

THE PAST & FUTURE OF STATE COURT CIVIL FILINGS

APPENDICES I, II & III

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APPENDIX I

RESEARCH DESIGN AND METHODOLOGY

The study team embarked upon this study in 2019. As an initial step, we undertook a process of identifying states to participate in the research, as well as determining case type inclusion criteria. Once we had selected states for inclusion in the study, we employed two data collection strategies: 1) civil filings data and 2) background research. The subsections below detail each of these components of our research process.

STUDY STATE SELECTION

Given the infeasibility of conducting a comprehensive study on civil filing trends across all 50 states, the research team developed and implemented a strategy for selecting states to include in the study. Specifically, we sought to include a diverse set of states on the basis of two methodological criteria: U.S. Census region and population size. Also instructive in our state selection process was the civil filings data available through the National Center for State Courts' Court Statistics Project.¹ Finally, in addition to the methodological criteria for state selection, we considered a few additional factors: 1) quality of the available data; 2) court structure; and 3) the willingness of the states to participate.²

Ultimately, four states participated in the research.³ Information about our methodological selection criteria for each of the four study states is in Table I-1 below.

Table I-1: Methodological Criteria for Study States

STATE	U.S. CENSUS REGION	POPULATION SIZE
California	West	39,512,223
Minnesota	Midwest	5,639,632
Ohio	Midwest	11,689,100
Texas	South	28,995,881

FILINGS DATA

Collection of filings data on civil cases in each of the included study states is the mechanism by which we were able to discern trends in civil filings over recent decades. Given differences in relevant data available across study states, the datasets we obtained from each state varied considerably.

Filings Period. In order to gain the broadest possible understanding of civil filings trends, our goal was to collect civil filings data over the longest period possible in each state. Notably, though, for many courts, the past several decades have seen substantial shifts in the collection of docket data; this includes changes in what data points are collected, changes in the method of data collection (i.e., implementation of electronic court case management systems), and other changes that impact the consistency and quality of data available to researchers. Thus, for each state, we collected data from the longest possible time period for which the data available was consistent and reliable. Table I-2 below details the filing period for each of the study states.

Table I-2: Timeframe of Filings Data Received by State

STATE	START YEAR	END YEAR	TOTAL YEARS INCLUDED
California ⁴	FY 1978–79	FY 2018–19	41
Minnesota	1994	2018	25
Ohio	1999	2019	21
Texas	2004	2019	16

Case Types. Each study state classifies cases in substantially different ways. This is not unique to the states included in this study; on the contrary, it is a well-known phenomenon in the court research arena—and creates challenges for researchers who wish to compare data across states. Given the differences in case type categorization across study states, we analyzed case types according to the structure of categorization in each state. Table I-3 presents case types or courts (depending on how the state structures its filings data) and subtypes analyzed for each state.

Table I-3: Civil Case Types and Subtypes by State

STATE	CASE TYPE OR COURT ⁵	CASE SUBTYPE
California	Unlimited Civil	<ul style="list-style-type: none"> • Auto Tort • Other Personal Injury/Property Damage/Wrongful Death • Other Civil Unlimited Complaints and Petitions • Small Claims Appeals
	Limited Civil	<ul style="list-style-type: none"> • No case subtypes obtained⁶
	Small Claims	<ul style="list-style-type: none"> • No case subtypes obtained

STATE	CASE TYPE OR COURT ⁵	CASE SUBTYPE	
Minnesota	Major Civil	Conciliation Appeal	No case subtypes obtained
		Condemnation	<ul style="list-style-type: none"> • Condemnation • Condemnation Appeal
		Contract	<ul style="list-style-type: none"> • Consumer Credit Contract • Contract • Mechanics Lien • Product Liability • Receivership
		Employment	No case subtypes obtained
		Harassment	<ul style="list-style-type: none"> • Harassment • Sexual Harassment
		Malpractice	No case subtypes obtained
		Other Civil	<ul style="list-style-type: none"> • Assessment Appeal • Civil Other/Miscellaneous • Discrimination • Eminent Domain • Rent Escrow • Forfeiture • Habeas Corpus • Minor Settlement <ul style="list-style-type: none"> • Quiet Title • Replevin • Reduced Mortgage Redemption • Torrens • Welfare Appeal • Workers' Compensation
		Personal Injury	<ul style="list-style-type: none"> • Class Action • Personal Injury
		Property Damage	No case subtypes obtained
		Wrongful Death	No case subtypes obtained
	Minor Civil	Conciliation	<ul style="list-style-type: none"> • Appointment of Trustee • Change of Name • Conciliation <ul style="list-style-type: none"> • Conciliation—Forfeiture • Conciliation—Housing
		Default Judgment	<ul style="list-style-type: none"> • Confession of Judgment • Default Judgment
		Implied Consent	No case subtypes obtained
		Transcript Judgment	<ul style="list-style-type: none"> • Foreign Judgment • Restitution Judgment • Transcript Judgment • Transcript Judgment from Other Minnesota County
		Unlawful Detainer	<ul style="list-style-type: none"> • Eviction (UD) • Unlawful Detainer

STATE	CASE TYPE OR COURT ⁵	CASE SUBTYPE
Ohio	Municipal and County Courts	<ul style="list-style-type: none"> • Contracts • Forcible Entry and Detainer • Other Civil • Personal Injury and Property Damage • Small Claims
	Court of Claims	<ul style="list-style-type: none"> • Administrative Determinations • Judicial Cases • Public Record Requests
	Court of Common Pleas ⁷	<ul style="list-style-type: none"> • Administrative Appeals • Complex Litigation⁸ • Foreclosures • Other Civil • Other Torts • Product Liability • Professional Tort • Workers' Compensation • Wrongful Death (Probate)

STATE	CASE TYPE OR COURT ⁵	CASE SUBTYPE
Texas	District Courts	<ul style="list-style-type: none"> • Accounts/Notes/Contract, Debt • Condemnation • Real Property—Eminent Domain • Injury or Damage—Motor Vehicle • Injury or Damage—Medical Malpractice • Other Civil Cases • Other Contract • Other Injury or Damage • Injury or Damage—Other Product Liability • Injury or Damage—Other Professional Malpractice • Other Real Property • Injury or Damage—Product Liability—Asbestos/Silica • Tax Cases • Total Non-Motor Vehicle Injury/Damage • Workers' Compensation
	County Courts	<ul style="list-style-type: none"> • Contract—Consumer/Commercial/Debt • Eminent Domain • Injury or Damage—Motor Vehicle • Contract—Landlord/Tenant • Medical Malpractice • Other Civil • Other Contract • Other Injury or Damage • Other Product Liability • Other Professional Malpractice • Other Real Property • Product Liability—Asbestos/Silica • Real Property • Tax • Total Non-Motor Vehicle Injury/Damage
	Justice Courts	<ul style="list-style-type: none"> • Forcible Entry and Detainer (Evictions) • Other Civil Suits • Small Claims Suits

Supplemental Economic Data. In order to supplement our analyses of the filings data, we collected unemployment data and data on real gross state product for the filings period for each study state. This supplemental economic data was obtained from the Federal Reserve Economic Data (FRED) website.⁹

Data Analysis. We employed two broad strategies in conducting analysis on the civil filings data: (1) analysis of filing rates per year in each study state, and (2) percent change in civil filing rates for each study state by year for each year of data obtained. Within each of these strategies, we analyzed the raw overall data, raw data by case type, population-adjusted overall data, and population-adjusted data by case type.¹⁰

BACKGROUND RESEARCH

The research team conducted extensive background research in order to inform the list of factors that could potentially impact civil filing rates. We compiled and analyzed numerous publicly available resources in executing this component of the study.

Resource Collection. As an initial step in the background research collection process, we developed a list of types of substantive information we were interested in collecting. Specifically, we were interested in collecting all available information about changes occurring in the following categories:

- Civil justice reform
- Tort reform
- Judicial selection system changes
- Significant substantive law changes
- Significant procedural law changes
- Technology changes
- Lawyer/regulatory changes
- Population changes
- Economic changes
- Judicial system changes
- Court structure changes
- Court operational changes
- Case type changes

In order to collect information pertaining to each of the categories listed above, we identified a set of publicly available resources from which the information could be obtained:

- State judiciary annual reports
- Supreme court orders and court/judicial council-appointed task force and committee reports
- Reports of futures commissions
- Decisions of supreme courts or appellate courts affecting the operation of trial courts
- Reports from non-government organizations or scholars covering substantial changes in the operations of the judiciary

Supplemental Expert Discussions. To further facilitate the background research process, we identified one individual from each state to provide supplemental background information. Each discussant was a member of the American Board of Trial Advocates (ABOTA), with extensive litigation experience in the state courts. These were unstructured conversations aimed at directing the research team to additional background resources and information on factors that potentially impact filing rates.

Data Analysis. Once an exhaustive search for potential factors was completed, the research team used the events collected in the background research database to develop state-specific event timelines. We then overlaid these event timelines with filing trend figures, thereby allowing us to visualize whether and how certain events aligned with changes in filing trends. While mere temporal alignment between events and trends is not equivalent to determining causation, understanding these alignments is a critical first step in understanding which factors may contribute to shifts in civil filings trends—and provides a basis for future research.

Endnotes

- 1 <https://www.courtstatistics.org/csp-stat-nav-cards-first-row/csp-stat-civil>.
- 2 We are grateful to the several states with whom we spoke who were ultimately unable to participate in the study. Despite their interest, for these states, either the demands of the COVID-19 pandemic created challenges that required those courts to decline participation or their available long-term data did not meet the requirements of this study.
- 3 The research team explored the possibility of participation with eight states before identifying the final four study states.
- 4 Data obtained from California was provided by fiscal year, rather than calendar year.
- 5 Details about the courts and case types within each of the study states can be found in Appendix II – State Court Filings in Focus.
- 6 In California, both civil limited and unlimited filings include unlawful detainer (eviction) cases.
- 7 Note that the Court of Common Pleas category here encompasses both the General Division and Probate Division of Ohio’s Court of Common Pleas.
- 8 This was a case subcategory for civil cases involving novel or complicated issues of law and fact that were not likely to be resolved within the time guidelines established for other cases. These cases were designated complex after filing, so were initially counted as a new filing in one of the above categories. When designated complex by a judge, the cases were reclassified as complex and reported as “redesignated case” in statistical reports.
- 9 <https://fred.stlouisfed.org/>.
- 10 For the population-adjusted analyses, we calculated civil filings per 100,000 individuals in the population.

APPENDIX II

STATE COURT FILINGS IN FOCUS

This appendix provides a state-by-state analysis, including both state background, findings as to total filings, and further analysis by court level.

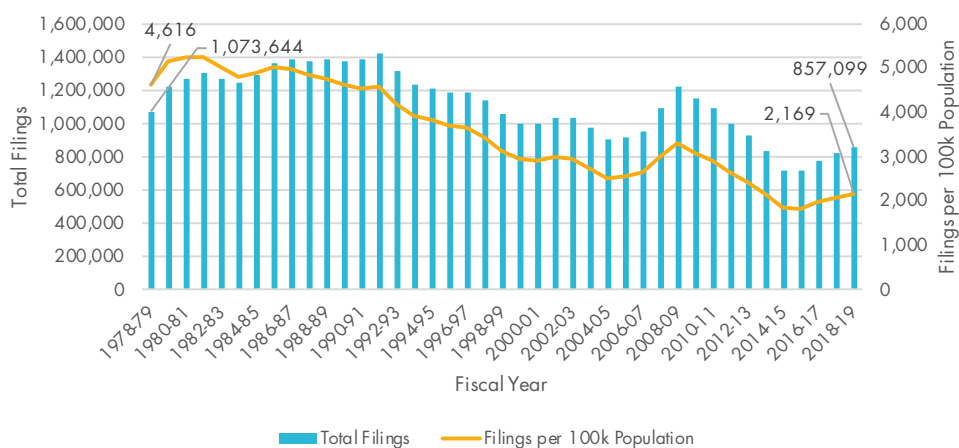
CALIFORNIA

Today California has one fully unified trial court level—the Superior Courts. There is one Superior Court in each of the state’s 58 counties. The unification of California’s trial courts evolved over time, throughout the period of this study.¹ A constitutional amendment in 1950 reduced the prior six types of limited jurisdiction courts to two types—Justice of the Peace Courts (“Justice Courts”) and Municipal Courts.² Efforts to unify the courts into a single trial court began in 1970. A constitutional amendment was passed in 1998 initiating the unification of these courts into a single superior court, and this unification was complete by 2001 for all California counties.³ Each Superior Court is a separate governmental and fiscal entity. This study includes an analysis of Unlimited (cases with more than \$25,000 in dispute), Limited (cases with \$25,000 or less in dispute), and Small Claims cases (cases of \$10,000 or less in dispute). This study includes statewide filing data from the combined California trial courts for 41 years, from fiscal year 1978–79 through fiscal year 2018–19.

Total Filings

When looking at total civil filings in California, we see a gradual, if irregular, decline over the years. In the aggregate, California civil filings in FY 2019 were 20.2% lower than in FY 1979. This trend stands in sharp contrast to California’s population growth, which increased dramatically, nearly doubling during the time frame of the study.⁴ On a per capita basis, the filings were 53.0% lower.

Figure II-1: California Civil Filings, Absolute and Population Adjusted



Civil filings in California can generally be divided into three categories. Small Claims cases involve amounts in controversy of \$10,000 or less, the Limited Civil category includes cases from \$1 to \$25,000, and the Unlimited Civil category includes cases over \$25,000, as well as other types of disputes that do not involve money (e.g., quiet title actions and equity).⁵ The largest total volume of cases for much of this study period and the greatest source of fluctuation over the course of the study period was in limited civil filings.

Figure II-2: California Civil Filings by Case Category, Population Adjusted

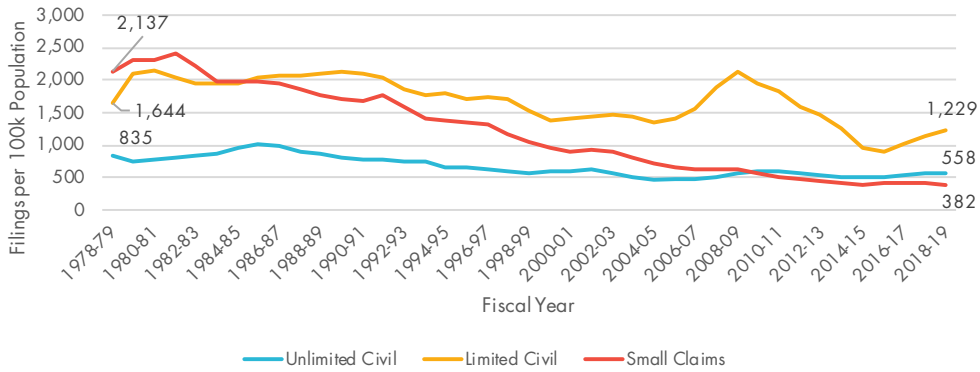
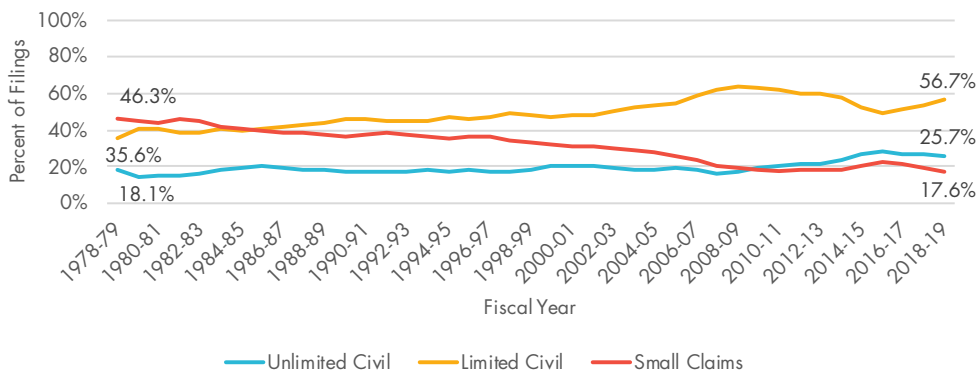


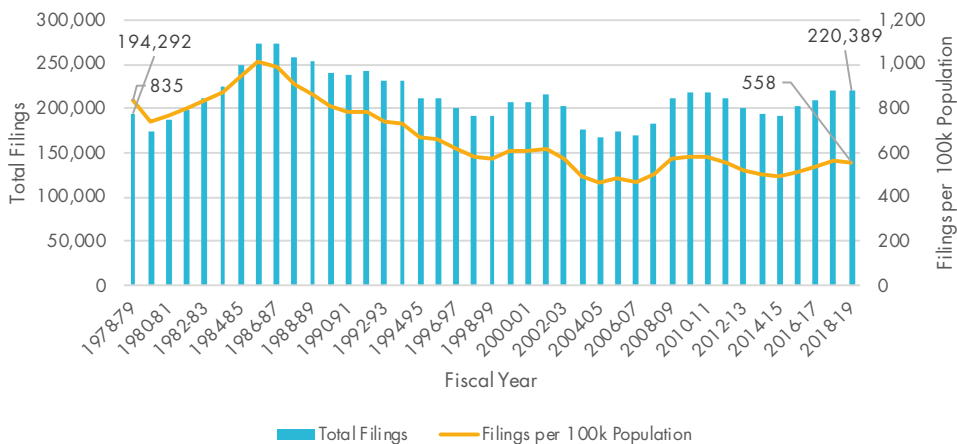
Figure II-3: Percent of California Civil Filings by Case Category



Unlimited Civil Filings

The total number of Unlimited Civil filings was 13.4% higher at the end of the 41-year period than at the beginning, but the population-adjusted filings were 33.2% lower.

Figure II-4: California Unlimited Civil Filings, Absolute and Population Adjusted



Within the Unlimited Civil subcategories (see Appendix I for a full breakdown of these subcategories), total filings dropped for Tort-Other and Auto Tort, but rose for Other Civil Unlimited Complaints and Petitions (contract, employment, and property-related cases, not tort cases).

Figure II-5: California Unlimited Other Personal Injury/Property Damage/Wrongful Death Filings, Absolute and Population Adjusted

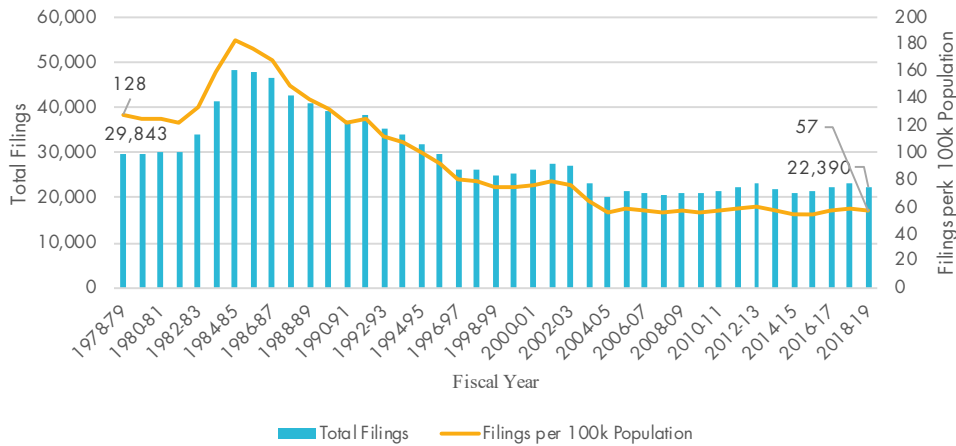


Figure II-6: California Unlimited Auto Tort Filings, Absolute and Population Adjusted

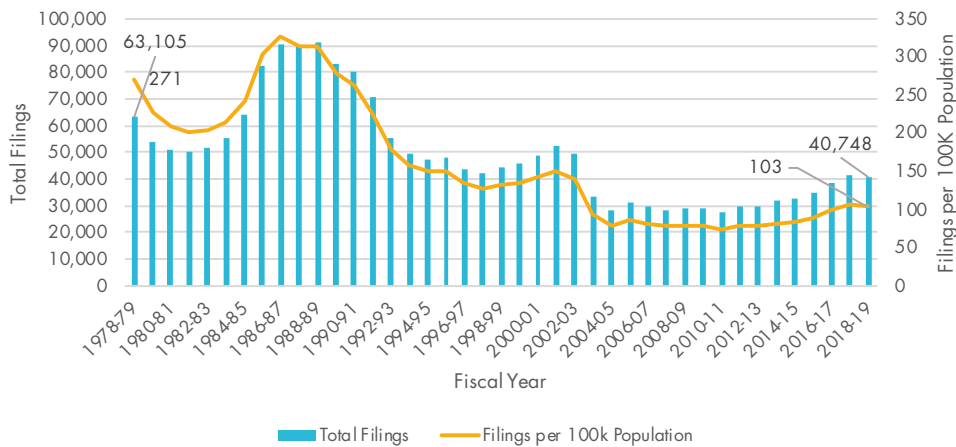
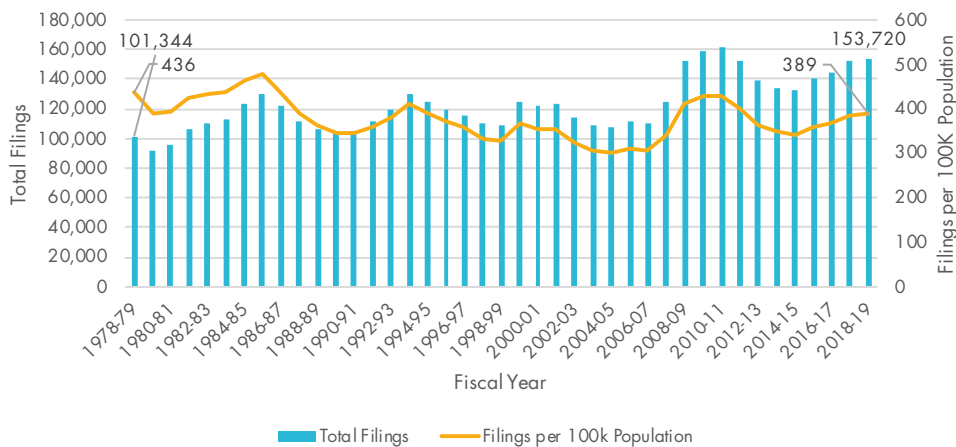


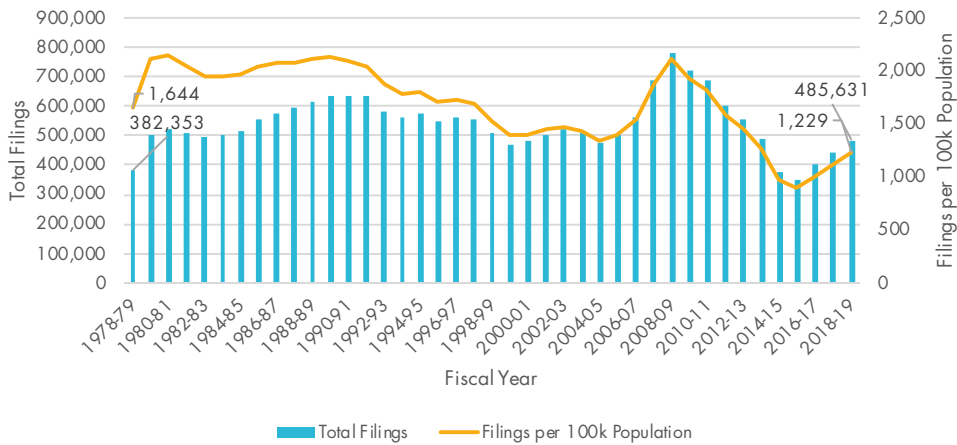
Figure II-7: California Other Civil Unlimited Complaints and Petitions Filings, Absolute and Population Adjusted



Limited Civil Filings

California’s Superior Courts also hear Limited Civil cases—general civil cases that involve an amount in controversy of \$25,000 or less. The greatest fluctuations in the population-adjusted filing data across the years in California were for Limited Civil filings, particularly during the 2005-06 to 2014-15 period (see Figure II-2 above). Limited Civil filings also represent the largest volume of total civil filings for most of the years included in the study.

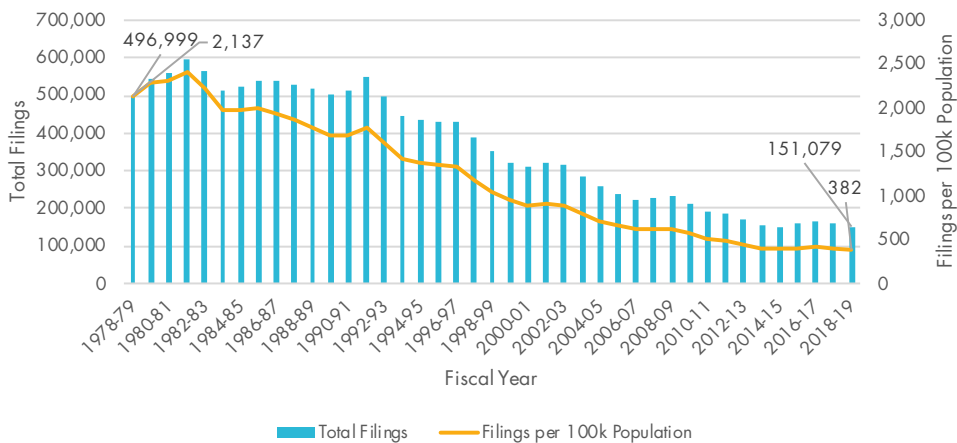
Figure II-8: California Limited Civil Filings, Absolute and Population Adjusted



Small Claims Filings

California’s Small Claims cases involve an amount in controversy of \$10,000 or less for individuals and \$5,000 or less for businesses. Small Claims filings showed the greatest declines in California, with a substantial decrease in filings over the 41-year period. Compared to FY 1979, the FY 2019 total filings were 69.6% lower and the population-adjusted filings were 82.1% lower.

Figure II-9: California Small Claims Filings, Absolute and Population Adjusted



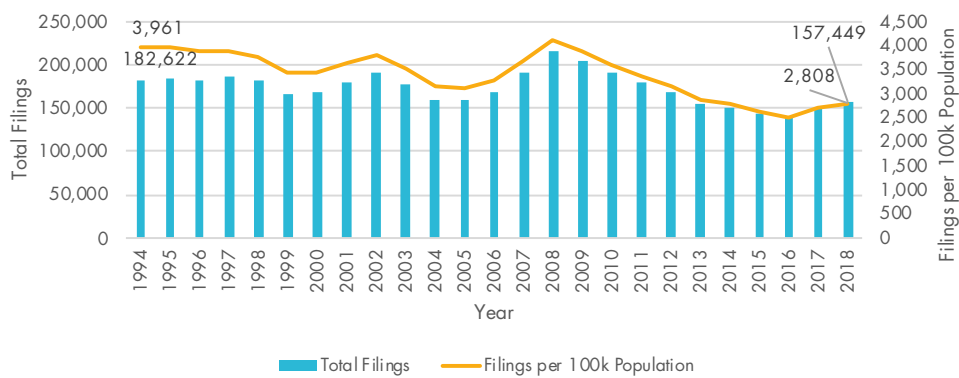
MINNESOTA

Minnesota has one level of trial court within its unified court system—the District Courts—with a District Court located in each of the state’s 87 counties. The trial courts are divided into 10 judicial districts.⁶ This study analyzes Minnesota’s Major and Minor civil filings, which are defined based on type of case and not the amount of damages sought, as well as Conciliation Court filings. This study includes statewide filing data from the Minnesota district courts for 25 years, from 1994 through 2018.

Total Filings

A review of Minnesota’s absolute civil filings reflects fluctuations over the 25-year period between 1994 and 2018. Filings reached their peak over this period in 2008, followed by a decline from 2008 to 2016. The drop from the peak in 2008 to the lowest level in 2016 was 36.0%. Overall, absolute civil filings were 13.8% lower in 1994 than in 2018. When filing rates are adjusted for population, they reflect a similar trend, though more pronounced (29.1% decrease). The similarity of the two patterns is due to the slow and steady growth in Minnesota’s population during this period.

Figure II-10: Minnesota Civil Filings, Absolute and Population Adjusted



Total civil filings of all case types are generally separated into two categories in Minnesota—Major Civil and Minor Civil. These two categories are defined based on type of cases and not the amount of damages sought (see Appendix I for a full breakdown of case types included in these categories).⁷ In this study, we have separated out Conciliation Claims, known as Small Claims in other states, from Minor Civil for this analysis given the differences in these cases and the ability to compare across states. The largest total volume of cases and the category of cases with the most fluctuation during the study period was in the Minor Civil filings.

Figure II-11: Minnesota Civil Filings by Case Category, Absolute

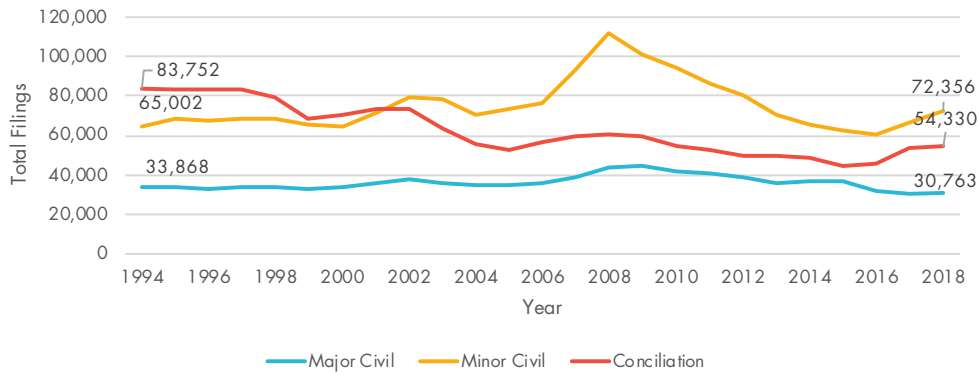
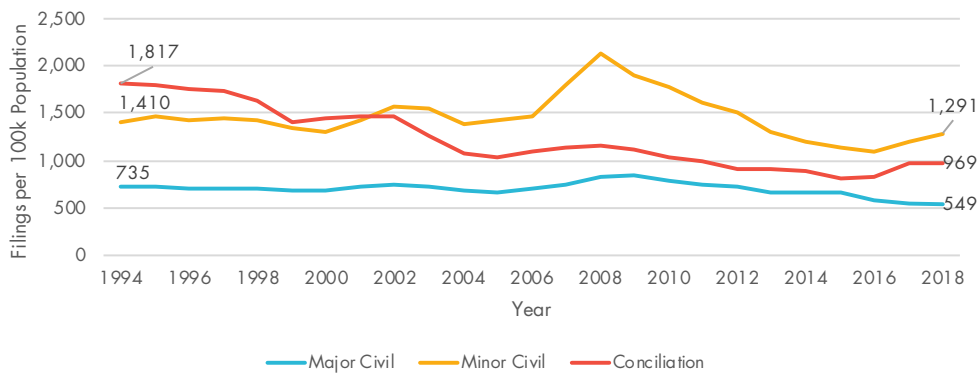
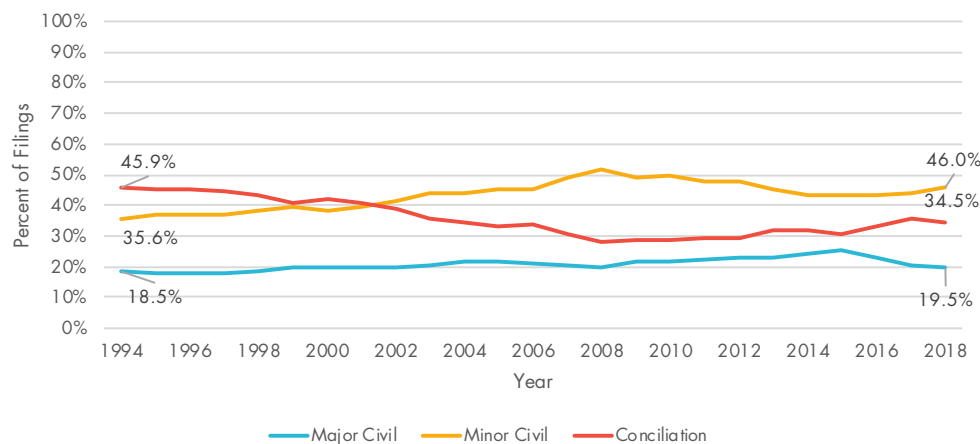


Figure II-12: Minnesota Civil Filings by Case Category, Population Adjusted⁸



Looking at percentages of total caseload, Major Civil filings began at 18.5% of the total caseload, peaked at 25.5% in 2015, and ended at 19.5% in 2018. This category was the most consistent in terms of filings of the three. Minor Civil filings began as 35.6% of the caseload and ended at 46.0% as the greatest portion of filings. Minor Civil filings also had considerable variation in filing rates across the observed time period. Conciliation Claims filings started as the greatest share of the total civil caseload at 45.9% and ended at 34.5%.

Figure II-13: Percent of Minnesota Civil Filings by Case Category



Major Civil Filings

We start with an analysis of Major Civil Cases over the course of this 25-year period. As noted above, this is the case category in Minnesota that saw the least variation over time. Nevertheless, there was a rise in filings from 2005 to 2009, at the peak. Thereafter, filings decreased, dropping to a low in 2017. There were 33,868 total filings in 1994 (734.6 per 100k population). At the 2009 peak there were 44,666 filings (845.8 per 100k population). At the end of the study period in 2018 there were 30,763 Major Civil filings (548.7 per 100k population). Overall, total Major Civil filings were 9.2% lower in 2018 than in 1994 (25.3% lower per 100k population). However, the difference between the peak in 2009 to the lowest level in 2017 was 31.8% (35.3% lower per 100k population).

Figure II-14: Minnesota Major Civil Filings, Absolute and Population Adjusted

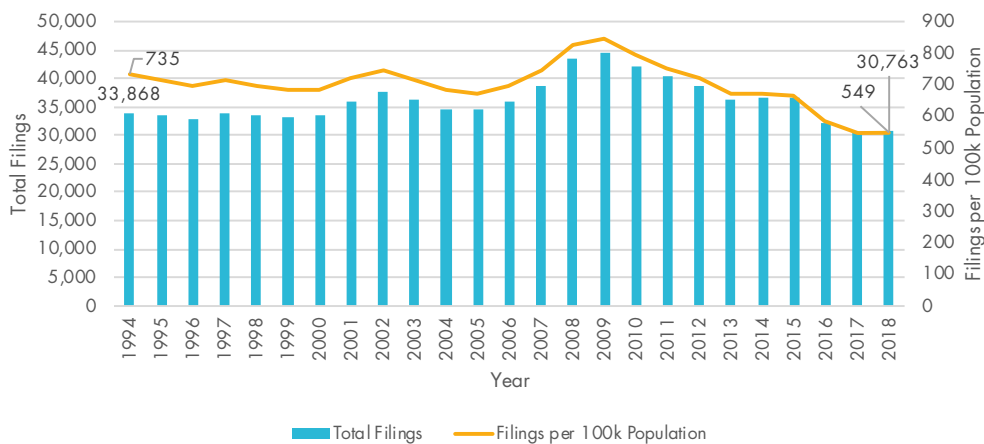
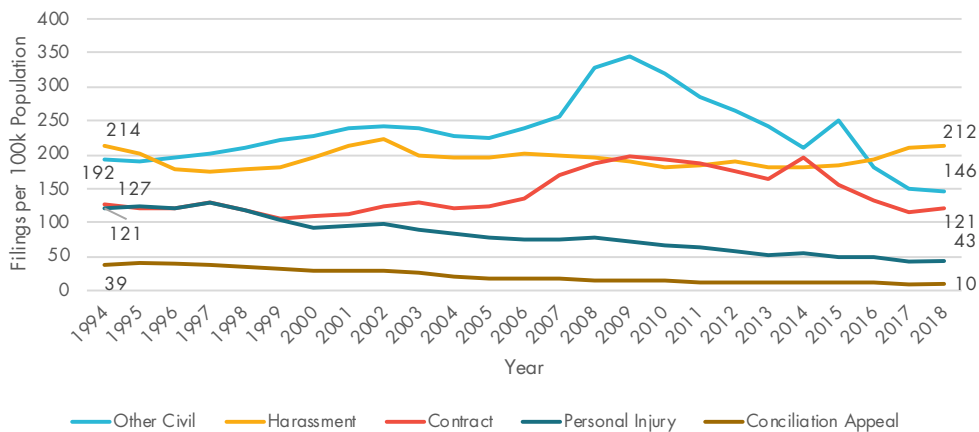


Figure II-15: Top 5 Minnesota Major Civil Filings by Case Type, Population Adjusted



Minor Civil Filings

Minor Civil filings in Minnesota include five subcategories that are very different in nature. The largest volume of cases are Conciliation cases, referred to as Small Claims cases in other states; this category includes many different types of actions subject to a cap on damage recovery. Remaining categories in Minor Civil include Unlawful Detainer/Eviction cases, Minor Civil Judgments,⁹ and Implied Consent cases. The analysis in this section excludes Conciliation cases, as those are discussed in detail in the section that follows.

Total Minor Civil filings (not including Conciliation) were 65,002 in 1994 (1409.9 per 100k population). At the peak in 2008 there were 111,916 (2132.9 per 100k population). At the end of the study period in 2018 there were 72,356 (1290.6 per 100k population).

As noted above, Minor Civil filings fluctuated substantially over the study period in Minnesota.

Figure II-16: Minnesota Minor Civil Filings (without Conciliation), Absolute and Population Adjusted

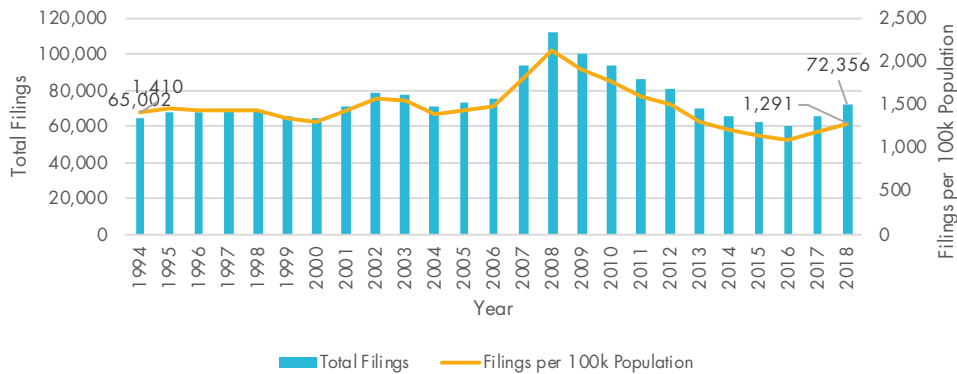
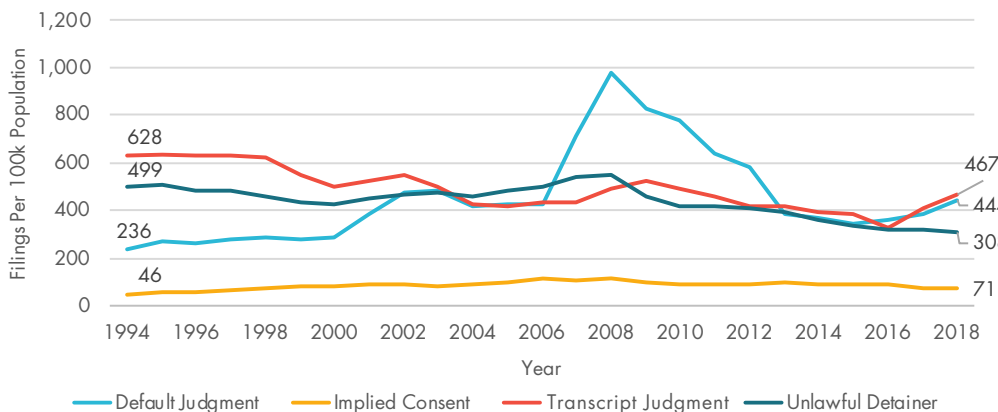


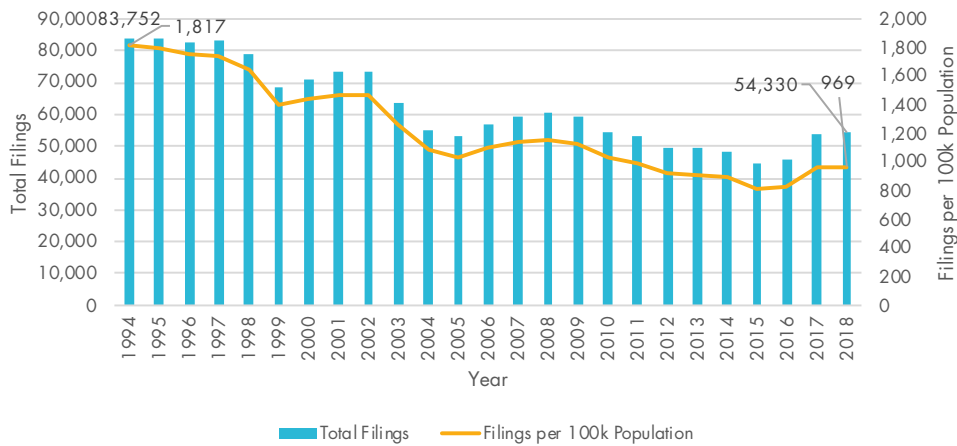
Figure II-17: Minnesota Minor Civil Filings (without Conciliation) by Case Type, Population Adjusted



Conciliation Court

A Conciliation Court division is established in the District Court in each county. The upper monetary limit on damages changed three times for these cases during the study period. On July 1, 1994, the limit was changed from \$6,000 to \$7,500, with a lower limit of \$4,000 for consumer credit transactions.¹⁰ In 2012 the upper limit was increased to \$10,000, and it was increased to \$15,000 in 2014. There was not an increase in overall filings following this upper limit increase in 2012, but there was an increase in filings following the 2015 jurisdictional change. Parties must appear in person in Conciliation Court proceedings, but, unlike many other states, parties may be represented by a lawyer.

Figure II-18: Minnesota Conciliation Filings, Absolute and Population Adjusted



OHIO

Ohio has three types of trial courts that handle civil cases. Ohio’s Court of Common Pleas is the only trial court created by the Ohio constitution, with original jurisdiction over all civil cases, including exclusive jurisdiction of matters where the amount in dispute exceeds \$15,000, as well as review of decisions from some state administrative agencies.¹¹ There is a Court of Common Pleas in each of Ohio’s 88 counties. Municipal and County Courts are created by the General Assembly and have limited jurisdiction over civil cases up to \$15,000.¹² If part of a county is not covered by a Municipal Court, a County Court with the same powers and jurisdiction will be created.¹³ As of 2019, there were 130 Municipal and 34 County Courts in Ohio.¹⁴ These courts have concurrent jurisdiction with the Court of Common Pleas over civil cases valued from \$500 to \$15,000, as well as jurisdiction to hear Small Claims cases with a value up to \$6,000.¹⁵ This study analyzes Ohio’s civil filings from each of the three trial courts, including the Court of Common Pleas, Municipal Courts, and County Courts. This study includes statewide filing data from the combined civil cases in Ohio’s trial courts for 21 years, from 1999 through 2019.

Total Filings

When looking at total civil filings, across all three types of courts in Ohio, we see a gradual increase through 2008, when filings reached their peak, followed by a decline. The drop from the peak in 2008 to the lowest level in 2015 was 45.6% (population adjusted: 46.1%). Though there was substantial fluctuation during the study period, absolute filings in 2019 were about the same as in 1999. The population-adjusted filings trend is a near identical reflection of the total filings—which is expected, given that the Ohio population has remained largely stable during that 20-year span, with only 3.1% growth during that time.

Figure II-19: Ohio Civil Filings, Absolute and Population Adjusted



Looking at the percentage of filings over the study period by the court, the distribution of the civil caseload among the trial courts over the study period was relatively consistent, with the Municipal and County Court filings becoming an increasing share of total civil filings toward the end of the study period. The largest total volume of cases and the category of cases with the most fluctuation during the study period was in the Municipal and County Court filings. The Court of Common Pleas represents roughly one quarter of overall annual civil filings, showing an overall decreasing share over the last two decades. Small Claims have been separated out into its own category throughout this analysis to reflect differences in trends and to allow for comparison with other states. The Small Claims share of total filings has decreased consistently over this period. In 1999, Small Claims made up 19.0% of all state civil case filings; in 2019, these cases made up just 8.7%. Court of Claims filings never exceeded 0.3% of the total annual civil filings in any year of the study period.

Figure II-20: Ohio Civil Filings by Court, Population Adjusted

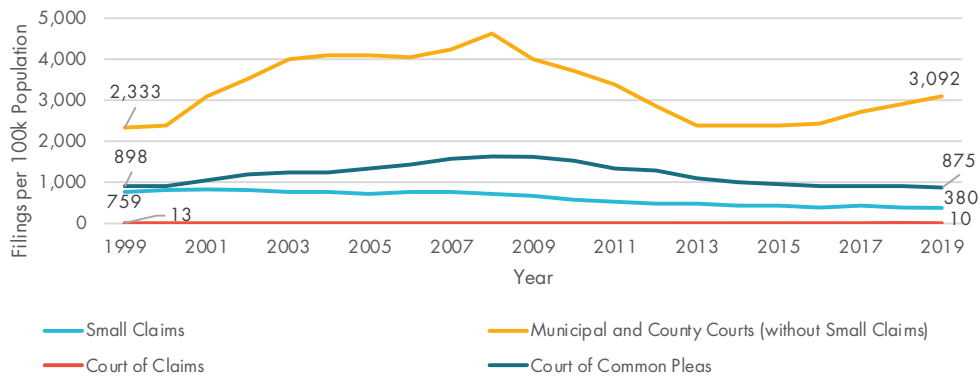
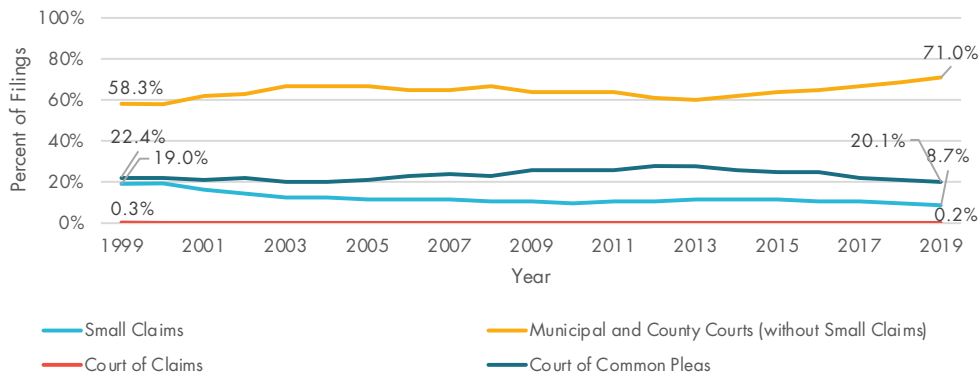


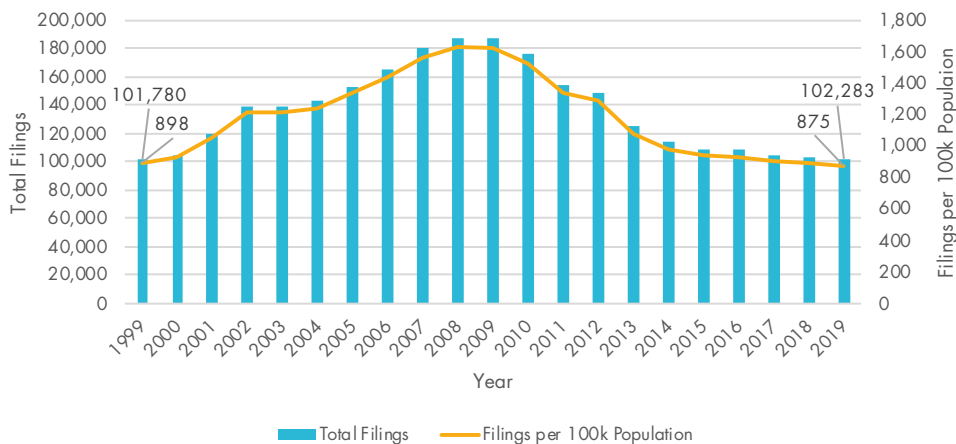
Figure II-21: Percent of Ohio Civil Filings by Court



Court of Common Pleas

Looking at Court of Common Pleas civil filings alone, the 21-year curve is similar to that for all civil filings for all courts, without the upturn at the end of the study period.

Figure II-22: Ohio Court of Common Pleas Filings, Absolute and Population Adjusted¹⁶



The three most prevalent case types—Torts, Foreclosures, and Other Civil—began in 1999 at roughly the same level. Foreclosures and Other Civil grew dramatically from 1999 to 2008, driving the overall increase in civil filings that peaked around 2008. Both case types then declined, with Foreclosure filings ending the study period 2.0% below their starting point (5.0% lower per 100k population) and Other Civil growing by 41.0% above their 1999 starting point (36.7% increase per 100k population). On the other hand, Torts declined steadily through the whole period. Tort cases fell by 41.4% over the study period (43.2% decrease per 100k population), with Product Liability down 61.5% (62.7% decrease per 100k population), Professional Tort down 58.7% (59.9% decrease per 100k population), and Other Torts down 42.4% (44.1% decrease per 100k population).

Figure II-23: Ohio Court of Common Pleas Filings by Case Type, Population Adjusted

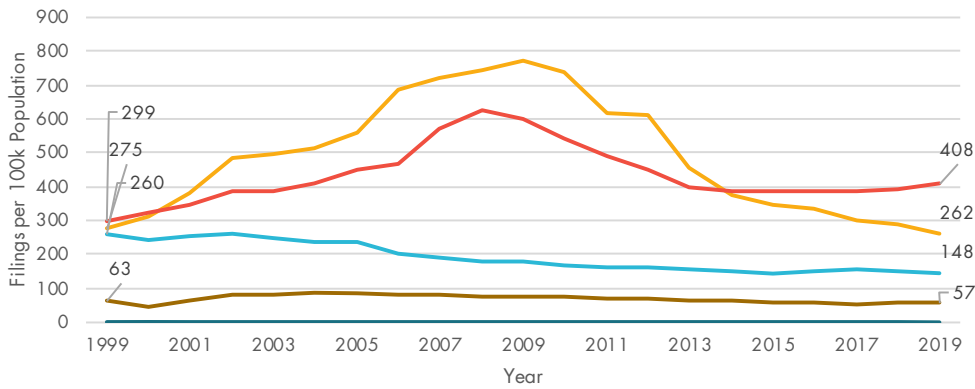


Figure II-24: Ohio Tort Filings, Absolute and Population Adjusted



Municipal and County Courts

The Municipal and County Courts report six types of civil cases—Torts (personal injury and property damage), Contracts, Eviction (referred to as Forcible Entry and Detainer by the courts), Other Civil, and Small Claims. Small Claims cases have been removed from the analyses in this section, as they are discussed separately in the section that follows. The total civil filings in Municipal and County Courts showed the same trends as the overall civil filings for Ohio.

Figure II-25: Ohio Municipal and County Court Filings (without Small Claims), Absolute and Population Adjusted

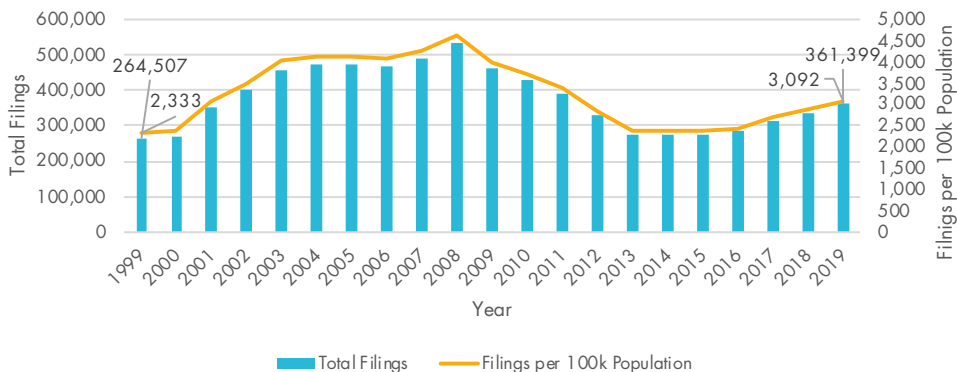
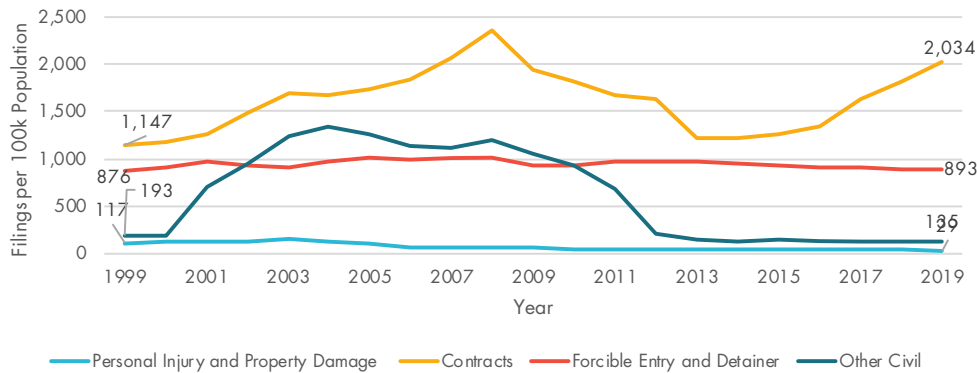


Figure II-26 below shows the filing levels for Torts, Contracts, Eviction, and Other Civil case types within the Municipal and County Courts. There is the greatest variability in Contracts and Other Civil over this time period. Contract cases constituted the largest segment of civil case filings in the Municipal and County Courts during the study period, rising from 49.2% in 1999 to 65.8% of all civil filings in 2019. Total contract filings in 2019 were 82.9% higher than they had been in 1999 (77.3% higher per 100k population), although they were 12.5% lower than in 2008 (13.8% lower per 100k population). Similar to other states in this study, Tort filings declined over the course of this study, declining 74.3% (75.0% decline per 100k population).

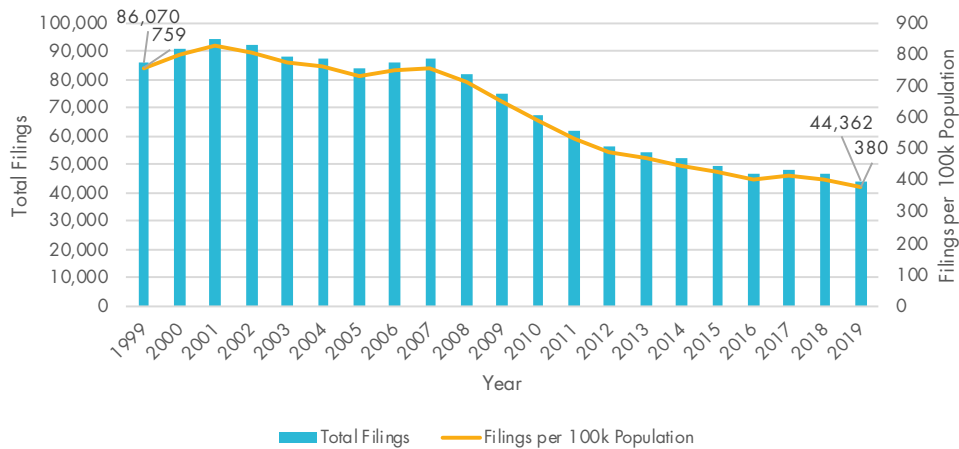
Figure II-26: Ohio Municipal and County Court Filings by Case Type, Population Adjusted



Small Claims

Small Claims cases, on the other hand, have been steadily declining over the course of this 21-year period. In 2016 the Small Claims limit was doubled from \$3,000 to \$6,000. The data does not appear to show any impact in increased Small Claims filings or in decreased other Municipal and County Court filings following the 2016 jurisdictional amount change. Small claims filings in 2019 were 48.5% lower than in 1999 (50.0% lower per 100k population), despite a doubling of the amount in controversy limit.

Figure II-27: Ohio Municipal and County Court Small Claims Filings, Absolute and Population Adjusted



TEXAS

Texas has the most complex trial court system of the states in this study, with multiple levels of trial courts, including state trial courts of general and specific jurisdiction, county trial courts of limited jurisdiction, and local trial courts of limited jurisdiction.¹⁷

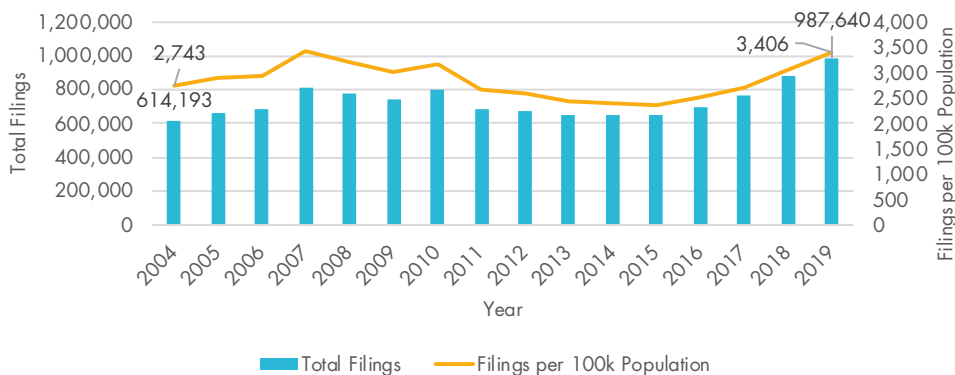
The state trial court of general and specific jurisdiction is known as the District Courts, with original jurisdiction over civil actions over \$200, divorce, title to land, and contested elections. The District Courts generally have exclusive jurisdiction in matters where the amount in controversy is over \$200,000 and certain other types of civil suits (e.g., suits for title to land).

At the county level, there are Constitutional County Courts and Statutory County Courts, as well as Justice Courts at the local trial court level. Jurisdiction of the various levels of trial courts is established by constitutional provision and the statutes establishing the individual courts. As to civil cases, generally the Constitutional County Courts have concurrent jurisdiction with Justice Courts in civil cases from \$200 to \$10,000 and concurrent jurisdiction with the District Courts in civil cases from \$200 to \$5,000. The Statutory County Courts have concurrent jurisdiction with the Constitutional County Courts, along with concurrent jurisdiction with the District Courts in civil cases from \$500 to \$200,000 and appeals from the Texas Workers' Compensation Commission. This simple explanation comes with the caveat that "the actual jurisdiction of each statutory county court varies considerably according to the statute under which it was created."¹⁸ As to jurisdiction over civil matters, the Justice Courts have exclusive jurisdiction over civil matters that do not exceed \$200 in amount in controversy, concurrent jurisdiction with the County Courts in cases from \$200 to \$10,000, and jurisdiction over eviction cases.¹⁹

Total Filings

In addition to being unique because of its size and court structure, Texas is also unique in terms of its overall filings, as there was an increase in filings over the 16 years included in the study data. Texas civil filings in 2019 were 60.8% higher than in 2004. The population-adjusted filing rate was 24.2% higher during that time frame. The substantial difference between absolute and population-adjusted percentages is due to Texas's population growth, which increased by 29.5% between 2004 and 2019.

Figure II-28: Texas Civil Filings, Absolute and Population Adjusted



Texas civil filings are represented here by court. The largest total volume of cases and the type of court with the most fluctuation during the study period was in the Justice Courts. Unlike the other states in this study whose small claims cases have decreased, filings in the Justice Courts in Texas have increased over the study period, particularly from 2013 to 2019 when filings increased 56.8% (population adjusted: 43.2% increase).

Figure II-29: Texas Civil Filings by Court, Population Adjusted²⁰

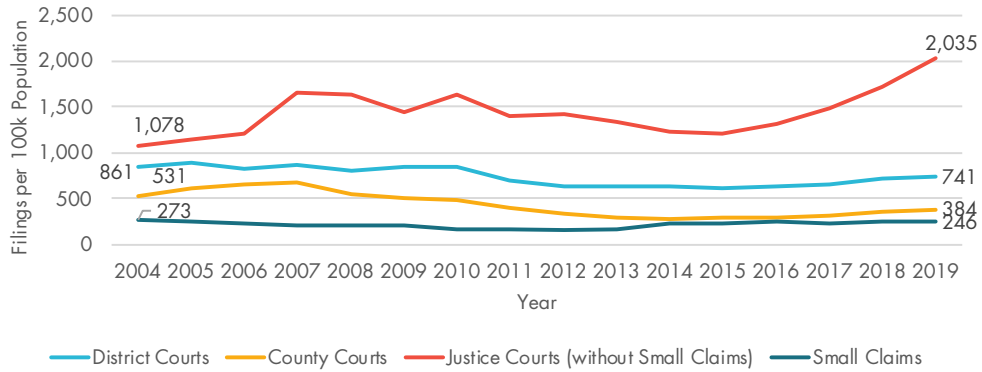
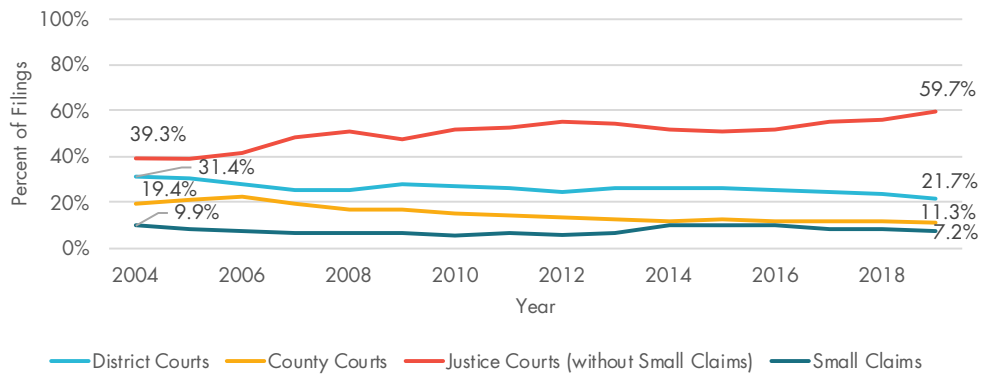


Figure II-30: Percent of Texas Civil Filings by Court



District Court

The lower limit of the District Court jurisdiction is either \$200 or \$500, depending on county, and the District Courts generally have exclusive jurisdiction in matters where the amount in controversy is over \$200,000 and over certain civil suits such as suits for title to land or enforcement of liens on land, contested elections, and suits for slander or defamation.²¹ The geographic area served by each District Court is established by statute, with one judge per District Court. Within the District Courts, the total number of filings was 11.4% higher at the end of the 16-year period than at the beginning, but the population-adjusted filings were 13.9% lower.

Figure II-31: Texas District Court Filings, Absolute and Population Adjusted

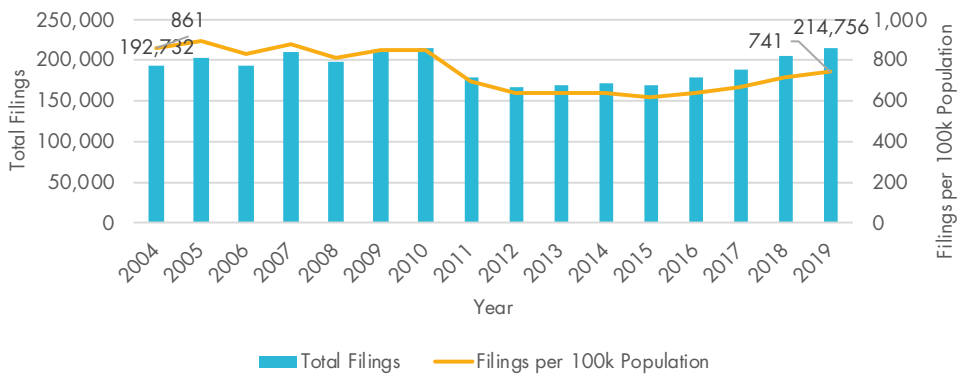
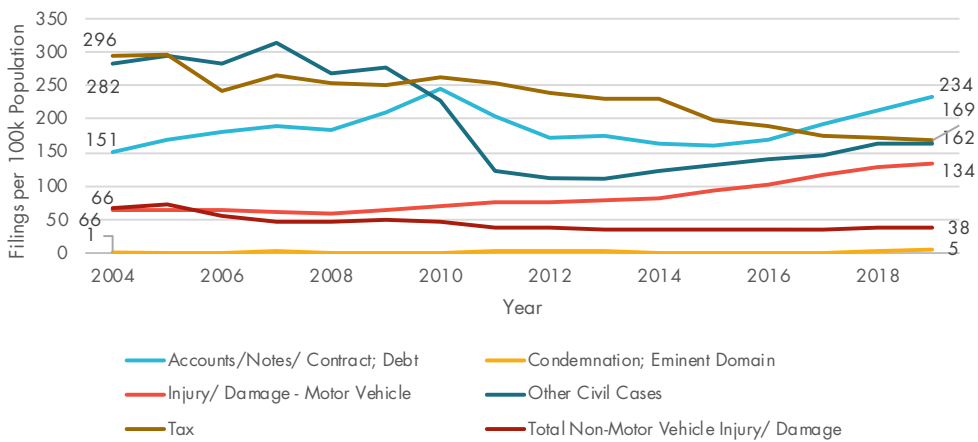


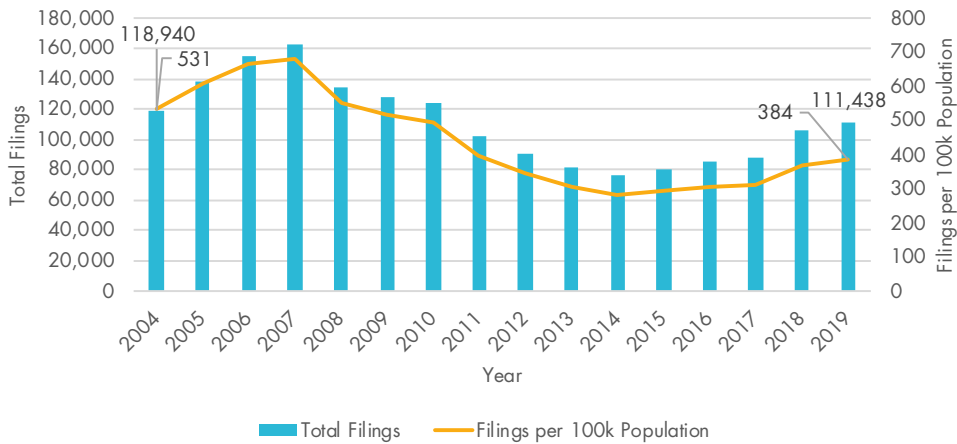
Figure II-32: Texas District Court Filings by Case Type, Population Adjusted



County Courts

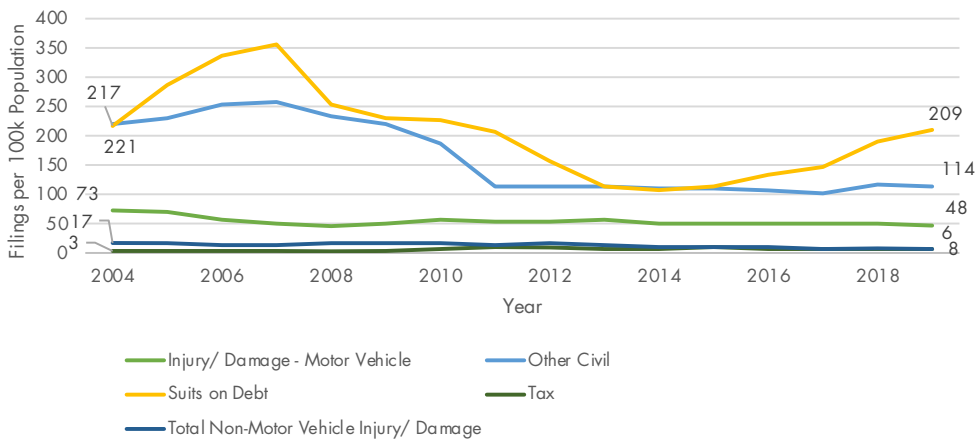
In addition to the District Courts, the Texas Constitution provides for a County Court in each county. The legislature has established Statutory County Courts to aid the Constitutional Courts with their judicial functions. As to civil cases, generally the Constitutional County Courts have concurrent jurisdiction with Justice Courts in civil cases from \$200 to \$10,000 and concurrent jurisdiction with the District Courts in civil cases from \$200 to \$5,000. The Statutory County Courts have concurrent jurisdiction with the Constitutional County Courts, along with concurrent jurisdiction with the District Courts in civil cases from \$500 to \$200,000 and appeals from the Texas Workers' Compensation Commission. This simple explanation comes with the caveat that "the actual jurisdiction of each statutory county court varies considerably according to the statute under which it was created."²² Given this variation and complexity, the following analysis combines the Constitutional and Statutory County Courts for analysis. Though we see substantial variability in these filings over time, total filings decreased by 6.3% from 2004 to 2019.

Figure II-33: Texas County Court Filings, Absolute and Population Adjusted



The breakdown by case type provides insight into which case types are most variable and are driving trends in Texas court filings. While their filing rates fluctuated substantially, debt cases represent the largest proportion of cases over the study period. Debt cases reached their lowest in 2014 but by 2019 had risen 101.1% (population adjusted: 83.6%).

Figure II-34: Texas County Court Filings by Case Type, Population Adjusted



Justice Courts

The Texas Constitution provides that each county is to be divided based on population into at least one, and not more than eight, justice precincts.²³ As to jurisdiction over civil matters, the Justice Courts have exclusive jurisdiction over civil matters that do not exceed \$200 in amount in controversy, concurrent jurisdiction with the County Courts in cases from \$200 to \$10,000, and jurisdiction over forcible entry and detainer (eviction) cases.²⁴ Prior to 2013, Justices of the Peace presided over both small claims and justice court, both involving cases with an amount in controversy less than \$10,000. The legislature abolished “small claims courts” and provided that small claims cases be heard in Justice Court with a new set of rules.²⁵

Figure II-35: Texas Justice Court Filings (without Small Claims), Absolute and Population Adjusted

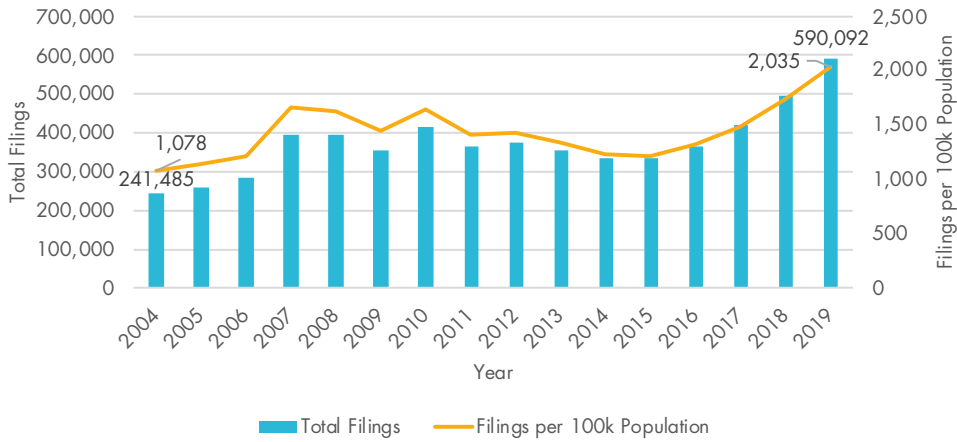


Figure II-36: Texas Justice Court Small Claims Filings, Absolute and Population Adjusted

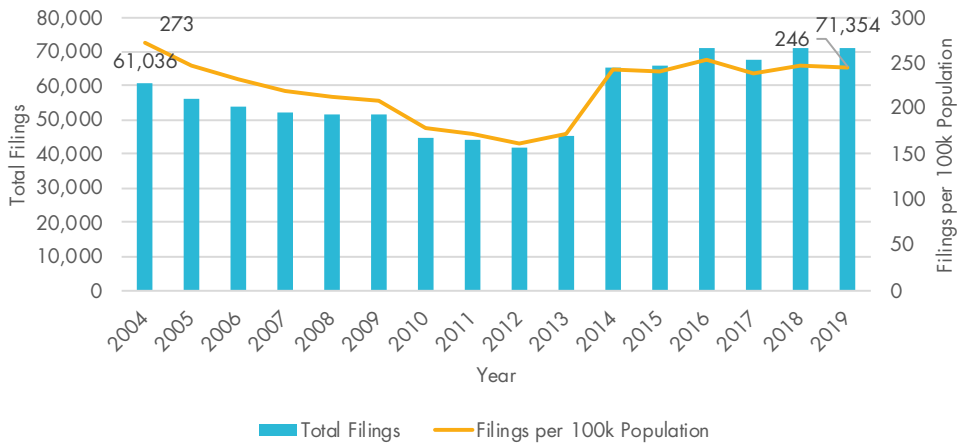
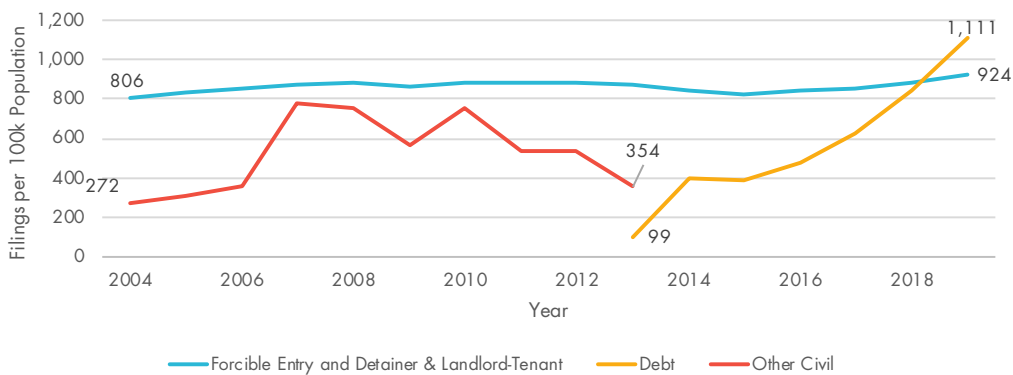


Figure II-37: Texas Justice Court Filings by Case Type, Population Adjusted



Endnotes

- 1 For more on the history of California's trial courts, see LARRY SIPES, COMMITTED TO JUSTICE, CALIFORNIA ADMINISTRATIVE OFFICE OF THE COURTS, *THE RISE OF JUDICIAL ADMINISTRATION IN CALIFORNIA* (2002).
- 2 Harry N. Scheiber, *Innovation, Resistance, and Change: A History of Judicial Reform and the California Courts, 1960-1990*, 66 S. CAL. L. REV. 2049, 2077 (1992).
- 3 Senate Constitutional Amendment, SCA 4, appeared on the 1998 ballot as Proposition 220.
- 4 *See generally* California Department of Finance, <https://www.dof.ca.gov/Forecasting/Demographics/Estimates/>.
- 5 The amounts in controversy in California's Unlimited Civil cases, Limited Civil cases, and Small Claims cases have progressively increased over the course of the study period.
- 6 Minnesota Judicial Branch Annual Report 2 (2019).
- 7 MN Handout Civil Case Type Index –Minn. R. Civ. P., Rev. 1-29-2021, 5.
- 8 Conciliation claims, known as Small Claims in other states, were removed from the Minor Civil category given the differences in these cases.
- 9 This subcategory includes three types of cases. One group of cases includes Change of Name and Appointment of Trustee cases. A second group is of actions to establish judgments—Confession of Judgment and Default Judgment. The third group is of actions to enforce judgments already established by another court.
- 10 MN Laws of 1993, Chap. 321, § 2, amending MN 2020 Stats., § 491A.01 subd. 3.
- 11 Ohio Constitution, Art. IV §4.
- 12 Ohio Rev. Code Chapt. 1901 (Municipal Court) and 1907 (County Court).
- 13 Ohio Judicial System, Ohio.gov, <https://ohio.gov/wps/portal/gov/site/government/resources/ohio-judicial-system>.
- 14 THE SUPREME COURT OF OHIO, 2019 OHIO COURTS STATISTICAL SUMMARY 43 (2019).
- 15 Ohio Rev. Code §1925.02.
- 16 Wrongful Death cases, although handled by the probate division of the Common Pleas Court, are treated as civil cases in this study.
- 17 TEXAS COURTS: A DESCRIPTIVE SUMMARY 2 (2014), <https://www.txcourts.gov/media/994672/Court-Overview.pdf> (clarifying that “to determine the jurisdiction of a particular court, recourse must be had first to the Constitution, second to the general statutes establishing jurisdiction for that level of court, third to the specific statute authorizing the establishment of the particular court in question, fourth to statutes creating other courts in the same county (whose jurisdictional provisions may affect the court in question), and fifth to statutes dealing with specific subject matters (such as the Family Code, which requires, for example, that judges who are lawyers hear appeals from cases heard by non-lawyer judges in juvenile cases)”).
- 18 *Id.* at 10.
- 19 Texas Government Code, § 27.031(a)(2), and Texas Property Code, § 24.004(a).
- 20 These graphs merge statutory and constitutional county court filings.
- 21 Texas Gov't Code, § 25.0003(c)(1); Texas Government Code, § 24.011 (although in at least 18 counties, some or all County Courts have been given jurisdiction in cases above \$250,000. *See* NCSC, Brian Ostrom and Shannon Roth, *Examining Texas County Courts at law, Civil Court Reorganization*, December 2012, p. 14); <https://www.txcourts.gov/media/994672/Court-Overview.pdf>.
- 22 Texas Courts: A Descriptive Summary 10, <https://www.txcourts.gov/media/994672/Court-Overview.pdf>.
- 23 Texas Constitution, Art. V, § 18a.
- 24 Texas Government Code, § 27.031(a)(2) and Texas Property Code, § 24.004(a).
- 25 *See* Robert B. Johnson, *Breaking Down Small Claims in the New Justice Court*, 17 J. OF CONSUMER & COMMERCIAL LAW 1 (2013), http://www.jtexconsumerlaw.com/V17N1/V17N1_SmallClaims.pdf.

APPENDIX III TIMELINES

California

- 1976** Legislature enacted a voluntary judicial arbitration program for Superior Courts
R.J. Heher, *Compulsory Judicial Arbitration in California: Reducing the Delay and Expense of Resolving Uncomplicated Civil Disputes*, 29 HASTINGS L.J. 475 (1978).
- 1979** *Royal Globe Ins. Co. v. Superior Court, Supreme Court of California*—increased the availability of third-party bad faith claims against insurance companies in tort cases
Royal Globe Ins. Co. v. Superior Court, 592 P.2d 329 (Cal. 1979).
- 1979** Jurisdictional floor raised from \$5,000 to \$15,000 for unlimited civil filings
1978 Cal. Stat., ch. 146, § 1, amending CAL. CODE. CIV. PROC. § 86.
- 1982** Economical Litigation Program’s simplified civil procedure laws made applicable to all limited civil cases
1982 Cal. Stat., ch. 1581, § 1, codified at CA. CODE. CIV. PROC. §§ 90 *et seq.*
- 1986** Trial Court Delay Reduction Act (TCDRA) adopted to address delay in resolving civil litigation
Trial Court Delay Reduction Act of 1986, 1986 Cal. Stat., ch. 1335, codified at CAL. GOV. CODE §§ 68600 *et seq.*
- 1986** Jurisdictional floor raised from \$15,000 to \$25,000 for unlimited civil filings
1985 Cal. Stat., ch. 1383, § 2, amending CAL. CODE. CIV. PROC. § 86.
- 1988** *Moradi-Shalal v. Fireman’s Fund Ins. Companies* reverses *Royal Globe*
Moradi-Shalal, v. Fireman’s Fund Insurance Companies, 758 P.2d 58 (Cal. 1988).
- 1997** Proposition 213, the Personal Responsibility Act of 1996, limited recovery by uninsured motorists
Jerome Harleston, OLR Research Report, California Proposition 213 (Nov. 12, 1999), <https://www.cga.ct.gov/PS99/rpt%5Colr%5Chtm/99-R-1188.htm>.
- 1998** Constitutional amendment passed permitting courts to be unified into a single superior court
Admin. Office of the Courts, Trial Court Unification Fact Sheet (Feb. 2005), <https://www.courts.ca.gov/documents/tcunif.pdf>.
- 1999** Legislation established court-annexed Early Mediation Pilot Programs in five Superior Courts applicable to both Unlimited Civil and Limited Civil cases
ADMIN. OFFICE OF THE COURTS, EVALUATION OF THE EARLY MEDIATION PILOT PROGRAMS, 2004, <https://www.courts.ca.gov/documents/empprept.pdf>.
- 2000** Complex Civil Litigation Pilot Program in six Superior Courts established
PAULA L. HANNAFORD-AGOR, NICOLE L. MOTT & TIMOTHY F. FAUTSKO, NAT’L CTR. FOR ST. CTS., EVALUATION OF THE CENTERS FOR COMPLEX CIVIL LITIGATION PILOT PROGRAM (2003), <https://www.courts.ca.gov/documents/compcivilpub.pdf>.

- 2001** Last court voted to merge into single superior court
California Trial Courts, Effective Dates of Unification (as of January 29, 2001), <https://www.courts.ca.gov/documents/unidate.pdf>.
- 2001** Statewide Self-Help Center page created on statewide website
JUDICIAL COUNCIL OF CALIFORNIA TASK FORCE ON SELF-REPRESENTED LITIGANTS, STATEWIDE ACTION PLAN FOR SERVING SELF-REPRESENTED LITIGANTS (2004), <https://www.courts.ca.gov/documents/self-replitsrept.pdf>.
- 2003** California statute of limitations expanded for personal injury
CAL. CODE CIV. PROC. § 335.1.
- 2004** Judicial Council adopted action plan to expand court access for self-represented litigants
JUDICIAL COUNCIL OF CALIFORNIA TASK FORCE ON SELF-REPRESENTED LITIGANTS, STATEWIDE ACTION PLAN FOR SERVING SELF-REPRESENTED LITIGANTS (2004), <https://www.courts.ca.gov/documents/self-replitsrept.pdf>.
- 2006** New judicial positions, increased judicial compensation, and transfer of court facilities from county to state ownership
JUDICIAL COUNCIL OF CALIFORNIA, ANNUAL REPORT, BUILDING THE BRANCH: REVIEWING THE ACCOMPLISHMENTS OF 2006 (2007), <https://www.courts.ca.gov/documents/2007ar.pdf>.
- 2008** California Budget Crisis
SANDRA M. EMERSON, CALIFORNIA POLYTECHNIC UNIVERSITY POMONA, CALIFORNIA BUDGET 2008-09: THE CONTINUING CRISIS, <https://gardner.utah.edu/documents/westernstatesbudgets/wpsa-07/california-2007.pdf>.
- 2010** Expedited Jury Trial Act adopted establishing simplified jury trial process
JUDICIAL COUNCIL OF CALIFORNIA, REPORT TO THE JUDICIAL COUNCIL, TRIAL COURTS: REPORT ON EXPEDITED JURY TRIALS (2015), <http://www.courts.ca.gov/documents/jc-20150219-info4.pdf>.
- 2012** Counties closed courthouses during this period as a result of the recession
See, e.g., Superior Court of California County of Orange, Public Notice of Court Closure Pursuant to Government Code Section 68106 and California Rules Of Court 10.620, Notice Of Closure Of Harbor Justice Center—Laguna Hills And Reassignment Of Cases To Other Locations (Apr. 29, 2013), <https://www.courts.ca.gov/documents/68106-orange-20130430-Laguna-Hills.pdf>.
- 2013** Fair Debt Buying Practices Act enacted to respond to reports of unfairness to debtors due to the inadequacy of documentation in debt collection cases
2013 Cal. Stat., ch. 64, § 2, adding CAL. CIV. CODE §§ 1788.50 *et seq.*
- 2015** Language Access Plan approved
JUDICIAL COUNCIL OF CALIFORNIA COURT LANGUAGE ACCESS SUPPORT PROGRAM, STRATEGIC PLAN FOR LANGUAGE ACCESS IN CALIFORNIA COURTS (2015), http://www.courts.ca.gov/documents/CLASP_report_060514.pdf.
- 2017** Futures Commission releases report moving forward reforms on SRLs, civil justice, and technology
JUDICIAL BRANCH OF CALIFORNIA, REPORT TO THE CHIEF JUSTICE: COMMISSION ON THE FUTURE OF CALIFORNIA'S COURT SYSTEM (2017), <https://www.courts.ca.gov/documents/futures-commission-final-report.pdf>.

Minnesota

- 1999** New court rules implemented to curb frivolous litigation
MINNESOTA JUDICIAL BRANCH, ANNUAL REPORT 1999-2000, https://www.mncourts.gov/mncourtsgov/media/assets/documents/reports/Annual_Report_99_00.pdf.
- 2000** Additional judgeships added to address caseload
MINNESOTA JUDICIAL BRANCH, ANNUAL REPORT 1999-2000, https://www.mncourts.gov/mncourtsgov/media/assets/documents/reports/Annual_Report_99_00.pdf.
- 2002** Two-year pilot launched aimed at reducing cost and delay
MINNESOTA STATE COURTS, 2001-2002 ANNUAL REPORT, https://www.mncourts.gov/documents/CIO/annualreports/2002/2001_2002_MN_Court_AR.pdf.
- 2002** Court forms made available through a public website, with instructions
MINNESOTA STATE COURTS, 2001-2002 ANNUAL REPORT, https://www.mncourts.gov/documents/CIO/annualreports/2002/2001_2002_MN_Court_AR.pdf.
- 2004** Forms and Procedures Task Force edited court forms to be legalese-free and in plain English
MINNESOTA JUDICIAL BRANCH, ANNUAL REPORT 2004, https://www.mncourts.gov/mncourtsgov/media/assets/documents/reports/MJB_annual-report_2004_web.pdf.
- 2005** Minnesota Judicial Branch became a single unified independent judicial branch under a single umbrella of funding and governance
MINNESOTA JUDICIAL BRANCH, 2005 ANNUAL REPORT: A YEAR OF CHANGE, https://www.mncourts.gov/mncourtsgov/media/assets/documents/reports/2005_Annual_Report-screen.pdf.
- 2006** New statewide web page introduced that included a new Self-Help Center with information and links to legal resources
MINNESOTA JUDICIAL BRANCH, REPORT TO THE COMMUNITY (2007), https://www.mncourts.gov/mncourtsgov/media/assets/documents/reports/MJB_Annual_2006.pdf.
- 2006** Court began providing email support to court users
MINNESOTA JUDICIAL BRANCH, 2007 REPORT TO THE COMMUNITY, https://www.mncourts.gov/mncourtsgov/media/assets/documents/reports/MJB_Annual_2006.pdf.
- 2007** Minnesota launched the Statewide Self-Help Center (Call Center)
MINNESOTA JUDICIAL BRANCH, 2007 REPORT TO THE COMMUNITY, <https://www.mncourts.gov/mncourtsgov/media/assets/documents/reports/2007ARFinal.pdf>.
- 2007** Self-Help Workstations made available in 89 courthouses and library locations
MINNESOTA JUDICIAL BRANCH, 2007 REPORT TO THE COMMUNITY, <https://www.mncourts.gov/mncourtsgov/media/assets/documents/reports/2007ARFinal.pdf>.
- 2008** Completed statewide transition to Minnesota Court Information System
MINNESOTA JUDICIAL BRANCH, A REPORT TO THE COMMUNITY: THE 2008 ANNUAL REPORT OF THE MINNESOTA JUDICIAL BRANCH, https://www.mncourts.gov/mncourtsgov/media/assets/documents/reports/AR_Working_08.pdf.

- 2010** Civil Justice Reform Task Force established to examine civil case processing statutes, court rules, and practices
Order Establishing Civil Justice Reform Task Force, ADM10-8051 (Minn. Nov. 24, 2010), <https://www.mncourts.gov/mncourtsgov/media/AdministrativeFileArchive/Civil%20Justice%20Reform%20Task%20Force%20ADM10-8051/2010-11-24-Order-Establishing-Civ-Justice-Reform-Task-Force.pdf>.
- 2012** Conciliation Courts Jurisdiction limits increased to \$10,000
Minnesota Chapter 283—S.F.No. 506 (amending Minn. Stat. § 491A.01, subd. 3) (2012), <https://www.revisor.mn.gov/laws/2012/0/Session+Law/Chapter/283/#laws.0.1.0>.
- 2013** Civil rule reforms implemented, including initial disclosures, proportionality, and civil cover sheet
Order Adopting Amendments to the Rules of Civil Procedure and General Rules of Practice Relating to the Civil Justice Reform Task Force, ADM10-8051, ADM09-8009, ADM04-8001 (Minn. Feb. 4, 2013), <https://mn.gov/law-library-stat/archive/supct/1302/ORADM108051-020413.pdf>.
- 2013** Hip-pocket filing limited to require complaint be filed within a year of service if case unresolved
Order Adopting Amendments to the Rules of Civil Procedure and General Rules of Practice Relating to the Civil Justice Reform Task Force, ADM10-8051, ADM09-8009, ADM04-8001 (Minn. Feb. 4, 2013), <https://mn.gov/law-library-stat/archive/supct/1302/ORADM108051-020413.pdf>.
- 2013** Expedited Litigation Track (ELT) pilot program established
Order Relating to the Civil Justice Reform Task Force, Authorizing Expedited Civil Litigation Track Pilot Project, and Adopting Amendments to the Rules of Civil Procedure and the General Rules of Practice, ADM10-8051, ADM09-8009, ADM04-8001 (Minn May 8, 2013), https://www.mncourts.gov/Documents/0/Public/News/Public_Notices/Administrative_-_Order_-_Rules.pdf.
- 2013** Complex Case Program (CCP) established
Order Relating to the Civil Justice Reform Task Force, Authorizing Expedited Civil Litigation Track Pilot Project, and Adopting Amendments to the Rules of Civil Procedure and the General Rules of Practice, ADM10-8051, ADM09-8009, ADM04-8001 (Minn. May 8, 2013), https://www.mncourts.gov/Documents/0/Public/News/Public_Notices/Administrative_-_Order_-_Rules.pdf.
- 2015** Conciliation Court jurisdiction limits increased to \$15,000
Minnesota Chapter 27—H.F.No. 1770, (amending Minn. Stat. § 491A.01, subd. 3a.) (2015), <https://www.revisor.mn.gov/laws/2015/0/Session+Law/Chapter/27/>.
- 2016** E-filing became mandatory in all counties
MINNESOTA JUDICIAL BRANCH, eFILING TO ROLLOUT STATEWIDE IN MINNESOTA DISTRICT COURTS (2015), <https://www.mncourts.gov/About-The-Courts/NewsAndAnnouncements/ItemDetail.aspx?id=1183>.
- 2016** Conversion to electronic case records completed in all counties
MINNESOTA JUDICIAL BRANCH, REPORT TO THE COMMUNITY: THE 2016 ANNUAL REPORT TO THE MINNESOTA JUDICIAL BRANCH, https://www.mncourts.gov/mncourtsgov/media/CIOMediaLibrary/Documents/2016_AR_FINAL.pdf.
- 2017** Completion of court forms through Guide and File interview process developed
MINNESOTA JUDICIAL BRANCH, REPORT TO THE COMMUNITY: THE 2017 ANNUAL REPORT TO THE MINNESOTA JUDICIAL BRANCH, <https://www.mncourts.gov/mncourtsgov/media/CIOMediaLibrary/Documents/2017-MJB-Annual-Report-to-the-Community.pdf>.

2018 Minnesota completed the Justice for All Strategic Plan that was a comprehensive review of legal representation and self-help services

MINNESOTA JUDICIAL BRANCH, MINNESOTA STATE BAR ASSOCIATION & MINNESOTA LEGAL SERVICES COALITION, MINNESOTA JUSTICE FOR ALL PROJECT STRATEGIC ACTION PLAN (2017), https://www.ncsc.org/data/assets/pdf_file/0019/25543/mn-jfa-plan.pdf.

Ohio

2004 The Supreme Court of Ohio, with superintendence authority over Ohio courts, moves into a permanent dedicated judicial center

The Supreme Court of Ohio, The Thomas J. Moyer Ohio Judicial Center (updated Jan. 2023), <https://www.supremecourt.ohio.gov/docs/Publications/MJC.pdf>.

2005 Additional tort reforms cap recovery of non-economic losses

Rita A. Maimbourg, New Ohio Tort Reform Law Takes Effect Soon (Feb. 2005), <https://www.tuckerellis.com/publications/new-ohio-tort-reform-law-takes-effect-soon/>.

2006 Ohio Supreme Court undergoes comprehensive website redesign

THE SUPREME COURT OF OHIO, ANNUAL REPORT (2006), https://www.supremecourt.ohio.gov/docs/Publications/annual_reports/annualreport2006.pdf.

2007 Increased case management focus on training and improved data analysis/reporting

THE SUPREME COURT OF OHIO, ANNUAL REPORT (2007), https://www.supremecourt.ohio.gov/docs/Publications/annual_reports/annualreport2007.pdf.

2008 Save the Dream foreclosure assistance program launched that consolidated state resources and initiatives into one program

CHIEF JUSTICE THOMAS J. MOYER, OHIO OFFERS COMPREHENSIVE RESPONSE TO FORECLOSURE PROBLEM, FUTURE TRENDS IN STATE COURTS (2008), <https://www.supremecourt.ohio.gov/JCS/disputeResolution/foreclosure/news/Trends2008.pdf>.

2008 Updates to the Code of Judicial Conduct adopted

Ohio Code of Judicial Conduct (eff. Mar. 1, 2009), [https://www.supremecourt.ohio.gov/RuleAmendments/documents/Ohio%20Code%20of%20Judicial%20Conduct%20\(FINAL\)\(R.%20Dove\)\(Replacing%20former%20Ohio%20Code%20of%20Judicial%20Conduct\).doc](https://www.supremecourt.ohio.gov/RuleAmendments/documents/Ohio%20Code%20of%20Judicial%20Conduct%20(FINAL)(R.%20Dove)(Replacing%20former%20Ohio%20Code%20of%20Judicial%20Conduct).doc).

2008 Ohio Courts Network launched, establishing a centralized data warehouse of case-level data, available to all courts statewide

THE SUPREME COURT OF OHIO, ANNUAL REPORT (2008), https://www.supremecourt.ohio.gov/docs/Publications/annual_reports/annualreport2008.pdf.

2008 Temporary commercial docket rules adopted and pilot programs became operational

THE SUPREME COURT OF OHIO, REPORT AND RECOMMENDATIONS OF THE SUPREME COURT OF OHIO TASK FORCE ON COMMERCIAL DOCKETS (2011), <https://www.supremecourt.ohio.gov/docs/Boards/commDockets/Report.pdf>.

2009 Supreme Court makes significant reductions in spending

THE SUPREME COURT OF OHIO, ANNUAL REPORT (2009), https://www.supremecourt.ohio.gov/docs/Publications/annual_reports/annualreport2009.pdf.

- 2009** Ohio Disciplinary System Task Force issued final report recommendations for restructuring the disciplinary system
THE SUPREME COURT OF OHIO, REPORT AND RECOMMENDATIONS OF THE SUPREME COURT OF OHIO TASK FORCE TO REVIEW THE OHIO DISCIPLINARY SYSTEM (2009), <https://www.supremecourt.ohio.gov/docs/Publications/DiscipSystemReviewTF/TFReport.pdf>.
- 2011** Advisory Committee on Case Management formed to make recommendations concerning data collection and enhancing caseload management practices
The Supreme Court of Ohio and the Ohio Judicial System, Advisory Committee on Case Management, <https://www.supremecourt.ohio.gov/courts/advisory/advisory-committees/case-management/#:~:text=The%20purpose%20of%20the%20advisory,to%20Ohio%20courts%2C%20including%20training> (last visited Apr. 27, 2023).
- 2012** Court News Ohio launched to increase transparency
THE SUPREME COURT OF OHIO, ANNUAL REPORT (2012), https://www.supremecourt.ohio.gov/docs/Publications/annual_reports/annualreport2012.pdf.
- 2012** Ohio Court approved numerous rule changes in 2012, including changes to civil rules of procedure
Amendments to the Ohio Rules of Appellate Procedure, the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure, the Ohio Rules of Juvenile Procedure, and the Ohio Rules of Evidence (Ohio 2012), [https://www.supremecourt.ohio.gov/RuleAmendments/documents/2012%20Amendments%20to%20the%20Rules%20of%20Practice%20and%20Procedure%20\(with%20staff%20notes\)%20\(FINAL\)\(J.%20Cline\).docx](https://www.supremecourt.ohio.gov/RuleAmendments/documents/2012%20Amendments%20to%20the%20Rules%20of%20Practice%20and%20Procedure%20(with%20staff%20notes)%20(FINAL)(J.%20Cline).docx).
- 2012** The Advisory Committee on Dispute Resolution, formed in 1989, is converted to the Commission on Dispute Resolution
Ohio R. Superi. Ct. 16 (2012).
- 2013** Ohio Commercial Courts rules adopted
Staff Report, Supreme Court Adopts Permanent Commercial Dockets Rules, Court News Ohio (Apr. 2, 2013), https://www.courtnewsOhio.gov/happening/2013/commercialDockets_040113.asp#.ZEppn3MLIU.
- 2015** Task Force on Access to Justice issues final report
THE SUPREME COURT OF OHIO, REPORT AND RECOMMENDATIONS OF THE SUPREME COURT OF OHIO TASK FORCE ON ACCESS TO JUSTICE (2015), <https://www.supremecourt.ohio.gov/docs/Publications/accessJustice/finalReport.pdf>.
- 2015** Ohio Courts Technology Initiative begins annual program for providing local courts grants for technology projects
THE SUPREME COURT OF OHIO, ANNUAL REPORT (2015), https://www.supremecourt.ohio.gov/docs/Publications/annual_reports/annualreport2015.pdf.
- 2015** Ohio Supreme Court launches e-Filing Portal
THE SUPREME COURT OF OHIO ANNUAL REPORT (2015), https://www.supremecourt.ohio.gov/docs/Publications/annual_reports/annualreport2015.pdf.
- 2017** Ohio Supreme Court creates Civil Justice Program Fund
Bret Crow, Ohio Supreme Court Civil Justice Fund to Help Ohioans in Need, Court News Ohio (July 12, 2017), https://www.courtnewsOhio.gov/happening/2017/civilJusticeFund_071217.asp#.ZEppRR33MLIU.

- 2018** Advisory Committee on Case Management implemented a pilot program to optimize case processing following Civil Justice Initiative Midwest Summit
Memorandum re: Advisory Committee on Case Management 2018 Annual Report (Jan. 7, 2019), <https://www.supremecourt.ohio.gov/docs/Boards/ACCM/reports/ACCM2018.pdf>.
- 2018** Ohio Supreme Court Awards over \$3.2 million in grants for access to justice
THE SUPREME COURT OF OHIO, ANNUAL REPORT (2018), https://www.supremecourt.ohio.gov/docs/Publications/annual_reports/annualreport2018.pdf.
- 2019** Ohio Supreme Court unveils public-facing interactive online caseload data dashboards to foster increased transparency and accountability
Anne Yeager, Court Unveils Interactive Tracking Tool to Monitor Caseloads, Court News Ohio (Feb. 7, 2019), https://www.courtnewsOhio.gov/happening/2019/dashboards_020719.asp#.ZEpQVH3MLIU.

Texas

- 2003** Legislature passed The Medical Malpractice and Tort Reform Act implementing numerous tort reforms
The Medical Malpractice and Tort Reform Act of 2003 (H.B. 4, 78th Leg., R.S.) <https://lrl.texas.gov/legis/billsearch/BillDetails.cfm?legSession=78-0&billtypeDetail=HB&billNumberDetail=4&billSuffixDetail=>.
- 2004** Judicial Council issued report and recommendations on *Public Access to Court Case Records in Texas*
OFFICE OF COURT ADMINISTRATION, ANNUAL REPORT OF THE TEXAS JUDICIAL SYSTEM 8 (Fiscal Year 2004), <https://www.txcourts.gov/media/454897/Annual-Report-2004-Final.pdf>.
- 2004** Concluded pilot to test electronic court filing and launched statewide implementation
OFFICE OF COURT ADMINISTRATION, ANNUAL REPORT OF THE TEXAS JUDICIAL SYSTEM 12 (Fiscal Year 2004), <https://www.txcourts.gov/media/454897/Annual-Report-2004-Final.pdf>.
- 2007** Legislature creates Judicial Compensation Commission
ANNUAL REPORT OF THE JUDICIAL SUPPORT AGENCIES, BOARDS AND COMMISSIONS 80 (for the Fiscal Year Ended August 31, 2009), <https://www.txcourts.gov/media/418449/AgencyAR09.pdf>.
- 2007** Supreme Court gained ability to broadcast video of oral arguments over the Internet
OFFICE OF COURT ADMINISTRATION, ANNUAL STATISTICAL REPORT FOR THE TEXAS JUDICIARY 1 (Fiscal Year 2006), <https://www.txcourts.gov/media/454891/Published-Annual-Report-2006.pdf>.
- 2008** Completion of the district and county-level phase of the Judicial Data Project
OFFICE OF COURT ADMINISTRATION, ANNUAL STATISTICAL REPORT FOR THE TEXAS JUDICIARY ii (Fiscal Year 2008), <https://www.txcourts.gov/media/454885/AR-2008.pdf>.
- 2010** Supreme Court order adopting uniform civil case information sheet
Order Adopting Texas Rule of Civil Procedure, Misc. Docket No. 10-9062, 78a (Tex. May 3, 2010), <https://www.texasbar.com/AM/Template.cfm?Section=Home&Template=/CM/ContentDisplay.cfm&ContentID=9580>.
- 2010** Texas Judicial Council Committee on Judicial Selection issues report and recommendations
REPORT OF THE TEXAS JUDICIAL COUNCIL COMMITTEE ON JUDICIAL SELECTION (Aug. 2010), <http://www.txcourts.gov/media/1441212/tjc-report-2010-gie.pdf>.

- 2011** Legislature directs Supreme Court to abolish “small claims court” and move cases to justice courts
Robert B. Johnson, *Breaking Down Small Claims in the New Justice Court*, 17 J. OF CONSUMER & COMMERCIAL LAW 1 (2013), http://www.jtexconsumerlaw.com/V17N1/V17N1_SmallClaims.pdf; ANNUAL REPORT OF THE JUDICIAL SUPPORT AGENCIES, BOARDS AND COMMISSIONS (Fiscal Year 2011), <https://www.txcourts.gov/media/423692/AgencyAR11.pdf>.
- 2013** Texas Expedited Actions Rules adopted to provide expedited procedure for cases less than \$100,000
Adoption of Rules for Dismissals and Expedited Actions, Docket No. 12-9191 (Tex. Nov. 13, 2012), http://www.txcourts.gov/All_Archived_Documents/SupremeCourt/AdministrativeOrders/miscdocket/12/12919100.pdf.
- 2014** Texas Courts Online website redesign launched
ANNUAL REPORT OF THE JUDICIAL SUPPORT AGENCIES, BOARDS AND COMMISSIONS 12 (for the Fiscal Year Ended August 31, 2014), <https://www.txcourts.gov/media/727506/2014-OCA-Annual-Report.pdf>.
- 2016** Court Security Committee releases report and recommendations to improve security
ANNUAL REPORT OF THE JUDICIAL SUPPORT AGENCIES, BOARDS AND COMMISSIONS 2-3 (for the Fiscal Year Ended August 31, 2016), <https://www.txcourts.gov/media/1436413/2016-ar-of-the-judicial-support-agencies-boards-and-commissions.pdf>.
- 2016** Mental Health Committee reviews intersection of mental health and the justice system
ANNUAL REPORT OF THE JUDICIAL SUPPORT AGENCIES, BOARDS AND COMMISSIONS 3-4 (for the Fiscal Year Ended August 31, 2016), <https://www.txcourts.gov/media/1436413/2016-ar-of-the-judicial-support-agencies-boards-and-commissions.pdf>.
- 2016** Texas implements e-filing statewide
OFFICE OF COURT ADMINISTRATION, ANNUAL STATISTICAL REPORT FOR THE TEXAS JUDICIARY 1 (Fiscal Year 2016), <https://www.txcourts.gov/media/1436989/annual-statistical-report-for-the-texas-judiciary-fy-2016.pdf>.
- 2017** Justice courts explore online dispute resolution
OFFICE OF COURT ADMINISTRATION, ANNUAL STATISTICAL REPORT FOR THE TEXAS JUDICIARY 3 (Fiscal Year 2017), <https://www.txcourts.gov/media/1441397/ar-fy-17-final.pdf>.
- 2018** Texas Judicial Council Civil Justice Committee releases report and recommendations
TEXAS JUDICIAL COUNCIL CIVIL JUSTICE COMMITTEE REPORT AND RECOMMENDATIONS (2018), <http://www.txcourts.gov/media/1442196/civil-justice-committee-report.pdf>.
- 2019** Texas Supreme Court issued 11 emergency orders following Hurricane Harvey
ANNUAL REPORT OF THE JUDICIAL SUPPORT AGENCIES, BOARDS AND COMMISSIONS 6 (for the Fiscal Year Ended August 31, 2019), <https://www.txcourts.gov/media/1445215/fy-19-annual-report-of-support.pdf>.