

*Cleveland Heights
Municipal Court*



2000 Annual Report

Lynn C. Toler, Judge

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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 2000

In this, the court's 2000 annual report, I would like to bring your attention to the following.

In 2000 the number of traffic tickets handled by this court dropped significantly. In 1999, the court processed approximately 31,000 tickets. In 2000, that number dropped to 21,000. That reduction is not, however, as dramatic as it appears at first blush because 1999's ticket volume was inordinately large; second only to the volume of tickets processed in 1996. This drop in volume did of course trigger a corresponding drop in revenue. However, because of the courts continued efforts at effective fine collection and an increase in the volume of civil cases processed, the drop in revenue was not equally dramatic. This year the court remitted 1.6 million dollars to the City of Cleveland Heights while maintaining its operating budget under one million dollars.

In 2000, the court again made strides to increase its accessibility by providing citizens with the ability to search Cleveland Heights Municipal Court records through the Internet. Moreover, the court's web site now has the capacity to allow individuals to download court forms. This, for many, will eliminate the necessity to come to court to get forms before filling them out. In addition the court began a semi-annual newsletter in the fall of 2000, in an effort to keep citizens updated on the court's activities and changes in the law which might be of interest. The court has also increased the number of informational brochures to help lay people through specific processes in the court.

As always, this court is continuing in its efforts to improve in all aspects of its administration. Its intensive probationary program for young chronic offenders is continuing to expand and add new features. The court is currently pursuing funding for a pilot program to address the needs of non-violent mentally ill defendants who normally have an extraordinarily high rate of recidivism. The court is also in the final stages of starting a video tape library to help individuals through small claims and traffic courts.

These efforts are on going and it is the court's hope that these pursuits will come to fruition in 2001.

Respectfully submitted,


Lynn C. Toler, Judge

Case Filings 2000

MONTH	FELONIES	MISDEMEANORS	O.M.V.I.	TRAFFIC	PER INJURY	CONTRACTS	F.E.D	OTHER CIVIL	SMALL CLAIMS
January	13	155	5	1439	3	38	29	11	24
February	10	99	9	2216	8	34	13	3	25
March	23	206	6	2566	8	46	21	5	22
April	13	131	6	1752	9	36	24	5	26
May	8	175	3	1408	9	48	30	8	19
June	17	207	2	1444	8	76	36	10	25
July	12	177	0	936	6	33	33	4	27
August	13	164	4	963	7	37	48	4	39
September	12	198	4	1018	3	27	33	1	18
October	14	189	3	1162	4	177	30	4	25
November	13	143	2	778	6	46	35	4	25
December	13	97	2	921	1	27	28	4	23
TOTAL	161	1941	46	16,603	72	625	360	63	298
Re-Activated									
Total	19	376	2	3908					

These statistics are compiled from monthly reports submitted to the Supreme Court of Ohio under Superintendence Rule 12. Multiple charges filed against an individual as the result of the same act or series of acts are 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 a warrant or license forfeiture.

There are no reactivated cases in the Civil Division of the Court.

TRAFFIC OFFENSES BY CHARGE 2000

Assured Clear Distance.....	365	
Bicycle/Skateboard.....	17	
Child Restraint.....	25	
Compliance with Police Order.....	1	
Driving Under Suspension.....	401	
Driving Under the Influence of Alcohol/B.A.C.....	78	
Failure to Control.....	183	
Failure to Yield.....	213	
Fleeing.....	16	
Hit Skip/Leave Scene.....	38	
Improper Left Turn.....	210	
Improper U-Turn.....	39	
Improper Passing.....	31	
Improper Lane Change.....	75	
Improper Turn.....	222	
Left of Center.....	30	
No Operator's License.....	414	
Fail to Display License.....	874	
Expired License Less than 6 months....	124	PREVIOUS YEAR TOTALS:
One Way Street.....	35	1994: 19,152
Pedestrian Violations.....	30	1995: 16,655
Reckless Operation.....	31	1996: 34,346
Speed.....	12,751	1997: 24,996
Stop Sign.....	543	1998: 26,187
Traffic Control Lights.....	578	1999: 31,684
Traffic Control Device.....	10	
Other Moving Violations.....	210	
Parking, complaints filed.....	760	
Registration/Title/Plates.....	1,428	
Unsafe Vehicle/Equipment.....	102	
Light Violations.....	301	
Seat Belt/Operator.....	886	
Seat Belt/Passenger.....	8	
TOTAL CHARGES 2000:	21,029	

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 2000. 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 2000

Abduction.....	3	Park Regulations.....	15
Alcohol.....	7	Public Indecency.....	4
Alcohol/Underage/Sale.....	37	Rape.....	4
Arson.....	0	Receive Stolen Property.....	53
Assault.....	34	Resist Arrest.....	22
Felonious Assault.....	8	Riot.....	5
Assault on Police Off.....	0	Robbery.....	23
Bad Checks.....	7	Agg. Robbery.....	3
Breaking & Entering.....	14	Sexual Imposition.....	1
Burglary.....	9	Telephone Harassment.....	10
Agg. Burglary.....	2	Theft/Petty.....	196
Building.....	124	Trespass.....	31
Carrying Concealed Weapon.....	4	Unauthorized use of Motor Veh.....	0
Child Endangering.....	6	Unreasonable Noise.....	277
Criminal Damaging.....	5	Vandalism.....	6
Criminal Mischief.....	22	Violation/Protection Order.....	10
Criminal Tools.....	10	Zoning.....	44
Disorderly/Disturb Peace.....	130		
Dog/Cat Run at Large.....	32		
Dogs/Vicious.....	5		
Domestic Violence.....	141	TOTAL CHARGES FILED:	2,296
Drug Abuse/Possession.....	4	Previous Years:	
Drug Instruments.....	6	1994: 2,531	
Drug Trafficking.....	10	1995: 2,657	
Falsification.....	4	1996: 2,543	
Felony D.U.I.....	0	1997: 2,628	
Firearms.....	15	1998: 2,601	
Fleeing.....	12	1999: 2,655	
Forgery.....	2		
Garbage Time.....	32		
Housing.....	544		
Intoxication.....	51		
Kidnapping.....	2		
Littering/Handbills.....	3		
Marihuana <100 gr.....	36		
Menacing.....	17		
Agg. Menacing.....	10		
Misidentification.....	37		
Miscellaneous.....	22		
Murder/Attempted.....	15		
Obstructing Official Business.....	4		
Occupancy Permit.....	90		
Open Container.....	76		

**CRIMINAL/TRAFFIC BRANCH
RECEIPTS AND DISBURSEMENTS FOR 2000**

Balance on Hand January 1, 2000		\$ 50,344.00	
Receipts 2000		<u>\$2,373,069.84</u>	
	TOTAL	\$2,423,413.84	
DSBURSEMENTS:			
City of Cleveland Heights	1998	1999	2000
Fines	\$ 842,171.48	\$1,310,547.20	\$ 991,770.26
Costs	\$ 520,592.12	\$ 649,224.27	\$ 513,047.45
Housing	\$ 3,586.17	\$ 2,099.00	\$ 2,593.00
Computer Fund	\$ 220,223.50	\$ 280,629.50	\$ 203,966.00
Drug Fines	\$ -0-	\$ 2.25	\$ 28.25
Witness/Jury Reimb	\$ 1,880.37	\$ 2,400.50	\$ 1,278.00
Bailliff Fees	\$ 139.40	\$ 91.80	\$ 245.80
Community Service Fees	\$ 7,538.50	\$ 5,208.00	\$ 6,117.50
Unclaimed Funds	<u>\$ 941.50</u>	<u>\$ 3,942.50</u>	<u>\$ 856.50</u>
Sub-Total	\$1,597,073.04	\$2,254,145.02	\$1,719,902.76
Cuyahoga County			
Regular Fines	\$ 14,072.00	\$ 16,459.00	\$ 18,203.90
Uniform Traffic Fines	\$ 36,266.75	\$ 38,861.50	\$ 40,337.25
1/2 Liquor Fines	\$ 2,139.50	\$ 602.50	\$ 864.50
Witness/Jury Reimbrs	<u>\$ 759.70</u>	<u>\$ 1,964.20</u>	<u>\$ 3,009.90</u>
Sub-Total	\$ 53,237.95	\$ 57,887.20	\$ 62,415.55
State of Ohio			
RRF/Victims Fund	\$ 186,400.00	\$ 242,117.52	\$ 173,513.00
GRF/General Fund	\$ 227,628.50	\$ 295,988.50	\$ 212,093.00
Seat Belt	\$ 20,585.00	\$ 26,708.00	\$ 21,548.00
Expungements	\$ 1,050.00	\$ 1,020.00	\$ 1,260.00
1/2 Liquor Fines	\$ 2,139.50	\$ 602.50	\$ 864.50
BMV Fees	\$ 17,388.00	\$ 25,043.00	\$ 31,920.00
Pharmacy Board (Drug)	<u>\$ 167.50</u>	<u>\$ 162.25</u>	<u>\$ 268.25</u>
Sub-Total	\$ 455,358.50	\$ 591,641.77	\$ 441,466.75
Other Disbursements			
County Law Library	\$ 880.85	\$ 763.74	\$ 781.97
Misc. Agencies/Trans	\$ 2,575.00	\$ 1,446.00	\$ 182.00
* DUI Housing Fund	\$ 1,202.00	\$ 2,040.00	\$ 659.00
* DUI Arrest Agency	\$ 2,418.00	\$ 2,509.00	\$ 1,391.00
DUI Indigent Fund	\$ 2,778.25	\$ 2,391.00	\$ 1,200.00
Refunds	<u>\$ 62,205.17</u>	<u>\$ 144,604.73</u>	<u>\$ 150,767.81</u>
Sub-Total	\$ 172,059.27	\$ 153,754.47	\$ 154,981.78
GRAND TOTALS	\$2,277,728.76	\$ 3,057,428.46	\$2,378,766.84
Balance on Hand December 31, 2000			<u>\$ 44,647.00</u>
	TOTAL		\$ 2,423,413.84

* 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 2000**

Balance on Hand January 1, 2000		\$ 6,781.07
Receipts 2000		<u>\$502,581.09</u>
	TOTAL	<u>\$509,362.16</u>

DISBURSEMENTS:

	1998	1999	2000
City of Cleveland Heights			
Costs	\$ 72,259.75	\$ 83,214.18	\$ 90,850.74
Computer Fund	\$ 29,897.50	\$ 23,551.00	\$ 19,118.50
1% Legal Aid	\$ 183.94	\$ 199.22	\$ 187.54
Unclaimed Funds	\$ -0-	\$ 280.59	\$ 258.26
Bailiff Fees	<u>\$ 315.40</u>	<u>\$ 293.20</u>	<u>\$ 431.16</u>
Sub-Total	\$102,656.59	\$107,538.19	\$110,846.20
State of Ohio Legal Aid	\$ 18,210.06	\$ 19,722.78	\$ 1,856.46
Judgements and Refunds	<u>\$252,188.23</u>	<u>\$214,812.69</u>	<u>\$375,834.57</u>
Sub-Total	\$270,398.29	\$234,535.47	\$377,691.03
GRAND TOTALS	\$370,054.88	\$342,073.66	\$488,537.23

Balance on Hand December 31, 2000		<u>\$ 20,824.93</u>
	TOTAL	<u>\$ 509,362.16</u>

**CIVIL/TRUSTEESHIP BRANCH
RECEIPTS AND DISBURSEMENTS FOR 2000**

Balance on Hand January 1, 2000	\$ 10.00
Receipts 2000	<u>\$ -0-</u>
TOTAL	\$ 10.00

DISBURSEMENTS:	1998	1999	2000
City of Cleveland Hgts	\$ 10.00	\$ -0-	\$ -0-
To Creditors	\$ -0-	\$ -0-	\$ -0-
Return to Depositor	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>
TOTALS	\$ 10.00	\$ -0-	\$ -0-

Balance on Hand December 31, 2000	\$ 10.00
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**CIVIL/LANDLORD-TENANT BRANCH
RECEIPTS AND DISBURSEMENTS FOR 2000**

Balance on Hand January 1, 2000	\$ 9,829.00
Receipts 2000	<u>\$ 5,173.00</u>
TOTAL	\$15,002.00

DISBURSEMENTS:	1998	1999	2000
City of Cleveland Hgts	\$ 59.10	\$ 158.56	\$ 187.44
To Landlords	\$ 5,355.90	\$14,972.24	\$13,814.56
To Tenants	\$ -0-	\$ 725.70	\$ 1,000.00
Repair/Maintenance/Other			
Paid by Court Order	<u>\$ 1,049.00</u>	<u>\$ 6.00</u>	<u>\$ -0-</u>
TOTALS	\$ 6,464.00	\$15,862.50	\$15,002.00

Balance on Hand December 31, 2000	\$ -0-
TOTAL	\$15,002.00

MISCELLANEOUS ITEMS FOR 2000

There were 481 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 6 new cases and all were completed.

No Trusteeship cases were filed in 2000.

Judge Toler performed 7 weddings during the year.

There were 7 jury trials during 2000.

The criminal division again issued over 2,800 license forfeitures and registration blocks on persons who did not appear for court or did not pay their fine and costs. Approximately 772 persons took care of their forfeitures or registration blocks before the suspension dates became effective and 2,034 reinstatements were sent to the BMV for those who took care of their forfeitures after the suspension date.

The Court and police department instituted a pilot automated ticket project in June of 2000, and 1,572 traffic tickets were processed in this manner. At this time there are six police cars that have the equipment installed and it is hoped that more vehicles will be added in 2001.

The Bureau of Motor Vehicles returned \$2,537.50 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 \$50 was also paid to the City.

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

	1998	1999	2000
Criminal/Traffic	\$1,597,073.04	\$2,254,145.02	\$1,597,073.04
Civil/Small Claims	\$ 102,656.99	\$ 107,538.19	\$ 102,656.59
Trusteeship	\$ -0-	\$ -0-	\$ -0-
Landlord/Tenant	\$ 59.10	\$ 158.56	\$ 187.44
TOTALS	\$1,699,789.13	\$2,361,841.77	\$1,699,917.07

This report includes the December 2000 disbursement even though that money was not paid out until January 2001.

CHIP

Cleveland Height Intensive Municipal Court Probation Program

The primary purpose of the Cleveland Heights Intensive Probation (CHIP) program is to provide a select probation population between the ages of 18 through 25 with an intense level of supervised probation. The desired result being to help minimize instances of domestic violence, assault, chemical dependency, unemployment, illiteracy, recidivism and specific traffic related offenses.

The CHIP program is flexible in that it looks for creative ways to help program participants develop probation plans unique to their individual set of circumstances. Its equally important to recognize that much of what the program does is help the individual connect with an outside agency where specific needs beyond the court's expertise can be met.

Program Design

- * **Individual and group meeting:** probationers are required to meet /communicate with probation officer monthly or in group meeting.
- * **Home visitation:** allows probation officer to gain a feel for living environment, family structure and or support system.
- * **Work visitation:** ensures that probationer is maintaining stated conditions of probation.
- * **Agency referral:** informal partnership with specific social service agencies to help reduce the probationer anxiety level and to help facilitate self reliance.
- * **Education / Jobs training program:** informal partnership with the Cleveland Urban League and Center for Employment Training.
- * **Speakers Bureau:** role models with an expressed interest helping young offenders are invited to come and speak to the group as a means of motivation and support.

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

RE: PROBATION OFFICE, 2000

I. PRESENTENCE INVESTIGATION/PROBATION VIOLATIONS, 2000

	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
Presentence Investigation Reports	446	410	454	422
Probation Violation Reports	76	31	34	27
Expungement Reports	46	44	35	46

II. SUPERVISION CASELOAD, ON December 31, 2000

	<u>12-31-97</u>	<u>12-31-98</u>	<u>12-31-99</u>	<u>12-31-00</u>
	<u>caseload</u>	<u>caseload</u>	<u>caseload</u>	<u>caseload</u>
Active (Supervised):	229	233	272	266
Inactive (Non-Supervised):	364	350	405	394

Supervision caseload, per Probation officer

<u>On 12-31-97</u>	<u>On 12-31-98</u>	<u>On 12-31-99</u>	<u>On 12-31-00</u>	<u>% Increase</u>
114	116	136	133	-2

III. SUPERVISION, 2000 inclusive
 (1999 numbers in parenthesis, for comparison)

Total active probation cases, supervised, Jan.-Dec. 2000, inclusive:	663	(601)
Total inactive probation cases, Jan.-Dec. 2000, inclusive:	832	(797)
New active probation cases added in 2000:	394	(375)
New inactive probation cases added in 2000:	432	(446)

* * *

Number of probation cases (active/inactive), <u>on 12-31-00</u> , whose sentences also included jail time, with % of caseload:	221	-	35%
	(237	-	38%)

IV. MAJOR OFFENSES OF PROBATIONERS on supervision, Dec. 31 2000
 (1999 number in parenthesis, for comparison)

	<u>No. of cases</u>	<u>% of cases</u>	<u>Cumul. %</u>
Domestic Violence	73 (67)	27 (25)	27
Petty Theft	58 (37)	22 (14)	49
OMVI	40 (56)	15 (21)	64
Assault	19 (15)	7 (05)	71
Disorderly Conduct	12 (11)	5 (04)	76
Driving Under Suspension	11 (14)	4 (05)	80
Intoxication	10 (17)	4 (06)	84
Menacing/Stalking	8 (06)	3 (03)	87
Criminal Mischief	5 (09)	2 (03)	89
Child endangering	3 (03)	1 (01)	90
CCW/Weapons	3 (02)	1 (01)	91
Drug offenses	3 (04)	1 (01)	92
Protection Order Violations	3 (05)	1 (02)	93
Other	18 (12)	7 (04)	100

V. PROBATION REFERRALS, in December 31, 2000 caseload
(As required by Court under Conditions of Probation;
1999 figures in parenthesis, for comparison)

ALCOHOL/DRUG

Alcohol/Drug Treatment, including Driver Intervention Programs; AA, NA, CA	105 (110)
Home Monitoring	2 (7)

VIOLENCE

Batterers intervention program	62 (51)
Parenting/Family counseling	6 (6)
Restitution	21 (18)
Carrying Concealed Weapons Program	1 (2)
Geographic restrictions	17 (4)
Book Report/Write Article	4 (3)

COUNSELING

Psychiatric Therapy	15 (11)
Sexual Disorders therapy	3 (2)
Personal counseling	8 (-)

EMPLOYMENT/EDUCATION

Maintain full time schooling/G.E.D.	29 (8)
Maintain Employment	30 (13)
C.H.I.P.	15 (7)

COMMUNITY SERVICE

Community Service referrals, as of 12-31-00 31 (33)

VI. RESTITUTION/COMMUNITY SERVICE, 2000 inclusive
(1999 numbers in parenthesis, for comparison)

Restitution transferred to victims, 2000: \$2,524.54 (\$11,667)

Community Service referrals to Court
Community Service, 2000 inclusive: 119 (102)

Community Service, total hours ordered
in 2000: 3,519.5 (2501.5)

Total Community Service hours scheduled
in Cleveland Heights non-profit
agencies, through CCS: 2584.75 (4155.25)

SERVING THE COURT IN AN OFFICIAL CAPACITY DURING 2000

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
Dean A. Buchanan, Acting Judge

Georgeann Schmidt, Magistrate
Dale Lefferts, Magistrate

Lincoln Scott, Housing Officer

Christine Libbey, Deputy Bailiff
Lawrence Jasper, Deputy Bailiff
Leo Krejci, Deputy Bailiff

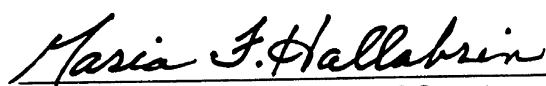
JoAnn Gallitto, Chief Deputy Clerk/Civil Division
Ann Ludwig, Chief Deputy Clerk/Criminal Division

Angela Gerding, Criminal Deputy Clerk (until 2/2000)
Jennifer Johnson, Criminal Deputy Clerk
Virginia Journee, Criminal Deputy Clerk
Elaine Kessler, Civil Deputy Clerk (Part-time)
Lisa Little, Criminal Deputy Clerk
Carole Motyka, Criminal Deputy Clerk
Jeanette Politi, Civil Deputy Clerk
Clovice Ramsey, Criminal Deputy Clerk
Darlene Roberts, Criminal Deputy Clerk
Tawanda Smith, Criminal Deputy Clerk
Karen Szekely, Criminal Deputy Clerk

Sonja Lechowick, Law Clerk

James Miller, Chief Probation Officer
Valinda Garner, Probation Officer
JoDell Howard, Probation Secretary

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



Maria F. Hallabrin, Clerk of Court