

Dynamics of Case Flow Management: A Study  
of County and Municipal Courts in the State of Ohio

by

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## Abstract

This research investigation focuses on the efficiency of lower courts in Ohio. It makes two substantial contributions to the literature. First, it organizes a widely divergent literature on what court efficiency means and how to improve it. Second, it is one of few evidence-based studies on court efficiency. The data used in this model came from the Ohio Supreme Court 2011 *Annual Statistical Report*. It is hypothesized that (1) county courts are less efficient than municipal courts, (2) the efficiency of a court is proportional to the amount of resources allocated to it, and (3) the efficiency of a court is proportional to the size of the jurisdiction's population. The concept of efficiency is operationalized using filings per judge and tested using negative binomial models. Hypotheses about the difference between county and municipal courts and population size were confirmed. The hypothesis on resource allocation was opposite expectations. This study concludes that the consolidation of county and municipal courts could result in greater judicial efficiency.

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## **Chapter I**

### **Introduction**

On July 31, 2012, Judge Robert A. Douglass, Jr., one of the three full-time judges presiding in the Youngstown Municipal Court, retired with only 17 months left in his term (Milliken, 2012b). This early departure happened at a time when the restructuring of Ohio's county and municipal courts was under discussion due to declining case load numbers (Keilitz, 2012; Milliken, 2012a). Officials from the Ohio Supreme Court had several discussions, meetings, and seminars on whether or not municipal courts should be combined and/or consolidated with county courts into one jurisdiction for violations and court filings. In the wake of this debate, the Ohio Supreme Court decided not to fill Douglass's seat, leaving only two full-time judges.

Improving case flow management in the judicial system has become a priority in the management of court systems. Case loads constitute a series of violations, suits, and motions being filed within the court (National Center for State Courts, 2014). The debate over the consolidation of county and municipal courts provides a context for the problem under investigation in this thesis. What others on the outside of the organization assume can be obtained with the reduction of staff and elimination of certain procedures and policies may not in reality be the best decision. What needs to be researched and identified is the efficiency of the courts (Supreme Court of Ohio, 2007). Are courts filings and closing of cases being done effectively? Being that I am a part of the municipal clerk of courts, this topic was rather interesting and yet beneficial for future employment and policies. Processing cases on a daily basis is a task I generally handle. I am familiar with the procedure, and understand that it is very demanding to keep the case



flow in a timely fashion. What is not understood is the fact that this is difficult to do without the appropriate resources. This study poses the question of what approaches are best to make a court more efficient.

There is no dearth of opinions on the subject of case flow management. The National Center for State Courts (2014), National Association for Court Management (2003), National Judicial College (Dressel, 2008), State Justice Institutes (2010), World Bank (Nussenbelt & Gramckow, 2013), law and court administration journals (Clark, 1961; Hanson, Ostrom, & Kleiman, 2010; Lepore, Metallo, & Agrifolio, 2012; Steelman, 2013), and several state and local jurisdictions (e.g., Clarke, Hall, Tallarick, & Douglas, 2009; Greacen Associates, 2005; State Court Administrative Office [Michigan], n.d.; Supreme Court of Ohio & Ohio Judicial System, 1997; see also studies listed in National Center for State Courts, 2014) have published opinions and guidelines on the matter. When researching this literature I identified documents in journal databases and the Web using keywords such as case flow management, courts, court consolidation, court administration, court restructuring, and judicial administration.

Two problems with this literature are readily apparent. First, there is no agreement on what court efficiency is and how it should be achieved. The literature review of this thesis is a significant attempt to give order to a body of writings that have been until now highly disorganized. Second, there is little significantly funded or peer-reviewed empirical research on the question. Using my key words, only a small number of studies seeking to identify the causes of court inefficiency could be found (Clarke et al., 2009; Lepore et al., 2012; Sviridoff, Rottman, & Weidner, 2002). This study, then, is unique. In this sense, the lack of existing conventions means that this study should be treated as

exploratory—a starting point on which further research can be built.

The absence of research on court consolidation is intriguing given the growth of evidence-based practice (EBP) in other areas of criminal justice (e.g., MacKenzie, 2006; Latessa, 2004; Sherman, 1998; Skogan & Frydl, 2004). In order to enhance performance standards in courts, EBP can be used to create measurable performance standards during trials and other court processes through the use of quantitative metrics, internal evaluations, self-assessments, and even defendant feedback (e.g., Lepore et al., 2012).

Raising the idea of court reorganization infers some concurrence on what court supervisors are attempting to fulfill and that managerial practices can differ from better to worst (Hanson et al., 2010). The character of quality organization stems from basic values and wanted practices broadly imparted among judges and court supervisors, in spite of the fact that they may not explain them expressly or examine them much of the time. These qualities and practices define successful, efficient courts, that is, they lay out components to search for in a well-run court. Hanson and colleagues (2010) note that the components of an arrangement of authoritative standards include the accompanying: (1) giving each case singular consideration, (2) treating cases proportionately, (3) showing procedural equity, and (4) exercising legal control over the legitimate procedure.

*Each case receives individual attention.* Giving individual regard for cases has immediate ramifications for regulatory execution on the grounds that it implies tension between every individual case and a judge's case stack (Nussenbelt & Gramckow, 2013). Judges and court administrators must make choices. Nobody needs to lament a ruling when extra time allowed a more right legitimate choice. Expressed all the more emphatically, judges know a proper measure of time is important to permit them essential

data to settle on the most right choices possible. Viable techniques permit contending parties and lawyers to give all pertinent data to the court, to present their separate sides of the case, and to react to any issues raised by a judge.

*Individual attention is proportional to need.* While the first authoritative guideline recommends judges concentrate on each individual case, the second one takes a gander at each case's relationship to all others. Judges and court directors must balance the craving to give each case suitable consideration and the simultaneous obligation to respect this longing for efficiency in a universe of considerable case burdens with limited time and assets. One approach to accommodate the clash between "individualized" consideration and case load goals is to apply the proportionality standard, which expresses that each case should get individual consideration in immediate extent to what it warrants. More difficult cases should get more time than the less intricate cases. The thought of proportionality is planned to keep up equity and due process in the treatment of cases, additionally to recognize the truth that accessible work time and assets are limited.

*Choices show procedural equity.* Many think winning or losing is the only thing that matters to individuals when they are in court (Connelly, 2009). However, court clients' assessments of how they are dealt with and whether the process of settling on choices suggest court processes can be deemed satisfactory even when the individual loses. The administrative rule of procedural equity is the idea that methods and outcomes maintain the impression of decency and fairness. This standard is critical to the institutional authenticity of a court and to the level of trust set in it by members of society generally and participants in the process specifically. Thus, observations that methods are reasonable and justifiable impact satisfaction with the process, regard for the court, and

eagerness to consent to court decisions and requests regardless of the fact that people dislike the conclusion.

*Judges control the legal process.* A key improvement in the course of recent years is the application of administrative ideas to the development of cases in a courthouse (Connelly, 2009). Case flow management now encompasses the mix of courses of action, strategies, and assets important to move a case adequately and effectively from the date of documenting to determination. At the focal point of effective case flow management, judges with the support of their organizations must make a guarantee to oversee and control the flow of cases (National Center for State Courts, 2014). While this obligation by judges and court directors should be tempered by proceeding with counsel and others on the best means for development, a court must lead the exertion on the off chance that it is to succeed. A product of more prominent court control over the case flow process is that it can lead specifically to more powerful (and cost effective) support for all defendants. By executing and utilizing successful case flow management arrangements, the court sets clear desires for what is anticipated from lawyers at every occasion and what a judge will do if the desires are not met. These authoritative standards offer direction on how court management can help the effective adjudication of disputes. In spite of the fact that they portray a vision of what a well-run court needs to attain, real application of the standards will vary from court to court. The focal court administration issue is the way to place standards into practice.

In spite of the fact that court delay has long been an issue in the United States and other Western societies, it is just in modern times that the instruments of observational examination have been utilized to look at the measurements of the issue through a

comparative approach (Lepore et al., 2012; Mahoney et al, 1988). What this study looks at are the different ways to be more efficient, the different possibilities as to how this can be done, and what is suggested for the court in Ohio.

The hypotheses developed in this paper are applied to municipal and county courts in the state of Ohio. Information from each court from an annual report are gathered and analyzed to determine if cases are being filed and carried out efficiently. In either case, explanations and recommendations are presented in order to guide future efforts.

## **Chapter II**

### **Literature Review**

The literature on court efficiency is chaotic. Reason for this chaos is the several different approaches, and solutions that can be used to address the issue of efficiency. This section deals with two different issues. The first question deals with the definition of efficiency. This section shows how differences in the application of the concept of efficiency revolve around three themes: (1) process management, (2) procedural fairness, and (3) cost containment. Second, the literature varies with regard to the solution to the problem. Dominant are two competing points of view—one focusing on the customization of the case and the other on creating economies of scale through consolidation.

### **Definitions**

Case flow management is basically how courts conduct cases. Efficiency is the coordination of court processes and assets so court cases are able to advance in a timely manner from filing to their final outcomes or what are called dispositions (Ohio Supreme Court, 2007). Judicial administration and management are required to keep track of time and events as long as a court case is open. This includes all phases from first appearances through sentencing hearings. What efficiency tends to do is assure that all litigants to receive proper procedural processes and equality in a timely manner (National Association for Court Management, 2003). Courts over the globe have standard principles to oversee cases effectively that have developed into a set of case flow administration procedures. The basic standard is that, in compliance with the controlling procedural codes, the court and not legal attorney or disputants controls the way in which

each individual case will be handled through the system (Nussenblatt and Gramckrow, 2013).

There are three different justifications for promoting improved case flow management: (1) process management, (2) procedural justice, and (3) cost containment. A court society supporting a typical comprehension and responsibility to sound authoritative standards will look to produce practices that produce superior performance (Hanson et al., 2010). Regulatory standards help characterize a set of outcomes joined to gauging a court's accomplishments in giving process management, procedural justice, and cost containment. The essential objective of court administration is to refine authoritative practices until sought goals are accomplished.

### **Process Management**

Process management approaches focus on the mechanics of how a case is handled as it moves through the court system. They cover how motions are filed, how the progress of a case is tracked, and how decisions are published. In 2008, a summit sponsored by the National Judicial College with support from the Bureau of Justice Assistance (BJA) highlighted three main components of facilitating modern case flow management in courts: (1) effective judging and judicial commitment, (2) court organization and high performance courts, and (3) court management tools and technology. This section summarizes these components based on a report of the summit prepared by Dressel (2008) and supplemented by other sources.

### **Effective Judging and Judicial Commitment**

Judges have an essential and compelling interest in making the processing of cases in the criminal justice system more efficient (Geordt, 1991). A rapid increase in

caseload per judge is likely to be related to increases in case processing time. The judge has a position of prestige and power empowering him or her to assemble conferences and gather stakeholders, to encourage coordinated effort between different groups, and to build accord. On the critical issue of case flow administration, the consensus is that a fair-minded performer can guarantee that court techniques are not exploited to the disservice of the defendants or litigants

Immediate disposition of the court's business obliges a judge to dedicate satisfactory time to legal obligations, to be timely in going to court and speedy in deciding matters under accommodation, and to take sensible measures to guarantee that court authorities, prosecutors, and their attorneys coordinate with the judge toward these ends. Judges and other court staff have an obligation to enhance assets (i.e. time, cash, staff, and space). Hewitt, Gallas, & Mahoney (1990) argue that one measure of the viability of the court's case flow administration framework is the docket awareness of judges, prosecutors, and others. As with any system, the level of adherence to particular procedural orders changes over the court, yet any reasonable person would agree that there is an expansive perception imparted by judges, staff, and legal advisers on both the prosecuting and defense sides. The general population and alternate extensions of government have a right to consider the legal branch responsible. Along these lines, proficiency and efficiency are extra explanations behind judges to actively oversee case flow

What can judges do to utilize the force of their position and to satisfy their moral obligation? Independent of any other types of assistance, judges can take control of their own particular docket. They can guarantee that that the trial will not be postponed by



taking a firm position on the allowing of continuations, by rendering their own particular choices in a convenient way, and by taking control of complex cases at the beginning. Judges have a right to data about their court's productivity. They can demand getting consistent redesigns on the facts about the cases passing through their court. The judge can lead the pack in creating a process that gives consistency and assurance in planning the steps of a case.

On a bigger scale, judges can lead activities in their court to handle enhancing case flow management. Working with the collaboration of the directing or managerial judge, any judge can offer to take up the obligation to look at the facts and assemble a team to propose changes. After a judge takes an authoritative role in promoting the enhancement of case flow management, the judge additionally can create a progression plan so the enhancements made don't end when the judge is gone.

Judges can take a leadership role in guaranteeing staff gets additional education through their state legal training programs or through a myriad of national providers. These providers help enhance the organization of equity through powerful case flow management. This continuing education should be required to stay up with the latest on the innovation that can aid with their deliberations.

### **Court Organization and High Performance Courts**

A court is regularly overseen by a judge who, when taking the bench, may be more centered on procedural due process and equity than administration. Managing judges who lead the court usually lack administrative training or experience. The administrative experience comes like snow falling in the field. Gradually the experience accumulates as time passes.

This inadequacy gave rise to the field of court management. The court overseer helps the directing judge with the administration of the court. The court's management system incorporates the administration of normal trial court operations. The relationship between the directing judge and the court administrator is important. The way to a well-run court is the association between the two. The court administration organization turns into a group that can deal with the court and give procedural due process and justice. Together the court administration group makes a goal for the court and builds procedures to understand those goals. Case flow administration is a fundamental component inside the vision and plans for the court. Case flow management is the court's establishment to give the directing judge's enthusiasm of procedural due process and justice and give the court overseer's approach enthusiasm of compelling court management. Fruitful court operations rely on steady case flow administration audits to focus on the court's long haul prosperity. The whole court, all its representatives, and the court clients rely on that relationship to give court administration.

Court administration changes all the time as the directing judge's term closes or through different progressions. Case flow management gives a structure from which the new court administration group can look at the court. How is the court tending to its cases? What changes, if any, ought to the new judge and the court manager group implement? Is the court performing at its most successful rate? Courts operate off of regulatory standards. Each case gets singular consideration, each case is dealt with relatively. Court strategies exhibit procedural justice and are reasonable and justifiable legal control that manages the entire process.

Case flow management is at the heart of courts. Individualized consideration and

corresponding case treatment includes the case flow management standard of operation. Case flow managements expected process and equivalent assurance rights are inside the superior court strategies component. Standards of timely disposition of cases, conservative court operations, and legal control are all consolidated inside the new superior court's outline.

All through the process, judges need to guarantee firm hearings and trial dates. To operate along these lines, they need to guarantee the arranged dates in an effective and timely manner. On the off chance that the participants of the case in question have trials or hearings that will be held at or close to the booked time, they won't be prepared. Conversely, if the gatherings accept that the dates are not firm, they are substantially more averse to get ready for that firm date. Since the majority of cases are arranged by plea or settlement, sensibly firm trial dates will bring about prior plea and settlements. Likewise, firm and sensible dates empower the litigants to get ready all the more completely for trial when the case can't be determined without trial. National examination demonstrates that a court's capacity to give firm trial dates is related with shorter times to disposition in civil and felony cases in urban trial courts.

One set of problematic expenses are funds used particularly in jury cases. For example, if a court sets a high number of cases for trial, it must give a jury pool sufficiently big enough to suit the trials booked or estimate what number of cases will really go to trial.

A few judges make the mistake of accepting that firm and dependable dates mean that they must deny all continuance requests. This route may bring about agitated litigants because there may be a decent explanation behind a continuance. A continuation strategy

is needed for a successful case flow management system. Judges must strike the right harmony between being excessively tolerant, which may bring about some attorneys who at that point look for continuations, and being excessively strict.

Society relies on courts to guarantee justice for people and associations that look for resolutions for their disagreements. Troublesome court activities can genuinely debilitate the rights or benefits of those people and associations. A trial court ought to reach its obligations to everybody influenced by its activities and exercises in a timely and quick manner one that does not result in deferral. Unnecessary deferral reasons injustice and hardship. It is an essential driver of reduced open trust and trust in the court. Once the case flow management system is set up, court staff should occasionally measure the achievement of the system by using an estimation system like court tools.

### **Court Management Tools and Technology**

Technology can be a determinate factor in how fast cases are processed. Case flow management begins at the courthouse entryway, and advancements in technology and the application of the Internet has moved the courthouse into each law office and the home of each defendant. It starts with e-documenting (electronic recording) of both criminal and civil cases, and advances through computerized docket control, expert calendaring, and warrant tracking. Case flow management proceeds with advanced record management systems, picture embedded case reports, probation reporting, expense and fine accumulation, and the disposition of each case. Case flow management is the key to a well-managed court. Innovation may give the instruments, yet innovative arrangements must be overseen deliberately. While innovation can make courts more effective, the judge, court administrator, court technology officers, and other court staff will be

confronted with different management concerns including staffing, preparation, versatility, quality, security, adaptability, and compliance with enacted principles and internal government correspondence.

Consider innovation from the perspective of the bench. A respondent is accused of his third driving while under the influence (DUI). The ticket is electronically transformed to the court. The initial appearance date is booked, and then the case is automatically sent to the local drug court. Blood alcohol test outcomes are transmitted to the court and the lead prosecutor's office. The defendant's record of prior offenses, convictions, and past court-mandated drug and alcohol treatment arrangements are already included in the case record readied for the judge. The case flow management programming project tracks each part of the case as it continues and gives just the pertinent points of interest on a need-to-know basis to the appropriate probation officer, law enforcement agency, and court authorities. The judge has access to all parts of the case including evidence, motions, probation and treatment reports, and expense and fine accumulations. Case flow management software programming consequently issues updates to probation authorities to catch up with the probationer; the court will automatically issue warrants if any probation or treatment benchmark is not accomplished.

Technology is not an answer for courts confronting budgetary requirements. For technical solutions to work easily, courts must train court staff. Preparation is a progressing process. The court will need to hire and retain data technology experts with fitting experience. Furthermore, the court will need to choose whether to house the technologist or to outsource the obligation to a company that will keep on supporting the

arrangement at a moderate expense. Judges and court administrators don't have to be technology specialists, yet they do need to be technology investigators. They should apply their skill about the justice system to technical solutions that are available to the judicial system and locate the best answer for their court system. While technology is only one part of successful case flow management, if the integration process is not managed well, a good technology project could rapidly become a cost over-run.

### **Procedural Justice**

Utilizing efficient case flow management contributes to justice for all judicial systems and courts (Dressel, 2008). Successful management provides all parties with proper procedures, such as the due process and protection of rights. In order to develop a reliable system to manage cases, the administration portion of an organization must be established around proficient case flow and management techniques.

From this perspective, it is important to manage cases for several reasons. The main function of the court is to execute justice, come to resolutions on disagreements, protect society, discourage crime, and uphold the law. What an efficient case flow will do is help make sure that the function of the court is achieved. It should also provide equal contact to all parties involved in the case, make sure time management is relevant, improve necessary steps in the case flow process, and make sure that there is trust in the judicial administration system. As part of this perspective, I highlight both the philosophical foundations laid down by Charles E. Clark and the contemporary application of these ideas in recommendations for speedy trials.

### **Philosophical Foundations**

Charles E. Clark (1961) of Yale Law School laid the philosophical foundations

for present-day plans to help make courts more productive and operate more easily. Clark stated the following:

Courts can never be made machine-like, and indeed no one would wish such a result. Some have feared that modern movements for improvement, or at least more effortless, for law administration will be destructive of more important values such as the independence of the judiciary. I would be the first to say that such a result must be carefully avoided; but I think we can go a long way toward improving court procedures before the independent prima donnas who constitute our judiciary find themselves really fenced in. (Clark, 1961, 489)

The first effort that Clark reviewed was the improvement of pleadings and procedures of civil federal rules procedures that in turn become models for many state procedures. The second issue he raises is court organization.

**Pleas and Procedures.** Sharply characterizing the region of challenge before trial is a required and commendable method for empowering the parties either to stay away from the trial by settlement or to assist the trial by underlining the significant question or debate and getting rid of minor ones. The pleading stage is the phase where deferral and perplexity are evident for all to see. After activity has been documented, the parties require an extra period to bring their particular cases to a head. The Administrative Office of the United States Courts has recommended a time of six months as a sensible and helpful measuring stick, and after that period, the case should move along quickly.

The advancement of discovery and pretrial approaches can congest trial calendars, making the need to improve court procedures more evident. The discovery rule insight may take affirmation of witnesses and parties to reveal what may come up at trial and in

numerous occurrences later trials. The pretrial meeting, as its name demonstrates, is a get-together of court and counsel to settle the issues to be attempted, to dispense with all formal points of interest of trial and evidence, and to discuss methods for a faster trial. Without a doubt, the possibility of a plea bargain or an out-of-court settlement, while not a required discussion in a pretrial meeting, is made more realistic. Lastly, the motion for summary judgment bears a speedy and final method for discarding the case.

**Court Organization.** The other leap forward is to the organization of the court itself. This is the development of an integrated court, a court for the whole state sorted out as a unit, with particular divisions for the dispatch of business. The central office takes care of all administrative, financial, reporting, and different subtle elements of the work, and with a controlling head, typically the State Chief Justice, with full power to allocate and designate the staff as needed. The integrated court adds discipline to what has previously been a sprawling system, each court in the state being its own island. With such inefficient, independent, and regularly clashing courts, it is frequent to have one court as the “work horse,” while an alternate court, sitting in the same domain, has not much to do. There are justified advantages from the new system such as the coordination of numerous types of housekeeping points, including funds, plan, administrative supplies and assistance. These changes have had all the earmarks of dynamic improvements, being implementing in three-fourths of the states (Clark, 1961).

These are the two significant steps displayed for the most quick and successful advancement. Obviously they should be joined by other characteristic measures of efficient procurement for viable law administration. There may be extra judges, courts, and courthouses to look after the populace we are currently seeing. There must be the



enhancement of office technology, specifically the systems for electronic sound recording and the reproduction of the trial for appellate purposes. Cautious study must be made of the successful utilization of the jury.

### **Application**

Many times depending on the type of cases being rendered it can take over a year or more to actually dispose a case. More severe cases have several steps that require more money, more time, more evidence, and more research. Certain laws require a time period to be stayed in case of certain appeals and things of that nature. It seems like attorneys are constantly rescheduling and waving trials because of their own schedules which in all actuality is not fair to the defendant (personal communication, August 1, 2014). Looking into cases investigating as to why the case flow process is being held up can help build a better system. All of these findings are considered a part of this research in finding out if county and municipal courts have efficient case flow management.

In like manner, courts need to receive Trial Court Management Standard. The Standard requires the trial court to create and agree to perceived rules for timely case preparation, while in the meantime, keeping present with its approaching caseload (Dressel, 2008). "Timely disposition" is the amount of time a case requires for a court's attention, including the time sensibly needed for pleadings, revelation, and other court events. Any time beyond that needed to prepare and close a case causes delay. Timely case transformation applies to pretrial, trial, and post-trial events. Also with an overall time standard, or speedy trial run, the court's case flow management framework should compare durations and scheduling efficiency for real cases with system management models. These sorts of operational objectives are useful in overseeing case advancement

and guaranteeing productivity and successful utilization of judge, attorney, and staff. For example, in 2009, the National Center for State Courts distributed a report that identified 41 states, including the District of Columbia, to maintain secured time standards, and the center continues to take the lead in setting and promoting time standards in judicial management in cooperation with the American Bar Association, National Association for Court Management, Conference of State Court Administrator, and Conference of Chief Justices (Knowledge and Information Services, 2009; Van Duizend, Steelman, & Suskin, 2011).

Judges are situated to launch interagency interview about arrangements and practices that influence case flow management for various reasons. While the individual offices are independent, they are a piece of a procedurally reliant system. For instance, in a case flow management survey, it is not exceptional for one agency to have implemented internal methods that profit its own organization but have unintended negative results for other agencies. Second, no single association, including the court, can make a successful case flow management system without anyone else present, and the solidarity of an office staff can negatively influence the whole system. Third, courts should intermittently inspect their case flow management systems to keep them on track, particularly to focus changing needs of different entities. At the point when courts confirm that alteration is vital, they should lead the process while guaranteeing that they encourage collegial, valuable, and fitting investment in investigation, outline, and implementation. In working along these lines, they should meet a multiagency team or planning committee with all critical agencies included. It is important to make sure all parties that play a role in the case processing system sit down and discuss the issues and make recommendations

together as a team (Connelly, 2009).

### **Cost Containment**

With public finances pinched, the cost of maintenance is also an issue. A study that was done on the Midtown Community Court that took a cost benefit analysis (CBA) approach on case flow management (Sviridoff et al., 2002). Administrators were interested in duplicating more programs within this court but were concerned about the budget impact versus the programs' benefits. A normal CBA must be clear about the amount of money being spent as to how beneficial a program or policy maybe.

The Midtown study examined how efficient the system was on verdicts of cases, court cost and fines, recidivism, diffusion in other court systems, and impacts on the community. Programs may be valued by stakeholders, but they come with extra costs. Figuring out the extra costs to run the Midtown court was not the problem, it was determining the financial worth of intangible items such recidivism rates and their effect on area property values, retail prices, and rent. This study showed how every dollar spent on drug programs yielded three dollars in incarceration savings and decreased public health outflows. These findings are not always accurate, including the lack of riffled controlled experiments.

### **Solutions**

Court restructuring is the final solution and the one assessed in this thesis. While there is considerable agreement surrounding the reasons to promote court efficiency, there are different points of view about how to make it happen. The two different types of solutions pit customization against consolidation.

### **Customization**

Customization involves segmenting the court system by types of case. In this approach, efficiency is achieved through specialization (Steelman, 2013). Specialization can be achieved one of two ways—through differentiated case management (DCM) or specialty courts.

**Differentiated Case Management.** Steelman (2008) states that one method for progressing court control of case advancement is "differentiated case management." Without case differentiation, courts usually apply the same techniques and time tables to all cases of a given type. Treatment of all cases in the same way may imply that a few cases are rushed and others are unnecessarily deferred. A few cases requiring little consideration from a judge may be planned for more appearance than they need, confining the judge's capacity to give more regard for cases that need it.

In contrast, DCM classifies cases for disposition focuses around their needs. Taking into account those groupings, cases are overseen by what is required to discard them fairly and timely. The most important piece of any DCM is deciding time guidelines for all phases of any case. In the opinion of a lot of people, DCM encompasses the entirety of case flow management (Bureau of Justice Assistance, 1993).

The reason for DCM is straightforward. (Dressel, 2008, p. 16). Because cases vary generously in the time needed for a reasonable and timely disposition, not all cases make the same interest upon judicial system assets. Therefore, they are not required to be liable to the same handling necessities. A few cases can be discarded quickly, with next to zero disclosure and few middle occasions. Others require extra court supervision over pre-trial, motions, scheduling of forensic testimony, witnesses, and settlement negotiations. The early case screening that a DCM system advances additionally

empowers the court to prioritize cases.

**Specialty Courts.** The project from the National Judicial College mentions special courts as a problem solving initiative to efficient case flow management (Dressel, 2008). Consider Judge Robert P. Milich and how he created the Veterans Court in 2011 with the help of Supreme Court Justice Evelyn Lundberg (Youngstown Municipal Court, 2013). It was created to provide drug and mental health treatment to military veterans that may be struggling with substance abuse or mental health issues. The Youngstown Municipal Court also offers a Suspended License Intervention Program, established by Judge Elizabeth Kobly in August 2002. This program was designed to restore defendants driving privileges by allowing individuals with reoccurring suspensions to obtain valid driver's license with the help of the court and Bureau of Motor Vehicles (Youngstown Municipal Court, 2013). In the civil division, the Youngstown Municipal Court has an additional sub-division referred to as trusteeship. This program allows debtors to create an account with various creditors with past debt currently still due. Once in the program an order of a set amount is due monthly, and disbursed between all the creditors a defendant has included. This amount is paid monthly until it is completely paid off, including interest.

Drug courts are the most widely used type of specialty court (Dressel, 2008). In 1989 the first drug court was secured in Miami, Florida, with the motivation behind lessening recidivism, diminishing substance ill-use among members, and restoring members in a way unique in relation to the customary approach. In drug courts, justice and treatment experts come together to work with the litigant to break the cycle of substance misuse, addiction, and wrongdoing with the objective of restoration, lessening

of recidivism, and expanding public safety. Drug courts rapidly distinguish substance-mishandling wrongdoers and place them under continuous legal observation and group supervision coupled with successful, long haul treatment services (Dressel, 2008). While in this system, the drug-court participant experiences a concentrated regimen of substance misuse treatment, case management, drug testing, and probation.

As of December 31, 2007, there were 2,147 drug courts across the nation (Dressel, 2008). Recidivism has altogether decreased through this model. Analysts appraise that more than half of litigants sentenced with drug possession will recidivate inside 2 to 3 years, but recidivism among drug court participant drops 5 to 28%. The success of the drug court model has led to its expansion to other areas: DUI courts, domestic violence courts, mental health courts, re-entry courts, homeless courts, community courts, veteran courts, and others. While each of these models addresses an alternate issue, they all utilize the power of the courts to enhance the result for victimized people, groups and defendants by changing the center of the courts from just preparing cases to attaining substantial results.

The use of specialty courts is consistent with DCM. Utilizing DCM permits the particular drug court and other problem solving court models to keep up their specific dockets while permitting court organization to guarantee that all cases are handled inside one system. An alternate model for bigger courts is to grow a court's case flow management plan to incorporate the task of problem solving court cases. As opposed to having a specific docket allocated to one or two judges, problem-solving cases would be doled out evenly across all judges in the court. Clearly, this task should be restricted to judges (and judges' staff) that have the instruction and abilities to deal with the specific

case. This kind of model serves to guarantee an equivalent appropriation of judicial work, guarantees the correct usage of all judicial resources, and makes one system that aids with management and monitoring. This model likewise serves to grasp the problem solving court display as a component of the general system instead of it being or turning into a "boutique," specialized court. This model serves to guarantee fitting progression making arrangements for these courts by having a few judges who are equipped for taking care of these sorts of dockets. It likewise accommodates simple substitutions when a judge or judges are inaccessible because of absence.

### **Consolidation**

Consolidation is the effort to combine or merge courts administration, management, unique court structures, physical capital, organization services, processes and operations to attain greater coherence and cohesion (Supreme Court, 2007). It is the exact opposite of customization: Rather than expanding the types of activity in which the court engages, it combines geographically diverse courts into a single entity.

Under this theory, simplification can improve efficiency without jeopardizing fairness, security of rights, and access to equity in the consolidation process. Undergirding the approach is the belief that economies of scale are achieved by increasing the size of the organization (Panzer & Willig, 1977). Case in point, they can deliver things all the more efficiently for every unit on the grounds that they make such a large number. Thus, the cost of trying a case in a large court is less than trying the same case in a small court.

The focus of the debate in Ohio has been specifically around the perceived inefficiency of lower courts, i.e., county and municipal courts. Economies of scale are

behind the logic of the Ohio Supreme Court in its efforts to promote the consolidation of these courts. To help elucidate the issue, I include a brief description of the Ohio lower court system and the debate over court consolidation in Mahoning County.

### **A Brief Description of the Ohio Lower Court System**

Here we looking briefly summarize the major type of violation of law in Ohio and the place of lower courts in processing them. A felony in the State of Ohio is a crime that can end with one year or more jail time or a prison sentence (Ohio Laws and Rules, 2011). The State may also consider certain crimes that have less than a year sentencing a felony crime as well depending on the offense. Felony offenses range in levels from F5 to F1—F5 being the lowest level of felony offense and F1 the highest. Costly fines, court costs, or restitution to a victim may be a part of the penalty. In some situations the state can also seize or forfeit property. The highest level of punishment is the death penalty and is usually on aggravated murder and murder cases.

A misdemeanor is any crime that can end in a maximum of one-year jail time. Misdemeanors are classified on a scale with M4 being the lowest and M1 being the highest (Supreme Court of Ohio & Ohio Judicial System.1997). Misdemeanors also have fines, court cost, and restitution just at lower fees.

DUI/OVI stands for driving under the Influence or Operating a Vehicle under the Influence (Ohio Laws and Rules, 2011). This means a person has had too much alcohol beyond the legal limit which is .08 or under the influence of some type of substance that my impair ones driving. In order to be convicted of either, the alcohol content must be measured and a sobriety test must be given. An officer must have testimony of the person's condition while driving the vehicle or a video with evidence of the physical



condition. All violations must be proved beyond a reasonable doubt. Depending on the severity of the DUI/OVI charge it can be considered a misdemeanor or a felony after so many convictions in the state of Ohio.

Lastly traffic offenses are by far the most common minor violations. Depending on the offense and the stipulations of the offense, court is not needed but it can be financially straining. All moving violations carry points that go on the violator's license for two years. If more than 12 points are accumulated in a certain time period, the license may be suspended. If numerous traffic offenses are violated, a person can be subject to jail time.

In Ohio, county and municipal courts are the starting points for many cases so it is important to be efficient in the case flow management process. Each can handle both civil and criminal offenses within their geographic jurisdictions, including criminal misdemeanors, small civil suits, OVIs and all other traffic cases. Felonies are started in county and municipal courts, but bound over to higher authority because of the severity of the cases.

### **Mahoning County**

The debate in Ohio is over the implementation of consolidation (Milliken, 2012a). Over the past few years the consolidation of local courts in the Mahoning county area has been a subject of considerable debate. Many officials in the past have had meetings and interviews about consolidation of the courts in the area. It has been said that certain municipalities do not have a large enough court caseload, and it would be beneficial to combine the courts for more efficient caseload management. Funding, budget, staffing, and reducing the numbers of facilities are some of things officials feel would be more

prevalent for the area (W.K.B.N, 2013).

The proposed consolidation would make a simple two-level court system in Mahoning County with the court of general jurisdiction the Mahoning County Court of Common Pleas on the upper level and a consolidated court of limited jurisdiction forming the lower level (Milliken, 2012a). National Center for State Courts (NCSC) accepts that the proposed consolidation guarantees to bring coherence to a lower court system, and in addition improved efficiency, economies and effectiveness over the long haul. As a rule, NCSC accepts that when it is carefully thought about and executed properly, court union can procure profits imagined by stakeholders. For example, enhanced services to the general population, more prominent access to justice, and a quality of justice at a lower cost that is equivalent or better than that before merging are deemed appropriate.

The plan for Mahoning County illustrates the type of reforms that the Supreme Court wishes to introduce statewide (Milliken, 2012a). The merger effort affects the coordination of court governance, management, administration services, physical capital, organization services, economies of scale, and more prominent effectiveness without jeopardizing fairness (Keilitz, 2011). This includes the equivalent application of the law, procedural decency, assurance of rights and access to equity.

### **Hypothesis**

Because of the centrality of consolidation to the debate in Ohio, this thesis develops and tests three theses:

*H1: County courts are less efficient than municipal courts.* In Ohio, including in Mahoning County, county-court justices are often part-time employees. This situation has two consequences. First, while county courts do not have as many judges as municipal

ones, they still have to maintain a protocol and time frame to execute cases. Second, this situation creates court leadership not concentrated fully on the administration of the court because of its involvement in activities outside the court. Consequently, I maintain that municipal courts should exhibit higher levels of efficiency than county courts.

*H2: The efficiency of a court is proportional to the relative amount of resources allocated to it.* This proposition is related to arguments on court technology and organization forwarded earlier in this thesis. As this hypothesis is operationalized, the focus will be specifically on how the number of judges affects resource allocation, which is the focus of Ohio Supreme Court arguments for consolidation.

*H3: The efficiency of a court is proportional to the population size of the jurisdiction.* Efficiency is often described historically as the product of environment conditions such as a dense population (Carroll & Hannan, 2000). The argument is that capitalism and urbanization created contexts in which societies had to develop formal mechanisms to manage daily routines and control deviance (Beniger, 1986; Gadjuschek, 2003). Less formal mechanisms, relying on face-to-face interactions and local custom, were effective in small communities but are not capable of meeting the demands of large population. This argument is here applied to the study of court efficiency. With the rates of criminal violations being highest in heavily populated areas (Federal Bureau of Investigation, 2014, Table 16), one would expect that these areas would also follow the historical process and take the leadership in developing efficient judicial procedures alongside the development of other strategies of crime prevention and control (e.g., Weisburd, Groff, & Yang, 2014).

These particular research questions will help determine the end results of the

study. A statistical data system, tables and graphs will be used to configure the annual numbers of county and municipal court filings, and judges per population.

## **Chapter III**

### **Methods**

In order to establish accuracy of the hypotheses, some questions must be answered. How many cases were filed each year altogether and per judge? How many judges does each court have? How many new filings were filed, and how many cases are still pending at the end of a whole year?

This study utilizes a list of courts and statistical data taken from the 2011 *Annual Statistical Report* of the Ohio Supreme Court. I used all 129 municipal courts and 36 county courts in the state of Ohio. The number of variables pertinent to this analysis from this source was small, so there was some deliberation about whether to add additional variables measuring the external environment of the court. However, the use of additional sources was eventually rejected due to the fact that this information is some of the very data used by the Ohio Supreme Court to justify consolidation. Staying with the court's perspective seemed to be a good starting point for exploratory research. The report includes all the variables used in this study—the total number of new filings, population of the area under the court's jurisdiction, population per judge, whether the court was county or municipal, and the total number of cases pending.

The data used in this thesis did not require a Human Subjects Review. Only data used were the numbers of court cases in aggregate. No human subjects were needed, nor were they used to complete this analysis.

### **Variables**

The number of new filings per year is the dependent variable. The filings contain the total caseload of felonies, misdemeanors, OVIs, and other traffic offenses for each

court.

The analysis has three independent variables—one for each hypothesis. *County status* is measured simply using a binary variable set at one if the court is a county court and zero if the court is a municipal court. *Resource allocation* is measure as the population per judge—the number of judges and population. Although the hypothesis states a positive relationship between court efficiency and resource allocation, the direction of coefficients for this variable should be negative because this particular construction for resource allocation will decrease in size as the number of judges is increased. The *population* of the area under the court’s jurisdiction is used in this analysis as a measure of the size of the jurisdiction.

The control variable is the number of cases pending. This variable is used to identify whether a court as an unusual large number of unfinished cases—a factor that would indicate that the court is less efficient. Case terminations were also considered in some preliminary models but later dropped due to visible effects of their correlation with other variables.

Table 1 reports the descriptive statistics of the variables for this study. These descriptive statistics are utilized to portray the fundamental peculiarities of the information in a study. They give basic rundowns about the example and the measures. Several variables were right skewed (skewness > 2.0) and so were transformed using the natural logarithm of the original value. The descriptive statistics for the transformed variables are reported in Table 2.

### **Analytic Strategy**

For this study I used IBM SPSS Statistics Version 20 (SPSS Statistics, 2014). The

software incorporates a group of items that addresses the whole analytical procedure, information accumulation, investigation, reporting and sending. With more than twelve completely incorporated modules to browse, one can discover the specific capacities to build revenue, outflank contenders, do research and settle on better choices and the reasoning for the choice of which analytical model to use.

The results reported in this thesis are based on negative binomial regressions. Three different types of regression were investigated before settling on negative binomial models as the more appropriate solution. The initial study was done using ordinary least squares regression with filings per judge as the dependent variable. With this metric, a court could be classified as high performing by processing a large number of cases or a small number of cases poorly. For this reason using the raw counts of filings in a poisson model may actually give us a better sense of what is happening.

For this reason, I used the General Linear Model procedure in SPSS to generate a poisson regression. A poisson model is based on a discrete likelihood distribution that communicates the likelihood of a given number of events happening in a fixed interval of time and/or space if these events happen with a known normal rate and independently of the time since the last event (Cameron & Trivedi, 2013). The results from this model had unusually large log likelihoods and in some models the beta coefficients were so large that they did not make sense, signs that the model may have overdispersion, that is, the variance may exceed the mean.

In order to minimize overdispersion, I ran a negative binomial analysis (Berk & MacDonald, 1998; Hilbe, 2007; SPSS Data Analysis, 2007). A negative binomial regression makes the confidence intervals more narrow compared to the Poisson

regression model. The natural logarithm of the number of judges in the Negative Binomial was the offset. An offset is a term to be added to a linear indicator, for example, in a generalized linear model, with known coefficient 1 instead of an estimated coefficient. In this particular case, in which the number of filings is assumed to be contingent on the number of judges, the offset variable is sometimes referred to as an exposure variable.

In the Results section I will explain the output, which variables were significant, and what courts were more efficient using negative binomial regression. The analysis utilizes the common practice of reporting unadjusted and adjusted results. Unadjusted results refer to beta coefficients generated from models in which the variable in question was the sole variable in the model. Four unadjusted equations are reported—one for each independent or control variable. The adjusted results refer to the final, multivariate model, that is, all variables were included together. This model allows us to see the nature of a relationship controlling for the presence of other factors.



## Chapter IV

### Results

The results of the negative binomial analysis are displayed in Table 3. Two hypotheses are confirmed and one is not. County courts had lower case loads than municipal courts, as expected. The gap between courts first appeared in the unadjusted model ( $\beta = -.734$ ,  $p < .05$ ). The negative relationship remained significant in the adjusted model ( $\beta = -.363$ ,  $p < .05$ ).

The results for population are consistent with the hypothesis on population size. A positive relationship between filings and population size is seen in the unadjusted model ( $\beta = .470$ ,  $p < .05$ ). The relationship remains positive and significant in the adjusted model ( $\beta = .119$ ,  $p < .10$ ).

However, population per judge is not consistent with the resource-allocation hypothesis. The beta coefficient for judges per population was positive in the unadjusted model ( $\beta = .711$ ,  $p < .05$ ) and remained positive in the adjusted model ( $\beta = .485$ ,  $p < .05$ ). Of the four unadjusted variables, population per judge had the most explanatory power (pseudo  $R^2 = .031$ ).

The beta coefficient for unadjusted cases pending had a negative relationship, but was not statistically significant ( $\beta = -.012$ ,  $p < .05$ ). In the adjusted model beta coefficient for the number of cases pending was zero ( $\beta = -.000$ ,  $p < .05$ ). Therefore, this variable did not contribute to the final outcome.

## **Chapter V**

### **Conclusion**

In this project, evidence was found for two hypotheses proposed earlier. First, county courts are less efficient than municipal courts. Second, court efficiency increases as the size of the population increases.

The implications of these findings are important for the current debate over court consolidation in Ohio. Considering the number of judges in municipal courts and how big the population size per court, the analysis in this thesis suggests that these courts should run more efficiently. Consolidating county courts could possibly work. The bigger the operation, the more efficient cases may flow throughout the system. Cases may be disposed of faster and more effectively, because of the resources that would be allotted to the court as one functioning judicial system.

Not confirmed was the hypothesis about resource allocation. Here the results were actually opposite of expectations: The higher the population per judge, the more efficient the court. This contrary result needs more attention because of all the variables in the analysis it is the most explanatory. There are three possible reasons why this variable may have yielded a result contrary to expectations. First, the thesis focused solely on the judge as the source of costs. However, looking at the factors influencing court efficiency, we might also look at staff sizes and the use of technology. Neither of these items could be assessed with this data. Second, empirically a jurisdiction with a high population per judge would have to be by an area with high population. It may be that the metric use for resource allocation in this study is picking up population size rather than resource allocation. Finally, this study did not get into determining thresholds. It is possible that

there may be high or low values beyond which the resource allocation measure rarely passes. The inability to identify such thresholds could distort the results of the analysis.

### **Limitations**

The study is exploratory, using only data readily accessible at the time. The time frame in which a case should be finished could not be used in this analysis. Furthermore, although some types of cases were identified in the reports, the full mix of cases is not available and this could affect the understanding of efficiency. There are statutes and codes for different crimes and different types of cases, and case data from all statutes of a perpetual and general nature of the state are combined into general procurements, titles, parts, and areas should be referred to and assigned as the Revised Code (Rules of Construction, 2011). The classifications of the Revised Code should not be understood to influence a right or risk gathered or acquired under any area of the General Code before the viable date of such authorization, or an activity or undertaking for the implementation of such right or obligation. Certain rules and regulations apply to each which makes it very difficult to use in this study since the caseloads were overall numbers and not ran individually in the Negative Binomial Regression (Ohio Courts, 2014).

This study could be taken a step further and analyze the quality of rulings and not just a quantitative measure of their filings (see Hanson et al., 2010; Lepore et al., 2012). In addition, some courts may run more efficiently based on the skills of individual judge and how familiar they are with certain laws and penalties. Are certain judges more knowledgeable in different areas, or are they well rounded in all cases. Sometimes courts can be more effective if the quality of staff and administrators were better. This study

focused on the size and number of cases, but in the future it may be helpful to incorporate the quality of the court to see if the outcome changes.

### **Contributions and Future Recommendations**

Case flow management is an extremely important topic, but the processing of the cases, how they are handled and how long it takes to actually execute on a case has not been a central topic of study. My outlook on this topic will allow courts to determine whether or not the judicial system is being conducted accurately. Statistics will determine if cases are being rendered in a timely manner. The amount of staff will be considered in each sector of the court, and is the amount of work divided equally. The total number of new filings and the ratio to the judges and/or magistrates affects the way the majority of the courts determine a clearance rate. The main issue that was researched in this project is the thoroughness of the initiation, continuance, and clearance rate of cases. The projection in the results concluded that programming, funding, staffing, and administration contributes to efficiency in each court.

If one was to continue on with this study I would recommend doing research with additional variables such as the overage and clearance rate. These variables may change the output in the data. The overage rate measure recognizes the degree to which a court's pending caseload slacks past appropriate time benchmarks, or, is overage. The overage rate is a measure of the span of a court's accumulation. The clearance rate measure distinguishes how well a court stays aware of its approaching caseload. Computing the number of incoming and outgoing case may help compute an even better result in future statistics. While clearance rates and overage rates manage the cost of a sensible perspective of a court's case management status, the numbers give an inadequate

evaluation. The National Center for State Courts created a set of 10 center court execution measures, bundled into a set of useful instruments called Court tools, which give an adjusted viewpoint on a court's general performance (Ohio Supreme Court, 2011).

Another suggestion would be to investigate the quality of judgeship. It is being discussed to eliminate part-time judges, because it creates a conflict between judicial roles and their private law practice (Milliken, 2014). This idea could put another outlook on this study and open up a different route as to why a court may or may not be efficient. This approach could affect litigants, attorneys, and other people of the court. Going forward quality should be measured along with quantity.

## References

- Beniger, J. R. (1986). *The control revolution: Technological and economic origins of the information society*. Cambridge, MA: Harvard University Press.
- Berk, R., & MacDonald, J. M. (2008). Overdispersion and poisson regression. *Journal of Quantitative Criminology* 24, 269-284.
- Cameron, A. C., & Trivedi, P. K. (2013). *Regression analysis of count data* (2<sup>nd</sup> ed.) New York: Cambridge University Press.
- Carroll, G., & Hannan, M. T. (2000). *The demography of corporations and industries*. Princeton, NJ: Princeton University Press.
- Clark, E. C. (1961). Making courts efficient. *UCLA Law Reviews* 8, 489-496.
- Clarke, T., Hall, D., Tallarico, S., & Douglas, J. 2009. *Opportunities to improve Vermont court efficiency based on the results of NSCS's weighted case load study*. Denver, CO: Court Consulting Services. Retrieved December 6, 2014, from <https://www.vermontjudiciary.org>
- Connelly, M. K. (2009). Case flow management: A format for making change. *International Journal for Court Administration* 2(1), 18-21.
- Bureau of Justice Assistance. (1993). *Differentiated case management: Implementation manual*. Washington, DC: Bureau of Justice Assistance.
- Dressel, F. W. (2008). *Court organization and effective case flow management: Time to redefine*. Reno, NV: National Judicial College.
- Federal Bureau of Investigation. (2014). *Crime in the United States 2013*. Retrieved December 6, 2014, from <http://www.fbi.gov>

- Gadjuschek, G. (2003). Bureaucracy: Is it efficient? Is it not? Is that the question? Uncertainty reduction: An ignored element of bureaucratic rationality. *Administration & Society* 34, 700-723.
- Goerd, J. (1991). *Reexamining the pace of litigation in 39 urban courts*. National Center for State Courts.
- Greacen Associates. (2005). *Developing effective practices in criminal caseflow management: A manual prepared for the California Administrative Office of the Court*. (Rev. ed.) Retrieved December 6, 2014, from <http://www.courts.ca.gov>
- Hanson, R., Ostrom, B., & Kleiman, M. (2010). The pursuit of high performance. *International Journal of Court Administration*, 3(1), 2-12.
- Hewitt, W., Gallas, G., & Mahoney, B. (1990). *Courts that succeed: Six profiles of successful courts*. Williamsburg, VA: National Center for State Courts.
- Hilbe, J. M. (2007). *Negative binomial regression*. New York: Cambridge University Press.
- Keilitz, I. (2012). *A study of court consolidation in Mahoning County, Ohio: Final Report*. National Center for State Courts. Retrieved December 6, 2014, from <http://ncsc.contentdm.oclc.org>
- Knowledge and Information Services. (2009). *Case processing standards in state courts, 2007*. [Williamsburg, VA]: National Center for State Courts. Retrieved December 6, 2014, from <http://cdm16501.contentdm.oclc.org>
- Latessa, E. J. (2004). The challenge of change: Correctional programs and evidence-based practices. *Criminology & Public Policy* 3, 547-559.

- Lepore, L., Metallo, C., & Agrifoglio, R. (2012). Evaluating court performance: Findings from two Italian courts. *International Journal for Court Administration* 4(3), 82-93.
- Mahoney, B. (1988). *Changing times in trial courts*. Williamsburg, VA: National Center for State Courts.
- Mackenzie, D. L. (2006). *What works in corrections: Reducing the criminal activities of offenders and delinquents*. New York: Cambridge University Press.
- Milliken, P. (2012a, March 27). Youngstown: Mahoning officials hear case for court consolidation. *The Vindicator*, p.A1.
- Milliken, P. (2012b, November 15). Mahoning bar: Two judges enough. *The Vindicator*, p. A1.
- Milliken, P. (2014, November 26). Mahoning bar: Mahoning court merger costs unknown, Official says. *The Vindicator*, p A1
- National Association for Court Management. (2003). *Case flow management*. Retrieved May 21, 2014, from <http://www.nacmnet.org>
- National Center for State Courts. (2014). *Caseflow & workflow management*. Retrieved August 25, 2014, from [http:// www.ncsc.org](http://www.ncsc.org)
- Nussenbelt, V. & Gramckow, P. H., (2013). *Case flow management: Key principles and the systems to support them*. Washington, DC: World Bank.
- Ohio Laws and Rules. (2011). *Revised code*. Retrieved November 6, 2014, from <http://codes.ohio.gov/orc/gp1>
- Ohio Supreme Court. (2011). *Annual Statistical Summary*. Retrieved August 26, 2014, from <http://www.supremecourt.ohio.gov>



- Sherman, L. S. (1998). *Evidence-based policing*. Washington, DC: Police Foundation.
- Skogan, W., & Frydl, K. (2004). *Fairness and effectiveness in policing: The evidence*. Washington, DC: National Academies Press.
- SPSS Statistics. (2014). *IBM SPSS Statistics Version 20*. Retrieved October 27, 2014, from <http://www-01.ibm.com/software/analytics/spss/products/statistics/>
- SPSS Data Analysis. (2007). *Negative binomial regression*. Retrieved November 6, 2014, from [http://ats.ucla.edu/stat/spss/dae/neg\\_binom.htm](http://ats.ucla.edu/stat/spss/dae/neg_binom.htm)
- State Administrative Court Office [Michigan]. (n.d.). *Caseflow management guide*. Lansing, MI: State Administrative Court Office. Retrieved December 6, 2014, from <http://courts.mi.gov>
- Steelman, D. C. (2008). *Case flow management: Future trends in state courts*. [Williamsburg, VA]: National Center for State Courts.
- Steelman, D. C. (2013). Case flow management: The heart of court management in the New York Millennium. *The Justice System Journal*, 24(2), 240-242.
- Sviridoff, M., Rottman, D. B., & Weidner, R., Cheesman, F. (2002). *Dispensing justice locally: The impacts, cost and benefits of the Midtown Community Court*. Final report to the National Institute of Justice, grant number 96-IJ-CX-0019, NCJRS 196397. Retrieved August 26, 2014, from <http://www.ncjrs.gov>
- Supreme Court of Ohio. (2007). *Case flow management and operational review of the Mahoning County Court of Common Pleas*. 2007. Columbus, Ohio: The Supreme Court of Ohio.
- Supreme Court of Ohio & Ohio Judicial System. (1997). *Mediation Institutionalization Project*. Columbus, Ohio: Office of Dispute Resolution.

- Van Duizend, R., Steelman, D. C., & Suskin, L. (2011). *Model time standards for state trial courts*. National Center for State Courts and State Justice Institute. Retrieved December 6, 2014, from <http://cdm16501.contentdm.oclc.org>
- Weisburd, D., Groff, E. R., & Yang, SM. (2014). Understanding and controlling hot spots of crime: The importance of formal and informal social controls. *Prevention Science, 15*(1), 31-43.
- W.K.B.N Staff. (2013, July 16). *Mahoning judges: Mahoning judges deal with heavy caseloads*. Retrieved from WKBN News. August 25, 2014, from <http://www.wkbn.com>
- Panzer, J. C., & Willig, R. D. (1977). Economics of scale in multi-output production: *The Quarterly Journal of Economics, 91* (3), 481-493
- Wilson, H.S. (Ed.). (2012). *The U.S. justice system: Law and constitution in early America*. Santa Barbara, CA: ABC-CLIO.
- Youngstown Municipal Court. (2013). *Annual report*. Retrieved July 20, 2014, from [http:// www.youngstownmuniclerk.com](http://www.youngstownmuniclerk.com)

Table 1

*Descriptive Statistics Before Transformation (n= 162)*

Variables	Mean	Standard Deviation	Standard Error	Skewness
<i>Dependent Variable</i>				
Filings per judge	8,418	4,600	361	0.61
<i>Independent and Control Variables</i>				
County	0.18	0.39	0.03	1.65
Population per judge	53,475	96,708	7,598	9.79
Population	81,944	148,268	11,649	5.70
Cases pending	62	150	12	4.39

Table 2

*Descriptive Statistics After Transformation (n= 162)*

Variables	Mean	Standard Deviation	Standard Error	Skewness
<i>Dependent Variable</i>				
Log of filings per judge	8.86	0.65	0.05	-0.73
<i>Independent and Control Variables</i>				
County	0.18	0.39	0.03	1.65
Log of population per judge	10.57	0.67	0.05	0.84
Log of population	10.79	0.89	0.07	0.79
Log of cases pending	2.35	1.98	0.16	0.32

*Note:* All logarithmic transformations used natural logs.

Table 3

*Negative Binomial Regression (n= 162)*

Variables	Unadjusted				Adjusted
	(1)	(2)	(3)	(4)	
County court	-.734*				-.368*
Log population per judge		.711*			.463*
Log of population			.470 *		.127*
Log of cases pending				-.018	.011
Constant	9.157*	1.440*	3.899*	9.079*	2.734*
Pseudo R <sup>2</sup>	.013	.031	.025	.000	.038

Note: \* p <.05. All logarithmic transformations used natural logs.