



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** H.B. 387 of the 131st G.A.

**Date:** May 25, 2016

**Status:** As Passed by the Senate

**Sponsor:** Reps. Terhar and Dever

**Local Impact Statement Procedure Required:** No

**Contents:** Monetary limit on jurisdiction of small claims division

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- Potential minimal annual effect on municipal and county courts, as certain civil cases may fall under the jurisdiction of the court's small claims division where the filing fees and costs of disposing of cases generally are lower than those of the court's regular civil docket.

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### Detailed Fiscal Analysis

The bill raises the maximum allowable limit from \$3,000 to \$6,000 for the monetary jurisdiction of the small claims division of a municipal and county court. As a result, certain civil matters that otherwise would have been filed in a court's general division may be filed instead with its small claims division. Thus, the bill will not affect the overall number of civil filings in a given municipal or county court, but whether certain cases will be part of the court's regular civil or small claims docket.

The filing fees for a case in a small claims division generally are lower than those associated with the court's regular civil docket. Cases in a small claims division also generally have lower costs for the court to adjudicate than for matters on its regular civil docket. Under the bill then, there will be some revenue loss and some cost savings for any case that otherwise would have been heard on the court's regular civil docket. It is likely that municipal and county courts generally will not need additional staff, but will be able to handle these shifting cases by reallocating existing resources.

The table below shows a sampling of court civil case filing fees, including the court with the highest small claims filing fee (Stow Municipal Court), the court with the lowest small claims filing fee (Fairfield Municipal Court), the courts with the highest number of new small claims case filings in 2014 (Franklin County Municipal Court and Hamilton County Municipal Court) and the court with the smallest number of new small claims case filings in 2014 (Oakwood Municipal Court). The last two columns of the table display, for the above-named courts, the number of new small claims and regular civil docket filings for calendar year 2014. Under the bill, a relatively small number of new filings, perhaps as many as 10%, will move from the regular civil docket to the small claims division each year.

<b>Civil Filing Fees and Cases in Ohio Municipal and County Courts</b>				
<b>Court</b>	<b>Filing Fees</b>		<b>New Civil Case Filings, 2014</b>	
	<b>Small Claims Division</b>	<b>Regular Civil Docket</b>	<b>Small Claims Division</b>	<b>Regular Civil Docket</b>
Fairfield Municipal Court	\$35	\$121	107	1,067
Franklin County Municipal Court	\$75	\$120	6,873	36,551
Hamilton County Municipal Court	\$39	\$50	3,895	25,346
Oakwood Municipal Court	\$50	\$90	10	47
Stow Municipal Court	\$107	\$182	487	2,901
<b>Total New Case Filings Statewide*</b>			<b>52,134</b>	<b>274,791</b>

\* Statewide numbers are the total number of new case filings (small claims division and regular civil docket, respectively) reported to the Supreme Court of Ohio by 125 municipal courts and 22 county courts for 2014, including the five municipal courts appearing in the preceding rows.