

# **TOLEDO MUNICIPAL COURT**

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**ANNUAL REPORT 2018**

# TOLEDO MUNICIPAL COURT

555 N. Erie Street  
Toledo, Ohio 43604

**Timothy C. Kuhlman**  
*Presiding Judge*

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On behalf of the Toledo Municipal Court, and as the current Presiding Judge for the Court, I am pleased to present to you our annual report for calendar year 2018 as required by statute. The report provides a comprehensive summary of the Court's significant accomplishments and overall performance during the past year. I encourage you to read the report in its entirety as you will find its contents to be educational and informative.

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

The Court is and will continue to be, cognizant and sensitive to the economic conditions and challenges of the City of Toledo and Lucas County and the surrounding areas that we serve. In 2018, we demonstrated our commitment to making sound fiscal and operational decisions. The Court remains committed to providing cost-effective programs and services that address the needs of offenders, victims, and the community.

As we move forward in 2019, the Court will remain fiscally responsible and transparent in managing its daily operations. At the same time, we will continue to identify and pursue new and cost-effective opportunities, which will help improve our efficiency, performance, and service delivery to the public.

In closing, on behalf of the Judges of our Court, I encourage you to review the 2018 annual report. We invite you to contact us should you have any questions or concerns related to this report.

Respectfully,



Timothy C. Kuhlman  
Presiding Judge

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## **COURT ADMINISTRATOR'S OFFICE**

C. Lisa Falgiano  
Court Administrator

### **Department Description**

The Court Administrator's Office was created in 1972 to provide the judges with support for researching, planning, and executing all administrative functions and operations as well as providing day-to-day leadership and general supervision over the Judges' Division departments and staff. In establishing the Court Administrator's Office, the judges were relieved of many of their former administrative duties, enabling them to increase their focus and efforts on their judicial responsibilities. Although the Court Administrator's Office is not directly involved in daily judicial courtroom operations, the office does assist the bench in researching, measuring, developing, documenting, and implementing case management processes and procedures.

The Court Administrator's staff has a wide range of responsibilities including budget preparation and fiscal administration, technology management, personnel administration, policy development and implementation, facilities management, statistical data collection and analysis, and purchasing. The Court Administrator's Office also acts as a liaison with criminal justice partners and stakeholders, including the practicing bar, governmental agencies, and the public. The court administrator reports directly to the seven judges and facilitates the judges' monthly meeting. The court administrator also serves as the organization's equal opportunity/affirmative action officer.

As required by Rule 3 and Rule 4 of the Rules of Superintendence for the Courts of Ohio, the judges select by majority vote a Presiding/Administrative Judge. The court administrator has a close working relationship with the Presiding/Administrative Judge. Judge Joshua W. Lanzinger was elected to his second one-year term as the Presiding/Administrative Judge in 2018. Judge Timothy C. Kuhlman served as the Acting Presiding/Administrative Judge for a one-year term beginning January 1, 2018.

### **Year in Review – Overview**

During 2018, Toledo Municipal Court operated under improving budget conditions. The Court continued to support the City of Toledo's budget and cost-saving efforts. The Court met regularly with City of Toledo Administration Officials and members of city council to identify priorities and cost-saving measures. The Court continued to operate under fiscally responsible practices that saw budget savings in 2018.

The judges and Court Administrator's Office continue to work with city and county government to balance fiscal resources and public safety concerns. As a result of funding issues, the Court was faced with further reductions in the number of beds available to sentenced defendants at the Corrections Center of Northwest Ohio (CCNO). In June 2018, the Court was notified that the number of beds at CCNO reserved for Toledo Municipal Court's use would be reduced from 137 beds to 77 beds beginning January 1, 2019. Toledo Municipal Court worked with criminal justice partners in Lucas County to identify and secure alternative sentencing options, including access to 20 beds at Lucas County Work Release Department and an additional 25 treatment beds at Correctional Treatment Facility. These options are critical to protecting the community and providing opportunities to defendants for rehabilitation. The number of residential treatment beds

available in the Regional Addiction Diversion Program (RAD) went from 11 beds in 2017 to 46 beds in 2018. The additional beds permit more defendants with substance abuse issues the opportunity to participate in residential treatment and for a longer period when necessary. Pretrial supervision services for misdemeanor cases, pretrial drug testing, and access to the Lucas County Work Release Department remained unavailable for Toledo Municipal Court defendants.

The Court continued to work diligently to support efforts to reduce the incarceration of defendants in local jails while protecting public safety in our community. With the reduction of beds at CCNO, the Court continues to utilize the Public Safety Assessment (PSA) court tool to assist in determining which criminal defendants should remain in custody and which should be released. In February 2018, the Court purchased tablets to provide prosecutors and public defenders with access to the PSA court tool in our felony and misdemeanor arraignment courtrooms.

The Court remains dedicated to criminal justice reform and continues to work with Lucas County and other community partners on the John D. and Catherine T. MacArthur Foundation's MacArthur Grant. The grant targets five strategies: 1) Pre-Arrest Deflection; 2) Managing Pretrial Risk; 3) Population Review Team; 4) Diversion of Underserved Populations, and; 5) Coordinated Probation Practices. Toledo Municipal Court Judge Timothy C. Kuhlman is the Court's judicial liaison to the grant, a sponsor of several of the strategies and a member of the grant's core planning group. Court Administrator Lisa Falgiano is the owner of Strategy Four. In June 2018, the Court began utilizing a diversion program that targets alternative resolution to cases related to drug possession, disorderly conduct, and obstructing official business at any point during case processing. Upon successful completion of the educational diversion program, an individual's case is dismissed without the individual needing to return to court. As of November 30, 2018, 391 defendants were referred to the program, and 62% of those individuals successfully completed the program. Sign-up for the program is web-based and can occur from a kiosk, any computer or mobile device. The diversion program specifically targets repeat, low-level misdemeanor offenders. Individuals can be referred to the program more than once.

In August, CCNO terminated electronic monitoring services for pretrial and sentenced defendant in Toledo Municipal Court. The Court worked with Lucas County to develop an electronic monitoring (EM) program for Toledo Municipal Court and focused on the transition of EM services from CCNO to Lucas County. The Court worked with CCNO in the takeover of approximately \$70,000 in state grant funding that benefited the Court's indigent sentenced offenders. As the year drew to a close, the Court had 41 defendants on pretrial EM and 47 defendants on sentenced EM.

The Court reviewed and updated its business practices related to processing competency cases. An electronic process was developed to streamline the flow of case information. The Court implemented a new competency referral procedure to assist with providing a more efficient system for defendant evaluations. A new quality assurance framework for report completion was also added.

The Veterans Treatment Court completed its fourth year in 2018. This specialized court docket allows offenders who are military veterans to receive intensive, specialized treatment services while under the supervision of the Court. Judge William M. Connelly, Jr. was appointed to preside over the Veterans Treatment Court. In 2018, 14 veterans were accepted into the program and 22 veterans were discharged from the Court with 17 successful graduations. In May 2018, the Veterans Treatment Court received a grant in the amount of \$6,900 from Operation Legal Help Ohio to assist and support transportation-related needs facing Ohio's Veteran Treatment Court participants.

In 2018, 12 Judges' Division staff members left employment, including 11 resignations and one retirement. The Court appointed six internal employees to new positions within the Judges' Division, and seven employees served positions in an "acting" status.

Court Administrator Lisa Falgiano completed her ninth full year as court administrator in 2018. As a veteran court administrator, Ms. Falgiano brings a great deal of experience and expertise to the position. She is a certified Ohio court manager, certified court executive and certified faculty for the Ohio Judicial College's Court Management Program. Ms. Falgiano teaches locally and nationally on a range of topics.

### ***Technology***

The Court's Information Technology Department is responsible for maintaining the Court's information security and technology needs. The department's expertise and work help ensure that the Court's business and public records are more transparent to the public, as well as protecting the confidentiality of private/non-public information. In 2018, the Court continued its partnership with the Clerk of Court and NORIS to implement operational efficiencies that support court operations. These included electronic subpoena notification for police officers and the creation of a queue for electronic monitoring referrals. In October, the Court made Surface Pro tablet computers available to prosecutors and public defenders in courtrooms 3 and 4. This improved case processing and allowed for electronic resources such as the Court's Public Safety Assessment (PSA) and other pertinent websites to be quickly accessed by the prosecutor and the public defender staff.

The Court's website was also redesigned in 2018 to provide improvements to the online experience for court users. In addition, new dashboards were created in order to better manage EM usage and sentenced bed usage. Business intelligence and real-time dashboards are an important component of managing the Court's resources.

### ***Professional Development***

The Court recognizes the value of retaining a committed and engaged workforce. The Court developed and implemented an employee engagement survey designed to gather information about what is important to staff and how to improve the support provided to them. The results of the survey presented the Court with unique challenges as well as opportunities. The Court will work to develop and implement best practices in communication, employee recognition, and professional development.

The Court continued its commitment to provide meaningful professional development and training opportunities to its employees. Roundtable meetings were implemented for managerial and supervisory staff to focus on communication and professional development. In 2018, 26 Judges' Division employees from several departments completed six hours of Bridges out of Poverty training. This training allowed participants to shift their understanding and approach to poverty by exploring common language, values, and strategies for addressing poverty. A total of 26 employees attended verbal de-escalation training. The Civil Bailiff Department attended self-defense and aerosol chemical agent training (7 hours) and firearm safety training. Probation Department staff attended the Carey Guides/BITS Booster training (6.5 hours). A number of staff members also attended individual seminars addressing such topics as crisis intervention, essential skills for managing employees, and critical thinking skills. A total of 1,626.8 training hours were completed by Judges' Division staff in 2018.

During 2018, Court staff encountered citizens or situations that exposed them to opioid overdoses. To permit staff opportunities to effectively treat and reduce the fatalities associated with opioid overdoses with

the administration of Narcan, the Court developed and implemented a Narcan Administration Policy. Staff members who were interested in learning how to administer Narcan were provided with training through the Toledo Lucas County Health Department. Narcan is now available at designated locations throughout the courthouse.

Judges' Division staff also serves as trainers for others. On April 19, 2018, Judge Timothy C. Kuhlman, Court Administrator Lisa Falgiano, and Deputy Court Administrator Burma Stewart presented Procedural Justice training as part of the Supreme Court of Ohio's Judicial College professional education program.

### ***Administrative Support Services***

The Court Administrator's Office provides a variety of support services for the administration of Court policy and personnel. The Court Administrators Office helped revise three job descriptions and created one new job description. A number of new Court policies and procedures became effective including the Narcan Policy and the JAVS Quality Assurance Policy. In 2018, Local Court Rules 11 and 14 were updated.

Throughout the year, the Court Administrator's Office managed a number of personnel selections and personnel actions. The Court's Judges' Division advertised 23 external job vacancy postings and conducted over 160 applicant interviews. The Court Administrators Office processed 28 FMLA packets. In addition, four investigations were conducted. The Court Administrator received no grievances this year under the Court's Employee Grievance Program. Additionally, there were no disciplinary hearings in 2018. In addition, the Court Administrator's Office helped support the departments in numerous personnel actions, ranging from identifying opportunities for informal coaching to assisting in the development of performance improvement plans. Staff in Salary Groups 1-15 received a 1% increase at the beginning of 2018.

The Court Administrators Office continued to work closely with the City of Toledo facilities administrator to oversee the maintenance of the courthouse. Several building improvement projects and maintenance work orders were completed to help enhance working conditions within the Court. In 2018, the carpet was replaced in courtrooms 2 and 3. Lighting in the Court's public hallways was replaced and updated with LED bulbs.

### ***External Relations***

The Court Administrator continues to maintain excellent relationships with various agencies and community stakeholders. The Court Administrator's Office coordinated and facilitated requests from the Toledo Bar Association Auxiliary to provide 13 group tours for high school students. The Court also hosted the Toledo Bar Association's high school mock trial competition in January.

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

## **The Coming Year**

In 2019, the Court will be implementing new internal security procedures and protocols that are designed to enhance building and staff safety.

To accommodate the changing needs of the Court, it is anticipated that facility development will remain an important project in 2019 with the renovation of existing space to accommodate more probation officers and staff dedicated to providing services to judges and court users.

The Court will also be working on implementing document management software that would convert administrative paper files and documents to electronic files. The software will assist the Court in its efforts to reduce file storage space and will allow for easier file location across the Court's network.

In 2019, the Court will re-engineer the Assignment Office into a new Court Services Department which will be designed to provide more centrally located operational support to the courtrooms.

The Court will participate in weekly meetings to review CCNO population. Along with Lucas County Common Pleas Court and other local municipal courts, the Court will use evidence-based assessment tools to manage the reduced number of CCNO beds.

The Court anticipates filling several vacant positions next year including chief probation officer, probation officer, court services specialist, finance officer, an additional human resource officer, court services commissioner, building operations chief, research law clerk, and judges' secretary.

## **Staffing**

The Court Administrator's staff includes:

Court Administrator Lisa Falgiano  
Deputy Court Administrator Burma Stewart  
Human Resource Officer Tammy Harris  
Information Officer Terry Koluch  
Interim Finance Officer Deidre Liedel  
Bookkeeper/Payroll Clerk Vanessa Williams  
Administrative Assistant Meredith Kurucz  
Judges' Secretary Joan Kelly  
Judges' Secretary Kate McManus  
Information Technology Specialist Adam Coe



<b>Computer Legal Research 3T03013STDSTD 2018 Annual Statement of Expenditures</b>	
<i>Court Research</i>	
Online Legal Research and Printed Material (Westlaw)	\$29,491.28
<b>Total Expenditures</b>	<b>\$29,491.28</b>

<b>Alternate Dispute Resolution (Mediation) Trust Fund 3T03028STDSTD 2018 Annual Statement of Expenditures</b>	
<i>Supplies/Equipment</i>	
ProLaw Software License	\$940.80
<b>Total Expenditures</b>	<b>\$940.80</b>

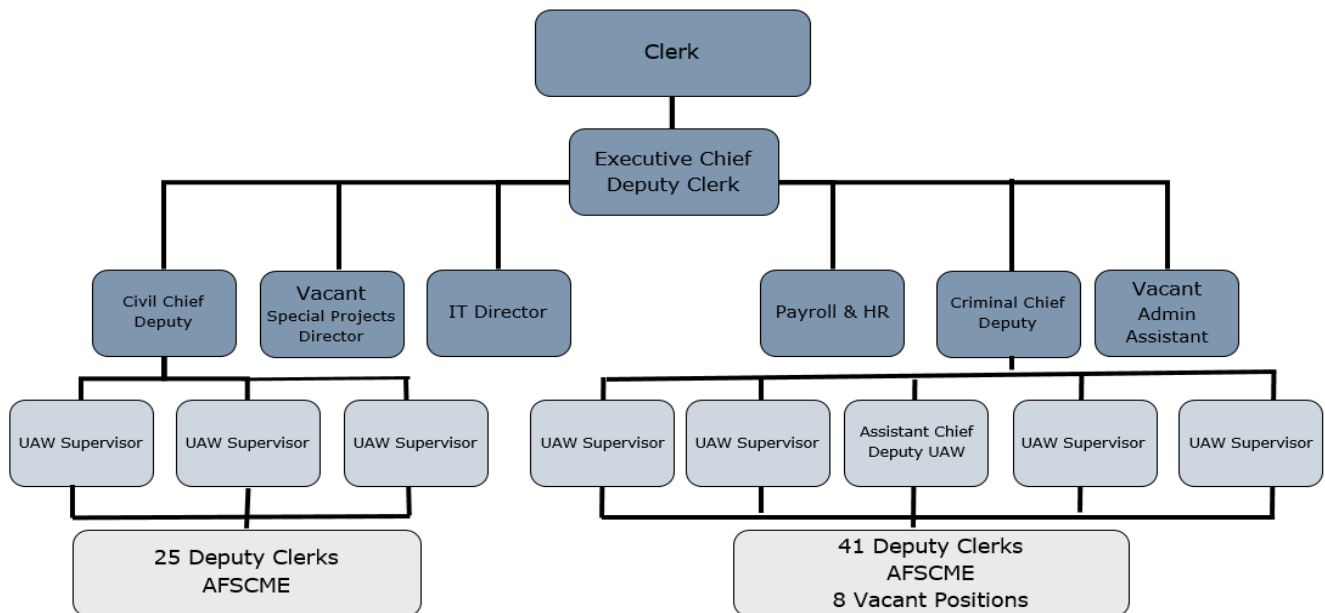
<b>Court Computerization (Judges') Trust Fund 3T02916STDSTD 2018 Annual Statement of Expenditures</b>	
<i>Supplies/Equipment</i>	
Computer Hardware	\$2,106.48
Supplemental Staffing – Applications Program/Analyst	\$73,671.75
Time and Attendance Software License	\$9,500.00
Website Hosting and Redesign	\$11,549.00
<b>Total Expenditures</b>	<b>\$96,827.23</b>

## CLERK OF TOLEDO MUNICIPAL COURT

Vallie Bowman-English  
Clerk of Court

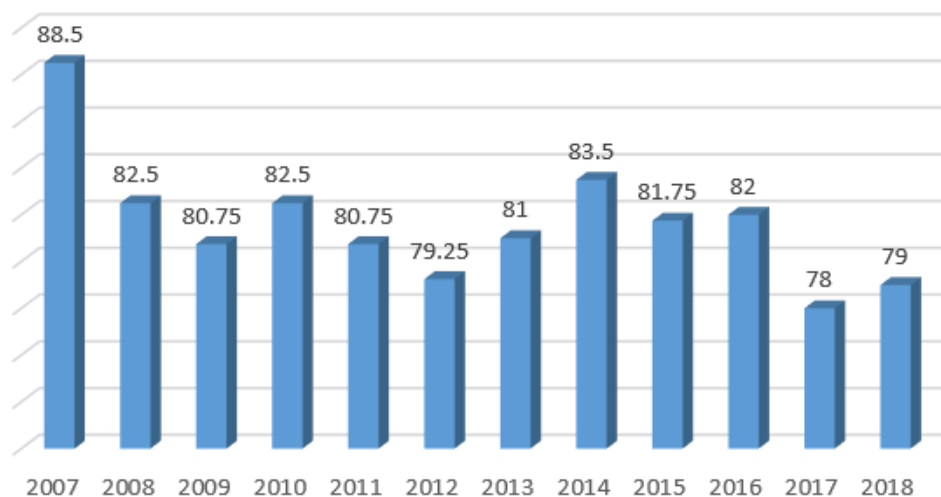
The Clerk of Toledo Municipal Court is responsible for maintaining the public record on all court cases in Toledo Municipal Court as well as collecting and distributing fines, fees, bail, and other money associated with these cases. These responsibilities are defined under Ohio Revised Code Section 1901.31.

The Clerk's Office is divided into two divisions: the Criminal/Traffic Division and the Civil Division.



The Clerk's Office employs 79 full-time deputy clerks under Clerk of Court Vallie Bowman-English. This is a decrease of 10.73% since 2007 and an increase of 1.28% since 2017.

### Full time equivalent staff numbers

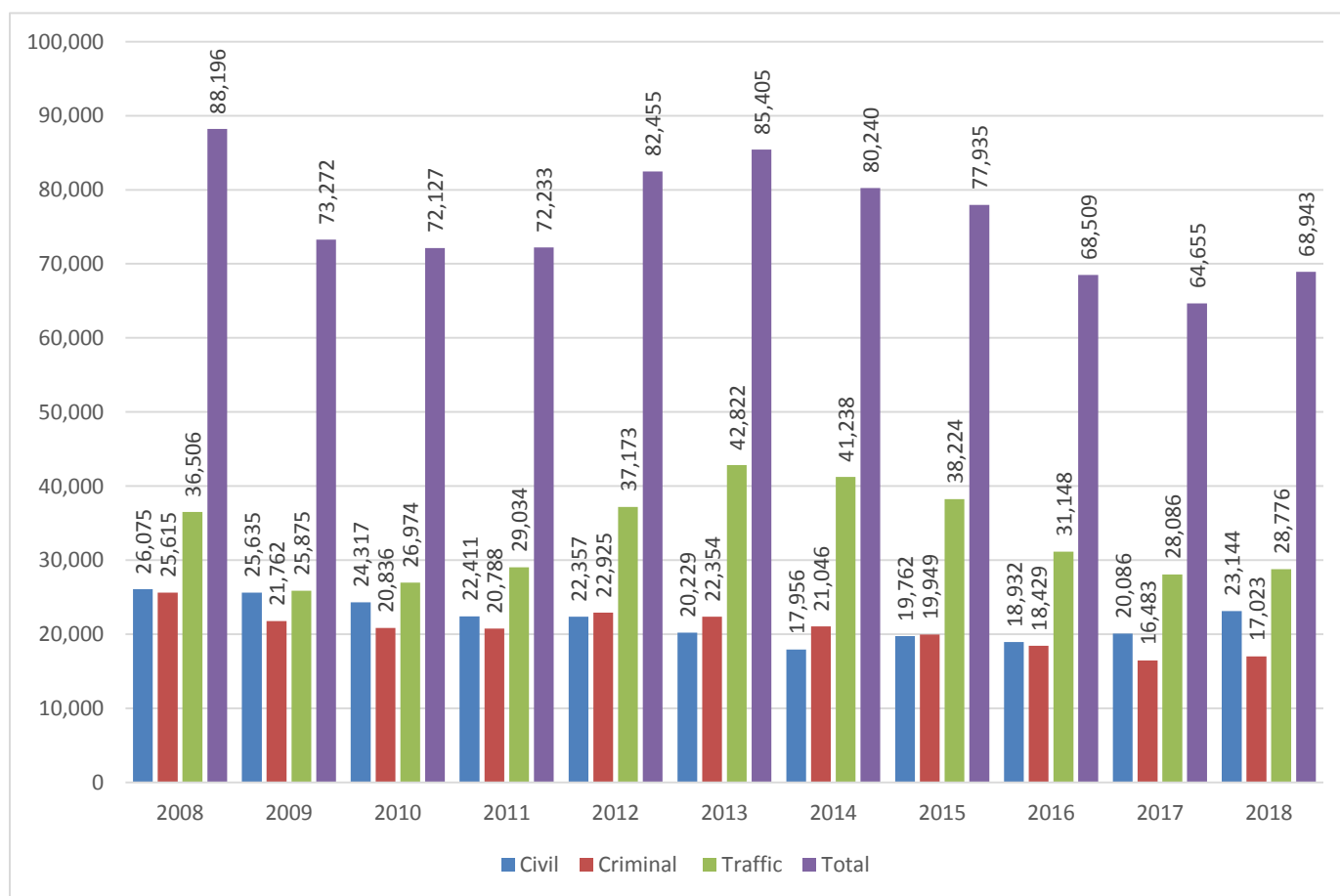


# Clerk of Court Case Filings

Toledo Municipal Court saw an increase in case filings in 2018: 68,943 cases were filed, a 6.63% increase from 2017.

	2018	2017
Civil Division	23,144	20,086
Criminal / Traffic Division	45,799	44,569
<b>TOTAL</b>	<b>68,943</b>	<b>64,655</b>

Case Filings 2008 - 2018

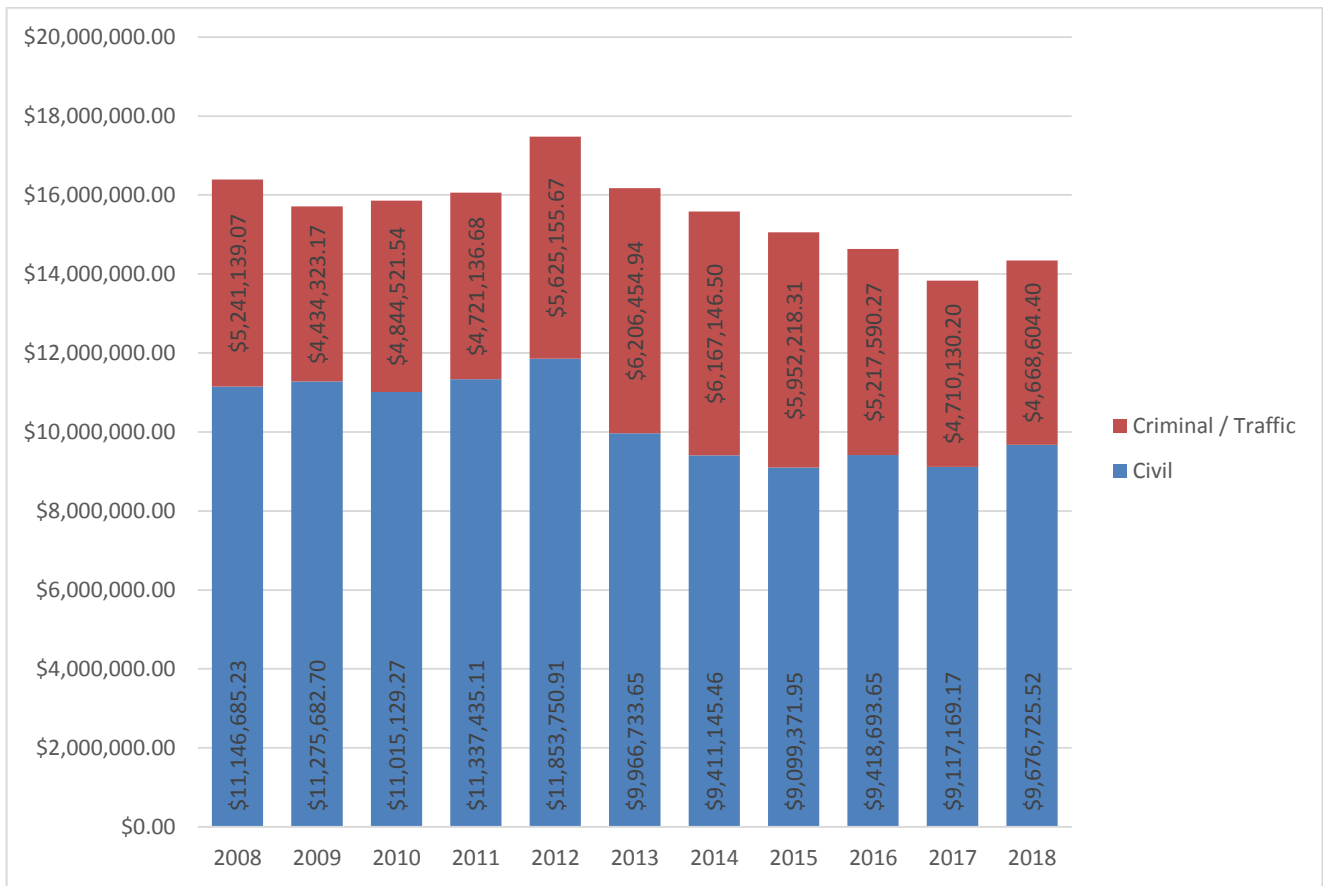


Clerk of Court  
Revenue Collection

Revenue collection increased in 2018: \$14,345,329.92 was collected, a 3.75% increase from 2017.

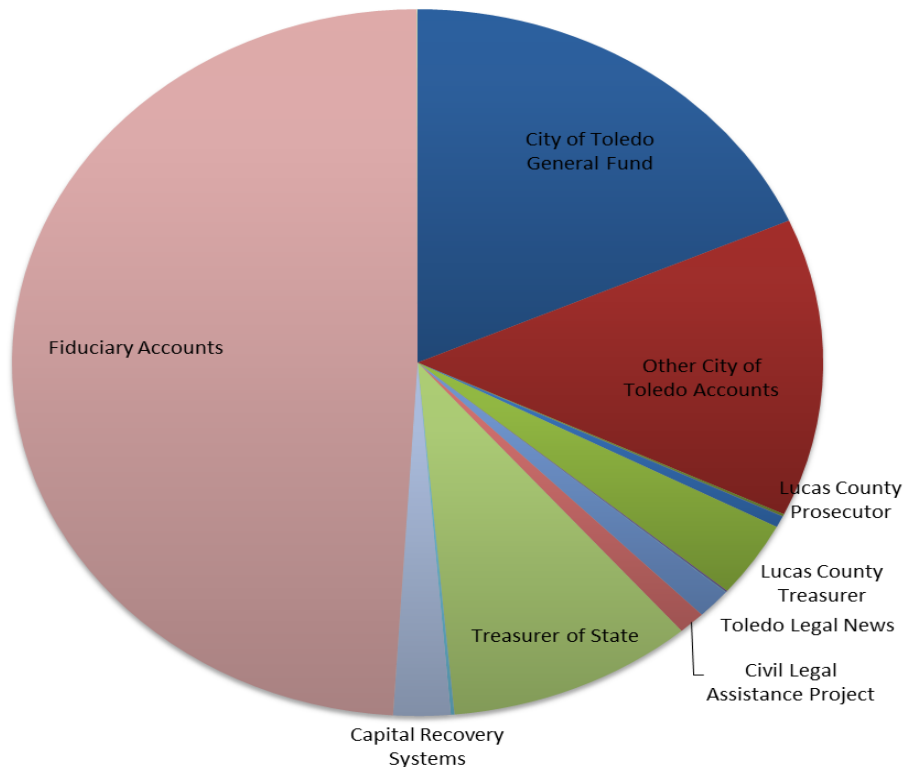
	2018	2017
Civil	\$9,676,725.52	\$9,117,169.17
Criminal/Traffic	\$4,668,604.40	\$4,710,130.20
<b>TOTAL</b>	<b>\$14,345,329.92</b>	<b>\$13,827,299.37</b>

Revenue Collection 2008 - 2018



Clerk of Court  
Revenue Disbursed

	<b>2018</b>	<b>2017</b>
City of Toledo General Fund	\$2,631,585.92	\$2,537,922.00
Other City of Toledo Accounts	\$1,866,475.66	\$1,880,007.07
Ottawa Hills	\$13,034.70	\$14,109.70
Washington Township	\$2,028.40	\$1,792.80
University of Toledo	\$1,030.00	\$252.00
Metroparks of Toledo	\$180.00	\$54.00
Lucas County Prosecutor	\$69,195.50	\$71,573.85
Lucas County Sheriff	\$25.00	\$200.00
Lucas County Treasurer	\$519,723.63	\$480,178.59
Lucas County Law Library Association	\$8,001.25	\$8,443.87
Citizens Award Fund/Crime Stoppers	\$3,031.30	\$3,294.80
Toledo Area Humane Society	\$250.00	\$250.00
Toledo Legal News	\$210,292.70	\$189,495.63
Civil Legal Assistance Project	\$165,543.49	\$148,882.92
Treasurer of State	\$1,389,124.51	\$1,353,906.15
Department of Natural Resources	\$1,464.00	\$619.00
State Pharmacy Board	\$17,641.30	\$19,722.87
Division of Liquor Control	\$100.00	\$0
Capital Recovery Systems	\$316,648.49	\$313,080.61
Expedited Record Update	\$720.00	\$0
Fiduciary Accounts	\$7,556,195.35	\$6,752,517.72
Refunded Overpayments	\$5,261.60	\$4,695.31
<b>TOTAL</b>	<b>\$14,77,552.80</b>	<b>\$13,780,999.09</b>



Clerk of Court  
Civil Division

<b>Filings</b>	<b>2018</b>	<b>2017</b>
Civil General	19,932	16,954
Small Claims	3,202	3,124
Trusteeship	10	8
<b>TOTAL</b>	<b>23,144</b>	<b>20,086</b>

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<b>Activities</b>		
Certificate of Judgment	2,732	2,894
Certified Mail Issued	41,806	34,265
Disbursements - Civil	4,301	3,731
Disbursements - Trusteeship	480	918
Dismissals	10,206	8,329
Executions	147	160
Garnishments	9,661	8,657
Judgments	46,328	45,039
Motions	10,292	8,558
Ordinary Mail Issued	17,166	14,132
Proceeding in Aid	4,486	4,534
Reports	15,160	16,019
Revivors	552	396
Revocations	2	0
Satisfactions	4,066	4,123
Subpoenas	192	302
Terminations	21,705	19,449
Transcripts	81	102
Writs of Restitution	3,364	3,287
<b>TOTAL</b>	<b>192,727</b>	<b>174,895</b>

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<b>Revenue Collected</b>		
Civil Revenue	\$2,552,753.05	\$2,318,348.17
Fiduciary Accounts - Civil	\$7,080,444.86	\$6,743,437.74
Fiduciary Accounts - Trusteeship	\$43,527.61	\$55,383.26
<b>TOTAL</b>	<b>\$9,676,725.52</b>	<b>\$9,117,169.17</b>

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<b>Revenue Disbursed</b>		
City of Toledo General Fund	\$1,402,415.67	\$1,283,396.37
Other City of Toledo Accounts	\$323,417.85	\$287,200.54
Civil Legal Assistance Project	\$165,543.49	\$148,882.92
Treasurer of State	\$450,734.84	\$409,175.71
Toledo Legal News	\$210,292.70	\$189,495.63
Fiduciary Accounts - Civil	\$7,510,540.74	\$6,694,464.02
Fiduciary Accounts - Trusteeship	\$45,654.61	\$58,053.70
Refunded Overpayments	\$348.50	\$200.00
<b>TOTAL</b>	<b>\$10,108,948.40</b>	<b>\$9,070,868.89</b>

Clerk of Court  
Criminal/Traffic Division

<b>Filings</b>	<b>2018</b>		<b>2017</b>	
	<b>Charges</b>	<b>Cases</b>	<b>Charges</b>	<b>Cases</b>
Traffic	46,844	28,776	68,572	31,148
Criminal	23,534	17,023	22,641	16,483
<b>TOTAL</b>	<b>70,378</b>	<b>45,799</b>	<b>68,572</b>	<b>44,569</b>

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<b>Revenue Collected</b>				
Fines		\$1,230,310.07		\$1,176,585.04
Costs and Fees		\$3,390,173.71		\$3,517,516.57
HITT		\$1,692.52		\$1,726.28
Bond Forfeitures		\$41,515.00		\$9,807.00
Overpayments		\$4,913.10		\$4,495.31
<b>TOTAL</b>		<b>\$4,668,604.40</b>		<b>\$4,710,130.20</b>

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<b>Revenue Disbursed</b>				
City of Toledo General Fund		\$1,229,170.25		\$1,254,525.63
Other City of Toledo Accounts		\$1,543,057.81		\$1,592,806.53
Ottawa Hills		\$13,034.70		\$14,109.70
Washington Township		\$2,028.40		\$1,792.80
University of Toledo		\$1,030.00		\$252.20
Metroparks of Toledo		\$180.00		\$54.00
Lucas County Prosecutor		\$69,195.50		\$71,573.85
Lucas County Sheriff		\$25.00		\$200.00
Lucas County Treasurer		\$519,723.63		\$480,178.59
Lucas County Law Library Association		\$8,001.25		\$8,443.87
Citizens Award Fund/Crime Stoppers		\$3,031.30		\$3,294.80
Toledo Area Humane Society		\$250.00		\$250.00
Treasurer of State		\$938,389.67		\$944,730.44
Department of Natural Resources		\$1,464.00		\$619.00
State Pharmacy Board		\$17,641.30		\$19,722.87
Division of Liquor Control		\$100.00		\$0
Capital Recovery Systems		\$316,648.49		\$313,080.61
Expedited Record Update		\$720.00		\$0
Refunded Overpayments		\$4,913.10		\$4,495.31
<b>TOTAL</b>		<b>\$4,668,604.40</b>		<b>\$4,710,130.20</b>

## **2018 Highlights**

In 2018, the Clerk's Office began a major project to image and destroy over 176,000 case files pursuant to Ohio Rule of Superintendence 26.05 and Ohio Revised Code Section 1901.41. These efforts freed up space in the courthouse, preserved the court record through imaging the contents of the case file and helped to keep offsite storage costs level.

In the Civil Division, the Clerk's Office completed programming that integrated the e-filing system into the Clerk's Office case management system. Information is now pushed between the e-file portal and the case management system without the need for redundant data entry. This increases Court efficiency and filing accuracy.

Finally, the Clerk's Office continued to aggressively collect past due money owed to the Court through the collection program that began in 2005. A total of \$1,972,000 was collected on delinquent accounts in 2018. Nearly \$25,000,000 has been collected through the program at no cost to the Court or to the City of Toledo.



## **ASSIGNMENT OFFICE**

Valerie Hobbs  
Acting Assignment Commissioner

### **Department Description**

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

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

In 2018 the Assignment Office took steps to restructure the department into a new Court Services Department that will centralize non-probation services provided to the courtrooms. This new department will continue to provide the same services it currently does, but will expand to provide pretrial electronic monitoring, schedule interpreters and competency referrals, coordinate administrative releases with local jails, manage medical furlough requests and one-for-one exchanges, process appointments of counsel, and act as a liaison between the courtrooms and outside organizations. Shasta Sibberson was hired in August as the first court services specialist for the department. The EM program was transferred to this department in August 2018. In 2019, the Court plans to hire two additional court services specialists to perform the duties that will transition to the new department.

### **Goals for 2019**

1. Transitioning the Assignment Office to a Court Services Department which will enable court users and community stakeholders to conduct business in one comprehensive department;
2. Collaborate with the Clerk's Office to identify and implement processes that enhance the integration of information between CATS and CLIP that will reduce the flow of case files between the Clerk's Office and Assignment Office/Court Services Department and promote more efficient services; and
3. Provide ongoing training for staff that strengthens and supports the efficiency of office operations.

## **Staff Summary**

The current Assignment Office staff consists of:

Valerie Hobbs, Acting Assignment Commissioner  
Wanda Butts, Assignment Clerk  
Cheryl Smith, Assignment Clerk  
Alice Thomas, Assignment Clerk  
Amy Trevino, Assignment Clerk  
Katelyn Motsinger, Temporary Office Assistant  
Shasta Sibberson, Court Services Specialist

Figures for 2018 with comparison figures for 2017 are as follows:

<b>CASES HANDLED BY THE ASSIGNMENT OFFICE</b>	<b>2018</b>	<b>2017</b>
<b>Cases Assigned</b>		
Criminal/Traffic Assignment	18,179	17,631
Civil Assignments (including Housing)	7,785	7,747
<b>Cases Set for Trial</b>		
Criminal/Traffic Trials	7,693	8,024
Civil Trials	571	609
Criminal/Traffic Trial Resets	6,185	5,748
<b>Cases Set for Pretrial</b>		
Pretrial - Criminal/Traffic	9,090	8,692
Pretrial Resets - Criminal/Traffic	2,617	2,056
Mandatory Jury Pretrials (MJPT)(Criminal/Traffic/Civil)	68	83
<b>Preliminary Hearing/Felony Arraignment Docket</b>	14,392	13,156
<b>Jury Trials Set (Criminal/Traffic/Civil)</b>	80	100
<b>Bureau of Motor Vehicle Hearings</b>	28	5
<b>Eviction</b>	6,875	6,668
<b>Housing</b>		
Criminal Housing Trials	1,175	330
Civil Housing (Not a Draw) New Assignments	6,999	7,063
Rent Escrow	93	111
<b>ALS/Innocent Owner Hearings</b>	38	54

## Civil Assignments

Pursuant to the Rules of Superintendence, judges are assigned on civil cases upon the filing of an answer or motion. There are instances in which judges are assigned to other cases, such as housing cases, reassignment, consolidation, or transfers. The following charts represent the number of civil cases assigned during 2018 and 2017 and per individual judge:

### 2018 CIVIL ASSIGNMENTS

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Berling	8	15	9	12	9	12	12	13	12	10	9	9	130
Connelly	8	15	10	12	13	11	9	13	9	14	11	9	134
Howe	609	480	558	529	532	640	617	669	548	744	576	500	6,999
Khoury	15	14	12	7	9	10	13	14	12	11	14	9	140
Kuhlman	5	12	8	13	15	9	11	7	2	13	13	15	123
Lanzinger	11	6	11	13	9	10	10	14	11	11	13	11	130
Wagner	15	13	11	8	9	8	12	12	8	13	6	14	129
<b>TOTAL</b>	<b>671</b>	<b>555</b>	<b>619</b>	<b>591</b>	<b>596</b>	<b>700</b>	<b>684</b>	<b>742</b>	<b>602</b>	<b>816</b>	<b>642</b>	<b>567</b>	<b>7,785</b>

### 2017 CIVIL ASSIGNMENTS

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Berling	6	8	7	10	11	11	9	13	11	15	7	14	122
Christiansen	11	12	12	10	9	7	5	6	8	15	9	13	117
Connelly	9	6	8	11	8	7	15	12	9	9	5	12	111
Kuhlman	4	9	9	8	7	7	8	9	13	7	11	7	99
Lanzinger	6	12	7	8	13	7	6	13	12	10	11	9	114
McConnell	589	518	574	534	544	590	675	831	678	622	423	485	7,063
Wagner	4	11	12	15	7	13	9	13	9	8	10	10	121
<b>TOTAL</b>	<b>629</b>	<b>576</b>	<b>629</b>	<b>596</b>	<b>599</b>	<b>642</b>	<b>727</b>	<b>897</b>	<b>740</b>	<b>686</b>	<b>476</b>	<b>550</b>	<b>7,747</b>

### **Civil Cases Set for Trial**

<b>Month</b>	<b>2018</b>	<b>2017</b>
January	42	64
February	56	44
March	55	72
April	58	43
May	43	58
June	61	43
July	47	41
August	51	51
September	47	58
October	43	50
November	22	39
December	46	46
<b>TOTAL</b>	<b>571</b>	<b>609</b>

### **Civil Pretrials, Jury Trials and Jury Pretrials Set in 2018 and 2017**

<b>Civil Pretrials</b>		<b>Civil Juries Set</b>		<b>Civil Mandatory Jury Pretrials</b>	
<b>2018</b>	832	<b>2018</b>	10	<b>2018</b>	7
<b>2017</b>	1,193	<b>2017</b>	12	<b>2017</b>	6

### **Evictions Set**

<b>Month</b>	<b>2018</b>	<b>2017</b>
January	537	584
February	536	536
March	499	511
April	435	376
May	555	566
June	548	559
July	679	598
August	727	691
September	567	583
October	571	675
November	640	580
December	581	409
<b>TOTAL</b>	<b>6,875</b>	<b>6,668</b>

### **Rent Escrow Hearings**

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
<b>2018</b>	9	3	3	8	18	8	9	7	8	6	10	4	<b>93</b>
<b>2017</b>	13	11	13	12	5	8	12	5	7	10	8	7	<b>111</b>

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

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

**2018:** 28 cases  
**2017:** 5 cases

### **Criminal and Traffic Assignments**

Upon entering a plea of not guilty before a judge, the Assignment Office's computer program randomly assigns the case to a judge. Once a judge is assigned, all pretrials and trials are set within time limits set forth in Ohio Revised Code Section 2945.71 unless a defendant or his or her attorney waives time.

<b>Judge</b>	<b>2018</b>
Berling	2,809
Connelly	2,855
Howe	1,176
Khoury	2,840
Kuhlman	2,838
Lanzinger	2,841
Wagner	2,820
<b>TOTAL</b>	<b>18,179</b>

<b>Judge</b>	<b>2017</b>
Berling	2,746
Christiansen	2,746
Connelly	2,788
Kuhlman	2,794
Lanzinger	2,762
McConnell	1,060
Wagner	2,735
<b>TOTAL</b>	<b>17,631</b>

**Reactivated Cases (Sealing of Record/Expungements)****2018:** 953 cases**2017:** 880 cases**Criminal/Traffic Trial Reset Cases – 2018 and 2017****2018**

	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>TOTAL</b>
Berling	53	63	69	50	101	91	104	102	108	92	86	101	<b>1,020</b>
Connelly	91	64	81	94	103	95	92	90	79	126	75	93	<b>1,083</b>
Howe	17	10	24	11	12	13	8	32	26	31	28	28	<b>240</b>
Khoury	65	88	108	67	83	71	75	113	98	136	116	64	<b>1,084</b>
Kuhlman	49	60	74	56	66	83	64	57	83	72	42	46	<b>752</b>
Lanzinger	63	81	116	88	95	125	109	92	89	102	73	53	<b>1,086</b>
Wagner	64	61	87	65	96	70	91	111	68	76	67	64	<b>920</b>
<b>TOTAL</b>	<b>402</b>	<b>427</b>	<b>559</b>	<b>431</b>	<b>556</b>	<b>548</b>	<b>543</b>	<b>597</b>	<b>551</b>	<b>635</b>	<b>487</b>	<b>449</b>	<b>6,185</b>

**2017**

	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>TOTAL</b>
Berling	96	73	85	71	103	98	75	68	90	49	119	80	<b>1,007</b>
Christiansen	148	59	58	47	91	96	112	80	115	106	117	97	<b>1,126</b>
Connelly	83	59	64	75	58	64	50	64	75	93	70	67	<b>822</b>
Kuhlman	68	48	59	57	52	74	76	77	68	75	58	62	<b>774</b>
Lanzinger	85	63	72	30	71	80	88	78	80	68	67	48	<b>830</b>
McConnell	9	15	13	6	10	12	12	12	8	15	16	14	<b>142</b>
Wagner	78	88	97	75	87	136	82	82	81	95	80	66	<b>1,047</b>
<b>TOTAL</b>	<b>567</b>	<b>405</b>	<b>448</b>	<b>361</b>	<b>472</b>	<b>560</b>	<b>495</b>	<b>461</b>	<b>517</b>	<b>501</b>	<b>527</b>	<b>434</b>	<b>5,748</b>

**2018 Jury Trials - Criminal/Traffic and Civil**

Month	Criminal/ Traffic	Civil	Ordered	Used	No. of Jurors
January	10	1	0	0	0
February	7	0	0	0	0
March	11	0	1	1	25
April	7	2	0	0	0
May	6	1	0	0	0
June	1	3	1	1	30
July	7	0	0	0	0
August	4	1	1	1	23
September	2	0	1	1	30
October	7	1	1	1	29
November	4	1	0	0	0
December	4	0	1	0	34
<b>TOTAL</b>	<b>70</b>	<b>10</b>	<b>6</b>	<b>5</b>	<b>171</b>

**2017 Jury Trials - Criminal/Traffic and Civil**

Month	Criminal/ Traffic	Civil	Ordered	Used	No. of Jurors
January	9	0	0	0	0
February	8	1	1	1	32
March	6	2	0	0	0
April	4	2	2	1	72
May	5	0	2	2	48
June	7	0	1	1	27
July	8	0	1	1	20
August	6	2	3	2	92
September	5	1	1	1	27
October	9	0	3	2	103
November	5	0	2	2	39
December	3	0	0	0	0
<b>TOTAL</b>	<b>75</b>	<b>8</b>	<b>16</b>	<b>13</b>	<b>460</b>

**2018 Criminal/Traffic Trials: 7,693**

**2017 Criminal/Traffic Trials: 8,024**



## 2018 Criminal/Traffic Pretrials

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	TOTAL
<b>Berling</b>													
Set	34	53	49	44	49	37	53	54	44	42	34	38	531
Reset	9	11	19	9	22	16	17	18	11	17	6	15	170
MJPT*	1	0	0	0	0	0	0	1	0	1	0	0	3
<b>Connelly</b>													
Set	140	106	155	188	132	123	124	161	133	141	103	123	1,629
Reset	74	29	45	47	72	55	57	53	54	68	37	52	643
MJPT*	1	1	2	1	1	1	0	2	0	0	2	2	13
<b>Howe</b>													
Set	33	39	34	54	39	37	41	57	33	58	44	48	517
Reset	7	10	14	5	22	18	15	24	26	33	17	19	210
MJPT*	1	0	0	0	0	0	0	0	0	1	0	0	2
<b>Khoury</b>													
Set	151	133	119	161	133	131	138	139	111	143	116	101	1,576
Reset	43	32	40	20	24	34	24	29	33	24	18	23	344
MJPT*	1	1	1	1	0	0	0	1	0	2	0	0	7
<b>Kuhlman</b>													
Set	142	124	141	154	131	164	120	153	121	136	113	111	1,610
Reset	36	28	47	32	50	51	16	29	28	46	43	28	434
MJPT*	1	1	0	0	0	0	0	0	0	0	0	0	2
<b>Lanzinger</b>													
Set	141	116	182	164	135	140	135	139	139	152	127	105	1,675
Reset	51	52	31	52	60	52	42	38	25	38	26	42	509
MJPT*	0	0	1	2	1	0	3	1	1	1	0	1	111
<b>Wagner</b>													
Set	145	115	151	149	122	129	106	132	112	154	121	112	1,552
Reset	33	30	27	34	23	16	22	27	21	34	21	19	307
MJPT*	2	0	0	1	0	0	0	0	1	0	2	0	6

\*Mandatory Jury Pretrials

## 2017 Criminal/Traffic Pretrials

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	TOTAL
<b>Berling</b>													
Set	36	46	37	41	30	38	50	47	53	38	45	44	<b>505</b>
Reset	4	4	2	3	5	8	11	8	9	10	9	11	<b>89</b>
MJPT*	1	0	0	0	0	0	0	0	0	0	0	0	<b>1</b>
<b>Christiansen</b>													
Set	137	115	138	144	152	126	130	141	127	149	116	113	<b>1,588</b>
Reset	18	46	14	26	32	33	36	34	45	42	37	46	<b>409</b>
MJPT*	3	1	0	0	3	1	0	2	2	3	1	1	<b>17</b>
<b>Connelly</b>													
Set	157	111	141	129	170	143	112	140	133	131	114	118	<b>1,599</b>
Reset	38	37	21	29	43	63	48	61	45	52	56	28	<b>521</b>
MJPT*	0	1	1	1	0	0	1	2	0	1	0	0	<b>7</b>
<b>Kuhlman</b>													
Set	133	114	136	121	135	127	102	145	134	147	118	107	<b>1,519</b>
Reset	22	29	23	26	28	24	24	34	16	47	31	45	<b>349</b>
MJPT*	1	2	2	0	1	3	3	2	0	2	2	1	<b>19</b>
<b>Lanzinger</b>													
Set	152	125	136	137	139	135	112	125	127	156	116	115	<b>1,575</b>
Reset	18	22	31	22	22	37	17	16	39	35	38	36	<b>333</b>
MJPT*	2	2	1	2	0	1	1	1	3	2	1	0	<b>16</b>
<b>McConnell</b>													
Set	36	23	35	17	33	35	12	40	33	34	30	16	<b>344</b>
Reset	6	9	5	2	10	10	8	5	6	10	10	6	<b>87</b>
MJPT*	1	1	2	1	0	0	1	0	0	0	0	0	<b>6</b>
<b>Wagner</b>													
Set	119	142	128	135	150	118	126	157	116	135	127	109	<b>1,562</b>
Reset	13	19	20	11	28	38	21	21	28	25	36	13	<b>273</b>
MJPT*	1	2	2	2	1	2	2	1	1	1	1	1	<b>17</b>

\*Mandatory Jury Pretrials

### **2018 Criminal/Traffic Pretrials**

Total Pretrials Set: **9,090**  
 Total Pretrials Reset: **2,617**  
 Total Jury Pretrials: **61**

### **2017 Criminal/Traffic Pretrials**

Total Pretrials Set: **8,692**  
 Total Pretrials Reset: **2,062**  
 Total Jury Pretrials: **77**

**2018** Total of Criminal/Traffic trials, trial resets, pretrials, pretrial resets, jury trials, and jury pretrials: **25,718**

**2017** Total of Criminal/Traffic trials, trial resets, pretrials, pretrial resets, jury trials, and jury pretrials: **25,057**

## **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 Ohio Revised Code and local court rules.

The Civil Bailiff Department serves summonses, complaints, garnishments, subpoenas, and executes civil writs issued from the Court. The department supervises evictions and executes civil executions and replevins according to court order.

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

### **Accomplishments**

#### ***Increased Efficiency and Personal Safety***

In 2018, Judge Joseph J. Howe established the Civil Bailiff Subcommittee to work on objectives and projects of interest to the Civil Bailiff Department. These projects include increasing efficiency, improving staff safety, and enhancing staff identification when in the field. The committee consists of Judge Joseph J. Howe, Chairman, Judge William M. Connelly Jr., and Judge Nicole I. Khoury. The committee's first order of business was to review the civil bailiff radio policy. The Civil Bailiff Department, in collaboration with the Court Administrator's Office, the Toledo Police Department, and Communications Dispatch Department, developed a radio policy that the judges approved in late December. In 2019, civil bailiffs will be equipped with Toledo Police Department radios for use while working in the field.

#### ***Public Safety***

The Civil Bailiff Department continues its collaboration with the Lucas County Sheriff's Office by keeping the community free of prescription drugs. Civil bailiffs removed 418 unattended prescriptions found at the scene of court-ordered evictions. The collaboration between both departments provides an avenue for tenants to retrieve their prescription drugs at the Lucas County Sheriff's Office. This practice has kept prescription drugs off the street and provides an environmentally safer avenue for disposal.

The Civil Bailiff Department continues to collaborate with United Way of Greater Toledo and various other local community resource providers to provide assistance for some of the community's more vulnerable members that find themselves subject to eviction. On occasion, bailiffs suspect some of these individuals may require housing assistance. As a result, contact information is included on court summonses for tenants to contact United Way of Greater Toledo for assistance.

The Civil Bailiff Department, in conjunction with the Toledo Police Department K-9 Unit, executed 33 writs of replevin. Upon executing these writs, the Civil Bailiff Department returned property to owners as determined by the Court. These items ranged from household items to motor vehicles.

### ***Training***

The Civil Bailiff Department completed the following training to enhance professional development and increase public and personal safety:

- 4/17/18 Vicious Dog Safety conducted by Lucas County Canine Care and Control
- 5/10/18 Firearms Safety conducted by Toledo Police Department
- 5/31/18 Verbal De-Escalation conducted by Justice Clearinghouse Webinar
- 6/19/18 Self Defense and Aerosol Chemical Agent conducted by Total Self Defense of Toledo LLC
- 7/12/18 Gang Awareness and Street Drug Update conducted by Toledo Police Department Gang Task Force and Narcotics Units
- 12/14/18 Self Defense and Aerosol Chemical Agent conducted by Total Self Defense of Toledo LLC

### **Goals for 2019**

1. Execute the implementation plan for radios that will enhance civil bailiff safety with the Toledo Police Department and Communications Department;
2. Update the department's Prescription Drug Policy that enhances staff safety in the collection, storage, return, and destruction of prescription drugs found at court-ordered evictions while maintaining safe disposal practices for the community;
3. Develop and implement a Uniform Policy for the Civil Bailiff Department that improves identification and safety of civil bailiffs when in the field; and
4. Continue to provide training and tools to assist the department in executing its duties and functions at the highest quality, and producing an excellent standard of service to Toledo Municipal Court judges and staff, attorneys, and the community.

### **Staff Summary**

The following civil bailiffs made the above-mentioned accomplishments possible:

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

# CIVIL BAILIFF STATISTICS FOR 2018 AND 2017

	<u>2018</u>	<u>2017</u>
Bailiff Sale	0	0
Bench Warrants - Received	685	622
Creditor Bill	0	0
Garnishments	444	462
*Garnishments No Service	41	45
Garnishment - Mail Service (Notifying Defendants on Bank Attachments)	39	9
Landlord Complaints One Cause	5,908	4,506
*Landlord Complaints One Cause - No Service	549	187
Landlord Complaints Second Cause	6,194	7,236
*Landlord Complaints Second Cause - No Service	83	111
Notification	1	1
Paper Writs of Execution	0	15
Proceedings in Aid - Received	1,441	2,701
*Proceedings in Aid - No Service	886	1,747
Replevin Summons	62	44
Writs of Replevin	55	39
Subpoenas - Received	110	176
*Subpoenas - No Service	21	37
Summonses - Received	251	189
*Summonses - No Service	108	82
Writs of Execution	95	100
Writs of Restitution Set Out	3,092	3,173
Writs of Restitution Lock Out	71	61
Alias Writs of Restitution Set Out	744	861
Alias Writs of Restitution Lock Out	54	31
Plaintiff Notice of Action	3,163	3,234
Four Day Notice to Leave	3,163	3,234
<b>Total Civil Documents Processed</b>	<b>25,572</b>	<b>26,694</b>
<b>Evictions (Set Outs and Lock Outs) Scheduled</b>	<b>1,966</b>	<b>1,901</b>
<b>Evictions Executed</b>	<b>528</b>	<b>567</b>
<b>Lock Outs Executed</b>	<b>71</b>	<b>42</b>
Money Collected on Writs of Execution	\$27,406.63	\$22,238.74

\*Not included in the total count of civil documents processed

## **COURT REPORTERS**

Meredith Kurucz  
Administrative Assistant

### **Department Description**

The court reporters of Toledo Municipal Court are responsible for the production of verbatim stenographic records or transcripts of digital recordings of all court proceedings in the traffic, criminal, and civil branches of the Court. The court reporters also provide official transcripts of motions, arraignments, hearings, pleas, and waivers as directed.

Court transcripts are used either in further court proceedings, in civil lawsuits, or in trials which are appealed. For transcripts that are requested for cases that are appealed, court reporters must follow specific guidelines as set forth by the Ohio Rules of Appellate Procedure.

Exhibits that are submitted to the court during trials are retained until the appeal time of 40 days has elapsed. All stenographic notes, digital recordings, and exhibits not included with transcripts are retained for five years and are then destroyed pursuant to Toledo Municipal Court Rule 8.1.

### **2018 Department Highlights**

The Court Reporter Department experienced several changes in 2018. Judges C. Allen McConnell and Robert G. Christiansen both retired from Toledo Municipal Court. Court Reporters Lori Hauenstein and April Vickers were assigned to Judges McConnell and Christiansen. The retirement of both judges left the Court's two court reporters in unassigned positions.

In 2018, the Court enacted a new court reporter assignment policy to assign the court reporters to cover the magistrate docket in courtroom 9 on a weekly rotating basis. Small claims hearings are heard in courtroom 9 in the morning and forcible entry and detainer (FED) hearings are held in the afternoon. Due to the possibility of lengthy hearings and the number of rent escrow cases heard in this courtroom, it was concluded that the court reporters would cover this docket as transcripts of these hearings are often requested.

The court reporter not assigned to courtroom 9 during the week is available to assist the judges and the Court by covering jury trials, recording no-knock warrants, covering court proceedings in a courtroom in which the electronic recording system is not functioning, assisting attorneys and the public with transcript inquiries, and the production of requested transcripts.

Meredith Kurucz transitioned to the permanent position of Administrative Assistant in July 2018. Ms. Kurucz oversees the Court's two court reporters and the Court Reporter Department.

A total of 97 transcripts were requested during the year, 18 of which were required for appeals.

## **Goals for 2019**

1. To increase public and professional awareness of the Court Reporter Department's mission, activities, and services; and
2. To provide ongoing training and educational opportunities for the court reporters.

## **Staff Summary**

The Court Reporter Department consists of:

Meredith Kurucz, Administrative Assistant  
Lori Hauenstein, Court Reporter  
April Vickers, Court Reporter

## **LAW CLERK/BAILIFF**

Brittany Sharp-Goldsmith  
Chief Courtroom Bailiff

### **Department Description**

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

One law clerk is appointed by the judges to serve as the chief law clerk for a one-year term. On July 23, 2018, Brittany Sharp-Goldsmith was appointed by the judges to serve as chief law clerk. Her term will expire July 23, 2019.

### **Services Provided**

Although specific duties for this position vary by judge, in general, all law clerks have common courtroom responsibilities. Law clerks organize and coordinate the daily dockets for their judge, with the focus directed at coordinating docket activity and providing good service to the public and the agencies involved in the courtroom proceedings. Examples of the specific duties performed by a law clerk include: calling cases; posting entries; and communicating with prosecutors, public defenders, private attorneys, witnesses, jurors, and the various intra-court departments as well as working with deputy sheriffs regarding cases for defendants in custody.

A critical responsibility for law clerks is the completion of a monthly report for the cases assigned to their judge, as mandated in the Ohio Supreme Court Rules of Superintendence. This report categorizes or classifies cases by type, i.e. traffic, OVI, criminal, and civil, as well as the disposition of each case (i.e. no contest plea, dismissal, unavailability of defendant). The Ohio Supreme Court Individual Judge Monthly Report does not include cases that are terminated prior to being assigned to a judge; however, the law clerk to the Presiding Judge generates a report of the unassigned cases according to their categories and dispositions. Additionally, the monthly report makes a notation for any case designated as being overage.

Additionally, two law clerks continue to help their judges with specialized dockets. Judge Connelly's law clerk, Leslie Barker, provides support to the Veteran's Treatment Court docket. The Veteran's Treatment Court has steadily grown since its inception in 2015. Judge Kuhlman's law clerk, Taneka Lawson, assists with the monthly "Reentry Docket." This program assists ex-offenders returning to the community by resolving outstanding legal issues with Toledo Municipal Court.

### **2018 Retrospective**

The law clerks continued to utilize weekly reports from NORIS, which provided specific activity of pending cases to monitor their assigned judges' caseload by age and status. This quality control process has enabled the law clerks to further improve their management of the respective judges' caseload.



The law clerks have worked diligently to help support the court's transition of its electronic monitoring (EM) program from the regional jail to Lucas County Regional Court Services. They have also continued to work together to streamline traffic check-in and license procedures with the court's magistrates.

### **Goals for 2019**

The law clerks will continue to take a lead role in overseeing the management of their respective judges' assigned cases. The law clerks' goal for this arena remains the same as in prior years, process cases in a timely fashion to eliminate the possibility of overage cases. This goal applies to all assigned and unassigned cases. The law clerks will continue to strive to maintain a professional and courteous rapport with the public, while continuing to work with their assigned judges to manage jail populations and lower failure to appear rates.

Regular monthly meetings are held with the law clerks and court administrator for the purpose of addressing courtroom issues, information sharing, and brainstorming. These meetings have proven to be productive as many times new ideas for efficiency and quality of service are developed.

As 2018 drew to a close, we are without a research/courtroom 4 traffic clerk. The law clerks currently rotate coverage in courtroom 4 in the afternoon to cover traffic court during their courtroom 3 rotation.

### **Staff Summary**

There were several staffing changes in 2018. In June, 2018 Anne Eckhardt resigned her position as law clerk to Judge Nicole I. Khoury, and Morgan Coulter was hired as her replacement. Richie Frelin resigned his position in December and Taneka Lawson was hired as law clerk to Judge Timothy C. Kuhlman. Leslie Barker transferred from the research clerk/courtroom 4 traffic clerk to be Judge Connelly's law clerk.

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

Presiding Judge Joshua W. Lanzinger	Brittany Sharp-Goldsmith, Chief Law Clerk/Presiding Judge Law Clerk
Judge Amy J. Berling	Barbara Hinz
Judge William M. Connelly, Jr.	Leslie Barker
Judge Joseph J. Howe	Zoe Kuzdzal
Judge Nicole I. Khoury	Morgan Coulter
Judge Timothy C. Kuhlman	Taneka Lawson
Judge Michelle A. Wagner	Jennifer Kerman
Research Law Clerk	Unfilled
Part-Time Housing Research Clerk	Jenna Anthrop

## **CITIZENS DISPUTE SETTLEMENT PROGRAM**

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

### **Services Provided.**

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

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

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

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

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

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

The check resolution service was instituted in October 1993. Individuals or businesses wishing to file a criminal charge for bad checks are referred to the check resolution service before charges are filed. A

\$15.00 filing fee per each endorser (check writer) is paid by the complainant. The endorser is notified of the complaint and a mediation date is scheduled between the endorser and complainant. At the mediation, the endorser has the opportunity to reimburse the complainant the amount of the check plus the \$15.00 filing fee. If the check resolution service is not successful in resolving the matter, the Toledo Police Record Bureau is notified and a report is generated. The complainant is then referred to the City of Toledo Prosecutor's Office for criminal charge review. Check resolution service has a sub-component, collection mediation program that assists businesses in collecting a bad debt that is not in check form. The procedure follows the same method used in the check resolution service and requires a \$15.00 registration fee.

### **Accomplishments**

In 2018, the Citizens Dispute Settlement Program remained committed to providing Toledo Municipal Court and the community with excellence in mediation. This goal was reached through the Court's and CDSP's commitment to improvement and quality. In 2018, Senior Mediator James Petas remained on the Supreme Court of Ohio's Commission on Dispute Resolution and a board position on the Ohio Mediation Association. Additionally, CDSP accomplished the following:

- Susan Monro and James Petas participated in the Verbal De-Escalation and Communication webinar presented by the Center for Applied Behavioral Science.
- James Petas attended court-wide roundtables focusing on managerial topics and communication enhancement along with other Toledo Municipal Court managers.
- CDSP continued to implement and refine a fully electronic case referral system with the Toledo Municipal Clerk of Court.

CDSP and The University of Toledo College of Law continue to work together through the Civil Mediation Internship Program. CDSP also conducts training for graduating Toledo Police Officers and county emergency operators to provide education on the dynamics of mediation and how to access the service.

### **Goals for 2019**

The department remains committed to identifying and implementing further quality assurance measures in an effort to provide the court and public with the best possible mediation experience.

Towards that end, CDSP staff will be looking to attend impactful continuing education seminars in 2019.

CDSP staff will also continue the yearly evaluation survey to ensure that the public receives the best in mediation services.

In the past year, of the post-mediation evaluations collected, 97% were satisfied with the mediation process and would recommend it to others. Participant comments included, "the mediator was very professional. He listened and we came to a middle ground, something we could not do ourselves" and "the entire mediation process eased my anxiety about the situation greatly."

## **Staff Summary**

The Citizen Dispute staff consists of Senior Mediator James Petas, Court Mediator Susan Monro, and Intake Secretary Susan Padilla.

Statistics for 2018, with statistics from 2017 for comparison, are provided below.

	<b><u>2018</u></b>	<b><u>2017</u></b>
<b><u>Type of Case</u></b>	<b><u>Success Rate</u></b>	
Civil Cases	75%	82%
Adjudicated	80%	88%
Pre-Adjudicated	85%	86%
Housing – Rent Escrow	73%	67%
Housing – FED	74%	80%
Small Claims	63%	62%
<b><u>Dispute Resolution – Case Types Referred</u></b>		
Assault	64	57
Menacing	35	37
Criminal Damage	84	70
Theft	78	74
Harassment	6	2
Neighborhood Dispute	24	11
Telephone Harassment	6	11
Criminal Trespassing	6	8
Landlord/Tenant	36	47
Stalking	2	0
Other	112	120
<b><u>Civil Case Mediation Results</u></b>		
Total Referred	353	126
Mediation: Agreement	196	84
No Agreement	65	18
CDSP Involvement/No Mediation	69	16
Pending	23	8
Mediation Agreement %	75%	82%
<b><u>Adjudicated Case Mediation Results</u></b>		
Total Referred	132	129
Mediation: Agreement	61	73
No Agreement	15	10
FTA to Notice	24	16
CDSP Involvement/No Mediation	21	18
Pending	11	11
Mediation Agreement %	80%	88%

	<b><u>2018</u></b>	<b><u>2017</u></b>
<b><u>Pre-Adjudicated Mediations</u></b>		
Total Referred	321	309
Mediation: Agreement	73	88
No Agreement	12	14
FTA to Notice	136	114
CDSP Involvement/No Mediation	70	67
Make File Only	27	20
Pending	3	6
Mediation Agreement %	85%	86%
<b><u>Housing Mediations – Rent Escrow</u></b>		
Total Referred	120	115
Mediation: Agreement	44	41
No Agreement	16	20
FTA to Notice	16	16
CDSP Involvement/No Mediation	37	26
Pending	4	1
Mediation Agreement %	73%	67%
<b><u>Housing Mediations – FED</u></b>		
Total Referred	204	251
Mediation: Agreement	151	201
No Agreement	53	50
Mediation Agreement %	74%	80%
<b><u>Small Claims/Same Day Mediations</u></b>		
Total Referred	130	140
Mediation: Agreement	82	87
No Agreement	48	48
Mediation Agreement %	63%	62%
<b><u>Check Resolution Mediations (CRS)</u></b>		
Total Referred	402	170
Funds Generated	\$6,030.00	\$2,550.00
Collection Mediations	0	0
<b><u>Total Number of Cases Referred</u></b>		
(Minus CRS)	1,260	1,069

## **PROBATION**

Kevin Alore  
Acting Chief Probation Officer

### **Department Description**

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

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

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

The overall management of the department as well as the daily operations are under the direction of Assistant Chief Probation Officer Kevin Alore.

In 2018, Quality Assurance Manager Jennifer Friddell oversaw the review of 627 case file audits and 55 direct observation audits on open probation cases throughout the year. Additionally, 336 closed file audits were conducted that provided assurance that the Probation Department's filing system adheres to established standards.

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

Unit Supervisor Laura Berling supervises the PSI and the Clerical Units. The Supervision Units are supervised by Unit Supervisor Mark Klapper and Unit Supervisor Maria Tomlin, who was promoted in July 2018 to the position of Probation Unit Supervisor. The Special Services/Intake Unit is supervised by Unit Supervisor Lori Donovan.

Unit Supervisor Laura Berling supervises three professional staff in the PSI Unit. This unit is responsible for pre-sentence investigations and motion to seal cases. There are three Investigating Probation Officers: Sean O'Connor, Andrew Oberdier, and Eddie Norrils. These investigators are responsible for completing all pre-sentence investigation (PSI) reports and record check referrals for the department. This unit is also responsible for completing investigations on motion to seal requests filed in the Court. The unit also conducts investigations to assist the Court in determining restitution amounts.

Ms. Berling also supervises the Clerical Unit which provides secretarial and support services for the Probation Department. These services include greeting the public, collecting restitution payments, filing and delivering probation files to courtrooms, and processing incoming cases. The unit consists of Mary Baker, Idell Daniels, Robin Majewski, Jennifer Caris, and Tiffaney Wasserman.

Probation supervision is a court-ordered sanction that is placed on a person convicted of a crime. This type of supervision is an alternative to jail and allows the offender to remain in the community under the supervision of a probation officer. Supervising probation officers complete risk assessments, case plans, make social service referrals, monitor drug screens, conduct record checks, and enforce the orders of the Court. Significant violations are reported to the assigned judge for further disposition. Probation officers also use a Graduated Sanction Policy to enforce conditions of the Court that may not warrant immediate notification to the judge.

The Supervision Unit is comprised of probation officers who supervise high-risk, moderate-risk or low-risk offenders. Unit Supervisor Mark Klapper manages six probation officers who supervise high-risk offenders. These probation officers are Markus Whitehead, Melissa Stasa, Allie Popovich, Rachel Borders, Kim Beale, and Chris Giwa. The average high-risk caseload is 130 offenders per probation officer. Maria Ford manages five probation officers who supervise moderate and low-risk offenders. These probation officers are Lewis Simpson, Chavon Price, Daniel Ford, Megan Stevens, and La'Tarsha Cook. The average moderate and low-risk supervision caseload is 237 offenders per probation officer. Daniel Ford was promoted to the position of a probation officer in August 2018 and Ms. Chavon Price joined the Probation Department in September 2018. The supervision of kiosk offenders is also part of the moderate-risk unit. Gary Colton is the community sanction (CS) officer. This position is funded by the Community Corrections Act (CCA) Grant from the Ohio Department of Rehabilitation and Correction. Mr. Colton monitors the Kiosk Reporting Project, which is an evidence-based kiosk reporting program available to low-risk offenders who meet certain criteria. At the end of 2018, there are five vacancies within the two supervision units, two in the high-risk supervision unit and three in the moderate-risk supervision unit.

The Intensive Supervision Program (ISP) is currently managed by Probation Officer Melissa Stasa. ISP is a jail diversion program for high-risk offenders. This position and related programming are also funded by the Community Corrections Act (CCA) Grant from the Ohio Department of Rehabilitation and Correction. Supervision for offenders in ISP is short in length, averaging approximately six months, and intensive. Offenders must follow strict conditions such as drug testing, treatment, and reporting as often as two times per week. After completing ISP, offenders are transferred to an active probation caseload for the remainder of their sentence. This grant also provides \$126,611.00 for drug and alcohol treatment services for standard probation offenders who cannot pay for treatment. The grant also funds the Kiosk Reporting Project that is available for low-risk offenders. Eligible offenders can report to their probation officer at one of six kiosk stations available within Lucas County. In 2018, an additional kiosk unit was placed at the Sylvania Police Department and another unit was relocated to the Toledo Police Department Safety Building.

The Probation Department also received Probation Improvement and Incentive Grant funds from the Ohio Department of Rehabilitation and Corrections in the amount of \$1.1 million for a two-year period in 2017. In December 2017, the Probation Improvement and Incentive Grant was transitioned into the Justice Reinvestment Incentive Grant and provided funding for substance abuse, domestic violence, and employment services to high-risk offenders as well as residential treatment services for 60 days through the Court's RAD (Regional Addiction Diversion) Program that allows offenders from Toledo Municipal Court, Maumee Municipal Court, Oregon Municipal Court, and Sylvania Municipal Court to receive intensive residential substance abuse treatment at the Correctional Treatment Facility.



Unit Supervisor Lori Donovan supervises court services specialists in the Special Services/Intake Unit. Specialized caseloads include the License Intervention Program, Alternatives, and the Community Service Probation Program (CSPP). This department consists of one license intervention specialist and six court services specialists. Court services specialists provide a variety of services within the Probation Department including completing intake services and staffing specialized programs within the department such as community service and the Alternatives Program. The court services specialists within this unit are Debra Neal, RoShona Perkins, Ashley Boles, Darryl Myles, and Adriana McCord. At the end of 2018, there was one vacant court services specialist position.

Lisa Kuebler is the Probation Department's license intervention specialist. Ms. Kuebler educates drivers about their license status as well as coordinates limited driving privileges, reinstatement fee payment plans, and vehicle immobilizations.

The Alternatives Program assists eligible first-time offenders avoid formal conviction. Offenders are held accountable for their actions through a series of individual, classroom, or e-course sessions. Each session discusses making good choices and staying out of trouble. Participants who do not incur any additional charges or complaints and complete the program are granted a one-time case dismissal and sealing of their record. The Alternatives Program is staffed by two court services specialists, RoShona Perkins, and Debra Neal, who handle all referrals and teaching forums for the program.

Darryl Myles and Adriana McCord are court services specialists who specialize in monitoring the Community Service Program. 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 and holds offenders accountable for their criminal behavior.

Four court services specialists conduct all initial ORAS assessments to determine risk to re-offend and probation officer assignment. The court services specialists also process all cases that have a term of active or inactive probation. Additionally, the four court services specialists also manage those individuals who have been placed on inactive probation. Individuals on inactive probation are not required to report to probation. Inactive cases are monitored to ensure the Court is notified if new offenses are committed. Court services specialists who provide these intake services are Debra Neal, Ashley Boles, and RoShona Perkins.

### **Accomplishments**

Throughout 2018, the Probation Department focused on enhancing officer skills in evidence-based practices through both internal and external training. Staff began participating in EBP BriefCASE training designed to enhance and build their skill set in evidence-based practices. The course consists of 18 sessions and is facilitated by the Probation Department's management team. Additionally, in 2018 two probation officers, Unit Supervisor Maria Tomlin and Probation Officer Rachel Borders were selected to participate in advanced motivational interviewing training through the Supreme Court of Ohio in Columbus. Ms. Tomlin and Ms. Borders will be able to share the advanced skills they learned by providing training and assistance in motivational interviewing with other officers within the Probation Department.

The Probation Department also participated in activities as part of the Safety and Justice Challenge: Strategy #5. The regional collaboration included regular meetings with chief probation officers from municipal and common pleas courts in Lucas County as well as regular QA meetings with the Lucas County and Juvenile Probation Departments.

Supervision fee expenditures included confidential shredding services; kiosk maintenance, general office supplies, case management software maintenance fees, video licensing agreements, Alternative Program supplies, professional memberships and dues, and staff training.

### **Staff Summary**

As of December 31, 2018, there are 32 staff positions in the Probation Department: One assistant chief probation officer, one quality assurance manager, four unit supervisors, 15 probation officers, five court services specialists, one license intervention specialist, and five probation secretaries. The Probation Department currently has seven unfilled positions: five probation officer positions, one court services specialist position, and one secretarial position.

### **2019 Goals**

1. Enhancing new hire training standards;
2. Updating the Alternatives Program curriculum; and
3. Continued training of staff to include cross training to provide optimal coverage of duties.

**PROBATION DEPARTMENT  
YEAR-END STATISTICAL REPORT**

	# OF CLIENTS 2018	# OF CASES 2018	# OF CLIENTS 2017	# OF CASES 2017
<b>Referrals to Probation</b>				
Traffic	3,953	7,319	3,610	8,756
Criminal	3,838	6,746	4,384	7,563
<b>Total Referrals to Probation</b>	<b>7,791</b>	<b>6,746</b>	<b>7,994</b>	<b>16,319</b>
<b>Offenders on Probation</b>				
Active Probation	2,442	2,907	3,289	4,141
Inactive Probation	1,644	1,771	1,874	2,141
Referral Monitor	75	82	105	115
<b>Total Defendants Placed on Probation</b>	<b>4,161</b>	<b>4,760</b>	<b>5,268</b>	<b>6,397</b>
<b>Total Probation Violations Requested</b>	1,851*	3,126*	1,900*	3,225*
<b>Defendants Released or Terminated from Probation</b>	3,055	**	3,498	**
<b>Presentence Referrals Requested</b>	579	592	626	641
<b>Motions to Seal</b>	443	959	433	937
<b>EMU Referrals</b>	192	212	265	326
<b>DIP Referrals</b>	1,088	1,097	1,169	1,173

\*Includes probation violation waaivers requested by officers

\*\*Current data available only per client; unavailable by case

	# OF CLIENTS 2018	# OF CASES 2018	# OF CLIENTS 2017	# OF CASES 2017
<b>CSPP Program</b>				
Total CSPP Referrals	1,809	3,138	2,357	4,478
Insurance Fees Collected on CSPP Cases	\$3,985		\$1,872	
Total CSPP Hours Ordered	85,667		102,012	
Total CSPP Hours Completed	28,041		19,029	
<b>LIS Program</b>				
Vehicle Release	45	45	73	74
LIS (RED Referrals)	1,135	1,231	1,114	1,240
Immobilizations	109	112	152	153
Driving Privileges	340	429	358	419
General LIS Inquiries (Walk In Clients)	554		980	
<b>Total LIS Program</b>	<b>2,183</b>	<b>1,817</b>	<b>2,677</b>	<b>1,886</b>
<b>Alternatives Program</b>				
Total Program Referrals	409	412	366	367
Successful (Sealed)	211	211	208	208
Unsuccessful	81	82	4	74
<b>Regional Court Referrals</b>				
Bowling Green	0		0	
Sylvania	0		1	
Maumee	0		0	
Oregon	0		0	
Perrysburg	11		16	
Berea	0		0	
Portage	0		0	
Other	0		0	
<b>Total Regional Court Referrals</b>	<b>11</b>		<b>17</b>	
<b>Financial Information</b>				
Restitution Collected	\$88,903.13		\$101,931.63	
Surcharge Collected	\$9,727.24		\$3,983.11	
<b>Total Collected</b>	<b>\$98,630.37</b>		<b>\$105,914.74</b>	

## **HOUSING AND ENVIRONMENTAL COURT**

Judge Joseph J. Howe  
Housing and Environmental Court Judge

### **Department Description**

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

The Housing Court has both criminal and civil dockets. The criminal docket of Housing Court hears cases involving alleged violations of the Toledo Municipal Code Chapters 11, 13, 15 and 17 (planning and zoning, building, fire prevention, and health codes). Defendants appear before the Court after charges have been brought by the City of Toledo Health, Neighborhoods, and Inspection Departments seeking to enforce zoning, building, health, safety, and nuisance abatement codes. In addition, cases involving house stripping, fire prevention, dumping, littering, smoking violations, fishing violations, watercraft violations, and manufactured homes pursuant to new legislation codes (Ohio Revised Code Section 1923.02) are assigned to the Environmental Court docket. The weekly docket may be viewed on the Housing Court's website at [toledohousingcourt.org](http://toledohousingcourt.org).

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

The Housing Court magistrate selectively refers rent escrow cases with allegations of unfit conditions 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, a housing specialist 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.

### **History of the Court**

The Toledo Municipal Housing and Environmental Court celebrated its 30<sup>th</sup> anniversary in 2017. Judge Judith Ann Lanzinger was appointed on April 1, 1987, to serve as interim Housing Judge. In 1988 Judge J. Ronald Bowman was installed as the Court's first-elected Housing Court Judge. Judge Roger R. Weiher was then appointed on July 7, 1989, to fill the vacancy created by the appointment of Judge Bowman to the Lucas County Court of Common Pleas.

On January 6, 2000, Judge C. Allen McConnell was sworn-in as the Housing and Environmental Court Judge to fill the vacancy created by the retirement of Judge Roger R. Weiher. Judge McConnell retired on December 31, 2017, after serving three terms.

Judge Joseph J. Howe was elected in 2017 and sworn-in to serve as the fifth Housing and Environmental Court Judge beginning January 2018. Judge Howe has a staff that includes a senior housing specialist, two housing specialists, a law clerk, and a part-time research intern.

### **Year in Review-Overview**

In 2018, 1,203 criminal nuisance citations were filed in Housing Court, a marked increase from the previous year. Bench warrants are issued for those that fail to appear for court. Many of those defendants are absentee landlords and/or out-of-state owners. In some bench warrant cases where the defendant resides within the City of Toledo or Lucas County, the Court's Warrant Enforcement Unit makes every effort to serve the warrant and arrest the individual. The defendant is then immediately brought to Toledo Municipal Court for appearance.

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

The Community Control Program gives Housing Court defendants the opportunity to correct housing violations in cooperation with Housing Court personnel. Alternative sentencing programs work through mutual cooperation. However, participants must be mindful that the Court can impose the original sentence if the participant fails to meet his or her obligations as directed.

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

There were 6,875 eviction cases and 93 rent escrow cases filed in 2018. A Housing Court magistrate hears all first causes of action in FED cases, as well as rent escrow cases wherein tenants deposit rent into an escrow account with the Court because of a dispute with the landlord. The magistrate's orders are submitted to the Housing Court Judge for approval. Any objections to the orders of the magistrate are referred to the Housing Court Judge for decision or hearing. The majority of the second causes of action (money damages) are heard by the Housing Court Judge.

### **2018 Accomplishments and Goals for 2019**

In 2018, Judge Howe and the senior housing specialist gained access and training for City Works, the app used by the Department of Neighborhoods Code Enforcement. This app allows direct access to inspector notes, photos, and the history of Engage Toledo complaints about properties throughout the city.

This past year three homeowners cited for nuisance properties were recipients of repair assistance through the Code Violation Abatement Program (CVAP). The City of Toledo Department of Neighborhoods administers the grant program, with the Housing Court solely a referral source. While dozens of referrals have been made to the city program, only a few have met all grant qualifications. The most common disqualifications include the property owner's inability to obtain homeowner's insurance, delinquent taxes, and the cost of required repairs exceeding the maximum grant award.

The housing specialists attended training including Verbal De-Escalation, Street Drug Awareness and Gang Awareness Training, Self-Defense, and Aerosol Chemical Training.

In 2019, Judge Joseph J. Howe and his staff will seek new community partnerships to secure resources for owner occupants that are brought before the Court and strengthen existing relationships. The housing specialists will continue to offer their decades of housing expertise to assist litigants in gaining compliance with city code.

### **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.

### **Staff Summary**

The 2018 Housing Court staff consists of Judge Joseph J. Howe, Magistrate Alan J. Michalak, Standby Magistrates Christopher Hohenberger, Catherine Hoolahan, Rebecca K. Ligibel, and James E. Morgan, Senior Housing Specialist Barbara Falls, Housing Specialist Larry A. Cardwell, Housing Specialist Robert Krompak, Deputy Lorraine Walker, Law Clerk Zoe Kuzdzal, Part-Time Research Intern Jenna Anthop, and Temporary Judges' Secretary Amber Kiss (January-August 2018).