

Stephen M. Bucha III, Esq.
Magistrate
Cuyahoga County Court of Common Pleas
Justice Center, Courts Tower
1200 Ontario St., 10th Floor
Cleveland, OH 44113

James W. Ginley
Deputy Court Administrator
Cuyahoga County Common Pleas Court
1200 Ontario Street
Justice Center Complex, 11th Floor
Cleveland, OH 44113

DEVELOPING A CIVIL BAILIFF'S MANUAL FOR THE CUYAHOGA COUNTY COURT OF COMMON PLEAS

This project was undertaken to create a comprehensive manual regarding the processing of civil cases for the bailiffs of the Cuyahoga County Court of Common Pleas General Division. This research paper details the creation and justification for the procedures established in the bailiff's manual. The motivating factors for this project were: an absence of uniform procedures for the court's 34 bailiffs; the divergent procedures currently employed by the bailiffs; and the failure of the procedures currently employed by the bailiffs to focus on caseload management, access to justice, equality, fairness, and integrity of court operations, and accountability of the court in the way it conducts its business. These imperfections in current procedures lead to inconsistency between courtrooms and inefficient case management.

The foundations of the procedures established in this manual are the Bureau of Justice Assistance Trial Court Performance Standards, principles of caseload management, Cuyahoga County Local Rule 21, and various local and statewide laws governing court procedure in Cuyahoga County, Ohio. It is hoped that by establishing a comprehensive procedural manual for civil cases, the bailiffs will refocus their efforts toward efficient case management and

procedures which promote the principles of the Trial Court Performance Standards. The court will be able to determine whether this goal has been met by employing the measurement techniques set forth in the various works on caseflow management and the measurement system established with the Trial Court Performance Standards.

The research for this project was conducted by surveying the court's bailiffs as to the procedures they currently use in regard to a multitude of functions. This same survey was given to the court's schedulers who occasionally substitute for bailiffs when the bailiffs are absent. In addition, a bailiffs' committee consisting of five of the most effective bailiffs in the court were interviewed by the writers prior to and during the creation of the manual. Further, the court administrator, some department heads, and other individual bailiffs were interviewed. The writers supplemented this primary research by researching secondary sources such as existing bailiffs' manuals, local and state laws and rules, and articles and books related to caseflow management, pro se litigants, and the Trial Court Performance Standards.

While the manual has not been implemented as of the date of this writing, it is anticipated that it will affect court operations, especially the procedures used by new bailiffs who have not yet been indoctrinated with the existing procedures. With the implementation of this manual, cases should be set on case management tracks that are consistent across courtrooms. Standardization of techniques incorporating the principles of access to justice, equality, fairness, and integrity of court operations, should be enhanced by the implementation of this manual.

The research conducted in connection with this project confirmed the preconceived notions of the writers that there was great inconsistency with regard to how bailiffs performed their duties in relation to civil cases, that failure to comply with local and state-wide rules was commonplace and, in some instances, the bailiffs' accepted standard. While bailiffs were intimately familiar with their day-to-day duties, the bailiffs generally lacked understanding of how these day-to-day duties fit into the court process as a whole. The writers believe that if each courtroom practiced unique case management practices, the court may see a rise in dissatisfaction with the court with the local bar and with the litigants. The manual prepared as a result of this project was written to stave off the negative effects of divergent courtroom practices and to give bailiffs guidelines regarding caseflow management, access to justice, equality, fairness, and integrity of court operations, accountability of the court and further to provide them with specific procedures. The manual provides basic information about various court activities and the court system to develop the bailiffs' awareness of their role in case processing. This, it is hoped, will achieve a standard of conduct among the bailiffs that will be a positive reflection on the entire court as well as the individual bailiff.

This [research paper](#) is available in its entirety in portable document format. To access, you must first obtain and install the Adobe Acrobat Reader.



To borrow a copy of this research paper, please contact:

Knowledge Information Services
National Center for State Courts
300 Newport Avenue
Williamsburg, VA 23185
Phone: (800) 616-6164

Visit the Institute for Court Management Web site at:
www.ncsconline.org/d_icm/icmindex.html