in its district as its principal seat.	Discretionary	Organization; Court administration
R.C. 2501.181(C)	Court of Appeals	Temporarily conduct business non-principal seat county.	Discretionary	Organization; Court administration
R.C. 2501.19	Court of Appeals	Direct process to the sheriff or other proper officer of the county where it is to be executed.	Mandatory	Procedure
R.C. 2503.04	Supreme Court	Chief Justice must ascertain the number of cases pending in the court of common pleas in each county.	Mandatory	Court administration

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2503.04	Supreme Court	Chief Justice must, without request, assign judges from other counties to aid in the disposition of common pleas cases when number of cases pending in the court of common pleas of any county exceeds seventy-five per cent of the number of cases filed during the preceding year.	Mandatory	Court administration; Appointments
R.C. 2503.04	Supreme Court	Chief Justice presides at all terms and sessions of the Supreme Court.	Mandatory	Procedure
R.C. 2503.04	Supreme Court	Chief Justice may, without request, assign judges from other counties to aid in the disposition of common pleas cases.	Discretionary	Court administration; Appointments
R.C. 2503.05	Supreme Court	Fix compensation for clerk, reporter, administrative director, law librarian, marshal, administrative assistant, and all assistants, deputies, clerks, stenographers, and other employees.	Mandatory	Court administration; Employment; Appointments
R.C. 2503.05	Supreme Court	Appoint clerk, reporter, administrative director, law librarian, marshal, administrative assistant to the Chief Justice, and assistants, deputies, clerks, stenographers, and other employees who are necessary for the prompt and efficient discharge of these appointees' duties.	Discretionary	Court administration; Employment; Appointments; Library
R.C. 2503.06	Supreme Court	Approve bond of clerk.	Discretionary	Court administration; Employment; Appointments
R.C. 2503.07	Supreme Court	Approve deputy clerks appointed by clerk.	Discretionary	Court administration; Employment; Appointments
R.C. 2503.08	Supreme Court	Appoint a clerk "pro tempore" when there is a vacancy in the clerk's office.	Mandatory	Court administration; Employment; Appointments
R.C. 2503.09	Supreme Court	Remove clerk if he/she fails to attend to the duties of his office or becomes incompetent.	Discretionary	Court administration; Employment; Appointments
R.C. 2503.18	Supreme Court	Cancel uncollectible debts.	Discretionary	Enforcement; Fees/Costs
R.C. 2503.19	Supreme Court	Approve sureties and bond of reporter.	Discretionary	Court administration; Employment; Appointments
R.C. 2503.20	Supreme Court	Fix compensation for reporter's assistants.	Mandatory	Court administration; Employment; Appointments
R.C. 2503.20	Supreme Court	Direct publication of decisions.	Mandatory	Publication
R.C. 2503.20	Supreme Court	Whenever a case is reported for publication, the syllabus of such case must be prepared by the judge delivering the opinion, and approved by a majority of the members of the court.	Mandatory	Publication; Reporting
R.C. 2503.20	Supreme Court	Reported opinions must be written in as concise form as may be consistent with a clear presentation of the law of the case.	Mandatory	Publication; Reporting
R.C. 2503.20	Supreme Court	Opinions for permanent publication in book form must be furnished to the reporter and to no other person.	Mandatory	Publication; Reporting
R.C. 2503.20	Supreme Court	Appoint assistants necessary to carry on the work of the reporter's office.	Discretionary	Court administration; Employment; Appointments
R.C. 2503.20	Supreme Court	Request reporter to attend its sessions and consultations and report and prepare its decisions for publication under its direction.	Discretionary	Court administration; Reporting; Publication
R.C. 2503.20	Supreme Court	Case reported for publication may be per curiam.	Discretionary	Publication; Reporting

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2503.20	Supreme Court, Court of Appeals, Common Pleas, Probate, Municipal, County	Only reported cases should receive the official sanction of any court.	Mandatory	Publication; Reporting
R.C. 2503.20	Supreme Court and Court of Appeals	Select cases for publication.	Mandatory	Publication
R.C. 2503.21	Supreme Court	Deliver report of decisions to superintendent of purchases and printing.	Mandatory	Publication; Reporting
R.C. 2503.22	Supreme Court	Reporter to edit, tabulate, index, and publish all cases disposed of on general docket.	Mandatory	Publication; Reporting
R.C. 2503.23	Supreme Court	Direct specifications, timing for printed decisions.	Mandatory	Publication; Reporting
R.C. 2503.24	Supreme Court	Approve and provide direction for contracts with one or more responsible persons to furnish materials, print, and bind the reports of the Supreme Court and courts of appeals, and the reports of other courts of record.	Discretionary	Publication; Reporting
R.C. 2503.26	Supreme Court	Approve bond of Supreme Court librarian.	Discretionary	Court administration; Library
R.C. 2503.282	Supreme Court, Court of Appeals, Common Pleas, Probate, Municipal, County	Comply with all requests made by the Administrative Director of the Supreme Court for information bearing on the state of the dockets of such courts and such other information as the Chief Justice may determine to be necessary in order to discharge lawful duties.	Mandatory	Court administration; Supervision'
R.C. 2503.29	Supreme Court	Fix compensation for stenographers.	Mandatory	Court administration; Employment; Appointments
R.C. 2503.29	Supreme Court	Appoint such stenographers as are necessary.	Discretionary	Court administration; Employment; Appointments
R.C. 2503.30	Supreme Court	Designate duties of stenographers.	Mandatory	Court administration; Employment; Appointments
R.C. 2503.32	Supreme Court	Remove records and papers of court.	Discretionary	Court administration; Record keeping
R.C. 2503.33	Supreme Court	Chief Justice and the justices of the Supreme Court must meet at Columbus in January of each year.	Mandatory	Court administration
R.C. 2503.33	Supreme Court	The Chief Justice and the justices of the Supreme Court must meet at subsequent times throughout the year as determined by the Court.	Discretionary	Court administration
R.C. 2503.34	Supreme Court	If a special term is held elsewhere than at Columbus, give proper notice.	Mandatory	Court administration; Publication
R.C. 2503.34	Supreme Court	Hold special or adjourned terms at such times and places as a majority of the justices determines.	Discretionary	Court administration
R.C. 2503.34	Supreme Court	Order the return of process and the transmission of papers and files of the court to and from the place of holding a special term.	Discretionary	Court administration
R.C. 2503.36	Supreme Court	Prescribe rules for the regulation of its practice, the reservation of questions, the transmission of cases to it from the lower courts, and the remanding of cases.	Discretionary	Rule-making; Procedure

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2503.37	Supreme Court	Dispose of the following classes of cases in advance of their order on the docket: (a) Proceedings in quo warranto, mandamus, procedendo, prohibition, or habeas corpus; (b) Cases in which the person seeking relief has been convicted of felony; (c) Cases involving the validity of a tax levy or assessment; (d) Cases involving the construction or constitutionality of a statute, or a question of practice, in which the questions arising are of general public interest; (e) Cases of general interest to the public, if two or more of the courts of appeals have held the law directly opposite upon like facts; (f) Cases in which the relief sought is damages for personal injury, or for death caused by negligence, and in which the person injured makes affidavit that the person's livelihood is dependent upon daily labor, or, in case of death, in which the surviving spouse or any of the next of kin of the deceased makes an affidavit that the surviving spouse or next of kin was dependent for livelihood upon the person's or the decedent's daily labor; (g) Cases in which a trust fund for the care, support, or education of a minor, or care or support of a mentally retarded person, is in question; (h) Cases involving controversies or questions arising in the administration of the estate of a deceased person under the laws of this state; (i) Cases involving the construction of a statute for the annexation of territory to a municipal corporation.	Discretionary	Court administration; Procedure
R.C. 2503.38	Supreme Court	Take out of order cases involving the same questions.	Discretionary	Court administration
R.C. 2503.39	Supreme Court	Hear oral arguments if requested by a party.	Mandatory	Procedure
R.C. 2503.39	Supreme Court	In cases involving the constitutionality of a law of the state, upon request, permit not more than two attorneys at law on each side, in addition to the attorneys engaged by the parties, to be heard orally, or in writing, as such attorneys prefer.	Mandatory	Procedure
R.C. 2503.40	Supreme Court	Issue writs of supersedeas in any case, and other writs not specially provided for and not prohibited by law, when in session and necessary to enforce the administration of justice.	Discretionary	Jurisdiction
R.C. 2503.41	Supreme Court	Issue process to sheriff or other proper officer of the county where it is to be executed.	Discretionary	Procedure
R.C. 2503.41	Supreme Court	Marshal or a messenger of the court may serve a rule, order, warrant, or notice of citation issuing out of court.	Discretionary	Procedure
R.C. 2503.42	Supreme Court	Cause each of its decisions, in disposing of a motion or otherwise, which determines or modifies an unsettled or new and important question of law, or gives construction to a statute of ambiguous import, to be reported with as much brevity as practicable. The Court must cause to be reported such other of its decisions as it deems of public interest and importance.	Mandatory	Reporting; Publication
R.C. 2503.44	Supreme Court	Remand its final decrees, judgments, or orders in cases brought before it on appeal to the court below for specific or general execution, or to the inferior courts for further proceedings.	Discretionary	Procedure
R.C. 2503.45(A)	Supreme Court	Create a board, commission, or other entity to be responsible for the operation and maintenance of the facilities and attendant exterior grounds in Franklin County.	Discretionary	Facility stewardship
R.C. 2503.45(A)	Supreme Court	Authorize any board, commission, or other entity so created to establish a trust for the purpose of receiving, restoring, maintaining, and displaying items of historic, artistic, or educational value in the facilities or on the grounds.	Discretionary	Facility stewardship
R.C. 2505.02(C)	Supreme Court, Court of Appeals, and Common Pleas	When requested by a party, state the grounds (in the order) for vacating or setting aside a judgment or granting a new trial.	Mandatory	Review
R.C. 2505.03(A)	Supreme Court, Court of Appeals, and Common Pleas	Every final order, judgment, or decree of a court and, when provided by law, the final order of any administrative officer, agency, board, department, tribunal, commission, or other instrumentality may be reviewed on appeal by a court of common pleas, a court of appeals, or the Supreme Court, whichever has jurisdiction.	Discretionary	Review; Jurisdiction
R.C. 2505.04	Supreme Court, Court of Appeals, and Common Pleas	After an appeal is perfected, an appeal must not be dismissed without notice to the appellant.	Mandatory	Review; Jurisdiction

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2505.073	Court of appeals	Hear appeal of a denial of abortion by minor within five days unless appellant waives the right to oral argument. Enter judgment in the appeal immediately after the oral argument or, if oral argument has been waived, within five days after the appeal is docketed.	Mandatory	Procedure
R.C. 2505.073	Court of appeals	Liberally modify or dispense with the formal requirements that normally apply as to the contents and form of an appellant's brief in an appeal of a denial of abortion by minor.	Mandatory	Procedure
R.C. 2505.073	Court of appeals	Conduct an appeal of a denial of abortion by minor in a manner that will preserve the anonymity of the appellant on appeal. Keep papers and records that pertain to the appeal confidential.	Mandatory	Procedure; Record-keeping
R.C. 2505.073	Court of appeals	Shorten or extend any of the maximum times set forth in statute for appeal of a denial of abortion by minor.	Discretionary	Procedure
R.C. 2505.10	Supreme Court, Court of Appeals, and Common Pleas	Approve sureties of supersedeas bond.	Mandatory	Enforcement; Property and cash management
R.C. 2505.11	Supreme Court, Court of Appeals, and Common Pleas	Order a conveyance of property instead of a supersedeas bond in connection with an appeal.	Discretionary	Enforcement; Property and cash management
R.C. 2505.14	Supreme Court, Court of Appeals, and Common Pleas	Direct condition conditions of supersedeas bond.	Discretionary	Enforcement; Property and cash management
R.C. 2505.15	Supreme Court, Court of Appeals, and Common Pleas	Allow appeal when interest of party is distinct from others involved in action.	Mandatory	Procedure
R.C. 2505.16	Supreme Court, Court of Appeals, and Common Pleas	Order its change or renewal, or that a new supersedeas bond be given when a surety has moved out of the state or is not sufficient, or if the bond is insufficient in form or amount.	Discretionary	Enforcement; Property and cash management
R.C. 2505.20	Supreme Court, Court of Appeals, and Common Pleas	Enter judgment or order against sureties.	Discretionary	Enforcement; Property and cash management
R.C. 2505.22	Supreme Court, Court of Appeals, and Common Pleas	Fix time within which assignments of error by an appellee may be filed.	Mandatory	Procedure
R.C. 2505.34	Supreme Court, Court of Appeals, and Common Pleas	Award damages on appeal on questions of law and fact according to statute.	Discretionary	Award
R.C. 2505.39	Court of Appeals, Common Pleas, Municipal, and County	If receiving special mandate for execution or further proceedings, proceed as if the final order, judgment, or decree had been rendered in it.	Mandatory	Procedure; Review
R.C. 2505.39	Court of Appeals, Common Pleas, Municipal, and County	On motion and for good cause shown and if receiving special mandate for execution or further proceedings, suspend an execution made returnable before it until the matter can be further heard by the court of appeals or the Supreme Court, as if the execution had been issued from its own court.	Discretionary	Procedure; Review

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2505.39	Supreme Court, Court of Appeals, and Common Pleas	If reversing or affirming a final order, judgment, or decree of a lower court upon appeal on questions of law, send a special mandate to the lower court for execution or further proceedings.	Mandatory	Procedure; Review
R.C. 2505.44	Supreme Court, Court of Appeals, Common Pleas, Municipal, and County	Compel transcripts of actions or proceedings that relate to a final order, judgment, or decree sought to be reversed, to be furnished, completed, or perfected.	Discretionary	Review; Case management
R.C. 2506.01	Common Pleas	Officer or body from court in which admin agency appeal is taken must prepare and file in the court to which the appeal is taken, a complete transcript of all the original papers, testimony, and evidence offered, heard, and taken into consideration in issuing the final order, adjudication, or decision.	Mandatory	Case management; Review; Record-keeping
R.C. 2506.01(A)	Common Pleas	Every (with exceptions) final order, adjudication, or decision of any officer, tribunal, authority, board, bureau, commission, department, or other division of any political subdivision of the state may be reviewed by the court of common pleas of the county in which the principal office of the political subdivision is located.	Discretionary	Review
R.C. 2506.03	Common Pleas	In admin appeal hearing, court is confined to provided transcript unless certain conditions are met.	Mandatory	Procedure; review
R.C. 2506.04	Common Pleas	In admin appeal, find that the order, adjudication, or decision is unconstitutional, illegal, arbitrary, capricious, unreasonable, or unsupported by the preponderance of substantial, reliable, and probative evidence on the whole record. Consistent with its findings, the court may affirm, reverse, vacate, or modify the order, adjudication, or decision, or remand the cause to the officer or body appealed from with instructions to enter an order, adjudication, or decision consistent with the findings or opinion of the court.	Discretionary	Review
R.C. 2506.06	Common Pleas	Prepare and file in the court to which the expedited adult entertainment appeal is taken, a complete transcript of all the original papers, testimony, and evidence offered, heard, and taken into consideration in issuing the final order, adjudication, or decision appealed from.	Mandatory	Review; Case management; Record-keeping
R.C. 2506.08	Common Pleas	In expedited adult entertainment appeal, find that the order, adjudication, or decision is unconstitutional, illegal, arbitrary, capricious, unreasonable, or unsupported by the preponderance of substantial, reliable, and probative evidence on the whole record. Consistent with its findings, the court may affirm, reverse, vacate, or modify the order, adjudication, or decision, or remand the cause to the officer or body appealed from with instructions to enter an order, adjudication, or decision consistent with the findings or opinion of the court. If the order, adjudication, or decision is remanded to the officer or body appealed from with those instructions, the officer or body must enter the consistent order, adjudication, or decision within five days after that remand. The judgment of the court may be appealed by any party on questions of law as provided in the Rules of Appellate Procedure and, to the extent not in conflict with those rules, Chapter 2505. of the Revised Code.	Discretionary	Review
R.C. 2701.10	Common Pleas, Municipal, and County	Maintain an index of all retired judges who have registered for the purpose of receiving referrals for adjudication of civil actions or proceedings.	Mandatory	Retired Judges
R.C. 2705.01	General	Summarily punish a person guilty of misbehavior as to obstruct the administration of justice.	Discretionary	Contempt
R.C. 2705.05	General	Conduct a hearing in all contempt proceedings.	Mandatory	Contempt
R.C. 2705.07	General	Issue an order of arrest or bond or both if party released on bail pursuant to R.C. 2705.04 fails to appear.	Discretionary	Contempt
R.C. 2711.02	General	Stay trial until arbitration has been had.	Discretionary	Arbitration
R.C. 2711.10	Common Pleas	Vacate arbitration award under certain conditions.	Discretionary	Arbitration
R.C. 2711.11	Common Pleas	Modify arbitration award under certain conditions.	Discretionary	Arbitration
R.C. 2712.15	Common Pleas	Grant measures of protection in connection with a pending arbitration.	Discretionary	Arbitration
R.C. 2712.19	Common Pleas	Take the necessary measures to secure the appointment of an arbitrator.	Discretionary	Arbitration
R.C. 2713.11	General	Make proper orders for the safekeeping of money deposited in lieu of bail under R.C. 2713.11.	Mandatory	Bail
R.C. 2713.24	General	Direct that money deposited pursuant to R.C. 2713.09 be refunded upon being satisfied that the bail has been given and adjudged.	Mandatory	Bail
R.C. 2713.25	General	Stay proceedings against bail if an appeal is commenced on the judgment against the principal in the suit in which the bond was taken.	Discretionary	Bail

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2715.042	General	Issue an order of attachment without a hearing if certain conditions apply.	Discretionary	Attachments
R.C. 2715.043	General	Set a motion for an order of attachment pursuant to R.C. 2715.03 for a hearing within 20 days and notify the defendant.	Mandatory	Attachments
R.C. 2715.045	General	Issue an order of attachment without issuing notice to the defendant and without conducting a hearing if the court finds that there is probable cause to support the motion and that the plaintiff will suffer irreparable injury if the order is delayed.	Discretionary	Attachments
R.C. 2715.20	General	Appoint a receiver.	Discretionary	Attachments
R.C. 2715.25	General	Make orders for the preservation of property attached during the pendency of a suit and direct a sale of it.	Discretionary	Attachments
R.C. 2715.38	General	Enforce the delivery of property.	Discretionary	Attachments
R.C. 2715.39	General	Order the levying officer to repossess himself of attached property which has passed out of his hands without having been sold or converted in to money.	Discretionary	Attachments
R.C. 2715.42	General	Has jurisdiction and control of all subsequent proceedings under R.C. 2712.02 to 2715.49 from the time an order of attachment is issued until after the defendant dies.	Mandatory	Attachments
R.C. 2715.51	General	Attachment is to be granted by the court in which it is brought.	Discretionary	Attachments
R.C. 2717.01	Probate	May order the change of name.	Discretionary	Name Change
R.C. 2719.05	Common Pleas	Make an order to correct a mistake, error or omission in instruments or proceedings.	Mandatory	Corrections
R.C. 2719.06	Common Pleas	May correct errors in a deed involving husband and wife.	Discretionary	Corrections
R.C. 2721.07	General	Refuse to enter a declaratory judgment or decree if judgment would not terminate the uncertainty or controversy giving rise to the proceeding in which the declaratory relief is sought.	Discretionary	Declaratory Judgments
R.C. 2721.11	General	Make an award for court costs in declaratory judgment action.	Discretionary	Declaratory Judgments
R.C. 2721.21	General	Make finding that person would have been liable for assault and battery based on childhood sexual abuse but for the expiration of the statute of limitations.	Discretionary	Declaratory Judgments
R.C. 2723.01	General	Enjoin the illegal levy or collection of taxes and assessments and entertain actions to recover them when collected.	Discretionary	Recover Taxes
R.C. 2725.02	The Supreme Court, Court of Appeals, Common Pleas, and Probate	Grant writ of habeas corpus.	Discretionary	Habeas Corpus; Jurisdiction
R.C. 2727.03	The Supreme Court, Court of Appeals, Common Pleas, and Probate	Grant injunctions.	Discretionary	Injunctions; Jurisdiction
R.C. 2729.01	Probate	Order the restoration of the record of every lost or destroyed will, administration dockets, guardian dockets, trustee dockets, journals of such court, records of bonds, and dockets of assignments and trustees.	Discretionary	Records
R.C. 2729.10	Common Pleas	Hear and determine proceedings for restoration of road records.	Mandatory	Records
R.C. 2729.14	Common Pleas	Issue order authorizing its court records to be supplied or replaced.	Discretionary	Records
R.C. 2731.02	The Supreme Court, Court of Appeals, and Common Pleas	Issue writs of mandamus.	Discretionary	Mandamus
R.C. 2733.03	The Supreme Court, Court of Appeals, and Common Pleas	The Supreme Court, the court of appeals of the county in which the defendant resides, or the court of appeals in which a corporate defendant has a place of business have jurisdiction in quo warranto actions; court of appeals of Franklin County has jurisdiction when attorney general files petition.	Discretionary	Quo Warranto

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2735.01	The Supreme Court, Court of Appeals, Common Pleas, and Probate	Appoint a receiver.	Discretionary	Receivership
R.C. 2737.06	General	Issue an order of possession without a hearing under certain conditions.	Discretionary	Replevin
R.C. 2737.13	General	Order the sale of the property because of its perishable nature or the existence of circumstances that would diminish its value.	Discretionary	Replevin
R.C. 2737.20	General	Grant a temporary restraining order, preliminary injunction, or permanent injunction in addition to any other relief available under R.C. 2737.01 to 2737.19.	Discretionary	Replevin
R.C. 2743.03(A)(3)	Court of Claims	Has jurisdiction as described in R.C. 2743.02(F), 3335.03(B), and 5903.02(C).	Mandatory	Court of Claims
R.C. 2743.05	Court of Claims	Has the same power to subpoena witnesses, require the production of evidence, and punish for contempt as the court of common pleas.	Mandatory	Court of Claims
R.C. 2743.07	Supreme Court	Appoint the clerk and deputy clerks of the court of claims.	Mandatory	Court of Claims
R.C. 2743.08	Supreme Court	Furnish the court of claims with supplies and equipment and must set the compensation of personnel.	Mandatory	Court of Claims
R.C. 2743.53	Court of Claims	Hear and determine all matters relating to appeals from decisions of the attorney general pursuant to R.C. 2743.51 to 2743.72.	Mandatory	Court of Claims
R.C. 2746.01	General	Tax as costs certain services rendered or compensation to certain people in civil actions.	Mandatory	Court Costs
R.C. 2746.02	General	Tax as costs certain services rendered or compensation to certain people in criminal actions.	Mandatory	Court Costs
R.C. 2746.03	Supreme Court, Court of Appeals, and Court of Claims	The Supreme Court, courts of appeals, or court of claims must tax as costs or require fees in certain cases.	Mandatory	Court Costs
R.C. 2746.04	Common Pleas	Tax as costs or require fees in certain cases.	Mandatory	Court Costs
R.C. 2746.05	Juvenile	Tax as costs or require fees in certain cases.	Mandatory	Court Costs
R.C. 2746.06	Probate	Tax as costs or require fees in certain cases.	Mandatory	Court Costs
R.C. 2746.07	Municipal	Tax as costs or require fees in certain cases.	Mandatory	Court Costs
R.C. 2746.08	County	Tax as costs or require fees in certain cases.	Mandatory	Court Costs
R.C. 2901.05(C)	Common Pleas	As part of its charge to the jury in a criminal case, read the definitions of “reasonable doubt” and “proof beyond a reasonable doubt,” contained in division (D) of this section.	Mandatory	Procedure
R.C. 2901.07(B)	Common Pleas	In certain cases and instances, order a person to report to a sheriff or probation department or other law enforcement agency to submit to a DNA specimen collection procedure.	Mandatory	Procedure
R.C. 2903.04(D)	Common Pleas	Impose mandatory prison term and drivers license suspension for certain involuntary manslaughter convictions.	Mandatory	Punishment
R.C. 2903.06	Common Pleas	Impose mandatory prison term and drivers license suspension for certain aggravated vehicular manslaughter convictions.	Mandatory	Punishment
R.C. 2903.11	Common Pleas	Impose mandatory sentence for felonious assault.	Mandatory	Punishment
R.C. 2903.12	Common Pleas	Impose mandatory sentence for aggravated assault.	Mandatory	Punishment
R.C. 2903.13	Common Pleas	Impose a sentence as specified for assault.	Mandatory	Punishment
R.C. 2903.13	Common Pleas	Impose a fine for assault.	Discretionary	Punishment
R.C. 2903.212	Common Pleas	Consider certain factors for bail for violation of protection orders.	Mandatory	Procedure
R.C. 2903.213(C)	Common Pleas	Conduct a hearing to determine whether to issue protective order.	Mandatory	Procedure
R.C. 2903.213(D)	Common Pleas	Issue protection order as a pretrial condition of release.	Discretionary	Procedure/Punishment
R.C. 2903.214	Common Pleas	Hold an ex parte hearing as soon as possible after petition for protection order in menacing by stalking cases and court must schedule full hearing date within 10 days of ex parte hearing. Court must provide parties notice of order if one is issued.	Mandatory	Procedure
R.C. 2905.01(C)(2)	Common Pleas	Order offender to make restitution in certain kidnapping cases.	Mandatory	Punishment
R.C. 2905.02	Common Pleas	Sentence offender to mandatory prison term for certain abduction convictions.	Mandatory	Punishment
R.C. 2905.32	Common Pleas	Sentence offender to 10-15 years for a trafficking in persons conviction.	Mandatory	Punishment
R.C. 2907.02	Common Pleas	Impose life without parole for rape under certain circumstances.	Hybrid	Punishment

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2907.03	Common Pleas	Impose a mandatory prison term for sexual batter.	Mandatory	Punishment
R.C. 2907.05	Common Pleas	Impose a mandatory prison term for gross sexual imposition .	Mandatory	Punishment
R.C. 2907.07	Common Pleas	Impose a mandatory prison term for importuning if certain circumstances apply.	Mandatory	Punishment
R.C. 2907.11	Common Pleas	Order the names of the victim and the offender in (certain) sex offense cases suppressed until the preliminary hearing.	Mandatory	Procedure
R.C. 2907.15	Common Pleas	Schedule a hearing as soon as possible after a request regarding restitution by the offender to the victim.	Mandatory	Procedure
R.C. 2907.18	Common Pleas	Transmit a certified copy of a judgment entry of conviction for a sex offense to the licensing board for any mental health professional who is convicted.	Mandatory	Procedure
R.C. 2907.21	Common Pleas	Impose a mandatory prison term for compelling prostitution in certain circumstances.	Mandatory	Punishment
R.C. 2907.22	Common Pleas	Impose a mandatory prison term for promoting prostitution in certain circumstances.	Mandatory	Punishment
R.C. 2907.27	Common Pleas	Order an accused to report to a city or general health district facility if tested positive for venereal diseases or HIV.	Mandatory	Procedure
R.C. 2907.27	Common Pleas	Inform victim of the accused’s test results regarding venereal diseases and HIV.	Mandatory	Procedure
R.C. 2907.27	Common Pleas	Revoke offender’s community control and order to undergo medical treatment for venereal disease or HIV.	Discretionary	Procedure
R.C. 2907.30	Common Pleas	Notify the victim of the nature of a communicable disease when law enforcement discovers that an arrested person has said disease.	Mandatory	Procedure
R.C. 2907.323	Common Pleas	Impose mandatory prison sentence in certain circumstances for illegal use of minor in nudity-oriented material.	Mandatory	Punishment
R.C. 2907.36	Common Pleas	In a declaratory judgment action, render judgment within five days after the trial is concluded.	Mandatory	Procedure
R.C. 2907.37	Common Pleas	In injunction action, render judgment within five days after trial.	Mandatory	Procedure
R.C. 2907.41	Common Pleas	Consider certain factors before setting bail for a person charged with a subsequent sexual offense.	Mandatory	Procedure
R.C. 2909.25	Common Pleas	Hold a hearing to determine the amount of costs to be imposed under this section on expenses of investigation for prosecution of terrorism.	Mandatory	Procedure
R.C. 2909.30	Common Pleas	Direct the clerk to notify the customs enforcement section of Home Land Security when a suspected alien is convicted of a felony.	Mandatory	Procedure
R.C. 2911.21	Common Pleas	Impose double fine if criminal trespass committed with snowmobile, motorcycle, or all-purpose vehicle.	Mandatory	Sentencing
R.C. 2911.23	Common Pleas	Require offender who commits criminal trespass of public amusement to perform 30-120 hours of public service.	Discretionary	Sentencing
R.C. 2913.02	Common Pleas	If theft offense involves theft of gas, suspend the offender’s driver’s license, and court may order restitution for all theft.	Discretionary	Sentencing
R.C. 2913.31	Common Pleas	Impose fine of not less than \$250 for forging ID's under this section.	Mandatory	Sentencing
R.C. 2913.40	Common Pleas	Order offender to make restitution in Medicaid fraud cases.	Mandatory	Sentencing
R.C. 2913.421	Common Pleas	Impose civil penalty against offenders of spamming.	Discretionary	Sentencing
R.C. 2913.48	Common Pleas	Order convicted person to pay restitution in workers compensation fraud cases.	Mandatory	Sentencing
R.C. 2913.82	Common Pleas	Order offender to repay fees to local authority for costs of towing and storage in theft offenses that involve a motor vehicle.	Mandatory	Sentencing
R.C. 2917.40	Common Pleas	Consider injuries to people and they are a factor in favor of imprisonment upon offender an violations of safety at a live entertainment performance statute.	Mandatory	Sentencing
R.C. 2919.121	Juvenile	Assist minor in preparing forms, appoint counsel for minor, and appoint guardian ad litem in cases of unlawful abortion upon a minor.	Mandatory	Procedure
R.C. 2919.22	Common Pleas	Impose mandatory prison term when certain circumstances met involving endangering children convictions.	Mandatory	Sentencing
R.C. 2919.25	Common Pleas	Impose mandatory prison term in certain circumstances for domestic violence conviction.	Mandatory	Sentencing
R.C. 2919.26	Common Pleas	Conduct a hearing to determine whether to issue protective order.	Mandatory	Procedure
R.C. 2921.331	Common Pleas	Impose license suspension for certain violations of failure to comply with signal of police officer statute.	Mandatory	Sentencing
R.C. 2921.38	Common Pleas	Cause a person who has violated harassment of inmate statute to submit to tests to determine if he/she is a carrier of AIDS.	Mandatory	Procedure
R.C. 2923.02	Common Pleas	Impose driver’s license suspension if motor vehicle used in attempt to commit murder.	Mandatory	Sentencing
R.C. 2923.32	Common Pleas	Order person to forfeit real or personal property used in committing act of engaging in pattern of corrupt activity.	Mandatory	Sentencing
R.C. 2925 et seq	Common Pleas	Impose a mandatory prison sentence for certain drug offenses.	Mandatory	Sentencing

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 2927.021	Common Pleas	Impose a civil penalty of \$1,000 for each violation of engaging in an illegal tobacco product transaction scan.	Discretionary	Sentencing
R.C. 2929 et seq	Common Pleas	Impose a specific sentence if certain criteria are met.	Mandatory and discretionary	Sentencing
R.C. 2930.06	Common Pleas	Give notice of proceedings in a criminal case to the victim.	Mandatory	Procedure
R.C. 2930.07	Common Pleas	Order a transcript sealed in a case where a victim has apprehension about testifying and after a hearing is held in chambers on the matter.	Mandatory	Procedure
R.C. 2930.10	Common Pleas	Provide a waiting area for victim separate from the defendant in a criminal case.	Mandatory	Facilities
R.C. 2935.26	Municipal	Establish a fine schedule for minor misdemeanors.	Mandatory	Administration
R.C. 2935.33	Common Pleas	Order that fines collected from defendants who received inpatient care be paid to the care center or health district for the benefit of the program.	Discretionary	Fines
R.C. 2937.08	Municipal	Set a misdemeanor case for trial at a future time if a not guilty plea is entered.	Mandatory	Procedure
R.C. 2938.03	Common Pleas	Presiding judge must assign additional judges to assist in trial of criminal matters as necessary because they take precedence over civil matters.	Mandatory	Administration
R.C. 2938.05	Common Pleas	Require accused person in criminal case that claims jury then later waives to pay all costs of mileage and fees for summoned jurors.	Discretionary	Administration
R.C. 2941.04	Common Pleas	Order two or more offenses that are connected together in their commission to be consolidated.	Discretionary	Procedure
R.C. 2945.27	General	Judge of trial court must examine prospective jurors under oath as to their qualifications to serve as fair and impartial jurors.	Mandatory	Procedure
R.C. 2945.40	Common Pleas	Hold a hearing within 10 days after a person is found not guilty by reason of insanity to determine if the person should be subject to hospitalization.	Mandatory	Procedure
R.C. 2947.06	General	The trial court must determine if a sentence should be immediately imposed after testimony in mitigation of a sentence and review of PSI.	Mandatory	Sentencing
R.C. 2947.16	Common Pleas and Municipal	Order person convicted of misdemeanor committed or discharged on own recognizance.	Discretionary	Sentencing
R.C. 2949.28	Common Pleas	Appoint counsel, if necessary, to a convict sentenced to death who appears to be insane.	Mandatory	Procedure
R.C. 2949.28	Common Pleas	Appoint one or more psychologists to examine a criminal convict sentenced to death who appears to be insane.	Discretionary	Procedure
R.C. 2951.02	Common Pleas	Permit offenders eligible for probation/suspended sentence to satisfy payment of fine by performing supervised community service work.	Discretionary	Sentencing
R.C. 2951.041	Common Pleas	Upon request of the offender who requests intervention in lieu of conviction, conduct a hearing to determine whether an offender is eligible and must stay all criminal proceedings pending the outcome of the hearing.	Mandatory	Procedure
R.C. 2953.21	Common Pleas	Appoint counsel for a person sentenced to death who intends to file a post conviction relief petition.	Mandatory	Procedure
R.C. 2953.21	Supreme Court	Stay execution of death sentence upon filing of post conviction relief petition.	Discretionary	Authority
R.C. 2953.32, 2953.37, 2953.52	Common Pleas	Set hearings for expungement of convictions upon the filing of applications for expungement or sealing.	Mandatory	Procedure
R.C. 2963.24	Common Pleas	Inform person arrested for crime in another state to right of issuance of a service of warrant of extradition and to obtain a writ of habeas corpus.	Mandatory	Procedure
R.C. 2969.25	Common Pleas	Appoint member of the bar to review a claim that is the basis of a civil action by an inmate.	Discretionary	Procedure
R.C. 2969.26	Common Pleas	Stay the civil action of an inmate if the action is commenced before the grievance system process is complete.	Mandatory	Procedure
R.C. 2971.01 et seq	Common Pleas	Impose on offender an indefinite prison term for various offenses.	Mandatory	Sentencing
R.C. 2981.03	Common Pleas	Hold hearing at earliest possible time on provisional title of property that is subject to forfeiture.	Mandatory	Procedure
R.C. 2981.03	Common Pleas	Decide petition on forfeiture of property not more than 30 days after it is filed.	Mandatory	Procedure
R.C. 2981.05	Common Pleas	Issue civil forfeiture order if prosecutor has proved by preponderance of evidence that property is subject to forfeiture.	Mandatory	Procedure
R.C. 3101.04	Probate	When juvenile court consents to marriage pursuant to juvenile court, issue a marriage license.	Discretionary	Marriage
R.C. 3101.051	Probate	Make available record pertaining to marriage licenses but must redact any social security numbers.	Mandatory	Public Records
R.C. 3105.091	Domestic Relations Court	Order parties to take part in family counseling during the divorce process if there are children involved in the proceeding.	Discretionary	Marriage
R.C. 3105.171	Domestic Relations Court	Determine what is marital property and what is separate property in a divorce proceeding.	Discretionary	Marriage

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Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 3105.21	Domestic Relations Court	Make order for the disposition and care of any dependent children of the marriage as is in the children's best interest.	Discretionary	Marriage
R.C. 3105.34	Domestic Relations Court	Without request, restore the name of any person that they had before marriage.	Discretionary	Marriage
R.C. 3107.031	Common Pleas	Strike the home study from the court records.	Discretionary	Adoption
R.C. 3107.11	Common Pleas	Fix a time and place for a hearing on the petition to adopt an adult or a minor.	Mandatory	Adoption
R.C. 3107.19	Common Pleas	Forward adoption documents to the department of health within 30 days after the adoption becomes final.	Mandatory	Adoption
R.C. 3109.04	Common Pleas	Allocate parental rights and responsibilities in a divorce proceeding.	Mandatory	Child Custody
R.C. 3109.04	Common Pleas	Cause investigation to be made as to the character, family relations, past conduct and earning ability of each parent when determining shared parenting.	Discretionary	Child Custody
R.C. 3109.04	Common Pleas	Modify prior parenting plans for a number of reasons.	Discretionary	Child Custody
R.C. 3109.04 <i>et seq.</i> (70+ duties)	Common Pleas	Designate and decide numerous duties and responsibilities regarding children in a divorce proceeding (70 + duties).	Mandatory	Child Custody
R.C. 3109.052	Common Pleas	Order parents to mediate differences for allocating parental rights.	Discretionary	Child Custody
R.C. 3109.053	Common Pleas	Order parents to attend parenting classes.	Discretionary	Child Custody
R.C. 3109.74	Common Pleas	Report information regarding adjudication of abused or neglected child to public children services agency.	Discretionary	Child Custody
R.C. 3111.03	Common Pleas	Determine which presumption of paternity controls if two or more conflicting provisions regarding presumption of paternity arise in action.	Mandatory	Parentage
R.C. 3111.10	Common Pleas	Require child, mother and man to submit to appropriate tests for evidence of paternity.	Discretionary	Parentage
R.C. 3111.11	Common Pleas	If court determines alleged father is not the natural father, order person to whom temporary support was paid to repay the alleged father all amounts paid for temporary support.	Mandatory	Parentage
R.C. 3111.13	Common Pleas	Order a new birth record to be issued after determining parentage under this chapter.	Discretionary	Parentage
R.C. 3111.15	Common Pleas	Order support payments made to mother, clerk of court, or agency designated to administer benefits for a child under supervision of the court.	Discretionary	Parentage
R.C. 3113.09	Common Pleas	Require trustee to enter into sufficient bond for faithful performance of duties.	Discretionary	Child Custody
R.C. 3113.31	Common Pleas	If a petition for ex parte order is filed in domestic violence action, hold an ex parte hearing on the same day the petition is filed (also other hearings required by this statute).	Mandatory	Domestic Violence
R.C. 3113.34	Probate	Collect and deposit in the county treasury a fee of \$17 for each marriage license issued.	Mandatory	Marriage
R.C. 3117.06	Common Pleas	Exclude all persons except officers and employees to the court and respondents and counsel and witnesses in conciliation proceedings which must be held in private.	Mandatory	Conciliation
R.C. 3117.06	Common Pleas	Issue a citation to a person to require them to appear at a time and place specified for conciliation proceedings.	Discretionary	Conciliation
R.C. 3117.08	Common Pleas	Transfer proceedings under this chapter to a conciliation judge.	Discretionary	Conciliation
R.C. 3119.01 <i>et seq</i>	Common Pleas	Issue a child support order addressing multiple issues and calculating multiple issues (10+ duties in the chapter on child support orders).	Mandatory	Child Custody
R.C. 3119.22	Common Pleas	Deviate from the standard schedule for child support if it determines certain interests and factors.	Discretionary	Child Custody
R.C. 3119.48	Common Pleas	Modify child support orders for a number of reasons and factors.	Discretionary	Child Custody
R.C. 3119.64	Common Pleas	Conduct a hearing in accordance with this chapter if an obligor or obligee files a request for a revised amount of child support.	Mandatory	Procedure
R.C. 3119.82	Common Pleas	Designate the parent who is entitled to claim children as dependents if the parties agree, if do not agree then court may designate parent who court determines deduction is best interest of parent to further interests of child.	Hybrid	Child Custody
R.C. 3119.92	Common Pleas	If obligor or obligee files a motion to terminate child support, set a hearing for determination.	Mandatory	Child Custody
R.C. 3121.01 <i>et seq</i>	Common Pleas	Issue various orders related to child and other support issues.	Mandatory	Support Orders
R.C. 3121.03	Common Pleas	Issue an order requiring an obligor to seek work, if they are capable, when an order is issued under the chapter.	Mandatory	Support Orders
R.C. 3121.03	Common Pleas	Require obligor to enter into cash bond with respect to support orders.	Discretionary	Support Orders
R.C. 3121.25	Common Pleas	Notify the child support enforcement agency when it issues a child support order.	Mandatory	Support Orders
R.C. 3121.381	Common Pleas	Fine a payor for failure to withhold income as required by a withholding notice.	Discretionary	Support Orders
R.C. 3121.441	Common Pleas	Permit obligor to make spousal support orders directly to the obligee.	Discretionary	Support Orders

Report & Recommendations • Supreme Court Task Force on the Funding of Ohio Courts

Citation	Type of Court or Division	Duty / Function	Discretionary / Mandatory	Category
R.C. 3123 <i>et seq</i>	Common Pleas	Various notification requirements when suspending driving privileges or putting liens on property or selling property when a person is in arrearage of support.	Mandatory	Support Orders
R.C. 3123.05	Common Pleas	Hold a hearing as soon as possible, but no later than 10 days after a motion is filed regarding a child support enforcement agency determination.	Mandatory	Support Orders
R.C. 3123.17	Common Pleas	Assess interest on arrearage of child support if it determines that the default on child support was willful.	Discretionary	Support Orders
R.C. 3123.58	Common Pleas	Grant limited driving privileges to a person whose license is suspended for support arrearage.	Discretionary	Support Orders
R.C. 3125.48	Common Pleas	Direct fine under this section to be paid to the department of job and family services.	Mandatory	Support Orders
R.C. 3125.59	Common Pleas	Issue a temporary support order within the time limits set forth in this chapter when establishment or modification of an order requires full judicial review.	Mandatory	Support Orders
R.C. 3127.09	Common Pleas	Give parties an opportunity to communicate with another court when custody proceeding is ongoing in that court and the court is communicating with the non-Ohio court.	Discretionary	Child Custody
R.C. 3127.11	Common Pleas	Assess travel expenses when dealing with requests to or from a non-Ohio Court.	Discretionary	Child Custody
R.C. 3127.21	Common Pleas	Allow parties to submit information regarding forum non conveniens issues and child custody.	Mandatory	Child Custody
R.C. 3127.24	Common Pleas	Order any party to a child custody proceeding who is in the state to appear personally before the court.	Discretionary	Child Custody
R.C. 3127.31	Common Pleas	Immediately communicate with juvenile court of this state or other state if it determines modification of custody proceeding is pending in that court.	Mandatory	Child Custody
R.C. 3127.40	Common Pleas	Upon finding a petitioner is entitled to custody of child, order that the petitioner may take immediate custody.	Mandatory	Child Custody

APPENDIX B

STRUCTURE OF THE OHIO JUDICIAL SYSTEM

I. Overview

Article IV, Section 1 of the Ohio Constitution vests judicial power in the Supreme Court, the courts of appeals, the courts of common pleas, and “any other such courts inferior to the Supreme Court as may from time to time be established by law.” Accordingly, in addition to the courts specifically created by the Ohio Constitution, the Ohio judicial system consists of those courts established by the General Assembly: municipal courts, county courts, mayor’s courts,³⁸ and the Court of Claims.

The courts are essentially organized into three levels. A variety of trial courts operate at the vanguard by being the first, and usually the only court, to hear the vast majority of the roughly three million cases filed each year in Ohio’s court system. The regionally-distributed set of intermediate appellate courts hears appeals from decisions arising from the trial courts as well as a small number of special types of cases. As the state’s court of last resort, the Supreme Court chiefly hears constitutional questions and questions of public or great general interest.

However, as discussed in further detail below, the foregoing general description of the three basic levels of courts belies the tremendous degree of variability that exists across the state, especially in how individual trial courts are structured and in how courts administer operations. This highly variable structure of Ohio’s judicial system at the local trial court level is a reflection of the state’s rich home-rule tradition manifested in the laws governing court structure as enacted by the General Assembly over the state’s history.

II. Courts of Common Pleas

A. Establishment, judges, territorial jurisdiction, and subject matter jurisdiction

The courts of common pleas, the only constitutionally created trial courts, are established by Article IV, Section 1 of the Ohio Constitution. A court of common pleas is established in each of the 88 counties and has territorial jurisdiction over the county in which it is located. The number of judges on a court of common pleas, which currently ranges from one to 47, is legislatively set.³⁹

³⁸ Mayor’s courts are not courts of record and are not considered part of the judicial branch of Ohio government. Still, pursuant to R.C. 1905.033(B) they must file statistics quarterly and annually with the Supreme Court. Additionally, at the request of the General Assembly, the Supreme Court has adopted rules providing for court procedures and basic legal education for mayors (see R.C. 1905.031(A) and the Supreme Court’s Mayor’s Court Education and Procedure rules).

³⁹ R.C. 2301.02

The courts of common pleas are considered courts of general jurisdiction, with authority to hear virtually all types of cases and matters presented for adjudication, specifically: civil, criminal, domestic relations, juvenile, and probate cases.⁴⁰

B. Divisions

Article IV, Section 4(A) of the Ohio Constitution provides that divisions of the courts of common pleas may be established by law. In general, those divisions will be drawn along subject matter jurisdictional lines. Because the divisional structure in each county's court of common pleas is subject to the General Assembly's discretion, there are various divisional configurations found in the courts of common pleas across the state. There can be up to four separate divisions. In a fully-separated divisional configuration (which only exists in five counties), the divisional breakdown appears as follows:⁴¹

- *General Division* - The general division has original jurisdiction in all criminal felony cases and in all civil cases in which the amount in controversy is more than \$15,000. General divisions also have appellate jurisdiction over the decisions of some state administrative agencies.
- *Domestic Relations Division* - The domestic relations division has jurisdiction over all proceedings involving divorce or dissolution of marriages, annulment, legal separation, spousal support, and allocation of parental rights and responsibilities for the care of children.
- *Juvenile Division* - The juvenile division hears cases involving persons under 18 years of age who are charged with acts that would be crimes if committed by an adult. It also hears cases involving unruly, dependent, and neglected children. A juvenile division has jurisdiction in adult cases involving paternity, child abuse, nonsupport, contributing to the delinquency of minors, and the failure to send children to school.
- *Probate Division* - The Ohio Constitution of 1851 provided that probate courts were to be established as separate independent courts with jurisdiction over the probate of wills and supervision of the administration of estates and guardianships. In 1968, under the Modern Courts Amendment of the Ohio Constitution, the probate courts became divisions of the courts of common pleas. The probate division also has jurisdiction over the issuance of marriage licenses, adoption proceedings, determination of sanity or mental competency, and certain eminent domain

⁴⁰ R.C. 2305.01

⁴¹ Under the Ohio Constitution and Revised Code, the proper term for each of these is a "division." However, it is common for a division to be publicly referred to or known as a "court." As a result, one will often see references to a "domestic relations court," "juvenile court," or "probate court."

proceedings. Probate judges can perform marriages and may charge a fee for the service.

When naming and describing the organizational and divisional structure of the courts of common pleas, no single taxonomic system prevails. That fact, coupled with the variety of divisional configurations seen among the courts, creates challenges in describing and analyzing the work of the courts of common pleas and in making meaningful comparisons between counties. Under the current statutes, there are eight types of common pleas divisional configuration schemes in place across Ohio, ranging from no divisions up to four divisions. The table below displays the various configurations, sorted from high to low by the number of counties which contain each configuration.

Divisional Configuration	Divisions	Counties	Judges
General and DR; Probate and Juvenile	2	53	125
General; DR; Probate; Juvenile	4	10	151
General; DR; Probate and Juvenile	3	9	40
No divisions	0	5	6
General; DR and Juvenile; Probate	3	5	54
General; DR, Probate, and Juvenile	2	4	12
General and Probate; DR and Juvenile	2	1	2
General, DR, and Probate; Juvenile	2	1	4
TOTAL		88	394

The divisional configurations correlate loosely with factors such as populations served or overall caseloads. For example, one might suspect that standalone general divisions would exist in more heavily populated counties. While that is true, a number of mid-sized and smaller counties, such as Auglaize, Champaign, Logan, and Marion counties, serve populations under 70,000 persons and have standalone general divisions.

The most common divisional configuration, seen in 53 counties, is a combined general and domestic relations division coupled with a combined probate and juvenile division. Among those counties, they range in populations served from a low of nearly 13,000 persons in Vinton County to a high of over 174,000 persons in Delaware County. Among the 60 counties in Ohio with populations under 100,000, the majority (47 counties or 78%) have this particular configuration. Among Ohio’s ten most populous counties, seven have fully divided court of common pleas configurations. The remaining three counties have standalone general and probate divisions alongside combined domestic relations and juvenile divisions.⁴²

⁴² Another complication surrounding the nature of the jurisdictional differences between court of common pleas divisions is found in cases involving the allocation of parental rights and responsibilities and related matters. In most counties where juvenile jurisdiction is separate from domestic relations jurisdiction, each of those respective divisions hears cases involving paternity, custody, visitation, child support, and the allocation of parental rights and responsibilities for the care of children. The only difference between them is whether the children were born to either married or unmarried persons. When the children were born to married persons, the domestic relations division, through its jurisdiction to decide all issues surrounding the cessation of marriages, will hear the cases. When the children were born to unmarried persons, the juvenile division traditionally will hear the cases.

Finally, two provisions of the Ohio Constitution bear mention although they remain unexercised. Article IV, Section 4(A) provides for a mechanism by which the legislature could permit two or more counties to be combined into common pleas districts having one or more resident judges who would serve the court of common pleas of all counties in the district. In addition, Article IV, Section 23 provides for a means to have the same judge serve simultaneously on both the court of common pleas and a limited jurisdiction court in counties of less than 40,000 persons, of which there are currently 24. These provisions have been in place since 1968 and 1965, respectively, but neither has been implemented.

III. Municipal and County Courts

A. Establishment

In addition to the courts of common pleas, Article IV, Section 1 of the Ohio Constitution provides for “courts inferior to the Supreme Court as may from time to time be established by law.” Pursuant to this authority, the General Assembly has adopted R.C. Chapters 1901 and 1907 establishing Ohio’s municipal and county courts.

B. Judges

The number of judges on a municipal or county court is legislatively set. For municipal courts, the number of judges ranges from one to 14, with some judges serving full-time while others serving part-time.⁴³ For county courts, the number of judges ranges from one to four, with all judges serving part-time.⁴⁴

C. Subject matter jurisdiction

The subject-matter jurisdiction of municipal and county courts is nearly identical. In terms of criminal jurisdiction, both municipal and county courts have the authority to conduct preliminary hearings in felony cases, and both have jurisdiction over traffic and non-traffic misdemeanors.⁴⁵

With regard to civil matters, county courts have exclusive original jurisdiction in civil actions for the recovery of sums not exceeding \$5,000. Municipal courts do not share that exclusive original

However, under R.C. 2301.03, the domestic relations divisions of several counties’ courts of common pleas are accorded expanded jurisdiction in which the division has exclusive jurisdiction over all cases involving questions of paternity, custody, visitation, child support, and the allocation of parental rights and responsibilities for the care of children regardless of whether those matters arise in marriage terminations, post-decree proceedings, or involve children born between unmarried persons. Accordingly, when comparing the work performed in the various family law divisions across the courts of common pleas, care must be taken to account for these important jurisdictional differences which are not reflected in the divisional structure or the names of the divisions.

⁴³ R.C. 1901.08

⁴⁴ R.C. 1907.11(A)

⁴⁵ R.C. 1901.18 through 1901.20, 1907.012, 1907.02, 1907.031, 1907.032, and 1907.05 through 1907.10

jurisdiction. If a county does not have a county court, then the court of common pleas and the municipal court within that county have concurrent jurisdiction over civil matters in which the amount in controversy is equal to or less than \$15,000. Once that amount is exceeded, only the court of common pleas has jurisdiction.⁴⁶

D. Territorial jurisdiction

Generally, each municipal court has territorial jurisdiction within the corporate limits of its respective municipal corporation,⁴⁷ while a county court's territory is, by default, any territory within a county not subject to the territorial jurisdiction of a municipal court.⁴⁸ However, because municipal and county courts' territorial jurisdictions are interrelated and statutorily set, the General Assembly has provided for numerous variations of the territorial jurisdiction for both municipal and county courts.

First, municipal court territorial jurisdictions are not necessarily coextensive with the boundaries of the municipalities in which the courts are sited. For example, the Akron Municipal Court has jurisdiction not only within Akron, the municipal corporation in which it is sited, but also within Bath, Richfield, and Springfield townships and within the municipal corporations of Fairlawn, Lakemore, and Mogadore in Summit County.⁴⁹ Additionally, a court's territorial jurisdiction may not coincide with boundaries of the political subdivisions within the court's jurisdiction. For example, the Sylvania Municipal Court has jurisdiction within the municipal corporations of Berkey and Holland, within Sylvania, Richfield, Spencer, and Harding townships, and within those portions of Swanton, Monclova, and Springfield townships *lying north of the northerly boundary line of the Ohio turnpike, in Lucas County*.⁵⁰

The territorial jurisdiction for county courts is also more complex than the statute would indicate. As noted, a county court's territorial jurisdiction is that portion within a county not within the territorial jurisdiction of a municipal court.⁵¹ In 66 counties, the General Assembly has established one or more municipal courts with jurisdiction that include the entire county. Thus, there are only 22 counties that have a county court.

The territorial jurisdiction for the courts is also complicated by the existence of multiple sites for both municipal and county courts. The sole municipal court in Portage County, the Portage County Municipal Court, has two sites specifically designated by statute, one in Ravenna and the other in Kent.⁵² Likewise, the sole municipal court in Seneca County, the Tiffin-Fostoria Municipal Court,

⁴⁶ R.C. 1901.17 and 1907.03

⁴⁷ R.C. 1901.02

⁴⁸ R.C. 1907.01

⁴⁹ R.C. 1901.02(B)

⁵⁰ R.C. 1901.02(B)

⁵¹ R.C. 1907.01

⁵² R.C. 1901.021(C)

is sited in Tiffin but required under the statute to have a second facility in Fostoria.⁵³ And of the 22 county courts, eight have exercised their statutory authority to establish separate areas of territorial jurisdiction within their respective districts, areas which in many respects operate independently as separate courts.⁵⁴

E. Divisions

The legislature has established divisions within three municipal courts. The housing divisions of the Toledo Municipal Court and the Cleveland Municipal Court and the environmental division of the Franklin County Municipal Court have jurisdiction over certain specified criminal matters involving housing and neighborhood safety-related issues as well as jurisdiction over certain specified civil matters including, for example, landlord-tenant disputes.⁵⁵

F. Arrangement of municipal and county courts within the counties

Because of the highly varied nature of how municipal and county courts are structured and operate within their jurisdictions, even the seemingly simple task of providing a count of the number of municipal and county courts in Ohio is not without complication. By counting each area court within a county court, the Portage County Municipal Court's two sites, and the Tiffin-Fostoria Municipal Court's two sites, and the three specialized divisions of the Cleveland Municipal Court, Franklin County Municipal Court, and Toledo Municipal Court as separate courts, one arrives at a count of 165 limited jurisdiction trial courts. A total of 26 counties contain at least two limited jurisdiction trial courts, and 14 contain at least three. Cuyahoga County leads the state with 13 municipal courts.

Among Ohio's lesser-populated counties, there is a degree of consistency. Sixty of Ohio's 88 counties have populations under 100,000 persons. Among those counties, the general organizational pattern is for there to be either a single municipal court (41 counties) or a single-sited county court (ten counties). The remaining nine counties have some combination of multiple municipal courts, multiple-sited county courts, or some mix of both.

Ohio's most populated counties do not exhibit similar correlation. In the state's ten most populous counties, six contain more than one municipal court (Cuyahoga, Lorain, Lucas, Montgomery, Stark, and Summit counties), two contain a single municipal court (Franklin and Hamilton counties), and two contain a mix of both county courts and municipal courts (Butler and Mahoning counties). Notably, in both Butler and Mahoning Counties, which contain a mix of court types, the county courts have established areas of separate jurisdiction within their respective districts. Accordingly, in Butler County, there are three municipal courts and three areas in the county court's district. In Mahoning County, there are three municipal courts and four areas in the county

⁵³ R.C. 1901.021(N)

⁵⁴ R.C. 1907.15

⁵⁵ R.C. 1901.051

court’s district. Stark contrast can be seen in the municipal court organizational structures among the state’s three largest counties. Cuyahoga County contains 13 municipal courts. Franklin and Hamilton counties each contain only a single municipal court.

IV. The Court of Claims

Pursuant to its authority under Article IV, Section 1 of the Ohio Constitution to establish “courts inferior to the Supreme Court,” the General Assembly has adopted R.C. Chapter 2743 establishing the Court of Claims. The Court of Claims has original jurisdiction to hear and determine all civil actions filed against the state of Ohio and its agencies.⁵⁶ Subject to limited exceptions, the Chief Justice assigns sitting and retired judges to hear such cases.⁵⁷ In almost every instance, a single judge will hear a case, but the Chief Justice may assign a panel of three judges to a civil action that presents novel or complex issues of law and fact.⁵⁸

V. Courts of Appeals

A. Establishment and judges

Article IV, Section 3 of the Ohio Constitution provides that the state be divided into “compact appellate districts in each of which there shall be a court of appeals consisting of three judges.” It also provides, “Laws may be passed increasing the number of judges in any district wherein the volume of business may require such additional judge or judges.” Pursuant to this authority, the General Assembly has expanded the number of judges for each appellate district to the following totals:

COURTS OF APPEALS JUDGESHIPS	
Appellate District	Number of Judges
First ⁵⁹	6
Second ⁶⁰	5
Third ⁶¹	4
Fourth ⁶²	4
Fifth ⁶³	6

⁵⁶ R.C. 2743.03(A)

⁵⁷ R.C. 2743.03(B)

⁵⁸ R.C. 2743.03(C)(1)

⁵⁹ R.C. 2501.013(A)

⁶⁰ R.C. 2501.013(B)

⁶¹ R.C. 2501.013(C)

⁶² R.C. 2501.013(D)

⁶³ R.C. 2501.011(A)

COURTS OF APPEALS JUDGESHIPS

Appellate District	Number of Judges
Sixth ⁶⁴	5
Seventh ⁶⁵	4
Eighth ⁶⁶	12
Ninth ⁶⁷	5
Tenth ⁶⁸	8
Eleventh ⁶⁹	5
Twelfth ⁷⁰	5

B. Subject matter jurisdiction

The courts of appeals have appellate jurisdiction over the trial courts within their district. Additionally, the courts of appeals have original jurisdiction to hear applications for writs of habeas corpus, mandamus, procedendo, prohibition, and quo warranto.⁷¹ Finally, the Tenth District Court of Appeals in Franklin County also hears appeals from the Ohio Court of Claims.

C. Territorial jurisdiction

At present, the Revised Code establishes 12 appellate districts. The district boundaries are drawn upon county lines. The number of counties per district ranges from a low of one in the First, Eighth, and Tenth Districts, to a high of 17 in the Third District.

Significant operational differences exist between those districts which cover a single county and those which cover a collection of counties. Single-county districts function exclusively out of a single location, with all filings and oral arguments taking place within the same facility. Generally, the judges and the court staff will have their offices at that same location. The multiple-county districts on the other hand operate in different ways, depending on the judges’ discretion. For example, the four judges in the Fourth District each have their personal offices in three separate cities spanning the district, with a judge in Chillicothe, a judge in Athens, and the remaining two judges in Portsmouth. Oral arguments in the Fourth District take place at various locations across the district, as is the case with the other districts, although the extent to which the various appellate court judges travel for oral arguments throughout their districts is variable and depends entirely on each district’s practices.

⁶⁴ R.C. 2501.011(B)

⁶⁵ R.C. 2501.011(C)

⁶⁶ R.C. 2501.012(A)

⁶⁷ R.C. 2501.012(B)

⁶⁸ R.C. 2501.012(C)

⁶⁹ R.C. 2501.012(D)

⁷⁰ R.C. 2501.012(E)

⁷¹ Article IV, Section 3(B) of the Ohio Constitution and R.C. 2501.02

VI. Supreme Court

The Supreme Court is established by Article IV, Section 1 of the Ohio Constitution and consists of the Chief Justice and six other justices.⁷² It is the court of last resort for virtually all justiciable matters in Ohio. While some decisions of the Supreme Court are appealable to the Supreme Court of the United States, the extent to which that happens is exceedingly rare. The Supreme Court sits in Columbus and hears most oral arguments within the Thomas J. Moyer Ohio Judicial Center. Ordinarily, twice a year the justices will travel to hear oral arguments at various off-site locations, commonly in one of Ohio's many historic county courthouses or other more spacious facilities in order to permit large numbers of the public to observe the court in action.

VII. Clerks of Court

A. Overview

Under Ohio's statutory framework, all courts have a formal position of a clerk of court who is responsible for maintaining the integrity of the courts' records. Courts of record speak through their records. For that reason, along with other obvious practical reasons, well-maintained court records are absolutely essential to the proper administration of justice. Clerks of court have various other prescribed duties, including collecting money paid by court users and issuing summonses, subpoenas, warrants, and other forms of service of process, among others.

B. Courts of common pleas

Perhaps not surprising is the highly variable nature of how clerks are associated with the various different types of courts across Ohio. Within the courts of common pleas, as a general rule, subject to a number of statutory exceptions, the clerk of the court is elected.⁷³ Probate judges and juvenile judges serve as their own clerks.⁷⁴ However, upon agreement of the clerk and the judges, the county clerks generally can serve as the clerks of the general and domestic relations divisions of the courts of common pleas in their counties.⁷⁵ Exceptions to the foregoing rules-of-thumb for the courts of common pleas exist depending on the particular configuration of the divisions with the courts.

For courts of common pleas with certain divisional configurations, the alignment of the clerking operations is sometimes at odds with the way the divisions are organized. For example, domestic relations and juvenile jurisdiction in the Lorain County Court of Common Pleas are combined. The three judgeships in that division hear all types of non-probate family law-related cases. However, the county clerk is the clerk for the domestic relations portion of that docket, and the

⁷² R.C. 2503.01

⁷³ R.C. 2303.01

⁷⁴ R.C. 2101.11(A)(1) and 2151.12(C)

⁷⁵ R.C. 2151.12

judges serve as the clerk for the juvenile portion of that docket. Each of those two clerking operations employ a separate case management system that are for all intents and purposes disconnected, despite the fact that the judges are responsible for all the various case types at issue.

C. County courts

In some counties, the elected county clerk also serves as the clerk in municipal and county courts. In 12 of Ohio's 22 county courts, the county clerk is the county court clerk. The remaining ten county courts in concert with their boards of county commissioners have exercised their discretion under the statutes instead to have the commissioners appoint clerks of court dedicated to those county courts.⁷⁶

D. Municipal courts

The establishment of clerks for Ohio's municipal courts is also quite variable. Subject to some exceptions, the rule-of-thumb is for municipal courts with populations under 100,000 persons to have a clerk who is appointed by the judges of the court. The clerk in municipal courts with populations of 100,000 or more is elected by the voters in those courts' territories. The statutes provide for the clerks of 11 municipal courts (ranging in populations served from slightly below 35,000 to more than 800,000 persons) to be the county clerk.⁷⁷

E. Courts of appeals

The clerk operations of the courts of appeals are performed by the clerks of the courts whose territories lie within the jurisdiction of the counties constituting each appellate district.⁷⁸

F. Supreme Court and Court of Claims

The Clerk of the Supreme Court and the Clerk of the Court of Claims serve at the pleasure of the Supreme Court.⁷⁹

⁷⁶ R.C. 1907.20

⁷⁷ R.C. 1901.31

⁷⁸ R.C. 2303.03

⁷⁹ R.C. 2503.05



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