

Report & Recommendations

*For the City of Franklin, Ohio, Regarding the Franklin
Municipal Court*

FINAL REPORT | JANUARY 2026

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NCSC

About NCSC

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The National Center for State Courts is a community of dedicated researchers, consultants, and former practitioners who drive innovation and progress in courts and justice systems. NCSC's reputation for trusted leadership allows us to work alongside top judicial officers to examine some of the most complex and significant issues facing society. Our team of experts and court leaders is deeply committed to advancing just, free, and safe communities.

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Project Summary

The City of Franklin, Ohio (City) contacted the National Center for State Courts (NCSC) to conduct an assessment of the Franklin Municipal Court (Court) to assess the daily case volume and to evaluate whether existing territorial boundaries of the Court should be served by a full-time court rather than the existing part-time court. To carry out this assessment, the City asked NCSC to evaluate case types and volume, case-related data on clearance rates and time to disposition, and case aging reports. In addition to reviewing filing data, the City also requested that NCSC interview key stakeholders and review statutes and the state of Ohio's time standards for court case disposition, and make a recommendation to the City as to whether a full-time judge is needed to handle the volume of cases. The City further instructed that the recommendation should be based solely on the time standards and whether the Court meets the standards.

The NCSC project team has conducted its review of available court data and interviewed key Court and City stakeholders, and recommends that the existing part-time court structure can continue to adequately serve the territorial boundaries of the Franklin Municipal Court. The following report contains the methodology and reasoning for this recommendation.

Background

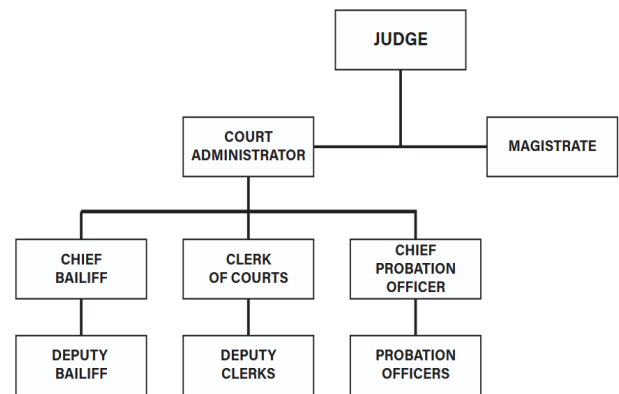
Court Jurisdiction and Personnel

Pursuant to section 1901.08 of the Ohio Revised Code, the Franklin Municipal Court, within the county of Warren, is designated as a part-time court as authorized by the Ohio General Assembly.^{1, 2}

The Court hears all misdemeanor traffic, civil, and criminal violations occurring within its jurisdiction, which includes the City of Franklin, Ohio; the City of Carlisle, Ohio (for matters not heard by the Carlisle Mayors Court), and Franklin Township. This includes citations and complaints pursuant to the Ohio Revised Code and local ordinances of the Cities of Franklin and Carlisle. The Court serves a population of 30,155, with population growth projected to continue, though at a lower rate than the double-digit growth rate seen by Warren County from 1960 to 2020.³

The Court employs a part-time judge and other full-time staff, including a magistrate, Court Administrator, Clerk of Court, six Deputy Clerks of Court, three Probation Officers, a Chief Bailiff, and a Deputy Bailiff.⁴ All traffic and criminal matters are assigned to the judge, and civil and small claims cases are assigned to the magistrate. In the event of objections to a magistrate's decision, the matter is decided by the judge. The magistrate also performs research on behalf of the Court for policy matters and legal issues.

FIGURE 1.
Franklin Municipal Court Organization Chart



The Court does not have a Certified Specialty Docket like some courts in Ohio, but does have an Intensive Supervised Probation docket that includes treatment for individuals who may have substance abuse issues and, occasionally, individuals who may need mental health services. The Intensive Supervised Probation docket is conducted much like a Certified Specialty Docket⁵ in that:

- The magistrate presides over weekly or semi-weekly meetings with those on Intensive Supervised Probation.
- The meetings are attended by a representative of the Talbert House, which provides services to the defendants for addiction and mental health-related issues, and by probation staff.

¹ Section 1901.08 Election of judges. Ohio Revised Code <https://codes.ohio.gov/ohio-revised-code/section-1901.08>

² Municipal judgeships are set and defined in section 1901.08 of the Ohio Revised Code. Additions and/or changes to judgeships require legislative action by the Ohio General Assembly to amend section 1901.08 of the Ohio Revised Code.

³ Population and projection data from the Ohio Department of Development, which can be located at <https://development.ohio.gov/home>. This data was also referenced in an analysis by the Ohio Supreme Court Office of the Administrative Director which was provided by the City to NCSC.

⁴ [Franklin Municipal Court \(FMC\) Annual Report 2023](#)

⁵ Though it does not have a formal specialty docket, the Court states that its intensive supervised probation is commonly referred to as its 'Drug Court'.

- Non-compliance with the program is referred to the judge for consideration of sanctions, termination of probation, or other modifications of the sentence.

Individuals are typically placed in Intensive Supervised Probation for a period of 3 years. If a person completes Intensive Supervised Probation, they are typically stepped down to non-reporting probation for 6 months or until the end of the court-ordered probation period.

Case Scheduling

The Court is open Monday through Friday from 8:30 am to 4:30 pm.⁷ The Court holds arraignments and hearings on Mondays, Tuesdays, and Fridays, reserving Thursdays for lengthy trials or hearings. On Wednesdays, the magistrate hears small claims and civil matters. Cases are scheduled for hearings by Court staff or the judge and are handled individually [manually]. It is not unusual for multiple trials and hearings to be scheduled in a single afternoon. From the materials submitted by the Court and City of Franklin, it is unclear when the Intensive Supervised Probation program, overseen primarily by the magistrate, is held. Weddings are conducted by the Court on Tuesdays and Fridays. However, the license must first be obtained at the Probate Court in Lebanon, Ohio.

TABLE 1.
General Weekly Schedule of Franklin Municipal Court

Monday	8:15am	Video arraignments for incarcerated individuals.
Tuesday	11:30am	Weddings ⁶
	11:45am	Arraignment of incarcerated individuals.
	12:00pm	Dispositions.
	1:00pm	First appearance docket for criminal and traffic matters.
	2:00pm	Contested matters including trials or preliminary hearing.
Wednesday	--	Small Claims, civil docket.
Thursday		Lengthy bench trials or motions requiring significant time.
Friday	11:30am	Weddings
	11:45am	Arraignment of incarcerated individuals.
	12:00pm	Dispositions.
	1:00pm	First appearance docket for criminal and traffic matters.
	2:00pm	Contested matters including trials or preliminary hearing.

Case Management

The Court uses CourtView for its case management software or electronic case management system (CMS). The CMS is not equipped to permit electronic filing; however, the Court does accept filings via email to comply with the Rules of Superintendence for the Courts of Ohio.⁸ Law enforcement is not required to use E-citations, but is encouraged to do so. The Ohio State Patrol uses E-citations, but the Franklin Police Department, Warren County Sheriff’s Office, and Carlisle Police Department do not. Search warrants and arrest warrants are submitted and executed electronically, and felony cases bound over from the Warren County Common Pleas Court are also submitted electronically.

Previous Court Services Studies

As part of their research, the project team referenced previous studies on the provision of court services in Warren County and/or the City of Franklin. The Court provided a 2025 analysis by the Office of Court Services of the Supreme Court of Ohio on the proposal to convert the Franklin Municipal Court’s

⁶ It is unclear if both the judge and magistrate conduct marriage ceremonies or if only takes primary responsibility.

⁷ The Court moved to the current standardized court scheduling January of 2024. [FMC Annual Report 2023](#)

⁸ The Rules of Superintendence for the Courts of Ohio can be found at: <https://www.supremecourt.ohio.gov/docs/LegalResources/rules/superintendence/Superintendence.pdf>

judgeship from part-time to full-time status⁹. NCSC archives held a 2013 assessment commissioned by local government authorities on the provision of court services within the boundaries of Warren County. The 2025 and 2013 assessments highlight the ongoing and revolving discussion surrounding the provision of court services by the Franklin Municipal Court and the broader discussion of such services in Warren County generally.

Office of Court Services 2025 Analysis of Judge Status for the Franklin Municipal Court

The Office of Court Services of the Ohio Supreme Court provided an analysis of the proposal by Judge Ronald Ruppert of the Franklin Municipal Court to convert the sole judgeship from part-time to full-time status. The analysis considered population projections for Warren County, in which the Court resides, noting that the population the Court serves is projected to continue to grow, but at a single-digit growth rate compared to historical double-digit growth. Examination of the Court's incoming caseload found increases in the civil caseload driven primarily by contract case filings, declining criminal caseload since a ten-year high in 2017, and consistent and steadily increasing traffic caseload since 2020. Comparison of the Court's incoming caseload per judge against that of full-time municipal court judgeships statewide found the Court ranks in the 75th percentile. When broken out by case type, the Court ranks in the 19th percentile for civil cases, 59th for criminal cases, and 88th for traffic cases.

NCSC 2013 Analysis of Reassignment & Consolidation of Court Services within Warren County

In 2013, an assessment was conducted by the NCSC at the request of the County of Warren and the cities of Lebanon and Franklin, Ohio, of the various options for the reassignment of cases and consolidation of court services in Warren County. At the time, there was a proposal to expand the jurisdictional boundaries of the municipal courts to include a portion or all the area covered by the Warren County Court. The report identified four options for consideration by local authorities for restructuring the county and municipal courts:

1. Partial transfer of cases from the County Court to the Franklin and Lebanon Municipal Courts through a realignment of court jurisdictional boundaries.
2. Elimination of the County Court and division of the County Court's cases and jurisdiction between the two municipal courts.
3. Elimination of the Lebanon Municipal Court and assignment of its caseload to the County Court.
4. Elimination of the Franklin and Lebanon Municipal Courts and merger into a County Municipal Court.

At the time of this writing, local authorities have not undertaken further steps to restructure or consolidate the provision of court services within the boundaries of Warren County by the Warren County Court or Franklin and Lebanon Municipal Courts.

⁹ See the appendix for a copy of the Office of Court Services analysis.

Data Analysis

The NCSC project team submitted a data request to the City, requesting caseload information for the Franklin Municipal Court and other information related to the operations of the Court as appropriate. The City and Court provided the project team with the requested caseload statistics and made key stakeholders available for informational interviews. The data provided, interviews, relevant statutes, and publicly available municipal court statistics were reviewed and analyzed by the NCSC project team.¹⁰ The following sections detail relevant caseload statistics for the Court.

Filings and Dispositions

Table 2, below, details the past five years of the incoming caseload for the Court. Since 2020, the incoming case count has steadily increased. The Court saw nearly 8,000 new filings in 2024. Of the total incoming filings for 2024, 20% were reactivations, with the remaining 80% being new filings. This ratio of reactivations to new filings has also roughly held consistent for the preceding four years.

TABLE 2.
Incoming Cases | All Case Types | Franklin Municipal Court

	2020	2021	2022	2023	2024
New Filings	6,241	7,097	7,463	7,852	7,925
Reactivations¹¹	1,763	2,290	1,945	1,963	1,928
Total Incoming Cases	8,004	9,387	9,408	9,815	9,853

Source: Case Management Dashboard of the Case Management Section of the Supreme Court of Ohio

The next table shows the Court’s incoming cases and its pending caseload at the start and end of the calendar year, with terminations, which are also called dispositions.

TABLE 3.
Incoming Cases, Terminations, Annual Clearance Rates | All Case Types | Franklin Municipal Court

	2020	2021	2022	2023	2024
Pending Jan. 1	939	532	628	616	683
Incoming Cases	8,004	9,387	9,408	9,815	9,853
Terminations	8,409	9,287	9,406	9,740	9,840
Pending Dec. 31	532	628	616	683	665

Source: Case Management Dashboard of the Case Management Section of the Supreme Court of Ohio

¹⁰ The Court was unable to provide the following caseload statistics: continuances for 2024, dispositions by type for the past 3 years, median time in days from filing to disposition by type of disposition, median time in days from filing/citation to disposition, median time in days from filing/citation to initial appearance/arrestment. Given the limited scope of this project, the project team was able to analyze caseload and other disposition metrics provided by the City, the Court, and publicly accessible municipal court data hosted on the Supreme Court of Ohio’s website without significant impact to their ultimate findings.

¹¹ Cases previously terminated by being placed on inactive reporting status are eligible for reactivation. This includes cases placed inactive status due to remand, unavailability of party, bankruptcy stay, and interlocutory appeal. Cases terminated on the merits of the case are not eligible for reactivation.

Table 4, below, shows further details of the Court’s caseload, breaking it out by major case types: civil, criminal, and traffic. Traffic cases make up a substantial portion of the Court’s incoming caseload, growing from roughly 60% of the total incoming caseload in 2020 to 75% by 2024. Criminal cases account for roughly 15% of the Court’s total incoming caseload, and the civil docket represents less than 10%. Similar ratios hold for new filings. However, traffic accounts for the majority of reactivations, followed at a distance by criminal cases.

TABLE 4.
Incoming Cases | By Case Type | Franklin Municipal Court

	2020	2021	2022	2023	2024
Total Incoming	8,004	9,387	9,408	9,815	9,853
<i>Civil</i>	649	655	688	676	855
<i>Criminal</i>	2,250	2,125	1,715	1,794	1,498
<i>Traffic</i>	5,105	6,607	7,005	7,345	7,500
Total New Filings	6,241	7,097	7,463	7,852	7,925
<i>Civil</i>	646	652	685	669	849
<i>Criminal</i>	1,408	1,241	1,157	1,309	965
<i>Traffic</i>	4,187	5,204	5,621	5,874	6,111
Total Reactivations	1,763	2,290	1,945	1,963	1,928
<i>Civil</i>	3	3	3	7	6
<i>Criminal</i>	842	884	558	485	533
<i>Traffic</i>	918	1,403	1,384	1,471	1,389

Source: Case Management Dashboard of the Case Management Section of the Supreme Court of Ohio

Table 5, which expands upon Table 3 by breaking out incoming cases and terminations by major case types, shows that the Court has been and is disposing of cases in keeping with its clearance rate and time standards across all three major case types.

TABLE 5.
Incoming Cases and Terminations | By Case Type | Franklin Municipal Court

	2020	2021	2022	2023	2024
Total Pending Jan. 1	939	532	628	616	683
<i>Civil</i>	325	265	300	276	304
<i>Criminal</i>	178	122	112	125	127
<i>Traffic</i>	436	145	216	215	252
Total Incoming Cases	8,004	9,387	9,408	9,815	9,853
<i>Civil</i>	649	655	688	676	855
<i>Criminal</i>	2,250	2,125	1,715	1,794	1,498
<i>Traffic</i>	5,105	6,607	7,005	7,345	7,500
Total Terminations	8,409	9,287	9,406	9,740	9,840
<i>Civil</i>	709	620	712	647	807
<i>Criminal</i>	2,305	2,133	1,695	1,784	1,551
<i>Traffic</i>	5,395	6,534	6,999	7,309	7,482

TABLE 5.
Incoming Cases and Terminations | By Case Type | Franklin Municipal Court

	2020	2021	2022	2023	2024
Total Pending Dec. 31	532	628	616	683	665
<i>Civil</i>	265	300	276	304	352
<i>Criminal</i>	122	112	125	127	57
<i>Traffic</i>	145	216	215	252	256

Source: Case Management Dashboard of the Case Management Section of the Supreme Court of Ohio.

Clearance Rate

One key nationally accepted measure of a court’s performance is the clearance rate.¹² Clearance rate can be defined as the number of cases disposed of as compared to the number of cases filed in a given period of time. Many courts collect this data and use it to evaluate their workload. This Court is no exception and collects and reports its clearance rate data to the Ohio Supreme Court, which maintains a publicly available data dashboard for sharing these statistics.

A clearance rate at or above 100% indicates a Court is keeping up with its workload by disposing of approximately the same number of cases that were filed. Alternatively, clearance rates below 100% indicate a court may be struggling to maintain its workload under current conditions. The clearance rates for the Court for the previous five years are displayed in Table 6 below.

TABLE 6.
Clearance Rate by Case Type and Year | Franklin Municipal Court

Case Type	2020	2021	2022	2023	2024
Civil	109.2%	94.7%	103.5%	95.7%	94.4%
Criminal	102.4%	100.4%	98.8%	99.4%	103.5%
Traffic	105.7%	98.9%	99.9%	99.5%	99.8%
Average All Case Types	105.1%	98.9%	100%	99.2%	99.9%

Source: Municipal and County Courts: Courtwide Terminations Detail tab of the Case Management Dashboard of the Case Management Section of the Supreme Court of Ohio.¹³

For the past five years, the Court has maintained an average clearance rate of over 100%, indicating it has not and does not currently have a case backlog and can meet state clearance rate standards.

¹² Detailed information on clearance rates can be found with the CourtTools resources at: <https://www.ncsc.org/libraries/mozilla-pdfjs/web/viewer.html?file=https://www.ncsc.org/sites/default/files/media/document/CourTools-measure-2-clearance-rates.pdf>

¹³ The Case Management Section of the Supreme Court of Ohio dashboard can be accessed at: <https://app.powerbi.com/view?r=eyJrIjoiYjFmY2ViZDgtNzRlOS00ZTVmLWI4MjQtMDE4NGYwNmM4ODQ0IiwidCI6IjgxNzJhOTE0LWJmOGQtNDZkMy04YjUwLTUwOWU0ZDA0N2QxZiJ9>

Time to Disposition

Time to disposition is another key measure used to assess court performance. This measure reflects the average time it takes a case to be disposed or terminated from the time it was filed. In Ohio, this metric is reported as the number of cases that surpass the time standards established by Ohio Supreme Court Rule 39.¹⁴ Table 7 below displays the number of cases, by case type and year, that were beyond their time standard, meaning they had not yet been disposed by the court.

TABLE 7.
Average Monthly Over-Age Cases by Case Type and Year | Franklin Municipal Court

Case Type	2020	2021	2022	2023	2024
Total Incoming Filings	8,004	9,387	9,408	9,815	9,853
Civil Over-Age	79	28	23	4	4
Criminal Over-Age	19	4	5	3	4
Traffic Over-Age	47	7	3	3	1
Total Over-Age All Case Types	144	39	31	11	9

Source: Municipal and County Courts: Courtwide Timeliness Trends tab of the Case Management Dashboard of the Case Management Section of the Supreme Court of Ohio

In evaluating case data from 2020 and 2024, less than 1% of cases go beyond their time standard at the Court. The relatively high number of cases beyond their time standard in 2020, and to a lesser extent in 2021 and 2022 are in keeping with similar trends seen in courts across of the nation due to the federal COVID-19 Public Health Emergency Declaration (PHE) and similar state or local PHE declarations that interfered with the normal course and operation of public life, including the courts. However, the Court's clearance rate in 2020 of 105.1% indicates that, despite disruptions to operations, the Court was able to avoid a backlog. Table 7 shows that with its available judicial and staff resources, the Court has been able to aggressively lower the number of cases that exceed its time standards.

Method of Disposition

The Court also reports dispositions by method via the Ohio Supreme Court case statistics dashboard. This measure can provide helpful insights into the number of cases that are disposed of by trial versus other types of disposition, like through a plea, settlement, or by simply paying a required fine. Table 8 on the next page provides disposition types and definitions common to the civil, criminal, and traffic case dockets.

¹⁴ Ohio Supreme Court Rule 39 addressing time standards can be found at: <https://www.supremecourt.ohio.gov/docs/JCS/casemng/statisticalReporting/AmendedTimeStndrdsSupR39.pdf>

TABLE 8.

Disposition Types

Bankruptcy Stay	Reported for cases in which a bankruptcy stay has been issued or an interlocutory appeal taken. If the bankruptcy stay is removed or the case is remanded, the case is reactivated.
Bind Over to County Court	Reported for cases transferred to a county court.
Default Judgement	Reported for civil cases which judgment by default has been rendered. And for criminal cases dismissed for failure of the accused to receive a speedy trial and civil cases dismissed for want of prosecution.
Dismissal	Reported for cases that have been dismissed due to speedy trial (criminal) or for want of prosecution (civil) and settled or dismissed before trial.
Other Dismissal	Reported for cases that have been dismissed with or without prejudice.
Other	Use of this type of case disposition is rare; however it is permitted in the following instances: <ul style="list-style-type: none"> • Clerical Adjustment • Consolidation • Summary Judgment • Other Civil where applicable • Agreed Judgment Entries or Consent Agreements
Plea	Reported for cases where the defendant pleads guilty or no contest to original charge, or pleads guilty or no contest to reduced charge.
Transfer	Reported for cases transferred from the originally assigned judge to another judge in the same or another court or to a judge in another division of the court or to a visiting judge.
Trial	Reported for cases in which a jury has been impaneled and judgment is entered whether or not a verdict is returned by the jury. And for cases that are terminated as a result of a court trial. A case is considered terminated by court trial if judgment is rendered after the first witness has been sworn.
Unavailability of Party	Reported for cases that are terminated because of the unavailability of a party for a hearing. For example, a party may be unavailable because of mental status, incarceration on other charges, military service, transference of a case to a certified specialized docket, referral to diversion program or dispute resolution, or flight from prosecution or custody. A case is placed on inactive status when the judge, in the exercise of discretion, determines there is little likelihood that a party will be available for a hearing within a reasonable period. The case is reactivated when the court receives notice that the party is available to appear.
Violations Bureau	Reported for misdemeanor and other traffic cases disposed of by payment to a traffic violations bureau.
Waiver	Reported for misdemeanor, O.V.I, and other traffic cases where the defendant waives their right to a court or jury trial, agreeing to pay fines and costs.

Source: Instructions for the Preparation of Statistical Report Forms, Municipal and County Courts – Individual Judge Report – IJ. Office of Court Services, Case Management Section of the Supreme Court of Ohio.

Each method of disposition requires judicial and court resources, and the final method of disposition is not always the most reliable indicator of the quantity of resources expended on a particular case. Generally, however, trials tend to be more judicial resource-intensive in comparison to a typical default judgment or dismissal. And while the number of trials may seem low, they are in keeping with national trends where most cases are settled or disposed by a means other than trial. Every method of disposition requires court and judicial resources to ensure proper procedure is followed, progress is made towards a resolution, forms are properly filled and recorded, and systems are updated throughout the life cycle of a case. Tables 9, 10, and 11 that follow show trends in how civil, criminal, and traffic cases have been disposed over the past 5 years.

TABLE 9.

Method of Disposition for Civil Cases | Franklin Municipal Court

Method of Disposition	2020	2021	2022	2023	2024
Trial	44	15	16	11	18
Dismissal ¹⁵	280	198	221	212	332
Default Judgement	332	366	444	378	388
Bankruptcy Stay	0	6	7	5	1
Other ¹⁶	53	35	24	41	68
Total	709	620	712	647	807

Note: 'Other' category includes counts for 'Unavailability of party' as follows: 2020: 1, 2021: 2, 2022: 1, 2023: 0, & 2024: 0.

Source: Municipal and County Courts: Courtwide Terminations Detail tab of the Case Management Dashboard of the Case Management Section of the Supreme Court of Ohio

TABLE 10.

Method of Disposition for Criminal Cases | Franklin Municipal Court

Method of Disposition	2020	2021	2022	2023	2024
Trial	10	12	6	7	6
Plea	691	699	570	608	435
Violations Bureau ¹⁷	10	8	10	14	7
Bind Over to County Court	2	0	4	0	3
Waiver	249	245	227	154	156
Dismissal	327	284	272	446	428
Transfer	83	79	68	64	67
Unavailability of Party ¹⁸	820	700	444	335	336
Other	113	105	93	133	113
Total	2,305	2,133	1,695	1,784	1,551

Note: 'Dismissal' category includes 'Dismissal Speedy Trial', 'Dismissal Want of Prosecution', and 'Other Dismissal'.

Source: Municipal and County Courts: Courtwide Terminations Detail tab of the Case Management Dashboard of the Case Management Section of the Supreme Court of Ohio

¹⁵ For the purposes of this report the 'dismissal' category includes dismissal for lack of speedy trial (applicable only for criminal cases) or want of prosecution (civil) and other dismissals (any case dismissed with or without prejudice not otherwise categorized).

¹⁶ Cases terminated in the following manner: clerical adjustment, consolidation, summary judgement, selected 'other civil cases', and agreed judgement entries or consent agreements. 'Other' terminations are rare, as indicated by the relatively small share of overall dispositions.

¹⁷ Misdemeanor and Other Traffic cases that are disposed of by payment to a violations bureau.

¹⁸ Cases terminated for reporting purposes because of the unavailability of party for a hearing. This can include unavailability because of mental status, incarceration on other charges, or flight from prosecution or custody.

TABLE 11.
Method of Disposition for Traffic Cases | Franklin Municipal Court

Method of Disposition	2020	2021	2022	2023	2024
Trial	31	12	28	14	35
Plea	1,327	1,349	1,348	1,471	1,680
Violations Bureau	2,685	3,375	4,007	4,085	4,004
Dismissal	111	92	101	199	186
Transfer	40	48	55	33	32
Unavailability of Party	1,190	1,651	1,457	1,506	1,541
Other	11	7	3	1	4
Total	5,395	6,534	6,999	7,309	7,482

Source: Municipal and County Courts: Courtwide Terminations Detail tab of the Case Management Dashboard of the Case Management Section of the Supreme Court of Ohio

Most civil cases were disposed of by default judgment, followed closely by dismissal. Less than 2.25% of civil cases were disposed of by trial.¹⁹ Similar trends are seen in the criminal dockets of the Court. Most criminal cases were disposed of by plea followed by dismissal or unavailability of the party, and then by waiver.²⁰ Less than .5% of criminal cases are disposed of by trial for any year during the 5-year time frame reviewed for this study.

In traffic cases, which make up the bulk of the Court’s caseload, roughly half of the cases were disposed of by ‘Violations Bureau’, followed by ‘Plea’, and then ‘Unavailability of Party’. Those three categories of disposition account for roughly 95% of the traffic caseload. To understand if this distribution of traffic dispositions is unique to the Franklin Municipal Court, the project team broadened their examination of the Traffic Courtwide Termination Detail Dashboard to all Ohio municipal and county courts for 2024 to 2020. Table 12 on the next page shows the percentage of violations bureau, plea, and unavailability of party disposition of the whole of traffic dispositions for the Franklin Municipal Court against that of Lebanon Municipal Court and of all municipal and county courts statewide. The distribution of traffic dispositions for the Court does not differ substantially from benchmark municipal courts like Lebanon or aggregate statewide trends. On average, over 51% of traffic cases in the state of Ohio are disposed of via violations bureaus, 25% by Plea, and 13% for the five years examined.

¹⁹ The exception is in 2020, where 6.2% of civil cases were disposed by trial. This year is an outlier and should not be considered reflective of any general trend due to the disruption of the COVID-19 PHE and impact on court operations.

²⁰ From 2020 to 2022 more criminal cases were disposed of due to unavailability of party than dismissed. In most case and court data, these three years are typically excluded from multi-year analysis as any trends are seen as due to the COVID-19 pandemic. That also seems to be the case for the Franklin Municipal Court’s criminal dispositions as starting in 2023 the percentage of ‘unavailability of party’ as a disposition inverses with the rate of dismissals. An analysis of a longer time frame could more firmly establish if this is case but is not necessary for the limited parameters of this project.

TABLE 12.

Comparison of Top Three Methods of Disposition for Traffic Cases | Percentage of Total Traffic Dispositions

	Method of Disposition	2020	2021	2022	2023	2024
Franklin Municipal Court	Violations Bureau	50%	52%	57%	56%	54%
	Plea	25%	21%	19%	20%	22%
	Unavailability of Party	22%	25%	21%	21%	21%
Lebanon Municipal Court	Violations Bureau	46%	52%	47%	44%	50%
	Plea	29%	28%	33%	37%	32%
	Unavailability of Party	17%	15%	15%	17%	15%
Statewide Municipal & County Courts	Violations Bureau	47%	48%	49%	48%	48%
	Plea	25%	24%	25%	26%	26%
	Unavailability of Party	18%	17%	18%	17%	17%

Interviews

As part of our analysis of caseload and other case-related data of the Franklin Municipal Court, the City and the Court both made key stakeholders available for interviews. These interviews provided the project team with useful context to better understand the work of the Court and the inputs behind the processes and procedures that facilitate case processing. A total of four remote interviews were conducted over the span of two weeks, with each lasting no more than an hour.²¹

The interviews were focused on identifying Court docket and judicial officer scheduling practices and underlying staffing resource concerns that could affect case processing. The project team found that Court leadership has made considerable strides in improving local processes and administration of the day-to-day operation of the Court. While Court leaders see opportunities to further improve administration and services to the community, the project team did not learn of staffing resource deficits hindering the current ability of the Court to meet time standards and manage caseloads.

The distribution of judicial officer workload between the Court’s part-time judge and full-time magistrate did not appear deficient or needing adjustment, given the Court’s caseload mix and relatively small number of criminal trials held. For example, interviewees agreed that the appropriate mix of cases and tasks is assigned to the magistrate. When considering court matters that can only be addressed by a judge, such as approval of warrants, overseeing objections to a magistrate’s rulings, overseeing first appearances, and presiding over hearings related to criminal charges, the project team did not learn of any substantial need that would warrant additional judicial resources, although some estimate that the judge dedicates more time to the role than is required to meet part-time status. Of the work needed to continue to improve administrative processes and provide additional services to the community, such tasks are typically carried out by the administrative officers of the court and their front-line managers. Judicial resources are not typically expended on such endeavors outside of providing general support and direction and engaging with justice partner stakeholders to build buy-in and support as needed.

²¹ Interviewees include the judge, magistrate, court administrator, and mayor.

Discussion and Recommendations

Based on the available data and interviews with key stakeholders, the NCSC project team recommends that the current boundaries of the Franklin Municipal Court can continue to be served by a part-time court consisting of a part-time judge and a full-time magistrate.

As the caseload data has shown, the Franklin Municipal Court, with its current complement of judicial officers and staff, has been able to process and dispose of incoming cases within the time and clearance rate standards set by the Judicial Branch of the State of Ohio. A review of the most recent 5 years of caseload data for the Court shows consistently high clearance rates, a low number of cases beyond their time standard, and no evidence of a backlog among its civil, criminal, or traffic dockets.

While the Court may be operating at capacity or desire additional judicial resources to ease the workload for current personnel or provide additional programs or services to the local public, the caseload data and state metrics indicate the Court at this time has adequate judicial resources to meet its current incoming caseload. There is no demonstrated need, as evidenced by a backlog of cases or an increasing number of cases past time standards, that additional judicial resources are needed to meet state-set case clearance and time standards.

While outside the scope of this project, the NCSC project team notes the Court has ample staff in addition to its current judicial resources that may be able to take on additional work or roles as appropriate. NCSC recommends that all courts follow a team approach to case management, ensuring staff in all positions are working toward timely case resolution. This approach prioritizes judicial time for adjudication needs.

Further examination of Court processes and operations to identify areas of untapped efficiencies is beyond the scope of this study; however, the NCSC has identified two potential paths for the City and the Court's consideration should they decide to continue to proceed forward:

- 1) Commissioning a workload study to learn more about how the work of the Court is currently distributed amongst its staff and identify as yet unrealized processes or rule improvements that would enable the Court to make more efficient use of its current resources.
- 2) Consider a reexamination of the 2013 proposal to consolidate local municipal court(s) and the Warren County Court. Pursuance of this path would require City and Court leaders to identify current relevant stakeholders and levels of support for court consolidation before proceeding with commissioning of a new study.

Appendix

Appendix A: Office of Court Services' Analysis of the Proposal to Convert the Court's Sole Judgeship from Part-Time to Full-Time Status



THE SUPREME COURT of OHIO
COURT SERVICES

Franklin Municipal Court
 Analysis of the Proposal to Convert the Court’s Sole Judgeship from
 Part-Time to Full-Time Status
 August 12, 2025

The purpose of this report is to provide an analysis of the proposal of Judge Ronald Ruppert of Franklin Municipal Court to convert the court’s sole judgeship from part-time to full-time status.

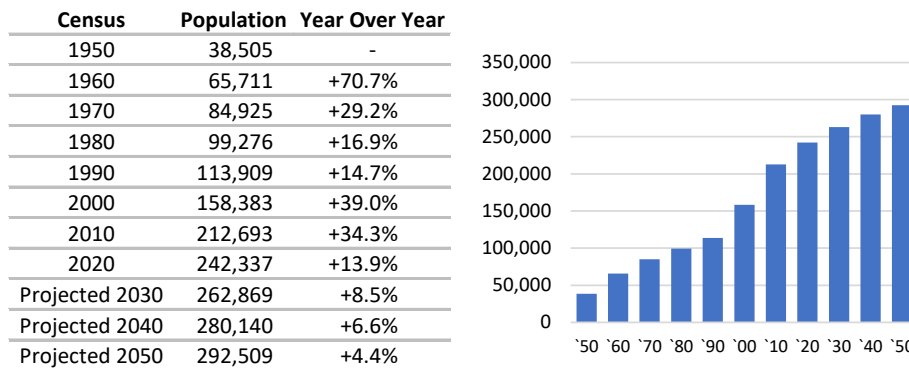
Territorial Jurisdiction and Judicial Compensation

Franklin Municipal Court is established under R.C. 1901.01(A). Pursuant to R.C. 1901.01(A) and R.C. 1901.02(B), the court has jurisdiction within the city of Franklin and Franklin Township in Warren County. Under R.C. 1901.08, the sole judgeship of the court is part-time, and under R.C. 141.04(A)(6), the judge of the court is to be paid at the part-time compensation rate, as distinguished from the full-time compensation rate prescribed under R.C. 141.04(A)(5).

Population Served

As of the 2020 U.S. Census, Franklin Municipal Court serves a population of 30,155 persons. The population served as determined under the 2010 decennial census was 28,076 persons. Accordingly, the population of residents within the court’s territorial jurisdiction grew 7.4% between 2010 to 2020. Although population projections for the precise territory of Franklin Municipal Court are not available, the Ohio Department of Development publishes county-level population projections. Shown in Figure 1 are historical population figures for Warren County, along with projections through 2050.

Figure 1. Warren County Population, Historical and Projected



Note: Projections from Ohio Department of Development, Office of Research, County Trends Reports

As shown in Figure 1, Warren County has experienced significant population growth. According to the Ohio Department of Development, the county population is projected to approach 300,000 people by 2050.

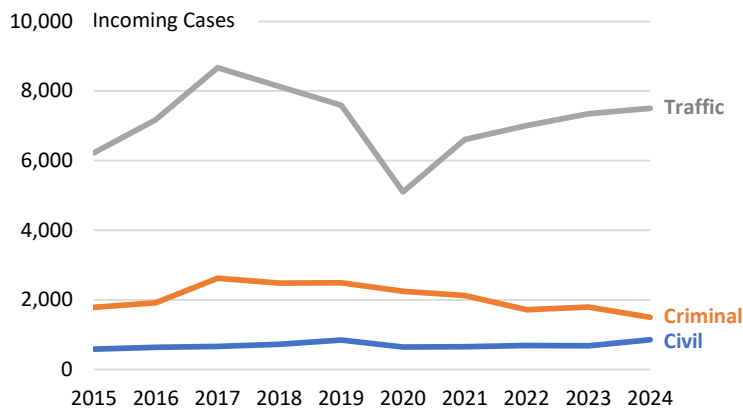
Incoming Caseloads

Shown in Table 1 and Figure 2 is the volume of incoming cases reported by Franklin Municipal Court each year for the last ten calendar years, across the three major case type categories of civil (all civil case types including small claims), criminal (misdemeanors and preliminary matters in felony cases), and traffic (O.V.I. and all other traffic cases). The incoming caseload metric consists of new filings plus cases that were reactivated following prior placement on inactive status and cases that were reopened for further proceedings post-judgment.

Table 1. Incoming Caseloads, 2015 through 2024

Case Type	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Civil	580	634	663	724	849	649	655	688	676	855
Contracts	285	301	340	357	474	355	420	440	416	592
F.E.D. (Evictions)	200	226	227	231	195	140	129	144	145	175
Other Civil	58	68	64	73	97	77	65	72	76	49
Pers. Inj./Prop. Damage	9	11	7	7	6	7	7	7	6	7
Small Claims	28	28	25	56	77	70	34	25	33	32
Criminal	1,781	1,914	2,619	2,485	2,491	2,250	2,125	1,715	1,794	1,498
Felonies	316	411	479	504	383	389	385	335	284	263
Misdemeanors	1,465	1,503	2,140	1,981	2,108	1,861	1,740	1,380	1,510	1,235
Traffic	6,226	7,168	8,672	8,129	7,587	5,105	6,607	7,005	7,345	7,500
O.V.I.	273	358	435	444	403	268	286	252	210	176
Other Traffic	5,953	6,810	8,237	7,685	7,184	4,837	6,321	6,753	7,135	7,324
Total	8,587	9,716	11,954	11,338	10,927	8,004	9,387	9,408	9,815	9,853

Figure 2. Incoming Caseloads, 2015 through 2024



Franklin Municipal Court’s incoming civil caseload experienced notable growth in 2024 over 2023, driven primarily by increased filings of contracts cases (where a claimed breach of contract is at issue). The 592 incoming contracts cases in 2024 represent a sharp increase of 42.3%

over the 416 cases filed in 2023 and is the highest number of incoming cases over the last ten years. The court’s incoming criminal caseload has been declining since the ten-year high in 2017. Its incoming traffic caseload has experienced wide fluctuations over the last ten years but has been steadily increasing year-over-year since 2020.

Comparison with Full-Time Municipal Court Judgeships Statewide

Franklin Municipal Court’s caseloads and their impact on judicial resource needs can be analyzed by comparing them to statewide caseload statistics for all municipal courts with *full-time* judgeships. Among all municipal courts with full-time judgeships in 2024, the median *per judge* incoming volume was 7,603 cases for all case types combined. See Table 2, below. Included at the bottom of Table 2 are Franklin Municipal Court’s 2024 incoming caseloads for each major case type, along with their relative percentile rank among the state’s municipal courts with full-time judgeships.

Table 2. Incoming Cases Per Judge in 2024 Across Full-Time Municipal Court Judgeships Statewide

	Civil	Criminal	Traffic	All Cases
Maximum	4,740	5,059	11,382	17,137
75th Percentile	1,944	1,867	5,929	9,851
Median	1,477	1,332	4,621	7,603
25th Percentile	941	876	2,867	5,550
Minimum	194	205	451	1,359
Franklin MC	855	1,498	7,500	9,853
Percentile	19th	59th	88th	75th

Franklin Municipal Court saw a total of 9,853 incoming cases in 2024. Compared to the volume of incoming cases per judge within full-time municipal court judgeships across the state, a full-time judgeship in Franklin Municipal Court would be ranked at the 75th percentile. The court’s civil caseload would be at the 19th percentile, its criminal caseload would be at the 59th percentile, and its traffic caseload would be at the 88th percentile. Given Franklin Municipal Court’s and the county’s increasing population, it is reasonable to assume that the court’s overall caseloads will likely increase in the coming years.

Expansion of Court Services

Converting its judgeship to full-time status would allow Franklin Municipal Court to expand its range of services. In his letter dated July 14, 2025, to Robert W. Horner, Administrative Director of the Supreme Court of Ohio, Judge Ruppert expressed interest in potentially launching a specialized docket in which certain defendants experiencing significant substance use disorders would be provided with the opportunity to obtain behavioral health treatment, with the ultimate goal of reducing criminal recidivism. Staff in the Supreme Court’s Specialized Dockets Section stand ready to assist Judge Ruppert in pursuing specialized docket certification.

Appendix B: 2013 Warren County, Ohio Limited Jurisdiction Court Consolidation Study



***WARREN COUNTY, OHIO
LIMITED JURISDICTION
COURT CONSOLIDATION
STUDY***

July 26, 2013

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EXECUTIVE SUMMARY

The County of Warren and cities of Lebanon and Franklin, Ohio have requested the assistance of the National Center for State Courts (NCSC) to assess various options for the reassignment of cases and consolidation of court services in Warren County. This study was prompted by a proposal to expand the jurisdictional boundaries of the municipal courts to include a portion or all of the area currently covered by the Warren County Court. The recommendations in this report are based on a visit conducted by the NCSC team to the Warren County Court and the Franklin and Lebanon Municipal courts. The assessment of current court operations and potential for consolidation or expansion of court services included a review of current facilities and discussions concerning future renovations currently under consideration. This report identifies four possible options for restructuring the county and municipal courts in Warren County:

Option I: Partial transfer of cases from the County Court to the Franklin and Lebanon Municipal Courts based through a realignment of court jurisdictional boundaries.

Option II: Elimination of the County Court and division of the County Court cases and jurisdiction between the two municipal courts.

Option III: Elimination of the Lebanon Municipal Court and assignment of these matters to the County Court.

Option IV: Elimination of both the Franklin and Lebanon Municipal Courts and merger into a County Municipal Court.

Options I and II reflect a proposal that has been advocated by the municipal court judges. Both options would result in conversion of the current part-time municipal court judgeships to full-time status. The County would avoid having to fill the current judicial vacancy under option I. Option II would result in the discontinuance of county-funded court services below the Court of Common Pleas level by expanding the jurisdiction of the municipal courts. Option I could be implemented individually or as the first of two phases. Although current support staff levels would require small adjustments to accommodate the additional municipal court workloads created under Option I, Option II would ultimately require some increased staffing and accompanying changes to facilities and work areas in the municipal courts.

Options III and IV take the opposite approach by moving court services from Lebanon, or both Lebanon and Franklin, to the County Court. These options could also be implemented individually or in two phases. The current space available for support staff in the County Court facility, in particular probation and clerical work areas, is inadequate if either of these options are implemented. Irrespective of this study, planning is currently underway which would result in

relocation of the County Court from its current location adjacent to the County Sheriff to new space in the Warren County Common Pleas Courthouse. In the event that either Option III or IV is considered, the current remodeling activity at the Common Pleas Courthouse is a fortunate coincidence. The potential space available for consideration would be a significant upgrade compared to existing county and municipal court facilities in terms of functionality, public access, security and square footage for now and the foreseeable future.

Warren County has seen consistent and rapid population growth over the past two decades, and indications are that this will continue to be the pattern into the foreseeable future. The project team believes it is critical that any decision take into account future population and business activity growth, and the potential impact on court workloads. Having adequate facilities to accommodate expansion is a major consideration. The adequacy of facilities also includes their suitability for supporting the unique requirements of courthouses, including public access, security, and proper facilities for courtroom proceedings. While all of the current courtrooms are adequate in terms of conducting proceedings, space for the public, security and prisoner movement, and staff work areas need improvement at all of the current locations.

From a fiscal point of view there are advantages and disadvantages in these proposals to the local units of government. Options I and II essentially transfer costs of operations, along with some revenues, to the municipalities, while Options III and IV will do the opposite. In terms of overall system costs, consolidation offers greater efficiency in facilities utilization and staffing. However, in order to implement consolidation under Options II, III, or IV, some capital expenditures will be required to ensure that space and facilities are adequate for current and future needs.

From a system-wide perspective, consolidation of limited jurisdiction court operations makes sense in terms of streamlined operations, public access, and utilization of court facilities. In consideration of these factors, the NCSC project team believes that the best opportunity to improve the quality of court services at the municipal and county court level, meet future demands for service, and achieve greater operational efficiency would be through implementation of Options III or IV. In particular, the opportunity for obtaining space at the existing Common Pleas Courthouse for limited jurisdiction court functions lends credence to the notion of a consolidated County Court. If Option IV were implemented, consolidation of municipal court services into a remodeled county facility has the potential to eliminate redundant court services, provide improved facilities, and result in more efficient staffing. Consolidation under Option III would yield similar benefits but leaves open the option of maintaining a court presence in Franklin to serve persons in the northwestern portion of the County. This could also be accomplished under Option IV pursuant to an inter-governmental agreement between the County and city of Franklin.

I. INTRODUCTION

The National Center for State Courts (NCSC) has been contracted by the Warren County, Ohio Board of Commissioners to conduct a study of the feasibility of consolidating the Franklin and Lebanon Municipal Courts and the Warren County Court, as well as determining the most cost effective and practical approach to meeting future needs for handling non-felony matters in the three jurisdictions.

This study comes at a time when the County Court bench is undergoing change. Former County Court Judge Don Oda won election in November to replace retired Common Pleas Court Judge Neal Bronson. Assistant Prosecutor Gary Loxley was named Judge Oda's successor and assumed office on May 6. He must run in November 2014 to retain the seat for Judge Oda's unexpired term ending December 31, 2016. In addition, the County Court position occupied by former County Judge Joseph Kirby, who replaced Judge Michael Powell, is currently vacant.

Mark Bogen of the Franklin and Lebanon Municipal Courts. The judges have proposed that the current geographical jurisdiction of both courts be expanded and that their current judgeships convert to full-time status. The resulting reduction in cases handled by the Warren County Court under this proposal would result in reduced judicial resource needs at the County Court and could result in eventual elimination of the County Court through expansion of the municipal courts to include all political subdivisions outside the jurisdiction of the Mason Municipal Court. Judge Ruppert will not be eligible to run again due to statutory age restrictions after his term ends December 31, 2017. Judge Bogen's current term ends on December 31, 2015, though he will be eligible to serve through 2021.

The NCSC team has been asked to consider the proposal offered by Judges Ruppert and Bogen, as well as other alternatives for streamlining limited jurisdiction court services in Warren County. This study provides an overview of the current operations of these three courts, including staffing, workload, courtroom and public service hours, budgets, court technology, and utilization of facilities. An historical perspective of court unification is included to illustrate some of the advantages and challenges associated with court mergers. Special attention has been given to the potential for modification of existing facilities as part of the overall analysis of the feasibility of consolidation. Several options for consolidation of county and municipal court services are offered for consideration by local government and judicial officials.

II. METHODOLOGY

The NCSC project team visited Warren County during the week of April 1 through 5 to meet with county and municipal officials, observe court proceedings, assess current court facilities, and discuss plans for future building expansion by the county. Visits were made to each of the courts to observe court proceedings and clerical processes, as well as to interview judges, clerks, and probation staff. Interviews were arranged with representatives from the county and both municipalities, including commissioners, council members, city managers, and law enforcement officials. During the visit, the team briefly attended a regular meeting of local police chiefs, providing an opportunity to inform law enforcement about the study and receive their feedback concerning the impact of proposed changes on their operations. In addition to local municipal chiefs, the sheriff's department and Ohio Highway Patrol were represented at the meeting..

The NCSC project team assessed the existing court facilities at the Warren County Court, the Lebanon Municipal Court, and the Franklin Municipal Court for their suitability for court operations and potential to accommodate space needs for court and various court-related office functions for the present and future. In addition, the project team toured the Warren County Court of Common Pleas as a potential relocation site for the Warren County Court. The main focus of the facility assessment was to identify potential opportunities or constraints unique to each facility in terms of providing adequate operating space for the courts and various court related office functions; appropriate security arrangements including separate circulation and space for judges, court employees, court employees, and the public; accessibility for the individual with disabilities; and the building structural layout necessary to meet modern courthouse design standards.

A complete listing of individuals interviewed during the site visit is attached as Appendix A. The NCSC project team also collected data from a variety of sources, including budget and staff information for each of the three courts, caseload data reported to the Ohio Administrative Office of Courts, and population trend information from the Ohio Office of Policy, Research and Strategic Planning.

III. BACKGROUND

Community Characteristics

Warren County’s position between the Dayton and Cincinnati metropolitan areas has led to substantial population growth in several areas of the county. U.S. Census data shows that that the total county population grew 39% between 1990 and 2000, then another 34% between 2000 and 2010. The 2010 Census listed a total population of 212,693. In terms of numbers, population growth has been most pronounced in the southwestern area of the county in and around the city of Mason, as well as the Clearcreek Township/Springboro area. The greatest percentage change has been in Hamilton Township where the population increased by 145%. Growth has been slower in Franklin and much of the eastern portion of the county remains rural in character. The following table illustrates population growth between the last two census events for major townships and municipalities:¹

Location	2010 Census	2000 Census
Deerfield twp	36,059	25,515
Mason city	30,712	22,016
Hamilton twp UB ²	20,811	8,645
Lebanon city	20,033	16,962
Springboro city (pt.)	16,191	12,227
Turtlecreek twp UB	14,559	12,114
Clear Creek twp UB	14,074	8,747
Franklin city	11,771	11,396
Franklin twp UB ³	11,595	9,947
Wayne twp UB	4,925	4,436

Projections from the Ohio Office of Policy, Research and Strategic Planning anticipate continued population growth for Warren County over the next two decades as illustrated in the following chart:

¹ Source: Ohio Office of Policy, Research and Strategic Planning at <http://development.ohio.gov/files/research/C1084.pdf>

² UB: unincorporated balance

³ In addition, the village of Carlisle has a population of 4,935 which is not reflected in these numbers.

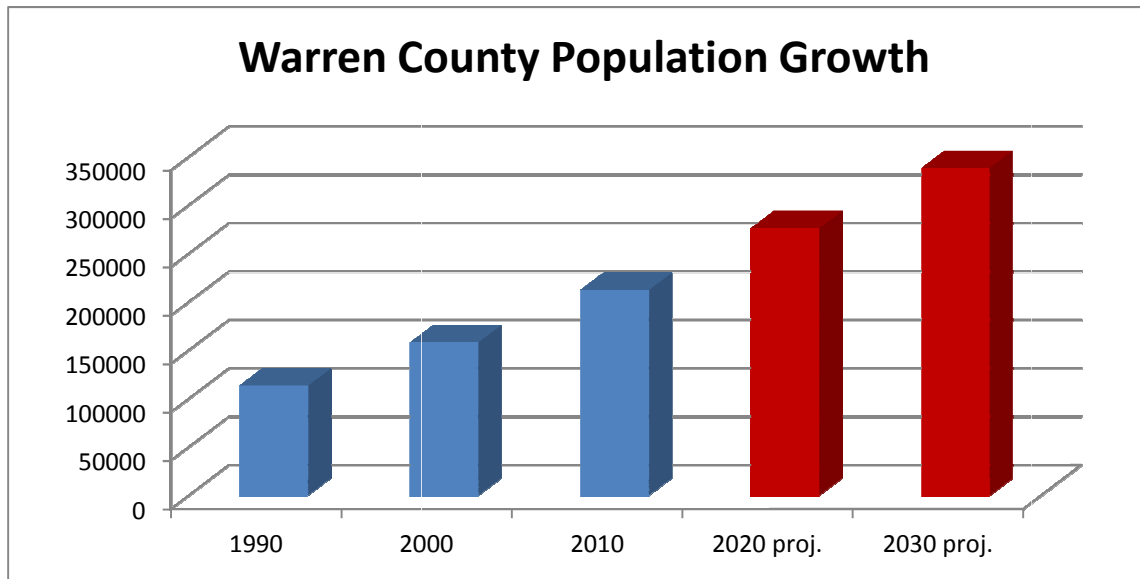


Figure 1: Warren County Population Growth 1990-2010, Projected 2020 & 2030

Planning for future court services and facilities will clearly need to take into account projected population growth for Warren County and the resulting demand for services.

Court Jurisdiction

The jurisdiction of municipal and county courts is defined by Ohio Revised Code R.C. §901 and §1907. When a municipal court exercises countywide jurisdiction, no county court is needed. A county court is created when any area of a county is not served by a municipal court.

Subject Matter. County and municipal courts in the state of Ohio share similar subject matter 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. Municipal and county courts also have limited civil jurisdiction in civil cases in which the dispute does not exceed \$15,000. Municipal and county judges sitting in these courts have the authority to perform marriages.

Geographic. Pursuant to statute, the Lebanon Municipal Court handles cases originating in the City of Lebanon and Turtlecreek Township. Franklin Municipal Court has jurisdiction over cases originating in the City of Franklin, the village of Carlisle, and the remainder of Franklin Township including the community of Hunter. The Warren County Court has geographic jurisdiction over the remaining areas not covered by the Franklin, Lebanon, or Mason Municipal

Courts. For convenience, the County Court caseload is divided between the two judges according to the following geographic areas:

Area I: Clearcreek, Massie, Washington and Wayne Townships

Area II: Hamilton, Harlan, Salem and Union Townships

These area designations do not prohibit the judges of the County Court from exercising judicial jurisdiction in any matter before the court, regardless of the area of designation.

Court Schedules

The courts currently maintain slightly different schedules for public service (counter) hours but all three provide five day per week service. Actual courtroom schedules vary:

Franklin Municipal

Office Hours:

Monday: 8:30 am to 5:00 pm
Tuesday: 8:30 am to 8:00 pm
Wednesday: 8:30 am to Noon
Thursday, Friday: 8:30 am to 5:00 pm

Court Sessions:

Monday: 2: 00 pm Civil and Small Claims Court

Tuesday: 3:00 pm Video Arraignments
4:00 pm Regular Docket

Friday: 11:45 am Video Arraignments s
1:00 pm Regular Docket

Lebanon Municipal

Office Hours: Monday through Friday, 8 am to 4 pm

Court Sessions:

Monday and Thursday: 1:00 pm Pre-trial Conferences & Video Arraignments
2:00 pm First-call Traffic and Criminal cases
First-call Domestic Violence
Pleas and sentences

3:00 pm Trials and Preliminary hearings
4:00 pm Reviews

Tuesday: 1:00 pm Evictions and Second Cause Hearings
Check Arbitration (second Tuesday of each month)
1:30 pm Small Claims, Judgment Debtor Examinations

Warren County

Office Hours: Monday through Friday, 8:00 a.m. to 4:30 p.m.

Court Sessions:

Tuesday:	9:00 am	Public defender pleas and sentences
	10:00 am	Video arraignment
	10:30 am	Public Defender
	1:00 pm	Preliminary hearings, motion hearings and trials
Wednesday:	Pretrials	
Thursday:	9:00 am	Weddings
	10:00 am	Video arraignments
	10:30 am	Pleas and sentences
	12 noon	Final pretrials
	1:00 pm	First calls and arraignments
	2:00 pm	Public defender pretrials
	3:00 pm	Reviews, preliminary hearings, probation violations
Friday:	Criminal jury trials	
Second or third Mondays:	1:00 pm	Probation and fines and costs reviews

Judge Loxley is currently handling the dockets which have alternated every other week between his predecessors. He is assisted as needed by a visiting judge.

Comparative Caseloads

New case filings for the past five years are displayed in Appendix C. Generally speaking, the distribution of case types between the three courts is similar, though there are some differences in the number of filings for specific case types. Lebanon has higher levels of small claims and

“other” civil cases, while Warren County has substantially more contracts cases. Misdemeanor averages are similar, while Warren County leads the municipal courts in “other” traffic categories, which is the leading case type in terms of overall numbers.

The following chart illustrates the average case load by broad case categories for each court over the past five years:

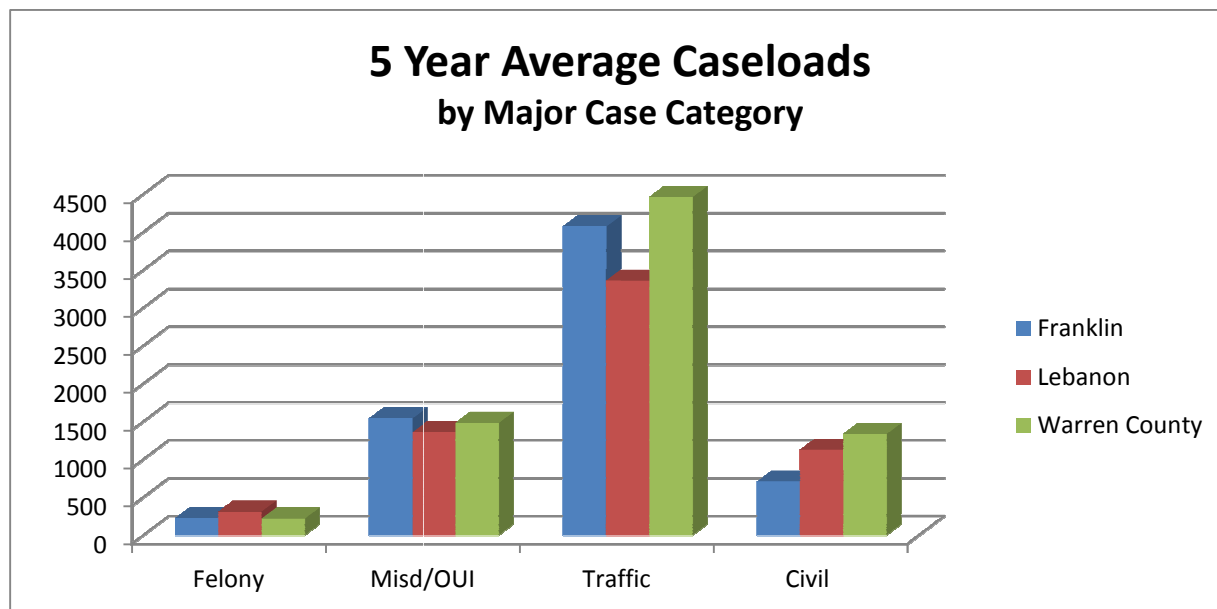


Figure 2: Five Year Average Caseload Comparisons of Major Case Categories

One of the most basic measures of court performance is the *clearance rate*.⁴ The clearance rate is a simple calculation of the percentage of cases resolved compared to cases filed for the same period, giving an indication of how effectively a court is disposing of the incoming cases. A clearance rate averaging 100% means the court is resolving as many cases as are filed for a given time period. A number consistently below 100% indicates that a court may be developing a backlog of pending cases. Clearance rates provided by the Ohio Administrative Office of Court (OAOC) are included in Appendix D.

The OAOC data indicate that the county and municipal courts are keeping up with the pace of new filings. The data also shows how sudden increases and decreases in filings can impact clearance rates, creating a lower clearance rate as the court deals with an increased caseload. Likewise, when comparing filing and disposition rates for case types with relatively low numbers

⁴ See the NCSC CourTools for details on court performance management. The tools are available on line at: <http://www.courttools.org/>

of filings, such as personal injury cases, an increase or decrease of only a few cases can cause clearance rates to fluctuate considerably. Because of these fluctuations, it is preferable to view clearance rates over a period of time to have a more accurate view of how well a court is keeping up with the workload.

Staffing

The general rule is that municipal court judges shall appoint at least one bailiff. County court judges do not have the same requirement but may make such appointments. According to Sup. R. 19.1, municipal courts having more than two judges shall appoint one or more magistrates. The following statutes and rules govern court employees:

Municipal Courts:

Bailiffs - R.C. §1901.32

Employees - R. C. §1901.33

Magistrates - Sup. R. 19.1

County Courts:

Bailiffs - R. C. §1907.53

Employees - R.C. §1907.201

The Lebanon and Franklin Municipal courts have relatively similar staff structures, with a chief clerk or clerk of court, deputy clerks, probation staff, part-time bailiff and magistrate staff. Courtroom security is provided by part-time law enforcement officers. Two officers rotate duty at the Franklin Court. Staff organization in the County Court is divided between the Court and the Clerk of Common Pleas, who provides clerk's office support. The County Court employs part-time judicial support staff and a part-time magistrate, as well as probation staff and a full-time court administrator. Organizational charts illustrating the current positions in each court are provided in Appendix B.

Judicial Resources

There is currently no threshold for determining when a judgeship should move from part-time to full-time status. Similarly, there is no numerically-based methodology for assessing judgeship needs in Ohio. In Warren County, it appears that even with a part-time position currently unfilled there are adequate judicial resources at this time to handle the caseload. However, the continuing population and business activity growth in the County will certainly increase caseloads over time, creating the need for additional judicial resources. The busiest single judge court in terms of total new case filings per FTE in the state was in Hamilton County, with

20,253. The 2011 state-wide average new filings per municipal judge FTE was 10,942.⁵ At full strength with four part-time judges in the three courts, the average filings per FTE judge in Warren County are 11,602 assuming .5 FTE for each position and using the five-year average caseload.

NCSC has conducted numerous workload assessment studies involving judges, probation officers, and clerical staff. These studies are anchored by a “weighted caseload” model that measures variations in time require to manage different case types. For instance, a contract case may take, on average, more judicial time than the typical small claims or traffic case. Time is used as a measure for workload and is based on the assumption that the more time required to process or manage a case, the more work involved. The combination of case time study data, filing information, and available FTEs determine the adequacy of judicial or staff resources. The weighted caseload approach has been used to measure resource needs in clerical and probation settings, as well as for judges.

Administration

In the municipal courts the judges have taken on the primary role for administration of court operations, with the assistance of the appointed clerk of court. The Warren County Clerk’s office is under the supervision and control of the elected Clerk of the Court of Common Pleas. Other non-judicial functions are supervised by the Warren County Court Administrator.

Clerk of Court Operations

The majority of non-judicial staff in all three courts are employed in clerical support functions. Both municipal courts have a chief clerk appointed by the presiding judge. As noted above, the elected Clerk of the Common Pleas Court serves as Clerk of Court for the County Court.

Clerical procedures are fairly similar between the clerks’ offices, particularly the municipal courts. The municipal courts maintain paper files for each case in plastic covers or stapled together while the cases are active. Cases in the municipal courts are kept in file drawers based on the next scheduled event or action date. In the county court, case documents are maintained in pre-printed and color-coded file folders with public documents kept on the right side of the file and non-public information on the left. Criminal case folders are stored according to the next event or action date.

Based on the five year average caseload calculation, there are considerable differences between the levels of clerical support staffing between the two municipal courts and the county court:

⁵ New filing, transfers and reactivations. Source: Ohio Administrative Office of courts

	5 yr. Av. New Filings	Clerical FTEs⁶	Caseload per FTE
Lebanon Municipal	6,363	4.5	1,414
Franklin Municipal	7,854	6	1,309
Warren County	8,987	11	817

Table 1: Clerical Workload per FTE Based on 5 Year Average New Filings

In general, differences in clerical staffing levels between courts may be attributable to one or more of the following factors:

Caseload complexity – Certain types of cases by their inherent complexity require more clerical and judicial time to process. A high percentage of drunk driving cases over other more routine traffic matters would be an example of the type of case which requires more attention.

Available “tools” – Automation has made a tremendous impact on the efficiency of court support activities. As most clerical operations have become automated the inefficiencies of certain manual operations have disappeared, such as preparing forms and entering court minutes by hand. However, the design and functionality of an automated case management system, as well as the availability of other equipment and processes that reduce manual effort, do make a difference.

Judicial philosophy or practice – Judicial preferences for the amount of detail required in minute entries and case management systems, the degree to which clerical staff are allowed to assist pro se litigants, and requirements for courtroom staffing can impact clerical resource needs.

Scope of responsibility – The scope of responsibility placed on court clerk’s offices can vary considerably. In the absence of a probation department clerks may be responsible for monitoring offender compliance with sentence conditions. Scheduling functions in some courts are the duty of specialized staff assigned to judges, whereas in other courts, particularly smaller limited jurisdiction courts, deputy clerks will be responsible for preparing calendars and scheduling cases.

Experience/staff qualifications – The length of tenure and knowledge of the job may account for differences in efficiency, although this is difficult to measure.

While these factors are not exclusive, they represent some of the main factors that can impact the efficiency of the clerk’s office and their relative staff needs. Although time did not allow for an

⁶ Includes supervisory personnel.

extensive review of procedures and practices in each of the offices, some conclusions can be reached based on the caseload data and observations of the clerks' offices:

- The mix of cases handles by each court is proportionally similar. Traffic offenses make up the bulk of cases filed, and though there are differences in the number of civil cases filed, the overall numbers are insignificant.
- The procedures for file maintenance and case processing appear to be relatively similar between Franklin and Lebanon. These courts use plastic slip folders or simply staple documents together to form the case file. Files are organized in drawers according to the next action date. At the County Court case files are maintained in color-coded folders and in the criminal/traffic area pending cases are also organized by next action. Civil files are organized in a more efficient central filing system where files are maintained by case number.
- One workflow difference is the greater utilization of scanning by the County Court Clerk's office. Incoming documents are scanned and the office is back-scanning older files. Scanned images are linked to the case management system. The Lebanon Court scans primarily closed DUI cases for the purpose of reducing archive file storage and improving access. The Franklin clerk has a employed a third party to scan and shred files over two years old in an effort to reduce storage need and improve access, as many archived files are currently stored in a pod.
- All three courts follow similar procedures for enforcing payments and refer cases with past due amounts to a third party for collection.
- Each clerk's office utilizes an automated case management system that provides basic features such as capture of case and party information, scheduling, forms generation, electronic disposition reporting and payment management. Franklin Municipal and County Court utilize a case management system supported by CourtView Justice Solutions of North Canton, Ohio. The Lebanon Municipal Court is using an older, character-based version of system provided by Henschen and Associates of Bowling Green, Ohio.
- In addition to having proportionally higher clerical resources, the Warren County Court has additional administrative support staff to perform some administrative functions that are the responsibility of the judges and chief clerks in the municipal courts.

In short, there were no clear reasons for the differences in workload that could be identified during the site visit.

Probation

Each court employs probation staff responsible for supervision of individuals placed on probation for criminal and traffic offenses. Probation officers are primarily responsible for the supervision of offenders placed on supervision to enforce the terms and conditions of their probation. Probation officers also prepare pre-sentence reports in a limited number of cases. In the Lebanon Court, probation officers also provide pretrial screening assistance in determining bonds for first appearances. Each office is responsible for monitoring offenders for drug and alcohol use, though the extent to which testing occurs in the office or is done by outside providers (such as SCRAM monitoring) varies somewhat.

Similar to the clerks' offices, probation caseloads per agent are not consistent. One of the principal factors that impacts probation caseloads, independent of the number of staff available, are the sentencing practices of individual judges. Judicial decisions regarding which offenders would benefit from probation supervision are discretionary, and there are no local standards of practice. The ability of probation staff to carry a large load is mitigated somewhat by the availability of clerical support staff to maintain records, schedule client reporting, and assist with monitoring conditions. Another factor is the relative number of persons who are required to make regular in-person reports to the probation officer, versus those who "report by mail" or are otherwise under less strict supervision requirements. The project team met with most of the probation staff in each of the three courts. While each court employs two probation officers, the number of support staff varies, as do current workloads:

	Probation Officers	Support Staff	Total Caseload
Warren County	2	2	1,030
Franklin	2	0	164
Lebanon	2	1	430

Table 2: Probation Staffing and Workloads as of May 16, 2013

The American Probation and Parole Association (APPA) has published a commentary on caseload standards. Determining national standards is a difficult exercise given the diversity in offender types, varying conditions and work standards imposed by the courts, and different political and statutory environments. The APPA notes that caseload size alone is not a determining factor in the success of probation as an intervention, emphasizing the combination of reasonable caseloads with effective assessments and intervention strategies based on evidence-based practices. The Association has, however, published adult caseload standards that recommend a case to staff ratio for low risk offenders of 200:1, and for moderate to high risk offenders of 50:1.⁷

⁷ Burrell, Bill (primary author) *Caseload Standards for Probation and Parole*, 2006. Accessed at http://www.appa-net.org/eweb/docs/APPA/stances/ip_CSPP.pdf

Revenues

The formula for disbursement of fine and fee revenue, along with intergovernmental reimbursements, complicate the financial picture. In addition to fines, fees and costs which are collected and transmitted by the courts to state and local units of government, the courts are allowed to impose fees that can be spent at the discretion of the court, subject to some limitations. These include the following:

Special Projects Fund. Ohio statute [§1901.26(B)] allows a Special Projects Fund for the purpose of acquiring and paying for special projects, including but not limited to, the acquisition of additional facilities or the rehabilitation of existing facilities, the acquisition of equipment, the hiring and training of staff, community service programs, mediation or dispute resolution services, the employment of magistrates, the training and education of judges, and other related services. These funds are disbursed pursuant to an order from the court.

Computerization and Clerks Fee. The statute also allows for the imposition of additional fees for court computerization [§1901.261(A)] and for computerizing the office of the clerk [§1901.261(B)], not to exceed \$3 and \$10 per filing, respectively. These funds may be disbursed pursuant to a court order and subject to an appropriation by the Council. During 2012, these funds were allocated as shown in the following table:

<u>Fee/Fund</u>	<u>County Court</u>	<u>Franklin Muni.</u>	<u>Lebanon Muni.</u>
Special Projects Fund	Scheduling Commissioner’s salary 6.25% of Court Administrator salary	Police overtime (security) IT maintenance Special audit (2012) Deputy bailiff Public defender	Cleaning courtroom & offices, probation security equipment
Clerk’s Fund	Hardware & copier costs Maintenance & support	Scanning	No 2012 expenditures
Computerization Fund	Hardware & copier costs Maintenance & support	Computer licenses Hardware & software	Software maintenance & support

Table 3: Allocation of Special Fees (2012)

In addition to these local funds authorized by statute,

- The Franklin Municipal Court has established a surcharge for deposit in an Electronic Home Monitoring Fund used for electronic monitoring, DUI intervention programs, and alcohol-related monitoring and treatment for indigent offenders.
- The Lebanon Municipal Court maintains an Enforcement and Education fund which has been used to purchase evidence software, light bars and in-car video cameras for the police department.

The County Court currently has an approximately \$.5 million in funds being held in reserve for facilities improvements from the Special Projects assessment.

For traffic and criminal offenses, court costs are remitted to the general fund of the court funding unit (county or municipality). Fines for violation of state law are remitted to the state and fines in ordinance cases to the political subdivision whose ordinance was violated, where the offense occurred. Civil fees are payable to the city treasury in municipal courts and to the county treasury in a county-operated municipal court.

Expenditures

Ohio statute also provides for cost sharing of certain positions between county and municipal courts. The salaries of full and part-time judges, bailiffs, and clerks are 40% funded by the county and 60% funded by the municipality. The County Court also provides reimbursement for part of the costs of prosecution services for the municipal courts.

The current budget cycle for all three courts is based on the calendar year. A summary of budget appropriations for the years 2010-2013 for the three courts is available in Appendix E.

Technology and Automation

Automated case management systems are the “workhorse” of trial courts. These systems allow support staff to create an electronic case file and typically include functionality for setting events, maintaining judicial calendars, processing and disbursing case-related fines, costs, and fees, capturing litigant data, and disposition reporting. Both Warren County and Franklin Municipal Courts utilize the CourtView 2000™ system from CourtView Justice Solutions. The County Court receives technical support through the county Information Technology department. County IT also supports the video arraignment system as well as connections to state correctional institutions. Technology support for the Franklin Court is provided by independent contractors hired by the court. The Lebanon court is using a version of the Henschen case management system installed in 1990, and probation uses a probation module from the same company.

Scanning, or digital imaging, has been utilized by courts with increasing frequency. The business rationale for scanning documents is usually two-fold: to provide a backup and archival copy of documents and to improve workflow. The potential to improve workflow by eliminating or reducing the reliance on paper files and documents has the most return on investment. All of the courts have made some commitment to digital imaging, although the municipal courts have primarily only taken advantage of imaging as a way to preserve inactive case files to reduce storage needs, while allowing easier access to these files when needed.

All of the courts currently have systems for digital recording of court proceedings. Franklin and Lebanon use audio recording systems while the County Court has operates a digital video system to preserve the record. These systems are provided by national vendors.

The case management systems managed by the three courts are not interconnected and therefore electronic information exchange between the courts for case look up and information sharing is limited. Franklin is linked to Justice Web, a criminal justice information system maintained by Montgomery County that provides access to court and booking information.

Court Facilities and Security Overview

An overview assessment of the existing court facilities is an essential task in the planning of future court consolidation and possible service integration. This section describes respective court facility situations and what, if any, future expansion opportunities are present in respect to potential court consolidation initiatives. The review of the existing court buildings identifies facilities deficiencies and user needs, meant to establish an objective understanding of the physical infrastructure of each court in regards to current suitability and potential future facility utilization opportunities. Information regarding existing building square footage is approximated from the building diagrams provided by the individual County and Municipal Courts. Detailed cost estimates are not included in this assessment, as a more detailed facility master plan complete with a staffing needs assessment and building engineering evaluation are required to fully understand facility expansion costs. However, a brief discussion of cost impact is included regarding current ongoing facility renovation and expansion efforts being considered at the Warren County Court of Common Pleas. The ballpark cost figures cited here were provided by the Warren County Facilities department to the NCSC project team at the time of the site visit in April, 2013.

Franklin Municipal Court

General Facility Description and Floor Space Inventory:

- The Franklin Municipal Court shares a one story above grade masonry building with the Franklin City Administration Offices.
- The existing building underwent significant remodeling of all Court and City Administration spaces in 2003. The original construction date is unknown.
- Total square footage for the court occupied portion of the building is approximately 4,700 SF and includes the main public entry and security screening station area.
 - Square footage of the courtroom is approximately 880 SF. This includes a six person jury box and seating for approximately 60 spectators.

- The public lobby, screening and restroom areas are approximately 600 SF.
- Square footage of the courtroom ancillary support space is approximately 3,000 SF. This includes the clerk's office and file areas, an in-custody holding area, a judges chamber, a jury deliberation room, and the city prosecutor's office.
- An additional office space is occupied by the Probation Department in the City Police Building, approximately one block away. The size of this office is less than 1,000 SF.

Court Occupancy:

- (1) Part-Time Judge
- (1) Part-Time Magistrate
- (2) Part-time Bailiffs
- (1) Court Clerk
- (6) Full-Time Deputy Clerks
- (1) Part-Time Deputy Clerk
- (1) Part-time City Prosecutor
- (2) Probation Officers (Located at city police building)

Other Building Tenant:

- City of Franklin Administration Offices

Courtroom Functional Space Adequacy:

- Overall, the courtroom is well appointed in terms of technology and has adequate spectator capacity for the proceeding types and courtroom calendars operated by the Court.
- The courtroom lacks an entrance vestibule needed to regulate sound and traffic coming into the courtroom from the main building lobby.
- The courtroom includes seating for approximately 60 spectators and a nine-person jury box with fixed seating.
- The courtroom is located immediately adjacent to the main entry doors and screening area; there is no spectator waiting area available and the public corridor and hallway can experience overcrowding on heavy court days.
- The Judge's bench and bailiff workstation are elevated from the courtroom floor level without provision for a wheelchair access ramp.
- There is no dedicated ADA seating in the jury box.
- There are no dedicated ADA seating areas in the spectator gallery.

- A small jury room is also being used as a shared court and clerk staff conference room; this space is generally used by court staff rather than jurors because of the low occurrence rate of jury trials.
- There are no publicly accessible attorney/client meeting rooms available.

Courtroom Support Areas Space Adequacy:

- The clerk's general office area is sized appropriately to house the deputy clerk workstations. There is no dedicated records and filing storage room, although adequate space is available for lining cabinets along the open office exterior.
- The clerk's windows are not ADA accessible in that there are no lower counters available to service disabled wheelchair users.
- The city prosecutor occupies an office within the court office area. It is generally recommended that prosecuting attorney offices are located outside of court space in order to promote the impression that the court is an impartial institution.

Building Security:

- Court security is provided through the Special Projects Fund and active duty law enforcement personnel staff the main entry screening station when court is in session. The courtroom is locked when not in session. The screening area can become crowded at the start of court because of a general lack of seating space in the main corridor.
- The in-custody holding facilities include two dedicated areas, one for men with seating for approximately eight, and another for female holding seating approximately three. These rooms are not built to correctional standards. Present practice is to handcuff in-custody offenders, as well as leg-shackle higher risk offenders. Issues to be addressed include:
 - Lack of secure vehicle transport space/sally port; lack of detention grade ceilings in the in-custody area (a dropped ceiling has been installed in-lieu of a detention grade ceiling)
 - Lack of gun lockers for in-custody transport personnel;
 - Lack of a secure passageway from holding area into courtroom. (e.g. in-custody persons are brought through a hallway adjacent to the clerk's office. They enter the courtroom via the same entrance as judicial staff.
- The remote probation department space is accessed by clients through an unscreened exterior door on the back side of the city police building. The stairway entrance is monitored by a video system. A panic alarm is available to staff to alert the police department. It is recommended that these offices be housed in a more secure facility and that all visiting clients are screened for weapons when visiting the probation department.

- There is no security monitoring provided on site. Camera, intrusion alarms, and duress alarms are fed to remote law enforcement dispatch centers. It is recommended that all court facilities have a dedicated security command and control center within the building premises.
- Access to the courtroom and office is controlled by coded keypads. During non-court hours the courtroom remains locked. Sheriff's deputies and Franklin Police have keys for the holding areas.

Building Site and Parking:

- The building is located in downtown Franklin. There is adequate parking space on site.

General Building Condition and Expansion Consideration:

- Having been remodeled within the last ten years, the courtroom and ancillary spaces are well appointed with the major exception being the in-custody holding facilities. Overall, the building is in good repair and no major building system problems were noted.
- The lack of adequate in-custody facilities makes this court location a less favorable site for conducting in-custody courtroom proceedings.
- The facilities are adequately sized to handle the current volume of activity at the Court with some space for additional staff. However, if volume and workload were to increase significantly, there is limited room for expansion.
- Expansion on site could potentially be explored given the relatively large expanse of level parking area; however, given new construction costs that could exceed well over \$200/SF and the City of Franklin's limited budget, expansion of the existing court facilities may not be practical in the foreseeable future.

Lebanon Municipal Court

General Facility Description and Floor Space Inventory:

- The Lebanon Municipal Court shares the two-story City Hall building with the Lebanon City Administration Offices. The Court occupies the majority of the second floor.
- The Lebanon City Hall building was originally constructed in 1934. The existing building underwent significant remodeling of the second floor courtroom and ancillary support spaces in 1986/87. The courtroom was then subsequently updated again in 2005.
- Total square footage for the court occupied portion of the building is approximately 7,500 SF and includes the second floor public corridor and security screening station area outside of the courtroom doors.

- Square footage of the courtroom is approximately 1,500 SF. This includes a six person jury box and seating for approximately 70 -80 spectators.
- The public lobby, screening and restroom areas are approximately 1,000 SF.
- Square footage of the courtroom ancillary support space is approximately 5,000 SF. This includes the clerk's office and file areas, a judge's chamber, storage and IT systems closets, the probation department, and the city prosecutor's office.

Court Occupancy:

- (1) Part-Time Judge
- (1) Part-Time Magistrate
- (1) Part-time Bailiff
- (1) Court Clerk
- (3.5) Deputy Clerks
- (2) Probation Officers
- (1) Probation Asst.
- (1) Part-time City Prosecutor

Other Building Tenant:

- City of Lebanon Administration Offices

Courtroom Functional Space Adequacy:

- The courtroom is also used as City Council meeting space. The space layout of the courtroom is not designed for typical courtroom operations (e.g., the bench is designed for City Council meetings rather than for single-judge court proceedings).
- The courtroom is adequately sized at approximately 1,500 SF and has adequate capacity to handle large limited jurisdiction calendars. However, the design of the courtroom is not conducive to courtroom proceedings, in terms of courtroom workstations, sightlines, and movement patterns of court participants during proceedings.
- The courtroom is well appointed in terms of technology and has adequate spectator capacity for the proceeding types and courtroom calendars operated by the Court.
- The Judge's bench is elevated from the courtroom floor level with use of a motorized accessible lift.
- The courtroom lacks an entrance vestibule to regulate sound and traffic coming into the courtroom from the main building lobby.
- The courtroom includes seating for approximately 70-80 spectators and a six-person jury box. This amount of seating is more than adequate to handle the current traffic.
- The jury box is poorly positioned in the near corner of the courtroom resulting in poor sightlines between the Judge and Jury.

Courtroom Support Areas Space Adequacy:

- The clerk's general office area is sized appropriately to house the deputy clerk workstations.
- The clerk's windows are not ADA accessible in that there are no lower counters available to service disabled wheelchair users.
- The city prosecutor occupies an office within the court office area. It is generally recommended that prosecuting attorney offices are located outside of court space in order to promote the impression that the court is an impartial institution.

Building Security:

- Court security is provided by two retired law enforcement personnel staff at the main entry screening station when court is in session.
- Public entering the City Hall and probation department are not screened. There is a small screening station located immediately outside the courtroom doors.
- No screening is provided when court is not in session. The screening area can become crowded at the start of court because of the limited space in the main corridor.
- There is a general lack of in-custody holding facilities. Issues to be addressed include:
 - Lack of secure vehicle transport space/sally port; lack of detention grade ceilings in the in-custody area (a dropped ceiling has been installed in-lieu of a detention grade ceiling)
 - Lack of dedicated holding cells;
 - Lack of gun lockers for in-custody transport personnel;
 - Lack of a secure passageway from holding area into courtroom (e.g. in-custody persons are brought through first floor city administration hallway, up a flight of stairs through the restricted court staff hallway and enter the courtroom via the same entrance as the judge and court staff).
- The probation department space is located in the rear of the building and is accessed by clients through an unscreened exterior door on the back side of the City Hall building. It is recommended that all visiting clients are screened for weapons when visiting the probation department.
- There is no security monitoring provided on site. Camera, intrusion alarms, and duress alarms are fed to remote law enforcement dispatch centers. It is recommended that all court facilities have a dedicated security command and control center within the building premises.
- Access to court work areas is controlled through locks and keys. The effectiveness of the lock and key control is questionable as compared to modern access control systems (i.e. proximity card system).

Building Site and Parking:

- The building is located in downtown Lebanon. Parking space on site is limited and the parking lot is often full on court days. There is concern that existing parking may not be sufficient if the Court's typical daily caseload were to increase, however much of this will depend on how cases are scheduled throughout the week. Staggering court appearance times would spread the traffic load of persons appearing in court.

General Building Condition and Expansion Consideration:

- Having been remodeled within the last ten years, the courtroom is well appointed. Overall, the building is in good repair and no major building system problems were noted.
- The lack of adequate in-custody facilities makes this court location a less favorable site for conducting in-custody proceedings.
- The facilities are adequately sized to handle the current volume of activity at the Court. However, if volume and workload were to increase requiring expanded operations or additional staff, some minor remodeling of existing vacant space might be required.

Warren County Court

General Facility Description and Floor Space Inventory:

- The County Court shares a one story above grade masonry building with the County Sheriff. The building is located within an 80 acre county government complex approximately one mile west of downtown, Lebanon, OH.
- The County government complex also houses County Administration Facilities and the Warren County Common Pleas Court. The Common Pleas Court Facility is currently undergoing substantial renovation and is discussed here as a potential future location of the Warren County Court.
- The existing Warren County Court building was originally constructed in 1973 and the layout configuration of the court occupied space is generally the same as it was when originally constructed.
- Total square footage for the court occupied portion of the building is approximately 7,400 SF and includes the main public entry and security screening station area.
 - Square footage of the courtroom is approximately 2,250 SF. This includes a six person jury box and seating for approximately 100 spectators.
 - Square footage of the courtroom ancillary support space is approximately 1,500 SF. This includes a judge's chamber, a jury deliberation room and court administration offices.

- Square footage of areas occupied by the Warren County Clerk of Courts is approximately 1,150 SF.
- Square footage of areas occupied by the Probation Department is approximately 625 SF which includes approximately 100 SF of corridor space outside the offices used as a waiting area for probation client visitors.

Court Occupancy:

- (2) Part-Time Judges (one Judge position is currently unfilled),
- (1) Part-Time Magistrate
- (1) Court Administrator
- (1) Scheduling Commissioner
- (1) Judicial Assistant/Court Clerk
- (2) Probation Officers
- (2) Probation Department Clerks
- (1) Chief Deputy Clerk
- (11) Deputy Clerks

Other Building Tenant:

- Warren County Sheriff

Courtroom Functional Space Adequacy:

- Overall, the courtroom is well appointed in terms of technology and spectator capacity.
- The courtroom includes seating for approximately 100 spectators and a six-person jury box.
- The number of spectators attending court rarely, if ever, fill the maximum capacity.
- The courtroom is located immediately adjacent to the main entry doors and screening area; there is no spectator waiting area available. although the large seating capacity inside the courtroom alleviates the need for a courtroom waiting area. The courtroom lacks an entrance vestibule which is needed to regulate sound and traffic coming into the courtroom from the main building lobby.
- The courtroom is fitted with an advanced court recording system and FTR Gold Recording software.
- The Judge's bench is elevated from the courtroom floor level, but without any provision for a wheelchair access ramp.
- The route from the Jury Box to the Jury Deliberation Room is not ADA accessible.
- A small jury room is also being used as a shared court and clerk staff conference room; this space is generally used by court staff rather than jurors because of the low occurrence rate of jury trials.

- There are no publicly accessible attorney/client meeting rooms available. Instead, the anteroom adjoining the jury deliberation room within the secure judicial office area is used by the Warren County prosecutor. This arrangement is not a best practice; instead, the prosecutor should be housed in an area separate from the court.

Courtroom Support Areas Space Adequacy:

- The clerk's general office area is overcrowded with minimal space for files and cramped workstations.
- The probation department space is cramped and overcrowded.
- The clerk operates two sets of public windows. The clerk's public window areas lack ADA compliant counters to service disabled wheelchair users.

Building Security:

- Court security is provided by the Warren County Sheriff and with one officer typically on duty at the main entry screening station.
- All public visitors to the building are screened at the security screening area. This includes visitors to the court, probation department, and sheriff's office.
- There are no in-custody facilities or dedicated circulation areas within the court space; however, the Warren County Jail and the Sheriff's offices are located in a separate part of the same building.
- In-custody prisoner transportation is provided by the Warren County Sheriff. Although the jail is within close proximity, the Sheriff is required to transport prisoners using vans and access the court through the front door.
- Access for public visitors to the probation department offices is gained from the main lobby into a secure hallway which is controlled by staff at the clerk's public window area.
- There is limited egress for probation officers who could become trapped in the event that a probation client were to become violent.
- There is not a secured prisoner toilet or holding cell that meets security facility standards.
- Doorways accesses to court work areas are equipped with locks and keys. The effectiveness of the door lock controlling public accessing court offices is questionable.

Building Site and Parking:

- The building is located within an 80 acre County Government Complex. There is adequate land and parking space on site.

General Building Condition and Expansion Consideration:

- The County Court building is currently being used to its full capacity and there are no opportunities available to expand the number of courtrooms or support offices. The Clerk of Court and Probation Department spaces in particular are overcrowded and substandard in terms of functional workspace, file storage areas, and public accommodations.
- The existing building space occupied by the court could be well suited for use by the Warren County Sheriff Department.

County Court Relocation to Common Pleas Courthouse Consideration:

- Major building activities are currently being undertaken at the Warren County Common Pleas Court. This includes construction of a new 50,000 SF Courthouse Annex. The Annex will house the County Prosecutor and Grand Jury on the Second Floor, County Emergency Services (e.g. Dispatch) and Common Pleas Court Services on the First Floor, and Prisoner Transportation Sally Port, Probation, and County Board of Elections offices and storage on the Ground Floor.
- The Courthouse Annex construction will vacate approximately 30,000 square feet of space within the Common Pleas Court currently occupied by the County Prosecutor, Grand Jury and Warren County Probation Department. This will allow significant remodeling of the building which may include a portion of space which could be utilized by the Warren County Court.
- The Warren County Common Pleas Courthouse and surrounding site has good potential for growth and expansion. Depending on the scale of the growth anticipated in the long-term planning horizon, renovation of existing building space and/or building addition(s) may be considered.
- Consolidation of the Warren County Court to the existing Common Pleas facility would be advantageous for multiple reasons including:
 - **Adequate space for a construction of a new County Municipal Court inside the Common Pleas Courthouse will be available.** It is anticipated that adequate space will be available for housing a new County Court Municipal Courtroom and the required ancillary support facilities inside the existing Common Pleas Courthouse. In addition, expansion space is available on land adjacent to support construction of new additional courtrooms in the event that future caseloads demonstrate such a need.
 - **Relocation of the County Court would allow new facilities to be planned and built to accommodate a range of long-term space needs in a fashion that meets modern courthouse design standards.** These standards include topics such as courtroom and ancillary space standards, security design, ADA accessibility, and court technology infrastructure.

- **The Warren County Sheriff would be able to combine and consolidate many court security and prisoner transportation functions.** This includes reducing the number of facilities to provide court security and public screening and consolidating in-custody defendant transportation to one court facility.
- **The Warren County Sheriff department is currently undergoing an expansion study and it is anticipated this study will show a need for additional office space.** If the County Court were to vacate its current space, the area could be easily converted to Sheriff office space.
- **Relocation of the County Court to the Common Pleas Courthouse would allow the Warren County Clerk of Court to combine and consolidate its clerk operations to one facility.**

Construction Costs Discussion – Common Pleas Courthouse:

- **New Construction:** Anticipated construction costs for the Warren County Common Pleas Court Annex are reported to be in the range of \$6 – 7 million dollars. This represents a square foot construction cost of \$120/SF to \$140/SF. It should be noted that this construction figure does not represent the square foot costs of new courthouse construction. Instead, it should be considered in terms of its actual anticipated occupancy, which is office space for various county government and court related departments. Nationwide, it is typical to find that construction costs for courthouse construction can be as much as 50% more than that for office type construction. This would indicate that in Warren County, construction costs for new courthouse space would most likely approach and exceed \$200/SF. In many parts of the country, actual construction costs for new modern courthouses built to present day best practices in courthouse design are actually approaching \$300 - \$400 per square foot (and significantly higher in some East and West Coast states such as New York and California).
- **Remodel of Existing Space:** It should be noted that the new construction costs discussed above do not necessarily reflect the costs of renovating existing space within the Common Pleas facility. It is generally much more cost effective to update space which was originally constructed to standards which reflect the business of conducting court than to construct new courthouse space altogether. In fact, it should be expected that costs for renovating existing Common Pleas space for the purpose of creating a new home for the Warren County Court would be relatively nominal as compared to the new construction figures cited above. It is recommended that the County study the issue through a strategic master plan which should incorporate a thorough staffing needs assessment and detailed building architectural and engineering analysis.

IV. WHY CONSOLIDATE?

A Brief History of Court Unification and Consolidation Efforts

Court unification and consolidation has been a topic of debate across the country since Dean Roscoe Pound of the Harvard Law School addressed the 1906 annual meeting of the American Bar Association in St. Paul, Minnesota, about “The Causes of Popular Dissatisfaction with the Administration of Justice.” Pound argued that the American system of courts was archaic in these respects: (1) too many courts, (2) concurrent jurisdiction among those courts, and (3) wasted judge resources, especially with the disparities in workloads between many courts.⁸

Serious discussion and action on court unification began in the 1950s through the 1970s. The movement emphasized simplification of court structures, administrative and organizational coherence, budgetary consolidation, and a general improvement in the professionalism and administration of courts and judicial systems. Although part of a larger public campaign for more scientific and businesslike public administration, court reform became associated with court consolidation or unification.⁹ Promoters of greater consolidation and unification argued that structural reform was needed to address the complexity and inconsistency of court structures which had developed over the years in response to various social, cultural and political forces.

The problems with existing state court structure that the unification movement sought to correct included:

- Complex organizational structures tailored to local needs that were not based in sound management practice and efficient resource allocation.
- Inequitable distribution of resources among courts of varying jurisdiction.
- Diffuse authorities and power, and minimal management accountability, with attendant lack of uniform case processing and court operations.
- Local variation in the processes, procedures and the quality of justice.
- Limited management capacity and authority, leaving courts vulnerable to micromanagement by other branches of government.¹⁰

In its 1974 *Standards Relating to Court Organization*, the American Bar Association (ABA) weighed in on the issue by recommending that state courts adopt systems of uniform jurisdiction with the ideal model being a single-tier court with internal divisions, if needed. However, the ABA standards also acknowledged that the creation of a two-level system with a court of general

⁸ Pound, Roscoe, “The Causes of Popular Dissatisfaction with the Administration of Justice,” *American Bar Association Reports* (Vol. 29, 1906) 395; reprinted, *Journal of the American Judicature Society* (Vol. 20, February 1937) 178, and *Federal Rules Decisions* (Vol. 35, 1964) 273, at 284-287.

⁹ Tobin, Robert, “The Unification and the Advent of Judicial Administration;” National Center for State Courts, 1997.

¹⁰ See Tobin, 1997, 19-20.

jurisdiction on one tier and a court of limited jurisdiction on another would be a reasonable alternative.

In 1996, the Michigan Supreme Court sponsored demonstration projects in six Michigan judicial circuits to test the impact of structural, administrative, and financial consolidation. In each of the demonstration project locations, three separate trial courts were joined into a “trial court,” with a single chief judge, a single court administrator, and a single court budget to the extent possible. While the Michigan legislature did not adopt sweeping structural changes to the trial courts as a result of the pilot study, legislation was enacted that allows local courts to voluntarily adopt “concurrent jurisdiction plans,” subject to review and approval of the Supreme Court. These plans allow for flexibility in assigning judicial resources and encourage collaboration and consolidation of court administration and resources.

More substantial changes to court structure were implemented in Minnesota and California beginning in the 1980s. In 1982, the Minnesota courts began a 15-year transition to full state funding, the transition to a statewide case management system, the creation of the Court of Appeals, and the unification of the probate, county and municipal courts into a unified district court system under one central governing body, the Judicial Council.¹¹ In 1998, California voters approved a constitutional amendment permitting judges in each county to merge their superior and municipal courts into a single countywide court upon the vote of a majority of the county’s superior court judges and a majority of its municipal court judges. Upon unification, the municipal court judges became superior court judges, subject to countywide election and municipal court employees became employees of the unified superior court.¹²

Although major structural changes in court organization have not occurred in Ohio, there has been on-going interest in consolidation of limited jurisdiction courts. In its May 2000 final report to the Ohio Supreme Court Ohio, the Courts Futures Commission, comprised of 52 citizens drawn from a broad spectrum of backgrounds, made recommendations for a two-tiered trial court.¹³ Former Chief Justice Moyer advocated the elimination of part-time judgeships across the state, which would likely have resulted in consolidation of many part-time courts.

In 2009, the Mahoning Bar Association took a public position urging a study of consolidation of limited jurisdiction courts in the County. Shortly thereafter, the Bar Association engaged the National Center for State Courts, with financial support of the State Justice Institute, to conduct a study of the feasibility of court consolidation of county, municipal, and mayors’ courts. The nine-month study concluded in June, 2011 and recommended that leadership consider creating a

¹¹ See <http://www.mncourts.gov/?page=NewsItemDisplay&item=55575>

¹² Judicial Council of California, *Analysis of Trial Court Unification in California*, September 2000.

¹³ A Changing Landscape-The Ohio Courts Futures Commission Report accessed at: <http://www.supremecourt.ohio.gov/Publications/futures/complete.pdf>

two-tier trial court in Mahoning County by combining municipal and county courts into a unified county-wide court of limited jurisdiction. The report further recommended that mayor's courts be replaced by branch facilities staffed by trained judicial officers. Although action was not taken to consolidate the county and municipal courts, one judgeship was eliminated on the basis of the declining caseload at the Youngstown Municipal Court.

In 2010, the judges of the Montgomery County Court, along with local stakeholders, requested the conversion of five part-time judgeships to a municipal court with two full-time judgeships. The County Court, similar to Warren County, operated two areas with its jurisdiction separated by the Vandalia and Dayton Municipal courts. Estimated savings to the state of \$46,050 and to the county of \$54,000 in salary expenses were expected with conversion of Montgomery County Court to a municipal court.¹⁴

Benefits and Impact of Consolidation

Experiences from other jurisdictions provide insight into the impact that consolidation has on judicial operations and administration. The following are some of the benefits and challenges related to consolidation:

Court Administration and Governance

Court consolidation generally impacts the management of all aspects of court operations such as caseflow management, technology, budget and fiscal, personnel and human resources. Relationships with other stakeholders such as law enforcement, the bar, media, social service agencies and the public are often simplified. Local rule-making authority for formulation and implementation of management policies, as well as local court rules of procedure that currently exist for each court must be harmonized when court operations are consolidated. For the local bar and members of the public doing business with the court, consolidation of courts brings more consistency in rules of practice. Consolidation often provides an opportunity for courts to develop a more developed governance structure for policy formulation and court administration.

Human Resources

Most of the expense of operating courts is in personnel. Therefore the most substantial savings that are achieved through sharing of court services are usually in this area. Smaller courts have the greatest potential for achieving cost savings through merger or consolidation with other similar courts. Generally, smaller courts have less economy of scale than larger or shared courts, and tend towards overstaffing in order to maintain minimum operations.

¹⁴ Supreme Court of Ohio memorandum from Steven Hollon dated May 20, 2010.

In addition to economies of scale in clerk's offices, supervisory duties can usually be consolidated into fewer positions unless the consolidation results in an organization large enough to require internal divisions of work. For instance, one clerk and administrator or a combined position is usually adequate to manage the non-judicial operations of a two- to three-judge court.

Clerical Operations and Records Management

Court mergers require standardization of electronic and paper records management systems. This includes the creation of consistent standards for case file management, forms, data entry, file maintenance, and the processing of pleadings and documents. In states which lack a centralized case management system, access to court information is often fractured, and even courts in the same county, as is the case in Warren County, utilizing similar systems may not have the ability to share or exchange information electronically. Consolidation typically results in more standard procedures and record keeping systems, and requires the merger of case management systems. This results in easier access to court information for the public and local agencies.

Budget and Financial Administration

Two of the main benefits sought from consolidation are simplification of budget and finance activities and the efficient use of human resources. This includes eliminating redundancies in budget oversight, payments processing, and revenue collections. Many of the expenditure items that courts operating under a single funding unit maintain individually, such as indigent attorney fees, jury management, and purchasing, are easy candidates for merger. Consolidating these activities may result in less administrative overhead and in some cases increased "buying power."

Utilization of Technology

Consolidation of courts often benefits technology management through improved information access and sharing, as well as reduced support costs. Unification of technology includes the following characteristics:

- Integration of various case management systems and databases into a single system.
- Standardization and integration of data collection and reporting.
- Consolidated information systems management and support.
- Standardization of components, applications, configurations, and hardware with reduced redundancies in IT support and maintenance.
- Single point of access for court information for the public and government agencies which opens more opportunities for electronic data exchange.

Implementation costs of consolidating technology vary. In the case of Warren County, the full consolidation of the courts would likely require cases which are currently on the Lebanon Municipal Court's case management system to be converted to CourtView, at least in the near future. Depending on the licensing structure for court case management system software, consolidation might result in marginal savings in overall licensing and maintenance costs.

Access

Access to courts is always a prime concern when deciding how and where to provide service. The proximity of court services to major population areas and main transportation routes is a consideration. There are concerns about access for those who could least afford to travel many miles to a distant court location (e.g., a person seeking a temporary order of protection or the elderly). Further, many offenders who must report to probation do not have a valid driver's license. The challenge is how to determine an acceptable radius of service. Much of that depends on the percentage of people who do business with the court that are actually local residents.

The extent to which court is serving a primarily local clientele depends on a variety of factors, including the presence of major roadways or businesses in the jurisdiction, availability of public transportation, as well as the presence of a large transient population or university students. It may be that perceived concerns that people have with travel distances to court may be important in isolation, but when presented to them in relative terms may be less important than expected. In a 2005 survey of the public and attorneys in California, respondents who were asked about eleven reasons that might keep someone from "going to court," cited "travel distance to court from home" less often than eight of the other reasons including fees, cost of hiring an attorney, the time it takes to reach a decision, lack of child care, and the hours the court is open.¹⁵

Court location is probably more important to law enforcement agencies, and to a lesser extent, attorneys. For law enforcement, the additional travel time to file citations, transport prisoners, and appear in court can be significant, particularly for a small department. Technology can be an important mitigating factor. Video arraignments, which are already in use in the Warren County courts, reduce transports and their related security and cost concerns. As electronic information exchange such as electronic citations, e-filing, and web access to court cases and documents becomes more common, the question of court location becomes less of an issue.

Jury Management

Jury administration is primarily the responsibility of the Jury Commissioner's Office and lists of eligible jurors are provided to the courts. Local court rules govern the specifics of jury management at the individual court level. Jurors are selected from the geographic jurisdiction of

¹⁵ Judicial Council of California/Administrative Office of the Courts. *Trust and Confidence on the California Courts – A Survey of the public and Attorneys*. Part I: Findings and recommendations, 19.

each court. In some smaller courts, finding an adequate number of jurors from a small pool can be a challenge, though this was not mentioned as a problem in any of the interviews conducted by NCSC project staff. The advantage of consolidation, as with other administrative activities, is the potential reduction in redundant tasks associated with managing the jury process. If the County Court moves to a new facility there will be an opportunity to provide better space for juror assembly and deliberations than is currently the case. One option for reconfiguring court services is to have a central court facility in the county complex and provide satellite services in Franklin. Jury trials would be held in the central location with better facilities and security for jurors.

Facilities

Consolidation projects often involve changes to facilities to accommodate combined staff and increased courtroom needs. Depending on available space and budgets, these efforts often pay off in terms of increased security, better space management, and reduced long-term operating costs. Court facility implementation efforts, for both the short-term improvements to the existing buildings and the implementation of long-term consolidation of court facilities, should be designed to address the following goals:

- The court facilities should convey images of dignity and solemnity and a sense that the facilities are the ones in which justice is done.
- The court facilities should maintain flexibility to accommodate both short- and long-term space needs, and contribute to the effective and efficient administration of justice.
- The court facilities and their locations should be easily accessible to the public and user-friendly.
- Each court facility should offer an efficient and secure environment for all citizens who utilize the facility as well as for the judges and court employees who work within the facilities.
- Each court facility, including all courtrooms, offices, and other functional spaces, should be equipped with advanced technologies to facilitate the efficient administration of justice and improved quality service to the public.

Facility requirements are often the main barrier to consolidation or reorganization. In the absence of sufficient funding for major renovations or new buildings, along with uncertainty about how to re-purpose abandoned space, the benefits of consolidation may not overcome the cost of facility improvements. However, as is discussed in more detail in this report, the current plans for expansion and improvement to existing county facilities changes the game in this respect and does not appear to be an obstacle, at least as far as County Court operations are concerned.

Results from Other Studies

In several instances, comprehensive evaluations of court unification and consolidation have been conducted to test the original assumptions about the anticipated benefits. California's massive consolidation of the municipal and superior courts into a single trial court was completed in 2000. The overall benefits of consolidation cited by trial court participants who were consulted included:¹⁶

- More coherent governance of the courts.
- Courts speaking with one voice to the public, justice system partners, local and state agencies.
- Greater cooperation between the judiciary and other branches of government and communities.
- More uniformity, expedition and timeliness of case disposition.
- More opportunities for innovation, self-evaluation and reengineering of court operations.
- Improved public access and increased focus on accountability.

The primary goals that policy-makers hoped to achieve were an overall reduction in system costs and better utilization of judicial resources. Although cost reduction goals were not realized through unification, the California courts were able to make more efficient use of judicial resources, according to the study.

The National Center for State Courts conducted an evaluation of Michigan's pilot demonstration courts from 1996 to 1999 along with a follow-up assessment in 2001.¹⁷ The 2001 assessment concluded that unified trial courts provide many benefits to citizens, including greater independence, responsiveness, accountability, fairness, effectiveness and accessibility. Further, in the eyes of key stakeholders, such as local bar leaders, county funding authorities, law enforcement officials, and prosecuting attorneys, unified courts were viewed positively.

A closer comparison to the situation in Ohio can be found in a 2009 study of municipal court services in New Jersey¹⁸ which looked at the benefits of creating regional municipal courts, with the goals of reducing the cost of service delivery and improving efficiency. The study noted that smaller communities have the best opportunities for achieving cost savings through shared or joint operations. The potential savings for these smaller communities was estimated in the 30 to 50% range, primarily through more efficient use of staff resources. Other benefits that were identified from consolidated operations included:

¹⁶ Lahey, Mary Anne. *Analysis of Trial Court Unification in California-Final Report*. California Administrative Office of the Courts, September 2000.

¹⁷ See David Steelman, *Michigan Trial Court Consolidation Demonstration Projects: 2001 Follow-Up Assessment Report, Executive Summary*. National Center for State Courts, Court Consulting Services, November 2001.

¹⁸ Murphy, Linda. *Municipal Court Shared Services Testimony*, November 16, 2009.

- Increased court room utilization
- Improved use of technology
- More availability of special programs such as pretrial services, interpreters
- More flexible scheduling for law enforcement

The extent to which the Warren County community will benefit from changes to court structure and organization is a complex question which involves differing fiscal scenarios for the county and cities, as well as other non-monetary considerations.

V. COURT CONSOLIDATION OPTIONS FOR WARREN COUNTY

Although the initial proposal that prompted this study involves the transfer of County Court activities to the municipal courts of Franklin and Lebanon, there are other configurations for delivering court services that are worthy of consideration. This section outlines four possible options for merging or consolidating court services in Warren County. Under each option consideration is given to the service, operational, and fiscal impact. Options I and II could be adopted together as a phased implementation, as could options III and IV.

The additional expenses incurred or savings realized by the cities of Lebanon and Franklin, as well as Warren County, depend on a number of factors and are therefore difficult to estimate with any degree of certainty at this point. The following caveats apply to this analysis:

- The salary rates provided below are based on current salary scales where available. Actual salary costs would depend on how positions are merged, whether part-time positions are moved into full-time versus adding part-time staff, whether excess positions are eliminated through layoffs or attrition, and other factors.
- Given the wide difference in clerical staffing levels between the courts and differing opinions regarding the capacity of the courts to absorb additional work, a more thorough analysis of staffing should be conducted before any firm conclusions are reached regarding the clerical staff needs in any of these scenarios. Judge Bogen and Judge Ruppert have indicated that additional staff would not be required under Option I and that minimal increases would be needed under Option II. The estimates given in this report are examples of levels that might be needed in the future taking into account potential increases in case filings due to continued population and business growth.
- The fiscal impact of these options on non-court budgets such as prosecution, public defense and law enforcement are also based on estimates provided to the project team by the prosecutor's office and law enforcement. Actual costs will depend on how far into the future changes, if any, are implemented and future caseloads.
- Additional capital costs can be expected for computer and office equipment, and consumables to support any new positions and increased workloads.
- Incremental administrative costs (human resources, information technology) associated with the support of additional staff and services are not included in these projections.
- The fiscal impact of eliminating and consolidating courts does not take into account possible agreements that may be made between the current local funding units. For instance, under Option IV, which would create a County Municipal Court, an agreement could be reached in which the cities of Franklin and Lebanon continue to make a contribution towards court operations.

If Option III or IV are selected it will be essential to move the County Court to a new location prior to implementation. The project team was informed that a more detailed estimate of the

costs of expansion would be forthcoming from the county architect in the near future. A decision regarding the future of the County Court and its relocation to the Court of Common Pleas facility is a key issue in this discussion. If the county and municipalities choose in the end to maintain the status quo, the project team believes that the relocation of County Court would still be desirable.

This analysis relies on the following budget information provided by the Lebanon and Franklin Municipal Courts and the County Court. The figures in this table represent four year averages in each category.

	<u>Expenditures</u>	<u>Local Revenue</u>	<u>Net Operating \$</u>
Franklin	\$ 837,100	\$ 488,400	\$ 348,700
Lebanon	\$ 773,500	\$ 465,100	\$ 308,400
Warren Co.	\$ 1,185,000	\$ 366,500	\$ 818,500

Table 4: Four Year Average (rounded) expenditures, revenues and net operating costs 2009-2012.

Option I: Limited Reconfiguration of Municipal Court Boundaries

The proposal that prompted this study calls for the expansion of court boundaries for the municipal courts in the cities of Franklin and Lebanon to initially include approximately half of the current workload of the County Court. This plan assumes the ability of municipal court judges to preside over an expanded jurisdiction through conversion of their current positions to full-time status. The limited expansion of municipal boundaries would result in a reduction in overall caseload for the Warren County Court and could be an interim step to the adoption of Option II, which would involve the complete transfer of County Court cases to the municipal courts. Specifically under Option I, Franklin Municipal Court jurisdiction would be expanded to include Clearcreek Township and Springboro. The jurisdiction of the Lebanon Municipal Court would be expanded to include Wayne, Massie, and Washington Townships. Warren County Court would retain jurisdiction for Union, Hamilton, Salem and Harlan Townships.

Service Impact – Expanding the jurisdiction of Franklin Municipal would be convenient for agencies and citizens of Clearcreek Township due to the closer proximity of the court. The Lebanon expansion would have little impact in terms of location, though parking in the city is more limited. Additional transports to these two locations would result in more Sheriff’s transport time and related costs. Full-time judgeships at both locations would increase the availability of judicial officers to conduct proceedings and service walk-in clients.

Operational Impact – The additional workload resulting from the incorporation of Springboro and Clearcreek Township into the jurisdiction of the Franklin Municipal Court is difficult to

estimate precisely since the number of civil cases initiated in that area cannot be easily determined. However, some idea of the increase in criminal and traffic filings can be estimated from data provided by the Clerk of Common Pleas. The 2012 criminal and traffic filings from the Springboro/Clearcreek Township area totaled 284 and 859, respectively. Using the 5-year average filings figure, moving this caseload to Franklin would represent an 18% and 21% increase in the number of filings for these case types. Given the current rate of growth in Clearcreek Township, it would be reasonable to expect that the total annual filings will increase over time, assuming the same or greater level of future law enforcement resources.

Expanding the jurisdiction to include the townships of Wayne, Washington and Massie would have more impact on the Lebanon Municipal Court. Based on a similar comparison of the five-year average filings with the number of criminal and traffic cases originating in these three townships, which totaled 422 and 1,488, the Lebanon Court would see a 31% increase in criminal and a 44% increase in traffic filings. The municipal court judges have stated that anticipated increases in caseload can be accommodated with a relatively small increase in staff resources. Under this option the County could keep the remaining court operations adjacent to the Sheriff's Department since the need to acquire additional clerical and probation space would be less pressing. However, moving the current court operation to space in the Court of Common Pleas building has other benefits, including improved security and public access.

Fiscal Impact – The municipal courts will have incremental increases in prosecution, public defense and victim advocate expenses as a result of increased criminal case filings. Given the current supervision load, existing probation resources are probably adequate to absorb the additional cases for the near future. However, continued growth could require the court to add clerical and probation staff as some point in the future, as well as hours for magistrate coverage, courtroom security, and the bailiff.

The municipal court judges provided the following estimates of additional staff expenditures under this option:

Franklin Municipal – Increasing the judgeship to full-time status and adding bailiff hours would result in the following expenses:

Judge's salary and PERS	\$11,286
Bailiff	\$1,200

The city will incur some additional expenses for public defense, prosecution and victim advocate services which are not in the court budget. Applying the projected increase in criminal and traffic filings to all case types, local revenues could increase in the range of \$88,000-\$103,000, based on the four year revenue average.

Lebanon Municipal – Additional personnel expenses are estimated by the court to include the difference for a full-time judge, as well as increased public defender and court security officer hours:

Judge’s salary and PERS	\$16,929
Part-time Public defender	\$10,000
Part-time Security Officers	\$10,000

The city may need to plan for a small increase in prosecution and victim advocate expenses.

Filing fees for civil matters and many criminal fees currently paid to Warren County for cases originating in political subdivisions which will be transferred to the municipal courts will be re-directed to the municipalities. Applying the projected increase in criminal and traffic filings to all case types, local revenues could increase in the range of \$144,000 to \$204,000, based on the four year revenue average.

Warren County – The current judicial vacancy would remain unfilled for a savings of \$35,500 for the unfilled part-time judgeship. Current Clerk’s office staff levels could likely be reduced for further savings at an average rate of \$32,240 per position, plus PERS, based on the average salary for the clerk’s office. Moving cases to the municipal courts would relieve probation of some of the current workload, but not enough to justify reducing staff at this point. As noted earlier in this report, the longer term need for probation services will be impacted by judicial sentencing practices, in addition to caseload. Warren County will have incremental savings in public defender, prosecution and victim advocate expenses. The County will lose criminal and civil revenues which will be transmitted to the municipalities from the new areas under their jurisdiction as noted above. The County share of municipal court salaries (judicial, bailiff) will increase.

Option II: Full Reconfiguration of Municipal Court Boundaries and Elimination of County Court

The second option for expanding the jurisdiction of the existing municipal courts involves municipal courts assuming responsibility for the full caseload of the County Court and eliminating the County Court altogether. This would require the two municipal courts to split the current County Court caseload which has averaged just under 8,000 cases for the past two years.

Service Impact – As noted in Option I, the Franklin court is closer to the Springboro community. Maintaining courts in Lebanon and Franklin will otherwise have little impact on the accessibility of court services from a purely location point of view. However, both of these locations are less favorable for parking. Public space in these buildings is limited, particularly in area outside the Lebanon courtroom.

For law enforcement agencies located in the southeastern townships of the county, the county prosecutor’s office and the Sheriff’s Department, there appear to be no real advantages to this option. Longer travel distances for depositing citations and attending court may result in additional expenses for these departments. Both buildings have less than ideal systems for prisoner holding and movement, which will increase the Sheriff’s potential security exposure for transports, as well as time and staff needed to move more in-custody offenders to these facilities.

Operational Impact – The total caseload increase under this option will depend on how the townships of Salem, Union, Hamilton, and Harlan are assigned. All of these townships are located in the southeastern quadrant of the county and therefore are closest to the Lebanon facility. However, based on 2012 criminal and traffic filings, this would add well over 3,000 new criminal and traffic filings to the Lebanon Court. As the Lebanon Municipal Court Clerk’s office is staffed at the lowest level of the three courts, the increase in cases may require additional staff in the clerk’s office and probation. At present there are vacant work stations space in the Clerk’s office and additional office space which could be allocated to probation. The Franklin Court has space for additional work stations within the clerk’s office and a larger customer counter than Lebanon to handle a higher volume of walk-in clients. Probation office space in the Franklin Police Department appears to be very limited. Courtroom capacity is probably sufficient at both the Lebanon and Franklin courts to handle the additional workload.

Fiscal Impact – This option will result in increases in operating expenses for both municipalities, along with increased revenues. The elimination of the County Court would result in a substantial reduction in general fund expenditures for Warren County. Under this option the additional personnel costs will be added to the municipal court budgets for the full-time judgeships and additional hours for security, public defense and court support staff. The number of additional clerical support staff needed is difficult to predict, however, an increase of one to three clerks in Franklin and three to four in Lebanon is a rough estimate of the number required to handle the increase. These projections assume dividing current county probation staff evenly between the two locations, though the municipal judges indicate that current staff levels are adequate. Actual probation staff needs could be lower depending on sentencing practices.

Franklin Municipal – The Franklin court will incur costs for the full-time judgeship, as well as longer hours for court security officers. Additional probation and clerical personnel are included. As Franklin has the larger number of clerical staff an estimate of one to three additional deputy clerks is projected. Projected salary costs and overtime are in addition to current expenditures:

Judge’s salary and PERS	\$11,286
Police overtime (court security)	\$5,000
Magistrate (add. part-time)	\$10,000

Deputy Clerk salary (1-3)	\$32,240 - \$96,720 + PERS
Probation Officer II	\$46,342 + PERS
Probation Clerk (PO I)	\$40,000 + PERS

Increases in expenditures for prosecution, public defense and victim advocate services will be added to the city of Franklin budget:

Prosecutor (1)	\$55,000-\$63,000 (county salary rate) + PERS
Victim Advocate	\$10,000-\$20,000 (+ benefits if moved to full-time)
Part-time Public defender	\$10,000 – 20,000

New revenues of approximately \$183,000 from increases in case filings are projected by the court assuming 50% share of remittances to the County would be re-directed to the City based on the four year revenue average. Actual revenue may well be higher if increases related to population and business activity growth positively impact case filings. Judge Ruppert has noted that the caseload increase in 2010 of 2,000 cases resulted in an additional \$200,000 to the city of Franklin general fund.

Lebanon Municipal –Projected salary costs are in addition to current expenditures and based on current rates for County Court staff:

Judge’s salary and PERS	\$16,929
Part-time Security Officers	\$5,000
Part-time Public defender	\$10,000–\$20,000
Magistrate (add. part-time)	\$10,000
Deputy Clerks (3-4)	\$96,720 - \$147,016 + PERS
Probation Officer II	\$46,342 + PERS
Probation Clerk (PO I)	\$40,000 + PERS

Additional expenses for prosecution, and victim advocate services includes adding up to one assistant prosecutor position and increasing victim advocate services:

Prosecutor (1)	\$55,000-\$63,000 (county salary rate) + PERS
Victim Advocate	\$10,000-\$20,000 (+ benefits if moved to full-time)

New revenues of approximately \$183,000 from increases in case filings are projected by the court, assuming a 50% share of remittances to the County that would be re-directed to the City and based on current caseload. Future revenues would be higher assuming an increase in caseload.

Warren County – Warren County would no longer be responsible for county court operations or receive court revenues under this scenario. Net operating costs for the county have averaged \$818,500 over the past four years. This option would eliminate the need for building renovations being considered for the County Court in the Court of Common Pleas building. Prosecution costs would be reduced by the elimination of approximately 1.5 FTE assistant prosecutors at \$55,000 – 63,000/FTE in base salary. Public defense expenses for misdemeanor cases would be eliminated. Expenses for victim advocates would be assumed by the municipal courts for a savings to the county of approximately \$40,000. The Sheriff’s Department would no longer be responsible for security screening at the County Court. The current county cost for the county share of municipal court judicial and staff positions, as well as the portion of criminal prosecution costs, would increase.

Option III: Merge Lebanon Municipal with Warren County Court

The close proximity of the Lebanon Municipal Court to the Warren County Court is the primary motivation for considering a merger of these courts. Under this option the County Court would not quite double its current caseload by adding an average of over 6,000 new cases per year. The Lebanon Court Clerk’s office and court office space would be converted to other uses. Lebanon city employees who are currently housed in space outside the city building could be relocated.

Service Impact – Because of the close proximity of the two courts their merger would have little impact on the travel distances for most agencies, litigants and the public. The Lebanon Police Department would experience the most inconvenience. Assuming a merger was concurrent with a move of the County Court to remodeled space, better parking, a larger clerical service area, and better overall building security, would be an improvement for the public. It would also eliminate the need to transport in-custody offenders to the municipal building.

Operational Impact – The merger of these two courts could not be accomplished without creating new County Court space. Cases on the two separate case management systems will need to be merged, as will clerk and probation file systems. Transferred clerical staff will need re-training. Staff reductions through attrition or termination would likely be required in the Clerk’s office.

Fiscal Impact – The City of Franklin would not be impacted by this option.

City of Lebanon - Court closure would eliminate court expenditures, as well as much of the current revenues. The net operating expense for the court, based on the four year average expenditures of \$773,500 and revenues of \$465,100, is approximately \$308,000. The city would still retain its share of ordinance fines which have averaged just under \$80,000 per year.

County Court – The County Court would need to fill the existing judicial vacancy and add support staff. The number of clerical staff is a rough estimate and the probation numbers assume transferring existing Lebanon staff to the county:

Part-time judge (currently vacant)	\$35,500 + PERS
Deputy Clerks (1-2 @ \$32,240)	\$32,240 - \$64,480-96,720 + PERS
Probation Officers II (2 @ \$41,704)	\$83,408 + PERS
Probation Clerk II	\$35,153 + PERS

Warren County will assume additional expenses for prosecution, public defense, and victim advocate services:

Prosecutor	\$55,000-63,000 + PERS
Public defense	\$10,000
Victim advocate	\$20,000

Additional expenses would be offset by elimination of 40% supplements to the current part-time judgeship, as well as supplements to the city for the municipal court clerk and bailiff, and prosecution costs paid to the municipality. The county would receive additional court revenues less the amount remitted to the city of Lebanon for ordinance fines.

Option IV: Merge Franklin and Lebanon Municipal Courts with County Court

Finally, the most extensive consolidation option would be to abolish the Franklin and Lebanon Municipal courts through a merger with the County Court. Under this option the Lebanon facility would revert to other uses by the city. The county could either continue to provide court services at the Franklin facility under agreement with the City of Franklin, or relocate all court services to the central county campus. This option assumes that Warren County will proceed with the relocation of the County Court into new facilities prior to consolidation.

This process could be managed in stages, with the merger of the Lebanon Municipal and County Court scheduled to coincide with the end of Judge Bogen’s current term in 2015. This would allow adequate time for the county to build and relocate County Court facilities in the current Common Pleas Court building. In the second phase Franklin Municipal Court would be eliminated at the conclusion of Judge Ruppert’s term on December 31, 2017, and the judgeship consolidated with the new County Municipal Court.

Service Impact – The service impact on persons and agencies doing business with the Lebanon Court would be negligible. A single location for court services would likely reduce confusion over where to appear for court, file papers, or pay a citation. The County Court location is centrally located and has adequate parking. Building security would be improved since security

screening is conducted at the courthouse entrance. Planned facilities for prisoner transport vehicles and secure prisoner circulation would also be an improvement over the existing situation in the municipal buildings.

The Franklin Police Department would be impacted by the greater distance to attend court hearings and do business with the court if the Franklin facility is closed. Since officers are paid three hours overtime to appear during their time off, even if the appearance is only for 15 minutes, the impact on officer time will depend on how efficiently their cases are scheduled. One concern is that a busier docket might result in longer wait times and therefore additional payroll costs for court appearances. Another concern is that police dispatchers are currently sworn as deputy court clerks, so that an officer filing charges can have them signed for filing by a dispatcher at any time. If this practice was terminated by the County Court and each officer required to come in and sign complaints, this would likely result in additional overtime costs. Judge Ruppert conducted an independent study of the probable costs of eliminating the Franklin Court when this was being considered in 2008, and argues that the total cost at that time would have exceeded \$236,000.

Operational Impact – The consolidation of both the Lebanon and Franklin Courts would be contingent on the creation of new space for clerical operations, judicial support staff, judicial chambers, and probation staff in the Court of Common Pleas building. The County would need to plan for support staff and space for two full-time judges and work/courtroom space, as well as a part-time magistrate. One full-featured courtroom equipped for jury trials, along with a hearing room, would likely be adequate for the immediate future. However, long term planning should take into consideration future needs for both the Court of Common Pleas and County Municipal Court chambers, courtrooms, and support staff work areas that take into account future growth. Security personnel currently provided by the municipal courts would not be needed since building screening would be the responsibility of the Sheriff’s Department. Paper and electronic file systems would need to be merged.

Fiscal Impact – This option would eliminate court budgets in both municipalities. Most of the revenues currently transmitted to the municipalities would be re-directed to the county. If a decision is made to maintain a county operated facility in the City of Franklin this would need to be negotiated between the city and the county. For instance, the county could provide staff and related costs, with the city providing the facility at no charge or on a leased basis.

Franklin – Operating expenses for the court would be eliminated. Based on the four year average expenditures of \$837,100 and revenues of \$488,400, the average net expenditure has been \$348,700 per year. The city would retain its share of ordinance fines averaging \$65,000 per year.

Lebanon – Operating expenses for the court would be eliminated. Based on the four year average expenditures of \$773,500 and revenues of \$465,100, the average net expenditure for the court has been approximately \$308,000. The city would retain its share of ordinance fines which have averaged just under \$80,000 per year.

County Court – The estimated County expenditures for additional personnel are based on current rates for county employees. This includes a very rough estimate of the number of additional clerk positions that would be needed to handle the combined workload and assumes that current clerical staffing levels at the County Court are above those needed to maintain services. It also assumes that the office would continue to be run by a chief clerk without the need for additional supervisory staff. However, depending on how deputy clerks are deployed at the new location, the Clerk may wish to appoint lead staff for criminal/traffic and civil divisions of the office. Probation staff numbers assume that combining the total current work load would require the same number of probation staff, allowing for potential caseload growth in the future. The court could upgrade one of the probation positions to probation supervisor if needed. A second part-time magistrate position is included in the estimate, as well as an additional part-time judicial assistant. These part-time positions could be consolidated into one full-time position each. The current part-time judgeships would be converted to full time.

Full-time judgeship (current vacancy)	\$61,750 + PERS ¹⁹
Part-time judgeship to full (difference)	\$26,250 + PERS ²⁰
Deputy Clerks (2 - 4 @ \$32,240)	\$64,480 - \$128,960 + PERS
Probation Officers II (4 @ \$41,704)	\$166,816 + PERS
Probation Clerk II	\$35,153 + PERS
Magistrate (2 nd part-time, 50%)	\$41,485
Judicial Assistant (2 nd part-time, 50%)	\$17,680

An additional 1.5 to 2 FTE assistant prosecutors at approximately \$55,000-\$63,000/FTE plus benefits are estimated to cover the increased criminal workload. Victim advocate costs assumed by the county would be approximately \$40,000. These would be offset by elimination of the county share of prosecution costs currently paid to the municipalities. The county would also have additional costs for appointed counsel, estimated at a total of three full-time positions instead of the current two part-time positions. Additional salary expenses would also be partially offset by elimination of 40% supplements to the two part-time municipal courts as well as supplements to the municipal courts for clerks and bailiffs. The county would receive additional revenues from costs and fees except for ordinance fines for offenses committed in Franklin and Lebanon. If the court provides services at the Franklin facility in addition to the county campus, staff expenses could be higher.

¹⁹ Local share

²⁰ Difference between local share of full time judgeship and current part-time judgeship-\$61,750 - \$35,500.

VI. Next Steps

Arriving at a Decision

The decision to move forward with one of the proceeding options depends on a number of considerations:

Does consolidation better serve the needs of the community?

The answer to this question is “it depends.” As described in this report there are a number of potential benefits associated with court unification or consolidation. There are also trade-offs. Does the reduced convenience of having multiple locations adversely impact service, compared with the benefits of more consistency and economy that consolidated courts are intended to achieve? The options under consideration would have varying impact as outlined in this report.

What is the desired court structure to be achieved by consolidation?

This ultimately rests on what level of consolidation, if any, should be implemented. Option II contemplates two larger municipal courts as independent entities serving the entire county with the exception of Mason and Deerfield Township. Options III and IV are the opposite approach as they involve moving a portion or all of the municipal court operations to the central county campus area in Lebanon.

Are opportunities created for more efficient use of staff and resources?

The proposed options offer varying potential for more efficient use of staff and resources through the consolidation of court facilities and operations. Greater economies of scale in staffing would likely be realized through a reduction in the number of overall court locations proposed in options II, III and IV.

What would be the impact on current judicial positions?

Each of the proposed options would have an impact on current judicial positions. Proponents of expanding the jurisdiction of the municipal courts recommend that the current part-time positions be converted to full-time to accommodate the increased case loads. Under these options the County Court would not fill the current vacancy and the full assumption of the County Court caseload would mean eventual elimination or transfer of the current part-time position. The merger of municipal courts into a county municipal court would have to be implemented in stages coinciding with the expiration of current terms, and would impact those incumbents who have not reached an age where they are ineligible to run again.

How would local agencies (corrections, police, and prosecutors) be impacted?

The impact of consolidation clearly varies according to the option chosen and the nature of the agency relationship with the court. As noted in the discussion under each option, the proximity

of court facilities to law enforcement service areas is a factor. For the Sheriff, the number of locations to which offenders have to be transported, as well as the adequacy of facilities to safely handle in-custody offenders are primary concerns. For the County Prosecutor and appointed counsel, consolidation of court jurisdiction with the county will increase workload but likely require less travel time.

What would the impact be on current and future facility usage?

The project team believes this is one of the most important questions given the long term growth prediction for Warren County. All of the options will place additional demands on either municipal or county facilities. Closing and merging court facilities will have an immediate impact. And while the existing municipal courts may have the capacity to absorb a portion of the current County Court case load under Option I in the immediate future, the longer term outlook must take into account the continuing increase in population and business activity and accordingly plan for growth. Option II involving the transfer of all County Court cases would require some changes to current facilities, particularly court support and public areas.

What legal or statutory impediments/requirements must be overcome or addressed?

Judgeships and court jurisdiction are defined in Ohio statute and all of the options presented would require legislative action to implement. Since there is prior precedent in Ohio for court consolidation it is assumed that this would not be an impediment if properly structured. Option I and II would require redrawing of court boundaries, increasing the current part-time positions to full time status, and in the case of option II, eliminating the County Court judgeship at the end of the term. Options III and IV would also require redrawing of court boundaries and changes to current judicial positions that would coincide with the expiration of current or future terms.

What cost savings or increases could be expected in the short and long term?

At this point only rough estimates can be made based on probable staffing needs and facilities costs. However, it is clear that Options III or IV will require substantial investment by the County in infrastructure. These options would relieve the municipalities of responsibility for providing court services and the expenses that go along with them, at the expense of the County. Much depends on whether government decision-makers take a broader system view of the benefits of consolidation. Decisions about the optimum configuration of court services also have to take in account intangible benefits, including improved building and prisoner transport security, and convenience for the public.

Does consolidation change the designation of court-collected revenues?

The simple answer is “yes.” The collection and disbursement of fees, fines and costs will change with any modification of court geographic jurisdiction. Abolishing one or both of the municipal courts will result in additional expenses for judges, staff, appointed counsel and prosecution

services by the County. These additional expenses would be offset in part by the elimination of intergovernmental payments currently required to be made by the County for judicial, clerk, and bailiff positions. Another unknown is the future allocation of funds from the special projects, clerk's, and clerk's computerization funds. It is assumed that given the restrictions that apply to the expenditure of these funds that they will continue to provide some offset to local expenditures regardless of the final court organization.

Is there sufficient consensus among the leadership (court and funding unit)

This is the question for further consideration after the release of this report. There are advantages and disadvantages to individuals and units of government in each of these options. Warren County judges and government officials should reach consensus on a course of action that offers the most cost-effective solution that meets the long term needs of the citizens of Warren County.

Planning and Implementation

The following are suggested phases and activities for planning and implementation of either the reallocation of cases proposed in Option I, or actual court consolidation outlined in Options II, III or IV:

Determine Scope & Impact

- Determine how will the court(s) be administered and governed if consolidated
- Determine the impact on conditions of employment (pay scales, retirement benefits, classifications) for employees impacted by consolidation
- Identify transitional costs and when will they be incurred for budget purposes
- Revise budget projections based on the implementation schedule

Pre-Implementation Tasks

Pre-implementation activities will need to be planned in advance to enable the affected jurisdictions to implement changes according to schedule. In particular, adequate time for passage of enabling legislation will need to be factored in. Tasks in this phase include:

- Convene a planning committee
- Secure passage of required statutory authorization
- Determine an implementation schedule
- Prepare and sign local agreements
- Draft revisions to policies and procedures, local court rules
- Draft and sign revised contracts and service agreements
- Begin facilities improvements and planning

Implementation

Once enabling legislation is in place and local agreements are concluded, implementation activities leading up to the final cutover date can be scheduled. These typically include:

- Finalize an implementation schedule, milestones, and completion date
- Implement revised policies, procedures and local rules of court
- Assign a project manager and convene an implementation team
- Complete physical improvements
- Prepare for merger of electronic and paper-based records systems
- Make necessary changes/transfers of employment status and work conditions
- Notify external stakeholders
- Update signage, forms, web site, etc.
- Update financial reporting and banking
- Implement physical movement
- Staff training
- Repurpose vacated offices and facilities

Proposed Implementation Schedules

The following are examples of implementation schedule for each of the options.

Options I & II: The partial transfer of cases from the County Court to the Municipal courts could occur as soon as legislative approval moving the current part-time judgeships to full-time becomes effective. It would be preferable to begin implement the change in allocation of cases at the beginning of the calendar year 2014. A complete transfer of cases and closure of the County Court would take more time to implement, since the municipal courts would need to make facilities modifications to accommodate additional staff and related work space. This would likely push an implementation date out into sometime later in 2014, or at the beginning of 2015.

Options III & IV: Since implementing either of these options would not realistically occur until the County Court moves into new facilities, the completion of remodeling and physical move of the court and clerk's office would be the main determining factor. As noted previously in this report, full consolidation could be implemented in stages beginning with the Lebanon court. The other determining factors will be the passage of authorizing legislation to change court structure and modify the terms and election districts of the affected judgeships. Time will also be needed to arrange for transfer and termination of positions between the cities and county. The earliest implementation date would likely not be before the beginning of 2015. However, the conversion of the current part-time municipal judgeships to a full-time county position might be a further limiting factor that would delay full implementation until the expiration of the current terms.

APPENDIX A –Individuals Contacted or Interviewed

Warren County Court

Gary Loxley, incoming County Court Judge

James Spaeth, Clerk of Common Pleas

Bruce Snell, Court Administrator

Chief Deputy Clerk Connie Van Hook

Donna Conn, Probation Officer

Mary Velde, Probation Officer

Warren County Court of Common Pleas

Judge Donald Oda

Judge Joseph Kirby

Court Administrator Jennifer Burnside

Warren County Government

Commissioner Tom Ariss

Sheriff Larry Simms

Michael Shadoan, Facilities Management Director

John Arnold, First Assistant Prosecutor

Other Government Representatives

Lt. Phil Johnson, Hamilton Township Police

Major Scott Carlton, Hamilton Township Police

Ohio Administrative Office of Courts

Steve Hollon , State Court Administrator

W. Milt Nuzum III, Court Services Director

Franklin Municipal Court

Judge Rupert Ruppert

Sherry Mullins, Clerk

Belinda Hurley, Chief Probation Officer

Franklin Municipal Government

Steve Runge, Prosecutor

Mayor Scott Lipps

City Manager Sonny Lewis

Councilman Carl Bray

Councilman Jason Faulkner

Councilman Matt Wilcher

Law Director Donnette Fisher

Russell Whitman, Chief of Police

Lebanon Municipal Court

Judge Mark Bogen

Brenda Morgan, Clerk of Court

Kristy Whaley, Probation Officer

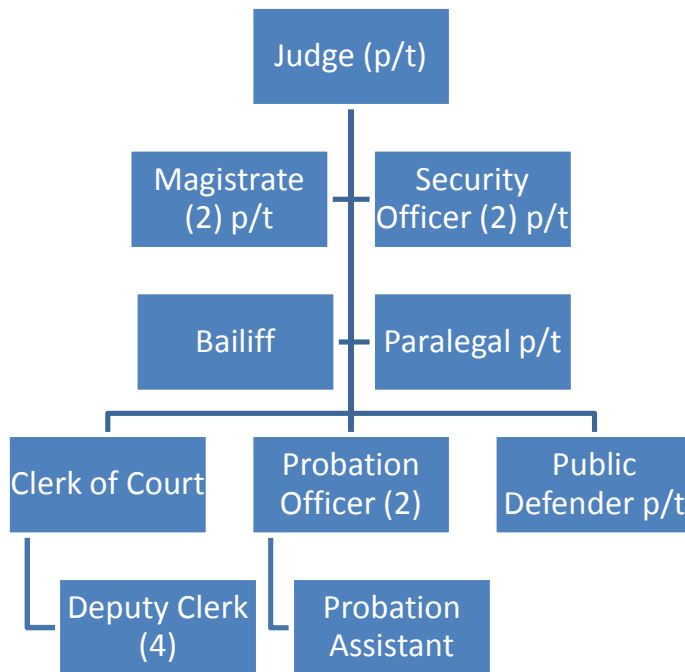
Lebanon City Government

Pat Clements, City Manager

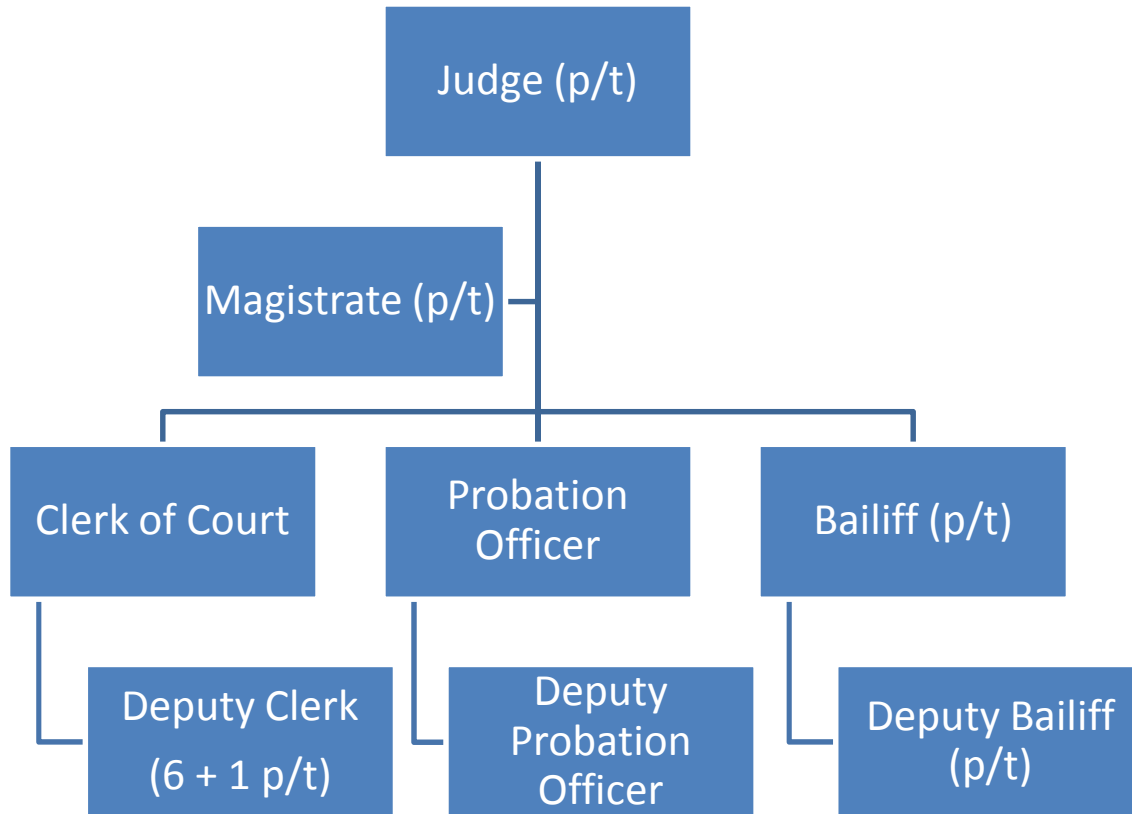
Jeff Mitchell, Chief of Police

Matt Graber, Prosecutor

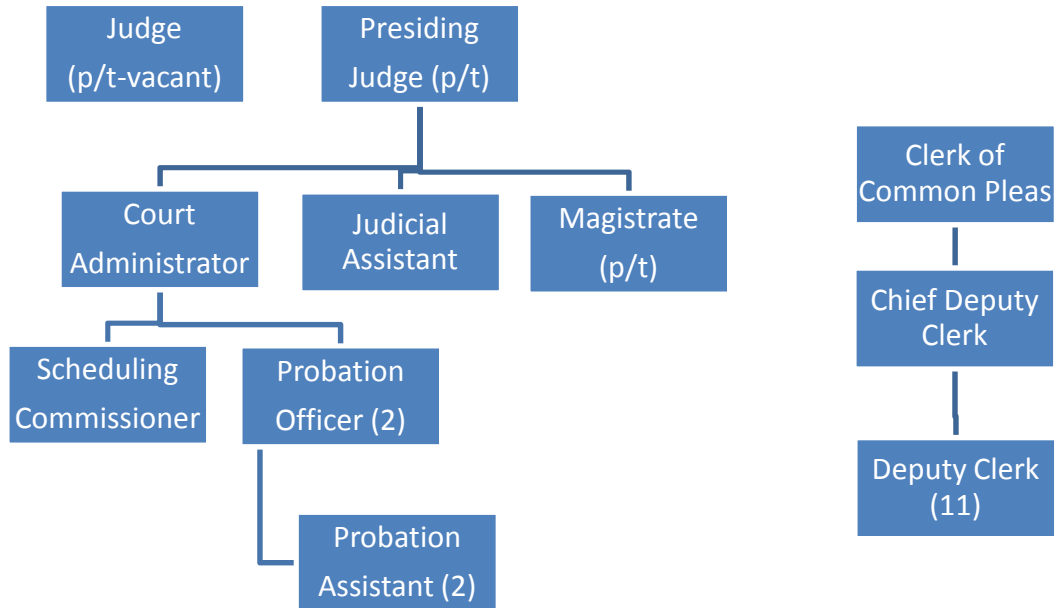
APPENDIX B – Current Court Staffing and Organization



Lebanon Municipal Court Organization



Franklin Municipal Court Organization



Warren County Court Organization

APPENDIX C - Preliminary Warren County Court Space Needs

Note: All quantities and space standards should be confirmed with a staffing resource needs and space planning assessment. Space listings assume County Court will occupy a portion of the existing Common Pleas Courthouse and will share existing building shared support spaces (e.g. lobby, screening, prisoner transportation, jury assembly, etc.)

SPACE TYPE	# OF UNITS	SPACE STANDARDS NSF	SPACE REQ. NSF
Jury Courtroom	1	1,800	1,800
Hearing Room	1	1,000	1,000
Jury Deliberation/Conference Room	1	400	400
Courtroom Vestibule	1	64	64
Attorney Conference Room	2	100	200
Courtroom Holding Areas	1	250	250
Judge Chambers	2	220	440
Shared Magistrate Office	1	120	120
Court Administrator Office	1	180	180
Scheduling Commissioner/Judicial Secretary	2	64	128
Bailiff Station	2	64	128
Probation Waiting	1	150	150
Probation Officer	6	100	600
Probation Secretaries	3	64	192
Probation Records/Storage	1	100	100
Probation Drug Testing	1	100	100
Clerk Supervisor	1	120	120
Deputy Clerks	20	64	1,280
Public Windows/Help Area	1	250	250
Records Storage	1	300	300
Employee Break Room	1	200	200
Staff Toilets	4	60	240
General Supplies Storage	1	100	100
Work Room/Copy	1	200	200
SUBTOTAL			8,542
30% CIRCULATION AREA			2,560
PROGRAMMED DEPT. TOTAL (DGSF)			11,102
30% GROSS BUILDING CIRCULATION AREA			3,331
TOTAL BUILDING AREA (BGSF)			14,433

APPENDIX D - Case Filings 2007-2011

	Overall New Filings, Transfers, & Reactivations	Felony	Misdemeanor	Operating a Vehicle While Under the Influence	Other Traffic	Personal Injury and Property Damage	Contracts	Forcible Entry and Detainer	Other Civil	Small Claims
Franklin										
2011	7,553	320	1,340	232	3,602	12	302	224	97	42
2010	10,195	247	1,386	187	5,996	11	286	196	66	46
2009	8,038	229	1,515	255	3,987	7	302	228	81	91
2008	6,751	201	1,172	348	3,261	8	371	297	110	86
2007	6,734	148	990	304	3,545	14	312	224	84	54
5 yr. average	7,854	229	1,281	265	4,078	10	315	234	88	64
Lebanon										
2011	7,027	378	1,039	179	3,970	17	379	224	206	96
2010	5,695	325	1,047	193	2,863	13	406	219	204	210
2009	5,377	260	1,133	193	2,626	12	372	231	220	252
2008	6,668	314	1,283	249	3,428	24	443	230	288	336
2007	7,046	296	1,245	250	3,918	3	50	257	579	386
5 yr. average	6,363	315	1,149	213	3,361	14	330	232	299	256
Warren County										
2011	7,976	235	1,130	264	3,638	24	831	234	133	137
2010	7,818	184	1,067	201	3,465	20	961	212	105	134
2009	8,776	185	1,187	248	4,447	35	809	209	65	166
2008	9,647	241	1,175	268	4,884	15	1,025	222	43	122
2007	10,718	271	1,554	336	5,890	16	794	204	46	137
5 yr. average	8,987	223	1,223	263	4,465	22	884	216	78	139

APPENDIX E - Clearance Rates: 2007-2011


	Felony	Misdemeanor	Operating a Vehicle While Under the Influence	Other Traffic	Personal Injury and Property Damage	Contracts	Forcible Entry and Detainer	Other Civil	Small Claims
Franklin									
2011	100%	99%	96%	100%	110%	103%	98%	101%	100%
2010	100%	100%	102%	100%	102%	105%	107%	99%	102%
2009	100%	101%	100%	100%	97%	114%	114%	102%	106%
2008	100%	100%	97%	100%	117%	100%	148%	102%	116%
2007	109%	106%	102%	99%	106%	104%	101%	107%	135%
Lebanon									
2011	101%	99%	95%	100%	94%	108%	101%	106%	139%
2010	99%	102%	99%	98%	108%	97%	106%	104%	106%
2009	103%	100%	103%	103%	158%	125%	94%	117%	145%
2008	97%	101%	102%	99%	58%	56%	104%	152%	90%
2007	102%	98%	96%	102%	100%	90%	102%	91%	82%
Warren County									
2011	101%	98%	100%	101%	92%	114%	112%	103%	112%
2010	100%	102%	100%	101%	130%	90%	89%	93%	85%
2009	102%	101%	101%	101%	71%	112%	104%	103%	104%
2008	102%	104%	113%	100%	100%	91%	94%	109%	101%
2007	99%	100%	105%	100%	118%	88%	100%	96%	99%

APPENDIX F – Court Budget Appropriations

COUNTY AND MUNICIPAL COURT BUDGET APPROPRIATIONS: 2010 - 2013

<u>COUNTY COURT</u>		<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
		Expended	Expended	Expended	Appropriation
	Franklin	\$82,819.37	\$81,405.28	\$75,023.93	\$88,397.00
	Lebanon	\$82,644.58	\$71,684.54	\$69,690.58	\$81,000.00
	Criminal Prosecutors	<u>\$34,635.00</u>	<u>\$34,635.00</u>	<u>\$34,635.00</u>	<u>\$34,635.00</u>
	TOTAL	\$200,098.95	\$187,724.82	\$179,349.51	\$204,032.00
	County Court	\$320,898.88	\$317,753.46	\$281,640.52	\$335,865.00 ²¹
	County Court Clerks	\$640,175.86	\$659,825.57	\$681,149.55	\$687,146.00
	County Court Probation	<u>\$212,656.73</u>	<u>\$223,913.24</u>	<u>\$212,774.38</u>	<u>\$237,253.00</u>
	TOTAL	\$1,173,731.47	\$1,201,492.27	\$1,175,564.45	\$1,260,264.00
<u>FRANKLIN</u>	Court	\$697,519.00	\$661,152.00	\$713,360.00	\$738,384.00
	Probation	<u>\$153,816.00</u>	<u>\$149,368.00</u>	<u>\$146,213.00</u>	<u>\$169,041.00</u>
	TOTAL	\$851,335.00	\$810,520.00	\$859,573.00	\$907,425.00
<u>LEBANON</u>	Court	\$600,929.10	\$616,859.49	\$603,465.23	\$720,658.00
	Probation	<u>\$158,382.38</u>	<u>\$166,416.16</u>	<u>\$176,004.27</u>	<u>\$231,021.00</u>
	TOTAL	\$759,311.00	\$783,275.00	\$779,469.00	\$951,679.00

²¹ Current Sheriff's expenses for a senior deputy to staff County Court security screening are approximately \$94,000.



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