

TOLEDO MUNICIPAL COURT

ANNUAL REPORT 2020

TOLEDO MUNICIPAL COURT

555 N. Erie Street
Toledo, Ohio 43604

William M. Connelly, Jr.
Presiding Judge

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On behalf of the Toledo Municipal Court, and as the current Presiding Judge for the Court, I am pleased to present to you our annual report for calendar year 2020 as required by statute. 2020 was a unique year.

For over 100 years, this Court developed processes and procedures for meeting the needs of Washington Township, the Village of Ottawa Hills and the City of Toledo. In the blink of an eye, we had to re-imagine how we could best meet the needs of the community and TMC employees. We adapted. We innovated. As we addressed the crisis we focused on continuing the critical mission that this Court is entrusted to fulfill and protect the people who were required to enter our building as victims, witnesses, and defendants as well as the staff who are here daily to fulfill our mission. We instituted many safety protocols and were very aggressive with contract tracing.

Despite these significant challenges I hope that you will find within this report significant reassurance that we have been able to meet the community's needs. I remain incredibly grateful to the Court personnel whose agility and dedication made our accomplishments possible. Like your favorite sports team, you really don't know how good they are until it faces adversity or a worthy opponent. I'm very proud to have witnessed our TMC team's ability to meet the challenges of 2020.

Respectfully,

A handwritten signature in blue ink, appearing to read 'W M Connelly', is written over a faint, light blue circular watermark.

William M. Connelly, Jr.
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. Timothy C. Kuhlman was elected to a second one-year term as the presiding/administrative judge in 2020. Judge William M. Connelly, Jr. served as the acting presiding/administrative judge for a one-year term beginning January 1, 2020.

COVID-19

On March 9, 2020 Ohio Governor Mike DeWine issued Executive Order 2020-01D and declared a state of emergency due to the dangers associated with the COVID-19 virus. Toledo Municipal Court began limiting court operations on March 11th and on March 15th issued an order declaring a judicial emergency.

Initial Response

Initially, the court extended the deadline for the payment of fines and costs by 90 days, beginning on March 9th. In addition, the court restricted entry into the building to those with scheduled events. All court dates for civil matters were vacated and re-set to dates after June 1, 2020. Garnishment cases where the defendant had submitted to the court a hearing request had existing garnishments stayed. Duties Court was only available to address warrants. The court also permitted the filing of emergency motions via email for individuals impacted by COVID-19 so they could expedite consideration of such motions. On March 16th, the court, by emergency order, modified personnel policies to permit staff affected by COVID-19 to maximize access to leave in order to encourage strict adherence to the court's daily health assessment policies.

Temporary Restriction of All Operations

On March 17th, the Toledo Municipal Court closed to the public and canceled all proceedings except criminal arraignments and criminal cases involving a human victim.¹ Traffic arraignments were canceled and reset to after June 1st. In-person probation reporting was converted to telephone reporting. On March 19th, the court further reduced operations and limited operations to arraignments and other events for defendants held in pretrial custody. This change was effective through May 4th. The court created an emergency petition that could be filed via email to expedite a hearing that would otherwise be postponed. This petition could be filed by the defense or prosecution, or by an alleged victim. In addition, Housing Court entertained motions from landlords for emergency evictions on a case-by-case basis.

The March 9th order staying the payment of fines, fees, and costs was extended again on April 29th. On March 29th, the Clerk of Court was authorized to issue an additional stay of 90 days to any defendant who made a payment of \$25 toward pending fines, fees, and costs. In addition, the Clerk's Office was directed to remove any vehicle registration block upon payment of 25% of the total fines, fees, and costs owed on all cases and issue a stay of six months on the entire remaining balance owed.

Beginning April 28th, the court required face coverings for employees and all individuals seeking access to the court building. The court began marking spacing within the building in order to achieve the required social distancing of six feet between each individual. Where six feet could not be achieved, the court installed physical barriers in public and staff areas. The court also used signage and stanchions to implement the required social distancing protocols.

From March 19th until May 18th, the Toledo Municipal Court closed to the public and canceled all proceedings except criminal arraignments for in-custody defendants. The court began to re-open in stages on May 18, 2020. Beginning May 18th, the court scheduled and heard CRA (felony), CRB (criminal), and TRC (operating under the influence) cases. Duties Court was conducted but limited to warrants only. All other matters were addressed through written motion. Entry into the building was restricted to those having a scheduled appearance in court. Cases were scheduled on a staggered basis, with each judge setting maximum caps based on their courtroom size.

On June 1st, the court re-opened to hearings on civil cases, including housing and small claims. In addition, individuals seeking to pay fines and costs or file matters in person were permitted entry into the building. On July 1st, the court re-opened to hearings on traffic (TRD) cases.

Court Pandemic Staffing

On March 18th, the court created a modified staffing plan to designate staff as either required or non-required under the reduced operations. Under this plan, 44 staff positions were deemed required. This permitted the court to rotate staff and ensure continued coverage even if the number of staff available decreased due to quarantine or isolation. On March 26th, the modified staffing plan was updated and required staffing was reduced to 32 staff positions. Because of the workload associated with resetting cases, and

¹ Domestic Violence, Assault, Child Endangering, Child Enticement, Aggravated Menacing, Unlawful Restraint, Menacing, Violations of TPO, Telephone Harassment, Vehicular Homicide and any attempt, complicity or conspiracy to commit any of the forgoing offenses. Any Sexually Oriented Offenses, including Attempted Importuning, Sexual Imposition, Unlawful Sexual Conduct with a Minor, and Voyeurism, Attempted Illegal use of a Minor in Nudity Oriented Material or Performance, Attempted Child Enticement with Sexual Motivation, Attempted Pandering Obscenity, Menacing by Stalking with Sexual Motivation, Unlawful Restraint with Sexual Motivation, and any attempt, complicity or conspiracy to commit any of the forgoing offenses.

severely reduced staffing in the Court Services Department, two small claims assistants were appointed as acting court services specialists to keep up with the workload. The COVID-19 pandemic required the court to implement additional safety protocols to keep staff and court users safe. A full-time day porter was hired in April to address the additional sanitation requirements that followed with the onset of COVID-19.

With reduced dockets and minimal staff reporting to work under the March 18th staffing plan, the court began a robust virtual training program. Spearheaded by the court's administrative assistant, each week had a training theme and a webinar schedule. Figure 1 below contains the themes and training covered each week. Trainings were a range of webinars, TED Talks, articles, and reflection questions. Managers facilitated check-in and discussions around the weekly topics. In total, this program resulted in 2,783 hours of staff training.

Week One	Week Two	Week Three	Week Four	Week Five	Week Six
<i>Intro to The Purposes of Courts</i>	<i>Public Trust and Confidence</i>	<i>Special Populations</i>	<i>Working on Your Work Skills</i>	<i>Stress, Resiliency, Self-Care</i>	<i>Mindsets</i>
The Purposes of Courts	The Purposes of Courts	Mental Illness	The Purposes of Courts	The Purposes of Courts	Fixed and Growth Mindsets
Legal Info v. Legal Advice	Customer Service	Human Trafficking	Business Writing	Self-Care	Becoming Accountable
Court Security	Building Trust	Veterans	Becoming a Great Listener	Optimize Life Balance	Self-Improve for Life Success
	Building a Culture of Justice	Developmental Disabilities	Choosing and Using the Best Solutions	Resiliency	Uncover and Use Your Skill & Talent
	Public Trust and Confidence	Addiction and Trauma	Avoid Procrastination	Creating a Positive Attitude	Change Your Mindset: Getting Stuck in Negatives

Figure 1

On April 17th, the court modified its staffing plan to reduce spending in anticipation of the city's reduced revenue associated with the state's stay-at-home order. Staff holding positions deemed non-required were placed on temporary, unpaid emergency leave (TEL). Staff placed on TEL returned to work on May 18th. All other staff, with the exception of the part-time security staff manning the court's front entry, was required to take 10 mandatory furlough days, at the rate of one day per pay period. Due to anticipated increased workloads caused by the court's reduced operations, the court permitted staff to carry over vacation time earned in 2020 in excess of the maximum balances established under Chapter 2134 of the Toledo Municipal Code. Carry-overs were required to be used in 2021 and would not be paid out as vacation in the event of termination of employment, but converted into sick leave in accordance with Toledo Municipal Code Section 2134.43 (h).

Budgetary Impacts

Anticipation of the city's reduced revenue led the court to voluntarily reduce the approved 2020 budget. Expenditures for some court projects and activities were delayed or revised. These modifications to court operations saved \$425,000 in labor costs and \$167,000 in non-labor costs for a total savings of almost \$600,000. Throughout 2020, the court remained diligent regarding reducing expenditures and purchases. The court was able to save an additional \$348,000 in labor costs and \$400,000 in non-labor expenditures.

Year in Review - Overview

The court remains dedicated to criminal justice reform. The court continued referring defendants to the MacArthur Diversion Program, developed for an underserved population. The program targets alternative resolution for cases related to drug possession, disorderly conduct, and obstructing official business. The diversion program specifically targets repeat, low-level misdemeanor offenders. Individuals can be referred to the program more than once. Upon successful completion of the educational diversion program, an individual's case is dismissed without the individual needing to return to court. The COVID-19 pandemic affected the number of referrals to the program. A proposed plan for the Access to Justice Lab at Harvard Law School to study the MacArthur Diversion Program was placed on hold during the COVID-19 pandemic. In 2020, 352 individuals were referred to the program and 65% of those individuals completed the program. Sign-up for the program is web-based and can occur from a kiosk located in the court or from any computer or mobile device.

In 2020 the court purchased and installed a new security camera surveillance system. The new system includes high definition monitors with real-time surveillance capabilities and a state-of-the-art server for video storage and retrieval of archived footage. The court also partnered with the Toledo Municipal Clerk of Court to implement the RAVE emergency notification system. The system allows court staff to be notified by text message or email of emergency or alert information.

The Veteran's Treatment Court (VTC) completed its sixth year in 2020. 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. presides over the Veteran's Treatment Court. The court saw a decrease in VTC participation due to a multitude of factors, most significantly the impact of COVID-19. The court is evaluating processes to ensure that every eligible veteran is given the opportunity to access the benefits of specialized treatment through the VTC.

CourTools

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

Technology

The court's information technology officer is responsible for maintaining the court's information and technology needs. In 2020, the court upgraded multiple applications and services to improve the efficiency of overall court operations. The court continued to partner with the Clerk of Court and Northwest Ohio Regional Information System (NORIS) to implement further operational efficiencies. Major initiatives completed in 2020 were included the replacement of audio and video recorders on six JAVS systems. The JAVS system is critical and used in each courtroom to accurately record court proceedings. JAVS recordings are used in lieu of a court reporter. The COVID-19 pandemic required the court to establish reliable video conferencing capabilities to the Lucas County Jail. This allowed the court to conduct arraignments of people in custody without the need to transport defendants to in-person court appearances. The court purchased and implemented video conferencing tools that allowed staff and stakeholders to meet virtually. Video conferencing capabilities were upgraded in two courtrooms to allow for the integration of WebEx-based meetings and recording of court proceedings using JAVS equipment. This technology upgrade allowed the court to conduct hearings without parties and/or the judge being physically present in the courthouse. In 2020, the information technology officer oversaw the replacement of 20 computers and tablets.

Professional Development

In addition to the virtual training program implemented during the court's pandemic staffing plan, the commitment to continuing education and development continued throughout 2020. A total of 95 Judges' Division employees completed 2.25 hours of an Implicit Bias webinar and 10 employees completed Bridges Out of Poverty training in a virtual classroom setting. In total, Judges' Division staff completed 4,449.5 training and continuing education hours in 2020.

Prior to the pandemic, the Court Administrator's Office facilitated two roundtable discussions with supervisors and department heads in regards to evaluation, goal setting, and communication. The court's collaboration with Lucas County Human Resources kicked-off the new Leaders Emerging and Developing (L.E.A.D) Program with five Judges' Division participants and six staff from area criminal justice stakeholders. COVID-19 restrictions suspended the program for most of 2020.

Administrative Support Services

The Court Administrator's Office provides a variety of support for the administration of court policy and personnel. In 2020, Local Court Rules 11 and 21 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 18 external and one internal job postings and conducted 71 applicant interviews. The court appointed four internal employees to new positions within the Judges' Division and one employee moved from a part-time position to a full-time position. Four employees were appointed to "acting" positions.

The Court Administrator's Office processed 30 FMLA packets. In addition, four formal investigations were conducted. The court administrator received no grievances this year under the court's Employee Grievance Program. The Court Administrator's Office provided support to departments in numerous personnel actions that ranged from coaching to written counseling.

Several building improvement projects were completed during the year. Office space on the fourth floor was redesigned and the Civil Legal Aid Society (CLAS) program was relocated from the second floor to new accommodations adjacent to the Citizens Dispute Settlement Program. A new alcove was built as part of a small expansion project for the Civil Bailiff Department. New carpet was installed in the probation offices in the basement and on the first floor. The City of Toledo Facilities continues to remove wallpaper throughout the courthouse and update the main hallways with painted surfaces.

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 one group tour to high school students during 2020. Several others were scheduled but later canceled due to the COVID-19 pandemic. The court also hosted the Toledo Bar Association's High School Mock Trial Competition on January 17, 2020.

The court administrator is an appointed member of the Lucas County Community Corrections Planning Board as well as a member of a number of other working groups and committees.

Toledo Municipal Court judges performed 245 weddings this year. This number was unprecedented and a dramatic increase from the 26 weddings performed in 2019.

The Coming Year

New scheduling software is planned for the Court Services Department. The court continues to focus on space utilization. Renovation of the Court Services Department to accommodate enhanced duties and additional staff is also planned. The court anticipates continued collaboration with the Access to Justice Lab at Harvard Law School to study the effectiveness of the court's MacArthur Diversion Program.

Staff training and development remain important and the Court Administrator's Office will seek to develop a comprehensive three to five-year training plan for Judges' Division staff.

The court anticipates filling the positions of civil bailiff commissioner, human resource officer, information technology specialist, research law clerk, judges' secretary, and probation secretary.

Staffing

The Court Administrator's Office staff includes:

Court Administrator Lisa Falgiano
Deputy Court Administrator Burma Stewart
Human Resource Officer Tammy Harris
Information Technology Officer Terry Koluch
Building Operations Chief Thomas Wiegand
Finance Officer Robert Disbrow
Bookkeeper/Payroll Clerk Vanessa Williams
Administrative Assistant Meredith Kurucz
Judges' Secretary Joan Kelly
Judges' Secretary Kate McManus
Acting Judges' Secretary Salma Bdeiri

**TOLEDO MUNICIPAL COURT
TRUST FUND REPORTING
January – December 2020**

Computer Legal Research 3T03013STDSTD 2020 Annual Statement of Expenditures	
<i>Court Research</i>	
Online Legal Research and Printed Material (Westlaw)	\$16,690.83
Total Expenditures	\$16,690.83

Alternate Dispute Resolution (Mediation) Trust Fund 3T03028STDSTD 2020 Annual Statement of Expenditures	
<i>Supplies/Equipment</i>	
ProLaw Software License (NORIS)	\$968.45
ProLaw Software Upgrade (NORIS)	\$4,577.00
2 WebEx Seats (NORIS)	\$229.34
Total Expenditures	\$5,774.79

Court Computerization (Judges') Trust Fund 3T02916STDSTD 2020 Annual Statement of Expenditures	
<i>Supplies/Equipment</i>	
Time and Attendance Maintenance Agreement (Right Stuff)	\$9,500.00
Assisted Listening Equipment (JAVS)	\$3,632.05
Barracuda Web Security Gateway (NORIS)	\$2,874.96
Total Expenditures	\$16,007.01

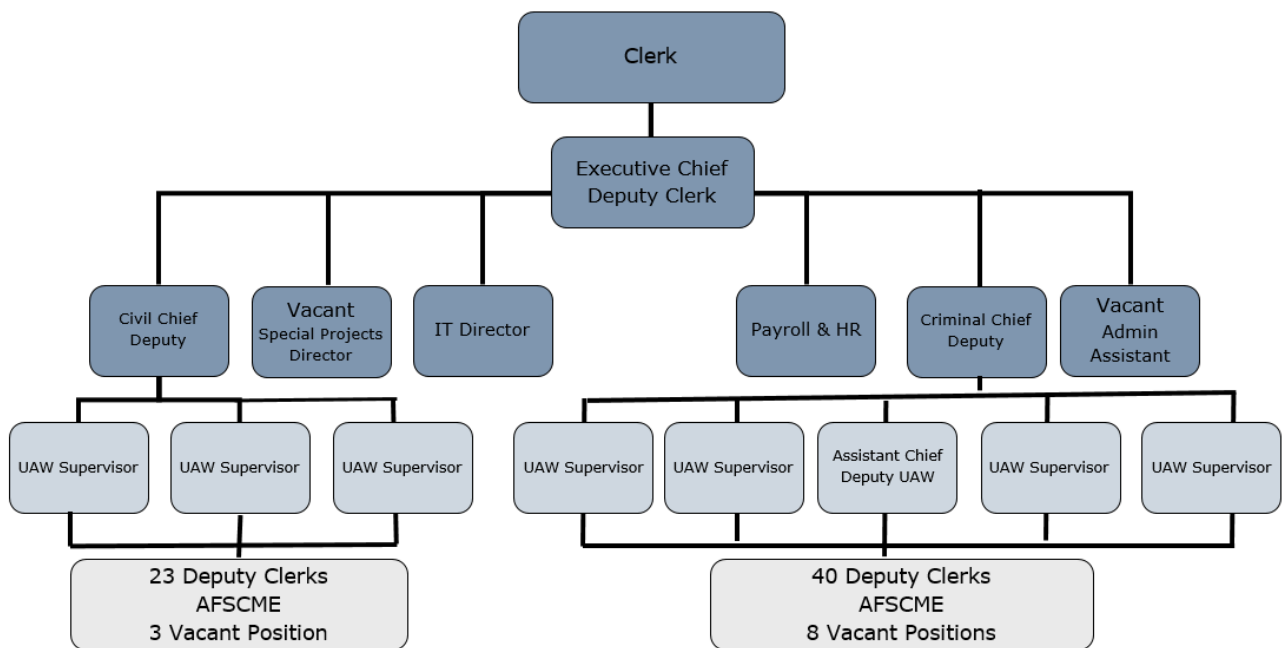
CLERK OF TOLEDO MUNICIPAL COURT

Vallie Bowman-English
Clerk of Court

Department Description

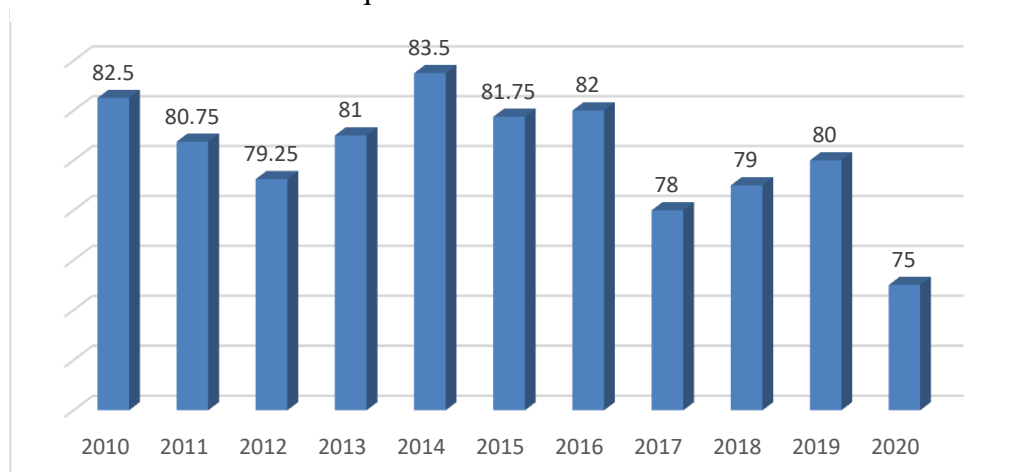
The Clerk of Toledo Municipal Court is responsible for maintaining the public record on all court cases in Toledo Municipal Court as well as collecting and distributing fines, fees, bail and other funds associated with these cases. These responsibilities are defined under Ohio Revised Code Section 1901.31.

The office is divided into two divisions: the Criminal/Traffic Division and the Civil Division.



The Clerk's Office employs 75 full-time deputy clerks under Clerk of Court Vallie Bowman-English.

Full-Time Equivalent Staff Numbers 2010 - 2020

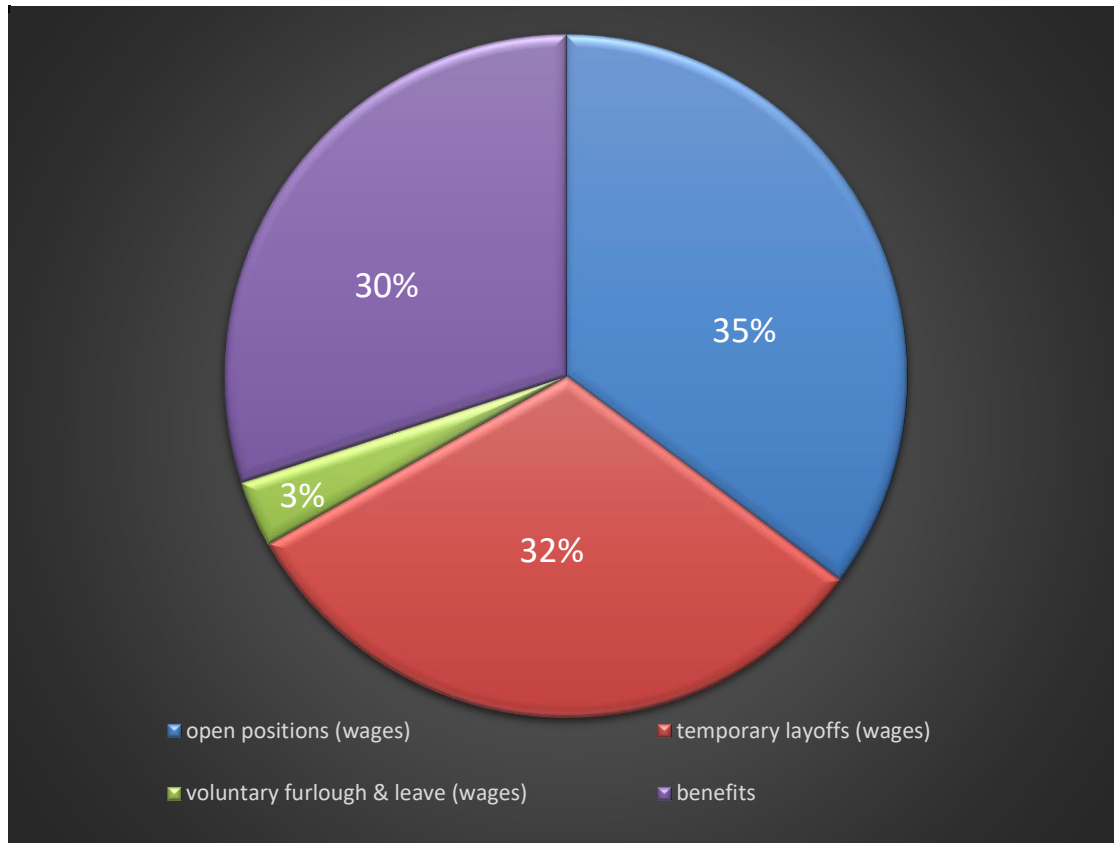


Salary Savings

Due to the coronavirus pandemic, the Clerk's Office experienced a significant decrease in case filings and revenues. As a result, the clerk worked with employees to implement temporary layoffs and voluntary furlough and saved over \$330,000 in wages and benefits.

<u>CATEGORY</u>	<u>2020</u>
Open positions (wages)	\$116,203.30
Temporary Layoffs (wages)	\$104,594.69
Voluntary Furlough & Leave (wages)	\$10,353.48
Benefits	\$99,155.84
TOTAL	\$330,307.31

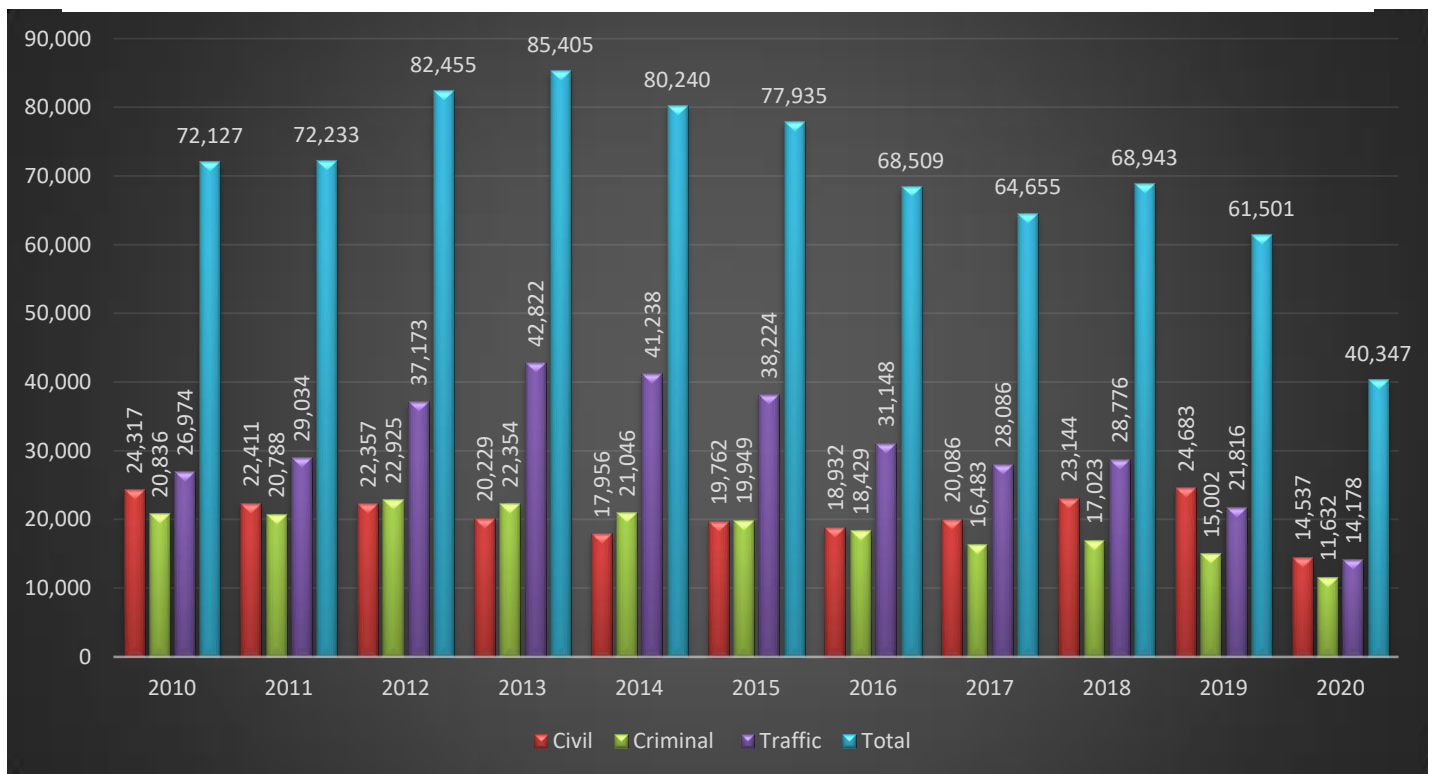
Salary and Benefit Savings 2020



Clerk of Toledo Municipal Court
Case Filings

	2020	2019
Civil Division	14,537	24,683
Criminal/Traffic Division	25,810	36,818
TOTAL	40,347	61,501

Case Filings 2010 - 2020

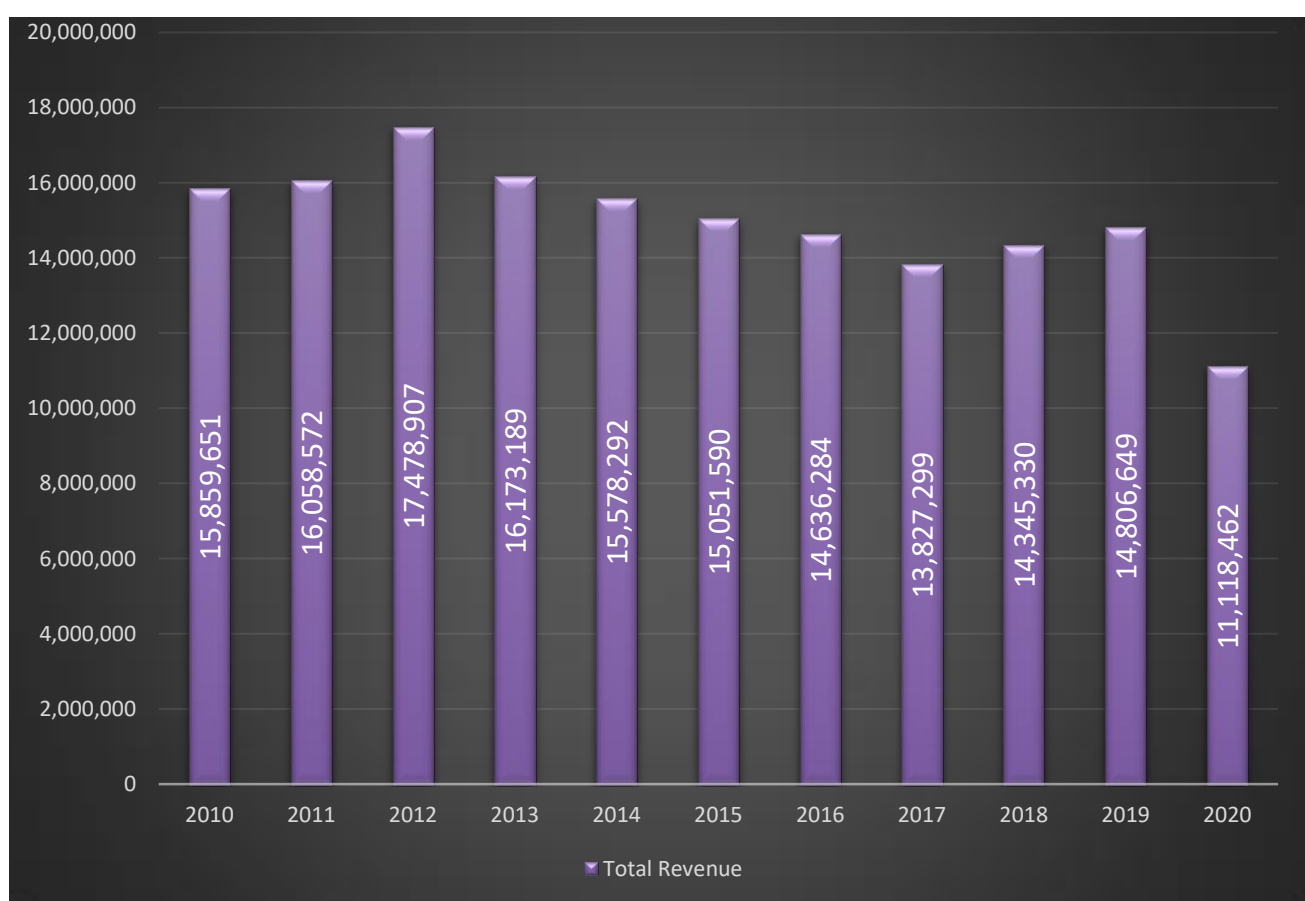


Clerk of Toledo Municipal Court
Revenue Collection

Revenue collection decreased by \$3,688,186.63 in 2020.

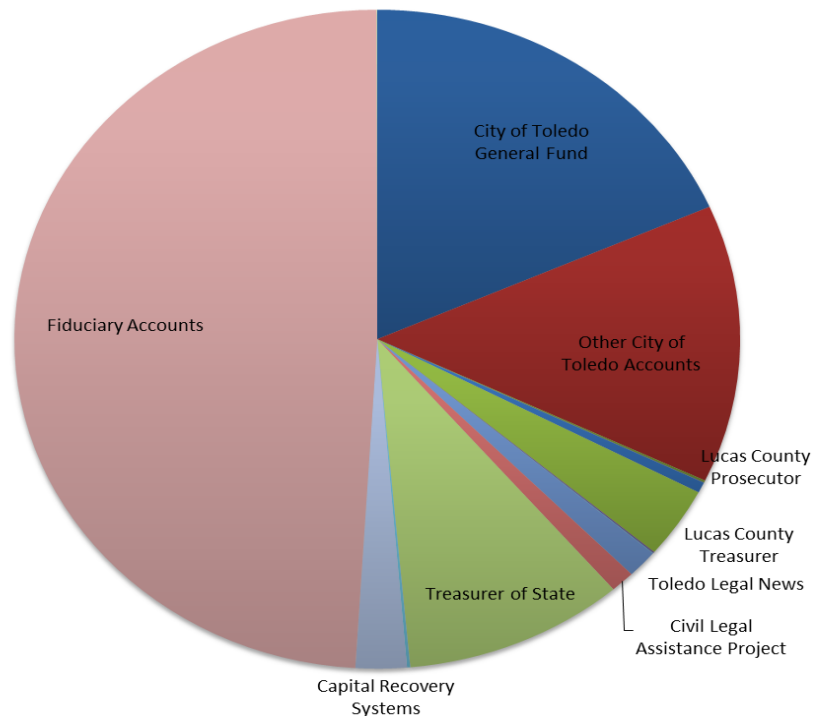
	<u>2020</u>	<u>2019</u>
Civil	\$8,209,684.88	\$10,625,354.44
Criminal/Traffic	\$2,908,777.42	\$4,181,294.49
TOTAL	\$11,118,462.30	\$14,806,648.93

Revenue Collection 2010 - 2020



Clerk of Toledo Municipal Court
Revenue Disbursed

	<u>2020</u>	<u>2019</u>
City of Toledo General Fund	\$1,831,576.38	\$2,483,893.71
Other City of Toledo Accounts	\$1,227,557.41	\$1,776,636.40
Ottawa Hills	\$3,191.10	\$7,172.00
Washington Township	\$2,837.50	\$2,558.10
University of Toledo	\$685.00	\$780.00
Metroparks of Toledo	\$186.00	\$260.00
Lucas County Common Pleas	\$150.00	\$300.00
Lucas County Prosecutor	\$15,170.10	\$72,495.40
Lucas County Sheriff	\$110.00	\$251.00
Lucas County Treasurer	\$383,619.71	\$518,382.71
Lucas County Law Library Association	\$9,658.22	\$8,001.25
Citizens Award Fund/Crime Stoppers	\$1,938.93	\$3,031.30
Toledo Area Humane Society	\$310.00	\$165.00
Toledo Legal News	\$140,378.82	\$219,902.50
Civil Legal Assistance Project	\$110,268.21	\$178,172.18
Treasurer of State	\$833,709.85	\$1,289,047.75
Department of Natural Resources	\$1,170.00	\$1,464.00
State Pharmacy Board	\$13,623.43	\$16,459.60
Division of Liquor Control	\$250.00	\$100.00
Capital Recovery Systems	\$252,786.41	\$282,882.55
Expedited Record Update	\$0.00	\$100.00
Fiduciary Accounts	\$6,447,735.96	\$7,758,250.94
Refunded Overpayments	\$7,604.50	\$7,930.27
TOTAL	\$11,284,517.53	\$14,628,838.01



Clerk of Toledo Municipal Court
Civil Division

Filings	<u>2020</u>	<u>2019</u>
Civil General	12,193	21,330
Small Claims	2,342	3,344
Trusteeship	2	9
TOTAL	14,537	24,683

Activities		
Certificates of Judgment	3,000	3,049
Certified Mail Issued	31,639	45,940
Disbursements - Civil	3,661	4,204
Disbursements - Trusteeship	286	369
Dismissals	7,568	10,081
Executions	71	120
Garnishments	6,266	9,392
Judgments	36,598	48,683
Motions	7,918	12,739
Ordinary Mail Issued	11,328	18,873
Proceedings in Aid	5,021	5,191
Reports	11,208	14,971
Revivors	536	671
Revocations	0	0
Satisfactions	3,857	4,280
Subpoenas	111	330
Terminations	15,054	24,058
Transcripts	78	107
Writs of Restitution	1,910	3,402
TOTAL	146,110	206,460

Revenue Collected		
Civil Revenue	\$1,924,611.42	\$2,692,167.30
Fiduciary Accounts - Civil	\$6,256,077.68	\$7,892,029.15
Fiduciary Accounts - Trusteeship	\$28,995.78	\$41,157.99
TOTAL	\$8,209,684.88	\$10,625,354.44

Revenue Disbursed		
City of Toledo General Fund	\$1,137,437.41	\$1,463,356.55
Other City of Toledo Accounts	\$233,894.08	\$339,667.57
Civil Legal Assistance Project	\$110,268.21	\$178,172.18
Treasurer of State	\$302,210.40	\$484,230.50
Toledo Legal News	\$140,378.82	\$219,902.50
Fiduciary Accounts - Civil	\$6,417,205.61	\$7,718,321.95
Fiduciary Accounts - Trusteeship	\$30,530.35	\$39,928.99
Refunded Overpayments	\$422.50	\$300.00
TOTAL	\$8,372,347.38	\$10,443,880.24

Clerk of Toledo Municipal Court
Criminal/Traffic Division

Filings	<u>2020</u>		<u>2019</u>	
	<u>Charges</u>	<u>Cases</u>	<u>Charges</u>	<u>Cases</u>
Traffic	22,688	14,178	34,347	21,816
Criminal	16,933	11,632	21,539	15,002
TOTAL	<u>39,621</u>	<u>25,810</u>	<u>55,886</u>	<u>36,818</u>

Activities	<u>2020</u>	<u>2019</u>
Cases Sealed	1,697	1,565
Motions	16,703	15,757
Payments	22,295	31,616

Revenue Collected		
Fines	\$758,618.63	\$1,077,319.60
Costs and Fees	\$2,129,411.79	\$3,091,629.62
Bond Forfeitures	\$13,565.00	\$4,715.00
Overpayments	\$7,182.00	\$7,630.27
Miscellaneous Revenue	\$3,392.73	\$3,663.28
TOTAL	<u>\$2,912,170.15</u>	<u>\$4,184,957.77</u>

Revenue Disbursed		
City of Toledo General Fund	\$694,138.97	\$1,020,457.16
Other City of Toledo Accounts	\$993,663.33	\$1,437,048.83
Ottawa Hills	\$3,191.10	\$7,172.00
Washington Township	\$2,837.50	\$2,558.10
University of Toledo	\$685.00	\$780.00
Metroparks of Toledo	\$186.00	\$260.00
Lucas County Common Pleas	\$150.00	\$300.00
Lucas County Prosecutor	\$15,170.10	\$72,495.40
Lucas County Sheriff	\$110.00	\$251.00
Lucas County Treasurer	\$383,619.71	\$518,382.71
Lucas County Law Library Association	\$9,658.22	\$9,029.80
Citizens Award Fund/Crime Stoppers	\$1,938.93	\$2,658.10
Toledo Area Humane Society	\$310.00	\$165.00
Treasurer of State	\$531,499.45	\$804,817.25
Department of Natural Resources	\$1,170.00	\$1,410.00
State Pharmacy Board	\$13,623.43	\$16,459.60
Division of Liquor Control	\$250.00	\$100.00
Capital Recovery Systems	\$252,786.41	\$282,882.55
Expedited Record Update	\$0.00	\$100.00
Refunded Overpayments	\$7,182.00	\$7,630.27
TOTAL	<u>\$2,912,170.15</u>	<u>\$4,184,957.77</u>

COURT SERVICES DEPARTMENT

Valerie Hobbs
Court Services Commissioner

Department Description

In April 2019, the Assignment Office officially transitioned to the new Court Services Department. While the department continues to coordinate scheduling of court events for the judges and makes random individual case assignments, the department now also provides non-probation services to the courtrooms.

The scheduling of trials, pretrials, and motions are coordinated based upon the judges' scheduling preferences and the court's seven-week judge rotation. Criminal and traffic cases are randomly assigned to a judge 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 Court Services Department 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.

The department also handles electronic monitoring, interpreter scheduling, coordinating administrative releases with local jails, managing medical furlough requests, one-for-one exchanges, and acts as a liaison between the courtrooms and outside organizations. Additional services are expected to shift to the department in 2021, including referrals for competency evaluations and processing appointed counsel payments.

As court services commissioner, Valerie Hobbs oversees the daily functions of the department and manages the assignment clerks and court services specialists. In September 2020, Julie Miller was hired as the court services assistant commissioner.

The year 2020 came with many changes due to the COVID-19. The Court Services Department created new policies for staff and the public to follow per CDC guidelines. The hiring of new department staff and hands-on training while socially distancing proved challenging. Department staff communicated with court users and outside parties using recommended practices on social distancing and the physical separation within the office.

The Court Services Department completed continuing education in the areas of improving communication skills, working with diverse populations, team building, increasing productivity, and the purposes of courts.

Goals for 2021

- Renovation of the Court Services Department to accommodate additional services and ensure effective customer service to the public;
- Redesign the court's scheduling system to improve courtroom access and staff usability;
- Cross-train staff in all work areas of the Court Services Department.

Staff Summary

The Court Services Department staff consists of:

Court Services Commissioner Valerie Hobbs
Assistant Court Services Commissioner Julie Miller
Assignment Clerk Alice Thomas
Assignment Clerk Amy Trevino
Court Services Specialist Susan Daudelin
Court Services Specialist Silma Espinosa
Court Services Specialist Robyn Koepke
Court Services Specialist Shasta Sibbersen
Court Services Specialist Ahjaynay West

Court Services Department figures for 2020 with comparison figures for 2019 are as follows:

CASES HANDLED BY THE COURT SERVICES DEPARTMENT	2020	2019
Cases Assigned		
Criminal/Traffic Assignment	9,465	14,144
Civil Assignments (including Housing)	4,983	8,085
Cases Set for Trial		
Criminal/Traffic Trials	6,872	7,664
Civil Trials	481	573
Criminal/Traffic Trial Resets	4,354	6,143
Cases Set for Pretrial		
Pretrial - Criminal/Traffic	5,410	7,687
Pretrial Resets - Criminal/Traffic	1,782	2,332
Mandatory Jury Pretrials (MJPT) - Criminal/Traffic/Civil	35	68
Preliminary Hearing/Felony Arraignment Docket	10,900	13,365
Jury Trials Set (Criminal/Traffic/Civil)	69	73
Bureau of Motor Vehicle Hearings	0	4
Evictions	4,393	7,268
Housing		
Criminal Housing Trials	662	955
Civil Housing (Not a Draw) New Assignments	4,321	7,209
Rent Escrow	53	88
ALS/Innocent Owner Hearings	9	23

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 2020 and 2019 and per individual judge:

2020 CIVIL ASSIGNMENTS

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Berling	11	12	12	8	5	1	9	5	11	11	7	5	97
Connelly	12	14	12	5	3	5	6	3	10	7	8	11	96
Howe	494	493	344	129	127	410	364	401	450	401	317	391	4,321
Khoury	17	7	10	5	2	6	3	4	11	6	11	6	85
Kuhlman	13	8	12	7	4	8	8	12	5	4	9	6	96
Lanzinger	11	17	7	6	7	4	5	6	10	8	5	4	90
Wagner	17	14	8	6	6	4	9	4	4	11	7	9	99
TOTAL	572	565	405	166	154	438	404	435	501	448	364	432	4,884

2019 CIVIL ASSIGNMENTS

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Berling	17	12	16	16	10	7	13	13	7	15	16	14	156
Connelly	8	14	12	16	10	9	11	13	16	17	17	11	154
Howe	610	658	489	490	623	477	875	657	556	649	521	604	7,209
Khoury	10	9	19	16	15	11	8	10	12	10	11	11	142
Kuhlman	8	12	11	18	12	14	8	11	12	20	10	13	149
Lanzinger	13	7	15	14	10	8	15	20	10	20	6	9	147
Wagner	9	8	7	12	14	12	11	5	12	20	7	11	128
TOTAL	675	720	569	582	694	538	941	729	625	751	588	673	8,085

Civil Cases Set for Trial

Month	2020	2019
January	34	55
February	43	35
March	47	59
April	9	52
May	7	63
June	46	34
July	96	55
August	35	55
September	54	39
October	25	50
November	51	36
December	34	40
TOTAL	481	573

Civil Pretrials, Jury Trials and Jury Pretrials Set in 2020 and 2019

Civil Pretrials		Civil Juries Set		Civil Mandatory Jury Pretrials	
2020	629	2020	5	2020	1
2019	1,088	2019	6	2019	8

Evictions Set

Month	2020	2019
January	548	627
February	452	628
March	273	494
April	3	563
May	2	557
June	391	575
July	284	725
August	530	731
September	574	572
October	465	733
November	396	505
December	475	558
TOTAL	4,393	7,268

Rent Escrow Hearings

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
2020	2	5	5	0	0	2	3	1	9	7	12	7	53
2019	4	6	5	11	6	8	5	5	13	8	7	7	88

A tenant may deposit with the Toledo Municipal 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

2020: 0 cases
2019: 4 cases

Criminal and Traffic Assignments

Upon entering a plea of not guilty before a judge, the Court Services Department'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.

Judge	2020
Berling	1,544
Connelly	1,583
Howe	8
Khoury	1,566
Kuhlman	1,594
Lanzinger	1,597
Wagner	1,573
TOTAL	9,465

Judge	2019
Berling	2,319
Connelly	2,386
Howe	5
Khoury	2,364
Kuhlman	2,327
Lanzinger	2,347
Wagner	2,396
TOTAL	14,144

Reactivated Cases (Sealing of Record/Expungements)**2020:** 1,468 cases**2019:** 1,130 cases**Criminal/Traffic Trial Reset Cases – 2020 and 2019**

2020	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
Berling	100	104	128	81	23	51	80	76	29	48	5	23	748
Connelly	90	125	112	68	18	83	81	53	29	26	46	11	742
Howe	44	52	58	9	0	29	10	12	12	22	5	11	264
Khoury	38	51	118	31	63	42	22	12	18	23	9	9	436
Kuhlman	51	38	100	27	43	41	34	16	14	33	16	15	428
Lanzinger	54	64	136	47	60	74	62	47	29	52	41	32	698
Wagner	93	77	160	74	49	101	76	175	43	76	52	64	1,040
TOTAL	470	511	812	337	256	421	365	385	174	280	174	165	4,350

2019	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
Berling	92	50	100	106	93	100	101	91	73	85	108	97	1,096
Connelly	81	93	86	93	120	88	80	90	99	92	77	79	1,078
Howe	21	42	30	31	50	20	28	22	27	24	28	35	358
Khoury	63	72	91	101	107	95	128	61	43	59	107	71	998
Kuhlman	58	71	84	43	86	82	64	45	45	71	63	44	756
Lanzinger	103	81	55	84	88	114	84	108	63	91	60	68	999
Wagner	67	61	57	83	73	50	78	78	87	72	74	78	858
TOTAL	485	470	503	541	617	549	563	495	437	494	517	472	6,143

2020 Jury Trials - Criminal/Traffic and Civil

Month	Criminal/ Traffic	Civil	Ordered	Used	No. of Jurors
January	4	4	1	30	30
February	4	0	0	0	0
March	5	0	1	39	39
April	7	0	0	0	0
May	3	0	0	0	0
June	0	0	0	0	0
July	5	0	0	0	0
August	2	0	0	0	0
September	5	1	0	0	0
October	7	0	0	0	0
November	4	0	0	0	0
December	2	0	0	0	0
TOTAL	48	5	2	69	69

2019 Jury Trials - Criminal/Traffic and Civil

Month	Criminal/ Traffic	Civil	Ordered	Used	No. of Jurors
January	3	0	0	0	0
February	8	0	1	0	39
March	12	0	1	1	36
April	7	1	0	0	0
May	1	1	0	0	0
June	5	0	0	0	0
July	5	0	1	0	0
August	1	1	1	0	25
September	13	0	2	1	67
October	4	0	2	0	68
November	0	1	0	0	0
December	4	1	1	1	28
TOTAL	63	5	9	3	263

2020 Criminal/Traffic Trials: 6,872

2019 Criminal/Traffic Trials: 7,664

2020 Criminal/Traffic Pretrials

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	TOTAL
Berling													
Set	35	24	27	2	13	50	25	31	33	28	36	33	337
Reset	8	16	34	2	1	6	19	5	0	7	3	2	103
MJPT*	1	0	1	0	0	0	0	0	0	1	0	0	3
Connelly													
Set	108	110	81	20	27	47	88	84	112	116	94	109	996
Reset	38	25	76	49	5	37	32	22	41	34	37	17	413
MJPT*	0	4	1	0	0	0	3	1	0	2	2	2	15
Howe													
Set	40	44	22	5	3	8	30	45	50	63	38	50	398
Reset	21	11	55	8	0	25	2	3	5	12	8	8	159
MJPT*	0	0	0	0	0	0	0	0	0	0	0	2	2
Khoury													
Set	100	104	97	11	30	51	83	64	78	77	74	101	870
Reset	17	11	27	3	12	6	9	3	7	5	5	3	108
MJPT*	0	0	0	0	0	0	1	0	0	1	2	0	4
Kuhlman													
Set	114	110	85	6	35	56	80	80	85	93	75	96	915
Reset	18	15	58	5	11	26	15	7	2	10	10	2	179
MJPT*	0	0	0	0	0	0	0	0	0	0	0	0	0
Lanzinger													
Set	119	96	84	16	34	42	86	88	93	94	82	106	940
Reset	25	45	114	49	29	46	22	21	30	30	19	20	450
MJPT*	0	0	0	0	0	1	1	2	0	0	0	0	4
Wagner													
Set	106	112	83	12	25	51	77	84	115	111	89	89	954
Reset	21	23	72	23	36	36	20	64	16	22	11	26	370
MJPT*	0	0	1	1	0	0	1	1	0	0	3	0	7

*Mandatory Jury Pretrials

2019 Criminal/Traffic Pretrials

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	TOTAL
Berling													
Set	27	44	33	40	30	25	29	26	38	37	22	24	375
Reset	26	11	12	9	8	12	11	15	10	9	13	11	147
MJPT*	1	0	0	0	0	0	0	0	0	2	1	0	4
Connelly													
Set	104	112	132	141	133	97	120	141	101	101	98	104	1,384
Reset	40	58	59	46	56	66	51	52	50	49	48	26	601
MJPT*	1	1	1	0	1	1	1	0	1	1	1	1	10
Howe													
Set	68	43	42	54	50	43	47	51	53	50	31	28	560
Reset	34	29	28	17	32	27	24	30	12	23	18	21	295
MJPT*	0	0	0	1	0	0	0	0	1	0	0	0	2
Khoury													
Set	109	108	116	113	133	94	127	134	117	124	84	106	1,365
Reset	14	16	28	26	27	23	31	15	14	17	17	16	244
MJPT*	0	1	0	0	1	0	1	0	1	0	0	1	5
Kuhlman													
Set	113	123	117	113	127	101	125	141	114	106	74	112	1,366
Reset	32	29	26	21	14	23	25	23	19	21	12	9	254
MJPT*	0	1	1	0	1	2	0	0	0	1	0	1	7
Lanzinger													
Set	102	111	132	122	135	99	104	121	92	111	92	88	1,309
Reset	52	37	32	32	29	67	32	56	34	51	29	35	486
MJPT*	0	3	0	0	0	2	0	1	0	0	1	0	7
Wagner													
Set	118	115	114	122	125	113	126	105	111	105	87	89	1,320
Reset	32	17	25	26	25	45	28	37	16	18	22	16	305
MJPT*	0	1	0	0	1	3	2	1	0	0	0	0	8

*Mandatory Jury Pretrials

2020 Criminal/Traffic Pretrials

Total pretrials set: **5,410**
 Total pretrials reset: **1,782**
 Total jury pretrials: **65**

2019 Criminal/Traffic Pretrials

Total pretrials set: **7,679**
 Total pretrials reset: **2,332**
 Total jury pretrials: **68**

2020

Total of criminal/traffic trials, trial resets, pretrials, pretrial resets, jury trials, and jury pretrials: **18,552**

2019

Total of criminal/traffic trials, trial resets, pretrials, pretrial resets, jury trials, and jury pretrials: **23,967**

2020 Electronic Monitoring Placements

Month	Pre-Trial	Sentenced (Indigent)
January	48	26
February	60	21
March	31	21
April	8	5
May	18	2
June	20	12
July	31	22
August	26	26
September	42	16
October	41	17
November	15	19
December	31	13
TOTAL	371	200

2020 Interpreters Ordered

Month	Numbers by Month
January	9
February	17
March	10
April	0
May	4
June	7
July	10
August	2
September	9
October	10
November	10
December	17
TOTAL	105

CIVIL BAILIFF

Kevin L. Smith
Acting Civil Bailiff Commissioner

Department Description

The Civil Bailiff Department perfects service for legal civil documents. Civil bailiffs enforce civil orders, civil judgments, and execute writs as required by the Ohio Revised Code and local court rules.

The Civil Bailiff Department serves summonses, complaints, garnishments, and 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 Lucas County.

Staffing

Early in 2020, the department experienced the retirement of one bailiff and the resignation of another. Due to the impact of the COVID-19 pandemic, staff members of the department were placed on temporary emergency leave (TEL) for over two months. Upon return from TEL, the retirement and resignation of two civil bailiff staff members necessitated the department to reevaluate the current model for providing services to the department's jurisdictional areas. The department moved from four districts to two regions, with two to three staff members in each region. COVID-19, scheduled time off, and leaves of absence led to further staffing shortages that required the department to operate under a staffing plan until the end of 2020. Several federal moratoriums passed by the United States Government and CDC greatly impacted the number of evictions and legal service documents handled by the department. Through the remainder of 2020, work in the department focused on maintaining the basic operations of the department such as evictions and executing service.

Public Safety

Enhancing the safety of civil bailiffs and the community, as well as supporting best practices and procedures when handling prescription and over-the-counter drugs found during court-ordered evictions, is essential. The Civil Bailiff Department provides former tenants an avenue to retrieve their medication up to 24 hours after the conclusion of an eviction. The department, in conjunction with the Toledo Police Department property room, safely and responsibly destroys unclaimed drugs after the 24-hour period. This practice has kept prescription and over-the-counter drugs off the street and provides an environmentally safer avenue for disposal. The Civil Bailiff Department removed 266 individually packaged prescriptions and over-the-counter drugs in 2020.

A uniform and equipment policy for the Civil Bailiff Department was implemented in February. The purpose of this policy was to set standards of professional appearance that enhance safety and allow uniformed civil bailiffs to be identified by both law enforcement personnel and the public when performing their duties.

Training

The COVID-19 pandemic required the department to identify alternative ways to maintain training in 2020. While some in-person training was conducted, the department utilized remote and webinar-based training platforms. The Civil Bailiff Department completed the following training in 2020 to enhance professional development and increase public and personal safety:

- Self Defense/Aerosol Chemical Agents training conducted in-person
- Lucas County Canine Care and Control conducted in-person
- Building a Culture of Justice conducted via webinar
- Building Trust conducted via webinar
- Court Security for all Court Employees conducted via webinar
- Customer Service for Court Employees conducted via webinar
- Essential Skills for Professional Telephone Calls conducted via webinar
- Managing your Email conducted via webinar
- Legal Information vs. Legal Advice conducted via webinar
- The Purposes of Courts conducted via webinar
- Judicial Bias and the Judiciary conducted via webinar

Goals for 2021

- Hire and train new civil bailiff personnel due to a 2020 retirement and a resignation;
- Repurpose office workstations, storage, and office layout for staffing and equipment needs;
- Continue to provide training and tools to assist the department in executing its duties.

Staff Summary

The Civil Bailiff Department consists of the following staff members:

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

CIVIL BAILIFF DEPARTMENT STATISTICS

	<u>2020</u>	<u>2019</u>
Bailiff Sale	0	0
Bench Warrants – Received	572	1,038
Creditor Bill	0	0
Garnishments	216	315
*Garnishments – No Service	15	28
Garnishment – Mail Service (Notifying Defendants on Bank Attachments)	12	18
Landlord Complaints One Cause	3,658	6,421
*Landlord Complaints One Cause – No Service	275	355
Landlord Complaints Second Cause	4,820	6,058
*Landlord Complaints Second Cause – No Service	249	112
Notification	0	3
Paper Writs of Execution	0	0
Proceedings in Aid – Received	1,220	1,515
*Proceedings in Aid – No Service	841	936
Replevin Summonses	27	43
Writs of Replevin	22	42
Subpoenas – Received	89	197
*Subpoenas – No Service	19	33
Summonses – Received	242	228
*Summonses – No Service	126	78
Writs of Execution	51	86
Writs of Restitution Set Out	1,735	3,292
Writs of Restitution Lock Out	51	52
Alias Writs of Restitution Set Out	513	819
Alias Writs of Restitution Lock Out	33	32
Plaintiff Notice of Action	1,786	3,344
Four Day Notice to Leave	1,786	3,344
Total Civil Documents Processed	16,821	26,847
Evictions (Set Outs and Lock Outs) Scheduled	1,114	1,976
Evictions Executed	297	565
Lock Outs Executed	41	42
Money Collected on Writs of Execution	\$15,563.86	\$21,475.42

*Not included in the total count of civil documents processed

2020 data/statistics impacted by the COVID-19 modifications by court operations

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.

Toledo Municipal Court employs two court reporters who cover court proceedings in small claims court in the morning and forced entry detainer (FED) court in the afternoon on a weekly rotating schedule. While one court reporter is assigned to cover the proceedings in small claims and FED court during the week, the other court reporter is available to cover jury trials, bench trials, and no-knock search warrants. The time out of the courtroom also allows the unassigned court reporter to work on transcripts.

Court transcripts are commonly used in further court proceedings, in civil lawsuits, or in trials that are appealed. Court reporters must follow specific guidelines as set forth by the Ohio Rules of Appellate Procedure and the Ohio Sixth District Court of Appeals Local Rules for transcripts. In 2020, the court reporters prepared a total of 77 transcripts.

Exhibits submitted to the court during trials or hearings are retained until the appeal time of 40 days has elapsed at which time a party may request the return on exhibits through a motion to the court. Stenographic files, digital recordings, and exhibits not returned to the submitting party are retained for a period of five years and are then destroyed pursuant to Toledo Municipal Court Rule 8.1.

2020 Department Highlights

In March, operations throughout the courthouse were scaled back in response to COVID-19. To prevent possible transmission and/or exposure to the virus, Lucas County Correction Center inmates were no longer being transported to the court. As a temporary measure, a judge conducted hearings at the jail with the assistance of additional court staff, including a court reporter to take the record.

Information Technology Officer Terry Koluch collaborated with NORIS and JAVS to install a video conferencing system in courtroom 3 so that felony and misdemeanor arraignments could be performed remotely instead of requiring court staff to report to the jail for hearings. The court began using the video system for in-custody defendants in April. Although the court continues to use the JAVS system to record proceedings in courtroom 3, a court reporter also takes the record for quality assurance purposes. Clear audio quality is imperative for the court reporters to create accurate transcripts of proceedings if and when they are needed from this courtroom.

While one court reporter takes the record of in-custody arraignments, the other court reporter covers court proceedings in small claims court in the morning and FED court in the afternoon on a weekly rotating schedule.

Accomplishments

Even with the operational changes throughout the court due to the pandemic, the Court Reporter Department was still able to accomplish some of its 2020 department goals. The department completed 40 hours of online organizational training. Each week of training followed a theme tailored to different aspects of work including public trust and confidence, working with special populations, stress and self-care, mindsets, working on work skills, and the purposes of courts. A Court Reporter Department handbook was finalized at the end of the year. The handbook includes all of the Court Reporter Department policies and procedures, information on the appeal process, indigent payment for transcripts, billing, and objections to the magistrate's decision.

Goals for 2021

- To continue to provide impeccable service to judges, court staff, attorneys, and the public;
- To ensure policies, procedures, and practices in the Court Reporter Department are current and accurate; and
- To expand professional knowledge through training, development, and educational opportunities.

Staff Summary

The Court Reporter Department consists of:

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

LAW CLERK/BAILIFF

Morgan Coulter
Chief Law Clerk

Department Description

The Law Clerk Department is comprised of seven 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 and one part-time law clerk is responsible for housing legal research, working solely with Judge Howe. The law clerks work closely with their respective judges 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 October 22, 2020, Morgan Coulter was appointed by the judges to serve as chief law clerk. Her term will expire on October 22, 2021.

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 providing good service to the public and the agencies involved in courtroom proceedings. Examples of the specific duties performed by a law clerk include: calling cases, posting entries, communicating with prosecutors, public defenders, private attorneys, witnesses, jurors, the various intra-court departments, and the general public, as well as working with deputy sheriffs for in-custody defendants.

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 the defendant, etc.). 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 provides immense support with the Veteran's Treatment Court docket, which is held every other Friday morning. Judge Kuhlman's law clerk continues to assist with the monthly Re-Entry Docket. This program assists ex-offenders in assimilating back into daily life by addressing any outstanding legal issues with Toledo Municipal Court.

2020 Retrospective

The law clerks continued to utilize weekly reports from NORIS, which provided the 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 control and management of the respective judges' caseload as well as manage any offenders ordered to the Lucas County Electronic Monitoring Program.

The law clerks have worked diligently to help clarify electronic monitoring practices and procedures with the county electronic monitoring program and continue to work together to streamline traffic check-in and license procedures with the magistrates and the Public Defender's Office.

Goals for 2021

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

Regular monthly meetings of the law clerks and court administrator are held 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 including changing-up the civil duties bin procedure to help eliminate the existence of "judge-shopping" and overwhelming workload on some courtrooms versus others.

At this time, the research law clerk/courtroom 4 traffic clerk position is vacant. The law clerks currently rotate coverage in courtroom 4 in the afternoon to cover traffic court during their courtroom 3 rotation and are being pulled to cover mandatory dockets where there is a vacancy. We remain hopeful that all open positions will be filled in 2021.

Staff Summary

There were several staffing changes in 2020. In October 2020, Jennifer Kerman resigned her position as a law clerk to Judge Michelle A. Wagner, and John Stewart was hired as her replacement. In December 2020, Taneka Dick resigned her position as law clerk to Presiding Judge Timothy C. Kuhlman, and Destiny Morr was hired as her replacement. Zoe Kuzdzal returned from extended leave on March 2, 2020. During Ms. Kuzdzal's leave, Tessa Lee covered duties in courtroom 8.

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

Presiding Judge Timothy C. Kuhlman	Destiny Morr
Judge Michelle A. Wagner	John Stewart
Judge Joshua W. Lanzinger	Brittany Sharp-Goldsmith
Judge Joseph J. Howe	Zoe Kuzdzal/Tessa Lee
Judge William M. Connelly, Jr.	Rahma Ismail
Judge Amy J. Berling	Barbara Hinz
Judge Nicole I. Khoury	Morgan Coulter, Chief Law Clerk
Research Law Clerk	Vacant
Part-Time Housing Research Clerk	Tessa Lee

CITIZENS DISPUTE SETTLEMENT PROGRAM

Daniel G. Camick
Acting Senior Mediator

Department Description

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

Mediation is an effective means of resolving disputes. With the help of a neutral third party, participants most often reach mutually accepted agreements. In mediation, avenues of communication are opened through in-person discussion, telephonic discussion, or WebEx video meetings, all of which permit the participants to more clearly understand their position, their opponent's position, and the pressing need for a peaceful solution. Since the participants themselves craft these agreements, statistics demonstrate that there is a far greater likelihood that the agreement will be honored and successfully implemented. The mediation process is especially helpful when the participants have an ongoing relationship as family members, friends, neighbors, or business associates.

Services Provided

The staff members of CDSP conduct in-person mediations, telephonic mediations and WebEx video mediations. Students from The University of Toledo College of Law's alternative dispute resolution class also conduct small claims mediations in their educational pursuit of justice. This service was temporarily suspended in March in compliance with the court's COVID emergency order to limit the number of people in the building to promote social distancing.

Cases are referred that involve misdemeanor behavior such as menacing, criminal damaging, disturbing the peace, and theft. These cases can be referred at any point, including before any charges are filed, at a pre-trial conference, or even on the day of trial. Participants are screened to ensure the safety of all the participants and to ensure the avoidance of violence before, during, and after the mediation process.

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

Rent escrow cases are also considered 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.

Forced entry detainer (FED) cases are often referred the day of the hearing. If the dispute is resolved through mediation the tenant and landlord will either mutually agree on a date to vacate the property with or without case dismissal or the parties will work out a payment arrangement to stay in the rental unit and catch up on their rental obligation. If the case is not resolved, a same-day hearing will likely take place. These cases were greatly influenced by the COVID-19 pandemic, the following CARES ACT, and the DHHS moratorium on evictions during 2020.

“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 during 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 service 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 service fee. If the check resolution service is not successful in resolving the matter, the Toledo Police Records Bureau is notified and a report is generated. Then the complainant is referred to the City of Toledo Prosecutor’s Office for a criminal charge review. Check resolution service has a sub-component, a collection mediation program that assists businesses in collecting bad debt that is not in check form. The procedure follows the same method used in the check resolution service and requires a \$15.00 service fee.

Accomplishments and Challenges of 2020

In 2020, the Citizens Dispute Settlement Program remained committed to providing the Toledo Municipal Court and the surrounding community with excellence in mediation. This goal was reached through the court’s and CDSP’s commitment to quality problem solving and responsiveness despite the current climate, environment, and circumstances. The number of cases referred to CDSP in 2020 was drastically reduced by the court’s COVID emergency order that limited the number of individuals in the courthouse in the attempt to promote efforts to social distance and keep the public and court staff safe.

In 2020, long-time Senior Mediator James Petas remained on the Supreme Court of Ohio’s Commission on Dispute Resolution and also continued his service on the board of the Ohio Mediation Association. In January, changes to Superintendence Rule 16 went into effect. Those updates include a general restructuring of the rule to ensure uniformity and clarity along with updating the mediator’s and court’s responsibilities. As a result of these changes, Toledo Municipal Court began work to update the court’s Local Rule 37: Citizens Dispute Settlement Program.

During the year, CDSP staff completed virtual training on the following courses: “Working with Difficult People,” “Managing Complex Office Dynamics,” “Techniques for Overcoming Impasse in Mediation,” “Negotiation Training,” “Fundamentals of Mediation,” and “Bridges Out of Poverty.”

Although CDSP and The University of Toledo College of Law continue to work together through the civil mediation internship program, the COVID-19 pandemic temporarily suspended this program under the direction of the Court’s COVID emergency order. Training for graduating Toledo Police Officers and county emergency operators to educate them on the dynamics of mediation and how to access the service has been substantially curtailed.

In the past year, of the post-mediation evaluations collected, 99% of mediation participants indicated they were satisfied with the mediation process and would recommend it to others. Survey comments included, “The mediator did a nice job and was fair with both parties,” “It was way easier to get things done this way!!”

“Easy and effective,” “Your respect is greatly appreciated,” and “The mediator resolved the matter in one phone call.”

Goals for 2021

- CDSP will implement updated and uniform intake sheets and agreement forms;
- CDSP will seek to offer and improve WebEx mediations while being mindful of the unique ethical and confidentiality issues this method brings; and
- CDSP will continue to review various policies and programs that support the department’s mission to provide a place in the justice system where people feel they are being heard and have an opportunity to resolve their own disputes and reach a mutual agreement.

Staff Summary

Susan Monro announced her retirement after working 16 years as a court mediator. Daniel Camick was added to the CDSP staff as a court mediator and currently serves as the Acting Senior Mediator. Susan Padilla continues to serve as intake secretary for CDSP. It was a shared tragedy of the entire court when we experienced the untimely death of Mr. James Petas in late 2020. Our hearts and minds are with his family.

Citizen Dispute Settlement Program statistics for 2020, with statistics from 2019 for comparison, are provided below. Data reflects a reduction in case referrals as a result of the COVID-19 pandemic.

	<u>2019</u>	<u>2020</u>
<u>Types of Cases</u>	<u>Success Rates</u>	
Civil Cases	80%	75%
Adjudicated	65%	63%
Pre-Adjudicated	75%	34%
Housing – Rent Escrow	79%	40%
Housing – FED	82%	88%
Small Claims	80%	48%
<u>Dispute Resolution – Case Types Referred</u>		
Assault	59	10
Menacing	36	08
Criminal Damage	67	13
Theft	84	11
Harassment	4	0
Neighborhood Dispute	20	2
Telephone Harassment	5	2
Criminal Trespassing	2	0
Landlord/Tenant	33	13
Stalking	1	0
Other	79	22
<u>Civil Mediations</u>		
Total Cases Referred	351	273
Mediation: Agreement	183	139
No Agreement	44	37
CDSP Involvement/No Mediation/FTA	67	50
Pending	57	47
Mediation Agreement %	80%	62%
<u>Pending Adjudication Mediations</u>		
Total Cases Referred	100	44
Mediation: Agreement	37	21
No Agreement	20	4
FTA to Notice	7	4
CDSP Involvement/No Mediation	19	4
Pending	17	11
Mediation Agreement %	65%	63%

	<u>2019</u>	<u>2020</u>
<u>Pre-Adjudicated Mediations</u>		
Total Cases Referred	290	62
Mediation: Agreement	53	20
No Agreement	17	5
FTA to Notice	113	22
CDSP Involvement/No Mediation	65	0
Make File Only	34	6
Pending	8	4
Mediation Agreement %	75%	34%
<u>Housing Mediations – Rent Escrow</u>		
Total Cases Referred	123	77
Mediation: Agreement	47	27
No Agreement	12	23
FTA to Notice	14	13
CDSP Involvement/No Mediation	33	3
Pending	14	10
Mediation Agreement %	79%	40%
<u>Housing Mediations – FED</u>		
Total Cases Referred	213	78
Mediation: Agreement	173	69
No Agreement	38	5
Mediation Agreement %	82%	88%
<u>Small Claims/Same Day Mediations</u>		
Total Cases Referred	123	113
Mediation: Agreement	85	54
No Agreement	38	30
Mediation Agreement %	69%	48%
<u>Check Resolution Mediations (CRS)</u>		
Total Referrals	279	2
Funds Generated	\$4,185.00	\$30.00
Collection Mediations	0	0
Total number of cases referred (Minus CRS)	1,200	648

PROBATION

Kevin Alore
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 probationers. Probation officers investigate, supervise, and monitor adult probationers and provide information and recommendations to the judges.

In addition to serving the court, the Probation Department also serves probationers and the community. Public safety is promoted by reducing risk and changing probationer 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 probationers accountable.

The overall management of the department is under the direction of Chief Probation Officer Kevin Alore. The daily operations are managed by Assistant Chief Probation Officer Jennifer Friddell.

Rachel Borders was promoted from probation officer to quality assurance manager on April 10, 2020. In 2020, Ms. Borders and unit supervisors were able to complete 420 case file audits and 75 direct observation audits on open probation cases throughout the year. Additionally, 154 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 unit and clerical unit. The supervision units are supervised by Unit Supervisor Mark Klapper and Unit Supervisor Maria Tomlin. The special services/intake unit is supervised by Unit Supervisor Shannon Rayford.

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. In addition, the unit 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, and Jennifer Caris. There are currently two open positions within the clerical unit.

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 individual 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 probationers. Unit Supervisor Mark Klapper manages nine probation officers, eight of who supervise high-risk probationers and one who supervises moderate risk probationers. These probation officers are Megan Stevens, Markus Whitehead, Melissa Stasa, Allie Popovich, Kim Beale, Chris Giwa, Lewis Simpson, Chavon Price, and Daniel Ford. The average high-risk caseload is 60 clients per probation officer. Maria Tomlin manages seven probation officers who supervise moderate and low-risk probationers. These probation officers are Gary Colton, La'Tarsha Cook, Eris Harris-Hill, Melissa Fischer, Christy Adams, Jessica Galati, and Sarah Fuller. The average moderate-risk supervision caseload is 78 clients per probation officer. Two new probation officers started with the department in 2020, Jessica Galati began in March and Sarah Fuller joined the department in May.

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 clients who meet certain criteria. Mr. Colton carries an average caseload of 200 probationers.

The intensive supervision program (ISP) is currently managed by Probation Officers Melissa Stasa and Chavon Price. Ms. Price moved from the moderate unit to ISP in 2020 replacing Rachel Borders who was promoted to quality assurance manager. ISP is a jail diversion program for high-risk probationers. These positions and related programming are also funded, in part, by the Community Corrections Act (CCA) Grant from the Ohio Department of Rehabilitation and Correction. Supervision for probationers in ISP is short in length, averaging approximately six months, and intensive. Probationers must follow strict conditions such as drug testing, treatment, and reporting as often as two times per week. After completing ISP, probationers are transferred to an active probation caseload for the remainder of their sentence. The CCA Grant also provides \$123,750.00 for drug and alcohol treatment services for standard probationers who cannot pay for treatment. The grant also funds the kiosk reporting project that is available for low-risk probationers. Eligible probationers can report to their probation officer at one of five kiosk stations available within Lucas County. Additionally, the grant provides funding for probationers sentenced by the court to electronic monitoring.

The Probation Department also received funds from the Justice Reinvestment Incentive Grant (JRIG) through the Ohio Department of Rehabilitation and Corrections in the amount of \$870,370.00 for a two-year period in 2019. JRIG provided funding for substance abuse, domestic violence, and employment services to high-risk probationers as well as residential treatment services for 60 days through the court's Regional

Addiction Diversion (RAD) Program. The RAD Program allows probationers 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 Shannon Rayford 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 unit 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 RoShona Perkins, Ashley Boles, Tycie Jackson, Erin Gadway, Darryl Myles, and Tiffaney Wasserman. Erin Gadway joined the Probation Department in September 2020.

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 immobilization.

The alternatives program assists eligible first-time offenders avoid a formal conviction. Participants are held accountable for their actions through a series of classroom or e-course sessions. Each session discusses making good choices and staying out of trouble. Participants who do not incur any additional charges 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 Ashley Boles, who handle all referrals and teaching forums for the program.

Darryl Myles and Tiffaney Wasserman 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 probationer risk and needs. The court services specialists also process all cases that have a term of active or inactive probation. Additionally, 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 Ashley Boles, RoShona Perkins, Tycie Jackson, and Erin Gadway.

Accomplishments

In 2020, the Probation Department faced many challenges related to the COVID-19 pandemic. Despite this, officers successfully maintained reporting standards with their clients during periods of partial court shutdowns as well as effectively managing the reintegration of clients into the department. During times of limited probationer contact, officers were able to take advantage of numerous virtual training opportunities to continue to expand their skills to better serve the court and the community. The Probation Department also adapted several programs in order to continue to serve the court and the community while maintaining safety protocols, such as social distancing. The Alternatives Program was maintained through the use of online programming which allowed clients to obtain the benefits of the program during the pandemic. Additionally, kiosk reporting was curtailed and low-risk clients were allowed to report by telephone to limit their need to go out into the community to report.

The Probation Department also embarked on a project to improve the ability to communicate effectively with both probationers and victims of crime through e-notification. In 2021, services will become available to electronically notify probationers of upcoming court dates, probation appointments, and completion dates of programs such as Alternatives and CSPP. The Probation Department will also have the ability to notify victims of the defendant's probation termination dates, probation violation hearings, and probation extensions. Notifications will be provided both through the use of e-mail and text messaging.

Additionally, the Probation Department Fellowship Program entered year two of the initial participants of the program, Adriana McCord and Kalie Acker. Both fellows worked closely with Unit Supervisor Maria Tomlin as well as several training officers to develop their skills in the supervision of probationers. Each fellow now supervises a caseload of up to 75 probationers as they continue to work with staff to grow professionally and gain experience in the community corrections field.

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.

Supervision fee expenditures included confidential shredding services, kiosk maintenance, case management software maintenance fees, and office supplies.

Staff Summary

As of December 31, 2020, there are 40 staff positions in the Probation Department: One chief probation officer, one assistant chief probation officer, four unit supervisors, one quality assurance manager, 19 probation officers, six court services specialists, one license intervention specialist, two probation fellows, four probation secretaries, and one temporary secretary. The Probation Department currently has two unfilled clerical positions.

2021 Goals

- Implement policy and procedures developed to identify victims of human trafficking and assist victims in engaging in need-based programming;
- Establishment of an electronic notification system which will provide notification and reminders by text and e-mail to clients and victims of important dates related to their case;
- Enhance and improve the Alternatives Program by developing a new curriculum for both the online and classroom programs and;
- Increase the use by probation officers of evidence-based interventions through the enhancement of quality assurance tools and identifying relevant training to improve the skills of officers related to the use of EBP.

**PROBATION DEPARTMENT
YEAR-END STATISTICAL REPORT**

	# OF CLIENTS 2020	# OF CASES 2020	# OF CLIENTS 2019	# OF CASES 2019
Referrals to Probation				
Traffic	1,467	2,872	2,371	5,221
Criminal	2,323	4,043	3,312	6,033
Total Referrals to Probation	3,790	6,915	5,683	11,254
Offenders on Probation				
Active Probation	1,321	1,536	1,869	2,200
Inactive Probation	724	780	1,157	1,251
Referral Monitor	33	34	58	61
Total Defendants Placed on Probation	2,078	2,350	3,084	3,512
Total Probation Violations Requested	1,326*	2,002*	1,760*	2,981*
Defendants Released or Terminated from Probation	3,007	**	2,932	**
Presentence Referrals Requested	289	296	489	497
Motions to Seal	488	1,393	474	1,405
DIP Referrals	478	483	821	828

*Includes probation violation waivers requested by officers

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

	# OF CLIENTS 2020	# OF CASES 2020	# OF CLIENTS 2019	# OF CASES 2019
CSPP Program				
Total CSPP Referrals	387	560	1,324	2,191
Insurance Fees Collected on CSPP Cases	\$1,585.50		\$3,913	
Total CSPP Hours Ordered	9,707		32,622	
Total CSPP Hours Completed	1,573		7,514	
LIS Program				
Vehicle Release	1	1	41	42
LIS (RED Referrals)	343	367	766	824
Immobilizations	27	27	116	119
Driving Privileges	31	33	407	572
General LIS Inquiries (Walk-in Clients)	301		607	
Total LIS Program	703	428	1,937	1,557
Alternatives Program				
Total Program Referrals	206	209	371	373
Successful (Sealed)	143	144	222	222
Unsuccessful	41	41	124	124
Regional Court Referrals				
Bowling Green	0		0	
Sylvania	0		0	
Maumee	0		0	
Oregon	0		0	
Perrysburg	30		19	
Berea	0		0	
Portage	0		0	
Other	0		0	
Total Regional Court Referrals	30		19	
Financial Information				
Restitution Collected	\$94,505.61		\$96,011.71	
Surcharge Collected	\$7,032.71		\$6,951.35	
Total Collected	\$101,538.32		\$102,963.06	

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 (R.C. 1923.02) are assigned to the Environmental Court docket. The weekly docket may be viewed on the Housing Court's website at toledohousingcourt.org.

The civil docket includes matters involving landlord-tenant disputes known as FEDs, rent escrow 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 30th 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 5th Housing and Environmental Court Judge beginning January 2018. Judge Howe has a staff including a senior housing specialist, two housing specialists, a law clerk, and a part-time research intern.

Year in Review-Overview

Criminal Cases

In 2020 the COVID-19 pandemic brought unanticipated challenges to all areas of our lives, with housing as no exception. Defendants with existing nuisance abatement cases that were previously on track towards gaining compliance were derailed by new economic problems. Cases were given continuances and the influx of new case filings was greatly diminished by the pandemic. In 2020 there were 691 criminal nuisance citations filed in Housing Court.

Bench warrants are issued for those that fail to appear in court. Many 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 an 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 a 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 in 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.

Civil Cases

Following the onset of the 2020 pandemic, the Center for Disease Control issued orders greatly limiting eviction cases to protect public health. There were 3,727 eviction cases filed in 2020 and 79 rent escrow cases.

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.

2020 Accomplishments and Goals for 2021

Judge Joseph J. Howe implemented a new set of local rules effective October 1, 2020. These rules were designed to compile the many nuances of practicing before the court into a formal document. Most notably, the rules revamp the requirements for filing evictions.

The Housing Court became a member of the City of Toledo Comprehensive Housing Strategy and 10-Year Action Plan Housing Advisory Committee.

The Housing Court continued to be an active partner of the Code Enforcement Response Team, comprised of multiple governmental agencies all dedicated to identifying and eliminating chronic nuisances in our neighborhoods.

In the spring, the housing specialists participated in 40 hours of organizational training, as well as approximately 15 hours of online training specific to housing issues. Additionally, the housing specialists completed “Bridges Out of Poverty” and “Implicit Bias” courses.

In 2021, Judge Joseph J. Howe and his staff will continue to 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 the 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 2020 Housing Court staff consists of:

Housing and Environmental Court Judge Joseph J. Howe

Magistrate Alan J. Michalak

Standby Magistrates Christopher Hohenberger, 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 and Substitute Law Clerk Tessa Lee