

TOLEDO MUNICIPAL COURT

ANNUAL REPORT 2021

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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. Staff in the Court Administrator's Office has a wide range of responsibilities including budget preparation and fiscal administration, contracting technology management, personnel administration, policy development and implementation, facilities management, and data collection and analysis.

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 but works closely with the presiding/administrative judge. Judge William M. Connelly, Jr. was selected to a one-year term as the presiding/administrative judge in 2021. Judge Michelle A. Wagner served as the acting presiding/administrative judge for the one-year term beginning January 1, 2021.

Pandemic/COVID Impact

COVID-19 continues to impact court operations. During 2021, the Toledo Municipal Court continued to limit access to the building to individuals that had business within the courthouse. Staggered docket schedules helped maintain social distancing on courtroom floors and in individual courtrooms. The court returned to in-person court appearances for individuals in custody at Lucas County Corrections Center on June 2, 2021. The court also saw the implementation of WebEx-based court events in several courtrooms. Mediation services offered through the Citizens Dispute Settlement Program were available through telephonic mediations as well as WebEx.

The court continued to require facial coverings for employees and all individuals seeking access to the court building until July 1, 2021. Social distancing protocols were strongly encouraged throughout the year. The court's day porter, hired in 2020, continued to meet courthouse sanitation needs.

Year in Review – Overview

Administrative Support Services

The Toledo Municipal Court participated in the Court Voice Project during 2021 along with 12 other courts around the country. The project was designed to collect feedback from court users and staff on various issues relating to court programs and operations. The court collected feedback using iPad kiosks placed in several locations throughout the courthouse. In addition, targeted surveying was done of victims interacting with probation clients, victim advocates, and individuals appearing in Judge Kuhlman's courtroom.

In 2021, the court restructured the procedures related to proceedings-in-aid (PIA). Prior to the restructuring, these matters were not being scheduled before a judicial official, a verbatim record of

proceedings was not being made, and court security did not staff the proceedings. The court, in collaboration with the Clerk's Office and the court's magistrates, updated the procedures surrounding these hearings. PIAs are now scheduled three days a week on a magistrate docket. Court security is provided for the docket. A verbatim record is produced and the court's journal is updated to reflect case status. In addition, the court also updated procedures for procuring a civil bench warrant. These updated civil bench warrant procedures standardized the process for civil plaintiffs in PIA matters to pursue and obtain a civil bench warrant.

The Court Administrator's Office provides a variety of support for the administration of court policy and personnel. In 2021, Local Court Rules 2, 4, 11, 31, and 37 were updated.

Updates to Local Rule 22 "Bail" were made pursuant to changes to Rule 5.02 (C) Rules of Superintendence for the Court of Ohio. Rule 5.02 (C) requires all municipal courts in a county to collectively adopt a uniform bail schedule for use by all the courts. The judges of Toledo Municipal Court, Maumee Municipal Court, Oregon Municipal Court, and Sylvania Municipal Court worked together to create and adopt a uniform bail schedule that went into effect September 29, 2021. The uniform bail schedule was further updated effective January 1, 2022 to adopt a county-wide jail population management plan. This plan contains a set of procedures for release of pretrial defendants when the Lucas County Jail general population exceeds 370 or 65 in booking.

In 2021, the court also implemented substantial changes to the protection orders as required by the Rules of Superintendence for the Courts of Ohio Rules 10.02, 10.03, and 10.04. The extensive updating undertaken in the court's protection order system was accomplished in collaboration with the Clerk's Office, Northwest Ohio Regional Information System (NORIS), and the court's courtroom bailiff staff.

Human Resources Support Services

Throughout the year, the Court Administrator's Office managed a number of personnel selections and personnel actions. The court's Judges' Division advertised 13 external and one internal job postings and conducted 94 applicant interviews. The court appointed six internal employees to "acting" positions.

The Court Administrator's Office processed 31 FMLA packets. The court administrator received no grievances this year under the court's Employee Grievance Program and no formal investigations were conducted in 2021. The Court Administrator's Office provided support to departments in numerous personnel actions that ranged from coaching to written counseling.

Security/Facility Services

Court security bailiffs continued to ensure the safety and security of the Toledo Municipal courthouse. In 2021, the security bailiff team transitioned to new uniforms. Several building improvement projects were completed during the year. The office space allocated to the Court Services Department on the second floor underwent a redesign and renovation that will continue into the first quarter of 2022. Staff in the Court Services Department was temporarily relocated to office space on the second and third floors of the building.

The Toledo Municipal courthouse was built in 1976. As the building ages, capital improvements are necessary to ensure the safety and functionality of the building. The court administrator and the building operations chief have worked with the City of Toledo Facilities Division to identify necessary maintenance on the building's HVAC, electric systems, roofing, elevators, windows, and doors. The court anticipates that the City of Toledo will begin the process of undertaking deferred repairs and maintenance in 2022.

Technology Support Services

The court's Information Technology Department is responsible for maintaining the court's information, communication, and technology needs. Major initiatives completed in 2021 included the replacement of audio/video recorders in the JAVS system in courtroom 9. The JAVS system is a critical component to accurately recording court proceedings. JAVS recordings are used in lieu of a court reporter. A portable Polycom camera and TV were procured and configured for use in all courtrooms to provide the court with a cost-effective method of allowing people to appear virtually in a courtroom. The court updated equipment in courtroom 3 and the Lucas County Jail to provide a more reliable environment for conducting virtual arraignments for in-custody defendants.

The court also upgraded several computer applications and services to improve the overall efficiency of court operations. Additional cameras and signature pads were installed in the Probation Department to allow department personnel to attend virtual meetings and record interviews in order to improve staff interview techniques. Dictation equipment was installed in the Citizens Dispute Settlement Program Department to help staff meet case processing standards. The court continued to partner with the Clerk of Court and NORIS to manage the technology and information needs to perform the work of the court.

The Information Technology Department oversaw the procurement of equipment, PCs, and telephones for the Lucas County Electronic Monitoring Unit personnel who are located in the courthouse. IT staff moved all computer and telephone equipment for personnel in the Court Services Department who were relocated in the courthouse to allow their current office space to be renovated. The department also replaced 10 printers and has plans in place to replace an additional 25 printers.

The court hired an information technology specialist in the third quarter of 2021 to provide additional IT support to court staff. The IT staff continued to support court efforts to improve the court's website to make it easier for the public to access court information and services.

External Relation

The court administrator continues to maintain excellent relationships with various agencies and community stakeholders. The court administrator continued to serve as 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.

In March 2021, Toledo Municipal Court judges and staff volunteered to participate in 10-minute virtual presentations to students at Robinson Elementary School. Staff from the school reached out to the court regarding their virtual career day to expose their students to different careers available in the court system.

Staffing

The Court Administrator's Office staff includes:

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

**TOLEDO MUNICIPAL COURT
TRUST FUND REPORTING
January – December 2021**

Computer Legal Research 3T03013STDSTD 2021 Annual Statement of Expenditures	
<i>Publications and Contractual Services</i>	
Online Legal Research and Printed Material (Westlaw)	\$21,711.51
Total Expenditures	\$21,711.51

Alternate Dispute Resolution (Mediation) Trust Fund 3T03028STDSTD 2021 Annual Statement of Expenditures	
<i>Computer Supplies</i>	
ProLaw Software License (NORIS)	\$937.30
2 WebEx Seats (NORIS)	\$347.50
Total Expenditures	\$1,284.80

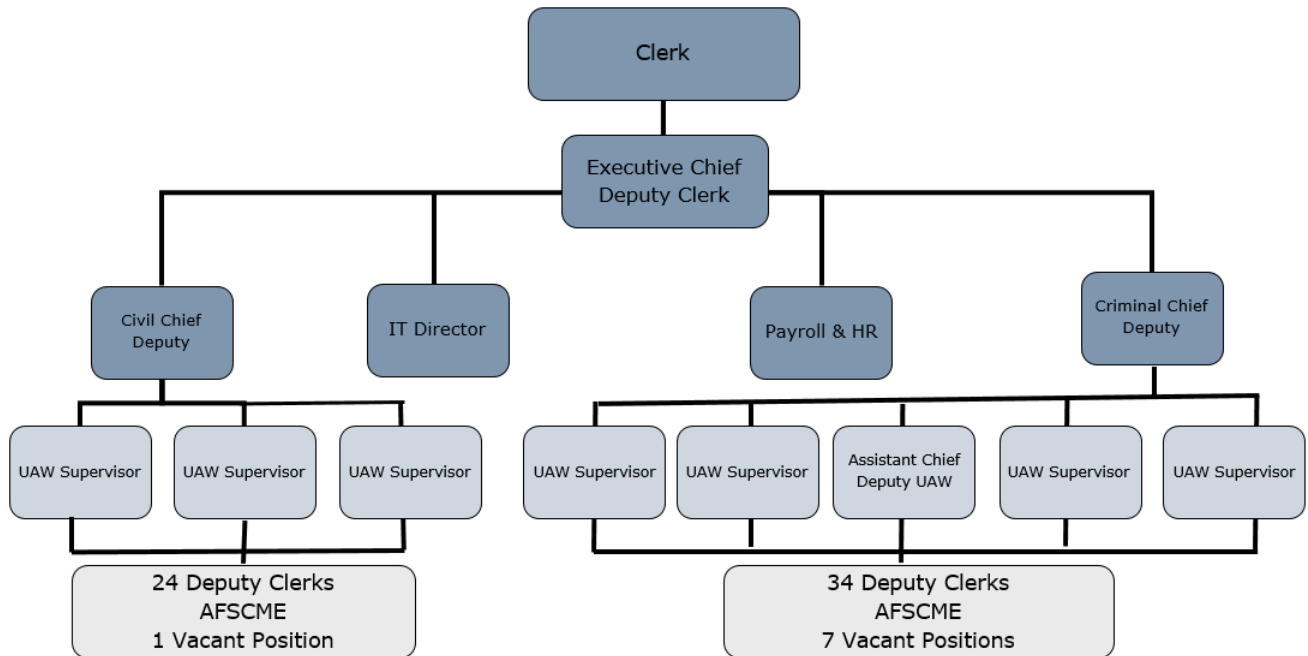
Court Computerization (Judges') Trust Fund 3T02916STDSTD 2021 Annual Statement of Expenditures	
<i>Contractual Services</i>	
Time and Attendance Maintenance Agreement (Right Stuff)	\$9,500.00
<i>Office Supplies</i>	
HDM Cable (CJCC)	\$9.99
<i>Other Operational Supplies</i>	
Camera and TV for Courtroom 3 Interview Room	\$3,122.99
<i>Computer Supplies</i>	
Dell Laptops for the Court	\$7,642.00
Total Expenditures	\$20,274.98

CLERK OF TOLEDO MUNICIPAL COURT

Vallie Bowman-English
Clerk of Court

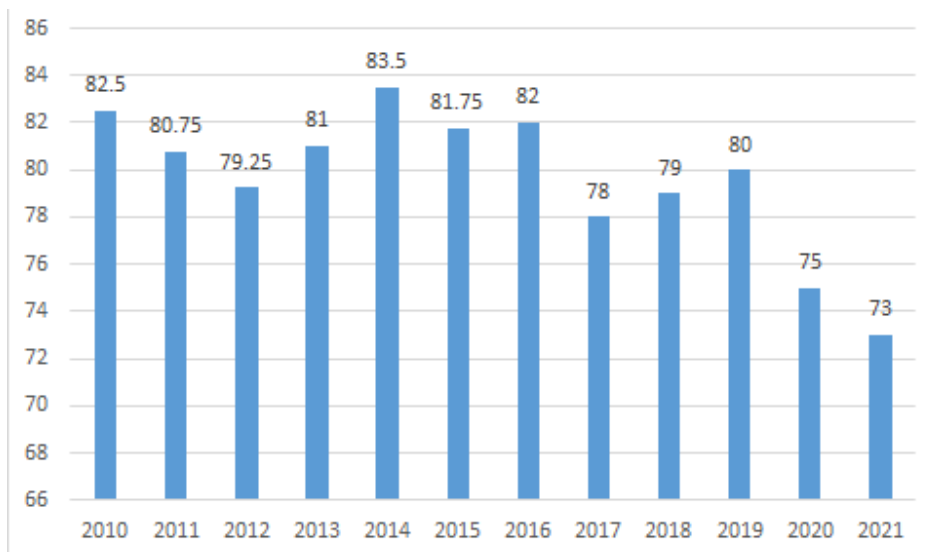
The Clerk of Toledo Municipal Court is responsible for maintaining the public record on all court cases in Toledo Municipal Court as well as collecting and distributing fines, fees, bail, and other funds associated with these cases. These responsibilities are defined under Ohio Revised Code Section 1901.31.

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



The Clerk’s Office employed 73 full-time deputy clerks under Clerk of Court Vallie Bowman-English.

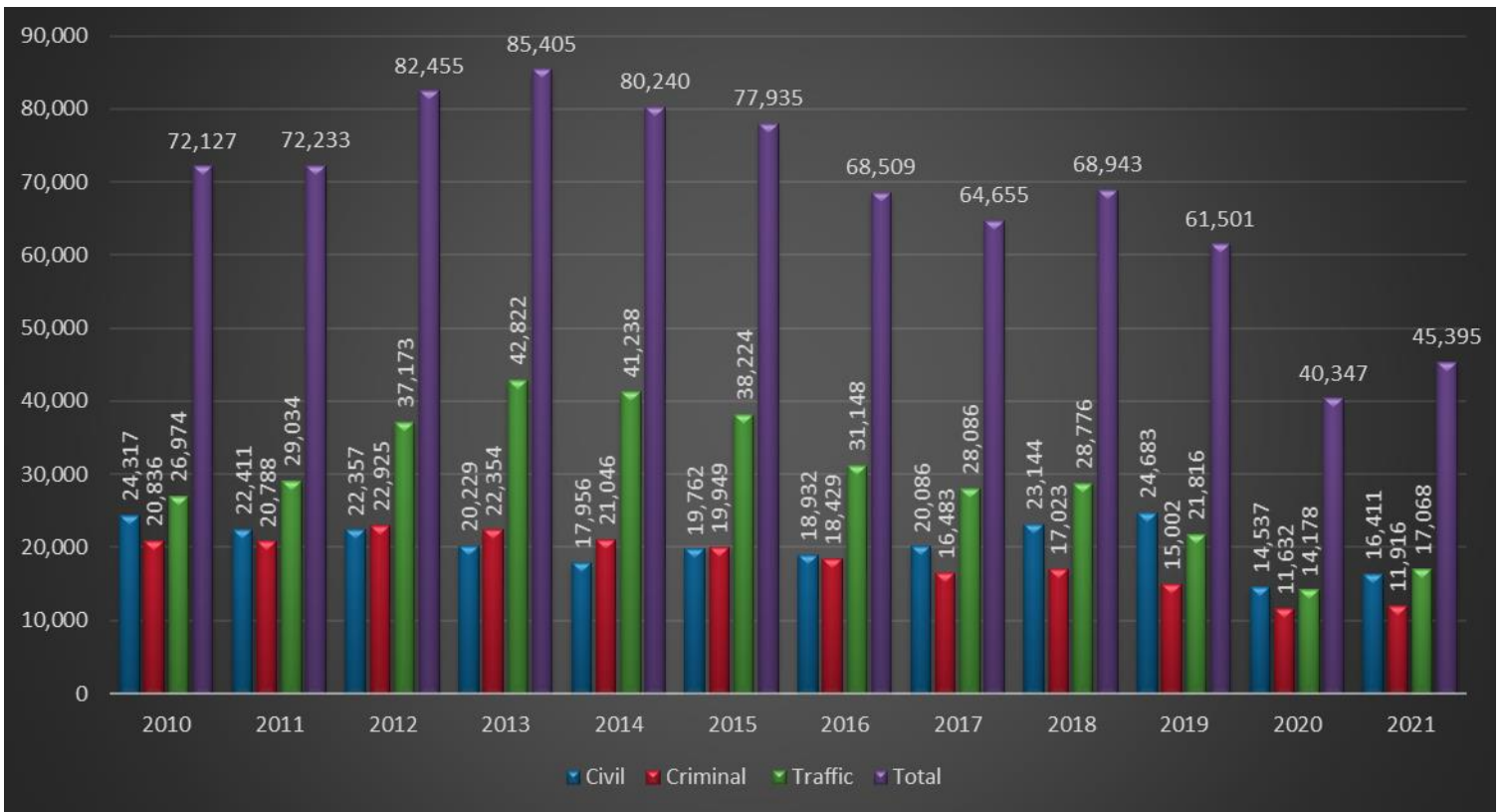
Full-Time Equivalent Staff Numbers 2010 - 2021



Clerk of Toledo Municipal Court Case Filings

	2021	2020
Civil	16,411	14,537
Criminal/Traffic	28,984	25,810
TOTAL	45,395	40,347

Case Filings 2010 - 2021

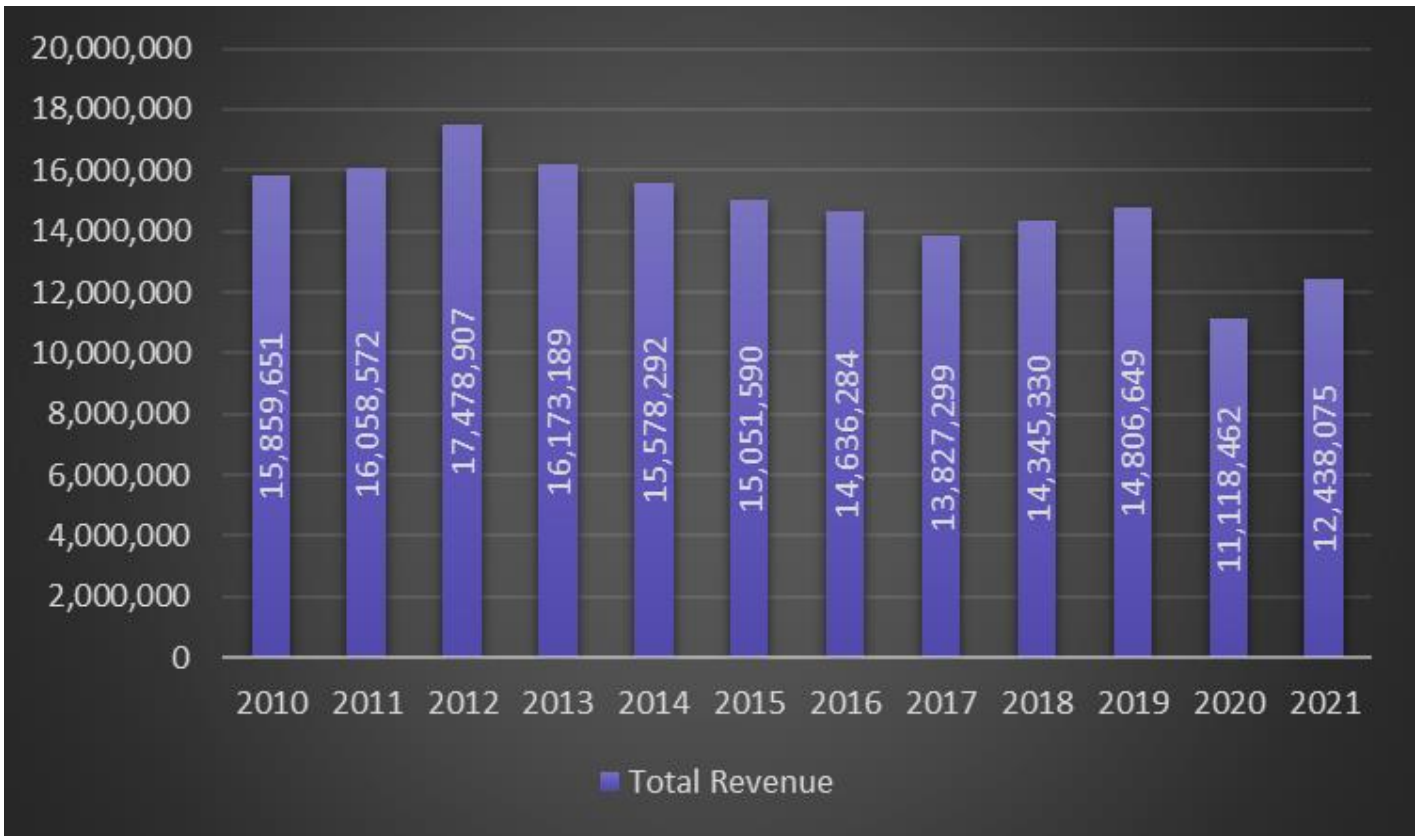


Clerk of Toledo Municipal Court Revenue Collection

Revenue collection increased by \$1,323,086 in 2021.

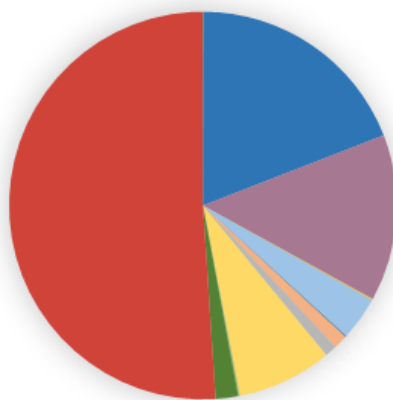
	2021	2020
Civil	\$8,788,065.43	\$8,209,684.88
Criminal/Traffic	\$3,653,483.11	\$2,908,777.42
TOTAL	\$12,441,548.54	\$11,118,462.30

Revenue Collection 2010 - 2021



Clerk of Toledo Municipal Court Revenue Disbursed

	2021	2020
City of Toledo General Fund	\$2,344,349.60	\$1,831,576.38
Other City of Toledo Accounts	\$1,706,383.05	\$1,227,557.41
Ottawa Hills	\$4,288.50	\$3,191.10
Washington Township	\$9,816.65	\$2,837.50
University of Toledo	\$400.00	\$685.00
Metroparks of Toledo	\$206.00	\$186.00
Lucas County Common Pleas	\$0.00	\$150.00
Lucas County Prosecutor	\$0.00	\$15,170.10
Lucas County Sheriff	\$48.00	\$110.00
Lucas County Treasurer	\$448,392.74	\$383,619.71
Lucas County Law Library Association	\$7,919.14	\$9,658.22
Citizens Award Fund/Crime Stoppers	\$2,203.50	\$1,938.93
Toledo Area Humane Society	\$310.00	\$310.00
Toledo Legal News	\$143,573.44	\$140,378.82
Civil Legal Assistance Project	\$121,731.36	\$110,268.21
Treasurer of State	\$973,824.00	\$833,709.85
Department of Natural Resources	\$1,315.00	\$1,170.00
State Pharmacy Board	\$14,336.10	\$13,623.43
Division of Liquor Control	\$125.00	\$250.00
Capital Recovery Systems	\$231,202.49	\$252,786.41
Fiduciary Accounts	\$6,260,091.28	\$6,447,735.96
Refunded Overpayments	\$4,051.05	\$7,604.50
TOTAL	\$12,274,566.90	\$11,284,517.53



**Clerk of Toledo Municipal Court
Civil Division**

	2021	2020
Filings		
Civil General	12,943	12,193
Small Claims	3,467	2,342
Trusteeship	1	2
TOTAL	16,411	14,537
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Activities		
Certificates of Judgment	3,178	3,000
Certified Mail Issued	34,414	31,639
Disbursements - Civil	3,363	3,661
Disbursements - Trusteeship	159	286
Dismissals	6,608	7,568
Executions	59	71
Garnishments	7,505	6,266
Judgments	34,441	36,598
Motions	7,783	7,918
Ordinary Mail Issued	13,769	11,328
Proceedings in Aid	3,764	5,021
Reports	12,485	11,208
Revivors	883	536
Revocations	0	0
Satisfactions	3,758	3,857
Subpoenas	119	111
Terminations	17,108	15,054
Transcripts	94	78
Writs of Restitution	2,135	1,910
TOTAL	151,625	146,110
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Revenue Collected		
Civil Revenue	\$2,396,337.73	\$2,692,167.30
Fiduciary Accounts - Civil	\$6,381,560.63	\$6,256,077.68
Fiduciary Accounts - Trusteeship	\$10,167.07	\$28,995.78
TOTAL	\$8,788,065.43	\$8,209,684.88
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Revenue Disbursed		
City of Toledo General Fund	\$1,501,313.25	\$1,137,437.41
Other City of Toledo Accounts	\$284,101.73	\$233,894.08
Civil Legal Assistance Project	\$121,731.36	\$110,268.21
Treasurer of State	\$309,863.73	\$302,210.40
Toledo Legal News	\$143,573.44	\$140,378.82
Fiduciary Accounts - Civil	\$6,248,532.21	\$6,417,205.61
Fiduciary Accounts - Trusteeship	\$11,559.07	\$30,530.35
Refunded Overpayments	\$409.00	\$422.50
TOTAL	\$8,621,083.79	\$8,372,347.38

**Clerk of Toledo Municipal Court
Criminal/Traffic Division**

Filings	2021		2020	
	Charges	Cases	Charges	Cases
Traffic	26,984	17,068	22,688	14,178
Criminal	17,128	11,916	16,933	11,632
TOTAL	44,112	28,984	39,621	25,810
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Activities				
Cases Sealed		2,225		1,697
Motions		24,683		16,703
Payments		25,767		22,295
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Revenue Collected				
Fines		\$1,116,323.87		\$758,618.63
Costs and Fees		\$2,503,912.83		\$2,129,411.79
Bond Forfeitures		\$26,131.00		\$13,565.00
Overpayments		\$3,642.05		\$7,182.00
Miscellaneous Revenue		\$3,473.36		\$3,392.73
TOTAL		\$3,653,483.11		\$2,912,170.15
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Revenue Disbursed				
City of Toledo General Fund		\$843,036.35		\$694,138.97
Other City of Toledo Accounts		\$1,422,281.32		\$993,663.33
Ottawa Hills		\$4,288.50		\$3,191.10
Washington Township		\$9,816.65		\$2,837.50
University of Toledo		\$400.00		\$685.00
Metroparks of Toledo		\$206.00		\$186.00
Lucas County Common Pleas		\$0.00		\$150.00
Lucas County Prosecutor		\$0.00		\$15,170.10
Lucas County Sheriff		\$48.00		\$110.00
Lucas County Treasurer		\$448,392.74		\$383,619.71
Lucas County Law Library Association		\$7,919.14		\$9,658.22
Citizens Award Fund/Crime Stoppers		\$2,203.50		\$1,938.93
Toledo Area Humane Society		\$310.00		\$310.00
Treasurer of State		\$663,960.27		\$531,499.45
Department of Natural Resources		\$1,315.00		\$1,170.00
State Pharmacy Board		\$14,336.10		\$13,623.43
Division of Liquor Control		\$125.00		\$250.00
Capital Recovery Systems		\$231,202.49		\$252,786.41
Refunded Overpayments		\$3,642.05		\$7,182.00
TOTAL		\$3,653,483.11		\$2,912,170.15

COURT SERVICES DEPARTMENT

Valerie Hobbs
Court Services Commissioner

Department Description

The Court Services Department was established to provide support services for the Court and the community throughout the court process. The primary role of the Court Services Department is to maintain the individual judges court schedules as well as the scheduling of various court proceedings, including pre-trials, motions, probation violation hearings, wedding ceremonies, and trials.

As part of maintaining the judges' schedule, the Court Services Department is tasked with the distribution of monthly and weekly schedules to court personnel, arranging for jurors when jury trials are held, and the scheduling of visiting judges and magistrates as needed. The Court Services Department works closely with other departments within the court to ensure the proper coordination for the completion of these services.

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.

In addition to maintaining the judges' court schedule and the scheduling of proceedings, the Court Services Department provides several ancillary services which support the court and its users. These services include the oversight of the electronic monitoring program, the scheduling of interpreters, coordinating administrative releases with local jails, managing medical furlough requests, and acts as a liaison between the courtrooms and outside organizations.

As Court Services Commissioner, Valerie Hobbs oversees the overall management of the department as well as managing two assignment clerks and five court services specialists. In April 2021 Julie Miller resigned her position as Court Services Assistant Commissioner. Hiring for this position is expected to be completed in the first quarter of 2022.

The Court Services Department undertook two goals in 2021, the most significant being the renovations to expand their current office space. At the start of this project, court services staff members were relocated to two different areas within the courthouse to allow staff to continue to provide services to the court with limited disruptions. Once the renovations are complete, the department will have additional space to accommodate staff, court users, and attorneys and will also permit Lucas County Electronic Monitoring staff to provide on-site services for individuals placed within the program. Completion of the new office space is expected to be finalized in the first quarter of 2022.

Additionally, in order to improve staff communication, the Court Services Department staff began holding roundtable meetings to focus on topics relevant to the department including communication, workload distribution, and best practices for setting cases in a timely manner. This type of meeting encourages staff to

have open discussions, explore ideas, and voice opinions and thoughts. The department also began meeting weekly to ensure all staff are aware of departmental and court matters. The department plans to continue both types of meetings throughout 2022.

Goals for 2022

- 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
- Continue to update and improve the Court Services Department's policies and procedures

Staff Summary

The Court Services Department staff consists of:

Court Services Commissioner Valerie Hobbs
Court Services Assistant Commissioner (vacant)
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 2021 with comparison figures for 2020 are as follows:

CASES HANDLED BY THE COURT SERVICES DEPARTMENT	2021	2020
Cases Assigned		
Criminal/Traffic Assignment	10,145	9,465
Civil Assignments (including Housing)	5,863	4,983
Cases Set for Trial		
Criminal/Traffic Trials	6,351	6,872
Civil Trials	489	481
Criminal/Traffic Trial Resets	2,331	4,354
Cases Set for Pretrial		
Pretrial - Criminal/Traffic	5,898	5,410
Pretrial Resets - Criminal/Traffic	1,515	1,782
Mandatory Jury Pretrials (MJPT) - Criminal/Traffic/Civil	93	35
Preliminary Hearing/Felony Arraignment Docket	10,313	10,900
Jury Trials Set (Criminal/Traffic/Civil)	69	69
Bureau of Motor Vehicle Hearings	0	0
Evictions	4,800	4,393
Housing		
Criminal Housing Trials	398	662
Civil Housing (Not a Draw) New Assignments	4,987	4,321
Rent Escrow	60	53
ALS/Innocent Owner Hearings	26	9

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 in 2021 and 2020 and per individual judge:

2021 CIVIL ASSIGNMENTS

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Berling	5	12	14	8	11	15	16	19	14	9	13	13	149
Connelly	7	11	18	13	7	8	19	16	10	9	13	16	147
Howe	394	317	381	297	364	404	458	444	484	487	542	415	4,987
Khoury	8	8	21	16	8	14	16	17	7	14	13	8	150
Kuhlman	2	9	13	20	17	14	9	14	8	15	19	9	149
Lanzinger	11	7	14	11	13	16	14	13	9	10	18	12	148
Wagner	6	7	12	17	18	11	13	11	5	12	12	10	134
TOTAL	423	371	473	382	438	482	545	534	537	556	630	483	5,864

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

Civil Cases Set for Trial

Month	2021	2020
January	30	34
February	28	43
March	29	47
April	37	9
May	47	7
June	45	46
July	51	96
August	32	35
September	48	54
October	56	25
November	41	51
December	42	34
TOTAL	486	481

Civil Pretrials, Jury Trials and Jury Pretrials Set in 2021 and 2020

Civil Pretrials		Civil Juries Set		Civil Mandatory Jury Pretrials	
2021	805	2021	8	2021	4
2020	629	2020	5	2020	1

Evictions Set

Month	2021	2020
January	376	548
February	359	452
March	438	273
April	299	3
May	275	2
June	378	391
July	343	284
August	411	530
September	475	574
October	519	565
November	455	396
December	472	475
TOTAL	4,800	4,393

Rent Escrow Hearings

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
2021	2	6	3	5	2	4	2	7	7	7	9	6	60
2020	2	5	5	0	0	2	3	1	9	7	12	7	53

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

2021: 0 cases
2020: 0 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	2021
Berling	1,828
Connelly	1,876
Howe	9
Khoury	1,852
Kuhlman	1,846
Lanzinger	1,876
Wagner	1,857
TOTAL	11,144

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

Reactivated Cases (Sealing of Record/Expungements)

2021: 2,048 cases
2020: 1,468 cases

Criminal/Traffic Trial Reset Cases – 2021 and 2020

2021

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
Berling	22	46	38	32	46	60	32	64	27	51	80	45	543
Connelly	49	44	90	73	58	67	31	68	73	70	70	49	742
Howe	13	16	19	22	23	31	17	25	21	35	39	45	306
Khoury	10	8	7	11	10	4	6	12	4	13	6	6	97
Kuhlman	26	24	24	33	24	47	23	41	42	50	42	40	416
Lanzinger	56	43	61	45	46	25	52	71	83	88	89	86	745
Wagner	25	20	25	32	39	23	33	34	44	23	16	24	338
TOTAL	201	201	264	248	246	257	194	315	294	330	342	295	3,187

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

2021 Jury Trials - Criminal/Traffic and Civil

Month	Criminal/ Traffic	Civil	Ordered	Used	No. of Jurors
January	10	0	0	0	0
February	4	0	0	0	0
March	9	0	1	0	0
April	11	1	0	0	0
May	10	2	0	0	0
June	6	0	1	8	18
July	0	0	0	0	0
August	5	1	2	17	29
September	4	1	0	0	0
October	6	0	0	0	0
November	4	1	1	9	27
December	0	0	0	0	0
TOTAL	69	6	5	34	74

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

2021 Criminal/Traffic Trials: 6,351

2020 Criminal/Traffic Trials: 6,872

2021 Criminal/Traffic Pretrials

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	TOTAL
Berling													
Set	29	27	52	43	42	29	34	27	32	25	34	31	405
Reset	2	2	4	3	10	14	6	13	2	1	5	9	71
MJPT*	1	1	0	0	0	0	0	0	0	0	2	1	5
Connelly													
Set	108	86	102	95	58	92	105	97	100	74	101	76	1,000
Reset	28	44	60	31	50	48	40	43	45	52	30	37	508
MJPT*	0	2	2	0	1	1	0	0	3	2	0	0	11
Howe													
Set	49	29	45	28	43	41	31	23	48	51	37	89	514
Reset	7	6	6	11	14	11	11	7	6	11	9	16	115
MJPT*	1	1	0	1	0	0	2	0	1	0	0	0	6
Khoury													
Set	101	79	109	84	103	88	106	82	93	75	84	75	1,079
Reset	3	4	3	0	5	9	6	5	1	3	5	3	47
MJPT*	0	4	0	2	2	0	0	0	0	0	0	0	8
Kuhlman													
Set	93	74	121	106	104	96	97	89	94	97	89	92	1,152
Reset	21	17	13	19	23	24	17	15	17	12	8	10	196
MJPT*	1	0	0	1	0	0	0	0	0	1	1	1	5
Lanzinger													
Set	103	73	127	90	96	88	81	89	78	71	84	71	1,051
Reset	27	20	38	29	38	22	38	48	34	38	29	28	389
MJPT*	0	1	1	0	0	0	1	1	0	0	1	0	5
Wagner													
Set	100	69	112	112	110	114	108	107	100	86	91	76	1,185
Reset	4	5	5	9	19	5	12	16	18	8	7	6	114
MJPT*	3	1	5	3	1	2	1	3	3	1	1	0	24

*Mandatory Jury Pretrials

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

2021 Criminal/Traffic Pretrials

Total pretrials set: **5,898**
 Total pretrials reset: **1,515**
 Total jury pretrials: **93**

2020 Criminal/Traffic Pretrials

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

2021

Total of criminal/traffic trials, trial resets, pretrials, pretrial resets, jury trials, and jury pretrials: **16,257**

2020

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

2021 Electronic Monitoring Placements

Month	Pre-Trial	Sentenced (Indigent)
January	20	29
February	13	35
March	15	46
April	20	34
May	16	39
June	21	41
July	19	41
August	19	55
September	27	56
October	25	49
November	22	41
December	20	39
TOTAL	237	505

2021 Interpreters Ordered

Month	Interpreters per Month
January	15
February	11
March	14
April	13
May	10
June	13
July	7
August	11
September	12
October	14
November	13
December	10
TOTAL	143

2021 Marriage Ceremonies

Month	Ceremonies per Month
January	N/A
February	N/A
March	15
April	49
May	46
June	40
July	28
August	35
September	19
October	34
November	15
December	24
TOTAL	305

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 of Lucas County.

Staffing

In 2021, due to the ongoing impact of the COVID-19 pandemic, the department continued to operate under a modified 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. Several federal moratoriums passed by the United States Government and Center for Disease Control greatly impacted the number of evictions and legal service documents handled by the department. Through the remainder of 2021, work in the department focused on maintaining basic operations such as evictions and executing service.

In April 2021 Scott Jaegly joined the Civil Bailiff Department. Mr. Jaegly has professional experience and a background working in law enforcement and transferred to the Civil Bailiff Department from the Toledo Municipal Court's Court Security Division.

Public Safety

Enhancing the safety of civil bailiffs and the community, as well as supporting best practices and procedures when handling prescription medications 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 medications and over-the-counter drugs off the street and provides an environmentally safe avenue for disposal. The Civil Bailiff Department removed 167 individually-packaged prescriptions and over-the-counter drugs in 2021.

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.

Policies and Procedures

In 2021 the Uniform and Equipment Policy was reviewed and the revisions were approved in July. Revisions of the policy enhanced understanding and consistency for Civil Bailiff Department staff.

In September the Toledo Municipal Court modified the procedure for conducting PIA hearings. The modifications required the Civil Bailiff Department to conduct research using the Ohio Revised Code and Rules of Civil Procedure. The research aided in the development of a new policy governing the method the Civil Bailiff Department perfects service of the PIA documents.

Training

The COVID-19 pandemic required the department to identify alternative ways to maintain training in 2021. 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 2021 to enhance professional development and increase public and personal safety:

- CPR and first aid training conducted in-person by the Toledo Fire and Rescue Department
- Crisis Intervention Team Training
- Implicit Bias and the Judiciary

Goals for 2022

- Hire and train new civil bailiff commissioner to lead the overall operations of the Civil Bailiff Department
- Review and update department manual and policies to enhance understanding, ensure existing policies reflect current court expectations and Ohio Revised Code regulations regarding the safe, efficient and consistent operation of the Civil Bailiff Department
- Continue to provide staff training and tools to assist the department in executing its duties. Future training may include de-escalation training, conflict avoidance, and dealing with difficult individuals

Staff Summary

The Civil Bailiff Department consists of the following staff members:

Acting Civil Bailiff Commissioner Kevin L. Smith
Deputy Civil Bailiff David G. Baz, Jr
Deputy Civil Bailiff Sherhonda R. Haynes
Deputy Civil Bailiff Scott Jaegly
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>2021</u>	<u>2020</u>
Bailiff Sale	0	0
Bench Warrants – Received	262	572
Creditor Bill	0	0
Garnishments	327	216
*Garnishments – No Service	34	15
Garnishment – Mail Service (Notifying Defendants of Bank Attachments)	9	12
Landlord Complaints One Cause	3,640	3,658
*Landlord Complaints One Cause – No Service	108	275
Landlord Complaints Second Cause	4,726	4,820
*Landlord Complaints Second Cause – No Service	93	249
Notification	4	0
Paper Writs of Execution	0	0
Proceedings-in-Aid – Received	457	1,220
*Proceedings-in-Aid – No Service	310	841
Replevin Summonses	21	27
Writs of Replevin	12	22
Subpoenas – Received	79	89
*Subpoenas – No Service	14	19
Summonses – Received	797	242
*Summonses – No Service	313	126
Writs of Execution	43	51
Writs of Restitution Set Out	2,008	1,735
Writs of Restitution Lock Out	55	51
Alias Writs of Restitution Set Out	617	513
Alias Writs of Restitution Lock Out	30	33
Plaintiff Notice of Action	2,063	1,786
Four Day Notice to Leave	2,063	1,786
Total Civil Documents Processed	18,051	16,821
Evictions (Set Outs and Lock Outs) Scheduled	1,271	1,114
Evictions Executed	312	297
Lock Outs Executed	38	41
Money Collected on Writs of Execution	\$18,891.00	\$15,563.86

*Not included in the total count of civil documents processed

2021 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 2021, the court reporters prepared a total of 82 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.

2021 Department Highlights

Beginning in 2020, Lucas County Correction Center inmates were no longer being transported to the court as a measure to prevent possible transmission and/or exposure to the COVID-19 virus. The court installed a video conferencing system in courtroom 3 so felony and misdemeanor arraignments could be heard remotely. The court began using the video system for in-custody defendants in April 2020 and a court reporter was assigned to courtroom 3 on a weekly rotating basis to ensure the record was accurately captured. In June 2021, the court returned to in-person arraignments and the court reporters were no longer required to take the record for remote hearings. The court reporters resumed their pre-COVID rotation of taking the record in courtroom 9 (small claims and FED hearings) every other week.

Accomplishments

The Court Reporter Quality Assurance Policy was approved by the presiding judge in August 2021. This new policy was implemented to ensure the integrity of the court's verbatim record is properly preserved. Court reporters are required to check daily that their stenograph writer effectively captured court proceedings, to save their stenographic notes in a specific format, and to follow guidelines to coordinate maintenance and repairs on their assigned stenograph machine.

The Court Reporter Department worked with the Sixth District Court of Appeals to include a signature line and email address line on the court reporter's certification page. This small change ensures court reporters are aware of appeals being filed that require the completion of transcripts and also allows for courtesy copies of record/transcript due dates and other notifications from the Court of Appeals.

Goals for 2022

- To update the court reporter job description so it accurately reflects and encompasses all of the duties of the court reporters
- To collaborate with the Clerk of Court's Civil and Criminal/Traffic Departments to ensure the Court Reporter Department has a thorough understanding of their appeals policies and practices, and
- To continue to provide impeccable service to judges, court staff, attorneys, and the public

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 individually assigned to judges of the Toledo Municipal Court and one part-time law clerk is responsible for legal research working solely with Housing and Environmental Court Judge Joseph J. 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, 2021, Morgan Coulter was appointed by the judges to continue serving in her role as chief law clerk. Her term will expire on October 22, 2022.

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 exemplary service to the public and outside 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, other 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.

Two law clerks assist their judges with specialized dockets. Judge Connelly's law clerk provides immense support to the Veteran's Treatment Court docket, which is held every other Friday morning. Judge Kuhlman's law clerk assists with the monthly Re-Entry docket. The Re-Entry Program helps ex-offenders assimilate back into daily life by addressing any outstanding legal issues with Toledo Municipal Court.

2021 Retrospective

The law clerks continued to utilize weekly reports from NORIS which provide 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 their respective judge's 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, license procedures, and PIA hearings with the magistrates and the Public Defender's Office.

Goals for 2022

The law clerks will continue to take a lead role in overseeing management of their respective judge's 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.

The law clerks will continue to meet with the court administrator on a monthly basis. These meetings 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 the civil duties bin procedure to help eliminate the existence of "judge-shopping" and overwhelming workloads for some courtrooms versus others.

At this time, the research law clerk/courtroom 4 traffic clerk position is still vacant. The law clerks have continued to rotate coverage in courtroom 4 in the afternoon to cover traffic court and the PIA docket during their courtroom 3 rotation and are also pulled to cover mandatory dockets where there is a vacancy. We remain hopeful that all open positions will be filled in 2022.

Staff Summary

There were several staffing changes in 2021. John Stewart resigned from his position as law clerk to Judge Michelle A. Wagner and Rochelle Hutchisson was hired as his replacement. Zoe Kuzdzal resigned from her position as law clerk to Judge Joseph J. Howe and Tessa Lee was hired as her replacement. Nicholas Windau was hired to replace Tessa Lee as the part-time housing research clerk.

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

Presiding Judge William M. Connelly, Jr.	Rahma Ismail
Judge Amy J. Berling	Barbara Hinz
Judge Joseph J. Howe	Tessa Lee
Judge Nicole I. Khoury	Morgan Coulter, Chief Law Clerk
Judge Timothy C. Kuhlman	Destiny Morr
Judge Joshua W. Lanzinger	Angela Hanna
Judge Michelle A. Wagner	Rochelle Hutchisson
Research Law Clerk	Vacant
Part-Time Housing Research Clerk	Nicholas Windau

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 citizens of Toledo an alternative means of resolving disputes. By using mediation, counseling techniques, and conciliation, people are empowered to settle their disputes which would otherwise be concluded in the traditional court system.

Mediation is an effective means for 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 conferences, all of which permit the participants to more clearly understand their position, the other party'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 with 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 2020 in compliance with the Court's COVID-19 emergency order to limit the number of people in the building in order to promote social distancing. The CDSP legal intern program resumed function in the fall of 2021.

Judicial cases are referred to CDSP that involve misdemeanor behavior such as menacing, criminal damaging, disturbing the peace, and theft. These cases can be referred at 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.

FED cases are often 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 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 CARES ACT and the Department of Health and Human Services moratorium on evictions in 2020. The federal government moratorium was lifted in 2021 and FED cases resumed active filing.

“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 the 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 court’s COVID-19 policies brought an initial adjustment to these cases, and initial attempts were made to resolve the controversy through telephone dialogue instead of in-person meetings.

The check resolution service, instituted in October 1993, began decreasing in use. CDSP closed this program and suggests potential participants use the small claims court to satisfy the wrong.

Accomplishments and Challenges of 2021

In 2021 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 2021 is still limited by the court’s COVID-19 emergency order. The emergency order limits the number of individuals in the courthouse in the attempt to promote efforts to social distance and to keep the public and court staff safe.

Goals for 2022

- CDSP will hire and train a new senior mediator
- CDSP will increase and improve video (WebEx) mediation services to include for instance shared documents and electronic signature capabilities
- CDSP will use court owned kiosks and tablets to poll/survey its users in 2022
- CDSP will review and analyze current practices for written procedure and policy development

Staff Summary

Daniel G. Camick continues to serve as the Acting Senior Mediator. Susan Padilla is the department’s intake secretary. CDSP anticipates hiring a new senior mediator in 2022.

Statistics for 2021, with statistics from 2020 for comparison, are provided below.

<u>Types of Cases</u>	<u>2021</u>	<u>2020</u>
	Success Rates	
Civil	70%	62%
Adjudicated	54%	63%
Pre-Adjudicated	NA	34%
Housing – Rent Escrow	43%	40%
Housing – FED	75%	88%
Small Claims	50%	48%

<u>Dispute Resolution – Case Types Referred</u>		
Assault	11	10
Menacing	04	08
Criminal Damage	3	13
Theft	1	11
Harassment	0	0
Neighborhood Dispute	0	2
Telephone Harassment	0	2
Criminal Trespassing	0	0
Landlord/Tenant	1	13
Stalking	1	0
Other	6	22

<u>Civil Mediations</u>		
Total Cases Referred	426	273
Mediation: Agreement	256	139
No Agreement	86	37
CDSP Involvement/No Mediation/FTA	23	50
Pending	60	47
Mediation Agreement %	70%	62%

<u>Pending Adjudication Mediations</u>		
Total Cases Referred	25	44
Mediation: Agreement	7	21
No Agreement	3	4
FTA to Notice	0	4
CDSP Involvement/No Mediation	2	4
Pending	12	11
Mediation Agreement %	54%	63%

2021**2020**

<u>Pre-Adjudicated Mediations</u>		
Total Cases Referred	0	62
Mediation: Agreement	0	20
No Agreement	0	5
FTA to Notice	0	22
CDSP Involvement/No Mediation	0	0
Make File Only	0	6
Pending	0	4
Mediation Agreement %	0%	34%

<u>Housing Mediations – Rent Escrow</u>		
Total Cases Referred	120	77
Mediation: Agreement	46	27
No Agreement	51	23
FTA to Notice	4	13
CDSP Involvement/No Mediation	5	3
Pending	14	10
Mediation Agreement %	43%	40%

<u>Housing Mediations – FED</u>		
Total Referred	24	78
Mediation: Agreement	18	69
No Agreement	3	5
Mediation Agreement %	75%	88%

<u>Small Claims/Same Day Mediations</u>		
Total Cases Referred	87	113
Mediation: Agreement	35	54
No Agreement	35	30
Mediation Agreement %	50%	48%

<u>Check Resolution Mediations (CRS)</u>		
Total Referrals	0	2
Funds Generated	\$.00	\$30.00
Collection Mediations	0	0
Total Number of Cases Referred	684	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.

During 2021, Quality Assurance Manager Rachel Borders oversaw the completion of 404 case file audits and 104 direct observation audits on open probation cases throughout the year. Additionally, 114 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. Each 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 Supervisors Mark Klapper and 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 time 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 who supervise high-risk probationers. These probation officers are Megan Stevens, Markus Whitehead, Melissa Stasa, Allie Popovich, Kim Beale, Chris Giwa, Jessica Galati, Chavon Price, and Daniel Ford. The average high-risk caseload is 58 clients per probation officer. Unit Supervisor Maria Tomlin manages nine 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, Sarah Fuller, Kalie Acker, and Adriana McCord. The average moderate-risk supervision caseload is 85 clients per probation officer.

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 145 probationers.

The intensive supervision program (ISP) is currently managed by Probation Officers Melissa Stasa and Chavon Price. 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.

In 2021 the Probation Department was awarded a two-year renewal of the CCA Grant in the amount of \$663,024.00. The CCA Grant 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 was also awarded a two-year extension of the Justice Reinvestment Incentive Grant (JRIG) through the Ohio Department of Rehabilitation and Corrections in the amount of \$870,376.00 in 2021. The JRIG provides 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.

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 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 court services specialists RoShona Perkins, Tycie Jackson, 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 CSPP. 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 Ohio Risk Assessment System (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 2021, the Probation Department continued to face many challenges related to the COVID-19 pandemic. Several programs continued using pandemic protocols throughout the year. The Alternatives Program continued to provide services for clients through the use of online-only classes. During this period of online-only learning, probation staff was able to update the existing Alternatives Program class presentation, incorporating both evidenced-based practices and a more interactive approach to the classroom presentation. The new in-person Alternatives Program class is scheduled to debut in 2022. Additionally, kiosk reporting continued to remain on hold with low-risk clients being allowed to report by telephone to limit their need to go out into the community to report. Kiosk reporting is expected to resume in 2022.

Despite the challenges related to COVID-19, the Probation Department was able to complete several goals established for 2021, one of which was the completion of the E-Notification Project. This service electronically notifies probationers of upcoming court dates, probation appointments, and completion dates of programs such as the Alternatives Program and CSPP. The Probation Department also has the ability to notify victims of occurrences in cases in which they were involved such as probation termination dates, probation violation hearings, and probation extensions. Notifications are provided through both the use of e-mail and text messaging.

The Probation Department also developed procedures for identifying and supervising probationers who are potential victims of human trafficking. High-Risk Probation Officer Allie Popovich and Moderate-Risk Probation Officer Christy Adams assist in the screening process and supervise individuals who have been identified as potential victims of human trafficking.

Additionally, the Probation Department Fellowship Program completed its initial two-year pilot program in October of 2021. The initial participants of the program, Adriana McCord and Kalie Acker, were both hired as permanent members of the Probation Department as Probation Officers and assigned to the moderate-risk unit. The Probation Department Fellowship Program proved to be a great success and has been established as a permanent program. We anticipate welcoming new fellows in the coming years to build on the success of our first two participants.

With the understanding that the last two years have been particularly stressful for everyone, in November 2021, the Probation Department, in conjunction with the court, launched a 30-day positivity challenge. The challenge consisted of daily techniques and ideas staff could incorporate to bring some positivity back into their lives. Those who participated in the challenge were eligible for daily and weekly prizes all designed to promote positivity and create a more positive environment within the court.

The Probation Department continued to participate in regular meetings with chief probation officers from municipal and common pleas courts in Lucas County. These meetings were developed as part of the Safety and Justice Challenge: Strategy #5 to promote regional collaboration.

Supervision fee expenditures included enhancement of the probation case management software system, confidential shredding services, kiosk maintenance, case management software maintenance fees, and office supplies.

Staff Summary

As of December 31, 2021, 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, 21 probation officers, six court services specialists, one license intervention specialist, four probation secretaries, and one temporary secretary. The Probation Department currently has two unfilled clerical positions.

2022 Goals

- Develop a specialized caseload of individuals placed on probation supervision who have been diagnosed with a significant mental health condition requiring long-term treatment
- Establishment of a peer review committee to further expand the Probation Department's quality assurance practices in order to further develop staff and ensure fidelity in the use of evidenced-based practices
- Establish procedures to ensure increased interventions for probationers based on risk level utilizing acquired evidence based practices (EBP) skills and the use of quality assurance tools to measure fidelity and dosage

**PROBATION DEPARTMENT
YEAR-END STATISTICAL REPORT**

	# OF CLIENTS 2021	# OF CASES 2021	# OF CLIENTS 2020	# OF CASES 2020
Referrals to Probation				
Traffic	1,668	2,935	1,467	2,872
Criminal	2,449	4,803	2,323	4,043
Total Referrals to Probation	4,117	7,738	3,790	6,915
Offenders on Probation				
Active Probation	1,519	1,971	1,321	1,536
Inactive Probation	919	965	724	780
Referral Monitor	54	57	33	34
Total Defendants Placed on Probation	2,492	2,993	2,078	2,350
Total Probation Violations Requested	1,102*	1,838*	1,326*	2,002*
Defendants Released or Terminated from Probation	1,710	**	3,007	**
Presentence Referrals Requested	303	314	289	296
Motions to Seal	643	2,438	488	1,393
DIP Referrals	689	692	478	483

*Includes probation violation waivers requested by officers

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

	# OF CLIENTS 2021	# OF CASES 2021	# OF CLIENTS 2020	# OF CASES 2020
CSPP Program				
Total CSPP Referrals	171	232	387	560
Insurance Fees Collected on CSPP Cases	\$1,124.50		\$1,585.50	
Total CSPP Hours Ordered	4,411		9,707	
Total CSPP Hours Completed	871		1,573	
LIS Program				
Vehicle Release	5	5	1	1
LIS (RED Referrals)	255	281	343	367
Immobilizations	35	35	27	27
Driving Privileges	45	46	31	33
General LIS Inquiries (Walk-in Clients)	234		301	
Total LIS Program	574	367	703	428
Alternatives Program				
Total Program Referrals	237	241	206	209
Successful (Sealed)	133	136	143	144
Unsuccessful	20	20	41	41
Regional Court Referrals				
Bowling Green	0		0	
Sylvania	0		0	
Maumee	0		0	
Oregon	0		0	
Perrysburg	15		30	
Berea	0		0	
Portage	0		0	
Other	0		0	
Total Regional Court Referrals	15		30	
Financial Information				
Restitution Collected	\$113,368.20		\$94,505.61	
Surcharge Collected	\$6,968.52		\$7,032.71	
Total Collected	\$120,336.72		\$101,538.32	

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 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 fifth 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 2021 the COVID-19 pandemic continued to bring unprecedented challenges. Many defendants continued to experience hardship that created delays in making repairs, as did supply chain shortages, price increases and extensive waiting periods for materials. In 2021 there were 1,039 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

While civil case filings increased this past year, they remained lower than pre-pandemic level. In 2021, there were 4,380 eviction cases and 124 rent escrow cases filed.

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.

2021 Accomplishments and Goals for 2022

Judge Joseph J. Howe presented a continuing legal education webinar for the Toledo Bar Association Real Estate Committee on November 17, 2021. Topics included an overview of city ordinances, rule changes, rental assistance programs and housing court resources. The event was well-attended.

At the invitation of the City of Toledo Division of Code Enforcement, the senior housing specialist attended numerous meetings as part of their Center for Community Progress Blueprint Work Group. The mission of the work group is to create an approach to code enforcement work which is clear, transparent, equitable, and built on the foundation of data to effectively address blight in our community.

The Housing Court participated as 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 2022, 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 2021 Housing Court staff consists of:

Housing and Environmental Court Judge Joseph J. Howe
Magistrate Alan J. Michalak
Standby Magistrates 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 through February 2021
Law Clerk Tessa Lee from February 2021 to the present
Part-Time Research Intern Nicholas Windau