

# 2005 Annual Report



This post card was taken approximately 1911.

## Summit County Common Pleas Court General Division

# **2005 ANNUAL REPORT**

## **COUNTY OF SUMMIT COURT OF COMMON PLEAS GENERAL DIVISION**

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**JAMES E. MURPHY**  
Administrative Judge

**JUDGE JANE BOND**  
**JUDGE PATRICIA A. COSGROVE**  
**JUDGE JUDY HUNTER**  
**JUDGE MARVIN A. SHAPIRO**

**JUDGE MARY F. SPICER**  
**JUDGE BRENDA BURNHAM UNRUH**  
**JUDGE JAMES R. WILLIAMS**

**ANDREW J. BAUER**  
Court Executive Officer

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## **MISSION STATEMENT**

The Mission of the Summit County Court of Common Pleas-General Division is to insure justice, thereby serving and protecting the public by:

- Providing access to fair, just and understandable forums for the timely resolution of differences and disputes;
- Applying and enforcing all laws in a timely and equitable manner; and
- Taking appropriate corrective, remedial, rehabilitative and preventive actions and using appropriate progressive programs.

The Vision of the Summit County Court of Common Pleas General Division will provide the highest quality of justice and justice system services to Summit County communities by:

- Promoting cooperation among the courts, justice system and other community agencies and services;
- Initiating and implementing programs and policies designed to encourage ethical standards, enhance timely court performance and user accessibility;
- Using progressive court management technologies;
- Encouraging the use of appropriate dispute resolution mechanisms; and
- Continuously ascertaining, shaping and responding to the needs and expectations of court users and the community.

## **A MESSAGE FROM THE ADMINISTRATIVE JUDGE**

The Judges of the Summit County Court of Common Pleas General Division are proud to provide the statistical information contained in the 2005 Annual Report. Through providing this information, the statistics display the extreme efficiency by which our organization operates. I can state with confidence that there are few Courts in Ohio which statistically conduct business with greater efficiency while maintaining an equitable and technologically advanced forum for the citizens of Summit County to litigate their cases.

The 2005 caseloads in Civil and Felony Criminal cases again increased drastically over previous years. While funding for County Departments has been tightened, the Court has played a responsible role in complying with budgetary guidelines determined by the Executive and Legislative branches of government. While the Court made every effort possible to curtail large increases in funding, the time will come when a major infusion of resources will be required. Within the next several years, our caseloads will double what they were just eight years ago.

During 2005, many new programs have been reviewed and numerous programs are in their infancy at this time. Two notable programs that will impact other County Departments and the citizens of Summit County are the restructuring of the General Division Pretrial Release Department and the formation of the Restitution Unit.

Judge Elinore Marsh Stormer has headed the implementation of a Restitution Unit with the Adult Probation Department to improve statistics on monetary payment to victims. As this program develops, victims will realize an increase in collections of monies due them.

Over the past three years I have been honored to serve as Administrative Judge and look forward to assisting the citizens of Summit County in ensuring that the Court System continues to operate in the best interests of all.

Sincerely,

JAMES E. MURPHY  
Administrative Judge

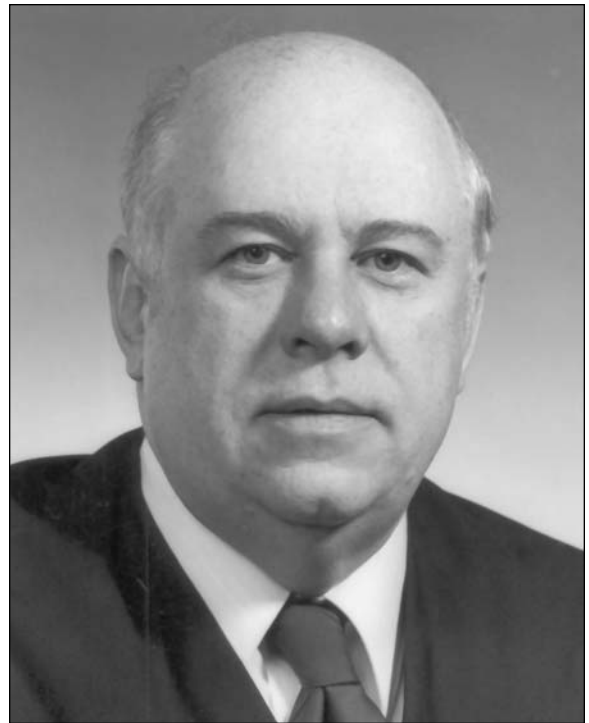
### **THE HONORABLE JAMES E. MURPHY**

Judge James E. Murphy graduated from Notre Dame as an Accounting Major in 1953. He was employed by a CPA firm for two years. He then served as Assistant Administrator of St. Thomas Hospital until graduating from The University of Akron School of Law in 1962. He was admitted to the Bar that same year.

Judge Murphy served as Assistant Summit County Prosecutor in 1963 and 1964, and entered private practice until being appointed Akron Municipal Court Judge in October 1980. He was elected in 1981 in that position and then appointed to the Summit County Court of Common Pleas in January 1983 and elected in 1984, and to full terms in 1988, 1994 and 2000.

Judge Murphy is a member of the Ohio and Akron Bar Associations, and the American Judges Association.

Judge Murphy served as the Administrative Judge of the General Division of Common Pleas Court for the 1985 term and as Presiding Judge for six sessions of court and was elected Administrative Judge for 2003, 2004 and 2005.



### **THE HONORABLE JANE BOND**

Judge Jane Bond earned a Bachelor of Science degree in journalism from Ohio University, graduating in 1968 with honors. She received a Juris Doctorate degree in 1976 from The University of Akron and was admitted to the Ohio Bar.

Judge Bond entered the private practice of law in 1977 and served as an Assistant Summit County Prosecutor. In 1981, she became General Counsel for the County Executive in the first county-chartered government in Ohio.

In February 1989, Judge Bond was appointed Judge of Akron Municipal Court and was elected to that position in November 1989. In January of 1991, she was appointed to the Summit County Court of Common Pleas and elected in 1992, 1994, and 2000.

**THE HONORABLE PATRICIA A. COSGROVE**

Judge Patricia A. Cosgrove received her Bachelor of Arts degree from The University of Akron in 1974 and was the recipient of the Akron University Alumni Scholarship. She received her Juris Doctorate degree from The University of Akron and was admitted to the Ohio Bar in 1978. While working her way through school, Judge Cosgrove served as a Law Clerk for the Ninth District Court of Appeals.

From 1978 to 1980, Judge Cosgrove served as Assistant Akron Law Director. She was a Senior Assistant Summit County Prosecutor in the Criminal Trial Division from 1981 to 1991. She also maintained a private law practice. Judge Cosgrove later served as Chief Counsel of the Civil Division of the Summit County Prosecutor's Office. In 1993, she was appointed to the Summit County Court of Common Pleas, elected in 1994 and re-elected in 2000.

Judge Cosgrove served as the Administrative Judge of the Common Pleas Court, General Division, in 1995 and 1996 and as Presiding Judge for two sessions. Judge Cosgrove has been active in community organizations such as the Victim Assistance Program, Community Drug Board Foundation and the Akron Bar Association.

Judge Cosgrove has served as President of the Scanlon Inn of Court, a professional organization that is dedicated to mentoring new lawyers.



**THE HONORABLE JUDY HUNTER**

Judge Judy Hunter graduated from Ohio State University and later earned her Juris Doctorate degree from the The University of Akron School of Law. Judge Hunter worked in the private sector engaged in the general practice of law from 1978 to 1990. Prior to becoming a lawyer, Judge Hunter taught school. Past public service includes serving as elected Clerk of the Akron Municipal Court from 1991-1995.

On April 26, 2003, Judge Hunter was appointed by Governor Bob Taft to the General Division of the Summit County Common Pleas Court and was elected in 2004. Judge Hunter's past judicial service includes a term as Judge on Summit County's Juvenile Court from 1996-2002.

Judge Hunter is active in the community, having served on many boards and committees, including serving as President of the Board of Trustees of The Goodwill Industries of Akron, Ohio. Judge Hunter belongs to various professional organizations including the American, Ohio and Akron Bar Associations and the Ohio Association of Common Pleas Judges. Judge Hunter has been a frequent speaker at educational forums and community events.

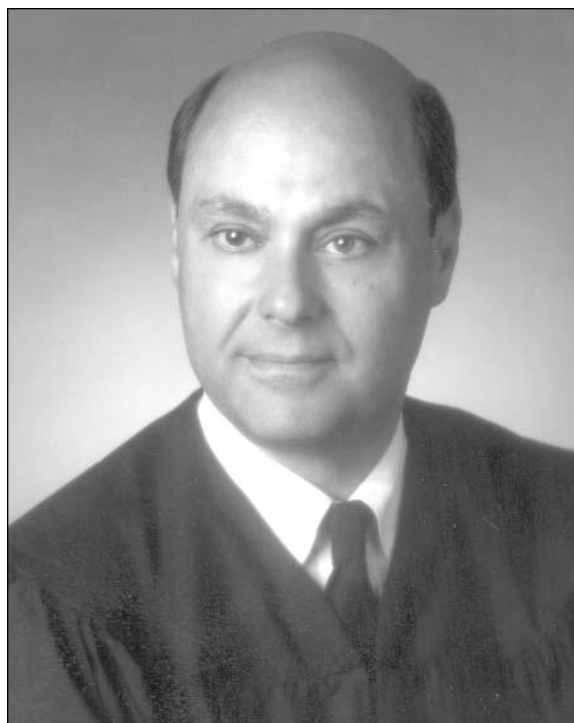
Special awards include the Community Health Center's 1999 Friend of the Field Award, the 2002 Urban Light Award from the Department of Public Administration at The University of Akron, and a January 2000 award from the Better Business Bureau for "vision and innovative leadership in establishing the most successful conflict resolution mediation program in Summit County."

**THE HONORABLE MARVIN A. SHAPIRO**

Judge Marvin A. Shapiro graduated from The University of Akron with a Bachelor of Arts degree in 1960. He thereafter received a Juris Doctorate degree from The University of Akron in 1965 and was admitted to the Ohio Bar the same year.

Judge Shapiro served as an Assistant City of Akron Prosecutor, Assistant Summit County Prosecutor and an Assistant Ohio Attorney General and engaged in private practice between 1965 and 1991.

In January 1991, Judge Shapiro was appointed Judge of Akron Municipal Court and was elected to that position in November 1991 and re-elected in 1993 and 1999. During his tenure in Akron, he was the Drug Court Judge 2000-2003. In November 2002, Judge Shapiro was elected Summit County Common Pleas Judge with the term beginning May 1, 2003.



**THE HONORABLE MARY F. SPICER**

Judge Mary F. Spicer received her Bachelor of Arts degree from Heidelberg College in 1958, her Master of Arts degree from the University of Chicago School of Social Service Administration in 1960 and her Juris Doctorate degree from The University of Akron School of Law in 1965. She was admitted to the Bar in 1965.

Judge Spicer was in the private practice of law with her father F.W. Spicer, from 1965 to 1975, when she was appointed as Referee in the Summit County Court of Common Pleas, Probate Division. In Probate Court, she also served as Director of Human Services. She was elected as Judge of the Court of Common Pleas in 1984, and re-elected in 1990, 1996 and 2002.

Judge Spicer served as the Administrative Judge of Common Pleas Court, General Division in 1987 and as Presiding Judge for many sessions including 2004. Judge Spicer presides over the Felony Drug Court in this Court of Common Pleas.

Judge Spicer is a member of the Akron, Ohio and American Bar Associations, as well as community and other professional and charitable organizations.



### **THE HONORABLE ELINORE MARSH STORMER**

Judge Elinore Marsh Stormer graduated from Davidson College's Honors College with a Bachelor of Science degree in history in 1978. She received her Juris Doctorate degree from The University of Akron School of Law in 1982. Judge Stormer was in the private practice of law until 1989 when she was appointed General Counsel to the Summit County Executive.

In 1991, Judge Stormer was elected to the Akron Municipal Court and re-elected in 1993 and 1999. She started the first municipal drug court and the first mental health specialty court in Ohio. In November 2004, Judge Stormer was elected to the Summit County Court of Common Pleas with the term beginning January 2005.

Judge Stormer serves on the Ohio Judicial Conference Specialized Courts Committee and the Criminal Justice Advisory Board. She is a board member of the Akron Urban League and Ardmore Inc., and a member of the Citizens Advisory Board of the Akron Junior League. She has served on the Supreme Court of Ohio Advisory Committee on the Mentally ill in the Courts, its Drug Court Task Force, Ohio Community Corrections Organization Board and Summit County Alcohol Drug and Mental Health Services, as well as other community organizations.

Judge Stormer has received the OCCO C. J. McLin Award, the Urban Light Award for Public Service, the Fred Frese Advocacy Award and the Public Official of the Year Award from the DAR.



### **THE HONORABLE BRENDA BURNHAM UNRUH**

Judge Brenda Burnham Unruh earned a Bachelor of Arts degree from Wheaton College in 1980, graduating with honor. She received a Juris Doctorate degree in 1984 from The University of Akron School of Law.

Judge Burnham Unruh was admitted to the Florida Bar in 1984 and was in private practice in Florida until she returned to Ohio. She was admitted to the Ohio Bar in 1992.

Judge Burnham Unruh was the Coordinator of the Summit County Juvenile Court Guardian Ad Litem program from 1992-1993. In 1993, Judge Burnham Unruh joined the Summit County Prosecutor's Office as an Assistant Prosecutor. She served first in the Juvenile Division and then in the Criminal Division.

In 1997, Judge Burnham Unruh was appointed as a Magistrate in Juvenile Court.

In July of 1998, Judge Burnham Unruh was appointed to the Akron Municipal Court. In March 1999, Judge Burnham Unruh was appointed to the Summit County Court of Common Pleas. Judge Burnham Unruh was elected to the Court in 2000 and 2002.

Judge Burnham Unruh is a member of the Akron and Ohio Bar Associations and is active in many community activities.

Judge Burnham Unruh is married to Robert Unruh and has a son and daughter.

# 2005 ORGANIZATION PERSONNEL ROSTER

Title	Number Positions	Employees	Title	Number Positions	Employees
<b>Administration</b>					Marie Hillis Theresa Skinner
Administrative Specialist	2	Kay Scaffidi Denna Steiner	Secretary II	4	Carol Hoover Kay Kinker Joan Mosley Barbara Nikola
Administrative Specialist/HR	1	Jennifer Parks	Special Projects Officer	1	Ruth Squires
Arbitration Clerk	1	Cora Dawkins	<b>Probation Department</b>		
Assistant Court Executive Officer	1	Robert Gainer	Clerk-Typist II	3	Janet Long Theresa Miller Nancy Palmer
Chief Court Reporter	1	Janet Krulock	Offender Services Director	1	Pete Hoose
Civil Assignment Administrator	1	Cheryl Goldstein	Grant Coordinator	1	James Ward
Computer Help Desk	1	Donna Simone	Pretrial Services Supervisor	1	Kelli Blue
Computer Network Manager	1	Jay Chapman	Pre-Trial Release Officer	4	Marc Cunningham William Daniels Kerri Defibaugh Ashley Frank
Computer Systems Engineer	1	James Rafferty	Probation Officer	33	Kelly Anderson Laurie Boyd Elaine Butler Renee Cooper Jeffrey Cutler Lisa Davis Lorri Dunn Douglas Elliott Sandra Ferracane Laurie Fisher Tiffany Foxworth Brian Freyhauf Shay Greven Jennifer Haviland Shari Kastor Anthony King Michael Klamut Michael Mims Patricia Pfander Rudolph Polovich Anthony Rodgers Helen Rogerson Andrew Rudgers Cynthia Schwarz Rebecca Shepard David Siko Ronald Smith Ernest Stallworth Kecia Wallace Karen Weletyk Barbara Wesig Jean White Robert Woods
Court Executive Officer	1	Andrew Bauer	Probation Secretary Supervisor	1	Sue Roszkowski
Court Executive Secretary	1	Debra Young	Probation Supervisor	4	Arian Davis Saverio Lijoi Terry Strubbe Michael Rick
Court Reporter	11	Barbara Day Kristie Gowens Maxine Hosch Patricia Klein Thomas Lazar Gary Maharidge Sandra Maxson Teresa Orlovsky LeAnn Ross Terri Sims Peggy Wellemeyer	Secretary II	11	Linda Backer Martha Beitel Lynn Carpenter Christina Hartman Tamara Keefer Barbara Killian Patricia Marotto Debora Rians Karyn Rogers Lee Runkle Jackie Shannon
Court Secretaries' Supervisor	1	Polly McEndree-White	Special Activities Manager	1	George Harper
Courtroom Bailiff	8	Janet Ciotola Jill Coleman Kenneth Masich Thomas McLaughlin Alys Pearson Shauna Corder Rose Yovanovich Caroline Zito	Work Release Coordinator/ LEADS Operator	1	Michelle Kocian
Criminal Assignment Administrator	1	Patricia Carillon	<b>Psycho-Diagnostic Clinic</b>		
Drug Court Liaison	1	Jim Ward	Administrative Secretary	2	Paula McAvinev Arra Robinson
Judicial Assistant	8	Brian Ashton Thomas Bown Ashley Brown Jason Charlton Todd Connell Kim Miller Kathie Nelson Shana Schweikert	Administrative Social Worker	1	Joanne Arndt
Judicial Attorney	12	Jason Adams Crystal Burnett Matthew Dickinson Janet Dutt Dawn Humphrys Michelle Neiman Kandi O'Connor Matthew Rich Corey Minor Smith Susie Steinhauer Suzanne Stephens David Watson	Clinical Psychologist	1	Jody Pickle
Judicial Secretary	2	Diane Edwards Cynthia Maxson	Director	1	Kathleen Stafford, Ph.D.
Jury Bailiff Assistant	1	Monica Prexta Siko	Psychology Assistant	3	Jill Barnes Martin Sellbom Jose Fragoso
Jury Commissioner	2	Frances Brooks Chester Thomas			
Jury Department Spvsr/Bailiff	1	Deborah Ruggles			
Magistrate	1	John Shoemaker			
Mediator	4	Frank Motz Cheryl Hollis Norma Blank William Wellemeyer			
Mediator Secretary	1	Lynn Covert			
Purchasing Agent	1	Corinne Sanders			
Secretary I	6	Helga Cursio Carolyn Deckert Julie Clinsky Susann Heimbaugh			

# CIVIL CASE ACTIVITY

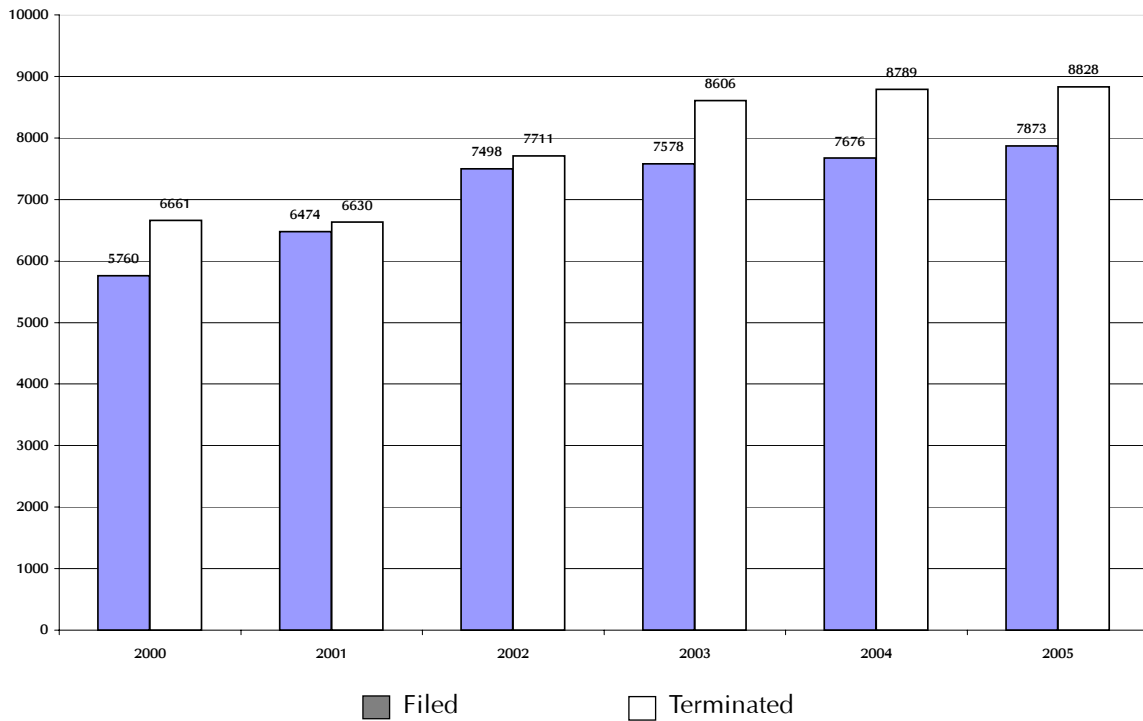
The 7,873 civil cases filed in 2005 show an increase of 197 cases or 2.5 percent above the 7,676 cases filed in 2004. Civil cases terminated in 2005 of 8,828 show an increase of 39 cases or 0.4% percent above the 8,789 cases that were terminated in 2004. In 2000 the number of new case filings was 5,760 compared to 7,873 cases filed in 2005 which show an increase of 37 percent or 2,113 cases in total. Civil terminations have increased from 6,661 in 2000 to 8,828 in 2005, which represents an increase of 2,167 terminated cases or 33 percent. The average civil caseload per Judge was 504 on December 31, 2005, compared to an average civil caseload per Judge of 526 in 2004.

<b>Summit County - Court of Common Pleas - General Division 2005 Annual Report</b>											
TYPE OF CASE	Professional Tort	Product Liability	Other Torts	Workers Compensation	Foreclosures	Administrative Appeal	Complex Litigation	Other Civil	Criminal	TOTAL	Visiting Judges
Pending beginning of period	131	16	992	283	1309	50	0	1424	971	5176	44
New cases filed	126	17	1121	436	3744	83	X	2291	5169	12987	55
Cases transferred in, reactivated or redesignated	59	4	151	83	307	7	3	191	721	1526	38
<b>TOTAL</b>	316	37	2264	802	5360	140	3	3906	6861	19689	137

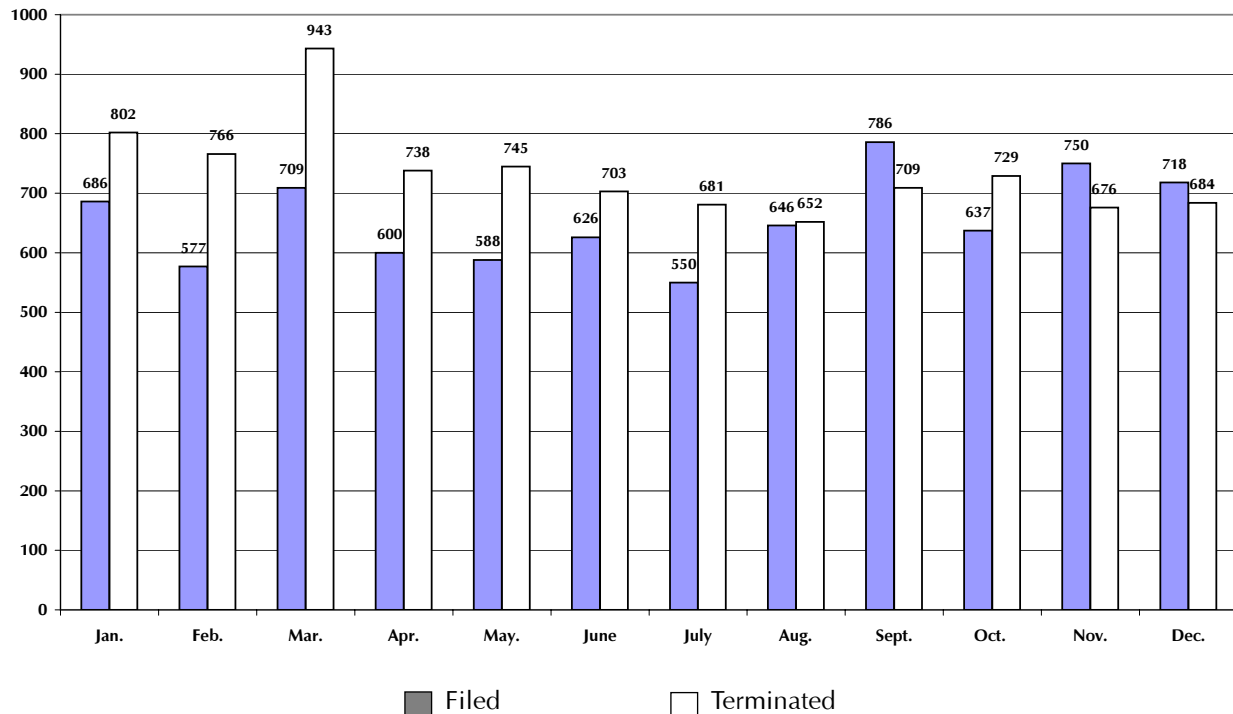
  

<b>TERMINATIONS BY:</b>											
Jury trial	10	1	49	5	0	0	0	26	176	267	1
Court trial	1	0	0	0	3	8	0	10	34	56	0
Settled or dismissed prior to trial	52	7	667	245	244	5	1	648	0	1869	6
Dismissal	38	3	198	71	715	12	0	495	322	1854	14
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	5	1	28	4	80	4	0	78	0	200	0
Magistrate	0	0	3	1	2	1	0	91	X	98	0
Diversion or arbitration	3	1	95	64	7	0	0	71	42	283	0
Guilty or no contest plea to original charge (criminal); Default (civil)	0	0	21	0	1805	0	0	630	1652	4108	1
Guilty or no contest plea to reduced charge	X	X	X	X	X	X	X	X	2690	2690	0
	0	0	0	0	0	0	0	0	621	621	0
	48	7	130	87	118	6	0	186	181	763	6
	0	0	2	0	0	0	0	0	X	2	0
Bankruptcy stay or interlocutory appeal	10	1	36	3	420	2	0	157	0	629	0
Other terminations	18	2	82	27	496	53	1	398	2	1079	1
<b>TOTAL</b>	185	23	1311	507	3890	91	2	2790	5720	14519	29
PENDING END OF PERIOD	131	14	953	295	1470	49	1	1116	1141	5170	108

## Comparison of Filings/Terminations for Past Six Years



## Civil Filings and Terminations for 2005 - Monthly Comparison

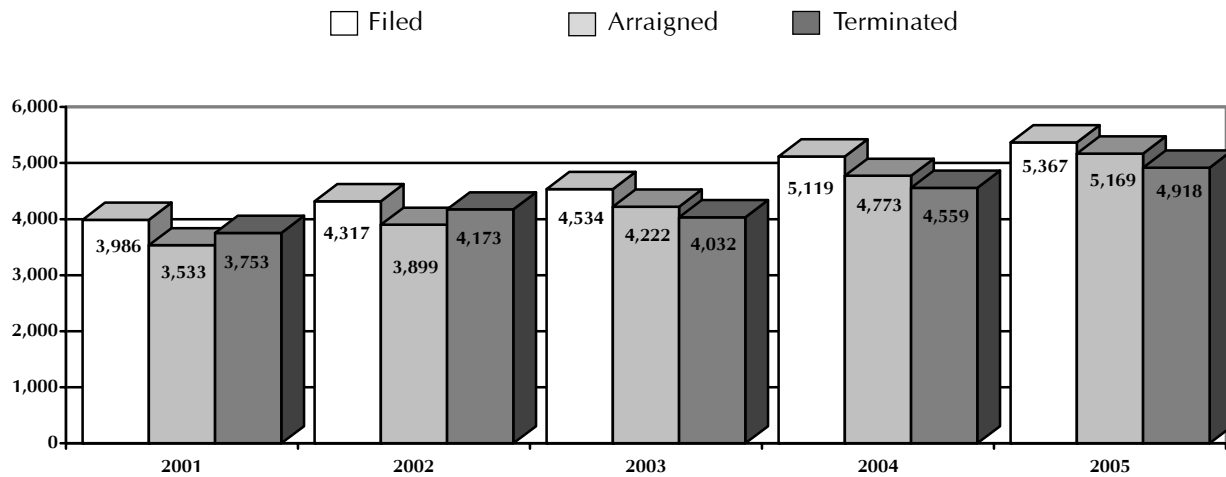


# CRIMINAL CASE ACTIVITY

	2001	2002	2003	2004	2005
<b>CASES FILED</b>	3,986	4,317	4,534	5,119	5,367
<b>CASES ASSIGNED/ARRAIGNED</b>	3,533	3,899	4,222	4,773	5,169
<b>CASES TERMINATED</b>	3,753	4,173	4,032	4,559	4,918
<b>TRIALS:</b>					
Jury	104	106	112	129	176
Court	13	13	8	19	34
<b>FELONY CHARGES:</b>					
Filed	n/a	n/a	8,704	9,423	10,597
Convictions	3,688	4,337	4,052	4,356	4,975
Dismissals	2,236	2,776	3,284	3,351	3,694
<b>MISDEMEANOR CHARGES:</b>					
Filed	n/a	n/a	2,981	3,964	4,837
Convictions	936	1,024	1,029	1,447	1,450
Dismissals	1,315	1,677	1,834	2,436	3,041
<b>DISPOSITIONS:</b>					
Ohio Dept. of Rehabilitation	874	1,166	1,167	1,168	1,309
Ohio State Reform. For Women	111	137	115	182	175
Community Control	1,922	2,015	1,937	2,274	2,474
Probation	*Combined with Comm. Control	*Combined with Comm. Control	389	402	366
Summit County Jail	60	56	52	94	95
Glenwood Jail	n/a	n/a	n/a	n/a	1
Halfway House	n/a	n/a	n/a	n/a	1
Community Service	n/a	n/a	n/a	n/a	3
Suspended Sentence	32	44	32	45	41
Dismissals	214	205	186	230	240
Fine/Costs	9	12	18	27	25
Restitution	n/a	n/a	n/a	n/a	3
Transfer to Another County	1	1	0	0	2
IILC Completion	n/a	54	40	50	73
PDP Completion	n/a	30	64	50	42
Drug Court Completions	n/a	n/a	n/a	n/a	20
Not Guilty Verdicts (Jury Trials)	26	20	28	27	38
Not Guilty Verdicts (Court Trials)	n/a	n/a	n/a	n/a	6
NGRI	5	4	4	9	4
Death Penalty	0	0	0	1	0
<b>MOTIONS FOR JUDICIAL RELEASE</b>	626	803	858	852	1,099

	2001	2002	2003	2004	2005
<b>CHARGE/PLEA STATISTICS:</b>					
<b><i>Pled Guilty - Original Charge</i></b>					
- Felonies	n/a	n/a	3,975	3,928	4,528
- Misdemeanors	n/a	n/a	652	940	1,178
<b><i>Pled Guilty - Amended Charge</i></b>					
- Felonies	n/a	n/a	1,313	1,474	1,362
- Misdemeanors	n/a	n/a	19	24	15
<b><i>Pled No Contest</i></b>					
- Felonies	n/a	n/a	14	26	32
- Misdemeanors	n/a	n/a	10	6	11
<b><i>Merged Counts</i></b>					
- Felonies	n/a	n/a	1	0	5
- Misdemeanors	n/a	n/a	1	0	0
<b><i>Dismissals</i></b>					
- Felonies	2,236	2,776	3,284	3,351	3,694
- Misdemeanors	1,315	1,677	1,834	2,436	3,041
<b><i>Jury Verdict - Guilty</i></b>					
- Felonies	86	123	161	179	240
- Misdemeanors	34	24	40	45	61
<b><i>Jury Verdict - Guilty (Amended)</i></b>					
- Felonies	n/a	n/a	n/a	n/a	13
- Misdemeanors	n/a	n/a	n/a	n/a	0
<b><i>Jury Verdict - Not Guilty</i></b>					
- Felonies	62	65	104	75	149
- Misdemeanors	11	12	9	13	24
<b><i>Court Verdict - Guilty</i></b>					
- Felonies	5	14	8	21	28
- Misdemeanors	6	3	6	9	18
<b><i>Court Verdict - Guilty (Amended)</i></b>					
- Felonies	n/a	n/a	n/a	n/a	2
- Misdemeanors	n/a	n/a	n/a	n/a	0
<b><i>Court Verdict - Not Guilty</i></b>					
- Felonies	13	9	0	13	26
- Misdemeanors	1	3	0	2	10
<b><i>Court Verdict - NGRI</i></b>					
- Felonies	n/a	n/a	6	17	9
- Misdemeanors	n/a	n/a	0	7	2
<b><i>Remanded</i></b>					
- Felonies	n/a	n/a	n/a	n/a	4
- Misdemeanors	n/a	n/a	n/a	n/a	0

# FIVE YEAR COMPARISON OF CRIMINAL CASES FILED, ARRAIGNED, AND TERMINATED



## ARBITRATION CASES

In 2005 the Court had 85 cases referred to Rule 10 Arbitration which was a decrease of 61 cases below the previous calendar year. There were 42 cases arbitrated and 40 cases settled before hearing. Appeals De Novo were filed for 14 cases which were 33% percent of the cases heard. A total of 6 cases were appealed and settled. There were 4 cases filed for appeal by plaintiffs and 10 by defendants. The total cost for Arbitration during 2005 was \$15,590.00. The Court has 394 attorneys on the volunteer arbitration list who spend an average of 3.0 hours on each hearing.

## VISITING JUDGES

In 2005 the Summit County Common Pleas Court General Division continued its use of visiting judges to assist with the caseload. The Court used active and retired judges to preside over a total of 187 days during 2005.

Cost of Visiting Judges		
Payment by County		\$19,019.00
Payment by State		\$132,4033.09
	Total	151,052.09

The following judges presided over cases for the court during 2005:

- Judith Cross, Medina, County Common Pleas Court(retired)
- Thomas P. Curran, 8th District Court of Appeals(retired)
- Joyce J. George, 9th District Court of Appeals(retired)
- H. Fred Inderlied, Jr., Geauga County Common Pleas Court(retired)
- Richard Markus, 8th District Court of Appeals(retired)
- John R. Milligan, 5th District Court of Appeals(retired)
- John T. Patton, 8th District Court of Appeals (retired)
- Ted Schneiderman, Summit County Common Pleas Court(retired)
- James R. Williams, Summit County Common Pleas Court (retired)

## MEDIATION

In June of 1998, the Court began to offer court-sponsored mediation to parties who have filed suit in Common Pleas Court under the direction of Frank Motz, Chief Court Mediator. Cases are mediated as assigned by the General Division Judges. Cases that can be assigned to mediation include personal injury, business disputes, workers' compensation, foreclosure, quiet title and non-payment of student loans. Cases can be selected by the assigned judge or can be sent to mediation because all of the parties have consented. In 2005, 691 cases were settled after referral to mediation.

On August 3, 2005, Thomas J. Moyer, Chief Justice of the Supreme Court of Ohio, appointed Frank Motz, Co-Chairman of the Supreme Court of Ohio Advisory Committee on Dispute Resolution. The Committee advises the Supreme Court of Ohio on matters related to court mediation in the State of Ohio. The appointment of Frank Motz to this important position will enable him to assist other courts in Ohio to obtain the positive impact of court mediation experienced here in the Summit County Common Pleas Court.

Mediation Statistics	1998*	1999	2000	2001	2002	2003	2004	2005
Cases Pending Beginning of Year	--	44	117	251	304	321	439	476
Cases Referred	169	330	805	970	1092	1265	1442	1295
Returned to Court	73	140	236	288	320	364	412	422
Cases Settled	52	124	416	495	575	609	746	691
Removed prior to completion	--	--	35	147	185	191	256	243
Cases Pending End of Year	44	110	235	291	316	430	467	415

\* Program started June 1998. Statistics for six months only.

## MAGISTRATE

John Shoemaker, the Chief Magistrate for the General Division, has served the Court for nineteen years. The Magistrate assists the General Division Judges by handling a variety of civil matters assigned to him via general and limited orders of reference. Under Civil Rule 53, the Magistrate may handle any matters preliminary to litigation. In 2005, as part of his civil duties, the Magistrate presided over 19 trials: 6 jury trials and 13 bench trials.

Under ORC 2903.214, effective 1998, persons are authorized to petition the Court for an anti-stalking civil protection order. The Magistrate has received references on the majority of these petitions. The Magistrate conducted 159 ex parte and full hearings on such petitions during 2005.

Under Criminal Rule 19, the Magistrate can perform some criminal tasks. The Magistrate conducts all arraignments for the General Division Judges. The video arraignment procedure which commenced in 1998 continues. Beginning in 2004, a walk-through waiver of arraignment procedure, which is overseen by the Magistrate, was instituted and has been successful to date. Out of a total of 6887 Defendants arraigned in 2005, 2966 incarcerated inmates were arraigned by video closed circuit television, of 3891 Defendants out on bond approximately one quarter to one third utilized the walk-through arraignment procedure started in May of 2004, while the remaining Defendants out on bond utilized the in person arraignment procedure.

MAGISTRATE'S 2005 STATISTICS		CIVIL CASE ACTIVITIES: 2005		CRIMINAL CASE ACTIVITIES: 2005	
CASES:	2005				
Pending Jan. 1	107	Bench Trials	13	Arraignment Call Days:	97
Referred	675	Jury Trials	7	Jailed Defendants Arraigned:	2966
Closed	<u>-657</u>	Oral Hearings	325	Total Defendants Arraigned:	6887
Pending Dec 31	(121*) 124	Status Conferences	<u>500</u>		
		Total Activities	845		

\*The number in parenthesis was determined via a hand audit



# FELONY DRUG COURT

On April 10, 2005, the Felony Drug Court of Summit County completed its 3rd year in session. It is a coordinated and cooperative effort utilizing the court, treatment agencies, law enforcement and prosecutors offices. The goal is to divert the non-violent substance abusing offenders who cycle through the judicial system to services necessary to change the drug using behavior that caused them to be in the criminal justice system. The Drug Court provides early intervention with intense treatment and supervision to assist the participants in changing their behavior.

## Screening Statistics and Demographics

	Male	Female	Black	White	Other	Total Screened	Entered	Male	Female	Black	White
Jan	83	24	54	53	0	107	1	1	0	1	0
Feb	86	26	52	59	0	112	1	1	0	0	1
Mar	84	16	55	44	1	100	2	1	1	2	0
Apr	95	36	64	67	0	131	3	3	0	0	3
May	92	21	50	63	0	113	3	3	0	2	1
June	84	25	61	48	0	109	1	1	0	1	0
July	81	17	55	43	0	98	2	2	0	0	2
Aug	106	38	71	73	0	144	3	2	1	2	1
Sept	110	29	66	73	0	139	1	1	0	1	0
Oct	111	30	62	79	0	141	2	2	0	1	1
Nov	90	24	52	62	0	114	1	1	0	0	1
Dec	81	29	55	55	0	110	1	1	0	0	1
<b>Total</b>	1103	315	697	719	1	1418	21	19	2	10	11

**Total Defendants entered through daily screening: 21**

**Breakdown:**

Male: 19

Female: 2

Black: 9

White: 12

Other: 0

**Defendants entered program by transfer: 26 total**

## **Breakdown of Reasons for Non-Acceptance Into Drug Court in 2005:**

<b>Reason for Non-Acceptance</b>	<b>Total</b>
On Probation	140
Trafficking (either current or prior)	188
Contempt Convictions	63
Police Deny	23
Referred to AMC Drug Court	108
Lives Out of County	83
Current Charge is F-1, F-2 or F-3	108
Prior Felonies	71
Capias Pending	127
Other Court Involvement (felony pending)	65
Prior Offense of Violence	74
Rejected by Prosecutor	4
Previous Drug Court	26
Current Charge Misdemeanor	4
Parole	22
Not Acceptable Drug	6
Ownership and Co-defendant	92
Rejected by Defendant	33
Pending Companion Case Disqualifies	71
Cuyahoga Falls Municipal Court	40
Mental Health Issues	9
Current Drug Court	10
Family Violence Court Participant	3
Complete Drug Court	2
Barberton Municipal Court	10
Not a US Citizen	1
Prior Record Unknown	8
Currently in Diversion Program	1
Prior Record Disqualifies	5

Reported prepared and typed January 19, 2006

# ADULT PROBATION

## SUPERVISION

The number of offenders under supervision at the Adult Probation Office at the end of 2005 was 4,901 compared to 4,333 in 2004. The number of new cases in 2005 was 3,219 compared to 2,800 in 2004. We have several specialized workloads with lower numbers, but at the end of 2005, our basic supervision workload average was **197** offenders per officer.

The following chart shows a breakdown of the new cases referred to probation over the past five years.

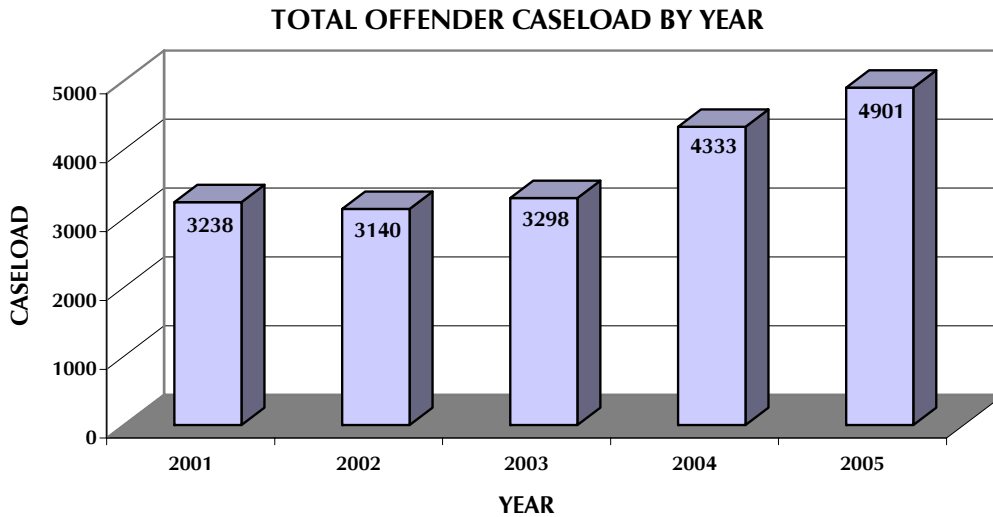
### **\*\*New Probation Referrals**

	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
Probation or Community Control from Court	1710	1769	1994	2305	2615
Judicial Release	133	163	184	191	228
Intensive	119	101	120	111	149
Courtesy Supervision	*	*	14	48	57
Intervention in Lieu of Conviction	55	82	78	145	170
<b>Total New Referrals</b>	<b>2017</b>	<b>2115</b>	<b>2390</b>	<b>2800</b>	<b>3219</b>

\* numbers not available

\*\*these numbers reflect new cases, not new offenders (one offender can have more than one case)

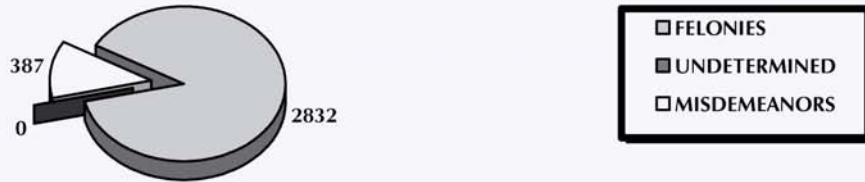
Below please find a graph reflecting the total number of offenders under supervision over the past five years.



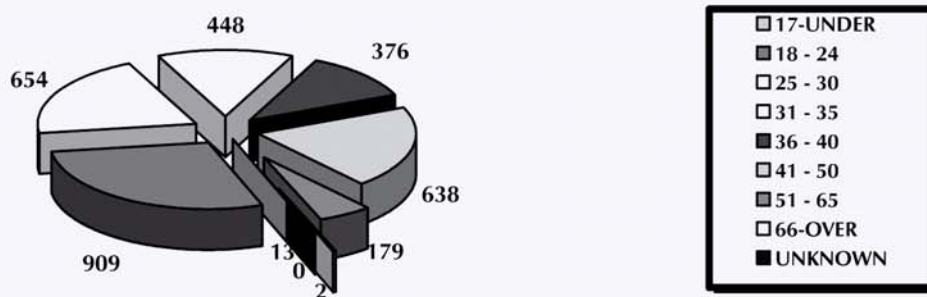
**NOTE: Total supervision workload for 2005 of 4,901 was obtained via SCORS. The 2004 number was adjusted from last year as it counted about 300 investigations as supervision cases.**

# Demographics For Offender Population

NEW CASES BY FELONIES AND MISDEMEANORS FOR 2005



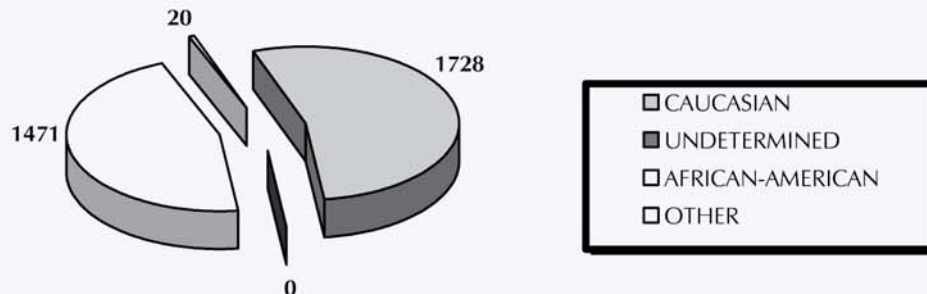
NEW CASES BY AGE GROUP FOR 2005



NEW CASES BY GENDER FOR 2005



NEW CASES BY RACE FOR 2005



## Termination of Supervision

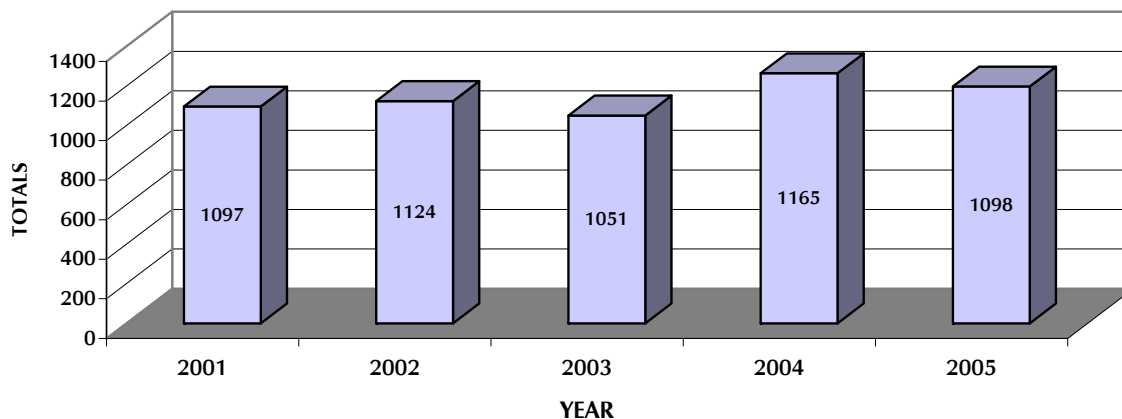
During 2005 our office closed 1,384 cases. There were 987 cases closed at full term. Early terminations (397) include, favorable adjustment, violations and others.

## **PRESENTENCE STATISTICS**

We have five probation officers in our presentence unit who write reports full time. They do not have caseloads. Our office completed 1,098 presentence reports in 2005. Officers who were supervising offenders when a new case was referred did 201 presentence reports. All other reports were done by the presentence unit, for an average of 179 reports per writer for the year.

Below please find a graph reflecting the number of presentence reports completed by the probation office over the past five years. The 2004 number was reduced by an estimate of 100. This is a result of counting cases not reports (one report can include more than one case).

**TOTAL PRESENTENCE REPORTS BY YEAR**



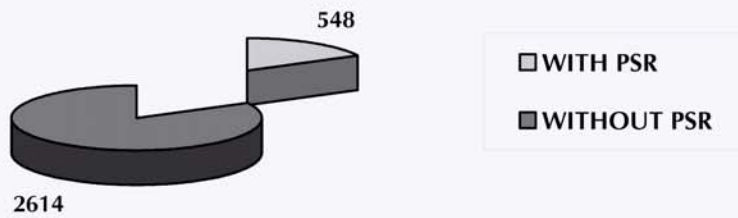
## Victim Impact Statements

Victim Impact Statements are done by the Probation Office when Court ordered or when the victim is clearly identified and information is obtainable. For confidentiality purposes these statements are presented in a sealed green envelope. In 2005, our writers completed 516 Victim Impact Statements.

## **SENTENCING STATISTICS/PRESENTENCE REPORTS**

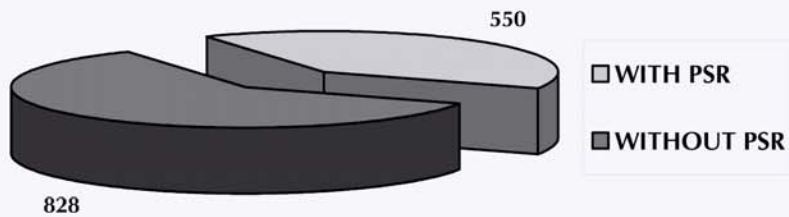
Our records show 4,540 offenders sentenced by the Common Pleas Court in 2005. This includes 3,162 offenders sentenced to community supervision as noted in the supervision section of this report. The 1,378 offenders sentenced to custody are noted below along with the type of sentence and whether or not a presentence report was completed.

**PRESENTENCE REPORTS ON PROBATIONERS**



(3,162 offenders ordered to probation office supervision in 2005)

**PRESENTENCE REPORTS ON CUSTODY SENTENCES**



(1,378 offenders sentenced to incarceration in 2005)

\*281 offenders sentenced to Community Based Correctional Facility are counted in both graphs as these offenders served custody time and are also on Community Control supervision.

**Custody Sentences in 2005**

Department of Corrections	890
Ohio State Reformatory for Women	140
Community Based Corrections Facility*	281
Summit County Jail	<u>67</u>
<b>TOTAL</b>	<b>1378</b>

## Intensive Supervision

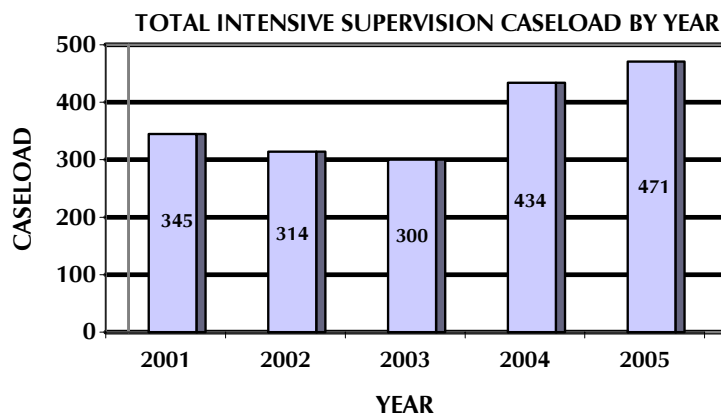
The Intensive Supervision Unit is a program that is funded by the Community Correction Act Grant (CCA) that is administered by the Bureau of Community Sanctions. The unit was added to Adult Probation in 1990 as an alternative to prison sentencing. The objective of the program is to divert 200 offenders from the prison system. In 2005, there were 210 diversions, down from 250 in 2004. The program was designed for felony level offenders with an extensive criminal record.

In 2005, Probation Officers within the Intensive Unit began to specialize within their individual caseloads. Brian Freyhauf monitors Sex Offender cases that have been placed in the Intensive Unit, Jennifer Haviland supervises mental health referrals, Lisa Davis supervises violent offenders and Anthony King is responsible for child support cases.

There were personnel changes within the unit during 2005. Lesley Martin resigned from the department to pursue employment within the Federal Probation system and Patricia Pfander transferred to the Intervention in Lieu of Conviction unit. Lisa Davis replaced Lesley Martin in September and Jennifer Haviland replaced Patricia Pfander in December.

The following statistical table includes referrals from all sources (i.e., court orders, transfers, probation violations, etc.)

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>
<b>Referrals</b>	363	314	300	434	386
<b>Commitments</b>	116	110	28	14	23
<b>New Offenses</b>	41	N/A	20	15	12
<b>Technical Violations</b>	67	N/A	58	55	60
<b>Capias</b>	106	N/A	31	N/A	27
<b>Successful Completion</b>	194	204	118	117	94
<b>Average Length of Stay (in months)</b>	8.7	8.5	7.7	5.4	7.2



The caseloads of the Intensive Supervision Unit continue to exceed its annual goal of 200 diversions. The average length of supervision in 2005 was 7.2 months compared with 5.4 months in 2004. The caseload average has risen dramatically from 80 in 2004 to 118 in 2005. The program was designed for a caseload of 45-50 offenders.

### **Child Support Enforcement Team**

There were 326 new indictments in 2004 and 302 new indictments in 2005 for Felony Nonsupport. In 2005, Adult Probation and the Child Support Enforcement Agency pursued federal funds with matching local funds for a grant to assist in forming a specialized unit. This specialized unit deals with offenders on Community Control who are delinquent in their child support payments.

This unit consists of Supervisor, Michael Rick; a Probation Officer, Ashley Stewart; and a Support Staff Specialist, Tamara Keefer. This unit is currently supervising over 200 cases.

The rest of the Nonsupport cases are distributed into the basic adult probation population.

### **Felony DUI Supervision**

In 2005, the office supervised 36 offenders for felony DUI. These offenders are required to submit to weekly reporting, mandatory 12-step/self help attendance, and treatment. During 2005, eleven offenders successfully completed supervision. Nine offenders were returned to Court for violations, two of which committed new DUI offenses and were revoked from community control.

### **Domestic Violence Unit**

In 2005, our office joined forces with the county prosecutor to obtain federal monies to form a specialist unit for Domestic Violence offenders. David Siko was selected to develop the unit in 2006. The Court will maintain enhanced supervision of Domestic Violence offenders identified as high risk for recidivism. This will be a year devoted to development of the best practices to supervise this offender population.

### **Mental Health Team**

The Mental Health Unit consists of one probation officer who supervised 167 offenders at the end of 2005. She also did 23 presentence investigation reports for the year. Cases are assigned based on offender needs. The mental health officer continues to collaborate with the Summit County Jail Behavioral Health Unit and the mental health agencies in the community to meet the needs of this specialized population with the help of the Alcohol, Drug and Mental Health Board of Summit County.

Due to the significant increase in the number of the defendants, which are being placed in this unit, grant monies are being sought in order to expand the staff to meet the needs of the severely mentally ill involved in the criminal justice system.

### **Sex Offender Unit**

At the end of 2005, the Sex Offender Unit, which is comprised of two probation officers was supervising 174 offenders and had completed 56 presentence reports. The Sex Offender Unit has collaborated with other agencies such as the Adult Parole Authority, law enforcement, treatment facilities, schools and other local courts to create a comprehensive strategy for managing sex offenders in Summit County. In addition, the Sex Offender Unit has made presentations to local high school students about the nature of and penalties for sex offenses.

In 2005, the unit joined forces with the Justice Affairs Office, Adult Parole, the county sheriff, the county prosecutor and numerous other community leaders to form SOMC, the Summit County Sex Offender Management Committee. The county was awarded a federal grant through the committee for Sex Offender Management. The local group is working to improve services and determine how to allocate the financial assistance available through the grant. More specifically our office is hoping for funding to hire additional staff to improve our presentence and supervision services related to sex offenders.



## **Community Service**

The Community Service Program accepted 173 new clients in 2005. Eighty-six clients were Court ordered to do a total of 6,237 hours of community service work. Pursuant to office policy 73 clients were allowed to do Community Service in lieu of paying Court costs and probation fees. Total number of hours worked was 3,890. At the rate of \$8.00 per hour, this is the equivalent of \$31,120. The program also accepted 14 clients from Felony Drug Court, who were ordered to do Community Service as a sanction when terms of their supervision had not been met.

The program uses approximately 110 not for profit agencies. Referrals compromise a wide spectrum of men and women of all ages, talents and job capabilities. Some are physically or mentally disabled. Some have never held a steady job or finished high school, while others have high management and academic experiences. Our coordinator, Michelle Kocian, interviews each client, taking into consideration work, school and family schedules, as well as transportation issues. The clients are evaluated and matched with the needs of the agency.

Agencies provide supervision, and services ranging from litter collection, landscaping and maintenance to clerical tasks and tutoring. The County of Summit benefits directly when a referral works with the Grounds Crew, which operates in all of the County buildings. Once assigned an agency, the Community Service Coordinator provides the Court with in-depth monitoring and documentation. The coordinator works closely with the probation officers and Drug Court caseworkers to obtain up to date information on the client's progress.

It is rewarding to see the positive attitude changes in a client performing community service work. The program improves a client's work outlook and job/school performance, as they are taught to be accountable for their actions and can see a direct benefit in a job well done. In many cases it enhances the offenders' prospects for future employment.

## **LEADS**

Probation Officers require LEADS (Law Enforcement Automated Data System) information for a variety of reasons including new cases, updates, warrant requests, termination, and driver's license review. Probation officers requested 5,904 criminal history checks in 2005, for a minimum of 12,000 transactions run. The TAC is responsible for obtaining this information, and for providing it to officers in a timely and confidential manner, as well as providing instruction and guidance in reading the printouts.

Michelle Kocian is the TAC (Terminal Agency Coordinator) for the Court of Common Pleas General Division and Pretrial Division. The TAC is directly responsible for the operations and security of LEADS, and for all of the equipment. The TAC trains all personnel, (whether operators or practitioners) in all aspects of LEADS, ensures that everyone knows the administrative rules and security policies, reviews training materials and newsletters and coordinates recertification every two years.

After much petitioning, Columbus finally allowed the addition of two new LEADS terminals for Pretrial, (at the Courthouse and the Summit County Jail), which were installed in February 2005. The entire Pretrial staff was tested, certified to be operators, and continues to be trained and monitored by the TAC. Pretrial uses LEADS information for every defendant as a primary source of criminal history to make bail decisions or supervise defendants on release.

In 2005, ten employees (five pretrial and five probation) were trained and certified by the TAC to be LEADS operators capable of retrieving all Ohio, FBI and BCI criminal and BMV records. Five employees or interns were trained to be LEADS practitioners, in which basic policy and procedure is reviewed, and security and appropriate criminal justice purposes are emphasized.

The TAC attended an all day training session in Columbus, as required. Besides running all Community Health Center requests and training employees of the Court, the TAC maintained monthly record validations in preparation for a 2006 audit, maintained all documentation for LEADS including read and sign newsletters, manuals, security policies, administrative messages and training records.

## **DNA**

In 2005, the State of Ohio passed legislation requiring the DNA testing of all qualifying offenders under the supervision of the probation office. The law became effective May 16, 2005. We began testing May 19, 2005. The Summit County Sheriff's deputies stationed at our office did the testing. We scheduled the appointment, assisted in the testing and recorded the tests in SCORS for 3,746 offenders in 2005.

## **Urine Screens**

Drug and alcohol testing is done during treatment, when Court ordered or at the direction of the probation officer. Treatment providers generally test offenders placed in programs. Additionally, when probation officers are reasonably suspicious of substance abuse, they send offenders to the Community Health Center or Oriana House for drug testing at the offender's expense of \$8.00 per standard screen (indigent offenders are given vouchers). The majority of testing is done by the Community Health Center. In 2005, offenders were sent for urine testing 6,596 times with 1,195 positive results; 733 positive for marijuana, 415 for cocaine, 101 for amphetamines and 45 for alcohol.

## **Sealings**

Michael Rick and Shannon Weitzel conducted investigations on Sealing Criminal Records as ordered by the Court. In 2005, there were 307 referrals; 293 sealing reports were completed. Of those, 148 offenders were granted sealings, 5 were withdrawn and 64 were denied. The remainder are pending before the Courts.

Shannon was hired in July 2005, as a Support Staff Sealing Specialist. Due to Shannon specializing solely in sealing investigations, our office was able to shorten the average length of a sealing investigation by three months.

## **Intervention in Lieu of Conviction**

Karen Weletyk, who had overseen this program since 2002, retired in December 2005. Her replacement, Pat Pfander, was transferred 225 cases. Offenders are granted Intervention in Lieu of Conviction with substance abuse treatment ordered by the Court. These cases are referred to treatment agencies in the community who provide intensive treatment and urine testing to monitor use. Our officer coordinates compliance and corresponds with the Court when necessary. Those who successfully complete treatment and commit no new criminal offense are eligible for dismissal of the pending criminal charges.

## **Training**

In 2004, several staff members joined together and formed a committee in order to address the educational and/or training needs of the probation office. The training committee is responsible for creating a calendar of in-service training offered throughout the coming year.

The Training Coordinator advises staff of any additional training via e-mail. Officers and professional staff are required to attend a minimum of 30 hours of training annually and clerical and support staff, a minimum of 16 hours of training annually. Some of the training in 2005 included; methamphetamine in Summit County, intensive probation in Richland County, drug addicted offenders, domestic violence and mentally ill offenders.

The Summit County Adult Probation Office also offers placements to interns interested in pursuing a career in the criminal justice field. Interns are exposed to a broad range of probation issues such as DNA testing, supervision of the criminal offender, Court proceedings, preparation and completion of presentence reports, etc. Their experience may also include tours of the Summit County Jail, Oriana House and/or substance abuse/mental health agencies.

## Case Studies

Below are some examples of good work done by our office. Additionally, we have employees who make presentations at local schools and civic groups. They are also involved extensively in other community service activities.

While on community control for Illegal Processing of Drug Documents, an offender was arrested for poisoning three elderly family members. Police action initiated when the victims were hospitalized. Our probation officer assisted the police in a warrantless search of the offender's residence where the poisoning allegedly occurred. Herbs believed to be used to poison the victims' coffee were found. In this case, the assistance of our probation officer helped secure evidence and protect the victims from further injury and possibly death.

A letter sent to Judge Bond from a judicial release offender stated in part. "I got off probation after being home from prison for two years. Since then I have worked at Interval Brotherhood Home sharing my experience, strength and hope. My relationship with my children has been mended and we live together. We get along very well now; they trust me, as I have been clean and sober for over three years. I speak regularly at AA and I am going to speak at Marysville on recovery in January. My probation officer was truly a blessing. Their compassion and genuine concern for me is much appreciated."

When pretrial interviewed an offender booked at the jail they thought his story sounded suspicious. Nothing added up, he seemed to know procedure at intake, but a criminal history search found no record. His reference, a grandmother also seemed not to know what or whom the officer was talking about when asked about her grandson. The grandmother later called back and said one of her grandsons, the youngest, was once caught using the identity of his oldest brother. A call to the defendants' mother verified the grandmothers' story. The pretrial officer had the defendants' print sent to the FBI. Turned out he was using the identity of his brother. He was rebooked and a charge of misrepresentation was added.

An offender with a severe drug addiction was sentenced to prison in January of 2000. The offender was granted shock probation in May. For three years the offender struggled with treatment at numerous agencies. In 2003 the offender returned to Court for a violation and almost went to prison, but the judge and probation officer gave the offender one more chance. With the help of the probation officer this offender showed a great deal of courage by helping convict an employee at the treatment agency for supplying drugs to clients. The last two years of supervision the offender was drug and alcohol free. The offender worked full time and bought a home. After supervision was over the offender wrote a letter of gratitude to the Court. The success of this case was largely due to a probation officer with a large caseload providing special attention when needed. Case file notes show six and seven entries in some months.

# PERSONNEL ACTIVITY



*On January 12, 2006, the Honorable Patricia Cosgrove swore in new probation and pretrial officers, from left to right (Shiloh Geier, Stefanie Theus, Clint Spencer and Ryan Teitz)*

The following personnel activity occurred during 2005:

**Additions:**

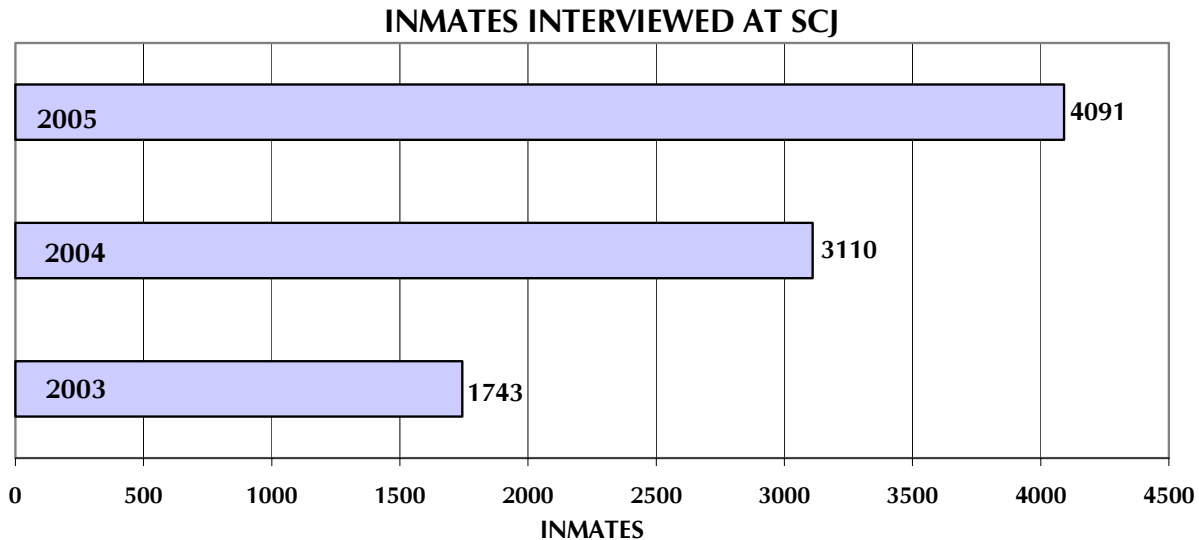
Ashley Frank  
Ashley Stewart  
Shannon Weitzel

**Separations:**

Karen Weletyk  
Lesley Martin

## Pretrial Services

During the calendar year 2005, the Pretrial Office focused on interviewing defendants at the jail, with a goal of interviewing all felony defendants and completing written reports with bond recommendations before attorney appearance. As noted in the below graph, there was significant improvement from the last two years. At the end of the year we had reached our goal and were interviewing all felony defendants and were providing written bond reports to the Court before attorney appearance. We also completed 660 bond reviews at the request of the Court in 2005.



**\*\*NOTE - In 2003 all interviews did not follow with a written report to the Court.\*\***

To obtain the goal of interviewing all defendants before attorney appearance several changes were made. A risk assessment instrument and standard pretrial investigation and report were developed. We had new space designated at the intake area of the jail and staff schedules were readjusted to work evening and weekend hours so interviews could occur at the time of arrest and reports could be ready for hearings in the morning. All staff was trained on interviewing skills and they were all certified to do LEADS criminal record checks. The risk assessment instrument generated a standard recommendation addressing the release of some defendant to the community with different levels of pretrial supervision based on the level of risk to the community. Consequently, the jail population was significantly reduced.

Pretrial supervision was outsourced to Oriana House Incorporated on June 27, 2005. Before that date our office supervised an average monthly active caseload of 199 cases and closed 51 cases monthly. We still maintain a small supervision caseload when special ordered by the Court. We supervised an average of 22 cases from June to December of 2005. Oriana house currently maintains separate statistics regarding average number of cases and success/failure rates.

***Compiled, Edited, & Formatted by Arian Davis, George Harper, Lee Runkle & Donna Simone***

# PSYCHO-DIAGNOSTIC CLINIC

Psycho-Diagnostic Clinic is one of eleven certified forensic centers in the state of Ohio. The Clinic is funded by the Ohio Department of Mental Health to provide evaluations and testimony pursuant to Ohio Revised Code Sections 2945.37 through 2945.40 to the Common Pleas Courts of Summit, Stark, Portage, Medina and Geauga Counties. The Clinic also provides evaluations to other courts in Summit County through limited funding by the County of Summit Alcohol, Drug Addiction and Mental Health Services Board. Through revenue from the Summit County General Fund, the Clinic provides other statutory evaluations to Summit County Common Pleas Court, including Intervention in Lieu of Conviction, Mitigation of Penalty and Post-sentence evaluations. Evaluations are occasionally provided to other courts on a fee-for-service basis.

Psycho-Diagnostic Clinic is directed by a clinical psychologist, board certified in forensic psychology, and staffed by a full-time clinical psychologist, part-time doctoral students in clinical psychology, a full-time social worker, consulting psychologists, and a consulting psychiatrist. In 2005, the director of Psycho-Diagnostic Clinic, Dr. Kathleen Stafford, received the Outstanding Professional Service Award from the Ohio Psychological Association, "In recognition of a psychologist whose teaching, research and service are outstanding in Ohio and who has fostered greater understanding of psychological approaches to mental health." Clinic examiners are profiled in Table 1.

## COURT-ORDERED EVALUATIONS

The Clinic conducted 538 court-ordered evaluations in 2005. Sixty-seven percent (67%) of these evaluations were provided for Summit County Common Pleas Court. Twenty percent (20%) of these evaluations were ordered by Stark, Medina, Portage and Geauga County Common Pleas Courts. Ten percent (10%) of Clinic evaluations were completed for Municipal and Domestic Relations Courts in Summit County. Three percent (3%) of the evaluations were completed for other courts the Clinic serves on a fee-for-service basis. Clinic referrals by referral source over the past eight years are summarized in Table 2.

Table 3 contains a breakdown of referrals to the Clinic by referral issue over the past eight years. The primary referral issues the Clinic is ordered to address are competency to stand trial (35% of referrals), sanity at the time of the act (16% of referrals), and commitment and non-secured status of defendants acquitted by reason of insanity or found incompetent-nonrestorable and committed under court jurisdiction (4% of referrals).

During each of the past two years, the number of evaluations ordered by Summit County Common Pleas Court under Ohio Revised Code Section 2951.041, Intervention in Lieu of Conviction, has increased by more than 50% over 2003 levels. In 2005, Intervention evaluations totaled 205, or 38% of Clinic referrals. Psycho-Diagnostic Clinic met this increased demand by developing a cost-effective protocol that meets reasonable professional standards. The Court has required that non-indigent defendants pay a fee prior to these evaluations. However, these fees have been deposited to the Summit County General Fund, without a proportionate increase in revenue from the General Fund to Psycho-Diagnostic Clinic. Clinic resources have been seriously taxed by this increase in Intervention evaluations.

The Clinic also conducted mitigation of penalty or post-sentence evaluations (6% of referrals) and evaluations of indigent families for Domestic Relations Court (1% of referrals) during 2005.

## CONDITIONAL RELEASE MONITORING

Since 1985, Psycho-Diagnostic Clinic has monitored defendants found Not Guilty by Reason of Insanity, or Incompetent to Stand Trial-Unrestorable, who were committed to community mental health treatment on conditional release status by Summit County Court of Common Pleas. This monitoring program has attempted to ensure that these individuals are provided appropriate treatment and that, if their adjustment in the community deteriorates, they are readily hospitalized.

Information on the number of individuals monitored on conditional release commitment under the jurisdiction of Summit County Common Pleas Court over the past nine years is presented in Table 4. In 2005, the Clinic social worker monitored only 38 individuals committed to conditional release by the court. Nine individuals were newly committed to treatment in the community on conditional release. Twelve individuals were discharged from conditional release commitment.

One of these 38 clients required revocation of conditional release and hospitalization. However, a number of other conditional release clients required rehospitalization on an involuntary basis in 2005, even though their conditional release was not formally revoked by the court.

Psycho-Diagnostic Clinic attempts to work closely with Community Support Services in Summit County to increase the likelihood that conditional release clients receive the services they need to make a successful community adjustment. The significant decrease of clients on conditional release in 2005, when court-ordered competency and sanity evaluations remained high, suggests that a lower percentage of these defendants are being provided monitored community-based treatment.

#### RESEARCH AND TRAINING.

The Clinic continued to collaborate in research and training activities with the Kent State University Department of Psychology, the Ohio Department of Mental Health, the Northeastern Ohio Universities College of Medicine (NEOUCOM) and the Louis Stokes Veterans Affairs Medical Center in 2004. Five doctoral students from the American Psychological Association (APA)-approved training program in clinical psychology at Kent State University served clinical placements at Psycho-Diagnostic Clinic. Four psychiatry residents from the Northeastern Ohio Universities College of Medicine Psychiatry Residency program served forensic rotations at the Clinic as part of their training. Psychology interns from the Cleveland Veterans Affairs Medical Center APA-approved clinical internship participated in enrichment training through Psycho-Diagnostic Clinic. These future psychologists and psychiatrists provide service to the Clinic and the Courts while receiving valuable professional training.

The results of research based on the Psycho-Diagnostic Clinic database continue to be published in refereed journals and presented at professional meetings. This research is not funded by Psycho-Diagnostic Clinic. The following research is of particular relevance to the forensic evaluations conducted at Psycho-Diagnostic Clinic:

O'Reilly, B., Graham, J.R., Stafford, K.P. & Ben-Porath, Y.S. (2005) Using the MMPI-2 to predict completion of a substance abuse diversion program. 40<sup>th</sup> Annual Symposium on Recent Research with the MMPI-2/MMPI-A, Fort Lauderdale, FL, April 16, 2005.

Stafford, K.P. & Wygant, D.B. (2005). The role of competency to stand trial in mental health courts. Behavioral Sciences and the Law, 23 (2), 245-258.

## PSYCHO-DIAGNOSTIC CLINICAL STAFF AND CONSULTANTS

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Specialty in adult forensic assessment



**TABLE 2  
REFERRALS BY SOURCE AND YEAR**

REFERRAL SOURCE	2005	2004	2003	2002	2001	2000	1999	1998
Summit Common Pleas Court	361	369	307	260	284	255	225	217
Stark Common Pleas Court	60	59	40	65	44	45	37	48
Medina Common Pleas Court	23	30	20	30	14	17	16	17
Portage Common Pleas Court	17	13	8	6	5	11	12	5
Geauga Common Pleas Court	4	5	2	2	1	2	0	5
Summit County Domestic Relations	6	7	11	6	22	17	22	7
Akron Municipal Court	45	38	40	39	37	35	58	45
Cuyahoga Falls Municipal Court	3	3	5	6	11	9	11	5
Barberton Municipal Court	2	5	3	5	1	2	3	3
Medina County Municipal Courts	12	9	15	6	11	15	16	17
Stark County Municipal Courts	0	0	1	0	4	2	6	0
Portage County Municipal Court	1	0	0	1	0	1	9	8
Summit County Adult Probation	0	0	0	2	3	2	5	8
Other Courts	4	3	1	0	1	*1	0	5
<b>TOTAL</b>	<b>538</b>	<b>541</b>	<b>453</b>	<b>428</b>	<b>438</b>	<b>414</b>	<b>420</b>	<b>390</b>

**TABLE 3  
REFERRALS BY TYPE AND YEAR**

REFERRAL TYPE	2005	2004	2003	2002	2001	2000	1999	1998
Competency to Stand Trial ORC Section 2945.371(G)(3)	187	172	167	174	160	154	189	166
Not Guilty by Reason of Insanity ORC Section 2945.37 (G)(4)	86	87	74	74	65	70	69	73
Intervention in Lieu of Conviction ORC Section 2951.041	205	212	135	106	120	75	52	49
Mitigation of Penalty ORC Section 2947.06	13	16	13	15	20	46	35	32
Post Sentence ORC Section 2967.22	17	22	20	17	12	24	19	20
Non Secured Status ORC Section 2945.401	14	11	14	21	21	13	22	28
Incompetent – Nonrestorable ORC 2945.39(A)(2)	0	0	2	2	-	-	-	-
Commitment-NGRI ORC Section 2945.40	10	14	12	7	17	12	10	8
Domestic Relations	6	7	11	6	22	17	22	7
Sexual Classifications	0	0	5	6	1	3	2	4
<b>TOTALS</b>	<b>538</b>	<b>541</b>	<b>453</b>	<b>428</b>	<b>438</b>	<b>414</b>	<b>420</b>	<b>387</b>

**TABLE 4  
CONDITIONAL RELEASE MONITORING**

CLIENTS	2005	2004	2003	2002	2001	2000	1999	1998	1997
Monitored	38	50	56	45	48	43	41	32	27
New Commitments	9	9	12	10	10	10	15	7	8
Discharges	12	9	6	8	7	4	3	2	3
Revocations	1	8	3	4	1	3	6	2	1
Death	-	-	-	1	-	1	-	-	-

# JURY MANAGEMENT

Each year, on the first working Monday of September, the Summit County Court of Common Pleas Jury Commissioners perform the annual jury draw. Potential jurors are selected from the voter registration list as certified by the Board of Elections from the preceding general election. The annual draw is performed pursuant to O.R.C. section 2313.06 et seq. Prior to performing the draw, the Presiding Judge designates by order, the number of jurors to be summoned for each court jurisdiction in Summit County, that being Common Pleas Court and Akron, Barberton and Cuyahoga Falls Municipal Courts. Furthermore, the Jury Commissioners also draw jurors for Grand Jury pursuant to O.R.C. section 2313.06 et seq.

From the annual jury list, jurors are drawn for each of the four-month sessions of court within the jury year pursuant to O.R.C. 2313.19 et seq. The sessions commence on the first working Monday of September, January and May. The Jury Commissioners, in the presence of the Presiding Judge, the Sheriff and the Clerk of Courts draw the number of jurors previously designated for that session by the Presiding Judge. Upon completion and recording of the session jury lists, the jurors are summoned, using a one-step summons and questionnaire.

Jurors who receive summonses are asked to return the questionnaire portion providing a certain amount of information. The questionnaire also provides jurors with an opportunity to notify the court that they are eligible for an exemption pursuant to O.R.C. 2313.12. Any person eligible for an exemption may waive that exemption. Depending on information provided by the jurors, they may also be excused for a limited number of reasons pursuant to O.R.C. section 2313.16. The Jury Commissioners are solely responsible for determining which jurors' exemptions are valid and which jurors may be excused.

Beginning October 28, 2002, jurors for Common Pleas and Akron Municipal Court service, received an informational brochure included with their summons. This brochure helps to answer many of the commonly asked questions by jurors prior to beginning their service such as how they are chosen, where to park, jury fees, what to wear, etc.

Beginning May 4, 1999, Grand Jury service was reduced to a two-month session to ease the burden on people called and to get more county residents involved in the justice system. The process for selecting the Grand Jury from the pool of jurors summoned for each session is governed by Crim.R. 6. Once the Grand Jury is selected, those jurors now serve for two months.

Beginning September 14, 1998, the term of service for petit jurors was reduced to one week or one trial. This was done in order to make jury service less of a hardship and to increase participation due to the recent changes to legislation governing excuses and exemptions. For the 2004-2005 jury year, 40,000 jurors were drawn for Summit County, 10,000 for Akron Municipal Court, and 5,000 each for Barberton and Cuyahoga Falls Municipal Courts. These jurors are then divided equally between the three sessions of court and summoned to one week of service within the four-month session to which they were selected.

Petit jurors are paid \$20.00 per day for the first ten days of actual service. Jurors who serve more than ten days are paid \$30.00 per day for each subsequent day. Increase of juror fees became effective March 6, 2000.

Year	Total Paid	Total Jurors	Average Days	Muni Court Days	Reimbursed By Muni Cts
2001	\$374,828	13,407	2.79	2,358	\$34,589
2002	\$387,538	13,279	2.92	2,693	\$48,654
2003	\$366,422	13,202	2.78	2,359	\$30,058
2004	\$402,460	15,177	2.65	2,847	\$48,096
2005	\$404,433	13,420	3.01	1,861	\$25,500

Municipal Court dollars represents the amount actually paid as reimbursements for jury fees. The difference between billed and paid is the result of state code violations tried in Municipal Court and for which they do not reimburse jury fees pursuant to ORC 1901.25.

## County of Summit Courthouse Security Summit County Sheriff's Office

In the year 2005, the Summit County Sheriff's Court and Special Services Bureau had the responsibility of providing security and prisoner transport for the Summit County Court of Common Pleas. The tables below provide a statistical overview and comparison of the Security Surveillance Stations, Incident Reporting and Prisoner Transportation.

### Prisoner transportation by Court Order

PRISONER TRANSPORTS		
	2004	2005
CONVEY TO / FROM PRISONS	2428	2395
CONVEY TO JUVENILE FACILITY/PRISON	269	264
CONVEY TO / FROM COMMON PLEAS COURTS	9065	9142
CONVEY TO / FROM LOCAL FACILITIES	316	688
NEW PRISONERS FROM COURT		192
CCTV	2559	3141
<b>TOTAL</b>	<b>14,637</b>	<b>15,822</b>

Local Facilities consist of CBCF, Oriana House, Glenwood Jail, IBH, Medical Facilities, Mental Health Facilities, Funerals, Polygraph Exams, or any Court Ordered Transport .

### Courthouse Incident Reporting Overview

	2004	2005
Medical Reports	36	32
Miscellaneous	96	78
Alarm Reports	2	9
Warrant Arrests at court	4	45
<b>Totals</b>	<b>138</b>	<b>164</b>

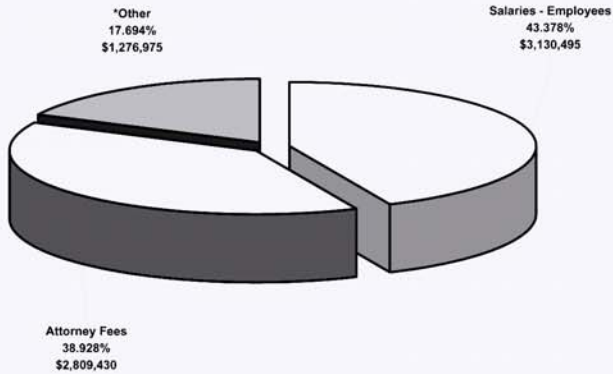
### Security Surveillance Stations Metal Detectors

	SHARP OBJ.	CHEM. AGENTS	FIREARMS	OTHER
<b>2004</b>	2183	239	6	234
<b>2005</b>	1430	151	7	93

Firearms belong to off duty law enforcement officers who are in the Courthouse for personal business.

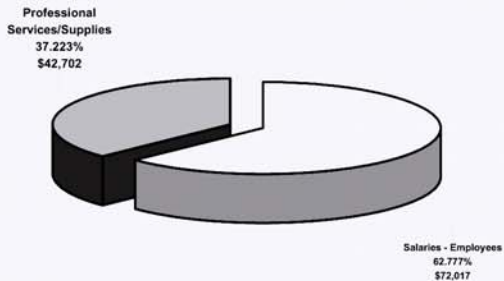
# 2005 GENERAL FUND OPERATING EXPENDITURES

## COURT ADMINISTRATION

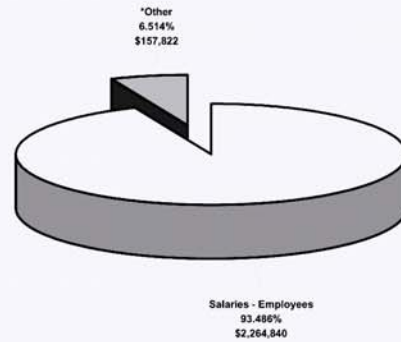


*Other		
Salaries-Officials	\$112,000	1.552%
Salaries Security	302,620	4.193%
Professional Services		
Transcripts	160,020	2.217%
Visiting Judges	21,486	0.298%
Arbitrator Fees	15,590	0.216%
Supplies	47,186	0.654%
Travel	15,282	0.212%
Contract Repair	24,879	0.345%
Other Expenses	91,805	1.272%
Jury Maintenance	15,271	0.212%
Witness Fees	1,661	0.023%
Juror Fees	404,433	5.604%
Equipment	2,374	0.033%
Witness Fees (G.J.)	1,823	0.025%
Juror Fees (G.J.)	60,545	0.839%
<b>TOTAL</b>	<b>\$1,276,975</b>	<b>17.694%</b>

## PSYCHO-DIAGNOSTIC CLINIC



## ADULT PROBATION DEPARTMENT



*Other		
Salaries-Security	\$138,827	5.730%
Supplies	\$17,041	0.703%
Travel	\$0	0.000%
Motor Vehicle Fuel/Repair	\$1,954	0.081%
Contract Repairs	\$0	0.000%
Other Expenses	\$0	0.000%
<b>TOTAL</b>	<b>\$157,822</b>	<b>6.514%</b>

## GENERAL FUND EXPENDITURES

( ) Indicates Number of Employees

	2002	2003	2004	2005
<b>Court Administration</b>				
Official Salaries	\$112,000	\$109,552	\$112,000	\$112,000
Employee Salaries (70)	2,649,052	(72) 2,954,012	(71) 3,153,931	(71) 3,130,495
Security Salaries	292,651	293,396	326,750	302,620
Transcripts	134,315	142,524	154,839	160,020
Visiting Judges	15,275	20,187	21,766	21,486
Attorney Fees	2,257,565	2,308,205	2,748,515	2,809,430
Arbitrator Fees	35,045	22,970	20,950	15,590
Supplies	37,029	42,449	48,167	47,186
Travel	24,194	17,646	26,620	15,282
Contract Repairs	18,503	44,974	52,763	24,879
Other Expenses	85,504	62,165	111,565	91,805
Jury Maintenance	17,416	11,963	13,965	15,271
Witness Fees	1,040	3,780	1,164	1,661
Juror Fees	387,538	366,422	402,460	404,433
Equipment	98,276	7,371	12,622	2,374
Witness Fees (G.J.)	4,861	3,912	3,611	1,823
Juror Fees (G.J.)	66,255	62,541	59,641	60,545
<b>Subtotal Administration</b>	<b>\$6,236,519</b>	<b>\$6,474,068</b>	<b>\$7,271,329</b>	<b>\$7,216,900</b>
<b>Adult Probation</b>				
Adult Probation Salaries (53)	\$1,721,637	(54) \$1,957,497	(55) \$2,201,596	*(59) \$2,264,840
Security Salaries	126,355	136,212	141,453	138,827
Supplies	22,206	13,447	17,451	17,041
Travel	4,670	3,168	2,810	0
Motor Vehicle Fuel/Repair	6,500	5,202	8,084	1,954
Contract Repairs	12,810	13,451	14,948	0
Other Expenses	27,427	19,234	0	0
<b>Subtotal Adult Probation</b>	<b>\$1,921,605</b>	<b>\$2,148,212</b>	<b>\$2,386,342</b>	<b>\$2,422,662</b>
<b>Psycho-Diagnostic Clinic</b>				
Salaries (2)	\$65,367	(2) \$67,687	(2) \$73,217	(2) \$72,017
Supplies		5,000	5,000	4,699
Professional Services	24,864	24,931	29,999	38,003
<b>Subtotal Psycho-Diagnostic</b>	<b>\$90,231</b>	<b>\$97,618</b>	<b>\$108,216</b>	<b>\$114,719</b>
<b>TOTAL COMMON PLEAS COURT</b>	<b>(125) \$8,248,355</b>	<b>(128) \$8,719,898</b>	<b>(128) \$9,765,887</b>	<b>(128) \$9,754,281</b>

\* Four individuals hired through general fund. These are reimbursed through federal grant funding in child support and domestic violence cases where defendants are under the supervision of the Adult Probation Department.

**Summit County Court of Common Pleas  
General Division  
209 South High Street  
Akron, Ohio 44308**