

**2023 ANNUAL REPORT
HIGHLAND COUNTY COMMON PLEAS COURT
GENERAL AND DOMESTIC RELATIONS DIVISIONS**

This is the sixteenth annual report prepared by Judge Rocky A. Coss for the purpose of informing the public of the operations of the Court during the past year as well as comparing the case filings and activities of the Court to past years. It covers activities of both the general and domestic relations divisions.

ANNUAL CASE FILINGS

Total case filings in 2023 decreased slightly from 2022. The total number of cases filed or reopened in both divisions in 2023 was 741 compared to 758 in 2022 which is a 2.2% decrease. Overall annual case filings since 2020 have averaged 733 cases which is significantly lower than 2019, the year before the Covid 19 pandemic.

CRIMINAL CASES

There were 214 new and reopened criminal cases filed in the General Division in 2023 compared to 223 filed in 2022, which is a 4% decrease. The average criminal case filings over the past five years is 192.

These statistics are based on the requirements for filing case management reports with the Ohio Supreme Court. A new case represents arraignment on an indictment and a reopened case is one which had been closed prior to adjudication such as a defendant being unavailable after arraignment. The total number of cases does not include indictments that were filed in 2022 with the Clerk but have not yet been served on the defendant. Also, it does not include cases bound over to the grand jury in which indictments were not returned in 2023. Therefore, there will be a variance between the Clerk of Courts' case numbers and this report.

The statistics regarding criminal cases do not include any post-conviction proceedings in criminal cases such as probation violations, restitution hearings, modification of probation conditions, judicial release hearings, sealing of records, drug court sessions and other proceedings that occur in many criminal cases after they are closed for Ohio Supreme Court reporting purposes.

CASE MANAGEMENT

The Supreme Court has adopted time guidelines within which cases should be completed. For example, the time guideline for criminal cases is six months from the date of arraignment. The guideline for foreclosures to be complete is twelve months from the date of filing and for most other civil cases it is twenty-four months. There have been no past pending criminal cases in the General Division of this Court since April of 2009 and no past pending civil cases since March of 2010. There have been no past pending cases in the Domestic Relations Division since March of 2010.

CASE COMPLETION TIMES

Due to the Covid 19 pandemic, the time guidelines for all types of cases were suspended for approximately two years. Many courts were unable to operate fully during that period and as a result are still dealing with case backlogs. Despite the challenges caused by the pandemic, the Highland County Common Pleas Court, using technology and safety measures, kept the court operating and the docket current.

FORECLOSURE CASES

There was a total of 63 new and reopened foreclosure filings in 2023 compared to 68 in 2022. Foreclosure filings in 2020 and 2021 were lower due to the moratorium on foreclosure during the Covid 19 pandemic.

OTHER CIVIL CASES

There were 217 new and reopened civil cases filed in 2023 compared to 183 filed in 2022. This represents an increase of nearly 19%. The five-year average for annual civil filings is 192 cases.

JURY TRIALS

The Court conducted 10 jury trials in 2023 compared to 5 in 2022. The Court has conducted an average of 7 jury trials per year since 2009.

DOMESTIC RELATIONS CASES

There were 160 new cases and 87 reopened cases filed in 2023 for a total of 247 which represents a 14% decrease from 2022 when there were 169 new and 117 reopened cases filed for a total of 286. The average number of annual case filings over the past five years is 284. Reopened cases include motions filed after a case was completed such as modification of child custody/parental rights, modification of child support, motions to enforce property issues in a prior decree or motions to cite for contempt of orders in prior decrees.

DRUG COURT DOCKET

The New Way to Recovery Drug Court Docket received its three-year certification in December of 2019. The Court received a renewal of its certification by the Ohio Supreme Court Commission on Specialized Dockets for an additional three-year period ending in December of 2025.

There are currently 28 active participants in the drug court docket. Since July of 2019, 93 offenders have been accepted in the docket. There have been 19 unsuccessful terminations and there are 3 participants who are currently non-compliant with active warrants outstanding. This constitutes a compliance rate of 73%. 38 participants have graduated since the program's start.

Due to the number of offenders in the drug court docket, the Court conducts drug court docket sessions on both mornings and afternoons of the second and fourth Fridays of each month so that the sessions will be shorter and allow more time for review of individual participants' cases. Drug court sessions are open to the public but are not live streamed.

Several changes were made to the drug court program in 2022. The docket now consists of four phases but still requires a minimum participation period of 18 months and 12 months sober to graduate. Participants are randomly drug tested frequently with those in the first and second phases being tested at least 2-4 times per week. Participants are assigned a window of time in which they are required to call in daily including weekends to learn whether they are to be tested that day. If they are selected for a random test, they have a limited window of time to report to be tested. They also participate in intensive outpatient treatment and receive other programming and rehabilitative services through the probation department and other drug court treatment team member agencies.

The Court continues to utilize local out-patient substance abuse treatment providers and in-patient programs including the Lynn Goff House for women in Greenfield and the Massie House for men in Jackson Township. Out of county providers utilized include the STAR community-based corrections facility in Franklin Furnace and residential treatment facilities in Pike, Ross, Scioto and Adams counties. To date, most of the drug court participants have begun in residential treatment and are then placed in transitional housing and reentry programs. The drug court advisory committee and treatment team continue to work with local groups to develop additional sober living houses in Highland County for participants as they complete residential treatment and return to the community to continue their rehabilitation.

REMOTE HEARINGS AND AUDIO-VIDEO TECHNOLOGY PROGRAMS

In 2023, the Court conducted 106 video hearings through its courtroom teleconferencing system primarily in cases in which defendants are incarcerated in prisons throughout Ohio. The Court implemented the use of Zoom technology for remote hearings in 2021. During 2023, the Court conducted 516 Zoom hearing sessions in the General Division many of which involved multiple cases. The Domestic Relations Division conducted 50 hearings by zoom.

The utilization of remote technology allows parties and attorneys to save both time and expenses but avoiding travel time and parties having to take off work to appear for brief hearings. It saves the county sheriff's office significant expenses in transporting defendants from prisons throughout Ohio to the court, as well as transport of defendants in the Highland County Justice Center almost daily. In many instances, the parties and attorneys request hearings be conducted by Zoom rather than in person.

The Court's audio-video recording system allows the Court to live-stream the proceedings in the general division on its You-Tube channel. This was necessary to meet the constitutional requirement that court proceedings be open to the public during the Covid 19 pandemic safety measures that were adopted by the Court which limited the number of persons who could be in the courtroom during proceedings.

Livestreaming proceedings increased the public's access to court hearings. The Court's You-Tube channel currently has 1,240 subscribers. The most viewed live-streamed hearings are usually jury trials which have had 80 or more viewers during a single trial. During jury trials, the recordings are not accessible to ensure that witnesses and others cannot view them in violation of the separation of witnesses rule. After the trial is completed, the recordings are made public once the trial is completed and can be viewed by the public. Domestic Relations cases are not livestreamed.

TREATMENT AND PROBATION GRANTS

The Common Pleas Court Judge is the appointing authority for the County Probation Department. That department has been very successful in obtaining a number of grants for the County to provide probation supervision and treatment of offenders who are placed on community control for felony and misdemeanor offenses. The various several provide funding for probation and treatment services to adult offenders with substance abuse and mental health issues sentenced from the Common Pleas Court, the Hillsboro Municipal Court, and the Madison Township County Court.

For the 20232024 biennium, the department has state grants totaling over 1.1 million dollars to provide supervision and treatment services for felony and misdemeanor adult offenders in the county.

CASE MANAGEMENT TECHNOLOGY UPGRADES

Thanks to the efforts of Clerk of Courts Ike Hodson, the County Commissioners have approved funding of upgrades in the Court's case management system and servers that will allow the implementation of a voluntary e-filing system. E-filing is now accepted in civil cases and the Court has recently opened that to criminal cases and domestic relations cases. E-filing allows the electronic filing of documents directly with the case management system and eliminates the need for the Clerk's office to copy and mail out copies of many documents in the file.

FISCAL MANAGEMENT

The Court's 2023 general fund budget was \$298,211. The actual general fund expenditures for the year were \$286,100 which was 4% under budget. Each year since 2009 except for 2010 when a capital murder case required large expenditures of unbudgeted expenses, the Court has spent less than the amount appropriated for general fund expenses. For historical comparison, the Court's 1998 general fund budget was \$218,296.88.