

2022

Court of Claims of Ohio
Annual Report »



Dear Chief Justice O'Connor and Justices of the Supreme Court:

Pursuant to Chapter 2743 of the Ohio Revised Code, I respectfully submit this annual report of the Court of Claims for the year 2012. The 2012 annual report includes a broad overview of the court's activities during the year, including adjudicatory functions as well as administrative matters.

In 2012, the court received 924 new or reactivated cases and closed 945 cases, for an 102-percent clearance rate. In addition, the court substantially eliminated the significant backlog of pending decisions that had for too long characterized the Court of Claims. Last year also saw the birth of a Court of Claims practice committee, made up of members of the bar, as well as the administration and jurists of the court who collaborate to improve conditions of practice in the Court of Claims.

In 2012, the court was pleased to receive the appointment of retired judges Patrick M. McGrath and Dale A. Crawford. Judge McGrath and Judge Crawford previously served together on the Franklin County Court of Common Pleas.

Building on cost-cutting measures that began in late 2011, the court was able to reduce total expenditures in 2012 by \$504,258, or 13 percent, from the previous year. These cost savings were primarily achieved by reducing staffing levels from 31.4 full-time employees to 24.4 full-time employees. It is anticipated that further savings will be achieved in the coming year when the full impact of a shared-services agreement with the Supreme Court is realized.

Continuing efforts to reconfigure the organization of the court have resulted in more staff being deployed to provide direct services to the public, as well as leading to the creation of a leaner and more responsive management structure. As part of this new emphasis on better serving the public, the court is beginning to implement the eCourts model, using technology to improve access to the court for both attorneys and pro se litigants.

A major initiative that will come to the attention of the Supreme Court in 2013 is a proposed revision and consolidation of the Rules of the Court of Claims, which currently exist in the Rules of the Court of Claims promulgated by the Supreme Court, and the Local Rules of the Court of Claims. The finished product will be one set of proposed rules to be adopted by the Supreme Court that are consistent with the court's supervisory role as set out in R.C. 2743.

While a great deal of progress was made in 2012, much remains to be done. However, the Court of Claims has many significant assets. The court remains well funded and is well situated. Its unique relationship with the Supreme Court provides unparalleled access to technical expertise and assistance. Finally, the court has more than adequate staffing, including a core of dedicated and hardworking employees who have made a career commitment to the organization. These abundant assets are in fact sufficient to provide the foundation for the building of a truly outstanding trial court.



Mark H. Reed
Clerk of Court

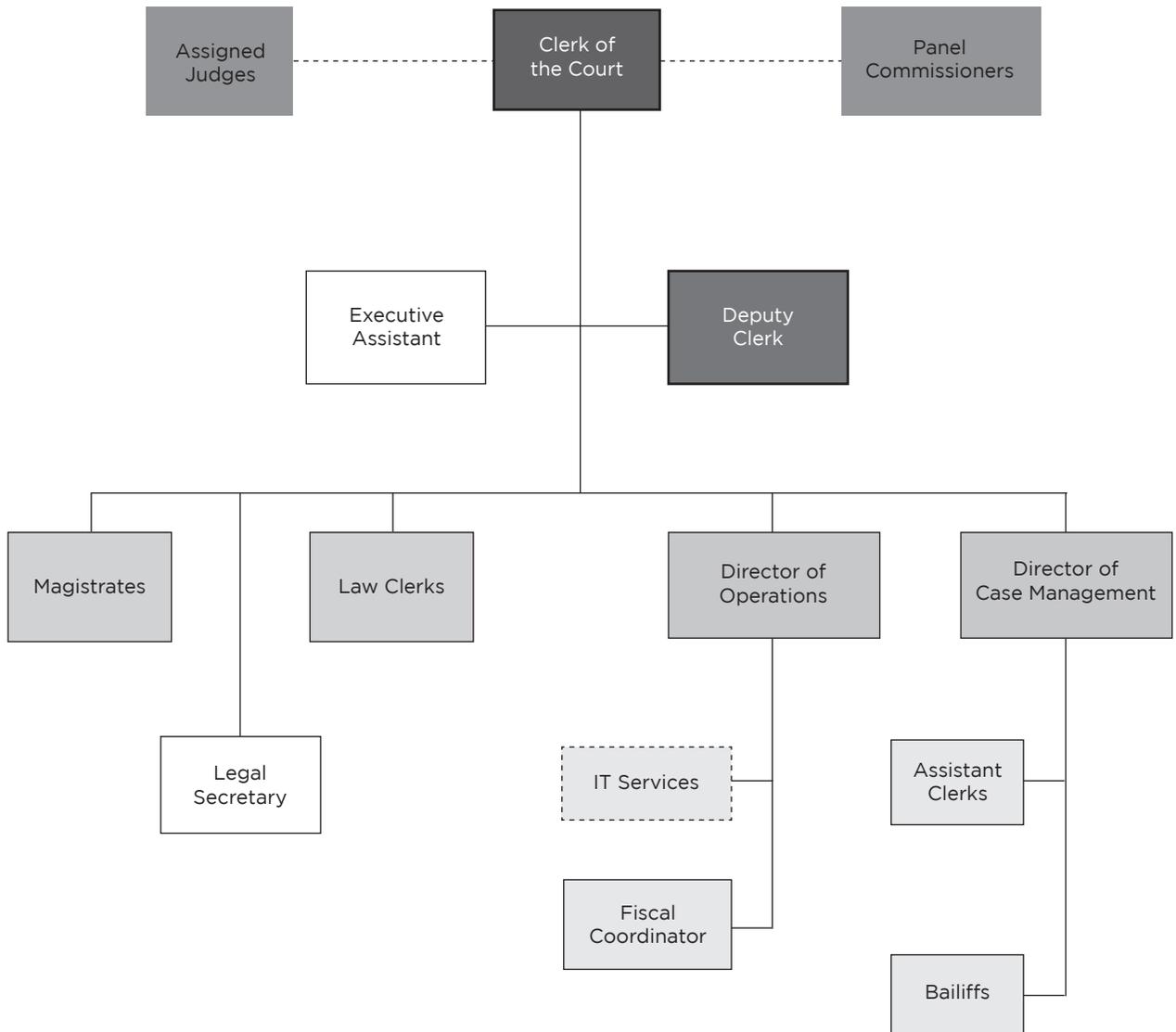


2012

table of contents »

who we are	2
what we do	3
how we are accountable	5
conclusion	6





who we are ▶▶

The Court of Claims of Ohio was established by the General Assembly in 1975. At that time, the General Assembly enacted a limited waiver of sovereign immunity and established the Court of Claims as the court in which all civil actions against the state would be tried.

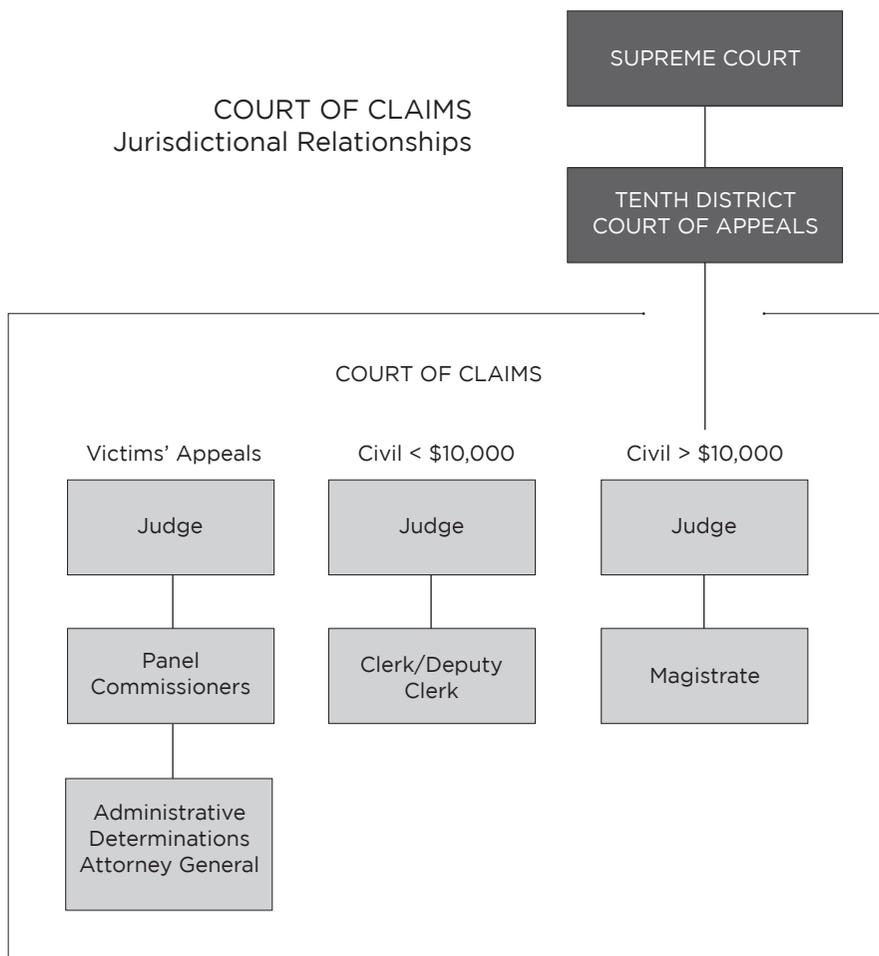
The court operates under statutory authority in R.C. 2743, Rules of the Court of Claims adopted by the Supreme Court, pursuant to Article IV, Section 5(B) of the Ohio Constitution, Local Rules of the Court of Claims, adopted by the Court of Claims, pursuant to Article IV, Section 5(B) of the Ohio Constitution, and Rules of the Court of Claims, Crime Victims Compensation Section, established pursuant to R.C. 2743.09(H).

The Court of Claims employs 24.4 individuals, including the clerk, one deputy clerk, two managers, two law clerks, one fiscal coordinator, two executive assistants, five assistant clerks, and three bailiffs. The clerk of the court is the chief executive officer of the court, pursuant to R.C. 2743.09.

Traditionally, the chief justice appoints retired judges to serve on the court, and in recent years, the assignments have been renewed every three months.

The Supreme Court appoints a minimum of three commissioners, who must be attorneys licensed to the practice of law for a minimum of three years prior to appointment, to hear crime victims' appeals and set the compensation of the commissioners.

COURT OF CLAIMS Jurisdictional Relationships



what we do »»

Civil actions filed in the Court of Claims are classified as either judicial cases or administrative determinations.

Judicial cases are assigned to a Court of Claims judge or magistrate and resolved through a judicial hearing process. Parties have a right to appeal determinations to the Tenth District Court of Appeals and may file a discretionary appeal with the Supreme Court.

Administrative determinations involve claims against the state that are valued at \$10,000 or less. In most instances, these cases are resolved by the clerk without a hearing. A party may file a motion to have the clerk's determination

reviewed by a judge of the court, whose decision is final. In the past 10 years, administrative determinations made up approximately 59 percent of the Court's civil docket. In 2012, administrative claims were 54 percent of the civil docket.

While the majority of the cases filed in the Court of Claims are disposed of through the administrative process, the bulk of the court's resources are devoted to the processing and adjudication of civil cases where the amount in controversy exceeds \$10,000. These cases are handled much the same way as a civil case in a common pleas court.

ADMINISTRATIVE CASES

INCOMING CASES	
New Filings	447
Transfers Received	18
Reactivated Cases	2
TOTAL	467

OUTGOING CASES	
Entry of Judgment	372
Transferred	2
Placed on Inactive Status	2
TOTAL	376

CLEARANCE RATE 81%

JUDICIAL CASES

INCOMING CASES	
New Filings	359
Reopened Cases	37
Transfers Received	2
TOTAL	398

OUTGOING CASES	
Entry of Judgment	414
Reopened Disposition	34
Transferred	18
TOTAL	466

CLEARANCE RATE 117%

2012 FILINGS & CLOSURES

VICTIMS' PANEL CASES

INCOMING CASES	
New Filings	59
Reopened Cases	0
TOTAL	59

OUTGOING CASES	
Entry of Judgment	103
Reopened Disposition	0
TOTAL	103

CLEARANCE RATE 175%

ALL CASES

INCOMING CASES	
Administrative	467
Judicial	398
Victims	59
TOTAL	924

OUTGOING CASES	
Administrative	376
Judicial	466
Victims	103
TOTAL	945

CLEARANCE RATE 102%

The Court of Claims previously was responsible for accepting claims filed by victims seeking reparations from the Crime Victims' Compensation Fund, adjudicating those matters following an investigation by the Attorney General's Office, and paying court-ordered awards. In the late 1990s, the Crime Victims' Compensation Program was transformed from a judicial to an administrative program, and most of the court's responsibilities for the program were transferred to the Attorney General's Office.

Crime victim compensation claims are now filed with the Attorney General's Office, which conducts an investigation and makes an

administrative determination regarding the claimant's eligibility for an award and the award amount.

The claimant may appeal the determination to the Court of Claims, where the appeal is reviewed by a panel of three commissioners. The panel's ruling may be appealed to a judge of the court, and the judge's determination is final. Any awards are paid to the claimant by the Attorney General's Office. On average, the Court of Claims receives approximately 100 crime victim compensation appeals each year, although filings were down significantly in calendar year 2012 to only 59 appeals.

accountability ▶▶

The Court of Claims takes very seriously the responsibility to be faithful stewards of public funds. This is most evidenced by the court's proposed 2014 biennium budget, which is a 29 percent decrease from the FY 2013 appropriation.

The court is funded through a separate appropriation in the biennial operating budget. The budget consists of a general fund line item that funds the bulk of the court's operations and an appropriation from the crime victims compensation fund that pays for expenses associated with reviewing appeals in crime victims compensation cases. Unlike many state agencies, the Court of Claims has in recent years remained sufficiently funded and has not exceeded its appropriation. See chart below:

COURT OF CLAIMS BUDGET/EXPENDITURES

FUND	2011		2012		2013
	BUDGETED	ACTUAL	BUDGETED	ACTUAL	BUDGETED
GRF	\$2,886,978	\$2,863,306	\$2,573,508	\$2,559,592	\$2,501,052
5K20	\$1,582,684	\$1,291,303	\$1,582,684	\$1,051,096	\$1,582,684
TOTAL	\$4,469,662	\$4,154,609	\$4,156,192	\$3,610,688	\$4,083,736

The plain language of R.C. 2743 anticipates that the Supreme Court will exercise supervisory authority over the Court of Claims. Thus, in 2012, the court revised all job descriptions and adopted the Supreme Court pay scale as its compensation plan. Similarly, as the Supreme Court revises its policies, the Court of Claims will adopt those as its administrative policies where possible while making allowances for the few unique differences between the two entities.

conclusion ▶▶

The year 2012 was one of great change and significant progress for the Court of Claims. This was the first full year of the new administration with the implementation of many significant innovations.

- The chief justice appointed new judges to the court.
- The backlogs that had characterized the Court of Claims were eliminated. The court cleared many more cases from its docket than were filed.
- By reducing personnel and operating costs, the court was able to return \$545,503 to the taxpayers.
- A close-working relationship was reestablished with the Supreme Court. This collaborative approach has very much become an essential element of the new culture being fostered in the Court of Claims.

The reforms made thus far were completed under the general supervision of the Supreme Court and in consultation with members of the plaintiff's bar and with the office of the attorney general. These collaborative relationships have now been formalized with the creation of a Court of Claims practice committee. Building on these partnerships will be an important part of the court's mission over the coming years. The court also has begun to actively engage in education and outreach. The era of insularity that previously characterized the court is now firmly in the past.



Court of Claims of Ohio
65 South Front Street
Columbus, Ohio 43215-3431

Published May 2013