



CLEVELAND HEIGHTS MUNICIPAL COURT

LYNN C. TOLER, JUDGE

1999 Annual Report

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To: Council of the City of Cleveland Heights
Board of Commissioners Cuyahoga County

Re: Cleveland Heights Municipal Court's Annual Report for 1999

In this, my 1999 annual report, I would like to draw your attention to the following matters.

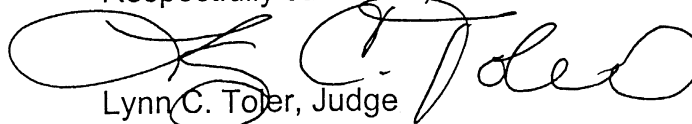
The number of traffic tickets handled by this court rose dramatically in 1999. This court processed well over 31,000 traffic charges, a volume second only to 1996's record year of 34,000 traffic charges. Due to improvements in efficiency within the court, we were able to handle this year's dramatic increase without significant overtime for the staff or the need to use acting judges to handle overflow traffic trials. As always, the court is committed to ensuring the payment of the court costs and fines that are imposed. As a result, the court took in over three million dollars in 1999. \$2.25 million of that income was remitted to the City of Cleveland Heights and the remainder to state and county agencies as required by law. The court's operating budget, however, remains under one million dollars. This efficiency allowed the court to refrain from raising criminal court costs for the fifth year in a row. Likewise civil court costs were not raised in 1999.

In 1999, the court pursued and received a \$20,000 grant from the State of Ohio to improve its security measures. As a result, this court now has access to both portable and hand held metal detectors and has continued armed bailiff security training. This year the court also instituted a pilot project in which the court began equipping police cars with automated ticketing computers. The addition of this automation should allow officers to issue tickets faster thereby reducing the time officers spend on each traffic stop. It will also aid in the speedy processing of tickets by this court. This computerization is being paid for from a state approved court computerization fund at no additional cost to the City of Cleveland Heights.

While this court takes its fiscal responsibility to the City of Cleveland Heights quite seriously, the fair and efficacious administration of justice is, of course, this court's primary concern and ultimate goal. To that end, the court has continued to review and revise its housing court in an effort to make it more effective. In 1999 the court established new reporting procedures designed to facilitate better communication between FHC Corporation and the court which helps the court better monitor the progress of housing defendants sent there.

In the year 2000, as always, this court will continue in its efforts to improve.

Respectfully submitted,



Lynn C. Toler, Judge

Case Filings for 1999

MONTH	FELONIES	MISDEMEANORS	O.M.V.I.	TRAFFIC	PER INJURY	CONTRACTS	F.E.D.	OTHER CIVIL	SMALL CLAIMS
January	16	71	5	1507	6	26	24	3	22
February	9	159	5	2221	3	51	24	7	31
March	12	237	13	2562	8	41	21	4	33
April	10	126	19	2615	4	94	27	5	38
May	13	197	7	2180	3	66	39	8	15
June	17	210	3	2896	4	107	32	2	27
July	25	283	4	1903	5	34	37	7	29
August	23	168	5	2020	4	37	33	5	28
September	17	208	6	2139	2	67	31	2	29
October	16	213	4	2224	2	34	36	9	25
November	19	157	9	1979	5	63	37	5	68
December	15	178	4	1834	8	45	32	5	39
TOTAL	192	2207	84	26080	54	665	373	62	384
Re-Activated									
Total	20	313	4	2785					

These statistics are compiled from the monthly reports submitted to the Supreme Court of Ohio under Superintendence Rule 12. Multiple charges against an individual as the result of the same set of circumstances or series of acts is only counted as ONE CASE. Individual criminal and traffic CHARGES appear elsewhere in this report.

Reactivated cases are those brought back onto the current docket when the Court regains jurisdiction over a defendant, such as an arrest on an active warrant. There are no reactivated cases in the Civil Division.

TRAFFIC OFFENSES BY CHARGE 1999

Assured Clear Distance.....	300	
Bicycle/Skateboard.....	11	
Child Restraint.....	53	
Compliance with Police Order.....	3	
Driving Under Suspension.....	455	
Driving Under the Influence of Alcohol/B.A.C.....	134	
Failure to Control.....	219	
Failure to Yield.....	218	
Fleeing.....	14	
Hit Skip/Leave Scene.....	49	
Improper Left Turn.....	352	
Improper U-Turn.....	93	
Improper Passing.....	49	
Improper Lane Change.....	73	
Improper Turn.....	274	
Left of Center.....	20	
No Operator's License.....	514	
Fail to Display License.....	1,441	
Expired License Less than 6 months....	130	PREVIOUS YEAR TOTALS:
One Way Street.....	77	1994: 19,152
Pedestrian Violations.....	16	1995: 16,655
Reckless Operation.....	43	1996: 34,346
Speed.....	20,904	1997: 24,996
Stop Sign.....	915	1998: 26,187
Traffic Control Device.....	698	
Other Moving Violations.....	198	
Parking, complaints filed.....	832	
Registration/Title/Plates.....	1,667	
Unsafe Vehicle/Equipment.....	198	
Light Violations.....	481	
Seat Belt/Operator.....	1,248	
Seat Belt/Passenger.....	5	
TOTAL CHARGES 1999:	31,684	

The figures above and those on the following page represent the number of criminal charges and the number of traffic charges plus parking complaints actually filed with the court during the year 1999. The number of cases filed are on the Supreme Court Report Chart starting this section. The Rules of Superintendence for Municipal and County Courts provide that multiple offenses arising from the same incident by the same defendant be given only one case number and counted only as one case for the purpose of the monthly reports to the Supreme Court of Ohio. This is the basis for the difference between the number of CASES and CHARGES. There are always more charges than cases under this method.

CRIMINAL OFFENSES BY CHARGE FOR 1999

Alcohol.....	9	Park Regulations.....	34
Alcohol/Underage/Sale.....	22	Public Indecency.....	11
Arson.....	2	Rape.....	6
Assault.....	57	Receive Stolen Property.....	31
Felonious Assault.....	16	Resist Arrest.....	29
Assault on Police Off.....	13	Robbery.....	20
Bad Checks.....	5	Agg. Robbery.....	5
Breaking & Entering.....	10	Sexual Imposition.....	4
Burglary.....	9	Solicitation.....	8
Agg. Burglary.....	3	Telephone Harassment.....	6
Building.....	170	Theft/Petty.....	254
Carrying Concealed Weapon.....	12	Trespass.....	46
Child Endangering.....	14	Unauthorized use of Motor Veh.....	4
Criminal Damaging.....	16	Unreasonable Noise.....	245
Criminal Mischief.....	20	Vandalism.....	3
Criminal Tools.....	12	Violation/Protection Order.....	14
Disorderly/Disturb Peace.....	145	Zoning.....	130
Dog/Cat Run at Large.....	24		
Dogs/Vicious.....	17		
Domestic Violence.....	162	TOTAL CHARGES FILED:	2,655
Drug Abuse.....	13		
Drug Instruments.....	30	Previous Years:	
Drug Trafficking.....	14	1994: 2,531	
Falsification.....	2	1995: 2,657	
Felony D.U.I.....	1	1996: 2,543	
Firearms.....	18	1997: 2,628	
Fleeing.....	7	1998: 2,601	
Forgery.....	8		
Housing.....	550		
Intoxication.....	81		
Littering/Handbills.....	6		
Marihuana <100 gr.....	41		
Menacing.....	18		
Agg. Menacing.....	12		
Misidentification.....	54		
Miscellaneous.....	27		
Murder/Attempted.....	5		
Obstructing Official Business.....	9		
Occupancy Permit.....	111		
Open Container.....	67		

**CRIMINAL/TRAFFIC BRANCH
RECEIPTS AND DISBURSEMENTS FOR 1999**

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Balance on Hand January 1, 1999		\$ 52,703.50
Receipts 1999		<u>\$3,055,068.96</u>
	TOTAL	\$3,107,772.46

DISBURSEMENTS:

	1997	1998	1999
City of Cleveland Heights			
Fines	\$ 737,219.23	\$ 842,171.48	\$1,310,547.20
Costs	\$ 455,041.56	\$ 520,592.12	\$ 649,224.27
Housing	\$ 10,854.90	\$ 3,586.17	\$ 2,099.00
Computer Fund	\$ 199,844.00	\$ 220,223.50	\$ 280,629.50
Drug Fines	\$ 119.00	\$ -0-	\$ 2.25
Witness/Jury Reimb	\$ 1,764.80	\$ 1,880.37	\$ 2,400.50
Bailiff Fees	\$ 211.00	\$ 139.40	\$ 91.80
Community Service Fees	\$ 4,262.00	\$ 7,538.50	\$ 5,208.00
Unclaimed Funds	\$ 811.50	\$ 941.50	\$ 3,942.50
Sub-Total	<u>\$1,410,127.99</u>	<u>\$1,597,073.04</u>	<u>\$2,254,145.02</u>
 Cuyahoga County			
Regular Fines	\$ 15,076.50	\$ 14,072.00	\$ 16,459.00
Uniform Traffic Fines	\$ 28,523.25	\$ 36,266.75	\$ 38,861.50
1/2 Liquor Fines	\$ 607.50	\$ 2,139.50	\$ 602.50
Witness/Jury Reimbrs	\$ 1,904.00	\$ 759.70	\$ 1,964.20
Sub-Total	<u>\$ 46,111.25</u>	<u>\$ 53,237.95</u>	<u>\$ 57,887.20</u>
 State of Ohio			
RRF/Victims Fund	\$ 173,073.00	\$ 186,400.00	\$ 242,117.52
GRF/General Fund	\$ 211,645.00	\$ 227,628.50	\$ 295,988.50
Seat Belt	\$ 24,470.00	\$ 20,585.00	\$ 26,708.00
Expungements	\$ 630.00	\$ 1,050.00	\$ 1,020.00
1/2 Liquor Fines	\$ 607.50	\$ 2,139.50	\$ 602.50
BMV Fees	\$ 4,680.00	\$ 17,388.00	\$ 25,043.00
Pharmacy Board (Drug)	\$ 219.00	\$ 167.50	\$ 162.25
Sub-Total	<u>\$ 415,324.50</u>	<u>\$ 455,358.50</u>	<u>\$ 591,641.77</u>
 Other Disbursements			
County Law Library	\$ 730.71	\$ 880.85	\$ 763.74
Misc. Agencies/Trans	\$ 3,740.50	\$ 2,575.00	\$ 1,446.00
* DUI Housing Fund	\$ 1,423.00	\$ 1,202.00	\$ 2,040.00
* DUI Arrest Agency	\$ 2,054.00	\$ 2,418.00	\$ 2,509.00
DUI Indigent Fund	\$ 2,116.25	\$ 2,778.25	\$ 2,391.00
Refunds	<u>\$ 170,601.22</u>	<u>\$ 62,205.17</u>	<u>\$ 144,604.73</u>
Sub-Total	<u>\$ 180,665.68</u>	<u>\$ 172,059.27</u>	<u>\$ 153,754.47</u>
 GRAND TOTALS	 \$2,052,229.42	 \$2,277,728.76	 \$ 3,057,428.46

Balance on Hand December 31, 1999		\$ 50,344.00
	TOTAL	<u>\$ 3,107,772.46</u>

* Money from these two funds goes directly into accounts for the Cleveland Heights Police Department for future D.U.I. education and enforcement.

**CIVIL/SMALL CLAIMS BRANCH
RECEIPTS AND DISBURSEMENTS FOR 1999**

Balance on Hand January 1, 1999		\$ 4,817.12
Receipts 1999		<u>\$344,037.61</u>
	TOTAL	<u>\$348,854.73</u>

DISBURSEMENTS:

	1997	1998	1999
City of Cleveland Heights			
Costs	\$ 79,457.95	\$ 72,259.75	\$ 83,214.18
Computer Fund	\$ 35,404.00	\$ 29,897.50	\$ 23,551.00
1% Legal Aid	\$ 208.84	\$ 183.94	\$ 199.22
Unclaimed Funds	\$ -0-	\$ -0-	\$ 280.59
Bailiff Fees	<u>\$ 220.00</u>	<u>\$ 315.40</u>	<u>\$ 293.20</u>
Sub-Total	\$115,290.79	\$102,656.59	\$107,538.19
State of Ohio Legal Aid	\$ 20,675.16	\$ 18,210.06	\$ 19,722.78
Judgements and Refunds	<u>\$215,386.15</u>	<u>\$252,188.23</u>	<u>\$214,812.69</u>
Sub-Total	\$236,061.31	\$270,398.29	\$234,535.47
GRAND TOTALS	\$351,352.10	\$370,054.88	\$342,073.66

Balance on Hand December 31, 1999		<u>\$ 6,781.07</u>
	TOTAL	<u>\$ 348,854.73</u>

**CIVIL/TRUSTEESHIP BRANCH
RECEIPTS AND DISBURSEMENTS FOR 1999**

Balance on Hand January 1, 1999		\$ -0-
Receipts 1999		<u>\$ 10.00</u>
	TOTAL	\$ 10.00

DISBURSEMENTS:	1997	1998	1999
City of Cleveland Hgts	\$ -0-	\$ 10.00	\$ -0-
To Creditors	\$ -0-	\$ -0-	\$ -0-
Return to Depositor	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>
TOTALS	\$ -0-	\$ 10.00	\$ -0-

Balance on Hand December 31, 1999	\$ 10.00
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**CIVIL/LANDLORD-TENANT BRANCH
RECEIPTS AND DISBURSEMENTS FOR 1999**

Balance on Hand January 1, 1999		\$ 2,415.00
Receipts 1999		<u>\$23,276.50</u>
	TOTAL	\$25,691.50

DISBURSEMENTS:	1997	1998	1999
City of Cleveland Hgts	\$ 64.08	\$ 59.10	\$ 158.56
To Landlords	\$ 4,438.17	\$ 5,355.90	\$14,972.24
To Tenants	\$ 569.25	\$ -0-	\$ 725.70
Repair/Maintenance/Other			
Paid by Court Order	<u>\$ 5,071.50</u>	<u>\$ 1,049.00</u>	<u>\$ 6.00</u>
TOTALS	\$ 8,049.50	\$ 6,464.00	\$15,862.50

Balance on Hand December 31, 1999	\$ 9,829.00
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	TOTAL	\$25,691.50
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MISCELLANEOUS ITEMS FOR 1999

There were 846 garnishments filed on civil and small claims actions. This number is lower than previous years due to the new continuing garnishment law.

The Landlord Tenant Division received fifteen (15) new cases and 13 were disposed of in 1999.

No Trusteeship cases were filed in 1999.

Judge Toler performed 5 weddings during the year.

There were 11 jury trials during 1999.

The criminal division issued 2,258 license forfeitures on persons who did not appear for court or did not pay their fine and costs. Approximately 1,143 persons took care of their forfeitures before the suspension dates became effective and 1,450 reinstatements were sent to the BMV for those who took care of their forfeitures after the suspension date. This year the Court also started issuing warrant registration blocks for those who did not appear or take care of their cases. We issued 535 blocks and 170 were cleared.

The Bureau of Motor Vehicles returned \$1,800.00 to the City which was collected from DUI reinstatement fees collected by the BMV. This money was deposited in the DUI Indigent Fund as per State Statute. A miscellaneous refund of \$100 was also paid to the City.

Recap of money paid to the City from all divisions for the last three years:

	1997	1998	1999
Criminal/Traffic	\$1,550,667.44	\$1,597,073.04	\$2,254,145.02
Civil/Small Claims	\$ 115,290.79	\$ 102,656.99	\$ 107,538.19
Trusteeship	\$ -0-	\$ -0-	\$ -0-
Landlord/Tenant	\$ <u>64.08</u>	\$ <u>59.10</u>	\$ <u>158.56</u>
TOTALS	\$1,666,022.31	\$1,699,789.13	\$2,361,841.77

This report includes the December 1999 disbursement even though that money was not paid out until January 2000.

TO: Judge Lynn C. Toler
 FROM: James Miller
 Chief Probation Officer

RE: PROBATION ACTIVITY, 1999

I. PRESENTENCE INVESTIGATION/PROBATION VIOLATIONS, 1999

	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>
Presentence Investigation Reports	460	446	410	454
Probation Violation Reports	127	76	31	34
Expungement Reports	38	46	44	35

II. SUPERVISION CASELOAD, ON December 31, 1999

	<u>12-31-96</u>	<u>12-31-97</u>	<u>12-31-98</u>	<u>12-31-99</u>
	<u>caseload</u>	<u>caseload</u>	<u>caseload</u>	<u>caseload</u>
Active (Supervised):	286	229	233	272
Inactive (Non-Supervised):	273	364	350	405

Supervision caseload, per Probation officer

<u>On 12-31-96</u>	<u>On 12-31-97</u>	<u>On 12-31-98</u>	<u>On 12-31-99</u>	<u>% Increase</u>
143	114	116	134	16

III. SUPERVISION, 1999 inclusive
(1998 numbers in parenthesis, for comparison)

Total active probation cases, supervised, Jan.-Dec. 1999, inclusive:	601	(658)
Total inactive probation cases, Jan.-Dec. 1999, inclusive:	797	(853)
New active probation cases added in 1999:	375	(426)
New inactive probation cases added in 1999:	446	(488)
* * *		
Number of probation cases (active/inactive), <u>on 12-31-98</u> , whose sentences also included jail time, with % of caseload:	237	- 38%
	(205	- 35%)

IV. MAJOR OFFENSES OF PROBATIONERS on supervision, Dec. 31 1999
(1997 number in parenthesis, for comparison)

	<u>No. of cases</u>	<u>% of cases</u>	<u>Cumul. %</u>
Domestic Violence	67 (60)	25 (26)	25
OMVI	56 (49)	21 (21)	46
Petty Theft	37 (24)	14 (10)	60
Intoxication	17 (22)	6 (09)	66
Assault	15 (18)	5 (08)	71
Driving Under Suspension	14 (06)	5 (03)	76
Disorderly Conduct	11 (09)	4 (03)	80
Criminal Mischief	09 (01)	3 (00)	83
Resisting Arrest	08 (06)	3 (03)	86
Trespassing	07 (-)	3 (-)	89
Menacing/Stalking	06 (07)	3 (03)	92
Protection Order Violations	05 (-)	2 (-)	94
Drug Violations	04 (-)	1 (-)	95
Dogs	04 (02)	1 (00)	95
Child endangering	03 (-)	1 (00)	97
Other	08 (27)	3 (11)	100

V. **PROBATION REFERRALS, in December 31, 1999 caseload**
 (As required by Court under Conditions of Probation;
 1998 figures in parenthesis, for comparison)

ALCOHOL/DRUG

Alcohol/Drug Treatment, including Driver Intervention Programs; AA, NA, CA	110	(102)
Home Monitoring	7	(-)

VIOLENCE

Batterers intervention program	51	(30)
Parenting/Family counseling	6	(10)
Restitution	18	(13)
Carrying Concealed Weapons Program	2	
Geographic restrictions	4	(-)
Book Report/Write Article	3	(-)

COUNSELING

Psychiatric Therapy	11	(15)
Sexual Disorders therapy	2	(1)

EMPLOYMENT/EDUCATION

Maintain full time schooling	8	(2)
Maintain Employment	13	(16)
C.H.I.P.	7	(-)

COMMUNITY SERVICE

Community Service referrals, as of 12-31-99	33	(41)
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VI. **RESTITUTION/COMMUNITY SERVICE, 1999 inclusive**
 (1998 numbers in parenthesis, for comparison)

Restitution transferred to victims, 1999:	\$11,667	(\$3,051.58)
Community Service referrals to Court Community Service, 1999 inclusive:	102	(166)
Community Service, total hours ordered in 1999:	2501.5	(3,927)
Total Community Service hours scheduled in Cleveland Heights non-profit agencies, through CCS:	4155.25	(5351.25)

SERVING THE COURT IN AN OFFICIAL CAPACITY DURING 1999:

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Lynn C. Toler, Judge

Maria F. Hallabrin, Clerk of Court

William E. Uzl, Bailiff

Russell Baron, Acting Judge

Ranelle Gamble, Acting Judge

Mark L. Hoffman, Acting Judge

Alan H. Kraus, Acting Judge

Joy Savren, Acting Judge

Georgeann Schmidt, Magistrate

Dale Lefferts, Magistrate

Lincoln Scott, Housing Officer

Christine Libbey, Deputy Bailiff

Lawrence Jasper, Deputy Bailiff

Leo Krejci, Deputy Bailiff

JoAnn Gallitto, Chief Deputy Clerk/Civil Division

Ann Ludwig, Chief Deputy Clerk/Criminal Division

Bettie Ballard, Civil Deputy Clerk until 9/99

Cherie Disbro, Criminal Deputy Clerk until 6/99

Angela Gerding, Criminal Deputy Clerk

Virginia Journee, Criminal Deputy Clerk

Lisa Little, Criminal Deputy Clerk

Carole Motyka, Criminal Deputy Clerk

Jeanette Politi, Civil Deputy Clerk

Clovice Ramsey, Criminal Deputy Clerk

Tawanda Smith, Criminal Deputy Clerk

Karen Szekely, Criminal Deputy Clerk

Denise Steinlechner, Law Clerk until 5/99

Sonja Lechowick, Law Clerk

James Miller, Chief Probation Officer

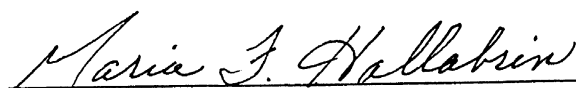
Valinda Garner, Probation Officer

Tonigail Travis, Probation Secretary until 6/99

JoDell Howard, Probation Secretary

Amy Satterwaite, Part-time Criminal Deputy Clerk

This report covers all operations, employees, income and disbursements of the Cleveland Heights Municipal Court as verily prepared.



Maria F. Hallabrin, Clerk of Court