

APPENDIX E – ERIE COUNTY COMMON PLEAS COURT FINANCIAL REVIEW

Review of year-by-year funding for Erie County Commons Pleas Court.

2002	
Common Pleas Court (Maschari)	
Salary & Benefits	\$ 296,649
Supplies & Services	\$ 366,045
Total	\$ 662,694
Adult Probation	
Salary & Benefits	\$ 373,540
Supplies & Services	\$ 70,000
Total	\$ 443,540
Family Court (Delamatre)	
Salary & Benefits	\$ 1,896,618
Supplies & Services	\$ 432,000
Total	\$ 2,328,618
Probate Court (McGookey)	
Salary & Benefits	\$ 274,581
Supplies & Services	\$ 35,200
Total	\$ 309,781
Grand Total	\$ 3,744,633
CPI (2025 \$)	\$ 6,716,891

2003	
Common Pleas Court (Maschari)	
Salary & Benefits	\$ 262,270
Supplies & Services	\$ 399,400
Total	\$ 661,670
Adult Probation	
Salary & Benefits	\$ 332,564
Supplies & Services	\$ 50,500
Total	\$ 383,064
Family Court (Delamatre)	
Salary & Benefits	\$ 1,874,032
Supplies & Services	\$ 355,515
Total	\$ 2,229,547
Probate Court (McGookey)	
Salary & Benefits	\$ 277,592
Supplies & Services	\$ 31,700
Total	\$ 309,292
Grand Total	\$ 3,583,573
CPI (2025 \$)	\$ 6,265,257

2004	
Common Pleas Court (Maschari)	
Salary & Benefits	\$ 306,114
Supplies & Services	\$ 382,600
Total	\$ 688,714
Adult Probation	
Salary & Benefits	\$ 284,956
Supplies & Services	\$ 43,100
Total	\$ 328,056
Family Court (Delamatre)	
Salary & Benefits	\$ 1,948,185
Supplies & Services	\$ 342,005
Total	\$ 2,290,190
Probate Court (McGookey)	
Salary & Benefits	\$ 260,743
Supplies & Services	\$ 33,400
Total	\$ 294,143
Grand Total	\$ 3,601,103
CPI (2025 \$)	\$ 6,176,922

2005*	
Common Pleas Court (Tone & Binette)	
Salary & Benefits	\$ 675,109
Supplies & Services	\$ 257,900
Total	\$ 933,009
Adult Probation	
Salary & Benefits	\$ 361,139
Supplies & Services	\$ 34,600
Total	\$ 395,739
Family Court (Delamatre)	
Salary & Benefits	\$ 1,905,822
Supplies & Services	\$ 348,075
Total	\$ 2,253,897
Probate Court (McGookey)	
Salary & Benefits	\$ 263,774
Supplies & Services	\$ 47,600
Total	\$ 311,374
Grand Total	\$ 3,894,019
CPI (2025 \$)	\$ 6,486,717

*NOTE: 4th Judge's term began in 2005

2006	
Common Pleas Court (Tone)	
Salary & Benefits	\$ 326,229
Supplies & Services	\$ 111,650
Total	\$ 437,879
Common Pleas Court (Binette)	
Salary & Benefits	\$ 354,492
Supplies & Services	\$ 111,650
Total	\$ 466,142
Adult Probation	
Salary & Benefits	\$ 374,896
Supplies & Services	\$ 26,000
Total	\$ 400,896
Family Court (Delamatre)	
Salary & Benefits	\$ 1,865,440
Supplies & Services	\$ 367,300
Total	\$ 2,232,740
Probate Court (McGookey)	
Salary & Benefits	\$ 271,571
Supplies & Services	\$ 60,900
Total	\$ 332,471
Grand Total	\$ 3,870,128
CPI (2025 \$)	\$ 6,199,836

2007	
Common Pleas Court (Tone)	
Salary & Benefits	\$ 386,122
Supplies & Services	\$ 129,500
Total	\$ 515,622
Common Pleas Court (Binette)	
Salary & Benefits	\$ 376,740
Supplies & Services	\$ 120,050
Total	\$ 496,790
Adult Probation	
Salary & Benefits	\$ 390,303
Supplies & Services	\$ 32,200
Total	\$ 422,503
Family Court (Delamatre)	
Salary & Benefits	\$ 1,992,611
Supplies & Services	\$ 375,652
Total	\$ 2,368,263
Probate Court (McGookey)	
Salary & Benefits	\$ 284,716
Supplies & Services	\$ 61,500
Total	\$ 346,216
Grand Total	\$ 4,149,394
CPI (2025 \$)	\$ 6,512,045

2008	
Common Pleas Court (Tone)	
Salary & Benefits	\$ 428,221
Supplies & Services	\$ 120,580
Total	\$ 548,801
Common Pleas Court (Binette)	
Salary & Benefits	\$ 453,579
Supplies & Services	\$ 130,075
Total	\$ 583,654
Adult Probation	
Salary & Benefits	\$ 408,441
Supplies & Services	\$ 37,800
Total	\$ 446,241
Family Court (Delamatre)	
Salary & Benefits	\$ 2,006,637
Supplies & Services	\$ 314,563
Total	\$ 2,321,200
Probate Court (McGookey)	
Salary & Benefits	\$ 296,239
Supplies & Services	\$ 61,500
Total	\$ 357,739
Grand Total	\$ 4,257,635
CPI (2025 \$)	\$ 6,407,652

2009	
Common Pleas Court (Tone)	
Salary & Benefits	\$ 409,299
Supplies & Services	\$ 87,557
Total	\$ 496,856
Common Pleas Court (Binette)	
Salary & Benefits	\$ 464,318
Supplies & Services	\$ 79,490
Total	\$ 543,808
Adult Probation	
Salary & Benefits	\$ 400,011
Supplies & Services	\$ 18,200
Total	\$ 418,211
Family Court (Delamatre)	
Salary & Benefits	\$ 1,904,820
Supplies & Services	\$ 187,211
Total	\$ 2,092,031
Probate Court (McGookey)	
Salary & Benefits	\$ 271,450
Supplies & Services	\$ 53,450
Total	\$ 324,900
Grand Total	\$ 3,875,806
CPI (2025 \$)	\$ 5,831,267

2010		
Common Pleas Court (Tone)		
Salary & Benefits	\$	352,890
Supplies & Services	\$	97,041
Total	\$	449,931
Common Pleas Court (Binette)		
Salary & Benefits	\$	446,050
Supplies & Services	\$	46,138
Total	\$	492,188
Adult Probation		
Salary & Benefits	\$	339,714
Supplies & Services	\$	21,741
Total	\$	361,455
Family Court (Delamatre)		
Salary & Benefits	\$	1,732,402
Supplies & Services	\$	178,201
Total	\$	1,910,603
Probate Court (McGookey)		
Salary & Benefits	\$	264,035
Supplies & Services	\$	34,580
Total	\$	298,615
Grand Total	\$	3,512,792
CPI (2025 \$)	\$	5,149,880

2011		
Common Pleas Court (Tone)		
Salary & Benefits	\$	348,643
Supplies & Services	\$	101,288
Total	\$	449,931
Common Pleas Court (Binette)		
Salary & Benefits	\$	445,032
Supplies & Services	\$	57,604
Total	\$	502,636
Adult Probation		
Salary & Benefits	\$	337,944
Supplies & Services	\$	23,511
Total	\$	361,455
Family Court (Delamatre)		
Salary & Benefits	\$	1,699,972
Supplies & Services	\$	183,401
Total	\$	1,883,373
Probate Court (McGookey)		
Salary & Benefits	\$	263,432
Supplies & Services	\$	46,799
Total	\$	310,231
Grand Total	\$	3,507,626
CPI (2025 \$)	\$	5,059,740

2012		
Common Pleas Court (Tone)		
Salary & Benefits	\$	374,269
Supplies & Services	\$	98,530
Total	\$	472,799
Common Pleas Court (Binette)		
Salary & Benefits	\$	461,066
Supplies & Services	\$	63,399
Total	\$	524,465
Adult Probation		
Salary & Benefits	\$	346,308
Supplies & Services	\$	11,711
Total	\$	358,019
Family Court (Delamatre)		
Salary & Benefits	\$	1,810,138
Supplies & Services	\$	177,980
Total	\$	1,988,118
Probate Court (McGookey)		
Salary & Benefits	\$	264,015
Supplies & Services	\$	47,500
Total	\$	311,515
Grand Total	\$	3,654,916
CPI (2025 \$)	\$	5,122,365

2013		
Common Pleas Court (Tone)		
Salary & Benefits	\$	362,840
Supplies & Services	\$	351,304
Total	\$	714,144
Common Pleas Court (Binette)		
Salary & Benefits	\$	467,815
Supplies & Services	\$	108,318
Total	\$	576,133
Adult Probation		
Salary & Benefits	\$	351,782
Supplies & Services	\$	18,432
Total	\$	370,214
Family Court (Delamatre)		
Salary & Benefits	\$	1,872,195
Supplies & Services	\$	177,980
Total	\$	2,050,175
Probate Court (McGookey)		
Salary & Benefits	\$	267,691
Supplies & Services	\$	51,799
Total	\$	319,490
Grand Total	\$	4,030,156
CPI (2025 \$)	\$	5,559,596

2014		
Common Pleas Court (Tone)		
Salary & Benefits	\$	368,900
Supplies & Services	\$	358,180
Total	\$	727,080
Common Pleas Court (Binette)		
Salary & Benefits	\$	475,917
Supplies & Services	\$	160,980
Total	\$	636,897
Adult Probation		
Salary & Benefits	\$	359,431
Supplies & Services	\$	23,000
Total	\$	382,431
Family Court (Delamatre)		
Salary & Benefits	\$	1,848,439
Supplies & Services	\$	193,340
Total	\$	2,041,779
Probate Court (McGookey)		
Salary & Benefits	\$	263,976
Supplies & Services	\$	55,300
Total	\$	319,276
Grand Total	\$	4,107,463
CPI (2025 \$)	\$	5,578,164

2015		
Common Pleas Court (Tone)		
Salary & Benefits	\$	428,354
Supplies & Services	\$	107,700
Total	\$	536,054
Common Pleas Court (Binette)		
Salary & Benefits	\$	466,285
Supplies & Services	\$	118,900
Total	\$	585,185
Adult Probation		
Salary & Benefits	\$	364,616
Supplies & Services	\$	38,438
Total	\$	403,054
Family Court (Delamatre)		
Salary & Benefits	\$	2,021,985
Supplies & Services	\$	198,548
Total	\$	2,220,533
Probate Court (McGookey)		
Salary & Benefits	\$	299,532
Supplies & Services	\$	75,300
Total	\$	374,832
Grand Total	\$	4,119,658
CPI (2025 \$)	\$	5,599,729

2016		
Common Pleas Court (Tone)		
Salary & Benefits	\$	439,544
Supplies & Services	\$	99,105
Total	\$	538,649
Common Pleas Court (Binette)		
Salary & Benefits	\$	513,061
Supplies & Services	\$	109,005
Total	\$	622,066
Adult Probation		
Salary & Benefits	\$	333,830
Supplies & Services	\$	23,500
Total	\$	357,330
Family Court (Delamatre)		
Salary & Benefits	\$	1,982,656
Supplies & Services	\$	205,900
Total	\$	2,188,556
Probate Court (McGookey)		
Salary & Benefits	\$	353,463
Supplies & Services	\$	57,300
Total	\$	410,763
Grand Total	\$	4,117,364
CPI (2025 \$)	\$	5,520,805

2017		
Common Pleas Court (Tone)		
Salary & Benefits	\$	434,699
Supplies & Services	\$	94,450
Total	\$	529,149
Common Pleas Court (Binette)		
Salary & Benefits	\$	641,896
Supplies & Services	\$	88,335
Total	\$	730,231
Adult Probation		
Salary & Benefits	\$	343,107
Supplies & Services	\$	6,141
Total	\$	349,248
Family Court (Delamatre)		
Salary & Benefits	\$	2,149,609
Supplies & Services	\$	192,592
Total	\$	2,342,201
Probate Court (McGookey)		
Salary & Benefits	\$	344,159
Supplies & Services	\$	62,764
Total	\$	406,923
Grand Total	\$	4,357,752
CPI (2025 \$)	\$	5,700,614

2018		
Common Pleas Court (Tone)		
Salary & Benefits	\$	542,800
Supplies & Services	\$	96,349
Total	\$	639,149
Common Pleas Court (Binette)		
Salary & Benefits	\$	638,755
Supplies & Services	\$	88,335
Total	\$	727,090
Adult Probation		
Salary & Benefits	\$	341,108
Supplies & Services	\$	8,141
Total	\$	349,249
Family Court (Delamatre)		
Salary & Benefits	\$	2,204,568
Supplies & Services	\$	216,352
Total	\$	2,420,920
Probate Court (McGookey)		
Salary & Benefits	\$	366,667
Supplies & Services	\$	62,764
Total	\$	429,431
Grand Total	\$	4,565,839
CPI (2025 \$)	\$	5,851,665

2019		
Common Pleas Court (Tone)		
Salary & Benefits	\$	541,946
Supplies & Services	\$	87,100
Total	\$	629,046
Common Pleas Court (Binette)		
Salary & Benefits	\$	614,553
Supplies & Services	\$	83,335
Total	\$	697,888
Adult Probation		
Salary & Benefits	\$	320,539
Supplies & Services	\$	4,500
Total	\$	325,039
Family Court (Delamatre)		
Salary & Benefits	\$	2,250,305
Supplies & Services	\$	181,500
Total	\$	2,431,805
Probate Court (McGookey)		
Salary & Benefits	\$	420,532
Supplies & Services	\$	68,782
Total	\$	489,314
Grand Total	\$	4,573,092
CPI (2025 \$)	\$	5,771,432

2020		
Common Pleas Court (Tone)		
Salary & Benefits	\$	578,265
Supplies & Services	\$	87,100
Total	\$	665,365
Common Pleas Court (Binette)		
Salary & Benefits	\$	625,828
Supplies & Services	\$	93,633
Total	\$	719,461
Adult Probation		
Salary & Benefits	\$	383,870
Supplies & Services	\$	4,500
Total	\$	388,370
Family Court (Delamatre)		
Salary & Benefits	\$	2,350,859
Supplies & Services	\$	204,275
Total	\$	2,555,134
Probate Court (McGookey)		
Salary & Benefits	\$	454,651
Supplies & Services	\$	68,782
Total	\$	523,433
Grand Total	\$	4,851,763
CPI (2025 \$)	\$	5,974,565

2021		
Common Pleas Court (Tone)		
Salary & Benefits	\$	622,589
Supplies & Services	\$	105,389
Total	\$	727,978
Common Pleas Court (Binette)		
Salary & Benefits	\$	634,344
Supplies & Services	\$	93,633
Total	\$	727,977
Adult Probation		
Salary & Benefits	\$	383,870
Supplies & Services	\$	4,500
Total	\$	388,370
Family Court (Delamatre)		
Salary & Benefits	\$	2,276,484
Supplies & Services	\$	208,752
Total	\$	2,485,236
Probate Court (McGookey)		
Salary & Benefits	\$	431,320
Supplies & Services	\$	70,091
Total	\$	501,411
Grand Total	\$	4,830,972
CPI (2025 \$)	\$	5,866,840

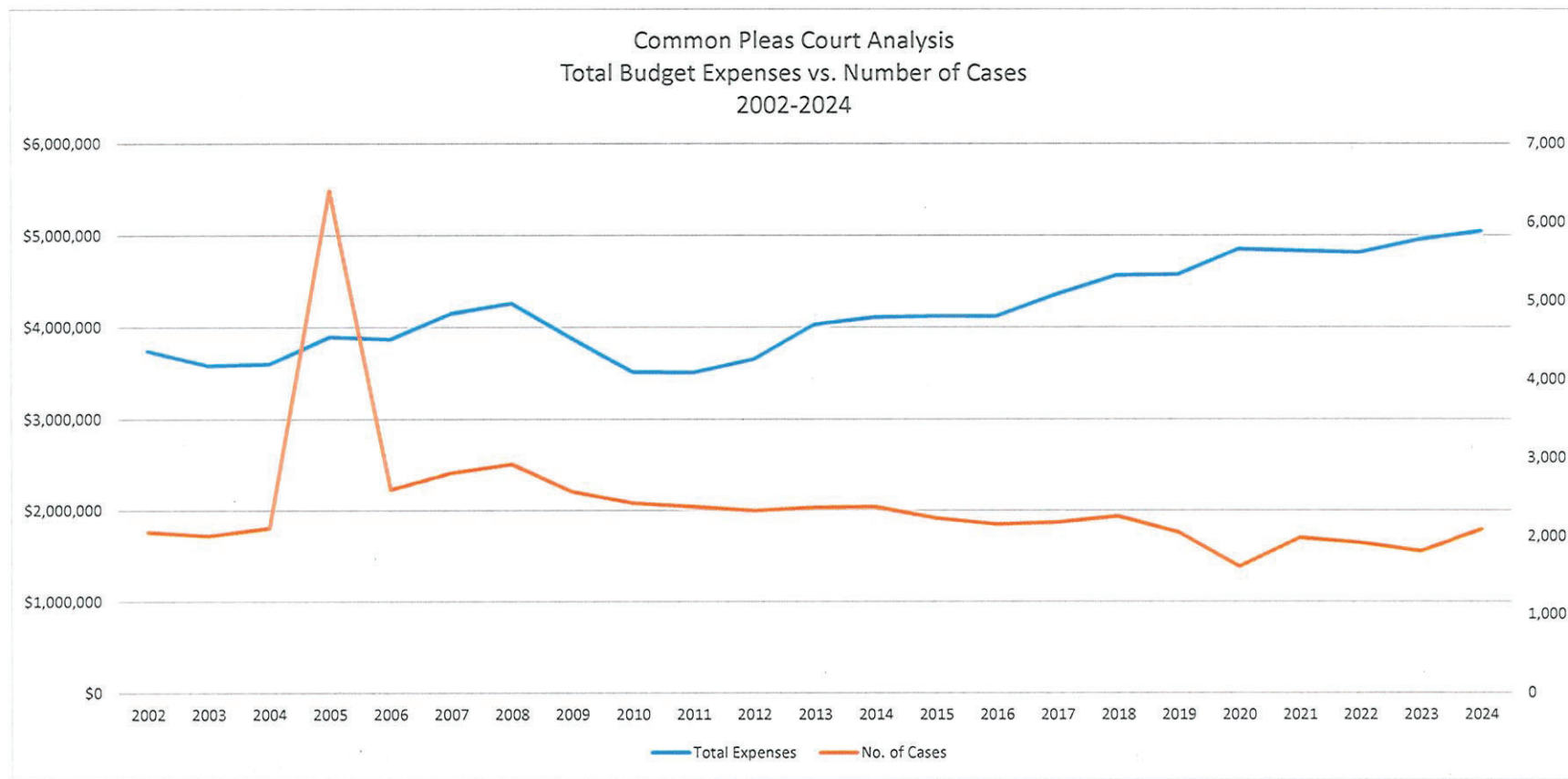
2022		
Common Pleas Court (Tone)		
Salary & Benefits	\$	640,601
Supplies & Services	\$	102,100
Total	\$	742,701
Common Pleas Court (Binette)		
Salary & Benefits	\$	649,701
Supplies & Services	\$	93,000
Total	\$	742,701
Adult Probation		
Salary & Benefits	\$	435,000
Supplies & Services	\$	4,500
Total	\$	439,500
Family Court (Delamatre)		
Salary & Benefits	\$	2,160,230
Supplies & Services	\$	224,785
Total	\$	2,385,015
Probate Court (McGookey)		
Salary & Benefits	\$	439,728
Supplies & Services	\$	63,900
Total	\$	503,628
Grand Total	\$	4,813,545
CPI (2025 \$)	\$	5,438,857

2023		
Common Pleas Court (Tone)		
Salary & Benefits	\$	653,889
Supplies & Services	\$	106,700
Total	\$	760,589
Common Pleas Court (Binette)		
Salary & Benefits	\$	697,680
Supplies & Services	\$	95,300
Total	\$	792,980
Adult Probation		
Salary & Benefits	\$	452,845
Supplies & Services	\$	5,525
Total	\$	458,370
Family Court (Delamatre)		
Salary & Benefits	\$	2,190,108
Supplies & Services	\$	232,333
Total	\$	2,422,441
Probate Court (McGookey)		
Salary & Benefits	\$	459,026
Supplies & Services	\$	63,600
Total	\$	522,626
Grand Total	\$	4,957,006
CPI (2025 \$)	\$	5,263,553

2024		
Common Pleas Court (Tone)		
Salary & Benefits	\$	669,370
Supplies & Services	\$	119,500
Total	\$	788,870
Common Pleas Court (Binette)		
Salary & Benefits	\$	704,077
Supplies & Services	\$	100,800
Total	\$	804,877
Adult Probation		
Salary & Benefits	\$	459,002
Supplies & Services	\$	5,525
Total	\$	464,527
Family Court (Delamatre)		
Salary & Benefits	\$	2,174,723
Supplies & Services	\$	249,333
Total	\$	2,424,056
Probate Court (McGookey)		
Salary & Benefits	\$	483,902
Supplies & Services	\$	78,500
Total	\$	562,402
Grand Total	\$	5,044,732
CPI (2025 \$)	\$	5,196,098

2025		
Common Pleas Court (Tone)		
Salary & Benefits	\$	726,712
Supplies & Services	\$	122,500
Total	\$	849,212
Common Pleas Court (Binette)		
Salary & Benefits	\$	726,781
Supplies & Services	\$	123,800
Total	\$	850,581
Adult Probation		
Salary & Benefits	\$	468,200
Supplies & Services	\$	10,525
Total	\$	478,725
Family Court (Delamatre)		
Salary & Benefits	\$	2,303,553
Supplies & Services	\$	277,333
Total	\$	2,580,886
Probate Court (McGookey)		
Salary & Benefits	\$	568,291
Supplies & Services	\$	97,415
Total	\$	665,706
Grand Total	\$	5,425,110

Common Pleas Court Analysis		
2002-2024		
Year	Total Expenses	No. of Cases
2002	3,744,633.00	2,058
2003	3,583,573.00	2,010
2004	3,601,103.00	2,109
2005	3,894,019.00	6,402
2006	3,870,128.00	2,599
2007	4,149,394.00	2,816
2008	4,257,635.00	2,927
2009	3,875,806.00	2,572
2010	3,512,792.00	2,426
2011	3,507,626.00	2,382
2012	3,654,916.00	2,332
2013	4,030,156.00	2,371
2014	4,107,463.00	2,379
2015	4,119,658.00	2,235
2016	4,117,364.00	2,157
2017	4,357,752.00	2,181
2018	4,565,839.00	2,257
2019	4,573,092.00	2,052
2020	4,851,763.00	1,612
2021	4,830,972.00	1,982
2022	4,813,545.00	1,916
2023	4,957,006.00	1,810
2024	5,044,732.00	2,090



Data Source: Supreme Court of Ohio Case Management Section statistical reporting, collected under Sup.R.37.

	General Division, All Civil		
	Total Incoming Cases	Erie County Average Incoming Per Judge	Statewide Metrics Average Incoming Per Judge
2015	948	316.0	490
2016	912	304.0	486
2017	829	276.3	473
2018	848	282.7	464
2019	826	275.3	456
2020	556	185.3	357
2021	656	218.7	359
2022	656	218.7	392
2023	599	199.7	444
2024	806	268.7	481

	Domestic Relations Division, All Case Types		
	Total Incoming Cases	Erie County Average Incoming Per Judge	Statewide Metrics Average Incoming Per Judge
2015	679	339.5	853
2016	614	307.0	830
2017	566	283.0	822
2018	514	257.0	828
2019	597	298.5	817
2020	572	286.0	706
2021	545	272.5	738
2022	563	281.5	723
2023	457	228.5	702
2024	475	237.5	696

	Probate Division, All Case Types		
	Total Incoming Cases	Erie County Average Incoming Per Judge	Statewide Metrics Average Incoming Per Judge
2015	665	665.0	918
2016	705	705.0	890
2017	693	693.0	898
2018	679	679.0	903
2019	672	672.0	911
2020	615	615.0	863
2021	755	755.0	1062
2022	695	695.0	1056
2023	673	673.0	977
2024	685	685.0	959

	Aggregate, All Cases		
	Total Incoming Cases	Erie County Average Incoming Per Judge	Statewide Metrics Average Incoming Per Judge
2015	2292	764.0	2,261
2016	2231	743.7	2,206
2017	2088	696.0	2,193
2018	2041	680.3	2,195
2019	2095	698.3	2,184
2020	1743	581.0	1,926
2021	1956	652.0	2,159
2022	1914	638.0	2,171
2023	1729	576.3	2,123
2024	1966	655.3	2,136

Data Source: Supreme Court of Ohio Case Management Section statistical reporting,collected under Sup.R. 37

The Supreme Court of Ohio

OFFICE OF THE ADMINISTRATIVE DIRECTOR

65 SOUTH FRONT STREET, COLUMBUS, OH 43215-3431

CHIEF JUSTICE
SHARON L. KENNEDY

ADMINISTRATIVE DIRECTOR
ROBERT W. HORNER, III

JUSTICES
PATRICK F. FISCHER
R. PATRICK DEWINE
JENNIFER BRUNNER
JOSEPH T. DETERS
DANIEL R. HAWKINS
MEGAN E. SHANAHAN

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May 22, 2025

Hon. Theresa Gavarone
Ohio Senate
1 Capitol Square
Columbus, OH 43215

Re: Erie County Court of Common Pleas

Dear Senator Gavarone:


Your office recently requested an analysis of a proposal to seek the elimination of a judgeship in the Erie County Court of Common Pleas. I am writing to provide you with the enclosed report.

As detailed in our report, it is difficult to determine the potential impact on the Erie County Court of Common Pleas if the General Assembly were to eliminate the judgeship currently held by Judge Beverly McGookey upon her retirement. This difficulty is due to the division's unique subject matter jurisdiction. Our customary approach when analyzing proposals of this nature is to compare the resulting caseloads against the caseloads in peer courts having the same subject matter jurisdiction. Unfortunately, the Erie County Court of Common Pleas, General, Domestic Relations, and Probate Division is the only division with that particular mixture of subject matter jurisdiction. We have, however, provided information on the current and historical organization of this court as well as data on the current caseload across all divisions.

We encourage you to continue to work with the affected judges and local partners to understand their needs and perspective on this proposal.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Robert W. Horner, III
Administrative Director

cc: Hon. Roger E. Binette
Hon. Beverly M. McGookey
Hon. Tygh M. Tone



THE SUPREME COURT *of* OHIO COURT SERVICES

Erie County Court of Common Pleas Analysis of a Proposed Judgeship Elimination May 19, 2025

At the request of Senator Theresa Gavarone, this report provides an analysis of the potential impact on caseloads in the Erie County Court of Common Pleas, General, Domestic Relations, and Probate Division in the event the General Assembly enacts legislation that would eliminate the judgeship in that division that commenced on February 9, 2009.

Current and Historical Organization

Article IV, Section 4(A) of the Ohio Constitution states: “There shall be a court of common pleas and such divisions thereof as may be established by law serving each county of the state.” Under R.C. 2301.02(B), the General Assembly has established four judgeships in the Erie County Court of Common Pleas. In addition, R.C. 2301.03(N) provides that the judgeship that commenced on January 2, 1971, shall be designated as judge of the court of common pleas, juvenile division and have jurisdiction over juvenile matters. The three remaining judgeships shall each have jurisdiction over all remaining subject matter heard in the courts of common pleas (i.e., civil, criminal, domestic relations, and probate matters). See Table 1.

Table 1. Current Divisions, Judgeships, and Officeholders

Division	Commencement	Current Officeholder	Current	Age at Next
	Date		Term End Date	Term Start
General, Domestic Relations, and Probate	01/01/57	Tone, Tygh M.	12/31/28	67
General, Domestic Relations, and Probate	01/02/05	Binette, Roger E.	01/01/29	68
General, Domestic Relations, and Probate	02/09/09	McGookey, Beverly K.	02/08/27	73*
Juvenile	01/02/71	DeLamatre, Robert C.	01/01/31	68

* Judge is age-barred from seeking a new term of office (Ohio Const., art. IV, § 6(C).)

Prior to 1968, there was one judgeship on the Erie County Court of Common Pleas. In 1968, Ohio voters approved the Modern Courts Amendment, which made significant reforms to Ohio’s system. This amendment, officially adopted into the Ohio Constitution, was designed to modernize and streamline the structure, authority, and procedures of Ohio’s courts. With that amendment, a second judgeship was added to the Erie County Court of Common Pleas, increasing the number of judgeships to two, with one general division judge and one probate judge.

In 1969, the General Assembly added an additional judge to the Erie County Court of Common Pleas, bringing the total to three judges. That additional judgeship was designated as the judge of the domestic relations division, with all the powers and duties relating to juvenile courts. This resulted in there being three divisions in the court of common pleas: a general division hearing civil and criminal cases, a domestic relations and juvenile division, and a probate division.

In 2003, the General Assembly enacted H.B. 86 (125th G.A.), which provided for the following changes in the organization of the Erie County Court of Common Pleas, all of which remain in effect today:

- A separately-administered juvenile division was created, effective January 2, 2007. The judgeship with a commencement date of January 2, 1971, was designated as the judge of that division. (This seat is currently held by Judge DeLamatre.) Domestic relations jurisdiction shifted over to the general division.
- A new judgeship in the general and division was created, effective January 2, 2005, with jurisdiction over civil, criminal, domestic relations, and probate matters. (This seat is currently held by Judge Binette).
- The separately-administered probate division was eliminated and its judgeship was designated as a judgeship in the general, domestic relations, and probate division, with a term to begin February 9, 2008, with jurisdiction over civil, criminal, domestic relations, and probate matters. (This seat is currently held by Judge McGookey.)

Notwithstanding the current subject matter jurisdiction allocation provisions in R.C. 2301.03(N), in practice, the three judges of the general, domestic relations, and probate division have opted to modify their individual subject matter jurisdiction. Based on the caseload statistical reports filed with the Supreme Court of Ohio by each judge in accordance with Sup.R. 37.02, the judges are being assigned cases in the following manner:

- **Domestic relations** and **civil** cases are assigned only to Judge Binette and Judge Tone.
- **Probate** cases are assigned only to Judge McGookey.
- **Criminal** cases are assigned to all three judges. However, the number of new criminal cases assigned to Judge McGookey are, on average over the last five years, 20% fewer than the number of new criminal cases assigned to Judge Binette and Judge Tone. We are unaware of the details concerning the apparent arrangement those three judges have made to allocate the criminal caseload in this manner.

If the General Assembly were simply to eliminate the judgeship that commenced on February 9, 2009, the two remaining judges—absent some special local arrangement to the contrary—would equally share in the court’s entire civil, criminal, domestic relations, and probate caseload.

Caseload Analysis

Ordinarily, our approach when assessing a proposal to change the number of judgeships or divisional configuration in a court of common pleas, we compare the resulting caseload changes with the caseloads in peer courts. To accomplish this, we typically compare the number of incoming cases per judge between the subject court and courts with similar configurations. For example, the caseloads in a common pleas court with a combined general and domestic relations

division would be compared to other court divisions sharing that same subject matter jurisdiction. This method allows us to measure the extent to which the change would place the court outside of the average number of incoming cases per judge across the set of peer courts.







Table 2 shows the annual average number of incoming cases in the Erie County Court of Common Pleas, General, Domestic Relations, and Probate Division between 2020 and 2024. Also included are incoming cases per judge, assuming the division was comprised of two judgeships and the assignment of cases was equitably distributed between both judges. Unfortunately, Erie County is the only county in Ohio that has a combined general, domestic relations, and probate division. Because of that, there are no peer courts against which we can compare the court's caseload.

Table 2. Average Annual Incoming Cases, 2020 through 2024

Subject Matter	Incoming Cases	Incoming Cases Per Judge
Domestic Relations	522	261
Civil	655	327
Criminal	543	271
Probate	685	342
Total	2,404	1,202

An additional important consideration is the long term trend in incoming cases in the Erie County Court of Common Pleas, General, Domestic Relations, and Probate Division. Shown in Table 3 is the number of incoming cases per year in the court between 2015 and 2024, along with 10-year averages. The division's incoming domestic relations caseloads have generally been declining. Its civil and criminal caseloads have fluctuated somewhat but remain near the 10-year average of 764 and 582 incoming cases per year, respectively. Notwithstanding a sharp increase in 2021, the division's incoming probate caseloads have remained stable.

Table 3. Incoming Cases, 2015 to 2024

Case Type	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024		AVG
Domestic Relations	679	614	566	514	597	572	545	563	457	475		558
Civil	948	912	829	848	826	556	656	656	599	806		764
Criminal	622	540	659	730	554	441	571	565	538	599		582
Probate	665	705	693	679	672	615	755	695	673	685		684
All Case Types	2,914	2,771	2,747	2,771	2,649	2,184	2,527	2,479	2,267	2,565		2,587