

Oberlin Municipal Court  
OBERLIN, OHIO  
ANNUAL REPORT



(For the period January 1, 2017 through December 31, 2017)



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**2018**  
**OBERLIN MUNICIPAL COURT PERSONNEL**

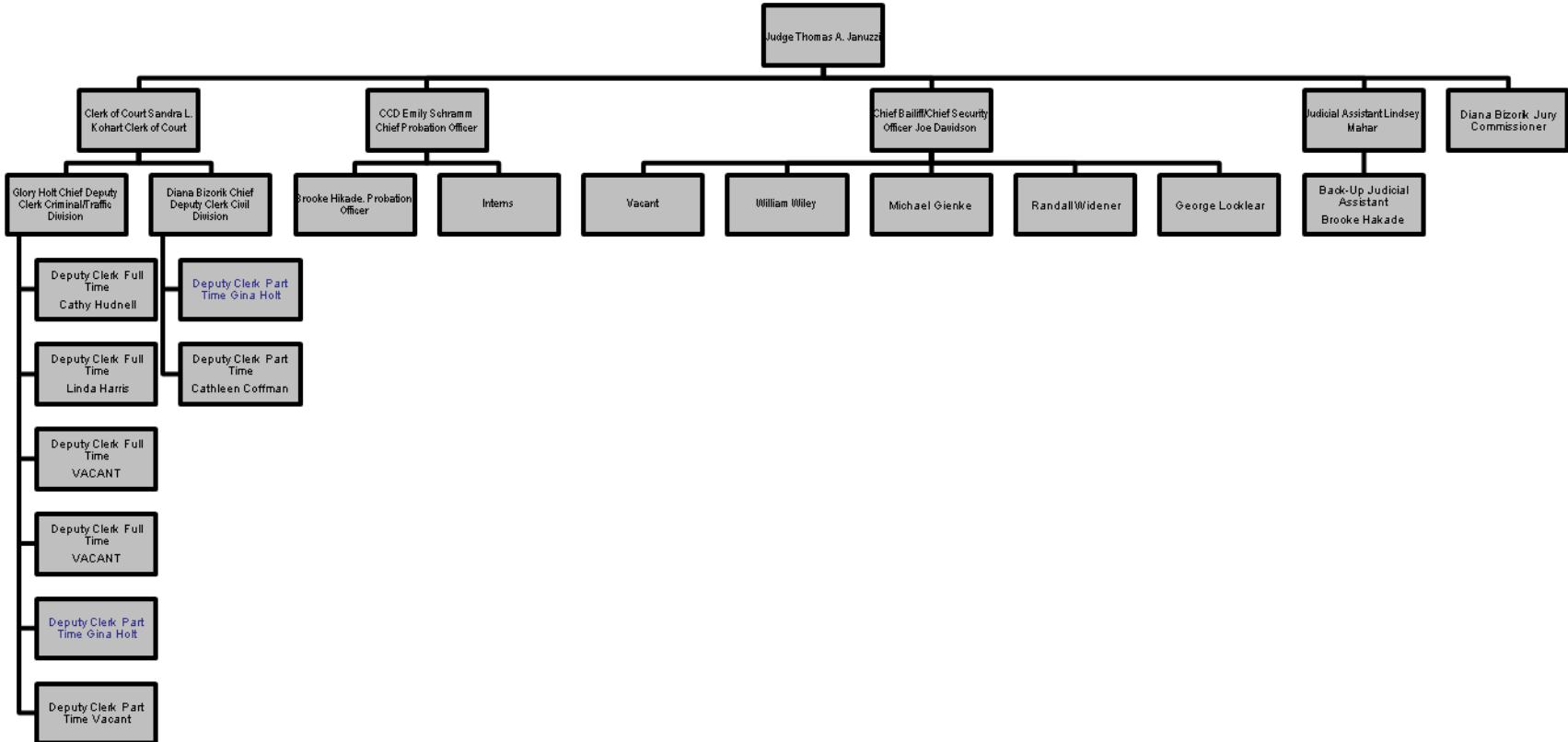
**FULL TIME**

<b><u>Name</u></b>	<b><u>Position</u></b>
Thomas A. Januzzi	Judge
Lindsey Mahar	Judicial/Legal Assistant
Emily Schramm	Chief Probation Officer
Sandra L. Kohart	Clerk
Diana Bizerik	Chief Deputy Clerk – Civil & Jury Commissioner
Glory Holt	Chief Deputy Clerk – Criminal & Traffic
Cathy Hudnell	Deputy Clerk
Linda Harris	Deputy Clerk
Vacant	Deputy Clerk
Joseph Davidson	Chief Bailiff/Chief Security Officer
Brooke Hikade	Assistant Probation Officer
Vacant	Deputy Clerk

**PART TIME**

George Locklear	Deputy Bailiff
Mike Gienke	Deputy Bailiff/Security
William Wiley	Deputy Bailiff/Security
Randall Widener	Deputy Bailiff/Security
Gina Holt	Deputy Clerk
Cathleen Coffman	Deputy Clerk

# Oberlin Municipal Court Organizational Chart 2018



## **JUDGE'S COMMENTS-2017**

It is an honor and privilege to serve as Judge of the Oberlin Municipal Court.

The court was established in 1958. The court has jurisdiction in the following territories located in Lorain County, Ohio: City of Amherst, City of Oberlin, Village of Wellington, Village of South Amherst, Village of Kipton, Village of Rochester and the Townships of Amherst, Brighton, Camden, Henrietta, Huntington, New Russia, Penfield, Pittsfield, Rochester and Wellington.<sup>1</sup>

The court was a part-time court until 1990 when the court became a full time court. There have been 3 Judges of the Oberlin Municipal Court. Judge David Goldthorpe served from 1958 to 1975. Judge Martin Heberling served from 1975 to 2001. Judge Thomas Januzzi was elected in 2001, re-elected in 2007 and again re-elected in 2013 and has served since January 1, 2002 to present.

The court had a part-time Magistrate to hear Small Claim cases for approximately 14 years until 2004. The Magistrate was phased out and eliminated in 2005. Prior to 2002 the part time Magistrate worked ½ day per week and was compensated the sum of \$24,000.00. The duties of the Magistrate position consisted mainly of hearing small claims cases. Immediately upon taking office in 2002 a decision was made to cut the Magistrate's salary in half to \$12,000.00 per year. Effective January 2004 the position of Magistrate was totally eliminated. The Judge has assumed all duties of the Magistrate. Pursuant to the Ohio Revised Code 40% of the Magistrate's position was paid by the County. The County realized an immediate savings of \$4,800.00 per year for calendar years 2002 and 2003 and a savings of \$9,600.00 per year for the calendar years 2004-2017 for a total savings of \$144,000.00 since January 2002 [not including increases in the Magistrate's salary]. The City has not had a Magistrate expense for the past 13 years (\$14,400.00 per year for fourteen years or \$201,600.00) and \$7,200.00 per year for 2002 and 2003 for a total of \$215,000.00. The savings to County and City since 2002 is over \$359,000.00 plus approximately \$77,877.92 in payroll expenses (PERS 14%, BWC .037, Medicare .015) **for a grand total savings of \$436,877.92.**

The City of Amherst, Village of Wellington, Village of South Amherst and Village of Kipton have also benefitted directly from the elimination of the Magistrate expense as this is a savings for their percentage of the cost apportionment. These cities and villages in the territory share in the cost of the operation of the court. The Finance Directors of the cities and villages by statute

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<sup>1</sup> The total population in these territories is 45,841 [2010 Census] compared to 45,469 according to the 2000 Census. The populations for the territories are:

City of Amherst	12,021	City of Oberlin	8,286
Village of Wellington	4,802	Village of South Amherst	1,688
Village of Rochester	182	Village of Kipton	243
Amherst Township	5,728	Brighton Township	915
Camden Township	1,424	Henrietta Township	1,861
Huntington Township	1,341	New Russia Township	1,943
Penfield Township	1,789	Pittsfield Township	1,581
Rochester Township	617	Wellington Township	1,420

are to meet twice per year to determine the cost apportionment. The cost apportionment is determined by the fiscal officers. RC 1901.026 provided in part:

“(A) The current operating costs of a municipal court … shall be apportioned pursuant to this section among all of the municipal corporations and townships that are within the territory of the court. Each municipal corporation and each township within the territory of the municipal court shall be assigned a proportionate share of the current operating costs of the municipal court that is equal to the percentage of the total criminal and civil caseload of the municipal court that arose in that municipal corporation or township. Each municipal corporation and each township then shall be liable for its assigned proportionate share of the current operating costs of the court, subject to division (B) of this section....

(B) A municipal corporation or township within the territory of a municipal court is not required to pay that part of its proportionate share of the current operating costs of the court, as determined in accordance with division (A) of this section, that exceeds the total amount of costs, fees, fines, bail, or other moneys that was disbursed by the clerk of the court under division (F) of section 1901.31 of the Revised Code, to the municipal corporation or township during the period for which its proportionate share of the current operating costs was determined. The municipal corporation in which the court is located is liable, in addition to its proportionate share, for any part of the proportionate share of a municipal corporation or township that the municipal corporation or township is not required to pay under this division.

(C) The auditors or chief fiscal officers of each of the municipal corporations and townships within the territory of a municipal court for which the current operating costs are apportioned under this section shall meet not less than once each six months at the office of the auditor or chief fiscal officer of the municipal corporation in which the court is located to determine the proportionate share due from each municipal corporation and each township, to determine whether any municipal corporation or township is not required to pay any part of its proportionate share under division (B) of this section, and to adjust accounts. The meetings shall be held at the direction of the auditor or chief fiscal officer of the municipal corporation in which the court is located, and the auditor or chief fiscal officer shall preside at the meetings. The proportionate share of each of the

municipal corporations and townships, as reduced or increased in accordance with division (B) of this section, is payable from the general fund of the municipal corporation or township or from any other fund designated or funds appropriated for the purpose of paying the particular municipal corporation's or township's proportionate share of the current operating costs of the court....”

The court operated without a probation department [community control department] during the first 43 years. A part-time probation officer was hired in 2002 and since then the department has gone through some changes. Beginning in 2009 there were 3 full time probation officers. Beginning January 1, 2012 the department was reduced to 2 full time probation officers in part due to budget cuts.

The court has jurisdiction of civil cases that do not exceed claims in excess of \$15,000.00. Small Claims jurisdiction is cases that do not exceed claims in excess of \$6,000.00 [as of September 2016 the amount was increased from \$3,000.00 to \$6,000.00].

The court has jurisdiction over misdemeanor cases from filing to conclusion. The court has jurisdiction over felony cases for purposes of affording an accused a hearing to determine if probable cause exists that a felony was committed and that the accused committed the felony. In cases where probable cause is established by the state the case is bound over [transferred] to the felony court – Lorain County Court of Common Pleas for consideration by the Grand Jury. At times there are felony cases that are charged as a felony by law enforcement and the Prosecutor changes the charge to a misdemeanor and will not prosecute the felony charge(s). The case is then finished at the Municipal Court as a misdemeanor even though the person was initially charged with a felony offense.

The Clerk of Court is appointed by the Judge. In Courts with territorial population of less than 100,000 [with a few statutory exceptions, e.g. City of Lorain] the law provides that the Clerk is appointed by the Judge.<sup>2</sup> The Clerk of Court is Sandra L. Kohart. Sandra was elevated to Clerk from Deputy Clerk when the former Clerk retired. Unlike an elected Clerk whose salary is set by statute [an elected Clerk receives 90% of the salary of the Judge of the Court], the Clerk's salary is set by the Judge. In years when the court's expenditures exceed revenue City Council must approve the salary of the Clerk for the ensuing year. While an elected Clerk is paid near \$100,000.00 per year<sup>3</sup> the Clerk of the Oberlin Municipal Court presently is paid approximately \$68,000.00 per year.

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<sup>2</sup> RC 1901.31

<sup>3</sup> The law provides that in cases of most elected Clerk's of Court that the Clerk receives and amount equal to 85% of the salary of the Judge of the Court.

This report contains information required by law to be reported to Oberlin City Council and to the Lorain County Commissioners. The report also contains additional information that may be of interest to the general public.

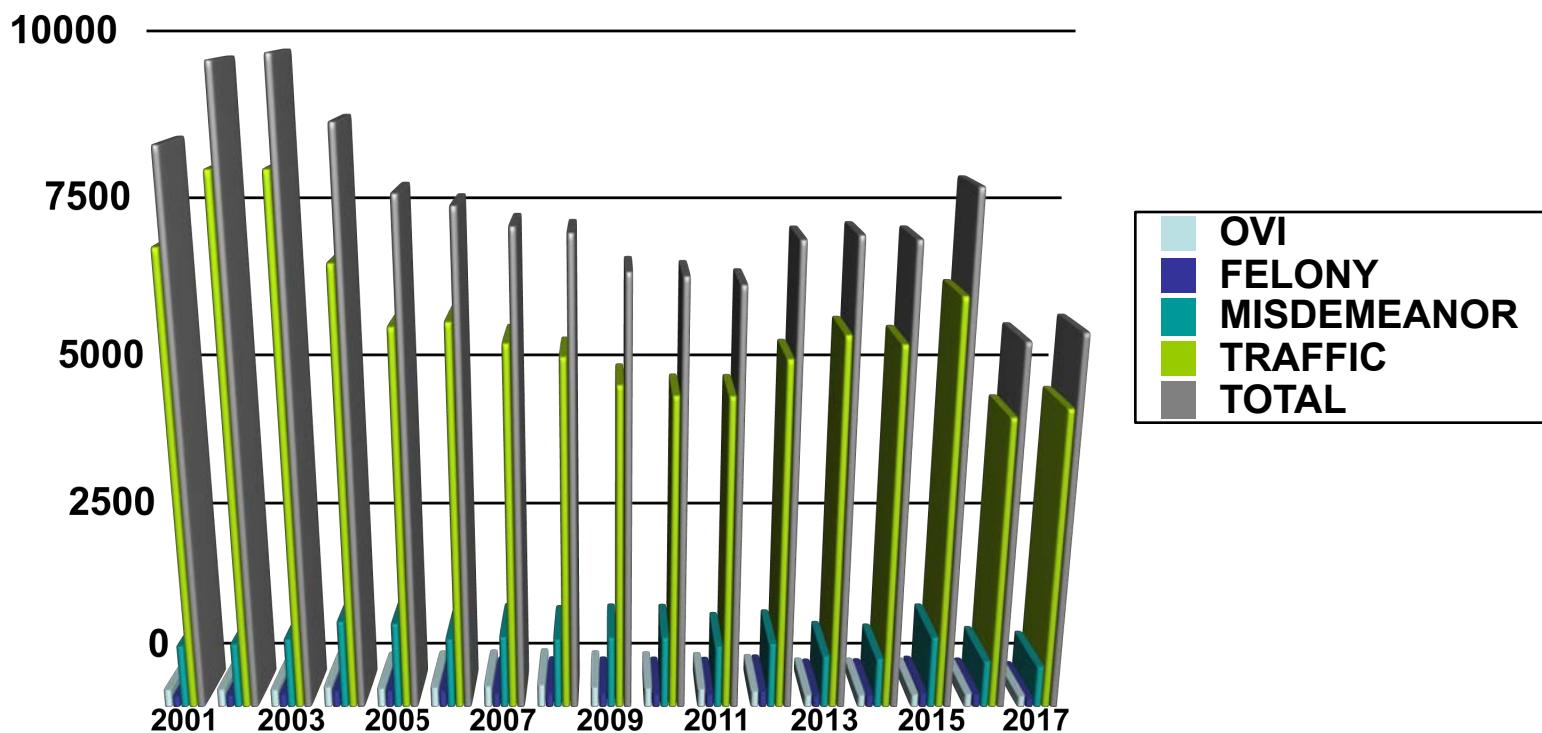
## Summary of Caseload

The caseload for the year 2017 saw an overall decrease in criminal and traffic cases to historic lows and a modest increase in civil cases from 2016. OVI filings were the lowest in the history of computerized records dating back to 1991 and felony and criminal misdemeanor filings the lowest since 1994 and traffic filings [excluding OVI] the second lowest since 1994.

The low caseload trend for this past two years has both positive and negative effects on the operation of the court. The positive impact is that there is more time to spend on the cases that are filed, especially cases that need significant attention such as OVI and Domestic Violence cases. A negative impact is that the lower number of cases means lower revenue. Lower revenue means that the court must evaluate staffing to ensure the court is properly staffed to service the cases that are filed while taking into consideration that lower revenue results in a burden on the funding authority. These issues are discussed elsewhere in this report.

### Criminal/Traffic Caseload- 2017

Overall case filings for Criminal/Traffic dropped to the second lowest level since 1994 to 5,884. A graph of filings for the past 17 years illustrates the decrease.



After a 11% increase in traffic filings by the Ohio State Highway Patrol from 2014 to 2015 traffic filings filed by the Ohio State Highway Patrol decreased by 33% in 2016 to 3,056 and to 3,054 in 2017, the lowest number of traffic filings by the Ohio State Highway Patrol since 1994 when there were only 1,502 traffic filings.

Criminal misdemeanor and criminal felony filings decreased to 722, the lowest number of filings since 1994 with felony filings the lowest since computerized records began in 1991. Only 122 felony filings were made in 2017 a 34% drop from 185 felony filings in 2016 and a 39% decrease in the 10 year average of 200 ending with the year 2016.

At year's end the court was in compliance with the Ohio Supreme Court Rules of Superintendence with regard to the docket.<sup>4</sup> Case load continues to be managed effectively. At the end of 2001 there were 1920 cases pending in the court according to the case management system records. Prior to 2002 the Supreme Court reports were not completed correctly and it is difficult to tell how many cases were over time and in violation of the Supreme Court Rules of Superintendence. As of December 31, 2017 there were 740 cases pending.

Criminal and traffic cases can be placed into two categories, low maintenance or high maintenance. An example of a low maintenance case is a speeding ticket in which the person charged with the offense has little or no contact with the court. The person is given a speeding ticket and told the amount of a waiver and that the waiver can be mailed to the court. The person mails the waiver to the court. A clerk receives the waiver and has no personal contact with the offender. Very few additional resources of staff and time are needed to handle a modest increase in these low maintenance cases. The waiver amount includes basic court costs which are similar to the court cost of a high maintenance case. An example of a high maintenance case is an OVI case. Functions performed by the staff and appearances by the offender include:

1. Initial appearance at arraignment – Clerk inputs a not guilty plea; case is scheduled for a pretrial; bond issues are discussed in open court; if a person is a repeat or habitual offender the community control department may request pre-conviction conditions of bond and the person will meet with a probation officer; Clerk inputs the bond entry; if the person cannot afford counsel a discussion is had on the record regarding their qualification for court appointed counsel and if the judge pre-qualifies them in the courtroom the person then fills out a form required to be completed on a form provided by the Ohio Public Defender's office to confirm their qualification for court appointed counsel.

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<sup>4</sup> There are two reports to the Supreme Court of Ohio, an administrative report and an individual Judge report. Of the 7,211 cases filed and/or reactivated there were 0 cases over the Supreme Court guidelines on the administrative report and three cases over on the individual report.

2. In most OVI cases a person receives an administrative license suspension<sup>5</sup> and will apply for limited driving privileges. The person must file a petition – the petition is received by the Clerk and entered into the docket. The petition is then presented to the Judge who reviews the petition. If the privileges are granted a staff member then types a limited driving privilege order. Depending on the number of prior offenses the privileges may require either special license plates and/or ignition interlock. If either of these is required additional forms must be processed. If ignition interlock is ordered then the Community Control Department must be involved to monitor the connection of the ignition interlock and whether there are any violations. The clerk must enter the limited driving privilege order in the docket.
3. In cases where a person is charged with a multiple OVI offense the vehicle is typically seized by law enforcement. The person may petition the court to release the vehicle from the impound lot. The petition must be docketed by the Clerk. The petition or request is reviewed by the Judge. Many times, because the person does not have valid driving privileges the vehicle will be permitted to be released but only subject to immobilization. Immobilization consists of having the vehicle towed to a residence and placing a disabling club on the steering wheel to ensure compliance with the court order of immobilization. The entry of immobilization is completed by the Judge. The entry must be docketed by a Clerk. A court bailiff effectuates the clubbing of the vehicle and documents the immobilization in a file opened by the bailiff. At the conclusion of the case – if the person is convicted of the charge that requires immobilization – then the club is removed from the vehicle which is monitored by the bailiff. A form is required to be sent to the Bureau of Motor Vehicles (BMV). This form is completed by the bailiff and sent to the BMV.
4. Court hearings for OVI typically include at least 3 and sometimes 5 or 6. Rarely, is an OVI completed at the first hearing. At arraignment the case is set for an initial pretrial. If the person has an attorney at the first pretrial, the attorney meets with the Prosecutor and exchanges information in a process called discovery. The attorney obtains specific information regarding the case from the Prosecutor (e.g. police report, witness statements, breath reading and calibration reports). At the conclusion of the first pretrial, if all information requested by the defense attorney has been provided the defense attorney is then given the opportunity to file motions. Typically, a motion to suppress evidence seized as a result of an alleged improper stop, detention, arrest or failure to follow proper procedure to obtain an alcohol sample is

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<sup>5</sup> The law provides that if a person is charged with OVI and they either test over the legal limit or refuse to submit to an alcohol test that their operator's license is immediately suspended. The person is permitted to apply for limited driving privileges after a waiting period of 15, 30, 45, 90 or 180 days or 1 year depending on whether the person has any prior offenses.

filed. If additional information is requested (e.g. sometimes there is a video of the stop or the booking room etc.) then the case is scheduled for another pretrial to allow the Prosecutor time to obtain or the defense attorney time to retrieve the additional information. Once the motion is filed it is either scheduled immediately for a hearing or the issues raised in the motion are discussed at the next pretrial. If after the pretrial(s) the case has not been resolved then an evidentiary hearing is held so that the judge can decide the disputed issues in the motion. Motion hearings usually last between  $\frac{1}{2}$  hour and 2 hours depending on the complexity of the issues. Motion hearings have been scheduled as early as 7:30 A.M. and during the lunch hour during heavy volume periods. After the hearing, the matter is typically submitted for ruling – sometimes to allow the parties to supplement or submit written arguments regarding the issues at the hearing. After the Judge rules on the motion a final pretrial is scheduled to see if the case can be resolved before a trial. If the case is not resolved the case proceeds to trial.

5. Once the case is resolved the law requires that the plea be made in open court and that a Judge have a meaningful dialogue with the accused to make sure the person understands the plea and the consequences of having the plea on his/her record. The Judge's explanation includes the consequences of subsequent convictions and the effect of the various pleas that can be made. An entry is typed by the Judge or the Judge's staff along with a waiver of rights form and a dialogue form. Once the plea is completed the person is escorted to the Clerk's office to calculate the financial obligations owed and then escorted to the Community Control Department to discuss what obligations the person has with regard to programs, assessments and/or probation depending on the orders of the court. Persons charged with repeat offenses are mandated by law to obtain an assessment and follow through with the Community Control Department with treatment and/or programs.
6. If there was not a pre-conviction immobilization – on certain repeat OVI offenses there is either a mandatory immobilization period or a forfeiture of the vehicle if titled in the name of the offender at the time of the offense. A mandatory immobilization must be effectuated by the bailiff with similar steps as the pre-conviction immobilization. If there is the possibility of forfeiture then a separate hearing must be scheduled. With a mandatory immobilization the law now provides that if a household or family member relies on the vehicle subject to immobilization, that the household or family member may petition the court for a waiver of the immobilization. If the person files a petition another hearing is scheduled on that request.
7. The Community Control Department then follows the person through their treatment course and/or required programming and also monitors the persons' compliance with probation and monitors them for repeat offenses. If there is a violation, then proceedings are initiated for the alleged violation.

If the person does not pay their fine and costs at the time of the plea then the Community Control Department monitors compliance.

Another example of a high maintenance case includes domestic violence cases. In many domestic violence cases the person is held – by law – without bond until the person is brought before a Judge. In a great percentage of cases there is a request made for a protection order (an order prohibiting the accused from having contact with the alleged victim and/or family members of the alleged victim.) Before the issuance of a Protection Order information from the Prosecutor and sometimes the Community Control Department and from other sources is required to be reviewed by the Judge and/or a hearing is held to determine whether to issue a protection order. This information and hearing typically takes a minimum of 15 minutes up to 45 minutes. If an order is issued there are several forms that need to be prepared by the court and processed. The Clerk must docket the information and notify law enforcement of the issuance of the order. Rarely, is a domestic violence case completed until at least 2-4 additional hearings are held. Other examples of high maintenance cases are felony cases and charges of driving under suspension and related charges.

The main categories of cases filed in the court are:

#### Felony Cases

Felony filings: 122 felony filings were made. ***This is lowest number of felony filings since at least 1991 when computerized records began.***

Felony cases can either be initiated in a Municipal Court or the Common Pleas Court. Felony cases filed in the Common Pleas Court are typically a result of an indictment issued by the county grand jury and are not included in this number. Also not included are filings against juveniles. Cases initiated in the Municipal Court are usually a result of a person being charged and/or arrested at or near the time of the alleged incident. When a person is arrested the person is entitled to a speedy hearing<sup>6</sup> to determine if there is probable cause that a felony has been committed and probable cause that the person accused committed the felony. If probable cause is found the case is “bound over” (transferred) to the Lorain County Court of Common Pleas Grand Jury for consideration of whether an indictment will be issued.

Felony offenses can include OVI<sup>7</sup> offenses, repeat Domestic Violence offenses and repeat violations of a Protection Order. With regard to felony OVI the law provides that a person who has three prior OVI offenses within the past 10 years or 5 prior OVI offenses within the past 20 years who is again charged with

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<sup>6</sup> Within 10 days if incarcerated and within 15 days if not incarcerated.

<sup>7</sup> OVI stands for Operating a Vehicle while under the Influence of Alcohol or Drugs of Abuse or a combination of them. The terminology has changed over the years. The offense is still commonly referred to as DUI.

OVI can be charged with a felony offense. The possible penalties for a felony OVI include a maximum fine of \$10,500.00, 5 years in prison, possible lifetime suspension of driving privileges and a forfeiture of the vehicle driven if registered in the offender's name.

With regard to felony Domestic Violence a person charged with causing or attempting to cause actual physical harm to a household or family member with one prior conviction for Domestic Violence or other predicate offense is charged as a 4<sup>th</sup> degree felony [up to a \$5,000.00 fine and 18 months in prison] and a person charged with causing actual physical harm to a household or family member with two or more prior convictions for Domestic Violence is charged with a 3<sup>rd</sup> degree felony [up to a \$10,000.00 fine and 5 years in prison]. A person with no prior Domestic Violence history can be charged with a 5<sup>th</sup> degree felony if accused of causing or attempting to cause physical harm to a family or household member who is pregnant. Also, if a person has a prior conviction of certain other crimes, involving a household or family member, subsequent charges can also be charged as a felony. These crimes include: Negligent Assault, Criminal Damaging, Criminal Mischief and Child Endangering.

#### OVI Cases

OVI filings: OVI filings have decreased over the past 5 years averaging only 186 filings per year. In 2017 only 167 OVI filings were made. *This is the lowest number of OVI filings since computerized records began in 1991. The previous 22 years' average was 317. The 167 OVI filings represent a 47% decrease in filings from the 22 year average from 1991 to 2012.*

[NOTE: The fact that an OVI charge (or any charge for that matter) is filed does not mean the person is guilty or will be convicted. Any statistic that reports arrests or charges-as opposed to convictions- should be considered carefully.]

#### Misdemeanor Cases

*Criminal misdemeanor filings: 660 filings were made. This is the lowest number of filings since 1994.*

Criminal misdemeanor cases include misdemeanor assault and domestic violence cases, criminal trespass, disorderly conduct, misdemeanor drug offenses, obstructing official business, criminal damaging, petty theft and passing bad checks [effective 9-30-11 the threshold for a misdemeanor theft, receiving stolen property and passing bad check misdemeanor was increased from \$500.00 to \$1,000.00], possession of marijuana and possession of drug paraphernalia.

#### Traffic Cases

Traffic filings [excluding OVI] were 4,752 the second lowest number since 1994. The decrease is attributable mainly from decreased filings from the Ohio State Highway Patrol.

Included in this category are speeding offenses and other minor misdemeanor offenses such as assured clear distance ahead, stop sign, red light, improper turn signal, and equipment violations such as a missing or burned out license plate light. Also included in this category are crimes involving operating a motor vehicle without a valid license, with no license or while under suspension.

#### Civil Cases

After experiencing a record number of civil filings in 2008 [1,242] civil filings steadily declined over the next several years. There was a decrease in civil cases filed for 2009 [1,077], another decrease in 2010 [1,045] and a further decrease in 2011 to 922 a further decrease to 913 in 2012 and another decrease in 2013 to 716. 2014 was the first increase since 2009. In 2014 809 civil cases were filed. In 2015, the total number of cases filed dropped to 777 and in 2016 another drop to 719. This past year, 2017, the number increased to 840.

High maintenance cases also decreased slightly. Just as there is high and low maintenance cases in the criminal/traffic division there are certain types of cases in the civil division that demand more attention. These types of cases typically are evictions and small claim cases. Evictions and Small Claim cases also have an element of urgency and pose unique scheduling challenges. For example, the law requires a Small Claim case to be scheduled for hearing no less than 15 but not more than 40 days after filing. As a practical matter 15 days is unrealistic because the defendant must be served with the lawsuit by certified mail. Service and return of certified mail will not typically be accomplished in time to fairly notify a person of the hearing date. In 2017, 85 eviction actions were filed compared to 127 eviction actions in 2015 and 95 in 2016. 97 small claim cases were filed compared to 98 in 2016 and 124 in 2015.

#### **Jury Trials**

In order to keep a current docket and for the efficient operation of the court it is necessary to have jurors available and jury trials scheduled on a regular basis. When a person is charged with a crime that has a possible penalty of a jail sentence or a fine in excess of \$1,000.00 the person is entitled to a jury trial. Also, a person is entitled to a jury trial in any civil case that can result in a money judgment or in certain other cases including an eviction. The court schedules jury trials on most Mondays unless it is a legal holiday.

Jurors are randomly chosen from voting lists. It has been the experience of this Court that the jurors who have served jury duty using this method of selection have taken their duty very seriously and served the community well. Since serving jury duty is an inconvenience for many citizens the court has attempted to minimize this inconvenience. As required by the Ohio Supreme Court the Court has adopted a Jury Management Plan. The Jury Management Plan limits jury duty to a selected juror to no more than four trial dates usually in a one (1) month period that typically consists of initially being called for four consecutive Mondays and

serving on no more than two of those dates. The court has implemented a juror information line that informs jurors of the status of upcoming jury trials. We take this opportunity to thank the many citizens who were called for jury duty this past year for their service to this court and to the community. Diana Bazorik, Chief Deputy Clerk in the Civil Department, serves as the Jury Commissioner.

## **Community Control Department (Probation Department)**

Alcohol and/or drug abuse are typically contributing factors for the underlying offense that results in a person being placed on probation. Individuals charged with these offenses are often required to obtain evaluations or assessments and the Community Control Department monitors compliance with the assessment for the benefit of the community at large, the person charged and their families.

The Community Control Department provides various categories of service to the court.<sup>8</sup> At the end of 2009 the Community Control Department consisted of three full time probation officers. Beginning in 2012 there were only 2 full time probation officers due in part to budget cuts. The position of Court Secretary was

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<sup>8</sup> Intensive Probation Supervision – When a convicted person is placed on Intensive Probation Supervision she/he is required to maintain frequent contact with the Community Control Department and follow the Standard Conditions of Probation and any other conditions imposed by the court or the Community Control Officer assigned to Defendant's case.

Basic Probation Supervision – When a convicted person is placed on Basic Probation Supervision she/he is required to maintain contact with the Community Control Department in order to comply with any sanctions imposed by the court (e.g. attendance at AA meetings, community service, restitution etc.)

Monitored Time – When a convicted person is placed on Monitored Time (prior to 1-1-04 the term used was “good behavior”) she/he is required to lead a law abiding life for a stated period of time. This includes but is not limited to not committing any similar offense, any offense of violence or any alcohol related offense if alcohol was a contributing factor to the offense(s) that gave rise to the filing of the charges in the case.

Diversion Cases – In certain types of cases (e.g. Underage Consumption) the law permits the court to place an offender into a diversion program with the opportunity to complete a program and have the charges filed dismissed. The Community Control Department monitors compliance with the terms and conditions of the diversion programs. The Community Control Department also screens candidates and makes recommendations to the court regarding whether an offender qualifies for diversion.

Court Supervised Release – In any pending charge where jail is a possible penalty the court may set conditions on the bond of an accused. The court may pursuant to Criminal Rule 46: (1) Place the person in the custody of a designated person or organization agreeing to supervise the person;(2) Place restrictions on the travel, association, or place of abode of the person during the period of release;(3) Place the person under a house arrest or work release program;(4) Regulate or prohibit the person's contact with the victim;(5) Regulate the person's contact with witnesses or others associated with the case upon proof of the likelihood that the person will threaten, harass, cause injury, or seek to intimidate those persons;(6) Require a person who is charged with an offense that is alcohol or drug related, and who appears to need treatment, to attend treatment while on bail;(7) Any other constitutional condition considered reasonably necessary to ensure appearance or public safety. In certain cases the court evaluates a person's record when they appear for arraignment on an alcohol related offense and if the court determines that it is necessary for public safety and/or a person appears to need treatment the court places conditions on the person's bond including obtaining an alcohol assessment and reporting to the Community Control Department.

Seal Record Hearings – When a person applies to have their record sealed the Community Control Department does a records search to see if there are any pending cases and whether the person is eligible for the sealing of their record.

eliminated in 2010. The court will continue to utilize interns<sup>9</sup>to assist in the department when available.

The Community Control Department has experienced growth and change since its inception in 2002. Prior to 2002 the court was the only full time court in the County that did not have a Community Control Department. Due to the increase in cases being serviced by the Community Control Department, including the increase in high maintenance cases, a third probation officer was added in November 2008. Many of the functions performed by the Community Control Department are mandated by the law especially in the area of OVI law. Changes in the OVI law are constantly being made. The OVI law requires that almost all OVI offenders must be placed on some form of probation. 1<sup>st</sup> offenders are required to either serve 3 days in jail or in the alternative to attend a 3 day Driver Intervention Program. Very seldom does a first offender serve jail. Instead they are urged to attend the 3 day program. At the program an assessment is made for any alcohol issue and the 1<sup>st</sup> offender then follows through with any recommendations through the Community Control Department. For second and third offenders the law mandates an assessment and treatment as follows:

[2nd Offense OVI] The offender is placed on Intensive Probation Supervision. The offender is required to maintain frequent contact with the Community Control Department and follow the Standard Conditions of Probation and any other conditions imposed by the court or the Community Control Officer assigned to offender's case. Under the law the offender must be assessed by an alcohol and drug treatment program that is authorized by section 3793.02 of the Revised Code and must follow the treatment recommendations of the program. The purpose of the assessment is to determine the degree of the offender's alcohol usage and to determine whether or not treatment is warranted. The program is required to submit the results of the assessment to the court, including all treatment recommendations and clinical diagnoses related to alcohol use.

[3rd Offense OVI] The offender is placed on Intensive Probation Supervision for an initial period of 12 months. The offender is required to maintain frequent contact with the Community Control Department and follow the Standard Conditions of Probation and any other conditions imposed by the court or the Community Control Officer assigned to offender's case. Under the law the offender must participate in an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code and shall follow the treatment recommendations of the program. The operator of the program must

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<sup>9</sup> The court has utilized interns from Tiffin University, Miami of Ohio University, University of Toledo, Lorain County Community College and Ashland University.

determine and assess the degree of the offender's alcohol dependency and make recommendations for treatment. The program must submit the results of the assessment to the court, including all treatment recommendations and clinical diagnoses related to alcohol use.

The law also requires that certain repeat offenders be monitored using electronic monitoring devices as a condition of probation and/or have an ignition interlock device installed as a condition of obtaining driving privileges. The court also requires monitoring of other offenders who have a significant and/or history of alcohol related offenses that appear to create a safety risk to the community and/or themselves.

The Community Control Department no longer administers payment plans for offenders who cannot immediately pay their fine and costs. Due to budget cuts the court has found it necessary to change its procedures with regard to the payment of fine and costs. Due to the elimination of one of the probation officers the procedure now being followed is:

1. If a person cannot pay their fine and costs in full the person is given time to pay and a review date. For example, if a person's case is finished on January 3, 2016 and they need 90 days to pay fine and costs they are given 90 days and a review date in the beginning of April.
2. If the person cannot pay their fine and costs by the Review date they are required to appear in person at the court and complete a form explaining why they were not able to pay their fine and costs and their plan or request for additional time to pay. The Judge will review the request and determine how much additional time, if any, the person will be given or if some other action may be taken (e.g. community service in lieu of fine and costs etc.).
3. If the person fails to pay and fails to appear for the review hearing then one of or a combination of the following consequences will occur [The consequences are explained to the person at the time they are given time to pay]:
  - (a) If the case is a traffic case the person's driver's license will be suspended for non-payment of a fine.
  - (b) The matter may be turned over to a collection agency.

The court does not presently have the staff to administer payment plans.

The Community Control Department also handles investigations for and administers Diversion programs. Certain 1<sup>st</sup> time offenders are offered an opportunity to complete a diversion program in lieu of conviction of a crime. Typically, a 1<sup>st</sup> offender for Underage Consumption of alcohol and some 1<sup>st</sup> offenders for Petty Theft and a few other miscellaneous non-violent offenders are routinely offered this opportunity by the prosecutor and usually approved by the court unless there are aggravating circumstances. The diversion programs usually include the performance of community service, writing a paper, attending an awareness program related to the offense and leading a law abiding life during the period of the program.

The Community Control Department also has the duty of presenting most probation violations in open court and making recommendations with regard to probation violations. For contested probation violations the Community Control Department may request the assistance of the prosecutor's office for the agency that charged the underlying offense.

The information below provides the active number of cases in various categories of probation and the cases initiated or added during calendar year 2017 in each category:

Category	Active 12/31/15	Added 2015	Active 12/31/16	Added 2016	Active 12/31/17
Added 2017					
Intensive Supervised	124	103	126	92	113
Basic	157	251	140	220	118
Community Service	45		32	21	29
Court Supervised Release	54	179	30	214	36
Presentence Investigation	29	191	17	174	21
Diversion	25	38	22	42	9
Lorain County Adult Probation	10	1	5	0	10
Seal Records	6	Not Available	7	Not Available	4
					11

Efforts have been made to fund the department so that it does not become a burden on the general operating fund of the court. The Community Control Department is funded in part through the collection of Supervision Fees that are

permitted by law. In 2017 the sum of \$58,560.79 was collected for Court Supervision Fees.

There is no dedicated space in the building for a probation department. Finding space for the probation department has been a challenge. Although this remains an obstacle to the expansion and proper operation of the department the court remains committed to the continued improvement of this valuable part of the administration of justice in the Oberlin Municipal Court.

## **Budget Issues**

### **Court Costs and Fines Paid to City of Oberlin**

Court costs and fines paid to the City of Oberlin decreased to \$646,589.58 in 2016 from \$755,939.30 in 2015. In 2017 court costs and fines paid increased slightly to \$665,005.62 still approximately \$90,000.00 less than 2015.

The decreases are predictable based on the historically low level of overall filings. For the second year in a row almost all categories of filings were down and in many categories the lowest in recorded history. The trend of lower case filings has continued into January 2018.

A drop in any single category affects the revenue of the court but a drop in every major category during the past two calendar years has created challenges. Since it cannot be predicted if these past two years is just aberrational or whether this is a trend in any single category drastic changes are not recommended but still need to be cognizant of the decrease in revenue and how it may affect both the operation of the court and the impact on the funding authority.

The court has taken immediate measures while the situation is monitored. Two part-time positions are temporarily vacant and one full time Deputy Clerk position is temporarily vacant and staff has been advised that additional adjustments may have to be made depending on the volume of cases filed in the coming years.

### **Expenses**

The court has always operated within its budget using a conservative budget philosophy and has operated under budget since at least 2002. In 2017 the projected budget for the court was \$ \$878,599.15<sup>10</sup>. The actual expenditures for 2017 were \$734,534.27 which is \$15,190.36 less than actual expenditures for 2016

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<sup>10</sup> The budget is always based upon “worst case scenario” situations. It is difficult to predict the number and types of filings and whether trials will go forward. For example, Jury trials are scheduled every Monday and the budget includes staff in anticipation that a trial will go forward every Monday. If trials do not go forward, some of the staff is not required and are sent home or called off. The budget is set and then the goal is to live within the budget and/or manage the cases during the year to minimize costs in each area of the budget. This was again effectively accomplished in 2016 as it has been since at least 2002.

which was \$749,724.63<sup>11</sup> ***and the lowest expenses have been since 2008.*** Had revenue matched or exceeded revenue in 2015 the expenses would have been more than covered.

The judiciary is a separate branch of the government. As such, the Judge has a duty to provide staff and resources to provide for the fair and impartial administration of justice. A Judge is prohibited from being pressured from funding authorities to follow the priorities of the funding authority rather than be guided by the court's own priorities. Case law has consistently recognized that local funding authorities cannot substitute their own spending priorities for those of the court when it comes to how the court should be operated.<sup>12</sup> The authority to operate the court and make determinations as to the appropriate level of funding needed to operate the court, are decisions that are within the exclusive authority of the courts. These are matters about which the courts have the constitutional obligation to protect and preserve from interference from another branch or level of government. These principles are at the heart of the separation of powers framework endorsed by the Founding Fathers in the Federalist Papers, and evident in Federalist Paper #52:

*"In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent, is admitted on all hands to be essential to the preservation of liberty, it is evident that each department [branch of government] should have a will of its own .... The great security against a gradual concentration of the several powers in the same department [branch of government], consists in giving to those who administer each department, the necessary constitutional means, and personal motives, to resist encroachments of the others .... Ambition must be made to counteract ambition. (Federalist #52)"*

The concern regarding the judicial function is under scrutiny. On January 29, 2018 Chief Justice O'Connor sent a letter to all judge in the State emphasizing the court's function is not to generate revenue:

"I know the pressure that many of you face to generate revenue, to increase collection rates, to "self-fund" as if the courts are a business trading in a commodity. But court cases are not business transactions.

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<sup>11</sup> This amount does not include the sum of \$6,647.64 for 2016 and \$6,571.20 for 2017 which is the cost of visiting or retired judge expense paid by the County. The County requires that the City pay the expense and wait for reimbursement. This is a book entry only and does not reflect an expense to the City.

<sup>12</sup> In *State ex rel Johnston v. Taulbee*, 66 Ohio St. 2d 417 (1981), the court directed that the Ohio general assembly may not expand the discretion that local funding authorities have over court funding. The court said that it was unconstitutional for the legislature to encroach on the judicial authority to determine the court's funding needs and to impede the judiciary in the administration of justice. To grant the county commissioners the "power of the purse" over judicial administration, "unconstitutionally restricts and impedes the judiciary in complete contradiction of rudimentary democratic principles." Also see *State ex rel Weaver v. Lake County Board of Commissioners* (1991), *State ex rel Donaldson v. Alfred* (1993), *State ex rel Wilke v. Hamilton County* (2000), *State ex rel Pike v. Hoppel, Board of Commissioners of Columbiana County* (2000), *State ex rel Maloney v. Sherlock* (2003)

We do not buy and sell a commodity; we perform a public service. Nevertheless, focus on the “business” of the courts appears at times to be overtaking interest in our fundamental responsibility to do justice.”

And after reviewing an audit report last year concerning a municipal court in this state, the Chief Justice became so concerned about the emphasis on the “business of the court” that Chief Justice O’Connor wrote directly to the State Auditor David Yost expressing her “deep distress”:

“Finally, the overall tone of the audit report is troublesome because of the underlying assumption that court fines and fees are merely opportunities for revenue enhancement. . . . Pressure that courts self-fund can create a system of justice that is premised on a “pay-as-you-go” model, not the principle that courts and the administration of justice are a fundamental and general obligation of government. If the existence of a court is dependent upon self-funding, we run the danger of creating a system of built-in incentives for courts to use judicial power for self-preservation not the promotion of justice for all. . . . Judges and court staff cannot be seen as collection agents. Whether courts contribute to a city’s bottom line or generate sufficient cash flow for its own operations should not be even a secondary thought considering the role of the judiciary in our system of government.”

Shortly after receiving the Chief Justice’s letter, Auditor Yost contacted the Chief Justice emphasizing his support for the principle that the courts’ fundamental and unquestionable responsibility is to ensure that justice is done and that we should not be expected to engage in practices designed to maximize revenue by taking advantage of our citizens or ignoring basic constitutional standards. Auditor Yost committed to the Chief Justice that he would begin a program of educating his auditor staff and contract auditors to consider the appropriate role of the judiciary in any review.

Notwithstanding, the court is not insensitive to the needs and concerns of the City and continues to address the needs and concerns of the City with regard to the Budget, as it has with past budgeting. Although the past two years court revenues were down the court has over the years been mainly in the black. Over the years the court has been able to comply with constitutional and statutory duties while not becoming a financial burden to the good citizens of the territories of the Oberlin Municipal Court. Whether this trend continues will be dictated by the number and types of cases filed in the coming years. There are limited steps that have been and

can be taken to attempt to keep revenues in excess of expenses without compromising the administration of justice.

Some of the steps that have been taken over the years include:

1. Wages of the Judges immediate staff (i.e. the bailiffs, court security and the Chief Probation Officer) were frozen from 2011-2013.
2. Local court costs have been raised over the past several years to pay for rising employment costs and rising operating expenses (e.g. postage rates has risen significantly over the past 10 years – Postage is approximately 30% of the court's non-employee cost operating budget.)
3. The Judge has assumed all duties of the Magistrate. Pursuant to the Ohio Revised Code 40% of the Magistrate's position was paid by the County. The County realized an immediate savings of \$4,800.00 per year for calendar years 2002 and 2003 and a savings of \$9,600.00 per year for the calendar years 2004-2017 for a total savings of \$144,000.00 since January 2002 [not including increases in the Magistrate's salary]. The City has not had a Magistrate expense for the past 13 years (\$14,400.00 per year for fourteen years or \$201,600.00) and \$7,200.00 per year for 2002 and 2003 for a total of \$215,000.00. The savings to County and City since 2002 is over \$359,000.00 plus approximately \$77,877.92 in payroll expenses (PERS 14%, BWC .037, Medicare .015) for a grand total savings of \$436,877.92.<sup>13</sup>
4. A separate court cost was implemented to cover the cost of a needed security guard position. Oberlin Municipal Court was the last court in the County, including part-time courts, to add a metal detection device for security purposes. Rather than burden the City with the cost or require a City of Oberlin Police officer to staff the metal detector (which is permitted by the Ohio Revised Code) the court added a \$4.00 per case court cost to defray this expense.
5. A separate court cost of \$3.00 per case was implemented and probationers have been charged a court supervision fee in order to fund the operation of the probation (community control) department. In 2017 the sum of \$58,560.79 was

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<sup>13</sup> The Magistrate was being paid \$24,000.00 per year to work ½ day per week. One of the first changes made upon taking the bench in 2002 was to cut the salary in half to \$12,000.00 and then the position was phased out and eliminated.

- collected to contribute to funding the operation of the probation department.
6. Pursuant to the Ohio Revised Code a Judge is entitled to 30 days per year vacation. Over the past 16 years the average vacation days taken have been between 8 and 10. When a Judge is gone typically a Retired Judge or Acting Judge performs the duties of Judge. The State pays a portion of the cost. The total cost to have a Retired Judge sit is presently \$506.50 per day. If the Judge would take the 30 days plus the Judge's mandatory CLE days the total could be as high as 36 days per year or over \$18,000.00 per year. There has not been a year since 2002 where the Judge took more than 10 days total for vacation time saving the City, County and State over \$150,000.000 in retired judge expense.

These measures have been taken over the years to keep the court's fiscal house in order and permit the court to provide the necessary services mandated by law without over burdening the funding authority. In any event, the court remains sensitive to the concerns of the City. For example, in 2012 restructured the operation of the court in response to the City's request to reduce the court's operating budget including the following:

1. **Elimination of position.** The position of assistant probation officer that was added in November 2008 was eliminated in 2012.
2. **The position of Security Officer was restructured.** With the retirement of Martin Mahony in 2010, the court decided not to replace him with a similar paid position. Instead, the court has filled his hours with the part-time security officers presently at the court at the present wages that they are paid. The wages of the part-time security officers are less than the wages being paid to Officer Mahony resulting in a savings to the court.
3. **Magistrate.** The court continues to operate without a Magistrate.
4. **Salaries - general.** All salaries were frozen from 2011- 2013. The past three years most employees did receive a small raise.

#### **Budget Adjustments based on lower 2016 and 2017 caseload and lower revenue**

Lower case filings are good news and bad news. For example, the lower number of OVI filings may signal less persons on the road driving impaired. The number of repeat offenders has decreased significantly over the past several years which may account for much of the drop. However, with lower case filings comes less revenue for the court. In reviewing the monthly reports of filing of cases and

revenue collections it was noted that both filings and collections were sliding downward. In an attempt to close the gap with regard to revenue and expenses court costs were adjusted [not raised] transferring costs collected for the court's capital fund to general operating costs. Depending on the number of filings in the coming months this may or may not be sufficient to close the gap.

The court has taken measures in an effort to maintain the level of services provided while not overburdening the funding authority. The following analysis may assist in understanding the dilemma and possible solutions.

Historically the court has been funded mainly by assessing court costs. Our goal is to keep costs at a reasonable level to maintain staffing levels to maintain the

present level of services without burdening the funding authority. The funding authority is the City of Oberlin. If court costs equal or exceed the expenses to operate the court then the funding authority does not have to pay anything to operate the court.

As set forth above filings in almost every category are at historically low levels. Why is this happening? We do not know. We would only be speculating. The fact is that it is happening and we cannot ignore this. Our work can be compared to an assembly line. We the workers have no control over how many cases or the type of cases are filed. The fewer products [tickets and complaints] that are placed on the assembly line theoretically the fewer workers are needed.

Because we value our employees and are concerned about them and because we do not know whether the downward trend will continue we must tread carefully in deciding whether to make adjustments in staffing. Weighing and balancing these concerns the following action has been taken:

1. A part-time Clerk who resigned in the fall of 2016 was not replaced.  
Whether a replacement will be hired will depend on caseload and other needs of the court.
2. A full-time Clerk resigned in September 2017. That position has not been replaced and also will depend on caseload and other needs of the court.
3. A part-time bailiff/security officer has been indefinitely laid off.  
Responsibilities of other staff members have been re-arranged to fill the duties.

Further layoffs would begin with part-time staff and an attempt to keep all full-time employees with benefits would be made provided the workload justifies the staff. The court could also consider other options such as temporary furlough of full-time employees while the situation is monitored.

Can't costs be cut elsewhere? 92% of expenses in 2017 were employee wages and expenses. Over the years the court has cut almost every area that can be cut. The court has been very frugal while maintaining current staff levels. The

budget is lean in every category. The only costs to cut to bridge the gap may be employment costs.

Can't court costs be raised to make up the difference? Sometimes people come up to a judge and say: "You can do whatever you want to do because you are the Judge." Of course, this is not true. Any judge that believes that should step off the bench. Court costs could be raised to fund the operations of the court but we cannot [should not] increase costs just because we are running a deficit. Periodic increases in court costs are justified to keep up with inflation and other costs beyond the control of the court but to increase costs because the case filings have decreased may not be justifiable. An increase might be justified at this time but not in an amount that would make up the difference. The court would consider an increase based on increased costs but not based upon the decrease in filings and the corresponding revenue decrease.

What about increasing fines? Fines are supposed to be assessed as a penalty and to encourage a person to make better decisions. The court would not reduce fines if the court was in a positive revenue position and it would be inappropriate to increase fines in a revenue deficit position.

Case filings and revenue will continue to be monitored and appropriate decisions will be made considering all relevant circumstances.

## **Changes in the Law affecting Municipal Court Operations**

### **1. OVI Changes**

Effective April 6, 2017 the law has changed with regard to repeat OVI offenders. Some of the significant changes includes:

- (a) The "look back" period for enhancing mandatory penalties. The previous "look back" period was six (6) years. It is now ten (10) years. This chart sets forth the penalties for repeat offenders:

# Offense in 10 Years	Jail	Fine	Suspension	Vehicle Sanction
2 <sup>nd</sup>	10/20 – 180 days	\$525-1,625.00	1 -7 years	90 day immobilization
3 <sup>rd</sup>	30/60-1 year	\$850.00-2,750.00	2 -12 years	Forfeiture
4 <sup>th</sup>	60-120 – 5 years	\$1,350-10,000	3 years – life	Forfeiture

Prior Felony	Prison	\$1,350-10,000	3 years – life	Forfeiture
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(b) Increased the mandatory license suspension from 6 months – 1 year up to 3 years

## 2. Small Claim Jurisdiction

Effective September 2016 - Small Claim Jurisdiction increased from \$3,000.00 from \$6,000.00.

## **Media Relations and Transparency**

The court makes every effort to be transparent in order to promote confidence in the justice system. Open court hearings comply with the 1<sup>st</sup> Amendment requirement of public trials. See *State ex rel. The Repository, Div. of Thompson Newspapers, Inc. v. Unger* (1986) 28 Ohio St.3d 418 where the court held: “Thus, although the orders that were issued by the judges in the underlying cases did not arise at trial but instead occurred at pretrial hearings, we see no reason under the Ohio Constitution to differentiate between the public's right to attend pretrial proceedings and its right to attend trials. Therefore we hold that the right to a public trial pursuant to the United States and Ohio Constitutions extends to pretrial proceedings.” For this reason, all hearings involving the judge are held in open court.

The 1<sup>st</sup> Amendment to the Constitution of the United States of America prohibits the making of any law infringing on the freedom of the press. For the most part newspapers are free to print whatever they please [within certain limits] with regard to their perception of the truth. Sometimes newspapers print stories about court cases based on information that is received from sources that cannot be verified by actual court records or the docket and understandably articles written from these other unofficial sources may result in news articles that are inconsistent with the “truth of the case” but may well be justified under the newspapers 1<sup>st</sup> Amendment rights.

*In the Oberlin Municipal Court we try our best to be completely transparent and provide truthful and accurate accounts of proceedings in all cases to avoid the dissemination of misinformation by the media. Misinformation is harmful to the participants in the case and to the general public. Misinformation regarding legal proceedings also directly affects the quality of life of community members with regard to their confidence in the justice system and having accurate and truthful information to form an opinion as to the state of affairs of the justice system and accountability of elected officials in the justice system. In cases of public interest we take extra care to make sure that the media is provided accurate information anticipating that there may be a news report of the court proceedings.*

There are many good and positive things that happen in our judicial system in Lorain County, Ohio including in the Oberlin Municipal Court. Some of the recent positive things include:

**1. Court saves citizens over one half million dollars (\$500,000.00) by eliminating the position of Magistrate; limiting vacation days**

The Judge has assumed all duties of the Magistrate. Pursuant to the Ohio Revised Code 40% of the Magistrate's position was paid by the County. The County realized an immediate savings of \$4,800.00 per year for calendar years 2002 and 2003 and a savings of \$9,600.00 per year for the calendar years 2004-2017 for a total savings of \$144,000.00 since January 2002 [not including increases in the Magistrate's salary]. The City has not had a Magistrate expense for the past 13 years (\$14,400.00 per year for fourteen years or \$201,600.00) and \$7,200.00 per year for 2002 and 2003 for a total of \$215,000.00. The savings to County and City since 2002 is over \$359,000.00 plus approximately \$77,877.92 in payroll expenses (PERS 14%, BWC .037, Medicare .015) **for a grand total savings of \$436,877.92.**

Pursuant to the Ohio Revised Code a Judge is entitled to 30 days per year vacation. Over the past 16 years the average vacation days taken have been between 8 and 10. When a Judge is gone typically a Retired Judge or Acting Judge performs the duties of Judge. The State pays a portion of the cost. The total cost to have a Retired Judge sit is presently \$506.50 per day. If the Judge would take the 30 days plus the Judge's mandatory CLE days the total could be as high as 36 days per year or over \$18,000.00 per year. There has not been a year since 2002 where the Judge took more than 10 days total for vacation time saving the City, County and State over \$150,000.000 in retired judge expense.

Judges, unlike most other employees, do not accumulate unused vacation days. Vacation days for judges are "use it or lose it." Therefore, the citizens will never have to pay the money saved when a judge does not take all of the allotted vacation days. When a judge does not take all of the allotted vacation days the citizens receive an economic benefit.

**2. OVI [Driving Under Influence cases] continue to drop and at lowest level in decades**

OVI filings: OVI filings have decreased over the past 5 years averaging only 186 filings per year. In 2017 only 167 OVI filings were made. ***This is the lowest number of OVI filings since computerized records began in 1991.***

*The previous 22 years' average was 317. The 167 OVI filings represent a 47% decrease in filings from the 22 year average from 1991 to 2012.*

### **3. Criminal misdemeanor and Criminal Felony case continue to drop and at lowest level in decades**

Felony filings: 122 felony filings were made. *This is lowest number of felony filings since at least 1991 when computerized records began.*

*Criminal misdemeanor filings: 660 filings were made. This is the lowest number of filings since 1994.*

### **4. Pretrial process transparent in Oberlin Municipal Court**

A common criticism about the justice system is that much of what happens in the justice system is decided behind closed doors. In the Oberlin Municipal Court no adversarial proceedings in which the judge is involved are made behind closed doors. Each discussion involving the judge is held in open court to foster transparency. Open court hearings comply with the 1<sup>st</sup> Amendment requirement of public trials. See *State ex rel. The Repository, Div. of Thompson Newspapers, Inc. v. Unger* (1986) 28 Ohio St.3d 418 where the court held: "Thus, although the orders that were issued by the judges in the underlying cases did not arise at trial but instead occurred at pretrial hearings, we see no reason under the Ohio Constitution to differentiate between the public's right to attend pretrial proceedings and its right to attend trials. Therefore we hold that the right to a public trial pursuant to the United States and Ohio Constitutions extends to pretrial proceedings."

This information – and more- is readily available for dissemination to the good citizens of our community to give them confidence in the justice system and their elected officials and feel positive about the community in which they live. Instead, most information disseminated about the justice system and public officials by some in the media involves reporting [or misreporting] of discouraging news, giving the [skewed] impression that all is wrong with the judicial system and

elected officials. The good citizens at the very least should expect that, when reporting even discouraging news, it be reported accurately.<sup>14</sup>

## **5. Interpreter Services**

Access to justice is one of the primary duties of the judicial branch of government. The Ohio Supreme Court of Ohio has established a Language Services Program to assist persons with language barriers access to the justice system. As a part of the Supreme Court's efforts the court has provided a service available to all 369 trial courts in the State of Ohio that provides access to a translator by telephone. The service is called "Language Line" and is provided at no cost to the individual courts. In 2015 the Oberlin Municipal Court ranked 5<sup>th</sup> out of 164 Municipal Courts and 8<sup>th</sup> overall out of the 369 trial courts in providing access to persons with language barriers using the Language Line service. Some of the languages included were Spanish, Mandarin and Tigrinya<sup>15</sup> and Mongolian.

In 2016 the Oberlin Municipal Court ranked 6<sup>th</sup> out of 164 Municipal courts and 10<sup>th</sup> overall out of the 369 trial courts in providing access to persons with language barriers using the Language Line service.

In 2017 the Oberlin Municipal Court ranked 7<sup>th</sup> out of 164 Municipal courts and 12th overall out of 369 trial courts in providing access to persons with language barriers using the Language Line service.

## **Conclusion**

Thank you for the opportunity to continue to serve as Judge of the Oberlin Municipal Court. It is a position that I truly enjoy and consider it an honor and a privilege to serve. We will continue our endeavor toward improving the operation of the court and building confidence in our justice system to better serve both the community and the participants in the proceedings.

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<sup>14</sup> The Society of Professional Journalist Code of Ethics is instructive. The preamble provides that public enlightenment is the forerunner of justice and the foundation of democracy. Ethical journalism strives to ensure the free exchange of information that is accurate, fair and thorough. An ethical journalist acts with integrity. The Society declares four principles as the foundation of ethical journalism and encourages their use in its practice by all people in all media. These principles are: 1. Seek Truth and Report it. 2. Minimize Harm 3. Act Independently 4. **Be accountable and transparent including acknowledgement of mistakes and correcting them promptly and prominently.** The code acknowledges that the code is unenforceable due to the 1<sup>st</sup> Amendment.

<sup>15</sup> **Tigrinya**, often written as **Tigrigna** /tɪ'grɪ:nə/[3] (ትግርኛ Tigriññā) is a member of the Semitic branch of the Afroasiatic languages. It is spoken by ethnic Tigray-Tigrinya people in the Horn of Africa. Tigrigna speakers primarily inhabit the Tigray Region in northern Ethiopia (57%), where its speakers are called *Tigrawot* (feminine *Tigrāweti*, male *Tigraway*, plural *Tegaru*), as well as the contiguous borders of southern and central Eritrea(43%), where speakers are known as the Tigrigna. Tigrigna is also spoken by groups of emigrants from these regions, including some Beta Israel. Source - Wikipedia



**OBERLIN MUNICIPAL COURT**  
**2017 Summary Report**

CRIMINAL/TRAFFIC CASES:			
State Cases Filed in 2017 -----		4,825	
State Cases Completed in 2017 -----		4,697	
Ordinance Cases filed in 2017			
Oberlin Police Department -----		238	
Amherst Police Department -----		441	
South Amherst Police Department -----		124	
Kipton Police Department -----		12	
Wellington Police Department -----		60	
Wellington Zoning			
Ordinance Cases Filed -----		875	
Ordinance Cases Completed -----		858	
Total Number of MSC Cases Filed in 2017 -----		179	
(MSC cases are not counted in Supreme court numbers listed below)			
Supreme Court Report - Pending beginning 2017 -----		376	
Total Number of New Cases Filed in 2017 (CRA,CRB,TRC,TRD) -----		5,709	
Total Number of Transfers, Reactivations -----		657	
Total Number of Cases Completed in 2017 -----		6,272	
Total Number of Cases Pending at end of 2017 -----		470	
LANDLORD TENANT CASES:			
Number of Cases filed in 2017 -----		0	
Number of Cases Disbursed in 2017 -----		0	
Number of Cases Completed in 2017 -----		0	
Number of Cases Dismissed in 2017 -----		0	
Active Cases End of 2017 -----		0	
CIVIL & TRUSTEESHIP CASES:			
Number of Cases Dismissed in 2017 (Included in completed case count) ---		232	
Supreme Court Report - Number of Cases Pending Beginning 2017 -----		191	
Number of Cases Filed in 2017 -----		840	
(MSC cases are not counted in Supreme court numbers listed below)		2	
Number Transfers, Reactivations 2017 -----		6	
Number Cases Completed in 2017 -----		766	
Total Number of Cases - Other Terminations -----		1	
Number of Cases Pending end of 2017 -----		270	
TOTAL MONIES COLLECTED IN 2017			
Criminal Account -----		\$ 1,153,689.71	
Bond Account -----		\$ 44,196.00	
Restitution Account -----		\$ 5,717.40	
Civil Account -----		\$ 459,784.22	
Trusteeship Account -----		\$ 3,687.83	
Landlord Tenant Account -----		\$ -	
<b>TOTAL</b>		<b>\$ 1,667,075.16</b>	

## CIVIL BRANCH- CIVIL CASE LOAD

### Civil Case Load

After dropping 4 years in a row civil filings increased to 840 from last year's 16 year low of only 716 filings.

Year	Cases Filed
2001	732
2002	818
2003	1,042
2004	1,047
2005	994
2006	932
2007	1,082
2008	1,242
2009	1,077
2010	1,045
2011	922
2012	913
2013	715
2014	809
2015	777
2016	716
2017	840

### Receipts of Civil Division

Receipts for 2017 rose slightly from 2016.

Year	Amount
2001	\$52,239.45
2002	\$53,262.86
2003	\$74,023.46
2004	\$84,301.37
2005	\$78,545.54

<b>2006</b>	<b>\$71,591.23</b>
<b>2007</b>	<b>\$80,315.22</b>
<b>2008</b>	<b>\$130,112.39</b>
<b>2009</b>	<b>\$140,291.47</b>
<b>2010</b>	<b>\$154,979.50</b>
<b>2011</b>	<b>\$126,741.97</b>
<b>2012</b>	<b>\$127,432.50</b>
<b>2013</b>	<b>\$106,998.75</b>
<b>2014</b>	<b>\$103,078.16</b>
<b>2015</b>	<b>\$105,712.88</b>
<b>2016</b>	<b>\$101,995.76</b>
<b>2017</b>	<b>\$103,867.28</b>

## CIVIL BRANCH- CIVIL CASE LOAD

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2005	\$78,545.54

<b>2006</b>	<b>\$71,591.23</b>
<b>2007</b>	<b>\$80,315.22</b>
<b>2008</b>	<b>\$130,112.39</b>
<b>2009</b>	<b>\$140,291.47</b>
<b>2010</b>	<b>\$154,979.50</b>
<b>2011</b>	<b>\$126,741.97</b>
<b>2012</b>	<b>\$127,432.50</b>
<b>2013</b>	<b>\$106,998.75</b>
<b>2014</b>	<b>\$103,078.16</b>
<b>2015</b>	<b>\$105,712.88</b>
<b>2016</b>	<b>\$101,995.76</b>
<b>2017</b>	<b>\$103,867.28</b>

**OBERLIN MUNICIPAL COURT  
2017 FINANCIAL REPORT  
CIVIL, TRUSTEESHIP, AND LANDLORD TENANT ACCOUNTS**

<b>YEAR</b>	<b>NO. CASES FILED</b>	<b>TOTAL DISBURSEMENTS</b>	<b>TOTAL CITY</b>
1958	256	\$ 7,817.71	\$ 784.42
1959	236	\$ 14,803.45	\$ 1,444.90
1960	309	\$ 25,130.27	\$ 2,551.76
1961	380	\$ 33,492.46	\$ 2,372.55
1962	424	\$ 42,362.73	\$ 2,967.00
1963	336	\$ 35,560.75	\$ 5,255.18
1964	359	\$ 38,994.32	\$ 3,234.25
1965	381	\$ 42,104.62	\$ 3,403.15
1966	363	\$ 52,694.05	\$ 3,871.22
1967	350	\$ 45,092.98	\$ 3,936.70
1968	420	\$ 26,335.70	\$ 5,139.07
1969	543	\$ 54,530.12	\$ 4,777.22
1970	755	\$ 43,918.20	\$ 6,577.97
1971	682	\$ 40,967.38	\$ 5,522.50
1972	525	\$ 56,161.36	\$ 6,499.83
1973	524	\$ 42,238.95	\$ 7,071.83
1974	760	\$ 42,247.04	\$ 6,178.01
1975	770	\$ 45,400.22	\$ 8,120.11
1976	910	\$ 65,042.95	\$ 9,755.09
1977	1,126	\$ 71,949.89	\$ 12,124.73
1978	965	\$ 71,794.63	\$ 26,646.29
1979	938	\$ 67,895.40	\$ 16,319.43
1980	940	\$ 68,053.89	\$ 17,782.38
1981	924	\$ 75,822.26	\$ 22,515.25
1982	850	\$ 82,260.58	\$ 36,412.32
1983	718	\$ 58,795.99	\$ 25,881.27
1984	750	\$ 65,588.11	\$ 39,660.22
1985	628	\$ 78,090.16	\$ 24,242.96
1986	677	\$ 77,964.26	\$ 26,758.98
1987	713	\$ 76,931.17	\$ 27,792.82
1988	775	\$ 82,290.72	\$ 32,302.49
1989	877	\$ 103,646.70	\$ 33,700.02
1990	683	\$ 112,265.94	\$ 35,412.49
1991	808	\$ 105,515.97	\$ 32,811.90
1992	722	\$ 119,228.63	\$ 35,743.65
1993	621	\$ 93,913.19	\$ 28,355.22
1994	532	\$ 93,146.36	\$ 27,462.19
1995	506	\$ 78,928.50	\$ 25,548.44
1996	561	\$ 97,422.34	\$ 34,631.71
1997	662	\$ 108,659.28	\$ 39,442.92
1998	725	\$ 143,635.87	\$ 44,703.93
1999	713	\$ 195,341.59	\$ 60,566.76
2000	613	\$ 205,339.09	\$ 46,227.65
2001	732	\$ 280,343.80	\$ 52,239.45
2002	818	\$ 285,025.05	\$ 53,462.86
2003	1042	\$ 327,362.30	\$ 74,023.46
2004	1047	\$ 421,423.34	\$ 84,301.37
2005	994	\$ 364,958.57	\$ 78,545.54
2006	932	\$ 402,642.53	\$ 71,591.23
2007	1082	\$ 443,332.68	\$ 80,315.22
2008	1243	\$ 551,643.10	\$ 152,423.39
2009	1080	\$ 608,166.00	\$ 140,744.37
2010	1047	\$ 606,738.84	\$ 166,483.54
2011	922	\$ 590,333.47	* \$ 144,915.03
2012	913	\$ 541,065.54	* \$ 145,099.30
2013	716	\$ 573,840.62	* \$ 119,918.75
2014	811	\$ 473,524.90	* \$ 118,059.32
2015	777	\$ 571,272.61	* \$ 121,633.04
2016	719	\$ 490,185.38	* \$ 115,013.47
2017	842	\$ 454,282.03	* \$ 120,671.06

**2017 Year End Report - Civil**  
**For the Period Ended December 31, 2017**

Cases Filed:

CVE	3
CVF	643
CVG	85
CVH	12
CVI	97
<b>LANDLORD TENANT</b>	<b>0</b>
OTHER	2
<b>TOTAL:</b>	<b>842</b>

Disbursements:

<i>City of Oberlin</i>	
Court Costs	\$ 103,317.28
Clerk's Computer Fund	\$ 4,185.00
Court Improvement Costs	\$ 11,145.00
Marriage Fees	\$ 550.00
Misc Costs	
<i>Total Paid to City:</i>	<b>\$ 119,197.28</b>
Jury Fees	
Judgments	\$ 304,978.83
Witness Fees	
Appraiser Fees	\$ 300.00
Advertising Fees	
Lorain Co. Auditor-Tax Lien Pmt	
Jury Deposit Refund	
Mileage Fee	\$ 26.01
Demolition Fee Refund	
Deposit Refunds	\$ 1,083.26
Judgment Refunds	\$ 8,344.65
<i>Total Judgments, Refunds &amp; Jury:</i>	<b>\$ 314,732.75</b>
<i>Treasurer State of Ohio</i>	
Civil State Costs	\$ 19,318.00
Small Claims State Costs	\$ 1,034.00
Transfer Fee to State	\$ -
<i>Total Costs to State of Ohio</i>	<b>\$ 20,352.00</b>
<b>TOTAL DISBURSEMENTS:</b>	<b>\$ 454,282.03</b>

**OBERLIN MUNICIPAL COURT**  
**2017 ANNUAL REPORT**  
**DISBURSEMENTS**  
**CIVIL**

		<b>Marriage Fee</b>	<b>Court Costs</b>	<b>Clerk's Computer Fund</b>	
<b>January</b>	\$	50.00	\$ 8,611.71	\$ 410.00	
<b>February</b>	\$	-	\$ 8,850.47	\$ 280.00	
<b>March</b>	\$	100.00	\$ 8,712.15	\$ 315.00	
<b>April</b>	\$	50.00	\$ 8,589.85	\$ 390.00	
<b>May</b>	\$	-	\$ 8,184.14	\$ 330.00	
<b>June</b>	\$	50.00	\$ 8,856.40	\$ 315.00	
<b>July</b>	\$	50.00	\$ 8,653.61	\$ 380.00	
<b>August</b>	\$	50.00	\$ 9,251.64	\$ 420.00	
<b>September</b>	\$	-	\$ 8,583.78	\$ 280.00	
<b>October</b>	\$	50.00	\$ 9,842.41	\$ 365.00	
<b>November</b>	\$	-	\$ 8,075.92	\$ 355.00	
<b>December</b>	\$	150.00	\$ 7,105.20	\$ 345.00	
<b>TOTAL:</b>	\$	550.00	\$ \$ 103,317.28	\$	4,185.00
		<b>Court Improvement Fund</b>	<b>Treasurer State OH</b>	<b>Treasurer State SSC</b>	
<b>January</b>	\$	1,050.00	\$ 1,820.00	\$ 132.00	
<b>February</b>	\$	825.00	\$ 1,430.00	\$ 11.00	
<b>March</b>	\$	795.00	\$ 1,378.00	\$ 110.00	
<b>April</b>	\$	1,080.00	\$ 1,872.00	\$ 66.00	
<b>May</b>	\$	930.00	\$ 1,612.00	\$ 44.00	
<b>June</b>	\$	900.00	\$ 1,560.00	\$ 33.00	
<b>July</b>	\$	1,080.00	\$ 1,872.00	\$ 44.00	
<b>August</b>	\$	1,065.00	\$ 1,846.00	\$ 143.00	
<b>September</b>	\$	645.00	\$ 1,118.00	\$ 143.00	
<b>October</b>	\$	855.00	\$ 1,482.00	\$ 176.00	
<b>November</b>	\$	1,035.00	\$ 1,794.00	\$ 22.00	
<b>December</b>	\$	885.00	\$ 1,534.00	\$ 110.00	
<b>TOTAL:</b>	\$	11,145.00	\$ \$ 19,318.00	\$	1,034.00

## CRIMINAL AND TRAFFIC BRANCH

Criminal Case Load [Felony and Misdemeanor filings – excluding OVI and Traffic cases]

The breakdown in criminal filings for the major police agencies in the jurisdiction for the past sixteen years is:

<u>Agency</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Amherst	285	341	458	760	763	657	627	589	606	577	485	443	353
Oberlin	299	253	276	203	219	164	246	203	206	271	243	165	196
Wellington	132	122	117	97	97	149	122	115	123	114	115	66	71
Sheriff	205	190	238	197	152	174	149	166	136	161	158	148	147
S. Amherst	37	59	12	41	10	28	43	83	70	31	21	24	15
OSP	74	93	87	168	141	107	78	93	142	151	131	130	167
Agency	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>									
Amherst	360	529	371	351									
Oberlin	163	177	134	117									
Wellington	72	103	111	100									
Sheriff	148	114	116	90									
S. Amherst	40	17	12	5									
OSP	152	185	171	106									

OVI Case Load [Operating a Motor Vehicle Under the Influence] The breakdown in OVI filings for the past fifteen years is:

<u>Agency</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Amherst	34	67	102	121	86	117	116	159	110	102	66	59	39
Oberlin	31	17	14	22	28	32	38	25	36	20	31	20	28
Wellington	35	37	31	37	44	45	35	41	29	45	24	25	11
Sheriff	25	22	9	13	8	10	7	12	4	1	5	10	3
S. Amherst	15	16	8	14	7	7	10	3	9	5	2	6	12
OSP	123	115	106	108	113	97	121	107	125	124	157	127	92
Agency	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>									
Amherst	53	58	53	48									
Oberlin	10	10	18	23									
Wellington	12	9	26	19									

<b>Sheriff</b>	<b>9</b>	<b>15</b>	<b>16</b>	<b>5</b>									
<b>S. Amherst</b>	<b>7</b>	<b>10</b>	<b>1</b>	<b>1</b>									
<b>OSP</b>	<b>94</b>	<b>91</b>	<b>88</b>	<b>78</b>									

**Traffic Case Load – excluding OVI filings**

The breakdown in Traffic filings for the past fifteen years is:

<u>Agency</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Amherst	905	1145	1636	1411	927	971	850	617	985	921	594	845	639
Oberlin	868	425	360	446	370	338	293	297	283	258	211	189	187
Wellingtonton	267	333	197	209	272	399	239	244	177	128	135	111	111
Sheriff	275	271	263	323	160	137	129	185	91	86	123	241	295
S. Amherst	108	193	309	334	302	362	248	198	271	237	298	229	280
OSP	4630	5836	5360	3880	3726	3719	3920	3961	3294	3311	3575	3873	4314
Agency	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>									
Amherst	612	752	617	820									
Oberlin	178	169	260	234									
Wellingtonton	157	221	182	206									
Sheriff	316	382	357	281									
S. Amherst	280	184	116	129									
OSP	4138	4607	3056	3054									

**OBERLIN MUNICIPAL COURT**  
**2017 FINANCIAL REPORT**  
**CRIMINAL/TRAFFIC DIVISION**

YEAR	FILED NO. ORD. CASES	FILED NO. STATE CASES	BOND/REST CRIM/TR TOTAL COLLECTION	TOTAL PAID TO CITY
1958	334	1483	\$ 50,990.97	\$ 37,856.10
1959	272	1683	\$ 62,961.04	\$ 38,130.50
1960	341	2145	\$ 76,547.69	\$ 45,350.48
1961	324	1853	\$ 59,320.48	\$ 35,777.80
1962	256	1838	\$ 54,204.87	\$ 32,442.57
1963	199	2048	\$ 62,786.42	\$ 36,423.39
1964	479	2299	\$ 76,061.56	\$ 42,592.71
1965	611	2268	\$ 83,582.40	\$ 44,949.20
1966	708	1943	\$ 75,666.93	\$ 41,192.29
1967	612	2367	\$ 85,716.65	\$ 48,460.67
1968	773	3207	\$ 111,618.21	\$ 56,109.41
1969	824	2308	\$ 92,937.65	\$ 47,201.57
1970	638	2625	\$ 85,479.77	\$ 44,625.27
1971	1,430	3167	\$ 114,581.26	\$ 65,403.75
1972	3,364	4242	\$ 200,994.92	\$ 101,605.37
1973	3,604	3459	\$ 189,654.50	\$ 93,522.43
1974	3,516	4482	\$ 242,247.76	\$ 120,149.20
1975	3,355	4472	\$ 323,155.55	\$ 132,938.72
1976	3,055	3964	\$ 313,877.03	\$ 127,765.41
1977	3,539	4741	\$ 434,978.12	\$ 164,589.23
1978	3,063	3918	\$ 404,820.82	\$ 140,954.95
1979	3,305	4162	\$ 505,269.87	\$ 166,691.83
1980	2,765	4182	\$ 544,336.19	\$ 194,144.26
1981	3,880	4423	\$ 650,807.14	\$ 217,288.94
1982	2,714	3852	\$ 608,684.36	\$ 212,749.89
1983	2,693	3787	\$ 530,598.19	\$ 205,031.58
1984	3,019	4248	\$ 475,898.20	\$ 214,597.51
1985	2,525	5144	\$ 623,528.61	\$ 246,374.44
1986	2,318	5636	\$ 610,244.55	\$ 243,501.30
1987	2,168	6833	\$ 662,250.64	\$ 257,338.00
1988	2,426	7261	\$ 722,325.78	\$ 270,696.07
1989	2,346	6390	\$ 788,557.10	\$ 239,018.09
1990	2,242	6223	\$ 724,380.07	\$ 283,188.83
1991	2,330	4737	\$ 767,303.54	\$ 323,649.80
1992	2,405	4779	\$ 845,152.24	\$ 348,068.54
1993	2,464	5157	\$ 919,388.09	\$ 378,193.34
1994	2,300	6479	\$ 1,061,405.19	\$ 424,756.66
1995	2,608	7101	\$ 1,235,518.16	\$ 458,995.24
1996	2,981	6858	\$ 1,395,729.12	\$ 561,737.28
1997	2,963	5873	\$ 1,277,298.87	\$ 546,495.59
1998	2,972	4331	\$ 1,186,353.41	\$ 509,763.92
1999	3,001	6242	\$ 1,536,822.75	\$ 679,971.34
2000	2,739	5,377	\$ 1,506,073.09	\$ 590,583.16
2001	3,117	5,460	\$ 1,518,068.56	\$ 529,209.91
2002	3,000	6,684	\$ 1,396,637.45	\$ 489,416.16
2003	2,380	7,402	\$ 1,570,611.33	\$ 515,662.11
2004	2,286	6,585	\$ 1,563,564.12	\$ 546,587.67
2005	1,998	5,876	\$ 1,587,623.69	\$ 579,999.14
2006	1,992	5,711	\$ 1,622,814.22	\$ 630,706.38
2007	1,700	5,711	\$ 1,548,679.50	\$ 621,987.21
2008	1,268	5,925	\$ 1,585,509.85	* \$ 808,949.53
2009	1,598	5,194	\$ 1,470,288.19	* \$ 743,482.74
2010	1,522	5,062	\$ 1,571,456.74	* \$ 801,902.58
2011	1,176	5,253	\$ 1,513,836.27	* \$ 808,675.58
2012	1,175	5,891	\$ 1,569,954.79	* \$ 820,581.08
2013	1,093	5,946	\$ 1,478,494.95	* \$ 784,836.98
2014	1,066	5,795	\$ 1,321,186.35	* \$ 717,788.46
2015	1,030	6,673	\$ 1,552,783.25	* \$ 817,374.82
2016	828	4,927	\$ 1,237,293.03	* \$ 779,146.39
2017	875	4,858	\$ 1,203,603.11	\$ 643,101.08

\*Total includes - Court Special Funds not included in years prior to 2008.

OBERLIN MUNICIPAL COURT  
YEAR END REPORT  
OBERLIN, OHIO  
FOR THE PERIOD ENDED DECEMBER 31, 2017

Year-to-date  
Withdrawals

CITY OF OBERLIN	
OBERLIN COST APPORTIONMENT	\$ 0.00
AMHERST COST APPORTIONMENT	\$ 29,109.08
WELLINGTON COST APPORTIONMENT	\$ 3,488.00
KIPTON COST APPORTIONMENT	\$ 32.60
S. AMHERST COST APPORTIONMENT	\$ 4,596.55
10% BOND CHARGE	\$ 0.00
IMMOBILIZATION FEE (FROM STATE)	\$ 1,200.00
MISCELLANEOUS COURT COSTS	\$ 7,943.05
BAILIFF FEES	\$ 1,301.47
COURT COSTS	\$ 335,360.29
INTERPRETER FEES	\$ 0.00
RESTITUTION PROCESSING FEES	\$ 83.19
CONVENIENCE FEE	\$ 4.00
COURT SUPERVISION FEE (PROBATION)	\$ 58,560.79
COURT SECURITY COSTS	\$ 19,567.00
OBERLIN ZONING	\$ 0.00
OBERLIN ORDINANCE -TRAFFIC	\$ 16,707.50
OBERLIN ORDINANCE - CRIMINAL	\$ 2,385.00
OBERLIN HANDICAPPED PARKING	\$ 0.00
40/45% OSP FINES 4511 & 4513	\$ 31,689.42
40/45% OSP FINES - OTHER TRAFFIC	\$ 46,320.00
40/45% OSP FINES - CHAPT 55	\$ 1,820.40
40/45% OSP FINES - CRIMINAL	\$ 970.00
Subtotal - City General Fund	\$ 561,138.34
INDIGENT CRIMINAL COSTS	\$ 0.00
OBERLIN LAW ENFORCEMENT ACCT.	\$ 443.00
ORDINANCE HOUSING OFFENDERS ORC 4511.99	\$ 0.00
805 COURT IMPROVEMENT COSTS	\$ 28,872.67
808 CLERK'S COMPUTER FUND	\$ 24,400.99
806 COURT COMPUTER FUND	\$ 9,722.00
415 INDIGENT DRIVERS ALCOHOL FUND	\$ 11,881.65
422 IND.INTERLOCK MONIT.FUND	\$ 5,400.00
TOTAL PAID TO CITY OF OBERLIN	\$ 641,858.65
 CITY OF AMHERST	
AMHERST TAXATION DEPARTMENT	\$ 0.00
AMHERST ZONING FINES	\$ 0.00
AMHERST ORDINANCE FINES - TRAFFIC	\$ 3,779.00
AMHERST ORDINANCE FINES - CRIMINAL	\$ 343.67
AMHERST LAW ENFORCEMENT ACCT.	\$ 991.00
ORDINANCE HOUSING OFFENDERS ORC 4511.99	\$ 0.00
AMHERST HANDICAPPED PARKING	\$ 0.00
TOTAL FINES	\$ 5,113.67
 VILLAGE OF WELLINGTON	
WELLINGTON ORDINANCE FINES - CRIMINAL	\$ 105.00
WELLINGTON ORDINANCE FINES - TRAFFIC	\$ 1,235.00
WELLINGTON ZONING	\$ 0.00
WELLINGTON LAW ENFORCEMENT ACCT.	\$ 493.50
ORD. HOUSING FOR OFFENDERS ORC 4511.99	\$ 0.00
WELLINGTON HANDICAPPED PARKING	\$ 0.00
TOTAL FINES	\$ 1,833.50

OBERLIN MUNICIPAL COURT  
YEAR END REPORT  
OBERLIN, OHIO  
FOR THE PERIOD ENDED DECEMBER 31, 2017

Year-to-date  
Withdrawals

VILLAGE OF KIPTON	
KIPTON ORDINANCE FINES - TRAFFIC	\$ 2,488.40
KIPTON ORDINANCE FINES - CRIMINAL	\$ 0.00
KIPTON LAW ENFORCEMENT ACCT.	\$ 0.00
ORD. HOUSING FOR OFFENDERS ORC 4511.99	\$ 0.00
KIPTON HANDICAPPED PARKING	0.00
TOTAL FINES	<b>\$ 2,488.40</b>
 VILLAGE OF SOUTH AMHERST	
SOUTH AMHERST TAXATION FINES	\$ 0.00
SOUTH AMHERST ORDINANCE FINES - TRAFFIC	\$ 4,173.45
SOUTH AMHERST ORDINANCE FINES - CRIMINAL	\$ 150.00
S. AMHERST LAW ENFORCEMENT ACCT.	\$ 173.00
ORD. HOUSING FOR OFFENDERS ORC 4511.99	\$ 0.00
SOUTH AMHERST HANDICAPPED PARKING	\$ 0.00
TOTAL FINES	<b>\$ 4,496.45</b>
 NEW RUSSIA TOWNSHIP	
50% LCSO NEW RUSSIA TWP 4511 & 4513	\$ 382.50
50% LCSO NEW RUSSIA TWP OTHER TRAFFIC	\$ 465.00
TOTAL FINES	<b>\$ 847.50</b>
 TREASURER OF STATE	
SEATBELT ACCOUNT	\$ 6,580.00
OHIO DEPT. LIQUOR CONTROL	\$ 500.00
EXPUNGEMENT - 60% TO STATE	\$ 840.00
CHILD RESTRAINT	\$ 450.00
INDIGENT DEFENSE SUPPORT FUND	\$ 126,762.36
INDIGENT DRIVER TREATMENT FUND	\$ 0.00
DRUG ENFORCEMENT FUND	\$ 14,619.85
SHSF	\$ 60.00
CRIMINAL JUSTICE DRUG ENFORC. FUND	\$ 0.00
JUSTICE PROGRAM SERVICE FUND	\$ 0.00
5% STATE PARTOL FINES - TRAUMA FUND	\$ 10,077.59
45% STATE PATROL FINES -SECT. 4511&4513	\$ 35,628.22
45% STATE PATROL FINES - CRIMINAL	\$ 1,091.25
45% STATE PATROL FINES - OTHER TRAFFIC	\$ 52,110.00
45% STATE PATROL FINES - CHAPT 55	\$ 2,047.95
SECT. #169 - STATE VICTIM CRIME FUND	\$ 40,713.22
GENERAL FUND	\$ 0.00
TOTAL	<b>\$ 291,480.44</b>
 TREASURER OF STATE	
STATE PATROL - LAW ENFORCEMENT ACCOUNT	<b>\$ 1,566.00</b>
 TREASURER STATE OF OHIO	
STATE PATROL FORFEITURE FUND	\$ 0.00
 TREASURER OF STATE	
OHIO DEPARTMENT OF TAXATION	\$ 0.00
 TREASURER STATE OF OHIO	
OHIO STATE BOARD OF PHARMACY	\$ 5,404.00
 LORAIN CO ADULT PROBATION-ELECTR MONIT	\$ 2,069.90
TREASURER OF STATE	

OBERLIN MUNICIPAL COURT  
YEAR END REPORT

OBERLIN, OHIO  
FOR THE PERIOD ENDED DECEMBER 31, 2017

## Year-to-date Withdrawals

DEPT. OF NATURAL RESOURCES - WILDLIFE	\$ 550.00
DEPT. OF NATURAL RESOURCES - WATERCRAFT	\$ 0.00
FINDLEY STATE PARK - CRIMINAL	\$ 375.00
FINDLEY STATE PARK - TRAFFIC 4511 & 4513	\$ 215.00
FINDLEY STATE PARK - OTHER TRAFFIC	\$ 375.00
TOTAL NATURAL RESOURCES FINES	\$ 1,515.00
TREASURER OF STATE	
FINDLEY PARK HANDICAPPED PARKING	\$ 0.00
TREASURER OF STATE	
STATE PATROL POST 90 DRUG FINES	\$ 3,000.00
TREASURER OF STATE	
STATE PATROL - DRUG FINES	\$ 2,200.00
TREASURER OF STATE	
OHIO DEPT. OF AGRICULTURE	\$ 0.00
LORAIN COUNTY METRO PARKS	
METRO PARKS - CRIMINAL	\$ 0.00
METRO PARKS - TRAFFIC 4511 & 4513	\$ 0.00
METRO PARKS - OTHER TRAFFIC	\$ 0.00
TOTAL METRO PARKS FINES	\$ 0.00
AMHERST TWP. ZONING	\$ 0.00
CAMDEN TOWNSHIP ZONING	\$ 0.00
HUNTINGTON ZONING	\$ 0.00
HENRIETTA TWP. ZONING	\$ 0.00
PITTSFIELD ZONING	\$ 0.00
RUSSIA TOWNSHIP ZONING	\$ 0.00
LORAIN COUNTY LAW LIBRARY	\$ 1,200.00
ANIMAL PROTECTIVE LEAGUE	\$ 0.00
ERIE SHORES HUMANE SOCIETY	\$ 0.00
WITNESS FEE ACCOUNT	\$ 204.72
JURY FEES	\$ 3,462.50
REFUND ACCOUNT (OVERPAY)	\$ 1,802.10
COMMON PLEAS COURT COSTS (GJF)	\$ 479.47
SERVICE FEES-OUTSIDE AGENCY	\$ 337.20
FINDLEY ST PARK - LEA ACCOUNT	\$ 0.00

OBERLIN MUNICIPAL COURT  
YEAR END REPORT  
OBERLIN, OHIO  
FOR THE PERIOD ENDED DECEMBER 31, 2017

Year-to-date  
Withdrawals

LORAIN COUNTY TREASURER	
COURT APPOINTED ATTORNEY FEES	\$ 6,828.70
PRISONER HOUSING ACCOUNT	\$ 8,844.04
LORAIN CO. SHERIFF- SECT. 4511 & 4513	\$ 7,806.44
LORAIN CO. SHERIFF - OTHER TRAFFIC	\$ 22,126.00
LORAIN CO. SHERIFF - CHAPT 55	\$ 5,595.00
LORAIN CO. SHERIFF - CRIMINAL	\$ 10,310.00
LORAIN CO. SHERIFF-LAW ENFORCEMENT ACCT.	\$ 170.00
50% NEW RUSSIA TWP 4511 & 4513 TO LCSO	\$ 382.50
50% NEW RUSSIA TWP MISC TRAFFIC TO LCSO	\$ 465.00
LORAIN CO SHERIFF HANDICAPPED PARKING	\$ 0.00
10% STATE PATROL FINES - 4511 & 4513	\$ 7,917.38
10% STATE PATROL FINES - OTHER TRAFFIC	\$ 11,580.00
10% STATE PATROL FINES - CRIMINAL	\$ 242.50
10% STATE PATROL FINES - CHAPT. 55	\$ 455.10
LORAIN CO. DOG WARDEN	\$ 155.00
EXPUNGEMENT - 40% TO COUNTY	\$ 540.00
AMHERST STATE CODES - 4511 & 4513	\$ 7,290.00
AMHERST STATE CODE - CRIMINAL	\$ 18,332.40
AMHERST STATE CODE - OTHER TRAFFIC	\$ 33,250.65
AMHERST STATE CODE - CHAPT. 55	\$ 0.00
OBERLIN STATE CODE - 4511 & 4513	\$ 2,026.00
OBERLIN STATE CODE - CRIMINAL	\$ 5,005.00
OBERLIN STATE CODE - OTHER TRAFFIC	\$ 4,625.00
OBERLIN STATE CODE - CHAPT. 55	\$ 0.00
OHIO DEPARTMENT PUBLIC SAFETY CRIMINAL	\$ 300.00
WELLINGTON TRAFFIC - 4511 & 4513	\$ 9,925.00
WELLINGTON STATE CODE - OTHER TRAFFIC	\$ 6,960.00
WELLINGTON STATE CODE - CRIMINAL	\$ 5,850.00
WELLINGTON STATE CODE - CHAPTER 55	\$ 0.00
SO. AMHERST TRAFFIC - 4511 & 4513	\$ 755.00
SO. AMHERST STATE CODE - OTHER TRAFFIC	\$ 0.00
SO. AMHERST STATE CODE - CRIMINAL	\$ 930.00
SO. AMHERST STATE CODE - CHAPTER 55	\$ 0.00
KIPTON TRAFFIC FINES - 4511 & 4513	\$ 338.00
KIPTON STATE CODE - OTHER TRAFFIC	\$ 0.00
KIPTON STATE CODE - CRIMINAL	\$ 0.00
KIPTON STATE CODE - CHAPT. 55	\$ 0.00
JURY FEE REIMBURSEMENT	\$ 2,825.50
DEPT. OF LIQUOR - 50% OF FINES	\$ 500.00
PUBLIC UTILITY COMMISSION	\$ 0.00
NORFOLK SOUTHERN CRIMINAL	\$ 0.00
LORAIN CO DRUG TASK FORCE CRIMINAL	\$ 0.00
	\$ 182,330.21
<b>GRAND TOTAL</b>	<b>\$ 1,153,689.71</b>

**OBERLIN MUNICIPAL COURT**  
**2017 ANNUAL REPORT**  
**DISBURSEMENTS**  
**CRIMINAL/TRAFFIC**

	<b>Wellington Ordinance Traffic Fines</b>	<b>Wellington Ordinance Criminal Fines</b>	<b>Wellington Zoning</b>
<b>January</b>	\$ 740.00	\$ -	\$ -
<b>February</b>	\$ 495.00	\$ 105.00	\$ -
<b>March</b>	\$ -	\$ -	\$ -
<b>April</b>	\$ -	\$ -	\$ -
<b>May</b>	\$ -	\$ -	\$ -
<b>June</b>	\$ -	\$ -	\$ -
<b>July</b>	\$ -	\$ -	\$ -
<b>August</b>	\$ -	\$ -	\$ -
<b>September</b>	\$ -	\$ -	\$ -
<b>October</b>	\$ -	\$ -	\$ -
<b>November</b>	\$ -	\$ -	\$ -
<b>December</b>	\$ -	\$ -	\$ -
<b>TOTAL:</b>	<b>\$ 1,235.00</b>	<b>\$ 105.00</b>	<b>\$ -</b>
	<b>Wellington Handicapped Parking</b>	<b>Wellington - Law Enforcement Acct.</b>	<b>Wellington Ord. Housing for Offenders</b>
<b>January</b>	\$ -	\$ -	\$ -
<b>February</b>	\$ -	\$ 25.00	\$ -
<b>March</b>	\$ -	\$ 25.00	\$ -
<b>April</b>	\$ -	\$ 25.50	\$ -
<b>May</b>	\$ -	\$ 25.00	\$ -
<b>June</b>	\$ -	\$ 60.00	\$ -
<b>July</b>	\$ -	\$ 25.00	\$ -
<b>August</b>	\$ -	\$ 25.00	\$ -
<b>September</b>	\$ -	\$ -	\$ -
<b>October</b>	\$ -	\$ 208.00	\$ -
<b>November</b>	\$ -	\$ 75.00	\$ -
<b>December</b>	\$ -	\$ -	\$ -
<b>TOTAL:</b>	<b>\$ -</b>	<b>\$ 493.50</b>	<b>\$ -</b>

COST OF OPERATION - 2015

<b>Description</b>	<b>2017</b>
Full Time Salaries	\$383,590.82
Part Time Salaries	68,647.51
Overtime	\$904.51
Longevity	\$5,000.00
Visiting Judge - City	\$2,741.70
PERS	\$66,075.39
Medicare	\$6,418.14
Workers' Compensation	\$9,525.82
Health Insurance	\$131,619.92
Uniforms	\$0
Training	\$1,300.00
Travel	\$748.71
Dues	\$1,075.00
Telephone	\$2,420.85
Intern Travel	\$0
Equipment Maintenance	\$2,464.20
Leased Equipment	\$796.50
Operating Equipment- Court	\$0
Operating Equipment- Probation	\$0
Bailiff & Mileage Fees	\$0
Liability Insurance	\$3,844
Contractual Services	\$7,738.99
Interpreter Fees	\$0.00
Advertising	\$0
Law Library Fees	\$3,374.29
Jury & Witness Fees	\$420
Office Supplies	\$7,383.68
Traffic Tickets	\$1,517
Postage	\$18,000.00
Miscellaneous	\$789
Vehicle Maintenance Transfer	\$928.00
Vacation Sick Leave	\$8,000.00
Office Supplies Transfers	\$0
	<b>\$734,534.27</b>
	<p>NOTE: The total does not include the sum of \$6,571.20 which appears on the Court's Monthly Expenditure worksheets under the category "Visiting Judge Salaries - County" This is clearly not an expense of the Court and is an expense of the County and State of Ohio. It is used for accounting purposes only. It is in the nature of an advance or loan to the County and State. In past years the County Auditor paid the Visiting Judges directly. Recently, the County Auditor has requested that the City of Oberlin advance these funds and pay the Visiting Judge and await reimbursement from the County and State. The court was not in agreement with this procedure because it wrongly reflects an expense of the court that does not exist. Since the court does not consider this an expense of the court it should not be included in the cost of operation of the court.</p>

**OBERLIN MUNICIPAL COURT**  
**2017 TOTAL PAID TO CITY**

JANUARY	Criminal/Traffic-----	\$ 32,837.33
	Civil -----	\$ 8,661.71
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
FEBRUARY	Criminal/Traffic-----	\$ 47,942.76
	Civil -----	\$ 8,850.47
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
MARCH	Criminal/Traffic-----	\$ 57,925.09
	Civil -----	\$ 8,812.15
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
APRIL	Criminal/Traffic-----	\$ 47,578.07
	Civil -----	\$ 8,639.85
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
MAY	Criminal/Traffic-----	\$ 52,904.53
	Civil -----	\$ 8,184.14
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
JUNE	Criminal/Traffic-----	\$ 57,204.23
	Civil -----	\$ 8,906.40
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -

**OBERLIN MUNICIPAL COURT**  
**2017 TOTAL PAID TO CITY**

<b>JULY</b>	Criminal/Traffic-----	\$ 50,714.56
	Civil -----	\$ 8,703.61
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
<b>AUGUST</b>	Criminal/Traffic-----	\$ 44,140.67
	Civil -----	\$ 9,301.64
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
<b>SEPTEMBER</b>	Criminal/Traffic-----	\$ 40,915.00
	Civil -----	\$ 8,583.78
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
<b>OCTOBER</b>	Criminal/Traffic-----	\$ 49,906.37
	Civil -----	\$ 9,892.41
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
<b>NOVEMBER</b>	Criminal/Traffic-----	\$ 40,645.74
	Civil -----	\$ 8,075.92
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -
<b>DECEMBER</b>	Criminal/Traffic-----	\$ 38,423.99
	Civil -----	\$ 7,255.20
	Trusteeship -----	\$ -
	Landlord Tenant -----	\$ -

**OBERLIN MUNICIPAL COURT**  
**2017 TOTAL PAID TO CITY**

<b>TOTALS -</b>	
<b>General Fund Criminal/Traffic-----</b>	<b>\$ 561,138.34</b>
Civil -----	\$ 103,867.28
Trusteeship -----	\$ -
Landlord Tenant -----	\$ -
<b>TOTALS -</b>	
<b>Other Funds Court Improvement Fund - (Fund 805)</b>	
Criminal/Traffic	\$ 28,872.67
Civil	\$ 11,145.00
<b>Clerk's Computer Fund - (Fund 808)</b>	
Criminal/Traffic	\$ 24,400.99
Civil	\$ 4,185.00
<b>Court Computer Fund - (Fund 806) - Criminal/Traffic</b>	<b>\$ 9,722.00</b>
<b>Indigent Drivers Alcohol Fund - (Fund 415) - Criminal/Traffic</b>	<b>\$ 11,881.65</b>
<b>Indigent Interlock Monitor Fund - (Fund 422) - Criminal/Traffic</b>	<b>\$ 5,400.00</b>
<b>Oberlin Law Enforcement Acct RC 4511.19A1a -Crim/Traffic</b>	<b>\$ 443.00</b>
<b>Oberlin Ord. Housing for Offenders RC 4511.19A1a - CR/TR</b>	<b>\$ -</b>
<b>Miscellaneous:</b>	
Unclaimed Funds Paid to City RC 1901.31G	
Criminal/Traffic Acct.	\$ 847.43
Unclaimed Funds Paid to City RC 1901.31G	
Civil Acct.	\$ 1,473.78
Unclaimed Funds Paid to City RC 1901.31G	
Bond Acct.	\$ 395.00
Unclaimed Funds Paid to City RC 1901.31G	
Trusteeship Acct.	\$ -
<b>GRAND TOTAL-----</b>	<b>\$ 763,772.14</b>

## **SPECIAL FUNDS**

### Summary

The court has five special funds that have been established. These funds are held by the City for the uses and purposes set forth by statute.

### Indigent Alcohol Fund

The Indigent Alcohol Fund is a statutory fund. Subsection (N) of R.C. Section 4511.191 creates the juvenile, county and municipal Court's Indigent Drivers Alcohol Treatment Funds. Section 4511.19(L) provides that the court may order the use of these funds for payment of the cost of the attendance at an alcohol and drug addiction treatment program of a person who is convicted of an OVI offense and who is determined by the court to be unable to pay the cost of attendance at the treatment program.

As of December 31, 2017 the sum of \$20,639.81 was in the fund. Deposits for the year totaled \$20,322.47. Expenditures for the year totaled \$16,736.50.

### Ignition Drivers Interlock and Alcohol Monitoring Fund

Pursuant to RC 4511.19(G)(5)(e) and RC 1901.26 for offenses committed on or after September 30, 2008 the Court has established a Special Projects Fund called the Indigent Drivers Interlock and Alcohol Monitoring Fund. Fifty dollars of the fine imposed for certain repeat OVI offenders<sup>1</sup> are to be deposited into this fund and are used exclusively to cover the cost of immobilizing or disabling devices, including certified ignition interlock devices, and remote alcohol monitoring devices for indigent offenders who are required by a judge to use either of these devices. The fund balance as of December 31, 2017 was \$70,793.75. Deposits for the year totaled \$12,077.97 and expenditures totaled \$16,370.70.

### Court Computer Fund and Clerk of Court Computer Fund

These two funds were previously combined and called the Court Equipment Replacement Fund also referred to as the court's Computer Fund. The fund is used to update the court and clerk's computer systems, both hardware and software. Prior to August 1, 2002 the sum of \$2.00 per case was assessed as court costs to maintain this fund. During 2002 the court determined that substantial improvements were needed to the court's computer systems. As a result, the amount per case assessed as court costs was increased to \$10.00 per case as of August 1, 2002. Another adjustment was made effective January 1, 2004. The court costs per case for this fund have been reduced to \$4.00 per case. The reduction in the costs was due in part to the amount of funds that have been accumulated and to allow for an adjustment in court costs for court security and for

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<sup>1</sup> Sections G(1)(a)(iii), G(1)(b)(iii), G(1)(c)(iii), G(1)(d)(iii), and G(1)(e)(iii) of RC 4511.19

general costs for the operation of the court. A further reduction to \$2.00 per case was made in April 2005 for the same reasons.

As of January 1, 2008 the fund is divided into two separate funds: 1. Court Computerization Fund; and 2. Clerk Computerization Fund. This is a result of the Judge's reading of the section in the Ohio Revised Code that provides for these funds. As of January 1, 2008 the sum of \$5.00 per case will be charged in each criminal and traffic case and each civil and small claims case filed for the Clerk Computerization Fund and the sum of \$2.00 per case will be charged for each criminal and traffic case for the Court Computerization Fund.

Court Computer Fund: Activity for the fund for 2017 included deposits totaling \$9,594.00 and expenses totaling \$3,698.00. The balance in this fund as of December 31, 2017 is \$54,039.40.

Clerk Computer Fund: Activity for the fund for 2017 included deposits totaling \$28,254.99 and expenses of \$18,625.50. The balance in this fund as of December 31, 2017 is \$163,552.72.

### Court Improvement Fund

The Court Improvement Fund was created in 1992. At that time the sum of \$4.00 per case was assessed as court costs to maintain this fund. The amount was increased to \$10.00 per case in 1996. The amount per case was increased to \$14.00 per case in 1999 to fund the remodeling project. Effective August 1, 2002 the amount was adjusted downward to \$10.00 per case to allow an increase in the amount charged for the Court Equipment Replacement fund in anticipation of the costs to update the existing server and other computer related costs.

As of January 1, 2008 a cost of \$15.00 per criminal and traffic case and \$15.00 per civil and Small Claims has been charged for the following reasons:

Pursuant to RC 1901.26 the court has determined that for the efficient operation of the court, additional funds are necessary to acquire and pay for special projects of the court including, but not limited to, the acquisition of additional facilities or the rehabilitation of existing facilities, the acquisition or replacement of a bailiff's vehicle, the acquisition of fixtures and the acquisition of security devices, monitoring equipment for the probation department to enforce the orders of the court and other equipment.

As of September 1, 2016 the court costs for this fund were reduced to \$2.00 per criminal and traffic case. The court determined that there was a need to increase the general court costs due to the fact that an increase in the general costs had not been increased since 2010. Rather than increasing overall costs an adjustment was made.

The balance as of December 31, 2017 is \$845, 977.79. Deposits for the year totaled \$40,109.67 and expenditures \$-0-.

## COMPUTER GENERATED STATISTICAL ANALYSIS

The following is a list of number of cases filed for various cases of interest from the criminal and traffic division in 1994-2017.

<u>Case</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
OVI	350	394	361	404	370	402	247	278	320	296	268	279	270	317	292	311	329
Felony	301	271	165	164	200	198	187	157	143	137	166	176	197	255	249	239	206
CR MM	740	732	602	611	926	924	731	798	948	927	1,024	1,031	1,107	1,398	1,364	1,112	1,148
Traffic	3,054	2,091	1,860	2,591	7,782	8,449	6,700	5,622	7,819	6,753	7,119	8,208	8,208	6,887	5,967	6,040	5,726
	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>							
OVI	350	314	297	285	247	185	185	193	202	167							
Felony	207	204	202	198	240	167	173	218	185	122							
CR MM	1,110	1,139	1,133	1,003	1036	833	788	1139	744	660							
Traffic	5,528	5,108	4,949	4,941	5,494	5,850	5,711	6,415	4,620	4,752							

The following is a list of total cases [criminal, traffic and civil] filed, reactivated, terminated and pending for the years 1997-2017.

<u>Year</u>	<u>New cases filed/transferred</u>	<u>Terminations</u>	<u>Pending 12/31</u>	<u>Judge</u>
1997	8,599	8,920	2,328	Heberling
1998	7,585	7,738	2,175	"
1999	9,948	9,959	2,164	"
2000	8,730	8,872	2,022	"
2001	9,351	9,453	1,920	"
2002	10,765	11,396	1,289	Januzzi
2003	11,124	11,212	1,206	"
2004	10,530	10,642	1,103	"
2005	9,541	9,758	888	"
2006	9,013	9,068	833	"
2007	9,193	9,024	918	"
2008	8,820	8,860	878	"
2009	8,521	8,510	889	"
2010	8,227	8,407	707	"
2011	8,005	8,033	679	"
2012	8,361	8,354	686	"
2013	8,355	8,424	617	"
2014	8,348	8,179	786	"
2015	10,031	9,176	855	"
2016	7,145	7,433	567	"

**2017**

**7,211**

**7,038**

**740**

**“**

Oberlin Municipal Court  
Statistical Analysis  
Cases Filed 2001-2017

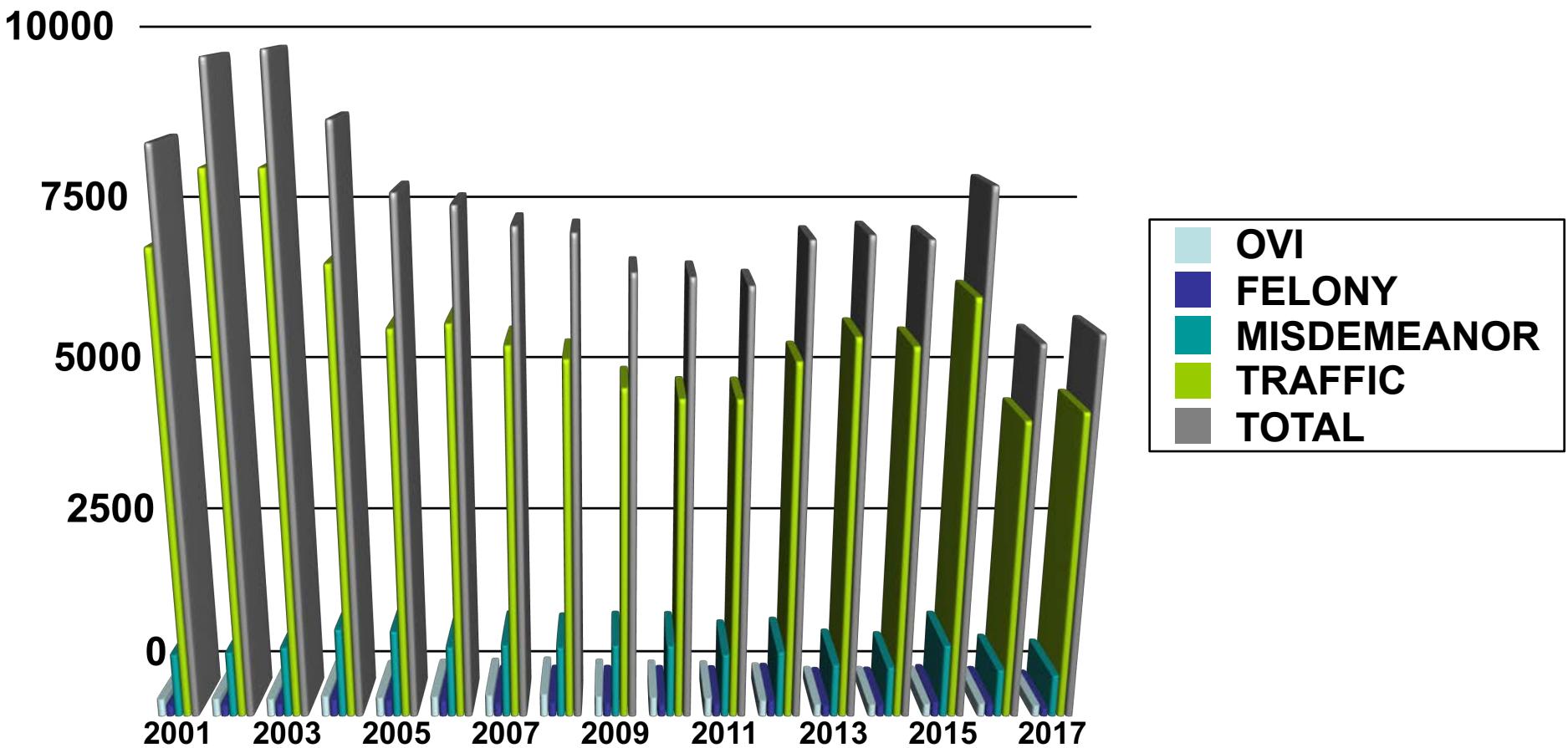


The following information was compiled from the Oberlin Municipal Court computer system. The information represents adult felony, misdemeanor, traffic and OVI charges filed in the Oberlin Municipal Court for the calendar years 2001-2017. The information does not contain cases filed in Juvenile Court or indictments issued by the Lorain County Grand Jury for incidents in the Oberlin Municipal Court Jurisdiction.

# Table of Contents

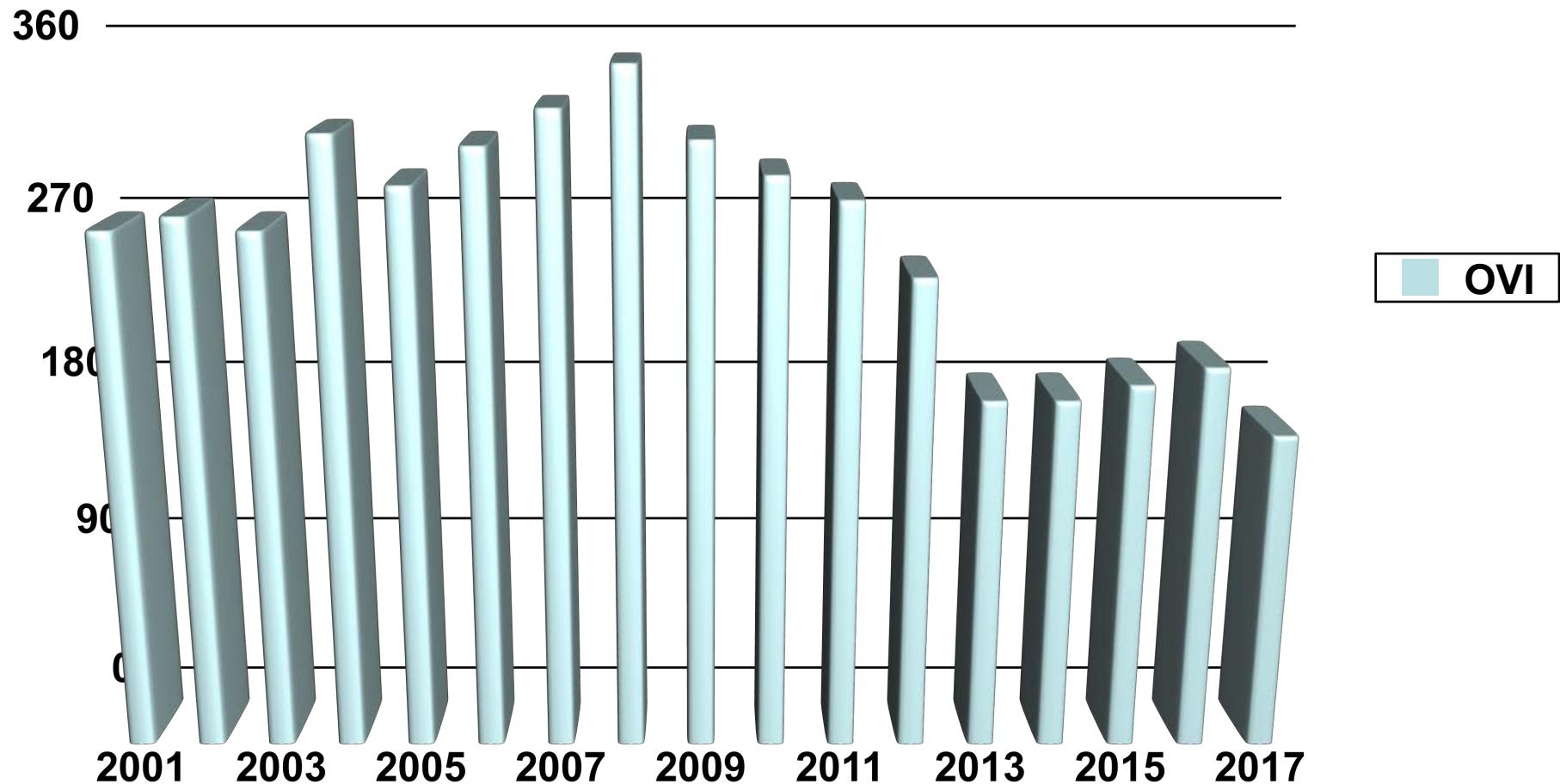
Page 72	Cover and Summary
Page 72	Table of Contents
Page 72-73	All Agencies
Page 73-74	Amherst Police Department
Pages 74-75	Oberlin Police Department
Pages 75	Ohio State Highway Patrol
Pages 76	Wellington Police Department
Pages 76-77	Lorain County Sheriff
Page 77-78	S. Amherst Police Department
Page 78-79	Kipton Police Department

# ALL CASES FILED BY ALL AGENCIES 2001-2017



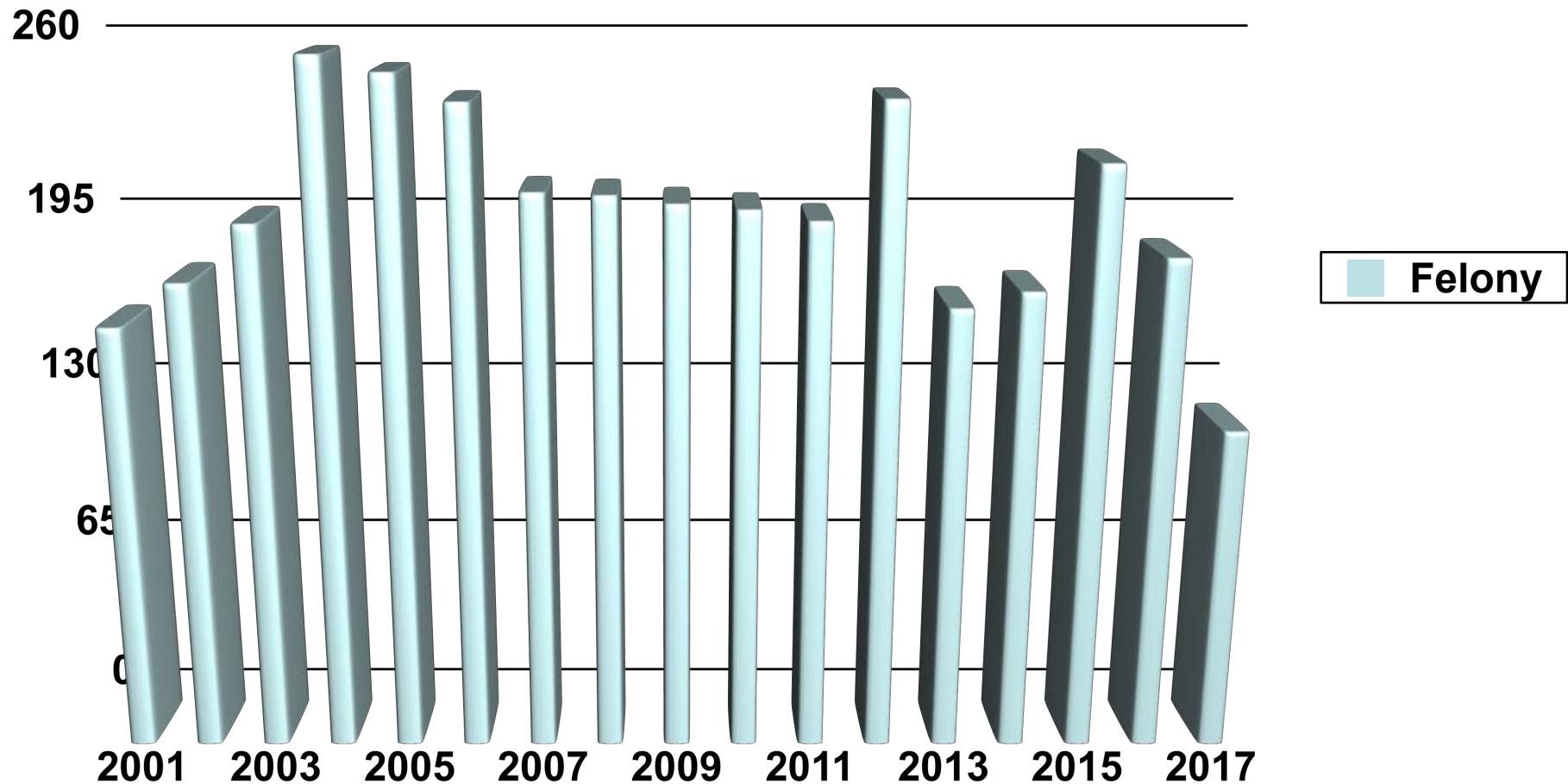
# OVI cases Filed 2001-2017

## All Agencies



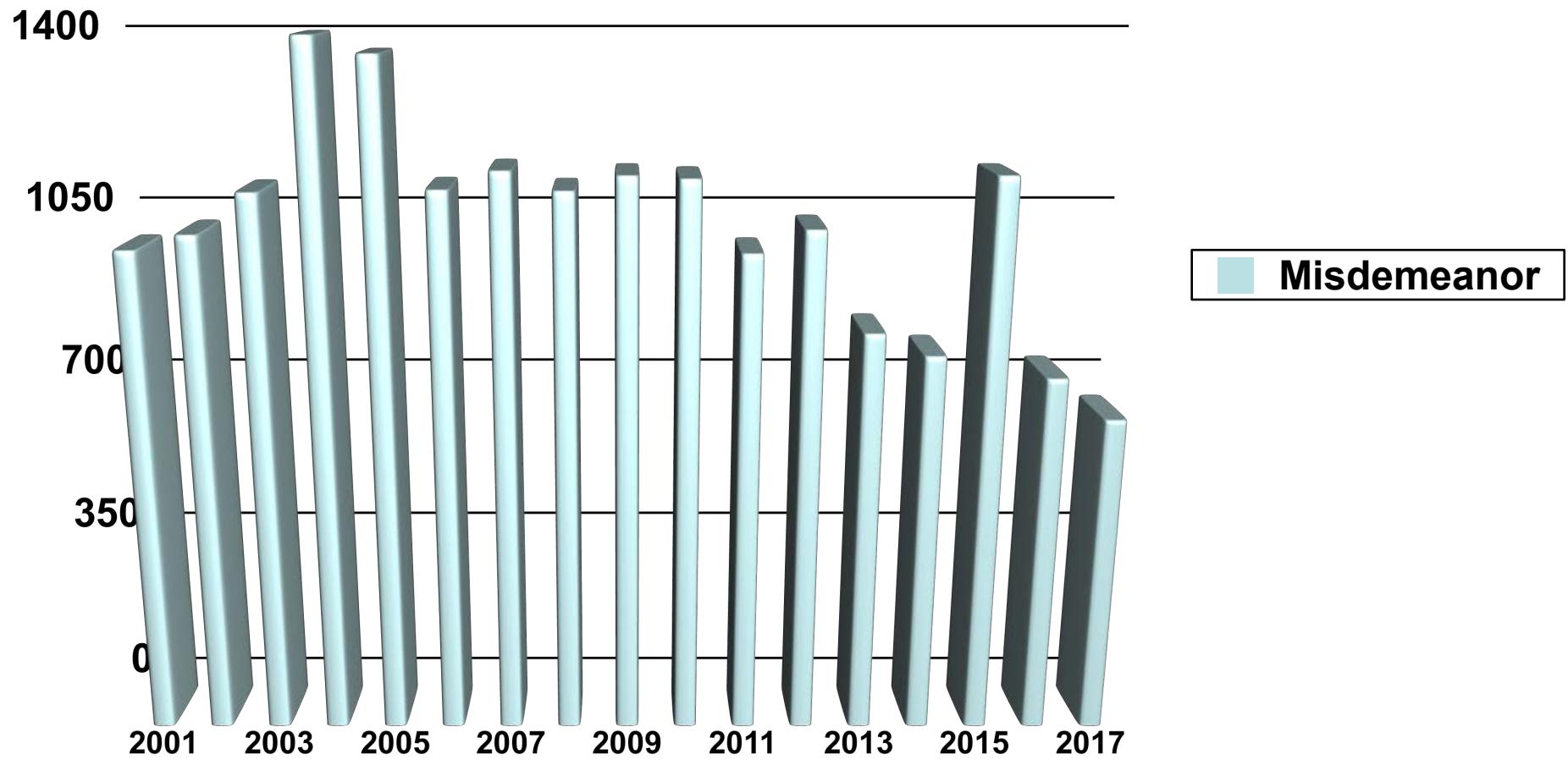
# Felony cases Filed 2001-2017

## All Agencies



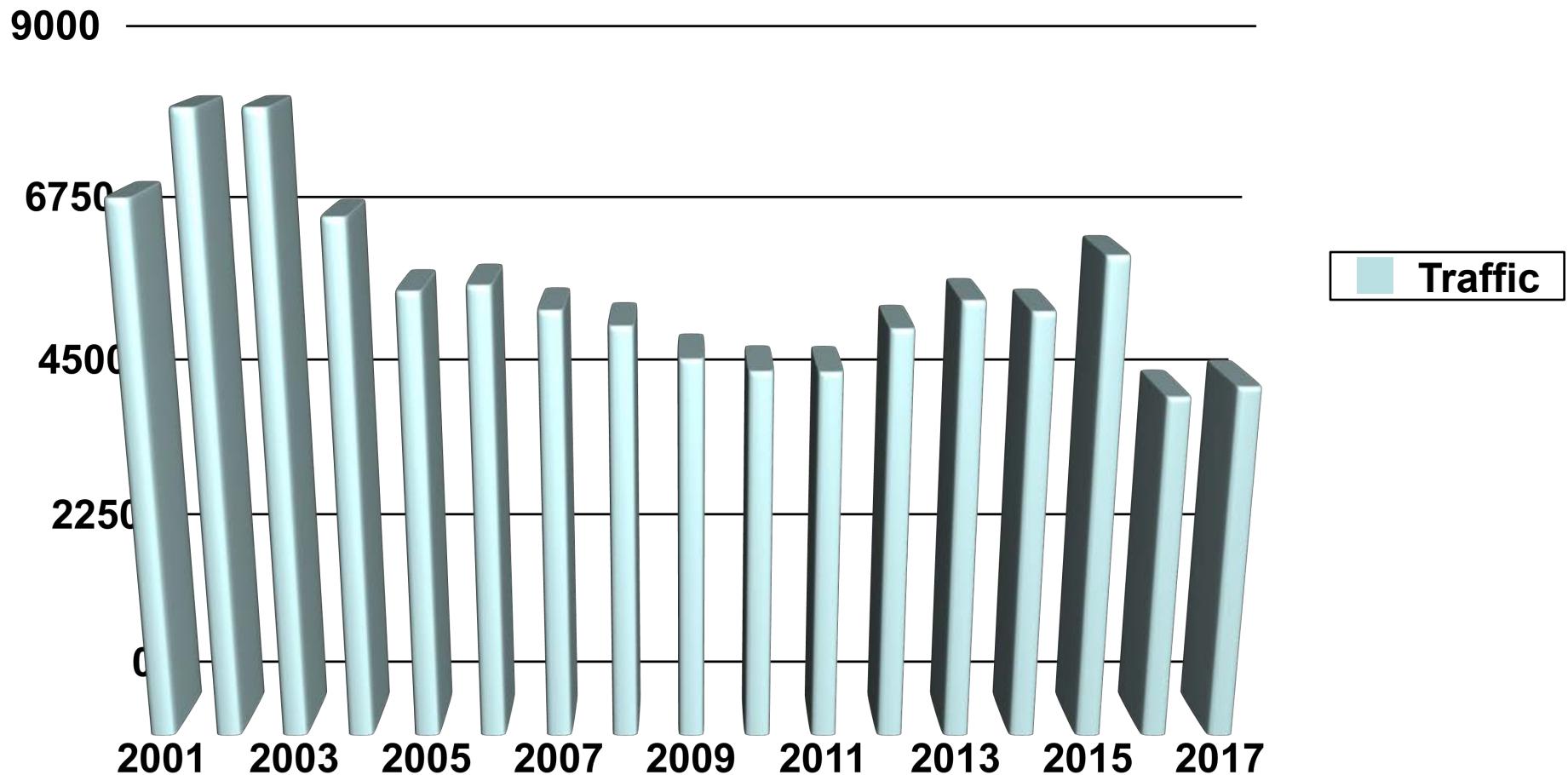
# Misdemeanor cases Filed 2001-2017

## All Agencies

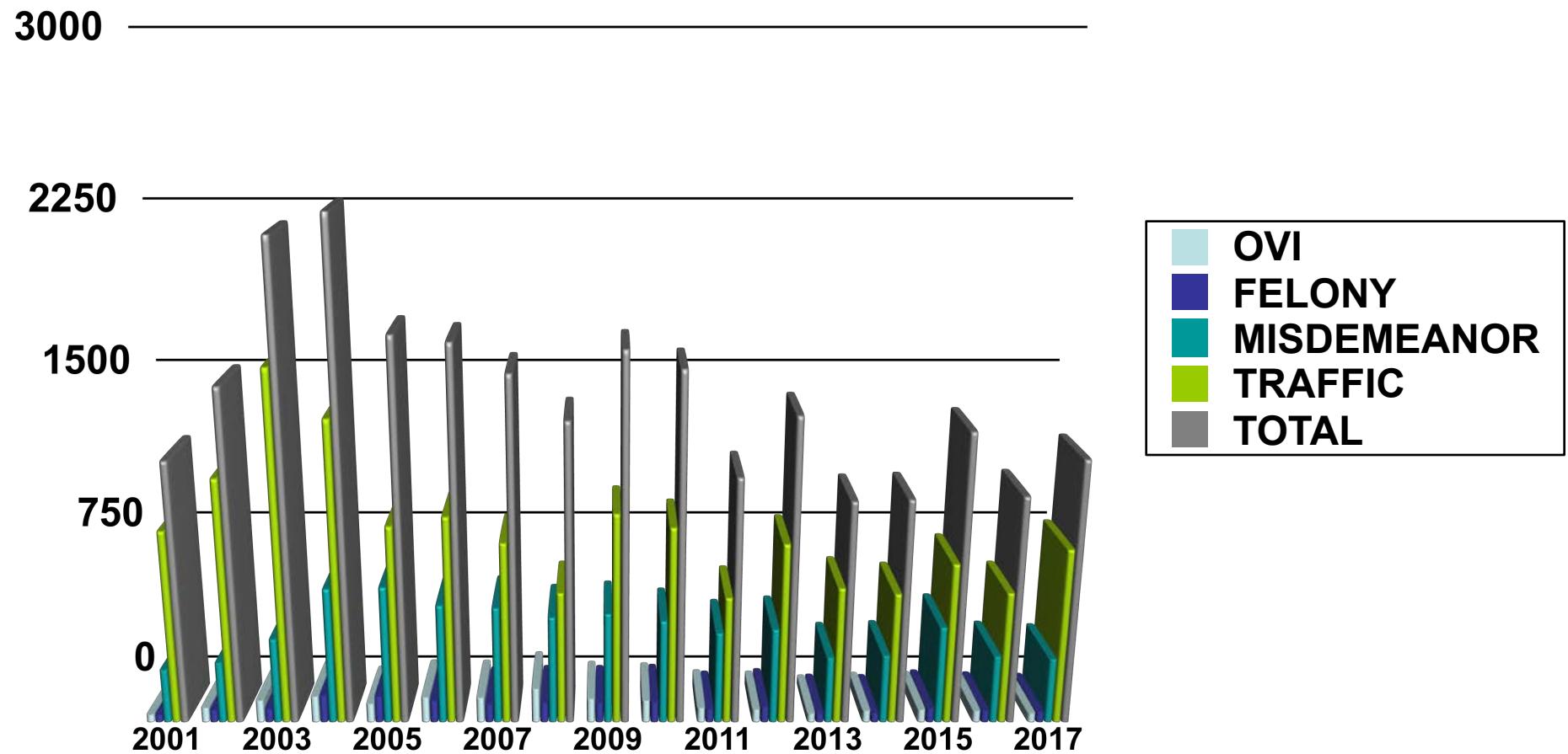


# Traffic cases Filed 2001-2017

## All Agencies

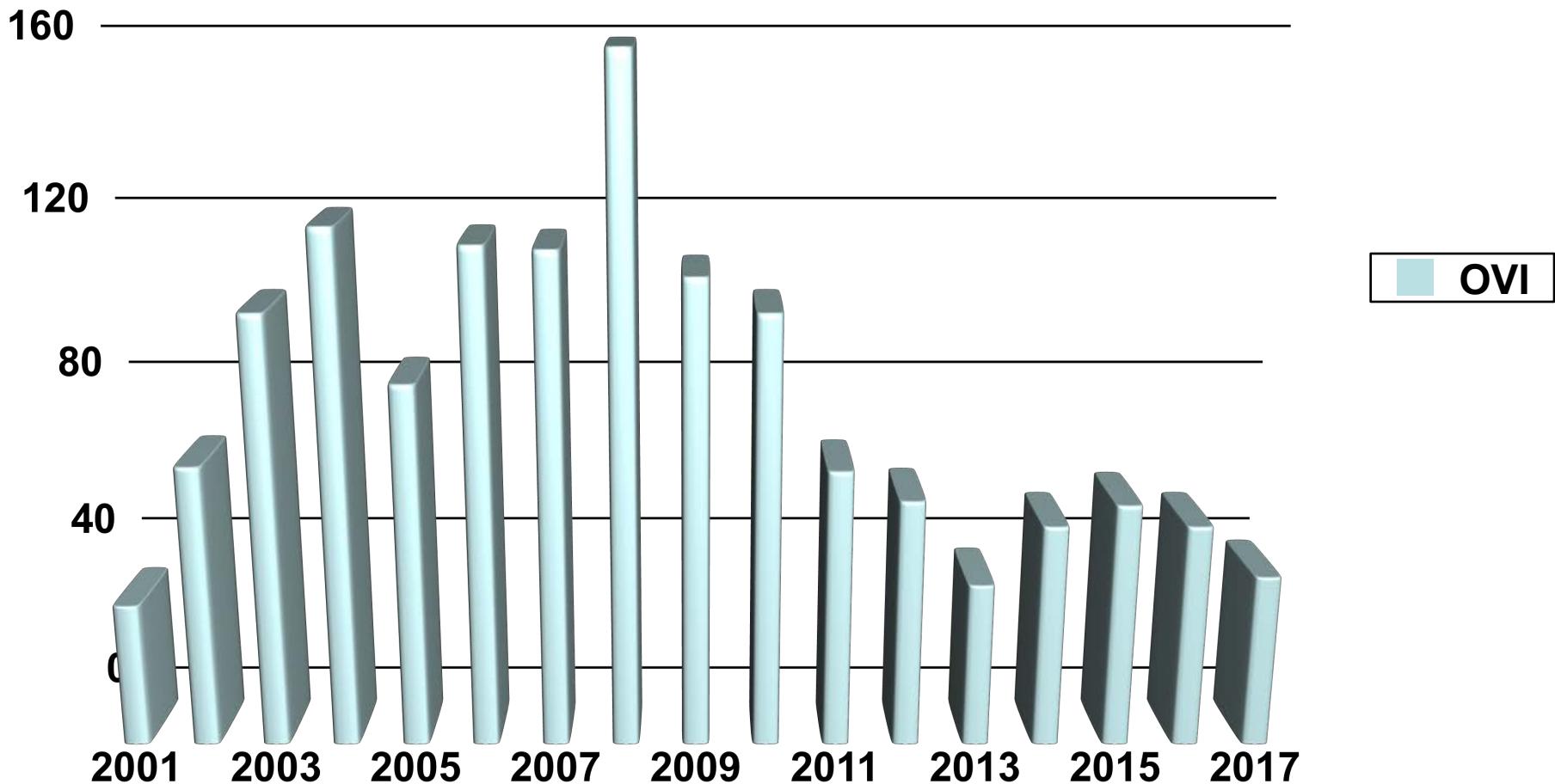


# Amherst Cases Filed 2001-2017 by category



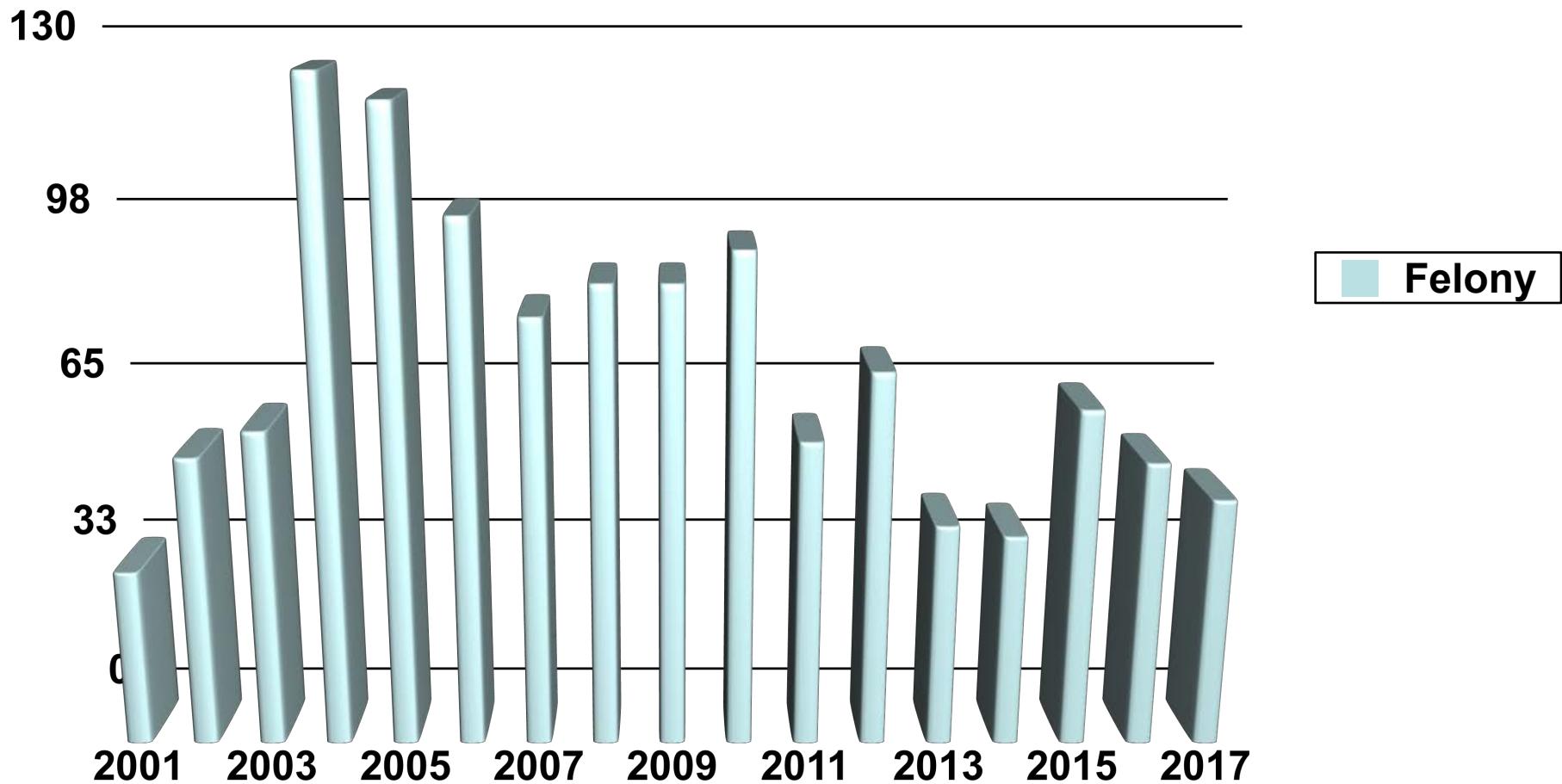
# OVI cases Filed 2001-2017

## Amherst



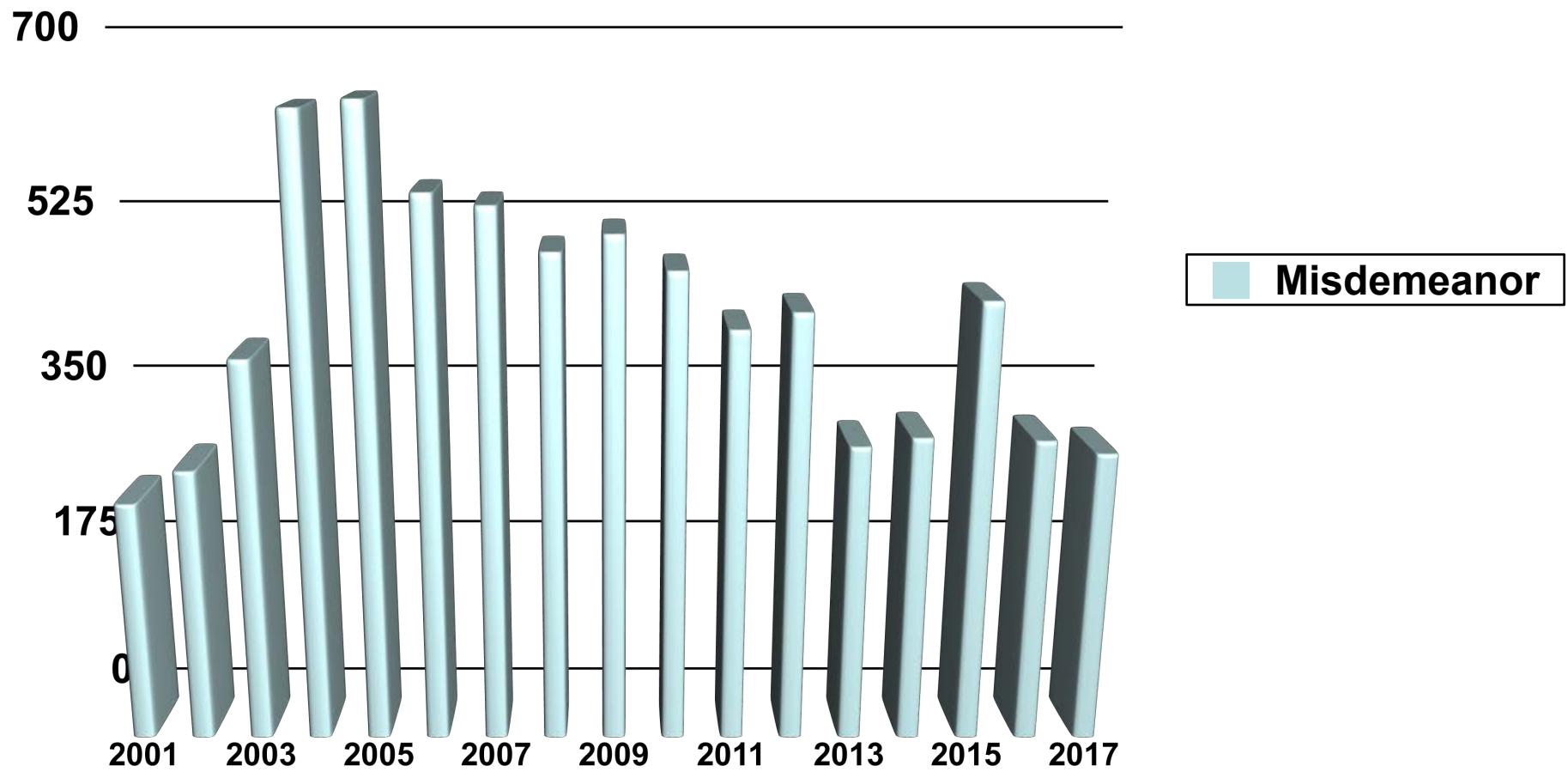
# Felony cases Filed 2001-2017

## Amherst



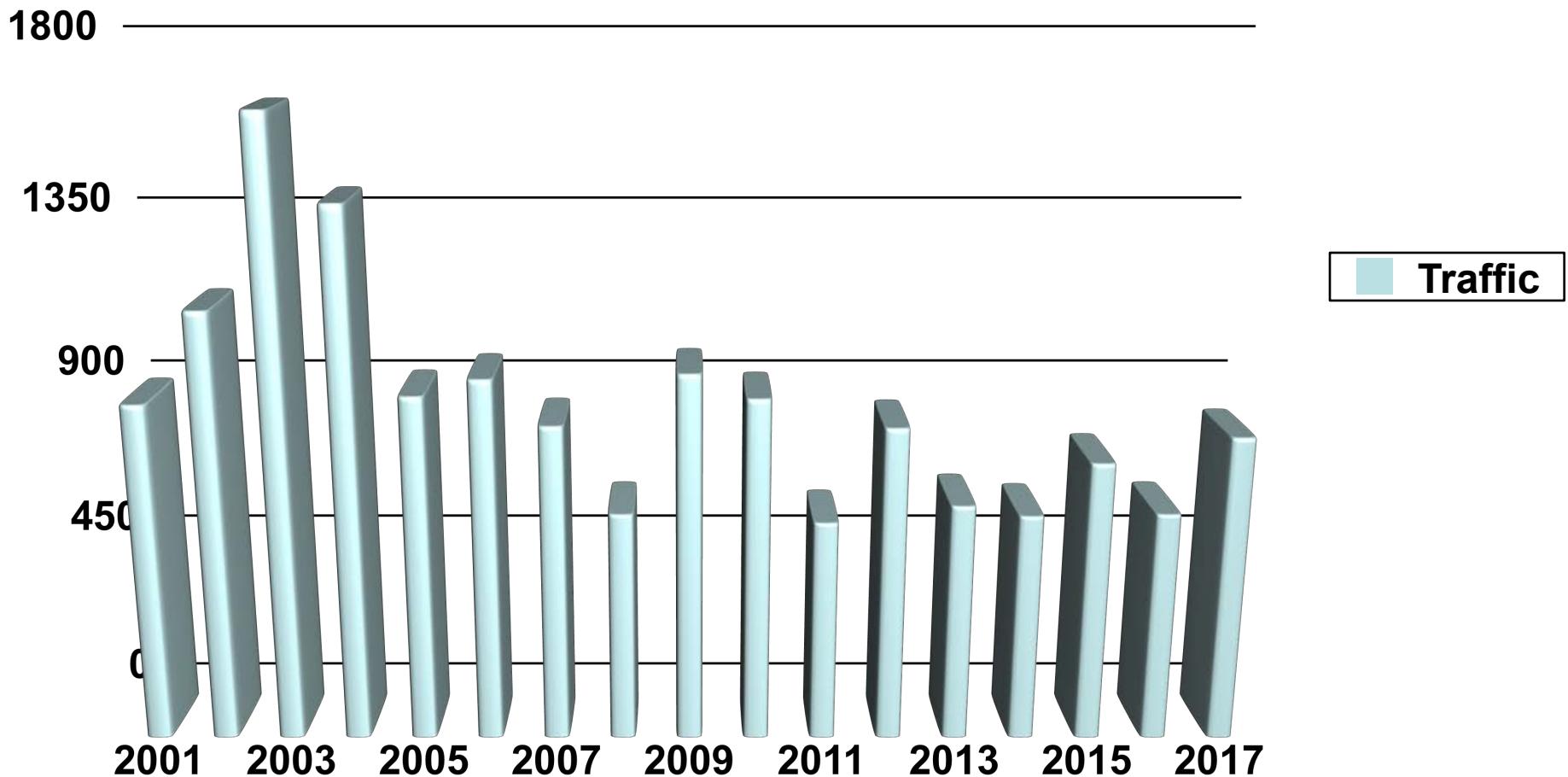
# Misdemeanor cases Filed 2001-2017

## Amherst

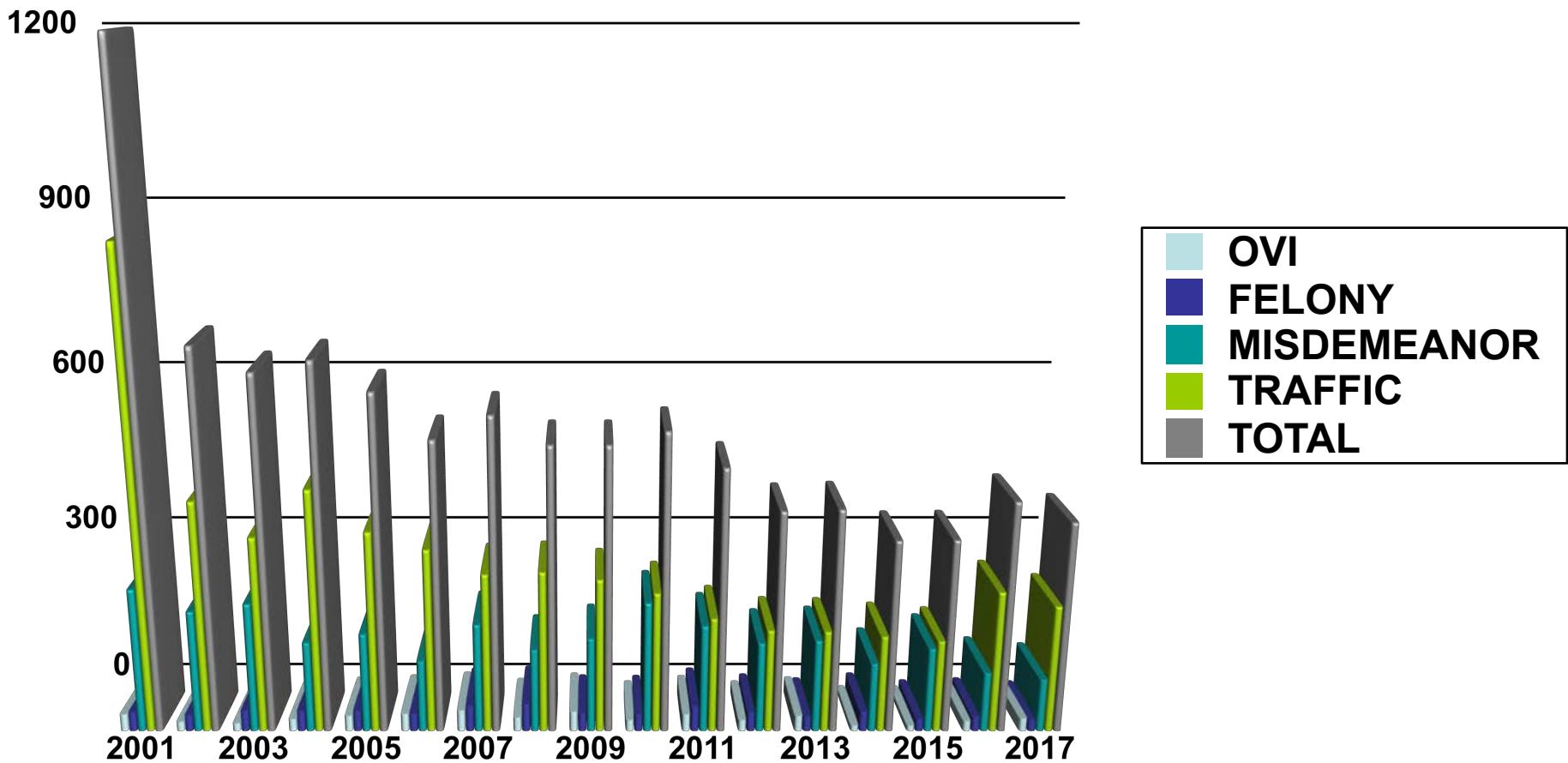


# Traffic cases Filed 2001-2017

## Amherst

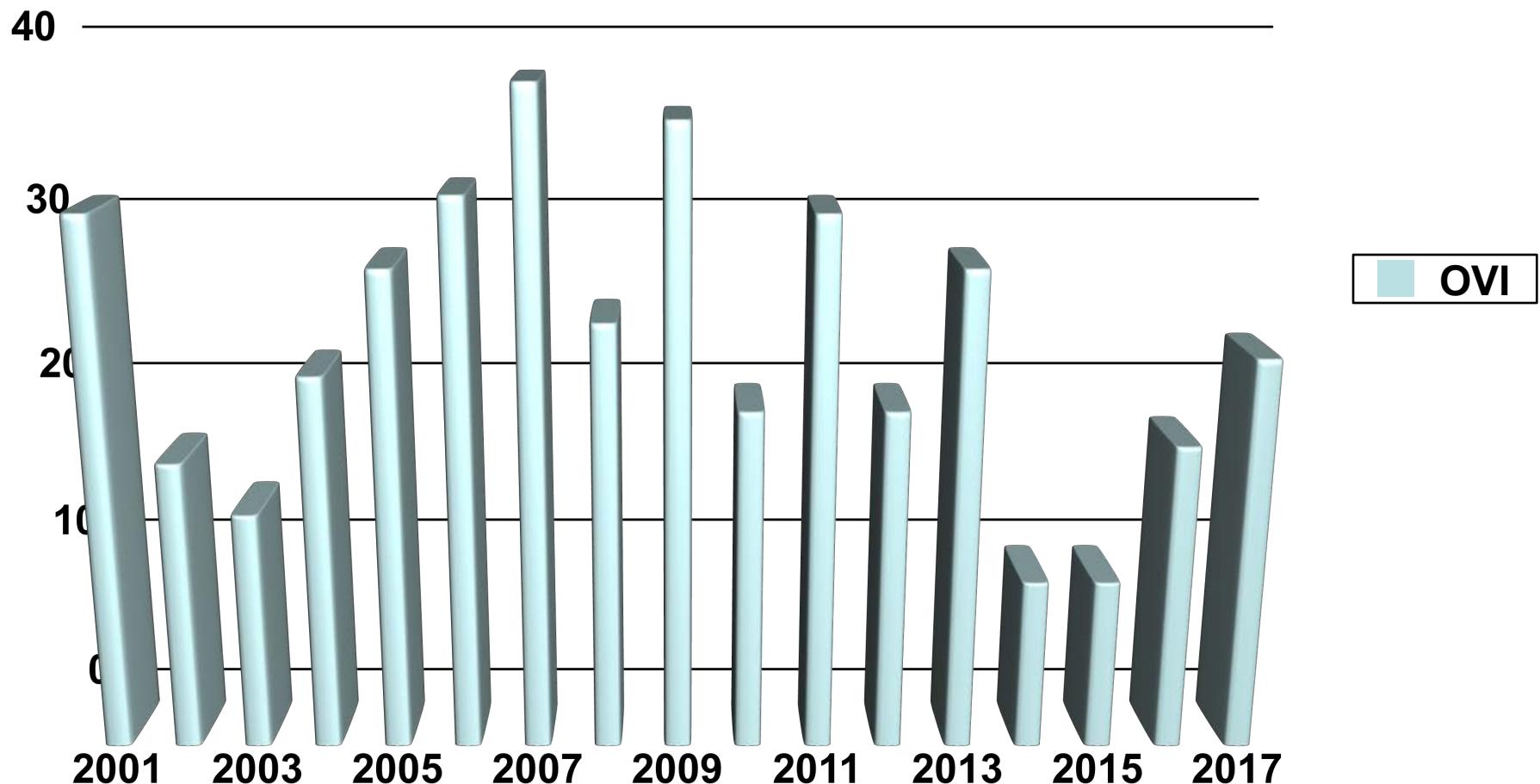


# Oberlin Cases Filed 2001-2017 by category



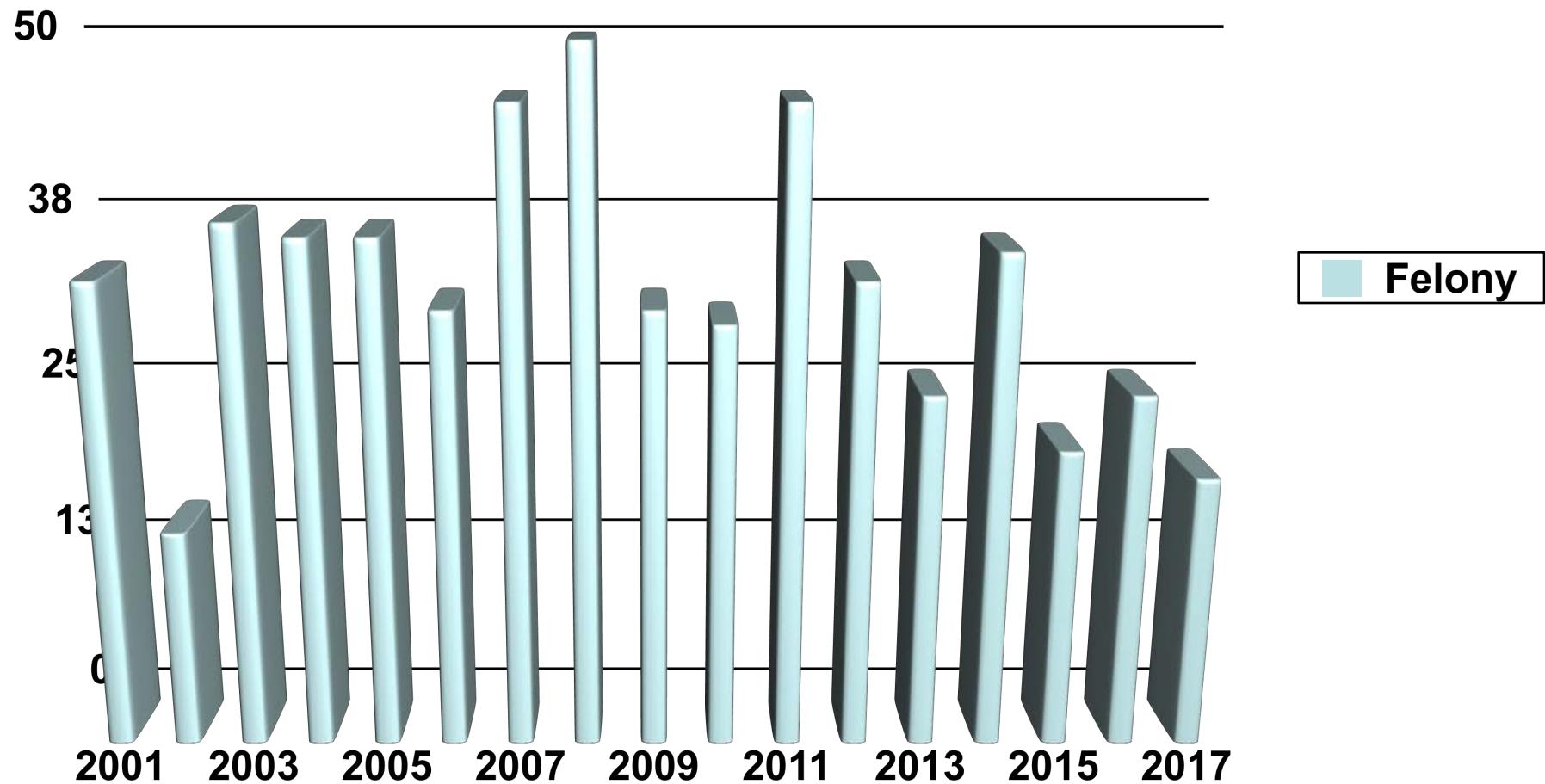
# OVI cases Filed 2001-2017

## Oberlin



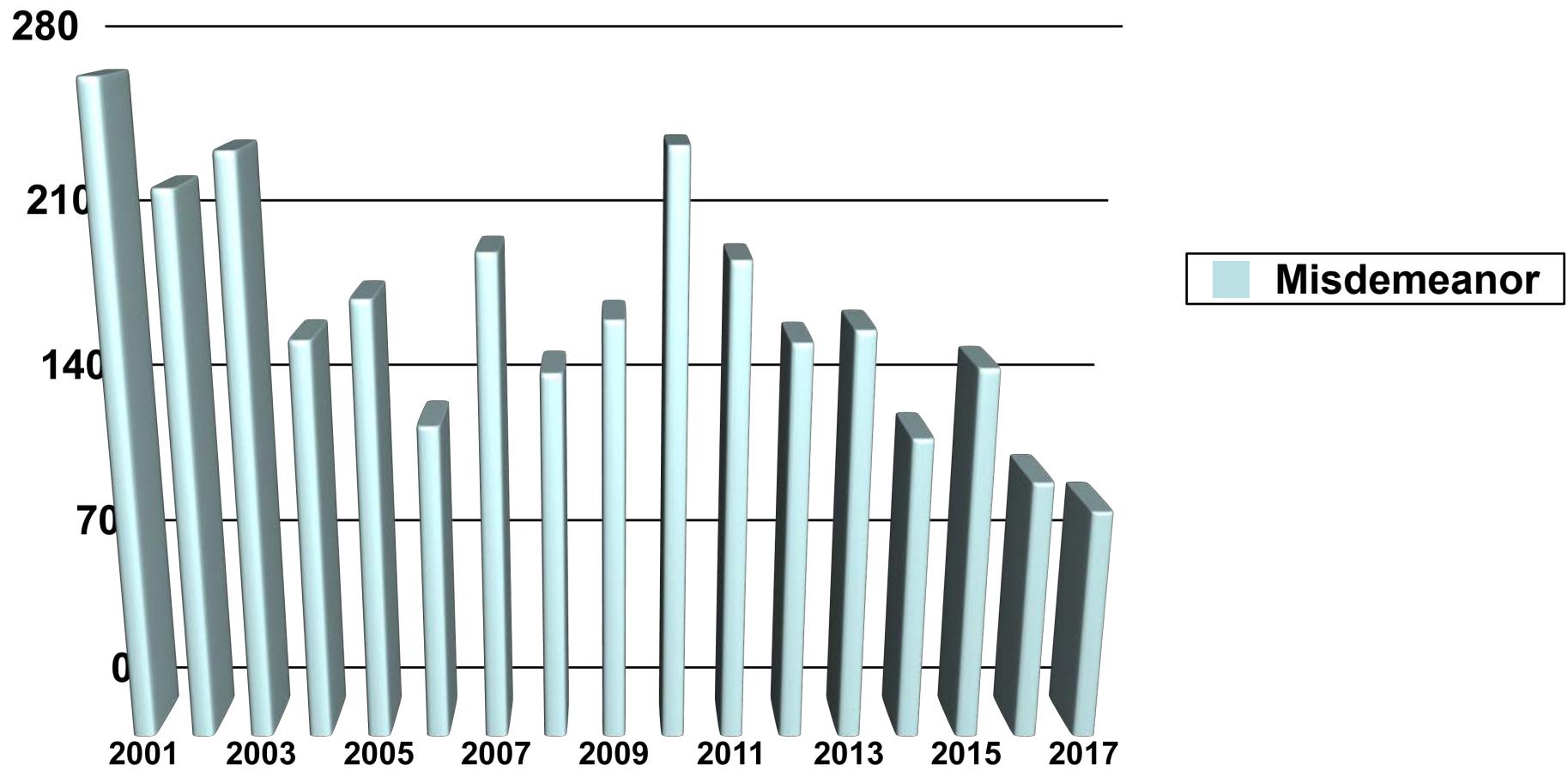
# Felony cases Filed 2001-2017

## Oberlin



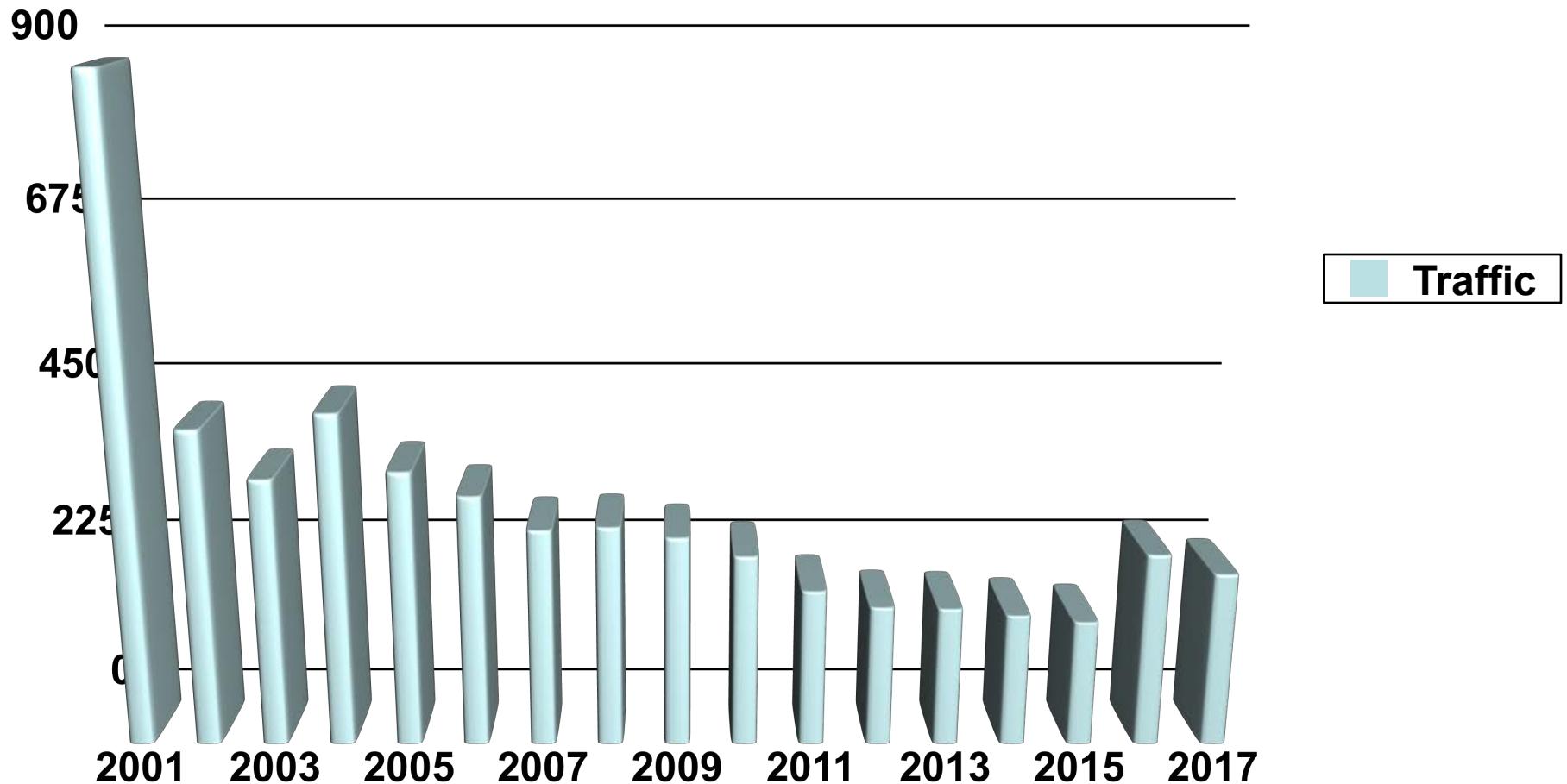
# Misdemeanor cases Filed 2001-2017

## Oberlin

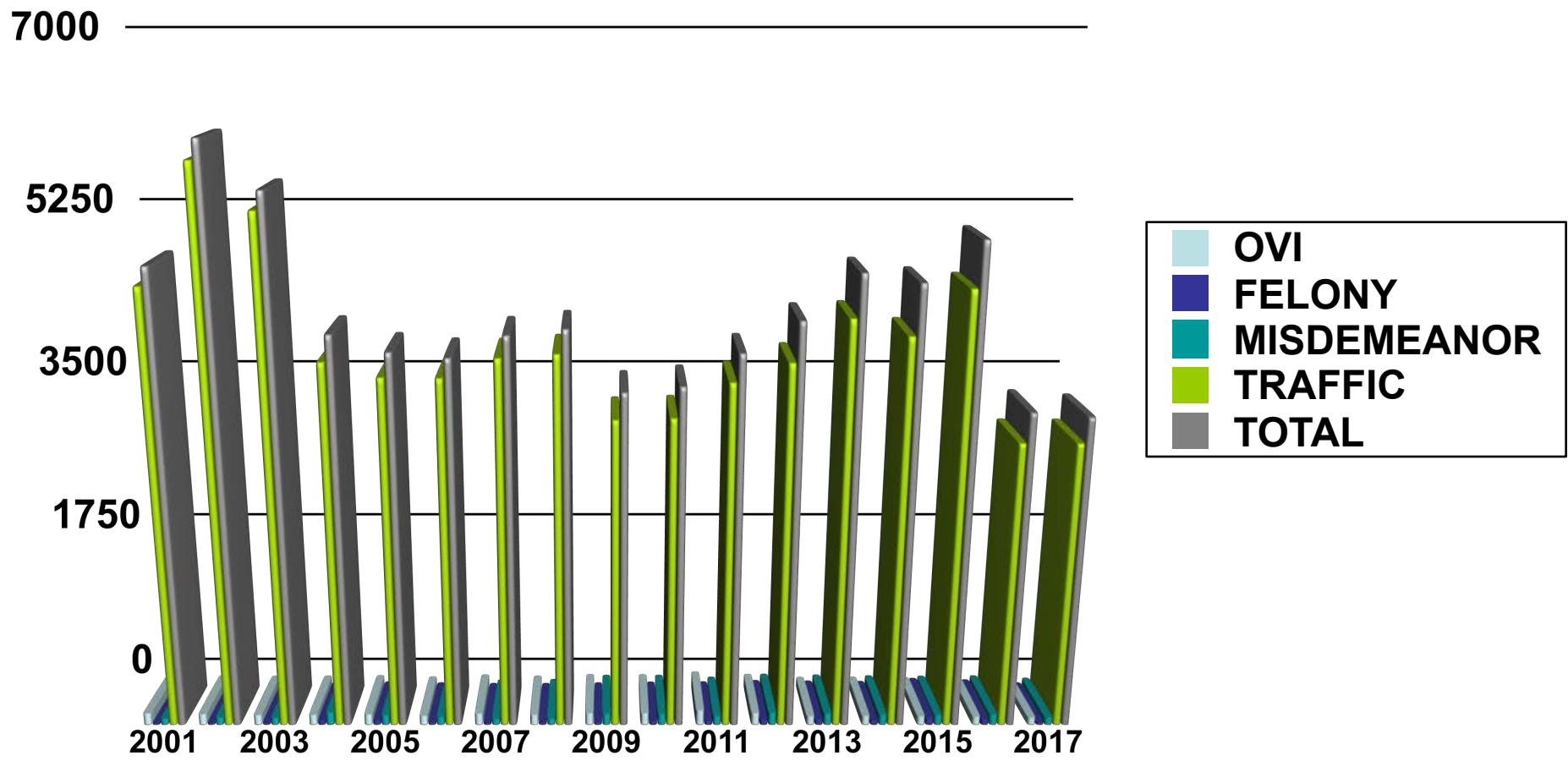


# Traffic cases Filed 2001-2017

## Oberlin

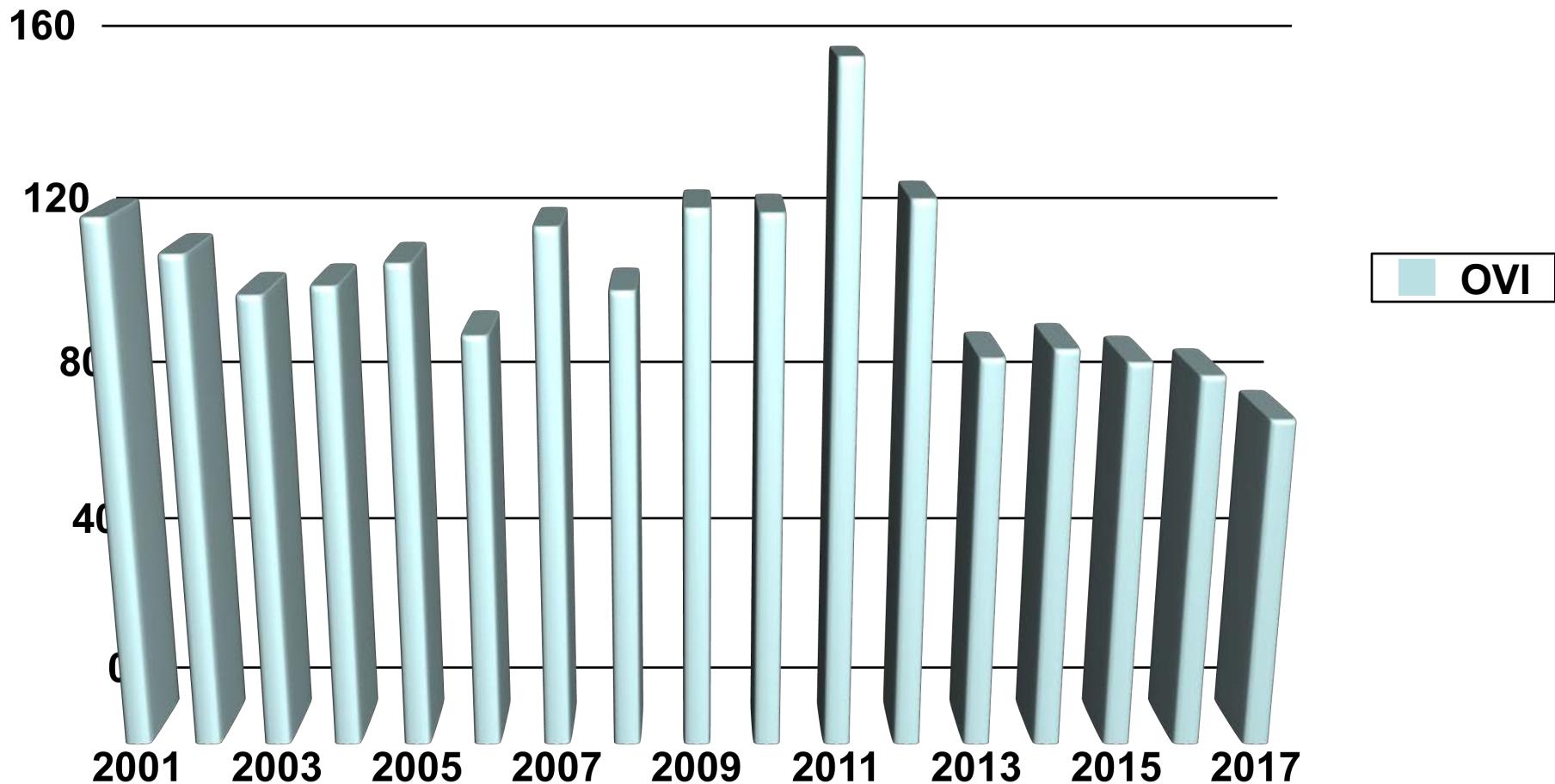


# Ohio State Highway Patrol Cases Filed 2001-2017 by category



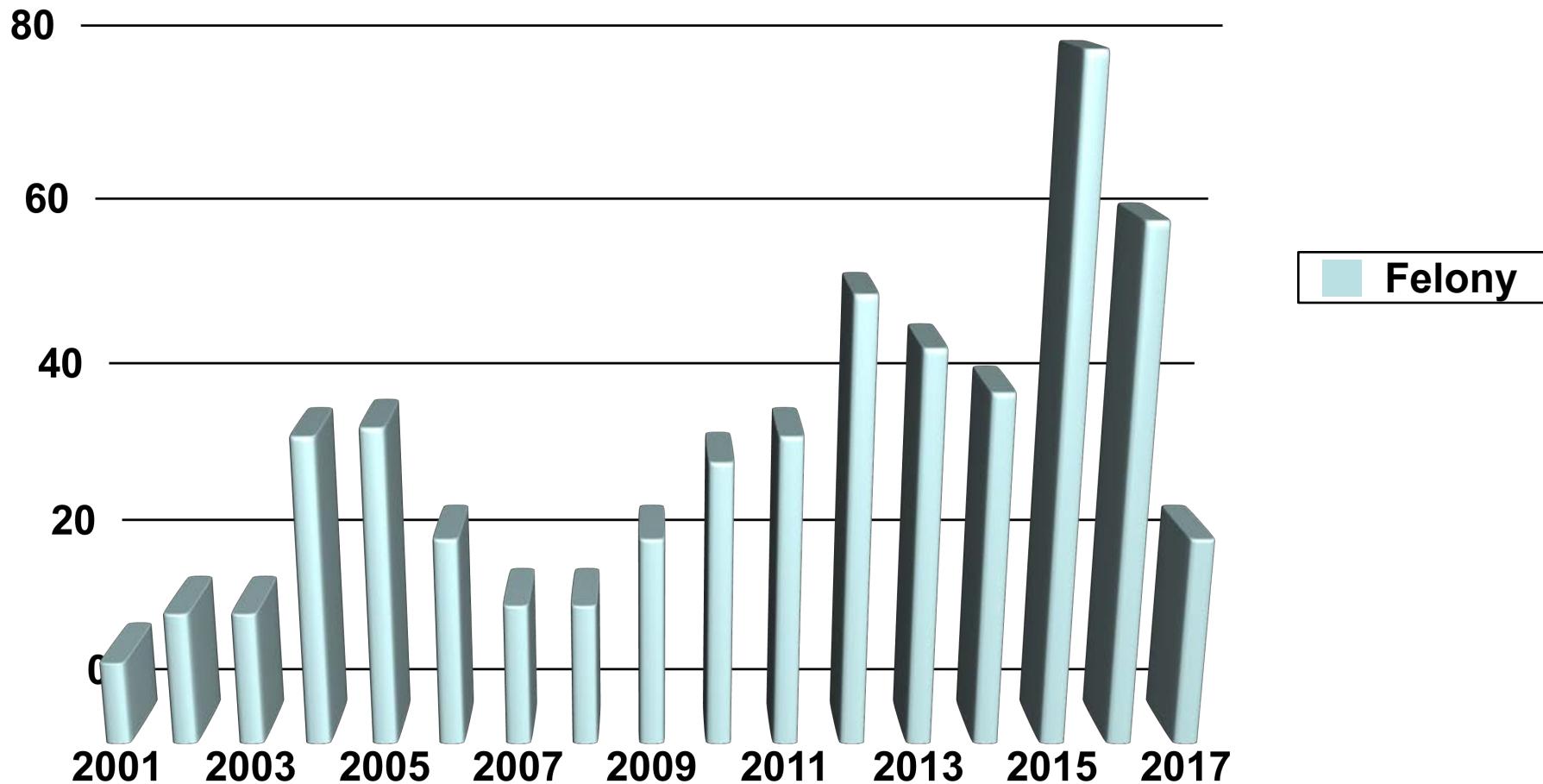
# OVI cases Filed 2001-2017

## Ohio State Highway Patrol



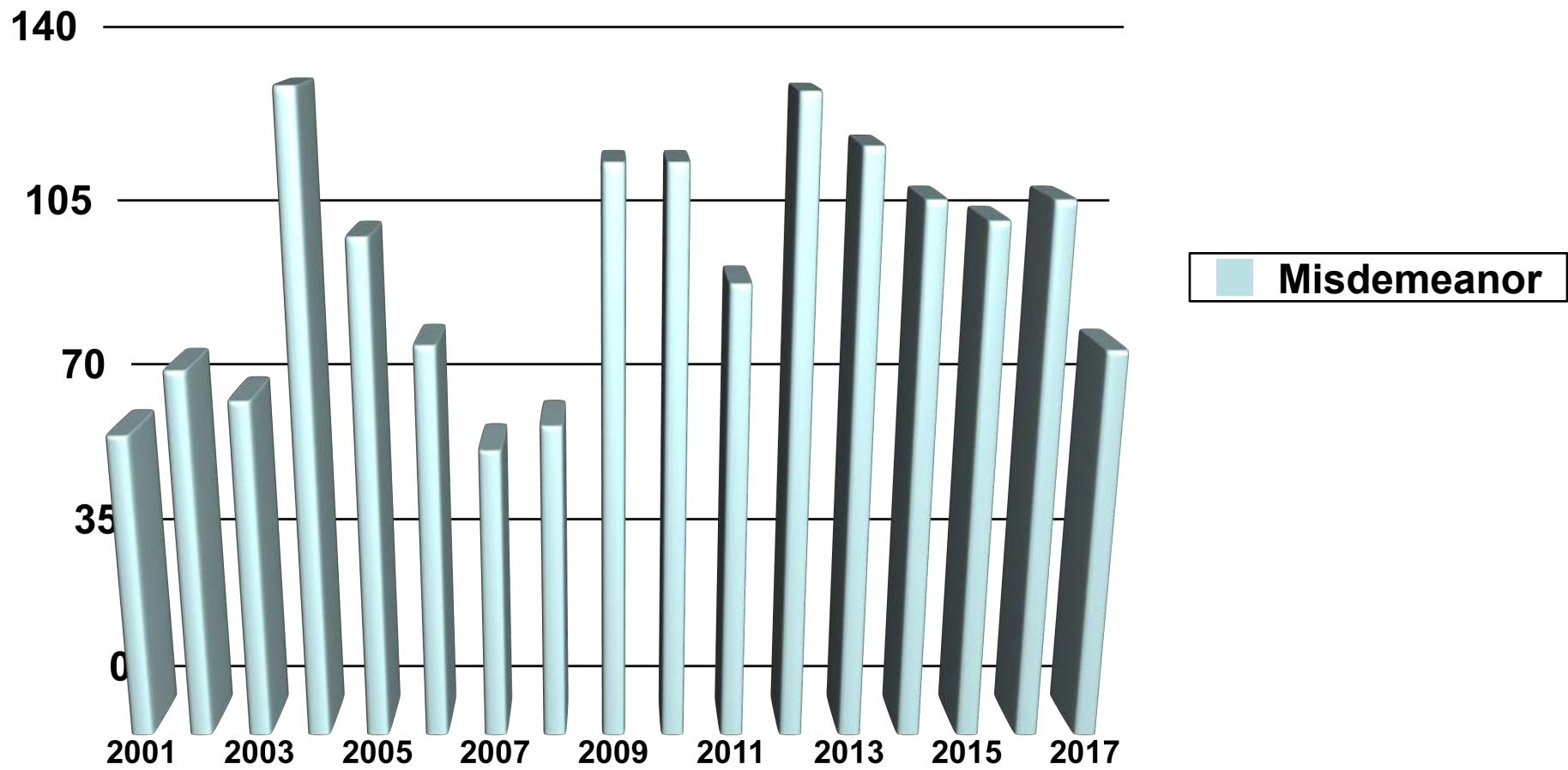
# Felony cases Filed 2001-2017

## Ohio State Highway Patrol



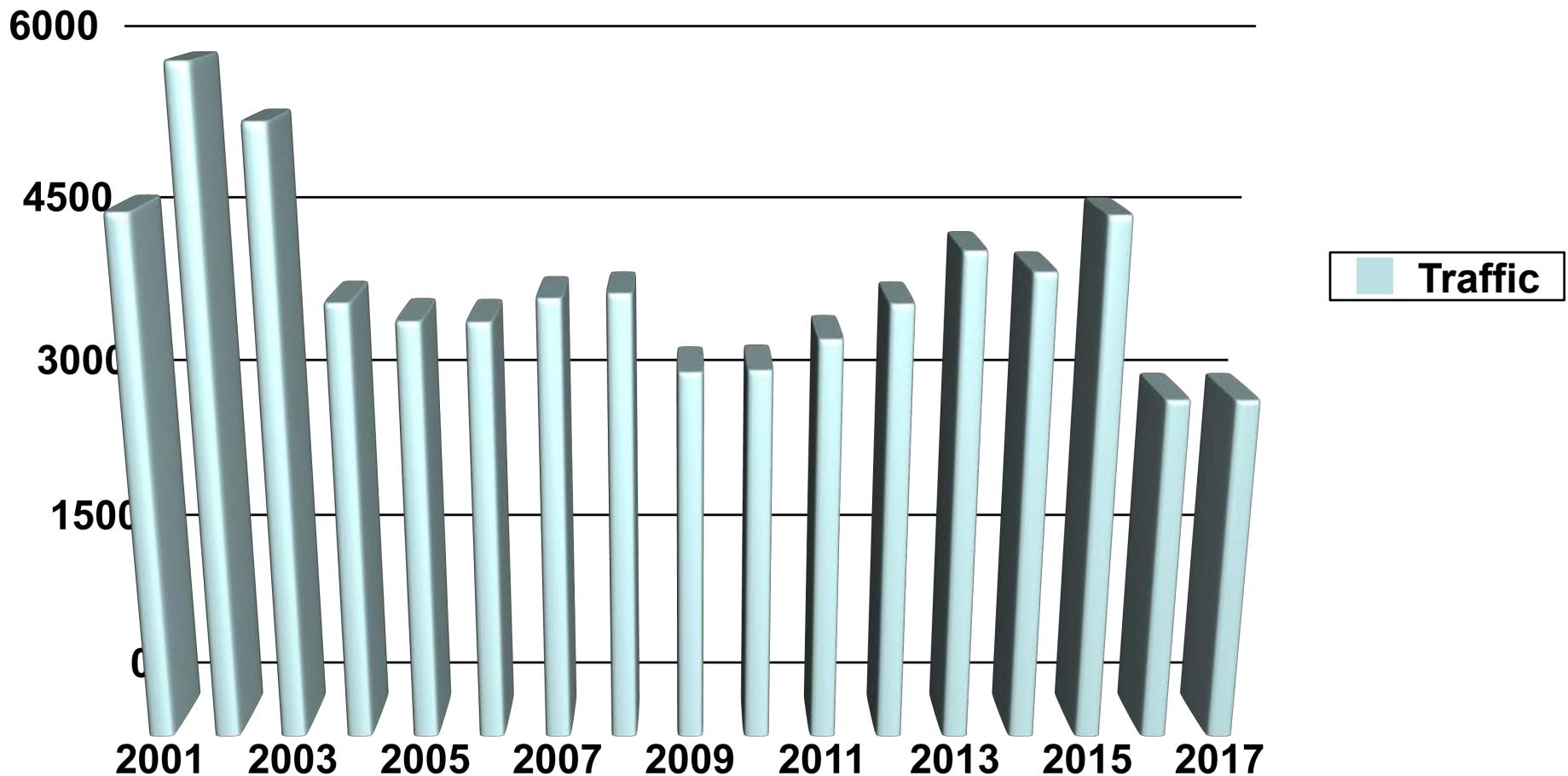
# Misdemeanor cases Filed 2001-2017

## Ohio State Highway Patrol

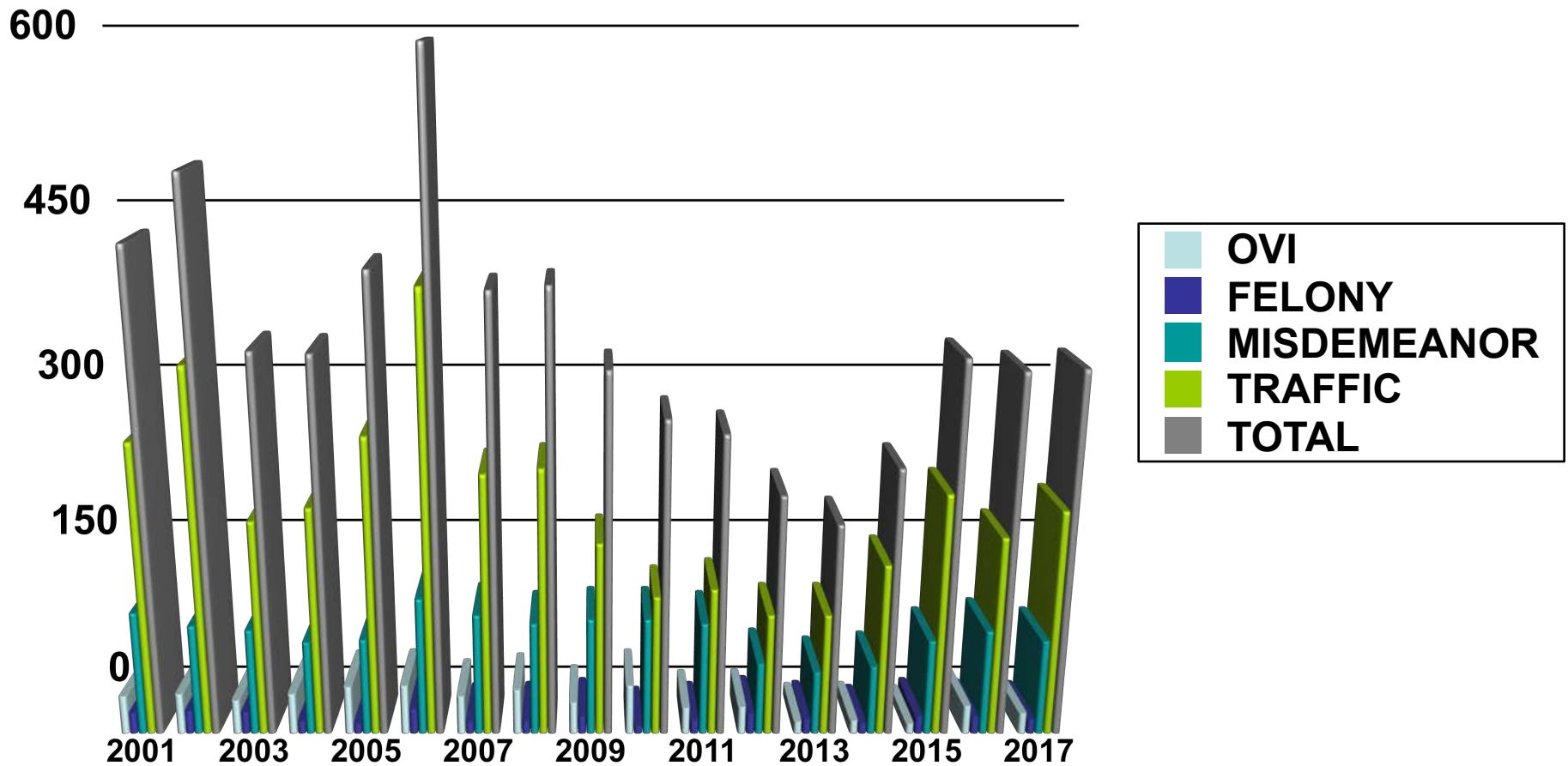


# Traffic cases Filed 2001-2017

## Ohio State Highway Patrol

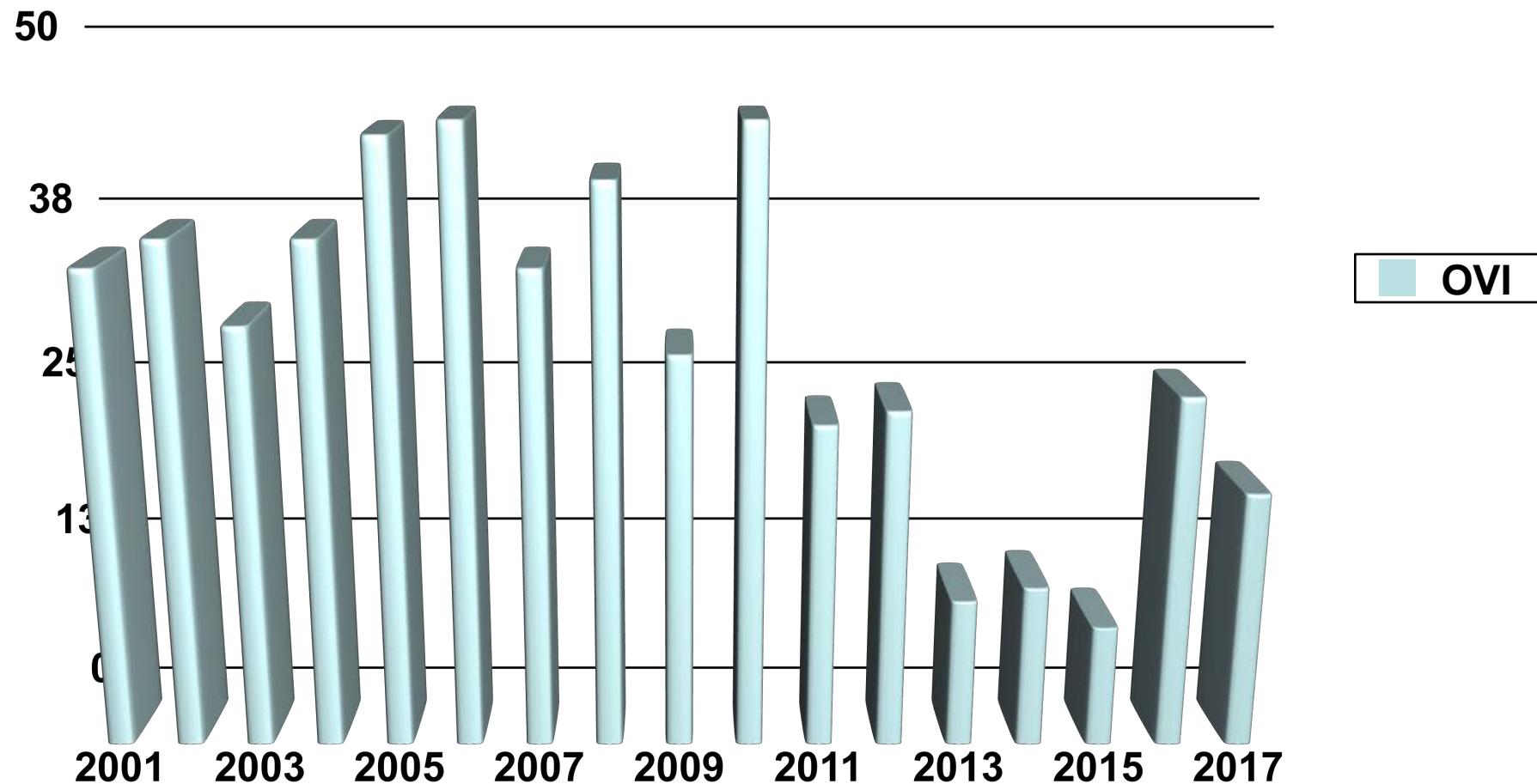


# Village of Wellington Cases Filed 2001-2017 by category



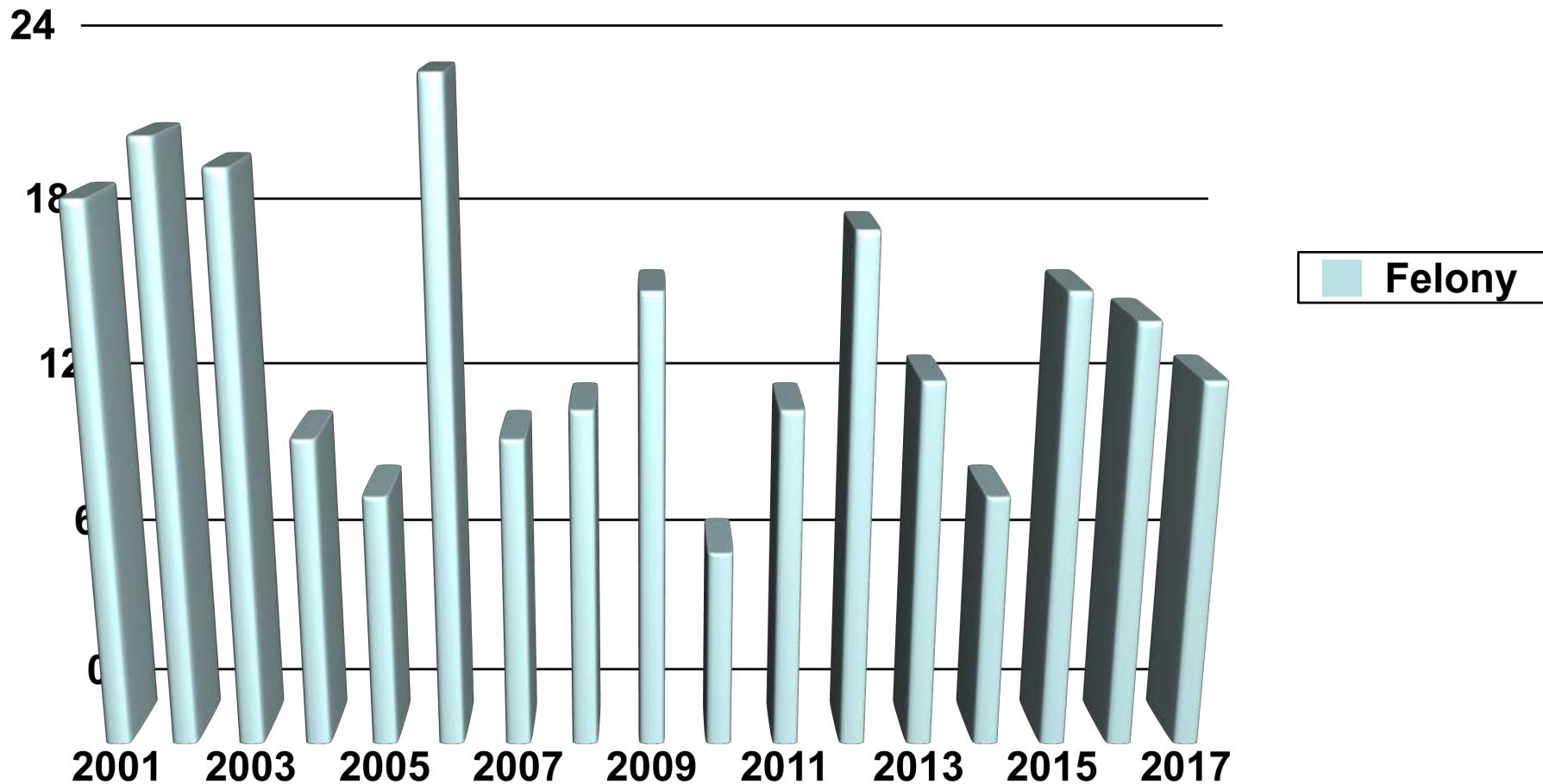
# OVI cases Filed 2001-2017

## Village of Wellington



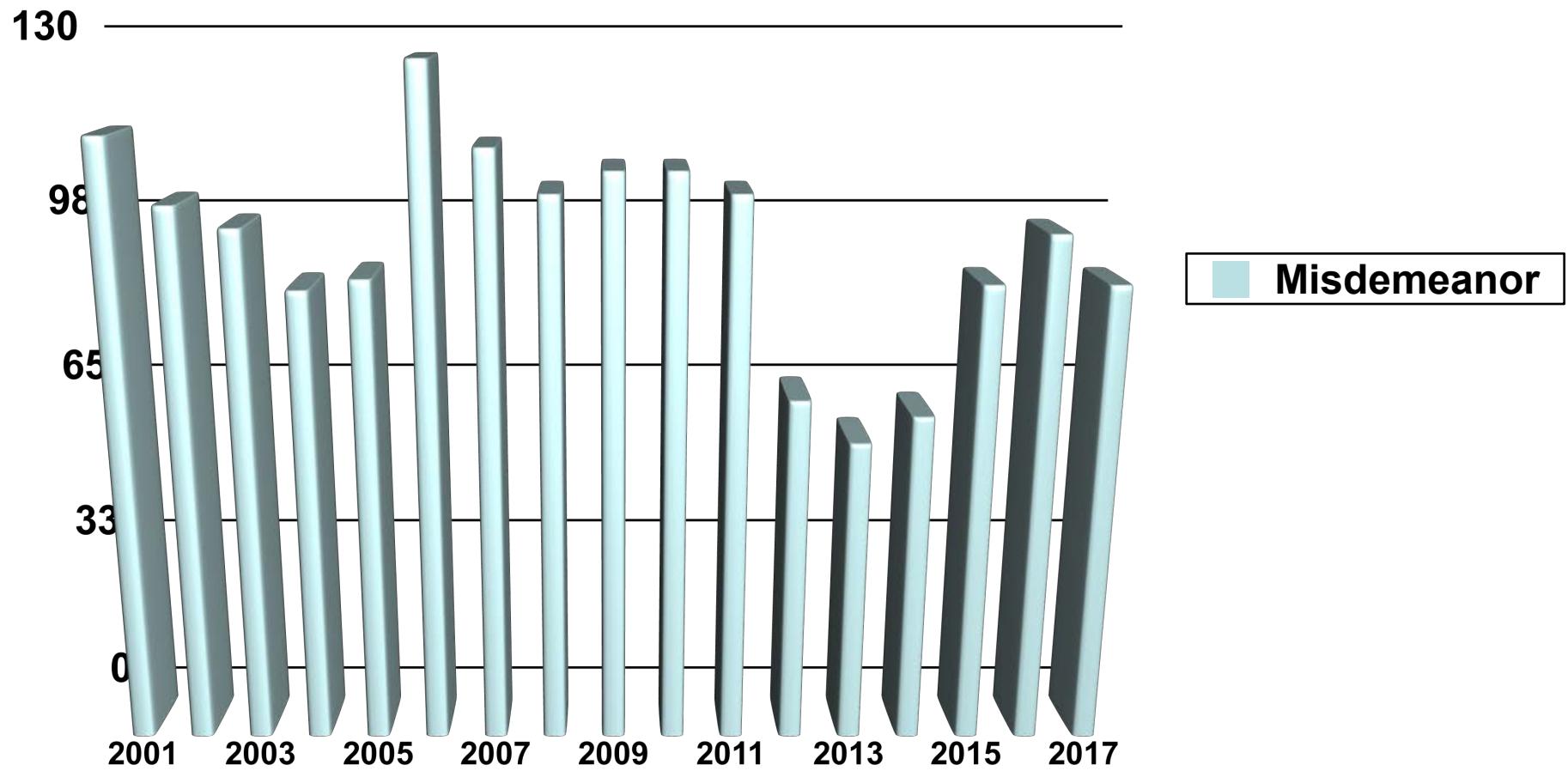
# Felony cases Filed 2001-2017

## Village of Wellington



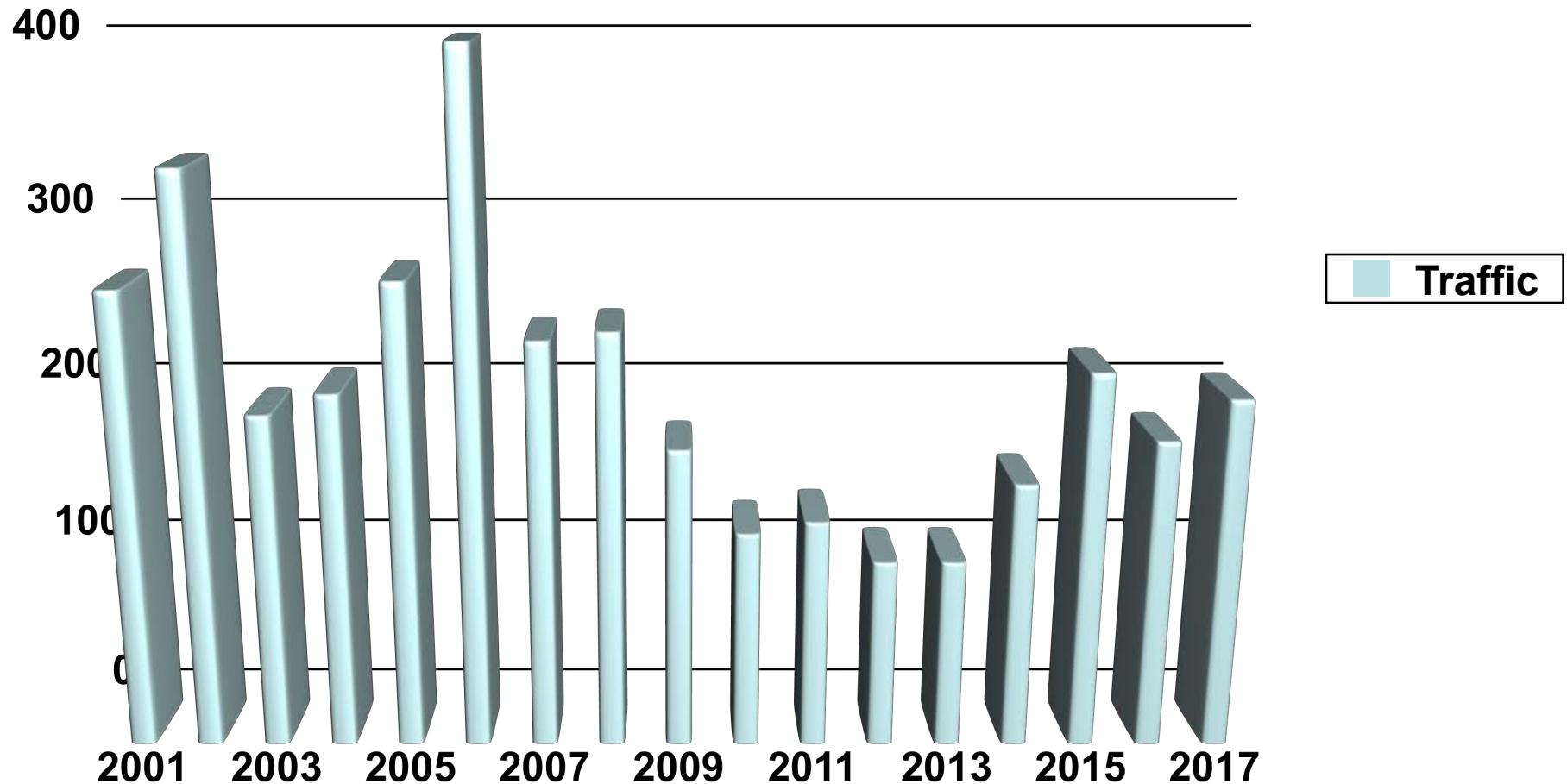
# Misdemeanor cases Filed 2001-2017

## Village of Wellington

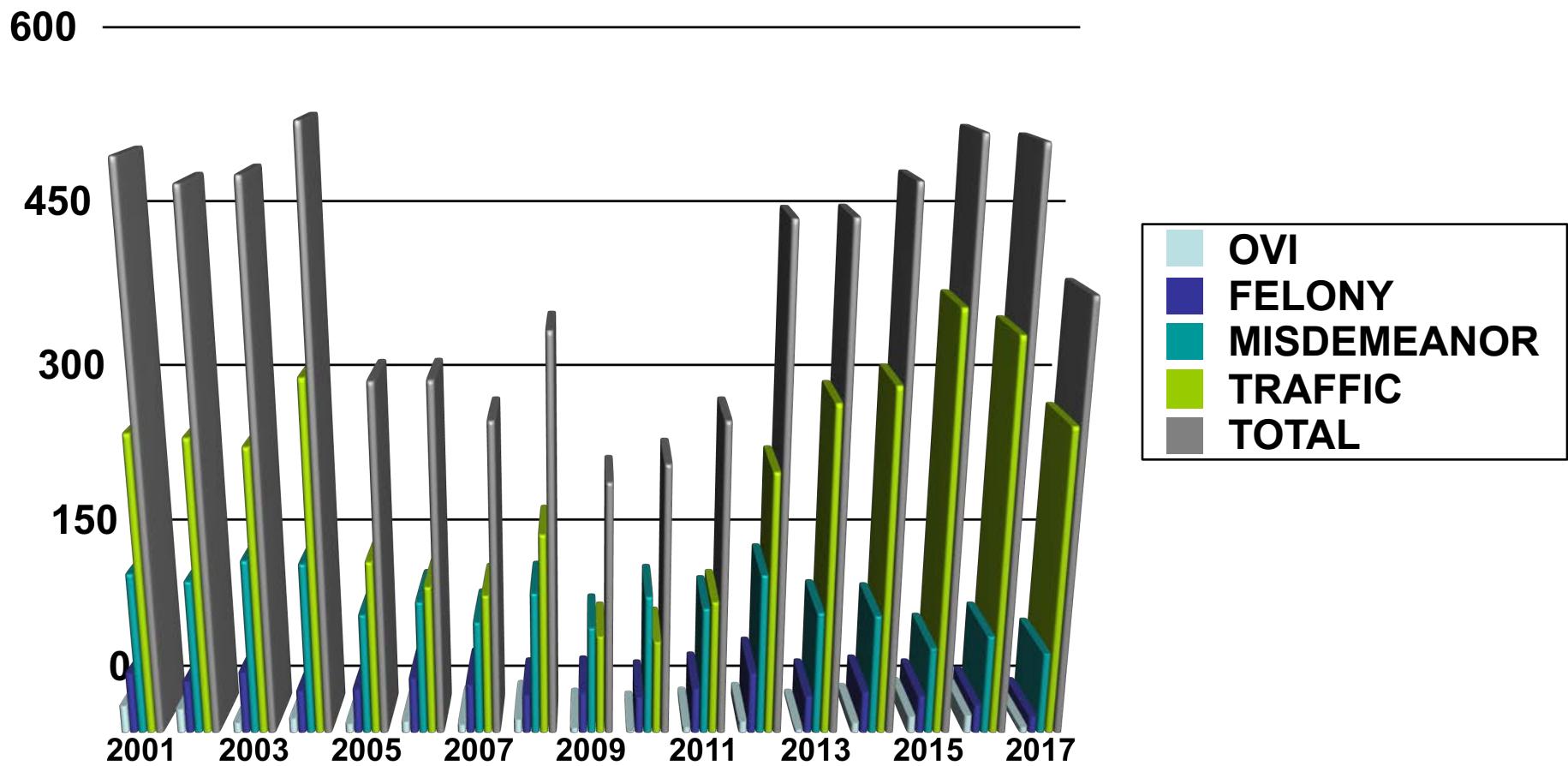


# Traffic cases Filed 2001-2017

## Village of Wellington

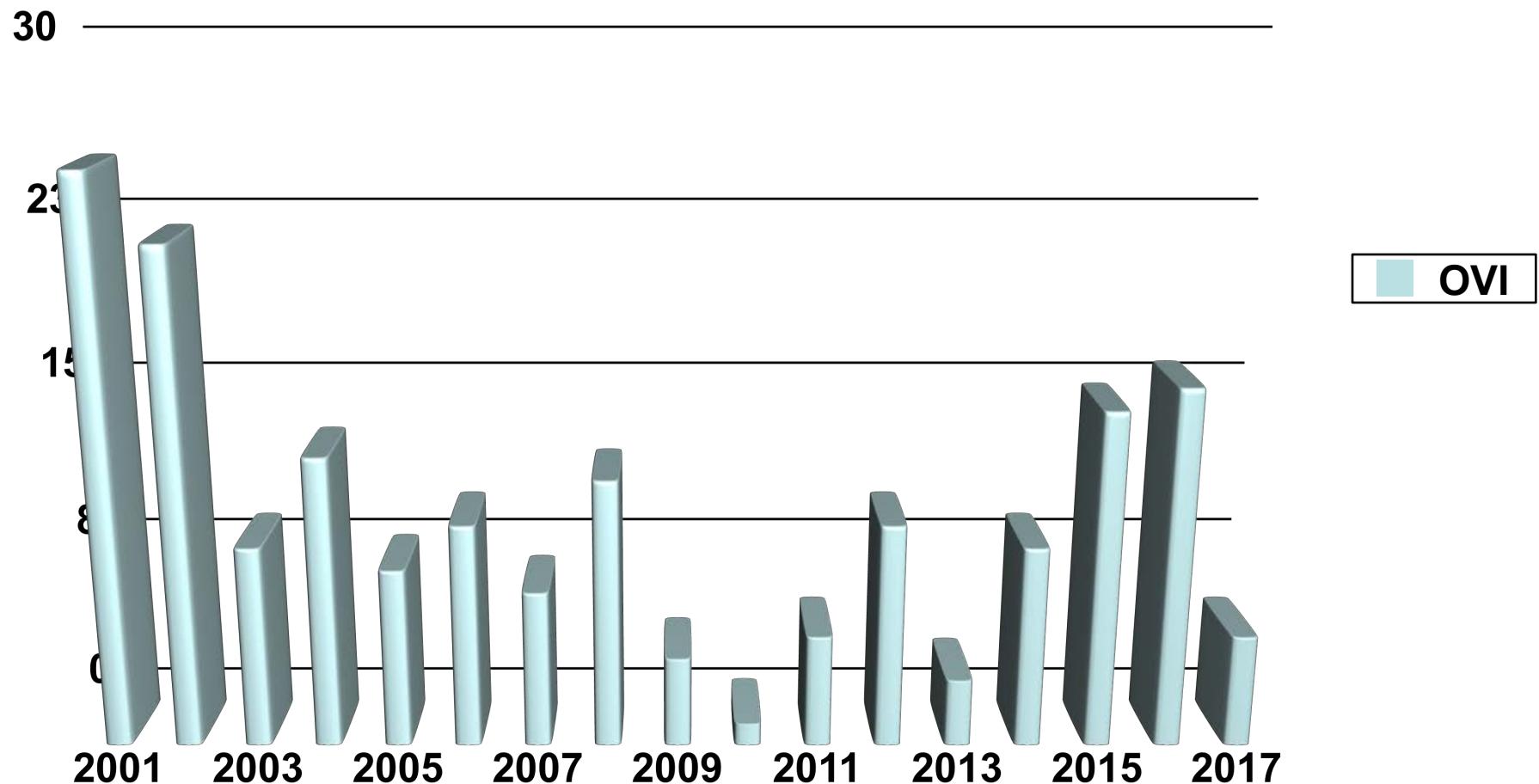


# Lorain County Sheriff Cases Filed 2001-2017 by category



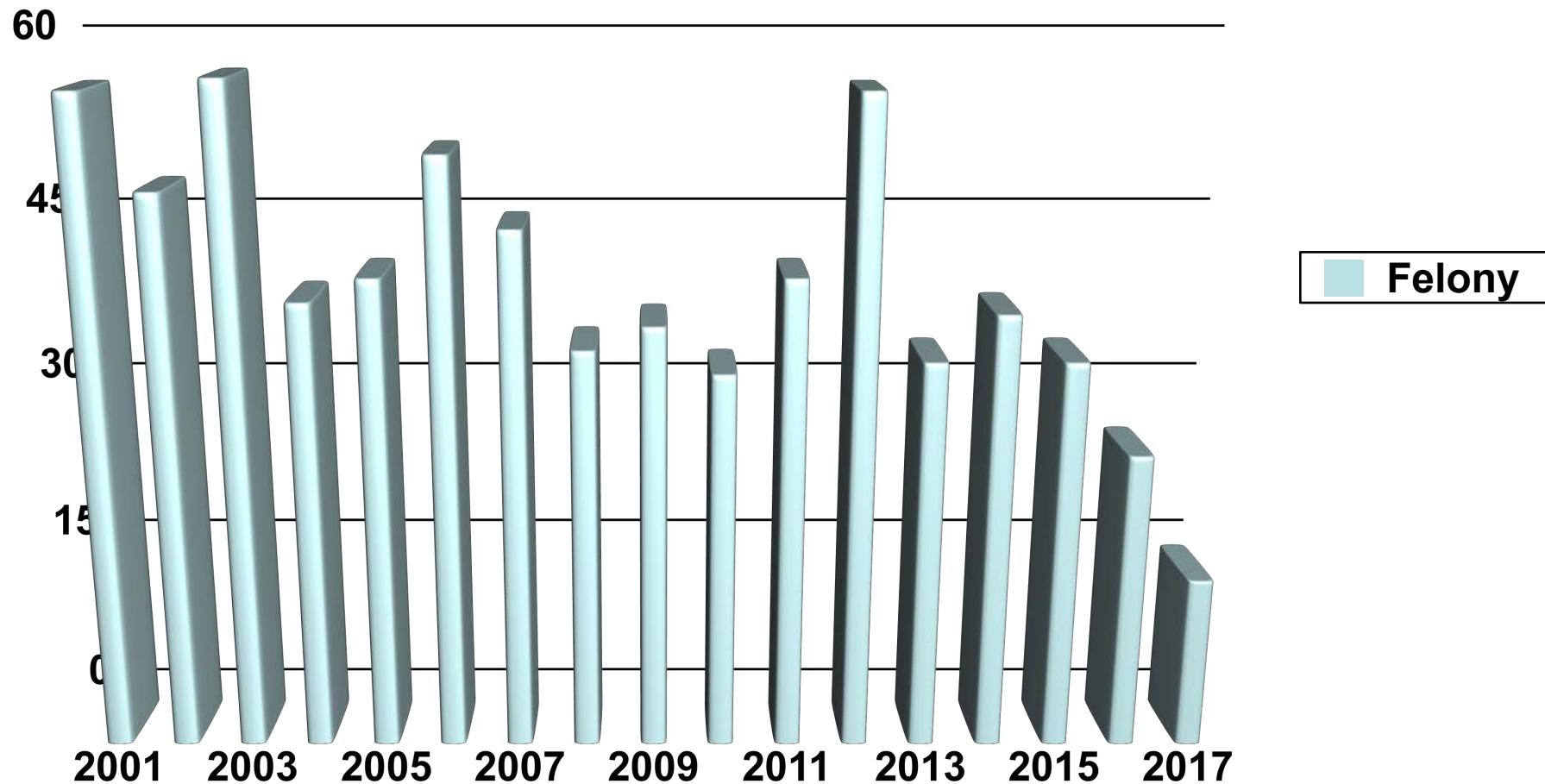
# OVI cases Filed 2001-2017

## Lorain County Sheriff



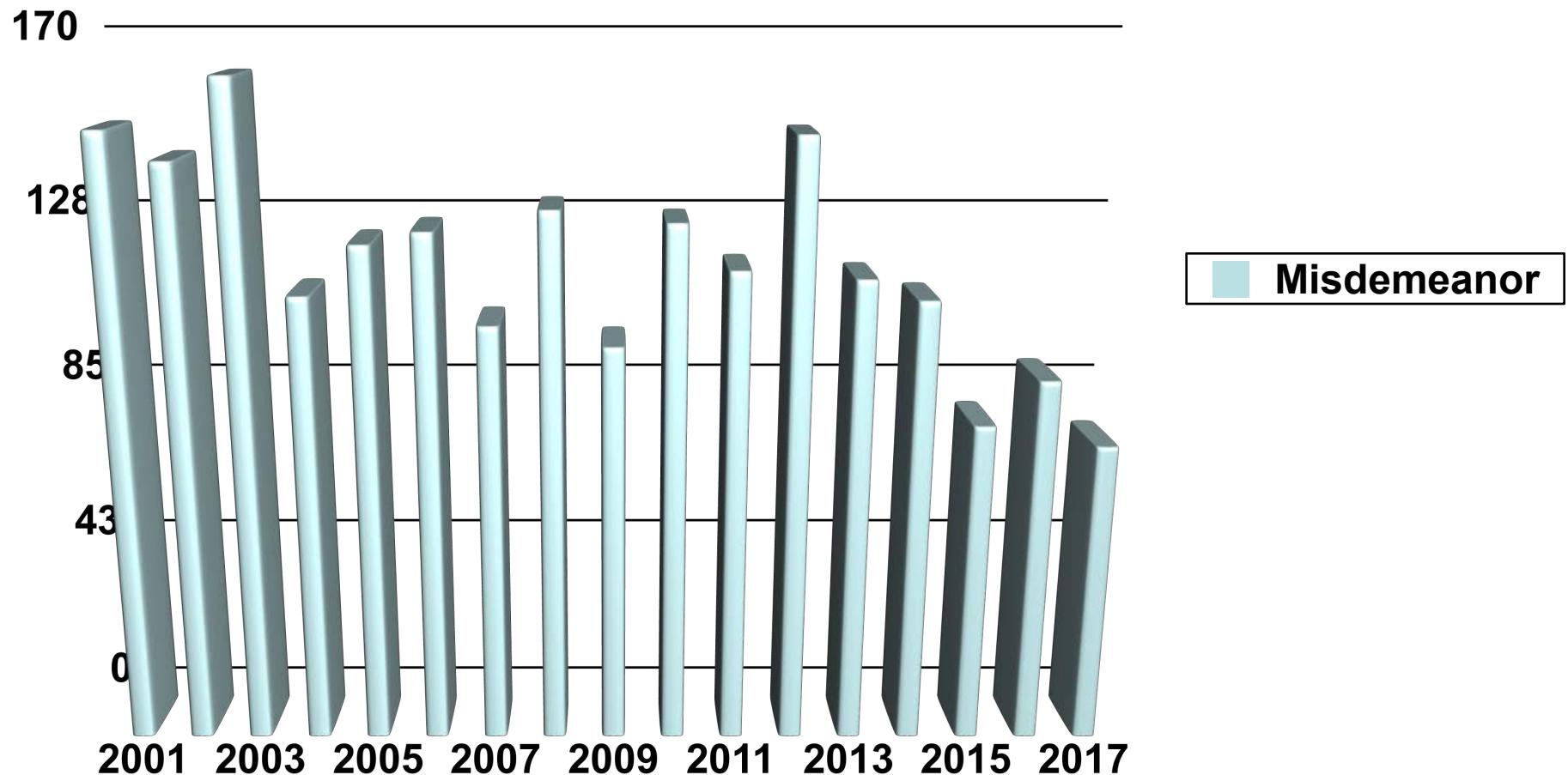
# Felony cases Filed 2001-2017

## Lorain County Sheriff



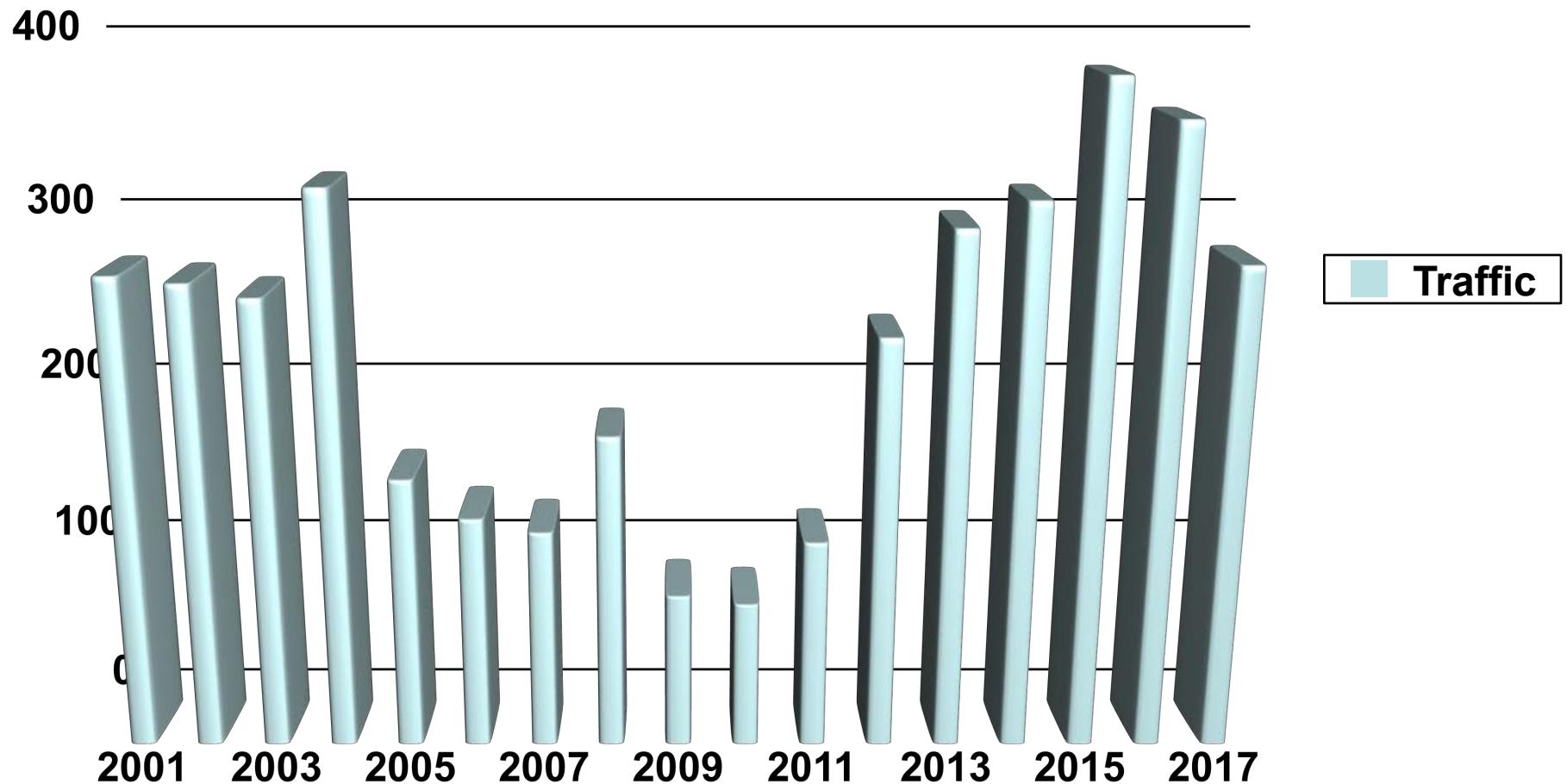
# Misdemeanor cases Filed 2001-2017

## Lorain County Sheriff

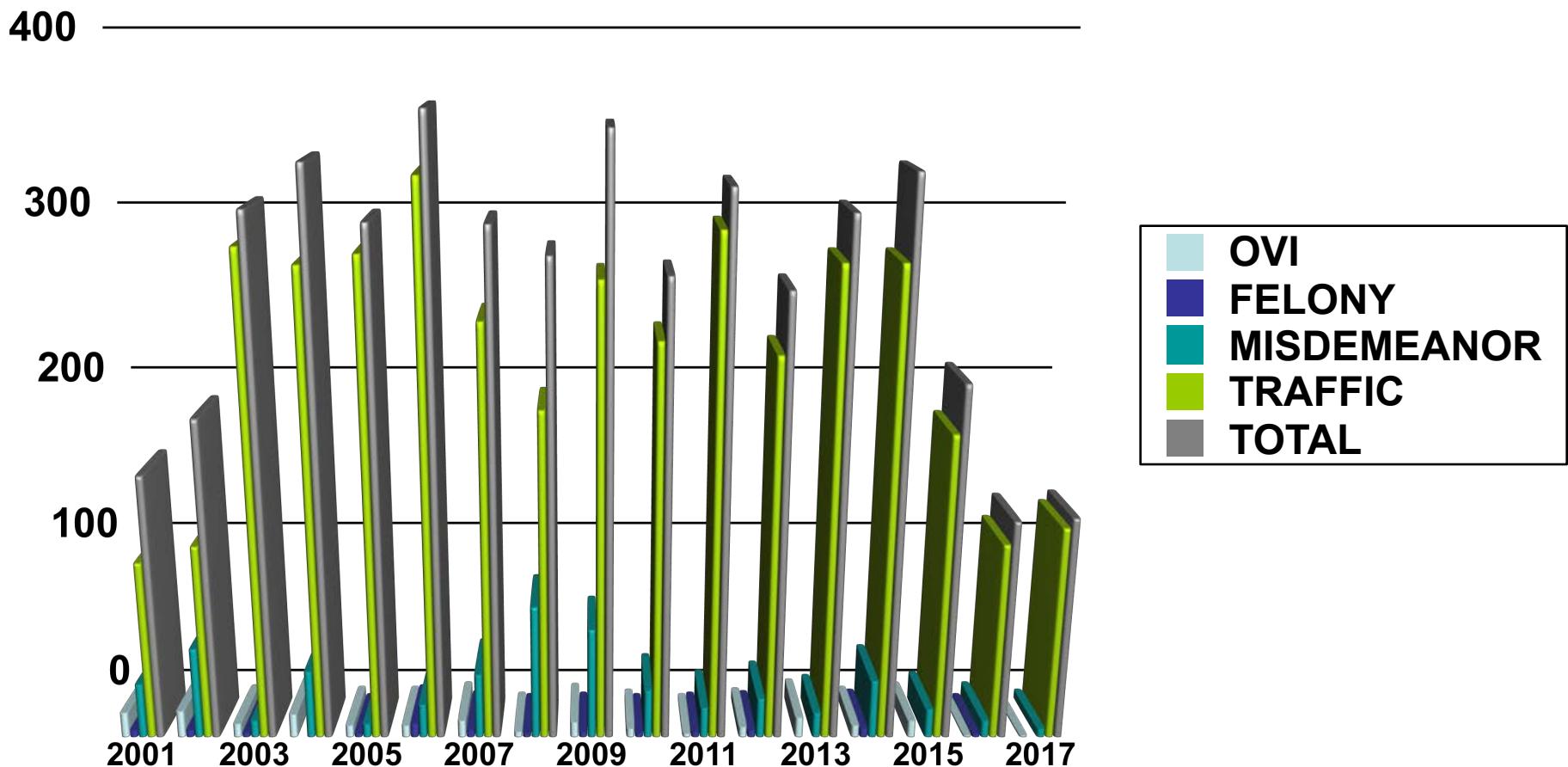


# Traffic cases Filed 2001-2017

## Lorain County Sheriff

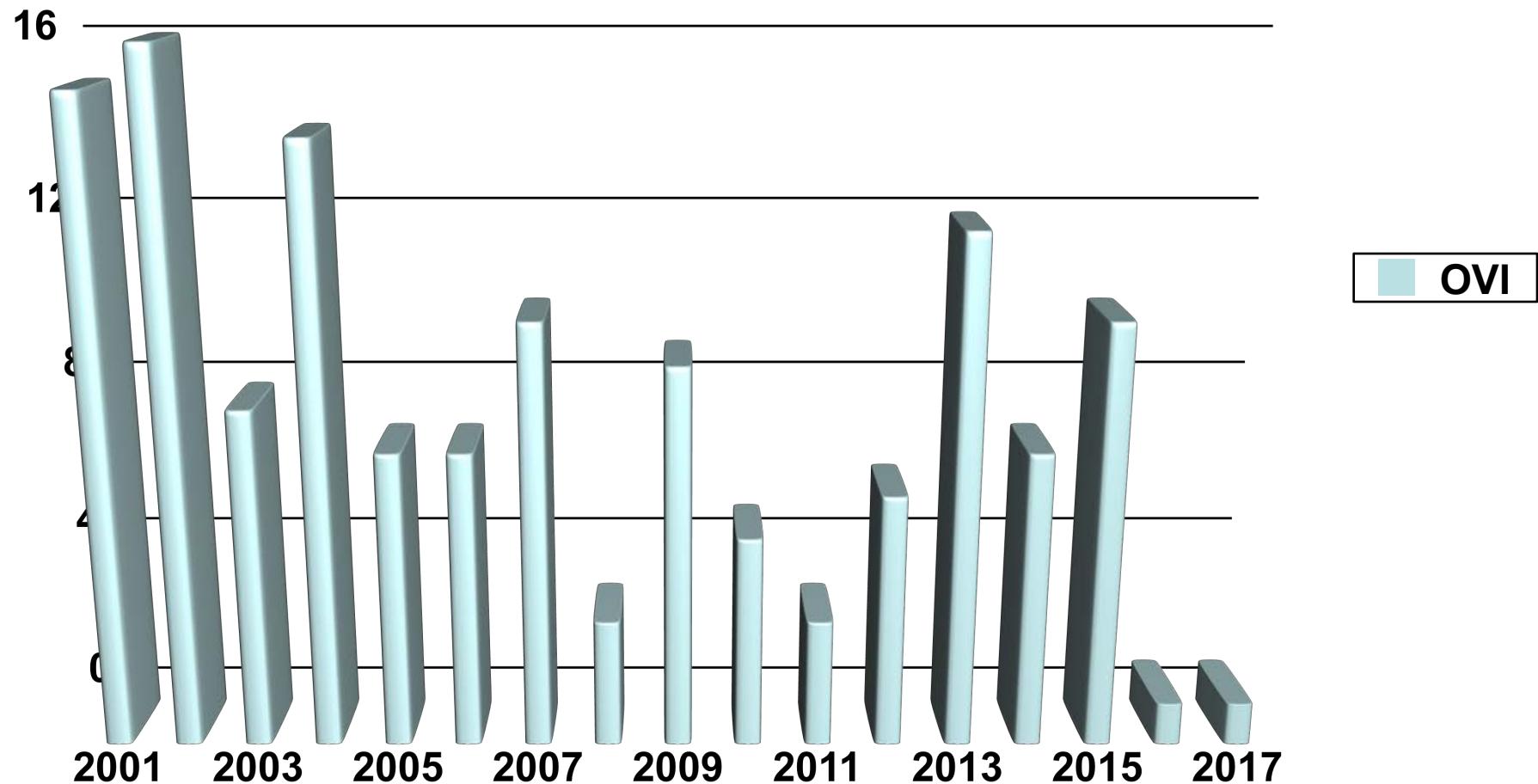


# South Amherst Cases Filed 2001-2017 by category



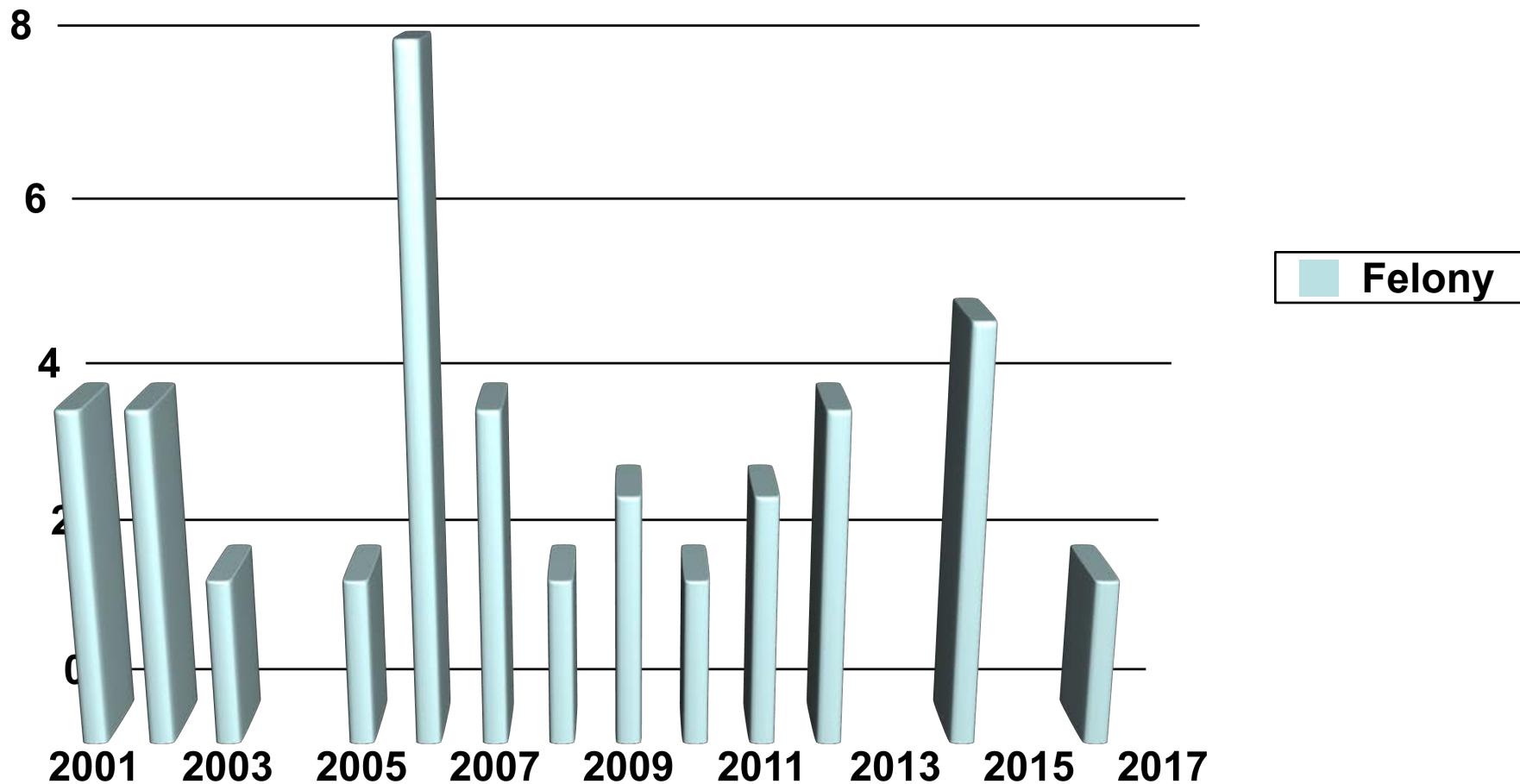
# OVI cases Filed 2001-2017

## South Amherst

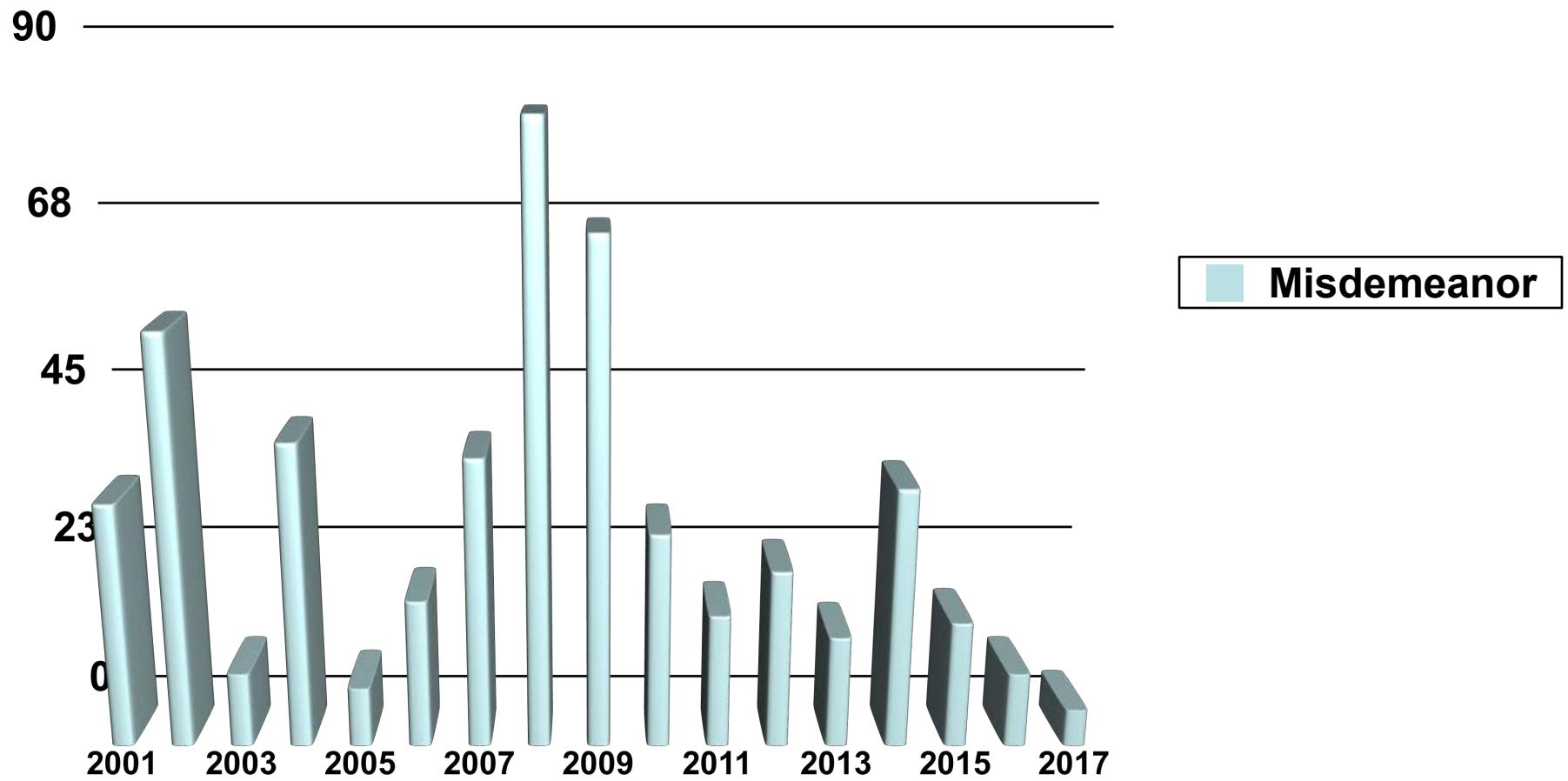


# Felony cases Filed 2001-2017

## South Amherst

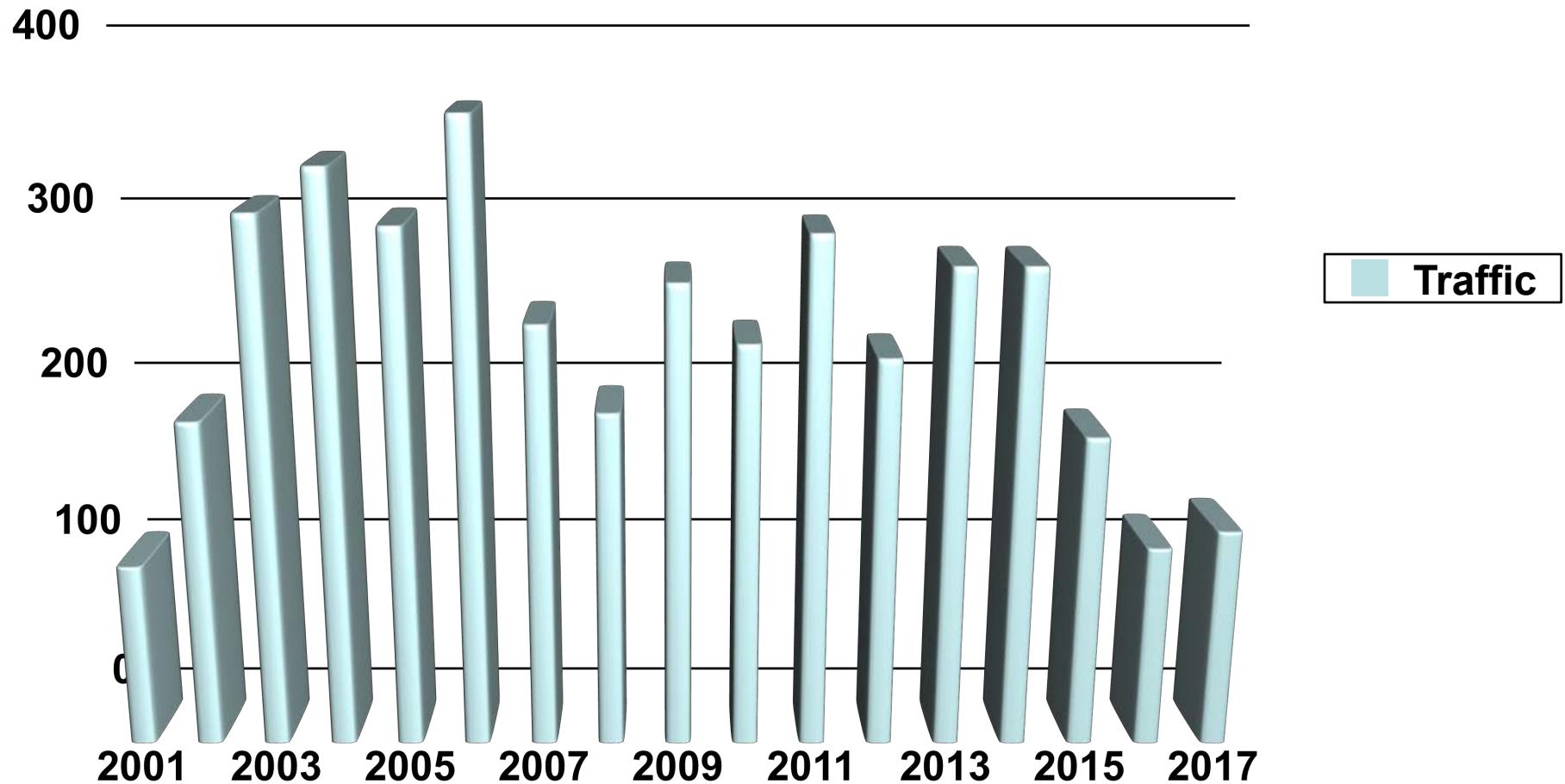


# Misdemeanor cases Filed 2001-2017 South Amherst

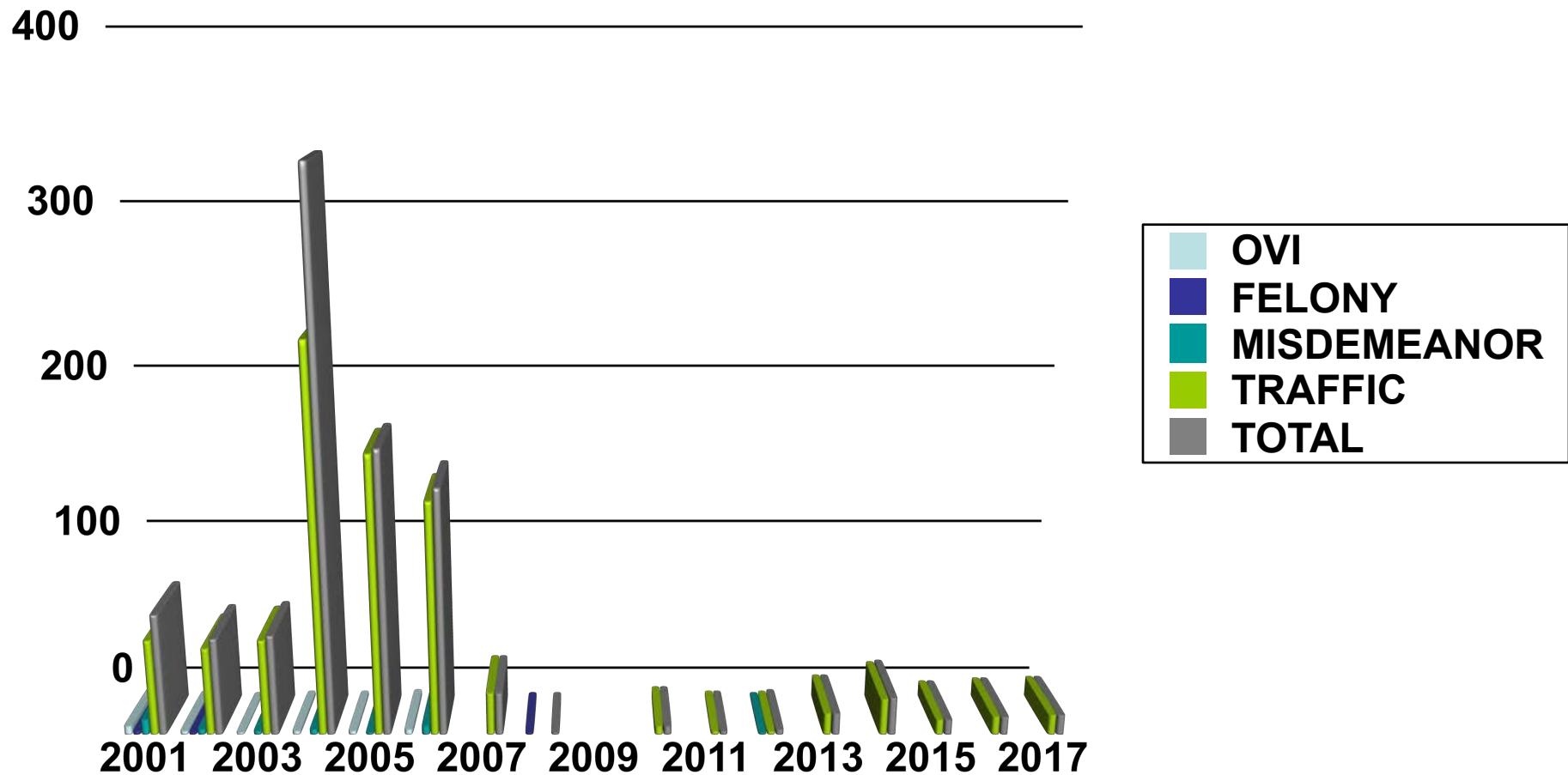


# Traffic cases Filed 2001-2017

## South Amherst

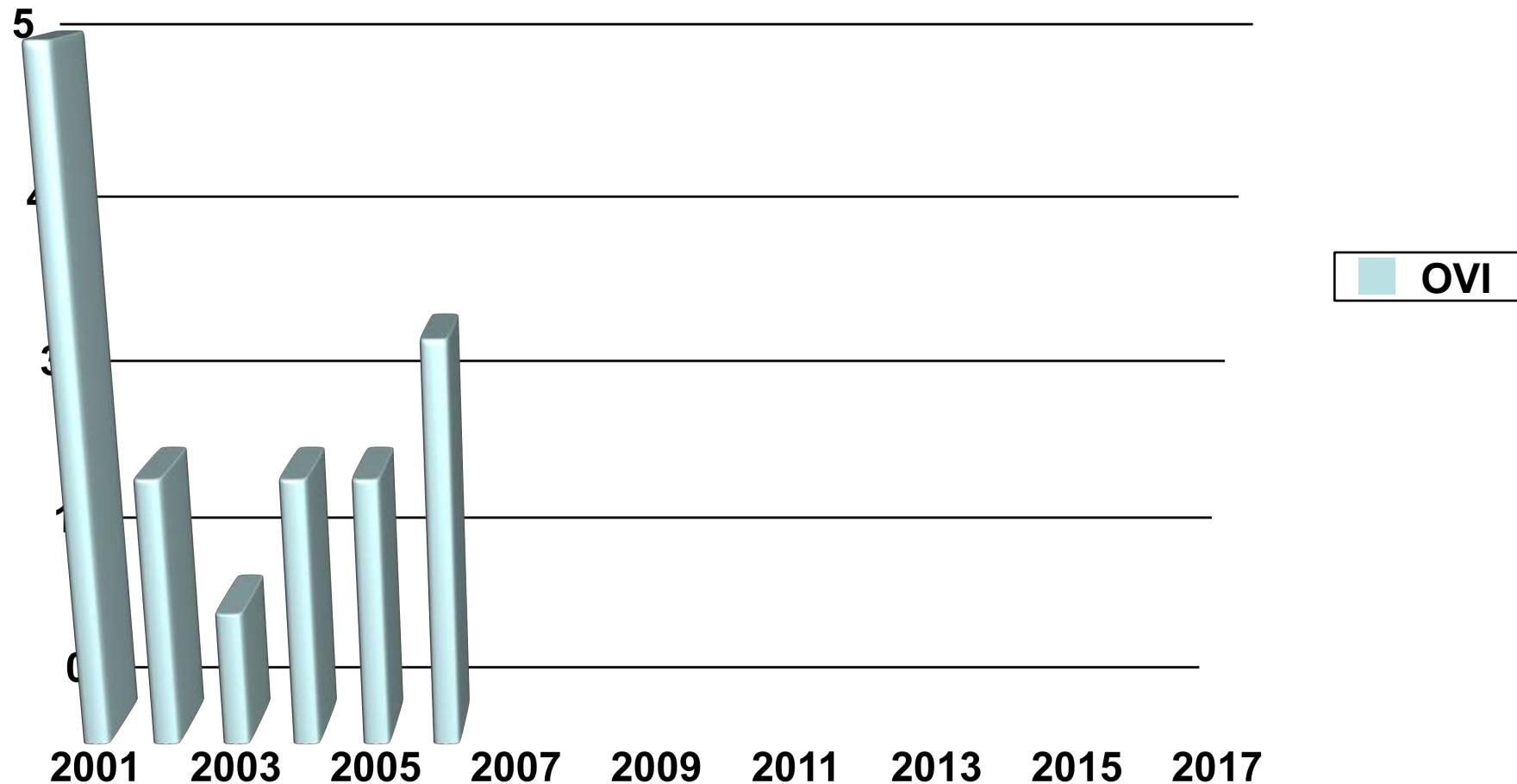


# Kipton Cases Filed 2001-2017 by category



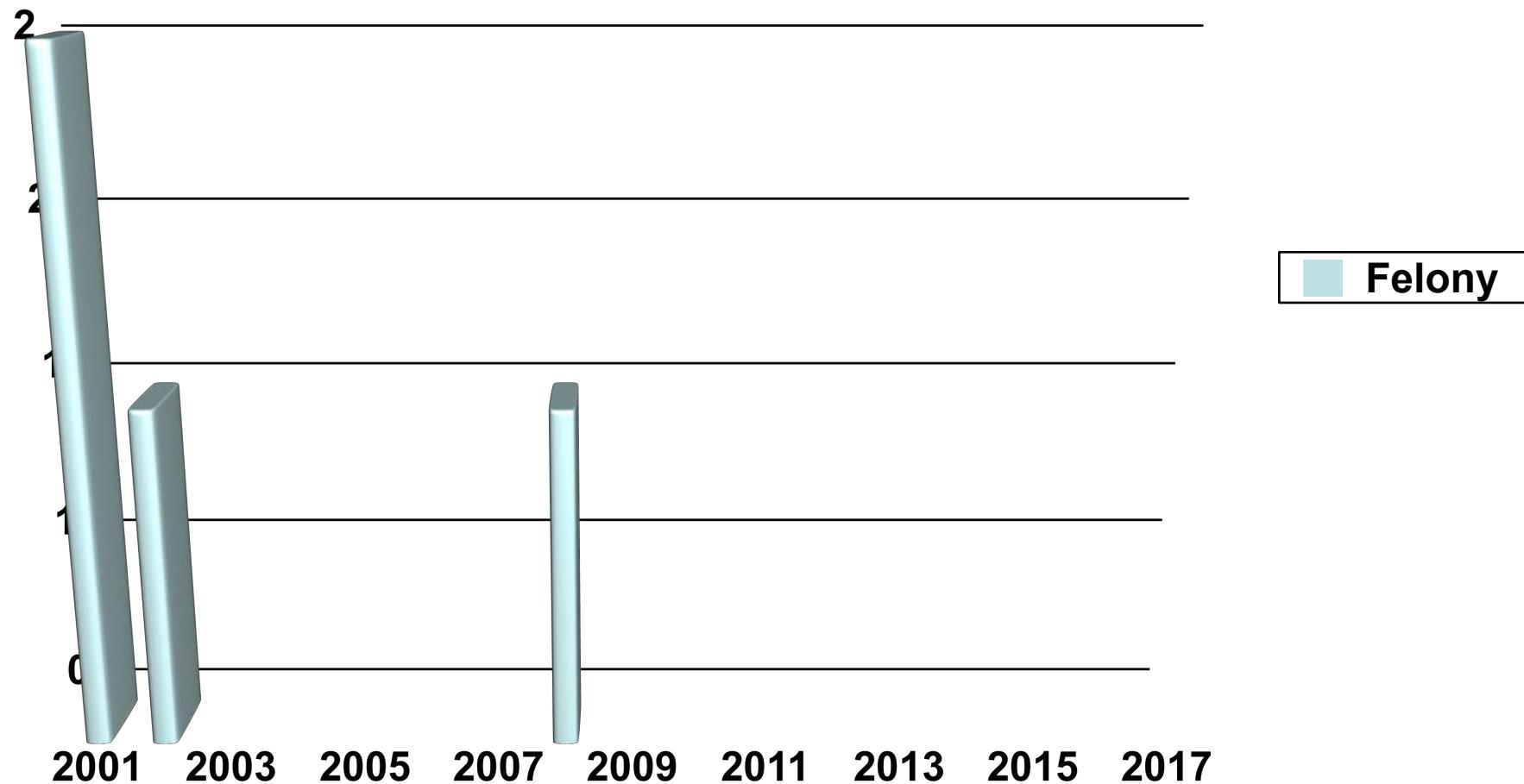
# OVI cases Filed 2001-2017

## Kipton



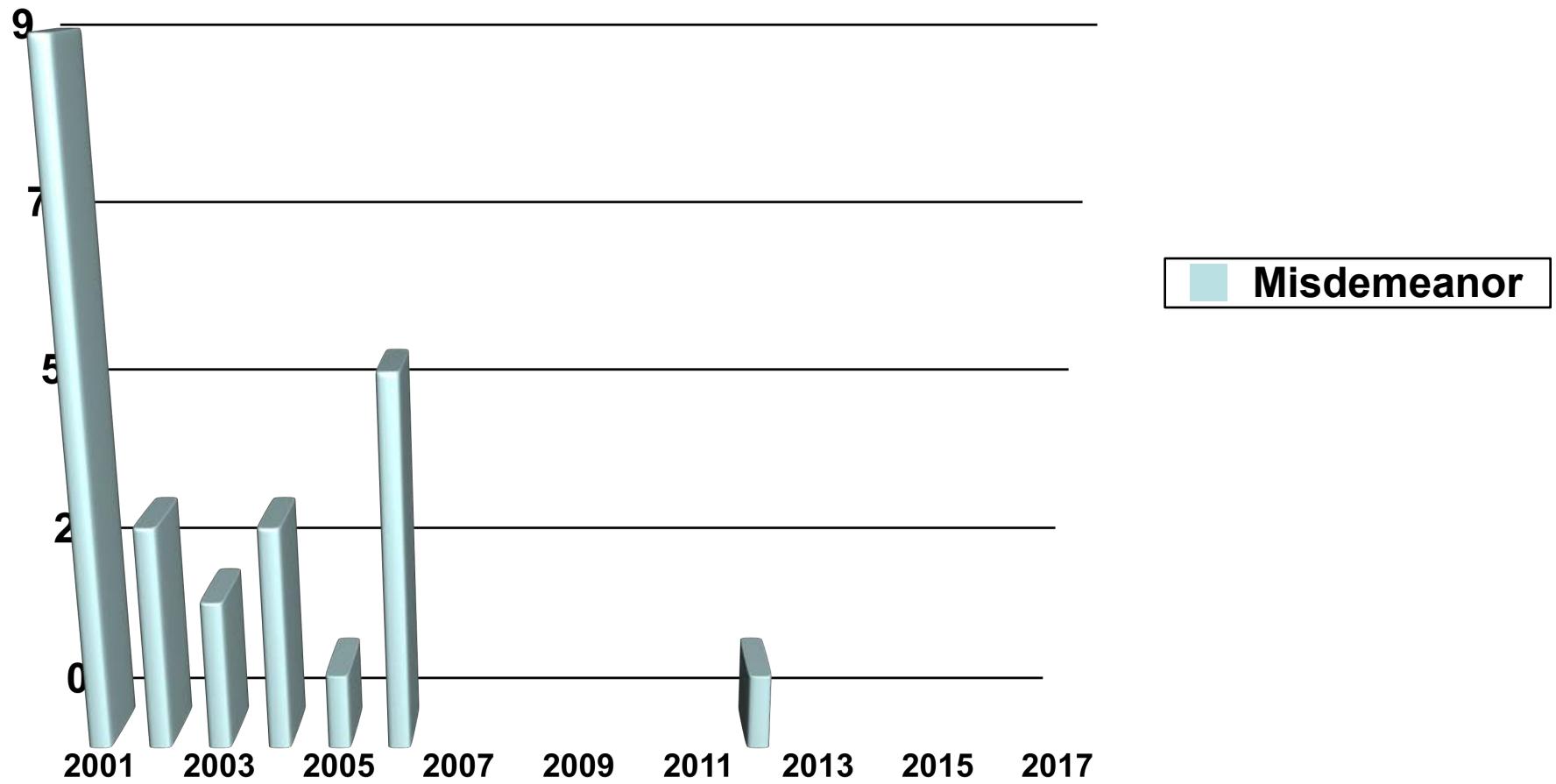
# Felony cases Filed 2001-2017

## Kipton



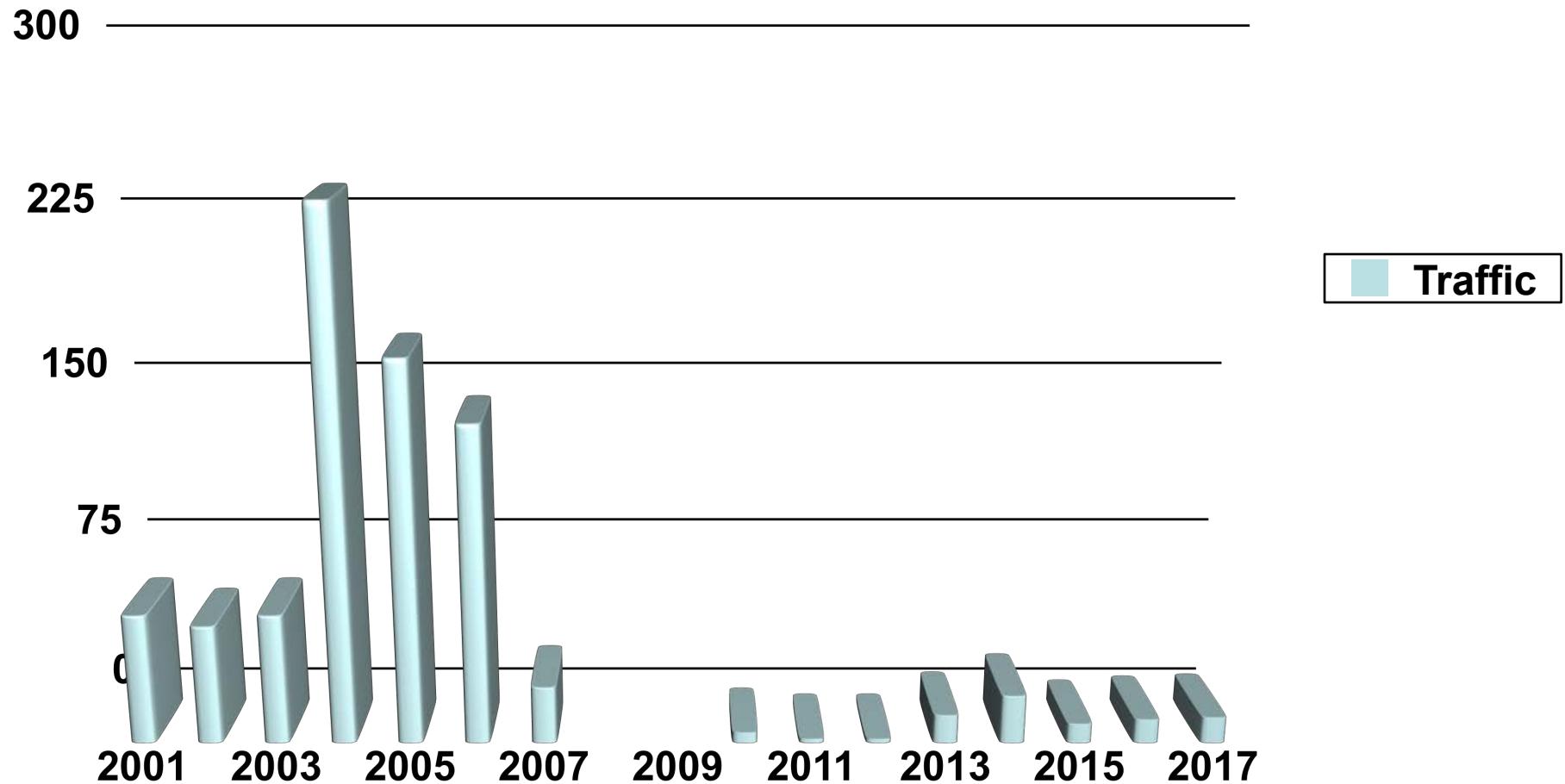
# Misdemeanor cases Filed 2001-2017

## Kipton



# Traffic cases Filed 2001-2017

## Kipton



**THE END**