



TOLEDO MUNICIPAL COURT

ANNUAL REPORT 2012

TOLEDO MUNICIPAL COURT

555 N. Erie Street
Toledo, Ohio 43604

William M. Connelly, Jr.
Presiding Judge

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On behalf of the Toledo Municipal Court and as the new Presiding Judge for the Court, I am pleased to present to you our annual report for 2012 as required by statute. I am confident you will find the contents of our annual report to be educational and informative.

We recognize and respect the significant level of confidence and trust placed upon us by the citizens of Toledo, Washington Township and Ottawa Hills. The judges and court staff consider it to be an honor and privilege to serve the public. We have established a cooperative and supportive relationship with Mayor Bell and his staff and members of the Toledo City Council, as well as representatives from Washington Township, the Village of Ottawa Hills, Lucas County, the University of Toledo, the Humane Society, and the various criminal justice agencies and community organizations with whom we work to meet our mission.

Our responsibility as a branch of the government also requires us to be sensitive to the economic conditions of the community when implementing policies and procedures. In 2012 the Court continued to be fiscally conservative in meeting its judicial responsibilities, while providing appropriate programs and services to the citizens we serve. Although 2013 appears to be a more favorable budget year for the Court than recent years, we will not change the fiscally responsible philosophy and transparency we have used to manage the daily operation of the Court. However, we will be open to exploring and pursuing new and cost effective opportunities, which will help improve our efficiency, performance or service delivery to the public.

In closing, on behalf of the judges of our court, I encourage you to review the 2012 annual report. We welcome you to contact us should you have any questions or concerns related to this report.

Respectfully,



William M. Connelly, Jr.
Presiding Judge

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COURT ADMINISTRATOR'S OFFICE

Lisa Falgiano
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 execution of overall court operations. While the Court Administrator's Office is not directly involved in daily judicial courtroom operations, the Office does assist the bench in strategic planning for the Court.

The Court Administrator's staff has a broad range of responsibilities, including budget preparation and fiscal administration; technology management; personnel administration; policy development and implementation; facilities management; statistical data collection and analysis; purchasing; and liaison with the practicing bar, the public, governmental agencies, city divisions, and criminal justice agencies.

The Court Administrator reports directly to the seven Judges and is responsible for general supervision of the Judges' Division Departments. The Court Administrator also serves as staff for the monthly Judges' Meetings and acts as the division Equal Opportunity/Affirmative Action Officer.

Under Rules 3 and 4 of the Rules of Superintendence for the Courts of Ohio, the Judges select by majority vote a Presiding/Administrative Judge. The Court Administrator works especially close with the Presiding/Administrative Judge. Judge Michael R. Goulding finished his second one-year term as the Presiding and Administrative Judge on December 31, 2012. Judge William M. Connelly, Jr. was elected by his fellow Judges as the Presiding and Administrative Judge, beginning January 1, 2013.

Year in Review - Overview

During 2012 Toledo Municipal Court continued to operate under challenging budget conditions. This situation was a reflection of the difficult economic environment faced by the City of Toledo and its citizens. Through sound fiscal management and conservative resource utilization, the Court once again made significant contributions to the City of Toledo's budget and cost saving initiatives in 2012. The Court kept several staff positions vacant in 2012, which helped produce \$349,000 in savings for the City of Toledo. The Court also continued several practices which were instituted in 2010 and 2011 as cost saving measures, including reduced operating hours and fewer subscriptions to legal publications and journals. For its ongoing cost savings efforts in 2012, the Court was recognized by the City Council and the Mayor's Office as a key contributor and supportive partner in helping the City of Toledo to remain financially solvent during this difficult economic period. The Court is cautiously optimistic that 2013 will prove to be a more favorable budget year, which should allow the Court to fill several vacant positions and improve its service delivery to the citizens of Toledo.

The Court continued to operate cost efficient public safety programs for offenders sentenced to probation, including Kiosk reporting for low risk offenders and the Online Alternatives Program for first time, youthful offenders. In addition to better addressing the offender's needs, these programs reduce the cost of providing quality probation services. This creativity enables the Probation Department to direct its treatment efforts and resources on higher risk offenders, as a strategy to promote positive behavioral change and reduce the likelihood that these individuals will commit new criminal offenses. Thus, the Court helps preserve public safety while providing probation services at a lower operating cost.

During 2012, eight staff retired from Court employment and four staff resigned, including staff in Assignment Commissioner's Office, Civil Bailiff's Office, and Probation Office. As previously noted, due to budget limitations many of these positions were not immediately filled. The impacted departments were able to compensate for staff shortages by naming "acting" supervisors and streamlining work responsibilities and tasks whenever possible.

After being selected as Court Administrator in 2011, Lisa Falgiano completed her first full year as Court Administrator in 2012. In addition to being a Certified Ohio Court Manager, Ms. Falgiano is enrolled in a Court Executive Certification Program through the National Center for State Courts. She also is a member of the Toledo Bar Association and the Ohio State Bar Association.

CourTools.

The Court continued to use statistical data to measure its efficiency and case management performance. Specifically, since 2010 the Court has used CourTools to measure its performance. CourTools is a system of performance measures developed by the National Center for State Courts. CourTools provides the ability to measure the Court's effectiveness from multiple perspectives, including Access and Fairness, Clearance Rates, Time to Disposition, Age of Active Pending Caseload, Trial Date Certainty, and Employee Satisfaction. Additional information about CourTools is available at <http://www.courttools.org/>.

In 2012, the Court increased efforts to analyze and improve its performance in the area of Active Pending Cases. It did so by using Tableau Business Analytics software, which is a data analysis tool. This tool enables Judges to better manage and schedule active pending cases. In addition, they are able to use a set of associated reports to prepare individual Monthly Superintendence Reports. Starting in November 2012, Age of Active Pending Caseload reports were placed on the Court's public website and are updated monthly. This data documents that the Judges are effectively managing caseloads and disposing of cases in a timely fashion.

Year in Review: Technology.

Consistent with its reliance on CourTools for performance measurement and other software programs, i.e. Tableau, to analyze statistical data, the Court routinely evaluates the operational value of new business intelligence products designed to assist Judges and their staff in caseload management and the delivery of other Court programs and services. During 2012, the Court committed financial resources to several software and informational technology related items, including Tableau software licenses for each Judge; replacement of outdated Court computers over the next two years; purchase of an improved e-mail program; upgrading NORIS

network security; and the purchase of laptop computers for the Civil Bailiff Office staff who perform field work.

The Court has an ongoing partnership with the Clerk's Office and NORIS, which was created to reduce expenditures and improve efficiency by sharing technology and purchasing power. The Court and Clerk have continued to fund a shared part-time technology intern position, which has enhanced IT staffing at a reasonable cost while providing a valuable student employment opportunity. The Court and the Clerk have continued to facilitate a Governance Committee which provides improved project management and oversight to NORIS in the design and implementation of information technology projects. Court staff were provided filtered and monitored internet access in 2011, with the intent to provide e-mail access to staff via the internet in 2012. However, the completion date for the internet e-mail access was delayed to the first quarter of 2013.

Judge Kuhlman, in coordination with the Legal Subcommittee of the Northwest Ohio Re-entry Project, continued to conduct a monthly specialized docket comprised of residents of the Toledo Correctional Institution (ToCI) and other Ohio prisons who were drawing close to their release date. Residents appeared via a video connection from ToCI and other institutions to resolve or address pending Toledo Municipal Court cases or pending fines and costs. Funding for this program in 2013 is still to be determined.

Year In Review: Professional Development.

The Court conducted or coordinated several training and professional development opportunities for its staff in 2012, which proved to be affordable and meaningful training opportunities for staff. It used training activities and staff development events as an opportunity to partner with other government agencies and participate in cost effective and shared events. An example of this partnering philosophy involved four Civil Bailiffs, who attended a Forty Hour Crisis Intervention Training Program hosted by the Mental Health and Recovery Services Board of Lucas County. The Civil Bailiffs successfully completed the training and were certified as Crisis Intervention Team Officers. The Probation Department, which is the largest department in the Judge's Division, also exemplified a proactive training philosophy. Probation Department staff participated in a total of 253 training hours during the year. The training covered a variety of Probation related skills and subject matters, including training which focused on the use and implementation of evidence based practices to promote positive behavioral change. Examples of this training included Thinking for a Change, Motivational Interviewing, and the Ohio Risk Assessment System. Additionally, staff from the Citizens Dispute Settlement Program participated in a variety of training events, which focused on managing conflict and confrontation, dealing with "toxic" people, and advanced interviewing techniques. The Court also continued to use the Ohio Judicial College to provide low-cost, relevant training to its staff and managers.

Year in Review: Supportive Administrative Services.

The Court Administrator's Office provides a variety of supportive services to the administration of Court policy and personnel. A good example of this support occurred when the Court Administrator's Office worked with the Chief Civil Bailiff to create a policy for the control of prescription drugs during an eviction. The policy provides a safe method for citizens

to retain or retrieve their legally authorized prescription medication, while improving public safety by keeping prescription drugs from being trafficked.

The Court Administrator's Office managed a number of administrative personnel actions. In 2012, the Court Administrator's Office processed forty FMLA packets. In addition, six investigations were conducted. The Court Administrator addressed two grievances under the Court's Employee Grievance Program, with one rendered moot and the second was "unresolved" at the Administrator's level. Two disciplinary hearings were conducted in 2012. In addition, the Court Administrator's Office helped support the Departments in numerous personnel actions, ranging from identifying opportunities for informal coaching to assisting in the development of personnel improvement plans.

The Court Administrator's Office also facilitates building maintenance and improvements. In 2012, various projects and work orders were completed, including completion of a new drainage trench in the parking garage, repairs to the garage exhaust and ventilation system, installation of new variable speed drives on air handlers, re-caulked interior of windows on second, third and fourth floors, tuck pointed one external side of the building, installation of a walkway on 2 HVAC cooling towers, installed additional fire extinguishers and cabinets throughout the building, replaced main shut off valve on the fire suppression system, and painting of various areas of the building.

Year in Review: External Relations.

The Court Administrator's Office continued to work with the Toledo Bar Association Auxiliary to provide tours for high school students. The Court also hosted The Toledo Bar Association's High School Mock Trial Competition.

The Court Administrator is an appointed member of the Lucas County Community Corrections Board, as well as a member of the Regional Community Corrections Board consisting of those counties participating in CCNO.

The Coming Year.

In 2013, staff will continue to work with the Clerk of Court and NORIS in completing several projects, including further enhancement of the Civil Bailiff Electronic Record/Computer System, installation of a new Network Server, implementation of a new e-mail program, and purchase of a new Probation Case Management software program. The Court also will continue to assess and monitor its overall performance through the use of CourTools and Tableau Business Analytics software.

The Court anticipates filling several vacant positions next year, including the Human Resource Officer, Civil Bailiffs, Probation Unit Supervisor, and Probation Officers. An internal applicant was selected for the vacant Deputy Court Administrator position at the end of 2012. He is scheduled to leave his current position as a Probation Unit Supervisor and begin working as the Deputy Court Administrator on January 8, 2013.

Staffing.

As Court Administrator, Lisa Falgiano oversees and receives valuable assistance from several key staff. Tammy Harris, Assistant Chief Probation Officer, continued in her role as Acting Human Resource Officer. Terry Koluch is the Information Technology Officer, and Deidre Liedel, who is a licensed attorney and certified accountant, serves as the Administrative Business Officer. The Judges' Secretaries are Dorlisa Daniels, Krystal Jones and Meredith Kurucz (Job Share Position), and Joan Kelly.

Alternate Dispute Resolution (Mediation) Trust Fund 3T03028STDSTD 2012 Annual Statement of Expenditures			
Supplies/Equipment			
Cleaning/Maintenance	1,146.00		
Design/Printing	2,124.00		
Furniture	6,761.45		
Shipping/Delivery	600.00		
Temporary Services	557.00		
Training and Associated Travel	<u>435.50</u>		
Total Expenditures			<u>\$ 11,623.95</u>

Computer Legal Research 3T03013STDSTD 2012 Annual Statement of Expenditures			
Supplies/Equipment			
Webclient License	<u>5,102.46</u>		
Total Expenditures			<u>\$ 5,102.46</u>

**Court Computerization (Judges) Trust Fund
3T02916STDSTD
2012 Annual Statement of Expenditures**

Personnel		
Base Wages	69,115.15	
PERS – Employer	9,676.09	
PERS – Employee	5,827.44	
Workers Compensation	2,664.16	
Medical Insurance	13,223.80	
Medicare	<u>1,077.05</u>	
		\$ 101,583.69
Supplies/Equipment		
Archival-Grade CDs	966.54	
Audio/Visual Equipment	11,646.51	
Computer Workstations	4,625.19	
Computers	38,516.74	
Microsoft Assurance Software License	30,000.00	
Shipping – Furniture/Equipment	40.00	
Stenograph Software Maintenance Agreement	3,213.00	
Temporary Services	5,500.00	
Time and Attendance Software License	<u>16,545.00</u>	
		\$ 111,052.98
Total Expenditures		<u>\$ 212,636.67</u>

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 2012, the Clerk developed Apple and Android mobile applications that allow users to easily search Toledo Municipal Court case information and court schedules from their mobile phones and devices. Users are able to download the applications free of charge.

The Clerk's office also overhauled the online payment system to give users more specific information on the amount of money they owe the court. Users are now able to see a total amount owed along with a breakdown of money owed by case.

The Real Time Data Entry project was also expanded to the final two courtrooms in Toledo Municipal Court. All 10 courtrooms now have a deputy clerk recording case information in real time. This 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 expanded the use of technology in the Court by transmitting data electronically to Toledo Legal News. This allowed Toledo Legal News to work without the physical case file. It also reduced the movement of case files within the courthouse and as a result, decreased the time court personnel looked for missing case files.

Finally, the Clerk upgraded the Small Claims office. Over the years, the Small Claims office had undergone minor changes while our caseload had significantly increased. Computers replaced handwritten logs in the collection, transmission and storage of case information and as a result, the small claims area was renovated to include:

1. Ergonomic workstations for employees. The desks in the small office were not designed for computer use and needed to be replaced.
2. Upgraded the public counter to include individual stations with a glass divider.
3. Installed more space efficient file equipment to store our case files.

**Clerk of Toledo Municipal Court
Vallie Bowman-English, Clerk**

Filings	2012	2011
Civil Division	22,357	22,411
Criminal / Traffic Division	94,098	78,676
TOTAL	116,455	101,087

Revenue Collected		
Civil	11,853,750.91	11,337,435.11
Criminal / Traffic	5,625,155.67	4,721,136.68
TOTAL	\$17,478,906.58	\$16,058,571.79

Revenue Disbursed		
City of Toledo General Fund	3,700,259.91	3,328,638.22
Other City of Toledo Accounts	1,590,206.03	1,387,143.03
Ottawa Hills	20,616.40	17,962.20
Washington Township	1,788.80	2,287.80
University of Toledo	670.00	655.00
Lucas County Treasurer	192,923.44	146,276.51
Lucas County Sheriff	286.00	225.00
Lucas County Drug Fund	40,526.39	41,595.30
Lucas County Law Library Association	8152.23	8,042.47
Citizens Award Fund / Crime Stoppers	4,344.10	4,296.00
Toledo Area Humane Society	971.00	950.00
Toledo Area Metro Parks	160.00	152.00
Toledo Legal News	199,167.59	189,249.44
Civil Legal Assistance Project	154,980.00	145,481.90
Treasurer of State	1,907,627.56	1,606,694.67
Department of Natural Resources	3,571.00	4,478.00
State Pharmacy Board	8,854.00	14,076.50
Division of Liquor Control	70.00	100.00
Capital Recovery Systems	319,147.61	279,220.04
Fiduciary Accounts - Civil	8,957,303.31	8,697,044.35
Fiduciary Accounts - Trusteeship	105,150.37	89,552.15
Refunded Overpayments	10,494.59	12,000.07
TOTAL	\$17,227,270.33	\$15,976,120.65

**Clerk of Toledo Municipal Court
Civil Division**

Filings	2012	2011
Civil General	18,586	18,120
Small Claims	3,758	4,266
Trusteeship	13	25
TOTAL	22,357	22,411

Activities		
Certificate of Judgment	4,734	4,389
Certified Mail Issued	28,180	28,494
Disbursements - Civil	6,498	8,165
Disbursements - Trusteeship	632	569
Dismissals	5,708	6,066
Executions	122	231
Garnishments	12,731	13,907
Judgments	58,269	56,645
Motions	10,432	10,830
Ordinary Mail Issued	16,149	16,227
Proceeding in Aid	4,750	3,171
Reports	54,029	53,959
Revivors	352	344
Revocations	3	5
Satisfactions	4,889	4,686
Subpoenas	354	482
Terminations	18,767	19,276
Transcripts	120	82
Writ of Restitution	3,145	3,175
TOTAL	\$229,864	\$230,703

Revenue Collected		
Civil Revenue	2,539,660.98	2,468,476.97
Fiduciary Accounts - Civil	9,211,556.98	8,775,504.15
Fiduciary Accounts - Trusteeship	102,532.95	93,453.99
TOTAL	\$11,853,750.91	\$11,337,435.11

Revenue Disbursed		
City of Toledo General Fund	1,409,859.44	1,384,719.07
Other City of Toledo Accounts	343,761.79	334,155.89
Civil Legal Assistance Project	154,980.00	145,481.90
Treasurer of State	431,405.66	414,287.59
Toledo Legal News	199,167.59	189,249.44
Fiduciary Accounts - Civil	8,957,303.31	8,697,044.35
Fiduciary Accounts - Trusteeship	105,150.37	89,552.15
Refunded Overpayments	486.50	493.58
TOTAL	\$11,602,114.66	\$11,254,983.97

**Clerk of Toledo Municipal Court
Criminal / Traffic Division**

Filings	2012		2011	
	Charges	Cases	Charges	Cases
Traffic	62,251	37,173	49,890	29,034
Criminal	31,847	22,925	28,786	20,788
TOTAL	94,098	60,098	78,676	49,822

Revenue Collected

Fines	1,586,269.72	1,346,849.12
Costs and Fees	4,001,052.13	3,346,244.48
HITT	5,485.73	6,601.59
Bond Forfeitures	22,340.00	9,935.00
Overpayments	10,008.09	11,506.49
TOTAL	\$5,625,155.67	\$4,721,136.68

Revenue Disbursed

City of Toledo General Fund	2,290,400.47	1,943,919.15
Other City of Toledo Accounts	1,246,444.24	1,052,987.14
Ottawa Hills	20,616.40	17,962.20
Washington Township	1,788.80	2,287.80
University of Toledo	670.00	655.00
Lucas County Treasurer	192,923.44	146,276.51
Lucas County Sheriff	286.00	225.00
Lucas County Drug Fund	40,526.39	41,595.30
Lucas County Law Library Association	8,152.23	8,042.47
Citizens Award Fund / Crime Stoppers	4,344.10	4,296.00
Toledo Area Humane Society	971.00	950.00
Toledo Area Metro Parks	160.00	152.00
Treasurer of State	1,476,221.90	1,192,407.08
Department of Natural Resources	3,571.00	4,478.00
State Pharmacy Board	8,854.00	14,076.50
Division of Liquor Control	70.00	100.00
Capital Recovery Systems	319,147.61	279,220.04
Refunded Overpayments	10,008.09	11,506.49
TOTAL	\$5,625,155.67	\$4,721,136.68

ASSIGNMENT OFFICE

Cheryl Smith
Senior Assignment Clerk

Department Description.

The primary responsibility of the Assignment Commissioner's Office is the assignment of Judges to criminal, traffic and civil cases and the setting of pretrials, trials and other court 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. This random assignment is made by the Court's computer system at the time 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. In December, 2012, the Court began assignment of all Housing cases to Judge McConnell at the time of filing.

The Assignment Office also processes civil judgment and dismissal entries. This department is responsible for making all arrangements for jurors when Jury Trials are held and for scheduling visiting judges and magistrates as needed. The staff maintains the Judges' court schedules and distributes both upcoming monthly schedules and Daily Dockets.

Accomplishments.

During 2012, the Assignment Office worked closely with the Housing Court, the Clerk's Office and NORIS to implement assignment of Housing cases to the Housing Judge at the time of filing and to remove the Housing Judge from the random draw for Non-Housing cases.

In October, the office bid farewell to staff member Rose DeArmond.

The figures for 2012 with comparison figures for 2011 are as follows:

CATEGORY	2012	2011
A. Cases Assigned		
Criminal/Traffic Assignments	24,463	22,144
Civil Assignments (including Housing)	1,456	1,336
B. Cases set for Trial		
Criminal/Traffic Trials	10,057	8,934
Civil Trials	764	921
Criminal/Traffic Trial Resets	7,788	7,479
C. Cases set for Pretrial		
Pretrial – Criminal/Traffic	13,974	11,912
Pretrial Resets	1,712	1,648
Mandatory Jury Pretrials (MJPT) (Crim/Traff/Civil)	154	134
D. Preliminary Hearing/Felony Arraignment Docket	13,740	16,613
E. Jury Trials Set (Crim/Traff/Civil)	164	223
F. Bureau of Motor Vehicle Hearings	6	34
G. Eviction	6,457	6,352
H. Housing		
Criminal Housing Trials	253	248
Civil Housing (Not a Draw) New Assignments	453*	179
Rent Escrow	68	85
I. ALS/Innocent Owner Hearings	67	36

*As of December, 2012, Civil Housing cases began assignment upon filing.

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 2012 and 2011 per individual Judge:

2012	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
CAM	13	17	25	11	8	27	10	20	21	19	19	263	453
TCK	11	19	22	3	13	15	10	15	12	17	22	9	168
RGC	13	18	14	13	12	17	22	17	7	15	19	10	177
AJB	14	18	22	16	7	16	13	14	13	19	13	13	178
WMC	18	8	18	8	10	13	18	19	7	13	13	11	156
MRG	20	11	24	13	15	15	12	20	8	18	9	12	177
MAW	11	13	24	15	7	10	13	17	11	14	7	5	147
TOTAL	100	104	149	79	72	113	98	122	79	115	102	323	1,456

2011	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
CAM	16	7	20	14	16	9	18	13	20	9	18	19	179
TCK	18	11	21	22	19	8	20	16	10	15	21	9	190
RGC	16	6	18	19	19	19	15	13	20	16	12	15	188
AJB	19	8	23	15	21	11	30	12	18	17	14	15	203
WMC	13	17	20	12	20	15	24	15	12	17	9	15	189
MRG	21	12	14	17	18	12	11	21	15	21	13	16	191
FXG	27	14	18	14	22	12	17	19	10	14	19	10	196
TOTAL	130	75	134	113	135	86	135	109	105	109	106	99	1,336

Civil Cases Set for Trial		
Month	2012	2011
January	64	101
February	49	63
March	100	113
April	55	65
May	72	86
June	74	94
July	49	73
August	55	70
September	59	72
October	70	53
November	66	66
December	51	65
TOTAL	764	921

Civil Pretrials, Jury Trials and Jury Pretrials set in 2012 and 2011

Civil Pretrials		Civil Juries Set		Civil Mandatory Jury Pretrials	
2012	988	2012	37	2012	28
2011	1,217	2011	73	2011	44

Evictions Set

Month	2012	2011
January	495	489
February	582	512
March	404	434
April	413	388
May	530	505
June	541	623
July	625	633
August	642	741
September	549	513
October	599	508
November	547	509
December	530	497
TOTAL	6,457	6,352

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 Hearings

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2012	9	4	6	3	6	3	9	9	2	3	9	5	68
2011	6	4	4	1	5	6	3	7	9	12	17	11	85

Bureau of Motor Vehicle Hearings (Civil)

A Magistrate schedules BMV cases for a Hearing.

2012: 7 cases

2011: 34 cases

Criminal and Traffic Assignments

Upon entering a plea of “not guilty” before a Judge, 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 initially set for a pretrial unless there is an issue with statutory time.

Criminal/Traffic Assignments

<u>Judge</u>	<u>2012</u>	<u>Judge</u>	<u>2011</u>
McConnell	376	McConnell	2,269 + 311
Kuhlman	3,773	Kuhlman	3,279
Christiansen	4,144	Christiansen	3,243
Berling	4,032	Berling	3,269
Connelly	3,946	Connelly	3,276
Goulding	4,126	Goulding	3,253
Wagner	4,066	Gorman	3,244
TOTAL	24,463	TOTAL	22,144

Reactivated Cases (Sealing of Record/ Expungments)

2012: 496

2011: 541

Criminal/Traffic Trial Reset Cases – 2012

Judge	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
McConnell	69	64	58	77	64	58	75	48	63	42	21	24	663
Kuhlman	94	65	50	43	58	96	81	78	66	62	68	51	812
Christiansen	186	71	205	79	146	119	122	133	131	77	54	70	1,393
Berling	139	82	73	89	113	104	52	117	117	87	77	90	1,140
Connelly	82	77	53	84	82	106	96	119	87	132	92	82	1,092
Goulding	94	82	84	86	84	162	97	120	98	102	93	99	1,201
Wagner	120	112	115	69	173	139	120	145	136	145	78	135	1,487
TOTAL	784	553	638	527	720	784	643	760	698	647	483	551	7,788

Criminal/Traffic Trial Reset Cases – 2011

Judge	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
McConnell	76	45	80	45	55	87	62	72	56	59	68	49	754
Kuhlman	58	58	64	47	72	64	65	60	54	77	83	78	780
Christiansen	120	153	142	100	166	102	126	131	138	142	134	124	1,578
Berling	85	99	98	104	93	91	84	113	61	106	124	85	1,143
Connelly	71	73	78	81	72	114	66	89	66	68	45	67	890
Goulding	91	71	66	68	75	76	88	89	112	100	105	107	1,048
Gorman	111	97	113	108	87	127	87	128	114	131	81	99	1,283
TOTAL	612	596	641	553	620	661	578	682	601	683	640	609	7,476

2012 Jury Trials - Criminal/Traffic/Civil

Month	Crim/Traffic	Civil	Ordered	Used	No Jurors
January	13	2	0	0	0
February	9	4	1	1	9
March	10	0	2	1	9
April	8	3	0	0	0
May	8	2	2	2	18
June	10	4	2	2	18
July	10	3	2	2	18
August	12	8	2	1	9
September	7	3	1	0	0
October	17	6	1	1	9
November	7	2	2	1	9
December	16	0	2	0	0
TOTAL	127	37	17	11	99

2011 Jury Trials - Criminal/Traffic/Civil

Month	Crim/Traffic	Civil	Ordered	Used	No Jurors
January	17	6	2	0	0
February	9	6	0	0	0
March	15	15	1	0	0
April	8	4	1	1	9
May	15	9	3	0	0
June	11	8	1	1	9
July	10	4	0	0	0
August	19	5	0	0	0
September	11	6	1	1	8
October	11	3	0	0	0
November	14	4	0	0	0
December	10	3	1	0	0
TOTAL	150	73	10	3	26

2012 Criminal/Traffic Trials: 10,057

2011 Criminal/Traffic Trials: 8,934

2012 Criminal/Traffic Pretrials

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
McConnell													
Set	131	114	147	150	125	159	64	27	17	17	9	6	966
Reset	10	20	15	7	12	18	9	10	12	8	1	1	123
*MJPT	2	2	1	0	0	1	2	0	2	0	2	0	12
Kuhlman													
Set	150	143	169	172	180	214	207	219	189	205	179	157	2,184
Reset	24	15	18	21	14	23	24	27	23	22	17	11	239
*MJPT	3	0	1	0	3	0	0	1	0	1	6	0	15
Christiansen													
Set	171	166	193	181	189	219	189	232	210	203	202	191	2,346
Reset	43	18	96	18	27	25	23	43	34	11	12	16	366
*MJPT	2	1	1	3	3	3	1	4	4	5	4	3	34
Berling													
Set	129	121	148	141	138	151	146	152	126	174	171	137	1,734
Reset	24	12	26	14	18	19	7	13	13	9	5	17	177
*MJPT	2	0	1	0	1	0	0	0	0	0	0	0	4
Connelly													
Set	166	165	155	178	200	215	209	205	193	207	180	176	2,249
Reset	22	21	21	23	30	27	7	15	12	14	26	30	248
*MJPT	0	2	0	0	1	4	2	1	5	3	4	0	22
Goulding													
Set	165	156	173	182	192	184	230	200	227	237	192	180	2,318
Reset	17	24	14	16	24	54	13	26	18	9	15	34	264
*MJPT	0	1	2	1	2	2	0	1	0	4	1	0	14
Wagner													
Set	134	180	157	176	179	177	190	226	213	197	189	159	2,177
Reset	29	34	31	22	30	38	21	15	23	26	18	8	295
*MJPT	1	2	2	1	4	0	1	2	3	4	3	2	25
Total Set													
Total Set	1,046	1,045	1,142	1,180	1,203	1,319	1,235	1,261	1,175	1,240	1,122	1,006	13,974
Total Reset													
Total Reset	169	144	221	121	155	204	104	149	135	99	94	117	1,712
Total *MJPT													
Total *MJPT	10	8	8	5	14	10	6	9	14	17	20	5	126

*Mandatory Jury Pretrials

2011 Criminal/Traffic Pretrials

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
McConnell													
Set	109	125	135	103	141	98	99	148	145	96	97	89	1,385
Reset	7	22	17	12	13	18	11	13	15	11	8	10	157
*MJPT	0	2	0	1	1	2	1	0	1	1	0	2	11
Kuhlman													
Set	124	113	161	150	157	143	163	194	174	177	159	141	1,856
Reset	16	18	24	23	13	28	17	23	14	19	15	13	223
*MJPT	1	0	0	0	0	4	2	1	0	1	0	4	13
Christiansen													
Set	109	120	168	143	143	162	172	215	163	139	167	132	1,833
Reset	19	35	25	14	44	23	17	33	18	22	30	25	305
*MJPT	0	3	3	0	4	2	1	2	1	1	0	4	21
Berling													
Set	112	104	108	84	123	106	135	118	102	113	113	94	1,312
Reset	26	22	9	26	8	15	18	20	7	11	7	5	174
*MJPT	3	0	0	1	0	0	2	0	1	0	0	0	7
Connelly													
Set	108	114	179	157	136	172	162	169	155	133	164	142	1,791
Reset	12	24	18	13	12	27	14	14	21	20	29	47	251
*MJPT	1	0	2	1	1	2	0	1	1	0	0	0	9
Goulding													
Set	118	143	160	156	163	158	175	204	184	152	142	173	1,928
Reset	23	8	20	38	16	28	23	26	13	16	13	11	235
*MJPT	1	3	1	3	1	1	0	2	3	2	2	1	20
Gorman													
Set	106	114	183	149	156	147	186	172	156	156	142	140	1,807
Reset	23	18	29	20	19	21	29	21	24	49	25	25	303
*MJPT	3	1	2	0	0	0	0	0	0	0	2	1	9
Total Set													
Total Set	786	833	1,094	942	1,019	986	1,092	1,220	1,079	966	984	911	11,912
Total Reset													
Total Reset	126	147	142	146	125	160	129	150	112	148	127	136	1,648
Total *MJPT													
Total *MJPT	9	9	8	6	7	11	6	6	7	5	4	12	90

*Mandatory Jury Pretrials

2012 Criminal/Traffic Pretrials

Total Pretrials Set: 13,974
Total Pretrials Reset: 1,712
Total Jury Pretrials: 120

2011 Criminal/Traffic Pretrials

Total Pretrials Set: 11,912
Total Pretrials Reset: 1,648
Total Jury Pretrials: 90

2012 Totals of Traffic/Criminal trials, trial resets, pretrials, pretrial resets, jury trials and jury pretrials: 33,815

2011 Totals of Traffic/Criminal trials, trial resets, pretrials, pretrial resets, jury trials and jury pretrials: 30,330

Goals for 2013.

During 2012, due to reduced staffing levels, the department operated with a more team-oriented structure which proved to work well. The staff was supplemented with the addition of two Temporary Assignment Clerks. At the end of December, one temporary employee, Alice Thomas, was hired as a permanent employee. The Assignment Office will continue to develop the team structure and to work in partnership with the various agencies in the building to improve efficiency and working relations.

Staff Summary.

The current staff consists of:

Cheryl Smith, Senior Assignment Clerk
Valerie Hobbs, Assignment Clerk
Wanda Butts, Assignment Clerk
Amy Wroblewski, Assignment Clerk
Anne Eckhardt, Assignment Clerk
Alice Thomas, Assignment Clerk

CIVIL BAILIFF

David G. Baz, Jr.
Chief Civil Bailiff

Department Description.

The Civil Bailiff Department perfects service for legal civil documents. Civil Bailiffs enforce civil orders, civil judgments and execute writs as required by the Ohio Revised Code and Local Court Rules.

The Civil Bailiff Department serves summons, complaints, garnishments, subpoenas, civil restraining orders and other civil writs of the Court. The Civil Bailiff Department supervises evictions and executes judgments and replevins according to court order.

Accomplishments.

Improving Public Safety

The Civil Bailiff Department continues to collaborate and work with other departments and agencies within the City of Toledo and Lucas County to improve public safety as well as the safety of Civil Bailiffs while in the field. The Civil Bailiff Department has developed a good line of communication with these departments and agencies, resulting in the increased safety of all involved parties and allowing the department to provide better service to the public.

The Civil Bailiff Department, in coordination with the Lucas County Sheriff Office, presented a Prescription Drug Policy to the Toledo Municipal Court Judges. The policy was approved by the Judges on April 18, 2012. The policy addresses prescription drugs found at the scene of Civil Bailiff Department evictions. The Civil Bailiff Department is using the Lucas County Sheriff Office Property Room for the storage of these prescription drugs. The policy provides an avenue for patients to retrieve their prescription drugs, while increasing public safety by keeping the prescription drugs off of the streets. The Court recognized the Department as “setting the standard across the state of Ohio for Civil Bailiffs working to insure that prescription drugs are handled in a way that protects public safety while also safeguarding the property of an individual.”

The Mental Health and Recovery Services Board of Lucas County sponsored Crisis Intervention Team Training. The week of May 14, 2012 four Civil Bailiffs were trained and certified as Crisis Intervention Team Officers. Numerous law enforcement experts, mental health experts, leading academic experts on mental health, Northwest Ohio Psychiatric Hospital, Fulton Achievement Center and other mental health shelters and centers provided the 40 hour training. The purpose of this training was to train Civil Bailiffs on how to best work with those in crisis that have a mental illness.

Increased Efficiency

The Civil Bailiff Department collaborated with the Clerk of Court Civil Division and NORIS (Northwest Ohio Regional Information System) to improve the handling of Writ of Restitutions as a result of Forcible Entry and Detainer action by placing Writ of Restitutions into two categories.

1. Writ of Restitution Lock Out

Applies when a mobile home is owned by the defendant/tenant and the mobile park is permitted to padlock the mobile home.

2. Writ of Restitution Set Out

Applies when a mobile home is owned by the plaintiff/landlord and the mobile park is permitted to perform and set out the defendant/tenants personal possessions.

This process now gives the Civil Bailiff a specific directive as to how the Writ should be executed, provides the plaintiff specific directions in regards to what is expected of them at the time of an eviction, and improves recordkeeping purposes.

The Civil Bailiff Department, working with NORIS, continues to implement the Civil Bailiff Computer System. The Civil Bailiff Computer System makes the department more efficient, accurate, safe for Civil Bailiffs, and provides better service to the Court and the public. This system is streamlining and improving the workflow between the Civil Bailiff Department and the Clerk of Court's Civil Division. This year the system began:

1. Electronically recording all Civil Bailiff Returns.
2. All department forms were computerized.
3. The system generates computerized Bailiff Reports. The reports provide accurate record keeping and assist in the management of the department.

Improved Customer Service

The Civil Bailiff Department continues to be responsive to the community's needs and is actively engaged in educating the public regarding the work of the Court and the Civil Bailiff Department. The Chief Civil Bailiff accepted an invitation to speak at a Lucas County Metropolitan Housing (LMHA) managers and staff meeting. The Chief Civil Bailiff gave a PowerPoint presentation discussing the Court's processes, insuring that evictions are done professionally and safely followed by a question and answer session.

Goals for 2013.

1. Update the Policy and Procedure Manual to include the CivilBailiff Computer System.

2. Train new Civil Bailiffs due to retirements within the department.
3. Implement Electronic Bailiff Returns, the last phase of the Civil Bailiff Computer System.
4. Present to the Judges a policy on firearms at Court Ordered Evictions.
5. Continue to provide training and tools that address the safety concerns of the department, while maintaining an excellent standard of service to the Judges, staff, attorneys, and the public.

Staff Summary.

David G. Baz, Jr., Chief Civil Bailiff
Kevin Smith, Acting Assistant Civil Chief Bailiff
Ann Mauder, Deputy Civil Bailiff
Tiffany Phenix, Deputy Civil Bailiff
James Roman, Deputy Civil Bailiff

2012 CIVIL BAILIFF DEPARTMENT STATISTICS

	<u>2011</u>	<u>2012</u>
Bailiff Sale	5	1
Bench Warrants - Received	352	644
Creditor Bill		13
Foreign Service Letters		18
Garnishments	3,353	2,973
Garnishments No Service	219	271
Garnishment - Mail Service (to notify defendants on bank account attachments in accordance with federal law)	368	333
Landlord Complaints One Cause	7,570	4,754
Landlord Complaints One Cause- No Service	146	124
Landlord Complaints Second Cause		6,128
Landlord Complaint Second Cause - No Service		113
Notification		5
Paper Writ of Execution		14
Proceeding in Aid - Received	2,115	3,194
Proceeding in Aid - No Service	1,229	2,078
Replevin Summons	19	30
Writ of Replevin	19	15
Subpoenas - Received	348	276
Subpoenas- No Service	81	76
Summons - Received	2,942	223
Summons - No Service	60	83
Writ of Execution	80	67
Writ of Restitution	3,455	806
Alias Writ of Restitution	392	150
Writ of Restitution Set Out		2,119
Writ of Restitution Lock Out		21
Alias Writ of Restitution Set Out		437
Alias Writ of Restitution Lock Out		13
Plaintiff Notice of Action	3,455	2,938
Four Day Notice to Leave	3,455	2,938
Total Evictions	541	469
Total Lock Outs		14
Total Civil Documents Processed	26,749	28,400
Money Caused to be Collected on Execution	\$67,604.52	\$88,041.67
Money Caused to be Collected on Bench Warrants Reported by Plaintiff / Plaintiff Attorney	\$239,969.66	\$525,640.95
TOTAL	\$307,574.18	\$613,682.62

COURT REPORTERS

Patricia Lindsey-Schmidlin
Chief Court Reporter

Department Description.

The Court Reporters of the Toledo Municipal Court are responsible for the production of verbatim stenographic records of all trials in the traffic, criminal and civil branches of the Court. They also provide records of motions, arraignments, sentencings, pleas and waivers, and cases processed by the Probation Department.

The only Magistrate docket the Court Reporters regularly cover is the F.E.D. docket, which is the landlord/tenant docket. The F.E.D. docket takes place daily in Courtroom 9. This docket is covered by Court Reporters because of the possibility of lengthy hearings and rent escrow proceedings filed by a defendant(s); and transcripts of these hearings are requested often.

It is necessary to retain the exhibits that may be introduced and admitted until the appeal time of 40 days has elapsed. All stenographic notes, CD's 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 his or her own courtroom, has one jury day per week. There are generally several jury trials scheduled for that same day. Should more than one of the cases need 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 most often concluded in one or two days.

Accomplishments.

There were 11 jury trials held in 2012 and three jury trials held in 2011. The following is a breakdown of the jury trials presided over by each respective Judge:

In 2012, Judge Goulding had a jury trial in February; Judge Wagner had a jury trial in March; Judges Christiansen and Kuhlman had jury trials in May; Judges Christiansen and Kuhlman had jury trials in June; Judges Christiansen and Wagner had jury trials in July; Judge McConnell had a jury trial in August; and Judge Connelly had one jury trial in October and one in November.

In 2011, Judge Gorman had a jury trial in April; Judge Connelly had a jury trial in June; and Judge Christiansen had a jury trial in September.

Goals for 2013.

The goal of the Court Reporting Department for 2013 is to use our collective years of expertise to support the Court as it embraces technology to assist in creating records of unassailable accuracy and integrity.

Staff Summary.

There are six Court Reporters in the Toledo Municipal Court, each assigned to his or her own Judge. The following is a breakdown of the Court Reporters according to seniority and the Judge to whom they are presently assigned:

Chief Court Reporter Patricia Lindsey-Schmidlin is assigned to Judge Timothy C. Kuhlman;
Kenneth P. Gallaher is assigned to Judge Michelle A. Wagner;
Lori A. Hauenstein is assigned to Judge C. Allen McConnell;
Diana M. Ziegelhofer is assigned to Judge William M. Connelly, Jr.;
Carol H. Thomas is assigned to Judge Michael R. Goulding;
April Vickers is assigned to Judge Robert G. Christiansen.

Since the retirement of Judge Amy J. Berling's Court Reporter in the spring of 2010, her courtroom has been equipped with a digital recording system which records all court proceedings. Those proceedings are then copied onto CD's which are kept for five years, and transcripts are produced from a CD when requested.

LAW CLERK/BAILIFF

Emily Piros
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, plus one additional employee who is responsible for any research requested by the Judges, bond reports and courtroom coverage as needed. The Law Clerk/Bailiff works closely in and out of the courtroom with their respective Judge to complete all tasks and duties assigned by their respective Judge.

Services Provided.

The duties of each Law Clerk/Bailiff vary by Judge. In the courtroom setting, each Law Clerk/Bailiff organizes and coordinates the daily dockets to ensure efficiency. This includes calling cases, reading affidavits to the Judge or a defendant, posting entries, communicating with prosecutors, public defenders, defense attorneys, witnesses, jurors, the various intra-court departments, the general public, as well as working with deputy sheriffs when a defendant is in custody.

The majority of the primary responsibilities that the Law Clerks are tasked with is keeping a record of assigned cases as mandated in the Ohio Supreme Court Rules of Superintendence. These records are submitted to the Ohio Supreme Court at the beginning of each month. The 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, OVI, criminal and civil), as well as the disposition of each case (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 being assigned to a Judge. Additionally, the monthly report makes a notation of any cases that are designated as being overage.

In three weeks of a seven-week rotation, the Judges' dockets are devoted to resolving cases at the arraignment, preliminary hearing, or pre-trial stages. The other four weeks are reserved for the Judges' trial docket consisting of the Judges' assigned cases.

In 2012, in accordance with the Ohio Supreme Court's directives, the Law Clerks conducted the eleventh "rolling inventory" of assigned pending cases. The rolling inventory was conducted over a period of seven weeks, with each Judge's inventory being executed on a specific assigned date by the Judge's Law Clerk. For the 4th time, the inventory was conducted using a laptop computer with an attached case scanning gun. This method of tabulation is very efficient as it takes less than 12 man hours to complete a single inventory. In addition, in 2012, the Law Clerks, the Clerk's office and the Court's IT officer worked to continue to improve case status reliability in the electronic case management system. The inventory process continues to

reflect an accurate depiction of the information contained in the Court's electronic records. The accuracy of data within the electronic records continues to remain above 99%.

Goals for 2013.

In 2013, the Law Clerks will continue to assist the Judges in enhancing efficiency and organization in case processing. Due before the inventory, a report extract from the electronic record system will be run and sorted by case status. This will permit the Law Clerks to work with the Clerk of Court staff to locate inadvertently misfiled affidavits. In addition, the recent implementation of the new Tableau system will assist the Law Clerks in maintaining an accurate tally of the Judges' caseloads. As a result, the Law Clerks are able to alert the Judges of pending cases that have become overage.

Staff Summary.

Law Clerk Brooks Fowler resigned his position in the fall of 2012. Bryan Montana, who had previously worked as the Judge's Research Clerk, replaced Brooks Fowler as Law Clerk to Judge Wagner. Also, Justin Rasch, previously a Small Claims Assistant, replaced Bryan Montana as the new research clerk. Emily Piros assumed Chief Law Clerk duties in January, 2012.

ASSIGNMENT OF LAW CLERKS TO JUDGES	
Ann Lindstrom	Judge William M. Connelly, Jr.
Bridget Connelly	Judge Timothy C. Kuhlman
Bryan Montana	Judge Michelle A. Wagner
Bryan Latta	Judge Robert C. Christiansen
Emily Piros	Judge Amy J. Berling
Dennis Sawan	Judge C. Allen McConnell
Jonathan Sheehan	Judge Michael R. Goulding
Justin Rasch, Legal Research Clerk	

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 with 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 \$15.00 filing fee. If the Check Resolution Service is not successful in resolving the matter, the Toledo Police record bureau is notified and a report is generated. Then the complainant is referred to the City of Toledo Prosecutor's Office for criminal charge review. 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 2012, the Citizens Dispute Settlement Program remained committed to providing the Toledo Municipal Court and community with excellence in mediation. This goal was reached through the Court's and CDSP's commitment to improvement and quality. In 2012, Senior Mediator James Petas was re-elected president of the Ohio Mediation Association. Additionally, CDSP accomplished the following:

- Susan Monro attended the "Dealing with Toxic People" seminar in Toledo, Ohio.
- Susan Padilla attended the "How to Manage Conflict & Confrontation" seminar in Toledo, Ohio.
- James Petas attended "The Art & Science of the Question" seminar at the Ohio Mediation Association's annual conference in Columbus, Ohio.
- In 2012, CDSP showed an increase of 91 cases in the general referral division and an increase of \$1,890.00 in funds generated through the Check Resolution/Collection Mediation Program.
- CDSP joined Parker & Company to create a new brochure resulting in a new pamphlet design along with a general program information update.
- CDSP also updated and revised the bi-yearly mediation evaluation form.

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 2012, with statistics from 2011 for comparison, are provided below.

	<u>2011</u>	<u>2012</u>
<u>Type of Case</u>	Success Rate	
Civil cases:	72%	70%
Adjudicated:	71%	82%
Pre-Adjudicated:	88%	91%
Housing:	68%	65%
Small Claims:	58%	48%
<u>Dispute Resolution – Case Types Referred</u>		
Assault	122	145
Menacing	146	151
Criminal Damage	77	95
Theft	86	100
Harassment	21	10
Neighborhood Dispute	22	19
Telephone Harassment	26	37
Criminal Trespassing	9	7
Landlord/Tenant	31	30
Stalking	8	7
Other	55	80
<u>Civil Case Mediation Results</u>		
Total Referred	91	102
Mediation: Agreement	44	44
No Agreement	17	19
CDSP involvement/No mediation	19	24
Pending	11	15
Mediation Agreement %	72%	70%
<u>Adjudicated Case Mediation Results</u>		
Total Referred	127	156
Mediation: Agreement	57	79
No Agreement	23	17
FTA to Notice	17	14
CDSP involvement/No mediation	12	24
Pending	18	22
Mediation Agreement %	71%	82%

	<u>2011</u>	<u>2012</u>
<u>Pre-Adjudicated Mediations</u>		
Total referred	476	524
Mediation: Agreement	135	155
No Agreement	17	15
FTA to notice	174	169
CDSP involvement/No mediation	95	106
Make File Only	44	65
Pending	11	14
Mediation Agreement %	88%	91%
<u>Housing Mediations</u>		
Total referred	87	91
Mediation: Agreement	32	32
No Agreement	15	17
FTA to notice	7	12
CDSP involvement/No mediation	19	19
Pending	7	11
Mediation Agreement %	68%	65%
<u>Small Claims/Same Day Mediation</u>		
Total referred	103	102
Mediation: Agreement	60	49
No Agreement	43	53
Mediation Agreement %	58%	48%
<u>Check Resolution Mediations (CRS)</u>		
Total referred	267	378
Funds generated	\$4,005.00	\$5,895.00
Collection Mediations	5	15
<u>Total number of cases referred</u>		
(Minus CRS)	884	975

Goals for 2013.

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 2013, CDSP will look for ways mediation can serve the court & community more effectively. CDSP is planning to meet with officers from the Toledo Police Department to discuss how our program works and what our program can do for the community and for TPD. CDSP will continue the bi-yearly evaluation process. In the past year, of the post mediation evaluations collected, 97% were satisfied with the mediation process and would recommend it to

others. Participant comments included, “the process was wonderful. I feel the mediator listened to both sides and helped reach an amicable resolution. It really saved time and money” and “The process forced me to stop and think more logically.” 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

Kim E. Oats
Chief Probation Officer

Department Description.

The Toledo Municipal Probation Department operates under the authority of the Toledo Municipal Court Judges. The primary role is to support the Court in managing offenders. Probation Officers investigate, supervise, and monitor adult offenders and provide information and recommendations to the Judges.

In addition to serving the Court, the Probation Department also serves offenders and the community. Public safety is promoted by reducing risk and changing offender behavior. Local partnerships with government agencies, social services, and community groups further support this endeavor.

The Probation Department provides a wide range of services throughout the court process, including pre-sentence, alternative sentencing, and both standard and specialized post-sentence programs. Through these programs, the Probation Department assists victims and holds offenders accountable.

The overall management of the department is under the direction of Chief Probation Officer Kim Oats. All Assistant Chief Probation Officer job responsibilities, such as the daily operations of the Probation Department and the coordination of the units, are also under the direction of Chief Oats. Ms. Oats is a member of the Ohio Chief Probation Officers Association and the American Probation and Parole Association.

The Probation Department is structured into five units: the Management Team, Intake Unit, Supervision Unit, Special Services Unit, and Clerical Unit. Within each unit, staff members serve as a back-up to each other in order to provide for the on-going operation of all programs. The supervisor also serves as a back-up to the positions within their unit if coverage is not adequate.

Through December 31, 2012, the Management Team was supervised by Chief Oats, and Unit Supervisor Laura Berling supervised the Intake Unit. Administrative Secretary Barbara Cameron supervises the clerical unit, and the Special Services Unit which is supervised by Unit Supervisor Eddie Norrils. In February 2012, Randolph Nelson resigned from the Probation Department and was replaced in August by Unit Supervisor Michael Zenk. Together, the team problem solves and gives direction to the Probation Department.

Unit Supervisor Laura Berling supervises six professional staff in the Intake Unit. This unit is responsible for pre-sentence investigations, completing the intake process for inactive probation referrals, supervising inactive probation cases, and coordinating the License Intervention Program. There are three Investigating Probation Officers: Jennifer Friddell,

Andrew Oberdier, and Sean O'Connor. These investigators are responsible for completing all Pre-Sentence Investigation (PSI) and Record Check referrals for the department. They also coordinate competency evaluation referrals, investigate restitution referrals, and make recommendations regarding motions to seal records. Supervising Probation Officer Cathy Freeh monitors all inactive probation cases that do not have any other active supervision cases within the department. Ms. Freeh also backs-up the Intake Clerk and License Intervention Specialist. Lisa Kuebler is the License Intervention Specialist. Ms. Kuebler educates drivers about their license status as well as coordinates limited driving privileges, reinstatement fee payment plans, and vehicle immobilizations.

Unit Supervisor Michael Zenk supervises five Probation Officers in the Supervision Unit. Probation supervision is a court-ordered sanction that is placed on a person convicted of a crime. It is an alternative to jail and allows the offender to remain in the community under the supervision of a Probation Officer. Supervising Probation Officers complete risk assessments, make social service referrals, monitor drug screens, conduct record checks, and enforce the order of the court. Significant violations are reported to the Judge for further disposition. There are five Supervising Probation Officers: Tony Bouyer, Megan Stevens, Mark Klapper, Markus Whitehead, and Kerry Konzen. All medium and high risk probation cases are supervised by this group of Probation Officers. The average supervision caseload has 331 offenders.

Unit Supervisor Eddie Norrils supervises five Probation Officers in the Special Services Unit. Four Probation Officers have specialized case workloads: Alternatives, Community Sanction (CS), Community Service Probation Program (CSPP), and Intensive Supervision Probation (ISP).

The Alternatives Program assist eligible first-time offenders avoid formal conviction. Offenders are held accountable for their actions through a series of individual, classroom, or e-course sessions. Each session talks about making good choices and staying out of trouble. Participants who stay crime free and complete the program are granted a one time case dismissal and sealing of their record. The Alternatives Program is staffed by one Probation Officer, Jodi Alexander-Packard, who handles all referrals and teaching forums for the program. Ms. Packard also serves as the Electronic Monitoring liaison between the Court and CCNO.

Dawnelle Kelly is the Community Service Probation Program (CSPP) Officer. Community service is an alternative sentencing option that allows offenders to complete public service work instead of paying fines or serving time in jail. This sanction helps the community as well as holds offenders accountable for their criminal behavior.

Gary Colton is the Community Sanction (CS) Officer. This position is funded by the Community Corrections Act (CCA) grant from the Ohio Department of Rehabilitation and Correction. Mr. Colton monitors the Kiosk Project, which is an evidence-based Kiosk Reporting program available to low-risk offenders who meet certain criteria.

Mark Steude is the Intensive Supervision Probation (ISP) Officer. ISP is a jail diversion program for high-risk offenders. This position and related programming is funded by the Community Corrections Act (CCA) grant from the Ohio Department of Rehabilitation and

Correction. Supervision is short and intensive. Offenders must follow strict conditions such as curfew, drug testing, treatment, and reporting as often as three times per week. After completing ISP, offenders are transferred to an active probation caseload for the rest of their sentence. This grant also provides \$128,689.00 for emergency drug and alcohol treatment services for standard probation offenders who cannot pay for treatment.

Mr. Norrils also supervises Women's Risk Probation Officer Lori Donovan. The Women's Risk Program (WRP) is a unique caseload for medium to high-risk female offenders. The program is based on the Women's Risk Assessment Project that is sponsored by the National Institute of Corrections and the University of Cincinnati Corrections Institute. Research shows that women have different criminal risk factors than men. WRP probation supervision helps women identify and address their unique risk factors in order to reduce crime and improve their overall quality of life. This caseload began as a 15 month Justice Assistance Grant (JAG) that expired December 31, 2010. Due to the positive impact of WRP, the program continues to operate within the Probation Department as a stand alone caseload.

The Clerical Unit provides secretarial and supportive services for the department. This includes but is not limited to greeting the public, collecting restitution payments, typing, filing, delivering probation files to the court rooms, and processing in-coming cases. Administrative Secretary Barbara Cameron supervises Probation Secretaries Mary Baker, Idell Daniels, and Darlene Jimenez as well as Front Desk Secretary Valerie Waggoner and Assignment Secretary Martha Grabarkiewicz.

Shirley Goodar retired from the position of Intake Clerk in January, 2012.

Accomplishments.

Throughout the year, the Probation Department utilized supervision fees to send staff to various trainings and conferences. Staff participated in a total of 253 training hours. Topics of training included: The Ohio Risk Assessment System, EPICS II, Thinking For A Change, Best Practices for Crisis Intervention for the Mentally Ill, Motivational Interviewing, Coaching, Motivating and Retaining Employees, Being A Super Communicator, and attendance at the Ohio Justice Alliance for Community Corrections, Ohio Community Corrections Association, and Court Technologies conferences. All staff members in the Probation Department are certified LEADS Operators and those who work directly with offenders are also certified to use the Ohio Risk Assessment System.

Additionally, the Probation Department utilized Supervision fees for confidential shredding services, Kiosk maintenance, temporary clerical staff, and to cover grant related shortages for offender services such as Indigent Electronic Monitoring, emergency treatment services, voice track monitoring, and bus tokens.

With the approval of the Judges, the Probation Department began The Probation Intake Pilot Project. The Intake Project ran from February 6, 2012 to April 27, 2012. Assisting the Probation Department were student interns, Kim Beale, Diana Jacobs, Gerald Glesmer and Josh Parker.

The goals of the project were:

1.) To process offenders through the probation lobby quicker.

Achievement: Through the intake process the department has identified a process that was implemented with the clerical staff to identify the referral at the front desk and have a designated secretary complete processing the affidavit and information into ProLaw. This process was recently implemented and the results have not been evaluated.

2.) To sign Active conditions of probation with offenders on the sentencing date.

Achievement: All offenders receiving a referral for Active probation case sign Conditions of Supervision on their sentencing date unless they fail to report to the department after court.

3.) To correct current inefficiencies in the assignment process.

Achievement: The department continues to address this issue. Due to some staff shortages, decisions regarding the assignment process were made according to available staff. At the conclusion of the project the department realized the need for additional personnel to process referrals from court. The Intake Officers also assist the offender in completing the Community Supervision Assessment Tool, schedule initial appointments for officers and community agencies and complete paperwork for Conditions of Supervision.

Goals for 2013.

- 1. Identify, purchase and implement new probation case management software.**
- 2. Develop and implement the Probation Department Strategic Plan which includes:**
 - a. Implement a Thinking For A Change group for high risk women.
 - b. Develop policies for contact standards, probation violations, and graduated sanctions.
 - c. Review clerical duties to maximize efficiency when processing cases.
 - d. Develop staff competencies in Evidence Based Practices, along with case management planning and use of the Ohio Risk Assessment.

Staff Summary.

As of December 31, 2010 there were 26 staff positions in the Probation Department: 1 Chief Probation Officer, 3 Unit Supervisors, 14 Probation Officers, 3 Intake Clerks, 1 License Intervention Specialist, 1 Administrative Secretary, and 5 Probation Secretaries.

The Probation Department has 4 unfilled positions. There were 2 Probation Officer vacancies due to P.O. Charles Pfeifer's February, 2010 retirement and P.O. Theresa Braddy's

May, 2010 resignation. The hiring process is underway and additional Probation Officers are expected on staff soon. There continues to be a Probation Secretary vacancy following Joan Kelly's promotion to Judges' Secretary in May, 2010. The Assistant Chief Probation Officer position is also unfilled due to Tammy Harris' interim appointment as Acting Human Resource Officer. New hires in 2012 include 3 Intake Officers, Kimberly Beale and Sean Mannoch. Intake Officer Carrie Tester will join the department in January, 2013.

STATISTICAL REPORT

	<u>2012</u>	<u>2011</u>
INTAKE SERVICES:		
<u>*Cases Referred to Probation</u>		
Traffic	5,704	4,717
Criminal	5,940	5,382
Other Area Courts	44	61
TOTAL	11,688	10,160
Defendants Placed on Probation	5,616	2,907
Released/Terminated	2,351	2,439
Court Reviews	1,432	862
Pre-sentence Referrals Requested	1,471	1,114
<u>Offenders on Probation</u>		
Active Probation	3,304	2,218
Inactive Probation	2,855	1,819
TOTAL Probation	6,159	4,037
SPECIAL SERVICES:		
EMU REFERRALS	327	306
CSPP PROGRAM:		
TOTAL CSPP Referrals	1,492	2,608
Insurance Fees Collected on CSPP Cases	\$4,596.30	
TOTAL CSPP Hours Ordered*	65,455	81,099
TOTAL CSPP Hours Completed*	20,990	1,609

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

	<u>2012</u>	<u>2011</u>
ALTERNATIVES PROGRAM:		
Total cases processed	550	676
Unsuccessful	117	97
Sealed (successful)	322	290
Carried into next year	228	289

RED/IMMOBILIZATION PROGRAM:

Immobilizations	305	213
Releases	322	227
RED Referrals	1,409	895

DISTRICT COURT SERVICES PROGRAM:

	<u>2012</u>	<u>2011</u>
Referrals to Alternative Program		
Bowling Green	0	0
Sylvania	0	5
Maumee	0	0
Oregon	0	0
Perrysburg	<u>42</u>	<u>44</u>
TOTAL	42	49

FINANCIAL INFORMATION

	<u>2012</u>	<u>2011</u>
Restitution	\$10,024.64	\$104,656.26
*Surcharge	<u>\$7,723.90</u>	<u>\$5,634.04</u>
TOTAL	\$17,748.54	\$110,290.30

ENVIRONMENTAL COURT

Judge C. Allen McConnell
Housing Court

Message from the Judge.

The year of 2012 turned out to be one of the most difficult years of my tenure for the mere reason that homeowners experienced severe financial problems. As in past years, most homeowners desire to maintain their homes in excellent condition, but financial stressors were always present. With a change in the economy, it is hopeful that there will be more resources available through community organizations and personally for property owners.

During the past year, the Court was able to develop a procedure with the Clerk's Office wherein cases are assigned upon filing to the Housing Court. This procedure eliminated the necessity of delay in getting the cases to the Housing Court docket and results in greater efficiency in the court procedures.

It is my hope that in 2013 we will see an improved financial forecast for homeowners and greater funding resources to community organizations, creating stabilization and improvement in Toledo's housing stock.

The History of Housing Court.

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 third term commencing January 1, 2012.

Judge McConnell no longer handles a proportionate share of regular criminal and traffic docket. He continues to serve one week in each of the three mandatory courts: misdemeanor arraignments, felony arraignments, and duties. Duties is a catch-all Court assignment 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.

About the Court.

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, cases involving house stripping, fire prevention, dumping, littering, smoking violations, fishing violations, watercraft violations and manufactured homes pursuant to new legislation codes (R.C. 1923.02) are assigned to the Environmental Court docket.

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 Tuesday through Friday. 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.

During the year of 2012, 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 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.

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. However, participants must be mindful that the Court can impose the original sentence if the participant fails to meet his or her obligations as directed.

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 2013.

In 2013, the Housing and Environmental Court will continue its effort 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 2012 the Housing Court staff consisted of Judge C. Allen McConnell, Magistrate Alan J. Michalak, backup Magistrates Rebecca K. Ligibel and Catherine Hoolahan, Senior Housing Specialist Gwen J. Wyse, Housing Specialists Barbara Falls and Larry Cardwell (retired 2012), Court Reporter Lori Hauenstein, Deputy Steve Karam, Law Clerk Dennis Sawan, Judges' Secretaries Meredith Kurucz and Krystal Jones (Job Share Position).