

# NEWS RELEASE

Mansfield Municipal Court

Mansfield, Ohio

Honorable Jerry Ault, Judge  
Honorable Frank Ardis Jr., Judge  
Jamie Wood, Court Administrator

## **October 7, 2011 – Jamie Wood, Court Administrator Ohio Supreme Court Responds to Performance Report**

Mansfield, Ohio – Mansfield Municipal Court Administrator Jamie Wood today released a review of the Court’s case activity performed by the Case Management Section of the Ohio Supreme Court. The findings were summarized in a letter from Ohio Supreme Court Chief Justice, the Honorable Maureen O’Connor to Auditor of State Dave Yost.

The evaluation noted the State Performance Report of Mansfield used calculations when reviewing the work of the Municipal Court that were a misapplication of proper clearance rate measures. The Chief Justice noted “Without properly recalculating and amending your report on the clearance rate for the Mansfield Municipal Court and the peer courts, *the public record will continue to inaccurately portray the work of the judges and court staff and create a misimpression of their efficiency as measured against all other courts in Ohio*”.

The review found that the methodology that was used in the Performance Report to calculate the clearance rate of the Mansfield Municipal Court and other courts to which it was compared was in error and should be corrected.

In one instance the Performance Report detailed a clearance rate for criminal cases of 68 percent, but when calculated properly was actually 97 percent meaning that nearly the same number of cases assigned were cleared during the reporting period.

Judge Ault stated “we are very aware of our assignment and clearance rates and work to maintain efficiency but have always placed the needs of our community first. Our Court is both efficient and effective, but it’s not always about numbers. We place an emphasis on Specialty Dockets to not only hold offenders accountable, but we also want to help them become productive and contributing members of our communities.”

Supreme Court Justices have often referred to Mansfield Municipal Court as a model court according to Judge Ault. Judges and/or staff from courts across Ohio visit our Court to observe the operation of our Specialty Courts for ideas on how they can replicate our success.

*Judge Ault can be contacted at 419-544-3131*

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# The Supreme Court of Ohio

CHAMBERS OF  
CHIEF JUSTICE MAUREEN O'CONNOR

65 SOUTH FRONT STREET  
COLUMBUS, OH 43215-3431

September 22, 2011

The Honorable Dave Yost  
Auditor of State  
88 East Broad Street  
5<sup>th</sup> Floor  
Columbus, Ohio 43215

Dear Auditor Yost:

I write today on behalf of the Supreme Court of Ohio and the Ohio Judicial Branch in response to the performance audit your office conducted of the City of Mansfield that was released on July 12, 2011, an audit that also included the Mansfield Municipal Court, a separate and independent entity within the city's government structure. I request that this response be appended to the audit report as posted on your website.

It is our position that the methodology that was used in your report to calculate the clearance rate of the Mansfield Municipal Court and the other courts to which it was compared is in error and should be corrected.

The calculation of a court's clearance rate is a useful tool in measuring its performance. A clearance rate is expressed in the ratio of a court's outgoing cases to its incoming cases during a specified period. A clearance rate of 100 percent indicates a court disposed of an equal number of cases as it took in during the period and is a commonly accepted and objective standard in measuring the efficiency of a court in processing its cases. The calculation is not designed to and *never* includes the number of cases pending at the beginning or the end of the period. This is because a court *always* has cases pending. If one adds the number of cases pending to the number of cases filed in a reporting period (as does your report) and then divides the sum into the number of cases disposed of during the same period, a court would never have a 100 percent clearance rate unless it disposes of all of its cases pending at the beginning of *and* filed during the reporting period. This is a misapplication of the clearance rate measure.

For example, your report states the clearance rate for the Mansfield Municipal Court for its civil cases in the reporting period was 60 percent. When compared to the objective standard of 100 percent, the court's performance would appear poor. The measurement of 76 percent for the peer courts also suggests poor performance by those courts as well. However, when calculated properly, the Mansfield Municipal Court's clearance rate for this type of case is 102 percent and the clearance rate for the peer courts is 108 percent.

This means that all of these courts disposed of more civil cases than they took in during the time period under review. In other words, all of the courts performed very well on this measure. This is also where the report's reliance on a comparison of the Mansfield Municipal Court to peer courts, instead of an objective standard, falls short.

You will find enclosed two work sheets which compares the work of the Mansfield Municipal Court and the peer courts. The first sheet, which is provided as Attachment A, shows the clearance rate comparisons by case type between the Mansfield Municipal Court and the collective peer average, with one column displaying the rates when correctly calculated against the second column displaying the rates when incorrectly calculated. The second sheet, which is provided as Attachment B, shows the same information with detail for each of the peer courts.

It is important to note that the use of the clearance rate measure, while helpful, is not the only valid tool one may use in measuring a court's performance in processing its cases. Three other useful measures that are often used in conjunction with the clearance rate measure are the "time to disposition" measure, the "trial date certainty" measure, and the "age of active pending caseload" measure. In addition, there is the "overage case" standard our staff often uses to measure cases pending beyond the case type time guidelines as set by the Supreme Court through the Rules of Superintendence for Ohio Courts. Our staff often uses all of these standards in its reviews to provide a comprehensive assessment of a court's efficiency.

Finally, I wish to note that staff from our Case Management Section has spoken with information technology staff from the Mansfield Municipal Court to better understand the nature of the undercounting of case terminations mentioned in your report. They reported to us that a small number of cases were being reactivated and not properly terminated. This resulted in a steady, but insignificant increase in the court's pending caseload. They also reported they have made corrections to the coding practices the court uses which will rectify this issue. However, this minor reporting problem has no bearing on the appropriate method by which to calculate the court's clearance rate.

September 22, 2011

I believe it is important to clarify this point for the purpose of making sure the public record is accurate. Without properly recalculating and amending your report on the clearance rate for the Mansfield Municipal Court and the peer courts, the public record will continue to inaccurately portray the work of the judges and court staff and create a misimpression of their efficiency as measured against all other courts in Ohio.

I appreciate your responsiveness to our concerns and respectfully request that you reconsider your position on the clearance rate methodology that was used in the audit report.

Sincerely,



Maureen O'Connor  
Chief Justice

Attachments

cc: The Honorable Donald R. Culliver, Mayor, City of Mansfield  
Mansfield City Council President, Philip Scott  
Mansfield City Council Member, Mike Hill  
Mansfield City Council Member, Jeff Rock  
Mansfield City Council Member, Scott Hazen  
Mansfield City Council Member, Butch Jefferson  
Mansfield City Council Member, Pat Hightower  
Mansfield City Council Member, Sandra Carmichael  
Mansfield City Council Member, Doug Versaw  
Mansfield City Council Member, Ellen Haring  
The Honorable Frank Ardis Jr., Judge, Mansfield Municipal Court  
The Honorable Jerry E. Ault, Judge, Mansfield Municipal Court  
Mark Schweikert, Executive Director, Ohio Judicial Conference

**Mansfield Municipal Court**  
Clearance Rate Comparisons  
Calendar Year 2009

| <b>Case Types</b>    | <b>Clearance Rate</b><br>(correct method) |                     | <b>Clearance Rate</b><br>(incorrect method) |                     |
|----------------------|---|---------------------|---|---------------------|
|                      | <b>Mansfield MC</b>                       | <b>Peer Average</b> | <b>Mansfield MC</b>                         | <b>Peer Average</b> |
| Civil                | 102.1%                                    | 107.9%              | 57.8%                                       | 75.9%               |
| Criminal             | 97.4%                                     | 106.9%              | 68.9%                                       | 89.9%               |
| Traffic              | 99.5%                                     | 103.0%              | 88.8%                                       | 94.0%               |
| Criminal and Traffic | 98.9%                                     | 104.1%              | 81.7%                                       | 93.0%               |
| All Case Types       | 99.4%                                     | 105.1%              | 76.6%                                       | 88.9%               |

**Mansfield Municipal Court**

Pending, Incoming, and Outgoing Cases and Performance Data - Comparisons with AOS-Designated Peer Courts  
 Calendar Year 2009, Full Detail

|                                      | Pending<br>1/1/2009 | New Filings | Transfers and<br>Reactivations | Total<br>Terminations | Clearance Rate<br>(correct method) | Clearance Rate<br>(incorrect method) |
|--------------------------------------|---------------------|-------------|--------------------------------|-----------------------|------------------------------------|--------------------------------------|
| <b>CIVIL CASES</b>                   |                     |             |                                |                       |                                    |                                      |
| Mansfield MC                         | 3,047               | 3,895       | 85                             | 4,062                 | 102.1%                             | 57.8%                                |
| <i>Peers</i>                         |                     |             |                                |                       |                                    |                                      |
| Elyria MC                            | 2,204               | 3,451       | 35                             | 3,783                 | 108.5%                             | 66.5%                                |
| Licking Co. MC                       | 1,016               | 4,153       | 58                             | 4,253                 | 101.0%                             | 81.4%                                |
| Warren MC                            | 1,596               | 3,573       | 163                            | 4,265                 | 114.2%                             | 80.0%                                |
| Peer Average                         |                     |             |                                |                       | 107.9%                             | 75.9%                                |
| <b>CRIMINAL CASES</b>                |                     |             |                                |                       |                                    |                                      |
| Mansfield MC                         | 2,703               | 5,265       | 1,275                          | 6,372                 | 97.4%                              | 68.9%                                |
| <i>Peers</i>                         |                     |             |                                |                       |                                    |                                      |
| Elyria MC                            | 1,519               | 4,689       | 1,377                          | 6,838                 | 112.7%                             | 90.2%                                |
| Licking Co. MC                       | 361                 | 2,725       | 755                            | 3,542                 | 101.8%                             | 92.2%                                |
| Warren MC                            | 552                 | 2,261       | 329                            | 2,748                 | 106.1%                             | 87.5%                                |
| Peer Average                         |                     |             |                                |                       | 106.9%                             | 89.9%                                |
| <b>TRAFFIC CASES</b>                 |                     |             |                                |                       |                                    |                                      |
| Mansfield MC                         | 1,778               | 13,076      | 1,737                          | 14,740                | 99.5%                              | 88.8%                                |
| <i>Peers</i>                         |                     |             |                                |                       |                                    |                                      |
| Elyria MC                            | 1,738               | 10,370      | 709                            | 11,790                | 106.4%                             | 92.0%                                |
| Licking Co. MC                       | 698                 | 12,427      | 1,291                          | 13,932                | 101.6%                             | 96.6%                                |
| Warren MC                            | 759                 | 7,830       | 1,283                          | 9,206                 | 101.0%                             | 93.3%                                |
| Peer Average                         |                     |             |                                |                       | 103.0%                             | 94.0%                                |
| <b>COMBINED CRIMINAL AND TRAFFIC</b> |                     |             |                                |                       |                                    |                                      |
| Mansfield MC                         | 4,481               | 18,341      | 3,012                          | 21,112                | 98.9%                              | 81.7%                                |
| <i>Peers</i>                         |                     |             |                                |                       |                                    |                                      |
| Elyria MC                            | 3,257               | 15,059      | 2,086                          | 18,628                | 108.6%                             | 91.3%                                |
| Licking Co. MC                       | 1,059               | 15,152      | 2,046                          | 17,474                | 101.6%                             | 95.7%                                |
| Warren MC                            | 1,311               | 10,091      | 1,612                          | 11,954                | 102.1%                             | 91.9%                                |
| Peer Average                         |                     |             |                                |                       | 104.1%                             | 93.0%                                |
| <b>ALL CASES COMBINED</b>            |                     |             |                                |                       |                                    |                                      |
| Mansfield MC                         | 7,528               | 22,236      | 3,097                          | 25,174                | 99.4%                              | 76.6%                                |
| <i>Peers</i>                         |                     |             |                                |                       |                                    |                                      |
| Elyria MC                            | 5,461               | 18,510      | 2,121                          | 22,411                | 108.6%                             | 85.9%                                |
| Licking Co. MC                       | 2,075               | 19,305      | 2,104                          | 21,727                | 101.5%                             | 92.5%                                |
| Warren MC                            | 2,907               | 13,664      | 1,775                          | 16,219                | 105.1%                             | 88.4%                                |
| Peer Average                         |                     |             |                                |                       | 105.1%                             | 88.9%                                |