

LAKEWOOD MUNICIPAL COURT

2022 ANNUAL REPORT



Judge Tess Neff

**12650 Detroit Avenue
Lakewood, Ohio 44107
216-529-6700**

www.lakewoodcourtoh.com

**Court Administrator
Maria Russo**

**Clerk of Court
Gregory Tischler**



LAKEWOOD MUNICIPAL COURT

12650 DETROIT AVENUE • LAKEWOOD, OHIO 44107

PHONE: (216) 529-6700 • FAX: (216) 529-7687

TESS NEFF
JUDGE

March 31, 2023

Chief Justice, Ohio Supreme Court
Cuyahoga County Executive, Christopher Ronayne
Cuyahoga County Council
Mayor of Lakewood, Meghan George
Lakewood City Council

Dear Ladies and Gentlemen,

2022 began my first year as the elected Judge for the City of Lakewood. Reflecting, it truly was a whirlwind, yet we made significant accomplishments. Now, with one-year completed of my six-year term, I feel very settled into the position. I am pleased to share the Lakewood Municipal Court's annual report. The report summarizes the type and volume of cases that pass through the Court, the Court's finances including revenues and expenditures, and the special projects and restricted funds for the Court's use pursuant to statute. This letter serves to apprise you and the community we serve about the progress we have made towards modernization of the Court; it highlights some of our achievements and improvements over the past year, and the community collaborations the Court fostered. It is exciting for me to have the opportunity to continue to make changes over the next five years, to better serve the community and make accessing the Court as easy as possible for the court users.

Technology is a necessary and a critical component for the Court to provide enhanced access to its users, to collect data, to improve efficiency in case management, to ensure timely case processing, and to improve overall functionality of court operations. I am extremely proud about the top grant award of \$425,000 the Court received in October 2022. The funds will be utilized over a two-year period, and the funding is from the Ohio Department of Public Safety which worked in partnership with the Ohio Supreme Court. The grant money will greatly assist the Court to implement the new technology and provide training for Court staff. This upgrade is long-overdue, and the better system will allow for e-filing, e-signatures, collection of demographic data, and overall improved processes. In addition, the new system will allow for the Court to send text message reminders to individuals due for their court hearing, like when you receive text reminders about an upcoming doctor appointment. We believe the service will aid in reducing the number of people who do not come to court for their hearing. Text message notifications should also help to lessen the number of warrants issued for failure to appear. We are scheduled to go live with the system this fall.

The grant money also opened the door for the Court to have a public defender onsite at the Court daily to counsel and represent indigent defendants. This opportunity is

significant as many individuals charged with criminal offenses are impoverished and cannot afford to pay for their own attorney. It is their constitutional right to be represented by counsel. Having a Cuyahoga County Public Defender attorney at the Court will provide equal justice, promote fairness to the process, and result in timelier resolution of cases. The Court appreciates the Cuyahoga County Public Defender's Office for initiating the conversation and their follow through to make this grant funded project come to fruition.

Another aim with the grant award is to implement a self-help interactive kiosk for Court involved users and the public. The plan involves integrating the kiosk with the new case management system. It will allow for ready access to look up the court docket and upcoming hearings, search individual cases to be better prepared for court, locate and print Court forms, pay fines and filing fees without having to speak with a clerk, along with other features.

I want to highlight some of the changes I worked diligently on to improve the Court's services for Court involved individuals. Collaborating with community groups and other organizations has helped to fulfill and expand much needed support and essential services for persons who find their way in the justice system. Together we effectuated positive results to help ensure individuals' success. The Court entered a memorandum of understanding with the Cleveland Municipal Court for access to their specialized dockets. Those dockets include the drug court, the mental health court, the veterans court and the human trafficking court. This resource is valuable because the specialized dockets, which are certified through the Ohio Supreme Court after extensive training and preparation, can offer more intensive services and have additional resources that are not available to the Lakewood Court. The Court maintains full jurisdiction over the participant and Court probation staff work closely with the Cleveland Municipal Court staff through completion of the program. The overarching goal is to get individuals in need connected with providers and support services for a successful future while holding them accountable.

Another change is the Court strived to improve access and communication for non-English speaking persons. We implemented the use of the Telephonic Interpretation Program, a highly respected and very accessible service through the Ohio Supreme Court. This allows the Court to access over 200 languages for telephonic interpretation through one easy phone call. The interpreter is available within minutes, which allows the court to handle arraignments in a more expedited fashion. These interpreters are recognized on the court record as appearing by telephone and the interpreter can then assist the non-English speaking individual who is in the courtroom. The service benefits the person in Court to feel they are being treated fairly and justly. Further, the interpreter alleviates the angst for the person who does not understand or has difficulty with the English language. While this service is a wonderful ready at hand benefit for the Court, we will continue to outsource interpreter services on a case-by-case basis where the court or defendant is seeking face to face communication or when the request is made for American Sign Language.

The Court expanded its diversion program for first-time offenders. First offenses that are non-violent in nature, such as driving with a suspended license, are often recommended for consideration to participate in the Court's Diversion Program. Frequently, individuals need to pay a fee or provide proof of insurance to the Bureau of Motor Vehicles to remove their suspension status. The objective is to have people legally driving on the roadways. Participating in diversion provides an opportunity for the person to get valid and return to Court to resolve their case without a penalty to their driver's license in most cases.

In addition, the Court added local nonprofit organizations as potential locations for individuals to perform Court ordered community service. Assigning individuals to perform community service hours is a means to have them give back to the community where they offended. The Court has assigned individuals for community service hours to Lakewood Alive, Cove Community Center, and the Beck Center for the Arts. The Court is grateful for the partnerships and the opportunity to work with these local organizations.

Much of what the Court does requires teamwork and partnerships. I want to thank Lakewood Mayor Meghan George and her administration for their patience during my transition period, and for their support during my efforts to effect change to processes for procedural and administrative efficiency.

The Court is especially appreciative of Chief Information Officer, Michael Coletta and the IT Department staff for their assistance with the Court's technology issues. Together they have kept us up and running. Also, Kurt Matej, a Division Manager in the Public Works Department, and his staff have been incredibly gracious with their time and worked hard to improve the outdated and worn office spaces for the staff. Thank you for making our spaces brighter and refreshed, for an overall improved working environment. The Court also thanks Lakewood Police Chief Kevin Kauchek, the detectives and the police officers for their assistance, dedication, and willingness to partner with us in our many efforts to provide a safe community and fairly administer justice.

Finally, I would be remiss if I did not recognize Court Administrator, Maria Russo who was hired in June 2022. She is a fierce leader with extensive municipal court experience, and she tirelessly works with me to push the Court forward. She has been a beacon of light and without her assistance I would not have achieved all that we did this past year.

Overall, 2022 was a very successful and accomplished year on many levels, and I am excited to continue the momentum for the next five years. Please take some time to review the annual report for insight on the Court's operations, caseloads and other information.

Thank you,



Tess Neff

Judge Lakewood Municipal Court

MISSION STATEMENT

The Lakewood Municipal Court is committed to administering fair, efficient and impartial justice, promoting public safety for the citizens of Lakewood, and rehabilitating individuals who enter the court system. We strive to treat individuals with dignity and respect, operate with transparency to ensure public trust and deliver confidence in the judicial process.

Lakewood Municipal Court

Lakewood Municipal Court is a single jurisdiction court that serves the City of Lakewood. The court is located at 12650 Detroit Avenue, in Lakewood, Ohio.

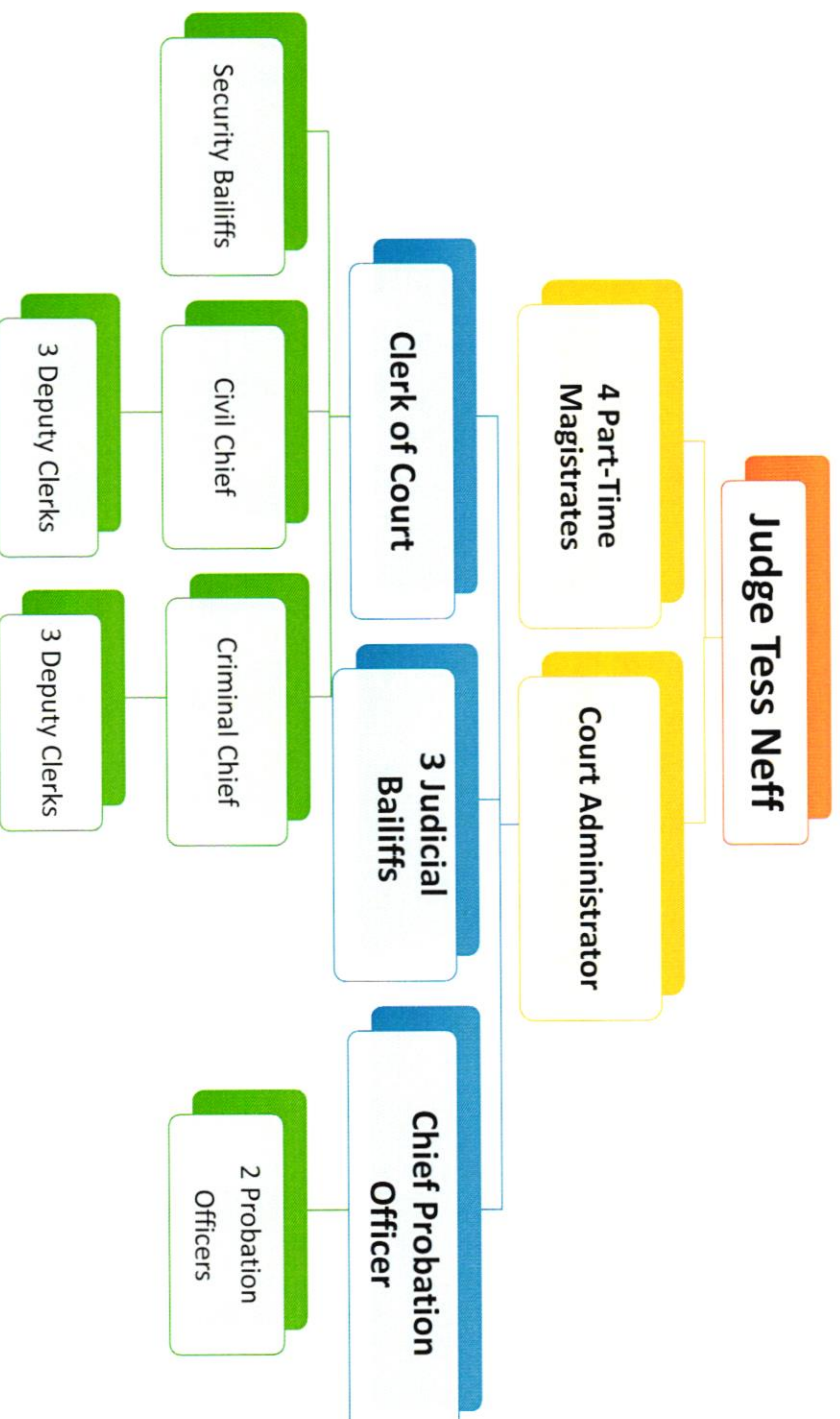
The Administrative/Presiding Judge Tess Neff is the only judge for the court.

The Lakewood Municipal Court staff include the following positions: Court Administrator; Clerk of Court, eight Deputy Clerks, three Bailiffs, four part-time Magistrates; Chief Probation Officer; Probation Officer and Probation Coordinator; and six part-time Court Security Bailiffs.

Lakewood Municipal Court has two divisions:

- Civil/Small Claims/Housing Division consists of civil actions with the statutory monetary limit of \$15,000 for civil cases and a statutory monetary limit of \$6,000 for small claims cases.
- Criminal/Traffic Division consists of criminal misdemeanor cases (which includes building code violations), initial appearance hearings for felony cases, traffic citations issued by the Lakewood Police Department, Ohio State Patrol, Cleveland Metroparks Police Department, and Cuyahoga County Sheriff Department.

Lakewood Municipal Court



COURT FINANCES, REVENUES & EXPENDITURES

A Court has no funds of its own and it does not function to generate revenue. Court fines, costs and fees help defray the expense of the operation of the court. While the court generates revenue by collecting money, the funds are an incidental benefit to the court's primary function of the administration of justice.

Fines are imposed to correct inappropriate behavior and to maintain a standard of conduct. Both civil and criminal cases include court costs. Fines are limited to traffic and criminal cases and may only be assessed if a person is found guilty of an offense.

The court collected net revenue of \$920,663.00 in 2022, an increase from the previous year. Additional funds were dispersed to the Cleveland Metroparks, Cuyahoga County, and the State of Ohio, in accordance with the law. Lakewood Municipal Court is audited on a yearly basis by the State of Ohio to ensure compliance.

COURT COSTS

State law requires court costs be assessed in all civil, traffic and criminal cases. These costs help to cover the cost of operating the court. The State of Ohio imposes costs on municipal court cases to support the costs of state sponsored projects. This money supports special revenue projects managed by and for the State of Ohio and is not kept by Lakewood Municipal Court or the City of Lakewood for court operations. The court sets its costs and retains a portion after the balance is transferred to the State of Ohio.

SPECIAL PROJECT COURT FUNDS

The Ohio General Assembly grants statutory authority to municipal courts to create and maintain special funds from court costs. These funds are not included in the operating budget and are controlled solely by the court. The funds allow the court to make improvements and maintain court programs without seeking additional funds from the City of Lakewood. Use of these funds is restricted by law.

The Computer Maintenance Fund provides for the installation and upgrade of the court's computer system and related projects. Ohio Rev. Code 1901.261(B). This fund is also used to purchase software upgrades and computer supplies as well as consulting and maintenance contracts. The fund accrued \$ 52,222.00 in 2022 with a balance at the end of the year of \$54,916.14.

The Special Projects Fund accrued \$58,839.00 in 2022 with a balance at the end of the year of \$182,259.68. The special projects fund permits the Court to update equipment with no additional funding from the City of Lakewood's general fund.

Probation Supervision Fund exists from fees that are only assessed to criminal defendants who are placed on active community control supervision.

The probation fund provides resources for the Probation Department which were not funded by the Court's operating budget. In 2022, this money paid for drug screening tests, professional psychiatric evaluations, and other expenses to operate the mental health court program. The fund accrued \$13,481.00 in 2022 with an ending balance of \$144,322.67.

Indigent Drivers Alcohol Treatment Fund (IDAT) money comes from a portion of fines collected in OVI convictions and driver's license reinstatement fees distributed by the Ohio Department of Public Safety for OVI defendants. The fund is restricted to provide alcohol, drug and/or mental health services to indigent defendants. In 2022 the fund accrued \$4,939.50 with an ending balance of \$142,120.30. Recently, the State of Ohio gave courts more discretion to also use IDAT funds for substance abuse assessments, outpatient, and in-patient treatment programs.

Indigent Drivers Interlock and Alcohol Monitoring Fund (IDAM) is funded by a portion of fines collected for OVI convictions. IDAM collected \$9,585.65 in 2022 and is restricted to pay for ignition interlock and other alcohol monitoring devices for indigent defendants. The court has discretion to declare any surplus be used for other rehabilitative services.

CRIMINAL AND CIVIL SUMMARY OF REVENUE TO CITY

	<u>2022</u>
Criminal*	\$ 750,051.55
Criminal Witness	\$ 380.00
Criminal Juror	\$ 0.00
Criminal Interest	\$ 1,146.41
Criminal PSI	\$ 200.00
Criminal IDAT	\$ 2,055.00
Criminal State IDAT	\$ 2,886.00
RC LEA	\$ 2,080.00
RC SPF	\$ 55,978.50
RC CMF	\$ 50,437.00
IDAM	\$ 9,966.23
LETf	\$ 1,421.00
Probation	\$ 14,143.00
Civil	\$ 157,246.58
Marriage Fees	\$ 610.00
Small Claims	\$ 32,549.19
Trusteeship	\$ 6.00
Landlord/Tenant	\$ 321.00
Unclaimed Monies	\$ 1,339.50

Reference:

*Does not Includes Criminal and Traffic Unclaimed Monies--RC 1901.31 (g)

PSI: Political Subdivision Involved--RC 4511.99

IDAT: Indigent Drivers Alcohol Treatment--RC 4511.99

LEA: Law Enforcement Agency--RC 4511.99

SPF: Special Projects Fund--RC1902.26 (B)

CMF: Computer Maintenance Fund--RC1902.261 (B)

IDAM: Indigent Drivers Interlock & Alcohol Monitoring Fund--RC 4511.19(1)

**CRIMINAL DIVISION - COUNTY AND STATE REVENUES
(VIOLATIONS UNDER STATE STATUTE)**

	<u>2022</u>
REDSS	\$ 16,746.00
Indigent	\$ 2,190.50
State-Vic of Crime	\$ 35,281.50
IDSF	\$ 78,060.00
State-Sealing Fee	\$ 1,290.00
State-SB 209	\$ 6,020.00
State-IDSF	\$ 9,899.90
State-OCJS	\$ 6,727.00
State-Seatbelt	\$ 6,180.00
State-Nat'l Res.	\$ 0.00
State-Met. Park	\$ 650.00
State-Liquor	\$ 0.00
State-Child Rest.	\$ 405.00
County-Criminal	\$ 16,672.50
County-Traffic	\$ 13,530.00
County-Crime Stoppers	\$ 527.00
County -Law Library	<u>\$ 757.95</u>
Total Revenue	\$ 194,936.85

Reference:

- (1) Regional Enterprise Data Sharing System, \$5.00 per moving violation. RC 2949.093.
- (2) Indigent Application Fee for Ohio Public Defender's Office. RC 120.36.
- (3) State Vic of Crime is Victims of Crime Fund for reparations to victims of crime. RC 2743.70.
- (4) State Indigent Defense Support Fund FKA State General Fund collections to defray expense of court appointed counsel for indigents. RC 2949.091.
- (5) State Sealing Fee is Record Sealing Fee. RC 2953.31 to 2953.36.
- (6) State Indigent Defense Support Fund RC 4511.19.
- (7) State I.D.S.F Indigent Defense Support Fund RC 2949.094.
- (8) State Drug Law Enforcement Fund RC 2949.094.
- (9) County Crime Stoppers.
- (10) County Law Library is annual apportionment assessment to support same. RC 3375.50.

Other fees include Criminal, Traffic, Seat Belt, Natural Resources, Metropolitan Park, Liquor, and Child Restraint State Statute violations.

TRAFFIC AND CRIMINAL DIVISION

Traffic and criminal misdemeanor cases include 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 180 days.

Most traffic cases are minor misdemeanors, allowing a fine to be paid without a court appearance. When a traffic or criminal charge involves a potential jail sentence, a court appearance is required.

Traffic cases increased in 2022 to 4,465 cases, from 2,753 new and reactivated cases in 2021. Operating a vehicle under the influence of alcohol (O.V.I.) cases (misdemeanor and felony level) increased to 184 in 2022 from 182 cases in 2021.

Criminal misdemeanor cases increased in 2022 to 1,459 from 1070 in 2021.

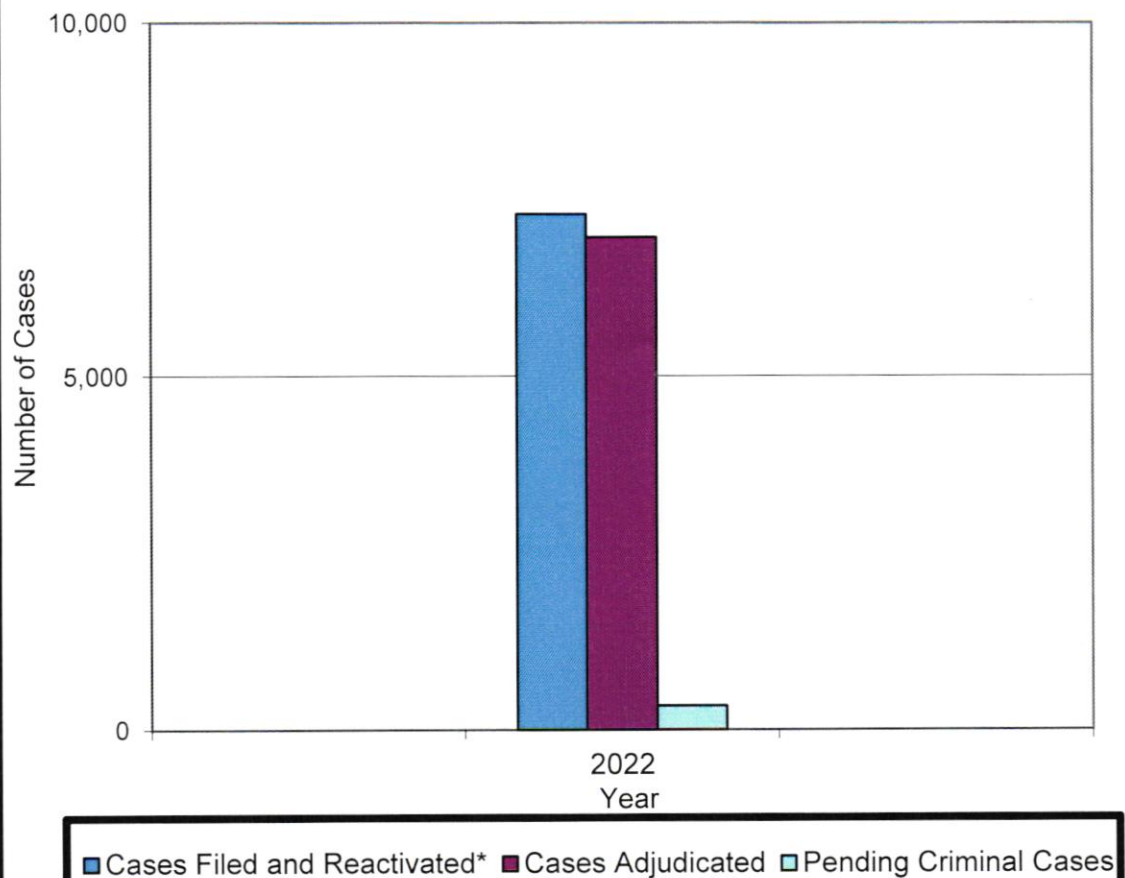
Thirty-Nine (39) building code violation cases were filed in 2022. Five (5) building code cases were diverted from further criminal action through the diversion program, which allows the homeowner, for owner occupied residences, to focus on correcting housing violations rather than paying fines.

There were 119 felony charges filed in the Lakewood Municipal Court in 2022, with another 114 reactivated felony cases for a total of 233 cases with felony charges. In 2021 there were 101 new felony cases with an additional 96 reactivated or pending cases for a total of 197 cases with felony charges. The number of felony cases reflects charges filed in the Lakewood Municipal Court. It does not include felony charges filed directly in the Common Pleas Court; these do not pass through Lakewood Municipal Court.

The court continued to provide treatment for defendants charged with drug and alcohol related crimes, balancing both treatment and accountability. Strict supervision accompanies treatment. Defendants who have insurance were able to obtain private treatment with court supervision, while those deemed indigent benefitted from the Court's Indigent Driver's Alcohol Treatment (IDAT) fund.

Mental illness often is accompanied by substance abuse or addiction. While the conditions and symptoms overlap, they require different treatments. Lakewood Court has robust partnerships with treatment providers and sober living homes, allowing people identified as having mental health issues quick referrals for commitment, medication, or other treatment. These resources provide medication and other treatment to the defendant. Lakewood Court, through an alliance with Recovery Resources has referred 30 people to Recovery Resources for assessments concerning mental health and substance abuse related issues.

Summary of Traffic & Criminal Cases



Source: Annual Superintendence Report to the Supreme Court of Ohio

*Note: Includes new case filings and cases reactivated from prior years.

**CRIMINAL DIVISION
SUMMARY OF CITY RECEIPTS AND EXPENDITURES**

2022 Deposits and Receipts

2021 Bond Carry Over	\$ 26,940.10
2021 Bond Receipts	<u>\$ 98,381.00</u>
Total Bond Receipts	\$ 125,321.10

**CITY RECEIPTS, CITY FINES, COSTS AND INTEREST
FINES AND COSTS DISBURSED TO CITY**

Traffic	\$ 334,751.20
Criminal	\$ 53,274.70
10% Bond Costs	\$ 3,480.00
Court Costs, Exp, LETF	\$ 391,525.02
Diversion	\$ 4,050.00
Witness	\$ 380.00
Jury	\$ 0.00
Interest on Deposits	\$ 1,146.11
Unclaimed Criminal monies (RC 1901.31(g))	\$ 1,339.50
O.V.I. Funds (RC 4511.99)	\$ 14,357.52
Probation Fund	\$ 14,143.00
Special Projects Fund*	\$ 59,839.00
Computer Maintenance Fund*	\$ 52,052.00

*Includes fees assessed in all cases.

**2022 EXPENDITURES
TOTAL BONDS REFUNDED AND TRANSFERRED**

Total Bond Receipts	\$ 125,321.10
Bonds Refunded and Transferred	<u>\$ (87,371.00)</u>
2023 Carry Over	\$ (37,950.00)

CRIMINAL DIVISION – STATISTICAL DATA

Individual Charge Filings

	<u>2021</u>	<u>2022</u>
Traffic Citations	2400	4105
Criminal Citations	1133	1181

Case Adjudications*

(Processed Through Open Court or Violations Bureau)

Traffic and Criminal Cases Adjudicated	5558	7623
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*Computed From Supreme Court Superintendence Report Year-End Figures.

CRIMINAL DIVISION - STATISTICAL DATA
CRIMINAL OFFENSE DESCRIPTIONS
CITY ORDINANCE OFFENSES – MISDEMEANOR INDIVIDUAL OFFENSE FILINGS

<u>Criminal Offense Description</u>	<u>2021</u>	<u>2022</u>	<u>Criminal Offense Description</u>	<u>2021</u>	<u>2022</u>
Aggravated Menacing	1	0	Misuse of Credit Card	1	0
Animal Code Violation	25	6	Noise Violations	14	7
Assault	15	8	Obstruction Official Business	30	32
Building/Fire/Zoning Code Violations	35	39	Occupying a Drug Premises	1	5
Carry Concealed Weapon/Improper Handling Firearm	0	3	Open Container/Public Consumption	67	81
Comply Lawful Order	6	9	Passing Bad Checks/NSF Checks	0	0
Criminal Damaging	22	20	Possession of Dangerous Toys	0	1
Criminal Mischief	2	6	Possession of Drug Instruments/Paraphernalia	73	109
Criminal/Aggravated Trespassing	60	38	Possession/Discharge Fireworks	0	0
Closing Hours/Curfew/Park/Misuse Walking Trails	15	2	Public Indecency	0	2
Discharging Firearms/Imp Hand	5	3	Receiving Stolen Property	2	3
Disorderly Conduct/Persist/Intox	515	458	Resisting Arrest/Willful Fleeing	21	16
Drug Abuse/Poss of Hallucin/Intoxicant/Marijuana/Permitting	3	6	Rummaging in Refuse	1	0
False Alarms	1	0	Sales to Minor/Minor Purchasing & Poss of Alcohol Legal Consump. In Motor Vehicle	3	5
Falsification/False Info to Officer	24	32	Soliciting License/Bill Posting	1	2
Fishing License Required	0	0	Theft/Petty Theft	5	13
Illegal Knives	1	1	Unauthorized Use Motor Vehicle	1	2
Inducing Panic	1	1	Unlawful Transaction use in Weapons/Transport/Use While Intoxicated	3	8
Littering/ Spitting	3	3			
Menacing	0	2			
Misconduct at an Emergency	0	1			

CRIMINAL DIVISION - STATISTICAL DATA
CRIMINAL OFFENSE DESCRIPTIONS
STATE STATUTE OFFENSES—MISDEMEANOR INDIVIDUAL FILINGS

<u>Criminal Offense Description</u>	<u>2021</u>	<u>2022</u>	<u>Criminal Offense Description</u>	<u>2021</u>	<u>2022</u>
Aggravated Menacing	11	13	Obstruction Justice/Official Business	7	4
Arson	0	0	Passing Bad Checks/Misuse CC	5	2
Assault	11	20	Possession of Criminal Tools	15	3
Breaking & Entering	1	0	Public Gambling/Operating		
Carry Concealed Weapons	9	8	Gambling House	4	0
Criminal Damaging/Mischief	10	13	Public Indecency/Sexual Imp/		
Criminal Trespassing/Agg Tress	9	8	Voyeurisms/Prostitution	2	2
Disseminating Image of Another	0	1	Receiving Stolen Property	11	12
Domestic Violence	24	11	Resisting Arrest	0	6
			Telephone Harassment	0	5
Drug Paraphernalia/ Cultivating/Possession of Drug Abuse Instruments	117	94	Theft	97	105
Drugs of Abuse/Permitting/Possession			Trafficking	2	2
Endangering Children/Patient	0	1	Unauthorized Use of Motor Vehicle/Property	0	2
Falsification/Taking Identity/Failure to Disclose Personal Info	15	12	Use/Discharge Firearms/Poss/Imp Handling/Deface	5	8
Harassing an Inmate	2	2	Vehicular Homicide	1	0
Illegal Distribution of Tobacco Prod	2	0	Violation of TPO	10	13
Intimidation of a Witness/Victim	0	1	Willful Flee & Elude/Failure to Comply/Escape	3	5
Liquor Consumption in Motor Vehicle	2	1			
Making False Alarms	0	1	Unlawful Restraint		1
Menacing/Stalking	1	0			

OTHER GOVERNMENTAL AGENCIES

	<u>2021</u>	<u>2022</u>
Cuyahoga County Sheriff	3	6
Dog Warden	19	24
Cleve. Metroparks-Includes Traffic	7	9
Ohio State Patrol	31	18
Public Safety/Liquor Control	5	3
RTA	3	0

CRIMINAL DIVISION – STATISTICAL DATA
CRIMINAL OFFENSE DESCRIPTIONS
STATE STATUTE OFFENSES – FELONY INDIVIDUAL FILINGS

<u>Criminal Offense Description</u>	<u>2021</u>	<u>2022</u>	<u>Criminal Offense Description</u>	<u>2021</u>	<u>2022</u>
Aggravated Vehicular Homicide	0	1	Forgery/Taking an Identity/ Fraud/Misuse of Credit Card/ Passing Bad Checks	1	1
Aggravated/Felonious Assault	7	0	Grand Theft/Theft/Grand Theft of Motor Vehicle	4	9
Aggravated Burglary	2	2	Harassing by an Inmate	2	0
Aggravated Murder	2	0	Illegal Processing of Drug/ Chemical/Conveyance/ Documents/Ordinance Chemicals	3	3
Aggravated Robbery	6	7	Inducing Panic	0	1
Aggravated Trespass/Menacing Stalking/Criminal Trespassing/Trespass in Habitation	1	2	Kidnapping/Unlawful Restraint	1	0
Aggravated Vehicular Assault	3	1	Murder	2	0
Aggravated Arson	0	1	Possession/Use of a Hoax Weapon	1	0
Breaking and Entering	2	5	Rape/Sexual Battery/GSI	4	6
Burglary	7	2	Receiving Stolen Property	6	7
Carrying a Concealed Weapon/ Improper Handling/Criminal Tools/ Weapons Under Disability	14	26	Robbery	7	5
Complicity/Conspiracy/Corruption of a Minor/Child Endangering/ Obscenity/Unlawful Sex	1	0	Tampering with Evidence	0	1
Domestic Violence/Violation of TPO	13	16	Telephone Harassment	4	0
Drugs Of Abuse/Harmful Intoxicants	1	4	Trafficking in Drugs	11	11
			Willful Eluding/Fleeing	0	1

CIVIL DIVISION

Civil cases arise between private parties, unlike traffic or criminal charges, which originate with the government. Civil cases are usually filed to recoup monetary damages, return property, or restore rental premises in eviction proceedings. The financial maximum for civil cases filed in Lakewood Municipal Court is \$15,000. Cases with higher financial damages claims must be filed in Common Pleas Court.

Civil cases are divided into three (3) sections: general civil cases, small claims, and eviction proceedings. The total number of civil cases filed and reactivated in 2022 decreased by 157 cases from 1568 in 2021 to 1411 in 2022.

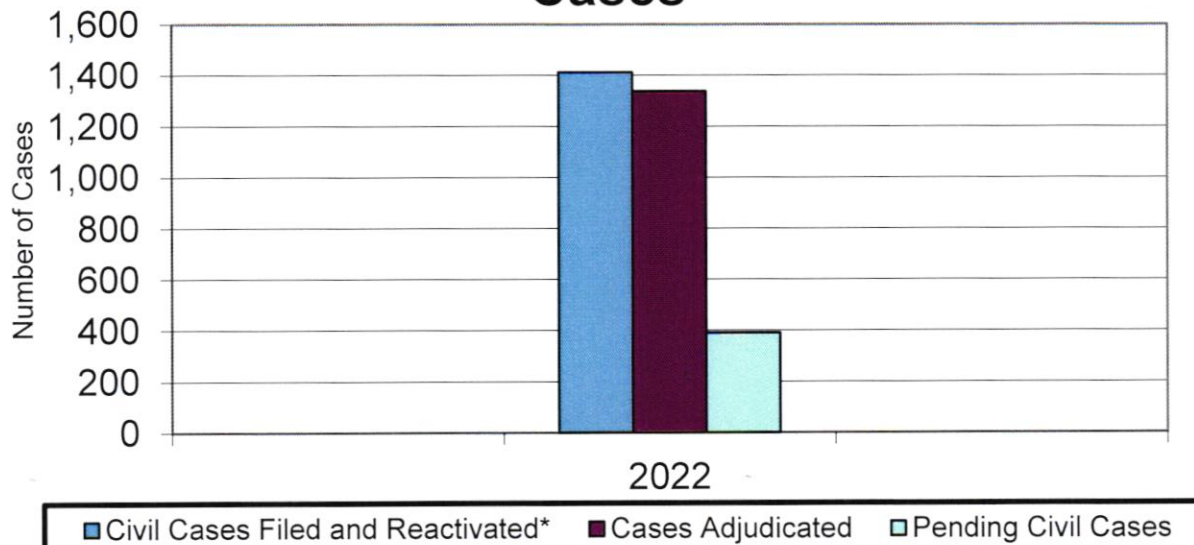
Small Claims Cases

Small claims cases, decreased by 36 cases, from 441 cases in 2021 to 405 in 2022. Small claims cases are limited to civil cases involving up to \$6,000.

Landlord/Tenant Cases

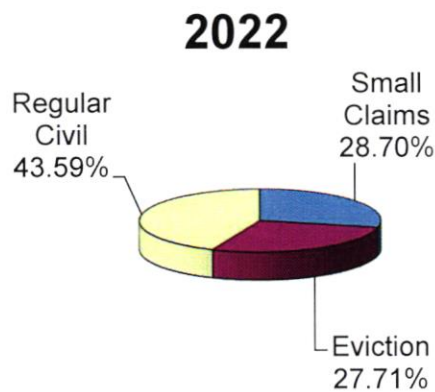
Eviction cases in 2022 increased by 15 cases, to 391 cases in 2022 from 376 cases in 2021. The cases included a landlord's claims for possession of rental property, damages to the premises, and unpaid rent. Tenants seeking the return of security deposits or depositing rent into escrow with the Clerk of Court do not fall under Eviction proceedings. These cases are filed as small claims cases or rent in escrow cases.

Summary of Civil & Small Claims Cases



Source: Annual Superintendence Report to the Supreme Court of Ohio

Summary of Civil Case Filings



Source: Annual Superintendence Reports to the Supreme Court of Ohio

**CIVIL DIVISION - LANDLORD TENANT/SMALL CLAIMS
ANNUAL STATISTICAL SUMMARY**

	<u>2021</u>	<u>2022</u>
Cases Pending at Beginning of Year	62	83
Cases Filed & Reactivated	378	389
Cases Adjudicated	<u>(357)</u>	<u>(406)</u>
Cases Pending Year-end	83	68

<u>Case Adjudication Summary</u>	<u>2021</u>	<u>2022</u>
Trial Hearing by Judge	8	0
Hearing by Magistrate	103	125
Transfer to Civil Docket/Other	2	5
Dismissal for Want of Prosecution	1	0
Other Dismissals	242	271
Bankruptcy Stay	0	0
Other Terminations	1	6
Total	357	406

Objections Filed from Magistrate's Reports to Court	3	4
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Rent Deposits Filed with the Court	13	12
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Small Claims Cases Filed by Type 2022

Regular Civil - 62
Municipal Tax - 339

PROBATION DIVISION

The Probation Department is responsible for two primary functions within the court system: presentence investigations and probation supervision.

A presentence investigation (PSI) is conducted after the defendant has been convicted through a plea of guilt or a finding of guilt. The defendant is interviewed by a probation officer to provide the court with more background information about the offense and the offender prior to final disposition. The resulting presentence report may include collateral information from family members, the arresting officer and the victim. The Probation Department wrote 134 presentence reports in 2022.

When an offense causes property damage or personal injury, the victim is contacted to provide information regarding the offense and is encouraged to express an opinion regarding sentencing. The Probation Department consults with the victim to verify the amount of loss or personal injury and forwards that information to the court so the court may order payment of restitution. In 2022 the Probation Department collected \$31,282.65 in restitution. This was distributed to the crime victims. A condition of community control supervision regarding a victim may also include a No Contact Order.

The Probation Department oversees offenders placed on community control supervision. The average number of probationers supervised each month is 162. Probationers must comply with a variety of court-imposed conditions to maintain their freedom in the community and avoid the original jail sentence. Terms of community control supervision often contain a strong rehabilitation component to address what initially brought the offender to court. The rehabilitation may include mandatory treatment for alcohol and drug dependency, abstinence from all mood-altering substances, attendance at twelve step meetings, personal counseling or case management services, completion of an anger management or domestic violence program, mental health treatment or community work service.

The Lakewood Probation Department works with Court Community Service in the city of Cleveland and local community non-profits, regarding any hours placed upon a probationer's community control supervision conditions. According to the Court Community Service Department, in 2022, the number of referrals received totaled 92. The hours worked by Lakewood Municipal Court referrals totaled 1,688.25. More specifically, the hours worked at the Lakewood Service Department by Lakewood Court referrals totaled 460.25.

The Probation Department uses electronic monitored house arrest and global tracking as an alternative to jail when appropriate. Ohio law requires offenses sentenced to electronic monitoring to serve three times as many days under house arrest to equal actual jail time as designated by statute for the offense. Sixteen (16) offenders were assigned house arrest in 2022. Only those non-violent offense convictions and who lack significant prior criminal histories are eligible for house arrest. Offenders under house arrest must pay for their service fees to the house arrest provider.

The Probation Department makes referrals to ignition interlock services for repeat OVI offenders with driving privileges. Installation of an interlock device requires the driver to blow into a breathalyzer attached to the ignition. The car will not start if the device tests positive for alcohol.

Probation officers spend a significant amount of time devoted to case management and preparation for probation violation hearings. In 2022, 70 probationers were required to appear in court on charges of a probation violation. The probation officer informs the offender of the charges and prepares testimony for the court detailing the violation. The court may choose to impose the original sentence or require further probation conditions.

Offenders referred to the Probation Department often suffer from a variety of personal problems including alcohol and/or drug addiction, family problems, financial, mental health, homelessness, and medical issues. Probation officers use a variety of community resources to offer offenders assistance in the areas of need. The goal is for the offender to successfully return to the community when the probation term expires.

Recent years have seen an increase in the number of individuals addicted to drugs, particularly heroin. Lakewood Municipal Court uses a jail reduction program in conjunction with the Cuyahoga County Probation Department and the Cuyahoga County Jail. This program takes individuals who have received a jail sentence and places them in a treatment program, followed by a period of community control supervision. In 2022, seven (7) people were referred to this program.

The Lakewood Municipal Court has recently started working together with the Cleveland Municipal Court Specialized Dockets. Defendants may be referred by the Lakewood Municipal Court for specific supervision and treatment through the Cleveland Municipal Court, depending on their offense. Defendants are placed on community control through the Lakewood Municipal Court and supervised by the Cleveland Probation Department, while participating in the specialized docket. These dockets include the Greater Cleveland Drug Court, Mental Health Specialized Docket, Veterans Specialized Docket and the Human Trafficking Specialized Docket.

Through a contract made available by the City of Lakewood from Recovery Resources, a court liaison from Recovery Resources, who is a licensed counselor and social worker, is assigned to the Lakewood Municipal Court. When an individual is in need of a mental health and/or a chemical dependency assessment(s), the person can be referred to Recovery Resources at no cost to the individual or Court. As a result, mentally ill offenders have decreased time spent in jail and have been diverted to more appropriate services, such as crisis stabilization units or home. Mentally ill offenders have benefited by not losing housing or other entitlements and by being linked with the mental health system. This program has also helped those with drug addictions or those with dual diagnosis. In 2022, thirty (30) people were referred to for these services.

PROBATION DIVISION ACTIVITY SUMMARY
REFERRAL INFORMATION

	<u>2021</u>	<u>2022</u>
Restitution Collected	\$39,209.90	31,282.65
PSI ¹ Carried to Next Month ²	33	70
PSI Monthly Referrals	87	144
PSI Completed	122	134
PSI People Interviewed	125	128
Active Probation Violations ³	152	160
Probation Violation Hearings	120	70
House Arrest Assignments	21	16
Inactive Probation with PSI	4	2
Inactive Probation without PSI	65	32
Active Probation with PSI	66	117
Active Probation without PSI	150	88
Active Probation Terminated	196	214
Total New Active Probation Referrals	216	205

Reference:

¹PSI – Presentence Investigation

²Total carried over in 2022

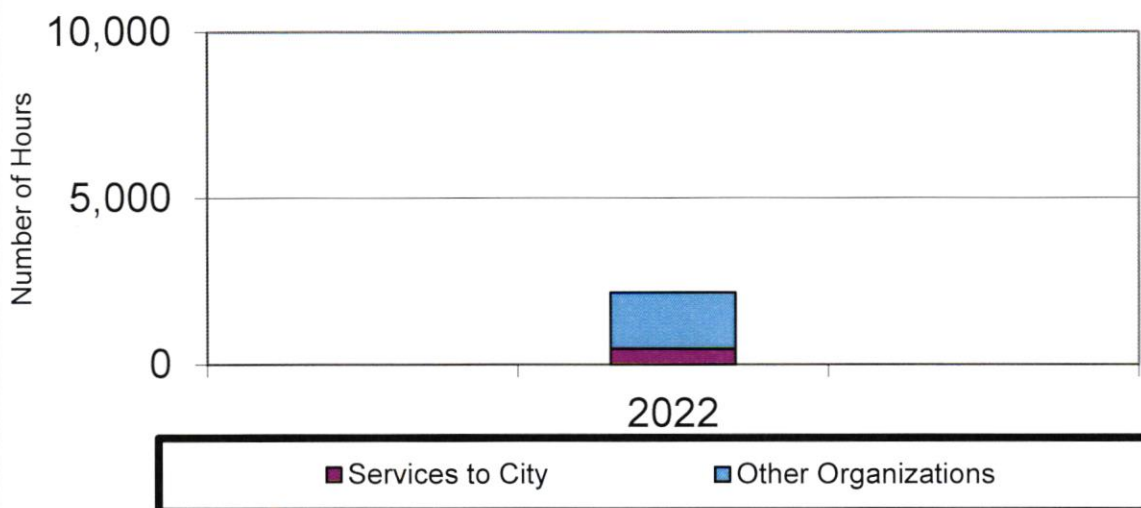
³ Monthly Average

COMMUNITY WORK SERVICE

Referrals – 92

Hours Worked – 1,688.25 (Of which 841.25 hours were completed at the Lakewood Service Department)

Summary of Community Work Service



Source: Lakewood Municipal Court Probation

Summary of Restitution Collected by Probation Department For Victims of Crime

