

THE SUPREME COURT *of* OHIO

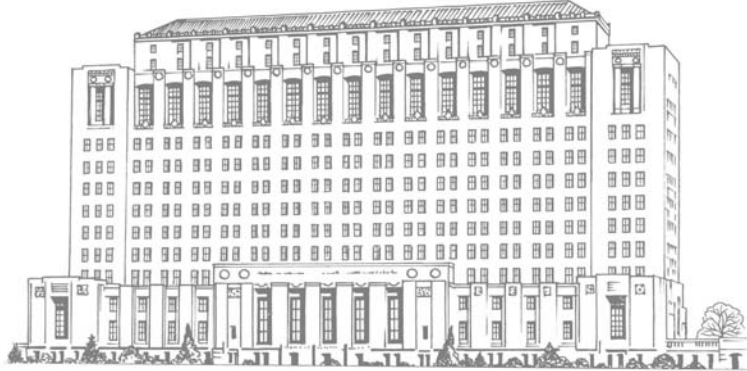
# Ohio Courts Summary



2004



THE SUPREME COURT *of* OHIO  
2004  
OHIO COURTS SUMMARY



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*On the Cover:*

Van Wert County Courthouse, Van Wert.  
Detail of the Mercer County Courthouse cupola, Celina.

Dear Fellow Ohioans:

May 2005

The Supreme Court of Ohio is pleased to issue the 48<sup>th</sup> edition of the *Ohio Courts Summary*, which provides a statistical picture of the Ohio court system. The 2004 *Ohio Courts Summary* provides a valuable overview of the work of Ohio's courts.

A total of 3,077,361 cases were filed in Ohio courts in 2004: 2,178 in the Supreme Court; 10,713 in the courts of appeals; 216,020 in the courts of common pleas, general division; 80,389 in the domestic relations courts; 94,996 in the probate courts; 254,506 in the juvenile courts; 2,211,078 in the municipal courts; 206,457 in the county courts; and 1,024 in the Ohio Court of Claims.

Statewide the total filings decreased by 8 percent from the previous year. The last time new case filings were this low was in 1995 with 3,023,722 filings. The most significant decrease in new case filings was experienced in the municipal and county courts. Municipal courts experienced a 9 percent decrease in filings and the county courts experienced a 19 percent drop in filings. The juvenile division of the courts of common pleas continued to experience a decrease in new case filings. Juvenile filings dropped by 4 percent. The filings in the other divisions of the courts of common pleas remained steady. Other notable changes from the previous year include:

Common Pleas Court, Domestic Relations Division

- 8 percent increase in domestic violence filings

Common Pleas Court, Juvenile Division

- 10 percent increase in change of custody/visitation filings
- 10 percent increase in support enforcement/modification filings

Municipal Court

- 4 percent decrease in O.V.I. filings
- 18 percent decrease in other traffic filings
- 15 percent decrease in personal injury and property damage filings
- 8 percent increase in other civil filings

County Court

- 7 percent increase in felony filings
- 6 percent decrease in O.V.I. filings
- 27 percent decrease in other traffic filings

The *Ohio Courts Summary* will be useful to the bench, the bar, court personnel and others involved in Ohio's judicial system. It also will inform Ohioans as to how their court system is serving them.

The *Ohio Courts Summary* is a reflection of the dedication and commitment of our judges and court personnel. We appreciate their assistance in preparing this report. Together, we will continue to maintain excellence in the administration of justice in Ohio.



Thomas J. Moyer

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# Section A

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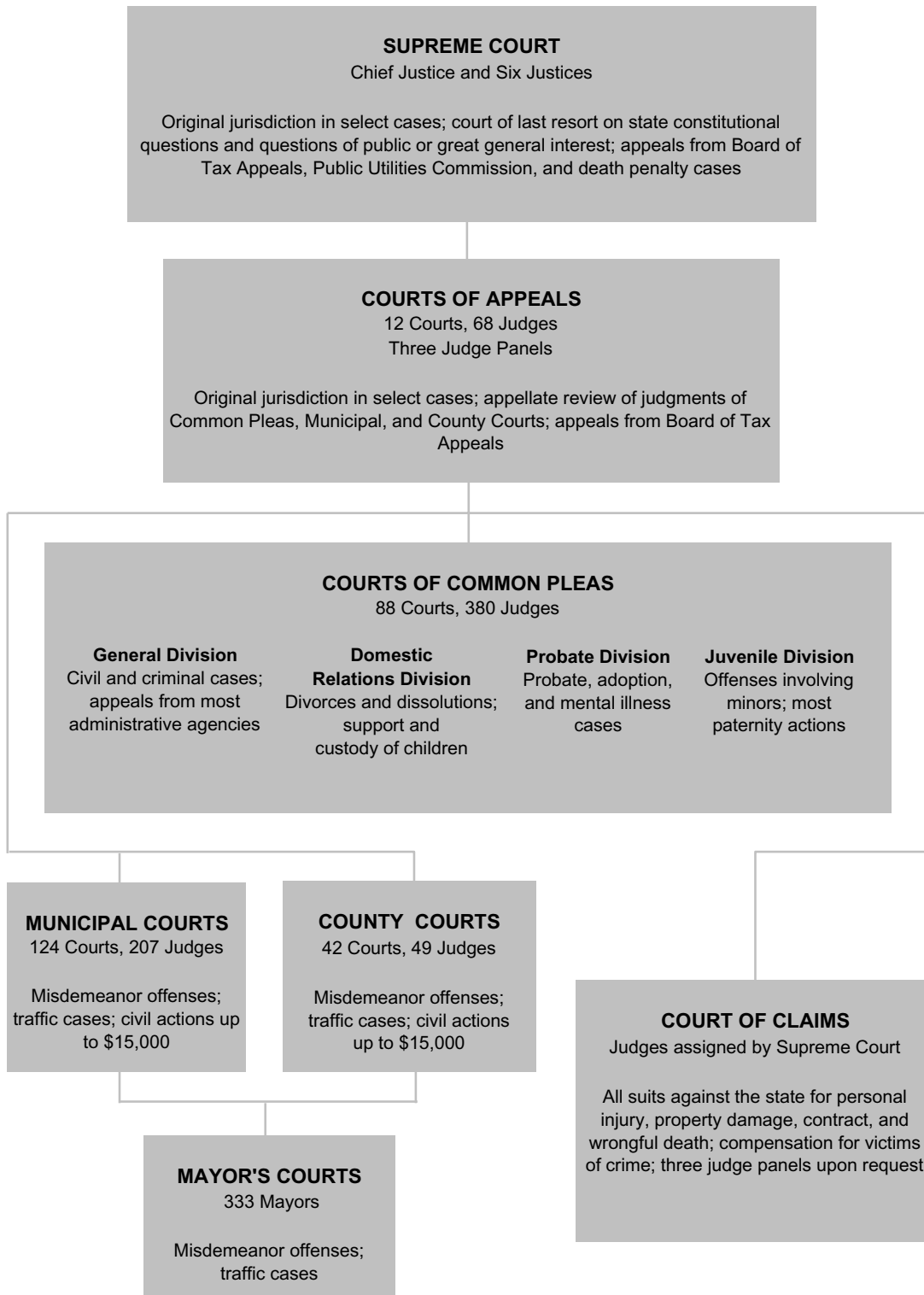
## Ohio Courts



Hancock County Courthouse  
Findlay

# STRUCTURE OF THE OHIO JUDICIAL SYSTEM

## 2004



## THE SUPREME COURT OF OHIO

The Supreme Court of Ohio is established by Article IV, Section 1, of the Ohio Constitution, which provides that “the judicial power of the state is vested in a Supreme Court, Courts of Appeals, Courts of Common Pleas and divisions thereof, and such other courts inferior to the Supreme Court as may from time to time be established by law.”

Article IV, Section 2, of the Constitution sets the size of the court at seven –a chief justice and six justices –and outlines the jurisdiction of the court.

The Supreme Court is the court of last resort in Ohio. Most of its cases are appeals from the 12 district courts of appeals. The court may grant leave to appeal criminal cases from the courts of appeals and may direct any court of appeals to certify its record on civil cases that are found to be “cases of public or great interest.”

The court must accept appeals of cases that originated in the courts of appeals; cases involving the death penalty; cases involving questions arising under the U.S. Constitution or the Ohio Constitution; and cases in which there have been conflicting opinions from two or more courts of appeals. The court must also accept appeals from such administrative bodies as the Board of Tax Appeals and the Public Utilities Commission.

The court has original jurisdiction for certain special remedies that permit a person to file an action in the Supreme Court. These extraordinary remedies include writs of habeas corpus (involving the release of persons allegedly unlawfully imprisoned or committed), writs of mandamus and procedendo (ordering a public official to do a required act), writs of prohibition (ordering a lower court to cease an unlawful act), and writs of quo warranto (against a person or corporation for usurpation, misuse or abuse of public office or corporate office or franchise).

The Supreme Court makes rules governing practice and procedure in Ohio’s courts. Procedural rules adopted by the Supreme Court become effective unless both houses of the General Assembly adopt a concurrent resolution of disapproval. The Supreme Court also exercises general superintendence over all state courts through its rule-making authority. The rules of superintendence set minimum standards for court administration. Unlike procedural rules, rules of superintendence do not have to be submitted to the General Assembly to become effective.

The chief justice assigns judges to courts for temporary duty in cases of a court overload, where a judge has been removed from a case because of an affidavit of disqualification, or where a judge has recused himself or herself from a particular case.

The court has authority over the admission of attorneys to the practice of law in Ohio and may discipline admitted attorneys who violate the rules governing the practice of law.

The chief justice and six justices are elected to six-year terms on a nonpartisan ballot. Two justices are chosen at the general election in even-numbered years. In the year when the chief justice runs, voters pick three members of the court. A person must be an attorney with at least six years of experience in the practice of law to be elected or appointed to the court. Appointments are made by the governor for vacancies that occur between elections.

## **COURTS OF APPEALS**

The courts of appeals are established by Article IV, Section 1, of the Ohio Constitution and their jurisdiction is outlined in Article IV, Section 3. As the intermediate level appellate courts, their primary function is to hear appeals from the common pleas, municipal and county courts. Each case is heard and decided by a three-judge panel.

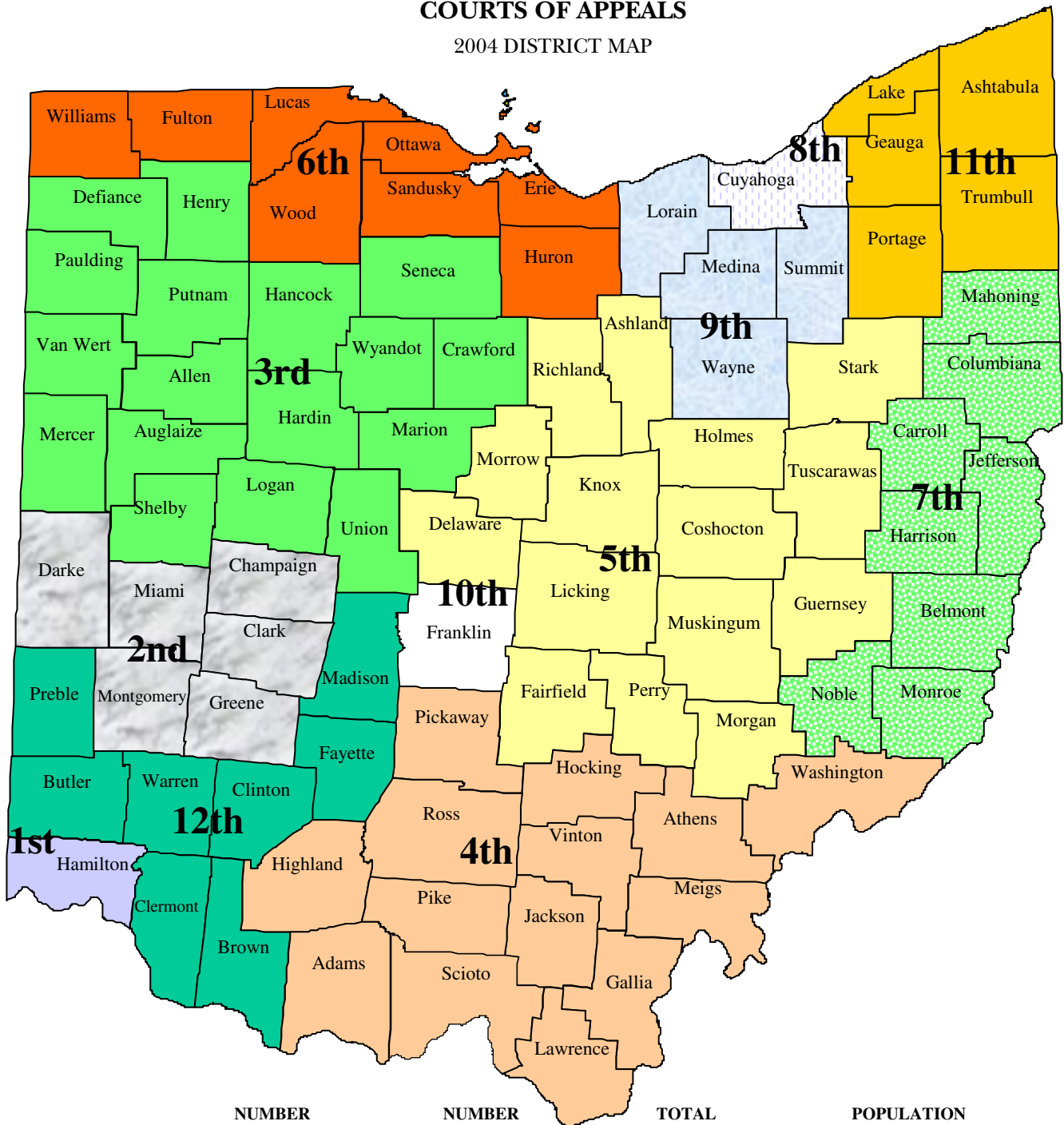
The state is divided into 12 appellate districts, each of which is served by a court of appeals that sits in each of the counties in the district. The number of judges in each district depends on a variety of factors, including the district's population and the court's caseload. Each district has a minimum of three appellate judges. Appeals court judges are elected to six-year terms in even-numbered years. They must have been admitted to the practice of law in Ohio six years preceding commencement of the term.

In addition to their appellate jurisdiction, the courts of appeals have original jurisdiction, as does the Supreme Court, to hear applications for writs of habeas corpus, mandamus, procedendo, prohibition and quo warranto. The 10<sup>th</sup> District Court of Appeals in Franklin County also hears appeals from the Ohio Court of Claims.

In 2004, there were 68 court of appeals judges. Court of appeals judges are elected in even-numbered years to six-year terms on a nonpartisan ballot. Appellate judges must be attorneys with at least six years of experience in the practice of law. The Governor makes appointments to fill vacancies in courts of appeals that occur between elections.

# COURTS OF APPEALS

## 2004 DISTRICT MAP



<u>DISTRICT</u>	<u>NUMBER OF JUDGES</u>	<u>NUMBER OF COUNTIES</u>	<u>TOTAL POPULATION</u>	<u>POPULATION PER JUDGE</u>
FIRST	6	1	845,303	140,884
SECOND	5	6	1,042,757	208,551
THIRD	4	17	782,234	195,559
FOURTH	4	14	616,789	154,197
FIFTH	6	15	1,364,704	227,451
SIXTH	5	8	899,206	179,841
SEVENTH	4	8	587,680	146,920
EIGHTH	12	1	1,393,978	116,165
NINTH	5	4	1,090,222	218,044
TENTH	8	1	1,068,978	133,622
ELEVENTH	5	5	798,311	159,662
TWELFTH	<u>4</u>	<u>8</u>	<u>862,978</u>	<u>215,745</u>
	68	88	11,353,140	166,957