

**LAKEWOOD MUNICIPAL COURT**  
**ANNUAL REPORT FOR 2012**

**March 15, 2013**

**LAKEWOOD MUNICIPAL COURT  
2012 ANNUAL REPORT**

With the widespread reduction in state and local finances and the increase in mental health and substance abuse issues, 2012 raised new challenges for our community and the Lakewood Municipal Court. Despite these issues, the Lakewood Municipal Court was able to reduce its annual operating budget and continue to provide an efficient, open, and accessible forum for dispute resolution and law enforcement for the Lakewood Community.

This report is a summary of the operation of the Lakewood Municipal Court for 2012. 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.

This report is being issued in accordance with the requirements of Section 1901.14 of the Ohio Revised Code to the legislative authority for the City of Lakewood and Cuyahoga County, as well as the Mayor of Lakewood and the Cuyahoga County Executive. In compliance with this statutory mandate, the annual report is also available to the general public for review on the court's website ([www.lakewoodcourtoh.com](http://www.lakewoodcourtoh.com)). The Court's website also provides information about the court's procedures and forms as well as direct public access to all cases, both civil and criminal, going back to 1983. As a public entity, it is important that information concerning the operation of the court be available on a widespread basis.

The total caseload for 2012 was 13,538 cases. This includes the total number of cases filed with the court as well as reactivated cases, which encompass transfers from other courts as well as previously filed cases that have been stayed (execution of arrest warrant in traffic and criminal cases and discharge in bankruptcy in civil cases). The total number of cases in the Lakewood Municipal Court in 2012 decreased from the previous year by 550 cases. Traffic and criminal cases decreased by 411 cases from the previous year. Civil cases in 2012 decreased by 139 cases from the previous year. Although the number of cases varies from year to year, the annual case load remains overall consistent.

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. Legislative changes in 2012 included procedures for sealing criminal records, restitution and other court costs. Other changes in 2012 to go into effect and impact the court in 2013 include use of court interpreters, probation department certification and a new traffic charge of texting while driving as a secondary offense. While these changes are necessary to protect the rights and interests of all of the parties involved, they also impact the operation of the court.

In an attempt to be fiscally responsible in these difficult times, the court was under budget by over \$71,000 and generated revenue in excess of \$621,100 to the State of Ohio, Cuyahoga County and the City of Lakewood. In an effort to reduce expenses, operation of the court's probation department was reduced from five (5) to four (4) days each week, with full time probation staff assisting in the clerk's office. The court sent \$59,894 to the Ohio Victims of Crime Fund and also collected and paid out over \$ 44,000 in restitution for crime victims in Lakewood Municipal Court cases.

### **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 the 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. While it is an unfortunate reality that tighter security measures are needed, these issues must be addressed. The court security officers not only increase the level of safety in the Lakewood City Hall, but also bring prisoners from the Lakewood jail to the Lakewood Court, avoiding the need to take a Lakewood Police officer off the road or away from other police duties.

Enhanced security measures were implemented in 2012 to the court's offices and other areas. Retired Lakewood Police Detective Jim Sacco was hired on a part-time basis to add to the current court security staff of Gary Easter and Walt Geary. The three officers work on a rotating basis to fill two full-time positions with the court. All persons entering either the courtroom or the probation department are subject to search with metal detector wands. All entrances to the Clerk and Probation offices are secured by locked doors with swipe card access.

Other security measures include the continued use of video equipment to conduct hearings with incarcerated defendants, thus avoiding the need to transport prisoners from various locations in the State of Ohio. Not only does this practice minimize officer safety in transport, but also eliminates the need to take police officers off of the streets for prisoner transport. In addition, the court's video conference equipment is also used by the Lakewood Police for presentation of cases to the Grand Jury. By moving the equipment to a secured area, an additional police officer is no longer required when the testimony is being presented.

## **TRANSITIONS**

For nearly ten years, this community has been fortunate to have John V. Jackson II serve as an acting judge in my absence from the court. John Jackson passed away in 2012, and his loss is felt both in the court and throughout the Lakewood Community. John was a well respected trial attorney who enhanced the court with his intellect, legal skills and personality.

John Jackson was a partner with the law firm of Sutter, O'Connell & Farchione Co, LPA and a member of the Cleveland Metropolitan and the Ohio State Bar Associations, Ohio Association of Civil Trial Attorneys, Defense Research Institute and Cleveland Association of Civil Trial Attorneys. He was also a life member of the Judicial Conference of the Eighth Judicial District. John and his wife, Gail, were involved with the Beck Center and other Lakewood organizations and activities. As acting judge, John brought enthusiasm and energy to his work at the court and will be missed.

Magistrate Jerry Dowling went from full to part time in 2012. David Briggs was hired fill the rest of that full time position. David brings his experience as an attorney in private practice as well as a former prosecutor for Cuyahoga County.

## **COMMUNITY WORK SERVICE AND PUBLIC SERVICE**

The court's community work service program, which is primarily for first time, nonviolent offenders, provides additional hours of services to the Lakewood Community, reduces the cost of jail operation and provides a useful jail alternative sanction in many cases. In 2012, the court continued its use of community service workers for public service.

Community service workers were used last year to clean up graffiti on public and private buildings in Lakewood. Graffiti is a public scourge that debases our community. The recipients are crime victims. To combat this problem, offenders were required to complete community work service assignments by cleaning graffiti. Private property owners may apply to the court's probation department to have graffiti removed. Special cleaning products were purchased through the court's probation supervision fund to complete the process. Once a release is executed by the property owner and the police have the opportunity to take a report and photographs, community service workers will be assigned to remove the graffiti.

Community service workers were also used to assist with the court's housing diversion program. In many cases, properties were not kept up due to age or physical limitations of the homeowner. With the coordination and supervision of the probation department, community service workers trimmed lawns, cleaned out abandoned houses and removed debris from yards.



## **COMMUNITY INVOLVEMENT**

It is also important for the court to be involved in programs outside of the court to promote the legal system. In 2012, I continued my service on the Editorial Board of the Ohio Jury Instruction Committee of the Ohio Judicial Conference. After completion of my term as a Trustee of the Cleveland Metropolitan Bar Association, I was appointed to the Board of Trustees of the Ohio Judicial College. I also continued my involvement as a faculty member of the Ohio Judicial College, teaching numerous courses to other judges throughout the State of Ohio. Other legal activities included involvement with the Lakewood Police Citizens Academy and the City of Lakewood's quarterly landlord education seminars. I was also appointed by the Chief Justice to the Continuing Legal Education Commission for the Ohio Supreme Court. By my participation in these judicial activities, court expenditures for mandatory continuing legal education and publications are reduced. In addition, the research and preparation gives me a better understanding of multiple aspects of the law, which helps me keep current with developments in the law.

As Clerk of the Lakewood Municipal Court, Terri O'Neill has been actively involved in the Northeast Ohio Municipal Clerks Association, serving as vice president. Mrs. O'Neill is also a member and regularly attends meetings with the Ohio Association of Municipal/County Courts. Mary Kay Schabel, Andrea McGannon and Beth Moher were also actively involved with the Northern Ohio Probation Officers Association. All of these activities beyond regular court duties not only benefit the public, but also improve the operation of the court by greater awareness in new techniques and procedures as well as changes in cases and statutes that have a direct effect on the operation of the court.

Probation Officer Mary Kay Schabel and I continued our annual seminar on domestic violence for family practice doctors at Fairview Hospital. I also participated in the City's landlord education program, a quarterly forum conducted by Mayor Summers and other city officials to explain the rights and obligation of landlords in the City of Lakewood.

The court also continued its involvement in the Lakewood community. Court employees voluntarily donated both time and money to provide holiday meals and Christmas gifts to needy families in Lakewood. The court showed its support for the D.A.R.E. programs by attendance at all of the D.A.R.E. graduations in the public and parochial schools in Lakewood as well as the D.A.R.E. basketball program. In addition, sixteen (16) marriages were performed in the Lakewood Municipal Court in 2012.

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 retired Judge John Musson, retired Lakewood Magistrate Thomas Wagner, attorneys John McCaffrey and John V. Jackson II, 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. Through cooperation with the City's Administration and Council, the Lakewood Municipal Court is better able to serve the community. The court looks forward to working with Mayor Summers, his Administration and City Council to address the challenges that face our community.

### **CONCLUSION**

This report marks my twenty third year as Judge of the Lakewood Court. I have seen changes in the community over this time. Through new programs and procedures, the court has evolved to address the challenges facing our community. It is an ongoing process. I realize that change may also bring questions. I welcome any such questions, suggestions or constructive criticism that may result in a better understanding or improvement of the operation of the court.

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 been attained.

Respectfully submitted,

Judge Patrick Carroll

**CRIMINAL AND CIVIL DIVISIONS**  
**REVENUE AND CASE SUMMARY DATA**

## **COURT FINANCES, REVENUES & EXPENDITURES**

Changes with the City of Lakewood and the overall condition of the economy has made all of us more conscious of spending. During the year, the court attempted to spend cautiously which resulted in over \$ 71,000 of its allocated budget returned as unspent to the general fund of the City of Lakewood. Part of the budget surplus was the use of special court funds for operating expenses, permitting the court to return unused budgeted funds to the city for other uses.

The revenue collected by the court in 2012 decreased slightly, by \$ 11,007, from the previous year. Notwithstanding this decrease, the court's revenue in 2012 exceeded the court's operating expenses, resulting in a surplus of funds in excess of \$621,100 to the State of Ohio, Cuyahoga County and the City of Lakewood.

Of these funds, \$59,166 was paid to Cuyahoga County and \$301,998 to the State of Ohio. In addition, \$ 359,948 of revenue in excess of the court's budget was provided 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. In addition, after reviewing its needs, we were able to declare a surplus in the court's special project fund and release an additional \$100,000 to the City of Lakewood's general revenue fund. The court's careful responsibility towards the use of public funds was also demonstrated by the positive report that was issued in 2012 by the Ohio State Auditor's Office for the year 2011.

Changes were also made in 2012 for the collection of assessed fines and court costs. The number of payment hearings was reduced with greater emphasis on payment plans, collection agency referrals and driver's license forfeitures for nonpayment of fines. Moreover, the collection fee upon referral to a collection agency is in addition to the fines and costs assessed by the court. The reduction of payment hearings per individual has resulted in a decrease in both arrest warrants to the police department and administrative duties by court staff without a loss of collection.

Changes in state law, by either legislative act or judicial decision, also had an impact on the financial operation of the court. As a result, the costs of operation of the court were increased without corresponding revenue.

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 for consideration of potential revenue.

### **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 on those who use it, rather than 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. The basic court cost for traffic and criminal cases is ninety (\$90.00) dollars.

By statute, most court costs do not accrue to the court. Over the years, the State of Ohio has imposed court costs on traffic, criminal and civil cases. The money from these costs goes to special revenue projects by and for the State of Ohio and is not retained by the Lakewood Court or the City of Lakewood for the operation of the court. The increased court costs over the years have shifted the amount of revenue collected by the court to the State of Ohio rather than remaining with the City of Lakewood.

Each municipal court sets its own court costs, with a portion retained by the local court after the balance is transferred to the State of Ohio. 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, while balancing the need to fiscally operate the court. For more egregious misconduct, the court may impose a higher fine or other penalty.

### **SPECIAL COURT FUNDS**

Municipal Courts are granted statutory authority from the Ohio General Assembly to create and maintain special funds from court costs. 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. It has been the court's position to use these funds for their statutorily restricted purpose as they accrue. In accordance with the respective statutory authority for the creation of these funds, a summary of the expenditures are set out in this annual report. As public funds and in accordance with the Ohio Revised Code, a complete listing of all receipts and expenditures is available through the Clerk of the Lakewood Municipal Court or the Finance Director of the City of Lakewood.

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 pay for consulting and maintenance contracts. This fund accrued \$34,490 in 2012 with a balance at the end of the year of \$35,849.

The Special Projects Fund was created in 2002 by authority of Ohio Rev. Code Sec. 1901.26 (B). This fund is an additional assessment in civil, traffic and misdemeanor cases. This fund accrued \$139,275 in 2012 with a balance at the end of the year of \$ 303,225. The availability of 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. 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 probation fund supports 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 2012 to pay for drug screening tests, professional psychiatric evaluations and other expenses to operate the mental health court program. In 2012, the fund accrued \$31,198 with an ending balance of \$ 27,488. A portion of the court's operating expenses, including court security officers and other salaries, were shifted to the probation fund in 2012, permitting a reduction in the court's operating budget.

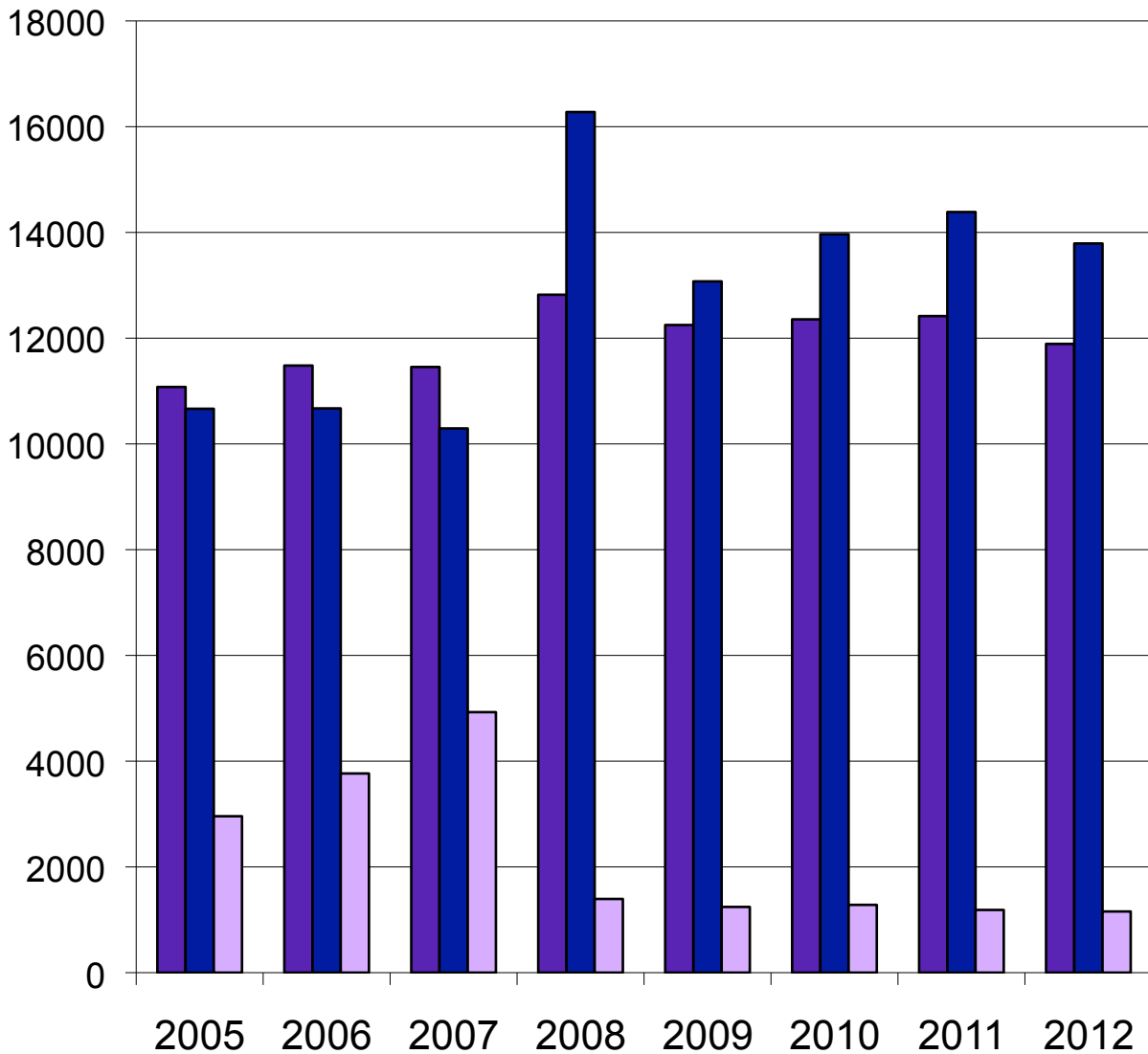
Indigent Drivers Alcohol Treatment Fund. (IDAT) This fund is created by Ohio Revised Code Section 4511.19(H). The IDAT was funded by two sources: 1) a portion of fines collected in OVI convictions and, 2) drivers license reinstatement fees distributed by the Ohio Department of Public Safety for OVI defendants. The fund is restricted in use to providing alcohol, drug and/or mental health services to indigent defendants. Beginning in 2011, the two funds were merged by the Ohio State Auditor's Office, with 2012 being the first full year of the combined funds.

Indigent Drivers Interlock and Alcohol Monitoring Fund (IDAM) was created by the amendment to Ohio Revised Code Section 4511.191 in 2008. Like the IDAT Fund, the fund is mandated by state law. A portion of fines collected for OVI convictions are required by state law to be paid into this fund. The fund is restricted in use to pay for ignition interlock and other alcohol monitoring devices for indigent defendants.

The revenue to the City's general fund is in addition to interest on special court funds and municipal income taxes collected through small claims cases. Interest generated from the court's special funds is payable 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.

**Chart 1**

**Annual Summary of All Cases  
for the Lakewood Municipal Court**



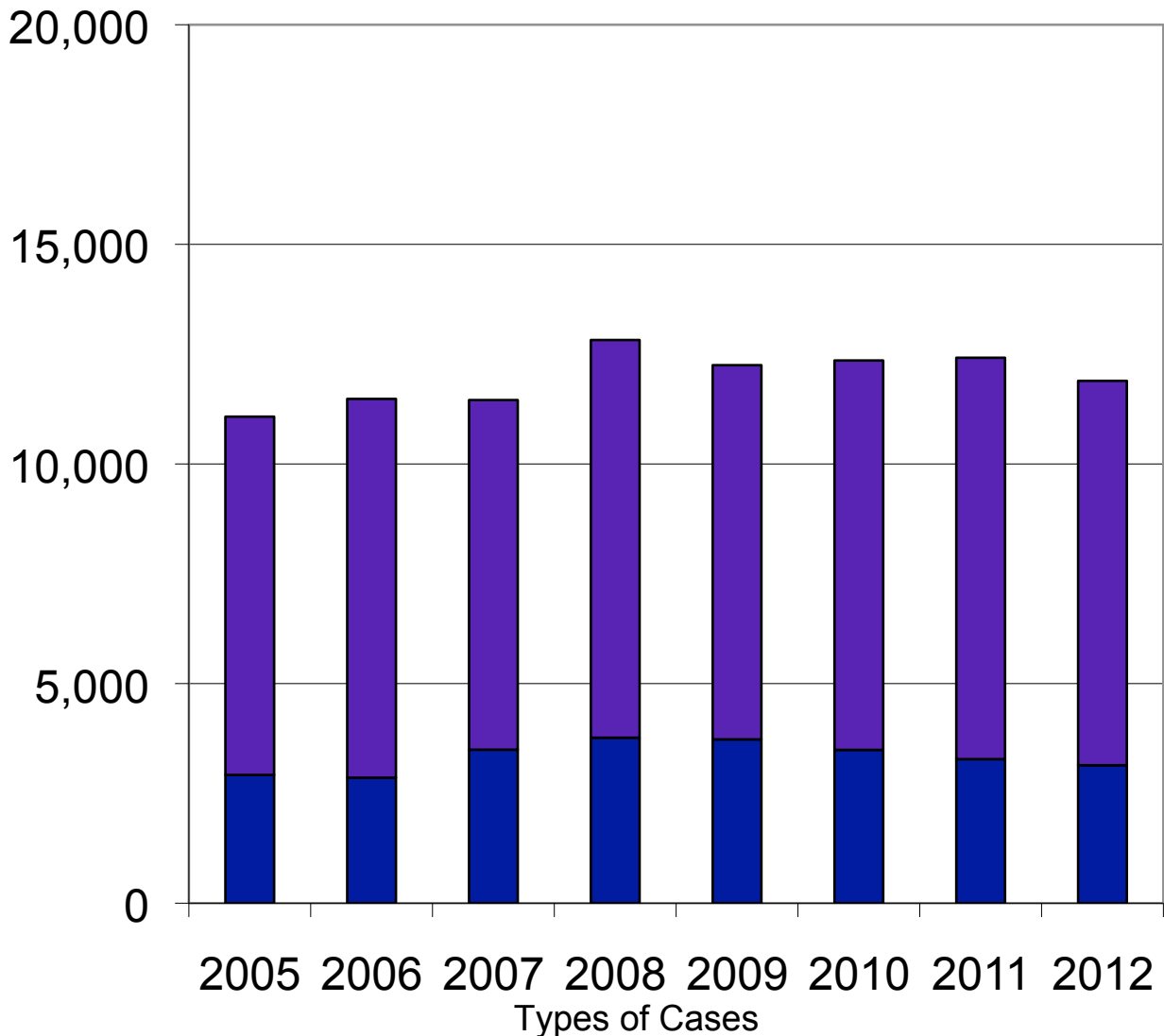
■ All Cases Filed   ■ Cases Adjudicated   ■ Cases Pending

**Source:** Annual Superintendence Records  
to the Ohio Supreme Court

**Chart 2**

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

Total Number of Cases Filed per Annum



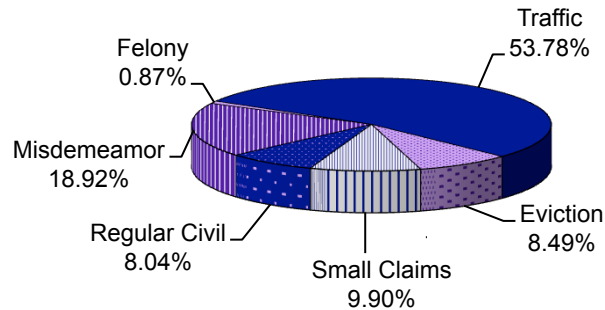
**Source:** Annual Superintendence Reports  
to the Ohio Supreme Court



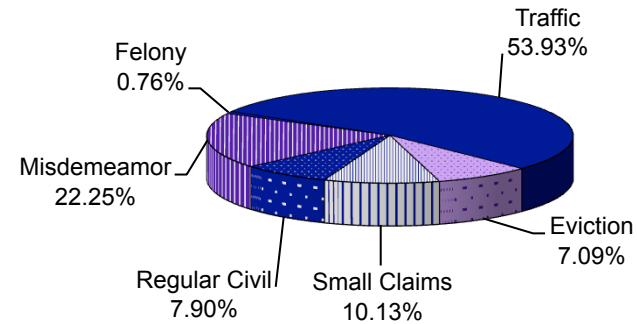
**Chart 3**

# **Summary of All Case Filings for the Lakewood Municipal Court 2011 & 2012**

**2011**



**2012**



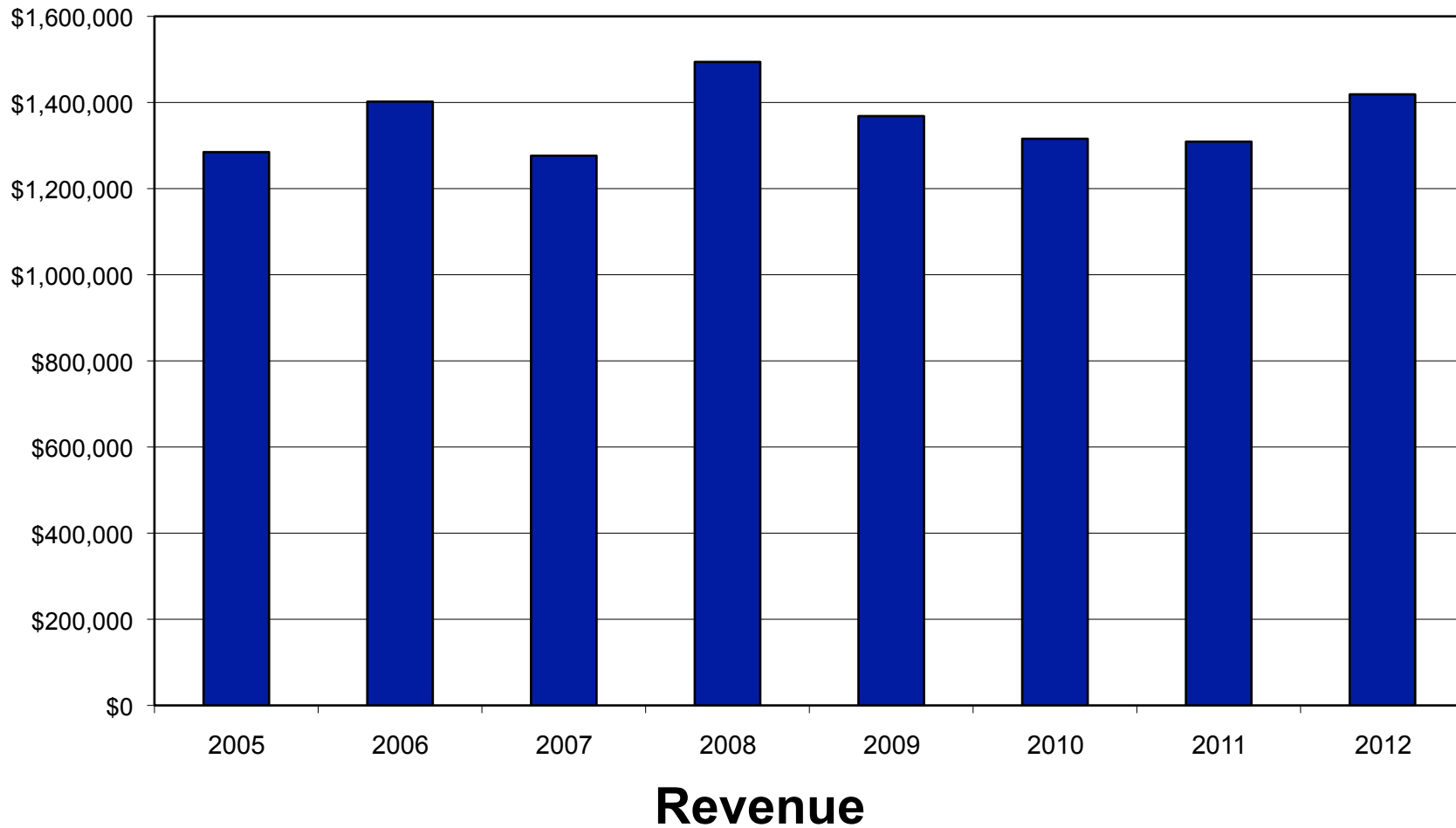
## **Total Cases by Division**

	<u>100.0%</u>	<u>100.0%</u>
Civil	28.36%	29.38%
Traffic & Criminal	71.64%	70.62%

**Source:** Annual Superintendence Reports to the Ohio Supreme Court

**Chart 4**

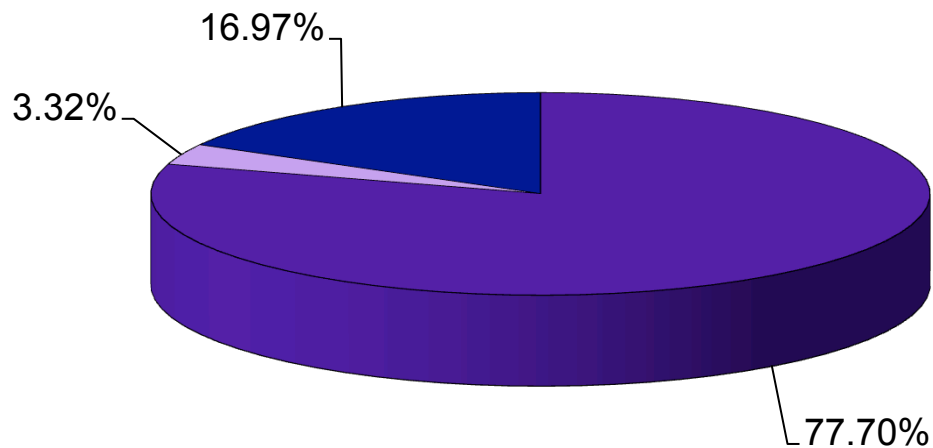
## **Summary of Revenue For the City of Lakewood By The Lakewood Municipal Court**



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

**Chart 5**

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



■ City of Lakewood

■ Cuyahoga County

■ State of Ohio

# CRIMINAL AND CIVIL MONTHLY SUMMARY OF REVENUE TO CITY

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## PAID TO CITY

ACCOUNT NUMBER	101-0000- 361.10-00 361.20-00 361.30-00 361.50-00	101-0000- 361.35-00 CRIMINAL	101-0000- 361.20-00 CRIMINAL	101-0000- 370.00-00 CRIMINAL	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.	
2012	<u>CRIMINAL*</u>	<u>WITNESS</u>	<u>JUROR</u>	<u>INTEREST</u>	<u>P.S.I.</u>	<u>I.D.A.T.</u>	STATE <u>I.D.A.T.</u>	<u>L.E.A.</u>	<u>S.P.F.</u>	<u>C.M.F.</u>	TOTAL ROW
January	\$100,731.33	\$286.00	\$526.00	\$172.09	\$68.00	\$500.00	\$576.00	\$506.55	\$13,482.00	\$3,240.00	\$120,087.97
February	116,058.95	283.50	0.00	0.00	32.00	423.00	568.50	425.00	14,066.00	3,354.00	135,210.95
March	105,224.06	252.00	0.00	531.61	0.00	241.00	514.00	281.00	12,642.00	2,847.00	122,532.67
April	93,938.59	255.00	185.00	226.95	50.00	475.00	535.00	475.00	12,210.00	2,952.00	111,302.54
May	81,133.61	206.00	50.00	96.00	50.00	350.00	448.50	350.00	10,792.00	2,646.00	96,122.11
June	93,058.43	216.00	0.00	96.83	50.00	425.00	441.00	404.00	11,882.00	2,791.00	109,364.26
July	83,950.71	217.00	100.00	87.13	150.00	325.00	424.00	335.00	11,635.00	2,799.00	100,022.84
August	90,827.04	198.00	2,425.00	98.90	100.00	324.00	512.00	325.00	12,117.00	3,033.00	109,959.94
September	77,845.77	196.00	75.00	88.36	150.00	276.00	463.50	290.00	10,772.00	2,704.00	92,860.63
October	83,612.72	173.00	80.00	85.52	100.00	350.00	459.00	360.00	11,694.00	3,695.55	100,609.79
November	68,070.03	174.00	60.00	102.65	50.00	175.00	369.00	155.00	8,946.00	2,056.00	80,157.68
December	<u>70,169.78</u>	<u>194.00</u>	<u>0.00</u>	<u>85.49</u>	<u>0.00</u>	<u>150.00</u>	<u>335.00</u>	<u>170.00</u>	<u>9,037.00</u>	<u>2,373.00</u>	82,514.27
'12 Totals	\$1,064,621.02	\$2,650.50	\$3,501.00	\$1,671.53	\$800.00	\$4,014.00	\$5,645.50	\$4,076.55	\$139,275.00	\$34,490.55	\$1,260,745.65
'11 Totals	\$1,060,188.02	\$3,407.42	\$730.00	\$1,979.77	\$598.00	\$4,084.50	\$1,844.00	\$4,080.95	\$141,270.00	\$34,749.90	\$1,252,932.56

## 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  
I.D.A.M. - Indigent Drivers Interlock and Alcohol Monitoring Fund R.C. 4511.19(1)

S.P.F. -Special Projects Fund Authority 1901.26(B)  
C.M.F. - Computer Maintenance Fund. Authority 1901.261(B)  
\*Includes Criminal and Traffic

# CRIMINAL AND CIVIL MONTHLY SUMMARY OF REVENUE TO CITY

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## PAID TO CITY

ACCOUNT NUMBER	237-0000- 361.50-00 R.C.	222-0000- 361.50-00	236-0000- 361.50-00	101-0000- 361.20-00	101-0000- 361.20-00	101-0000- 361.20-00	101-0000- 361.20-00	101-0000- 361.20-00	799-0000- 384.00-00				
					MARRIAGE &WITNESS FEES	SMALL CLAIMS	TRUSTEESHIP	LANDLORD/ TENANT	UNCLAIMED MONIES	TOTAL TO CITY 2012	ROW TOTAL	PAGE 9 TOTAL	TOTAL
2012	L.D.A.M.	L.E.T.F.	PROBATION	CIVIL									
January	\$803.00	\$1,516.00	\$2,956.00	\$17,659.82	\$0.00	\$3,671.42	\$7.09	\$29.60	\$0.00	\$146,730.90	\$25,839.93	\$120,890.97	\$146,730.90
February	904.00	2,479.00	2,911.00	16,149.81	75.00	4,504.19	7.94	35.00	0.00	162,276.89	\$26,161.94	136,114.95	162,276.89
March	1,112.45	1,872.50	2,500.00	14,058.00	0.00	1,538.21	21.24	11.50	0.00	143,646.57	\$20,001.45	123,645.12	143,646.57
April	1,716.52	1,001.00	3,307.00	13,824.08	25.00	3,887.08	60.61	19.00	40.00	135,182.83	\$22,163.77	113,019.06	135,182.83
May	1,858.00	1,164.50	2,631.00	14,859.30	0.00	3,298.59	(35.11)	35.13	0.00	119,933.52	\$21,953.41	97,980.11	119,933.52
June	1,762.35	1,012.50	3,066.00	15,620.24	25.00	2,279.70	12.02	9.00	0.00	133,151.07	\$22,024.46	111,126.61	133,151.07
July	636.00	1,083.50	2,492.00	16,416.54	50.00	2,459.47	9.94	20.03	0.00	123,190.32	\$22,531.48	100,658.84	123,190.32
August	1,074.00	840.00	2,522.00	17,985.90	50.00	4,388.25	17.89	14.50	0.00	136,852.48	\$25,818.54	111,033.94	136,852.48
September	1,466.98	839.75	2,398.00	15,321.59	50.00	4,103.75	15.60	23.89	1,826.00	118,906.19	\$24,578.58	94,327.61	118,906.19
October	1,248.05	1,056.00	2,650.00	15,093.02	25.00	5,050.12	15.39	31.10	0.00	125,778.47	\$23,920.63	101,857.84	125,778.47
November	1,135.42	937.00	2,041.00	11,743.89	50.00	767.20	12.51	22.85	0.00	96,867.55	\$15,574.45	81,293.10	96,867.55
December	688.00	1,207.00	1,724.00	14,643.68	50.00	4,818.46	12.60	23.00	0.00	105,681.01	\$22,478.74	83,202.27	105,681.01
'12 Totals	\$14,404.77	\$15,008.75	\$31,198.00	\$183,375.87	\$400.00	\$40,766.44	\$157.72	\$274.60	\$1,866.00	\$1,548,197.80	\$273,047.38	\$1,275,150.42	\$1,548,197.80
'11 Totals	\$15,161.93	\$17,359.50	\$36,734.75	\$177,100.30	\$325.00	\$42,164.05	\$90.65	\$259.67	\$786.00	\$1,542,914.41	\$289,981.85		

## REFERENCE:

L.E.T.F. - Law Enforcement Trust Fund Authority R.C. 4511.99

Unclaimed Monies. Authority R.C. 1901.31 (g)

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

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2012	<u>C.R.I.S.</u> (1)	<u>Indigent</u> (2)	<u>State- Vic of Crime</u> (3)	<u>State- IDSF</u> (4)	<u>State- Exp. Fee</u> (5)	<u>State- SB 209</u> (6)	<u>State - IDAT</u> (7)	<u>State- IDSF</u> (8)	<u>State- OCJS</u> (9)	<u>State- Seatbelt</u>	<u>TOTAL PG 11</u>
January	\$2,844.00	\$225.00	\$6,118.73	\$15,845.00	\$30.00	\$1,376.45	\$0.00	\$1,923.50	\$1,337.00	\$2,555.00	32,254.68
February	2,699.00	480.00	5,976.00	16,597.00	180.00	1,379.60	0.00	1,891.50	1,331.50	3,995.00	34,529.60
March	2,491.00	500.00	5,666.00	15,515.00	180.00	972.55	0.00	1,729.50	1,193.50	3,005.00	31,252.55
April	2,399.00	350.00	5,342.00	14,248.00	180.00	1,454.00	0.00	1,805.30	1,246.00	2,490.00	29,514.30
May	1,974.00	376.00	4,640.00	12,095.00	120.00	1,067.00	0.00	1,506.00	1,046.50	2,270.00	25,094.50
June	2,050.00	600.00	4,940.00	13,615.00	90.00	1,119.00	0.00	1,506.50	1,039.50	3,290.00	28,250.00
July	2,062.00	200.00	4,928.00	12,850.00	120.00	1,009.00	0.00	1,451.50	997.50	2,655.00	26,273.00
August	2,219.00	235.00	5,157.00	13,375.00	60.00	930.00	0.00	1,736.50	1,186.50	2,645.00	27,544.00
September	2,013.00	475.00	4,581.00	12,225.00	90.00	738.00	0.00	1,545.00	1,081.50	2,020.00	24,768.50
October	2,133.00	362.00	4,910.50	13,077.00	60.00	1,094.00	0.00	1,533.00	1,068.50	2,365.00	26,603.00
November	1,710.00	324.00	3,981.50	10,286.00	150.00	794.00	0.00	1,246.00	847.00	1,875.00	21,213.50
December	<u>1,547.00</u>	<u>311.00</u>	<u>3,654.00</u>	<u>9,708.00</u>	<u>180.00</u>	<u>485.00</u>	<u>0.00</u>	<u>1,056.00</u>	<u>738.50</u>	<u>1,730.00</u>	<u>19,409.50</u>
'12 Totals	\$26,141.00	\$4,438.00	\$59,894.73	\$159,436.00	\$1,440.00	\$12,418.60	\$0.00	\$18,930.30	\$13,113.50	\$30,895.00	\$326,707.13
'11 Totals	\$25,926.00	\$4,330.00	\$60,446.55	\$165,031.00	\$1,650.00	\$11,941.00	\$3,971.00	\$19,362.50	\$13,527.50	\$32,597.00	

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 Indigent Defense Support Fund FKA State 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.

(8) State I.D.S.F. Indigent Defense Support Fund R.C. 2949.0

(6) State Indigent Defense Support Fund R.C. 4511.19

(9) State Drug Law Enforcement Fund R.C. 2949.094

(7) State I.D.A.T. Indigent Driver's Alcohol Treatment Fund R.C. 2949.094 - Due to Administrative change by Ohio Treasurer in 2011, payments in this fund are paid to City and combined with IDAT found on Page 9

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

Page 2 of 2

2012	State- Nat'l. Res.	State- Met Park	State- Liquor	State- Child Rest.	County Criminal	County- Traffic	County- Crime Stoppers (10)	County - Law Library (11)	Totals	Totals	Page 1 Totals	Totals
January	\$0.00	\$300.00	\$50.00	\$280.00	\$1,115.00	\$498.00	\$95.00	\$668.91	\$35,261.59	\$3,006.91	32254.68	\$35,261.59
February	0.00	750.00	0.00	170.00	777.00	1,555.90	122.00	0.00	37,904.50	3,374.90	34529.6	37,904.50
March	60.00	335.00	0.00	245.00	1,278.00	390.00	163.00	0.00	33,723.55	2,471.00	31252.55	33,723.55
April	0.00	120.00	(175.00)	170.00	790.00	2,443.00	97.00	0.00	32,959.30	3,445.00	29514.3	32,959.30
May	0.00	0.00	0.00	85.00	303.00	1,703.00	114.00	0.00	27,299.50	2,205.00	25094.5	27,299.50
June	0.00	350.00	0.00	70.00	1,551.00	615.00	134.00	0.00	30,970.00	2,720.00	28250	30,970.00
July	0.00	750.00	5.00	120.00	1,022.00	1,314.00	118.00	0.00	29,602.00	3,329.00	26273	29,602.00
August	0.00	800.00	37.50	70.00	1,497.00	884.00	116.00	0.00	30,948.50	3,404.50	27544	30,948.50
September	0.00	330.00	112.50	245.00	637.00	2,725.00	106.00	0.00	28,924.00	4,155.50	24768.5	28,924.00
October	0.00	150.00	0.00	140.00	1,666.50	1,387.00	114.00	0.00	30,060.50	3,457.50	26603	30,060.50
November	0.00	25.00	0.00	170.00	791.50	1,572.20	83.00	0.00	23,855.20	2,641.70	21213.5	23,855.20
December	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>105.00</u>	<u>885.00</u>	<u>(830.00)</u>	<u>87.00</u>	<u>0.00</u>	<u>19,656.50</u>	<u>247.00</u>	<u>19409.5</u>	<u>19,656.50</u>
'12 Totals	\$60.00	\$3,910.00	\$30.00	\$1,870.00	\$12,313.00	\$14,257.10	\$1,349.00	\$668.91	\$361,165.14	\$34,458.01	326707.13	\$361,165.14
'11 Totals	\$400.00	\$2,680.00	\$750.00	\$2,485.00	\$15,874.00	\$14,199.00	\$1,444.00	\$568.00	\$377,182.55			

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.

## **CRIMINAL DIVISION**



## **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. Traffic citations may be paid by phone with credit cards. The waiver schedule is available from the court or from the court's website. ([www.lakewoodcourtoh.com](http://www.lakewoodcourtoh.com)). When a traffic or criminal charge involves the possibility of a jail sentence, then a court appearance is required.

Some cases, such as building code violations and certain driving under suspension charges, are unclassified misdemeanors. Although a jail sentence may not be imposed on a first offense for an unclassified misdemeanor, a jail sentence may be imposed for a later offense under certain circumstances. Under Ohio law, a defendant has the right to a jury trial if the offense has a potential jail sentence or a fine greater than \$1,000.

Traffic cases decreased by 197 cases from 7,448 new and reactivated cases in 2011 to 7,251 cases last year. One specific type of traffic case, operating a vehicle under the influence of alcohol (O.V.I.) decreased insignificantly, from 210 cases in 2011 to 204 in 2012. 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 cases decreased in 2012 by 111 cases. There were 3,102 criminal misdemeanor new and reactivated cases in 2011 compared to 2,921 in 2012. These cases include theft, assault, domestic violence and some drug offenses. (For a breakdown of cases by type, see pages 23-25.)

In addition to the traffic and criminal cases in 2012, 1,298 arrest warrants were executed by the Lakewood Police. These are warrants issued for persons who have 1) been charged with a criminal offense and pose a risk of flight or harm to the community or 2) failed to appear in court voluntarily after being served with a traffic citation or misdemeanor criminal complaint. It also includes warrants for post trial proceedings such as community control supervision/probation violation hearings. When warrants are issued due to lack of voluntary appearance from missed court dates, the work load per case is increased by both the Lakewood court staff and police. Without the assistance of the Lakewood Police, the court could not operate effectively.

Felony charges in the Lakewood Municipal Court decreased from 219 cases in 2011 to 186 cases in 2012. 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. The difference in cases involves a change in reporting through the court's participation in the Criminal Justice System Management Program.

The jurisdiction for felony trials is the Common Pleas Court. A municipal court has jurisdiction in felony cases only to set bond and determine if there is evidence of probable cause for the case to be transferred to the Common Pleas Court. In addition to the 186 felony cases that were either filed or reactivated in 2012, the court set bond and made probable cause determinations on another 120 cases in 2012, for a total of 306 felony cases which originated in the Lakewood Municipal Court last year.

### **CRIMINAL JUSTICE SYSTEM MANAGEMENT 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 accomplished recommendations is a greater integration between the Common Pleas Court and Municipal Courts in Cuyahoga County for processing felony cases.

With the Criminal Justice System Services Program, felony defendants are directly processed and transported to the Cuyahoga County Jail. As a member of the Governing Board for this program, I have been actively involved in this revised process. Standardized forms and policies were developed and implemented for all municipal courts in Cuyahoga County to set bonds and immediately transport criminal defendants charged with felonies to the Common Pleas Court. As a result, the length of time of pretrial incarceration has been drastically reduced. In addition, the procedures have resulted both in earlier representation and discovery by defense attorneys and earlier disposition of felony cases. This procedure was implemented in late 2011 with 23 filings in 2011 and 120 filings in 2012.

Benefits realized from the Criminal Justice System Services Program include jail reduction, reduced taxpayer cost, 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.

### **MENTAL HEALTH COURT**

Numerous criminal cases involve mental illness and/or substance abuse. Over the past eleven (11) 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 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 2012, the Lakewood Court directly handled eleven (11) cases. In addition, other cases requiring mental health evaluations were coordinated by the Lakewood Probation Department with the Common Pleas or other municipal courts. Although few in number, these cases require extensive time and involvement of court staff and attorneys certified in this specialized area. Moreover, although some of the cases are relatively minor in nature, the mental condition of the defendant poses a risk of harm that must be addressed regardless of the seriousness of the offense.

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.

## **HOUSING COURT CASES**

### **Criminal Cases**

Building and health code violations are also included in the criminal category. The number of building code violations increased from 156 cases in 2011 to 258 cases in 2012. Some of the increase is due to multiple charges against the same defendant over time. These cases comprised only three percent (3%) of traffic and criminal case filings. Although classified as criminal, these cases are different from other criminal cases, for the focus is upon bringing properties 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. Building code compliance became more challenging last year with the increase of foreclosures and vacant houses.

### **Housing Court Diversion Program.**

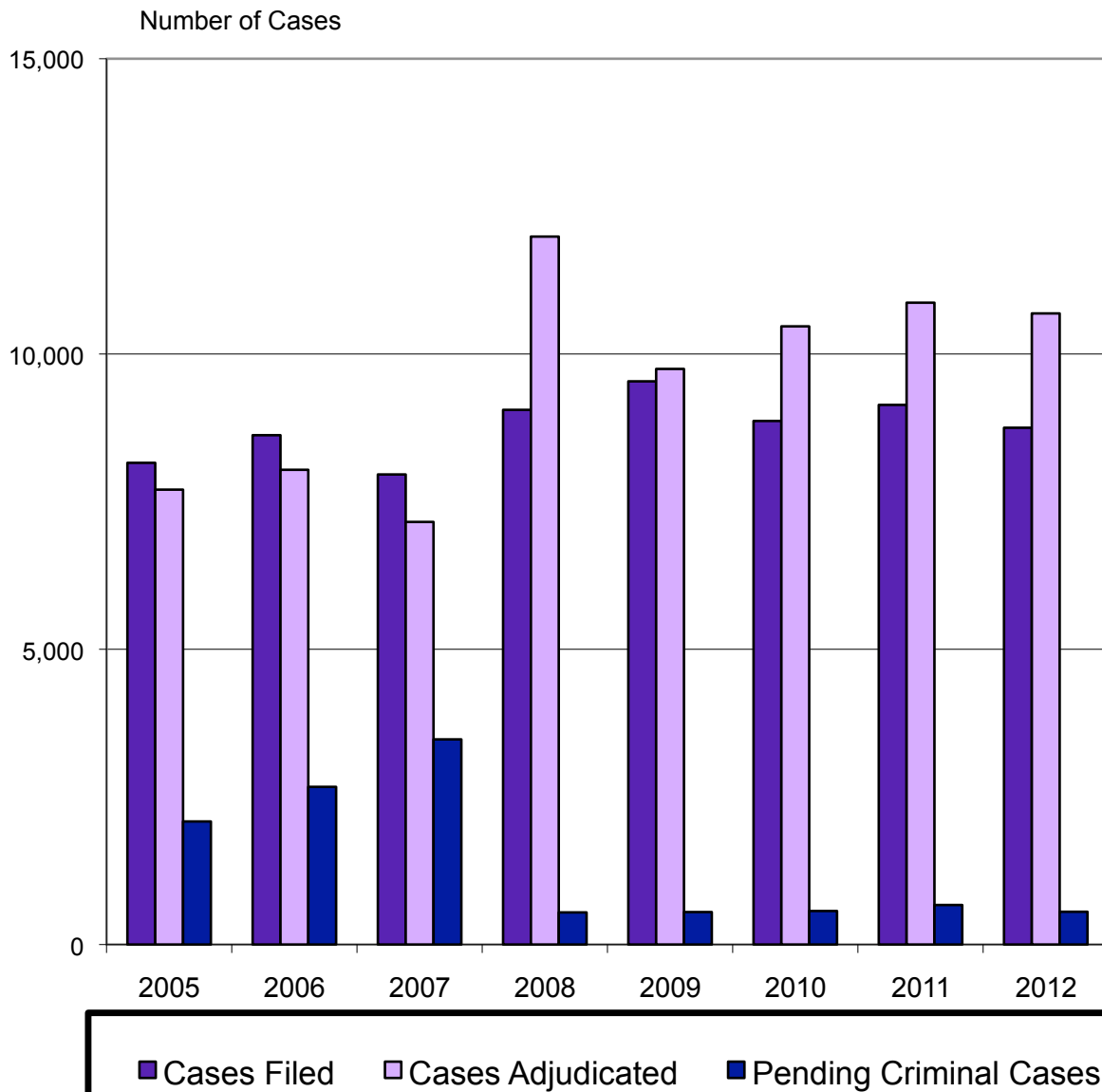
Beginning in 2011, the Lakewood Municipal Court established a diversion program for building, housing and health code violation cases. The purpose of the diversion program is to assist homeowners to fix their homes and achieve compliance with the housing and building codes. With the assistance of the City Administration, the diversion program has become a useful tool for the court to bring houses into compliance with the city's building and safety codes.

The diversion program is primarily limited to owner occupied homes. The City's Prosecutor's Office reviews and approves participation in the diversion program. Factors to be considered for eligibility in the diversion program include prior code violation and other criminal history, the nature and number of violations, costs of repairs, impact on the community and other mitigating or aggravating circumstances. If admitted into the diversion program, a compliance schedule will be developed to abate the violations. The participant agrees to cooperate with the persons or agencies designated by the court. Participants may be terminated from the program and returned to the Court's regular criminal docket for noncompliance.

In 2012, 46 people participated in the diversion program. Some of these cases were carried over from the previous year due to the nature of the repairs required. Many of the participants obtained compliance. Tom Ostromek, a retired Lakewood housing inspector, works on a part time basis to coordinate the program and assist in bringing the properties into code compliance. As part of this program, participants were assisted in obtaining low interest loans, temporary variances, and assistance through available programs like the Lakewood High School building program. The Lakewood Court also assigned community service workers to debris removal, trash removal and other low maintenance duties to assist homeowners in the diversion program.

## Chart 6

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

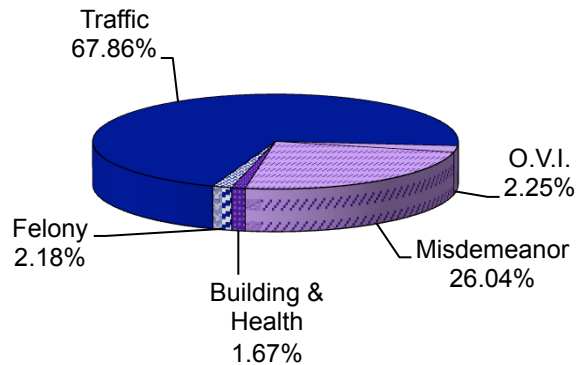


**Source:** Annual Superintendence  
Reports to the Ohio Supreme Court

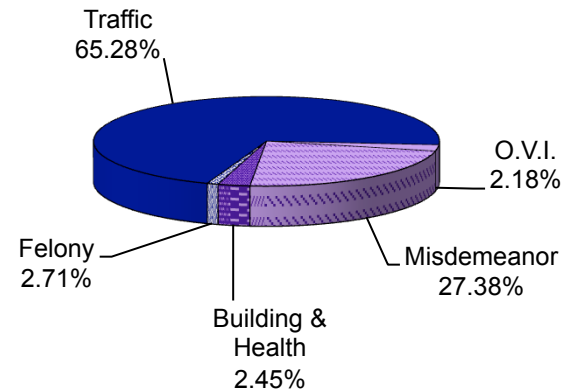
**Chart 7**

## **Summary of Traffic & Criminal Cases for the Lakewood Municipal Court 2011 & 2012**

**2011**

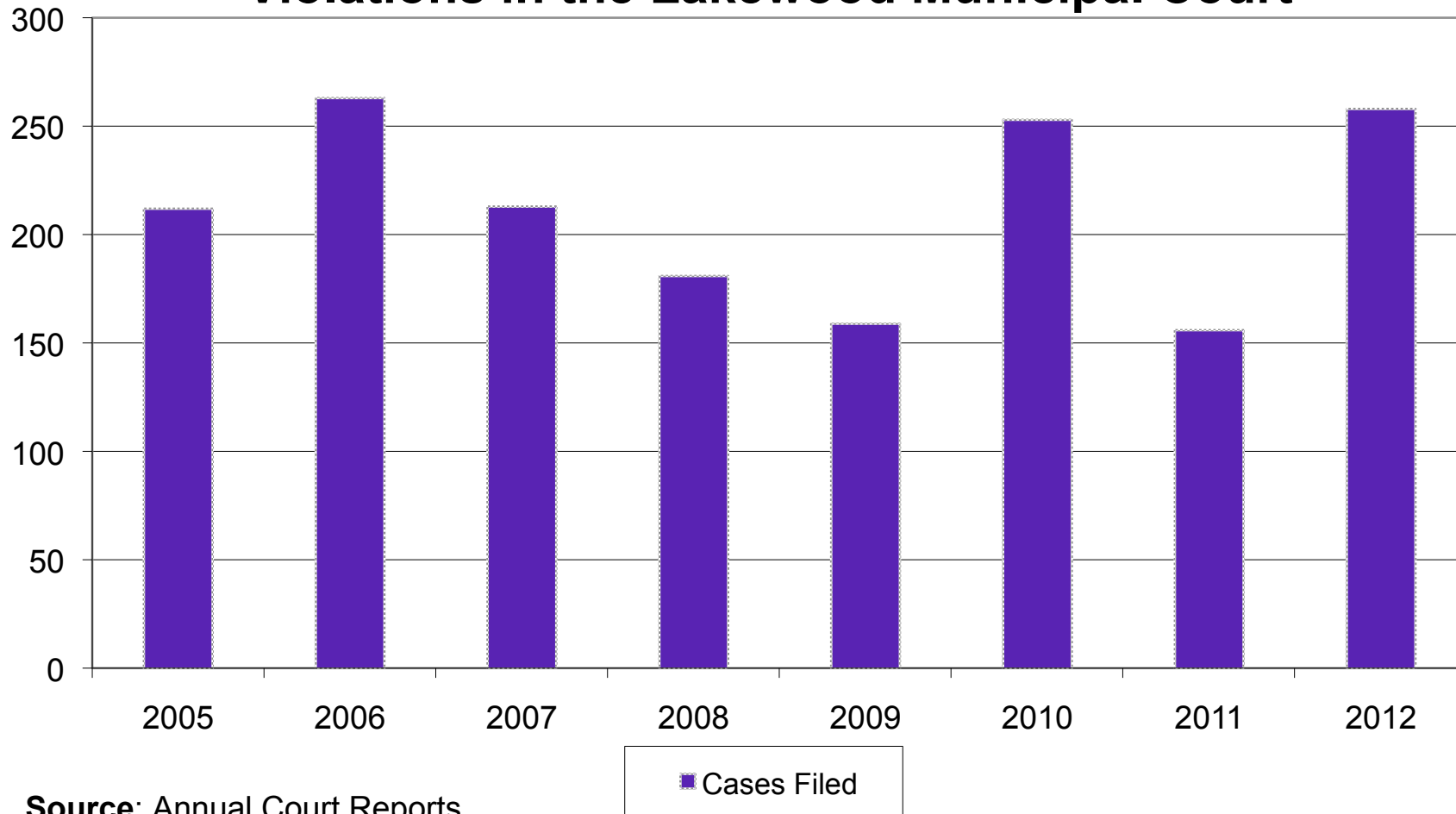


**2012**



**Source:** Annual Superintendence Reports to the Ohio Supreme Court

**Chart 8      Summary of Cases Involving Building Code Violations in the Lakewood Municipal Court**



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

<u>2012 Receipts</u>	<u>Total Deposits &amp; Bond Receipts</u>	<u>Total City Receipts (all city fines, costs &amp; interest)</u>	<u>Totals</u>
January	\$28,104.00	\$123,083.35	\$151,187.35
February	31,795.00	137,114.39	168,909.39
March	29,109.00	121,636.62	150,745.62
April	24,751.00	112,461.31	137,212.31
May	27,250.40	99,643.52	126,893.92
June	24,617.00	111,317.22	135,934.22
July	19,692.00	103,310.82	123,002.82
August	20,260.00	116,005.48	136,265.48
September	21,313.00	99,545.96	120,858.96
October	23,118.00	104,165.87	127,283.87
November	19,613.00	81,003.13	100,616.13
December	<u>20,401.00</u>	<u>89,997.01</u>	<u>110,398.01</u>
Subtotal Amount	\$290,023.40	\$1,299,284.68	\$1,589,308.08
*Carried Over from December 2011	<u>\$55,575.00</u>	<u>0.00</u>	<u>67,422.00</u>
Total	\$345,598.40	\$1,299,284.68	\$1,644,883.08

<u>2012 Expenditures</u>	<u>Total Deposits and Bonds Refunded</u>	<u>Total Receipts Summary Disbursed to City-Fines and Costs</u>	
January	\$26,258.00	Traffic	\$510,094.31
February	29,478.00	Traffic Forfeitures	0.00
March	31,826.00	Criminal	140,275.85
April	25,408.00	Criminal Forfeitures	0.00
May	21,198.40	Parking: Court	100.00
June	29,981.00	10% Bond Costs	20,187.00
July	18,538.00	Court Costs, Exp, LETF	383,428.12
August	21,614.00	Diversion	1,646.00
September	20,445.00	Witness	2,650.50
October	26,193.00	Jury	3,501.00
November	17,180.00	Interest on Deposits	1,671.53
December	<u>13,041.00</u>	Crim. unclaimed monies (R.C. 1901.31g)	1,826.00
Subtotal Amount	\$281,160.40	O.V.I. Funds (R.C. 4511.99)	28,940.82
		Probation	31,198.00
Carried over to 2013	<u>\$64,438.00</u>	Special Projects Fund	139,275.00
		Computer Maintenance Fund	34,490.55
Total	\$345,598.40	Total	1,299,284.68



## CRIMINAL DIVISION - STATISTICAL DATA

<b>Individual Charge Filings</b>	<b><u>2011</u></b>	<b><u>2012</u></b>
Traffic Citations	6676	6409
Traffic Summons	0	2
Traffic Warrants	2	3
Criminal Citations	1832	1616
Criminal Summons	186	294
Criminal Warrants - Felonies	110	91
Criminal Warrants - Misdemeanors	332	336
<b>Total Individual Case Filings</b>	<b>9138</b>	<b>8751</b>
<b>Case Adjudications*</b>	<b><u>2011</u></b>	<b><u>2012</u></b>
(Processed Through Open Court or Violations Bureau)		
<b>Traffic and Criminal Cases Adjudicated</b>	<b>10869</b>	<b>10687</b>
<b>Arrest Warrants on Complaints Issued and Executed</b>	<b><u>2011</u></b>	<b><u>2012</u></b>
Traffic and Criminal Warrants Issued	334	339
Traffic and Criminal Warrants Executed	465	403
<b>Contempt of Court Arrest Warrants Issued and Executed</b>	<b><u>2011</u></b>	<b><u>2012</u></b>
Contempt of Court -- Non-appearance Warrants Issued	973	888
Contempt of Court -- Non-appearance for Payment Hearing Warrants Issued	336	4
Contempt of Court -- Non-appearance Warrants Executed	731	789
Contempt of Court -- Non-appearance for Payment Hearing Warrants Executed	251	106

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

**CRIMINAL DIVISION - STATISTICAL DATA  
TRAFFIC OFFENSE DESCRIPTIONS**

<u>Traffic Offense Description</u>	<u>Individual Offense Filings</u>	
	<u>2011</u>	<u>2012</u>
Backing Without Vigilance	60	51
Bicycle/ Bicycle Helmet Violations	54	44
Certain Acts Prohibited	5	8
Driving on Sidewalk or Curb	9	2
Driving Under Suspension or Revocation	709	684
Earphone Use While Driving	5	14
Emergency Vehicle Violation	2	4
Excessive Noise, Loud Exhaust, Horn Blowing	201	199
Failure to Control Motor Vehicle/Accident/Full Time & Attention While Driving/ Failure to Yield Right of Way/Assured Cleared Distance	447	443
False Info Provided	10	59
Financial Responsibility	0	3
Following too Closely	41	34
Improper Change of Course, Lane Usage, Weaving, Right Side of Roadway	220	240
Improper or Unsafe Lights & Equipment, Obstructed View	437	415
Improper Passing	13	14
Improper Turns	70	62
Improper Vehicle Ident, Illegal Use of Plates, Exp. Plates, Fictitious Plates	1249	1208
Leaving Scene of Accident/ Hit Skip/ Stopping After Accident	74	55
Left of Center	30	17
Litter from Motor Vehicle	27	40
Motorcycle/ Moped Violations	14	11
No Operator's License; License Restrictions, Exp.Operator's License, Unlicensed to Drive	554	621
One Way Streets	8	4
Open Door in Traffic	2	6
Operating a Vehicle Impaired (L.C.O.)	154	132
Operating a Vehicle Impaired(R.C.)	37	62
Parking (To Court)	1	0
Pedestrian Related; Right of Way	61	82
Physical Control (L.C.O.)	5	2
Physical Control (R.C.)	2	1
Playing in Street	0	1
Railroad Crossing Violations	2	0
Reckless Operation of Vehicle	13	13
Restricted Street, Excessive Weight or Load, Closed Street, Commercial	58	108
Seatbelt / Child Restr. Law / Booster	1670	1509
Speeding	683	646
Stop For School Bus	0	2
Temporary Operator's Permit Violation	44	51
Tire Peeling	16	18
Toys in Street	16	22
Traffic Control Devices; Traffic Lights & Signs	1432	1354
Unattended Motor Vehicle	30	14
Unsafe Motor Vehicle	25	19
Willful and Wanton Disregard, Failure to Comply	16	16
Wrongful Entrust, Permitting	58	47

**CRIMINAL DIVISION - STATISTICAL DATA**  
**CRIMINAL OFFENSE DESCRIPTIONS**

**CITY ORDINANCE OFFENSES -MISDEMEANORS**

<u>Criminal Offense Description</u>	<u>Individual Offense Filings</u>		<u>Criminal Offense Description</u>	<u>Individual Offense Filings</u>	
	<u>2011</u>	<u>2012</u>		<u>2011</u>	<u>2012</u>
Aggr. Menacing	6	6	Misuse of 911/ Misconduct of Emergency	1	1
Animal Code Violation	47	79	Misuse of Credit Cards	1	6
Arson	1	0	Noise Violations	69	94
Assault	36	40	Obstruction Justice	6	3
Attempt	13	4	Obstruction Official Business	61	60
Building & Zoning Code Violations	156	258	Occupying a Drug Premis	8	17
Carry Concealed Weapon/ Improper Handling of a Firearm	10	6	Open Container/ Public Consumption	67	68
Comply Lawful Order	4	4	Passing Bad Checks/ NSF Checks	4	2
Contributing to Delinquency of Minor	11	1	Possession of Dangerous Toys	1	2
Criminal Damaging	39	56	Possession of Drug Instruments/ Paraphernalia	185	186
Criminal Mischief	4	5	Possession/ Discharge Fireworks	7	11
Criminal Simulation	1	5	Probable Cause Posted Bond	0	18
Criminal/ Agg Trespassing	70	73	Promoting Prostitution/ Soliciting	4	2
Curfew/ Park	18	29	Public Indecency /Exposure	5	4
Defraud Livery	4	2	Receiving Stolen Property	19	25
Discharging Firearms / Imp Hand	10	7	Resisting Arrest/ Willful Fleeing	26	20
Disorderly Conduct/ Persist/ Intox	950	781	Rummaging in Refuse/ Refuse Removal	10	3
Domestic Violence	1	1	Sales to Minor/ Minor Purchasing & Poss of Alcohol/Legal Consump in MV	45	34
Drug Abuse / Poss of Halluc /Marijuana	233	179	Soliciting License/Bill Posting	14	9
Endangering Children	8	18	Stun Gun	5	6
False Alarms	4	8	Telephone Harassment	7	9
Falsification/ False Info to Officer	66	6	Theft/ Petty Theft	60	69
Hours of Sale/ Consumption	8	0	Unauthorized Use Motor Vehicle	4	5
Illegal Knives	7	3	Unlawful Restraint	2	3
Inducing Panic	3	0	Unlawful Transaction use in Weapons / Transport	12	9
Littering	14	19	Unlawful Use of Property	1	0
Menacing	8	12			

**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>2011</u>	<u>2012</u>		<u>2011</u>	<u>2012</u>
Aggravated Menacing	6	6	Illegal Dist. of Tobacco	2	1
Attempt	12	2	Impersonating a Police Officer	0	1
Assault	28	28	Interfere with Custody	2	2
Boating Violations	0	3	Menacing/ Stalking	5	4
Breaking & Entering	0	2	Obstruction Justice, Official Bus.	11	9
Contempt of Court	11	11	Passing Bad Checks/ Misuse CC	4	6
Criminal Damaging/ Mischief	2	10	Possession of Criminal Tools	7	8
Criminal Simulation / Complicity	1	1	Public Indecency/ Sexual Imp/ Voyer	7	2
Criminal Trespassing/Agg Tress	13	7	Receiving Stolen Property	6	7
DCI/ Persisting	18	4	Resisting Arrest	8	2
Domestic Violence	34	33	Riot/ Inciting to Violence	1	2
Drug Paraphernalia	34	4	Sales to Minor/ Poss/ Consump	12	6
Drugs of Abuse	12	6	Telephone Harrasement	7	6
Endangering Children	6	2	Theft	155	144
Extradition	0	1	Unauthorized Use of Motor Vehicle/		
Failure to File Taxes	3	0	Persist	6	1
False Alarm	1	2	Unlawful Restraint	0	1
Falsification/ Taking Identity	7	1	Use/ Discharge Firearms	1	1
Fishing Without a License/ Illegal			Violation of TPO	19	25
Acquisition of Wild Animals	5	1	Willful Flee & Elude / Failure		
Gambling	2	0	to Comply	2	6

**OTHER GOVERNMENTAL AGENCIES**

	<u>2011</u>	<u>2012</u>
Cuyahoga County Sheriff	9	3
Department of Natural Resources		
Division of Wildlife/ Watercraft	5	2
Metropolitan Park-Including Traffic	30	45
Liquor Control	3	5
Public Safety	6	3
Ohio Dept of Tax	3	0
Ohio State Patrol	41	23
Web	1	0

**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>2011</u>	<u>2012</u>		<u>2011</u>	<u>2012</u>
Aggravated/Felonious Assault	2	5	Forgery	3	0
Aggravated Burglary	3	0	Fraud/Take Identity Another	1	0
Aggravated Murder/Attempt	0	2	Grand Theft/ Theft		
Aggravated Robbery	5	7	Grand Theft of MV	21	19
Aggravated Trespass/ Menacing/ Criminal Trespassing	0	1	Gross Sexual Imposition	0	2
Attempt	6	0	Illegal Processing of Drug/ Documents	1	0
Breaking and Entering	2	2	Intimidation, Retaliation	0	1
Burglary	18	6	Kidnapping/ Unlawful Restraint	1	5
Carrying a Concealed Weapon/ Improper Handling/ Weapons under Disability	0	2	Promoting Prostitution	0	1
Complicity/Conspiracy	2	0	Rape / Sexual Battery	3	2
Corruption of a Minor	1	0	Receiving Stolen Property	0	6
Deception to Obtain Drugs	2	1	Robbery	4	3
Domestic Violence/ Violation of TPO	3	3	Tampering with Evidence	1	1
Drugs Of Abuse	0	4	Trafficking in Drugs	11	22
Escape	1	0	Vandalism	0	2
			Willful Eluding/Fleeing/ Failure to Comply	2	0

## **CIVIL DIVISION**

## **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. The 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 their case themselves.

Civil cases are divided into three (3) sections; general civil cases, small claims and eviction proceedings. The total number of civil case filings decreased by 139 cases in 2012 from the prior year. General civil cases, involving claims of property damage, personal injury and breach of contract, decreased over five percent (5.4%), from the previous year. (1,014 cases in 2011 and 959 cases in 2012.) Many of these cases involve credit card disputes.

### **Small Claims Cases**

One aspect of civil cases, small claims cases decreased by 24 cases, from 1,234 cases in 2011 to 1,210 in 2012. Of all the small claims cases that were filed or reactivated last year, 1,047 (86.5 %) were filed by the City of Lakewood for collection of municipal income taxes. The remaining 163 cases (13.5%) were filed by private parties. The ratio between income tax and private party small claims cases is about the same as previous years.

### **Landlord/Tenant Cases**

Also part of the civil division, eviction cases in 2012 decreased by 60 cases, from 1,071 cases in 2011 to 1,011 cases in 2012. These cases include a landlord's claims for possession of the rental property, damages to the premises and unpaid rent. It does not include other landlord tenant claims, such as actions by tenants for return of security deposits and deposit of rent into escrow with the Clerk of Court.

Aside from criminal housing code violations, 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 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 29 rent deposit cases in 2012 compared to 20 cases in 2011.

Most of the eviction proceedings and small claims cases are heard by one of the court magistrates. After the conclusion of the hearing, the magistrate files a written report and recommendation. Both parties are given fourteen (14) days to file written objections to the court. If objections are filed, they are reviewed by the court to determine if an additional hearing is required before final judgment. Depending on the issues raised, the objections may be overruled or be grounds to modify the magistrate's recommendation.

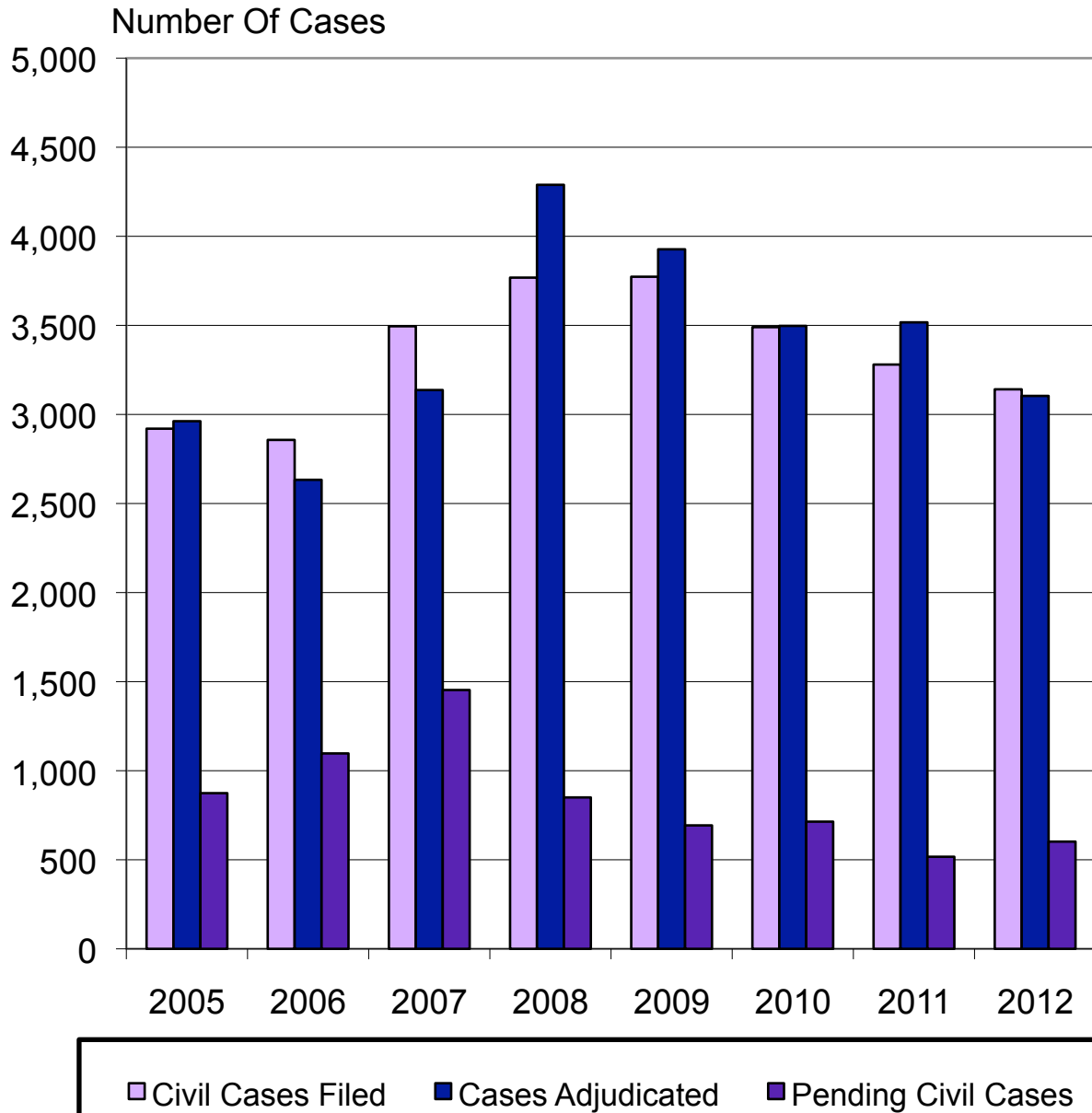
### **Trusteeship**

In addition to adjudicating cases, the Ohio Revised Code authorizes municipal courts to create a trusteeship with a judgment debtor. A trusteeship is a court supervised procedure for a person to avoid garnishment of wages after judgment. The defendant pays a specified amount per month to the court which is distributed to the defendant's creditors. The monthly amount is determined based upon a statutory percent of wages and exemptions. Compliance with the terms and conditions of the trusteeship prevents execution of judgment against the defendant. There are 10 active trustee cases, 3 of which were filed in 2012.



## Chart 9

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

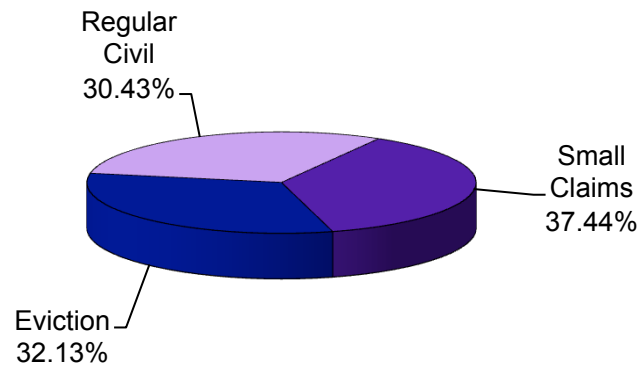


Source: Annual Superintendence Reports  
to the Ohio Supreme Court

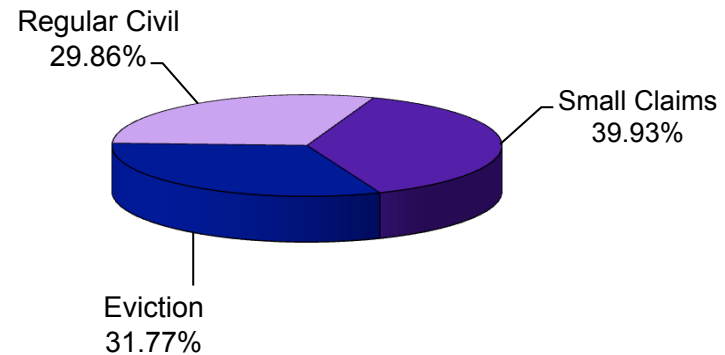
**Chart 10**

## Summary of Civil Case Filings for the Lakewood Municipal Court 2011 & 2012

**2011**



**2012**



**Source:** Annual Superintendence Reports to the Ohio Supreme Court

# CIVIL AND LANDLORD/TENANT DIVISION ANNUAL STATISTICAL DATA SUMMARY

	<u>Pending January 1, 2012</u>		<u>Filed 2012</u>		<u>Adjudicated 2012</u>		<u>Pending December 31, 2012</u>	
<u>Type Filing</u>								
Complaints	184	(240)	798	(811)	795	(869)	195	(184)
Cognovits	0	0	0	0	0	0	0	0
Forcible Entry & Detainer	110	(170)	1011	(1071)	993	(1131)	129	(110)
Replevins	1	(1)	1	(3)	1	(3)	1	(1)
Transfer Judgments	<u>1</u>	<u>(0)</u>	<u>7</u>	(12)	<u>8</u>	<u>(11)</u>	<u>0</u>	<u>(1)</u>
Totals	296	(411)	1,817	(1897)	1,797	(2014)	325	(296)

(2011 Figure in parentheses)

## OTHER CIVIL FILINGS

<u>Type Filing</u>	<u>2011</u>	<u>2012</u>	<u>Type Filing</u>	<u>2011</u>	<u>2012</u>
Garnishments (Wage & Bank)	937	938	Leave to Plead	17	17
Amended Complaints	22	24	Examinations	28	29
Answers & Cross Complaint	167	139	Cert. Copy of Judgment Entry	18	8
Cert. Judgment for Lien	404	378	Subpoenas	9	8
Cert. Judgment for Transfer	0	1	Levies	1	2
Satisfaction/Cert. of Satsf.	327	359	Revivors	31	36
Writ of Restitution	690	680	Body Attachments	1	2
Alias Summons	591	571	Journal Entries	8,050	7,127
Settled and Dismissed	836	749	Default Entries	537	427
Full Release	163	157	Landlord/Tenant Escrow Accounts		
Motions	796	668	established	20	29

Mileage Expense:  
2012 - \$2,115.74

# CIVIL DIVISION - SMALL CLAIMS ANNUAL STATISTICAL SUMMARY

	<u>2011</u>	<u>2012</u>
Cases Pending at Beginning of Year	270	200
Cases Filed & Reactivated	1,234	1,210
Cases Adjudicated	<u>1,304</u>	<u>1,144</u>
Cases Pending Year-end	200	266

<b>Case Adjudication Summary</b>	<u>2011</u>	<u>2012</u>
Trial Hearing by Magistrate	709	550
Trial Hearing by Judge	20	21
Transfer to Civil Docket	3	0
Dismissal for Want of Prosecution	0	1
Other Dismissals	570	569
Bankruptcy Stay	1	2
Other Terminations	<u>21</u>	<u>1</u>
Total	1,324	1,144
 Objections filed from Magistrate's Reports to Court:	 15	 23

<b>2012 Small Claims Cases Filed by Type</b>	<u>Amount</u>	<u>Percent</u>
Regular Civil	160	13%
Municipal Tax Cases	<u>1045</u>	<u>87%</u>
Total	1,205	100%

**CIVIL DIVISION - TRUSTEESHIP  
MONTHLY SUMMARY OF RECEIPTS**

<b><u>2012 Receipts</u></b>	<b><u>Total Receipts</u></b>
Carried over from Dec. '11	\$288.20
January	339.28
February	396.95
March	326.82
April	580.36
May	694.14
June	600.72
July	247.13
August	894.28
September	780.00
October	769.28
November	625.53
December	<u>630.00</u>
2012 Totals	\$7,172.69

Costs disbursed to City	\$152.21
Disbursed to Creditors	6136.16
Refunded to Trustee	17.09
Undisbursed & Carried over - Jan. '13	<u>867.23</u>
2012 Totals	\$7,172.69

**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**

## **PROBATION DEPARTMENT**

## **2012 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 274 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 2012, the Probation Department collected \$44,718.26 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 264. This is an increase of thirteen people from last year. 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. Eleven (11) 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 2012 to track offenders with stalking cases and in one instance an individual with numerous housing code violations. In 2012, three 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 245 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 2012, eleven 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.

## PROBATION DEPARTMENT MONTHLY ACTIVITY SUMMARY REFERRAL RESULTS

	<u>PSI Carry Over to next Mo.</u>	<u>PSI Monthly Referrals</u>	<u>Presentence Investigation Completed PSI</u>	<u>Active Prob. Mo. Vol.</u>	<u>Restitution Collected</u>	<u>Probation Violation Hearings</u>	<u>House Arrest Assign.</u>	<u>INACTIVE Probation w//PSI</u>	<u>ACTIVE Probation w//PSI</u>	<u>ACTIVE Probation No PSI</u>	<u>ACTIVE Probation Term.</u>
January	37	29	20	267	\$6,259.32	22	3	5	15	12	25
February	16	15	36	284	6,213.11	22	0	0	14	16	13
March	9	16	24	283	4,297.02	24	0	1	10	14	25
April	17	25	17	301	1,930.98	26	0	1	20	17	19
May	25	36	24	294	1,249.71	22	0	3	9	8	24
June	22	18	31	309	5,053.11	29	4	0	14	16	15
July	21	27	25	281	3,297.25	10	0	2	10	13	51
August	15	20	15	261	3,842.61	21	2	7	13	11	44
September	9	16	33	248	1,168.34	21	1	1	11	9	33
October	6	12	16	234	3,307.74	17	0	2	14	15	43
November	11	20	18	210	4,087.20	22	0	1	5	6	35
December	<u>10</u>	<u>9</u>	<u>15</u>	<u>198</u>	<u>4,011.87</u>	<u>9</u>	<u>1</u>	<u>2</u>	<u>9</u>	<u>7</u>	<u>28</u>
'12 Totals	198	243	274	264	\$44,718.26	245	11	25	144	144	355
'11 Totals	239	275	302	3012 (Mo.Avg.)	\$59,899.43	242	10	30	146	191	282

288 Total New Active Probation Referrals 2012

## PROBATION DEPARTMENT - STATISTICAL ARREST DATA

The following listing is a breakdown of the quantity and type of convictions  
referred for active probation supervision in 2012

PAGE 1 OF 2

	<u>2011</u>	<u>2012</u>
Aggravated Menacing/Menacing	6	5
Assault	24	37
Assault on Police Officer	1	0
Attempted Deception to Obtain	1	0
Attempted Drug Abuse	1	1
Attempted Possession of Drugs	3	2
Attempted Vanalism	1	0
Backing Without Vigilance	1	0
Carrying a Concealed Weapon	3	1
Certain Acts Prohibited	0	1
Child Endangering	5	8
Contempt of Court	3	3
Contributing Del. Minor	0	1
Criminal Damaging	5	11
Criminal Mischief	0	1
Criminal Trespassing	15	6
Dangerous Animals	0	1
Disorderly Conduct	7	10
Domestic Violence	19	24
Driving While Under Suspension	24	17
Drug Abuse	6	6
Failure to Comply	1	0
Failure to Control	6	7
Failure to Yield	2	0
False Alarms	2	0
False Information	7	9
Full time & Attention	1	0
Hit Skip	2	1
Illegal Processing of Drug Documents	1	0
Improper Identification	0	1
Indecent Exposure	0	1
Inducing Panic	2	0
Intox	22	12
Littering	0	1
Menacing	0	1
Misuse of 911	1	0
Misuse of Credit Cards	1	0
No Operators License	4	3

## PROBATION DEPARTMENT - STATISTICAL ARREST DATA

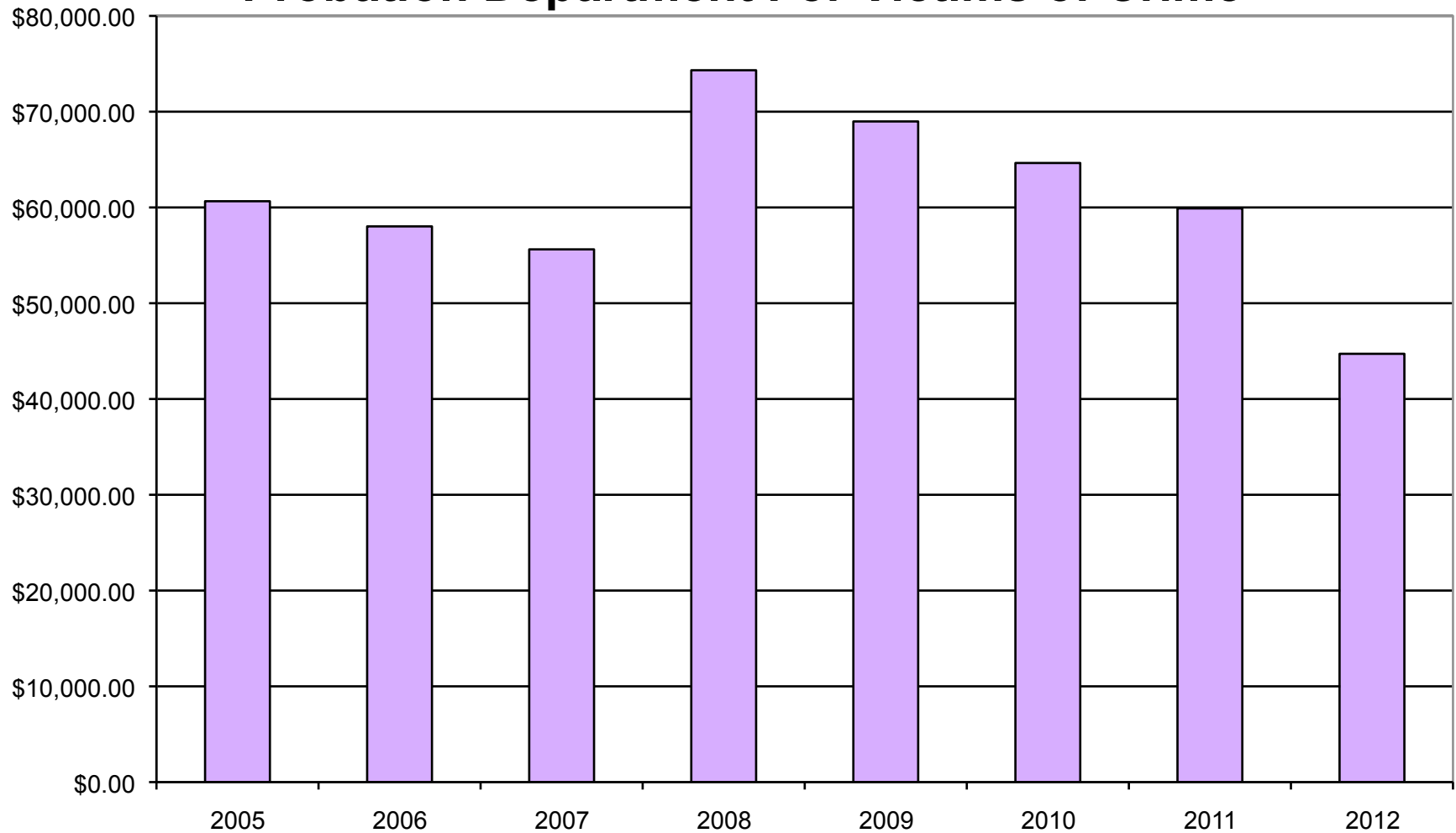
The following listing is a breakdown of the quantity and type of convictions  
referred for active probation supervision in 2012

PAGE 2 OF 2

	<u>2011</u>	<u>2012</u>
Obstruction of Official Business	8	10
Occupy Drug Premisis	2	3
Open Container	1	2
Operating a Vehicle Impaired	63	84
Passing Bad Checks	1	1
Permitting Drug Abuse	0	1
Persisting	8	9
Petty Theft	28	21
Physical Control	0	2
Pocket Knives	1	0
Possession of Criminal Tools	1	0
Possession of Drug Paraphernalia	25	30
Possession of Drugs	0	2
Possession of Fireworks	0	2
Possession of Harmful Into	0	2
Probation Violation	7	9
Public Indecency	1	1
Receiving Stolen Property	3	1
Reckless Operation	0	1
Resisting Arrest	9	6
Sales to Minors	4	5
Seatbelt	0	1
Sexual Imposition/ Voyerism	1	0
Tampering with Coin Machine	1	0
Telephone Harassment	4	4
Temporary Permit	1	0
Theft	4	6
Traffic Control Device	1	0
Unlawful Restraint	0	2
Unlawful Transportation of Weapon	0	2
Using Weapons While Intox	1	0
Violation of a Temporary Protection Order	<u>4</u>	<u>9</u>
Totals	356	387

**Chart 11**

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



## COMMUNITY WORK SERVICE

The following listing is a breakdown of quantity and type  
of convictions referred for Community Work Service in 2012

PAGE 1 OF 2

<u>OFFENSE</u>	<u>NO. OF CASES</u>	
	<u>2011</u>	<u>2012</u>
Animal Violation	2	0
Aggravated Menacing/Menacing	3	2
Assault	8	11
Carrying a Concealed Weapon	1	2
Contributing to Delinquency of a Minor	2	2
Criminal Damaging/Attempted Criminal Damage	18	16
Criminal Mischief/Body Piercing/Att Ciminal Misc	0	1
Criminal Simulation	0	4
Criminal Trespassing/Aggravated Trespassing	12	7
Discharging Fireworks/Possession of Fireworks	6	5
Disorderly Conduct/Intoxication/Persist	17	10
Domestic Violence	1	1
Driving While Under Suspension	69	37
Drug Abuse	31	1
Endangerment - Child	1	0
Failure to Control	10	12
Failure to Yield	2	2
False Information	7	6
Full Time and Attention	1	4
Hit-Skip	9	7
Impropper Handling of a Firearm	1	3
Improper Identification	0	1
Improper Turn/backing	1	1
Inducing Panic	1	1
Making False Alarms	2	4
Misuse of Credit Cards	1	3
No Operator's License	7	4
Obstruction of Official Business	13	10
Occupying Drug Premises	0	1

## COMMUNITY WORK SERVICE

The following listing is a breakdown of quantity and type  
of convictions referred for Community Work Service in 2012

PAGE 2 OF 2

	<u>2011</u>	<u>2012</u>
Open Container of Alcohol in Public	3	3
Operating a Vehicle Impaired	103	124
Passing of Bad Checks	3	2
Petty Theft	38	50
Physical Control of Vehicle Under the Influence	4	3
Possession of Criminal Tools	0	1
Possession of Drug Paraphernalia	7	6
Possession of Hallucinogens/Marijuana	2	3
Probation Violation/Contempt of Court	129	114
Receiving Stolen Property	10	8
Reckless Operation of a Vehicle	5	5
Resisting Arrest	9	3
Riot / Attempted Riot	1	1
Sale of Alcohol to Minor/Underage Poss/Failure to ID	37	26
Seat Belt/Child Restraint	2	3
Telephone Harassment	1	0
Theft/Attempted Theft/Att Breaking and Entering	2	0
Traffic Control Device/Misc. Traffic	5	7
Unauthorized Use of a Motor Vehicle	0	3
Violation of Temporary Protection Order	1	0
	<u>0</u>	<u>0</u>
Total	588	520

**\*\*NOTE:** 238 defendants were assigned CWS in 2012. There were 66 defendants who had two offenses.

15 defendants who had three offenses.

Of the 26 Sales of Alcohol to Minor/Underage Possession, 14 were offered the Diversion Program

57 Defendants were assigned resitution in 2012

5 Defendants were assigned GED in 2012

## COMMUNITY WORK SERVICE

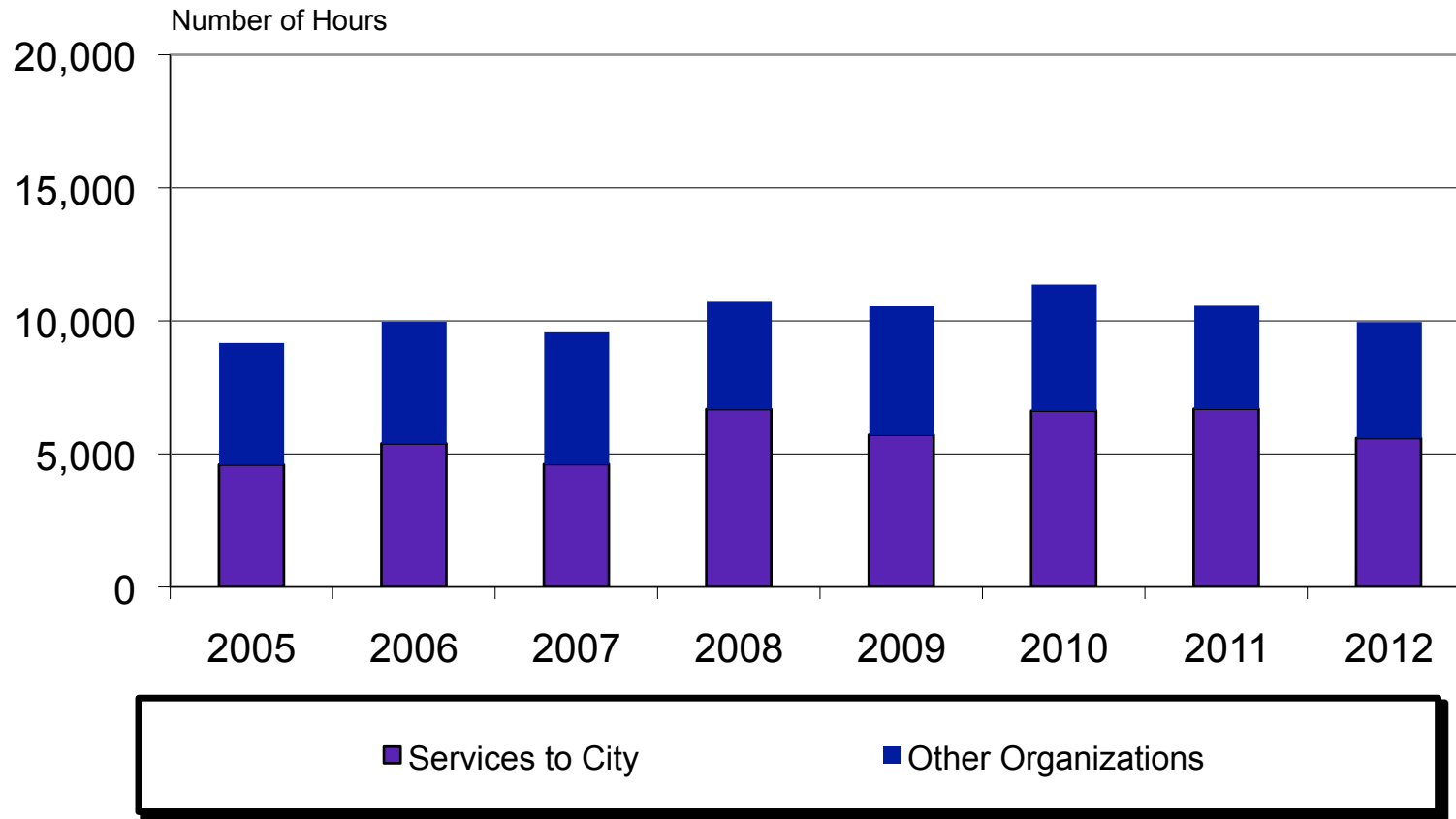
	<u>Hours</u>	<u>Total</u>
City Services	4,592.0	\$35,358.40
Office on Aging	<u>1,004.0</u>	<u>\$7,730.80</u>
Total City Services	5,596.0	\$43,089.20
	<u>Hours</u>	<u>Total</u>
The Nature's Bin	1,956.0	\$15,061.20
Recovery Resources	520.0	\$4,004.00
Beck Center	1,168.0	\$8,993.60
Barton Center	0.0	\$0.00
Lakewood Meals on Wheels	603.0	\$4,643.10
Special Projects	<u>124.0</u>	<u>\$954.80</u>
Total Non City Services	4,371.0	\$33,656.70
Total Community Work Service Hours	9,967.0	\$76,745.90

The Dollar Amount is computed at minimum wage of \$7.70 per hour



**Chart 12**

## **SUMMARY OF COMMUNITY WORK SERVICE FOR THE LAKEWOOD MUNICIPAL COURT**



**Source:** Lakewood Municipal Court Probation Department

**LAKEWOOD MUNICIPAL COURT ANNUAL REPORT  
2012**

**OHIO SUPREME COURT ANNUAL STATISTICS**

Lakewood Municipal Court  
Cuyahoga County  
Judge Patrick Carroll

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


Report for the Year 2012

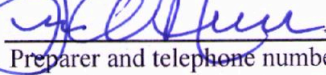
		A	B	C	D	E	F	G	H	I	T	
		Felonies	Misdemeanors	O.M.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	Small Claims	TOTAL	
Pending beginning of period	1	6	143	5	192	5	153	109	11	200	824	1
New cases filed	2	91	2,246	195	6,219	8	779	998	151	1,205	11,892	2
Cases transferred in, reactivated or redesignated	3	95	675	9	828	1	19	13	1	5	1,646	3
<b>TOTAL (Add lines 1-3)</b>	<b>4</b>	<b>192</b>	<b>3,064</b>	<b>209</b>	<b>7,239</b>	<b>14</b>	<b>951</b>	<b>1,120</b>	<b>163</b>	<b>1,410</b>	<b>14,362</b>	<b>4</b>
<b>TERMINATIONS BY:</b>												
		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	2	1,102	34	1,552	3	480	11	62	21	3,267	5
Hearing by Magistrate (include guilty or no contest pleas and defaults)	6	X	0	0	0	0	0	434	40	550	1,024	6
Transfer (include waivers of preliminary hearing and individual judgment assignments)	7	0	650	157	804	8	135	22	0	0	1,776	7
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	8	0	0	0	0	0	3	3	0	1	7	8
Other dismissals (include dismissals at preliminary hearing)	9	97	131	2	302	2	164	517	28	569	1,812	9
Violations Bureau	10	X	320	X	3,521	X	X	X	X	X	3,841	10
Unavailability of party for trial or sentencing	11	89	711	6	900	0	0	0	0	0	1,706	11
Bankruptcy stay or interlocutory appeal	12	0	0	0	0	0	11	2	0	2	15	12
Other terminations	13	1	29	4	45	0	1	2	25	1	108	13
<b>TOTAL (Add lines 5-13)</b>	<b>14</b>	<b>189</b>	<b>2,943</b>	<b>203</b>	<b>7,124</b>	<b>13</b>	<b>794</b>	<b>991</b>	<b>155</b>	<b>1,144</b>	<b>13,556</b>	<b>14</b>
Pending end of period (subtract line 14 from line 4)	15	3	121	6	115	1	157	129	8	266	806	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

  
Preparer and telephone number if other than Judge  
216-529-6700  
Terri A. O'Neill, Clerk of Court

January 15, 2013  
Date

1/15/13  
Date



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

Report for the year 2012

		B	C	D	E	F	G	H	T	V	
Date of completion of most recent physical case inventory											
- Civil 12/31/12											
- Small Claims 12/31/12											
- Criminal 12/2/11											
		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	147	50	126	7	31	1	0	362		1
New cases filed	2	650	157	804	8	135	22	0	1,776		2
Cases transferred in, reactivated or redesignated	3	84	8	123	0	8	1	0	224		3
TOTAL (Add lines 1-3)	4	881	215	1,053	15	174	24	0	2,362	0	4
TERMINATIONS BY:											
		B	C	D	E	F	G	H	T	V	
Jury trial	5	2	0	0	0	0	0	0	2	0	5
Court trial	6	233	4	311	0	0	0	0	548	83	6
Default	7	X	X	X	0	0	0	0	0	0	7
Guilty or no contest plea to original charge	8	205	149	120	X	X	X	X	474	38	8
Guilty or no contest plea to reduced charge	9	81	9	255	X	X	X	X	345	45	9
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	10	0	0	0	0	0	0	0	0	0	10
Other Dismissals	11	124	1	63	9	58	7	0	262	26	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	74	5	101	0	0	0	0	180	0	14
Bankruptcy stay or interlocutory appeal	15	0	0	0	0	11	0	0	11	0	15
Other terminations	16	28	3	71	3	67	17	0	189	10	16
TOTAL (Add lines 5-16)	17	747	171	921	12	136	24	0	2,011	202	17
Pending end of period (Subtract line 17 from line 4)	18	134	44	132	3	38	0	0	351	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	

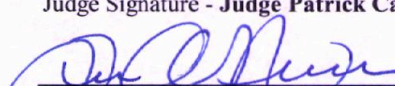
FAX TO:  
(614) 387-9419

OR

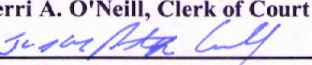
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Judge Signature - Judge Patrick Carroll

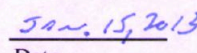
  
Preparer and telephone number if other than judge

Terri A. O'Neill, Clerk of Court

  
Administrative Judge Signature

Judge Patrick Carroll

216-529-6700

  
Date

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