

TOLEDO MUNICIPAL COURT

ANNUAL REPORT 2013

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 current Presiding Judge for the Court, I am pleased to present to you our annual report for 2013 as required by statute. I encourage you to read the report in its entirety as you will find its contents to be educational and informative.

The Court appreciates and values 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 recognize and take seriously the role they have in serving the public. We continue to have a cooperative and positive working relationship with the Mayor's Office 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 criminal justice agencies and community organizations with whom we work to serve the public.

As a branch of the government, we are obligated to be cognizant and sensitive to the economic conditions of the community when making operational and fiscal decisions. In 2013, the Court remained fiscally conservative in meeting its administrative responsibilities. The Court provided cost effective programs and services to the citizens we serve. Moving forward in 2014, the Court will not change the fiscally responsible philosophy and transparency used to manage the daily operation of the Court. Whenever conditions permit, we will continue to explore and pursue new and cost efficient 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 2013 annual report. We invite 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. Although 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 wide 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' meeting 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 William M. Connelly, Jr. finished his first one-year term as the presiding and administrative judge on December 31, 2013. Judge Connelly was elected by his fellow judges as the presiding/administrative judge for a second one-year term, beginning January 1, 2014.

Year in Review – Overview

During 2013, Toledo Municipal Court operated under challenging but improving budget conditions. The improved budget situation was a reflection of the gradual economic recovery for the City of Toledo and its citizens. The Court continued to make meaningful contributions to the City of Toledo's budget and cost saving efforts in 2013. By limiting funding for some positions to a partial year and delaying the filling of positions that became vacant during the year, the Court saved the city \$350,947 in 2013. The Court also utilized several practices which were instituted in previous years as cost saving measures including reduced operating hours and fewer subscriptions to legal publications and journals. The Court continued to make conservative fiscal management decisions in support of the City Council and the Mayor's Office. It remains a supportive partner of the City of Toledo as the city government continues its fiscal recovery. The Court is cautiously optimistic that 2014 will prove to be a stable budget year, which will allow the Court to maintain an appropriate staffing level necessary to properly serve the citizens of Toledo.

The Court remains committed to providing cost efficient public safety programs for offenders sentenced to probation. It continues to operate kiosk reporting for low-risk offenders and the Online Alternatives Program for first time offenders. These programs reduce the cost of providing quality probation services by making cost effective use of limited staff resources. This approach has allowed the Probation Department to direct its treatment efforts and staff resources on higher-risk offenders. To support this objective in September of 2013, the Court's Probation Department was awarded a \$772,223 Probation Incentive and Improvement Grant from the Ohio Department of Rehabilitation and Correction. The grant will

enable the department to provide treatment services for high-risk offenders through the use of evidence-based practices over a twenty-one month period. In 2014, the Court will continue to pursue new funding sources and programs to help preserve public safety, while providing probation services aimed at reducing recidivism by promoting positive changes in offender behavior.

During 2013, three staff retired from court employment and eight staff resigned, including: staff in the Court Reporter's Department, the Court Administrator's Office, the Law Clerk's Department, and the Probation Office. As previously noted due to budget limitations, some of these positions were not immediately filled. The impacted departments compensated 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 third full year as court administrator in 2013. In addition to being a Certified Ohio Court Manager, Ms. Falgiano was credentialed as a Certified Court Executive through programming developed by the National Center for State Courts and offered for the first time through a partnership with the Supreme Court of Ohio. In 2013, Ms. Falgiano was also certified as faculty for the Court Management Program in the 2½ day Essential Components course. She is also 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. In recent years, the Court has used CourTools to measure and improve its performance. CourTools was developed by the National Center for State Courts, and it provides the Court the ability to measure its effectiveness in several areas 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.courtools.org/>.

In 2013, the Court continued its proactive efforts to measure and improve its effectiveness in the area of active pending cases. By using Tableau Business Analytics Software, which is a data analysis tool, judges have improved their management and scheduling of active pending cases. They also use a set of associated reports to prepare individual monthly superintendence reports. Since November 2012, age of active pending caseload reports have been available to the public 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 and Tableau to measure, analyze and improve performance, the Court continued to improve case management and the delivery of other court programs and services. During 2013, the Court continued to provide financial resources to fund several software and information technology related items including: the generation of monthly superintendence reports, the annual physical inventory process, the continued development and use of the civil bailiff computerization system and the new probation case management software program.

The Court has strong partnerships with the Clerk's Office and NORIS, which were created to improve cost and operational efficiency by sharing technology and purchasing power. The Court and Clerk have continued to fund a shared part-time technology position, which has improved IT staffing at a reasonable cost. The Court and the Clerk share oversight of a Governance Committee which provides project management support and guidance to NORIS (Northwest Ohio Regional Information System) in the design and

implementation of information technology projects. Court staff was provided external e-mail access in 2013. This significantly improved the Court's efficiency as it has greatly enhanced staff's communication resources. Other technology improvements included the installation of a JAVS recording system and video conferencing equipment in courtrooms 7 and 11. Additionally, updated JAVS recording systems were installed in courtrooms 3, 4, 6 and 9 and on one mobile JAVS cart. The Court also updated one mobile evidence IT cart and purchased a second mobile evidence IT cart for use by prosecutors and defense attorneys.

Judge Kuhlman, in coordination with the Legal Subcommittee of the Northwest Ohio Reentry 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.

Year In Review: Professional Development

The Court conducted, funded and coordinated several staff training and professional development opportunities for its staff in 2013, which proved to be cost effective and meaningful training opportunities. All staff received training on the Court's new Ethics Policy, as well as in the prevention of harassment and discrimination. It also used training activities and staff development events as an opportunity to partner with other government agencies and participate in affordable and shared events. An example of this partnering philosophy involved the Court co-sponsoring with the Community Corrections Planning Board for a sentencing forum on the Ohio Risk Assessment System (ORAS) for legal professionals. The forum provided participants with 3.25 hours of CLE credit. The civil bailiffs provided training to its staff in several key areas including: crisis intervention training and child abuse and neglect referral procedures. The Probation Department, which is the largest department in the Judges' Division, continued its tradition of providing extensive staff training opportunities. Probation Department staff participated in a total of 717 training hours during 2013. The training covered a variety of probation-related skills and subject matters including: case planning, evidence-based practices, and the Ohio Risk Assessment System. Additionally, staff from the Citizens Dispute Settlement Program participated in a training event titled "Impasse is a Fallacy." The Court also continued to use the Ohio Judicial College and the Ohio State John Glenn School of Public Affairs to provide affordable, 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. The Court Administrator's Office helped revise several key court policies including: the Email Policy, Employee Code of Ethics, and changes to Chapter 2134 of the Toledo Municipal Code related to vacation accrual and employee benefits.

The Court Administrator's Office managed a number of personnel selections including: five internal selections, two rehires and fourteen new hires. In 2013, the Court Administrator's Office processed 32 FMLA packets. In addition, two investigations were conducted. The court administrator addressed one grievance under the Court's Employee Grievance Program. It was still active at the end of 2013, and the resolution process will be completed in 2014. One disciplinary hearing was conducted in 2013. 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 performance improvement plans.

The Court Administrator's Office also facilitates building maintenance and improvements. In 2013, various projects and work orders were completed including: completion of a new overhead drainage system in the parking garage, repairs to a garage support beam, installation of new hallway heaters, tuck pointed one external side of the building, installation of ceiling heaters in the fifth floor mechanical area, installation of handicap accessible drinking fountains throughout the building, replacement of bathroom floor tile, and painting of numerous areas of the building. Also accomplished were the installation of additional circuit outlets in several courtrooms for JAVS equipment, installation of a wall and security door for the county prosecutor's domestic violence second floor waiting area and modification of the entrance door to the city prosecutor's domestic violence third floor waiting area. Also completed was the purchase and installation of a security camera system to monitor activity in the second and third floor domestic violence waiting areas, construction of a probation intake area in the former auditorium, and replacement of the alternator and starter on the emergency generator.

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 four-county Regional Community Corrections Planning Board consisting of those counties participating in CCNO. She also serves on the Lucas County Jail Feasibility Work Group.

The Coming Year

In 2014, 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, replacement of the Court's telephone system, complete upgrade of all computers to allow for running of Windows Seven Operating System, 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: assignment commissioner, assignment clerks, assistant chief civil bailiff, a probation intake officer, and probation officers. Given its improved budget forecast for 2014, the Court plans to operate with fewer vacant positions than in recent years. Additionally, the Court will fund leadership development training for up to 25 staff from the Judges' Division and the Clerk of Court's Office. This training will be aimed at exposing and teaching staff leadership skills and techniques that will prepare them for possible future career advancements.

Staffing

As Court Administrator, Lisa Falgiano oversees and receives valuable assistance from several key staff including: Michael Zenk, Deputy Court Administrator, Tammy Harris, Human Resource Officer, Terry Koluch, Information Technology Officer, Blake Brown, Information Technology Specialist, and Tonya Grainger, Finance Officer. The judges' secretaries are Dorlisa Daniels, Krystal Jones and Meredith Kurucz (job share position), and Joan Kelly.

Computer Legal Research 3T03013STDSTD 2013 Annual Statement of Expenditures	
Court Research	
On-line legal research (West Law)	1,152.84
Total Expenditures	\$1,152.84

Alternate Dispute Resolution (Mediation) Trust Fund 3T03028STDSTD 2013 Annual Statement of Expenditures	
Supplies/Equipment	
Training and Associated Travel	841.46
Total Expenditures	\$841.46

Court Computerization (Judges') Trust Fund 3T02916STDSTD 2013 Annual Statement of Expenditures	
Supplies/Equipment	
Audio/Visual Equipment and System	118,134.79
Audio System Maintenance Agreement	9,296.00
Computer Equipment/Chairs	2,685.39
Computers	48,561.92
Computer Software/Equipment	3,480.96
External Email System	20,000.00
Professional Services - Video Remote Interpreting Set-Up	204.75
Professional Services - Videotape of Ethics Training for Court and Clerk Staff	2,000.00
Shipping/Freight Costs	141.94
Stenograph Software Maintenance Agreement	2,142.00
Temporary Services	8,040.00
Time and Attendance Software License	9,000.00
Training and Associated Travel	2,027.55
Website Maintenance	696.00
Total Expenditures	\$226,411.30

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 2013, the clerk began processing credit card payments through a third party vendor, saving the Court between \$30,000 and \$40,000 in bank fees each year.

The Clerk's Office also expanded the documents we image to include civil motions and garnishment reports. These items are displayed on the clerk's website www.tmc-clerk.com.

The clerk installed Wi-Fi access points in the basement and first floor of the courthouse so that the public and attorneys are able to use wireless devices to look up case information and access our mobile application TMC CourtWatch.

Finally, the clerk upgraded the Civil Office. Over the years, the Civil Office had undergone minor changes while our caseload had significantly increased and computers have replaced handwritten logs in the collection, transmission and storage of case information. As a result, the Civil Office area was renovated to include:

- Ergonomic workstations for employees. The desks in the small office were not designed for computer use and needed to be replaced.
- Upgraded the public counter.
- Installed more space efficient file equipment to store our case files.

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

	2013	2012
Filings		
Civil Division	20,290	22,357
Criminal / Traffic Division	101,064	94,098
TOTAL	121,354	116,455
<hr/>		
Revenue Collected		
Civil	9,966,733.65	11,853,750.91
Criminal / Traffic	6,206,454.94	5,625,155.67
TOTAL	\$16,173,188.59	\$17,478,906.58
<hr/>		
Revenue Disbursed		
City of Toledo General Fund	3,653,707.21	3,700,259.91
Other City of Toledo Accounts	1,882,628.68	1,590,206.03
Ottawa Hills	21,935.00	20,616.40
Washington Township	1,814.20	1,788.80
University of Toledo	855.00	670.00
Lucas County Treasurer	242,813.41	192,923.44
Lucas County Sheriff	275.00	286.00
Lucas County Drug Fund	40,349.21	40,526.39
Lucas County Law Library Association	8,103.18	8,152.23
Citizens Award Fund/Crime Stoppers	4,491.00	4,344.10
Toledo Area Humane Society	585.00	971.00
Toledo Area Metro Parks	278.00	160.00
Toledo Legal News	170,374.18	199,167.59
Civil Legal Assistance Project	132,920.00	154,980.00
Treasurer of State	1,854,737.65	1,907,627.56
Department of Natural Resources	2,079.00	3,571.00
State Pharmacy Board	13,076.50	8,854.00
Division of Liquor Control	0	70.00
Capital Recovery Systems	388,270.33	319,147.61
Fiduciary Accounts - Civil	7,777,738.01	8,957,303.31
Fiduciary Accounts - Trusteeship	71,154.10	105,150.37
Refunded Overpayments	15,946.66	10,494.59
TOTAL	\$16,284,131.32	\$17,227,270.33

**Clerk of Toledo Municipal Court
Civil Division**

	2013	2012
Filings	15,468	18,586
Small Claims	4,804	3,758
Trusteeship	18	13
TOTAL	20,290	22,357

Activities		
Certificate of Judgment	3,938	4,734
Certified Mail Issued	25,992	28,180
Disbursements - Civil	4,646	6,498
Disbursements - Trusteeship	436	632
Dismissals	6,404	5,708
Executions	164	122
Garnishments	11,081	12,731
Judgments	52,715	58,269
Motions	9,545	10,432
Ordinary Mail Issued	15,377	16,149
Proceeding in Aid	4,442	4,750
Reports	46,817	54,029
Revivors	388	352
Revocations	3	3
Satisfactions	4,317	4,889
Subpoenas	265	354
Terminations	25,127	18,767
Transcripts	109	120
Writ of Restitution	3,364	3,145
TOTAL	215,130	229,864

Revenue Collected		
Civil Revenue	2,234,097.93	2,539,660.98
Fiduciary Accounts - Civil	7,668,607.43	9,211,556.98
Fiduciary Accounts - Trusteeship	64,028.29	102,532.95
TOTAL	\$9,966,733.65	\$11,853,750.91

Revenue Disbursed		
City of Toledo General Fund	1,282,740.61	1,409,859.44
Other City of Toledo Accounts	274,640.88	343,761.79
Civil Legal Assistance Project	132,920.00	154,980.00
Treasurer of State	367,999.20	431,405.66
Toledo Legal News	170,374.18	199,167.59
Fiduciary Accounts - Civil	7,777,738.01	8,957,303.31
Fiduciary Accounts - Trusteeship	71,154.10	105,150.37
Refunded Overpayments	109.50	486.50
TOTAL	\$10,077,676.48	\$11,602,114.66

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

Filings	2013		2012	
	Charges	Cases	Charges	Cases
Traffic	70,880	45,380	62,251	37,173
Criminal	30,184	23,114	31,847	22,925
TOTAL	101,064	68,494	94,098	60,098

Revenue Collected

Fines	1,442,339.14	1,586,269.72
Costs and Fees	4,736,746.71	4,001,052.13
HITT	2,281.93	5,485.73
Bond Forfeitures	9,250.00	22,340.00
Overpayments	15,837.16	10,008.09
TOTAL	\$6,206,454.94	\$5,625,155.67

Revenue Disbursed

City of Toledo General Fund	2,370,966.60	2,290,400.47
Other City of Toledo Accounts	1,607,987.80	1,246,444.24
Ottawa Hills	21,935.00	20,616.40
Washington Township	1,814.20	1,788.80
University of Toledo	855.00	670.00
Lucas County Treasurer	242,813.41	192,923.44
Lucas County Sheriff	275.00	286.00
Lucas County Drug Fund	40,349.21	40,526.39
Lucas County Law Library Association	8,103.18	8,152.23
Citizens Award Fund/Crime Stoppers	4,491.00	4,344.10
Toledo Area Humane Society	585.00	971.00
Toledo Area Metro Parks	278.00	160.00
Treasurer of State	1,486,738.45	1,476,221.90
Department of Natural Resources	2,079.00	3,571.00
State Pharmacy Board	13,076.60	8,854.00
Division of Liquor Control	0.00	70.00
Capital Recovery Systems	388,270.33	319,147.61
Refunded Overpayments	15,837.16	10,008.09
TOTAL	\$6,206,454.94	\$5,625,155.67

ASSIGNMENT OFFICE

Cheryl Smith
Acting Assignment Commissioner

Department Description

The primary responsibility of the Assignment Commissioner's Office is the judge assignment to criminal, traffic and civil cases and the setting of pretrials, trials and other court hearings. After a court date is set, all parties are notified. 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 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. All housing cases are assigned 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 monthly schedules and daily dockets.

Accomplishments

During 2013, due to reduced staffing levels, the department worked with a more team-oriented structure which proved to work well. In January 2013, Assignment Clerk Alice Thomas moved from a temporary position into permanent employment, and in April, Anne Eckhardt resigned to take the position of law clerk for Judge Christiansen. The staff was supplemented with the addition of two temporary assignment clerks. The Assignment Office has focused on more cross-training of employees. Valerie Hobbs has been training on the job responsibilities of the senior assignment clerk; and Wanda Butts and Amy Wroblewski have been training on daily docket preparation, civil tasks, and jury functions.

The figures for 2013 with comparison figures for 2012 are as follows:

CATEGORY	2013	2012
A. Cases Assigned		
Criminal/Traffic Assignments	28,080	24,463
Civil Assignments (including Housing)	7,819	1,456
B. Cases set for Trial		
Criminal/Traffic Trials	12,831	10,057
Civil Trials	493	764
Criminal/Traffic Trial Resets	6,096	7,788
C. Cases set for Pretrial		
Pretrial – Criminal/Traffic	14,561	13,974
Pretrial Resets	1,522	1,712
Mandatory Jury Pretrials (MJPT) (Crim/Traff/Civil)	118	154
D. Preliminary Hearing/Felony Arraignment Docket	13,462	13,740
E. Jury Trials Set (Crim/Traff/Civil)	147	164
F. Bureau of Motor Vehicle Hearings	5	6
G. Eviction	6,852	6,457
H. Housing		
Criminal Housing Trials	248	253
Civil Housing (Not a Draw) New Assignments	6,976*	453*
Rent Escrow	77	68
I. ALS/Innocent Owner Hearings	62	67

* As of December, 2012, civil housing cases are assigned 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, or transfers. The following figures represent the number of civil cases assigned during 2013 and 2012 per individual judge:

2013	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
McConnell	557	511	520	620	632	637	647	609	600	595	526	522	6,976
Kuhlman	13	10	22	14	10	12	10	21	8	12	8	8	148
Christiansen	16	13	14	13	7	10	7	23	10	7	6	12	138
Berling	23	13	12	6	3	11	13	10	12	13	5	9	130
Connelly	18	10	14	13	11	13	7	19	14	11	5	10	145
Goulding/Lanzinger	7	10	12	15	4	18	10	21	12	10	6	11	136
Wagner	14	16	11	15	16	12	9	11	15	9	9	9	146
TOTAL	648	583	605	696	683	713	703	714	671	657	565	581	7,819

2012	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
McConnell	13	17	25	11	8	27	10	20	21	19	19	263	453
Kuhlman	11	19	22	3	13	15	10	15	12	17	22	9	168
Christiansen	13	18	14	13	12	17	22	17	7	15	19	10	177
Berling	14	18	22	16	7	16	13	14	13	19	13	13	178
Connelly	18	8	18	8	10	13	18	19	7	13	13	11	156
Goulding	20	11	24	13	15	15	12	20	8	18	9	12	177
Wagner	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

Civil Cases Set for Trial

Month	2013	2012
January	43	64
February	41	49
March	35	100
April	50	55
May	46	72
June	50	74
July	40	49
August	45	55
September	43	59
October	32	70
November	25	66
December	43	51
TOTAL	493	764

Civil Pretrials, Jury Trials and Jury Pretrials set in 2013 and 2012

Civil Pretrials		Civil Juries Set		Civil Mandatory Jury Pretrials	
2013	814	2013	51	2013	29
2012	988	2012	37	2012	28

Evictions Set

Month	2013	2012
January	562	495
February	486	582
March	472	404
April	530	413
May	588	530
June	596	541
July	655	625
August	693	642
September	595	549
October	657	599
November	424	547
December	594	530
TOTAL	6,852	6,457

Rent Escrow Hearings

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2013	6	11	8	4	7	4	6	4	7	10	4	6	77
2012	9	4	6	3	6	3	9	9	2	3	9	5	68

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.

Bureau of Motor Vehicle Hearings (Civil) – Scheduled with Magistrates

2013: 5 cases

2012: 7 cases

Criminal and Traffic Assignments

Upon entering a plea of “not guilty” before a judge, the assignment commissioner’s computer program randomly assigns the case to a judge. Once a judge is assigned, all pretrials and trials are set 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>2013</u>	<u>2012</u>
McConnell	1,058	376
Kuhlman	4,435	3,773
Christiansen	4,537	4,144
Berling	4,536	4,032
Connelly	4,363	3,946
Goulding/Lanzinger	4,651	4,126
Wagner	4,500	4,066
TOTAL	28,080	24,463

Reactivated Cases (Sealing of Record/ Expungments)

2013: 659

2012: 496

Criminal/Traffic Trial Reset Cases – 2013

Judge	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
McConnell	20	15	14	17	11	17	13	11	20	24	20	19	201
Kuhlman	75	45	57	80	56	52	39	63	67	60	60	38	692
Christiansen	112	109	75	139	133	64	67	56	65	70	55	52	997
Berling	89	64	78	102	99	75	68	70	65	51	49	57	867
Connelly	94	69	52	74	67	72	70	56	53	44	49	41	741
Goulding/ Lanzinger	162	107	108	128	90	141	94	106	116	120	132	74	1,378
Wagner	146	144	90	92	98	107	77	89	93	110	99	75	1,220
TOTAL	698	553	474	632	554	528	428	451	479	479	464	356	6,096

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

2013 Jury Trials - Criminal/Traffic/Civil

Month	Crim/Traffic	Civil	Ordered	Used	No Jurors
January	15	4	3	2	45
February	6	1	1	0	0
March	10	2	1	0	0
April	8	2	2	1	24
May	10	4	0	0	0
June	7	1	1	0	0
July	6	6	2	1	20
August	8	2	1	0	0
September	2	8	0	0	0
October	8	1	1	1	20
November	2	4	0	0	0
December	6	0	1	1	25
TOTAL	88	35	14	7	134

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

2013 Criminal/Traffic Trials: 12,831

2012 Criminal/Traffic Trials: 10,057

2013 Criminal/Traffic Pretrials

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
McConnell													
Set	11	15	9	28	37	39	25	85	36	36	23	24	368
Reset	1	1	4	1	2	2	2	4	3	15	6	6	47
*MJPT	0	1	0	1	0	3	0	0	0	0	0	0	5
Kuhlman													
Set	186	235	219	252	209	181	261	239	241	208	173	173	2,577
Reset	41	15	23	17	37	14	20	21	13	31	18	16	266
*MJPT	0	0	0	2	2	0	5	3	0	1	0	1	14
Christiansen													
Set	194	186	182	207	206	194	227	203	203	197	153	166	2,318
Reset	16	17	13	35	54	21	38	20	34	18	20	24	310
*MJPT	3	0	1	2	0	0	2	1	1	3	5	5	23
Berling													
Set	154	167	153	167	178	129	151	181	144	158	143	121	1,846
Reset	8	6	8	12	9	6	7	10	10	8	7	13	104
*MJPT	0	0	0	0	0	0	0	0	0	0	0	0	0
Connelly													
Set	206	197	215	237	214	200	243	232	211	186	154	150	2,445
Reset	27	11	16	30	22	22	17	8	22	23	19	11	228
*MJPT	1	0	0	1	0	0	0	1	0	0	0	4	7
Goulding/Lanzinger													
Set	200	203	218	224	245	215	206	226	228	193	183	179	2,520
Reset	14	11	14	20	31	29	30	16	34	29	50	26	304
*MJPT	0	0	1	6	1	2	0	2	3	4	1	0	20
Wagner													
Set	204	195	211	210	218	215	274	226	223	220	164	157	2,517
Reset	19	35	24	25	18	42	20	13	20	18	13	16	263
*MJPT	0	1	0	1	0	2	1	1	1	0	3	0	10
Total Set	1155	1198	1207	1325	1307	1173	1387	1392	1286	1198	993	970	14,591
Total Reset	126	96	102	140	173	136	134	92	136	142	133	112	1,522
Total *MJPT	4	2	2	13	3	7	8	8	5	8	9	10	79

*Mandatory jury pretrials

2012 Criminal/Traffic Pretrials

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	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
Gorman													
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	1046	1045	1142	1180	1203	1319	1235	1261	1175	1240	1122	1006	1,3974
Total Reset	169	144	221	121	155	204	104	149	135	99	94	117	1,712
Total *MJPT	10	7	8	5	14	10	6	9	14	17	19	5	126

*Mandatory jury pretrials

2013 Criminal/Traffic Pretrials

Total Pretrials Set: 14,591
Total Pretrials Reset: 1,522
Total Jury Pretrials: 79

2012 Criminal/Traffic Pretrials

Total Pretrials Set: 13,974
Total Pretrials Reset: 1,712
Total Jury Pretrials: 126

2013 Totals of Traffic/Criminal trials, trial resets, pretrials, pretrial resets, jury trials and jury pretrials:
35,275

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

Goals for 2014

Within the first quarter of 2014, two permanent assignment clerks will be added to the current staff. The Assignment Office will continue to develop the team structure and to work in conjunction with the various agencies in the building to improve efficiency and working relations. The department will further its efforts in cross-training all employees on the various office functions performed.

Staff Summary

The current staff consists of:

- Cheryl Smith, Acting Assignment Commissioner
- Valerie Hobbs, Assignment Clerk
- Wanda Butts, Assignment Clerk
- Amy Wroblewski, Assignment Clerk
- Alice Thomas, Assignment Clerk
- Annette Mack, Temporary Assignment Clerk
- Maureen O'Connell, Temporary Assignment Clerk

CIVIL BAILIFF

David G. Baz, Jr.
Chief Civil Bailiff

Department Description

The Civil Bailiff Department perfects service for legal civil documents. 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 department supervises evictions and executes judgments and replevins according to court order.

Accomplishments

Three civil bailiffs were hired to the department. Prior to their arrival, civil bailiff manuals providing detailed instructions of all department functions were written. Computer training manuals were also written, providing detailed instructions on executing department operations in the civil bailiff computer system.

Improving Public Safety

At the direction of Judge C. Allen McConnell, a Safety Committee was formed to assess safety concerns for bailiffs in the field. The committee recommended changes to the court's Aerosol Chemical Agent Policy, which was revised and approved by the judges on July 24, 2013.

The Civil Bailiff Department continues to collaborate with the Lucas County Sheriff's Office in keeping the community free of dangerous prescription drugs. Civil bailiffs have removed 235 unattended prescription drugs found at the scene of court ordered evictions. This collaboration between both departments provides an avenue for patients to retrieve their prescription drugs at the Lucas County Sheriff's Office, and keeps the prescription drugs off of the street.

The department opened a line of communication with Lucas County Children Services. Ms. Cary Brown, Assessment Manager for Lucas County Children Services met with the Civil Bailiff Department and provided guidelines on making referrals to Children Services. Bailiffs now contact Children Services when they suspect abuse or neglect of a child.

The department participated in crisis intervention training sponsored by the Mental Health and Recovery Services Board of Lucas County the week of October 7 – 11. The purpose of this training was to train Civil Bailiffs on how to best work with those in crisis who have a mental illness. Three bailiffs were trained and certified as Crisis Intervention Team Officers. The 40 hours of training included 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.

Increased Efficiency

The Civil Bailiff Department collaborating with the Clerk of Court's Civil Division and NORIS continues to implement the civil bailiff computer system. The civil bailiff computer system makes the department more efficient, accurate, safe for 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.

Local Rule 42 regarding electronic signatures was submitted and approved by the judges on October 10, 2013. This policy will allow bailiff returns to be sent and returned electronically between the Civil Bailiff Department and the Clerk of Court's Civil Division, producing a significant savings of time and costs for both departments.

This year the bailiff computer system began:

1. Management Reports
 - a. Bailiff activity recap on service made on all civil documents
 - b. Bailiff activity recap on filings
 - c. Bailiff activity recap on evictions
2. Bailiff Notes
 - Internal Notes – Assisting bailiffs in executing their tasks
Example: Contact numbers of parties
 - External Notes – Providing the public with necessary information
Example: The location of a towed vehicle

Goals for 2014

1. Design and implement a transparent and accountable financial component with checks and balances within the bailiff computer system. The system will record payments collected and track money caused to be collected by the department.
2. Continue to assess the safety needs of field work and make appropriate recommendations to the Court.
3. Begin work on implementing electronic bailiff returns.
4. Continue to provide training and tools to assist the department in executing its duties and functions at the highest quality, producing an excellent standard of service to the judges, staff, attorneys and the public.

Staff Summary

The following civil bailiffs made the above mentioned accomplishments possible.

David G. Baz, Jr., Chief Civil Bailiff

Kevin L. Smith, Acting Assistant Chief Civil Bailiff

Sherhonda R. Haynes, Deputy Civil Bailiff

Reggie Keel, Deputy Civil Bailiff

Bryan L. Latta, Deputy Civil Bailiff

Ann M. Mauder, Deputy Civil Bailiff

Tiffany A. Phenix, Deputy Civil Bailiff

James A. Roman, Deputy Civil Bailiff

2012/2013 CIVIL BAILIFF DEPARTMENT STATISTICS

	<u>2013</u>	<u>2012</u>
Bailiff Sale	0	1
Bench Warrants - Received	660	644
Creditor Bill	16	13
Foreign Service Letters	37	18
Garnishments	1,995	2,973
Garnishments No Service	175	271
Garnishment - Mail Service (to notify defendants on bank account attachments in accordance with federal law)	217	333
Landlord Complaints One Cause	5,112	4,754
Landlord Complaints One Cause- No Service	132	124
Landlord Complaints Second Cause	6,268	6,128
Landlord Complaints Second Cause - No Service	116	113
Notification	9	5
Paper Writ of Execution	51	14
Proceeding in Aid – Received	2,788	3,194
Proceeding in Aid - No Service	1,774	2,078
Replevin Summons	24	30
Writ of Replevin	21	15
Subpoenas – Received	232	276
Subpoenas – No Service	49	76
Summons – Received	188	223
Summons - No Service	55	83
Writ of Execution	71	67
Writ of Restitution Set Out	3,174	2,119
Writ of Restitution		806
Alias Writ of Restitution		150
Writ of Restitution Lock Out	33	21
Alias Writ of Restitution Set Out	714	437
Alias Writ of Restitution Lock Out	30	13
Plaintiff Notice of Action	3,207	2,938
Four Day Notice to Leave	3,207	2,938
Total Evictions	527	469
Total Lock Outs	33	14
Total Civil Documents Processed	28,054	28,097
Money Collected on Writ of Execution	\$125,439.52	\$88,041.67
Money Caused to be Collected on Bench Warrants Reported by Plaintiff / Plaintiff Attorney	\$563,845.00	\$525,640.95
TOTAL	\$689,284.52	\$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 or transcripts of digital recordings 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, digital recordings 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; and 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 seven jury trials held in 2013 and 11 jury trials held in 2012. The following is a breakdown of the jury trials presided over by each respective judge:

In 2013, Judge Kuhlman had a civil jury trial and Presiding Judge Connelly had a criminal jury trial in January; there were no jury trials held in February or March; Judge Christiansen had a criminal jury trial in April. There were no jury trials held in May. Judge McConnell had a criminal jury trial in June, and Judge Kuhlman had a civil jury trial in July. In August and September, no jury trials were held. Judge Lanzinger had a criminal jury trial in October. There were no jury trials held in November; and Judge Wagner had a criminal jury trial in December.

Goals for 2014

The goal of the Court Reporting Department for 2014 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 four court reporters in the Toledo Municipal Court, each assigned to 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;

Lori A. Hauenstein is assigned to Judge C. Allen McConnell;

Diana M. Ziegelhofer is assigned to Presiding Judge William M. Connelly, Jr.;

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.

Two additional court reporters left the Court in 2013, one due to disability and one to retirement. The courtrooms of those judges have also had digital recording systems installed in them; and transcripts are produced from those systems when requested.

LAW CLERK/BAILIFF

Bridget Connelly
Chief Courtroom Bailiff

Department Description

When fully staffed, 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 full-time employee 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 judge.

Services Provided

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 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.

Law clerks/bailiffs are responsible for the monthly reporting of assigned cases as mandated in the Ohio Supreme Court Rules of Superintendence. The report 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; however, the law clerk to the presiding judge generates a report of the unassigned cases according to their categories and dispositions. Additionally, the monthly report makes a notation of any case designated as being overage.

In three weeks of a seven-week rotation, the judge's dockets are devoted to resolving cases at the arraignment, preliminary hearing, or pre-trial states. The other four weeks are reserved for hearings on the judge's assigned cases at various stages.

2013 Retrospective

In 2013, the IT Department along with NORIS began providing law clerks with weekly reports on activity of pending cases via Tableau. This has led to increased control over weekly dockets and the elimination of hundreds of unassigned cases. Law clerks have worked with their respective update clerks to ensure efficiency thus reducing the number of overage cases and misfiled affidavits.

As the Toledo Municipal Court judges continue to develop new ways to serve the public, law clerks have served in new capacities. The law clerk to the presiding judge is the administrative coordinator for the development of a possible veteran's court program which could be launched in 2014. The law clerk to Judge Kuhlman continues to coordinate with the courtroom update clerk as well as other staff and attorneys to create a monthly "reentry docket." This program assists ex-offenders assimilating back into daily life by addressing any outstanding legal issues with Toledo Municipal Court. Finally, it is worth noting that one of the law clerks has created several new forms (e.g. court reminders, DIP information) now used in all the courtrooms.

In an effort to reduce the workload within the Probation Department, inactive probation forms are being completed in the courtroom negating the need to appear in probation to sign their terms of the inactive probation. Initially, this form was provided to the defendant by either the law clerk or attorney representing the defendant. At this point, the forms are being generated by the update clerk with defendant information including amount of monies owed the Court.

Goals for 2014

The law clerks will continue to assist the judges in enhancing efficiency in case processing as well as communication with all parties involved in a given case. Tableau resources are now available for civil cases. Law clerks are presently reviewing their judge's open caseload to ensure accuracy. The program will launch publicly this spring.

The staff looks forward to additionally training in LEADS bond reports and Westlaw. The department is fortunate to have a Westlaw instructor on staff to provide any needed training.

Meetings are now scheduled monthly with administrators and occasionally other members of Toledo Municipal Court staff to address concerns, develop a better understanding of procedures and create more effective court procedures and practices.

Staff Summary

There was a number of staffing changes in 2013. Below is a list of law clerks and their assignments; a new law clerk to Judge Lanzinger is set to begin February 3, 2014. The research law clerk remains unfilled at this time.

Presiding Judge William M. Connelly, Jr.
Judge Amy J. Berling
Judge Robert G. Christiansen
Judge Timothy C. Kuhlman
Judge Joshua W. Lanzinger
Judge C. Allen McConnell
Judge Michelle A. Wagner

Lisa Harper
James Bishop
Anne Eckhardt
Bridget Connelly
Brittany Sharp-Goldsmith (start date: February 3, 2014)
Michael Yakumithis
Jennifer Kerman

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. The complainant is then referred to the City of Toledo Prosecutor's Office for criminal charge review. Check Resolution Service has a sub-component, Collection Mediation Program, which assists businesses in collecting bad debt that is not in check form. The procedure follows the same method used in Check Resolution Service and requires a \$15.00 registration fee.

Accomplishments

In 2013, the Citizens Dispute Settlement Program remained committed to providing the Toledo Municipal Court and the community with excellence in mediation. This goal was reached through the Court's and CDSP's commitment to improvement and quality. In 2013, Senior Mediator James Petas was president of the Ohio Mediation Association and appointed to the Supreme Court of Ohio's Commission on Dispute Resolution. Additionally, CDSP accomplished the following:

- Susan Padilla attended the "Conference for Administrative Assistants" seminar in Toledo, Ohio.
- Susan Monro and James Petas attended the "Impasse is a Fallacy" seminar through the Ohio Mediation Association's annual conference in Columbus, Ohio.
- CDSP mediators attended the Toledo Police Department's role call to discuss our mediation program and the benefits of mediating conflicts in the community through CDSP.
- CDSP joined efforts with the Toledo Municipal Court's Housing Department to assess the need for a pilot program in the Eviction/F.E.D. Court. If approved, the program will be designed to help stabilize housing by mediating agreements between landlord and tenant to avert the formal eviction process.

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 2013, with statistics from 2012 for comparison, are provided below.

	<u>2012</u>	<u>2013</u>
<u>Type of Case</u>	Success Rate	
Civil cases:	70%	65%
Adjudicated:	82%	85%
Pre-Adjudicated:	91%	93%
Housing:	65%	77%
Small Claims:	48%	52%
<u>Dispute Resolution – Case Types Referred</u>		
Assault	145	113
Menacing	151	118
Criminal Damage	95	61
Theft	100	102
Harassment	10	18
Neighborhood Dispute	19	14
Telephone Harassment	37	21
Criminal Trespassing	7	10
Landlord/Tenant	30	24
Stalking	7	2
Other	80	69
<u>Civil Case Mediation Results</u>		
Total Referred	102	112
Mediation: Agreement	44	52
No Agreement	19	28
CDSP involvement/No mediation	24	21
Pending	15	11
Mediation Agreement %	70%	65%
<u>Adjudicated Case Mediation Results</u>		
Total Referred	156	89
Mediation: Agreement	79	50
No Agreement	17	9
FTA to Notice	14	9
CDSP involvement/No mediation	24	8
Pending	22	13
Mediation Agreement %	82%	85%

	<u>2012</u>	<u>2013</u>
<u>Pre-Adjudicated Mediations</u>		
Total referred	524	463
Mediation: Agreement	155	142
No Agreement	15	10
FTA to notice	169	159
CDSP involvement/No mediation	106	79
Make File Only	65	65
Pending	14	8
Mediation Agreement %	91%	93%
<u>Housing Mediations</u>		
Total referred	91	103
Mediation: Agreement	32	47
No Agreement	17	14
FTA to notice	12	10
CDSP involvement/No mediation	19	23
Pending	11	2
Mediation Agreement %	65%	77%
<u>Small Claims/Same Day Mediation</u>		
Total referred	102	114
Mediation: Agreement	49	59
No Agreement	53	55
Mediation Agreement %	48%	52%
<u>Check Resolution Mediations (CRS)</u>		
Total referred	378	224
Funds generated	\$5,895.00	\$3,360.00
Collection Mediations	15	0
<u>Total number of cases referred</u>		
(Minus CRS)	975	881

Goals for 2014

Through additional mediation education, CDSP 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 2014, CDSP will look for ways mediation can serve the Court and community more effectively. CDSP will also continue to work with the Housing Department to implement the Eviction/F.E.D. Mediation Program. CDSP will continue the bi-yearly evaluation process. In the past year, of the post mediation evaluations collected, 90% were satisfied with the mediation process and would recommend it to others. Participant comments included, “the mediation allowed me to give my view of the conflict – this service is beneficial for conflicting parties; allowing for a possible solution.” 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 Court Probation Department operates under the authority of the Toledo Municipal Court judges. Its 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. This includes 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. On October 31, 2013, Ms. Burma Stewart joined the Probation Department as the assistant chief probation officer, and has assumed responsibility of supervising unit supervisors and the administrative secretary, as well as the day to day operations of the Probation Department.

The Probation Department is structured into five units: the management team, the PSI/intake unit, the supervision unit, the special services unit, and the 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, 2013, the management team included Chief Probation Officer Kim Oats; Assistant Chief Probation Officer Burma Stewart; Unit Supervisor Laura Berling, who supervises the PSI/intake unit; Administrative Secretary Barbara Cameron supervises the clerical unit, the special services unit which is supervised by Unit Supervisor Eddie Norrils; and the supervision unit which is supervised by newly appointed Unit Supervisor Lori Donovan. In August 2012, Michael Zenk was hired as the unit supervisor for the supervision unit. In January 2013, Mr. Zenk was promoted to the deputy court administrator position, which created a vacancy for the unit supervisor until Ms. Donovan was promoted to the position on October 31, 2013.

Unit Supervisor Laura Berling supervises eight professional staff in the PSI/intake unit. This unit is responsible for pre-sentence investigations, completing the intake process for active probation referrals, supervising inactive probation cases, and coordinating the license intervention program. Probation Officer Cathy Freeh supervised the inactive probation cases until her departure from the Probation Department in May 2013. There are four investigating probation officers: Jennifer Friddell, Andrew Oberdier, Sean O'Connor, and Jodi Alexander. These investigators are responsible for completing all pre-sentence investigation (PSI) and record check referrals for the department. This unit is also responsible for monitoring all inactive probation cases. The unit also coordinates competency evaluation referrals, investigates restitution referrals,

and makes recommendations regarding motions to seal records. 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.

Intake Officers Kimberly Beale and Sean Mannooch are also supervised by Ms. Berling. Ms. Beale and Mr. Mannooch currently work full-time as the result of the Probation Department receiving the Probation Improvement and Incentive Grant. Funding for the grant is for a period of 21 months.

In January 2013, Probation Officers Kevin Alore, Lewis Simpson and Ali Watkins joined the Probation Department. Mr. Alore and Ms. Watkins began supervising cases after receiving some initial on-the-job training. Mr. Simpson initially supervised community service cases. He was reassigned to the supervision unit to fill a position created by Dawnelle Kelly's resignation.

Unit Supervisor Lori Donovan supervises six probation officers in the supervision unit. Probation supervision is a court-ordered sanction that is assigned to 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 orders of the court. Significant violations are reported to the judge for further disposition. There are six supervising probation officers: Kevin Alore, Tony Bouyer, Mark Klapper, Lewis Simpson, Ali Watkins, and Markus Whitehead. Officers Kevin Alore and Tony Boyer supervise high-risk probation cases only. The other probation officers supervise moderate-risk cases and low-risk cases that are not transferred to the kiosk. The average supervision caseload has 320 offenders.

Unit Supervisor Eddie Norrils supervises five probation officers in the special services unit. Specialized caseloads include: alternatives, community sanction (CS) or kiosk, community service probation program (CSPP), and intensive supervision probation (ISP).

The Alternatives Program assists eligible first-time offenders by avoiding formal conviction. Offenders are held accountable for their actions through a series of individual, classroom, or e-course sessions. Each session discusses making good choices and staying out of trouble. Participants who do not incur any additional charges or complaints 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, Megan Stevens, who handles all referrals and teaching forums for the program. Ms. Stevens also serves as the electronic monitoring liaison between the Court and CCNO.

Acting Probation Officer Carrie Tester is the Community Service Probation Program (CSPP) Officer. Ms. Tester was hired in January 2013 as a part-time intake officer. Ms. Tester worked part-time in the PSI/intake unit until July 2013, when a vacancy occurred as a result of the resignation of Probation Officer Dawnelle Kelly. Following Ms. Kelly's resignation in July 2013, Ms. Tester was appointed to acting probation officer at which time she assumed the community service caseload. 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 specific eligibility 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 also funded by the Community Corrections Act (CCA) grant from the Ohio Department of Rehabilitation and Correction. Supervision for offenders in ISP is short in length, averaging approximately 6 months, 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 remainder of their sentence. This grant also provides \$128,689 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 Kerry Konzen. Ms. Konzen began supervising the Women's Risk Program (WRP) after the promotion of Ms. Lori Donovan. The 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 standalone 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 courtrooms, 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.

Accomplishments

Throughout the year, the Probation Department utilized supervision fee funds to send staff to various trainings and conferences. Staff participated in a total of 717 hours of training. Training topics included: Ohio Risk Assessment System training, Human Trafficking, Making the Transition from Staff to Supervisor, Case Planning, Ethics, Preventing Harassment and Discrimination, Essential Skills for New Supervisors, Evidence Based Practices, Decision Making and Problem Solving and Interpersonal Communication. All staff members in the Probation Department are certified LEADS operators and are also certified to use the Ohio Risk Assessment System.

The Probation Department utilized supervision fee funds for confidential shredding services, office furniture and workstations for the probation intake office, kiosk maintenance, temporary clerical staff, temporary professional staff (to assist with signing up active cases), general office supplies, ProLaw Software, software licensing agreements, and to cover grant related shortages for offender services such as indigent electronic monitoring, emergency treatment services, voice track monitoring, and bus tokens.

In May 2013, the Probation Department expanded its office space by renovating the auditorium into the probation intake office. The probation intake office is designed to accommodate offenders reporting directly from court. Current staff utilizing the office space is Kimberly Beale, Sean Mannooch, and two probation secretaries, Martha Grabarkiewicz and Idell Daniels. Ms. Beale and Mr. Mannooch see offenders to complete their conditions of supervision, schedule appointments with officers, and conduct the ORAS. Ms. Grabarkiewicz is the receptionist and Ms. Daniels is responsible for the assignment of cases to officers.

The Probation Department's goals for 2013 included identifying, purchasing and implementing new probation case management software. In October 2013, the judges approved the Probation Department's request to select Integrated Software Solutions to develop case management software for the department. Currently staff is finalizing contract revisions, and the system should be operational within the next 12 months.

The second goal was to develop and implement the Probation Department strategic plan objectives which included:

- a. Implement "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 with case management and use of the Ohio Risk Assessment.

During the year the Probation Department actively worked on meeting this goal. Probation Unit Supervisor Laura Berling and Lori Donovan implemented "Thinking for a Change" group for high-risk females. There were 26 sessions which began in May and concluded in August with a completion ceremony for those women who completed the group. As a result, the Probation Department was given approval by the judges to add "Thinking for a Change" groups for high-risk offenders as a service to be provided by the Probation Department.

In July the judges approved the Probation Department's graduated sanction policy. This policy was implemented October 1, 2013 and is structured to provide a guideline in addressing probation violations and offender non compliance with court orders. The department continues to work on policies for probation violations and contact standards.

A review of clerical functions was completed in March 2013. Although small changes were made as a result of the review, future changes to increase efficiency will need to occur after implementation of new probation case management software.

Officers started to receive training on evidence-based practices in May of 2013. Melanie Lowenkamp provided the probation officers and unit supervisors training on "Evidence-Based Practices: An Overview" and returned in October to provide training on case planning.

To maximize training resources, the Toledo Municipal Court Probation Department, the Correctional Treatment Facility, and the Corrections Center of Northwest Ohio have begun to collaborate in their training. This collaboration will assist each agency with sharing the cost of specialty training, as well as offer evidence-based training within the local commuting area.

Staff Summary

As of December 31, 2013 there were 30 staff positions in the Probation Department: one chief probation officer, one assistant chief probation officer, three unit supervisors, 16 probation officers, two intake clerks, one license intervention specialist, one administrative secretary, and five probation secretaries.

The Probation Department has two vacant probation officer positions and one vacant secretary position. The final stages of the interview process are underway and additional probation officers are expected to be selected in the first quarter of 2014.

2014 Goals

1. Develop policies and procedures consistent with daily practices. Policies to be developed are:
 - a. Initial interview between supervision officer and offender.
 - b. Contact standards.
 - c. New probation officer training.
 - d. Ohio Risk Assessment standards.

2. Implement new probation case management software.

STATISTICAL REPORT

INTAKE SERVICES: 2013 2012

***Cases Referred to Probation:**

Traffic	6,378	5,704
Criminal	5,819	5,940
Other Area Courts	32	44
TOTAL	12,229	11,688

Defendants Placed on Probation	4,953	5,616
Released/Terminated	4,453	2,351
Court Reviews	314	1,432

Pre-sentence Referrals Requested	1,381	1,471
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Offenders on Probation

Active Probation	2,685	3,304
Inactive Probation	2,738	2,855
TOTAL	5,423	6,159

SPECIAL SERVICES:

EMU REFERRALS	465	327
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CSPP PROGRAM:

TOTAL CSPP Referrals	1,800	1,492
Insurance Fees Collected on CSPP Cases	\$5,935.70	\$4,596.30

TOTAL CSPP Hours Ordered*	72,163	65,455
TOTAL CSPP Hours Completed*	32,449	20,990

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

ALTERNATIVES PROGRAM:	<u>2013</u>	<u>2012</u>
Total cases processed:	481	550
Unsuccessful	82	117
Sealed (Successful)	421	322
Carried into next year	58	228

RED/IMMOBILIZATION PROGRAM:

Immobilizations	253	305
Releases	466	322
RED Referrals	1424	1409

DISTRICT COURT SERVICES PROGRAM:

Referrals To Alternative Program

	<u>2013</u>	<u>2012</u>
Bowling Green	0	0
Sylvania	0	0
Maumee	0	0
Oregon	0	0
Perrysburg	30	42
TOTAL	<u>30</u>	<u>42</u>

FINANCIAL INFORMATION

	<u>2013</u>	<u>2012</u>
Restitution	114,356.10	105,024.64
* Surcharge	6,821.62	7,723.90
TOTAL	<u>\$121,177.72</u>	<u>\$112,748.54</u>

ENVIRONMENTAL COURT

Judge C. Allen McConnell
Housing Court

Message from the Judge

The year of 2013 turned out to be another difficult year for homeowners due to the economy. Again, most homeowners desire to maintain their homes in excellent condition, but financial stressors were always present. With an uptick in the economy, it is hopeful that 2014 will be a more positive year for homeowners.

The procedure of assignment upon filing has become a very helpful procedure for the Court. This procedure eliminated the necessity of delay in getting the cases to the housing court docket and results in greater efficiency in processing cases.

I am excited about 2014 and expect that positive things will occur in the housing market.

The History of Housing Court

The Toledo Municipal Housing and 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 assist 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 of Toledo 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 2013, 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 we have initiated a deputy sheriff pickup procedure within 48 hours.

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 may be 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 2014

In 2014, the housing and environmental court will work closely with neighborhood block watch groups to assist homeowners seeking restoration solutions prior to the filing of nuisance charges by the Code Enforcement Department.

A pilot mediation program for FED eviction court is tentatively set to begin in early 2014. A court mediator will perform mediation services for appropriate pro se cases. Voluntary participation is required by both parties. The goal of the pilot program is to assist landlords and tenants in reaching a positive resolution.

Staff Summary

The 2013 housing court staff consists of Judge C. Allen McConnell, Magistrate Alan J. Michalak, Standby Magistrates James E. Morgan, Rebecca K. Ligibel, and Catherine Hoolahan, Senior Housing Specialist Gwen J. Wyse, Housing Specialists Barbara Falls and Larry A. Cardwell, Court Reporter Lori Hauenstein, Deputy John McCullum, Law Clerk Michael Yakumithis, Judges' Secretaries Meredith Kurucz and Krystal Jones (job share position).