

# **TOLEDO MUNICIPAL COURT**

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**ANNUAL REPORT 2022**

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# TOLEDO MUNICIPAL COURT

555 N. Erie Street  
Toledo, Ohio 43604

*Michelle A. Wagner*  
Presiding Judge

419-245-1944 telephone  
419-245-1802 fax  
michelle.wagner@tmcourt.org

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 2022 as required by statute. The report provides a comprehensive summary of the Court's significant accomplishments and overall performance during the past year. I encourage you to read the report in its entirety as you will find its contents to be educational and informative.

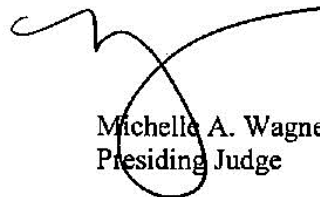
The Court recognizes and values the critical role it performs in administering justice and ensuring the citizens of Toledo, Washington Township, and Ottawa Hills are treated fairly in criminal and civil matters that come before the Court. The Judges and Court staff take great pride in the work they do,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

The Court is, and will continue to be, cognizant and sensitive to the economic conditions and challenges of the City of Toledo and the surrounding areas that we serve. In 2022, we demonstrated our commitment to making sound fiscal and operational decisions. The Court remains committed to providing cost effective programs and services that address the needs of offenders, victims, and the community.

As we move forward in 2023, the Court will remain fiscally responsible and transparent in managing its daily operations. At the same time, we will continue to identify and pursue new cost-effective opportunities, which will help improve our efficiency, performance, and service delivery to the public.

In closing, on behalf of the Judges of our Court, I encourage you to review the 2022 annual report. We invite you to contact us should you have any questions or concerns related to this report.

Respectfully,



Michelle A. Wagner  
Presiding Judge

## **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, personnel administration, policy development and implementation, contracting, technology management, 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, the media, 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 for 2022, and Judge Michelle A. Wagner served as the acting presiding/administrative judge for a one-year term in 2022.

### **Department Transitions**

The Court Administrator's Office went through a number of exciting transitions in 2022. The judges approved a departmental reorganization that created two deputy court administrator positions and reorganized each functional area within the Court Administrator's Office to report to a deputy court administrator. The deputy court administrators also split supervision of the court's departments. The new organizational chart is located at the end of this section.

Kevin Alore, who had been serving as the chief probation officer, was promoted to the deputy court administrator position. Bryan Latta, who previously had served as a small claims assistant, courtroom bailiff and a civil bailiff, as well as the chief deputy clerk in both the civil and criminal/traffic divisions of the Clerk's Office, was also hired as deputy court administrator. Judges' secretary Kate McManus served as acting human resource specialist for six months and was subsequently promoted to the position by the judges. Human Resource Officer Tammy Harris graciously agreed to delay her retirement in order to train the court's new human resource officer, Tim Rupert. Mr. Rupert has five years' experience in workforce management that includes both private and public sector organizations. Kevin Smith, who had been serving as the assistant civil bailiff commissioner, was promoted to building operations chief after having served as acting building operations chief for eight months. Kelly Seevers was hired as a judges' secretary. Ms. Seevers has over 25 years' experience providing executive administrative support. As the year closed, Information Technology Officer Terry Koluch departed the court. In 2023, the court will need to hire a new information technology officer as well as a new judges' secretary.

### **Ending the Judicial Emergency Due to the Pandemic/COVID-19**

The judges announced an end to the judicial emergency that was declared on March 15, 2020, due to the COVID-19 pandemic. Prior to this, the court reviewed all pandemic measures and chose to make some of

the changes implemented due to COVID-19 permanent. Rule 12, Fines and Costs, was updated to permit the clerk of court to issue a stay toward pending fines, fees, and costs for 60 days upon the payment of \$50.00 toward a case's outstanding monies owed. Rule 12 was also updated to permit the clerk of court to remove any vehicle registration block and issue a 60-day stay upon the payment of the lesser of \$500.00 or 25% of the total fines, fees, and costs on all cases. The court also approved a COVID-19 leave administration policy. Under this policy, absences due to COVID-19 are excluded from the court's 40-hour program. The court also updated Rule 14, Filing and Service of Court Papers, to indicate that certified mail green cards marked COVID, C-19, or COVID-19 without the recipients' signature or initials are considered a failure of service. The court also updated its procedures for performing marriages. Marriages are performed by appointment only, and scheduling occurs through email. Finally, the City of Toledo awarded premium pay to court staff who were working on March 23, 2020 (the date of Ohio's stay at home order) and continued employment at the court through the pandemic. These payments, made with American Rescue Plan Act (ARPA) funding, recognized staff's work to maintain access to the civil and criminal justice systems for citizens throughout the pandemic. The in-person essential services performed by judges' division staff required regular in-person interactions with the public, co-workers, and criminal justice partners (such as law enforcement, the Prosecutor's Office, the local bar, the Public Defender's Office and the Clerk's Office).

## **Year in Review: Overview**

### ***Special Projects***

*Friday Pulse.* In 2022, the Court Administrator's Office proposed a pilot program to launch a weekly pulse survey and a quarterly culture survey for staff. The pilot, using Friday Pulse, was launched in September 2022 and included 34 court managers and staff members. The goal of the pilot was to provide a platform for voice, improve communication, and empower staff to influence operations and priorities. The judges approved the implementation of Friday Pulse for all staff beginning in 2023. In preparation for the launch, all managers received facilitation coaching to strengthen the facilitation skills necessary for successful debrief meetings. All full-time staff, with the exception of judicial and quasi-judicial staff and Housing Department staff, will participate in Friday Pulse.

*Tiger Team-Court Services Department Policies.* The Court Administrator's Office put together a team of staff (Probation Unit Supervisor Mark Klapper, Probation Officer Melissa Fischer, and Administrative Assistant Meredith Kurucz) to assist the Court Services Department in drafting and finalizing department policies and procedures. This was especially helpful as the department works to standardize processes as well as train three new court services specialists during the extended absence of the court services commissioner. The policies drafted and completed include criminal/traffic case scheduling, civil case scheduling, electronic monitoring, and attendance.

*Employee Appreciation and Recognition.* On June 24, 2022, the court conducted an employee recognition event focused on years of service. The celebration, coordinated by the Employee Recognition Sub-Committee (ERS), was held outside and included cotton candy and popcorn, as well as games. Presentations were made for staff with less than five years of service, 5-10 years of service, 10-15 years of service, 15-20 years of service, 20-25 years of service, and 25+ years of service. The ERS also handed out treat bags to all staff for Valentine's Day. Two pop-up events were conducted to honor the Civil Bailiffs Office and the Citizens Dispute Settlement Program. In addition, the Court Administrator's Office hosted a candy buffet on March 4, 2022, in honor of Employee Appreciation Day.

## ***Administrative Support Services***

*Companion Cases.* In 2022, the court undertook planning and programming updates to CLIP and CATS (the court's scheduling and case management systems) to allow cross-filings to be joined as companion cases. This change permits these cases, with different defendants, to be scheduled together in the interest of judicial economy and justice. This is distinct from case consolidation, in which one defendant has all pending cases consolidated to one judge.

*Municipal Court Juror Program.* In 2022, the court implemented a new juror program. Toledo Municipal Court experienced great difficulty securing jurors necessary for trials in 2021. As a result, the court worked with the Lucas County Court of Common Pleas to make programming updates to the county's juror software. These updates permitted the Lucas County jury commissioner to summons municipal court jurors separately and directly to the Toledo Municipal Court building. Staff in the Court Services Department were trained in the software, and a jury assembly area was created off the lobby of the court building. The court also installed a kiosk for juror check-in.

*Local Rule Updates.* The Court Administrator's Office provides a variety of support for the administration of court policy and personnel. In 2022, local court rules 8.1, 11, 12, 14, and 15 were updated.

*Policy and Procedure Updates.* The finance officer was responsible for creating and implementing a purchasing card program complete with policies and procedures. This program permits the use of a court credit card for particular purchases rather than having to use petty cash or personal credit cards. Two P-card holders, the information technology officer and the human resources specialist, were designated for the program. The human resources officer was responsible for creating and implementing the work-related accident, injury, and illness policy. This policy was designed to assist employees with understanding their rights and responsibilities with reporting work-related injuries or illnesses as well as the eligibility requirements for the court's injury leave program. The human resources officer was also responsible for updating the court's reporting proof of illness policy. The updates were designed to provide more flexibility to staff in designating sick leave as documented or undocumented, and expanded the entities that could provide such documentation to include schools and child care facilities. The information technology officer was responsible for implementing updates to the court's computing and communications policy. The updates ensure the policy reflects current procedures and maintains compliance with the Law Enforcement Automated Data System (LEADS) audit requirements. The court also updated the magistrate docket exchange policy and procedure to provide magistrates with greater flexibility in trading dockets. The court's retention record policy was also updated in 2022.

*Work Release.* The court worked with Correctional Treatment Facility to provide the Toledo Municipal Court's judges with access to the Lucas County work release program. Initial implementation was limited to sentenced cases. The court was provided with 10 beds, which include electronic monitoring.

## ***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 job postings and one internal job posting and conducted 94 applicant interviews. The court appointed six internal employees to "acting" positions.

The human resource officer 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 2022. 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 Court building. In 2022, there were five additions to the court security bailiff staff: Anthony Hook, Michael Chandler, Jada Fortune, Randy Gill, and Ken Claus. All court security bailiffs completed 24 hours of continuous professional training in conjunction with the Ohio Peace Officer Training Academy as part of their annual training.

The court also provided ALICE (Alert, Lockdown, Inform, Counter, Evacuate) active shooter training sessions for all employees of Toledo Municipal Court. The purpose of ALICE training is to prepare individuals housed within the courthouse to recognize and respond in the event an active aggressor incident occurs. The office safety representative program also met to review the emergency procedures manual for court employees.

The court was forced to close in November of 2022 due to a water main break. Fortunately, there was no significant damage as a result of the break, and the court was able to reopen after 24 hours.

Several building improvement projects were completed during the year. The redesign and renovation of the Court Services Department, which began in 2021, was completed in 2022. This project allowed contracted electronic monitoring staff to maintain office space within the courthouse. A dedicated breakroom was also completed for deputies of the Lucas County Sheriff's Office who serve the court. This space also provides deputies with secure lockers for personal items as well as lockers to secure their weapons.

Projects scheduled to be completed in 2023 include the remodeling of the 4<sup>th</sup> floor Citizens Dispute Settlement Program mediation room, which began in late 2022. The City of Toledo and Toledo Municipal Court also began their partnership with the Brewer-Garret Company to begin large-scale project planning for several renovations to be completed within the courthouse. These projects will include updates to the court's HVAC system, roofing, elevators, windows, and electrical system. These projects are estimated to be completed over the next two years.

### ***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 2022 include the following:

- Servicing for the court's Justice AV Solutions (JAVS) systems. These included improvements to courtrooms 3 and 4 to provide better access to remote interpreters, improving testimony capture in courtroom 2, improving sound broadcasting to the custody holding area in courtroom 4, improving the resolution of video recordings in nine courtrooms, installing new device health monitoring uninterrupted power supply on eight systems, and replacing obsolete components on seven systems. A list of all JAVS equipment components to be replaced each year through 2028 was also created.

- Coordinated the installation of a jury reporting kiosk, including the network wiring for same, and user access to the new jury management system used by the court.

The Information Technology Department developed and organized all documents that are used to manage and support the technology of the court. This documentation provides a comprehensive resource for training in the use of court technology. The Information Technology Department developed a comprehensive list and estimated age of all personal computers, printers, monitors, and other ancillary equipment. This will be used in future years to plan annual expenditures for equipment replacement. Finally, the Information Technology Department developed written documentation and procedures to support employee onboarding and offboarding processes.

The information technology staff also coordinated several improvements to the court's website, including a form to request a marriage ceremony appointment and a form to request a review to determine an individual's eligibility to obtain driving privileges. The forms streamline and simplify the wedding scheduling and driving records review for both the requestors and court personnel. AccessiBe software was installed on the court's website to improve accessibility.

### **Staffing**

The Court Administrator's Office staff includes:

Court Administrator Lisa Falgiano  
Deputy Court Administrator Kevin Alore  
Deputy Court Administrator Bryan Latta  
Human Resources Officer Timothy Rupert  
Human Resources Specialist Kate McManus  
Information Technology Officer Terry Koluch  
Information Technology Specialist Richard Strobe  
Building Operations Chief Kevin Smith  
Finance Officer Robert Disbrow  
Bookkeeper/Payroll Clerk Vanessa Williams  
Administrative Assistant Meredith Kurucz  
Judges' Secretary Joan Kelly  
Judges' Secretary Kelly Seevers  
Day Porter Toni Utter

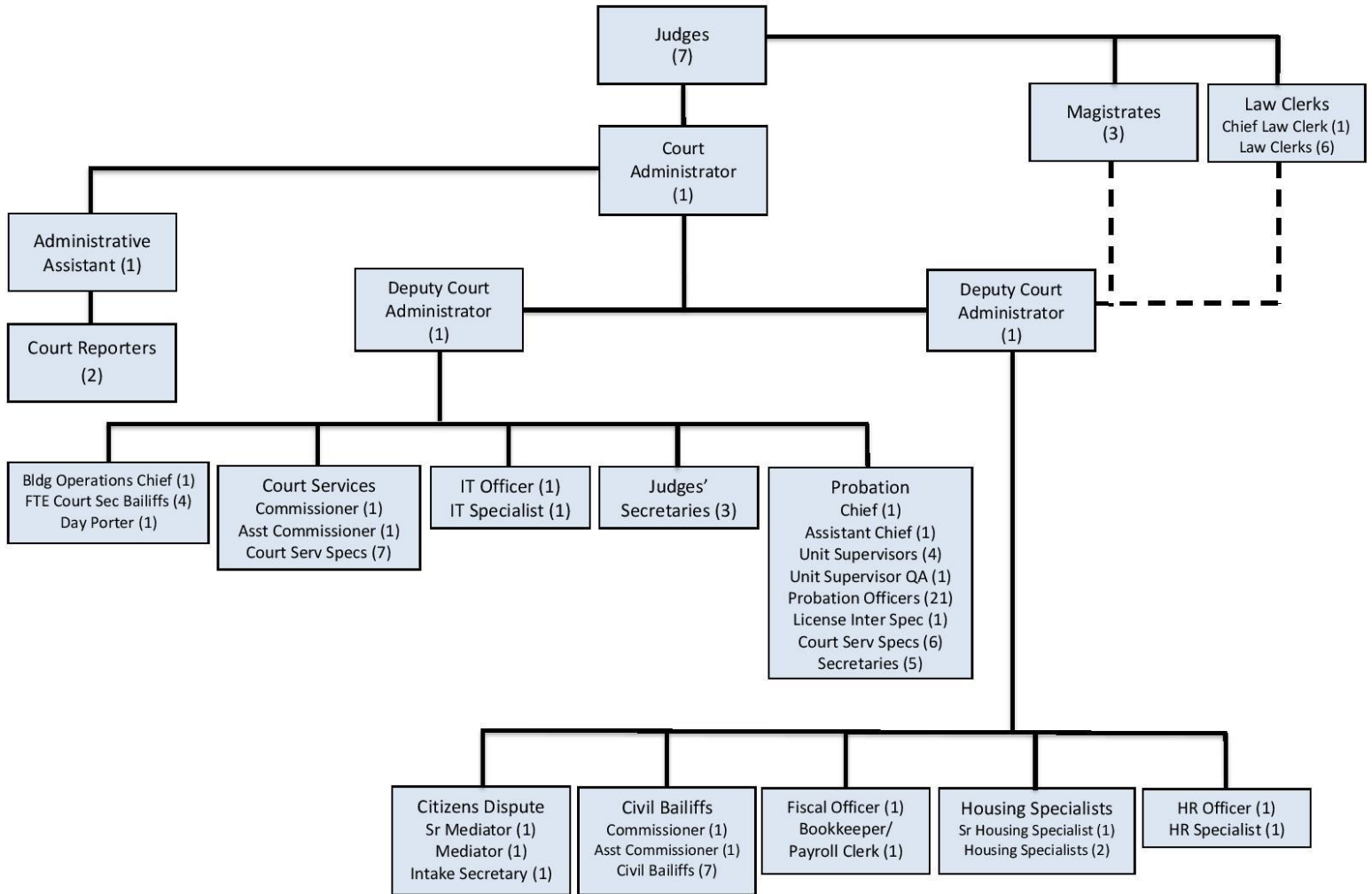
**TOLEDO MUNICIPAL COURT  
TRUST FUND REPORTING  
January – December 2022**

<b>Computer Legal Research 3T03013STDSTD 2022 Annual Statement of Expenditures</b>	
<i>Publications and Contractual Services</i>	
Online Legal Research and Printed Materials (Westlaw)	\$21,624.46
<b>Total Expenditures</b>	<b>\$21,624.46</b>

<b>Alternate Dispute Resolution (Mediation) Trust Fund 3T03028STDSTD 2022 Annual Statement of Expenditures</b>	
<i>Computer Supplies</i>	
2 WebEx Seats (NORIS)	\$347.50
<b>Total Expenditures</b>	<b>\$347.50</b>

<b>Court Computerization (Judges') Trust Fund 3T02916STDSTD 2022 Annual Statement of Expenditures</b>	
<i>Professional Services</i>	
JAVS Installation	\$840.00
<i>Contractual Services</i>	
Time and Attendance Maintenance Agreement (Right Stuff)	\$9,750.00
JAVS Shipping	\$350.00
<i>Office Supplies</i>	
Xerox Copies	\$17,244.00
<i>Other Operational Supplies</i>	
JAVS Amplifier/Speaker/Video Encoder/Processor	\$4,519.83
<i>Computer Supplies</i>	
JAVS Streamer	\$626.05
<b>Total Expenditures</b>	<b>\$33,329.88</b>

**Toledo Municipal Court – Judges’ Division  
2022**

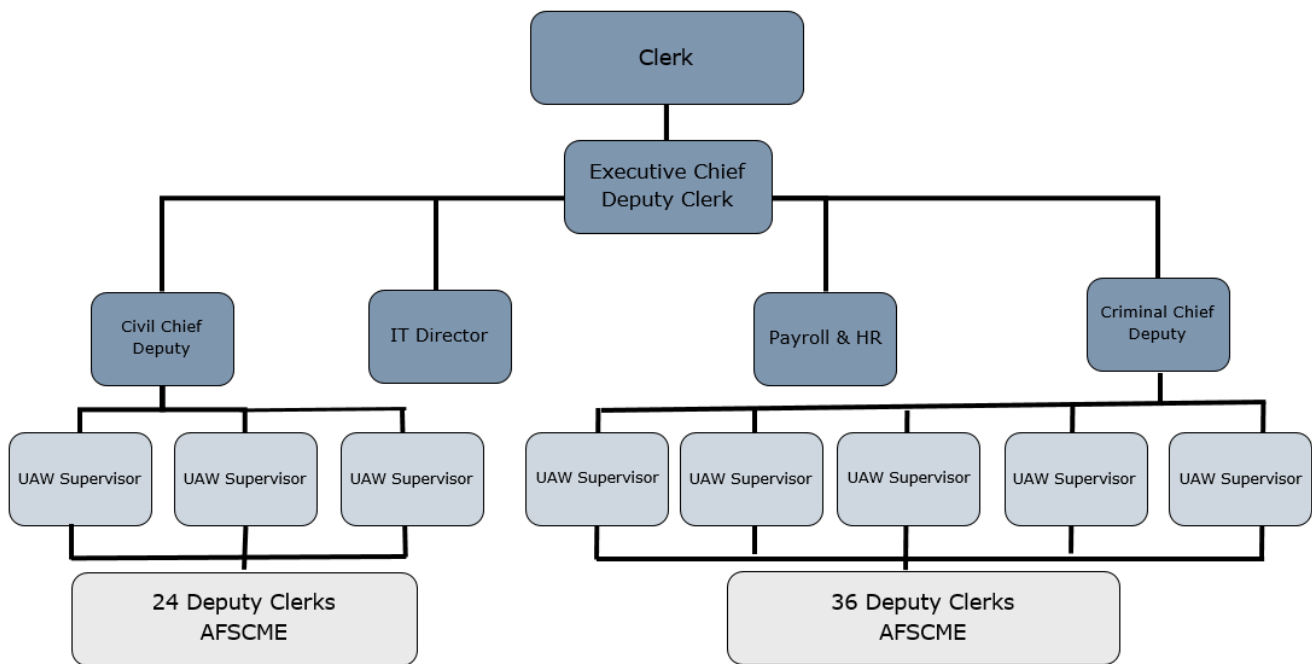


## CLERK OF TOLEDO MUNICIPAL COURT

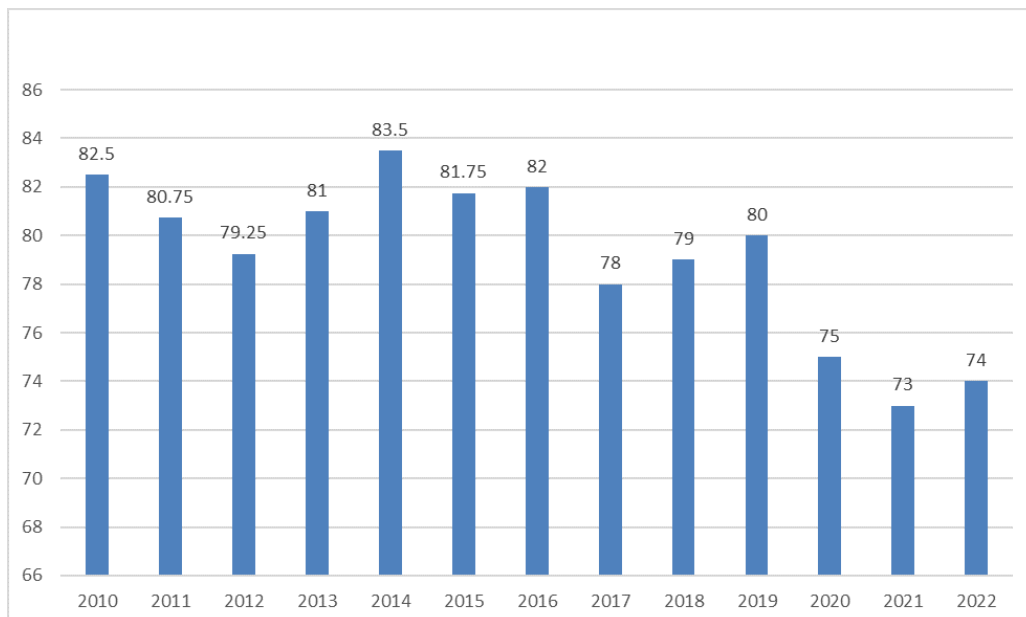
Vallie Bowman-English  
Clerk of Court

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 74 full-time deputy clerks under Clerk of Court Vallie Bowman-English. The chart below lists the full-time equivalent staff numbers from 2010 through 2022.

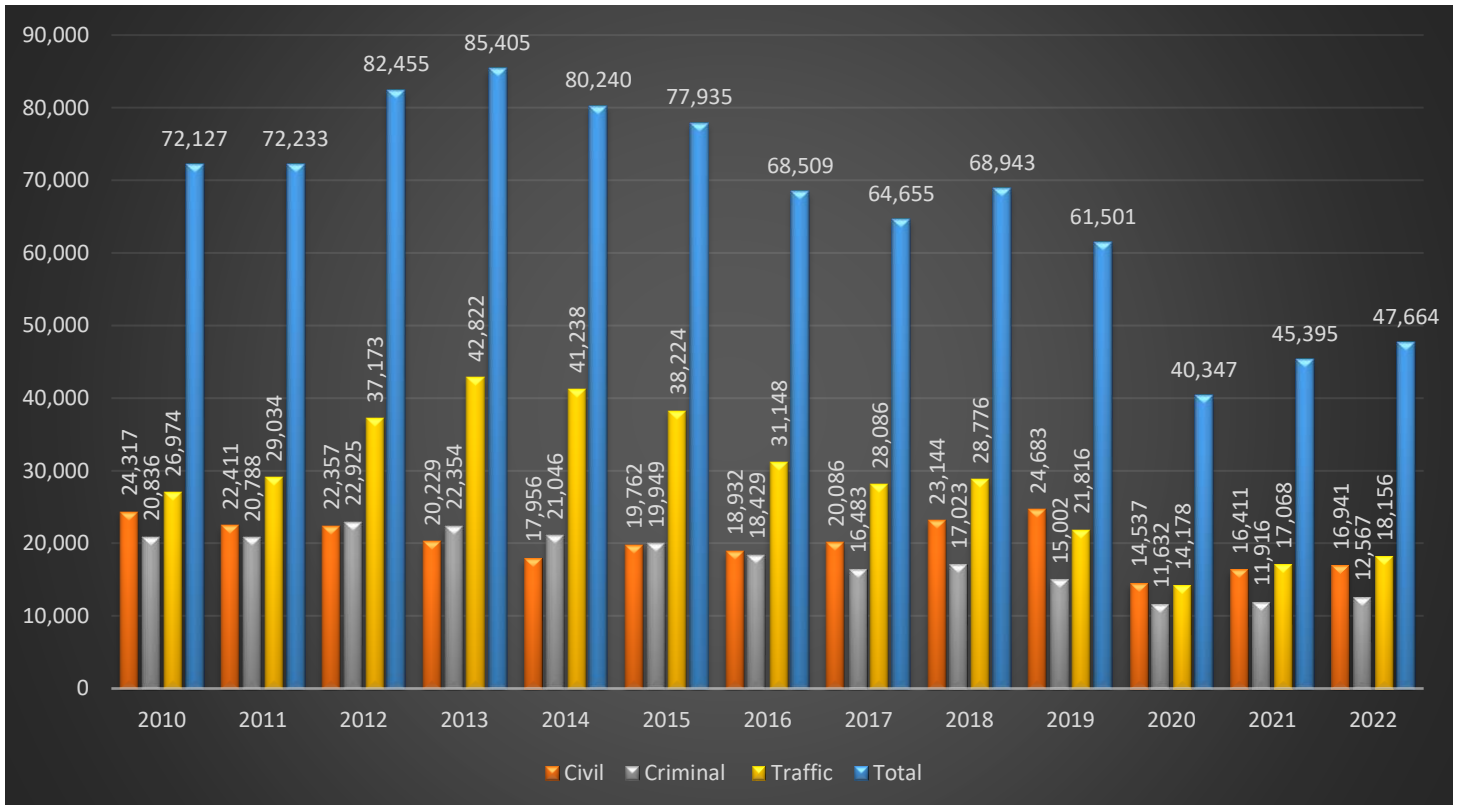


## Clerk of Toledo Municipal Court Case Filings

	2022	2021
Civil Division	16,941	16,411
Criminal/Traffic Division	30,723	28,984
<b>TOTAL</b>	<b>47,664</b>	<b>45,395</b>

In 2022, 47,664 cases were filed in Toledo Municipal Court. While case numbers have not recovered to pre-pandemic levels, this is a 5% increase from 2021.

**Case Filings 2010 - 2022**

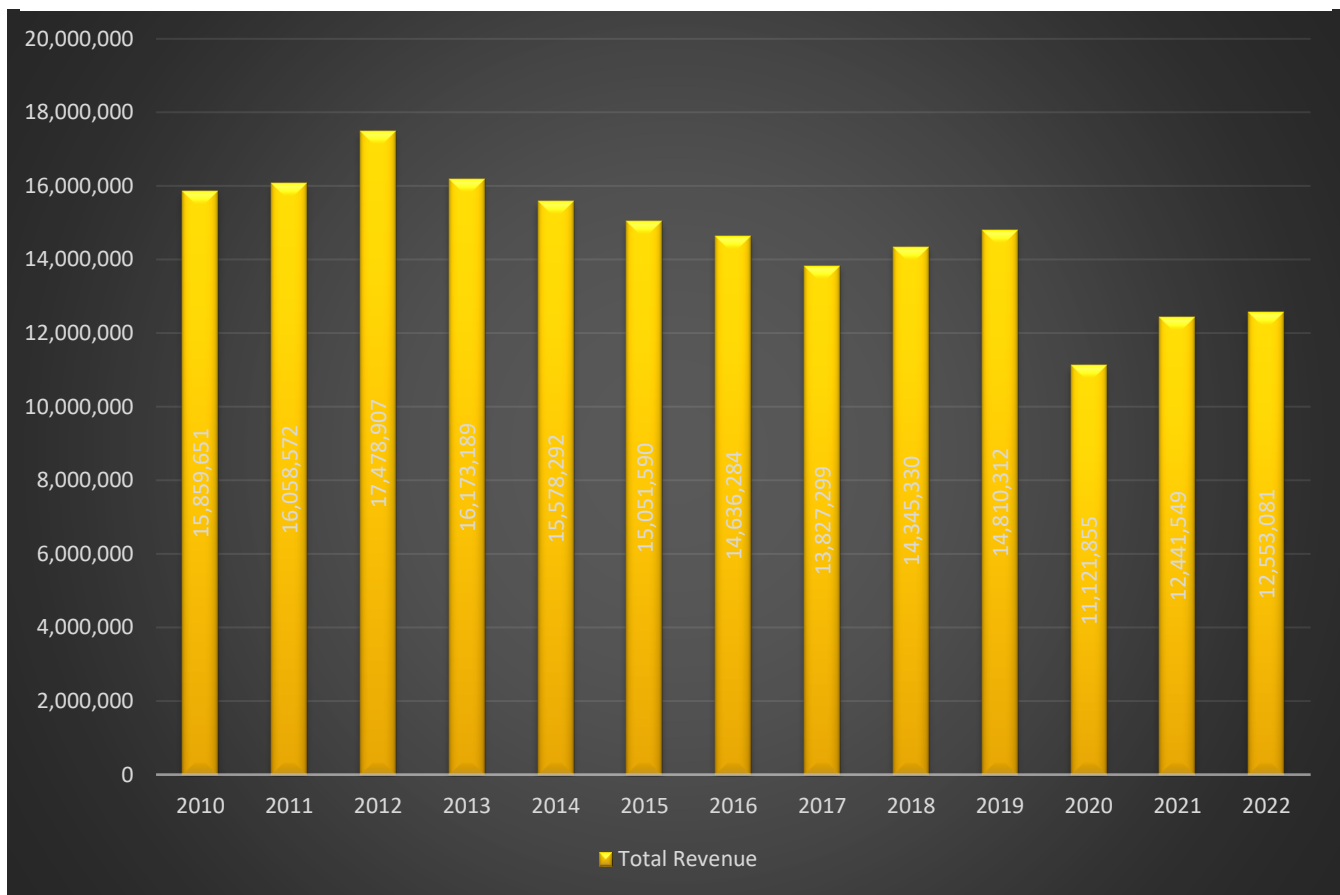


## Clerk of Toledo Municipal Court Revenue Collection

In 2022, \$12,553,080.77 of revenue was collected. This is a slight increase of \$111,500.00 from 2021.

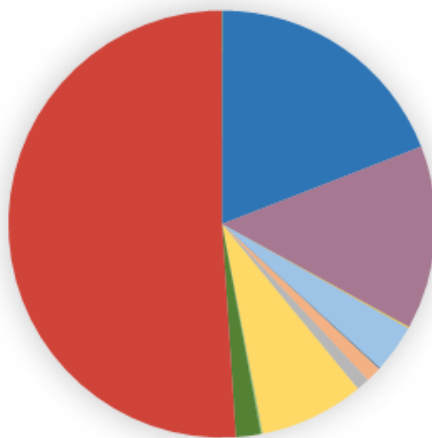
	<u>2022</u>	<u>2021</u>
Civil	\$9,442,471.54	\$8,788,065.43
Criminal/Traffic	\$3,103,643.70	\$3,650,009.75
Administrative	\$6,965.53	\$3,473.36
<b>TOTAL</b>	<b>\$12,553,080.77</b>	<b>\$12,441,548.54</b>

**Revenue Collection 2010 - 2022**



# **Clerk of Toledo Municipal Court Revenue Disbursed**

	<u><b>2022</b></u>	<u><b>2021</b></u>
City of Toledo General Fund	\$2,350,919.71	\$2,344,349.60
Other City of Toledo Accounts	\$1,374,991.61	\$1,706,383.05
Ottawa Hills	\$4,042.00	\$4,288.50
Washington Township	\$16,458.71	\$9,816.65
University of Toledo	\$555.00	\$400.00
Metroparks of Toledo	\$1,210.00	\$206.00
Lucas County Common Pleas	\$0.00	\$0.00
Lucas County Prosecutor	\$0.00	\$0.00
Lucas County Sheriff	\$115.00	\$48.00
Lucas County Treasurer	\$467,327.16	\$448,392.74
Lucas County Law Library Association	\$9,465.26	\$7,919.14
Citizens Award Fund/Crime Stoppers	\$1,961.00	\$2,203.50
Toledo Area Humane Society	\$0.00	\$310.00
Toledo Legal News	\$172,969.24	\$143,573.44
Civil Legal Assistance Project	\$136,222.13	\$121,731.36
Treasurer of State	\$979,318.76	\$973,824.00
Department of Natural Resources	\$413.00	\$1,315.00
State Pharmacy Board	\$12,981.64	\$14,336.10
Division of Liquor Control	\$35.00	\$125.00
Capital Recovery Systems	\$175,679.65	\$231,202.49
Fiduciary Accounts	\$7,029,653.78	\$6,260,091.28
Refunded Overpayments	\$3,613.20	\$4,051.05
<b>TOTAL</b>	<b>\$12,737,931.85</b>	<b>\$12,274,566.90</b>



■ City of Toledo General Fund	■ Other City of Toledo Accounts	■ Ottawa Hills
■ Washington Township	■ University of Toledo	■ Metroparks
■ Lucas County Common Pleas	■ Lucas County Prosecutor	■ Lucas County Sheriff
■ Lucas County Treasurer	■ Lucas County Law Library Assoc	■ Crime Stoppers
■ Toledo Area Humane Society	■ Toledo Legal News	■ Civil Legal Assistance Project
■ Treasurer of State	■ Department of Natural Resources	■ State Pharmacy Board
■ Division of Liquor Control	■ Capital Recovery Systems	■ Fiduciary Accounts
■ Refunded Over Payments		

**Clerk of Toledo Municipal Court  
Civil Division**

	<u><b>2022</b></u>	<u><b>2021</b></u>
<b>Filings</b>		
Civil General	14,453	12,943
Small Claims	2,488	3,467
Trusteeship	0	1
<b>TOTAL</b>	<b>16,941</b>	<b>16,411</b>

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<b>Activities</b>		
Certificates of Judgment	3,000	3,178
Certified Mail Issued	28,768	34,414
Disbursements - Civil	3,589	3,363
Disbursements - Trusteeship	96	159
Dismissals	7,472	6,608
Executions	61	59
Garnishments	8,128	7,505
Judgments	34,440	34,441
Motions	8,003	7,783
Ordinary Mail Issued	13,677	13,769
Proceedings in Aid	1,458	3,764
Reports	13,460	12,485
Revivors	701	883
Revocations	0	0
Satisfactions	3,482	3,758
Subpoenas	70	119
Terminations	18,132	17,108
Transcripts	78	94
Writs of Restitution	2,838	2,135
<b>TOTAL</b>	<b>147,453</b>	<b>151,625</b>

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<b>Revenue Collected</b>		
Civil Revenue	\$2,604,703.37	\$2,396,337.73
Fiduciary Accounts - Civil	\$6,829,876.82	\$6,381,560.63
Fiduciary Accounts - Trusteeship	\$7,891.35	\$10,167.07
<b>TOTAL</b>	<b>\$9,442,471.54</b>	<b>\$8,788,065.43</b>

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<b>Revenue Disbursed</b>		
City of Toledo General Fund	\$1,625,331.17	\$1,501,313.25
Other City of Toledo Accounts	\$302,907.66	\$284,101.73
Civil Legal Assistance Project	\$136,222.13	\$121,731.36
Treasurer of State	\$366,745.67	\$309,863.73
Toledo Legal News	\$172,969.24	\$143,573.44
Fiduciary Accounts - Civil	\$7,021,516.43	\$6,248,532.21
Fiduciary Accounts - Trusteeship	\$8,137.35	\$11,559.07
Refunded Overpayments	\$458.50	\$409.00
<b>TOTAL</b>	<b>\$9,634,288.15</b>	<b>\$8,621,083.79</b>

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

	<u>2022</u>		<u>2021</u>	
<b>Filings</b>	<u>Charges</u>	<u>Cases</u>	<u>Charges</u>	<u>Cases</u>
Traffic	27,810	18,156	26,984	17,068
Criminal	18,134	12,567	17,128	11,916
<b>TOTAL</b>	<b>45,944</b>	<b>30,723</b>	<b>44,112</b>	<b>28,984</b>
<b>Activities</b>				
Cases Sealed		1,806		2,225
Motions		25,756		24,683
Payments		25,035		25,767
<b>TOTAL</b>		<b>52,597</b>		<b>52,675</b>
<b>Revenue Collected</b>				
Fines		\$955,742.86		\$1,116,323.87
Costs and Fees		\$2,142,596.14		\$2,503,912.83
Bond Forfeitures		\$2,150.00		\$26,131.00
Overpayments		\$3,154.70		\$3,642.05
<b>TOTAL</b>		<b>\$3,103,643.70</b>		<b>\$3,650,009.75</b>
<b>Revenue Disbursed</b>				
City of Toledo General Fund		\$725,588.54		\$839,562.99
Other City of Toledo Accounts		\$1,072,083.95		\$1,422,281.32
Ottawa Hills		\$4,042.00		\$4,288.50
Washington Township		\$16,458.71		\$9,816.65
University of Toledo		\$555.00		\$400.00
Metroparks of Toledo		\$1,210.00		\$206.00
Lucas County Common Pleas		\$0.00		\$0.00
Lucas County Prosecutor		\$0.00		\$0.00
Lucas County Sheriff		\$115.00		\$48.00
Lucas County Treasurer		\$467,327.16		\$448,392.74
Lucas County Law Library Association		\$9,465.26		\$7,919.14
Citizens Award Fund/Crime Stoppers		\$1,961.00		\$2,203.50
Toledo Area Humane Society		\$0.00		\$310.00
Treasurer of State		\$671,573.09		\$663,960.27
Department of Natural Resources		\$413.00		\$1,315.00
State Pharmacy Board		\$12,981.64		\$14,336.10
Division of Liquor Control		\$35.00		\$125.00
Capital Recovery Systems		\$175,679.65		\$231,202.49
Refunded Overpayments		\$3,154.70		\$3,642.05
<b>TOTAL</b>		<b>\$3,103,643.70</b>		<b>\$3,650,009.75</b>

## **COURT SERVICES DEPARTMENT**

Silma Espinosa  
Acting 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 each individual judge's court schedule as well as the scheduling of various court proceedings, including pre-trials, trials, hearings, probation violations, and wedding ceremonies.

As part of maintaining the judges' schedules, the Court Services Department is tasked with the distribution of weekly and bi-monthly schedules to court personnel, arranging for jurors when jury trials are held, and scheduling visiting judges and standby magistrates as needed. The Court Services Department ensures schedules are accurate through close coordination with other departments.

The scheduling of pre-trials, trials, and hearings is coordinated based on 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 plea of not guilty. Civil cases are randomly assigned when an answer is filed, a motion hearing is scheduled, or a small claims case is transferred to the regular docket. 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 schedules and scheduling preferences, the Court Services Department provides additional ancillary services that support the court and court users. These ancillary services include oversight of the electronic monitoring program, scheduling of interpreters, coordinating weddings, coordinating juries, and also acting as a liaison between the courtrooms and outside organizations.

As acting court services commissioner, Silma Espinosa oversees the overall management of the department. In February 2022, Silma Espinosa was promoted to court services assistant commissioner. In April 2022, Silma Espinosa was appointed as acting court services commissioner, and in October 2022, Amy Trevino was appointed as acting court services assistant commissioner. Ms. Trevino supervises the day-to-day operations of the department and manages the seven court services specialists. Hiring for the position of court services commissioner is projected for the first quarter of 2023.

In the first quarter of 2022 through June, Tiffaney Wasserman was temporarily moved from the Probation Department to assist the Court Services Department due to a staffing shortage. In May 2022, the Court Services Department hired three new court services specialists: Alan Washington, Colby Guinn, and Debra Thanasiu. In November 2022, Valerie Hobbs retired as court services commissioner, and Ashley Boles was temporarily moved from the Probation Department to provide additional staffing for the Court Services Department.

The Court Services Department undertook three goals in 2022, the most significant being the renovation and expansion of the Court Services Department's office space. The new office space, completed in March 2022, provides additional room to accommodate staff, attorneys, court users, and staff members

from the Lucas County Electronic Monitoring Program who provide on-site services for individuals placed in the program.

The Court Services Department also established policies and procedures in the areas of attendance, electronic monitoring, and processing criminal/traffic and civil cases.

In September 2022, the Court Services Department began having jurors report to Toledo Municipal Court for scheduled jury trials. Having jurors directly report to Toledo Municipal Court helps to ensure the court obtains the necessary jurors to proceed with trials as scheduled. The Court Services Department began to utilize a jury production application to track and report jury information, check-in jurors upon arrival to the courthouse, and to print jury information for judges.

### **Goals for 2023**

- Redesign the court's scheduling system to improve access and efficiency;
- Cross-train staff in all work areas of the Court Services Department; and
- Implement Language Line, a company that provides on-demand telephonic interpreting services.

### **Staff Summary**

The Court Services Department staff consists of:

Acting Court Services Commissioner Silma Espinosa  
Acting Court Services Assistant Commissioner Amy Trevino  
Court Services Specialist Susan Daudelin  
Court Services Specialist Colby Guinn  
Court Services Specialist Shasta Sibbersen  
Court Services Specialist Debra Thanasiu  
Court Services Specialist Alan Washington  
Court Services Specialist Ahjaynay West

Court Services Department figures for 2022 with comparison figures for 2021 are as follows:

<b>CASES HANDLED BY THE COURT SERVICES DEPARTMENT</b>		
	<b><u>2022</u></b>	<b><u>2021</u></b>
<b>Cases Assigned</b>		
Criminal/Traffic Assignment	11,826	11,144
Civil Assignments (including Housing)	7,560	5,864
<b>Cases Set for Trial</b>		
Criminal/Traffic Trials	11,264	6,351
Civil Trials	556	486
Criminal/Traffic Trial Resets	1,954	3,187
<b>Cases Set for Pretrial</b>		
Pretrial - Criminal/Traffic	8,062	6,677*
Pretrial Resets - Criminal/Traffic	1,118	1,527*
Mandatory Jury Pretrials (MJPT) - Criminal/Traffic/Civil	78	64
<b>Preliminary Hearing/Felony Arraignment Docket</b>	11,292	10,313
<b>Jury Trials Set (Criminal/Traffic/Civil)</b>	55	75
<b>Evictions</b>	7,301	4,800
<b>Housing</b>		
Criminal Housing Trials	438	398
Civil Housing (Not a Draw) New Assignments	6,755	4,987
Rent Escrow	76	60
<b>ALS/Innocent Owner Hearings</b>	13	26

\*Number does not include all pretrial numbers for criminal housing cases

## Civil Assignments

Pursuant to the Rules of Superintendence for the Courts of Ohio, 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 2022 and 2021 per individual judge.

<b>2022 CIVIL ASSIGNMENTS</b>													
	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>TOTAL</b>
Berling	11	11	20	15	3	13	9	16	11	12	10	9	<b>140</b>
Connelly	9	9	20	12	4	18	14	5	12	10	14	15	<b>142</b>
Howe	525	486	566	462	506	622	639	605	640	642	490	572	<b>6,755</b>
Khoury	15	12	12	17	8	5	12	10	9	11	6	15	<b>132</b>
Kuhlman	12	9	20	14	6	14	13	8	11	15	8	11	<b>141</b>
Lanzinger	7	8	10	7	12	9	9	12	9	14	9	12	<b>118</b>
Wagner	14	4	12	5	13	12	12	18	9	10	10	13	<b>132</b>
<b>TOTAL</b>	<b>593</b>	<b>539</b>	<b>660</b>	<b>532</b>	<b>552</b>	<b>693</b>	<b>708</b>	<b>674</b>	<b>701</b>	<b>714</b>	<b>547</b>	<b>647</b>	<b>7,560</b>

<b>2021 CIVIL ASSIGNMENTS</b>													
	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>TOTAL</b>
Berling	5	12	14	8	11	15	16	19	14	9	13	13	<b>149</b>
Connelly	7	11	18	13	7	8	19	16	10	9	13	16	<b>147</b>
Howe	394	317	381	297	364	404	458	444	484	487	542	415	<b>4,987</b>
Khoury	8	8	21	16	8	14	16	17	7	14	13	8	<b>150</b>
Kuhlman	2	9	13	20	17	14	9	14	8	15	19	9	<b>149</b>
Lanzinger	11	7	14	11	13	16	14	13	9	10	18	12	<b>148</b>
Wagner	6	7	12	17	18	11	13	11	5	12	12	10	<b>134</b>
<b>TOTAL</b>	<b>433</b>	<b>371</b>	<b>473</b>	<b>382</b>	<b>438</b>	<b>482</b>	<b>545</b>	<b>534</b>	<b>537</b>	<b>556</b>	<b>630</b>	<b>483</b>	<b>5,864</b>

### CIVIL CASES SET FOR TRIAL

Month	2022	2021
January	59	30
February	61	28
March	63	29
April	46	37
May	55	47
June	32	45
July	40	51
August	44	32
September	41	48
October	19	56
November	36	41
December	60	42
<b>TOTAL</b>	<b>556</b>	<b>486</b>

### CIVIL PRETRIALS, JURY TRIALS, JURY PRETRIALS

Civil Pre-trials		Civil Juries Set		Civil Mandatory Jury Pre-trials	
<b>2022</b>	1,073	<b>2022</b>	11	<b>2022</b>	5
<b>2021</b>	805	<b>2021</b>	8	<b>2021</b>	4

### EVICCTIONS

Month	2022	2021
January	452	376
February	492	359
March	571	438
April	492	299
May	551	275
June	675	378
July	605	343
August	687	411
September	707	475
October	655	519
November	702	455
December	712	472
<b>TOTAL</b>	<b>7,301</b>	<b>4,800</b>

### RENT ESCROW HEARINGS

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
<b>2022</b>	6	4	7	8	3	4	7	7	6	12	7	5	<b>76</b>
<b>2021</b>	2	6	3	5	2	4	2	7	7	7	9	6	<b>60</b>

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.

### Criminal and Traffic Assignments

Upon entering a plea of not guilty before a judge or magistrate, the Court Services Department's computer program randomly assigns the case to a judge. Once a judge is assigned, all pre-trials and trials are scheduled within specific time limits as set forth in Ohio Revised Code Section 2945.71 unless a defendant or their attorney waives time.

<u>Judge</u>	<u>2022</u>
Berling	1,945
Connelly	1,982
Howe	27
Khoury	1,977
Kuhlman	1,975
Lanzinger	1,984
Wagner	1,936
<b>TOTAL</b>	<b>11,826</b>

<u>Judge</u>	<u>2021</u>
Berling	1,828
Connelly	1,876
Howe	9
Khoury	1,852
Kuhlman	1,846
Lanzinger	1,876
Wagner	1,857
<b>TOTAL</b>	<b>11,144</b>

**Reactivated Cases (Sealing of Record/Expungements)****2022:** 1,871 cases**2021:** 1,468 cases

<b>CRIMINAL/TRAFFIC TRIAL RESET CASES 2022</b>													
	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>TOTAL</b>
Berling	52	18	5	24	26	15	22	32	38	9	9	13	<b>263</b>
Connelly	54	41	6	23	20	26	6	7	11	11	16	11	<b>232</b>
Howe	37	31	2	1	3	8	6	8	8	5	14	3	<b>126</b>
Khoury	6	5	7	2	11	7	1	11	14	8	13	5	<b>90</b>
Kuhlman	37	32	22	28	31	26	9	15	18	17	11	4	<b>250</b>
Lanzinger	71	76	65	53	71	55	57	93	110	68	87	52	<b>858</b>
Wagner	29	15	1	18	17	3	4	15	12	5	14	2	<b>135</b>
<b>TOTAL</b>	<b>286</b>	<b>218</b>	<b>108</b>	<b>149</b>	<b>179</b>	<b>140</b>	<b>105</b>	<b>181</b>	<b>211</b>	<b>123</b>	<b>164</b>	<b>90</b>	<b>1,954</b>

<b>CRIMINAL/TRAFFIC TRIAL RESET CASES 2021</b>													
	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>TOTAL</b>
Berling	22	46	38	32	46	60	32	64	27	51	80	45	<b>543</b>
Connelly	49	44	90	73	58	67	31	68	73	70	70	49	<b>742</b>
Howe	13	16	19	22	23	31	17	25	21	35	39	45	<b>306</b>
Khoury	10	8	7	11	10	4	6	12	4	13	6	6	<b>97</b>
Kuhlman	26	24	24	33	24	47	23	41	42	50	42	40	<b>416</b>
Lanzinger	56	43	61	45	46	25	52	71	83	88	89	86	<b>745</b>
Wagner	25	20	25	32	39	23	33	34	44	23	16	24	<b>338</b>
<b>TOTAL</b>	<b>201</b>	<b>201</b>	<b>264</b>	<b>248</b>	<b>246</b>	<b>257</b>	<b>194</b>	<b>315</b>	<b>294</b>	<b>330</b>	<b>342</b>	<b>295</b>	<b>3,187</b>

**2022 JURY TRIALS – CRIMINAL/TRAFFIC AND CIVIL**

<b>Month</b>	<b>Criminal/ Traffic</b>	<b>Civil</b>	<b>Ordered</b>	<b>No. of Jurors Requested</b>	<b>No. of Jurors Used</b>
January	5	0	0	0	0
February	8	0	0	0	0
March	5	1	1	24	9
April	5	0	0	0	0
May	3	0	0	0	0
June	4	0	1	25	9
July	4	0	0	0	0
August	3	1	0	0	0
September	3	0	0	0	0
October	7	2	3	59	27
November	1	1	0	0	0
December	2	0	0	0	0
<b>TOTAL</b>	<b>50</b>	<b>5</b>	<b>5</b>	<b>108</b>	<b>45</b>

**2021 JURY TRIALS – CRIMINAL/TRAFFIC AND CIVIL**

<b>Month</b>	<b>Criminal/ Traffic</b>	<b>Civil</b>	<b>Ordered</b>	<b>No. of Jurors Requested</b>	<b>No. of Jurors Used</b>
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	18	8
July	0	0	0	0	0
August	5	1	2	29	17
September	4	1	0	0	0
October	6	0	0	0	0
November	4	1	1	27	9
December	0	0	0	0	0
<b>TOTAL</b>	<b>69</b>	<b>6</b>	<b>5</b>	<b>74</b>	<b>34</b>

**TOTAL NUMBER OF  
CRIMINAL/TRAFFIC TRIALS**

<b>2022 Criminal/Traffic Trials:</b>	<b>11,264</b>
<b>2021 Criminal/Traffic Trials:</b>	<b>6,351</b>

## 2022 CRIMINAL/TRAFFIC PRETRIALS

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	TOTAL
<b>Berling</b>													
Set	40	24	40	44	43	30	50	47	46	40	43	42	<b>489</b>
Reset	5	2	4	6	5	7	16	14	14	5	11	6	<b>95</b>
MJPT*	0	0	0	0	0	0	0	1	0	0	1	1	<b>3</b>
<b>Connelly</b>													
Set	101	117	182	148	125	167	157	180	140	131	121	121	<b>1,690</b>
Reset	38	30	16	33	43	16	3	4	4	7	11	4	<b>209</b>
MJPT*	1	2	5	0	1	1	0	2	2	4	1	2	<b>21</b>
<b>Howe</b>													
Set	82	73	127	93	101	79	80	68	80	62	52	66	<b>963</b>
Reset	21	24	2	5	7	15	4	5	7	4	8	5	<b>107</b>
MJPT*	0	0	0	0	1	3	4	1	2	1	0	0	<b>12</b>
<b>Khoury</b>													
Set	66	94	108	91	87	93	85	88	72	64	52	67	<b>967</b>
Reset	2	2	5	3	3	3	1	3	5	3	1	1	<b>32</b>
MJPT*	0	2	2	0	0	0	0	0	1	2	0	0	<b>7</b>
<b>Kuhlman</b>													
Set	90	70	105	85	109	126	139	131	118	100	94	78	<b>1,245</b>
Reset	9	12	16	11	25	22	14	16	23	17	10	3	<b>178</b>
MJPT*	2	0	0	0	1	0	0	2	0	0	1	0	<b>6</b>
<b>Lanzinger</b>													
Set	93	66	105	101	91	111	117	118	100	98	81	97	<b>1,178</b>
Reset	43	24	35	32	32	20	28	36	26	21	33	14	<b>344</b>
MJPT*	4	1	2	1	0	0	0	2	0	1	2	1	<b>14</b>
<b>Wagner</b>													
Set	84	75	147	99	130	145	155	171	156	128	108	132	<b>1,530</b>
Reset	10	7	6	17	14	4	5	26	24	14	13	13	<b>153</b>
MJPT*	3	1	0	3	1	0	0	1	0	0	0	1	<b>10</b>

\*Mandatory Jury Pretrials

### 2021 CRIMINAL/TRAFFIC PRETRIALS

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	TOTAL
<b>Berling</b>													
Set	29	27	52	43	42	29	34	27	32	25	34	31	<b>405</b>
Reset	2	2	4	3	10	14	6	13	2	1	5	9	<b>71</b>
MJPT*	1	1	0	0	0	0	0	0	0	0	2	1	<b>5</b>
<b>Connelly</b>													
Set	108	86	102	95	58	92	105	97	100	74	101	76	<b>1,094</b>
Reset	28	44	60	31	50	48	40	43	45	52	30	37	<b>508</b>
MJPT*	0	2	2	0	1	1	0	0	3	2	0	0	<b>11</b>
<b>Howe</b>													
Set	48	44	85	47	63	66	46	42	63	63	70	74	<b>711**</b>
Reset	7	6	6	28	19	21	18	11	13	14	27	32	<b>202**</b>
MJPT*	1	1	0	1	0	0	2	0	1	0	0	0	<b>6</b>
<b>Khoury</b>													
Set	101	79	109	84	103	88	106	82	93	75	84	75	<b>1,079</b>
Reset	3	4	3	0	5	9	6	5	1	3	5	3	<b>47</b>
MJPT*	0	4	0	2	2	0	0	0	0	0	0	0	<b>8</b>
<b>Kuhlman</b>													
Set	93	74	121	106	104	96	97	89	94	97	89	92	<b>1,152</b>
Reset	21	17	13	19	23	24	17	15	17	12	8	10	<b>196</b>
MJPT*	1	0	0	1	0	0	0	0	0	1	1	1	<b>5</b>
<b>Lanzinger</b>													
Set	103	73	127	90	96	88	81	89	78	71	84	71	<b>1,051</b>
Reset	27	20	38	29	38	22	38	48	34	38	29	28	<b>389</b>
MJPT*	0	1	1	0	0	0	1	1	0	0	1	0	<b>5</b>
<b>Wagner</b>													
Set	100	69	112	112	110	114	108	107	100	86	91	76	<b>1,185</b>
Reset	4	5	5	9	19	5	12	16	18	8	7	6	<b>114</b>
MJPT*	3	1	5	3	1	2	1	3	3	1	1	0	<b>24</b>

\*Mandatory Jury Pretrials

\*\*Numbers do not include all pretrial numbers for criminal housing cases

### 2022 CRIMINAL/TRAFFIC PRETRIALS

Total pretrials set:	<b>8,062</b>
Total pretrials reset:	<b>1,118</b>
Total jury pretrials:	<b>73</b>
<b>TOTAL</b>	<b>9,253</b>

### 2021 CRIMINAL/TRAFFIC PRETRIALS

Total pretrials set:	<b>6,677</b>
Total pretrials reset:	<b>1,527</b>
Total jury pretrials:	<b>64</b>
<b>TOTAL</b>	<b>8,268</b>

### 2022

Total of criminal/traffic trials, trial resets, pretrials, pretrial resets, jury trials, and jury pretrials: **22,521**

### 2021

Total of criminal/traffic trials, trial resets, pretrials, pretrial resets, jury trials, and jury pretrials: **17,881**

**2022 ELECTRONIC MONITORING PLACEMENTS**

<b>Month</b>	<b>Pre-Trial</b>	<b>Sentenced</b>
January	41	24
February	46	21
March	45	26
April	60	25
May	73	20
June	73	16
July	56	26
August	47	27
September	63	34
October	63	19
November	46	9
December	55	13
<b>TOTAL</b>	<b>668</b>	<b>260</b>

**2022 INTERPRETERS ORDERED**

<b>Month</b>	<b>Interpreters/Month</b>
January	10
February	6
March	9
April	13
May	4
June	16
July	11
August	12
September	14
October	11
November	21
December	22
<b>TOTAL</b>	<b>149</b>

## 2022 MARRIAGE CEREMONIES

Month	Ceremonies/Month
January	10
February	20
March	12
April	12
May	8
June	6
July	6
August	12
September	12
October	8
November	24
December	27
<b>TOTAL</b>	<b>157</b>

## **CIVIL BAILIFF**

Jason L. Apling  
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 Lucas County.

### **Staffing**

In 2021, due to the continued 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 Centers for Disease Control and Prevention (CDC) 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 the basic operations of the department such as evictions and executing service. In 2022, the department returned to four districts and normal operations.

### **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 439 individually packaged prescriptions and over-the-counter drugs in 2022.

### **Training**

The COVID-19 pandemic required the Civil Bailiff department to identify alternative ways to maintain training in 2022. While some in-person training was conducted, the department also utilized remote and webinar-based training platforms. Some examples of this type of training in 2022 included and a myriad of

the courses offered through Justice Clearing House and The Ohio Supreme Court's educational page. In-person training encompassed Bridges Out of Poverty and tactical communications as well as a gang identification and awareness class. Looking forward, the department will continue to utilize a mix of in-person training in conjunction with webinars and on-line resources to facilitate our continuous approach to training.

### **Goals for 2023**

- Replace existing first-aid kits with new kits consisting of fresh supplies. Moreover, seek out first-aid kits that are appropriate for the intended use and not overly cumbersome;
- Update existing policies into a coherent and consistent reference source. The specific policies for 2023 include the department's eviction policy, replevin policy, and the completion of the uniform policy; and
- Work to engender a greater *esprit de corps* within the Civil Bailiff Department through team building exercises and activities.

### **Staff Summary**

The Civil Bailiff Department consists of the following staff members:

Civil Bailiff Commissioner Jason L. Apling  
Acting Assistant Civil Bailiff Commissioner James A. Roman  
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 Julie M. Willhauck

## CIVIL BAILIFF DEPARTMENT STATISTICS

	<u>2022</u>	<u>2021</u>
Bailiff Sale	0	0
Bench Warrants – Received	0	262
Creditor Bill	0	0
Garnishments	345	327
*Garnishments – No Service	38	34
Garnishments – Mail Service (Notifying Defendants on Bank Attachments)	15	9
Landlord Complaints One Cause	6,148	3,640
*Landlord Complaints One Cause – No Service	385	108
Landlord Complaints Second Cause	5,344	4,726
*Landlord Complaints Second Cause – No Service	116	93
Notification	1	4
Paper Writs of Execution	0	0
Proceedings-in-Aid – Received	0	457
*Proceedings-in-Aid – No Service	0	310
Replevin Summonses	7	21
Writs of Replevin	2	12
Subpoenas – Received	26	79
*Subpoenas – No Service	3	14
Summonses – Received	794	797
*Summonses – No Service	378	313
Writs of Execution	45	43
Writs of Restitution Set Out	2,692	2,008
Writs of Restitution Lock Out	79	55
Alias Writs of Restitution Set Out	722	617
Alias Writs of Restitution Lock Out	39	30
Plaintiff Notice of Action	2,771	2,063
Four Day Notice to Leave	2,771	2,063
<b>Total Civil Documents Processed</b>	<b>16,651</b>	<b>18,051</b>
Evictions (Set Outs and Lock Outs) Scheduled	1,655	1,271
Evictions Executed	294	312
Lock Outs Executed	55	38
Total Collected on Writs of Execution	\$16,892.01	\$18,891.00

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

## **COURT REPORTERS**

Meredith Kurucz  
Administrative Assistant

### **Department Description**

The court reporters of Toledo Municipal Court are responsible for the production of verbatim stenographic records or transcripts of digital recordings of all court proceedings in the traffic, criminal, housing, 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 forcible entry and detainer (FED) court cases 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 rotating schedule 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 2022, the court reporters prepared a total of 90 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 of 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.

### **2022 Department Highlights**

The court adopted a new Court Reporter Department continuity plan that became effective May 24, 2022. This new procedure establishes a strategic plan to ensure transcripts can be completed in the event either of the court's stenographers retire, resign, or are otherwise unavailable.

The court reporter job description, last updated in 2004, was expanded to include a more accurate detailing of the essential duties, skills, knowledge, and abilities of the court reporters. The updated job description was approved by the judges on December 21, 2022.

The last transcript rate increase for the court reporters in Toledo Municipal Court was in 2006. Transcript rate information was gathered from other local courts and municipal courts in Ohio for a comparison of rates. A proposal to increase transcript rates was submitted to the judge for their consideration. The proposal was approved and the new transcript rates became effective December 27, 2022.

### **Goals for 2023**

- To update the Court Reporter Department's mission statement and to create vision and value statements;
- 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 policies, practices, and procedures on appeals, 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**

Rochelle Hutchisson  
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 the housing court judge. The law clerks work closely with their respective judges to complete all tasks and assigned duties.

One law clerk is appointed by the judges to serve as the chief law clerk for a one-year term. In November 2022, Rochelle Hutchisson accepted the position of chief law clerk. Her term will expire in November 2023.

### **Services Provided**

Although specific duties for the law clerk 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 excellent service to the public and the agencies involved in courtroom proceedings. Examples of specific duties performed by a law clerk include: calling cases, posting entries, communicating with prosecutors, public defenders, private attorneys, witnesses, jurors, 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 cases assigned to their judge as mandated in the Rules of Superintendence for the Courts of Ohio. This report categorizes 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 report does not include cases that are terminated prior to being assigned 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 over age. Law clerks also work closely with the court's Information Technology Department once a year to conduct an annual physical inventory of pending cases.

Additionally, two law clerks continue to help their judges with specialized dockets. The law clerk to the Judge William M. Connelly, Jr. provides immense support with the Veterans Treatment Court docket, which is held every other Friday morning. The Veterans Treatment Court docket emphasizes treatment and diversion rather than punishment. The law clerk to Judge Timothy C. Kuhlman assists with the monthly re-entry docket. This program assists ex-offenders in assimilating back into daily life by addressing any outstanding legal issues with the Toledo Municipal Court.

### **2022 Retrospective**

Law clerks worked closely with NORIS and the Clerk's Office information technology director to update the court's temporary protection order practices and to add post-conviction no contact order forms into

LEADS for entry into the National Crime Information Center (NCIC) database. This large multi-agency project was initiated to comply with the updated Ohio Supreme Court rules. In addition, it allows for real-time access to these orders by court personnel and law enforcement agencies.

As an ongoing task, law clerks continue to utilize weekly reports from NORIS, which provide the specific activity of pending cases to monitor their judge's caseload by age and status. This quality control process has enabled the law clerks to improve 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 practices and procedures with the county electronic monitoring program and the newly reinstated work release program. Law clerks continue to streamline traffic court check-in, license procedures, and proceedings-in-aid hearings to improve the court user experience.

### **Goals for 2023**

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

In addition, law clerks will strive to develop and expand upon relationships with other departments within the courthouse to allow for better communication concerning case management. By also maintaining good working relationships with NORIS and the court's Information Technology Department, law clerks plan to develop reports improving the case management of temporary protection orders and no contact orders.

Regular monthly meetings of the law clerks and deputy court administrator are held for the purpose of addressing courtroom issues, information sharing, and brainstorming. These meetings have proven instrumental in generating new ideas for efficiency and quality of service.

### **Staff Summary**

There was one staffing change in the Law Clerk Department in 2022. Destiny Morr resigned from her position as law clerk to Judge Timothy C. Kuhlman and Madysen Vance was hired as her replacement.

The law clerks and assigned judges are listed below:

Presiding Judge Michelle A. Wagner  
Judge Timothy C. Kuhlman  
Judge Joshua W. Lanzinger  
Judge Joseph J. Howe  
Judge William M. Connelly, Jr.  
Judge Amy J. Berling  
Judge Nicole I. Khoury  
Research Law Clerk  
Part-Time Housing Research Clerk

Rochelle Hutchisson, Chief Law Clerk  
Madysen Vance  
Angela Hanna  
Tessa Lee  
Rahma Ismail  
Barbara Hinz  
Morgan Coulter  
Vacant  
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 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 resolved 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-acceptable 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 own position, the position of the opposing party, and the pressing need for a peaceful solution. Since the participants themselves craft mediation 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, i.e., family members, friends, neighbors, or business associates.

### **Services Provided**

CDSP conducts in-person, telephonic, 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 which limited the number of court users in the building and promoted social distancing. The program resumed in 2021; however, CDSP only had one intern in 2022.

Judicial cases involving misdemeanor behavior such as menacing, criminal damaging, disturbing the peace, and theft are referred to CDSP. These cases can be referred at any point, including at a pre-trial conference, or even on the day of trial. Participants are screened to ensure the safety of all parties and to avoid the possibility of violence before, during, and after the mediation process.

Civil cases can be referred to CDSP 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 on the day of hearing; however, due to staffing constraints in 2022, FED mediations were temporarily suspended. In previous years, if the dispute was resolved through mediation, the tenant and landlord either mutually agreed on a date to vacate the property with or without dismissal of the case or the parties decided on a payment arrangement to stay in the rental unit and become current on their rental obligations. If the case was not resolved, a same day hearing would likely take place. These cases were

greatly influenced by the COVID-19 pandemic, the CARES Act, and the U.S. Department of Health and Human Services' moratorium on evictions during 2020. The federal government moratorium was lifted in 2021, and FED cases resumed active filing.

"Same day" mediation for small claims cases was introduced in October 1994. As individuals appear for their scheduled small claims hearing, they are presented with the option of mediating their dispute that same day. If both parties agree, "same-day" mediation is conducted rather than the parties appearing before the magistrate. If a resolution is not reached through mediation, the magistrate hears the case that day as scheduled. The court's COVID-19 policies brought an initial adjustment to these cases, and preliminary attempts were made to resolve the controversy through telephone dialogue instead of in-person meetings.

### **Accomplishments and Challenges of 2022**

In 2022, CDSP remained committed to providing 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 is no longer limited by the court's COVID-19 emergency order, which limited the number of individuals in the courthouse in an attempt to promote social distancing to keep court staff and the public safe.

### **Staff Summary**

Daniel G. Camick serves as the acting senior mediator for CDSP. Susan Padilla continues to serve as intake secretary. Donovan Greening was contracted as a part-time mediation specialist from May 2022 through November 2022. The CDSP anticipates welcoming a new full-time senior mediator in 2023.

### **Goals for 2023**

- CDSP will continue to prepare for a permanent senior mediator;
- CDSP will review, revise, and further analyze current practices and written policies and procedures related to the referral of criminal cases;
- CDSP will encourage all mediators and staff to engage in six hours of continuing education related to the mediation process, reasoning, and motivation of people; and
- CDSP will celebrate the dedication of the renovated fourth floor mediation conference room and resume in-person mediation conferences.

Provided below are the 2021 and 2022 statistics for the Citizens Dispute Settlement Program.

<b>CITIZENS DISPUTE SETTLEMENT PROGRAM</b>		
<b>Mediation Success Rates</b>		
<b>Types of Cases Referred</b>	<b><u>2022</u></b>	<b><u>2021</u></b>
Civil	80%	70%
Adjudicated	38%	54%
Pre-Adjudicated	N/A	N/A
Housing – Rent Escrow	49%	43%
Housing – FEDs	85%	75%
Small Claims	57%	50%
<b>Number of Cases Referred to CDSP</b>		
<b>Dispute Resolution – Types of Cases Referred</b>	<b><u>2022</u></b>	<b><u>2021</u></b>
Assault	12	11
Menacing	2	4
Criminal Damage	5	3
Theft	2	1
Harassment	0	0
Neighborhood Dispute	0	0
Telephone Harassment	1	0
Criminal Trespassing	0	0
Landlord/Tenant	0	1
Stalking	1	1
Other	0	6
<b>Total Case Types Referred</b>	<b>23</b>	<b>27</b>
<b>Civil Mediations</b>		
	<b><u>2022</u></b>	<b><u>2021</u></b>
Total Cases Referred	301	426
Mediation: Agreement	189	256
No Agreement	39	86
CDSP Involvement/No Mediation/FTA	32	23
Pending	35	60
Mediation Agreement %	80%	70%
<b>Pending Adjudication Mediations</b>		
	<b><u>2022</u></b>	<b><u>2021</u></b>
Total Cases Referred	29	25
Mediation: Agreement	10	7
No Agreement	14	3
FTA to Notice	0	0
CDSP Involvement/No Mediation	2	2
Pending	3	12
Mediation Agreement %	38%	54%

<b>Pre-Adjudicated Mediations</b>	<b><u>2022</u></b>	<b><u>2021</u></b>
Total Cases Referred	2	0
Mediation: Agreement	1	0
No Agreement	1	0
FTA to Notice	0	0
CDSP Involvement/No Mediation	0	0
Make File Only	0	0
Pending	0	0
Mediation Agreement %	50%	0%
<b>Housing Mediations – Rent Escrow</b>	<b><u>2022</u></b>	<b><u>2021</u></b>
Total Cases Referred	112	120
Mediation: Agreement	48	46
No Agreement	44	51
FTA to Notice	2	4
CDSP Involvement/No Mediation	2	5
Pending	15	14
Mediation Agreement %	49%	43%
<b>Housing Mediations – FEDs</b>	<b><u>2022</u></b>	<b><u>2021</u></b>
Total Referred	7	24
Mediation: Agreement	6	18
No Agreement	1	3
Mediation Agreement %	85%	75%
<b>Small Claims/Same Day Mediations</b>	<b><u>2022</u></b>	<b><u>2021</u></b>
Total Cases Referred	74	87
Mediation: Agreement	34	35
No Agreement	25	35
FTA Notice/Mediation	9	4
Mediation Agreement %	57%	50%
<b>Total Number of Cases Referred to CDSP</b>	<b>548</b>	<b>709</b>

\*Statistics are based on report information available from 1/1 - 12/31 of that year

## **PROBATION**

Jennifer Friddell  
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 Jennifer Friddell. Ms. Friddell served as acting chief probation officer from February 2022 until she was promoted to the position in November 2022. The position of assistant chief probation officer is currently vacant.

During 2022, Quality Assurance Manager Rachel Borders oversaw the completion of 402 case file audits and 100 direct observation audits on open probation cases throughout the year. Additionally, 87 closed file audits were conducted to assure that the Probation Department's filing system adheres to established standards.

The Probation Department is currently structured into five units: the management team, the pre-sentence investigation (PSI) unit, the supervision unit, special services/intake unit, and the clerical unit. Within each unit, staff members serve as a backup to each other in order to provide for the ongoing operation of all programs. Each supervisor also serves as a backup to the positions within their unit if coverage is not adequate.

Unit Supervisor Laura Berling supervises the PSI and clerical units. 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 professionals 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 PSI reports and record check referrals for the department. This unit is also responsible for completing investigations on motion-to-seal requests filed in 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 to 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. In September 2022, Linda Ledford was hired as an additional secretary. There is currently one open position 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 and 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 65 clients per probation officer. Unit Supervisor Maria Tomlin manages eight probation officers who supervise moderate-risk probationers and one probation officer who supervises 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 90 clients per probation officer.

The supervision of low-risk offenders is assigned to Probation Officer Gary Colton. Mr. Colton is the community sanction (CS) officer, which is funded by the Community Corrections Act (CCA) grant from the Ohio Department of Rehabilitation and Correction. Mr. Colton carries an average caseload of 130 probationers. Prior to the COVID-19 pandemic, Mr. Colton monitored low-risk clients via the kiosk reporting project, which is an evidence-based kiosk reporting program available to low-risk clients who meet certain criteria. During the pandemic, the kiosks were not available to clients because the courthouse was closed to the public; therefore, low-risk clients reported via phone. During 2022, the Probation Department worked with the probation software company to begin developing a remote reporting application that would allow low-risk clients to check-in via their phones. This project is scheduled to be completed during the first quarter of 2023. Clients are currently reporting via phone as the department transitions from the kiosk to the new remote reporting application.

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. The 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 which is available

for low-risk probationers. 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 Correction 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 and coordinates limited driving privileges, reinstatement fee payment plans, and vehicle immobilization.

The alternatives program assists eligible first-time offenders avoid formal conviction. Participants attend a 4-hour, in-person class that provides information on court processes and teaches cognitive restructuring. 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, Ashley Boles and Erin Gadway who handle all referrals and teaching forums for the program.

Darryl Myles and Tiffaney Wasserman are court services specialists who specialize in monitoring 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 the probationer's risk level. 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. The court services specialists who provide these intake services are Ashley Boles, RoShona Perkins, Tycie Jackson, and Erin Gadway.

## **Accomplishments**

The Probation Department updated the Alternatives Program in-person class to include evidence-based practices and a more interactive approach to the classroom presentation. The new in-person alternatives program was implemented in March 2022 and teaches the concept of cognitive restructuring, an evidence-

based practice technique that has been successful in helping people improve critical thinking skills. The cognitive strategy focuses on identifying negative thoughts and modifying them to improve outcomes. The four-hour class includes information on court processes, and participants also complete an anonymous evaluation at the end of class. Feedback from participants has been overwhelmingly positive, and many clients have mentioned they will continue to use the skills learned in the future.

In 2022, one of the Probation Department's goals was to develop a specialized probation caseload for individuals diagnosed with significant mental health conditions. A work group, including probation management and line staff, was created to research and develop protocols for supervising this special population. A one-year mental health caseload pilot project was approved in November 2022, and with Probation Officer Sarah Fuller identified as the mental health caseload officer and Probation Officer Kalie Acker as the back-up mental health caseload officer. The work group will continue to meet monthly throughout the pilot period in 2023 to identify areas for improvement and make modifications as needed.

Another 2022 goal for the Probation Department was to establish procedures to increase interventions for probationers based on risk level. Probation officers previously received training on cognitive restructuring, and in 2022, the focus was on improving fidelity with the technique. All high-risk clients will be taught the cognitive restructuring strategy, which focuses on identifying negative thoughts and modifying them to improve outcomes.

Throughout 2022, 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, case management software maintenance fees, and office supplies.

### **Staff Summary**

As of December 31, 2022, 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, and five probation secretaries. The Probation Department currently has two unfilled positions: assistant chief probation officer and one clerical position.

### **2023 Goals**

- Restructure the Probation Department units and cross-train staff and supervisors to further develop staff and better allocate resources;
- Identify trainings and establish procedures to increase the positive culture in the Probation Department while promoting a healthy work-life balance; and
- Review and update quality assurance processes and tools to further increase the fidelity of evidence-based practices and create a more efficient audit process.

**PROBATION DEPARTMENT  
YEAR-END STATISTICAL REPORT**

	# OF CLIENTS 2022	# OF CASES 2022	# OF CLIENTS 2021	# OF CASES 2021
<b>Referrals to Probation</b>				
Traffic	1,623	2,830	1,668	2,935
Criminal	2,457	4,585	2,449	4,803
<b>Total Referrals to Probation</b>	<b>4,080</b>	<b>7,415</b>	<b>4,117</b>	<b>7,738</b>
<b>Offenders on Probation</b>				
Active Probation	1,443	1,684	1,519	1,971
Inactive Probation	946	1,003	919	965
Referral Monitor	63	69	54	57
<b>Total Defendants Placed on Probation</b>	<b>2,452</b>	<b>2,756</b>	<b>2,492</b>	<b>2,993</b>
<b>Total Probation Violations Requested</b>	1,117*	1,445*	1,102*	1,838*
<b>Defendants Released or Terminated from Probation</b>	1,794	**	1,710	**
<b>Presentence Referrals Requested</b>	228	232	303	314
<b>Motions to Seal</b>	550	1,897	643	2,438
<b>DIP Referrals</b>	556	559	689	692

\*Includes probation violation waivers requested by officers

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

	# OF CLIENTS 2022	# OF CASES 2022	# OF CLIENTS 2021	# OF CASES 2021
<b>CSPP Program</b>				
Total CSPP Referrals	202	289	171	232
Insurance Fees Collected on CSPP Cases	\$1,065.00		\$1,124.50	
Total CSPP Hours Ordered	6,974		4,411	
Total CSPP Hours Completed	1,213		871	
<b>LIS Program</b>				
Vehicle Release	2	2	5	5
LIS (RED Referrals)	133	139	255	281
Immobilizations	22	22	35	35
Driving Privileges	166	172	45	46
General LIS Inquiries (Walk-in Clients)	158		234	
<b>Total LIS Program</b>	<b>481</b>	<b>335</b>	<b>574</b>	<b>367</b>
<b>Alternatives Program</b>				
Total Program Referrals	255	255	237	241
Successful (Sealed)	198	198	133	136
Unsuccessful	10	10	20	20
<b>Regional Court Referrals</b>				
Bowling Green	0		0	
Sylvania	0		0	
Maumee	0		0	
Oregon	0		0	
Perrysburg	9		15	
Other	0		0	
<b>Total Regional Court Referrals</b>	<b>9</b>		<b>15</b>	
<b>Financial Information</b>				
Restitution Collected	\$93,555.15		\$113,368.20	
Surcharge Collected	\$8,080.25		\$6,968.52	
<b>Total Collected</b>	<b>\$101,635.40</b>		<b>\$120,336.72</b>	

## **HOUSING AND ENVIRONMENTAL COURT**

Judge Joseph J. Howe  
Housing and Environmental Court Judge

### **Department Description**

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

The housing court has both criminal and civil dockets. The criminal docket of housing court hears cases involving alleged violations of 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 (O.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](http://toledohousingcourt.org).

The civil docket includes FEDs, rent escrow under Ohio Revised Code chapters 1923 and 5321, 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 evictions 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 the correction of violations. The housing specialist performs re-inspections and reports to the court when code compliance has been reached.

### **History of the Court**

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

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

Judge Joseph J. Howe was elected in 2017 and sworn-in to serve as the fifth housing and environmental court judge beginning January 2018. Judge Howe has a staff including a senior housing specialist, two housing specialists, a law clerk, and a part-time research intern.

## **Year in Review: Overview**

### ***Criminal Cases***

In 2022, there were 921 criminal nuisance citations filed in housing court.

Bench warrants are issued for those who 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 environmental 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 prescribed 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***

In 2022, there were 6,238 eviction cases and 114 rent escrow cases filed.

A housing court magistrate hears all first causes of action in FED cases, as well as rent escrow cases, where 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 cause of action (money damages) is heard by the housing court judge.

## **2022 Accomplishments and Goals for 2023**

Judge Joseph J. Howe spoke at numerous neighborhood community groups to address concerns throughout 2022.

The housing court continues to be an active partner of the Code Enforcement Response Team, which is comprised of multiple governmental agencies all dedicated to identifying and eliminating chronic nuisances in our neighborhoods.

In 2022, the Housing Department participated in ALICE training. The training prepares staff to recognize and respond to an active aggressor incident within the courthouse.

In 2023, 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; and
- Foster partnerships with community organizations and governmental entities for the continued improvement of available housing.

### **Staff Summary**

The 2022 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 Tessa Lee  
Part-Time Research Intern Nicholas Windau