



TOLEDO MUNICIPAL COURT

ANNUAL REPORT 2007

TABLE OF CONTENTS

| | | |
|---------------|---|--|
| Chapter I. | Court Administrator | Pamela Roberts Court Administrator |
| Chapter II. | Clerk of Courts | Vallie Bowman-English Clerk of Court |
| Chapter III. | Assignment Commissioner | Karen Wood Assignment Commissioner |
| Chapter IV. | Civil Bailiffs | Michael Kessler Assistant Chief Bailiff |
| Chapter V. | Court Reporters | Sandra Ackerman Chief Court Reporter |
| Chapter VI. | Law Clerks | Carrie Connelly Chief Law Clerk |
| Chapter VII. | Citizens Dispute Resolution Program | James Petas Senior Mediator |
| Chapter VIII. | Probation Department | Kim Oats Chief Probation Officer |
| Chapter IX. | Environmental Court | Judge C. Allen McConnell Housing Court |

COURT ADMINISTRATOR'S OFFICE

Pamela Roberts
Court Administrator

Department Description:

The Court Administrator's Office was established in 1972 to relieve the judges of day-to-day administrative duties and to provide technical assistance for the planning, development, and presentation of improved policies, procedures, and programs.

The day-to-day responsibilities include the following: policy development and implementation; budget preparation and fiscal administration; personnel administration and payroll; purchasing and liaison with vendors; statistical data collection and analysis; technology management; liaison with other governmental agencies, city divisions, the practicing bar and the public.

The Court Administrator reports directly to the seven Judges and is responsible for general supervision of the Judges Division Departments in addition to the Housing Specialists, the Citizens Dispute Settlement Program, and the Small Claims Assistant program. The Court Administrator also serves as staff for the monthly Judges Meetings and acts as the division Equal Opportunity/Affirmative Action Officer.

Accomplishments:

Judge Timothy C. Kuhlman was elected Presiding and Administrative Judge for his first term beginning January 1, 2007. Judges Amy J. Berling and Michael R. Goulding were elected to full 6 year terms in the Toledo Municipal Court.

In cooperation with the Clerk of Courts Office, real time data entry was accomplished in Courtroom 2. It is anticipated that the next courtroom for conversion to real time data entry will be Courtroom 6.

The Clerk of Courts, Northwest Ohio Regional Information System (NORIS), and the Court continued to move toward the full integration of the Case Log Information Processing (CLIP) system and the Case Assignment Tracking System (CATS) to make them more effective and efficient.

The Court also worked on a proposal to move to a system of Single Judge Assignment beginning in 2008. Under this system, defendants who are already on probation will have any new charges assigned to the same Judge that placed them on probation. This system promises to reduce the total number of cases scheduled on each Judge's dockets.

The Court continued to expand the use of video conferencing. A Visiting Judge from Toledo was able to hold a hearing via video conference with the Rocky River Municipal Court in Cuyahoga County. This process saved the judge several hours of travel time and the expense related to the travel. The equipment has also been used to conduct a video conference with Hamilton County Municipal Court to further explore how their court was able to move to Single Judge Assignment. The Probation Department also has a connective unit in their area that will allow officers to interview defendants while they are housed at the Correction Center of Northwest Ohio (CCNO) and the Lucas County Corrections Center (LCCC). This saves the time and costs of transporting and controlling those defendants in the Courthouse.

Another anticipated use of the technology in 2008 is to allow victims of domestic violence to testify during hearings for Temporary Protection Orders from a remote location in the Prosecutor's Office to avoid any potential violence or intimidation during the proceedings. This process was successfully piloted in late 2007.

The Court also examined the possibility of calling defendants prior to their scheduled trial dates in order to reduce the number of defendants who fail to appear. When they fail to appear, a warrant is issued. The project was conducted in one judge's trial docket for a period of three months. The results of the project showed that the calls had no discernable effect on the amount of warrants issued in 2007 as compared to 2006.

A digital audio/video recording system was selected and installed in Courtrooms 3, 4, and 9 during the second quarter of 2007. All of these systems include provisions for assisting the hearing impaired. In addition, a portable system was purchased. The permanent systems may also be used for video arraignments and other hearings, if the Court moves in that direction in the future.

Approximately 11 computers were replaced throughout the Court.

A second workstation was added to the file tracking system used in the Probation Department. This has reduced the amount of time devoted to file tracking activity in the Probation Department. The system is backed up on a nightly basis.

New applications were created for personnel in the Environmental Court and the Citizens Dispute Settlement Program. Environmental Court staff will be able to more easily and accurately track fines collected and then reallocate them to improvement projects. CDSP staff will realize substantial productivity improvements in the check mediation process. They also have accurate, real-time reporting and process monitoring.

The Court Administrator's Office continued in 2007 to serve as a facilitator for Magistrate and Court staff videoconferences sponsored by the Ohio Judicial College and The Supreme Court of Ohio. In addition, the office continued to work with the Toledo Bar Association Auxiliary to provide tours for high school students. The Court hosted The Toledo Bar Association's High School Mock Trial Competition.

As an appointed member of the Lucas County Community Corrections Board, the Court Administrator served as Chairperson of the Ad Hoc Electronic Monitoring Committee. The Court Administrator is also served as a member of the Regional Community Corrections Boards consisting of those counties participating in CCNO. The Court Administrator also serves on the National Association for Court Management Conference Planning Committee and is the Chairperson for the Ohio Association for Court Management (OACA) Mentoring Committee.

The Deputy Court Administrator was elected as the Secretary for the OACA. He also was one of 40 selected state-wide to participate in the Supreme Court's Court Management Program, a three-year program examining all aspects of court administration with completion anticipated in 2009.

The past year saw many staff member changes throughout the Court. The Probation Department welcomed License Intervention Specialist Lisa Kuebler, Probation Secretary Martha Grabarkiewicz, and Probation Officers Theresa Braddy and Mark Steude. Probation Officer Kenneth Roberts retired after 30 years with the court and Probation Officer Susan Russell resigned. New Law Clerks included James Anderson, Chris Kimberly, and Matt Simko, who replaced Corey Tomlinson, Kelly O'Brien, and Matt Forrester, respectively. Larry Cardwell joined the court as a Housing Specialist. Court Reporter April Vickers was hired to take the place previously held by Barbara Johnson, who retired in May. Susan Monro was hired to replace as a Job Share Mediator Nancy Rank, who resigned.

Goals for 2008:

- Increased use of video conferencing equipment
- Implementation of Intranet for all Court staff
- Updated website and consolidation with Clerk of Courts site and Housing Court site.
- Continued work on CLIP/CATS integration
- Complete the transition to Single Judge Assignment
- Compilation of Human Resource policies and procedures
- Update and expansion of the Court's security video system
- Formation and implementation of Continuity of Operations Plan (COOP)

Staff Summary:

The Court Administrator's Office Staff is comprised of Court Administrator Pamela Roberts, Deputy Court Administrator Donald Colby, Human Resource Officer Lisa Falgiano, Information Technology Officer Terry Koluch, Business Officer Barbara Hunter, and Judges Secretaries Connie Sapp, Diana Jensen, Judy Heslet, and Brooke Lauber-Cobb.

CLERK OF TOLEDO MUNICIPAL COURT

Vallie Bowman-English
Clerk of Court

The Clerk of Toledo Municipal Court's office is responsible for maintaining the public record on all court cases in Toledo Municipal Court as well as collecting and distributing fines and fees associated with these cases.

In 2007, the Clerk began to implement imaging technology in the Civil Division. Time intensive work, such as Judgment Entries, are now scanned into the Clerk's computer system instead of being re-typed by staff. The office now processes the same amount of Judgment Entries in one day as were processed in one week when they were re-typed.

Imaging has also increased efficiency in the division by combining the processing of judgment money receipts with journalizing garnishment reports. Prior to this change, the office was many months behind in processing garnishment reports. This made it difficult to find a garnishment report when a copy was requested. Since we have implemented the combined process, the garnishment reports are up to date and instantly available to attorneys and the public on our website. This has saved the office approximately 20 hours of staff time per week.

In the Criminal / Traffic Division, the Clerk placed a Deputy Clerk in Housing Court in order to record entries as the Judge rules on the case(s). In-Courtroom data entry in Housing Court gives other Departments and the public immediate access to the case information. In many instances, it also allows for further processing without having to wait for the case file to be delivered to locations within the court.

The Clerk also automated the cash bond system. Until August of 2007 cash bonds were recorded by hand on bond cards and in a bond book. This was a duplicative process that led to errors due to problems with reading handwriting and transposed numbers. Bonds are now processed in the Clerk's computer system. The bond amount is entered directly into the computer system and attached to the case.

Finally, the Clerk installed a Voice Over IP phone system in the office. The previous phone system was antiquated and did not adequately serve the public. There were not enough phone lines to handle the volume of calls the office received, many supervisors did not have voicemail, and worst of all the switchboard in the criminal / traffic division was malfunctioning. It routinely disconnected callers. Callers also reported hearing others conversations while on hold. The Clerk worked with the City of Toledo and selected the Voice Over IP system. It uses computer equipment to route phone calls over the Internet. The phone system is administered by NORIS and is compatible with the rest of the City's phone system. Now every employee in Clerk's office has a phone on his or her desk and the public is served at a much faster rate.

CLERK OF TOLEDO MUNICIPAL COURT
Vallie Bowman-English, Clerk

| <i>Filings</i> | <i>2007</i> | <i>2006</i> |
|-----------------------------|--------------------|--------------------|
| Civil Division | 25,234 | 26,264 |
| Criminal / Traffic Division | 112,747 | 99,344 |
| TOTAL | 137,981 | 125,608 |

.....
Revenue Collected

| | | |
|--------------------|-----------------|-----------------|
| Civil | \$11,124,827.24 | \$10,320,321.60 |
| Criminal / Traffic | \$5,190,889.51 | \$4,727,973.91 |
| TOTAL | \$16,315,716.75 | \$15,048,295.51 |

.....
Revenue Disbursed

| | | |
|--------------------------------------|-----------------|-----------------|
| City of Toledo General Fund | 4,228,088.16 | 4,003,180.37 |
| Other City of Toledo Accounts | 1,318,813.58 | 1,108,313.11 |
| Ottawa Hills | 28,142.10 | 36,786.50 |
| Washington Township | 1,760.10 | 1,332.00 |
| University of Toledo | 1,845.00 | 825.00 |
| Lucas County Treasurer | 195,827.83 | 207,283.50 |
| Lucas County Sheriff | 577.50 | 251.00 |
| Lucas County Drug Fund | 37,417.50 | 20,020.17 |
| Lucas County Law Library Association | 6,802.50 | 8,664.75 |
| Toledo Area Humane Society | 75.00 | 75.00 |
| Toledo Area Metro Parks | 2,029.00 | 1,169.00 |
| Toledo Legal News | 254,002.46 | 252,093.65 |
| Civil Legal Assistance Project | 197,923.31 | 195,251.89 |
| Treasurer of State | 1,460,108.90 | 1,403,602.14 |
| Department of Natural Resources | 3,979.00 | 4,770.00 |
| State Pharmacy Board | 3,326.95 | 4,555.00 |
| Division of Liquor Control | 100.00 | 75.00 |
| Ohio Ethics Commission | - | 12,375.00 |
| Ohio Department of Agriculture | 150.00 | - |
| Capital Recovery Systems | 262,363.88 | 246,016.57 |
| Fiduciary Accounts - Civil | 7,889,090.00 | 7,180,423.01 |
| Fiduciary Accounts – Trusteeship | 308,885.35 | 297,027.73 |
| Refunded Over Payments | 34,930.48 | 36,445.58 |
| TOTAL | \$16,236,238.60 | \$15,020,535.97 |

CLERK OF TOLEDO MUNICIPAL COURT

Civil Division

| Filings | 2007 | 2006 |
|----------------------------------|------------------------|------------------------|
| Civil General | 22,434 | 23,001 |
| Small Claims | 2,748 | 3,092 |
| Trusteeship | 52 | 171 |
| TOTAL | 25,234 | 26,264 |
| Activities | | |
| Certificates of Judgment | 4,074 | 3,313 |
| Disbursements – Civil | 6,782 | 6,444 |
| Disbursements – Trusteeship | 1,426 | 1,424 |
| Dismissals | 7,128 | 6,568 |
| Executions | 552 | 676 |
| Garnishments | 12,224 | 11,386 |
| Judgments | 55,702 | 49,941 |
| Motions | 13,137 | 14,056 |
| Proceedings in Aid | 2,695 | 1,990 |
| Reports | 50,912 | 50,230 |
| Revivors | 131 | 142 |
| Revocations | 16 | 85 |
| Satisfactions | 4,716 | 5,345 |
| Subpeonas | 862 | 1,005 |
| Terminations | 21,851 | 20,568 |
| Transcripts | 106 | 134 |
| Writ of Restitution | 3,584 | 4,343 |
| TOTAL | 185,898 | 177,650 |
| Revenue Collected | | |
| Civil Revenue | 2,853,269.97 | 2,821,906.92 |
| Fiduciary Accounts - Civil | 8,015,263.92 | 7,215,735.98 |
| Fiduciary Accounts – Trusteeship | 256,293.35 | 282,678.70 |
| TOTAL | \$11,124,827.24 | \$10,320,321.60 |
| Revenue Disbursed | | |
| City of Toledo General Fund | 1,483,554.71 | 1,466,475.62 |
| Other City of Toledo Accounts | 358,755.39 | 354,747.77 |
| Civil Legal Assistance Project | 197,923.31 | 195,251.89 |
| Treasurer of State | 553,137.87 | 546,542.39 |
| Toledo Legal News | 254,002.46 | 252,093.65 |
| Fiduciary Accounts – Civil | 7,889,090.00 | 7,180,423.01 |
| Fiduciary Account – Trusteeship | 308,885.35 | 297,027.73 |
| TOTAL | \$11,045,349.09 | \$10,292,562.06 |

CLERK OF TOLEDO MUNICIPAL COURT
Criminal / Traffic Division

| <i>Filings</i> | <i>2007</i> | | <i>2006</i> | |
|-----------------------|--------------------|--------------|--------------------|--------------|
| | Charges | Cases | Charges | Cases |
| Traffic | 70,735 | 39,585 | 61,145 | 34,281 |
| Criminal | 42,012 | 30,022 | 38,199 | 26,983 |
| TOTAL | 112,747 | 69,607 | 99,344 | 61,264 |

Revenue Collected

| | | |
|------------------|----------------|----------------|
| Fines | 1,807,567.78 | 1,670,613.25 |
| Costs and Fees | 3,299,335.15 | 2,987,410.97 |
| HITT | 16,388.10 | 17,005.11 |
| Bond Forfeitures | 32,668.00 | 16,499.00 |
| Over Payments | 34,930.48 | 36,445.58 |
| TOTAL | \$5,190,889.51 | \$4,727,973.91 |

Revenue Disbursed

| | 2007 | 2006 |
|--------------------------------------|----------------|----------------|
| City of Toledo General Fund | 2,744,533.45 | 2,536,704.75 |
| Other City of Toledo Accounts | 960,058.19 | 753,565.34 |
| Ottawa Hills | 28,142.10 | 36,786.50 |
| Washington Township | 1,760.10 | 1,332.00 |
| University of Toledo | 1845.00 | 825.00 |
| Lucas County Treasurer | 195,827.83 | 207,283.50 |
| Lucas County Sheriff | 577.50 | 251.00 |
| Lucas County Drug Fund | 37,417.50 | 20,020.17 |
| Lucas County Law Library Association | 6,802.50 | 8,664.75 |
| Toledo Area Humane Society | 75.00 | 75.00 |
| Toledo Area Metro Parks | 2,029.00 | 1,169.00 |
| Treasurer of State | 906,971.03 | 857,059.75 |
| Department of Natural Resources | 3,979.00 | 4,770.00 |
| State Pharmacy Board | 3,326.95 | 4,555.00 |
| Division of Liquor Control | 100.00 | 75.00 |
| Ohio Ethics Commission | - | 12,375.00 |
| Ohio Department of Agriculture | 150.00 | - |
| Capital Recovery Systems | 262,363.88 | 246,016.57 |
| Refunded Over Payments | 34,930.48 | 36,445.58 |
| TOTAL | \$5,190,889.51 | \$4,727,973.91 |

ASSIGNMENT OFFICE

Karen E. Wood
Assignment Commissioner

Department Description:

The primary responsibility of the Assignment Commissioner's Office is the judge assignment to criminal, traffic and civil cases as well as the setting of pretrials, trials and other hearings. The Rules of Superintendence for Municipal Courts, promulgated by the Supreme Court of Ohio, require that cases be assigned to judges in a random manner. A computer makes random assignments when a defendant enters a "not guilty" plea in criminal and traffic cases, and upon the filing of a motion or an answer in civil cases.

After a pretrial or trial date is set, the parties are notified, arrangements are made for jurors if a jury demand is filed, or for a visiting judge if needed. The department is also responsible for the daily posting and distribution of the court schedules, publishing of civil cases set for hearing and all filed motions in Legal News, and the processing of judgment and dismissal entries.

Accomplishments:

In 2007, the staff worked on a variety of projects updating the office computer system.

The figures for 2007 with comparison figures for 2006 are as follows:

| Category | 2007 | 2006 |
|--|--------|--------|
| A. Cases Assigned | | |
| Criminal/Traffic Assignments | 29,735 | 27,849 |
| Civil Assignments (including Housing) | 1,648 | 1,552 |
| | | |
| B. Cases set for Trial | | |
| Criminal/Traffic Trials | 9,632 | 10,098 |
| Civil Trials | 1,624 | 1,752 |
| Criminal/Traffic Trial Resets | 11,759 | 11,043 |
| | | |
| C. Cases set for Pretrial | | |
| Pretrial – Criminal/Traffic | 15,038 | 14,521 |
| Pretrial Resets | 3,536 | 2,518 |
| Mandatory Jury Pretrials (MJPT) | 181 | 165 |
| | | |
| D. Preliminary Hearing/Felony Arraignment Docket | 17,359 | 14,110 |
| | | |
| E. Jury Trials Set (Crim/Traff/Civil) | 295 | 356 |
| | | |
| F. Bureau of Motor Vehicle Hearings | 18 | 28 |

| Category | 2007 | 2006 |
|--|-------|-------|
| G. Evictions | 7,048 | 7,296 |
| H. Housing | | |
| Criminal Housing Trials | 383 | 340 |
| Civil Housing (Not a Draw) New Assignments | 265 | 216 |
| Rent Escrow | 63 | 130 |
| I. ALS/Innocent Owner Hearings | 49 | 62 |

Civil Assignments:

Pursuant to the Rules of Superintendence, judges are assigned on civil cases upon the filing of an answer or motion. There are instances in which judges are assigned on other than the above, such as Housing, reassignment, consolidation, assessment hearings, or transfers. The following figures represent the number of civil cases assigned during 2007 and 2006 per individual Judge:

| 2007 | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|-------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|-------|
| CAM | 28 | 12 | 29 | 17 | 29 | 27 | 16 | 23 | 12 | 27 | 24 | 21 | 265 |
| TCK | 20 | 20 | 11 | 16 | 21 | 23 | 18 | 23 | 19 | 22 | 21 | 15 | 229 |
| RGC | 12 | 19 | 17 | 18 | 24 | 22 | 18 | 19 | 15 | 19 | 19 | 14 | 216 |
| AJB | 19 | 21 | 22 | 14 | 23 | 20 | 16 | 28 | 19 | 20 | 12 | 21 | 235 |
| LHS | 19 | 20 | 18 | 19 | 20 | 16 | 19 | 23 | 12 | 24 | 27 | 12 | 229 |
| MRG | 14 | 12 | 15 | 15 | 24 | 25 | 23 | 22 | 25 | 27 | 16 | 20 | 238 |
| FXG | 21 | 20 | 17 | 21 | 18 | 19 | 19 | 29 | 17 | 24 | 12 | 19 | 236 |
| Total | 133 | 124 | 129 | 120 | 159 | 152 | 129 | 167 | 119 | 163 | 131 | 122 | 1,648 |

| 2006 | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|-------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|-------|
| CAM | 14 | 17 | 24 | 20 | 16 | 20 | 22 | 17 | 18 | 18 | 18 | 12 | 216 |
| TCK | 19 | 15 | 19 | 20 | 18 | 29 | 21 | 22 | 17 | 15 | 12 | 21 | 228 |
| RGC | 11 | 21 | 15 | 18 | 30 | 23 | 12 | 23 | 14 | 17 | 16 | 19 | 219 |
| AJB | 21 | 11 | 23 | 21 | 26 | 19 | 11 | 15 | 19 | 20 | 11 | 17 | 214 |
| LHS | 22 | 23 | 20 | 22 | 18 | 19 | 21 | 14 | 13 | 18 | 19 | 16 | 225 |
| GAZ | 20 | 19 | 23 | 22 | 19 | 21 | 21 | 16 | 10 | 19 | 18 | 20 | 228 |
| FXG | 26 | 14 | 28 | 13 | 25 | 19 | 13 | 9 | 25 | 15 | 17 | 18 | 222 |
| Total | 133 | 120 | 152 | 136 | 152 | 150 | 121 | 116 | 116 | 122 | 111 | 123 | 1,552 |

Civil Cases Set for Trial:

| Month | 2007 | 2006 |
|--------------|--------------|--------------|
| January | 128 | 160 |
| February | 136 | 113 |
| March | 165 | 143 |
| April | 133 | 145 |
| May | 161 | 157 |
| June | 148 | 170 |
| July | 115 | 155 |
| August | 137 | 161 |
| September | 122 | 147 |
| October | 147 | 150 |
| November | 136 | 137 |
| December | 96 | 114 |
| TOTAL | 1,624 | 1,752 |

Civil Motions:

A civil motion is a preliminary pleading related to procedure and point of law. In 2007, 2,976 civil motions were processed and 103 were set for Oral Motion Hearing. In 2006, 2,889 civil motions were processed and 136 were set for Oral Motion Hearing.

Civil Pretrials:

2007 1,550

2006 1,395

Civil Juries Set:

2007 87

2006 104

Mandatory Jury Pretrials:

2007 57

2006 128

Evictions:

| 2007 Evictions | Set | Reset | Judgments | Dismissals | On Desk/Continuances |
|----------------|--------------|------------|--------------|--------------|----------------------|
| January | 633 | 90 | 330 | 183 | 30 |
| February | 583 | 88 | 282 | 178 | 35 |
| March | 516 | 65 | 270 | 164 | 17 |
| April | 494 | 68 | 281 | 130 | 15 |
| May | 633 | 83 | 367 | 168 | 15 |
| June | 555 | 50 | 348 | 142 | 15 |
| July | 619 | 54 | 381 | 172 | 12 |
| August | 698 | 71 | 435 | 176 | 16 |
| September | 656 | 83 | 382 | 178 | 13 |
| October | 623 | 56 | 373 | 183 | 11 |
| November | 555 | 57 | 357 | 122 | 19 |
| December | 483 | 55 | 287 | 122 | 19 |
| Totals: | 7,048 | 820 | 4,093 | 1,918 | 217 |

| 2006 Evictions | Set | Reset | Judgments | Dismissals | On Desk/Cont./Other |
|----------------|-------|-------|-----------|------------|---------------------|
| January | 548 | 72 | 278 | 183 | 15 |
| February | 595 | 46 | 297 | 230 | 22 |
| March | 584 | 79 | 296 | 192 | 17 |
| April | 508 | 76 | 260 | 160 | 12 |
| May | 563 | 75 | 311 | 159 | 18 |
| June | 624 | 65 | 352 | 187 | 20 |
| July | 666 | 79 | 385 | 181 | 21 |
| August | 771 | 131 | 410 | 203 | 27 |
| September | 582 | 84 | 330 | 158 | 10 |
| October | 691 | 88 | 410 | 176 | 17 |
| November | 579 | 79 | 297 | 179 | 24 |
| December | 585 | 86 | 312 | 158 | 29 |
| TOTALS | 7,296 | 960 | 3,938 | 2,166 | 232 |

A tenant may deposit with the Clerk of Court all money due to a landlord (if there is a defect with the property) by filing an application in accordance with Section 5321.07 of the Ohio Revised Code.

Rent Escrow:

| | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|------|-----|-----|-----|-------|-----|------|------|-----|------|-----|-----|-----|-------|
| 2007 | 8 | 6 | 8 | 8 | 8 | 3 | 6 | 5 | 2 | 4 | 2 | 3 | 63 |
| 2006 | 11 | 4 | 9 | 8 | 9 | 9 | 12 | 11 | 19 | 8 | 17 | 13 | 130 |

Bureau of Motor Vehicle Hearings (Civil):

A Magistrate schedules BMV cases for Hearing.

2007 – 18 cases were set for Hearing.

2006 – 28 cases were set for Hearing.

Criminal and Traffic Assignments:

Upon entering a plea of “not guilty” before a judge, or in the Assignment Office, the Assignment Commissioner’s computer randomly assigns the case to a judge. Once a judge is assigned, the Assignment Commissioner’s Office sets all pretrials and trials within time limits set forth in Section 2945.71 R.C. As of 2000, most cases are set for a pretrial unless there is an issue with statutory time.

Criminal/Traffic Assignments:

| Judge | 2007 | 2006 |
|----------------|---------------|---------------|
| McConnell | 3,073 +500 | 2,897+510 |
| Kuhlman | 4,313 | 4038 |
| Christiansen | 4,389 | 4107 |
| Berling | 4,282 | 4081 |
| Schaefer | 4,351 | 4046 |
| Goulding/Zmuda | 4,440 | 4089 |
| Gorman | 4,387 | 4081 |
| | 29,735 | 27,849 |

Reactivated Cases (Sealing of Record):

| | |
|------|-----|
| 2007 | 133 |
| 2006 | 154 |

Criminal/Traffic Reset Cases

| 2007 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|--------------|-----|-----|------|-----|------|------|-----|------|-----|------|-----|------|-------|
| McConnell | 116 | 78 | 95 | 95 | 76 | 111 | 90 | 80 | 82 | 68 | 53 | 92 | 1036 |
| Kuhlman | 149 | 140 | 153 | 102 | 139 | 164 | 106 | 131 | 99 | 153 | 79 | 145 | 1560 |
| Christiansen | 94 | 164 | 192 | 196 | 269 | 226 | 226 | 224 | 159 | 190 | 124 | 223 | 2287 |
| Berling | 92 | 111 | 96 | 88 | 132 | 112 | 135 | 128 | 106 | 176 | 98 | 126 | 1400 |
| Schaefer | 142 | 160 | 161 | 188 | 131 | 118 | 119 | 94 | 139 | 126 | 104 | 103 | 1585 |
| Goulding | 193 | 124 | 184 | 175 | 187 | 136 | 202 | 216 | 180 | 162 | 89 | 96 | 1944 |
| Gorman | 182 | 130 | 129 | 142 | 105 | 144 | 107 | 153 | 142 | 291 | 207 | 215 | 1947 |
| Total | 968 | 907 | 1010 | 986 | 1039 | 1011 | 985 | 1026 | 907 | 1166 | 754 | 1000 | 11759 |

| 2006 | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|--------------|------|-----|------|-----|------|-----|-----|------|-----|-----|-----|-----|-------|
| McConnell | 109 | 62 | 108 | 117 | 187 | 85 | 157 | 93 | 84 | 123 | 60 | 126 | 1311 |
| Kuhlman | 122 | 100 | 130 | 84 | 89 | 87 | 101 | 101 | 106 | 118 | 132 | 154 | 1324 |
| Christiansen | 140 | 154 | 237 | 113 | 209 | 120 | 130 | 133 | 118 | 135 | 132 | 122 | 1743 |
| Berling | 107 | 82 | 124 | 150 | 147 | 151 | 123 | 228 | 125 | 133 | 91 | 81 | 1542 |
| Schaefer | 97 | 92 | 133 | 152 | 125 | 155 | 95 | 144 | 117 | 158 | 114 | 140 | 1522 |
| Zmuda | 176 | 129 | 169 | 102 | 152 | 128 | 103 | 147 | 119 | 202 | 136 | 116 | 1679 |
| Gorman | 249 | 204 | 169 | 153 | 184 | 155 | 139 | 195 | 126 | 124 | 128 | 96 | 1922 |
| Total | 1000 | 823 | 1070 | 871 | 1093 | 881 | 848 | 1041 | 795 | 993 | 793 | 835 | 11043 |

2007 Jury Trials (Criminal/Traffic/Civil):

| Month | Crim/Traff | Civil | Ordered | Used | No Jurors |
|--------|------------|-------|---------|------|-----------|
| Jan. | 21 | 10 | 2 | 1 | 0 |
| Feb. | 15 | 7 | 0 | 0 | 0 |
| March | 12 | 4 | 1 | 1 | 0 |
| April | 18 | 7 | 1 | 0 | 0 |
| May | 18 | 8 | 2 | 0 | 0 |
| June | 18 | 16 | 0 | 0 | 0 |
| July | 19 | 3 | 3 | 2 | 0 |
| Aug. | 24 | 5 | 0 | 0 | 0 |
| Sept. | 20 | 9 | 6 | 5 | 0 |
| Oct. | 22 | 7 | 5 | 2 | 0 |
| Nov. | 4 | 3 | 0 | 0 | 0 |
| Dec. | 17 | 8 | 2 | 2 | 0 |
| Total: | 208 | 87 | 22 | 13 | 0 |

2006 Jury Trials (Criminal/Traffic/Civil):

| Month | Crim/Traff | Civil | Ordered | Used | No Jurors |
|-----------|------------|-------|---------|------|-----------|
| January | 10 | 9 | 0 | 0 | 0 |
| February | 21 | 5 | 2 | 2 | 0 |
| March | 31 | 10 | 4 | 2 | 1 |
| April | 25 | 12 | 0 | 0 | 0 |
| May | 25 | 10 | 1 | 0 | 0 |
| June | 24 | 7 | 1 | 0 | 0 |
| July | 15 | 9 | 2 | 1 | 0 |
| August | 21 | 9 | 2 | 2 | 0 |
| September | 23 | 9 | 3 | 3 | 0 |
| October | 30 | 9 | 1 | 1 | 0 |
| November | 13 | 9 | 0 | 0 | 0 |
| December | 14 | 6 | 0 | 0 | 0 |
| Total: | 252 | 104 | 16 | 11 | 1 |

2007 Criminal/Traffic Trials 9,632

2006 Criminal /Traffic Trials: 10,098

2007 Criminal/Traffic Pretrials:

| McConnell | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|-----------------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------|
| Set | 175 | 150 | 185 | 175 | 188 | 140 | 174 | 172 | 146 | 179 | 148 | 141 | 1,973 |
| Reset | 40 | 17 | 39 | 27 | 38 | 30 | 29 | 32 | 18 | 22 | 7 | 17 | 316 |
| *MJPT | 3 | 1 | 1 | 1 | 4 | 3 | 0 | 6 | 1 | 2 | 1 | 5 | 28 |
| <u>Kuhlman</u> | | | | | | | | | | | | | |
| Set | 210 | 183 | 194 | 201 | 225 | 163 | 173 | 216 | 157 | 205 | 183 | 167 | 2,277 |
| Reset | 30 | 46 | 52 | 31 | 72 | 110 | 43 | 69 | 51 | 55 | 44 | 61 | 664 |
| MJPT | 0 | 2 | 1 | 1 | 3 | 2 | 3 | 2 | 5 | 4 | 3 | 4 | 30 |
| Christiansen | | | | | | | | | | | | | |
| Set | 196 | 188 | 203 | 180 | 231 | 174 | 201 | 217 | 178 | 224 | 188 | 139 | 2,319 |
| Reset | 37 | 85 | 47 | 28 | 54 | 66 | 39 | 54 | 27 | 49 | 35 | 43 | 564 |
| MJPT | 0 | 3 | 6 | 4 | 8 | 7 | 5 | 4 | 2 | 3 | 2 | 5 | 49 |
| Berling | | | | | | | | | | | | | |
| Set | 151 | 154 | 162 | 143 | 181 | 120 | 163 | 178 | 102 | 168 | 106 | 126 | 1,754 |
| Reset | 27 | 95 | 31 | 42 | 30 | 34 | 45 | 18 | 25 | 30 | 13 | 25 | 415 |
| MJPT | 0 | 1 | 0 | 0 | 3 | 2 | 1 | 0 | 1 | 0 | 0 | 0 | 8 |
| Schaefer | | | | | | | | | | | | | |
| Set | 173 | 179 | 215 | 157 | 200 | 183 | 155 | 202 | 183 | 242 | 201 | 152 | 2,242 |
| Reset | 31 | 33 | 31 | 80 | 33 | 53 | 59 | 34 | 53 | 62 | 29 | 44 | 542 |
| MJPT | 2 | 5 | 3 | 6 | 6 | 1 | 2 | 0 | 2 | 3 | 0 | 3 | 33 |
| Goulding | | | | | | | | | | | | | |
| Set | 199 | 180 | 207 | 181 | 248 | 193 | 199 | 214 | 168 | 234 | 190 | 185 | 2,398 |
| Reset | 72 | 62 | 53 | 59 | 44 | 46 | 75 | 50 | 45 | 38 | 20 | 27 | 591 |
| MJPT | 2 | 1 | 1 | 4 | 4 | 2 | 6 | 3 | 1 | 1 | 1 | 0 | 26 |
| Gorman | | | | | | | | | | | | | |
| Set | 188 | 153 | 189 | 183 | 201 | 190 | 185 | 166 | 152 | 175 | 149 | 144 | 2,075 |
| Reset | 28 | 20 | 26 | 28 | 20 | 55 | 24 | 34 | 23 | 88 | 35 | 63 | 444 |
| MJPT | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 2 | 0 | 0 | 1 | 1 | 7 |
| Total Set | | | | | | | | | | | | | 15,038 |
| Total Reset | | | | | | | | | | | | | 3,536 |
| Total MJPT | | | | | | | | | | | | | 181 |

*Mandatory Jury Pretrials

2006 Criminal/Traffic Pretrials

| | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total |
|---------------------|------|------|------|------|-----|------|------|------|-------|------|------|------|--------|
| McConnell | | | | | | | | | | | | | |
| Set | 169 | 144 | 174 | 156 | 157 | 191 | 150 | 176 | 116 | 147 | 135 | 140 | 1855 |
| Reset | 13 | 22 | 15 | 16 | 34 | 29 | 21 | 21 | 18 | 48 | 17 | 24 | 278 |
| *MJPT | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Kuhlman | | | | | | | | | | | | | |
| Set | 217 | 173 | 214 | 164 | 185 | 177 | 176 | 215 | 155 | 217 | 158 | 152 | 2203 |
| Reset | 29 | 26 | 17 | 46 | 34 | 51 | 72 | 45 | 49 | 100 | 32 | 67 | 568 |
| MJPT | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Christiansen | | | | | | | | | | | | | |
| Set | 184 | 188 | 221 | 163 | 207 | 186 | 174 | 205 | 166 | 212 | 165 | 162 | 2233 |
| Reset | 20 | 23 | 29 | 37 | 71 | 36 | 57 | 44 | 59 | 63 | 44 | 57 | 540 |
| MJPT | 4 | 3 | 3 | 7 | 3 | 3 | 6 | 11 | 4 | 17 | 6 | 4 | 71 |
| Berling | | | | | | | | | | | | | |
| Set | 183 | 130 | 162 | 128 | 164 | 154 | 123 | 161 | 143 | 142 | 138 | 144 | 1772 |
| Reset | 41 | 24 | 30 | 33 | 21 | 41 | 19 | 55 | 30 | 35 | 31 | 30 | 390 |
| MJPT | 1 | 6 | 4 | 3 | 3 | 1 | 4 | 2 | 2 | 3 | 2 | 3 | 34 |
| Schaefer | | | | | | | | | | | | | |
| Set | 193 | 180 | 210 | 155 | 196 | 195 | 176 | 190 | 164 | 171 | 147 | 141 | 2118 |
| Reset | 13 | 5 | 11 | 20 | 36 | 35 | 21 | 28 | 27 | 25 | 29 | 20 | 270 |
| MJPT | 8 | 3 | 2 | 4 | 3 | 2 | 0 | 6 | 2 | 2 | 0 | 3 | 35 |
| Zmuda | | | | | | | | | | | | | |
| Set | 207 | 182 | 202 | 173 | 185 | 211 | 176 | 199 | 174 | 177 | 184 | 159 | 2229 |
| Reset | 14 | 8 | 29 | 15 | 27 | 19 | 12 | 19 | 19 | 26 | 37 | 17 | 242 |
| MJPT | 6 | 2 | 1 | 2 | 1 | 1 | 0 | 1 | 1 | 3 | 2 | 1 | 21 |
| Gorman | | | | | | | | | | | | | |
| Set | 199 | 167 | 206 | 171 | 194 | 173 | 188 | 170 | 157 | 149 | 175 | 162 | 2111 |
| Reset | 22 | 22 | 9 | 12 | 17 | 29 | 12 | 39 | 12 | 25 | 18 | 13 | 230 |
| MJPT | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Total Set | | | | | | | | | | | | | 14,521 |
| Total Reset | | | | | | | | | | | | | 2,518 |
| Total MJPT | | | | | | | | | | | | | 165 |

2007 Criminal/Traffic Pretrials:

2007 Total Pretrials Set: 15,038
 Total Pretrials Reset: 3,536
 Total Jury Pretrials: 181

2006 Criminal/Traffic Pretrials:

2006 Total Pretrials Set 14,521
 Total Pretrials Reset: 2,518
 Total Jury Pretrials: 165

2007 Totals of Traffic/Criminal sets, resets, pretrials, Pretrial resets, Jury trials and jury pretrials: **40,354**

2006 Totals of Traffic/Criminal sets, resets, pretrials, Pretrial resets, Jury trials and jury pretrials: **38,597**

Goals for 2008:

In 2008, the office will continue to work with the Clerk's Office and NORIS on mutually beneficial projects, such as merging information systems and improving reports and assignment consolidations. The office will also experience some staff changes due to retirement.

Staff Summary:

The current staff consists of:

Karen E. Wood, Assignment Commissioner

Terri Burke, Senior Assignment Clerk

Joyce Straka, Assignment Clerk

Valerie Hobbs, Assignment Clerk

Wanda Butts, Assignment Clerk

Laura Burnham, Assignment Clerk

Linda Hill, Assignment Clerk

Janet Hegedus, Assignment Clerk

CIVIL BAILIFF

Michael Kessler
Assistant Chief Civil Bailiff

Department Description:

The Civil Bailiff Department serves all legal documents of the Clerk of Court's Civil Branch as required by law. The Ohio Revised Code and local court rules require a party to be served personally. The Civil Bailiff also files a return or disposition with the Clerk of Court's Civil Branch.

The Civil Bailiff Department provides valuable assistance to citizens who have obtained judgments. This is accomplished by assisting them in enforcing their judgments through such means as wage garnishments, bank accounts attachments, and other personal property attachments allowed under civil law. Court ordered evictions are also personally supervised by the Civil Bailiffs, whose duties include recovering personal property unlawfully held and conducting sales of judgment debtor's property to provide funds to satisfy monetary awards. Statutory authority governs the duties of the Bailiffs, and innovations are possible only through legislative change.

Accomplishments:

In 2007, the Civil Bailiffs office started working cooperatively with the Division of Solid Waste and the Department of Neighborhoods to track when and where evictions are taking place. The benefit of this is to keep the community clean, while not violating the law that governs the defendant's rights.

During the month of August, a study was conducted to see if the monthly mileage allowance needed adjustment due to the sharp increase in fuel cost. An increase in the monthly allowance was approved by the Judges. The last adjustment was in 2000. It was concluded that studies need to be performed more frequently to account for the impact of rising fuel costs.

Currently, the Civil Bailiffs office is participating in a study to identify ways to be more effective and responsive to the needs of the public. The Department is working with Mark Frater of LeanFirm in an effort to streamline operations. Mr. Frater has reviewed both office and field procedures to better understand the different functions of the Civil Bailiff Department. The results of the study may identify some initiatives that are not currently part of the Department's goals and objectives for 2008.

The Civil Bailiffs are proud to provide efficient, professional service to the consuming public of the Toledo Municipal Court. The Department has provided exemplary service by handling public relations, telephone calls, and media contacts in a business-like manner. One way the Department's success can be measured is by comparing the number of Court orders successfully served against the total number of Court orders issued. The Department takes great pride that the service level exceeded 86% in 2007. The Civil Bailiff Department served 37,986 Court orders, compared with 38,242 in 2006. This represents a small decrease from 2006 levels of court filings; although there has been a significant increase in court-filed Executions in 2007, resulting in an increase in monies collected by the Bailiff's office. This type of paper requires more time and personal skills on the Bailiff's part to ensure payment by the defendant. The Department conducted two Bailiff sales in 2007 netting over \$30,000.00 towards the plaintiff's judgment amounts.

Goals for 2008:

- Implementing modern technologies to enhance Department efficiency
 - Computerized mapping services
 - Computerize office Writ book
 - Computerized all district log books
- Training
 - Effective use of Pepper spray
 - LEADS certification for more staff
 - Updated self-defense techniques
- Policy Development
 - Finalize Eviction procedures of mobile homes
 - Handling of prescription drugs found during Evictions
 - Updating the Department manual with all new and revised policies of the Court

We look forward to meeting the needs of the Court and our community in 2008.

Staff Summary:

The 2007 Civil Bailiff Department consists of the following staff:

Michael Kessler, Assistant Chief Bailiff

Dave Baz, Deputy Bailiff

Marion Cary, Deputy Bailiff

Yvonne Harper, Deputy Bailiff

Diana Irish, Deputy Bailiff

Michael Isenberg, Deputy Bailiff

Mary Johnson, Deputy Bailiff

Ann Mauder, Deputy Bailiff

Tiffany Phenix, Deputy Bailiff

Butch Ritter, Deputy Bailiff

James Roman, Deputy Bailiff

Kevin Smith, Deputy Bailiff

2007 CIVIL BAILIFF DEPARTMENT STATISTICS

| | <u>2007</u> | <u>2006</u> |
|---|-------------|-------------|
| Summons – Received ----- | 3,149 | 3,112 |
| Summons – No Service ----- | 154 | 170 |
| Proceeding in Aid – Received ----- | 2,414 | 1,995 |
| Proceeding in Aid – No Service ----- | 1,074 | 847 |
| Subpoenas – Received ----- | 628 | 640 |
| Subpoenas – No Service ----- | 111 | 96 |
| Bench Warrants – Received ----- | 119 | 162 |
| Bench Warrants – Returned want of assistance ----- | 72 | 61 |
| Bench Warrants – Outstanding ----- | 8 | 43 |
| Garnishees – Respondents Served ----- | 6,953 | 6,523 |
| Garnishees – Defendants Served ----- | 5,426 | 4,236 |
| Garnishees – Mail Service ----- (To notify Defendants on bank account attachments in accordance with federal law) | 2,391 | 2,059 |
| Garnishees – Foreign Service ----- (Mail to Respondents outside of Lucas County) | 658 | 671 |
| Garnishees – No Service ----- | 211 | 228 |
| Landlord Complaints ----- | 8,147 | 8,444 |
| Landlord Complaints – No Service ----- | 164 | 222 |
| Writ of Restitution Served ----- | 3,867 | 3,960 |
| Returned for want of assistance ----- | 2,268 | 2,367 |
| Returned for request of plaintiff ----- | 505 | 633 |
| Cause to vacate ----- | 418 | 330 |
| Evicted ----- | 676 | 630 |
| Writ of Restitution – Mailed – 5 Day Notice ----- | 3,867 | 3,960 |
| Execution – Worked ----- | 365 | 184 |

| | <u>2007</u> | <u>2006</u> |
|--|---------------------|--------------------|
| Replevin – Worked ----- | 2 | 8 |
| Bailiff Sales Held ----- | 2 | 1 |
| Total Legal Documents Processed ----- | 37,986 | 38,242 |
| | | |
| Money caused to be collected on Execution | \$377,134.86 | \$193,029.32 |
| Money caused to be collected on Bench Warrants | <u>\$ 74,879.85</u> | <u>\$40,139.12</u> |
| Total: | \$452,014.71 | \$329,436.03 |

COURT REPORTERS

Sandra J. Ackerman
Chief Court Reporter

Department Description:

The Court Reporters of the Toledo Municipal Court are responsible for the production of verbatim stenographic records of preliminary hearings and of all trials in the traffic, criminal and civil branches of the Court. We also provide records of motions, arraignments, sentencings, pleas and waivers, and cases processed by the Probation Department. It is also often necessary to retain the exhibits that may be introduced and admitted at trial until the appeal time of forty (40) days has expired. All stenographic notes, cassette tapes, CDs and exhibits are kept five years and then destroyed.

A Transcript of Proceedings is the finished product of the department. It is used either in further court proceedings, in civil lawsuits or in trials which are appealed. In cases which are appealed, the Court Reporters must follow specific rules as set forth by the Court of Appeals.

Each Judge, when in their own courtroom, has one jury day per week and there are generally five or six jury trials scheduled for that day. Should more than one of the cases be ready to proceed to a jury trial, the case with the oldest case number would take precedence and the other cases would then be rescheduled. Jury trials are usually concluded in a day's time. Generally a trial to the Court is requested rather than a jury trial.

Accomplishments:

In July, the Court began to use new digital recording technology known as Jefferson Audio/Visual Systems or JAVS. This is a computer-based process for recording, annotating, and managing court records. The JAVS system is used in Criminal and Traffic Arraignment Court and Duties Court (both non-trial courtrooms) and in Small Claims Court. This method of recording is supported by the Judges and provides a substantial savings to the Court. Outside court reporting services are used when conflicts in scheduling occur.

There were thirteen juries seated in 2007 and fourteen jury trials in 2006. The following is a breakdown of the jury trials presided over by each respective Judge.

2007

Judge Amy J. Berling – None
Judge Robert G. Christiansen – Sept.
Judge Francis X. Gorman – July, Oct.
Judge Michael R. Goulding – Jan., Sept.
Judge Timothy C. Kuhlman – Sept., Dec. (2)
Judge C. Allen McConnell – Mar., Oct.
Judge Lynn H. Schaefer – July (2) Sept.

2006

Judge Amy J. Berling – Mar.
Judge Robert G. Christiansen – Feb. (2), Mar., Apr.
Judge Francis X. Gorman - None
Judge Timothy C. Kuhlman – July, Aug., Sept.
Judge C. Allen McConnell – Mar., Aug., Sept.
Judge Lynn H. Schaefer – Mar., Sept.
Judge Gene A. Zmuda – Jun.

Goals for 2008:

Our goal as Court Reporters in 2008 will be to continually strive to work with the latest JAVS technology and our department's own computer-aided transcription, also known as CAT, to provide the best possible service to attorneys and the public.

Staff Summary:

There are seven Court Reporters at Toledo Municipal Court each assigned to their own Judge. The following is a breakdown of the Court Reporters according to seniority and the Judge to whom they are presently assigned. Sandra J. Ackerman, assigned to Judge Amy J. Berling; Patricia Lindsey-Schmidlin, assigned to Timothy C. Kuhlman; Kenneth P. Gallaher, assigned to Judge Francis X. Gorman; Lori Hauenstein, assigned to Judge C. Allen McConnell; Diana A. Ziegelhofer, assigned to Judge Lynn H. Schaefer; Carol H. Thomas, assigned to Michael R. Goulding and April Vickers, assigned to Judge Robert G. Christiansen.

On behalf of the Court Reporters, I would like to thank all Judges and court personnel for the continued assistance and support to our department.

LAW CLERK/BAILIFF

Carrie Connelly
Chief Courtroom Bailiff

Department Description

The Law Clerk/Bailiff Department is comprised of seven full-time employees, each assigned to an individual Judge of the Toledo Municipal Court. The Law Clerk/Bailiff works closely in and out of the courtroom with their respective Judge, and solely at that Judge's discretion.

Services Provided

Duties of each Law Clerk/Bailiff vary from Judge to Judge. In the courtroom, each Law Clerk/Bailiff organizes and coordinates the daily docket to ensure efficiency. This might include calling cases, reading affidavits to the Judge or to a defendant, posting entries, communicating with prosecutors, public defenders, defense attorneys, witnesses, jurors, departments within the Municipal Court, and the general public, and working with deputy sheriffs when a defendant is in custody.

Another responsibility includes the keeping of records of assigned cases as required by the Ohio Supreme Court Rules of Superintendence. These records are submitted to the Ohio Supreme Court every month. This report includes statistics of cases that are assigned to each Judge for trial. The monthly report also categorizes cases by case type (e.g., traffic, criminal, civil, etc.) and how each case is terminated (e.g., no contest plea, dismissal, unavailability of defendant, etc.). The Ohio Supreme Court Individual Judge monthly report does not reflect cases that are terminated prior to the setting for trial. In three weeks of a seven-week rotation, the Judges' dockets are devoted to resolving cases at the arraignment, preliminary hearing or pretrial stages. The other four weeks are used for trials.

In an average trial week, the Judges may individually resolve 55 to 95 criminal and traffic cases that are set for trial, 10 to 25 criminal and traffic cases that are set for pre-trial and 10 to 25 civil cases set for trial.

In 2007, in accordance with the Ohio Supreme Court's directives, the Law Clerks conducted the sixth 'rolling inventory' of assigned pending cases. The rolling inventory was conducted over a period of two weeks with each Judge's inventory taking place on a specific assigned date. For the first time, the inventory was completed using a laptop computer and a case scanning gun. This method of inventory was very efficient, requiring only the Judge's Law Clerk, and a second Law Clerk to create an electronic record of cases inventoried as pending. The time taken for the inventory was reduced tremendously. The Law Clerk then compares the records from the physical inventory to their individual records to reconcile a precise count of the current assigned pending cases for each Judge.

Goals for 2008:

In 2008, the Law Clerks strive for continuous improvement to ensure efficiency and organization in the handling of courtroom dockets. The Law Clerks look forward to working together in the upcoming year to provide invaluable assistance to all seven Municipal Court Judges.

Staff Summary:

In 2007, the Law Clerk/Bailiff Department welcomed three new Law Clerks into the department: James Anderson with Judge McConnell, Chris Kimberly with Judge Kuhlman, and Matt Simko with Judge Christiansen.

CITIZENS DISPUTE SETTLEMENT PROGRAM

James Petas
Senior Mediator

Department Description

The Citizens Dispute Settlement Program (CDSP) of the Toledo Municipal Court provides the people of Toledo an alternative means of resolving disputes. By using mediation, counseling techniques, and conciliation, citizens are empowered to settle disputes that would otherwise be included in the traditional court system.

Mediation is an effective means for resolving disputes. With the help of a neutral third party, participants often reach mutually accepted agreements. In mediation, avenues of communication are opened which permit the participants to more clearly understand themselves, each other, and the situation. Since the participants themselves craft these agreements, there is a greater likelihood that the agreement will be successfully implemented. The mediation process is especially helpful when the participants have an ongoing relationship such as family members, friends, neighbors, or business associates.

Services Provided

The staff members of CDSP conduct mediations. Mediations are also conducted by volunteer attorneys from the Toledo Bar Association who have been trained as mediators. Students from the University of Toledo Law School's Alternative Dispute Resolution class also conduct small claims mediations.

Cases are referred involving misdemeanor behavior such as menacing, criminal damaging, disturbing the peace and theft. These cases can be referred at any point, including before any charges are filed, at a pre-trial conference or even at trial.

Civil cases are referred to mediation by the assigned judge or may be requested by the parties themselves or their attorneys.

Rent Escrow cases are also screened first for mediation. If the dispute is resolved through mediation, the escrowed rent is released. If the case is not resolved or if the mediation agreement is not successfully implemented, the case is continued to the Housing Court Magistrate's docket.

"Same Day" Mediation for small claims cases was initiated in October 1994. As individuals appear for their scheduled Small Claims hearing, they are presented the option of mediating their dispute that same day. If both parties agree, "Same Day" mediation is conducted rather than the parties appearing before the magistrate. If a resolution is not reached through mediation, the magistrate hears the case that day as scheduled.

The Check Resolution Service was instituted in October 1993. Individuals or businesses wishing to file a criminal charge for bad checks are referred to the Check Resolution Service before charges are filed. A \$15.00 filing fee per each endorser (check-writer) is paid by the complainant. The endorser is notified of the complaint and a mediation date is scheduled between the endorser and complainant. At the mediation the endorser has the opportunity to reimburse the complainant the amount of the check plus the \$15 filing fee. If the Check Resolution Service is not successful in resolving the matter, the complainant is referred to the bad check squad of the Toledo Police Department. Check Resolution Service has a sub-component, Collection Mediation Program, that assists businesses in collecting bad debt that is not in check form. The procedure follows the same method used in Check Resolution and requires a \$15.00 registration fee.

Accomplishments:

In 2007, the Citizens Dispute Settlement Program remained committed to providing the Toledo Municipal Court and community with excellence in mediation. This goal is reached through the Court’s and CDSP’s commitment to improvement and quality. In 2007, Senior Counselor James Petas was appointed co-chairman of the Toledo Bar Associations’ Alternative Dispute Resolution Committee. Additionally, in 2007 CDSP has accomplished the following:

- Participated in continuing education with the Supreme Court of Ohio.
- Mediator and attorney Susan Monro was hired in August 2008 to replace mediator Nancy Rank.
- Fees were added to the Collection Mediation Program and fees were increased to the Check Resolution Program to mirror other Ohio court fee scales.
- Toledo Bar Association, Better Business Bureau & CDSP joined efforts in May of 2007 to offer “Mediation/Negotiation” seminar.
- The Check Resolution Program started implementing new software to respond to the high number of cases processed. The system is projected to reduce the administrative/scheduling time by 50%.

CDSP and The University of Toledo College of Law continue to work together through the civil mediation internship program. Citizens Dispute also conducts training for graduating Toledo Police Officers and county emergency operators to educate them on the dynamics of mediation and how to access the service.

Statistics for 2007, with statistics from 2006 for comparison, are provided below.

| <u>Type Of Case</u> | <u>2006</u> | <u>2007</u> |
|----------------------------|---------------------|--------------------|
| | Success Rate | |
| Civil cases: | 67% | 67% |
| Adjudicated: | 84% | 60% |
| Pre-Adjudicated: | 92% | 91% |
| Housing: | 75% | 74% |
| Small Claims: | 55% | 63% |

| | | |
|---|--------------------|--------------------|
| <u>Dispute Resolution- Case Types Referred</u> | <u>2006</u> | <u>2007</u> |
| Assault | 89 | 78 |
| Menacing | 115 | 112 |
| Criminal Damage | 72 | 53 |
| Theft | 75 | 39 |
| Harassment | 8 | 22 |
| Neighborhood Dispute | 30 | 16 |
| Telephone Harassment | 26 | 24 |
| Criminal Trespassing | 10 | 7 |
| Landlord/Tenant | 26 | 24 |
| Stalking | 2 | 2 |
| Other | 80 | 63 |
| <u>Civil Case Mediation Results</u> | <u>2006</u> | <u>2007</u> |
| Total Referred | 126 | 117 |
| Mediation: Agreement | 64 | 62 |
| No Agreement | 32 | 30 |
| CDSP involvement/No mediation | 27 | 15 |
| Pending | 3 | 10 |
| Mediation Agreement % | 67% | 67% |
| <u>Adjudicated Case Mediation Results</u> | <u>2006</u> | <u>2007</u> |
| Total Referred | 62 | 72 |
| Mediation: Agreement | 31 | 26 |
| No agreement | 6 | 17 |
| FTA to Notice | 4 | 2 |
| CDSP involvement/No mediation | 13 | 17 |
| Pending | 8 | 10 |
| Mediation Agreement % | 84% | 60% |
| <u>Pre-Adjudicated Mediations</u> | <u>2006</u> | <u>2007</u> |
| Total referred | 472 | 380 |
| Mediation: Agreement | 183 | 135 |
| No agreement | 16 | 13 |
| FTA to notice | 156 | 128 |
| CDSP involvement/No mediation | 75 | 62 |
| Make File Only | 34 | 34 |
| Pending | 5 | 8 |
| Mediation Agreement % | 92% | 91% |
| <u>Housing Mediations</u> | <u>2006</u> | <u>2007</u> |
| Total referred | 116 | 105 |
| Mediation: Agreement | 55 | 48 |
| No agreement | 18 | 17 |
| FTA to notice | 11 | 6 |
| CDSP involvement/No mediation | 22 | 21 |
| Pending | 1 | 3 |
| Mediation Agreement % | 75% | 74% |

| <u>Small Claims/Same Day Mediation</u> | <u>2006</u> | <u>2007</u> |
|---|--------------------|--------------------|
| Total referred | 99 | 115 |
| Mediation: Agreement | 55 | 72 |
| No agreement | 44 | 43 |
| Mediation Agreement % | 55% | 63% |

| <u>Check Resolution Mediations (CRS)</u> | <u>2006</u> | <u>2007</u> |
|---|--------------------|--------------------|
| Total referred | 1,982 | 2,250 |
| Funds generated | \$23,790 | \$32,397 |
| Collection Mediations | 453 | 3 |

| | | |
|--|-----|-----|
| <u>Total number of cases referred</u> (Minus CRS) | 875 | 874 |
|--|-----|-----|

Goals for 2008

Through additional mediation education, Citizen's Dispute will improve and continue to provide professional mediation services. CDSP hopes to educate court users and the public on the positive impact of mediation along with seeking additional opportunities in the court process to mediate. In 2008 Citizens Dispute and the Alternative Dispute Resolution Committee of the Toledo Bar Association plan to offer a negotiation/mediation seminar on "Overcoming Impasse". Of the hundreds of post mediation evaluations collected, 90% were happy with the mediation process and would recommend it to others. The department remains committed to making mediation more available and user friendly to the Court and its users.

Staff Summary

The Citizen Dispute Staff consists of Senior Mediator James Petas, Mediators Bonnie Schrock and Susan Monro (who job share one position) and Intake Secretary Susan Padilla.

PROBATION DEPARTMENT

Kim E. Oats
Chief Probation Officer

Department Description

Probation is a court-imposed sanction that “releases a convicted offender into the community under a conditional suspended sentence”. The Toledo Municipal Probation Department exists under the authority of the Toledo Municipal Court Judges. The mission of the Probation Department “is to serve, in a professional manner, the Court, the community and defendants in the areas of investigation, rehabilitation and behavior monitoring.”

Unlike other divisions of the court, Probation provides services beyond the jurisdiction of the court. The Alternatives Program and the Intensive Supervision Program are available to any resident of our general area that needs to complete such a program under court order. Other courts in Ohio have made referrals to these programs.

The overall management of the department rests with Chief Probation Officer Kim E. Oats. Daily operation and coordination of the Units falls to the Assistant Chief Probation Officer Tammy M. Harris. The Chief is a member of the Ohio Chief Probation Officers Association and the National Association of Probation Executives.

In May, 2007, the probation department restructured the three units of Probation Officers. The new units are the Pre-Sentence Investigation Unit which is supervised by Joe Moran; the Supervision Unit, supervised by Randolph Nelson; and the Specialized Services Unit supervised by Eddie Norrils. The unit supervisors also absorbed the License Intervention Specialist and the Intake Clerk which were previously supervised by the Chief and Assistant Chief of Probation.

Services Provided

The Probation Department provides several services to the court in handling criminal and traffic cases. The department is responsible for providing a pre-sentence report that includes background information on a defendant and information about his/her offense. The Court, in determining appropriate sentencing, uses this information. Probation becomes involved in requests for restitution, drug testing, competency evaluations, electronic monitoring, intensive supervision, community service, alternative programs, remedial driving education, and Work Release referrals.

The department also serves as a rehabilitative arm of the court. A major effort in this regard is made through the court imposing a term of probation as part of a sentence. When probation is ordered, a treatment plan is developed and a probation officer monitors the defendant's behavior for compliance with that plan. Plans may include treatment of alcohol or drug abuse, psychological counseling, restitution, drug testing, obtaining a driver's license, or other conditions.

Probation Officers are organized into three units: Special Services, Pre-sentence Investigations, and Supervision. Within each unit, the officers serve as backup for each other to allow for ongoing operation of all programs. In the event that coverage is not adequate, the Unit Supervisor also serves as backup to the positions within the unit.

Unit Supervisor Eddie Norrils supervises those probation officers assigned to the Special Services unit. One of the special programs in the probation department is the Alternatives Program. The Alternatives Program provides a diversion option to criminal first offenders through an educational program. Probation Officers Lori Donovan and Jodi Packard handle referrals for the Alternatives Program and facilitate the group sessions.

Mr. Norrils' also supervises Mark Klapper, the Probation Officer assigned to the Intensive Supervision Program (ISP). The Intensive Supervision Program Officer is a specialized assignment that is funded by a grant from the State of Ohio, Bureau of Community Sanctions. ISP is intended to divert offenders who are serving long sentences at CCNO. The program must meet standards set by the Community Corrections Act and is audited yearly by the state regarding compliance. Fiscal Year 2006 was audited on December 19, 2007 and received a compliance score of 100%.

Jennifer Friddell is the Community Service Probation Program (CSPP) Officer and also monitors Electronic Monitoring. Mrs. Friddell is supervised by Mr. Norrils. The CSPP program addresses the needs of the court, the community, and the defendant by providing defendants an opportunity to do community service work in lieu of fines or jail time.

Mr. Norrils also supervises two supervision officers, Gary Colton and Theresa Braddy.

Joe Moran supervises the Pre-sentence Investigation Unit. Probation Officers assigned to this unit are Charlie Pfeifer, Laura Berling, Cathy Freeh, and Sean O'Conner. The Pre-sentence Investigation Unit is responsible for completing all PSI's referred to the department, complete record checks ordered by the court and make all referrals for competency evaluations. In addition, these officers have a caseload of inactive supervisions.

In addition to the above officers, Mr. Moran also supervises Lisa Palm-Kuebler, the License Intervention Specialist. Lisa monitors the License Intervention Program (LIP) which services those individuals who are in need of limited driving privileges, reinstatement fee payment plans, immobilization or release of vehicles, information on the restoration of suspended license, information on remedial driving courses, and informing the court on the status of a defendants' driver's license.

Also supervised by Mr. Moran is the Intake Clerk, Shirley Goodar. Ms. Goodar assists the department by signing up all inactive probation cases as well as acts as a back up in the absence of the License Intervention Specialist.

The Supervision Unit is the third unit in the Probation Department. Unit Supervisor Randolph Nelson supervises Probation Officers Anthony Bouyer, Kerry Konzen, Megan Stevens, Mark Steude and Markus Whitehead. Each officer is assigned all active probation cases referred to the department. Currently each officer supervises an excess of 500 cases.

The Support Services Unit provides secretarial and clerical support for the department. Barbara Cameron is the Administrative Secretary and supervises the clerical staff. Probation Secretaries within the department are Mary Baker, Idell Daniels, Darlene Jimenez, Martha Grabarkiewicz, Chris Sheppard, and Valerie Waggoner.

Accomplishments

The Probation Department continues to utilize and update Probation application software, which is the case management system used to complete forms and track clients. The software is under continuous development and in December moved to Version 11 of ProLaw software.

Probation fees have increased to \$10 per month for each month the offender is on probation. This increase affects all active and inactive cases referred to the probation department. Those offenders who have their probation extended will be charged an additional amount for each month that probation is extended.

In July, the judges approved a new format for pre-sentence investigations. The new format became effective in August, 2007, and now includes a face sheet which gives a demographic snapshot of the offender, his/her picture, and his/her criminal history.

Additional developments that are still under way include an automated process for the assignment of cases.

The department has utilized probation fees to send officers to various trainings and conferences. During the past year, the probation staff has accumulated 432.75 training hours. Supervisors, officers and secretaries attended office training and probation training in the areas of Probation Security, Managing the Change, Sex Offender Supervision, Dual Diagnosis, Domestic Violence, and Managing Personnel, Managing Threats, Clinical Supervision, Performance Evaluations, Motivating Staff, and Clinical Issues in Recovering.

Additional use of probation fees includes ordering new furniture and file shelves for all of the probation staff and the use of temporary clerical staff.

Goals for 2008:

1. **Revise the probation department policies and procedures.** Since the probation department units were restructured in 2007 policies and procedures must be revised to coincide with the changes in how cases are assigned and monitored as well as how the new processes affect personnel.
2. **Implement tracking system for the License Intervention Program.** Currently not all work conducted by the License Intervention Specialist is tracked for statistical purposes. While ProLaw may be able to track the data that is entered into the system, it does not track the additional work that the LIS encounters on a daily basis. This includes walk-ins by clients and attorneys or other cases that may not be court ordered for probation services.
3. **Investigate and implement effective means to reduce supervision caseloads.** Currently the department is reviewing the use of a kiosk for offenders reporting for appointments and to pay restitution. The purpose of the kiosk is reducing officers' caseloads by having those offenders identified as low supervision level report to the kiosk. All information obtained should flow directly to the probation application software.

Staff Summary:

As of December 31, 2007 there are 29 staff positions in the Probation Department: the Chief Probation Officer, Assistant Chief Probation Officer, 3 Unit Supervisors, 1 Administrative Secretary, 15 Probation Officers, 6 Probation Secretaries, the Scheduling/Intake Clerk, and the License Intervention Specialist.

Two new Probation Officers were hired this past year, Theresa Braddy and Mark Steude, due to the retirement of Kenneth Roberts and the resignation of Susan Russell, respectively.

STATISTICAL REPORT

| INTAKE SERVICES: | <u>2006</u> | <u>2007</u> |
|--|---------------|---------------|
| <u>*Cases Referred to Probation:</u> | | |
| Traffic | 5746 | 6283 |
| Criminal | 6345 | 7155 |
| Other Area Courts | 96 | 88 |
| Total | <u>12,237</u> | <u>13,526</u> |
| Defendants Placed on Probation | 5,081 | 5,620 |
| Released/Terminated | 1,972 | 5,342 |
| Court Reviews | | 1,235 |
| Pre-sentence Referrals Requested | 3660 | 5736 |
| <u>Offenders on Probation</u> | | |
| Active Probation | 2675 | 2690 |
| Inactive Probation | <u>2406</u> | <u>2930</u> |
| Total Probation | 5,081 | 5,620 |
| SPECIAL SERVICES: | | |
| EMU REFERRALS | 167 | 381 |
| CSPP PROGRAM | | |
| Total CSPP Referrals | 376 | 1,108 |
| Insurance Fees Collected on CSPP Cases | \$10,201 | \$6,409 |
| Total CSPP Hours Ordered* | 51,619 | 60,737 |
| Total CSPP Hours Completed* | 19,993 | 13,532 |

*Some offenders may have more than one case referred to probation

ALTERNATIVES PROGRAM:

| | <u>2006</u> | <u>2007</u> |
|------------------------|-------------|-------------|
| Total cases processed | 1415 | 1180 |
| Unsuccessful | | 318 |
| Sealed (Successful) | 482 | 515 |
| Carried into next year | 111 | 347 |

RED/IMMOBILIZATION PROGRAM:

| | | |
|-------------------------|-----|------|
| Immobilizations | 427 | 177 |
| Releases | 315 | 271 |
| RED Referrals | 864 | 1110 |
| Valid Licenses Obtained | 315 | 238 |

DISTRICT COURT SERVICES PROGRAM:

Referrals To Alternative Program

| | | |
|------------|-----------|-----------|
| Sylvania | 9 | 14 |
| Maumee | 14 | 7 |
| Oregon | 0 | 0 |
| Perrysburg | <u>33</u> | <u>45</u> |
| Total | 56 | 66 |

FINANICAL INFORMATION

| | <u>2006</u> | <u>2007</u> |
|-------------|-------------|-------------|
| Restitution | \$80,192.97 | \$84,412.96 |
| * Surcharge | | \$ 3283.10 |

ENVIRONMENTAL COURT

Judge C. Allen McConnell
Housing Court

Court Description:

The Toledo Municipal Housing & Environmental Court was created pursuant to legislation enacted on January 27, 1987, by the General Assembly. Toledo is one of three Housing Courts in the State of Ohio and its purpose is to consolidate all housing matters into one court covered on the docket of one Judge.

On January 6, 2000, Judge C. Allen McConnell was sworn-in as the Housing and Environmental Court Judge to fill the vacancy created by the retirement of Judge Roger R. Weiher. Judge McConnell was sworn-in for his second term commencing January 1, 2006.

In addition to the Housing Court docket, the Housing Court Judge also handles his proportionate share of regular criminal and traffic docket. He and the six other Judges rotate, serving one week in each of the three mandatory courts: misdemeanor arraignments, felony arraignments, and duties. Duties is a catch-all court handling all prosecutor pre-trials scheduled that week; any misdemeanor matter unassigned such as, defendants who turn themselves in because a bench warrant had been issued for them; people who want to marry; issuing search warrants, etc.

The Environmental Court has both civil and criminal dockets. The civil docket includes matters involving landlord-tenant disputes known as Forcible Entry and Detainer actions (FEDs), rent escrows under Chapters 1923 and 5321 of the Ohio Revised Code, any civil actions filed by the City of Toledo for a temporary restraining order to abate a nuisance, receivership appointments to abate a nuisance and motions for stays of eviction or temporary restraining orders.

The Housing Magistrate selectively refers rent escrow cases with allegations of unfit condition to the Housing Specialists for inspection and report. If the tenant vacates during this process, the property owner may be ordered not to re-rent the unit until these conditions are corrected. Generally, Chapter 17 of the Toledo Municipal Code (The Health Code) is used as the basis for inspection. In referred cases, the Housing Specialists assists the property owner in establishing timeframes for correction of violations. The Housing Specialist performs re-inspections and reports to the Court when code compliance has been reached.

In 2005, the Judges voted to authorize the Civil Legal Assistance Services provided by Legal Aid of Western Ohio, Inc. The primary focus of the CLAS Program is eviction defense and consumer law. Two fulltime attorneys and one paralegal staff the office. The CLAS Office is located in the Toledo Municipal Court, 2nd floor, Room 202.

The criminal docket of the Environmental Court hears cases involving alleged violations of the Toledo Municipal Code Chapters 11, 13, 15 and 17 (Planning and Zoning, Building, Fire Prevention, and Health Codes). Defendants appear before the Court after charges have been brought by the City Health, Neighborhoods, and Inspection Departments seeking to enforce zoning, building, health, safety, and nuisance abatement codes. In addition, house stripping, fire prevention, dumping, littering, smoking violations, fishing violations, watercraft violations and manufactured homes pursuant to new legislation codes (R.. C. 1923.02).

The principal objective of the Environmental Court is to achieve compliance with the Code. A defendant is expected to enter a plea at the arraignment stage of the proceeding. If the condition can be corrected in a short time, sentencing may be reserved and the case continued for a reasonable period of time to allow the defendant to do what is necessary to comply with the Code.

Arraignments are set for Wednesday. Continuances for compliance and prosecutor pre-trials are set for Wednesday and Thursday afternoons. The Housing Court Judge has criminal trials scheduled on the Friday docket; civil trials are scheduled on Mondays and some Tuesdays; and jury trials are scheduled on Thursdays.

Accomplishments:

During the year of 2007, there were many defendants that did not appear in Court for their arraignment. In some cases the defendants have not been served with a copy of the complaint and in others, the defendants simply refuse to appear. Bench warrants are issued for those that fail to appear and are subject to apprehension by the Toledo Police Department.

The following is a breakdown of Housing Court Bench Warrants for the last two years:

| <u>Year</u> | <u>Warrants</u> |
|-------------|-----------------|
| 2007 | 1,314 |
| 2006 | 2,307 |

The Housing Court Judge currently has a Senior Housing Specialist and two Housing Specialists on staff. The Housing Specialists in criminal and civil matters is to assist the home owner in bringing nuisance abatement cases into full compliance as directed by the Housing Court Judge. The Housing Specialists also serve as mediator in landlord-tenant and rent escrow disputes. The Senior Housing Specialist classification was established on April 15, 2002. Mrs. Gwen J. Wyse holds this position. Mrs. Wyse began employment with the Court in 1995 as a Housing Specialist. She previously worked for a community development corporation with a background in community networking, housing rehabilitation and client rapport. Mrs. Wyse holds a Home Improvement and Remodeling Contractor-A License.

The Senior Housing Specialist supervises and manages the activities of the Housing Specialists, oversees Housing Court programs, performs public relations duties and maintains a community control docket of Housing Court defendants.

Housing Specialist Barbara Falls' employment with the Housing Court began in October of 2000. Ms. Falls brings with her over four years of public housing management experience and six years of private housing management experience. She is a certified Public Housing Manager.

Housing Specialist Larry A. Cardwell began employment with the Housing Court on May 20, 2007. Mr. Cardwell's background includes over twenty years of working in the criminal justice system and over ten years of administrative and management experience in the private housing sector.

The policy of the Housing Court Judge is to impose fines and costs in all cases in which full compliance has been achieved--even if there is full compliance at first appearance for arraignment. This policy was put in place to enable the City to recover costs expended to bring the case to Court due to the defendant's failure to comply within the regulation time. Larger fines and costs are imposed if the case is delayed by the defendant. Incarceration or electronic monitoring maybe imposed if the defendant is stalling or abusing the process. If convicted of illegal dumping or house stripping, jail time is mandatory.

Effective January 1, 2004, courts are authorized to impose sentences to include community control sanctions or a combination of sanctions as an alternative sentence under Ohio Revised Code §§2929.26, 2929.27 or 2929.28. If an offender violates any of the conditions of the sanctions, the court may review and amend sentencing to include a longer time period under the same sanction, or a combination of sanctions, including a jail term.

The Community Control Program gives Housing Court defendants the opportunity to correct housing violations in cooperation with Housing Court personnel. Alternative sentencing programs work through mutual cooperation, and participants must be mindful that the Court can impose the original sentence if the participant fails to meet his or her obligations as directed.

The Housing Court entered into its 7th successful year administering the Code Violation Abatement Program (CVAP). Since the program's inception, the CVAP has used its Community Development Block Grant (CDBG) funds to assist well over one hundred homeowners in abating public nuisances and prolonging the life of their homes. CVAP partnered funds with other community assistance organizations whenever possible, seeking to make the greatest impact possible.

On April 21, 2007, the Toledo Municipal Housing Court participated in a city-wide neighborhood clean-up. The Housing Specialists joined Department of Neighborhood staff in cleaning and planting flowers in a designated central city area. The Housing Court also provided food and refreshments for all participants.

In keeping with the on-going education requirements of the CDBG funded CVAP program, Senior Housing Specialist Gwen Wyse and Housing Specialist Barbara Falls attended a course in May, 2007, "Measuring the Impacts of Your Revitalization Work", offered by the NeighborWorks Training Institute.

The Housing Court participated in the Area Office on Aging of NW Ohio, Inc. Annual Senior Citizen's Day Program at the Tam O'Shanter Exhibition Center on May 15, 2007. As an exhibitor, the Housing Court distributed informational brochures on housing issues, gardening supplies, seeds, clean-up supplies and small home improvement tools. Thousands of senior citizens attended the event.

During National AmeriCorps Week, on May 18, 2007, the Toledo Municipal Housing Court joined forces with AmeriCorps in a Community Care Clean Up. A central city location was targeted for this intensive clean-up and planting. The Housing Court provided food and refreshments for all participants.

The Toledo Municipal Housing Court again partnered with Americorps on "Make A Difference Day," October 27, 2007, by sponsoring a fall clean-up for neighbors in the Frederick Douglass Center area. In addition to providing tools and assistance in cleaning the neighborhood, four homes were targeted for special attention, including scraping and painting one home. The court provided food and refreshments, as well as distributing informational brochures and other hand-outs.

MISSION STATEMENT

The mission of the Toledo Municipal Housing and Environmental Court is to provide a fair and efficient forum for litigants involved in housing matters. The Housing and Environmental Court seeks to educate the community about housing issues and link homeowners with appropriate agencies in order to promote neighborhood health and safety in the City of Toledo.

VISION STATEMENT

- Lead the way in developing innovative and effective solutions for housing court litigants
- Link homeowners, tenants and landlords to community resources to maintain safe homes for our citizens
- Foster partnerships with community organizations and governmental entities for continued improvement of available housing

Goals for 2008:

In 2008, the Housing and Environmental Court will continue to improve the quality of life for residents in the Court's jurisdiction. This effort will assist in the preservation and restoration of our neighborhoods.

Staff Summary:

The 2007 Housing Court staff consists of Judge C. Allen McConnell, Magistrate Alan J. Michalak, backup Magistrates James E. Morgan, Rebecca K. Ligibel, and Nicole Y. Fech, Senior Housing Specialist Gwen J. Wyse, Housing Specialists Barbara Falls and Larry A. Cardwell, Court Reporter Lori Hauenstein, Deputy Steve Karam and Judges' Secretary Judy Heslet. Law Clerk Corey Tomlinson resigned in August 2007 after passing the bar and was replaced by James Anderson.