

# DLEDO MUNICIPAL COUR

# **ANNUAL REPORT 2016**

# TOLEDO MUNICIPAL COURT 555 N. Erie Street Toledo, Ohio 43604

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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 calendar year 2016 as required by statute. The report provides a comprehensive summary of the Court's significant accomplishments and overall performance during the past year. I encourage you to read the report in its entirety as you will find its contents to be educational and informative.

The Court recognizes and values the critical role it performs in administering justice and ensuring the citizens of Toledo, Washington Township, and Ottawa Hills are treated fairly in criminal and civil matters that come before the Court. The Judges and Court staff takes great pride in the work they do, and are mindful of the potential impact of such work. We also appreciate and value the cooperative and positive working relationships that have been forged with the other branches of government, including the Mayor's Office and City Council, as well as representatives from Washington Township, the Village of Ottawa Hills, and Lucas County. Additionally, the Judges and Court staff continue to put forth significant effort to preserve and strengthen the Court's partnerships with the criminal justice agencies and community organizations that it works with on a daily basis in serving the community.

The Court is, and will continue to be, cognizant and sensitive to the economic conditions and challenges of the City of Toledo and the surrounding areas that we serve. In 2016, we demonstrated our commitment to making sound fiscal and operational decisions. The Court remains committed to providing cost effective programs and services that address the needs of offenders, victims, and the community.

As we move forward in 2017, the Court will remain fiscally responsible and transparent in managing its daily operations. At the same time, we will continue to identify and pursue new and cost effective opportunities, which will help improve our efficiency, performance, and service delivery to the public.

In closing, on behalf of the Judges of our Court, I encourage you to review the 2016 annual report. We invite you to contact us should you have any questions or concerns related to this report.

Respectfully,

Joshua W. Lanzinger Presiding Judge

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#### **COURT ADMINISTRATOR'S OFFICE**

C. Lisa Falgiano Court Administrator

#### **Department Description**

The Court Administrator's Office was created in 1972 to provide the judges with administrative support, technical assistance for planning, development, and execution of overall court operations, and leadership and general supervision over the Judges' Division personnel. In establishing the Court Administrator's Office, the judges were relieved of many of their former administrative duties which enabled them to increase their focus and efforts on their judicial roles and responsibilities. Although the Court Administrator's Office is not directly involved in daily judicial courtroom operations, the office does assist the bench in developing and implementing case management processes and procedures.

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, and purchasing. The Court Administrator's Office also acts as a liaison to the practicing bar, the public, governmental agencies, city divisions, and criminal justice agencies. The court administrator reports directly to the seven judges of the Court and also serves as facilitator for the monthly judges' meetings and is the division's equal opportunity/affirmative action officer.

As required by Rule 3 and Rule 4 of the Rules of Superintendence for the Courts of Ohio, the judges select by majority vote a Presiding/Administrative Judge. The court administrator has a close working relationship with the Presiding/Administrative Judge. Judge Michelle A. Wagner served her second one-year term as the Presiding/Administrative Judge in 2016 and at the end of the year, Judge Joshua W. Lanzinger was elected as the Acting Presiding/Administrative Judge for a one-year term beginning January 1, 2017.

#### Year in Review – Overview

During 2016, Toledo Municipal Court operated under challenging budget conditions. Although the Court experienced a modest increase in its operating budget compared to the 2015 budget, the Court continued to contribute to the City of Toledo's budget and cost saving efforts. The Court continued its prudent fiscal practices and, as a result returned \$500,000 back to the city in 2016. The Court remains a supportive partner of the City of Toledo as it continues its fiscal recovery. The Court is confident that the city will continue to allocate the necessary budget resources to enable it to maintain adequate staffing and programs to provide its constituents with essential services.

The judges and Court Administrator's Office have been working with the city and their community partners to overcome considerable changes in sentencing and housing defendants. The Court was faced with the elimination of beds at Corrections Center of Northwest Ohio (CCNO) as a result of the city withdrawing as a member of CCNO. The city also did not renew previously existing regional court services contracts and as of January 1, 2017, Toledo Municipal Court no longer has pretrial supervision services for misdemeanor cases, pretrial drug testing, or access to Work Release. The Court continues to collaborate with the city and the county regarding Lucas County jail's federal court order policy effecting the Court's access to pretrial beds.

The Court has worked diligently to reduce the incarcerated population, while at the same time protecting the public safety of our community. It also strives to provide individuals in the criminal justice system with the necessary treatment and programs.

The Court is using the Public Safety Assessment (PSA) court tool to reduce crime, increase public safety, and enhance fairness and efficiency within the Court. The PSA helps determine which criminal defendants should remain in custody and which should be released. This tool has helped ease overcrowding at the Lucas County jail.

The Court is dedicated to criminal justice reform and is working with Lucas County and other community partners involved with the McArthur Grant. This includes pretrial risk assessment, enhancing community-based behavioral health and drug-dependency diversion resources, and expanding re-entry-based programming. In working toward this, strategies have been identified to further reduce the average daily jail population over the next two years while addressing racial and ethnic disparity. These strategies are indicative of the Court's commitment and engagement in ensuring that its use of jail space promotes public safety and the defendant's appearance before the Court. Keeping the right people in custody, for the right reason, is crucial to maintaining the public's trust and confidence.

The Court Administrator's Office in conjunction with the judges and the Court's Probation Department is also identifying individuals who can be sentenced to electronic monitoring while participating in programs designed to assist them. The Probation Department has identified practices and programs for those probationers who struggle with substance abuse, behavioral, and mental health issues.

The Warrant Enforcement Unit (WEU) pilot project has proven successful. The Court entered into a three-year contract with the Lucas County Sheriff to continue the program. In 2016, the judges referred 625 defendants to the WEU. The unit has had a positive result locating individuals with bench warrants and bringing them before a judge to resolve their case(s). This results in reducing the Toledo Municipal Court population at the Lucas County jail.

In 2016 Toledo Municipal Court focused on Procedural Justice. The concept of Procedural Justice is that the manner in which a case is handled deeply influences people's evaluation of the court system. Research indicates that how citizens are treated by a court and its staff has more influence on opinions and perception than the actual case outcome. Citizens' perceptions are important for the associated level of citizens' trust and confidence. Those perceptions have an impact on whether people accept and follow the decisions of the court, both in the short term and long term. Acceptance of the Court's decisions translates into decreased failure to appear (FTA) rates, increased payment of fines and costs, and increased willingness to appear as a witness or juror, and probation success.

The Court created a Procedural Justice training team that included Judge Timothy C. Kuhlman, Court Administrator Lisa Falgiano, Chief Probation Officer Burma Stewart, Probation Officer Melissa Stasa, Civil Division Clerk of Court Chief Deputy Bryan Latta, and Deputy Sheriff Kurt Weber, training officer for the Lucas County Sheriff's Office. This team provided a one-day training to staff from the Judges' Division, Clerk's Office, the Lucas County Sheriff's Office (Toledo Municipal Court security staff), the City of Toledo and the Lucas County Prosecutor's Offices, and the Public Defender's Office. The Court has received requests to speak about Procedural Justice at the state level and Judge Timothy C. Kuhlman has been requested to speak at the national level. The Veteran's Treatment Court completed its second year in 2016. This specialized court docket allows offenders who are military veterans to receive intensive, specialized treatment services while under the supervision of the Court. Judge William M. Connelly, Jr. was appointed to preside over the Veteran's Treatment Court. In the last year, 13 veterans were referred to the Court and seven successfully graduated from the program.

In 2016, 13 staff members resigned and two retired from court employment. As a cost savings measure, the Court did not immediately fill some of these vacant positions. Instead, it continued to use such strategies as appointing acting department managers and supervisors, as well as streamlining work responsibilities and tasks to help the impacted departments operate effectively during the periods of staff shortages. The Court hired 14 new employees during the year. The Court deeply values the work performed by staff and is committed to employee development as evidenced by appointing five employees to acting positions, the promotion of four employees to new positions within the Court, and the transitioning of three part-time employees to full-time positions.

Court Administrator Lisa Falgiano completed her sixth full year as court administrator in 2016. As a veteran court administrator, Ms. Falgiano brings a great deal of experience and expertise to the position. She is a certified Ohio court manager, certified court executive, and certified faculty for the Ohio Judicial College's Court Management Program. Ms. Falgiano also is a member of the Ohio Court Administrator's Association, the Toledo Bar Association, and the Ohio State Bar Association. In 2016, Ms. Falgiano was invited to teach a module of the Court Executive Program, "Essential Components," at the National Center for State Courts in Alexandria, Virginia.

#### **CourTools**

The Court continues to use the CourTools program, which was developed by the National Center for State Courts, to measure its efficiency and case management performance. Specific performance areas measured by the use of CourTools include: public access and fairness, clearance rates, time to disposition, age of active pending caseload, trial date certainty, and employee satisfaction. Since the Court started using CourTools in 2008 and 2009, it has demonstrated positive results in the targeted performance areas. Individuals who are interested in obtaining additional information about CourTools should access http://www.courtools.org. Additional information regarding the Court's case management performance is available on the Court's public website: http://www.toledomunicipalcourt.org. Also included on the Court's website is the age of active pending caseload reports which are updated monthly. These reports confirm that the judges are effectively managing their caseloads and disposing of cases in a timely manner.

#### **Technology**

The Court's Information Technology Department is responsible for maintaining the Court's information security and technology needs. The department's expertise and work helps ensure that the Court's business and public records are more transparent to the public, as well as protecting the confidentiality of private/non-public information. In 2016, the Court provided the necessary financial resources to fund various software programs and information technology items needed by the department to support Court operations. These programs and items allowed the Court to generate performance reports and statistical data, including monthly superintendence reports, the annual physical inventory, and the ongoing development of the civil bailiff computerization system.

Over the past several years, the Court made changes to its policies and procedures in an effort to decrease the percentage of defendants who do not appear for a scheduled court date. The Court's target was to

reduce the FTA rate by 30%. Preliminary results indicate a substantial reduction in the FTA rate, in particular over the past two years.

The Court implemented electronic "dashboards" to better manage the population at CCNO and the Lucas County Corrections Center. The dashboards provide real-time information allowing judges to rely less on printed reports that may not contain current information. The dashboards visually present information the judges use to assess the likelihood of various future behavior choices by defendants currently in custody.

The Probation Department purchased secure, cloud-based document management and storage software. This application is used to electronically manage and share information with external partners who provide court-sponsored treatment to probationers. Information exchange is faster, more reliable, and more secure than previous methods used.

A substantial number of enhancements were made to the iJustice application software package for program and offender management used by the Probation Department. One of the enhancements included granting iJustice access to the judges so that they may view the history and current status of probationers thus eliminating the need to pull certain cases to the courtrooms. Another enhancement allows defendants sentenced to inactive probation to immediately enroll in the program and obtain their probation conditions without making another appointment to sign up through a probation officer. The final improvement to the iJustice software was to grant online public access to the daily schedule for those probationers who report for random drug screening. Probationers were previously instructed to call a dedicated phone number to obtain necessary information for the drug screening process.

The Court continued its tradition of partnering with the Clerk of Court and Northwest Ohio Regional Information Systems (NORIS) to implement cost and operational efficiencies when purchasing new equipment and software, as well as working together to increase the Court's use of electronic filing options and recordkeeping systems. The Court and the Clerk of Court continue to share oversight of a governance committee, which provides project management support and guidance to NORIS in the design and implementation of information technology projects.

The Judges' Division, Clerk of Court, the city's Department of Information Communication and Technology, and NORIS began the process of upgrading the phone system to voice over internet protocol (VOIP). This project is projected to provide an annual savings of \$44,400.00.

#### **Professional Development**

The Court continues its commitment to provide meaningful professional development and training opportunities to its employees. In November, 23 Judges' Division front-line staff and 14 Clerk's Office staff attended Mental Health First Aid training (7.5 hours) sponsored by the Lucas County Mental Health and Recovery Services Board. In September and October, 82 Judges' Division staff and 140 external participants from the Clerk's Office, Prosecutor's Office, Public Defender's Office, and Lucas County Sheriff/court security attended a one-day seminar on Procedural Justice (6 hours). Training on the Toledo Municipal Court's ethics policy (2 hours) was provided to 16 new employees. In March, nine civil bailiff staff members attended pepper spray re-certification through the Toledo Police Department (1.5 hours), and two new deputy civil bailiffs attended Crisis Intervention training (40 hours). A number of staff also attended individual seminars addressing topics such as communication skills, coaching, leadership, team development, and project management. Probation staff also completed a variety of individual and department wide training regarding substance abuse, working with mentally ill offenders, poverty awareness, human trafficking, quality assurance, the Ohio Risk Assessment System, Effective Practices in Community Supervision (EPICS), case

planning, and Motivational Interviewing. A total of 1,237 training hours were completed by Judges' Division staff.

# Administrative Support Services

The Court Administrator's Office provides a variety of support services for the administration of Court policy and personnel. The Court Administrator's Office helped revise three position's job descriptions along with a number of Court policies and procedures.

Throughout the year, the Court Administrator's Office managed a number of personnel selections and personnel actions. The Court's Judges' Division advertised 14 external job vacancy postings and conducted over 318 applicant interviews. The Court Administrator's Office processed 33 FMLA packets. In addition, 14 staff investigations were conducted. The Court Administrator received two grievances this year under the Court's Employee Grievance Program. Four staff disciplinary hearings were also conducted. 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 continued to work closely with the City of Toledo facilities administrator to oversee the maintenance of the courthouse. Several building improvement projects and maintenance work orders were completed to help enhance working conditions within the Court. Building improvement projects included installation of carpet in five courtrooms and in the public hallway on the third floor. A total of 136 work orders were completed during the year.

# External Relations

The Court Administrator continues to maintain excellent relationships with various agencies and community stakeholders. The Court Administrator's Office coordinated and facilitated requests from the Toledo Bar Association Auxiliary to provide eight group tours for high school students. The Court also hosted The Toledo Bar Association's high school mock trial competition on January 29, 2016. The Court Administrator also spoke to students at the Toledo Day Nursery Mosaic Preschool.

The Court Administrator is an appointed member of the Lucas County Community Corrections Planning Board as well as a member of the Lucas County Jail Feasibility Work Group.

# The Coming Year

In 2017, staff will continue to work with the Clerk of Court and NORIS in completing several projects including the financial component of the civil bailiff computer system and will also begin enhancements to the Assignment Office's computer system which will increase efficiency, accuracy, and productivity.

The Court will continue to work on its strategic goals, and work with the city in addressing the facility assessment study presented by DLZ Architecture, Inc. on March 4, 2016. DLZ Architecture, Inc. provided recommendations on the probable physical lifespan of the current courthouse building in relation to its current structural conditions, operational and space needs. The Court, working with the city, will also address the loss of its secure underground garage as a result of the future construction of an annex to the Federal courthouse. The pending construction will make it necessary to build a temporary, secured parking lot until the construction of a new tunnel to the existing underground parking is completed.

The Court anticipates filling several vacant positions next year including: deputy court administrator, probation unit supervisor, probation officer, court reporter and senior assignment clerk.

The Court also anticipates updating its employee performance review system with the goal of providing effective feedback that will support staff performance and development.

# **Staffing**

The Court Administrator's staff includes:

Court Administrator Lisa Falgiano Acting Deputy Court Administrator Dave Baz Human Resource Officer Tammy Harris Information Technology Officer Terry Koluch Information Technology Specialist Iyad Shannak Finance Officer Tonya Grainger Bookkeeper/Payroll Clerk Vanessa Williams Judges' Secretary Joan Kelly Judge's Secretary Meredith Kurucz Judges' Secretary Kate McManus

| Computer Legal Research                               |             |
|---|-------------|
| 3T03013STDSTD   |             |
| 2016 Annual Statement of Expenditures                 |             |
| Court Research  |             |
| On-line Legal Research and Printed Material (Westlaw) | \$17,145.92 |
| Total Expenditures                                    | \$17,145.92 |

| Alternate Dispute Resolution (Mediation) Trust Fund<br>3T03028STDSTD<br>2016 Annual Statement of Expenditures |            |  |  |  |  |  |
|---|------------|--|--|--|--|--|
| Supplies/Equipment  |            |  |  |  |  |  |
| ProLaw Software Update  | \$4,577.00 |  |  |  |  |  |
| Mediation Membership and Dues   | 100.00     |  |  |  |  |  |
| Total Expenditures  | \$4,677.00 |  |  |  |  |  |

| Court Computerization (Judges') Trust Fund<br>3T02916STDSTD |              |
|---|--------------|
| 2016 Annual Statement of Expenditures                       |              |
| Supplies/Equipment  |              |
| Audio System Equipment                                      | \$1,420.00   |
| Laptop Computers  | \$2,134.08   |
| Supplemental Staffing – Applications Program/Analyst        | \$72,039.75  |
| Stenograph Software Maintenance Agreement                   | \$2,156.40   |
| Microsoft Licensing and Software Assurance                  | \$6,500.00   |
| Time and Attendance Software License                        | \$9,250.00   |
| Website Hosting and Redesign                                | \$9,497.00   |
| Total Expenditures  | \$102,997.23 |

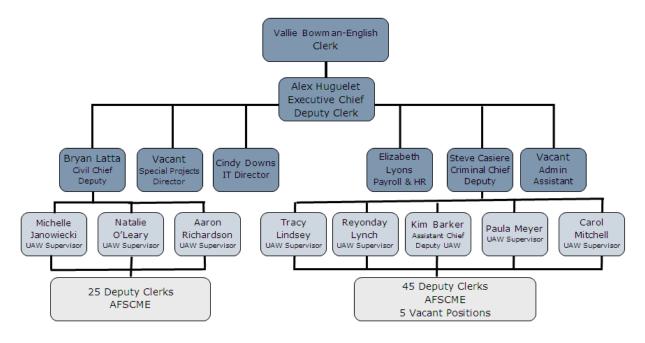
# **CLERK OF TOLEDO MUNICIPAL COURT**

Vallie Bowman-English Clerk of Court

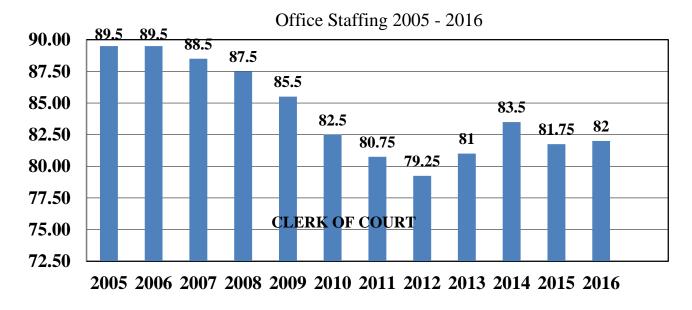
#### **Department Description**

The Clerk of Toledo Municipal Court is responsible for maintaining the public record of all court cases in Toledo Municipal Court as well as collecting and distributing fines, fees, bail, and other monies associated with these cases. These responsibilities are defined under Ohio Revised Code §1901.31.

The Clerk's Office is staffed by 82 deputy clerks under Clerk of Court Vallie Bowman-English. The office is divided into two divisions, the Criminal/Traffic Division and the Civil Division.



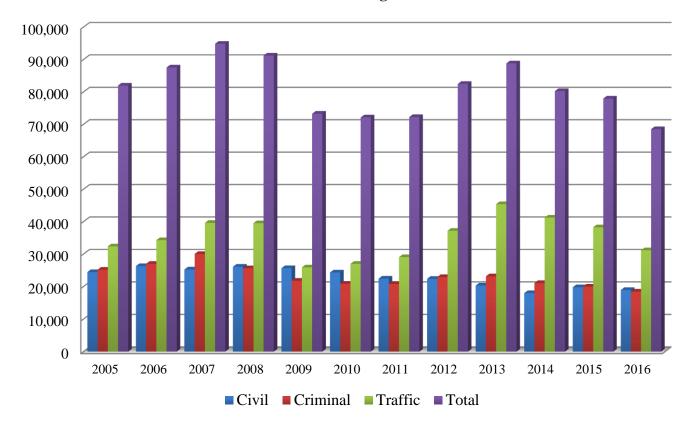
Since 2005, office staffing has decreased by 8%.



# **Case Filings**

Toledo Municipal Court saw a decrease in case filings in 2016; 68,509 cases were filed, a 14% decrease from 2015.

|                           | 2016   | 2015   |
|---------------------------|--------|--------|
| Civil Division            | 18,932 | 19,762 |
| Criminal/Traffic Division | 49,577 | 58,173 |
| TOTAL                     | 68,509 | 77,935 |

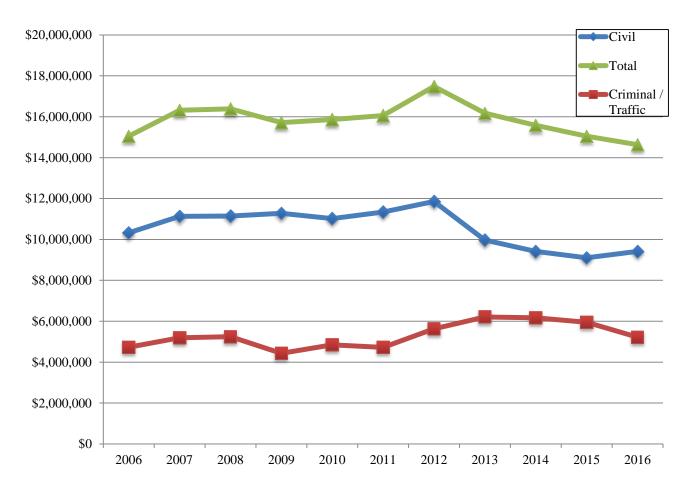


Civil, Criminal & Traffic Cases Filed 2005 through 2016

# CLERK OF COURT Revenue Collection

Revenue collection also decreased slightly in 2016; \$14,636,284 was collected in 2016, a 3% decrease from 2015.

|                  | 2016            | 2015            |
|------------------|-----------------|-----------------|
| Civil            | \$9,418,693.65  | \$9,099,371.95  |
| Criminal/Traffic | \$5,217,590.27  | \$5,952,218.31  |
| TOTAL            | \$14,636,283.92 | \$15,051,590.26 |

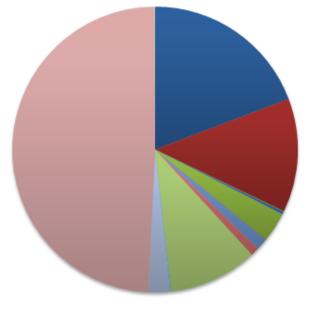


Civil and Criminal/Traffic Revenue Collection 2006 – 2016

# CLERK OF COURT Revenue Disbursed

|                                      | 2016              | 2015            |
|--------------------------------------|-------------------|-----------------|
| City of Toledo General Fund          | \$2,843,429.46    | \$3,402,235.49  |
| Other City of Toledo Accounts        | \$1,900,182.28    | \$2,015,541.50  |
| Ottawa Hills                         | \$12,970.80       | \$16,889.00     |
| Washington Township                  | \$3,351.30        | \$3,066.94      |
| University of Toledo                 | \$547.80          | \$1,185.50      |
| Metroparks of Toledo                 | \$139.00          | 0               |
| Lucas County Prosecutor              | \$40,574.40       | \$43,824.72     |
| Lucas County Sheriff                 | \$60.00           | \$360.00        |
| Lucas County Treasurer               | \$499,656.87      | \$505,896.61    |
| Lucas County Law Library Association | \$8,823.32        | \$8,295.75      |
| Citizens Award Fund / Crime Stoppers | \$3,655.20        | \$4,140.00      |
| Toledo Area Humane Society           | \$300.00          | \$330.00        |
| Toledo Legal News                    | \$184,828.39      | \$174,787.64    |
| Civil Legal Assistance Project       | \$142,830.87      | \$135,694.98    |
| Treasurer of State                   | \$1,483,838.58    | \$1,653,029.47  |
| Department of Natural Resources      | \$2,130.00        | \$1,224.00      |
| State Pharmacy Board                 | \$20,292.39       | \$18,411.80     |
| Division of Liquor Control           | \$25.00           | 0               |
| Capital Recovery Systems             | \$356,179.66      | \$406,626.06    |
| Fiduciary Accounts                   | \$7,268,338.07    | \$6,846,857.47  |
| Refunded Overpayments                | \$9,198.80        | \$9,212.49      |
| ΤΟΤΑΙ                                | L \$14,781,352.19 | \$15,255,895.52 |

- City of Toledo General Fund
- Ottawa Hills
- University of Toledo
- Lucas County Prosecutor
- Lucas County Treasurer
- Crime Stoppers
- Toledo Legal News
- Treasurer of State
- State Pharmacy Board
- Capital Recovery Systems
- Refunded Overpayments



Other City of Toledo Accounts
Washington Township
Metroparks of Toledo
Lucas County Sheriff
Law Library Association
Toledo Area Humane Society
Civil Legal Assistance Project
Dept of Natural Resources
Division of Liquor Control
Fiduciary Accounts

# CLERK OF COURT Civil Division

|                                  |       | 2016                  | 2015            |
|----------------------------------|-------|-----------------------|-----------------|
| FILINGS<br>Civil General         |       | 16 027                | 16 202          |
| Small Claims                     |       | 16,027<br>2,888       | 16,292<br>3,459 |
| Trusteeship                      |       | 2,000                 | 5,459           |
| Tusteeship                       | TOTAL | 18,932                | 19,762          |
|                                  | IUIAL | 10,752                | 17,702          |
| ACTIVITIES                       |       |                       |                 |
| Certificate of Judgment          |       | 3,088                 | 2,893           |
| Certified Mail Issued            |       | 33,641                | 35,021          |
| Disbursements - Civil            |       | 3,979                 | 4,133           |
| Disbursements - Trusteeship      |       | 896                   | 646             |
| Dismissals                       |       | 8,282                 | 5,599           |
| Executions                       |       | 272                   | 333             |
| Garnishments                     |       | 10,050                | 9,828           |
| Judgments                        |       | 48,272                | 45,111          |
| Motions                          |       | 8,245                 | 7,433           |
| Ordinary Mail Issued             |       | 13,877                | 14,848          |
| Proceeding in Aid                |       | 4,933                 | 4,921           |
| Reports                          |       | 19,605                | 36,333          |
| Revivors                         |       | 592                   | 602             |
| Revocations                      |       | 0                     | 0               |
| Satisfactions                    |       | 4,195                 | 4,382           |
| Subpoenas                        |       | 274                   | 269             |
| Terminations                     |       | 20,711                | 21,066          |
| Transcripts                      |       | 108                   | 115             |
| Writs of Restitution             |       | 3,197                 | 3,271           |
|                                  | TOTAL | 184,217               | 196,804         |
| <b>REVENUE COLLECTED</b>         |       |                       |                 |
| Civil Revenue                    |       | \$2,293,821.30        | \$2,218,761.75  |
| Fiduciary Accounts - Civil       |       | \$7,045,308.71        | \$6,813,379.75  |
| Fiduciary Accounts - Trusteeship |       | \$79,563.64           | \$67,230.45     |
|                                  | TOTAL | \$9,418,693.65        | \$9,099,371.95  |
|                                  | TOTIL | <i>\$</i> ,110,0>0100 | <i>\(\)</i>     |
| <b>REVENUE DISBURSED</b>         |       |                       |                 |
| City of Toledo General Fund      |       | \$1,293,080.55        | \$1,416,274.52  |
| Other City of Toledo Accounts    |       | \$282,360.84          | \$344,966.40    |
| Civil Legal Assistance Project   |       | \$142,830.87          | \$135,694.98    |
| Treasurer of State               |       | \$392,111.20          | \$377,452.97    |
| Toledo Legal News                |       | \$184,828.39          | \$174,787.64    |
| Fiduciary Accounts - Civil       |       | \$7,190,597.38        | \$6,784,754.97  |
| Fiduciary Accounts - Trusteeship |       | \$77,740.69           | \$69,741.10     |
| Refunded Overpayments            |       | \$212.00              | \$4.63          |
|                                  | TOTAL | \$9,563,761.92        | \$9,303,677.21  |

# CLERK OF COURT Criminal/Traffic Division

|                                      | 201            | 6            | 201            | 5           |
|--------------------------------------|----------------|--------------|----------------|-------------|
|                                      | <u>Charges</u> | <u>Cases</u> | <b>Charges</b> | Cases       |
| FILINGS                              |                |              |                |             |
| Traffic                              | 50,857         | 31,148       | 63,667         | 38,224      |
| Criminal                             | 25,806         | 18,429       | 27,795         | 19,949      |
| TOTAL                                | 76,663         | 49,577       | 91,462         | 58,173      |
| <b>REVENUE COLLECTED</b>             |                |              |                |             |
| Fines                                | \$1            | ,270,083.55  | \$1,           | 418,654.62  |
| Costs and Fees                       | \$3            | ,891,513.32  | \$4,           | 489,379.20  |
| HITT                                 |                | \$3,541.60   |                | \$6,371.63  |
| Bond Forfeitures                     |                | \$43,465.00  |                | \$28,605.00 |
| Overpayments                         |                | \$8,986.80   |                | \$9,207.86  |
| TOTAL                                | \$5            | ,217,590.27  | \$5,           | 952,218.31  |
| REVENUE DISBURSED                    |                |              |                |             |
| City of Toledo General Fund          | \$1            | ,550,348.91  | \$1,           | 985,960.97  |
| Other City of Toledo Accounts        | \$1            | ,617,821.44  | \$1,           | 670,575.10  |
| Ottawa Hills                         |                | \$12,970.80  |                | \$16,889.00 |
| Washington Township                  |                | \$3,351.30   |                | \$3,066.94  |
| University of Toledo                 |                | \$547.80     |                | \$1,185.50  |
| Metroparks of Toledo                 |                | \$139.00     |                | 0           |
| Lucas County Prosecutor              |                | \$40,574.40  |                | \$43,824.72 |
| Lucas County Sheriff                 |                | \$60.00      |                | \$360.00    |
| Lucas County Treasurer               | 5              | 6499,656.87  | \$             | 505,896.61  |
| Lucas County Law Library Association |                | \$8,823.32   |                | \$8,854.25  |
| Citizens Award Fund / Crime Stoppers |                | \$3,655.20   |                | \$4,092.00  |
| Toledo Area Humane Society           |                | \$300.00     |                | \$330.00    |
| Treasurer of State                   | \$1            | ,091,727.38  | \$1,           | 275,576.50  |
| Department of Natural Resources      |                | \$2,130.00   |                | \$1,361.00  |
| State Pharmacy Board                 |                | \$20,292.39  |                | \$18,411.80 |
| Division of Liquor Control           |                | \$25.00      |                | 0           |
| Capital Recovery Systems             | 5              | 6356,179.66  | \$             | 406,626.06  |
| Refunded Overpayments                |                | \$8,986.80   |                | \$9,207.86  |
| TOTAL                                | \$5            | ,217,590.27  | \$5,           | 952,218.31  |

# **2016 Highlights**

In the Criminal/Traffic Division, the Clerk's Office worked with the Toledo Police Department to implement electronic traffic citations. The ticketing officers no longer need to come to Toledo Municipal Court to file their traffic citations. Additionally, the Clerk's Office is able to enter four times as many e-citations per hour as paper citations into the case management system. This enhancement saves staff time and allows the public quicker access to traffic citations.

In April 2016, the clerk re-negotiated the contract with the e-filing vendor to make e-filing more accessible for court users. As a result, electronic filings increased by 358%.

Additionally, the office imaged and destroyed over 59,000 case files pursuant to Ohio Rule of Superintendence 26.05 and Ohio Revised Code §1901.41. These efforts freed up space in the courthouse and helped to keep offsite storage costs level.

Finally, the clerk continued to aggressively collect past due money owed to Toledo Municipal Court through the collection program she began in 2005. In 2016, \$2,159,000 was collected on delinquent accounts in 2016. More than \$20,700,000 has been collected through the program at no cost to the Court or to the city's general fund.

### **ASSIGNMENT OFFICE**

Jessica Hamner Assignment Commissioner

#### **Department Description**

The Assignment Office's main responsibilities are to coordinate the scheduling of court events for the judges and to make random individual case assignments. The scheduling of trials, pretrials, and motions are coordinated through this office based upon the judges' scheduling preferences and the Court's seven-week judge rotation. Criminal and traffic cases are assigned to a judge at random in the scheduling system when a defendant enters a not guilty plea. Civil cases are assigned when an answer or a motion is filed. All housing matters, both criminal and civil, are assigned to Judge McConnell at the time of filing.

The Assignment Office also maintains the judges' court schedules, distributes monthly and weekly schedules, makes arrangements for jurors when jury trials are held, schedules visiting judges and magistrates as needed, notifies all parties of court dates, schedules probation violation hearing dates, and works closely with other court departments.

#### **Accomplishments**

During 2016, the Assignment Commissioner completed a first draft of a department manual. The manual includes detailed instructions for the computer systems used by the Assignment Office. It also provides the rules of scheduling and the preferences for each judge. The manual will continue to be a work in progress.

The Assignment Office participated in the Court's training initiative. All members completed the Procedural Justice and Mental Health First Aid training. As a whole, the Assignment Office staff completed 111 hours of training throughout the year.

| CASES HANDLED BY THE ASSIGNMENT OFFICE                  | 2016   | 2015   |
|---|--------|--------|
| A. Cases Assigned                                       |        |        |
| Criminal/Traffic Assignment                             | 19,353 | 21,864 |
| Civil Assignments (including Housing)                   | 7,820  | 7,728  |
| B. Cases Set for Trial                                  |        |        |
| Criminal/Traffic Trials                                 | 9,624  | 10,197 |
| Civil Trials  | 498    | 449    |
| Criminal/Traffic Trial Resets                           | 5,963  | 6,045  |
| C. Cases Set for Pretrial                               |        |        |
| Pretrial - Criminal/Traffic                             | 9,701  | 11,257 |
| Pretrial Resets - Criminal/Traffic                      | 1,575  | 1,804  |
| Mandatory Jury Pretrials (MJPT)(Criminal/Traffic/Civil) | 93     | 106    |
| D. Preliminary Hearing/Felony Arraignment Docket        | 14,725 | 13,282 |
| E. Jury Trials Set (Criminal/Traffic/Civil)             | 106    | 112    |
| F. Bureau of Motor Vehicle Hearings                     | 9      | 5      |
| G. Eviction   | 6,912  | 6,708  |
| H. Housing  |        |        |
| Criminal Housing Trials                                 | 249    | 379    |
| Civil Housing (Not a Draw) New Assignments              | 7,076  | 6,984  |
| Rent Escrow   | 90     | 122    |
|   |        |        |
| I. ALS/Innocent Owner Hearings                          | 37     | 44     |

# **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 to other cases, such as housing cases, reassignment, consolidation, or transfers. The following charts represent the number of civil cases assigned during 2016 and 2015 and per individual judge:

|              | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|--------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|-------|
| McConnell    | 607 | 476 | 475 | 551 | 591 | 625  | 640  | 586 | 706  | 630 | 558 | 631 | 7,076 |
| Kuhlman      | 4   | 9   | 14  | 15  | 10  | 6    | 12   | 9   | 10   | 8   | 8   | 13  | 118   |
| Christiansen | 5   | 15  | 15  | 15  | 5   | 5    | 11   | 9   | 12   | 11  | 4   | 11  | 118   |
| Berling      | 7   | 9   | 8   | 9   | 15  | 8    | 14   | 10  | 9    | 11  | 11  | 20  | 131   |
| Connelly     | 5   | 15  | 24  | 12  | 10  | 14   | 4    | 9   | 9    | 8   | 7   | 11  | 128   |
| Lanzinger    | 6   | 13  | 17  | 11  | 7   | 13   | 11   | 8   | 8    | 11  | 6   | 16  | 127   |
| Wagner       | 8   | 8   | 17  | 14  | 7   | 7    | 12   | 6   | 13   | 9   | 9   | 12  | 122   |
| TOTAL        | 642 | 545 | 570 | 627 | 645 | 678  | 704  | 637 | 767  | 688 | 603 | 714 | 7,820 |

# **2016 CIVIL ASSIGNMENTS**

# 2015 CIVIL ASSIGNMENTS

|              | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|--------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|-------|
| McConnell    | 593 | 462 | 533 | 562 | 633 | 610  | 669  | 608 | 588  | 626 | 538 | 562 | 6,984 |
| Kuhlman      | 17  | 10  | 8   | 11  | 7   | 12   | 9    | 13  | 13   | 9   | 15  | 10  | 134   |
| Christiansen | 5   | 4   | 8   | 9   | 12  | 9    | 7    | 14  | 7    | 22  | 10  | 9   | 116   |
| Berling      | 8   | 4   | 10  | 13  | 15  | 10   | 8    | 15  | 12   | 21  | 11  | 8   | 135   |
| Connelly     | 16  | 6   | 7   | 10  | 11  | 15   | 8    | 15  | 9    | 15  | 10  | 11  | 133   |
| Lanzinger    | 13  | 7   | 11  | 7   | 4   | 16   | 4    | 15  | 8    | 13  | 13  | 7   | 118   |
| Wagner       | 8   | 9   | 9   | 6   | 14  | 6    | 9    | 12  | 7    | 12  | 9   | 7   | 108   |
| TOTAL        | 660 | 502 | 586 | 618 | 696 | 678  | 714  | 692 | 644  | 718 | 606 | 614 | 7,728 |

# **Civil Cases Set for Trial**

|           | 2016 | 2015 |
|-----------|------|------|
| January   | 46   | 29   |
| February  | 48   | 21   |
| March     | 27   | 26   |
| April     | 57   | 37   |
| May       | 44   | 26   |
| June      | 41   | 41   |
| July      | 23   | 43   |
| August    | 43   | 41   |
| September | 41   | 50   |
| October   | 43   | 52   |
| November  | 44   | 52   |
| December  | 41   | 31   |
| TOTAL     | 498  | 449  |

# **Civil Pretrials, Jury Trials and Jury Pretrials Set in 2016 and 2015**

| Civil Pretr | ials | Civil Juries | s Set | Civil Mandatory<br>Jury Pretrials |    |  |  |
|-------------|------|--------------|-------|-----------------------------------|----|--|--|
| 2016        | 746  | 2016         | 17    | 2016                              | 16 |  |  |
| 2015        | 641  | 2015         | 25    | 2015                              | 18 |  |  |

# **Evictions Set**

| Month     | 2016  | 2015  |
|-----------|-------|-------|
| January   | 563   | 512   |
| February  | 525   | 547   |
| March     | 550   | 452   |
| April     | 439   | 496   |
| May       | 561   | 529   |
| June      | 636   | 616   |
| July      | 567   | 674   |
| August    | 671   | 600   |
| September | 544   | 613   |
| October   | 678   | 593   |
| November  | 627   | 509   |
| December  | 551   | 567   |
| TOTAL     | 6,912 | 6,708 |

# **Rent Escrow Hearings**

|      | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | TOTAL |
|------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|-------|
| 2016 | 9   | 8   | 7   | 8   | 4   | 8    | 5    | 8   | 12   | 9   | 6   | 6   | 90    |
| 2015 | 7   | 10  | 8   | 2   | 14  | 9    | 6    | 12  | 10   | 15  | 17  | 12  | 122   |

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 Ohio Revised Code §5321.07.

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

**2016:**9 cases**2015:**5 cases

#### **Criminal and Traffic Assignments**

Upon entering a plea of not guilty before a judge, the Assignment Office'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 §2945.71 R.C., unless a defendant or his or her attorney waives time.

| Judge        | <u>2016</u> | <u>2015</u> |  |  |  |
|--------------|-------------|-------------|--|--|--|
| McConnell    | 833         | 734         |  |  |  |
| Kuhlman      | 3,069       | 3,499       |  |  |  |
| Christiansen | 3,144       | 3,549       |  |  |  |
| Berling      | 3,051       | 3,483       |  |  |  |
| Connelly     | 3,053       | 3,512       |  |  |  |
| Lanzinger    | 3,100       | 3,547       |  |  |  |
| Wagner       | 3,103       | 3,540       |  |  |  |
| TOTAL        | 19,353      | 21,864      |  |  |  |

# **<u>Reactivated Cases (Sealing of Record/Expungments)</u>**

| 2016: | 680 cases |
|-------|-----------|
| 2015: | 603 cases |

# Criminal/Traffic Trial Reset Cases – 2016

|              | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | TOTAL |
|--------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|-------|
| McConnell    | 17  | 12  | 14  | 12  | 12  | 21   | 11   | 22  | 5    | 1   | 3   | 15  | 145   |
| Kuhlman      | 58  | 81  | 77  | 79  | 63  | 84   | 64   | 74  | 92   | 51  | 53  | 54  | 830   |
| Christiansen | 115 | 84  | 98  | 102 | 76  | 119  | 93   | 93  | 100  | 72  | 101 | 93  | 1,146 |
| Berling      | 56  | 63  | 63  | 63  | 65  | 59   | 78   | 91  | 76   | 99  | 82  | 67  | 862   |
| Connelly     | 77  | 86  | 57  | 72  | 76  | 70   | 92   | 72  | 68   | 72  | 79  | 66  | 887   |
| Lanzinger    | 79  | 75  | 78  | 86  | 95  | 95   | 73   | 74  | 85   | 77  | 79  | 84  | 980   |
| Wagner       | 81  | 111 | 127 | 85  | 81  | 95   | 91   | 93  | 81   | 106 | 80  | 82  | 1,113 |
| TOTAL        | 483 | 512 | 514 | 499 | 468 | 543  | 502  | 519 | 507  | 478 | 477 | 461 | 5,963 |

# 2016

# <u>Criminal/Traffic Trial Reset Cases – 2015</u>

# 2015

|              | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | TOTAL |
|--------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|-------|
| McConnell    | 14  | 11  | 18  | 14  | 21  | 28   | 25   | 18  | 21   | 16  | 8   | 9   | 203   |
| Kuhlman      | 55  | 79  | 74  | 37  | 43  | 59   | 79   | 86  | 68   | 89  | 79  | 82  | 830   |
| Christiansen | 85  | 106 | 107 | 94  | 87  | 107  | 110  | 57  | 102  | 79  | 68  | 104 | 1,106 |
| Berling      | 75  | 63  | 110 | 68  | 64  | 72   | 77   | 64  | 64   | 104 | 80  | 86  | 927   |
| Connelly     | 72  | 57  | 77  | 94  | 85  | 92   | 89   | 75  | 86   | 74  | 92  | 84  | 977   |
| Lanzinger    | 92  | 121 | 79  | 84  | 59  | 71   | 85   | 70  | 86   | 81  | 58  | 80  | 966   |
| Wagner       | 76  | 108 | 88  | 63  | 82  | 94   | 108  | 71  | 86   | 88  | 87  | 88  | 1,039 |
| TOTAL        | 469 | 545 | 553 | 454 | 441 | 523  | 573  | 441 | 513  | 531 | 472 | 533 | 6,048 |

# 2016 Jury Trials - Criminal/Traffic and Civil

| Month     | Crim/Traffic | Civil | Ordered | Used | No. of<br>Jurors |
|-----------|--------------|-------|---------|------|------------------|
| January   | 3            | 1     | 0       | 0    | 0                |
| February  | 10           | 2     | 1       | 1    | 21               |
| March     | 6            | 2     | 1       | 0    | 0                |
| April     | 9            | 0     | 1       | 1    | 30               |
| May       | 7            | 1     | 6       | 4    | 129              |
| June      | 11           | 0     | 2       | 1    | 39               |
| July      | 3            | 1     | 0       | 0    | 0                |
| August    | 5            | 2     | 0       | 0    | 0                |
| September | 11           | 2     | 2       | 2    | 42               |
| October   | 11           | 3     | 2       | 2    | 54               |
| November  | 10           | 1     | 3       | 2    | 47               |
| December  | 3            | 2     | 0       | 0    | 0                |
| TOTAL     | 89           | 17    | 18      | 13   | 362              |

# 2015 Jury Trials - Criminal/Traffic and Civil

| Month     | Crim/Traffic | Civil | Ordered | Used | No. of<br>Jurors |
|-----------|--------------|-------|---------|------|------------------|
| January   | 9            | 3     | 3       | 2    | 57               |
| February  | 3            | 3     | 0       | 0    | 0                |
| March     | 8            | 2     | 1       | 1    | 37               |
| April     | 4            | 2     | 0       | 0    | 0                |
| May       | 13           | 3     | 3       | 3    | 88               |
| June      | 8            | 3     | 0       | 0    | 0                |
| July      | 11           | 1     | 0       | 0    | 0                |
| August    | 5            | 1     | 0       | 0    | 0                |
| September | 10           | 2     | 1       | 1    | 27               |
| October   | 8            | 0     | 0       | 0    | 0                |
| November  | 4            | 3     | 2       | 1    | 16               |
| December  | 4            | 2     | 0       | 0    | 0                |
| TOTAL     | 87           | 25    | 10      | 8    | 225              |

| <b>2016</b> Criminal/Traffic Trials: | 9,624  |
|--------------------------------------|--------|
| <b>2015</b> Criminal/Traffic Trials: | 10,197 |

# 2016 Criminal/Traffic Pretrials

|             | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sept | Oct | Nov | Dec | TOTAL |
|-------------|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-------|
| McConnell   |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set         | 18  | 32  | 29  | 17  | 19  | 24  | 9   | 25  | 29   | 44  | 27  | 34  | 307   |
| Reset       | 7   | 8   | 13  | 12  | 7   | 8   | 6   | 6   | 6    | 19  | 8   | 13  | 113   |
| MJPT*       | 0   | 0   | 1   | 0   | 3   | 4   | 0   | 1   | 2    | 1   | 1   | 0   | 13    |
| Kuhlman     |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set         | 145 | 147 | 156 | 140 | 163 | 142 | 164 | 157 | 142  | 142 | 104 | 122 | 1,724 |
| Reset       | 30  | 34  | 31  | 25  | 7   | 18  | 18  | 16  | 30   | 14  | 12  | 12  | 247   |
| MJPT*       | 0   | 1   | 0   | 1   | 0   | 0   | 0   | 2   | 2    | 0   | 1   | 3   | 10    |
| Christianse | n   |     |     |     |     |     |     |     |      |     |     |     |       |
| Set         | 139 | 170 | 145 | 155 | 141 | 135 | 158 | 149 | 124  | 136 | 143 | 118 | 1,713 |
| Reset       | 30  | 37  | 26  | 25  | 23  | 24  | 13  | 39  | 26   | 27  | 26  | 21  | 317   |
| MJPT*       | 2   | 1   | 0   | 2   | 1   | 1   | 1   | 1   | 0    | 0   | 3   | 0   | 12    |
| Berling     |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set         | 72  | 80  | 121 | 93  | 50  | 53  | 44  | 48  | 41   | 56  | 39  | 39  | 736   |
| Reset       | 14  | 7   | 7   | 7   | 7   | 4   | 6   | 3   | 4    | 4   | 0   | 0   | 63    |
| MJPT*       | 0   | 1   | 0   | 0   | 0   | 0   | 0   | 0   | 0    | 0   | 0   | 1   | 2     |
| Connelly    |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set         | 127 | 161 | 157 | 168 | 169 | 149 | 139 | 136 | 151  | 140 | 130 | 141 | 1,768 |
| Reset       | 42  | 35  | 12  | 12  | 25  | 20  | 15  | 9   | 14   | 34  | 38  | 30  | 286   |
| MJPT*       | 3   | 0   | 0   | 1   | 1   | 0   | 1   | 2   | 0    | 0   | 1   | 0   | 9     |
| Lanzinger   |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set         | 135 | 166 | 160 | 159 | 163 | 151 | 162 | 127 | 134  | 141 | 136 | 119 | 1,753 |
| Reset       | 20  | 42  | 26  | 27  | 34  | 46  | 28  | 19  | 20   | 24  | 27  | 22  | 335   |
| MJPT*       | 3   | 2   | 1   | 0   | 1   | 0   | 1   | 1   | 1    | 0   | 0   | 1   | 11    |
| Wagner      |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set         | 142 | 155 | 160 | 142 | 167 | 131 | 135 | 151 | 143  | 145 | 118 | 111 | 1,700 |
| Reset       | 17  | 20  | 18  | 20  | 8   | 14  | 15  | 27  | 21   | 22  | 15  | 17  | 214   |
| MJPT*       | 0   | 1   | 3   | 2   | 3   | 0   | 3   | 2   | 3    | 1   | 0   | 2   | 20    |

\*Mandatory Jury Pretrials

# 2015 Criminal/Traffic Pretrials

|              | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sept | Oct | Nov | Dec | TOTAL |
|--------------|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-------|
| McConnell    |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set          | 26  | 20  | 54  | 30  | 26  | 35  | 22  | 27  | 27   | 18  | 19  | 14  | 318   |
| Reset        | 9   | 7   | 19  | 21  | 10  | 14  | 10  | 4   | 7    | 8   | 12  | 4   | 125   |
| MJPT*        | 0   | 1   | 2   | 0   | 0   | 0   | 0   | 0   | 2    | 0   | 0   | 0   | 5     |
| Kuhlman      |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set          | 190 | 166 | 197 | 191 | 165 | 189 | 163 | 151 | 174  | 161 | 137 | 159 | 2,043 |
| Reset        | 9   | 46  | 22  | 21  | 31  | 23  | 34  | 32  | 25   | 51  | 23  | 38  | 355   |
| MJPT*        | 0   | 0   | 0   | 1   | 2   | 1   | 2   | 1   | 1    | 2   | 0   | 0   | 10    |
| Christiansen |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set          | 190 | 149 | 193 | 158 | 150 | 152 | 157 | 140 | 166  | 159 | 129 | 153 | 1,896 |
| Reset        | 27  | 35  | 37  | 31  | 16  | 27  | 38  | 18  | 44   | 31  | 18  | 56  | 378   |
| MJPT*        | 0   | 3   | 3   | 4   | 5   | 0   | 0   | 1   | 0    | 2   | 1   | 1   | 20    |
| Berling      |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set          | 136 | 108 | 164 | 144 | 138 | 144 | 102 | 60  | 76   | 105 | 65  | 99  | 1,341 |
| Reset        | 10  | 12  | 20  | 8   | 13  | 4   | 7   | 4   | 4    | 22  | 7   | 8   | 119   |
| MJPT*        | 1   | 1   | 2   | 0   | 0   | 3   | 1   | 1   | 0    | 4   | 1   | 0   | 14    |
| Connelly     |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set          | 159 | 157 | 208 | 208 | 151 | 185 | 159 | 141 | 183  | 164 | 124 | 162 | 2,001 |
| Reset        | 23  | 19  | 36  | 31  | 29  | 46  | 25  | 24  | 27   | 12  | 11  | 15  | 298   |
| MJPT*        | 1   | 2   | 2   | 3   | 1   | 2   | 1   | 0   | 0    | 1   | 0   | 2   | 15    |
| Lanzinger    |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set          | 176 | 161 | 199 | 143 | 144 | 143 | 134 | 141 | 136  | 187 | 136 | 139 | 1,839 |
| Reset        | 63  | 35  | 33  | 32  | 24  | 26  | 21  | 8   | 20   | 18  | 25  | 25  | 330   |
| MJPT*        | 0   | 1   | 1   | 0   | 0   | 0   | 0   | 1   | 0    | 0   | 1   | 2   | 6     |
| Wagner       |     |     |     |     |     |     |     |     |      |     |     |     |       |
| Set          | 171 | 140 | 179 | 152 | 128 | 155 | 135 | 122 | 185  | 178 | 132 | 142 | 1,819 |
| Reset        | 14  | 37  | 26  | 11  | 22  | 8   | 16  | 8   | 7    | 22  | 12  | 16  | 199   |
| MJPT*        | 2   | 2   | 1   | 3   | 2   | 1   | 2   | 1   | 3    | 0   | 1   | 0   | 18    |

\*Mandatory Jury Pretrials

| <b>2016</b> Criminal/Traffic Pretrials |       | 2015 Criminal/Traffic Pretrials |        |
|--|-------|---------------------------------|--------|
| Total Pretrials Set:                   | 9,701 | Total Pretrials Set:            | 11,257 |
| Total Pretrials Reset:                 | 1,575 | Total Pretrials Reset:          | 1,804  |
| Total Jury Pretrials:                  | 77    | Total Jury Pretrials:           | 88     |

2016 Total of Criminal/Traffic trials, trial resets, pretrials, pretrial resets, jury trials and jury pretrials: 27,027
2015 Total of Criminal/Traffic trials, trial resets, pretrials, pretrial resets, jury trials and jury pretrials: 32,914

# Goals for 2017

- 1. Update the scheduling software used by the department.
- 2. Assist judges and other departments in creating court efficiencies.
- 3. Provide training to staff to assist the department in continuing to offer excellent service to court users.

# **Staff Summary**

The current staff consists of:

Jessica Hamner, Assignment Commissioner Wanda Butts, Assignment Clerk Valerie Hobbs, Assignment Clerk Cheryl Smith, Senior Assignment Clerk Alice Thomas, Assignment Clerk Amy Trevino, Assignment Clerk

# **CIVIL BAILIFF**

Kevin L. Smith Acting 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 summonses, 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.

The department's jurisdiction for housing matters encompasses the City of Toledo, Village of Ottawa Hills, and Washington Township. The department's jurisdiction for other civil matters encompasses all of Lucas County.

#### **Accomplishments**

#### Improving Public Safety

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 removed 418 unattended prescription drugs found at the scene of court-ordered evictions. This number is more than double the previous year (2015). The 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 the streets.

The Civil Bailiff Department in conjunction with the Toledo Police Department Motorcycle Unit and Lucas County Sherriff's Office executed 46 writs of replevin in 2016 and assisted in the return of various unpaid for merchandise ranging from household items to motor vehicles.

The Civil Bailiff Department, United Way of Greater Toledo, and other local community resource providers participated in discussions regarding tenants subject to eviction. On occasion, bailiffs suspect some of these individuals may require housing assistance. As a result, contact information has been added to court documents for tenants to contact the United Way of Greater Toledo for possible assistance.

#### Increased Efficiency

In January two new deputy bailiffs were welcomed into the department; Greg Davis was a former Probation Officer with Toledo Municipal Court and Julie Willhauck came to the department from the Lucas County Juvenile Court Probation Department. We are glad to welcome them aboard!

In August the department implemented additional postage cost savings and timelier notification by sending automatically generated e-mail instructions to plaintiffs granting judgment for eviction.

Throughout 2016 the Civil Bailiff Department, the Clerk of Court's Civil Division, and Northwest Ohio Regional Information System (NORIS) continued collaboration to improve and enhance the Civil Bailiff Department's computer system.

# Training

In March, the department conducted its annual pepper spray recertification training which was held at the Toledo Police Academy and conducted by training officers from the Toledo Police Department.

In May, Deputy Bailiff Davis and Deputy Bailiff Willhauck attended and completed the 40 hour Crisis Intervention training provided by the Mental Health and Recovery Services Board of Lucas County.

In September, the department participated in Procedural Justice training. The training's focus was to assist staff in providing improved understanding of court services, court processes and case outcome to court users.

# Goals for 2017

- 1. Continue to access the safety needs of field work and make appropriate recommendation to the Court.
- 2. Implement a transparent and auditable financial component of the Civil Bailiff computer system.
- 3. 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.

Kevin L. Smith, Acting Chief Civil Bailiff Greg R. Davis, Deputy Civil Bailiff Sherhonda R. Haynes, Deputy Civil Bailiff Reggie Keel, Deputy Civil Bailiff Ann M. Mauder, Deputy Civil Bailiff Tiffany A. Phenix, Deputy Civil Bailiff James A. Roman, Deputy Civil Bailiff Julie M. Willhauck, Deputy Civil Bailiff

# CIVIL BAILIFF STATISTICS FOR 2016 AND 2015

|  | <u>2016</u>                                      | <u>2015</u>                          |
|--|--|--------------------------------------|
| Bailiff Sale<br>Bench Warrants - Received                                | *<br>604   | 1<br>676                             |
| Creditor Bill  | 1  | 2                                    |
| Foreign Service Letters  | 7  | 28                                   |
| Garnishments   | 556  | 680                                  |
| Garnishments No Service  | 62   | 71                                   |
| Garnishment - Mail Service<br>(Notifying Defendants on Bank Attachments) | 48   | 46                                   |
| Landlord Complaints One Cause  | 4,809  | 4,651                                |
| Landlord Complaints One Cause - No Service                               | 116  | 180                                  |
| Landlord Complaints Second Cause   | 7,262  | 7,370                                |
| Landlord Complaint Second Cause - No Service                             | 93   | 128                                  |
| Notification   | 8  | 4                                    |
| Paper Writ of Execution  | 76   | 154                                  |
| Proceeding in Aid - Received   | 3,390  | 3,073                                |
| Proceeding in Aid - No Service   | 2,002  | 1,940                                |
| Replevin Summons   | 75   | 51                                   |
| Writs of Replevin  | 64   | 47                                   |
| Subpoenas - Received   | 136  | 196                                  |
| Subpoenas - No Service   | 33   | 34                                   |
| Summons - Received   | 156  | 179                                  |
| Summons - No Service   | 46   | 50                                   |
| Writs of Execution   | 130  | 126                                  |
| Writs of Restitution Set Out   | 3,380  | 3,178                                |
| Writs of Restitution Lock Out  | 34   | 27                                   |
| Alias Writs of Restitution Set Out                                       | 989  | 828                                  |
| Alias Writs of Restitution Lock Out                                      | 28   | 28                                   |
| Plaintiff Notice of Action   | 3,414  | 3,205                                |
| Four Day Notice to Leave   | 3,414  | 3,205                                |
| Evictions Scheduled  | 1,981  | 1,835                                |
| Evictions Executed   | 615  | 504                                  |
| Lock Outs Executed   | 27   | 28                                   |
| <b>Total Civil Documents Processed</b>                                   | 30,933   | 27,755                               |
| Money Collected on Writs of Execution                                    | \$27,406.63                                      | \$46,901.20                          |
| Money Caused to be Collected on Bench Warrants                           |  |                                      |
| Reported by Plaintiff/Plaintiff Attorney                                 | *  | \$50,265.01                          |
| <b>TOTAL</b><br>*Data not avai   | <b>\$27,406.63</b><br>lable at the time this rep | <b>\$97,166.21</b> port was produced |

## **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 forcible entry and detainer (FED) docket, which is the landlord/tenant docket. The FED 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 marked in any case until the appeal time of 40 days has elapsed. All stenographic notes, digital recordings, and exhibits not attached to transcripts are retained for 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; the other cases would then be rescheduled. Jury trials are most often concluded in one or two days.

#### **Accomplishments**

There were a total of 12 jury trials held in 2016 and eight jury trials in 2015. The following is a breakdown of the jury trials presided over by each respective judge:

Judge Lanzinger held criminal jury trials in February, April, May (2), and November; Judge Wagner held two criminal jury trials in May; Judge Connelly held an OVI jury trial in June and a civil jury trial in September; Judge Kuhlman held a criminal jury trial in September and one in October; and Judge McConnell had a criminal jury trial in October of 2016. There were no jury trials in the months of January, March, July, August or December, 2016.

Our department has taken advantage of continuing education/training opportunities, including a course related to Procedural Justice.

An online transcript request form has been created so that transcripts may be ordered online.

# Goals for 2017

The goal of the Court Reporting Department for 2017 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. We hope to add to our numbers by having another court reporter hired to fill the vacancy created in July of 2016. Our department is also looking forward to the upcoming bystander intervention and harassment education training later this year.

# **Staff Summary**

There are three court reporters in the Toledo Municipal Court, each assigned to a 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; April Vickers is assigned to Judge Robert G. Christiansen.

The proceedings in Judge Berling's, Judge Wagner's, Judge Lanzinger's and Judge Connelly's courtrooms are digitally recorded on JAVS systems, and requested transcripts are produced from these digital recordings, except when jury trials take place. In most all of those instances, a live court reporter is present and takes the proceedings on her machine.

# LAW CLERK/BAILIFF

Jennifer Kerman Chief Courtroom Bailiff

#### **Department Description**

The Law Clerk Department is comprised of eight full-time law clerks and one part-time research law clerk. Seven law clerks are assigned to an individual judge of the Toledo Municipal Court, one law clerk is responsible for legal research and traffic court and one part-time law clerk is responsible for housing legal research, working solely with Judge McConnell. The law clerks work closely with their respective judge to complete all tasks and duties assigned.

One law clerk is appointed by the judges to serve as the chief law clerk for a one year term. On February 5, 2016, Jennifer Kerman was appointed by the judges to serve as chief law clerk. Her term will expire March 1, 2017.

#### Services Provided

The duties of a law clerk include assisting their respective judges as needed, maintaining the decorum and safety of the Court and acting as a liaison between the attorneys, citizens, court security officers, Clerk of Court personnel, and jurors. As an extension of their individual judge, law clerks are required to be effective, efficient, and impartial while exhibiting professionalism. All law clerks are cross-trained to substitute for any courtroom at any time.

#### Accomplishments and Future Goals

The law clerks worked with the Toledo Bar Association and hosted an open forum with local attorneys to gain insight on how to better improve the working relationship between the attorneys and the Court. The discussion provided valuable insight, and ultimately, resolutions, to better enhance the already treasured working relationship. In 2017, the staff looks forward to further streamlining the work flow within the Court.

# **Staff Summary**

Below is a list of the law clerks and their judicial assignment:

Presiding Judge Michelle A. Wagner Judge Amy J. Berling Judge Robert G. Christiansen Judge William M. Connelly, Jr. Judge Timothy C. Kuhlman Judge Joshua W. Lanzinger Judge C. Allen McConnell Research Law Clerk Part-Time Housing Research Clerk Jennifer Kerman, Chief Law Clerk Veronnica McCord Anne Eckhardt Ashley Fosgate Richie Frelin Brittany Sharp-Goldsmith Zoe Kuzdzal Leslie Barker Elizabeth Ellison

#### 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 otherwise would 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 mediation staff of CDSP conduct mediations. Students from the University of Toledo Law School's alternative dispute resolution class also conduct small claims mediations. Mediations are also conducted by volunteer attorneys from the Toledo Bar Association who have been trained as mediators.

Cases are referred to CDSP that involve 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.

FED cases are referred the day of hearing. If the dispute is resolved through mediation the tenant and landlord will either mutually agree on a date to vacate with or without case dismissal or will work out a payment arrangement to stay in the unit. If the case is not resolved, a same day hearing will take place.

"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 that assists businesses in collecting bad debt that is not in check form. The procedure follows the same method used in the Check Resolution Service and requires a \$15.00 registration fee.

# **Accomplishments**

In 2016, the Citizens Dispute Settlement Program remained committed to providing 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 2016, Senior Mediator James Petas held a seat on the Supreme Court of Ohio's Commission on Dispute Resolution. Additionally, CDSP accomplished the following:

- Susan Padilla attended the "Front Line First Aid for Administrative Assistants" seminar in Toledo, Ohio.
- Susan Monro, Sue Padilla, and James Petas all attended court-wide training on Procedural Justice held in Toledo, Ohio.
- Bonnie Schrock, part-time job-share mediator retired from CDSP in February after 22 years of service. Upon Ms. Schrock's retirement, Susan Monro moved from a part-time job share position to a full-time position.
- In 2016, the mediation success rate percentages increased in each of the CDSP case divisions from the 2015 percentages, which is a first in program history.

CDSP and The University of Toledo College of Law continue to work together through the civil mediation internship program. CDSP 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 2016, with statistics from 2015 for comparison, are provided below.

# **CDSP Statistics**

|                                   | <u>2016</u> | <u>2015</u>  |
|-----------------------------------|-------------|--------------|
| <u>Type of Case</u>               |             | Success Rate |
| Civil Cases                       | 76%         | 74%          |
| Adjudicated                       | 94%         | 76%          |
| Pre-Adjudicated                   | 87%         | 84%          |
| Housing – Rent Escrow             | 81%         | 64%          |
| Housing – FED                     | 78%         | 74%          |
| Small Claims                      | 63%         | 52%          |
| Dispute Resolution – Case Types R | eferred     |              |
| Assault                           | 104         | 82           |
| Menacing                          | 49          | 83           |
| Criminal Damage                   | 80          | 64           |
| Theft                             | 16          | 75           |
| Harassment                        | 8           | 7            |
| Neighborhood Dispute              | 13          | 15           |
| Telephone Harassment              | 26          | 13           |
| Criminal Trespassing              | 3           | 28           |
| Landlord/Tenant                   | 40          | 42           |
| Stalking                          | 5           | 0            |
| Other                             | 81          | 62           |
| Civil Case Mediation Results      |             |              |
| Total Referred                    | 152         | 121          |
|                                   | 86          | 62           |
| e                                 |             |              |
| No Agreement                      | 31          | 25           |
| CDSP Involvement/No Mediatio      |             | 20           |
| Pending                           | 15          | 14           |
| Mediation Agreement %             | 76%         | 74%          |
| Adjudicated Case Mediation Result |             |              |
| Total Referred                    | 120         | 84           |
| Mediation: Agreement              | 65          | 42           |
| No Agreement                      | 5           | 17           |
| FTA to Notice                     | 25          | 9            |
| CDSP Involvement/No Mediation     | on 9        | 2            |
| Pending                           | 16          | 14           |
| Mediation Agreement %             | 94%         | 76%          |
|                                   |             |              |

|  | <u>2016</u> | <u>2015</u> |
|--|-------------|-------------|
| Pre-Adjudicated Mediations               |             |             |
| Total Referred                           | 379         | 371         |
| Mediation: Agreement                     | 101         | 100         |
| No Agreement                             | 15          | 20          |
| FTA to Notice                            | 152         | 138         |
| CDSP Involvement/No mediation            | 76          | 70          |
| Make File Only                           | 29          | 34          |
| Pending                                  | 6           | 9           |
| Mediation Agreement %                    | 87%         | 84%         |
| <b>Housing Mediations – Rent Escrow</b>  |             |             |
| Total Referred                           | 100         | 109         |
| Mediation: Agreement                     | 52          | 36          |
| No Agreement                             | 13          | 23          |
| FTA to Notice                            | 7           | 10          |
| CDSP Involvement/No Mediation            | 15          | 26          |
| Pending                                  | 4           | 5           |
| Mediation Agreement %                    | 81%         | 64%         |
| Housing Mediations – F.E.D.              |             |             |
| Total Referred                           | 264         | 319         |
| Mediation: Agreement                     | 206         | 239         |
| No Agreement                             | 56          | 80          |
| Mediation Agreement %                    | 78%         | 74%         |
| Small Claims/Same Day Mediation          |             |             |
| Total Referred                           | 137         | 130         |
| Mediation: Agreement                     | 80          | 61          |
| No Agreement                             | 50          | 14          |
| Mediation Agreement %                    | 63%         | 52%         |
| <b>Check Resolution Mediations (CRS)</b> |             |             |
| Total Referred                           | 439         | 583         |
| Funds Generated                          | \$6,585.00  | \$8,760.00  |
| Collection Mediations                    | 0           | 1           |
| Total number of cases referred           |             |             |
| (Minus CRS)                              | 1,154       | 1,134       |

## Goals for 2017

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. CDSP will also be evaluating whether there may be additional opportunities for the use of mediation within the court and will work with the judges to encourage additional referrals of both criminal and civil cases for mediation in 2017.

CDSP is also looking to update the computer software program to better handle, organize, and analyze yearly statistics. CDSP will continue the bi-yearly evaluation process. In the past year of the post mediation evaluations collected, 96% were satisfied with the mediation process and would recommend it to others. Participant comments included, "I think this is an amazing program, communication can carry you a long way" and "Fantastic job resolving this case, I was certain (the case) would require a trial. Thank you". 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, Court Mediator Susan Monro, and Intake Secretary Susan Padilla.

## PROBATION

Burma Stewart Chief Probation Officer

#### **Department Description**

The Toledo Municipal Court Probation Department operates under the authority of the Toledo Municipal Court judges. The primary role of the Probation Department 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 Burma Stewart. The daily operations are managed by Assistant Chief Probation Officer Kevin Alore.

During 2016, the Probation Department implemented a quality assurance program designed to ensure efficiency and effectiveness in the delivery of probation services. Quality Assurance Manager Jennifer Friddell was promoted to the position in February 2016 and has taken the lead in designing and implementing an auditing process to promote fidelity to evidence-based practices and procedures. The Probation Department began conducting case file reviews and direct observation audits on open probation files during the second half of 2016. Closed file audits were conducted during the last quarter to assure fidelity to the established filing system.

The department is currently structured into five units: Management Team, PSI Unit, Supervision Unit, Special Services/Intake 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.

Unit Supervisor Laura Berling supervises pre-sentence investigations (PSI), Special Services, and the Clerical Units. The Supervision Unit is supervised by Unit Supervisor Lori Donovan.

Unit Supervisor Laura Berling supervises four professional staff in the PSI Unit. This unit is responsible for pre-sentence investigations and supervising inactive probation cases. There are four investigating probation officers: Sean O'Connor, Andrew Oberdier, Jodi Alexander and Eddie Norrils. These investigators are responsible for completing all PSI reports 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.

Ms. Berling supervises the Clerical Unit which provides secretarial and support services for the department. This includes, but is not limited to, greeting the public, collecting restitution payments, filing, delivering probation files to the courtrooms, and processing in-coming cases. The unit includes: Mary Baker, Idell Daniels, Martha Grabarkiewicz, Robin Majewski, Jennifer Caris, and Tiffaney Wasserman. Ms. Caris and Ms. Wasserman joined the Probation Department in July 2016.

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, case plans, 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. Probation officers also use a graduated sanction policy to enforce conditions of the Court that may not warrant immediate notification to the judge.

The Supervision Unit is comprised of probation officers who supervise high risk, moderate risk or low risk offenders. Unit Supervisor Lori Donovan manages five probation officers who supervise high risk offenders: Mark Klapper, Markus Whitehead, Melissa Stasa, Allie Popovich, and Rachel Borders. The average high risk caseload is 180 offenders. Ms. Donovan also manages five probation officers who supervise all moderate risk and some low risk offenders: Lewis Simpson, Carrie Tester, Kim Beale, Maria Tomlin, and Christopher Giwa. The average moderate risk supervision caseload has 300 offenders. Ms. Tomlin and Mr. Giwa joined the Probation Department in April 2016. At the end of 2016, there are two vacancies in the unit, one in high risk and another in the moderate risk supervision units due to the retirement of Probation Officers Kerry Konzen and the resignation of Anthony Bouyer.

The Intensive Supervision Program (ISP) is currently managed by Probation Officer Melissa Stasa. 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 six months, but is also intensive. Offenders must follow strict conditions such as 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. The CCA grant also provides \$147,780 for drug and alcohol treatment services for standard probation offenders who cannot pay for treatment.

The Probation Department also received probation improvement and incentive grant funds from the Ohio Department of Rehabilitation and Corrections in the amount of \$1.1 million to provide substance abuse, domestic violence, and employment services to high risk offenders as well as residential treatment services for 60 days through the Court's Court Addiction Diversion (CAD) program. CAD allows offenders from Toledo Municipal Court, Maumee Municipal Court, Oregon Municipal Court and Sylvania Municipal Court to receive intensive residential substance abuse treatment at the Correctional Treatment Facility.

Unit Supervisor Laura Berling supervises probation officers in the Special Services Unit and the Intake Unit. Specialized caseloads include: alternatives, community sanction (CS) or kiosk, and the Community Service Probation Program (CSPP).

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.

The Alternatives Program assists 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 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, Pretrial Services, and CCNO.

Darryl Myles and Adriana McCord are the Community Service Probation Program (CSPP) officers. Ms. McCord joined the department in December 2016. 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.

The Intake Unit currently has three intake officers who conduct all initial Ohio Risk Assessment System (ORAS) assessments to determine risk to re-offend and probation officer assignment. Additionally, the officers process all cases that have a term of active or inactive probation. Intake officers include: Sean Mannooch, Daniel Ford, and Debra Neal.

#### **Accomplishments**

During 2016, the Probation Department focused on implementing a quality assurance (QA) program. Policies, procedures and tools were developed to promote consistency and fidelity to established standards and practices. Internal processes were evaluated through surveys and observation to ensure efficiency and effectiveness of operations. Our policy and procedure manual was updated to reflect the changes that were made.

In May 2016, the department began an evidence-based day reporting program for offenders. Offenders are referred to the program by their probation officer based on their identified risk level. The program offers two groups: "Thinking for a Change" which is a 16 week course for high risk offenders and "Epictetus" is a 12 week course for moderate risk offenders.

Supervision fee expenditures included confidential shredding services, kiosk maintenance, permanent and temporary clerical staff, general office supplies, case management software enhancements, software licensing agreements, and staff training.

#### **Staff Summary**

As of December 31, 2016, there were 33 staff positions in the Probation Department: One chief probation officer, one assistant chief probation officer, one quality assurance manager, two unit supervisors, 16 probation officers, three intake officers, one license intervention specialist, two community service officers, and six probation secretaries. The Probation Department has four unfilled positions: two supervisor positions, and two probation officer positions.

# 2017 Goals

- 1. Development of a continuous quality improvement program that identifies and eliminates inefficiencies, and promotes fidelity to established standards and department policies.
- 2. Implement elements of Procedural Justice into department operations.
- 3. Provide ongoing training for probation staff.

# PROBATION DEPARTMENT YEAR END STATISTICAL REPORT

|   | # OF<br>CLIENTS<br>2016 | # OF<br>CASES<br>2016 | # OF<br>CLIENTS<br>2015        | #OF<br>CASES<br>2015 |
|---|-------------------------|-----------------------|--------------------------------|----------------------|
| Referrals to Probation                              |                         |                       |                                |                      |
| Traffic   | 4,286                   | 9,233                 | 5,172                          | 9,472                |
| Criminal  | 4,957                   | 8,347                 | 4,725                          | 7,914                |
| Total Referrals to Probation                        | 9,243                   | 17,580                | 9,897                          | 17,386               |
|   |                         |                       |                                |                      |
| <b>Offenders on Probation</b><br>Active Probation   | 3,756                   | 4,476                 | 3,209                          | 4,113                |
| Inactive Probation                                  | 1,980                   | 2,144                 | 2,169                          | 2,516                |
| Referral Monitor                                    | 121                     | 150                   | 81                             | 87                   |
| Total Defendants Placed on Probation                | 5,857                   | 6,770                 | 5,459                          | 6,716                |
| Total Probation Violations Requested                | 1,772*                  | 2,943*                | 1,286                          | 2,015                |
| Defendants Released or Terminated<br>from Probation | **                      | **                    | 4,773                          | 5,873                |
| Presentence Referrals Requested                     | 764                     | 794                   | 741                            | 771                  |
| Motions to Seal                                     | 462                     | 965                   | 365                            | 613                  |
| CDTC Referrals                                      | 66                      | 117                   | 73                             | 120                  |
| EMU Referrals                                       | 268                     | 316                   | 259                            | 394                  |
| DIP Referrals                                       | 1,303                   | 1,310                 | 1,148<br>s Requested by Office | 1,155                |

\*Includes Probation Violation Waivers Requested by Officers \*\*Data not available at the time this report was produced

|  | # OF<br>CLIENTS<br>2016                    | # OF<br>CASES<br>2016 | # OF<br>CLIENTS<br>2015 | #OF<br>CASES<br>2015 |
|--|--|-----------------------|-------------------------|----------------------|
| CSPP Program                                   |  |                       |                         |                      |
| Total CSPP Referrals                           | 2,515                                      | 3,714                 | 2,634                   | 5,127                |
| Insurance Fees Collected on CSPP Cases         | \$2,040.00                                 |                       | \$3,970.00              |                      |
| Total CSPP Hours Ordered                       | 116,822                                    |                       | 112,941                 |                      |
| Total CSPP Hours Completed                     | 32,013                                     |                       | 44,634                  |                      |
|  |  |                       |                         |                      |
|  |  |                       |                         |                      |
| LIS Program                                    | 10   | 10                    | 1.40                    | 1.40                 |
| Vehicle Release                                | 18   | 19                    | 148                     | 149                  |
| LIS (RED Referrals)                            | 1,546                                      | 1,643                 | 1,122                   | 1,243                |
| Immobilizations                                | 47   | 47                    | 181                     | 186                  |
| Driving Privileges                             | 413  | 416                   | 308                     | 334                  |
| General LIS Inquiries (Walk In Clients)        | 666  |                       | 656                     |                      |
| Total LIS Program                              | 2,690                                      | 2,125                 | 2,415                   | 1,912                |
|  |  |                       |                         |                      |
| Alternatives Program                           |  |                       |                         |                      |
| Total Program Referrals                        | 542  | 545                   | 555                     | 578                  |
| Successful (Sealed)                            | 278  | 278                   | 374                     | 570                  |
| Unsuccessful                                   | 73   | 74                    | 19                      |                      |
| onsuccessful                                   | 15   | , 1                   | 17                      |                      |
|  |  |                       |                         |                      |
| <b>Regional Court Referrals</b>                |  |                       |                         |                      |
| Bowling Green                                  | 0  | 0                     | 0                       | 0                    |
| Sylvania                                       | 0  | 0                     | 0                       | 0                    |
| Maumee   | 0  | 0                     | 0                       | 0                    |
| Oregon   | 0  | 0                     | 0                       | 0                    |
| Perrysburg                                     | 45   | 0                     | 50                      | 0                    |
| Berea  | 0  | 0                     | 1                       | 0                    |
| Portage  | 0  | 0                     | 1                       | 0                    |
| Other  | 0  | 0                     | 0                       | 0                    |
| <b>Total Regional Court Referrals</b>          | 45   | 0                     | 52                      | 0                    |
|  |  |                       |                         |                      |
| Financial Information                          |  |                       |                         |                      |
| Financial Information<br>Restitution Collected | ¢100.929.01 ¢100.207.40                    |                       |                         |                      |
|  | \$100,838.21<br>\$102,397.42<br>\$5,452.52 |                       |                         |                      |
| Surcharge Collected                            | \$5,453.53<br>\$5,832.50                   |                       |                         |                      |
| Total Collected                                | \$106,391.74                               |                       | \$108,229.92            |                      |

### HOUSING AND ENVIRONMENTAL COURT

Judge C. Allen McConnell Housing and Environmental Court Judge

#### Message from the Judge

The Toledo Municipal Housing and Environmental Court will celebrate its 30 year anniversary in 2017. Three decades ago, our city fathers and community leaders realized that there was a need for a separate housing court in Toledo. Consolidating all housing and environmentally-related cases into a single docket has produced consistent rulings on housing cases by a single judge.

The benefit of the Housing Court has been to give the directors and inspectors of the City of Toledo advanced knowledge as to what is acceptable and what is unacceptable before filing charges against violators of the city codes. The need for a housing court continues as the housing stock in the City of Toledo deteriorates with age.

When Judge McConnell took the bench in 2000, the housing market was stable for the most part. Of course there were nuisance properties, but by working with area assistance agencies and community development corporations, many homeowners were able to abate their nuisance and remain in their homes.

In 2016, as well as every past year since the mortgage foreclosure crisis of 2007-2008, the Court has continued to hear cases involving the overwhelming number of vacant residential and commercial properties that are destabilizing neighborhoods. As there is no financial assistance for repairing these vacant properties, demolition is often the method of compliance.

Neighborhood improvement remains a top priority for the Toledo Housing Court. During the balance of Judge McConnell's tenure as the Toledo Housing and Environmental Court Judge, he will continue to seek resources to assist and enable owner-occupants to bring their properties into compliance with the Toledo Housing Code. In spite of the difficult times Toledo has experienced and continues to endure, it is the Court's belief that the housing market will rebound and the Toledo housing stock will return to a high level of acceptability.

### The History of Housing Court

The Toledo Municipal Housing and Environmental Court was created to remedy abandoned, vandalized, and dilapidated structures in the City of Toledo, Washington Township, and Ottawa Hills. In January of 1987, the Ohio Supreme Court approved consolidating all housing matters into one court covered on the docket of one judge in the Toledo Municipal Court.

Judge Judith Ann Lanzinger was appointed on April 1, 1987 to serve as interim Housing Judge. In 1988 Judge J. Ronald Bowman was installed as the Court's first elected Housing Court Judge. Judge Roger R. Weiher was then appointed on July 7, 1989 to fill the vacancy created by the appointment of Judge Bowman to the Lucas County Court of Common Pleas. 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.

The Housing Court has both civil and criminal dockets. The civil docket includes matters involving 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 Court 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 Housing 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.

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.

In 2016, 872 criminal nuisance citations were filed in Housing Court. Bench warrants are issued for those that fail to appear. Many of those defendants are absentee landlords and/or out-of-state owners. In some bench warrant cases where the defendant resides within the City of Toledo or Lucas County, the Court's Warrant Enforcement Unit makes every effort to serve the warrant and arrest the individual. The defendant is then immediately brought to Toledo Municipal Court for appearance.

There were 6,912 eviction and 90 rent escrow cases filed in 2016. A Housing Court Magistrate hears all first causes of action in FEDs, as well as rent escrow cases wherein tenants deposit rent into an escrow account with the Court because of a dispute with the landlord. The Magistrate's orders are submitted to the Housing Court Judge for approval. Any objections to the orders of the magistrate are referred to the Housing Court Judge for decision or hearing. The majority of the second causes of action (money damages) are heard by the Housing Judge.

The principal objective of the Housing and Environment Court is to achieve compliance with the Toledo Housing Code. If the condition can be corrected quickly, sentencing may be reserved and the case may be continued to allow the defendant time to correct the violation and comply with the code.

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.

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.

## 2016 Accomplishments and Goals for 2017

In May 2016, Judge C. Allen McConnell and his staff hosted the Toledo Municipal Housing Court housing fair. This informational housing fair was well attended by citywide homeowners seeking to link with the numerous area assistance agencies that were on hand. Participants received information regarding home repair, finance information, and home and community safety.

An upgraded, more user-friendly housing website, toledohousingcourt.org, was launched late in 2016. The website was re-designed to respond to the most frequently searched topics by viewers, such as the weekly housing docket, eviction information, bench warrant lists and who to call to report violations.

All housing staff attended Procedural Justice training in 2016. The training was designed to explore the concept of Procedural Justice and its four components: voice, neutrality, respect, and trust.

Housing Specialist Robert Krompak attended Crisis Intervention training. This 40 hour course was presented by the Lucas County Mental Health and Recovery Services Board to enhance the understanding of mental illness, to learn skills for situations involving someone with a mental illness in the field. and to strengthen partnerships with law enforcement, service providers, and the community.

In 2017, Judge C. Allen McConnell and his staff will continue to seek resources to assist and enable homeowners to bring their properties into compliance with the Toledo Housing Code. The Housing Court will also continue its commitment to community outreach projects.

### **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**

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

## **Staff Summary**

The 2016 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 Barbara Falls Housing Specialist Larry A. Cardwell Housing Specialist Robert Krompak Court Reporter Lori Hauenstein Deputy Lorraine Walker Law Clerk Michael Yakumithis, (through May 2016) Law Clerk Zoe Kuzdzal (May 2016 to present) Judges' Secretary Meredith Kurucz