

LAKEWOOD MUNICIPAL COURT
ANNUAL REPORT FOR 2008

February 27, 2009

LAKEWOOD MUNICIPAL COURT 2008 ANNUAL REPORT

This report is a summary of the operation of the Lakewood Municipal Court for 2008. The report sets out the Court's statistics, including case filings and adjudications by type, as well as financial information. It is hoped that this annual report will be beneficial in providing a general overview of the operation of the Lakewood Municipal Court.

The total number of new cases filings in the Lakewood Municipal Court in 2008 increased from the previous year, by 1,367 cases or almost twelve per cent (11.93%). Changes within the court's filings between criminal and civil cases were significant. Traffic and criminal case filings increased by 1,094 cases (11.37% increase) from the previous year. Civil cases filed in 2008 continued to increase for the third straight year with 273 more cases than the previous year (7.81% increase).

TRAFFIC AND CRIMINAL DIVISION

Traffic and criminal misdemeanor cases range from minor misdemeanors, with penalties of a fine up to \$150 to first degree misdemeanors, which carry a possible fine up to \$1,000 and a jail sentence up to six (6) months.

Most traffic cases are minor misdemeanors. Instead of a court appearance, a fine for a minor misdemeanor may be paid without a court appearance. The waiver schedule is available from the Court or from the Court's website. (www.lakewoodcourtoh.com). When a traffic or criminal charge involves the possibility of a jail sentence, then a court appearance is required. In 2008 the Lakewood Municipal Court utilized a new procedure for taking waivers by phone with credit cards.

Traffic cases increased by 1,282 cases or almost twenty three percent (22.75%) from 5,399 cases in 2007 to 6,681 cases last year. One specific type of traffic case, charges for operating a vehicle under the influence of alcohol (O.V.I.) decreased for the third straight year, from 252 cases in 2007 to 234 in 2008. This includes both misdemeanor and felony O.V.I. cases. An O.V.I. charge is elevated to a felony when the defendant has three (3) or more convictions for O.V.I. within six (6) years or five (5) or more O.V.I. convictions within twenty (20) years from the time of arrest.

Criminal misdemeanor case filings increased by 114 cases or five and two-thirds percent (5.66%), from 2,016 cases in 2007 to 2,130 in 2008. These cases include theft, assault, domestic violence and some drug offenses.

Felony charges filed in the Lakewood Municipal Court decreased from 545 cases in 2007 to 243 cases in 2008. The decrease in case filings was due to a change in reporting through the court's participation in the Felony Pilot Program.

The jurisdiction for felony cases is in the Common Pleas Court. A Municipal Court has jurisdiction in felony cases to set bond and determine if there is evidence of probable cause for the case to be transferred to the Common Pleas Court. It should be noted that the felony cases refer only to the charges filed in the Lakewood Municipal Court and do not include felony charges filed directly in the Common Pleas Court and not processed through the Lakewood Municipal Court. Through the Court's participation in the Cuyahoga County Felony Pilot Program, many felony charges were taken directly to the Common Pleas Court instead of through the Lakewood Municipal Court, resulting in reduced jail time in Lakewood and expedited prosecution.

(See Felony Pilot Program on pages 3 & 4 of this letter).

In addition to the traffic and criminal cases in 2008, 1,779 arrest warrants were executed by the Lakewood Police. These are warrants issued for persons who failed to appear in Court voluntarily after being served with a traffic citation or misdemeanor criminal complaint. It also includes warrants for post trial proceeding such as Community Control supervision violation hearings and hearings to address unpaid fines. Warrants on a pending case due to lack of appearance by a defendant mean increased work per case. Without the assistance of the Lakewood Police, the Court could not operate effectively.

The number of cases filed per year does not fully explain the Court's workload. A traffic or criminal case may contain more than one charge. Changes by both legislative enactment and judicial decisions require additional filings and hearings, which have resulted in an increase in the amount of work per case. For example, in 2008 legislative changes by the Ohio General Assembly increased court costs three (3) separate times in a three (3) month period. In addition, Ohio Senate Bill 17 made sweeping changes for sentencing multiple O.V.I. offenders in Ohio. This is not meant as a criticism of these changes, for they are necessary to protect the rights and interests of all of the parties involved, but merely to point out the impact on the operation of the Court.

HOUSING COURT CASES

Criminal cases

Building and health code violations are also included in the criminal category. The number of building code violations decreased for the third straight year from 213 cases in 2007 to 181 cases in 2008. These cases comprised approximately two percent

(2.00%) of traffic and criminal case filings. (See Charts 8 & 9 on pages 14 & 15). Although classified as criminal, these cases are different from other criminal cases, for the focus is upon bringing the property into compliance rather than dealing with past misconduct. While there may appear to be greater emphasis on housing code violations in light of the relatively small number of cases, these cases are extremely important because of the age of many Lakewood homes.

In addressing these cases, the Court balances the need to enforce the building code and maintain housing stock with the interests of the property owner. Regularly scheduled compliance hearings with the property owner and the building inspector, along with incremental fines, generally obtain compliance. Because many of the violations involved exterior work, such as painting, landscaping and masonry, it was not feasible to seek compliance with these violations during the winter months. For the second straight year, the Court exercised sentencing alternatives and ordered a recalcitrant landlord to live under house arrest in his own apartment building until the building was brought into compliance.

Civil Cases

In addition to prosecution by the City for noncompliance with building code cases, a tenant is permitted under Ohio Law to obtain compliance with building code violations against landlords without the city's involvement by depositing rent with the municipal court. Tenants must be current in their rent and give the landlord reasonable notice of the lease or code violations. If the landlord does not remedy the violation, the tenant may deposit the rent with the court. The court will retain possession of the rent until compliance has been made. In addition, the court may also order a reduction of rent to the tenant for the period of time of the violation. There were 33 rent deposit cases in 2008, compared to 42 cases in 2007.

MENTAL HEALTH COURT

Over the past seven (7) years, the Lakewood Court has been actively involved in the Mental Health Court Program in cooperation with other municipal courts in Cuyahoga County. While mental illness is a problem for every court, there is insufficient volume for a single court to maintain its own program. This program, which is supported by the Cuyahoga County Commissioners, provides an efficient resource for suburban municipal courts with standardized screening procedures and a coordinated system of assistance. It also brings judges and court staff together on a regional basis to share resources and seek remedies that will benefit the community.

The purpose of this program is to ensure that severely mentally ill persons charged with misdemeanor offenses will be identified, screened and linked to mental health services. In 2008, the fifth complete year of the program, the Lakewood Court dealt with twenty nine (29) cases. There were thirty four (34) similar cases in 2007. Although few in number, these cases require extensive time and involvement of court staff and attorneys certified in this specialized area.

Mental health issues in these cases were identified earlier and the persons involved were expeditiously referred for commitment, medication or other treatment. The efficiency of the program not only reduces the risk to the City by transferring the defendant from the Lakewood jail, but also provides the defendant with medication and other treatment during the evaluation process. With this program, not only can the illness be addressed, but also future criminal incidents may be reduced.

CRIMINAL JUSTICE SYSTEM MANAGEMENT PROGRAM (FELONY PILOT PROGRAM)

A comprehensive review of felony case processing for Cuyahoga County was conducted by the Justice Management Institute resulting in a report issued in 2005. Multiple recommendations were made to the Cuyahoga County Board of Commissioners, Prosecutor and Common Pleas Court to revise procedures for handling felony cases. One of the primary recommendations was a county wide centralized booking procedure. The purpose of this procedure would be a greater integration between the Common Pleas Court and Municipal Courts in Cuyahoga County for processing felony cases.

In June 2005, the Lakewood and Shaker Heights Municipal Courts were invited to participate in the Cuyahoga County Felony Pilot Program. The Lakewood and Shaker Heights Courts were selected in part due to the successful implementation of unified procedures involved with the Mental Health Court. As a result of cooperation among the County Prosecutor, Sheriff, Probation Department and the Judges of the Common Pleas Court, as well as Lakewood Law and Police Department, the Felony Pilot Program was initiated in May 2006.

In 2008 the Felony Pilot program underwent a major revision, resulting in the direct processing in the Cuyahoga County Jail for offenders arrested in Lakewood on felony charges. One result was the drastic reduction in felony cases processed through the Lakewood Municipal Court. This efficient and expedited processing procedure substantially reduced time in the Lakewood jail for felony cases by immediate transfer to the Common Pleas Court as the court of disposition. In addition, the procedures have resulted both in earlier representation and discovery by defense attorneys as well as earlier disposition of felony cases. The length of time from felony arrest in Lakewood to indictment Common Pleas Court has been drastically reduced.

Benefits realized from the Felony Pilot Program include jail reduction, cost efficiency, consistency in criminal representation and early disposition of cases. The success of the program is due to a coordinated effort by all elected officials and agencies involved in the Cuyahoga County criminal justice system. Due to the success by the Lakewood and Shaker Heights Courts in the Felony Pilot Project, it was expanded to other municipal courts in Cuyahoga County.

CIVIL DIVISION

Civil cases are disputes between private parties, as opposed to a traffic or criminal charge which is a case commenced by the government. Civil cases are generally filed to recover monetary damages, return of property, or restitution of rental premises in eviction proceedings. The monetary jurisdictional limit for cases in this Court is \$15,000. Cases involving a greater claim for money damages must be filed in the Common Pleas Court.

If a party seeks monetary damages of \$3,000 or less, the party has the option of filing a small claims case. Small claims process provides an expeditious and cost efficient forum for people to seek money damages when the amount in dispute is relatively low. In most small claims cases attorneys are not involved and the parties present the case themselves.

Civil cases are divided into three (3) sections; general civil cases, small claims and eviction proceedings. (See Charts 12 & 13 on pages 28 & 29). The total number of civil case filings increased substantially in 2008 from the prior year. General civil cases, involving claims of property damage, personal injury and breach of contract, increased over forty percent (40.03%), from the previous year. (1,158 cases in 2007 and 1,625 cases in 2008.)

One aspect of civil cases, small claims cases, decreased by approximately sixteen percent (16.16%) 1,306 cases 2007 to 1,095 in 2008. Of all the small claims cases that were filed last year, 848 (77.44%.) were filed by the City of Lakewood for collection of municipal income taxes. The remaining 247 cases (22.56%) were filed by private parties. Small claims filings for private cases increased from the preceding year, although not significantly. Municipal income tax cases decreased from the preceding year by approximately twenty one percent (21.11%). (1,075 cases in 2007 and 848 in 2008).

Also part of the civil division, eviction cases in 2008 increased, although not significantly, from 1,031 cases in 2007 to 1,048 cases in 2008. These cases include a landlord's claims for possession of the rental property, damages to the premises and unpaid rent. It also includes a tenant's claim for return of security deposit and deposit of rent into escrow with the Clerk of Court.

COURT FINANCES AND REVENUES

Changes with the City of Lakewood and the overall condition of the economy has made all of us more conscious of spending. In March 2008 the Lakewood Municipal court voluntarily reduced its operating budget by \$76,000. During the year the Court

attempted to spend cautiously which resulted in returning an additional \$86,766 of its allocated budget to the general fund of the City of Lakewood.

The revenue collected by the Court in 2008 increased by over almost twenty percent (18.77%), or a total increase of \$284,926 from the previous year. The increase in revenue was due to three (3) significant factors: 1) increase in case filings, 2) implementation of credit card procedure and 3) revisions in fine and court costs procedures. With these changes, the net surplus from the Lakewood Municipal Court to the City's general revenue fund almost doubled, increasing by over ninety six percent (96.66%), for an additional \$195, 530 from the previous year.

The Court's revenue in 2008 exceeded the Court's operating expenses, resulting in a surplus of funds in excess of \$708,355 to the State of Ohio, Cuyahoga County and the City of Lakewood. Of these funds, \$77,250 of the Court's revenues was paid to Cuyahoga County and \$233,260 to the State of Ohio. In addition, \$397,825 of revenue in excess of the Court's budgeted expenses were made available to the City to fund specific community programs or made part of the general fund. Distribution of funds is based upon state law and the nature of the cases involved. The Court's careful responsibility towards the use of public funds was also demonstrated by the positive report that was issued in 2008 by the Ohio State Auditor's Office for the year 2007.

Credit Card Implementation. Due to changes in state law, municipal courts are now able to accept credit card payments. The Lakewood Court implemented the use of credit cards in December 2007. Court cost and/or fines can be paid by credit card in person or by phone without a court appearance. In its first full year of the credit card procedure, the court received \$329,386 in court costs and fines from credit card payments.

Collection Procedures. Due to Changes in state law, the Clerk of Court was authorized to enter into a contract in 2008 with an outside collection agency to recover unpaid fines and court costs. The fees charged by the collection agency are in addition to the fines and costs owed, thus the Lakewood Court or the City incurs no additional costs. In addition, the use of a collection agency has reduced the number of hearings on the payment of fines and costs.

It is important to note, however, that the revenue generated by the Court is an incidental benefit to the Court's primary function of the administration of justice. The amount of revenue received by a court will be primarily dependent upon the volume of cases in the Court. The number of cases filed, whether civil, traffic or criminal, is completely outside of the Court's control. Much of the Court's revenue comes from the imposition of fines. The amount of any fine depends on the conduct of the defendant and other factors. While a substantial fine may be appropriate for a person guilty of assault, the same fine may be inappropriate in a domestic violence case where it would cause a hardship to the family members and victims of the offense.

It is axiomatic that a fine may not be imposed in a criminal case unless a person is found guilty of an offense. It is important that every person who comes before the Court in a traffic or criminal case knows that his or her case will be fairly heard and decided on the merits of the case, without regard to consideration of potential revenue to the City.

COURT COSTS

Consideration of Court revenues raises numerous issues. As with any governmental entity, the cost of operation is a matter of public concern. It has been the consistent aim of this Court to place the costs of its operation upon those who use it, instead of the taxpayers of the City of Lakewood. This includes filing fees in civil cases as well as fines and court costs from the involuntary use of the Court in traffic and criminal cases.

Court costs are assessed in civil, traffic and criminal cases. The purpose of court costs is to assist in the cost of the operation of the Court. Court costs were increased in 2008, for civil, traffic and criminal cases to reflect the rising costs of operation. The basic court cost for traffic and criminal cases is eighty-five (\$85.00) dollars.

By statute, however, not all court costs accrue to the Court. For example, of the \$85.00 traffic court costs, the first thirty-four (\$34.00) goes to the State of Ohio's General Fund (\$15.00) and the Victims of Crime Fund (\$9.00), with ten dollars (\$10.00) allocated to other statutorily mandated funds. An additional five dollars (\$5.00) goes to Cuyahoga County in support of its computer system. In addition, municipal courts are required to fund the Cuyahoga County Citizen's Reward Program. The remaining balance goes to the City's General Revenue Fund or retained by the Lakewood Court for its special funds.

In 2008, changes in state law imposed numerous court costs upon municipal courts. An additional \$10.00 per moving violation case was added with the funds collected to be paid to specific Ohio State Funds. In addition, the minimum fine for an O.V.I. conviction was increased by \$75.00 for the Ohio Indigent Defense Support Fund.

Each Municipal Court sets its own court costs. Because the vast majority of cases in the Municipal Court are minor traffic cases, increased court costs, in addition to a fine, may result in a heavy financial burden for relatively minor violations. The Lakewood Court has kept its court costs low in order to avoid imposing a greater expense to all, regardless of the relative degree of culpability. For more egregious misconduct the Court may impose a higher fine or other penalty.

SPECIAL COURT FUNDS

Municipal Courts have statutory authority from the Ohio General Assembly to create and maintain special funds from court costs. To increase the Court's efficiency and responsiveness, a complete revision of the Court's computer system was undertaken in 2006 and 2007 with a new software package. The entire cost of the software, including

installation and maintenance, as well as a new server and other computer equipment was paid out of the Court's special funds. In 2008 the court began the process of renovating the Clerk's office, replacing carpet and workstations that are about twenty-five years old. These special funds allow the court to make such improvements and maintain court programs without seeking additional funds from the City's general revenue fund in the Court's annual operating budget.

The Computer Maintenance Fund provides for the installation and upgrade of the Court's computer system and related projects. Ohio Rev. Code Sec. 1901.261(B). This fund is also used to purchase software upgrades and computer supplies as well as consulting and maintenance contracts. This fund was created in 1995 and is currently funded by an assessment of \$3.00 per case. This fund accrued \$36,229 in 2008 with a balance at the end of the year of \$25,666 for computer replacement and routine maintenance of the Court's computer system.

Special Projects Fund was created in 2002 by authority of Ohio Rev. Code Sec. 1901.26(B). This fund is from an assessment from three dollars (\$3.00) per case in small claims cases to eighteen dollars (\$18.00) in some traffic and misdemeanor cases. The Court's Special Projects Fund was used in 2008 along with the Computer Maintenance Fund for the final implementation of the Court's new computer system, thus avoiding the need to obtain additional funding from City Council in the Court's annual operating budget. This fund accrued \$143,802 in 2008 with a balance at the end of the year of \$126,164. The entire cost of renovating the clerk's facilities, including carpet, desks and other equipment will be paid through the special projects fund, thus requiring no additional funding from the City of Lakewood.

Probation Supervision Fund. Unlike the other special funds, this fee is only assessed to those criminal defendants who are placed on active community control supervision. Thus, this fee would not be assessed in a minor traffic citation, when a fine is paid and there is no further court involvement. The reason for this fund is to assess a greater cost of the Court's operation on those defendants who, by their conduct, require additional court services and supervision.

The purpose of the Probation Fund is to support long term capital improvements and programs for the Probation Department, which were not funded by the Court's operating budget. This fund was used in 2008 to pay for drug screening tests, professional psychiatric evaluations and other expenses to operate the mental health court program. In 2008 the fund accrued \$38,163 with an ending balance of \$54,077. A portion of the Court's operating expenses was shifted to the probation fund in 2008, permitting a reduction in the Court's operating budget.

An additional benefit from all of these special funds is that they are paid into the City's general revenue fund on a monthly basis and accrue interest. The interest generated from these funds goes directly to the City of Lakewood. The accrued interest is in addition to the revenue the Court provides to the City from fines and court costs.

PROBATION DEPARTMENT

The Probation Department assists the Judge by preparing presentence reports and monitoring compliance with treatment directives and provides information about other services to victims of crime. The Probation Department also collects restitution and supervises the Community Work Service Program and alcohol awareness seminars with the Mothers Against Drunk Driving (M.A.D.D.). (See pages 37-39). Of significant note, \$74,326 in restitution to victims of crime was collected by the probation department in 2008. (See chart on page 43).

COURT WEBSITE

The Lakewood Court's Website (Lakewoodcourtoh.com) was substantially revised in 2008 to make information about cases is readily available to the public. In addition to providing information about the court's procedures and forms, the website allows direct public access to all cases, both civil and criminal, going back to 1983. Cases in the Lakewood Court, whether pending or decided, may be checked by name or case number. Information about cases is readily available to the public.

COURT SECURITY

Safety in the Court for parties, witnesses and Court staff, as well as others who work or come into Lakewood City Hall has been a serious concern. While it has been my consistent goal to make the Lakewood Municipal Court open and accessible, issues of safety for both Court employees and the general public must also be considered and balanced. Gary Easter, a retired Lakewood Police Officer, monitors court security.

Gary Easter provides full time security to the Court and assists with other safety concerns in Lakewood City Hall. In 2008 Officer Easter was certified to carry a taser device. With a full time Court Security Officer, Lakewood Police Officers who provided security to the Court are now available for other responsibilities. A full time security officer has also reduced the time to bring prisoners from the jail, which in the past required a police officer to be brought in from the road

Transportation of prisoners to or from other prison facilities also raises security risks. In 2008, the Lakewood Municipal Court began the process of video arraignments, sentencings and pretrial conferences for prisoners incarcerated outside of the Lakewood jail. This process not only expedites criminal proceedings, but also reduces police personnel for transport duty as well as security risks.

ADDITIONAL DEVELOPMENTS AND COMMUNITY INVOLVEMENT

It is also important for the Court to be involved in programs outside of the Court to promote the legal system. In 2008, I continued my service on the Editorial Board of the Ohio Jury Instruction Committee of the Ohio Judicial Conference. This committee is responsible for reviewing and writing jury instructions for judges in the State of Ohio. I was also honored to serve as a Trustee of the Cleveland Bar Association in 2008 prior to its formation of the Cleveland Metropolitan Bar Association.

I continued my involvement as a faculty member of the Ohio Judicial College in 2008, teaching numerous courses to other judges throughout the State of Ohio. Participation with both the Ohio Jury Instruction Committee and the Ohio Judicial College is by appointment by the Ohio Supreme Court. Magistrate Thomas Wagner also participated as an instructor for trial advocacy with the Cleveland Marshall College of Law in 2008. With the Probation Department and myself, a seminar on domestic violence was held for doctors involved in family practice.

The Court also continued its involvement in the Lakewood community. This included attendance at all of the D.A.R.E. graduations in the public and parochial schools. In addition, nineteen (19) marriages were performed in the Lakewood Municipal Court in 2008. The Court has also made a commitment to the community through its involvement with the Lakewood Youth Master Plan and the Lakewood Cares Coalition with Dr. David Estrop and the Lakewood Board of Education. The Lakewood Court in 2008 renewed and increased its commitment to the community through a greater utilization of the community work service program for litter collection and other tasks to improve our city.

During the year it was necessary to be away from the Court for judicial and continuing education conferences. As a single judge court, temporary judicial assignments were required to continue the Court's operation. The Court acknowledges the assistance of Judge Gerald Francis Sweeney, retired from the Cleveland Municipal Court, Magistrate Thomas Wagner and attorneys John V. Jackson, II, John McCaffrey, and James Wooley who served the Court as visiting and acting judges.

While the Lakewood Municipal Court is separate from other aspects of municipal government, the Court's successful operation could not have been achieved without the assistance of the City's Administration and City Council. Specifically, the members of the Police, Law and Building Departments who provided information and assistance for the Court to do its job properly. It is through cooperation with Mayor FitzGerald, the City's Administration and Lakewood City Council that the Lakewood Municipal Court is able to serve the community. The Court looks forward to continue to work with Mayor FitzGerald and his Administration in addressing the challenges that face our community.

CONCLUSION

This report is being issued in accordance with the requirements of Section 1901.14 of the Ohio Revised Code to the Lakewood City Council and the Cuyahoga County Board of Commissioners. In addition to this statutory mandate, copies of this annual report are also being issued to other Lakewood City and Cuyahoga County officials. Copies of this report are also made available to the general public for review. As a public entity, it is important that information concerning the operation of the Court be available on a widespread basis.

As the Judge of the Lakewood Municipal Court, I have attempted to implement procedures for the efficient administration of justice and to provide an open, accessible and responsive forum to resolve legal disputes in our community. The successful continuation of the Court's programs during the past year, however, could only have been achieved with the dedication and hard work of all the employees of the Lakewood Municipal Court. Only through the supportive efforts of all Court employees could the successes of the past year have been attained.

Respectfully submitted,

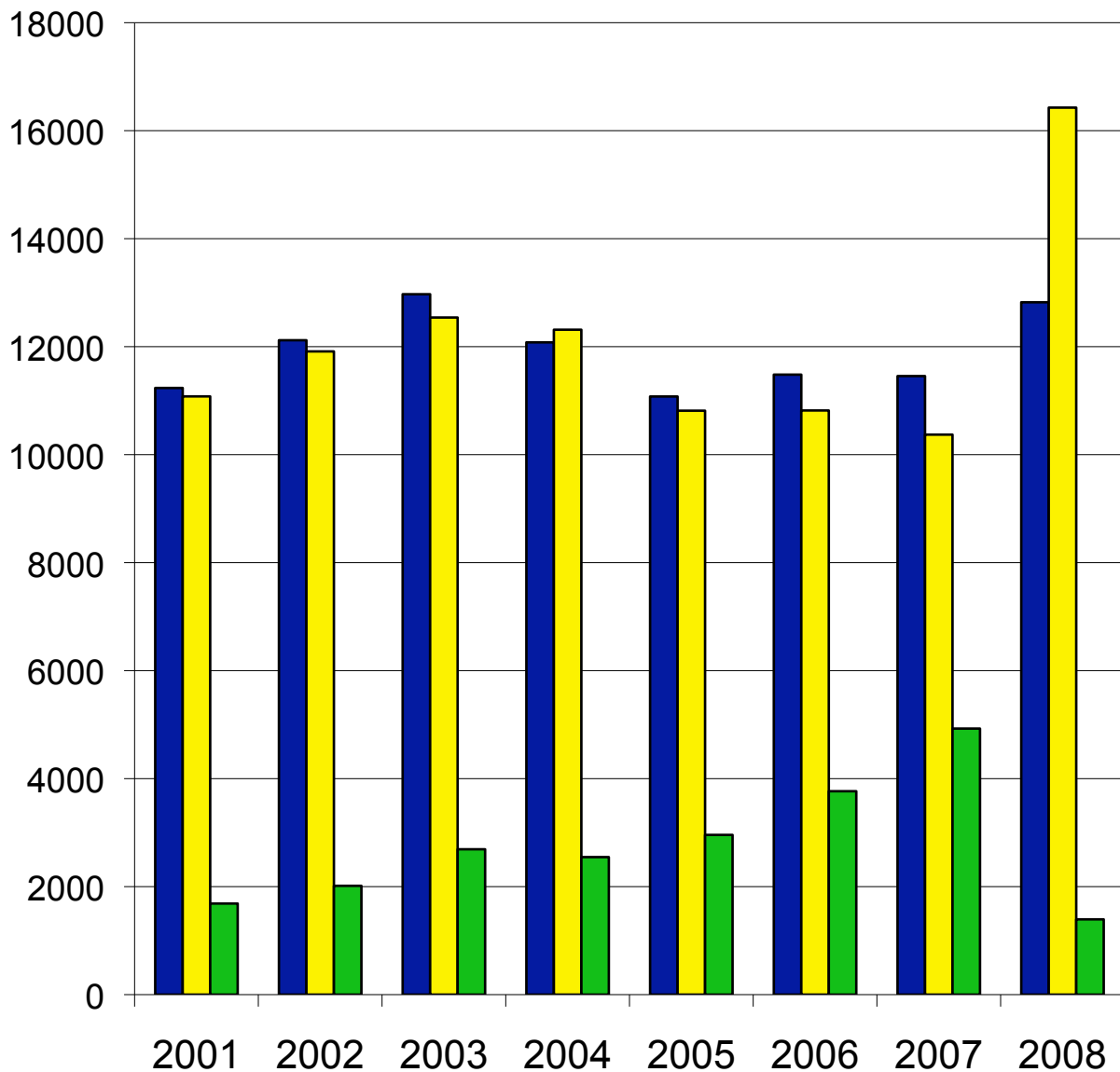
Judge Patrick Carroll

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CRIMINAL AND CIVIL DIVISIONS

RECEIPTS AND EXPENDITURES DATA

Chart 1
Annual Summary of All Cases
for the Lakewood Municipal Court

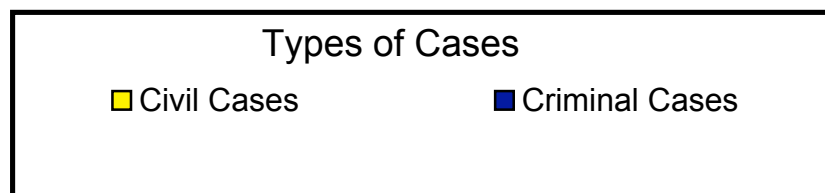
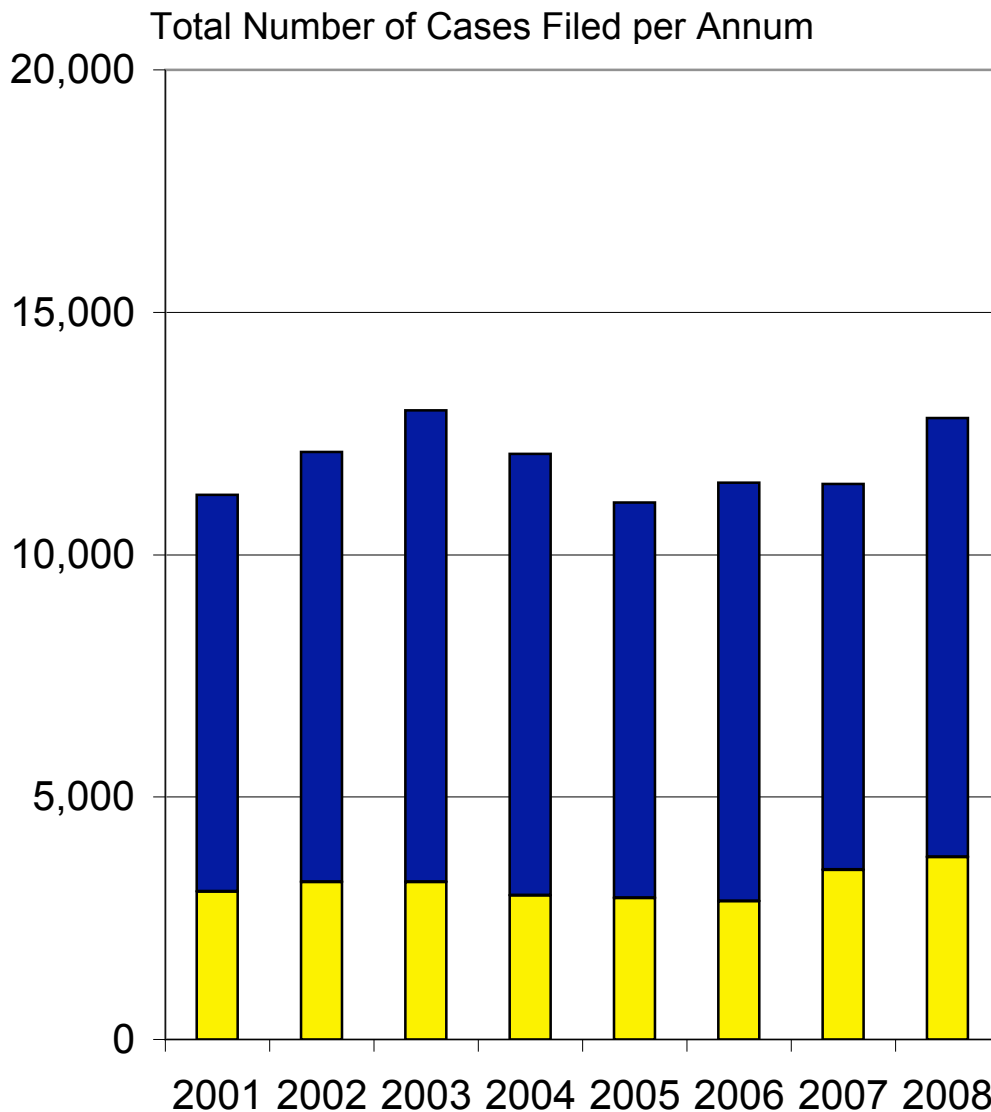


■ All Cases Filed ■ Cases Adjudicated ■ Cases Pending

Source: Annual Superintendence Reports
to the Ohio Supreme Court

Chart 2

**Summary of Distribution of Cases
Filed with the Lakewood Municipal**

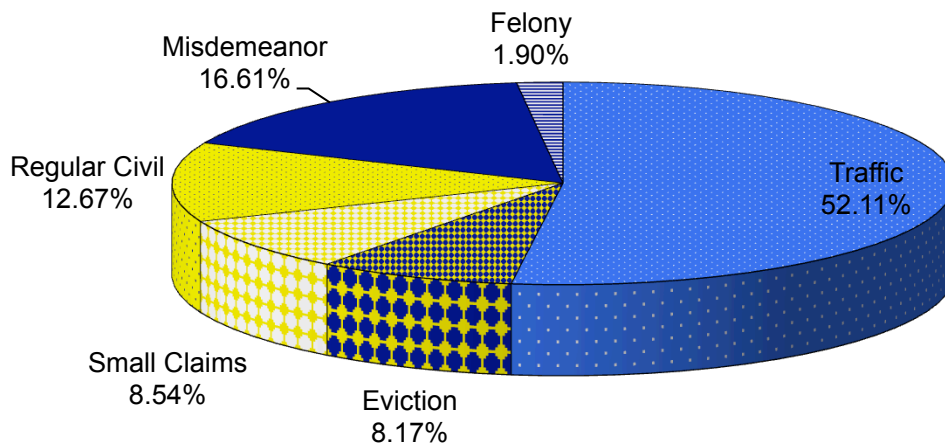


Source: Annual Superintendence Reports
to the Ohio Supreme Court

Chart 3

2008 Summary of All Case Filings for the Lakewood Municipal Court

Cases by Type

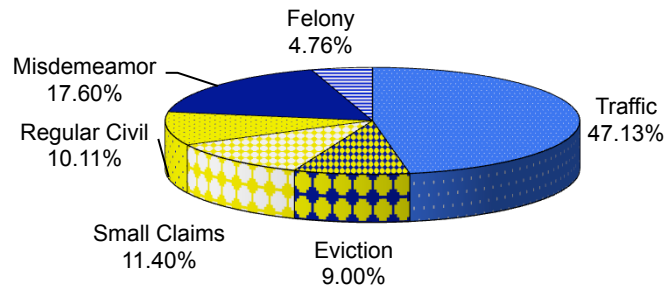


Source: Annual Superintendence Reports
to the Ohio Supreme Court

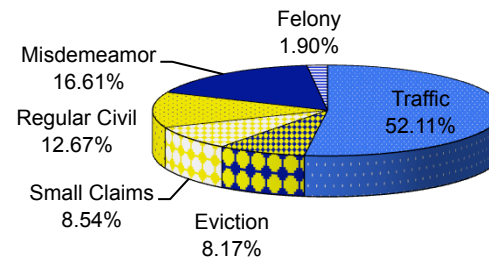
Chart 4

Summary of All Case Filings for the Lakewood Municipal Court 2007 & 2008

2007



2008



Total Cases by Division

	<u>100.0%</u>
Civil	24.89%
Traffic & Criminal	75.11%

	<u>100.0%</u>
Civil	29.38%
Traffic & Criminal	70.62%

Source: Annual Superintendence Reports to the Ohio Supreme Court

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

(PAGE 1 of 2)

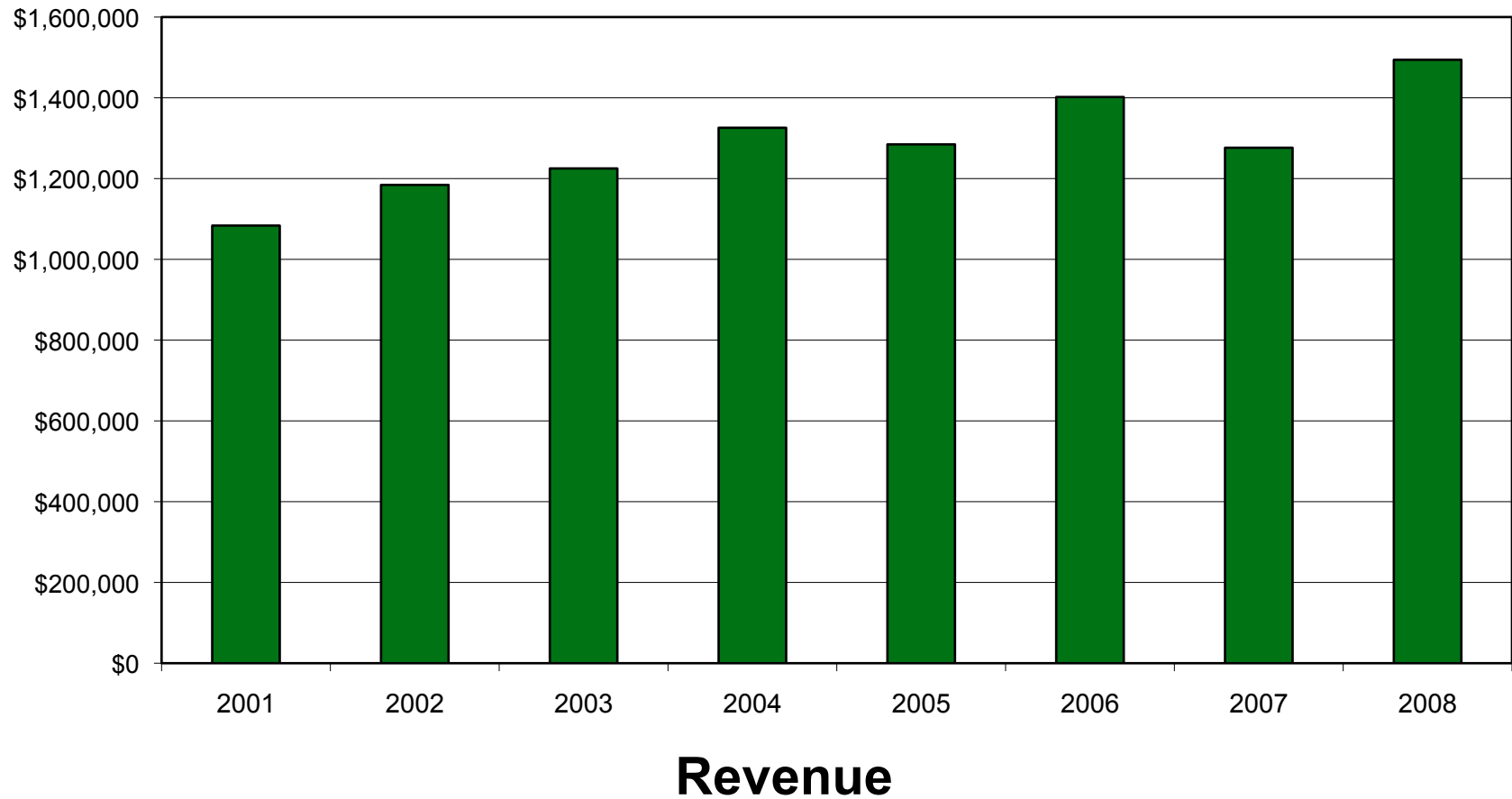
	<u>Criminal Division</u>	<u>Civil Division</u>	<u>Small Claims Division</u>	<u>Trusteeship Division</u>	<u>Landlord and Tenant Division</u>	<u>Total</u>
Cash Balances, beginning of Court year 2008	\$ 73,465.00	\$ 6,670.00	\$ -	\$ -	\$ 34,657.42	\$ 114,792.42
RECEIPTS						
Bonds and deposits	303,565.00				34,256.77	337,821.77
Traffic Violations and forfeitures	498,087.70					498,087.70
Criminal violations and forfeitures	157,969.31					157,969.31
Parking violations and forfeitures	209,276.00					209,276.00
O.V.I. Funds/Unclaimed monies	17,185.82					17,185.82
Violations of Ohio Revised Code:						
County of Cuyahoga & Law Library	52,749.90					52,749.90
C.R.I.S.	24,501.00					24,501.00
Metropolitan Park	2,042.00					2,042.00
O.D.N.R., Exp., Liquor	1,282.50					1,282.50
State Treasurer:						
Reparations Fund	64,484.00					64,484.00
General Public Defender Fund	107,696.00					107,696.00
Legal Aid Fund		67,377.00	11,957.00			79,334.00
Seat Belt Fund	31,849.00					31,849.00
Child Restraint	1,015.00					1,015.00
ISDF	4,906.50					4,906.50
OCJS	3,435.00					3,435.00
IDAT	1,477.50					1,477.50
SB 209	5,079.00					5,079.00
All Court Costs:						
Court costs, Admin. fees, Filing fees, etc.	342,719.41	189,479.00	39,536.00			571,734.41
Security for Costs		740.00				740.00
10% Bond Costs	25,899.50					25,899.50
Witness and Jury Fees	3,537.00					3,537.00
Expungements	580.00					580.00
LETF	9,846.99					9,846.99
Diversion	230.00					230.00
Marriage Fees		475.00				475.00
SB 17	700.00					700.00
Interest on deposits	4,045.76					4,045.76
Collections	2,635.20					2,635.20
Judgments and Refunds		505,868.21	141,287.23			647,155.44
Remittance for payment to creditors & other				14,717.00		14,717.00
Probation	38,163.00					38,163.00
Overpayments	569.22					569.22
Juror Payment	1,850.00					1,850.00
Computer Maintenance Fund	23,310.00	10,029.00	2,914.00			36,253.00
Special Projects Fund	116,124.00	23,401.00	4,386.00			143,911.00
Total Receipts	\$ 2,130,276.31	\$ 804,039.21	\$ 200,080.23	\$ 14,717.00	\$ 68,914.19	\$ 3,218,026.94

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
STATEMENT OF CASH RECEIPTS AND EXPENDITURES
(PAGE 2 OF 2)

	<u>Criminal Division</u>	<u>Civil Division</u>	<u>Small Claims Division</u>	<u>Trusteeship Division</u>	<u>Landlord and Tenant Div.</u>	<u>Total</u>
<u>EXPENDITURES</u>						
To the City of Lakewood, Ohio for:						
Traffic violations and forfeitures	\$ 498,087.70					\$ 498,087.70
Criminal violations and forfeitures	157,969.31					157,969.31
Parking violations and forfeitures	209,276.00					209,276.00
O.V.I. Funds/Unclaimed Monies	17,185.82					17,185.82
Court costs, Admin. Fees, Filing fees, etc.	338,444.52	\$ 189,223.92	\$ 39,536.00	\$ 294.34	\$ 320.02	567,818.80
10% Bond Costs	25,899.50					25,899.50
Witness and Jury Fees	3,537.00					3,537.00
Expungements	580.00					580.00
LETf	9,846.99					9,846.99
Diversion	230.00					230.00
Marriage Fees		475.00				475.00
Interest on deposits	4,045.76					4,045.76
Bonds and deposits refunded	325,785.00				64,953.42	390,738.42
Judgment payments and refunds		511,258.21	141,287.23			652,545.44
County Treasurer & Law Library	52,749.90					52,749.90
C.R.I.S.	24,501.00					24,501.00
Metropolitan Park Board	2,042.00					2,042.00
State: RRF; GF; Legal Aid;Seat Belt;IDAT; IDSF						
Child Restraint; OCJS; SB209	219,942.00	67,377.00	11,957.00			299,276.00
O.D.N.R., Exp., Liquor	1,282.50					1,282.50
Payment to creditors & others				14,422.66		14,422.66
Probation	38,163.00					38,163.00
Computer Maintenance Fund	23,310.00	10,029.00	2,914.00			36,253.00
Special Projects Fund	116,124.00	23,401.00	4,386.00			143,911.00
Juror Payments	1,850.00					1,850.00
Overpayments	569.22					569.22
Collections	2,635.20					2,635.20
Credit Card Fees	4,974.89	275.08				5,249.97
Total Expenditures	\$ 2,079,031.31	\$ 802,039.21	\$ 200,080.23	\$ 14,717.00	\$ 65,273.44	\$ 3,161,141.19
Cash balances, end of Court year 2008	\$ 51,245.00	\$ 2,000.00	\$ -	\$ -	\$ 3,640.75	\$ 56,885.75

Chart 5

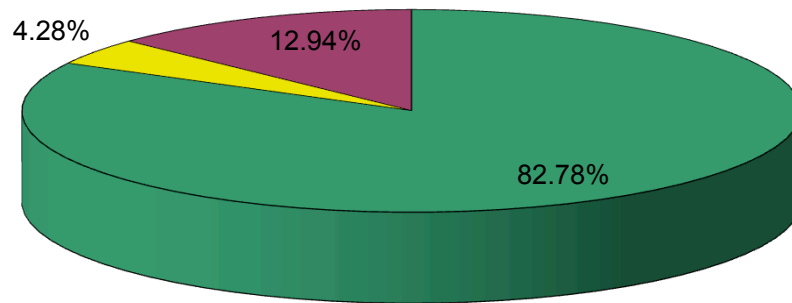
Summary of Revenue For the City of Lakewood By The Lakewood Municipal Court



Note: Revenues Include only those
funds available to the City of Lakewood

Chart 6

**SUMMARY OF DISTRIBUTION OF REVENUE
FROM THE LAKEWOOD MUNICIPAL COURT**



■ City of Lakewood ■ Cuyahoga County ■ State of Ohio

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CRIMINAL AND CIVIL MONTHLY SUMMARY OF REVENUE TO CITY
(PAGE 1 OF 2)

(PAGE 1 OF 2)

PAID TO CITY ACCOUNT NO.		101-0000- 361.10-00 361.20-00 361.30-00 361.50-00	101-0000- 361.35-00	101-0000- 361.20-00	101-0000- 370.00-00	232-0000- 361.50-00 CRIMINAL	230-0000- 361.50-00 CRIMINAL	231-0000- 361.50-00 CRIMINAL	235-0000- 361.50-00 R.C.	234-0000- 361.50-00 R.C.	237-0000- 361.50-00 R.C.
		CRIMINAL		CRIMINAL							
2008	CRIMINAL*	WITNESS	JUROR	INTEREST	P.S.I.	I.D.A.T.	L.E.A.	S.P.F.	C.M.F.	I.D.A.M.	
January	\$103,688.59	\$195.00	\$18.00	\$565.57	\$496.00	\$532.00	\$496.00	\$11,135.00	\$2,882.00	\$0.00	
February	114,194.28	156.00	0.00	590.79	203.00	501.00	552.00	12,943.00	3,314.00	0.00	
March	122,391.48	174.00	0.00	609.70	15.00	265.00	225.00	11,180.00	2,823.00	0.00	
April	123,704.28	240.00	0.00	497.56	190.00	459.00	476.00	13,842.00	3,427.00	0.00	
May	109,546.72	312.00	784.00	481.44	323.00	646.00	556.00	12,506.00	3,070.00	0.00	
June	118,363.22	264.00	0.00	347.78	331.00	644.00	630.00	12,685.00	3,229.00	0.00	
July	95,746.65	132.00	129.00	248.68	236.00	432.00	430.00	11,643.00	2,919.00	0.00	
August	98,775.38	138.00	40.00	178.91	50.00	552.00	537.00	12,911.00	3,300.00	0.00	
September	92,055.49	186.00	25.00	170.29	177.00	333.00	360.00	12,023.00	2,895.00	0.00	
October	100,452.60	312.00	0.00	177.04	73.00	300.00	291.00	13,445.00	3,385.00	50.00	
November	76,189.18	168.00	0.00	131.92	50.00	350.00	347.00	9,392.00	2,413.00	450.00	
December	75,075.08	258.00	0.00	46.08	0.00	249.00	192.00	10,097.00	2,572.00	200.00	
'08 Totals	\$1,230,182.95	\$2,535.00	\$996.00	\$4,045.76	\$2,144.00	\$5,263.00	\$5,092.00	\$143,802.00	\$36,229.00	\$700.00	
'07 Totals	\$1,040,930.05	\$1,925.00	\$4,511.00	\$7,814.55	\$4,236.00	\$6,365.00	\$6,357.00	\$104,406.00	\$30,298.00	\$0.00	

REFERENCE:

P.S.I. - Political Subdivision Involved. Authority R.C. 4511.99
I.D.A.T. - Indigent Drivers Alcohol Treatment. Authority R.C. 4511.99
L.E.A. - Law Enforcement Agency. Authority R.C. 4511.99
S.P.F. - Special Projects Fund. Authority R.C. 1901.26(B)
C.M.F. - Computer Maintenance Fund. Authority R.C. 1901.261(B)
I.D.A.M. - Indigent Drivers Interlock and Alcohol Monitoring Fund R. C. 4511.19 (1)
* Includes Criminal, Traffic, and Parking cases

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CRIMINAL AND CIVIL MONTHLY SUMMARY OF REVENUE TO CITY
(PAGE 2 OF 2)

	PAID TO CITY ACCOUNT NO. 222-0000- 361.50-00	236-0000- 361.50-00	101-0000- 361.20-00	101-0000- 361.20-00 MARRIAGE & WITNESS FEES	101-0000- 361.20-00	101-0000- 361.20-00	101-0000- 361.20-00	799-0000- 384.00-00	
2008	L.E.T.F.	PROBATION	CIVIL		SMALL CLAIMS	TRUSTEESHIP	LANDLORD/ TENANT	UNCLAIMED MONIES	TOTAL TO CITY 2007
January	\$1,137.50	\$3,052.00	\$14,207.90	\$0.00	\$2,555.00	\$26.84	\$24.68	\$0.00	\$141,012.08
February	781.00	3,471.00	15,009.00	50.00	3,719.00	30.08	43.55	0.00	\$155,557.70
March	904.50	3,183.00	14,295.00	25.00	2,697.00	24.88	49.14	0.00	\$158,861.70
April	885.00	4,109.00	15,614.50	75.00	4,813.00	24.16	50.08	0.00	\$168,406.58
May	1,311.00	3,444.00	15,441.10	0.00	3,566.00	28.88	29.34	2,865.00	\$154,910.48
June	1,185.50	3,524.00	17,744.00	0.00	3,532.00	20.08	15.37	929.82	\$163,444.77
July	502.00	2,884.00	17,671.00	75.00	3,874.00	24.16	16.10	0.00	\$136,962.59
August	846.50	3,353.00	17,071.00	75.00	4,184.00	24.16	3.75	0.00	\$142,039.70
September	494.50	3,434.00	16,170.00	50.00	1,170.00	22.34	9.50	0.00	\$129,575.12
October	1,007.49	2,986.00	17,718.20	50.00	3,777.00	24.08	15.85	0.00	\$144,064.26
November	400.50	1,960.00	14,281.30	50.00	3,186.00	6.00	26.36	0.00	\$109,401.26
December	391.50	2,763.00	14,276.00	25.00	2,463.00	38.68	36.30	3,387.58	\$112,070.22
'08 Totals	\$9,846.99	\$38,163.00	\$189,499.00	\$475.00	\$39,536.00	\$294.34	\$320.02	\$7,182.40	\$1,716,306.46
'07 Totals	\$12,268.00	\$34,634.00	\$152,601.70	\$575.00	\$43,063.50	\$359.25	\$357.55	\$1,351.68	\$1,452,053.28

REFERENCE:

L.E.T.F - Law Enforcement Trust Fund. Authority R.C. 4511.99
Unclaimed Monies. Authority R.C. 1901.31(g)

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CRIMINAL DIVISION

COUNTY AND STATE REVENUES

(VIOLATIONS UNDER STATE STATUTE)

(Page 1 of 2)

Month	<u>C.R.I.S.</u> (1)	<u>Indigent</u> (2)	<u>State- Vic of Crime</u> (3)	<u>State- Gen'l. Fd.</u> (4)	<u>State- Exp. Fee</u> (5)	<u>State- OVI/I.D.S.F.</u> (6)	<u>State- I.D.A.T.</u> (7)	<u>State- I.D.S.F.</u> (8)	<u>State- D.L.E.F.</u> (9)
January	\$2,178.00	\$259.00	\$5,663.00	\$9,421.00	\$60.00	\$0.00	\$0.00	\$0.00	\$0.00
February	2,694.00	435.00	6,815.00	11,447.00	90.00	0.00	0.00	0.00	0.00
March	2,012.00	509.00	5,653.00	9,426.00	150.00	0.00	0.00	0.00	0.00
April	2,371.00	405.00	6,344.00	10,582.00	120.00	0.00	0.00	0.00	0.00
May	1,849.00	565.00	5,416.00	9,027.00	150.00	0.00	0.00	0.00	0.00
June	1,888.00	325.00	5,287.00	8,766.00	60.00	225.00	0.00	0.00	0.00
July	1,527.00	175.00	4,776.00	7,986.00	30.00	473.00	0.00	0.00	0.00
August	2,002.00	300.00	5,626.00	9,401.00	0.00	1,258.00	0.00	0.00	0.00
September	1,850.00	250.00	5,115.00	8,540.00	90.00	993.00	169.50	565.00	395.50
October	2,560.00	479.00	5,704.00	9,569.00	60.00	831.00	547.00	1,815.00	1,267.00
November	1,716.00	325.00	3,888.00	6,505.00	90.00	842.00	355.00	1,176.50	827.50
December	<u>1,854.00</u>	<u>200.00</u>	<u>4,197.00</u>	<u>7,026.00</u>	<u>0.00</u>	<u>457.00</u>	<u>406.00</u>	<u>1,350.00</u>	<u>945.00</u>
'08 Totals	\$24,501.00	\$4,227.00	\$64,484.00	\$107,696.00	\$900.00	\$5,079.00	\$1,477.50	\$4,906.50	\$3,435.00
'07 Totals	\$19,872.00	\$3,829.00	\$54,594.00	\$91,029.00	\$780.00	\$0.00	\$0.00	\$0.00	\$0.00

REFERENCE:

- (1) Cuyahoga Regional Information System assessment of \$5.00 per moving violation. Authority R.C. 2949.093. Effective 10-1-05.
- (2) Indigent Application Fee for Ohio Public Defender's Office. Authority R.C. 120.36. Effective 10-1-05.
- (3) State Vic of Crime is Victims of Crime Fund for reparations to victims of crime. Authority R.C. 2743.70.
- (4) State Gen'l. Fund is General Fund collections to defray expense of court appointed counsel for indigents. Authority R.C. 2949.091.
- (5) State Exp. Fee is Record Expungement Fee. Authority R.C. 2953.31 to 2953.36.
- (6) State Indigent Defense Support Fund R.C. 4511.19
- (7) State I.D.A.T. Indigent Driver's Alcohol Treatment Fund R.C. 2949.094
- (8) State I.D.S.F. Indigent Defense Support Fund R.C. 2949.094
- (9) State Drug Law Enforcement Fund R.C. 2949.094

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CRIMINAL DIVISION
COUNTY AND STATE REVENUES
(VIOLATIONS UNDER STATE STATUTE)
(Page 2 of 2)

Month	State- Seat Belt	State- Nat'l. Res.	State- Met Park	State- Liquor	State- Child Rest.	County- Criminal	County- Traffic	County - Crime Stoppers (10)	County- Law Lib. (11)	Totals
January	\$3,075.00	\$0.00	\$30.00	\$37.50	\$35.00	\$1,094.50	\$4,085.00	\$0.00	\$0.00	\$25,938.00
February	2,740.00	0.00	0.00	0.00	140.00	2,034.00	1,980.00	0.00	0.00	\$28,375.00
March	2,660.00	0.00	66.00	10.00	35.00	2,381.00	1,559.00	0.00	667.50	\$25,128.50
April	2,800.00	35.00	193.00	25.00	105.00	2,100.00	3,000.00	0.00	0.00	\$28,080.00
May	2,920.00	0.00	270.00	25.00	140.00	1,650.00	2,479.00	0.00	0.00	\$24,491.00
June	2,880.00	60.00	875.00	15.00	175.00	2,194.50	3,343.00	0.00	0.00	\$26,093.50
July	2,572.00	0.00	130.00	0.00	70.00	1,524.00	1,935.00	0.00	0.00	\$21,198.00
August	2,902.00	0.00	40.00	0.00	35.00	1,650.00	1,100.00	0.00	0.00	\$24,314.00
September	2,380.00	0.00	300.00	75.00	35.00	1,566.00	3,029.00	38.00	0.00	\$25,391.00
October	3,170.00	0.00	113.00	100.00	70.00	2,062.00	2,413.00	109.00	0.00	\$30,869.00
November	1,752.00	0.00	25.00	0.00	105.00	640.00	955.00	83.00	0.00	\$19,285.00
December	<u>1,998.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>70.00</u>	<u>1,850.00</u>	<u>898.40</u>	<u>103.00</u>	<u>0.00</u>	\$21,354.40
'08 Totals	\$31,849.00	\$95.00	\$2,042.00	\$287.50	\$1,015.00	\$20,746.00	\$26,776.40	\$333.00	\$667.50	\$300,517.40
'07 Totals	\$24,484.00	\$300.00	\$1,961.00	\$725.00	\$1,204.00	\$21,878.00	\$20,087.00	\$0.00	\$648.00	\$241,391.00

REFERENCE:

(10) County Crime Stoppers

(11) County Law Library is annual apportionment assessment to support same. Authority R.C. 3375.50.

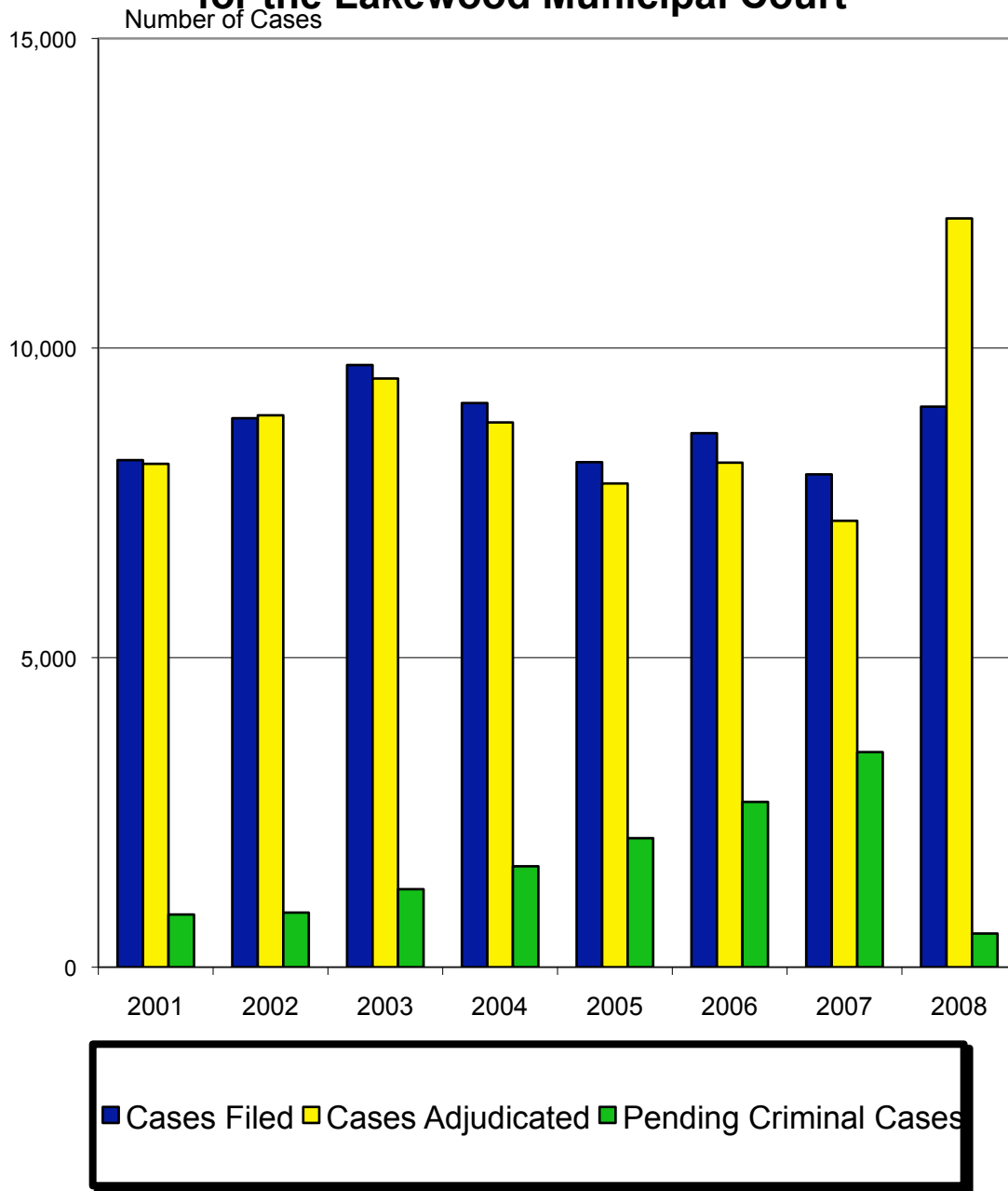
All other fees are for Criminal, Traffic, Seat Belt, Natural Resources, Metropolitan Park, Liquor, and Child Restraint State Statute violations.

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CRIMINAL DIVISION

Chart 7

**Summary of Traffic & Criminal Cases
for the Lakewood Municipal Court**

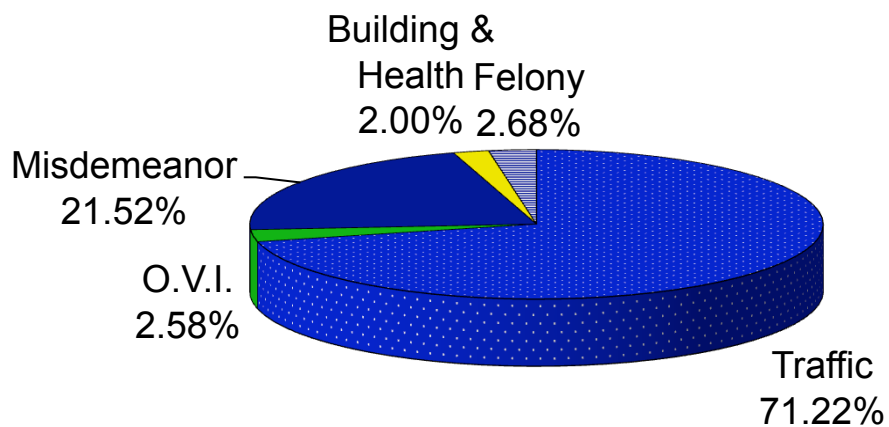


Source: Annual Superintendence
Reports to the Ohio Supreme Court

Chart 8

2008 Summary of Traffic & Criminal Cases for the Lakewood Municipal Court

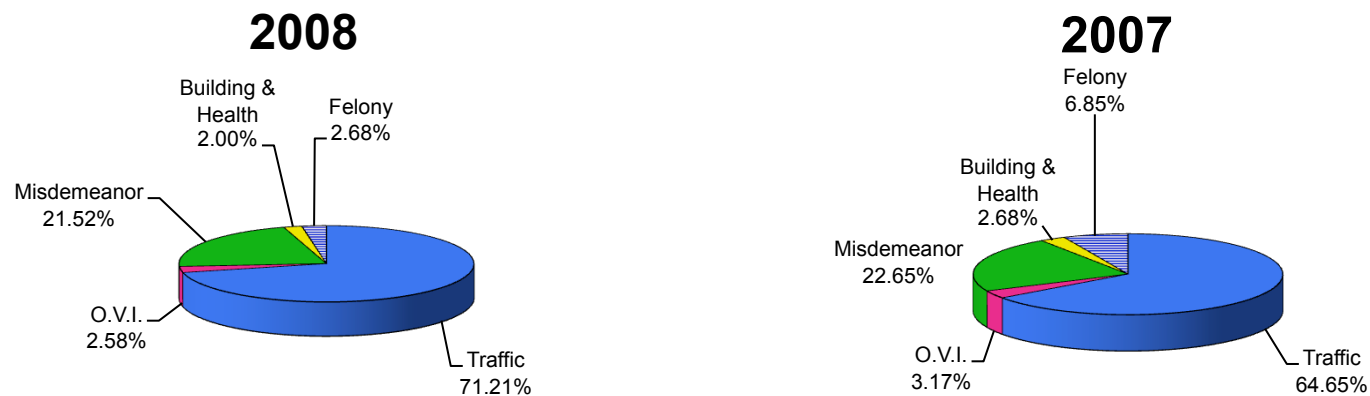
Cases by Type



Source: Annual Superintendence Reports
to the Ohio Supreme Court

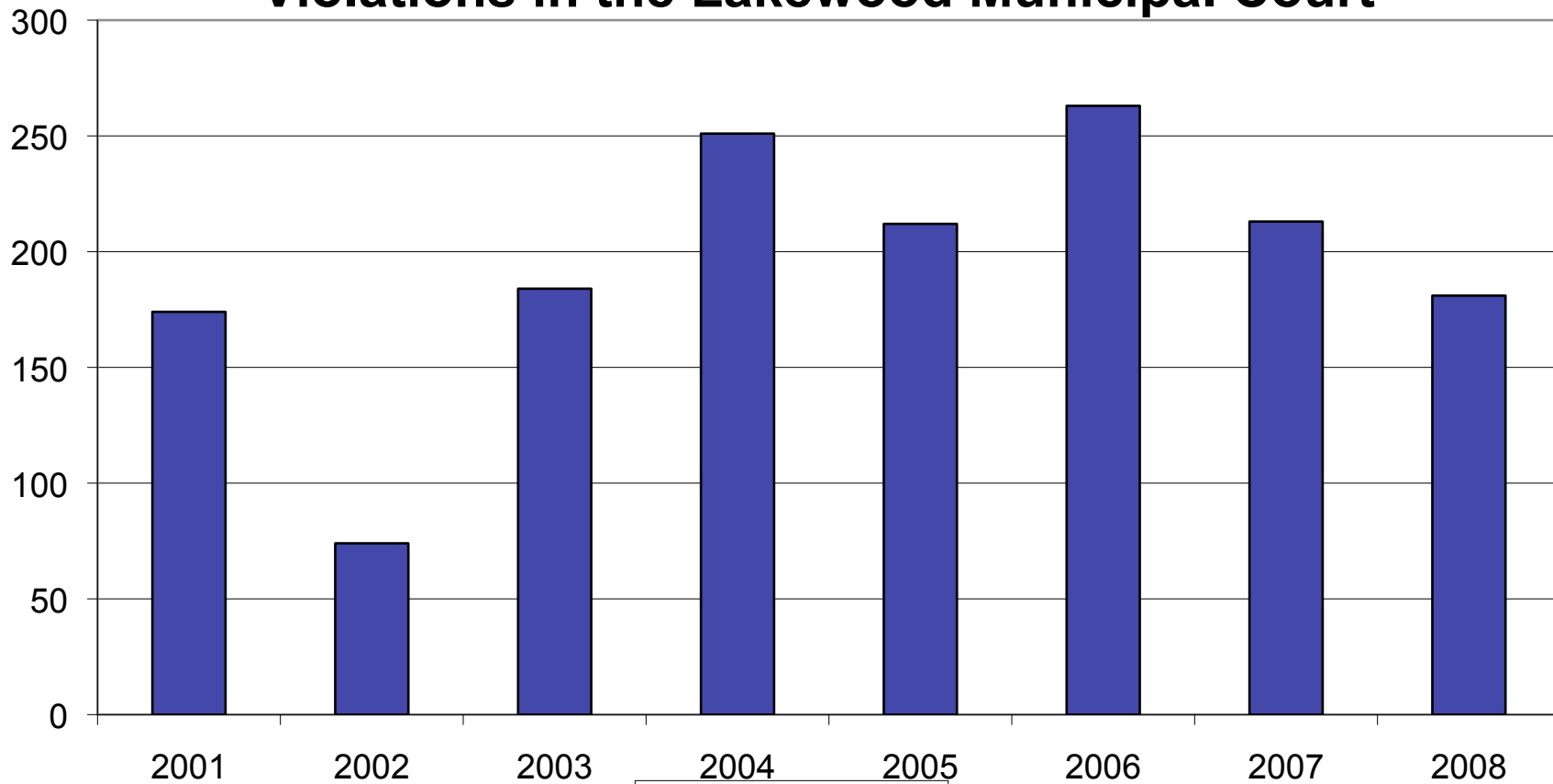
Chart 9

Summary of Traffic & Criminal Cases for the Lakewood Municipal Court 2007 & 2008



Source: Annual Superintendence Reports to the
Ohio Supreme Court

Chart 10 Summary of Cases Involving Building Code Violations in the Lakewood Municipal Court



Source: Annual Court Reports

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CRIMINAL DIVISION - MONTHLY SUMMARY OF CITY RECEIPTS AND EXPENDITURES

<u>2008 Receipts</u>	<u>Total Deposits & Bond Receipts</u>	<u>Total City Receipts (all city fines, costs & interest)</u>	<u>Totals</u>
January	\$29,199.00	\$121,239.88	\$150,438.88
February	24,601.00	133,489.97	158,090.97
March	22,860.00	138,715.31	161,575.31
April	26,003.00	144,402.44	170,405.44
May	26,743.00	132,563.89	159,306.89
June	30,011.00	138,278.72	168,289.72
July	25,265.00	111,757.23	137,022.23
August	27,713.00	116,838.93	144,551.93
September	28,101.00	108,987.59	137,088.59
October	19,720.00	118,572.43	138,292.43
November	22,549.00	88,381.62	110,930.62
December	<u>20,800.00</u>	<u>89,471.59</u>	<u>110,271.59</u>
Subtotal Amount	\$303,565.00	\$1,442,699.60	\$1,746,264.60
*Carried Over from December 2007	<u>73,465.00</u>	<u>0.00</u>	<u>73,465.00</u>
Total	\$377,030.00	\$1,442,699.60	\$1,819,729.60

<u>2008 Expenditures</u>	<u>Total Deposits and Bonds Refunded</u>	<u>Total Receipts Summary Disbursed to City-Fines and Cost</u>	
January	\$28,137.00	Traffic	498,087.70
February	29,417.00	Traffic Forfeitures	0.00
March	26,587.00	Criminal	157,904.31
April	34,161.00	Criminal Forfeitures	65.00
May	31,777.00	Parking: Bureau	207,035.00
June	31,670.00	Court	2,241.00
July	28,916.00	10% Bond Costs	25,899.50
August	26,224.00	Court Costs, Exp, LETF	348,871.51
September	26,322.00	Diversion	230.00
October	20,127.00	Witness	2,541.00
November	22,438.00	Jury	996.00
December	<u>20,009.00</u>	Interest on Deposits	4,045.76
Subtotal Amount	\$325,785.00	Crim. unclaimed monies (O.R.C. 1901.31g)	4,536.82
Carried Over to 2009	<u>51,245.00</u>	O.V.I. Funds (O.R.C. 4511.99)	12,649.00
Total	\$377,030.00	Probation	38,163.00
		Special Projects Fund	116,124.00
		Computer Maintenance Fund	<u>23,310.00</u>
		Total	\$1,442,699.60
		'07 Total	\$1,219,133.28

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CRIMINAL DIVISION - STATISTICAL DATA

Individual Charge Filings	<u>2008</u>	<u>2007</u>
Traffic Citations	7648	5320
Traffic Summons	47	65
Traffic Warrants	10	7
Parking Summons	41	7
Criminal Citations	2184	1631
Criminal Summons	237	199
Criminal Warrants - Felonies	212	450
Criminal Warrants - Misdemeanors	350	281
Total Individual Case Filings	10729	7960
Case Adjudications*	<u>2008</u>	<u>2007</u>
(Processed Through Open Court or Violations Bureau)		
Traffic and Criminal Cases Adjudicated	13659	7343
Arrest Warrants on Complaints Issued and Executed	<u>2008</u>	<u>2007</u>
Traffic and Criminal Warrants Issued	406	766
Traffic and Criminal Warrants Executed	592	867
Contempt of Court Arrest Warrants Issued and Executed	<u>2008</u>	<u>2007</u>
Contempt of Court -- Non-appearance Warrants Issued	920	993
Contempt of Court -- Non-appearance for Payment Hearing Warrants Issued	501	511
Contempt of Court -- Non-appearance Warrants Executed	801	745
Contempt of Court -- Non-appearance for Payment Hearing Warrants Executed	386	357

*Computed From Supreme Court Superintendence Report Year-End Figures.

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CRIMINAL DIVISION - STATISTICAL DATA
TRAFFIC OFFENSE DESCRIPTIONS

<u>Traffic Offense Description</u>	<u>Individual Offense Filings</u>	
	<u>2008</u>	<u>2007</u>
Assured Clear Distance	0	18
Backing Without Vigilance	59	53
Bicycle/ Bicycle Helmet Violations	22	14
Certain Acts Prohibited	10	2
Driving on Sidewalk or Curb	5	0
Driving Under Suspension or Revocation	553	1054
Earphone Use While Driving	2	2
Emergency Vehicle Violation	1	2
Excessive Noise, Loud Exhaust, Horn Blowing	8	9
Failure to Control Motor Vehicle/Full Time & Attention While Driving	225	236
Failure to Yield Right of Way	112	125
False Info Provided	10	4
Following too Closely	30	32
Improper Change of Course, Lane Usage, Weaving, Right Side of Roadway	118	87
Improper or Unsafe Lights & Equipment, Obstructed View	397	229
Improper Passing	14	23
Improper Turns	58	51
Improper Vehicle Ident, Illegal Use of Plates, Exp. Plates, Fictitious Plates	1112	921
Leaving Scene of Accident/Hit Skip/Stopping After Accident	63	73
Left of Center	0	4
Litter from Motor Vehicle	10	15
Motorcycle/Moped Violations	1	0
No Operator's License; License Restrictions, Exp.Operator's License, Unlicensed to Drive	608	569
One Way Streets	0	3
Open Door in Traffic	7	2
Operating a Vehicle Impaired (L.C.O.)	160	164
Operating a Vehicle Impaired(O.R.C.)	62	93
Parking (To Court)	4	18
Pedestrian Related; Right of Way	43	8
Physical Control (L.C.O.)	3	7
Physical Control (O.R.C.)	5	7
Playing in Street	1	1
Railroad Crossing Violations	1	0
Reckless Operation of Vehicle	17	48
Restricted Street, Excessive Weight or Load, Closed Street	133	75
Seatbelt/Child Restr. Law	1544	1208
Speeding	1527	900
Stop For School Bus	2	0
Temporary Operator's Permit Violation	67	62
Tire Peeling	26	9
Toys in Street	7	2
Traffic Control Devices; Traffic Lights & Signs	1190	1182
Unattended Motor Vehicle	21	41
Unsafe Motor Vehicle	7	7
Use of Highway For Soliciting	2	4
Willful or Wanton Disregard	6	0

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CRIMINAL DIVISION - STATISTICAL DATA
CRIMINAL OFFENSE DESCRIPTIONS

CITY ORDINANCE OFFENSES -MISDEMEANORS

Criminal Offense Description	Individual Offense Filings		Criminal Offense Description	Individual Offense Filings	
	2008	2007		2008	2007
Aggr. Trespass	0	11	Menacing	8	11
Aggr. Menacing	12	17	Menacing by Stalking	0	2
Animal Code Violation	64	47	Misuse of Credit Cards	3	4
Assault	42	43	Noise Violations	137	71
Building & Zoning Code Violations	181	213	Obstructing Justice	4	3
Carry Concealed Weapon	9	17	Obstruction Official Business	54	43
Comply Lawful Order	8	9	Occupying a Drug Premisis	4	4
Contributing to Delinquency of Minor	22	24	Open Container/Public Consumption	95	92
Criminal Damaging	42	45	Passing Bad Checks/NSF Checks	5	13
Criminal Mischief	7	15	Possession of Dangerous Toys	4	3
Criminal Simulation	5	4	Possession of Drug Instruments/Parapha	117	47
Criminal Trespassing	89	85	Possession/Discharge Fireworks	17	3
Curfew	60	79	Promoting Prostitution/Soliciting	3	3
Defraud Livery	6	1	Public Indecency/Exposure	4	8
Discharging Firearms	2	1	Receiving Stolen Property	25	14
Disorderly Conduct/Intoxication	715	636	Resisting Arrest/Willful Fleeing	20	27
Domestic Violence	5	5	Rummaging in Refuse	5	0
Drug Abuse/Poss. of Halluc/Marijuana	97	124	Smoking in Prohibited Area	0	1
Endangering Children	12	10	Soliciting License/Bell Posting	7	0
False Alarms	7	4	Stun Gun	2	2
Falsification/False Info to Officer	60	51	Tampering with Coin Machine	0	1
Health Code Violation	1	7	Telephone Harassment	6	7
Hours of Sale/Consumption	4	6	Theft/Petty Theft	76	50
Illegal Knives	4	6	Unauthorized Use Motor Vehicle	3	2
Illegal Sales Minor/Minor Pur-			Unlawful Restraint	1	3
chasing & Possession of Alcohol	66	71	Unlawful Transaction in Weapons	8	10
Inducing Panic	1	6	Unlawful Use of Property	3	0
Littering	14	13	Voyeurism	1	0
			Walking Along Highways	0	1

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CRIMINAL DIVISION - STATISTICAL DATA
CRIMINAL OFFENSE DESCRIPTIONS

STATE STATUTE OFFENSES - MISDEMEANORS

<u>Criminal Offense Description</u>	<u>Individual Offense Filings</u>		<u>Criminal Offense Description</u>	<u>Individual Offense Filings</u>	
	<u>2008</u>	<u>2007</u>		<u>2008</u>	<u>2007</u>
Aggravated Menacing	6	2	Illegal Dist. Of Tobacco	2	1
Alcohol Consumption in a Motor Veh	0	1	Importuning	1	0
Arson	1	0	Interfere with Custody	1	1
Assault	13	6	Menacing/Stalking	6	2
Boating Violations	1	0	Obstruction Justice, Official Bus.	0	6
Conspiracy	0	2	Open Container	0	2
Contempt of Court	22	4	Passing Bad Checks	0	1
Contributing to Delinquency of Minor	1	0	Possession of Criminal Tools	11	14
Criminal Damaging	1	2	Prohibited Acts	0	3
Criminal Simulation	6	0	Public Indecency/Sexual Imposition	2	0
Criminal Trespassing/Aggtress	5	1	Receiving Stolen Property	7	0
DCI	3	5	Resisting Arrest	2	0
Domestic Violence	53	53	Restricted Sales Liquor	2	0
Drug Paraphernalia	4	5	Riot	4	0
Drugs of Abuse	13	5	Sales to Minor/Poss/Consump	2	16
Endangering Children	0	1	Telephone Harrasement	1	0
Extradition	4	3	Theft	89	107
Failure to File Taxes	7	0	Unauthorized Use of Motor Vehicle	1	1
Falsification/Taking Identity	3	1	Use/Discharge Firearms	1	0
Fishing Without a License/Illegal			Violation of TPO	17	17
Acquisition of Wild Animals	13	4	Willful & Elude	3	0

OTHER GOVERNMENTAL AGENCIES

Department of Natural Resources		
Division of Wildlife/Watercraft	2	4
Metropolitan Park-Including Traffic	24	19
Liquor Control	3	0
Public Safety	1	0
Ohio Dept of Tax	7	0

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CRIMINAL DIVISION - STATISTICAL DATA
CRIMINAL OFFENSE DESCRIPTIONS
STATE STATUTE OFFENSES - FELONIES

<u>Criminal Offense Description</u>	<u>Individual Offense Filings</u>		<u>Criminal Offense Description</u>	<u>Individual Offense Filings</u>	
	<u>2008</u>	<u>2007</u>		<u>2008</u>	<u>2007</u>
Abduction	0	2	Illegal Conveyance of Prohibited Item	1	3
Aggravated Arson	1	1	Illegal Processing of Drug/ Documents	1	4
Aggravated/Felonious Assault	15	18	Inducing Panic	0	1
Aggravated Burglary	6	8	Intimidation, Retaliation	1	1
Aggravated Murder	0	1	Kidnapping	0	6
Aggravated Riot/Riot	2	3	Menacing By Stalking	0	2
Aggravated Robbery	7	19	Misuse of Credit Card	2	3
Aggravated Trespassing/ Criminal Trespassing	0	6	Murder	1	3
Aggravated Vehicular Assault	1	1	Obstruction of Justice/Official Business	0	7
Assault	2	13	Operating a Vehicle Impaired	0	3
Assault Peace Officer	0	1	Pandering Sex Material to Minor	0	0
Attempt	2	24	Passing Bad Checks	4	6
Breaking and Entering	8	13	Patient Neglect	1	0
Burglary	14	17	Permitting Drug Abuse	0	3
Carrying a Concealed Weapon	3	6	Petty Theft	3	15
Corruption of a Minor	0	3	Possession of Criminal Tools	1	12
Counterfeit Controlled Substance	0	5	Rape	6	4
Criminal Damaging	0	4	Receiving Stolen Property	15	69
Criminal Simulation	1	0	Resisting Arrest	1	0
Deception to Obtain Drugs	1	6	Robbery	10	7
Defraud Livery	0	1	Sales to Minor	0	1
Disorderly	0	3	Tampering with Evidence	1	0
Domestic Violence/Violation of TPO	6	18	Tampering with Records	0	1
Drugs of Abuse	24	17	Trafficking in Drugs	33	93
Endangering Children	2	1	Unauthorized Use of Motor Vehicle	1	6
Extradition	0	2	Vanalism	0	4
Falsification	0	1	Weapons Under Disability	2	5
Forgery	1	8	Willful Eluding/Fleeing/Failure to Comply	2	7
Fraud, Take Identity Another	1	0			
Grand Theft/Grand Theft Motor Vehicle	30	49			
Gross Sexual Imposition	0	5			
Harassing Inmate	0	3			

LAKESWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CRIMINAL DIVISION - PARKING VIOLATIONS BUREAU

2008 STATISTICAL DATA

	<u>Police Tickets Issued</u>	<u>Meter Tickets Issued</u>	<u>Total Tickets Issued</u>	<u>Summons Issued</u>	<u>Bureau Receipts</u>	<u>Court Adj'd Receipts</u>	<u>Total Receipts</u>
Jan.	654	289	943	0	\$17,245.00	\$95.00	\$17,340.00
Feb.	717	218	935	0	15,110.00	185.00	\$15,295.00
March	1777	226	2,003	0	38,065.00	280.00	\$38,345.00
April	469	436	905	0	21,290.00	335.00	\$21,625.00
May	481	448	929	0	15,685.00	481.00	\$16,166.00
June	487	532	1,019	0	17,131.00	440.00	\$17,571.00
July	560	381	941	0	16,509.00	100.00	\$16,609.00
August	534	455	989	0	14,265.00	125.00	\$14,390.00
Sept.	472	318	790	0	12,095.00	100.00	\$12,195.00
Oct.	613	421	1,034	0	13,005.00	75.00	\$13,080.00
Nov.	547	276	823	0	14,790.00	25.00	\$14,815.00
Dec.	<u>511</u>	<u>182</u>	<u>693</u>	<u>0</u>	<u>11,810.00</u>	<u>0.00</u>	<u>\$11,810.00</u>
'08 Totals	7,822	4,182	12,004	0	\$207,000.00	\$2,241.00	\$209,241.00
'07 Totals	7,342	2,945	10,287	0	\$161,768.00	\$2,349.00	\$164,117.00

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
 CRIMINAL DIVISION - PARKING VIOLATIONS BUREAU
 2008 STATISTICAL DATA
 BUREAU RECEIPTS
 (PAGE 1 OF 3)

	<u>No. @ \$6.00</u>	<u>\$ Amount</u>	<u>No. @ \$10.00</u>	<u>\$ Amount</u>	<u>No. @ \$15.00</u>	<u>\$ Amount</u>	<u>No. @ \$20.00</u>	<u>\$ Amount</u>	<u>No. @ \$25.00</u>	<u>\$ Amount</u>
January	0	\$0.00	0	\$0.00	111	\$1,665.00	0	\$0.00	369	\$9,225.00
February	0	0.00	0	0.00	118	1,770.00	1	20.00	330	8,250.00
March	0	0.00	0	0.00	101	1,515.00	0	0.00	435	10,875.00
April	0	0.00	0	0.00	193	2,895.00	0	0.00	288	7,200.00
May	0	0.00	0	0.00	225	3,375.00	0	0.00	278	6,950.00
June	1	6.00	1	10.00	263	3,945.00	1	20.00	313	7,825.00
July	9	54.00	2	20.00	176	2,640.00	0	0.00	349	8,725.00
August	0	0.00	1	10.00	233	3,495.00	0	0.00	275	6,875.00
September	0	0.00	0	0.00	170	2,550.00	0	0.00	259	6,475.00
October	0	0.00	0	0.00	192	2,880.00	0	0.00	269	6,725.00
November	0	0.00	0	0.00	128	1,920.00	0	0.00	278	6,950.00
December	0	0.00	0	0.00	96	1,440.00	0	0.00	259	6,475.00
'08 Total	10	\$60.00	4	\$40.00	2,006	\$30,090.00	2	\$40.00	3702	\$92,550.00
'07 Total	3	\$18.00	0	\$0.00	1,245	\$18,675.00	2	\$40.00	3615	\$90,375.00

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
 CRIMINAL DIVISION - PARKING VIOLATIONS BUREAU
 2008 STATISTICAL DATA
 BUREAU RECEIPTS
 (PAGE 2 of 3)

	<u>No. @ \$30.00</u>	<u>\$ Amount</u>	<u>No. @ \$35.00</u>	<u>\$ Amount</u>	<u>No. @ \$45.00</u>	<u>\$ Amount</u>	<u>No. @ \$50.00</u>	<u>\$ Amount</u>	<u>No. @ \$80.00</u>	<u>\$ Amount</u>
January	0	\$0.00	172	\$6,020.00	3	\$135.00	0	\$0.00	0	\$0.00
February	0	0.00	141	4,935.00	3	135.00	0	0.00	0	0.00
March	0	0.00	581	20,335.00	112	5,040.00	0	0.00	0	0.00
April	0	0.00	199	6,965.00	94	4,230.00	0	0.00	0	0.00
May	0	0.00	131	4,585.00	15	675.00	0	0.00	0	0.00
June	0	0.00	147	5,145.00	4	180.00	0	0.00	0	0.00
July	0	0.00	134	4,690.00	4	180.00	0	0.00	0	0.00
August	0	0.00	103	3,605.00	4	180.00	0	0.00	0	0.00
September	0	0.00	81	2,835.00	3	135.00	0	0.00	0	0.00
October	0	0.00	86	3,010.00	2	90.00	0	0.00	0	0.00
November	0	0.00	151	5,285.00	3	135.00	0	0.00	0	0.00
December	0	0.00	96	3,360.00	3	135.00	0	0.00	0	0.00
'08 Totals	0	\$0.00	2022	\$70,770.00	250	\$11,250.00	0	\$0.00	0	\$0.00
'07 Totals	0	\$0.00	1359	\$47,565.00	61	\$2,745.00	1	\$50.00	0	\$0.00

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
 CRIMINAL DIVISION - PARKING VIOLATIONS BUREAU
 2008 STATISTICAL DATA
 BUREAU RECEIPTS
 (PAGE 3 of 3)

	<u>No. @ \$100.00</u>	<u>\$ Amount</u>	<u>No. @ \$150.00</u>	<u>\$ Amount</u>	<u>Total No.</u>	<u>Total Receipts</u>
January	2	\$200.00	0	\$0.00	657	17,245.00
February	0	0.00	0	0.00	593	15,110.00
March	0	0.00	2	300.00	1,231	38,065.00
April	0	0.00	0	0.00	774	21,290.00
May	1	100.00	0	0.00	650	15,685.00
June	0	0.00	0	0.00	730	17,131.00
July	2	200.00	0	0.00	676	16,509.00
August	1	100.00	0	0.00	617	14,265.00
September	1	100.00	0	0.00	514	12,095.00
October	0	0.00	2	300.00	551	13,005.00
November	5	500.00	0	0.00	565	14,790.00
December	1	<u>100.00</u>	2	<u>300.00</u>	<u>457</u>	<u>11,810.00</u>
'08 Totals	13	\$1,300.00	6	\$900.00	8,015	\$207,000.00
'07 Totals	20	\$2,000.00	2	\$300.00	6,308	\$161,768.00

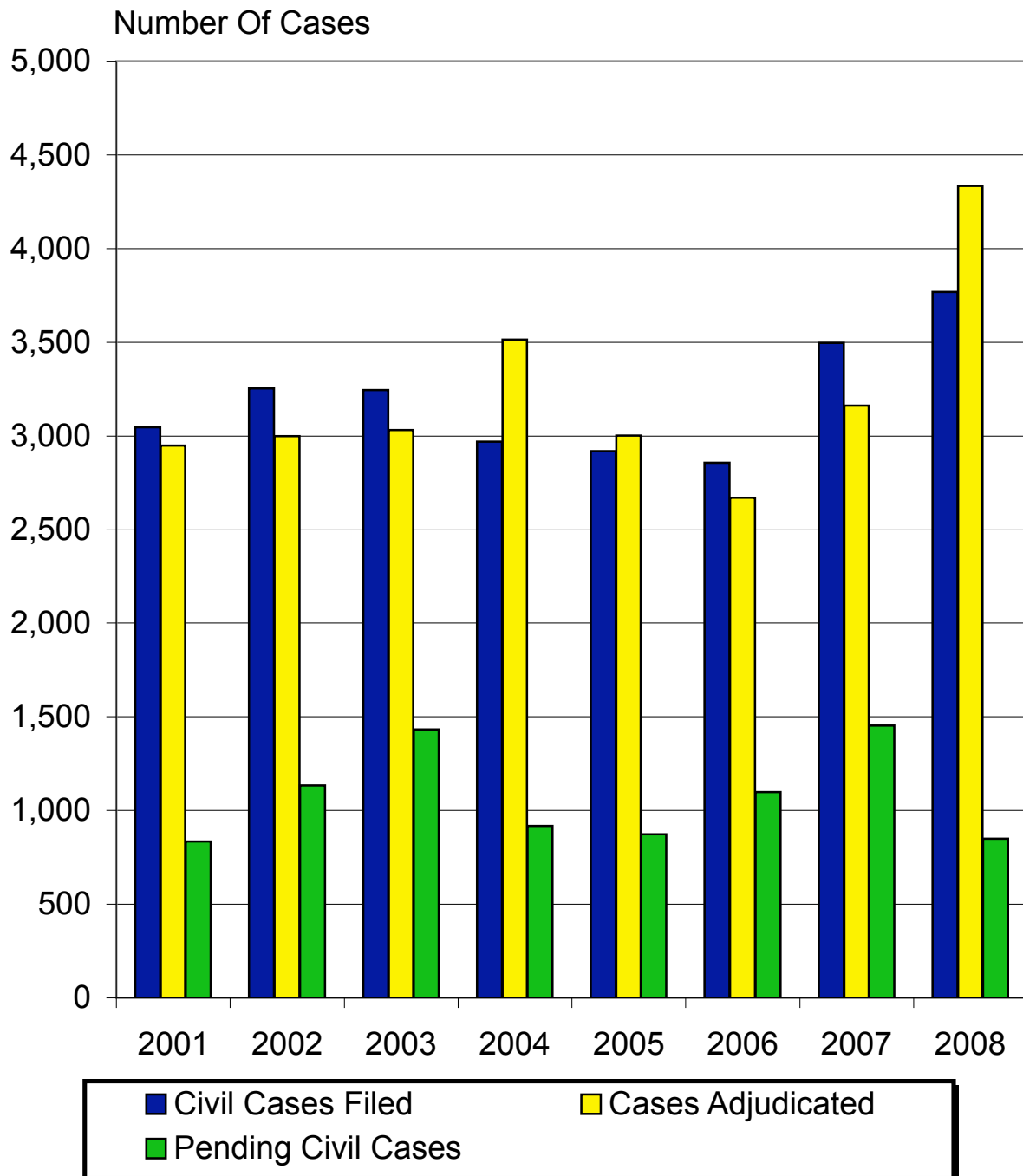
<u>VIOLATION DESCRIPTION</u>		<u>SCHEDULED FEE</u>	<u>NEW SCHEDULED FEE</u>
Meter	non-delinquent	= 6.00	15.00
	delinquent	= 10.00	25.00
Illegal Parking (other than meter)	non-delinquent	= 10.00	25.00
	delinquent	= 20.00	35.00
Fire Lane/Snow Ban	non-delinquent	= 20.00	35.00
	delinquent	= 30.00	45.00
Handicap	non-delinquent	= 50.00	100.00
	delinquent	= 80.00	150.00

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CIVIL DIVISION

Chart 11

**Summary of Civil & Small Claims Cases
for the Lakewood Municipal Court**

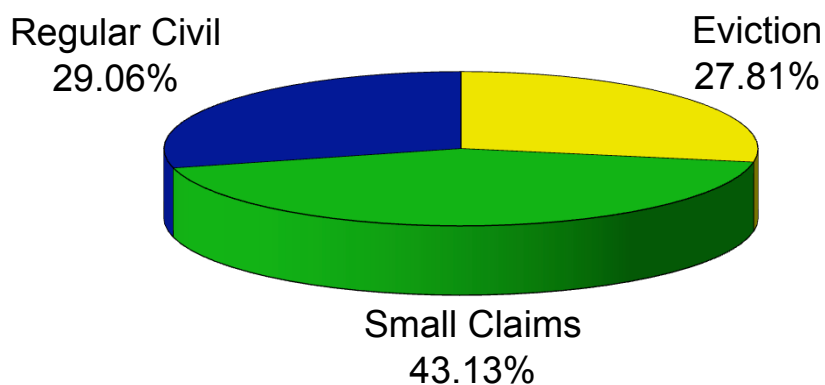


Source: Annual Superintendence Reports
to the Ohio Supreme Court

Chart 12

2008 Summary of Civil Case Filings for the Lakewood Municipal Court

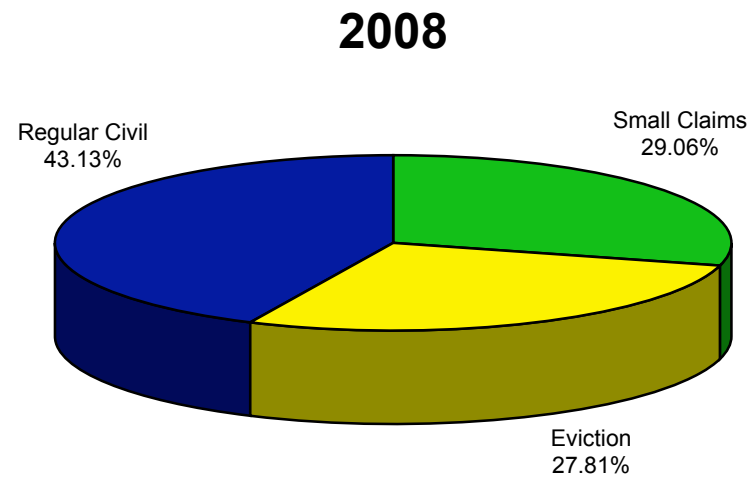
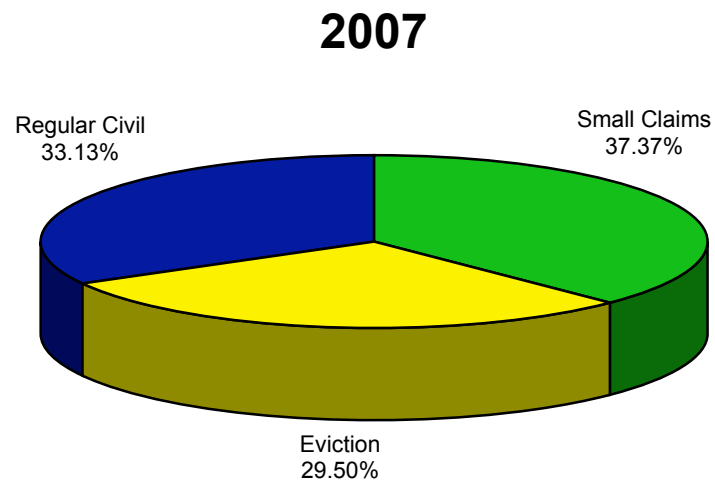
Cases by Type



Source: Annual Superintendence Reports
to the Ohio Supreme Court

Chart 13

**Summary of Civil Case Filings for the
Lakewood Municipal Court
2007 & 2008**



Source: Annual Superintendence Reports to the
Ohio Supreme Court

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CIVIL AND LANDLORD/TENANT DIVISION MONTHLY SUMMARY OF
RECEIPTS AND EXPENDITURES

<u>2008 Receipts</u>	<u>Total Receipts*</u>	<u>2008 Expenditures</u>	<u>Total Paid to City</u>
Carried over from Dec. '07	\$ 41,327.42		
January	35,576.54	January	\$ 14,230.36
February	84,061.42	February	15,093.65
March	41,573.49	March	14,359.51
April	98,025.71	April	15,711.98
May	66,343.24	May	15,446.71
June	67,721.85	June	17,728.97
July	103,605.81	July	17,732.20
August	71,073.91	August	17,112.61
September	79,186.33	September	16,205.19
October	52,280.32	October	17,770.75
November	80,103.16	November	14,317.64
December	<u>52,074.20</u>	December	<u>14,309.37</u>
Total	\$872,953.40		\$ 190,018.94
 '07 Total	 \$807,569.41		 \$ 153,534.25
 Total Expenditures*			
	Court Costs paid to City	\$ 190,018.94	
	Judgment Payments and Refunds	511,258.21	
	Deposits paid out	64,953.42	
	State Fees for Legal Aid Society	67,377.00	
	Computer Maintenance Fund	10,029.00	
	Special Projects Fund	23,401.00	
	Credit Card Fees	275.08	
	Undisbursed and carried over to Jan.	<u>5,640.75</u>	
	Total	\$ 872,953.40	

*Explanatory Note:

Total Receipts and expenditures accepted by Clerk's Office include:

Court costs/filing fees paid to city

Court ordered judgments paid to Clerk's Office by judgment debtor for distribution to judgment creditor

Deposits received by tenants and subsequently paid out to landlords

Fees collected for State Legal Aid Society, Special Projects Fund and Computer Maintenance Fund

(Authority: O.R.C. 2949.091 AND 1901.261 (a&b))

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CIVIL AND LANDLORD/TENANT DIVISION ANNUAL STATISTICAL DATA SUMMARY

	Pending January 1, 2008		Filed 2008		Adjudicated 2008		Pending December 31, 2008	
<u>Type Filing</u>								
Complaints	595	(454)	1,677	(1,156)	1,772	(1,015)	500	(595)
Cognovits	0	0	0	0	0	0	0	0
Forcible Entry & Detainer	265	(264)	1,303	(1562)	1,399	(1561)	169	(265)
Replevins	1	0	2	(7)	3	(6)	0	(1)
Transfer Judgments	1	0	12	(11)	13	(10)	0	(1)
Totals	862	(718)	2,994	(2,736)	3,187	(2,592)	669	(862)

(2007 Figure in parentheses - Numbers amended 2007 due to physical inventory)

OTHER CIVIL FILINGS

<u>Type Filing</u>	<u>2008</u>	<u>2007</u>	<u>Type Filing</u>	<u>2008</u>	<u>2007</u>
Garnishments (Wage & Banl	618	560	Leave to Plead	26	29
Amended Complaints	9	4	Examinations	34	38
Answers & Cross Complaint	195	141	Cert. Copy of Judgment Entry	24	26
Cert. Judgment for Lien	366	293	Subpoenas	19	7
Cert. Judgment for Transf.	4	6	Levies	2	1
Satisfaction/Cert. of Satsf.	216	218	Revivors	5	1
Writ of Restitution	628	586	Body Attachments	0	1
Alias Summons	719	600	Journal Entries	6,559	7,929
Settled and Dismissed	234	103	Default Entries	921	585
Full Release	92	56	Landlord/Tenant Escrow Accounts		
Motions	1189	744	established	33	42

Mileage Expense:
2008 - \$3,402.01

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CIVIL DIVISION - SMALL CLAIMS MONTHLY SUMMARY OF
RECEIPTS AND EXPENDITURES

<u>2008 Receipts</u>	<u>Total Receipts*</u>	<u>2008 Expenditures</u>	<u>Total Paid to City</u>
Carried over from December 2006	\$ -		
January	7,045.96	January	\$ 2,555.00
February	19,936.21	February	3,719.00
March	9,642.39	March	2,697.00
April	22,505.74	April	4,813.00
May	14,832.71	May	3,566.00
June	18,482.59	June	3,532.00
July	20,567.00	July	3,874.00
August	21,137.93	August	4,184.00
September	19,262.22	September	1,170.00
October	16,752.20	October	3,777.00
November	17,092.29	November	3,186.00
December	13,080.99	December	2,463.00
'08 Totals	\$200,338.23	'08 Totals	\$ 39,536.00
'07 Totals	\$ 227,231.05	'07 Totals	\$ 43,060.50

Total Expenditures*

Court Costs paid to City	\$ 39,536.00
Judgment Payments & Refunds	141,545.23
State Fees for Legal Aid Societies	11,957.00
Special Projects Fund	4,386.00
Computer Maintenance Fund	2,914.00
Undisbursed and carried over to Jan. '09	0.00
Total	\$ 200,338.23

*Explanatory Note:

Total Receipts and expenditures accepted by Clerk's Office include:

Court costs/filing fees paid to city

Court ordered judgments paid to Clerk's Office by judgment debtor for distribution to judgment creditor

Fees collected for State Legal Aid Soci (Authority: O.R.C. 2949.091 AND 1901.261 (a&b))

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

CIVIL DIVISION - SMALL CLAIMS ANNUAL STATISTICAL DATA SUMMARY

	<u>2008</u>	<u>2007</u>
Cases Pending at Beginning of Year	359	281
Cases Filed	1,095	1,306
Cases Adjudicated	<u>1,285</u>	<u>1,186</u>
Cases Pending Year-end	169	401

Case Adjudication Summary	<u>2008</u>	<u>2007</u>
Trial Hearing by Magistrate	709	668
Transfer to Civil Docket	2	3
Dismissal for Want of Prosecution	0	11
Other Dismissals	501	503
Bankruptcy Stay	59	1
Other Terminations		0
Total	1,271	1,186
Objections filed from Magistrate's Reports to Court:	19	20

Small Claims Cases by Type	<u>Amount</u>	<u>Percent</u>
Regular Civil	247	23%
Municipal Tax Cases	848	77%
Total	1,095	100%

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CIVIL DIVISION - SMALL CLAIMS
SUMMARY OF COST DISBURSEMENTS

ADMINISTRATIVE FILINGS AND COSTS DISBURSED TO CITY OF LAKEWOOD

	<u>2008</u>		<u>2007</u>	
	<u>No.</u>	<u>Total</u>	<u>No.</u>	<u>Total</u>
Small Claims Filings	1,095	\$20,300.00	1,306	\$26,120.50
Examinations	11	220.00	3	60.00
Wage Garnishments	194	7,980.00	185	8,280.00
Bank Garnishments	393	7,858.00	238	5,695.00
Certified Copies of Journal Entries	3	15.00	0	0.00
Subpoenas	24	120.00	10	50.00
Bailiff Service	4	105.00	2	50.00
Certificate of Judgment for Liens	129	645.00	98	485.00
Amended Complaints	1	5.00	3	15.00
Transfers	4	100.00	4	100.00
Certificate of Satisfaction	31	155.00	47	235.00
Counterclaims	3	13.00	17	85.00
Body Attachments	1	50.00	1	50.00
Additional Service	16	65.00	70	310.00
Motions	67	199.00	27	82.00
Photocopies	3	19.00	0	0.00
Appeal	0	0.00	0	0.00
Satisfy Docket	354	1,062.00	308	929.00
Revivors	0	0.00	0	0.00
Full Release	152	457.00	103	309.00
Continuances	19	57.00	30	90.00
Objections	15	73.00	17	85.00
Copy of Court Proceedings	0	0.00	1	20.00
Certificate of Transfer	7	38.00	2	10.00
 TOTAL	 2,526	 \$39,536.00	 2,472	 \$43,060.50

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CIVIL DIVISION - TRUSTEESHIP MONTHLY SUMMARY OF RECEIPT AND EXPENDITURES

<u>2008 Receipts</u>	<u>Total Receipts*</u>	<u>2008 Expenditures</u>	<u>Total Disbursed to City</u>
Carried over from Dec., '07	\$ -		
January	1,342.00	January	\$ 26.84
February	1,504.00	February	30.08
March	1,244.00	March	24.88
April	1,208.00	April	24.16
May	1,444.00	May	28.88
June	1,004.00	June	20.08
July	1,208.00	July	24.16
August	1,208.00	August	24.16
September	1,117.00	September	22.34
October	1,204.00	October	24.08
November	300.00	November	6.00
December	<u>1,934.00</u>	December	<u>38.68</u>
'08 Total	\$ 14,717.00	'08 Total	\$ 294.34
'07 Total	\$ 17,796.00	'07 Total	\$ 359.25

Total Expenditures*

Costs disbursed to City	\$ 294.34
Disbursed to Creditors	14,422.66
Undisbursed & Carried over - Jan '09	<u>0.00</u>
'08 Total	\$ 14,717.00
'07 Total	\$ 14,940.00

Explanatory Note:

Total receipts and expenditures include:

Court Costs paid to City

All Trustee monies accepted by Clerk's Office to be disbursed to eligible creditors

Monies on deposit at year-end undisbursed and carried over to subsequent year

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
CIVIL DIVISION - TRUSTEESHIP ANNUAL RECEIPTS, EXPENDITURES
AND STATISTICAL DATA

	<u>2008</u>		<u>2007</u>	
Receipts:				
Total Receipts carried over to new year	\$ -		\$ 997.00	
Total Receipts	<u>\$ 14,717.00</u>		<u>\$ 16,799.00</u>	
Total Receipts		\$ 14,717.00		\$ 17,796.00
Expenditures:				
Total Disbursed to City	\$ 294.34		\$ 359.25	
Total Disbursed to Creditors	<u>\$ 14,422.66</u>		<u>\$ 17,436.75</u>	
Total Disbursed		\$ 14,717.00		\$ 17,796.00
Total carried over to new year		\$ -		\$ -
Statistical Data:				
Case filings carried over to new year	3		3	
Cases filed for year	<u>1</u>		<u>2</u>	
Total		4		5
Trusteeship Cases Terminated:				
At Debtor's request	0		0	
Paid in Full	0		0	
For Non-compliance	1		2	
Transfer	<u>0</u>		<u>0</u>	
Total		1		2
Active Trusteeship Cases end of year		3		3

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
PROBATION DEPARTMENT

2008 PROBATION DEPARTMENT ANNUAL REPORT

The Lakewood Municipal Court Probation Department maintained its commitment to the community under the direction of Judge Patrick Carroll. The Probation Department provides an important service to the Lakewood Community. It is responsible for two primary functions within the court system: presentence probation investigations and probation supervision. A presentence investigation (PSI) is conducted on behalf of the Court after the defendant has been convicted through a plea of guilt or a finding of guilt. The defendant is scheduled for a personal interview with the Probation Department to provide the Court with more background information on the offense prior to final disposition.

The investigation includes the offender's personal history and his or her version of the offense, the police report, a criminal record check, and recommendation for disposition. The presentence report may also include collateral interviews with all appropriate parties to the offense such as the offender's family members, the arresting police officer, and the victim. The Probation Department produced 325 presentence investigations this year to assist the Court with sentencing.

When an offense results in property damage or personal injury, the victim is requested to provide information regarding the offense and is encouraged to express an opinion about sentencing. It is the Probation Department's responsibility to consult with the victim to verify the amount of loss or personal injury and to forward that information to the Court so the Court may order payment of restitution in the appropriate situations. In 2008, the Probation Department collected \$74,326.40 in restitution that was distributed to victims of crime.

In addition to preparing presentence reports, the Probation Department supervises a large monthly volume of offenders that have been placed on active reporting status by the Court. The average number of probationers supervised each month is 269. Probationers are required to strictly comply with a variety of conditions imposed by the Court in order to maintain their freedom in the community and avoid imposition of the original jail sentence. Terms of probation frequently contain a strong rehabilitation component to address the problems which initially brought the offender to the Court's attention.

Court imposed rehabilitation may include such elements as mandatory treatment for alcohol/drug dependency, abstinence from alcohol and all mood altering substances, attendance at self-help group meetings such as Alcoholics Anonymous, personal counseling, and mandatory participation in anger management counseling for those offenders convicted of domestic violence.

As available jail space declines, the Probation Department coordinated electronic monitored house arrest and global tracking as an alternative jail sentence in appropriate cases. According to Ohio law, offenders sentenced to electronic monitoring must serve three times as many days under house arrest to equal the amount of actual jail time designated by statute for the particular offense. Twenty-three (23) offenders were assigned and successfully completed a period of house arrest. Eligible offenders for the program are those with non-violent offense convictions who lack significant prior criminal histories and are gainfully employed.

Global tracking was used for the first time in 2008 to track offenders with stalking cases and in one instance an individual with numerous housing code violations. In 2008 four offenders were monitored with global tracking devices. As is the case with house arrest, those people monitored with a global tracking device are required to pay for the cost of the service.

Offenders assigned to house arrest and global tracking are required to pay their own service fees to the house arrest and global tracking provider for installation and daily monitoring. This requirement appears to be a forceful motivator encouraging offenders to complete the program because all fees are non-refundable with no credit for time served upon a finding of violation.

The Probation Department has also made referrals to ignition interlock services for repeat DWUI offenders with occupational driving privileges. Installation of an ignition interlock device requires the driver to blow into a breathalyzer which is attached to the ignition, and if the device tests positive the vehicle will not start.

A significant amount of time in the Probation Department is devoted to case management as well as preparation for probation violation hearings. Approximately 156 probationers were required to appear in court over the last year to answer to charges of probation violation. After scheduling a hearing, it is the probation officer's duty to inform the offender of the nature and consequences of the charges pending and to prepare testimony for the Court regarding the details of the violation.

When confronted with strong evidence of violation, the offender will frequently acknowledge his or her lack of compliance. The Court then has several options to remedy the violation ranging from the imposition of the original jail sentence to mandating that additional or more stringent conditions of probation be imposed that, if met, will demonstrate that continued probation supervision is warranted for the benefit of the probationer and the community at large.

Offenders who appear in Lakewood Court and are later referred to the Probation Department often suffer from a variety of personal problems including alcoholism, drug addiction, marital and family problems, sexual maladjustment, financial, psychiatric, and medical problems. The Department works diligently utilizing a variety of community resources to offer offenders assistance in the areas where they need it most. Consequently, when the probation term expires often the offender can successfully return to the community without supervision as a law-abiding, productive citizen.

The Probation Department continues to see an increase in the incidence of mentally ill offenders. This group of offenders often requires more time for case management. With this in mind, the Lakewood Municipal Court, along with five other area municipal courts became a part of the Mental Health Court Liaison Project. This project was implemented in February, 2003. The purpose of the project is to assist municipal court systems with early identification, assessment, referral/linkage to community based alternatives for the non-violent mentally ill offender. Mental health liaisons work collaboratively with the Probation Department to meet these needs. In 2008, twenty-nine individuals were referred to the mental health liaisons for an evaluation. As a result of this project, mentally ill offenders have decreased the amount of time spent in jail and have been diverted to more appropriate resources such as psychiatric hospitals, crisis stabilization units or home. Mentally ill offenders have benefited by not losing their housing or other entitlements as well as being re-engaged with the community mental health system.

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
PROBATION DEPARTMENT MONTHLY ACTIVITY SUMMARY
REFERRAL RESULTS

	PSI Carry Over to next Mo.	PSI Monthly Referrals	Presentence Investigation Completed PSI	Active Prob. Mo. Vol.	Restitu- tion Collected	Probation Violation Hearings	House Arrest Assign.	INACTIVE Probation w//PSI	ACTIVE Probation w//PSI	ACTIVE Probation No PSI	ACTIVE Probation Term.
January	57	31	36	275	\$6,754.73	9	1	4	11	16	27
February	37	17	37	276	3,170.00	6	6	3	12	12	23
March	17	21	37	277	6,326.72	15	2	4	5	15	19
April	19	25	21	276	4,815.98	9	1	4	15	17	34
May	26	24	27	271	2,185.00	10	3	1	16	10	31
June	23	23	33	266	10,920.45	11	3	2	14	14	33
July	18	25	21	266	5,525.70	13	1	2	13	15	28
August	13	20	25	268	6,761.24	18	0	3	11	11	20
September	16	23	21	268	11,600.15	19	2	1	15	8	23
October	17	27	22	271	4,617.99	13	2	0	17	8	22
November	30	21	13	257	4,031.50	21	1	2	7	8	29
December	16	<u>18</u>	<u>32</u>	<u>253</u>	<u>7,616.94</u>	<u>12</u>	<u>1</u>	<u>2</u>	<u>8</u>	<u>11</u>	<u>23</u>
2008 Total		275	325	269	\$74,326.40	156	23	28	144	145	312
2007 Total		341	325	318 (Mo.Avg,)	\$55,623.87	191	24	50	101	189	387

289 Total New
Active Probation
Referrals 2008

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
PROBATION DEPARTMENT - STATISTICAL ARREST DATA
The following listing is a breakdown of the quantity and type of convictions
referred for active probation supervision in 2008:
PAGE 1 OF 2

	<u>2008</u>	<u>2007</u>
Aggravated Menacing/Menacing	9	9
Arson	0	1
Assault	24	20
Assured Clear Distance	1	0
Attempted Breaking & Entering	0	1
Attempted Deception to Obtain	2	0
Attempted Importuning	0	1
Attempted Possession of Drugs	5	3
Attempted Theft	2	0
Attempted Trafficking in Drugs	0	1
Building Violations	1	0
Carrying a Concealed Weapon	1	1
Certain Acts Prohibited	3	0
Child Endangering	5	4
Contempt of Court	0	4
Contributing Del. Minor	1	1
Contributing to Unruliness	0	1
Criminal Damaging	9	12
Criminal Mischief	0	1
Criminal Trespassing	11	6
Cruelty to Animals	1	0
Disorderly Conduct	5	12
Domestic Violence	41	27
Driving While Under Suspension	20	26
Drug Abuse	4	7
Failure to Comply	1	0
Failure to Control	7	7
Failure to Reinstate	1	0
Failure to Yield	1	1
False Alarms	2	0
False Information	0	2
Following to Close	0	2
Full Time & Attention	2	0
Harassment by Inmate	0	1
Harmful Intox	0	1
Hit skip	6	3
Illegal Processing of Drug Documents	0	1
Importuning	0	1
Improper Identification	1	1
Inducing Panic	1	3
Interfering with Custody	1	0
Intox	24	32
Misuse of Credit Cards	3	2
No Operators License	1	4
Obstruction of Justice	0	3
Obstruction of Official Business	9	4
Occupy Drug Premises	1	0
Open Container	3	4
Operating a Vehicle Impaired	82	99

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
PROBATION DEPARTMENT - STATISTICAL ARREST DATA
The following listing is a breakdown of the quantity and type of convictions
referred for active probation supervision in 2008:
PAGE 2 OF 2

	<u>2008</u>	<u>2007</u>
Passing Bad Checks	0	4
Permitting Drug Abuse	0	2
Permitting Unlicensed Driver	1	0
Persisting	2	5
Petty Theft	20	18
Physical Control	7	5
Pocket Knives	1	0
Possession of Cocaine	0	2
Possession of Criminal Tools	3	1
Possession of Drug Paraphernalia	25	13
Possession of Drugs	3	1
Probation Violation	17	3
Prohibition Concerning Animals	1	1
Public Indecency	1	1
Receiving Stolen Property	4	2
Reckless Operation	1	3
Resisting Arrest	10	4
Sales to Minors	10	12
Seatbelt	1	4
Telephone Harassment	2	4
Theft	3	2
Traffic Control Device	1	2
Unauthorized Use of Motor Vehicle	4	2
Unlawful Restraint	1	1
Unlawful Transportation of Weapons	0	1
Violation of a Temporary Protection Order	4	6
Walking on Highway	1	0
Willful Fleeing	3	0
	417	408

Chart 14 **Summary of Restitution Collected by
Probation Department For Victims of Crime**



LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
COMMUNITY WORK SERVICE
PAGE 1 OF 2

OFFENSE	<u>NO. OF CASES</u>	
	<u>2008</u>	<u>2007</u>
Aggravated Menacing/Menacing	8	2
Assault	20	10
Assured Clear Distance	1	1
Attempted Drug Abuse	1	1
Attempted Forgery	0	1
Attempted Petty Theft	1	0
Attempted Possession of Cocaine	2	1
Attempted Trafficking	0	1
Backing Without Vigilance	1	2
Carrying a Concealed Weapon	2	4
Change of Course	0	1
Contributing to Delinquency of a Minor	13	4
Criminal Damaging	19	15
Criminal Mischief	0	4
Criminal Trespassing/Aggravated Trespassing	14	15
Discharging Fireworks/Possession of Fireworks	13	0
Disorderly Conduct/Intoxication	8	28
Domestic Violence	3	0
Driving While Under Suspension	37	31
Drug Abuse	6	4
Endangerment - Child	1	3
Expired License	0	1
Expired Plates	1	1
Failure to Control	18	22
Failure to Yield	4	2
False Information	3	4
Full Time and Attention	0	4
Hit-Skip	18	12
Identity Theft	2	0
Illegal Distribution of Tobacco	1	0
Improper Handling of a Firearm	1	0
Improper Identification	3	2
Improper Turn/backing	4	0
Inducing Panic	0	1
Littering	0	1
Making False Alarms	1	0
Misuse of Credit Cards	4	2
Noise	2	0

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008
COMMUNITY WORK SERVICE
PAGE 2 OF 2

	<u>2008</u>	<u>2007</u>
No Operator's License	14	12
Obstruction of Justice	3	1
Obstruction of Official Business	9	4
Open Container of Alcohol in Public	2	3
Operating a Vehicle Impaired	149	148
Passing of Bad Checks	3	1
Permitting Curfew	1	0
Petty Theft	28	28
Physical Control of Vehicle Under the Influence	4	10
Possession of Criminal Tools	2	1
Possession of Drug Paraphernalia	7	10
Possession of Hallucinogens/Marijuana	1	1
Probation Violation	119	88
Receiving Stolen Property	7	7
Reckless Operation of a Vehicle	5	10
Red Light	0	2
Resisting Arrest	4	5
Sales of Alcohol to Minor/Underage Possession	31	39
Seat Belt	5	7
Speed	1	2
Telephone Harassment	1	1
Temporary Permit	2	1
Theft with Elderly Specs	1	0
Traffic Control Device	1	0
Unauthorized Use of a Motor Vehicle	4	1
Unauthorized Transportation of a Weapon	0	3
Violation of Temporary Protection Order	0	1
	616	566

****NOTE:** 277 defendants were assigned CWS in 2008. There were 84 defendants who had two offenses,
25 defendants who had three offenses.
Of the 31 Sales of Alcohol to Minor/Underage Possession, 29 were offered the Diversion Program

78 Defendants were assigned restitution in 2008
5 Defendants were assigned GED in 2008

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

COMMUNITY WORK SERVICE

	<u>City Service Hours</u>	<u>Office On Aging</u>	<u>City Hours Combined</u>	<u>The Nature's Bin</u>	<u>Beck Center</u>	<u>The New Day</u>	<u>Barton Center</u>	<u>Lakewood Meals on Wheels</u>	<u>Special Projects</u>	<u>Recovery Resources</u>	<u>YMCA</u>	<u>Other Hours Combined</u>
Jan.	360	48	408	156	96	0	0	33	0	0	8	293
Feb.	318	32	350	184	72	0	8	27	0	0	8	299
March	476	36	512	144	120	0	0	51	0	0	0	315
April	605	40	645	144	56	0	0	63	0	0	0	263
May	514	64	578	168	96	0	0	54	0	0	0	318
June	414	88	502	192	160	32	0	33	0	0	0	417
July	730	0	730	176	186	32	0	51	0	0	0	445
Aug.	612	68	680	180	200	0	0	27	12	0	0	419
Sept.	709	88	797	192	124	24	0	33	0	0	0	373
Oct.	571.5	32	603.5	168	80	0	0	57	0	0	0	305
Nov.	347	32	379	108	112	0	0	36	0	12	0	268
Dec.	<u>454</u>	<u>48</u>	<u>502</u>	<u>152</u>	<u>108</u>	<u>0</u>	<u>0</u>	<u>12</u>	<u>0</u>	<u>52</u>	<u>0</u>	<u>324</u>
2008 Total	6110.5	576	6686.5	1964	1410	88	8	477	12	64	16	4039
2007 Total	3824	792	4616	1991	1404	72	32	315	112	0	1039	4965

The Dollar Amount is Computed at minimum wage of \$7.00 per hour.

2008 Total Hours: 10,725.50 Total Dollar Amount: 75,078.50

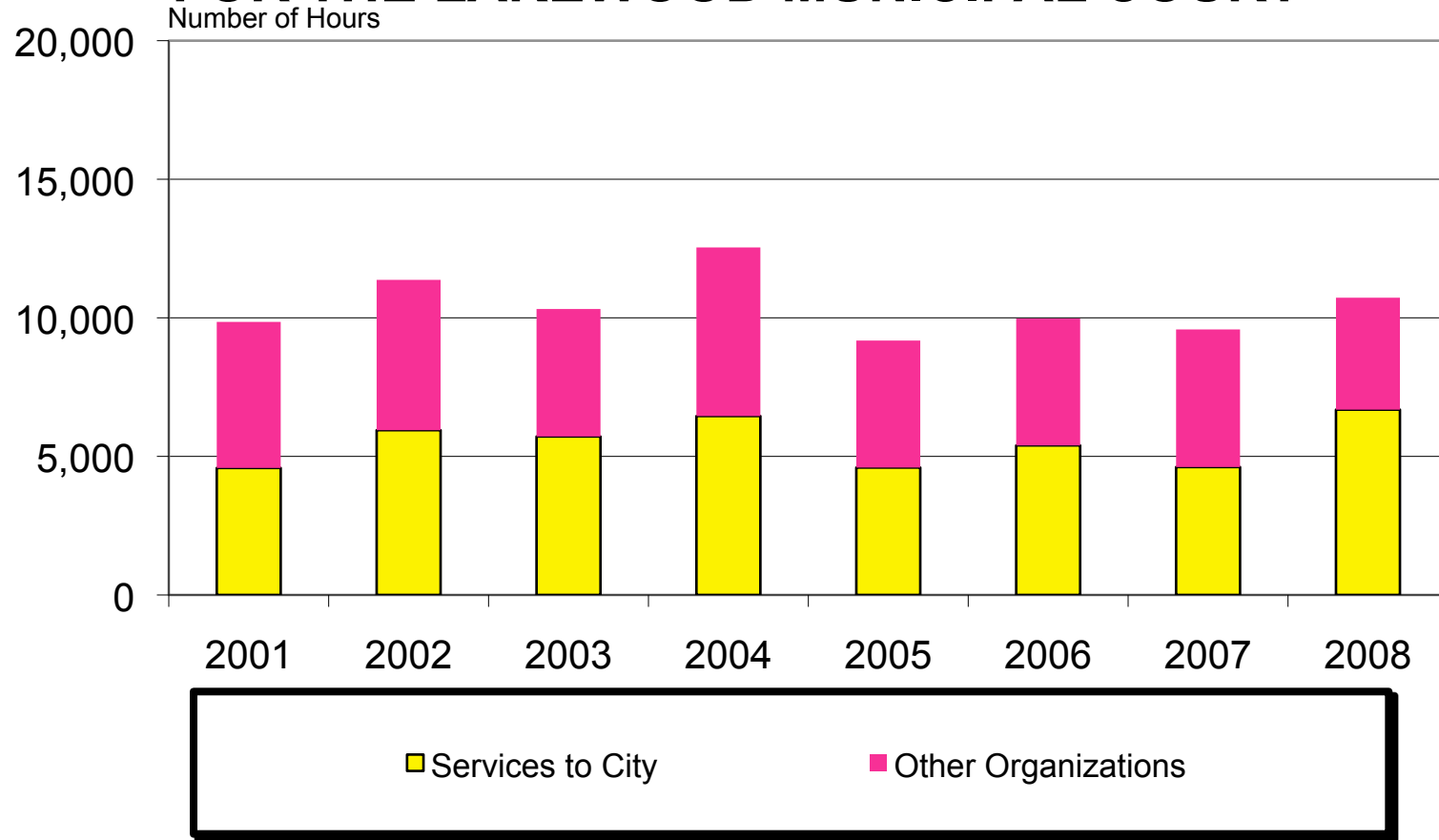
LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

COMMUNITY WORK SERVICE

	<u>Hours</u>	<u>Total</u>
City Services	6,110.5	\$42,773.50
Office on Aging	<u>576.0</u>	<u>\$4,032.00</u>
Total City Services	6,686.5	\$46,805.50
	<u>Hours</u>	<u>Total</u>
The Nature's Bin	1,964.0	\$13,748.00
YMCA	16.0	\$112.00
Recovery Resources	64.0	\$448.00
The New Day	88.0	\$616.00
Beck Center	1,410.0	\$9,870.00
Barton Center	8.0	\$56.00
Lakewood Meals on Wheels	477.0	\$3,339.00
Special Projects	<u>12.0</u>	\$84.00
Total Non City Services	4,039.0	\$28,273.00
Total Community Work Service Hours	10,725.5	\$75,078.50

The Dollar Amount is computed at minimum wage of \$7.00 per hour.

Chart 15 SUMMARY OF COMMUNITY WORK SERVICE FOR THE LAKEWOOD MUNICIPAL COURT



Source: Lakewood Municipal Court
Probation Department

LAKEWOOD MUNICIPAL COURT ANNUAL REPORT 2008

OHIO SUPREME COURT ANNUAL STATISTICS

ANNUAL 2008
THE SUPREME COURT OF OHIO
ADMINISTRATIVE JUDGE REPORT
MUNICIPAL COURT AND COUNTY COURT

		A	B	C	D	E	F	G	H	I	T	
		Felonies	Misdemeanors	O.M.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	Small Claims	TOTAL	
Pending beginning of period	1	272	1,189	40	1,032	26	552	239	114	359	3,823	1
New cases filed	2	212	2,102	233	6,437	9	1,466	1,038	140	1,090	12,727	2
Cases transferred in, reactivated or redesignated	3	31	28	1	10	0	7	10	3	5	95	3
TOTAL (Add lines 1-3)	4	515	3,319	274	7,479	35	2,025	1,287	257	1,454	16,645	4
TERMINATIONS BY:												
		A	B	C	D	E	F	G	H	I	T	
Trial/Hearing by judge (include bindover by preliminary hearing, guilty or no contest pleas and defaults)	5	45	811	29	1,226	3	1,009	124	135	15	3,397	5
Hearing by Magistrate (include guilty or no contest pleas and defaults)	6	X	0	0	0	0	0	283	0	709	992	6
Transfer (include waivers of preliminary hearing and individual judgment assignments)	7	84	609	201	861	3	195	254	0	1	2,208	7
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	8	0	0	0	0	0	9	7	5	0	21	8
Other dismissals (include dismissals at preliminary hearing)	9	142	136	1	136	0	245	409	14	500	1,583	9
Violations Bureau	10	X	334	X	3,793	X	X	X	X	X	4,127	10
Unavailability of party for trial or sentence	11	21	40	0	58	0	0	0	0	0	119	11
Bankruptcy stay or interlocutory appeal	12	0	0	0	0	0	7	0	0	1	8	12
Other terminations	13	221	1,240	39	1,300	25	122	42	95	59	3,143	13
TOTAL (Add lines 5-13)	14	513	3,170	270	7,374	31	1,587	1,119	249	1,285	15,598	14
Pending end of period (subtract line 14 from line 4)	15	2	149	4	105	4	438	168	8	169	1,047	15
Time Guideline (months)		1	6	6	6	24	12	12	12	6	X	
Cases pending beyond time guideline	16	0	0	0	0	0	0	0	0	0	X	16
Number of months oldest case is beyond time guideline	17	0	0	0	0	0	0	0	0	0	X	17
		A	B	C	D	E	F	G	H	I	T	

FAX TO:
(614) 387-9419
OR
Mail to:
Court Statistical Reporting Section
Supreme Court of Ohio
65 S. Front Street, 6th Floor
Columbus, OH 43215-3431

Administrative Judge Signature
Judge Patrick Carroll

216-529-6700

Preparer and telephone number if other than Judge
Terri A. O'Neill, Clerk of Court

Date _____

Date _____

ANNUAL 2008
THE SUPREME COURT OF OHIO
INDIVIDUAL JUDGE REPORT
MUNICIPAL COURT AND COUNTY COURT

		B	C	D	E	F	G	H	T	V	
Date of completion of most recent physical case inventory - Civil April 2008 - Small Claims April 2008 - Criminal May 2008		Misdemeanors	O.M.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	Total	Visiting Judge	
Pending beginning of period	1	431	114	396	2	43	26	1	1,013		1
New cases filed	2	609	201	861	3	195	254	0	2,123		2
Cases transferred in, reactivated or redesignated	3	1	1	2	0	9	1	0	14		3
TOTAL (Add lines 1-3)	4	1,041	316	1,259	5	247	281	1	3,150	0	1
TERMINATIONS BY:											
		B	C	D	E	F	G	H	T	V	
Jury trial	5	1	2	0	0	0	0	0	3	0	5
Court trial	6	195	4	328	0	17	140	0	684	58	6
Default	7	X	X	X	0	0	0	0	0	0	7
Guilty or no contest plea to original charge	8	292	185	265	X	X	X	X	742	42	8
Guilty or no contest plea to reduced charge	9	43	11	235	X	X	X	X	289	28	9
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	10	0	0	0	0	2	0	0	2	0	10
Other Dismissals	11	138	4	76	3	86	100	0	407	17	11
Transfer to another judge or court	12	0	0	0	0	0	0	0	0	0	12
Referral to private judge	13	X	X	X	0	0	0	0	0	0	13
Unavailability of party for trial or sentencing	14	13	4	15	0	0	0	0	32	0	14
Bankruptcy stay or interocutory appeal	15	0	0	0	0	10	0	0	10	1	15
Other terminations	16	201	66	254	2	70	40	1	634	4	16
TOTAL (Add lines 5-16)	17	883	276	1,173	5	185	280	1	2,803	150	17
Pending end of period (Subtract line 17 from line 4)	18	158	40	86	0	62	1	0	347	0	18
Time Guideline (Months)		6	6	6	24	12	12	12	X	X	
Cases pending beyond time guidelines	19	0	0	0	0	0	0	0	0	X	19
Number of months oldest case is beyond time guidelines	20	0	0	0	0	0	0	0	0	X	20
Cases submitted awaiting sentencing or judgment beyond time guideline	21	0	0	0	0	0	0	0	0	X	21
		B	C	D	E	F	G	H	T	V	

FAX TO:
(614) 387-9419
OR
Mail to:
Court Statistical Reporting Section
Supreme Court of Ohio
65 S. Front Street, 6th Floor
Columbus, OH 43215-3431

Judge Signature - **Judge Patrick Carroll**

Preparer and telephone number if other than judge
Terri A. O'Neill, Clerk of Court

Administrative Judge Signature
Judge Patrick Carroll

Date

Date

Date