



TOLEDO MUNICIPAL COURT

ANNUAL REPORT 2006

TABLE OF CONTENTS

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

COURT ADMINISTRATOR'S OFFICE

Pamela Roberts
Court Administrator

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

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

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

Judge Gene A. Zmuda was elected Presiding and Administrative Judge for a third one-year term beginning January 1, 2006. In December, Judge Zmuda was appointed to a vacancy on the Lucas Common Pleas Court. Judge Timothy C. Kuhlman was elected Presiding and Administrative Judge for the remainder of 2006 and for 2007. Judge Michael R. Goulding was appointed to replace Judge Zmuda.

Projects undertaken by the Court Administrator's Office in 2006 encompassed the full range of functions and responsibilities mentioned above.

In cooperation with the Clerk of Courts Office, real time data entry was accomplished in Courtrooms 3 and 4. Testing for real time entry was completed in Courtroom 2 and was expected to be fully operational during the first quarter of 2007.

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

The Court continued to expand the use of video conferencing. A room was established for the Probation Department staff to connect with Correction Center of Northwest Ohio (CCNO) and the Lucas County Corrections Center (LCCC) in order to talk to defendants in custody. This saves the time and costs of transporting and controlling those defendants in the Courthouse.

A digital audio/video recording system was selected and was scheduled to be installed in Courtrooms 3, 4, and 9 during the first quarter of 2007. All of these systems will include provisions for assisting the hearing impaired. In addition, a portable system was purchased. Once installed, this equipment will be able to be used for video arraignments and other hearings.

In another technology change, the Court was successfully changed over to a terminal server network by NORIS. This allowed the software to be upgraded and protected at a single source instead of on each individual computer.

Approximately 15 computers were replaced throughout the Court.

A new administrative records retention schedule and procedure was implemented. This allowed the Court to better manage its files and documents.

The Court Administrator's Office continued in 2006 to serve as a facilitator for Magistrate and Court staff videoconferences sponsored by the Ohio Judicial College and The Supreme Court of Ohio. In addition, the office continued to work with the Toledo Bar Association Auxiliary to provide tours for high school students. The Court hosted The Toledo Bar Association's High School Mock Trial Competition. The Court also provided CLE training for the Toledo Bar Association entitled "Practice in the Toledo Municipal Court."

As an appointed member of the Lucas County Community Corrections Board, the Court Administrator served as Chairperson of the Ad Hoc Electronic Monitoring Committee. The Court Administrator is also served as a member of the Regional Community Corrections Boards consisting of those counties participating in CCNO.

The past year saw many staff member changes. Long-time Civil Bailiff Ralph Williams, Housing Specialist Rick Cutcher, and RED Officer Maggie Burmiester retired from the Court. Law Clerk Valeria Johnson and Assignment Clerk Sherry Herrick also left Court service in 2006. New employees included Information Technology Officer Terry Koluch, Law Clerk Nick McLeland, Court Reporter Carol Thomas, and Civil Bailiffs David Baz and Tiffany Phenix.

Goals for 2007 include the following:

- Increased use of video arraignments
- Installation of digital audio/video recording system in Courtrooms 3, 4, and 9.
- Completion of Failure to Appear pilot project during first half of 2007
- Implementation of Intranet for all Court staff
- Updated website and consolidation with Clerk of Courts site and Housing Court site.
- Continued work on CLIP/CATS integration
- Compilation of Human Resource policies and procedures

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

CLERK OF TOLEDO MUNICIPAL COURT

Vallie Bowman-English
Clerk of Court

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

In 2006, the Clerk increased the public's access to these records by placing Toledo Municipal Court case information online on the Clerk of Court's website. Prior to this, the public had to call or come to the Clerk's office to inquire about case information. This meant spending time on hold or driving downtown to find out an answer to a simple question. This enhancement allows anyone to go online to review court proceedings.

After months of analysis and design work the Clerk was able to place Deputy Clerk's in Courtrooms three and four in order to record entries as the Judge or Magistrate is ruling on the case(s). These are the highest volume courtrooms and the ability to instantly journalize these entries results in immediate access to the information for other Departments and the public. In many instances, it also allows for further processing without having to wait for the case file to be delivered to locations within the court.

In June of this year, the Clerk submitted final reports regarding the SAFETI Grant (System Approach For Effective Tracking and Identification) to the Department of Justice in Washington D.C. This was the final step in achieving the goals and objectives of a grant awarded to produce images of Protection Orders and enhance sharing of associated data. The requirements of the grant were met and exceeded allowing instant electronic access to information never before available. Numerous agencies using the system represent counties in both Ohio and Michigan.

In conjunction with the design and implementation of the regional imaging system, hand written protection orders were replaced with electronically produced forms. This helped streamline the protection order process in every courtroom and allow for instant transmission of necessary data to the Police Department for entry into the Statewide Computer System.

With the Clerk's ongoing commitment to maximize the use of automation, the necessary design and development work to allow for imaging of Civil, Criminal and Traffic documents was completed. The ability to image Civil Judgment and Certified Mail Returns is expected to be fully functional in the first quarter of 2007. Using these documents as a base, efforts to enhance the efficiency, accuracy, timeliness and accessibility of court records will continue.

Clerk of Toledo Municipal Court
Vallie Bowman-English, Clerk

Filings	2006	2005
Civil Division	26,264	24,436
Criminal / Traffic Division	99,344	94,100
TOTAL	125,608	118,536

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Revenue Collected

Civil	\$10,320,321.60	\$10,386,656.08
Criminal / Traffic	\$4,727,973.91	\$4,899,165.54
TOTAL	\$15,048,295.51	\$15,285,821.62

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Revenue Disbursed

City of Toledo General Fund	4,003,180.37	4,260,271.07
Other City of Toledo Accounts	1,108,313.11	1,110,849.10
Ottawa Hills	36,786.50	35,828.80
Washington Township	1,332.00	4,180.09
University of Toledo	825.00	725.00
MCO	-	25.00
Lucas County Treasurer	207,283.50	204,511.06
Lucas County Sheriff	251.00	570.00
Lucas County Drug Fund	20,020.17	22,288.21
Toledo Law Association	8,664.75	11,219.31
Toledo Area Humane Society	75.00	325.00
Toledo Area Metro Parks	1,169.00	-
Toledo Legal News	252,093.65	243,432.14
Civil Legal Assistance Project	195,251.89	44,990.00
Treasurer of State	1,403,602.14	1,286,861.93
Department of Natural Resources	4,770.00	3,880.00
State Pharmacy Board	4,555.00	5,595.50
Division of Liquor Control	75.00	55.00
Ohio Ethics Commission	12,375.00	-
Capital Recovery Systems	246,016.57	102,777.45
Fiduciary Accounts - Civil	7,180,423.01	7,673,857.82
Fiduciary Accounts – Trusteeship	297,027.73	225,257.80
Refunded Over Payments	36,445.58	55,238.92
TOTAL	\$15,020,535.97	\$15,292,739.20

Comment [t1]: Includes TMC change bank

Comment [t2]: LEEF and Drug Fund

Comment [t3]: Includes OSP Drug and LEEF funds & BMW / Wrt Blek

Clerk of Toledo Municipal Court
Civil Division

Filings	2006	2005
Civil General	23,001	21,498
Small Claims	3,092	2,791
Trusteeship	171	147

Comment [t4]: Combination of new cases and certified cases from previous reports

TOTAL	26,264	24,436
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Activities

Certificates of Judgment	3,313	3,336
Disbursements – Civil	6,444	7,079
Disbursements – Trusteeship	1,424	1,257
Dismissals	1,071	1,252
Executions	676	555
Garnishments	11,386	13,179
Judgments	49,941	60,739
Motions	14,056	13,334
Proceedings in Aid	1,990	1,789
Reports	50,230	56,471
Revivors	142	121
Revocations	85	102
Satisfactions	5,345	5,811
Subpeonas	1,005	991
Terminations	26,908	28,243
Transcripts	134	99
Writ of Restitution	4,343	3,985

Comment [t5]: Add motions for defaults and trusteeship

TOTAL	178, 493	198,343
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Revenue Collected

Civil Revenue	2,821,906.92	2,494,458.04
Fiduciary Accounts - Civil	7,215,735.98	7,659,492.32
Fiduciary Accounts – Trusteeship	282,678.70	232,705.72
TOTAL	\$10,320,321.60	\$10,386,656.08

Revenue Disbursed

City of Toledo General Fund	1,466,475.62	1,477,118.99
Other City of Toledo Accounts	354,747.77	367,647.71
Civil Legal Assistance Project	195,251.89	44,990.00
Treasurer of State	546,542.39	361,269.20
Toledo Legal News	252,093.65	243,432.14
Fiduciary Accounts – Civil	7,180,423.01	7,673,857.82
Fiduciary Account – Trusteeship	297,027.73	225,257.80
TOTAL	\$10,292,562.06	\$10,393,573.66

Clerk of Toledo Municipal Court
Criminal / Traffic Division

Filings	2006		2005	
	Charges	Cases	Charges	Cases
Traffic	61,145	34,281	58,187	32,358
Criminal	38,199	26,983	35,913	25,166
TOTAL	99,344	61,264	94,100	57,524

Revenue Collected

Fines	1,670,613.25	1,889,886.80
Costs and Fees	2,987,410.97	2,928,323.40
HITT	17,005.11	12,033.42
Bond Forfeitures	16,499.00	13,683.00
Over Payments	36,445.58	55,238.92
TOTAL	\$4,727,973.91	\$4,899,165.54

Comment [t6]: Helping Inmates Through Training- this program is a form of work release at CCNO

Revenue Disbursed

City of Toledo General Fund	2,536,704.75	2,783,152.08
Other City of Toledo Accounts	753,565.34	743,201.39
Ottawa Hills	36,786.50	35,828.80
Washington Township	1,332.00	4,180.09
University of Toledo	825.00	725.00
MCO	-	25.00
Lucas County Treasurer	207,283.50	204,511.06
Lucas County Sheriff	251.00	570.00
Lucas County Drug Fund	20,020.17	22,288.21
Toledo Law Association	8,664.75	11,219.31
Toledo Area Humane Society	75.00	325.00
Toledo Area Metro Parks	1,169.00	-
Treasurer of State	857,059.75	925,592.73
Department of Natural Resources	4,770.00	3,880.00
State Pharmacy Board	4,555.00	5,595.50
Division of Liquor Control	75.00	55.00
Ohio Ethics Commission	12,375.00	-
Capital Recovery Systems	246,016.57	102,777.45
Refunded Over Payments	36,445.58	55,238.92
TOTAL	\$4,727,973.91	\$4,899,165.54

Comment [t7]: Includes TMC change bank

Comment [t8]: LEEF and Drug Fund

Comment [t9]: Includes OSP Drug and LEEF funds & BMW / Wrt Blek

ASSIGNMENT OFFICE

Karen E. Wood
Assignment Commissioner

Department Description

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

Services Provided

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

In 2006 the staff worked on a variety of projects updating the office computer system, including new forms and label machines. We also welcomed new Assignment Clerk Janet Hegedus to the office.

The figures for 2006 with comparison figures for 2005 are as follows:

Category	2006	2005
A. Cases Assigned		
Criminal/Traffic Assignments	27,849	25,002
Civil Assignments (including Housing)	1552	2,126
B. Cases set for Trial		
Criminal/Traffic Trials	10,098	8,940
Civil Trials	1,752	2,260
Criminal/Traffic Trial Resets	11,043	8,789
C. Cases set for Pretrial		
Pretrial – Criminal/Traffic	14,521	14,055
Pretrial Resets	2,518	1,405
Mandatory Jury Pretrials (MJPT)	165	233
D. Preliminary Hearing/Felony Arraignment Docket	14,110	14,584
E. Jury Trials Set (Crim/Traff/Civil)	356	362
F. Bureau of Motor Vehicle Hearings	28	19

Category	2006	2005
G. Evictions	7,296	6,847
H. Housing		
Criminal Housing Trials	340	249
Civil Housing (Not a Draw) New Assignments	216	731
Rent Escrow	130	99
I. ALS/Innocent Owner Hearings	62	19

Civil Assignments:

Pursuant to the Rules of Superintendence, judges are assigned on civil cases upon the filing of an answer or motion. There are instances in which judges are assigned on other than the above, such as Housing, reassignment, consolidation, assessment hearings, or transfers. The following figures represent the number of civil cases assigned during 2006 and 2005 per individual Judge:

2006	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Mc	14	17	24	20	16	20	22	17	18	18	18	12	216
K	19	15	19	20	18	29	21	22	17	15	12	21	228
C	11	21	15	18	30	23	12	23	14	17	16	19	219
B	21	11	23	21	26	19	11	15	19	20	11	17	214
S	22	23	20	22	18	19	21	14	13	18	19	16	225
Z	20	19	23	22	19	21	21	16	10	19	18	20	228
G	26	14	28	13	25	19	13	9	25	15	17	18	222
Total	133	120	152	136	152	150	121	116	116	122	111	123	1552

2005	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Mc	73	47	72	65	86	79	52	65	52	59	54	27	731
K	20	18	23	22	20	23	14	26	15	18	15	13	227
C	20	10	22	23	16	18	23	25	23	20	12	10	222
B	16	16	32	26	18	19	24	27	19	17	12	16	242
S	17	13	14	25	25	23	27	20	21	18	15	19	237
Z	26	16	23	24	23	13	28	21	18	14	13	12	231
G	22	21	24	14	23	22	27	22	20	13	15	13	236
Total	194	141	210	199	211	197	195	206	168	159	136	110	2126

Civil Cases Set for Trial:

Month	2006	2005
January	160	189
February	113	158
March	143	230
April	145	203
May	157	227
June	170	204

Month	2006	2005
July	155	178
August	161	244
September	147	188
October	150	159
November	137	169
December	114	111
TOTAL	1,752	2,260

Civil Motions:

A civil motion is a preliminary pleading related to procedure and point of law. In 2006, 2,889 civil motions were processed and 136 were set for Oral Motion Hearing. In 2005 2,513 motions were processed and 120 were set for Oral Motion Hearing.

Civil Pretrials:	Civil Juries Set:	Mandatory Jury Pretrials:
2006 1,395	2006 104	2006 128
2005 1,282	2005 76	2005 134

Evictions:

2006 Evictions	Set Reset		Judgments	Dismissals	On Desk/ Continuances
January	548	72	278	183	15
February	595	46	297	230	22
March	584	79	296	192	17
April	508	76	260	160	12
May	563	75	311	159	18
June	624	65	352	187	20
July	666	79	385	181	21
August	771	131	410	203	27
September	582	84	330	158	10
October	691	88	410	176	17
November	579	79	297	179	24
December	585	86	312	158	29
Totals:	7,296	960	3,838	2,166	232

2005 Evictions	Set Reset		Judgments	Dismissals	On Desk/ Continuances
January	490	47	231	191	21
February	503	52	195	242	14
March	542	42	229	265	6
April	519	56	264	195	4
May	521	60	304	156	1
June	539	47	286	198	8
July	499	52	261	180	6
August	614	90	299	215	10

2005 Evictions	Set Reset	Judgments	Dismissals	On Desk/ Continuances
September	747/81	386	271	9
October	661/70	361	209	21
November	604/54	328	207	15
December	608/90	319	182	17
Total:	6,847/660	3,463	2,511	132

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

Rent Escrow:

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
2006	11	4	9	8	9	9	12	11	19	8	17	13	130
2005	11	4	10	9	10	6	4	7	7	10	11	10	99

Bureau of Motor Vehicle Hearings (Civil):

A Magistrate schedules BMV cases for Hearing.

2006 – 38 cases were set for Hearing.

2005 – 19 cases were set for Hearing.

Criminal and Traffic Assignments:

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

Criminal/Traffic Assignments:

Judge	2006	2005
McConnell	2,897+510	2,553+508
Kuhlman	4,038	3,709
Christiansen	4,107	3,591
Berling	4,081	3,652
Schaefer	4,046	3,664
Zmuda	4,089	3,663
Gorman	4,081	3,662
	<u>27,849</u>	<u>25,002</u>

Reactivated Cases (Sealing of Record):

2006	154
2005	80

Criminal/Traffic Reset Cases

2006	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
McConnell	109	62	108	117	187	85	157	93	84	123	60	126	1311
Kuhlman	122	100	130	84	89	87	101	101	106	118	132	154	1324
Christiansen	140	154	237	113	209	120	130	133	118	135	132	122	1743
Berling	107	82	124	150	147	151	123	228	125	133	91	81	1542
Schaefer	97	92	133	152	125	155	95	144	117	158	114	140	1522
Zmuda	176	129	169	102	152	128	103	147	119	202	136	116	1679
Gorman	249	204	169	153	184	155	139	195	126	124	128	96	1922
	1000	823	1070	871	1093	881	848	1041	795	993	793	835	11,043

2005	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
McConnell	153	96	101	80	68	77	77	106	83	81	87	70	1079
Kuhlman	139	78	154	52	85	88	44	89	84	98	141	78	1130
Trimboli	115	107	188	120	108	121	128	147	104	57	78	84	1357
Berling	90	89	125	101	110	97	102	144	117	128	96	96	1295
Schaefer	62	99	78	84	128	83	120	129	134	172	70	121	1280
Zmuda	168	177	75	94	57	73	72	91	89	141	75	96	1208
Gorman	126	111	143	133	98	171	135	117	195	63	83	65	1440
Total:	853	757	864	664	654	710	678	823	806	740	630	610	8789

2006 Jury Trials (Criminal/Traffic/Civil):

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

2005 Jury Trials (Criminal/Traffic/Civil):

Month	Crim/Traff	Civil	Ordered	Used	No Jurors
January	36	6	0	0	0
February	22	15	0	0	0
March	30	6	0	0	0
April	26	2	0	0	0
May	20	8	0	0	0
June	37	6	1	1	0
July	17	2	0	0	0
August	20	10	3	2	0
September	17	11	0	0	0
October	22	6	0	0	0
November	8	1	0	0	0
December	31	3	0	0	0
Total:	286	76	4	3	0

2006 Criminal/Traffic Trials 10,098
2005 Criminal /Traffic Trials: 8,940

2006 Criminal/Traffic Pretrials:

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

Zmuda													
Set	207	182	202	173	185	211	176	199	174	177	184	159	2229
Reset	14	8	29	15	27	19	12	19	19	26	37	17	242
MJPT	6	2	1	2	1	1	0	1	1	3	2	1	21
Gorman													
Set	199	167	206	171	194	173	188	170	157	149	175	162	2111
Reset	22	22	9	12	17	29	12	39	12	25	18	13	230
MJPT	0	0	2	0	0	0	0	0	0	0	0	0	2
Total Set													14,521
Total Reset													2,518
Total MJPT													165

*Mandatory Jury Pretrials

2005 Criminal/Traffic Pretrials:

	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
McConnell													
Set	130	149	177	155	155	149	154	165	145	125	148	117	1769
Reset	8	3	10	18	9	25	6	28	28	22	19	14	190
*MJPT	3	3	4	4	1	7	1	3	3	3	4	5	41
Kuhlman													
Set	154	143	204	158	175	168	174	194	171	180	157	148	2026
Reset	16	13	12	15	17	22	12	35	31	23	18	22	236
MJPT	2	3	2	3	2	4	2	4	2	8	1	1	34
Christiansen													
Set	165	181	204	171	171	179	182	164	174	163	165	183	2102
Reset	9	8	8	44	28	15	4	13	3	35	5	9	181
MJPT	7	4	3	5	1	3	4	3	3	3	2	10	48
Berling													
Set	160	185	199	196	170	162	170	197	169	153	163	188	2112
Reset	20	12	16	17	30	11	11	33	14	25	13	29	231
MJPT	7	2	0	2	3	1	0	3	3	2	0	0	23
Schaefer													
Set	159	160	150	210	166	181	179	198	169	176	160	183	2091
Reset	2	12	9	36	33	16	18	24	17	18	9	10	204
MJPT	7	7	8	2	2	2	4	2	4	2	2	6	48

Zmuda													
Set	144	164	184	160	182	186	154	202	149	182	178	144	2029
Reset	6	8	7	9	8	8	12	22	6	16	12	11	125
MJPT	3	6	1	4	5	3	2	6	3	1	2	3	39
Gorman													
Set	156	151	217	150	172	150	161	174	160	155	147	133	1926
Reset	20	19	15	31	20	34	6	11	36	21	19	6	238
MJPT	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Set													14055
Total Reset													1405
Total MJPT													233

2006Criminal/Traffic Pretrials:

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

2005 Criminal/Traffic Pretrials:

2005 Total Pretrials Set 14,055
Total Pretrials Reset: 1,405
Total Jury Pretrials: 233

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

2005 Totals of Traffic/Criminal sets, resets, pretrials, Pretrial resets, Jury trials and jury pretrials: **33,708**

Goals and Objectives:

In 2007, the office plans include working with the Clerk’s Office and NORIS on mutually beneficial projects, such as merging information systems, the sharing of information between computer systems and improving reports.

The current staff consists of:

- Karen E. Wood, Assignment Commissioner
- Terri Burke, Senior Assignment Clerk
- Joyce Straka, Assignment Clerk
- Valerie Hobbs, Assignment Clerk
- Wanda Butts, Assignment Clerk
- Laura Burnham, Assignment Clerk
- Linda Hill, Assignment Clerk
- Janet Hegedus, Assignment Clerk

CIVIL BAILIFF

Michael Kessler
Assistant Chief Civil Bailiff

Department Description

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

Services Provided

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

The Civil Bailiff Department experienced the retirement of Deputy Bailiff Ralph Williams after twenty years of service to the Municipal Court. Mr. Williams was a valued asset to the Bailiff Department and his experience will be missed. The Court hired two new Civil Bailiffs, Tiffany Phenix and Dave Baz. Ms. Phenix has been assigned to the South District, and Mr. Baz has been assigned to the East District. The addition of the new Bailiffs has allowed us to reopen the Southwest District, to which Ms. Johnson was reassigned.

The Civil Bailiffs are proud to provide efficient, professional service to the constituents of the Toledo Municipal Court. The Department has provided exemplary service by handling public relations, telephone calls, and media contacts in a business-like manner. One way the Department's success can be measured is by comparing the number of Court orders successfully served against the total number of Court orders issued. The Department takes great pride that the service level exceeded 81% in 2006. The Civil Bailiff Department served 38,242 Court orders, compared with 35,241 in 2005. This represents a 9% increase from the 2005 court filings. The majority of this increase has come in two different areas. Forcible Entry and Detainer cases are up 8.4% and Physical Evictions increased by 8.3% from 2005 levels. This is significant because both of these types of cases require a greater amount of time on the part of the Bailiffs working the case. A complete breakdown of Department statistics is on the following pages.

Goals for 2007

- Implement modern technologies to enhance Department efficiency
 - Interoffice e-mail
 - Computerized mapping services
 - Computerize office Writ book
 - Computerized all district log books
 - Intra-office e-mail

- Training
 - Effective use of Pepper spray
 - LEADS certification for more staff
 - Updated self-defense techniques

- Policy Development
 - Finalize Eviction procedures of mobile homes
 - Handling of prescription drugs found during Evictions
 - Updating the Department manual with all new and revised policies of the Court

We look forward to meeting the needs of the Court and our community in 2007.

The Civil Bailiff Department consists of the following staff:

Michael Kessler, Assistant Chief Bailiff

Marion Cary, Deputy Bailiff	Yvonne Harper, Deputy Bailiff
Diana Irish, Deputy Bailiff	Michael Isenberg, Deputy Bailiff
Mary Johnson, Deputy Bailiff	Ann Mauder, Deputy Bailiff
Butch Ritter, Deputy Bailiff	James Roman, Deputy Bailiff
Kevin Smith, Deputy Bailiff	Dave Baz, Deputy Bailiff
Tiffany Phenix, Deputy Bailiff	

CIVIL BAILIFF DEPARTMENT STATISTICS

	<u>2006</u>	<u>2005</u>
Summons – Received -----	3,112	3,223
Summons – No Service -----	170	153
Proceeding in Aid – Received -----	1,995	1,822
Proceeding in Aid – No Service -----	847	778
Subpoenas – Received -----	640	693
Subpoenas – No Service -----	96	93
Bench Warrants – Received -----	162	174
Bench Warrants – Returned want of assistance -----	61	60
Bench Warrants – Outstanding -----	43	27
Garnishees – Respondents Served -----	6,523	7,556
Garnishees – Defendants Served -----	4,236	4,140
Garnishees – Mail Service ----- (To notify Defendants on bank account attachments in accordance with federal law)	2059	2,207
Garnishees – Foreign Service ----- (Mail to Respondents outside of Lucas County)	671	684
Garnishees – No Service -----	228	525
Landlord Complaints -----	8,444	7,719
Landlord Complaints – No Service -----	222	179
Writ of Restitution Served -----	3,960	3,395
Returned for want of assistance -----	2,367	2,102
Returned for request of plaintiff -----	633	519
Cause to vacate -----	330	248
Evicted -----	630	526
Writ of Restitution – Mailed – 5 Day Notice -----	3,960	3,395
Execution – Worked -----	184	213

	<u>2006</u>	<u>2005</u>
Replevin – Worked -----	8	20
Bailiff Sales Held -----	1	0
Total Legal Documents Processed -----	38,242	35,241
Money caused to be collected on Execution	\$193,029.32	\$277,553.91
Money caused to be collected on Bench Warrants	<u>\$ 136,406.71</u>	<u>\$40,139.12</u>
Total:	\$329,436.03	\$317,693.03

COURT REPORTERS

Sandra J. Ackerman
Chief Court Reporter

Department Description

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

Services Provided

A Transcript of Proceedings is the finished product of our 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.

Court Reporters continue to use tape recorders in Criminal and Traffic Arraignment Court and Duties Court, both non-trial courtrooms. This method of recording is supported by the Judges and provides a substantial savings to the Court. Outside court reporting services are used when conflicts in scheduling occur.

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

There were eleven juries seated in 2006 and four jury trials in 2005. The following is a breakdown of the jury trials presided over by each respective Judge.

2006

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

2005

Judge Amy J. Berling - None
Judge Mary G. Trimboli - Aug.
Judge Francis X. Gorman - None
Judge Timothy C. Kuhlman - Aug.
Judge C. Allen McConnell - None
Judge Lynn H. Schaefer - June
Judge Gene A. Zmuda - April

Goals for 2007

As Court Reporters, our goal in 2007 will be to accept new technologies as positive change while preserving the integrity of the record for all.

Staff Summary

There are seven Court Reporters at 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: Sandra J. Ackerman, assigned to Judge Amy J. Berling; Barbara A. Johnson, assigned to Judge Robert G. Christiansen; Patricia Lindsey-Schmidlin, assigned to Timothy C. Kuhlman; Kenneth P. Gallaher, assigned to Judge Gene A. Zmuda, but reassigned July 19, 2006 to Judge Francis X. Gorman; Diana A. Ziegelhofer, assigned to Judge Lynn H. Schaefer and Carol H. Thomas, assigned to Judge Gene A. Zmuda.

LAW CLERK/BAILIFF

Corey Tomlinson
Chief Courtroom Bailiff

Department Description

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

Services Provided

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

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

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

In 2006, in accordance with the Ohio Supreme Court's directives, the Law Clerks conducted the fifth 'rolling inventory' of assigned pending cases. The rolling inventory was conducted over a period of two weeks with each Judge's inventory taking place on a specific assigned date. This method of inventory involved much less man power, requiring only the Judge's Law Clerk, a scribe, and various department supervisors to inventory the cases in an efficient manner. The Law Clerk then compares the records from the physical inventory to their individual records to reconcile a precise count of the current assigned pending cases for each Judge.

Goals & Objectives

In 2007, the Law Clerks strive for continuous improvement to ensure efficiency and organization in the handling of courtroom dockets. The Law Clerks look forward to working together in the upcoming year to provide invaluable assistance to all seven Municipal Court Judges.

Summarization of Staff

In 2006, the Law Clerk/Bailiff Department welcomed one new Law Clerk into the department: Nick McLeland with Judge Schaefer.

CITIZENS DISPUTE SETTLEMENT PROGRAM

James Petas
Senior Counselor

Department Description

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

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

Services Provided

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

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

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

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

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

The Check Resolution Service was instituted in October 1993. Individuals or businesses wishing to file a criminal charge for bad checks are referred to the Check Resolution Service before charges are filed. A \$12.00 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 \$12 filing fee. If the Check Resolution Service is not successful in resolving the matter, the complainant is referred to the bad

check squad of the Toledo Police Department. Check Resolution Service has a sub-component that assists businesses in collecting bad debt that is not in check form. The procedure follows the same method used in Check Resolution, but does not require registration notification or a fee.

In 2006, the Citizens Dispute Settlement Program remained committed to providing the Toledo Municipal Court and community with excellence in mediation. This goal is reached through the Court's and CDSP's commitment to improvement and quality. In 2006, Senior Counselor James Petas was appointed co-chairman of the Toledo Bar Associations' Alternative Dispute Resolution Committee. Additionally, in 2006 CDSP has....

- Participated in continuing education with the Supreme Court of Ohio. Seminar topics included: Domestic Violence & Mediation and Advanced Mediation Training.
- CDSP also started an initiative to create an outreach mediation program with Toledo Police Department – CAPS program.

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

Statistics for 2006, with statistics from 2005 for comparison, are provided below.

<u>Type Of Case</u>	<u>2005</u>	<u>Success Rate</u>	<u>2006</u>
Civil cases:	78%		67%
Adjudicated:	75%		84%
Pre-Adjudicated:	90%		92%
Housing:	75%		75%
Small Claims:	61%		55%

<u>Dispute Resolution- Case Types Referred</u>	<u>2005</u>	<u>2006</u>
Assault	80	89
Menacing	132	115
Criminal Damage	52	72
Theft	36	75
Harassment	11	8
Neighborhood Dispute	21	30
Telephone Harassment	30	26
Criminal Trespassing	7	10
Landlord/Tenant	18	26
Stalking	2	2
Other	90	80

<u>Civil Case Mediation Results</u>	<u>2005</u>	<u>2006</u>
Total Referred	144	126
Mediation: Agreement	84	64
No Agreement	21	32
CDSP involvement/No mediation	23	27
Pending	16	3
Mediation Agreement %	78%	67%

<u>Adjudicated Case Mediation Results</u>	<u>2005</u>	<u>2006</u>
Total Referred	59	62
Mediation: Agreement	24	31
No agreement	8	6
FTA to Notice	9	4
CDSP involvement/No mediation	12	13
Pending	6	8
Mediation Agreement %	75%	84%

<u>Pre-Adjudicated Mediations</u>	<u>2005</u>	<u>2006</u>
Total referred	419	472
Mediation: Agreement	171	183
No agreement	17	16
FTA to notice	121	156
CDSP involvement/No mediation	74	75
Make File Only	26	34
Pending	10	5
Mediation Agreement %	90%	92%

<u>Housing Mediations</u>	<u>2005</u>	<u>2006</u>
Total referred	87	116
Mediation: Agreement	40	55
No agreement	13	18
FTA to notice	6	11
CDSP involvement/No mediation	9	22
Pending	0	1
Mediation Agreement %	75%	75%

<u>Small Claims/Same Day Mediation</u>	<u>2005</u>	<u>2006</u>
Total referred	124	99
Mediation: Agreement	78	55
No agreement	46	44
Mediation Agreement %	61%	55%

<u>Check Resolution Mediations (CRS)</u>	<u>2005</u>	<u>2006</u>
Total referred	1,896	1,982
Funds generated	22,752	23,790
Collection Mediations	445	453
<u>Total number of cases referred</u> (Minus CRS)	833	875

Goals for 2007

Through additional mediation education, Citizen's Dispute will improve and continue to provide professional mediation services. CDSP hopes to educate court users and the public on the positive impact of mediation along with seeking additional opportunities in the court process to mediate. Citizen's Dispute is also working with the Toledo Bar Association in offering Toledo area businesses a negotiation and mediation skills seminar designed to help participants maximize their performance. Of the hundreds of post mediation evaluations collected, 93% were happy with the mediation process and would recommend it to others. The department remains committed to making mediation more available and user friendly to the Court and its users.

Staff Summary

The Citizen Dispute Staff consists of Senior Counselor James Petas, Counselors Bonnie Schrock and Nancy Rank (who job share one position) and Intake Secretary Susan Padilla.

PROBATION DEPARTMENT

Kim E. Oats
Chief Probation Officer

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

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

The Probation Department is organized into three (3) units with supervisors over each unit. Each unit consists of the Unit Supervisor and five (5) Probation Officers. Other staff include an Administrative Secretary, six (6) secretaries, the License Intervention Specialist and an Intake Clerk.

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

Services Provided

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

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

Probation Officers are organized into three units. Within each unit, these officers serve as backup for each other to allow for ongoing operation of all programs. In the event that coverage is not adequate, the Unit Supervisor also serves as backup to the positions within the unit. Supervision Units contain five Probation Officers and a Unit Supervisor. The units are also responsible for one or more special programs within the department. Each Unit Supervisor oversees a special program designed to meet the needs of the defendant and the court by offering non-traditional sentencing options. Special

programs include the Alternatives Program, the Community Service Probation Program (CSPP) and the Intensive Supervision Program (ISP).

Unit Supervisor Joe Moran monitors the Alternatives Program. The Alternatives Program provides a diversion option to criminal first offenders through an educational program. Probation Officers Gary Colton, Lori Donovan, Jodi Packard, and Susan Russell handle referrals for the Alternatives Program and facilitate the group sessions. Mr. Moran also supervises Officer Sean O'Connor.

The second unit is led by Unit Supervisor Eddie Norrils. Mr. Norrils' monitors the Intensive Supervision Program (ISP) along with Probation Officer Mark Klapper. The Intensive Supervision Program Officer is a specialized assignment that is funded by a grant from the State of Ohio, Bureau of Community Sanctions. ISP is intended to divert offenders who are serving long sentences at CCNO. The program must meet standards set by the Community Corrections Act and is audited yearly by the state regarding compliance. Fiscal Year 2005 was audited on January 10-11, 2006 and received a compliance score of 97%. Mr. Norrils also supervises Officers Cathy Freeh, Jennifer Friddell, Kerry Konzen, and Charles Pfeifer.

Randolph Nelson supervises the third unit he also monitors the Community Service Probation Program (CSPP) as well as Electronic Monitoring. The CSPP program addresses the needs of the court, the community, and the defendant by providing defendants an opportunity to do community service work in lieu of fines or jail time. Probation Officer Anthony Bouyer supervises defendants assigned to Community Service. Other Officers supervised by Mr. Nelson include Laura Berling, Ken Roberts, Megan Stevens, and Markus Whitehead.

In the past the RED Program has provided a variety of services to the citizens of Toledo and surrounding municipalities regarding license issues. During 2006, the position became vacant and a close examination of the program revealed that the services provided by the probation department exceeded the initial design of the RED Program. In an effort to reflect all facets of the service, the program was renamed the License Intervention Program (LIP). It provides services to those individuals who are in need of limited driving privileges, reinstatement fee payment plans, immobilization or release of vehicles, information on the restoration of suspended license, information on remedial driving courses, and informs the court on the status of a defendant's driver's license. The License Intervention Specialist is Lisa Palm-Kuebler. Ms. Kuebler joined the probation department on January 8, 2007. This position is supervised by the Chief Probation Officer.

The Intake Clerk assists the department by signing up direct probation cases and also acts as a back up in the absence of the License Intervention Specialist. The Assistant Chief Probation Officer supervises the Intake Clerk, Shirley Goodar.

All probation supervision units conduct pre-sentence investigations as well as coordinate referrals for restitution, drug testing, competency evaluations, and Work Release. Probation Officers are also responsible for overseeing probation supervision as ordered by the court.

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

Accomplishments

The Probation Department continues to utilize and update Probation application software (ProLaw), which is the case management system used to complete forms and track clients. The software is under continuous development and currently updates in Phase III have just been completed. Completed projects include; 1) Automatic notification of offenders arrested the previous day. The Probation Officer is notified each day by a LEADS message if an offender on their caseload was arrested and booked into the Lucas County Jail. This action will give officers quicker notice of arrest and violations of probation. 2) Restitution reports and payment information has been automated through NORIS. Reports by officer or offender can be generated through Crystal Reports. Additionally, payment information is now automated in ProLaw. The system will tabulate restitution payment totals, checks to be written, and the balance of the account. The last phase of this development is printing checks and generating receipts from the system. 3) Information on Sealed cases located in ProLaw is now limited to the Chief Probation Officer and the Assistant Chief Probation Officer. 4) All computer operations have now been moved over to the Terminal Server operated by NORIS. This allows for the faster processing of applications and back up of all files that originate from the computer.

Additional developments that are still under way include an automated process for the assignment of cases and a process by which offender pictures can be added to the front of probation files.

During the past year Probation Officers were assigned "Court Custody Days." The assignment is for one officer to interview all custody probation referrals from the court. This process has worked out favorably as custody's are completed timely and staff resources are utilized more effectively.

The department has utilized probation fees to send officers to various trainings and conferences. During the past year, the probation staff has accumulated 595.5 training hours. This represents an increase of 43.7% training hours for staff. Supervisors, officers and secretaries attended office training and probation training in the areas of domestic violence, evidence based training, risk assessment, Bridges to Poverty, and managing personnel. In-service training included personal safety, Pre-Sentence Investigation Questionnaire, court custody days and front desk safety.

Status of 2006 Goals

Goal #1: To revise the Alternative Programs group and individual sessions.

This goal was met as of July 21, 2006, when the new curriculum for the Alternatives Program was accepted at the Judges meeting. The revised program includes separate tracks for drug and alcohol related offenders or theft related offenders. By developing the two separate tracks the committee believes that we can now target offense behavior more closely, and offenders attending each session may become more interactive if they can relate to the information being presented. All evaluations currently received have been very positive. There continues to be an individual track for those offenders who are unable to attend the group sessions, or need individual programming.

Goal #2: To review current policies and procedures.

Currently there are three committees meeting on a regular basis. The Personnel Committee as been assigned to review and rewrite policies and procedures that effect employees in the department.

The Supervision Committee is in the process of reviewing and developing policies that effect the investigations and supervision of defendants. The Business Rules Committee has been assigned the task of reviewing current practices and procedures to process probation cases and affidavits.

Goal #3: To review the current fee structure for Probation Fees, Restitution, and the Alternatives Program to determine if the current fees are sustaining the programs. Additionally the Probation Department needs to determine the costs for tracking DIP defendants.

On June 21, 2006 the judges approved assessing a five percent surcharge for all restitution referrals effective July 1st as permitted by ORC 2929.28. Additionally, due to the increased personnel and material costs, the judges also approved an increase of \$65 for the Alternatives Program.

Goals for 2007

Goal #1: To review and revise current policies and procedures.

This is a continuation goal from the previous year. It is expected that this year will see the completion of the new policy and procedure manual for office staff in the Probation Department. This manual will co-exist with the current Chapter 2134 which governs Toledo Municipal Court Personnel Relation and employment as well as court policies for the Toledo Municipal Court.

Goal #2: Implement an evidence based risk assessment focusing on offender risk for recidivism.

By utilizing a validated evidenced base risk assessment the officer will appropriate resources to those offenders that present the highest risk to recidivate. In addition to supervision standards and a risk assessment, officers will develop consistency with referrals to probation and community services.

3: To develop and implement safety and security protocol for staff.

Training on safety and security measures for the Probation Department will be the responsibility of the Chief and Assistant Chief of Probation. Policies and procedures will be developed and implemented with the assistance of the Court Administrator.

Goal #4: To develop and implement statistical data for the License Intervention Program.

The collection of data for the License Intervention Program will be placed into the Probation Application System to accurately reflect all work that is completed by the staff. Information includes but is not limited to license obtained by participants, reinstatement fees paid, immobilizations, club releases, civil cases, appointments, successful terminations, and unsuccessful terminations.

STATISTICAL REPORT**INTAKE SERVICES:**20052006*Cases Referred to Probation:

Traffic	4343	4607
Criminal	<u>5995</u>	<u>6075</u>
Total	10,338	10,682

Defendants Placed on Probation	5,081	5,620
Released/Terminated	4,438	1,972
Court Reviews Pending	1147	2,997

Pre-sentence Referrals Requested	3752	3660
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Offenders on Probation

Active Probation	2675	2690
Inactive Probation	<u>2406</u>	<u>2930</u>
Total Probation	5,081	5,620

SPECIAL SERVICES:**EMU REFERRALS**

167

CSPP PROGRAM

Total CSPP Referrals	376	1,108
Insurance Fees Collected on CSPP Cases	\$10,201	\$9,214

Total CSPP Hours Ordered *	42,730	51,619
Total CSPP Hours Completed *	(28%) 11,288	(38.67%) 19,993

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

ALTERNATIVES PROGRAM:	<u>2005</u>	<u>2006</u>
Total cases processed	1218	1415
Unsuccessful	18	
Sealed	482	209
Carried into next year	111	98

RED/IMMOBILIZATION PROGRAM:

Immobilizations	212	427
Releases	195	315
RED Referrals	1,010	864
Valid Licenses Obtained	249	315

DISTRICT COURT SERVICES PROGRAM:

Referrals To Alternative Program

Sylvania	16	9
Maumee	16	14
Oregon	0	0
Perrysburg	<u>23</u>	<u>33</u>
Total	55	55

FINANICAL INFORMATION

	<u>2005</u>	<u>2006</u>
Restitution	\$87,508.09	\$80,192.97

Summarization of Staff

As of December 1, 2006, there are 28 staff members in the Probation Department. The staff consists of the Chief Probation Officer, Assistant Chief Probation Officer, 3 Unit Supervisors, 1 Administrative Secretary, and 15 Probation Officers, 5 Probation Secretaries, the Scheduling/Intake Clerk, and the License Intervention Specialist.

ENVIRONMENTAL COURT

Judge C. Allen McConnell
Housing Court

Court Description

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

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

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

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

Whenever an allegation of substandard or unfit conditions is raised at a rent escrow or FED hearing, an immediate referral is made to a Housing Specialist. 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 rent escrow cases, one of the Court's three Housing Specialists verifies that the conditions of the rent escrow are corrected. The property owner is assisted in setting up time frames for correction of violations. Oftentimes, the Housing Specialist acts as a mediator between the property owner and the tenant to achieve a compromise for the particular problem.

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

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

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

Arraignments are set for Wednesday mornings and afternoons due to increasing caseloads. Continuances for compliance and prosecutor pretrials are set for Wednesday and Thursday afternoons. The Housing Court Judge has criminal trials scheduled on the Friday docket; civil trials are scheduled on Mondays and some Tuesdays; and jury trials are scheduled on Thursdays.

During the year of 2006, there were many defendants that did not appear in Court for their arraignment. Unfortunately, unless a defendant has been served with a copy of the complaint, the Court lacks jurisdiction over the defendant and the Court is unable to proceed. On many occasions, the defendant has been served and simply refused to appear. Those that fail to appear are considered bench warranted and will be picked up by the Toledo Police Department upon apprehension. The number of bench warranted defendants has increased each year. The Court has implemented a procedure to systematically pickup as many defendants as possible through a special process developed with the Toledo Police Department. The progress of this program is slow, but has the potential to drastically reduce the number of bench warrants that are outstanding.

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

<u>Year</u>	<u>Warrants</u>
2005	2,135
2006	2,307

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

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

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

Housing Specialist Rick Cutcher began employment with the Housing Court on May 1, 2002. Mr. Cutcher's background includes nearly three decades of working in residential and commercial construction industries in positions varying from a carpenter to a general manager to a business owner. Mr. Cutcher retired from the court on December 31, 2006.

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 maybe imposed if the defendant is stalling or abusing the process or if convicted of illegal dumping, which is mandatory, or house stripping.

The Housing Court entered into its 6th successful year administrating the Code Violation Abatement Program (CVAP). The CVAP received an increase in its Community Development Block Grant (CDBG) funding, assisting a greater number of homeowners in abating nuisances and improving their living conditions. CVAP partnered funds with other community assistance organizations whenever possible, seeking to make the greatest impact achievable.

On May 16, 2006, the Housing Court participated in the 29th Annual Senior Citizens' Day Program at the Lucas County Recreation Center. As an exhibitor, the Housing Court distributed garden supplies, seeds, cleanup supplies, small home improvement tools, as well as, a host of helpful information on hiring a contractor and "how to" brochures for minor home repairs. Over 4,000 senior citizens attended this event.

On September 17, 2006, the Housing Specialists participated in the National Race Equality Day, a City sponsored event. National Race Equality Day was created so communities could work together to renew their commitment to eliminate racism and promote racial justice and equality across America.

The City of Toledo, Board of Community Relations and the Toledo Botanical Gardens planned the "Taste of Diversity" event offering organizations an opportunity to display helpful information. The Housing Specialists fielded numerous questions from the public and distributed gardening/small home improvement supplies.

The third revision of the Housing Court Resource Guide was completed in 2006. Hundreds of guides will be distributed throughout the community. The Resource Guide has information ranging from the local community development corporations and answers to frequently asked questions regarding Housing Court and mediation.

Senior Housing Specialist Gwen J. Wyse participated in the Ohio Foreclosure Summit held in Toledo from November 13 through November 16, 2006. Topics included implementing solutions to the foreclosure crisis in Ohio and methods of identifying and preventing predatory lending practices.

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

Community control sanctions replace monitored probation for Housing Court defendants. Housing Court defendants have the opportunity to utilize this program and correct housing violations in cooperation with housing court personnel. Alternative sentencing programs work through mutual cooperation, and participants must be mindful that the Court can impose the original sentence if the participant fails to meet his or her obligations as directed.

MISSION STATEMENT

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

VISION STATEMENT

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

In 2007, the Housing and Environmental Court will continue to improve the quality of life for residents in the Court's jurisdiction. This effort will assist in the preservation and restoration of our neighborhoods.

Staff Summary

The 2006 Housing Court staff consists of Judge C. Allen McConnell; Magistrate Alan J. Michalak; Standby Magistrates James E. Morgan, Rebecca K. Ligibel, and Nicole Y. Fech; Senior Housing Specialist Gwen J. Wyse; Housing Specialists Barbara Falls and Richard S. Cutcher; Law Clerk Corey Tomlinson; Court Reporter Lori Hauenstein; Deputy Steve Karam; and Judges' Secretary Judy Heslet.