

TOLEDO MUNICIPAL COURT

ANNUAL REPORT 2011

TOLEDO MUNICIPAL COURT

555 N. Erie Street
Toledo, Ohio 43604

MICHAEL R. GOULDING
Presiding Judge

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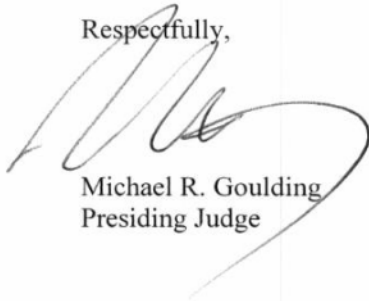
On behalf of the Toledo Municipal Court, I am pleased to present to you our annual 2011 report as required by statute. I hope you find the information contained herein educational and informative.

As a member of the Third Branch of our constitutional system of government, we are acutely aware of the trust and responsibility placed upon us by the citizens we serve in the Toledo area. It is an honor to serve the public. We continue to work cordially and constructively with Mayor Bell, the members of Toledo City Council, Lucas County officials, and representatives from Washington Township, the Village of Ottawa Hills, the University of Toledo, the Humane Society, and all other authorities with whom we work on a regular basis.

As a branch of government, we are also cognizant of our responsibility to serve the community while implementing policies and procedures designed to consolidate services and cut costs. In these difficult budgetary times for all branches of government, we continue to 'do more with less,' while seeking to maintain a level of service commensurate with our duties. We have consistently worked within a budget which has not allowed for added expenditure.

On behalf of the judges of our court, I welcome you to review the enclosed information and contact us with any questions or concerns.

Respectfully,

A handwritten signature in black ink, appearing to be 'Michael R. Goulding', written over a large, stylized, light-colored circular mark or watermark.

Michael R. Goulding
Presiding Judge

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COURT ADMINISTRATOR'S OFFICE

Lisa Falgiano
Court Administrator

Department Description.

The Court Administrator's Office was established in 1972 to relieve the Judges of day-to-day administrative duties and to provide technical assistance for the planning, development, and execution of overall court operations. In addition, while the Court Administrator's Office is not involved in daily judicial courtroom operations, the office does assist the bench in strategic planning for the Court.

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

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

Under Rules 3 and 4 of the Rules of Superintendence for the Courts of Ohio, the Judges select by majority vote a Presiding/Administrative Judge. The Court Administrator works especially closely with the Presiding/Administrative Judge. Judge Michael R. Goulding was elected Presiding and Administrative Judge for his first one-year term beginning January 1, 2011.

Year in Review.

On September 8, 2011 Ohio Supreme Court Justice Robert Cupp and the Ohio State Bar Association announced that the Toledo Municipal Court was the winner of the first annual Judicial Administration and Legal Reform Committee Innovative Court Programs and Practices Award for the Court's Probation Department's Technology Initiative. This particular technology initiative consisted of two components: the Kiosk Program and the Online Alternatives Program. The Kiosk Program permits low-risk, non-violent offenders to use five kiosks located throughout Lucas County for reporting, identity confirmation, and collecting information from the offender related to the conditions of supervision. The Online Alternatives Program allows first-time, non-violent offenders, often college students or young adults, to complete an on-demand online course to educate them on making better choices and avoiding further contact with the criminal justice system.

During these difficult economic times, budget constraints can unfortunately hinder success. In the case of the Toledo Municipal Court Probation Department, these challenges were viewed as opportunities to rethink the business of offender rehabilitation. Research shows that low-risk offenders are more successful with less contact with the criminal justice system. Both the Kiosk and Online Alternatives Programs were created with this evidence-based practice in mind. In addition to better addressing the offender's needs, these programs reduce the cost of providing quality probation services. This, in turn, permits the Probation Department to focus on offenders who are at greater risk of committing additional crimes and otherwise violating the terms of their probation. Public safety is thus maintained at a lower cost.

In 2011, the Court also researched, analyzed and implemented online time and attendance software. At the end of 2011, all departments, with the exception of the Housing Specialists, were using Right Stuff, the Court's time and attendance software. This system has improved tracking of both leave and attendance, and has streamlined the submission of payroll. This highly successful initiative was adopted by the Clerk of Court's Office, who implemented the Right Stuff attendance software as 2011 drew to a close. Several other city departments, including the Toledo Police Department and the Finance Department have asked the Court to share its successful experience in selecting and implementing Right Stuff.

After 21 months and a nation-wide search, the Judges appointed Lisa Falgiano as Court Administrator. Ms. Falgiano brings over 15 years of supervisory and administrative experience in complex organizations, and has previously served as the Court's Deputy Court Administrator and Human Resources Officer. She serves as an Army Judge Advocate overseeing a large staff of attorneys and paralegals. Ms. Falgiano is a Certified Ohio Court Manager and on track to become a Certified Court Executive through the programming of the National Center for State Courts.

The Court, cognizant of the city's ongoing deficit, committed to leaving 10.5 open positions unfilled during the calendar year, resulting in salary savings of \$753,421 for 2011. In addition, the Court again agreed to pay for the Court Addiction Diversion Program from a surplus in the Indigent Drug and Alcohol Treatment Fund, saving the Public Safety Director's budget over \$136,875. Finally, the Court managed to trim 19.47% in non-personnel expenses for 2011. This unprecedented budget trimming has strained individual workloads. As 2011 came to a close, the Court was reviewing department staffing levels to determine where reduced staffing levels were no longer feasible.

In spring, 2011 a study of building usage revealed that few members of the public sought access to the building after 4:30 p.m. Given the ability of the public to look up cases and pay fines and costs online, and the minimal usage of the building by the public after 4:30 p.m., the Judges directed the building be closed at 4:30 p.m. rather than 5:30 p.m. As a result, the Court was able to cut security spending by approximately \$37,845 annually.

Other cost saving measures implemented this year included a reduction in total number of publications ordered and the transition to a less expensive digital case research option. The Judges also instituted a procedure by which they requested assistance from their colleagues before scheduling a visiting judge to hear a mandatory docket. In addition, the Court also instituted policies to ensure the effective and cost-efficient use of visiting judges when scheduled.

Judge C. Allen McConnell conducted a highly successful Amnesty Week for the Environmental/Housing Court. Amnesty Week encouraged housing court violators to appear in court to resolve pending nuisance complaints. Violators who appeared had their existing bench warrant removed and any existing fees waived. In addition, the Court would not seek incarceration for any violator appearing voluntarily. The primary objective of the program was to encourage citizens to repair and maintain their property.

CourTools.

In 2009, the Judges voted to be one of the first Courts in Ohio to implement CourTools. CourTools is a system of performance measures developed by the National Center for State Courts. CourTools provides the potential to measure the Court's effectiveness from multiple perspectives. In 2010, the Judges Division and the Clerk of Court began implementation of this pilot project, and finished work on Measure 2 (Clearance Rates), 3 (Time to Disposition), 4 (Age of Active Pending Caseload), and 5 (Trial Date Certainty).

In 2011, the Court completed Measure 1 (Access and Fairness) and Measure 9 (Employee Satisfaction). For Measure 1, graduate students from the University of Toledo surveyed all court users on November 16, 2010 as they left the courthouse and collected 342 surveys. Court users, including witnesses, plaintiffs, defendants, their families, attorneys, law enforcement, victim advocates, and agency staff were asked to complete a survey that measured the respondent's Court experience in terms of Access and Fairness. The survey results were analyzed by the National Center for State Courts, which found that eighty-two percent of the respondents felt safe in the courthouse, and eighty-one percent of the respondents felt they were treated with courtesy and respect.

From January 24 through February 4, 2011 approximately sixty percent of Judges' Division staff participated in an anonymous, voluntary employee satisfaction survey (Measure 9). More than ninety percent of the participants agreed that they knew what was expected of them, were proud to work for the Court, and understood how their job contributes to the overall mission of the Court. Approximately seventy-four percent of staff agreed that the people they worked with could be relied upon when they needed help. Judges' Division staff identified several areas for improvement; including following up on employee suggestions for improvement and improved communication between Court leaders and staff.

Year in Review: Technology.

As an outgrowth of the CourTools project, the Court began developing business intelligence capabilities to permit Judges and their staff to actively manage assigned and unassigned cases. As a result, the Court anticipates providing improved superintendence reporting to the Supreme Court of Ohio and access to the public regarding the age of pending caseloads. As part of this project, the Court will be amending its Local Rule 15 for more efficient assignment of cases. The Judges approved public access to this information at the conclusion of the pilot project.

The Court, in collaboration with the Clerk's Office and NORIS, continued examining opportunities to use technology to reduce expenditures and improve efficiency. The Court and

Clerk collaborated to create and fund a part-time technology intern that will enhance IT staffing at a low cost while providing a valuable student employment opportunity. In addition, the Court and the Clerk have established a Governance Committee to provide improved project management and oversight to NORIS in the design and execution of court-related technology projects. As a result of a survey of staff, the Court identified access to the internet as a priority for staff. After an internet policy was approved by the Judges, the Court provided filtered, monitored internet access to all staff.

In 2010, Judges Kuhlman and Connelly gained a member of the Clerk of Court staff stationed in their courtrooms to perform real time data updates to Court records. In 2011, the Court and Clerk will work to complete the physical modifications necessary to deploy real time data update clerks to the final two courtrooms (Judge Christiansen and Judge Goulding). With this effort, the Clerk will be updating the Court's journal in nearly real-time.

Judge Kuhlman, in coordination with the Legal Subcommittee of the Northwest Ohio Re-entry Project, continues to conduct a monthly specialized docket comprised of residents of the Toledo Correctional Institution (ToCI) and other Ohio prisons who are drawing close to their release date. Residents appear via a video connection from ToCI and other institutions to resolve or address pending Toledo Municipal Court cases or pending fines and costs. In October, 2011 Judge Kuhlman conducted a live demonstration of the docket via video connection for a statewide Re-entry Coalition meeting.

Year In Review: Professional Development.

The Court continues to innovate to provide low-cost meaningful training and professional development opportunities to its staff and criminal justice partners. The Court conducted or coordinated several professional development opportunities for staff in 2011. Court staff viewed video training for the Prevention of Discrimination and Harassment Training. The training, which was conducted in 2010 by attorney Kimberly Riley, was videotaped in order to be used for future training needs. In early 2011, the Court hosted Veteran's Justice Outreach Training. This full day of training was provided by the Department of Veteran's Affairs about the challenges faced by soldiers returning from deployments in Iraq and Afghanistan. Members of TPD, other law enforcement officers, and Northwest Ohio Court personnel were invited to attend.

Probation Unit Supervisor Laura Berling created a training in de-escalation techniques that was attended by all Judges' division managers.

The Mental Health and Recovery Services Board of Lucas County sponsored Crisis Intervention Team Training and staff from both the Civil Bailiff and Probation Department attended and were trained and certified as Crisis Intervention Team Officers. Law enforcement and mental health experts provided this invaluable training.

Civil Bailiffs were provided vicious dog training, training in communications in a hostile environment, and refresher pepper spray training.

The Court also continued to use the Ohio Judicial College to provide low-cost, relevant training to its staff and managers.

Year in Review: Supportive Administrative Services.

The Court Administrator's Office provides a variety of supportive services to the administration of Court policy and personnel.

The Court Administrator's Office worked with the Civil Bailiff Staff and safety experts to propose and receive approval of the purchase and implementation of bullet resistant vests for the Civil Bailiff staff. Prior to the purchase of the equipment, staff worked together to research and draft a policy governing the use of bullet resistant vests.

The Court Administrator's Office drafted several local rule updates, as well as a new travel reimbursement rate and procedure.

The Court Administrator's Office manages a number of administrative personnel actions. In 2011, the Court Administrator's Office processed twenty nine FMLA packets and eight 40-hour program enrollees. In addition, five investigations were conducted. The Court Administrator successfully resolved one grievance filed under the Court's Employee Grievance Program. One disciplinary hearing was conducted in 2011. In addition, the Court Administrator's Office helped support the Departments in numerous personnel actions, ranging from identifying opportunities for informal coaching to assisting in the development of personnel improvement plans.

The Court Administrator's Office facilitated the hiring for two Judges' secretary positions.

The Court Administrator's Office also facilitates building maintenance and improvements. In 2011, lobby signage was updated for better building wayfaring. In addition, the front exit doors were replaced and an ADA compliant automatic door opener was installed. Initial steps were taken to address water penetration into the underground garage. All interior and exterior lighting was updated under a grant the City received from the Department of Energy's Better Building Program. The first floor wall heaters were replaced. Finally, peeling wallpaper was repaired and repainting of hallways and some offices occurred.

The Court also hired former Lucas County Court Administrator Jean Atkin to conduct a physical space needs assessment for the Judges, Judges' staff and the Court's criminal justice partners. The Court structure was built in 1975 and had a major renovation in 1986. The severe limitations imposed by the deterioration of the building, as well as the changes in caseloads and case processing, adversely affect the ability of the Court, the Clerk, the City, and Court Security to meet statutory requirements, comply with rules, and serve court users and the community.

Finally, new reporting requirements implemented under Amended Substitute House Bill 153 (effective September 29, 2011) require additional reporting of court restricted funds. The reports required are provided directly following the Court Administrator's report section.

Year in Review: External Relations.

The Court Administrator's Office continued in 2010 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 Administrator is an appointed member of the Lucas County Community Corrections Board, as well as a member of the Regional Community Corrections Boards consisting of those counties participating in CCNO. The Court Administrator participated in three different programs sponsored by the University Of Toledo College Of Law's Office of Professional Development, Law Career Services designed to assist local law students prepare for a successful transition from student to legal professional.

The Coming Year.

In 2011, staff will continue to work with the Clerk of Court and NORIS in completing the CourTools pilot project, including Measures 7 (Collection of Monetary Penalties), and Measure 10 (Cost per Case). In addition, staff will continue to work with the bench use business intelligence software to monitor the Age of Active Pending Cases (Measure 4).

The Court anticipates hiring for several positions next year, including the Deputy Court Administrator position. In addition, the Court will be assessing the sustainability of leaving 10.5 position vacancies as a cost reduction measure.

Finally, the Court Administrator's Office anticipates researching and proposing updated Personnel Policies and Procedures to streamline the Court's new employee orientation process as well as the employee evaluation system.

Staff Summary.

Acting Court Administrator Lisa Falgiano was appointed Court Administrator. Chief Probation Officer Kim Oats, who had been appointed Acting Deputy Court Administrator, returned to the Chief Probation Officer position at the close of the year. Tammy Harris, Assistant Chief Probation, who had been serving as Acting Chief of Probation, was appointed acting Human Resource Officer. Judges' Secretary Diana Jensen retired, and the Court welcomed Dorlisa Daniels as Judges' Secretary. The Court also welcomed Krystal Jones as a job share partner to Judges' Secretary Meredith Kurucz after Brooke Lauber-Cobb's resignation.

The Court Administrator's Office Staff also includes Information Technology Officer Terry Koluch, Administrative Business Officer Deidre Liedel who is a licensed attorney and certified accountant, and Judges' Secretaries Joan Kelly and Meredith Kurucz (job share).

Alternate Dispute Resolution (Mediation) Trust Fund 2011 Annual Statement of Expenditures			
Supplies/Equipment			
Computers	372.50		
Training and Associated Travel	1,590.36		
Temporary Services	462.18		
Furniture	2,850.01		
Total Expenditures			\$ 5,275.05

Computer Legal Research 2011 Annual Statement of Expenditures			
Supplies/Equipment			
Computers	640.63		
Computerized Legal Research	11,798.20		
Courtroom Audio/Video Equipment	1,410.30		
Total Expenditures			\$ 13,849.13

Court Computerization (Judges) Trust Fund 2011 Annual Statement of Expenditures		
Personnel		
Base Wages	67,573.86	
PERS – Employer	9,329.05	
PERS – Employee	5,875.16	
Workers Compensation	3,104.19	
Medical Insurance	10,422.14	
Medicare	1,062.43	
		\$ 97,366.83
Supplies/Equipment		
Archival-Grade CDs	777.80	
Computers	10,059.56	
Copier Rental	1,198.45	
Courtroom Audio Equipment	13,860.71	
Audio Equipment Maintenance Contract	5,900.00	
Employee IDs	1,040.19	
Stenograph Equipment Maintenance	858.20	
Computer Workstations	4,334.22	
Peripheral Computer Hardware	403.46	
Printers	8,642.51	
Shipping - furniture/equipment	150.44	
Stenograph Software Maintenance Agreement	3,213.00	
Time and Attendance Software License	21,975.00	
Training and Associated Travel	4,119.74	
Courtroom Video Equipment	1,399.00	
Court Website Hosting	480.00	
		\$ 78,412.28
Total Expenditures		\$ 175,779.11

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 2011, the Clerk expanded the Real Time Data Entry project to Courtrooms 7, 9 and 11. A total of eight courtrooms now have a deputy clerk recording case information in real time. This gives other departments and the public immediate access to the case information. In many instances, it also allows for further processing without having to wait for the case file to be delivered to locations within the court.

Additionally, the Clerk automated the Court's case flow process with the City Prosecutor and Public Defender offices. In the past both offices were dependant on receiving the case jacket in order to process their work. The Clerk now sends both offices a report on a daily basis that contains the information they need. Not only do the prosecutors and public defenders receive case information more quickly, it has reduced the movement of case files within the courthouse and, as a result, decreased the time it takes court personnel locate case files.

The Clerk's office also replaced the paper appearance list with an electronic docket. This docket is displayed on seven LCD screens in the lobby of the courthouse. A list of all civil, criminal and traffic cases scheduled for the day are listed in alphabetical order by party name. This system is more efficient for the public as people no longer need to stand in line to view the appearance list. It also saves the office 155,000 sheets of paper per year which costs approximately \$2,300.

Upon recommendation of the Supreme Court and the Center for Effective Government 2000 report, the counter in the criminal / traffic division was upgraded in 2011. Since the courthouse opened, the front counter had only undergone minor changes while the court's caseload had increased significantly and computers had replaced hand written logs in the collection, transmission and storage of case information.

The counter was upgraded with the following:

1. The service capacity was increased from 7 computer workstations to 10 computer workstations.
2. A glass security barrier was installed to separate the public from the office. This improved the security of our staff, our computers and case files.
3. Dividers were installed between the 10 computer workstations on the public side of the counter. This increased confidentiality for the public while they are being waited upon.

4. An ADA compliant workstation was installed.

Finally, the Clerk installed an electronic employee attendance system for the office. This system eliminated all paper from keeping attendance and processing payroll for the 81 employees in the office.

Clerk of Toledo Municipal Court
Vallie Bowman-English, Clerk

	2011		2010
Filings			
Civil Division	22,411		24,317
Criminal / Traffic Division	78,676		75,473
TOTAL	101,087		99,790
Revenue Collected			
Civil	11,337,435.11		11,015,129.27
Criminal / Traffic	4,721,136.68		4,844,521.54
TOTAL	\$16,058,571.79		\$15,859,650.81
Revenue Disbursed			
City of Toledo General Fund	3,328,638.22		3,486,270.03
Other City of Toledo Accounts	1,387,143.03		1,431,068.75
Ottawa Hills	17,962.20		19,714.10
Sylvania Township	0		92.60
Washington Township	2,287.80		6,845.80
University of Toledo	655.00		1,460.00
Lucas County Treasurer	146,276.51		169,751.45
Lucas County Sheriff	225.00		212.60
Lucas County Drug Fund	41,595.30		31,426.84
Lucas County Law Library Association	8,042.47		8,394.61
Citizens Award Fund / Crime Stoppers	4,296.00		4,498.00
Toledo Area Humane Society	950.00		350.00
Toledo Area Metro Parks	152.00		616.00
Toledo Legal News	189,249.44		204,915.00
Civil Legal Assistance Project	145,481.90		157,587.88
Treasurer of State	1,606,694.67		1,605,425.01
Department of Natural Resources	4,478.00		2,555.00
State Pharmacy Board	14,076.50		5,553.15
Division of Liquor Control	100.00		100.00
Capital Recovery Systems	279,220.04		282,616.66
Fiduciary Accounts - Civil	8,697,044.35		8,485,438.37
Fiduciary Accounts - Trusteeship	89,552.15		119,051.91
Refunded Overpayments	12,000.07		31,903.59
TOTAL	\$15,976,120.65		\$16,055,847.35

Clerk of Toledo Municipal Court
Civil Division

	2011		2010
Filings			
Civil General	18,120		18,720
Small Claims	4,266		5,568
Trusteeship	25		29
TOTAL	22,411		24,317
Activities			
Bailiff Service Issued	6,676		6,535
Certificate of Judgment	4,389		4,310
Certified Mail Issued	28,494		30,102
Disbursements - Civil	8,165		7,658
Disbursements - Trusteeship	569		595
Dismissals	6,066		6,235
Executions	231		238
Garnishments	13,907		13,280
Judgments	56,645		55,196
Motions	10,830		12,149
Ordinary Mail Issued	16,227		16,211
Proceeding in Aid	3,171		2,331
Reports	53,959		53,135
Revivors	344		264
Revocations	5		4
Satisfactions	4,686		4,286
Subpoenas	482		435
Terminations	19,276		21,361
Transcripts	82		115
Writ of Restitution	3,175		3,196
TOTAL	237,379		237,636
Revenue Collected			
Civil Revenue	2,468,476.97		2,607,149.49
Fiduciary Accounts - Civil	8,775,504.15		8,294,443.69
Fiduciary Accounts - Trusteeship	93,453.99		113,536.09
TOTAL	\$11,337,435.11		\$11,015,129.27
Revenue Disbursed			
City of Toledo General Fund	1,384,719.07		1,445,074.46
Other City of Toledo Accounts	334,155.89		346,766.31
Civil Legal Assistance Project	145,481.90		157,587.88
Treasurer of State	414,287.59		451,981.84
Toledo Legal News	189,249.44		204,915.00
Fiduciary Accounts - Civil	8,697,044.35		8,485,438.37
Fiduciary Accounts - Trusteeship	89,552.15		119,051.91
Refunded Overpayments	493.58		510.04
TOTAL	\$11,254,983.97		\$11,211,325.81

Clerk of Toledo Municipal Court
Criminal / Traffic Division

	2011			2010	
Filings	Charges	Cases		Charges	Cases
Traffic	49,890	29,034		46,811	26,974
Criminal	28,786	20,788		28,662	20,836
TOTAL	78,676	49,822		75,473	47,810
Revenue Collected					
Fines	1,346,849.12			1,375,984.01	
Costs and Fees	3,346,244.48			3,362,628.69	
HITT	6,601.59			5,975.19	
Bond Forfeitures	9,935.00			68,540.10	
Overpayments	11,506.49			31,393.55	
TOTAL	\$4,721,136.68			\$4,844,521.54	
Revenue Disbursed					
City of Toledo General Fund	1,943,919.15			2,041,195.57	
Other City of Toledo Accounts	1,052,987.14			1,084,302.44	
Ottawa Hills	17,962.20			19,714.10	
Sylvania Township	0			92.60	
Washington Township	2,287.80			6,845.80	
University of Toledo	655.00			1,460.00	
Lucas County Treasurer	146,276.51			169,751.45	
Lucas County Sheriff	225.00			212.60	
Lucas County Drug Fund	41,595.30			31,426.84	
Lucas County Law Library Association	8,042.47			8,394.61	
Citizens Award Fund / Crime Stoppers	4,296.00			4,498.00	
Toledo Area Humane Society	950.00			350.00	
Toledo Area Metro Parks	152.00			616.00	
Treasurer of State	1,192,407.08			1,153,443.17	
Department of Natural Resources	4,478.00			2,555.00	
State Pharmacy Board	14,076.50			5,553.15	
Division of Liquor Control	100.00			100.00	
Capital Recovery Systems	279,220.04			282,616.66	
Refunded Overpayments	11,506.49			31,393.55	
TOTAL	\$4,721,136.68			\$4,844,521.54	

ASSIGNMENT OFFICE

Cheryl Smith
Senior Assignment Clerk

Department Description.

The primary responsibility of the Assignment Commissioner's Office is the judge assignment to criminal, traffic and civil cases and the setting of pretrials, trials and other hearings. The Rules of Superintendence for Municipal Courts, promulgated by the Supreme Court of Ohio, require that cases be assigned to judges in a random manner. This random assignment is made by the Court's Case Assignment and Tracking System, or "CATS." Random assignment occurs at the time a defendant enters a "not guilty" plea in criminal and traffic cases, and upon the filing of a motion or an answer in civil cases.

After a court event date is set, all parties are notified. The Assignment Office is responsible for making all arrangements for jurors when jury trials are held and for scheduling visiting judges and magistrates as needed. The staff distributes court schedules, prepares reports for the publishing of civil cases set for hearings in Legal News, and processes judgment and dismissal entries.

Accomplishments.

In 2011, the staff continued to work on improving efficiency through a variety of projects updating the office computer system. The office bid farewell to staff member Janet Burnside. Office members attended training on customer service and implemented new procedures in an effort to improve in this area.

The figures for 2011 with comparison figures for 2010 are as follows:

Category	2011	2010
A. Cases Assigned		
Criminal/Traffic Assignments	22,144	21,264
Civil Assignments (including Housing)	1,336	1,494
B. Cases set for Trial		
Criminal/Traffic Trials	8,934	8,523
Civil Trials	921	960
Criminal/Traffic Trial Resets	7,479	7,334
C. Cases set for Pretrial		
Pretrial – Criminal/Traffic	11,912	10,872
Pretrial Resets	1,648	1,502
Mandatory Jury Pretrials (MJPT)	134	52
D. Preliminary Hearing/Felony Arraignment Docket	16,613	13,206
E. Jury Trials Set (Crim/Traff/Civil)	223	134
F. Bureau of Motor Vehicle Hearings	34	41
G. Eviction	6,352	6,292
H. Housing		
Criminal Housing Trials	248	191
Civil Housing (Not a Draw) New Assignments	179	210
Rent Escrow	85	82
I. ALS/Innocent Owner Hearings	36	21

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 2011 and 2010 per individual Judge:

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

2010	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
CAM	13	11	17	24	21	17	15	22	23	18	13	16	210
TCK	24	15	12	26	16	19	16	15	21	20	16	18	218
RGC	15	17	17	23	17	20	20	16	19	18	11	19	212
AJB	7	12	18	23	14	18	10	15	27	20	21	15	200
WMC	14	19	19	24	19	15	11	22	21	17	18	15	214
MRG	14	18	17	23	21	16	18	23	20	9	23	21	223
FXG	13	11	15	21	24	23	19	18	18	16	13	26	217
TOTAL	100	102	115	164	132	128	109	131	149	119	115	130	1,494

Civil Cases Set for Trial		
Month	2011	2010
January	101	96
February	63	91
March	113	91
April	65	81
May	86	45
June	94	91
July	73	60
August	70	70
September	72	90
October	53	94
November	66	84
December	65	67
TOTAL	921	960

Civil Pretrials, Jury Trials and Jury Pretrials set in 2011 and 2010.

Civil Pretrials		Civil Juries Set		Civil Mandatory/ Jury Pretrials	
2011	1,217	2011	73	2011	44
2010	1,340	2010	43	2010	34

Evictions Set.

Month	2011	2010
January	489	534
February	512	412
March	434	445
April	388	441
May	505	509
June	623	595
July	633	608
August	741	650
September	513	506
October	508	554
November	509	488
December	497	550
TOTAL	6,352	6,292

A tenant may deposit their rent with the Clerk of Court (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
2011	6	4	4	1	5	6	3	7	9	12	17	11	85
2010	8	9	8	5	6	6	7	9	5	11	4	4	82

Bureau of Motor Vehicle Hearings (Civil).

A Magistrate schedules BMV cases for a hearing.

2011: 34 cases were set for hearing.

2010: 41 cases were set for hearing.

Criminal and Traffic Assignments.

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

Criminal/Traffic Assignments.

Judge	2011	2010
McConnell	2,269 + 311	2,234 + 300
Kuhlman	3,279	3,050
Christiansen	3,243	3,142
Berling	3,269	3,099
Connelly	3,276	3,181
Goulding	3,253	3,150
Gorman	3,244	3,108
TOTAL	22,144	21,264

Reactivated Cases (Sealing of Record/ Expungements).

2011: 541

2010: 362

Criminal/Traffic Trial Reset Cases – 2011.

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

Criminal/Traffic Trial Reset Cases – 2010.

Judge	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
McConnell	100	48	96	83	73	87	91	77	104	70	55	61	945
Kuhlman	75	69	92	96	69	69	53	51	46	68	78	51	817
Christiansen	124	84	97	119	88	146	118	111	124	119	95	148	1,373
Berling	76	61	85	70	54	92	94	85	81	87	89	27	901
Connelly	86	82	83	62	73	116	84	60	62	77	64	73	922
Goulding	75	105	109	77	83	116	74	74	79	63	110	61	1,026
Gorman	97	117	116	108	86	124	107	148	142	129	66	110	1,350
TOTAL	633	566	578	615	526	750	621	606	638	613	557	531	7,334

2011 Jury Trials - Criminal/Traffic/Civil).

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

2010 Jury Trials - Criminal/Traffic/Civil).

Month	Crim/Traffic	Civil	Ordered	Used	No Jurors
January	11	1	2	1	9
February	6	0	0	0	0
March	8	10	0	0	0
April	5	5	1	0	0
May	8	3	0	0	0
June	6	7	1	0	0
July	6	2	2	2	18
August	10	3	1	1	9
September	12	4	0	0	0
October	7	2	0	0	0
November	4	5	0	0	0
December	8	1	1	0	0
TOTAL	91	43	8	4	36

2011 Criminal/Traffic Trials: 8,934

2010 Criminal/Traffic Trials: 8,523

2011 Criminal/Traffic Pretrials.

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

*Mandatory Jury Pretrials

2010 Criminal/Traffic Pretrials

McConnell	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
Set	116	110	147	101	98	150	119	123	102	101	108	90	1,365
Reset	17	9	10	17	13	13	16	15	13	46	15	13	197
*MJPT	2	0	0	0	0	2	0	0	1	1	0	1	7
Kuhlman													
Set	144	160	159	156	140	163	163	139	147	147	121	138	1,777
Reset	31	14	24	39	10	25	22	14	30	19	26	30	284
*MJPT	0	0	0	0	0	0	0	1	1	0	2	0	4
Christiansen													
Set	146	163	168	138	119	158	153	144	126	125	125	121	1,686
Reset	10	14	18	25	12	26	12	21	25	19	8	31	221
*MJPT	4	0	2	0	0	0	1	1	4	0	1	0	13
Berling													
Set	123	130	111	109	99	125	135	115	145	118	115	90	1,415
Reset	5	8	12	11	5	15	16	14	20	14	20	8	148
*MJPT	0	1	1	0	0	1	0	2	2	1	1	0	9
Connelly													
Set	82	84	115	67	72	95	88	85	91	101	106	75	1,061
Reset	14	13	17	7	6	23	13	17	7	11	14	18	160
*MJPT	0	0	0	0	0	0	0	0	0	0	2	2	4
Goulding													
Set	148	154	191	143	125	139	158	138	173	142	127	120	1,758
Reset	21	30	17	23	13	26	11	21	21	17	17	21	238
*MJPT	1	0	1	0	2	0	1	1	2	0	0	0	8
Gorman													
Set	129	161	181	150	122	162	147	128	152	169	177	132	1,810
Reset	12	22	23	16	16	24	19	24	27	33	14	24	254
*MJPT	2	0	0	0	1	1	0	0	2	0	0	1	7
Total Set	888	962	1,072	864	775	992	963	872	936	903	879	766	10,872
Total Reset	110	110	121	138	75	152	109	126	143	159	114	145	1,502
Total *MJPT	9	1	4	0	3	4	2	5	12	2	6	4	52

*Mandatory Jury Pretrials

2011 Criminal/Traffic Pretrials
 Total Pretrials Set: 11,912
 Total Pretrials Reset: 1,648
 Total Jury Pretrials: 90

2010 Criminal/Traffic Pretrials
 Total Pretrials Set: 10,872
 Total Pretrials Reset: 1,502
 Total Jury Pretrials: 52

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

2010: Totals of Traffic/Criminal sets, resets, pretrials, pretrial resets, jury trials and jury pretrials: 28,374

Goals for 2012.

Assignment Commissioner, Karen E. Wood, submitted her notice of Retirement as of January 3, 2012, having served in this position for over 17 years. With her exit and reduced staffing levels, the department is moving toward more team-oriented procedures. In 2012, the office will continue to work with the Clerk's Office and NORIS on mutually beneficial projects, such as sharing information and improving reports and efficiency.

Staff Summary.

Cheryl Smith, Senior Assignment Clerk
 Valerie Hobbs, Assignment Clerk
 Wanda Butts, Assignment Clerk
 Amy Wroblewski, Assignment Clerk
 Anne Eckhardt, Assignment Clerk
 Rose DeArmond, Assignment Clerk

CIVIL BAILIFF

David G. Baz, Jr.
Chief Civil Bailiff

Department Description.

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

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

Accomplishments.

Improved Bailiff Safety

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

The Bailiff Department partnered with the Toledo Police Department to enhance Bailiff safety and equipment. Deputy Chief George Taylor advised the Bailiff Department in the purchase of bullet resistant vests and advised the Bailiff Safety Committee on a policy for the vests. The committee drafted a Bullet Resistant Vest Policy that was approved by the Toledo Municipal Court Judges on May 18, 2011. All of the Bailiff Department also received Handgun Safety Training conducted by Sgt. Thomas Kosmyna, Aerosol Chemical Agent training conducted by Officer Burke, and Street Drug training conducted by Lt. Daly.

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

The Bailiff Department coordinated with the Lucas County Sheriff Office in regards to prescription drugs found at the scene of Bailiff Department evictions. The Bailiff Department will be using the Lucas County Sheriff Office Property Room for the storage of these prescription drugs. The Bailiff Department working with the Sheriff's Office have been meeting and developing a prescription drug policy to present to the Toledo Municipal Court Judges. The

policy will provide an avenue for patients to retrieve their prescription drugs, while increasing public safety by keeping the prescription drugs off of the streets.

All of the staff in the Bailiff Department received training by Julie Lyle, Lucas County Dog Warden. The training prepared Bailiffs for potential situations involving vicious dogs.

The Toledo Lucas County Health Department trained Bailiffs on identifying and preventing the spread of bed bugs during evictions.

Increased Efficiency

The Bailiff Department, working with NORIS (North West Ohio Regional Information System) is developing a Bailiff Computer System. The first phase, which was put into production October 12, 2011, electronically sends all log information generated from the Clerk's Office to the Bailiff Department. The second phase, which will go into production the first quarter of 2012, will allow the Bailiff Department to electronically record their returns. Phase 3 will computerize all Bailiff Forms, Phase 4 will generate computerized Bailiff Reports, and Phase 5 will allow the Bailiff Department to electronically send Bailiff Returns to the Clerk's Office. New equipment will allow the Bailiffs to manage their districts and send Bailiff Returns to the Clerk's Office while in the field.

The completion of this project will eliminate the duplication of work in the Bailiff Department and the Clerk of Court Civil Division. The end result will be a work flow that is more efficient, timely and accurate, benefiting the Bailiff Department and the Clerk of Court Civil Division.

Based on staff recommendations, the department also redesigned eviction notices to the form of a post card. The new notice creates a savings by eliminating the need for envelopes, and also provides a savings in postage.

Improved Customer Service

In an attempt to make the Bailiff Department forms more user friendly, all department forms were updated. The forms were designed for easy reading and give specific and necessary information to the public.

In continuing the excellent service the Bailiff Department provides the Judges, staff, attorneys, and public, the Department received the following training:

- Veterans Justice Outreach conducted by Melody Powers, Veteran Justice Outreach Officer.
- Communication in Hostile Work Environments, Conducted by Carol Grady, Workplace Resources.
- Working with the Public conducted by the City of Toledo, Human Resources.

Goals for 2012.

1. Implement the remaining phases of the Bailiff Computer System.
2. Update the Policy and Procedure Manual to include the Bailiff Computer System.
3. Update and expand Bailiff Department Information for the public on the Toledo Municipal Court and Toledo Municipal Housing Court website.
4. Continue collaboration with the Lucas County Sheriff Office and finalize the Department's Prescription Drug Policy.
5. Continue to provide training and tools that address the safety concerns of the department, while maintaining an excellent standard of service to the Judges, staff, attorneys, and the public.

Staff Summary.

David G. Baz, Jr., Chief Bailiff
Michael Kessler, Assistant Chief Bailiff
Yvonne Harper, Deputy Bailiff
Diana Irish, Deputy Bailiff
Michael Isenberg, Deputy Bailiff
Ann Mauder, Deputy Bailiff
Tiffany Phenix, Deputy Bailiff
Butch Ritter, Deputy Bailiff
James Roman, Deputy Bailiff
Kevin Smith, Deputy Bailiff

2011 CIVIL BAILIFF DEPARTMENT STATISTICS			
	<u>2011</u>		<u>2010</u>
Summons - Received	2,942		2,570
Summons - No Service	60		79
Proceeding in Aid - Received	2,115		1,727
Proceeding in Aid - No Service	1,229		722
Subpoenas - Received	348		291
Subpoenas - No Service	81		62
Bench Warrants - Received	352		119
Bench Warrants - Personal Service	187		70
Bench Warrants - Returned Want of Assistance	122		30
Bench Warrants - Outstanding	55		15
Garnishees - Respondents Served	3,353		4,053
Garnishees - Defendants Served	3,134		3,708
Garnishees - Mail Service (to notify defendants on bank account attachments in accordance with federal law).	368		490
Garnishees - Foreign Service	79		90
(Mail to Respondents outside Lucas County)			
Garnishees - No Service	219		255
Landlord Complaints	7,570		7,384
Landlord Complaints - No Service	146		133
Writ of Restitution Served	3,455		3,448
Returned for Want of Assistance	1,613		1,672
Returned for Want of Time	392		282
Returned for Request of Plaintiff	626		773
Cause to Vacate	283		179
Evicted	541		542
Writ of Restitution - Mailed - 4 Day Notice	3,455		3,448
Plaintiff Notice Served	3,455		3,418
Execution - Worked	80		88
Replevin - Worked	19		3
Bailiff Sales Held	5		1
Total Legal Documents Processed	30,730		32,204
Money Caused to be Collected on Execution	\$67,604.52		\$138,497
Money Caused to be Collected on Bench Warrants	\$239,969.66		\$42,855
Reported by Plaintiff / Plaintiff Attorney			
TOTAL	\$307,574.18		\$181,352

COURT REPORTERS

Patricia Lindsey-Schmidlin
Chief Court Reporter

Department Description:

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

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

It is necessary to retain the exhibits that may be introduced and admitted until the appeal time of 40 days has elapsed. All stenographic notes, CDs and exhibits are kept five years and then destroyed.

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

Accomplishments.

There were three jury trials held in 2011 and four jury trials held in 2010. The following is a breakdown of the jury trials presided over by each respective Judge:

2011	2010
Judge Amy J. Berling - none	Judge Amy J. Berling – none
Judge Robert G. Christiansen – September	Judge Robert G. Christiansen – none
Judge William M. Connelly, Mr. – June	Judge William M. Connelly, Jr. July (2)
Judge Francis X. Gorman – April	Aug. (1)
Judge Michael R. Goulding – none	Judge Francis X. Gorman – none
Judge Timothy C. Kuhlman – none	Judge Michael R. Goulding – none
Judge C. Allen McConnell – none	Judge Timothy C. Kuhlman – none
	Judge C. Allen McConnell – none
	Judge J. Ronald Bowman – Jan.

Goals for 2012.

Our goal for 2012 is to use our collective years of expertise to support the Court as it embraces technology in creating records of unassailable accuracy and integrity.

Staff Summary.

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

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

Since the retirement of the court reporter assigned to Judge Amy J. Berling, Judge Berling's courtroom has been equipped with a digital recording system which records all court proceedings. Those proceedings are then copied onto CDs which are kept for five years, and requested transcripts are produced from these CDs.

LAW CLERK/BAILIFF

Brooks Fowler
Chief Courtroom Bailiff

Department Description.

The Law Clerk/Bailiff Department is comprised of seven full-time employees, each assigned to an individual Judge of the Toledo Municipal Court, plus one additional employee who is responsible to all of the Judges for research, bond reports and courtroom coverage as needed. 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, the general public, as well as working with deputy sheriffs when a defendant is in custody.

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

In 2011, in accordance with the Ohio Supreme Court's directives, the Law Clerks conducted the tenth 'rolling inventory' of assigned pending cases. The rolling inventory was conducted over a period of seven weeks, with each Judge's inventory being executed on a specific assigned date by that Judge's Law Clerk. For the third time, the inventory was completed using a laptop computer and a case scanning gun. This method of inventory is very efficient and takes less than 12 man hours to complete per inventory. In addition, in 2011 the Law Clerks, the Clerk's office and the court's IT officer all worked to improve case status reliability in the electronic case management system. The inventory process was leveraged to help assess and improve the accuracy of the information contained in the Court's electronic records. The accuracy of data within the electronic records continues to remain above 99%.

Goals for 2012.

In 2012, the Law Clerks will continue to assist the Judges in enhancing efficiency and organization in the case processing. Two weeks before the inventory, a report extract from the electronic record system will be run and sorted by case status. This will permit the Law Clerks to work with Clerk of Court staff to locate inadvertently misfiled affidavits. In addition, the Law Clerks can assist the Judges in scrutinizing flagged cases to improve the quality of the inventory statistics.

Staff Summary.

Law Clerks, Jim Anderson and Matt Simko, resigned their positions in early 2011. Bryan Latta, who had previously served as Small Claims Assistant replaced Matt Simko as Law Clerk for Judge Christiansen. Dennis Sawan, previous Housing Research Clerk, replaced Jim Anderson as Judge McConnell's Law Clerk. Also in 2011, the Law Clerk/Bailiffs welcomed one new Law Clerk into their department, Bryan Montana who is the Research Clerk responsible for research, bond reports, and courtroom coverage as necessary. Additionally, we thank Christopher Zoeller for his exemplary service to the Municipal Court as Research Clerk and wish him all the best with his future endeavors.

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

CITIZENS DISPUTE SETTLEMENT PROGRAM

James Petas
Senior Mediator

Department Description.

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

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

Services Provided.

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

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

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

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

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

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

Accomplishments.

In 2011, the Citizens Dispute Settlement Program remained committed to providing the Toledo Municipal Court and community with excellence in mediation. This goal was reached through the Court's and CDSP's commitment to improvement and quality. In 2011, Senior Mediator James Petas held office as president of the Ohio Mediation Association.

Staff Professional Development.

Additionally, in 2011 CDSP accomplished the following:

- Bonnie Schrock attended "How the Brain Forms New Habits" in Toledo, Ohio.
- Susan Monro attended "Breaking Mediation Impasse" in Cleveland, Ohio.
- James Petas attended the "Mediating Dangerous Dialogs" through the Ohio Mediation Association's annual spring conference and also attended management training through the John Glenn School of Public Affairs.
- CDSP instituted monthly department meetings to improve performance
- 2011 mediation evaluations were distributed to the court referral sources
- 2011 showed another increase in cases referred to CDSP (excluding crs/cms cases)
- The staff also attended several "in house" staff trainings through the Toledo Municipal Court. Topics included Customer Service Training, Gang Awareness Training & Veteran Awareness Training.

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

Statistics for 2011, with statistics from 2010 for comparison, are provided below.

	<u>2011</u>	<u>2010</u>
<u>Type of Case</u>	Success Rate	
Civil cases:	72%	72%
Adjudicated:	71%	79%
Pre-Adjudicated:	88%	85%
Housing:	68%	61%
Small Claims:	58%	62%
<u>Dispute Resolution – Case Types Referred</u>		
Assault	122	111
Menacing	146	132
Criminal Damage	77	93
Theft	86	76
Harassment	21	13
Neighborhood Dispute	22	20
Telephone Harassment	26	27
Criminal Trespassing	9	47
Landlord/Tenant	31	28
Stalking	8	6
Other	55	61
<u>Civil Case Mediation Results</u>		
Total Referred	91	112
Mediation: Agreement	44	56
No Agreement	17	22
CDSP involvement/No mediation	19	23
Pending	11	11
Mediation Agreement %	72%	72%
<u>Adjudicated Case Mediation Results</u>		
Total Referred	127	119
Mediation: Agreement	57	60
No Agreement	23	16
FTA to Notice	17	8
CDSP involvement/No mediation	12	14
Pending	18	21
Mediation Agreement %	71%	79%

	<u>2011</u>	<u>2010</u>
<u>Pre-Adjudicated Mediations</u>		
Total referred	476	458
Mediation: Agreement	135	138
No Agreement	17	25
FTA to notice	174	170
CDSP involvement/No mediation	95	73
Make File Only	44	39
Pending	11	13
Mediation Agreement %	88%	85%
<u>Housing Mediations</u>		
Total referred	97	68
Mediation: Agreement	32	28
No Agreement	15	18
FTA to notice	7	6
CDSP involvement/No mediation	19	13
Pending	7	3
Mediation Agreement %	68%	61%
<u>Small Claims/Same Day Mediation</u>		
Total referred	103	121
Mediation: Agreement	60	75
No Agreement	43	46
Mediation Agreement %	58%	62%
<u>Check Resolution Mediations (CRS)</u>		
Total referred	267	743
Funds generated	\$4,005.00 ¹	\$11,115.00
Collection Mediations	5	2
<u>Total number of cases referred</u>		
(Minus CRS)	884	878

Goals for 2012.

Through additional mediation education, Citizen's Dispute will improve and continue to provide professional mediation services. CDSP hopes to educate court users and the public on the positive impact of mediation along with seeking additional opportunities in the court process to mediate. In 2012 CDSP will continue to provide expert service to the community through continuing education via "in house" court employee seminars. CDSP is planning to sponsor a roundtable discussion with the court judges to discuss better ways mediation can serve the court

¹ A major retailer elected to use an alternate method of check recovery resulting in decreased revenue for 2011.

and community. Of the post mediation evaluations collected, 94% were happy with the mediation process and would recommend it to others. Participant comments included, “mediation is a good way to settle things without court actions, the mediators are friendly and willing to talk to you with respect” and “process was quick and fair, 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, Mediators Bonnie Schrock and Susan Monro (who job share one position) and Intake Secretary Susan Padilla.

PROBATION

Kim E. Oats
Chief Probation Officer

Department Description.

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

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

The Probation Department provides a wide range of services throughout the court process. 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.

A transition period continued through 2011. Chief Probation Officer Kim Oats served as the Acting Deputy Court Administrator through December 22, 2011. Assistant Chief Probation Officer Tammy Harris continued to serve as the Acting Chief Probation Officer during this same time period. On December 23, 2011, Ms. Oats returned to her duties as the Chief Probation Officer and Ms. Harris was appointed to the Court Administrator's Office as the Acting Human Resource Officer. The Assistant Chief position remained unfilled for all of 2011.

In the absence of Chief Oats, the overall management of the department rested with Acting Chief Probation Officer Tammy Harris. The Assistant Chief duties, such as daily operations and the coordination of the units, also fell under the direction of Acting Chief Harris. Ms. Harris is a member of the Ohio Chief Probation Officers Association, the American Probation and Parole Association, and is a certified trainer through the Ohio Judicial College.

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

The management team has over 100 years of combined criminal justice and social service experience. Through December 22, 2011, the team was staffed by Acting Chief Tammy Harris, Intake Unit Supervisor Laura Berling, Administrative Secretary Barbara Cameron, Supervision Unit Supervisor Randolph Nelson, and Special Services Unit Supervisor Eddie Norrils.

Together, the team works toward resolving departmental issues and giving direction to the probation department.

Unit Supervisor Laura Berling supervises six professional staff in the *Intake Unit*. This unit is responsible for pre-sentence investigations, completing the intake process for inactive probation referrals, supervising inactive probation cases, and coordinating the License Intervention Program. There are three Investigating Probation Officers: Jennifer Friddell, Cathy Freeh, and Sean O'Connor. These investigators are responsible for completing all Pre-Sentence Investigation (PSI) reports, and Record Check referrals for the department. They also coordinate competency evaluation referrals, investigate restitution referrals, and make recommendations regarding motions to seal records. Supervising Probation Officer Andrew Oberdier monitors all inactive probation cases that do not have any active supervision cases within the department. Mr. Oberdier also backs-up the Intake Clerk and License Intervention Specialist. Intake Clerk Shirley Goodar assists the department by signing up the inactive probation and electronic monitoring cases. Ms. Goodar backs-up Lisa Kuebler, the License Intervention Program Specialist. Ms. Kuebler educates drivers about their license status as well as coordinates limited driving privileges, reinstatement fee payment plans, and vehicle immobilizations.

Unit Supervisor Randolph Nelson supervises five Probation Officers in the *Supervision Unit*. Probation supervision is a court-ordered sanction that is placed on a person convicted of a crime. It is an alternative sentence to incarceration and allows the offender to remain in the community under the supervision of a Probation Officer. Supervising Probation Officers complete risk assessments, make social service referrals, monitor drug screens, conduct record checks, and enforce the order of the court. Significant violations are reported to the judge for further disposition. There are five Supervising Probation Officers: Tony Bouyer, Megan Stevens, Mark Klapper, Markus Whitehead, and Kerry Konzen (who is assigned to the Special Services Unit). All medium and high risk probation cases are supervised by this group of Probation Officers. The average supervision caseload has 325 offenders.

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

Unit Supervisor Eddie Norrils supervises five Probation Officers in the *Special Services Unit*. There are four Specialized Probation Officers who each focus on a specific program area: Alternatives, a first offender program, Community Sanction (CS), Community Service Probation Program (CSPP), and Intensive Supervision Probation (ISP). Kerry Konzen, the department's fifth Supervising Probation Officer, is also assigned to this unit.

The Alternatives Program helps eligible first-time offenders avoid a formal conviction. Offenders are held accountable for their actions through a series of individual, classroom, or e-course sessions. Each session engages the offender in discussion on making good choices and staying out of trouble. Participants who stay crime free and complete the program are granted a one time case dismissal and sealing of their record. The Alternatives program is staffed by one Probation Officer, Jodi Alexander-Packard, who handles all referrals and instruction for the program. As of July 1, 2011, Ms. Packard also serves as the Electronic Monitoring liaison between the Court and CCNO.

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

Gary Colton is the Community Sanction (CS) Officer. This position is funded by the Community Corrections Act (CCA) grant from the Ohio Department of Rehabilitation and Correction. The Community Sanction program saves local jail bed days by diverting license-related offenders from CCNO to active probation supervision. The grant further reduces jail bed days by providing \$31,080.00 for Indigent Electronic Monitoring. Mr. Colton also monitors the Kiosk Project, which is an evidence-based Kiosk Reporting program available to low-risk offenders who meet certain criteria. Due to the success and growth of the Kiosk Reporting Program, the license-related community sanction offenders are now monitored by Supervising Probation Officers and the EM monitoring program was reassigned to Ms. Packard as of July 1, 2011.

Mark Steude is the Intensive Supervision Probation (ISP) Officer. ISP is a jail diversion program for high-risk offenders. This position and related programming is funded by the Community Corrections Act (CCA) grant from the Ohio Department of Rehabilitation and Correction. Supervision is short and intensive. Offenders must follow strict conditions such as curfew, drug testing, treatment, and reporting as often as three times per week. After completing ISP, offenders are transferred to an active probation caseload for the rest of their sentence. This grant also provides \$128,689.00 for emergency drug and alcohol treatment services for standard probation offenders who cannot pay for treatment.

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

Accomplishments.

On January 1, 2011, the Probation Department implemented the new Attendance Policy. This new policy emphasizes fairness and maximizes employee access to leave while maintaining adequate staffing levels. Overall, staff reported a general satisfaction with the new policy. After

6 months, one probation officer told their supervisor that the new policy “was a big morale booster.” Another supervisor reported receiving positive feedback from unit staff. This policy will continue to be monitored and evaluated. An amendment is likely forthcoming due to the recently implemented attendance software system that was implemented throughout the Judges’ Division.

During 2011, the department began the process of reviewing and updating its policies and procedures. Five additional policies were developed and/or revised. This included an update to the ISP Policy and Procedure manual, an update to the Kiosk Reporting policy and procedure manual, and writing new policies for Court Diagnostic and Treatment Center referrals, Motion to Seal referrals, and the Daily Docket. Each policy was a group effort, with all units having input and providing feedback. The department will continue to review and revise throughout 2012 to reflect the changes in how cases are assigned and monitored. The department expects to complete revisions for ORAS Policy and Case Planning and Contact Standards Policy.

An additional e-course was developed for the Alternatives program in 2011 and became available for use by first time offenders in August. The “general” curriculum is designed for first time offenders who commit offenses that are not related to theft or the use of alcohol and drugs. The program educates offenders regarding topics such as feelings, thoughts, and mind traps, thinking errors, self motivation, behavioral cycles, and understanding anger. The program helps offenders develop better decision-making and coping skills which will help reduce the likelihood of future criminal involvement.

Throughout the year, the probation department used supervision fees to send staff to various trainings and conferences. In-house training was also provided. Staff participated in a total of 869 training hours, which is a 367 hour increase from 2010. Topics included communication skills, customer service, human trafficking, addictions and substance abuse, contemporary correctional and evidence based best practices, management and leadership skills, victim awareness, specialized dockets, veterans’ justice outreach and military culture, ORAS booster, local social service provider updates, and BMV update. All Supervisors, Probation Officers, and Secretaries received training for Discrimination and Harassment Prevention and the new Attendance Policy.

Supervision fees were also used for confidential shredding services, Kiosk maintenance, temporary clerical staff, and to cover grant related shortages for offender services such as Indigent Electronic Monitoring, Emergency Treatment Services, Voice Track Monitoring, and bus tokens.

The County Wide Kiosk Project was completed in December, 2011. Toledo Municipal Probation, Maumee Municipal, Oregon Municipal, and Lucas County Adult Probation worked with NORIS to purchase, program and place four additional Kiosk Reporting machines throughout Lucas County. The last kiosk went live in December, 2011. Low risk offenders now have greater accessibility and longer access hours throughout Lucas County. Offenders can also report at one location for multiple jurisdictions.

The Judges approved a Pilot Intake Project for the Probation Department. The pilot project will utilize one part time paid intern and 2-3 unpaid college interns to complete probation intakes. This will include signing up active and inactive probation conditions, reviewing the ORAS-CSST, and running criminal record checks. The pilot project is scheduled to last 12 weeks and will be evaluated to determine if the process adds to the efficiency of the department and utilizes the volunteer staff to the fullest potential. Interns will continue to assist officers with caseloads and enter data into the probation software system.

Goals for 2012.

Investigating new Probation Software. Currently the department uses ProLaw for its collection of data. With continued focus on statistical data and efficient use of human resources, the department will begin to focus on software that will address some of the deficiencies that ProLaw has, such as an accurate reporting of all the work referred and completed by the department.

Continue to revise the probation department policies and procedures. The probation department policies and procedures were last updated in 2004. Since that time, the probation department has been restructured and the Ohio Risk Assessment System put into practice.

Staff Summary.

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

The probation department has 4 unfilled positions. There were 2 Probation Officer vacancies due to PO Charles Pfeifer's February, 2010 retirement and PO Theresa Braddy's May, 2010 resignation. There was also a Probation Secretary vacancy following Joan Kelly's May, 2010 promotion to Judges' Secretary. Former Chief Probation Officer Kim Oats returned to the department at the end of 2011. Acting Chief Tammy Harris accepted an interim acting appointment as Human Resource Officer for the Court. The Assistant Chief Probation Officer position will remain unfilled during this interim appointment. There were no new hires in 2011.

2011 and 2010 Statistical Reports

STATISTICAL REPORT	2011		2010
INTAKE SERVICES:			
<u>*Cases Referred to Probation:</u>			
Traffic	4,717		4,504
Criminal	5,382		5,251
Other Area Courts	61		52
TOTAL	10,160		9,807
Defendants Placed on Probation	2,907		6,041
Released/Terminated	2,439		7,277
Court Reviews	862		3,471
Pre-sentence Referrals Requested	1,114		1,478
<u>Offenders on Probation</u>			
Active Probation	2,218		3,502
Inactive Probation	1,819		2,539
TOTAL Probation	4,037		6,041
SPECIAL SERVICES:			
EMU REFERRALS	306		264
CSPP PROGRAM:			
TOTAL CSPP Referrals	2,608		2,608
Insurance Fees Collected on CSPP Cases			\$7,942
TOTAL CSPP Hours Ordered*	1,609		113,186
TOTAL CSPP Hours Completed*	81,099		44,433
* Some offenders may have more than one case referred to probation.			

STATISTICAL REPORT	<u>2011</u>		<u>2010</u>
ALTERNATIVES PROGRAM:			
Total cases processed	676		666
Unsuccessful	97		59
Sealed (Successful)	290		549
Carried into next year	289		254
RED/IMMOBILIZATION PROGRAM:			
Immobilizations	213		213
Releases	227		259
RED Referrals	895		808
DISTRICT COURT SERVICES PROGRAM:			
Referrals To Alternative Program			
Bowling Green	0		0
Sylvania	5		7
Maumee	0		1
Oregon	0		0
Perrysburg	44		30
TOTAL	49		38
FINANCIAL INFORMATION			
Restitution	\$104,656.26		\$113,222
* Surcharge	\$5,634.04		\$5,065
TOTAL	\$110,290.30		\$118,287

ENVIRONMENTAL COURT

Judge C. Allen McConnell
Housing Court

Message from the Judge.

During my tenure as the Housing Judge, I have found that most homeowners genuinely desire to maintain and repair their properties. However, on many occasions, financial circumstances are so overwhelming they are unable to allocate funds to make necessary repairs. For this reason, the Court initiated the Code Violation Abatement Program several years ago that allows the Court to provide qualifying homeowners access to funds specifically to address such repairs. Through this fund, we have been able to assist over two hundred (200) homeowners in bringing their property up to code. I am extremely pleased with the results of this program and when the homeowner appear in Court, they have expressed great satisfaction with help provided for them.

The Court is also in the process of updating the Housing Court web page. The updated information includes detailed information regarding the Civil Bailiff's office and how the eviction process works. These details provide the tenant with specific timelines from the moment an eviction is authorized through the set-out date. The landlord is provided with that same information.

I have noted that the demand for demolitions in the City of Toledo has spiraled out of control. This problem is primarily due to the financial problems that have impacted the City and the Nation. On many occasions, the homeowner files bankruptcy and is left with the impression that he/she no longer has responsibility for the property. Unfortunately, that is not true unless there has been a foreclosure and the title has been transferred to a new owner. If that does not occur, the title remains in the homeowner's name, and when he/she is summoned to Court to address the citation, they are quite surprised. The homeowner has the option to sign a form that allows the city to demolish the property, or forfeit the land to the land bank utilization program. Until that occurs, the homeowner is ordered to maintain the property and a placard is placed on the property. The placard states that the property is on the city demo list and provides appropriate phone numbers to call if violations are observed on the property.

The year of 2012 will entail a continuation by the Court to encourage homeowners to maintain their property. The Court will be seeking more programs and funding to assist homeowners with needed repairs. The Court has already scheduled meetings with neighborhood groups to receive their input as to how the Court can assist them in their community. During 2011, the Court devoted a considerable amount of time with an East Toledo group to engage in a thorough review of their neighborhood concerns and address complaints. We are looking forward to 2012 and expect that our neighborhoods will show great improvement in the years ahead.

The History of Housing Court.

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

On January 6, 2000, Judge C. Allen McConnell was sworn-in as the Housing and Environmental Court Judge to fill the vacancy created by the retirement of Judge Roger R. Weiher. Judge McConnell was sworn-in for his third term commencing January 1, 2012.

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; requests for search warrants, etc.

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

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

About the Court.

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

The principal objective of the Environmental Court is to achieve compliance with the Code. A defendant is expected to enter a plea at the arraignment stage of the proceeding. If the

condition can be corrected in a short time, sentencing may be reserved and the case continued for a reasonable period of time to allow the defendant to do what is necessary to comply with the Code.

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

During the year of 2011, there were many defendants that did not appear in Court for their arraignment. In some cases the defendants have not been served with a copy of the complaint and in others, the defendants simply refuse to appear. Bench warrants are issued for those that fail to appear and defendants are subject to apprehension by the Toledo Police Department.

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

The Community Control Program gives Housing Court defendants the opportunity to correct housing violations in cooperation with Housing Court personnel. Alternative sentencing programs work through mutual cooperation, 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

Goals for 2012.

In 2012, 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 2011 Housing Court staff consists of Judge C. Allen McConnell, Magistrate Alan J. Michalak, standby Magistrates James E. Morgan, Rebecca K. Ligibel, and Catherine Hoolahan, Senior Housing Specialist Gwen J. Wyse, Housing Specialists Barbara Falls and Larry A. Cardwell, Court Reporter Lori Hauenstein, Deputy Steve Karam, Law Clerk James Anderson (resigning early 2011), Law Clerk Dennis Sawan, Judges' Secretaries Meredith Kurucz and Krystal Jones.