

TABLE OF CONTENTS

COMMENTS, JUDGE TOLER..... 1
CASE FILINGS..... 2
TRAFFIC OFFENSES BY CHARGE..... 3
CRIMINAL OFFENSES BY CHARGE..... 4
CRIMINAL RECEIPTS/DISBURSEMENTS..... 5
CIVIL, SMALL CLAIMS RECEIPTS/DISBURSEMENTS..... 6
TRUSTEESHIP RECEIPTS/DISBURSEMENTS..... 7
LANDLORD-TENANT RECEIPTS/DISBURSEMENTS..... 7
MISCELLANEOUS ITEMS..... 8
PROBATION DEPARTMENT REPORT..... 9
EMPLOYEE ROSTER.....13

TO: Council of the City of Cleveland Heights
Board of Commissioners of Cuyahoga County

RE: Cleveland Heights Municipal Court's Annual Report for 1995

In this, my 1995 annual report, I would like to bring attention to the following matters.

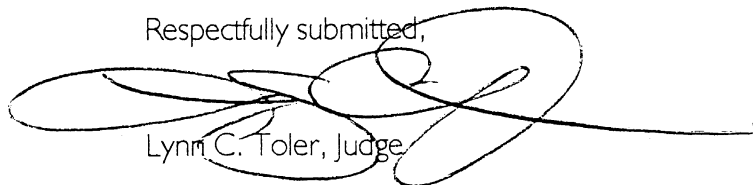
In 1995, the court saw a dramatic decrease in the number of traffic cases filed by the city. The number of cases fell from 19,152 in 1994 to 13,461 in 1995, a nearly one third loss in volume. Despite this dramatic reduction in the number of traffic charges filed, the court has managed to increase the moneys generated in its traffic division as a result of the clerk's office's efforts to reduce the number of uncollected fines. Accordingly, the court has been able to maintain its revenue level without increasing costs on its waiverable tickets.

The court's civil division has also seen a significant reduction in the number of cases filed. Because all costs are collected up-front in the civil division and the court receives no other payment from these cases, its revenue is down proportionately. That notwithstanding, the clerk's collection efforts have been so successful that revenue for the year is up for the court as a whole. As a result, this court continues to contribute more funds to the city than it spends under its annual budget allocation.

While this report concerns itself with the financial aspects of its operations, this court understands and regards the administration of justice as its primary function. I personally feel that I have an on going obligation to continually improve all aspects of the court in an effort to ensure the fair and expeditious handling of its cases. To that end I have, in 1995: (1) restructured housing court; incorporating a system by which the court can make a statistical analysis of the effect of its changes. (2) implemented new methods of operation in the probation department to help handle the substantial increase in its domestic violence case load and (3) created a guide to small claims court to help litigants understand small claims court procedures.

Notwithstanding the court's successful collection efforts, concerns remain with respect to the narrowing gap between the income generated by this court and its budget; a trend first noted by Judge Hunter. This court will, of course, continue to address those concerns in a manner that will not impede its primary purpose which is the administration of justice.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Lynn C. Toler', is written over the typed name below.

Lynn C. Toler, Judge

Case Filings

1995

JANUARY

New Cases

	A	B	C	D	E	F	G	H	I
	Felonies	Misdemeanors	O.M.V.I.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	Small Claims
	12	89	6	1049	7	42	32	5	44
	5	13	1	61	-0-	-0-	-0-	-0-	-0-
	18	120	9	727	2	54	23	11	50
	3	12	1	80	-0-	-0-	-0-	-0-	-0-
	22	311	6	810	5	49	27	25	145
	1	27	0	119	-0-	-0-	-0-	-0-	-0-
	12	150	2	697	7	30	29	23	48
	3	14	0	74	-0-	-0-	-0-	-0-	-0-
	23	200	9	817	2	36	35	17	44
	2	27	0	62	-0-	-0-	-0-	-0-	-0-
	17	199	3	748	8	37	24	4	38
	2	16	1	63	-0-	-0-	-0-	-0-	-0-
	21	223	2	496	8	65	32	3	49
	1	19	0	60	-0-	-0-	-0-	-0-	-0-
	19	280	2	942	7	68	34	8	33
	2	21	0	117	-0-	-0-	-0-	-0-	-0-
	29	173	3	1097	5	43	18	14	43
	3	43	0	86	-0-	-0-	-0-	-0-	-0-
	16	190	2	1332	4	59	25	33	26
	4	23	0	125	-0-	-0-	-0-	-0-	-0-
	17	150	4	1209	4	56	18	13	37
	-0-	22	0	138	-0-	-0-	-0-	-0-	-0-
	15	141	5	1176	4	19	11	10	49
	-0-	19	1	114	-0-	-0-	-0-	-0-	-0-
	221	2226	53	11100	63	558	308	166	606
	26	256	4	1099	-0-	-0-	-0-	-0-	-0-

GRAND TOTAL:

247 2482 57 12199 63 558 308 166 606

These statistics are compiled from monthly reports submitted to the Supreme Court of Ohio under Superintendence Rule 12. Multiple charges filed against an individual as the result of the same act or series of acts is only counted as one case. Reactivated cases are those brought back onto the docket when the Court regains jurisdiction over a defendant such as an arrest on warrant. Individual criminal and traffic charges appear elsewhere in this report.

TRAFFIC OFFENSES BY CHARGE 1995

Assured Clear Distance.....	289
Bicycle/Skateboard.....	26
Child Restraint.....	20
Driving Under Suspension.....	179
Driving Under the Influence of Alcohol/B.A.C.....	74
Failure to Control.....	152
Failure to Yield.....	204
Fleeing.....	7
Hit Skip/Leave Scene.....	47
Improper Left Turn.....	254
Improper U-Turn.....	94
Improper Passing.....	107
Left of Center.....	28
Operator License Violations.....	1,498
Reckless Operation.....	13
Speed.....	525 3,173
Stop Sign.....	756
Traffic Control Device.....	718
Other Moving Violations.....	267
Parking, complaints filed.....	1,128
Registration/Title/Plates.....	2,173
Unsafe Vehicle.....	143
Rear View Mirror.....	0
Muffler.....	341
No Plate Light.....	1,013
Other Light Violations.....	2,984
Seat Belt.....	357
TOTAL CHARGES 1995:	13,461

TOTAL CHARGES 1993: 20,445

TOTAL CHARGES 1994: 19,152

16,655

16,655

These figures and those on the preceeding page represent the number of criminal complaints and the number of traffic tickets plus parking complaints actually filed with the court during the year 1995. The number of cases filed are on the Supreme Court Report Chart starting this section. The Rules of Superintendence for Municipal and County Courts provide that multiple offenses arising from the same incident by the same defendant be given only one case number and counted only as one case for the purpose of the monthly reports to the Supreme Court of Ohio. This is the basis for the difference between the number of CASES and CHARGES. There are always more charges than cases under this method.

CRIMINAL OFFENSES BY CHARGE 1995

Abduction/Unlawful Restraint.....1	Municipal Income Tax.....38
Alcohol/Underage.....53	Number of Occupants.....5
Animals.....15	Obstructing Official Business..10
Arson.....1	Occupancy Permit.....153
Assault.....70	Open Container.....51
Felonious Assault.....15	Park Regulations.....8
Bad Checks.....8	Public Indecency.....2
Breaking & Entering.....9	Rape.....5
Burglary.....1	Receive Stolen Property.....36
Agg. Burglary.....18	Resist Arrest.....34
Att. Agg. Burglary.....2	Robbery.....18
Building.....73	Agg. Robbery.....8
Business Maintenance.....26	Scavaging.....4
Carrying Concealed Weapon.....7	Sexual Battery.....1
Child Endangering/Corruption or	Sexual Imposition.....1
Contributing to Delinquency..14	Solicitation.....13
Criminal Damaging.....15	Stalking.....2
Criminal Mischief.....20	Telephone Harassment.....6
Criminal Tools.....8	Theft--Petty.....261
Contempt.....4	Theft--Grand.....1
Credit Cards.....2	Trespass.....85
Complicity.....3	Agg. Trespass.....1
Disorderly/Disturb Peace.....182	Unauthorized Use of a
Dog/Cat Run at Large.....24	Motor Vehicle.....8
Dogs/Vicious.....5	Unreasonable Noise.....32
Domestic Violence.....276	Vandalism.....5
Drugs.....12	Violation of a Protection
Agg. Drug Trafficking.....1	Order.....7
Drug Instruments.....9	Weapons Prohibited.....6
Falsification.....3	Zoning.....63
Firearms.....16	
Fire Code.....5	TOTAL CHARGES FILED: 2,657
Fireworks.....4	
Fleeing/Escape.....3	Total Charges 1994: 2,531
Forgery.....8	Total Charges 1993: 2,646
Health Codes.....8	
Housing.....651	
Intoxication.....74	
Importuning.....1	
Induce Panic.....1	
Kidnapping.....1	
Liquor.....4	
Littering/Handbills.....8	
Marihuana.....32	
Marihuana Trafficking.....6	
Menacing.....2	
Agg. Menacing.....17	
Misidentification.....34	
Miscellaneous.....37	
Murder/Aggravated.....2	
Att. Murder.....2	

**CRIMINAL/TRAFFIC BRANCH
RECEIPTS AND DISBURSEMENTS FOR 1995**

Adjusted Balance on Hand January 1, 1995	\$ 29,397.00
Receipts 1995	<u>\$1,137,408.23</u>
TOTAL	<u>\$1,166,805.23</u>

DISBURSEMENTS:

	1993	1994	1995
City of Cleveland Heights			
* Fines	\$	\$ 507,641.72	\$ 534,590.69
* Costs	\$639,778.61	\$ 114,170.50	\$ 137,123.98
Housing	\$ 11,212.00	\$ 9,806.00	\$ 7,216.00
Computer Fund	\$ 51,509.00	\$ 56,508.50	\$ 67,424.50
Drug Fines	\$ -0-	\$ 705.50	\$ 417.00
Witness/Jury Reimbrs	\$ -0-	\$ 375.50	\$ 1,899.00
Unclaimed Funds	\$ -0-	\$ 18,116.19	\$ 967.00
Sub-Total	<u>\$714,571.93</u>	<u>\$ 707,323.91</u>	<u>\$ 749,638.17</u>

Cuyahoga County			
* Regular Fines	\$	\$ 6,635.00	\$ 18,796.00
* Uniform Traffic Fines	\$ 26,711.50	\$ 28,004.00	\$ 24,597.00
* 1/2 Liquor Fines	\$	\$ 456.50	\$ 909.00
Witness/Jury Reimbrs	\$ -0-	\$ 40.85	\$ 944.00
Sub-Total	<u>\$ 26,711.50</u>	<u>\$ 35,136.35</u>	<u>\$ 45,246.00</u>

State of Ohio			
RRF/Victims Fund	\$ 85,711.50	\$ 80,052.00	\$ 90,336.93
GRF/General Fund	\$ 97,225.00	\$ 97,932.57	\$ 101,983.00
* Seat Belt	\$	\$ 690.00	\$ 5,776.00
* Expungements	\$	\$ 510.00	\$ 450.00
* 1/2 Liquor Fines	\$ 3,851.50	\$ 456.60	\$ 909.00
Pharmacy Board (Drug)	\$ -0-	\$ 86.50	\$ 99.00
Sub-Total	<u>\$186,833.00</u>	<u>\$ 179,727.67</u>	<u>\$ 199,553.93</u>

Other Disbursements			
County Law Library	\$ 780.00	\$ 585.53	\$ 591.48
Misc. Agencies/Trans	\$ -0-	\$ 100.00	\$ 891.00
DUI Housing Fund**	\$ -0-	\$ 942.00	\$ 1,072.00
DUI Arrest Agency**	\$ -0-	\$ 1,591.00	\$ 1,295.00
DUI Indigent Fund	\$ -0-	\$ 1,675.00	\$ 1,100.00
Refunds	<u>\$159,749.78</u>	<u>\$ 108,162.54</u>	<u>\$ 121,455.65</u>
Sub-Total	<u>\$160,529.78</u>	<u>\$ 113,056.07</u>	<u>\$ 126,405.13</u>

GRAND TOTALS	\$1,088,646.21	\$1,035,244.00	\$1,120,843.23
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Balance on Hand December 31, 1995	\$ 45,962.00
TOTAL	<u>\$1,166,805.23</u>

* These 1993 figures were not broken down on the report issued by the previous administration. Amount shown is combined.

** Money from these two funds goes directly into accounts for the Cleveland Heights Police Department for future DUI education and enforcement.

CIVIL/SMALL CLAIMS BRANCH
RECEIPTS AND DISBURSEMENTS FOR 1995

Balance on Hand January 1, 1995		\$ 2,516.15
Receipts, 1995		<u>\$390,225.02</u>
	TOTAL	<u>\$392,741.17</u>

DISBURSEMENTS:

	1993	1994	1995
City of Cleveland Heights			
Costs	\$ 87,130.67	\$ 92,411.50	\$ 85,119.66
Computer Fund	\$ 29,293.00	\$ 31,977.50	\$ 33,269.50
1% Legal Aid	\$ 165.18	\$ 220.37	\$ 189.85
Unclaimed Funds	\$ -0-	\$ 8,166.35	\$ 650.22
Bailiff Fees	\$ -0-	\$ -0-	\$ 95.00
Sub-Total	<u>\$116,588.85</u>	<u>\$132,775.72</u>	<u>\$119,324.23</u>
State of Ohio Legal Aid	\$ 16,518.15	\$ 21,816.63	\$ 18,795.15
Judgements and Refunds	<u>\$371,294.36</u>	<u>\$327,783.32</u>	<u>\$251,599.64</u>
Sub-Total	<u>\$387,812.51</u>	<u>\$349,599.95</u>	<u>\$270,394.79</u>
GRAND TOTALS	\$504,401.36	\$484,891.82	\$389,719.02

Balance on Hand December 31, 1995		<u>\$ 3,022.15</u>
	TOTAL	<u>\$392,741.17</u>

**CIVIL/TRUSTEESHIP BRANCH
RECEIPTS AND DISBURSEMENTS FOR 1995**

Balance on Hand January 1, 1995		\$	-0-
Receipts 1995		\$	<u>-0-</u>
	TOTAL	\$	-0-

DISBURSEMENTS:	1993	1994	1995
City of Cleveland Hgts	\$ 273.35	\$ 67.32	\$ -0-
To Creditors	\$11,434.15	\$ 3,093.73	\$ -0-
Return to Depositor	<u>\$ -0-</u>	<u>\$ 204.95</u>	<u>\$ -0-</u>
TOTALS	\$11,707.50	\$ 3,366.00	\$ -0-

Balance on Hand December 31, 1995		\$	-0-
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**CIVIL/LANDLORD-TENANT BRANCH
RECEIPTS AND DISBURSEMENTS FOR 1995**

Balance on Hand January 1, 1995		\$	1,182.00
Receipts 1995		\$	<u>8,578.00</u>
	TOTAL	\$	9,760.00

DISBURSEMENTS:	1993	1994	1995
City of Cleveland Hgts	\$ 120.97	\$ 469.70	\$ 102.25
To Landlords	\$16,045.13	\$39,234.55	\$ 4,807.95
To Tenants	\$ 1,625.88	\$ 2,443.23	\$ 4,175.10
Repair/Maintenance paid by Court Order	<u>\$ 9,499.05</u>	<u>\$ 8,470.00</u>	<u>\$ 674.70</u>
TOTALS	\$27,291.03	\$50,617.48	\$ 9,760.00

Balance on Hand December 31, 1995		\$	-0-
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MISCELLANEOUS ITEMS

There were 1,830 garnishments filed on civil and small claims actions.

The Landlord Tenant Division received 9 new cases and all 9 were disposed of in 1995.

No Trusteeship cases were filed in 1995

Judge Toler performed 9 weddings during the year.

There were 18 jury trials during 1995.

The criminal division issued 1,513 license forfeitures on persons who did not appear for court or did not pay their fine and costs. Approximately 400 persons took care of their forfeitures before the suspension dates became effective and 319 reinstatements were sent to the BMV for those who took care of their forfeitures after the suspension date.

The Bureau of Motor Vehicles returned \$950.00 to the Court which was collected from DUI reinstatement fees collected by the BMV. This money was deposited in the DUI Indigent Fund as per State Statute.

Recap of money paid to the City from all divisions for the last three years:

	1993	1994	1995
Criminal/Traffic	\$ 714,571.93	\$ 707,323.91	\$ 749,638.17
Civil/Small Claims	\$ 116,588.85	\$ 132,775.72	\$ 119,324.23
Trusteeship	\$ 273.74	\$ 67.32	\$ -0-
Landlord/Tenant	\$ <u>120.97</u>	\$ <u>469.70</u>	\$ <u>102.25</u>
TOTALS	\$ 831,555.50	\$ 840,636.65	\$ 869,064.65

This report includes the December 1995 disbursement even though that money was not paid out until January 1996.

TO: Judge Lynn C. Toler
 FROM: James Miller
 Chief Probation Officer

RE: PROBATION ACTIVITY, 1995

I. PRESENTENCE INVESTIGATIONS/ PROBATION VIOLATIONS, 1995
 (1994 number in parenthesis, for comparison)

Presentence Investigation Reports:	572	(362)
Probation Violation Reports:	88	(72)
Expungment Reports:	16	(15)
Diversion Reviews:	18	(40)
Total Reports Prepared:	694	(494)

II. SUPERVISION CASELOAD, on December 31, 1995

	<u>12-31-93</u> <u>Caseload</u>	<u>12-31-94</u> <u>Caseload</u>	<u>12-31-95</u> <u>Caseload</u>	<u>% Change</u> <u>1994-95</u>
Active (Supervised):	222	252	333	32%
Inactive (Non- Supervised):	421	282	324	14
Post-sentence Warrants Outstanding:	53	140	162	16

III. SUPERVISION, 1995 Inclusive

(1995 numbers in parenthesis, for comparison)

Total active probation cases, supervised, Jan.-Dec. 1995, inclusive:	713	(482)
Total inactive probation cases, Jan.-Dec. 1995, inclusive:	531	(492)
New active probation cases added in 1995:	458	(281)
New inactive probation cases added in 1995, (including probation cases previously active):	396	(266)
Number of probation cases (active/inactive), <u>on</u> <u>12-31-95</u> , whose sentences also included Jail Time, with % of caseload:	171	26% (119 -22%)

Supervision Caseload, per Probation Officer:

<u>On 12-31-93</u>	<u>On 12-31-94</u>	<u>On 12-31-95</u>	<u>% Inc. 94-95</u>
111	126	167	33%

IV. MAJOR OFFENSES OF PROBATIONERS, on supervision, Dec. 31, 1995 (1994 number in parenthesis, for comparison)

	<u>No. of Cases</u>	<u>% of Cases</u>	<u>Cum.%</u>
Domestic Violence	98 (55)	29 (12)	29%
Petty Theft/RSP	64 (44)	19 (18)	48
OMVI	47 (55)	14 (21)	62
Assault	33 (32)	10 (13)	72
Disorderly Conduct	20 (14)	6 (06)	78
Trespassing	15 (10)	5 (04)	83
Criminal Mischief	8	2	85
Menacing & Harrassing	7 (08)	2 (03)	87
Intoxication	7 (12)	2 (05)	89
Driving Under Suspension	6 (18)	2 (07)	91
Concealed Weapons, etc.	5	2	93
Drug Abuse/Instruments	3	1	94
Other	19	6	100

V. PROBATION REFERRALS, in Dec. 31, 1995 Caseload
(As required by Court under Conditions of Probation)

ALCOHOL/DRUG

Alcohol/Drug Treatment, including Driver Inter- vention Programs; AA, NA, CA:	99
Vehicle Interlock, with Breathalyzer:	1
Electronic Home Monitoring	1

VIOLENCE

Batterers intervention programs	73
Carrying Concealed Weapons program	4
Geographic Restrictions	5
Dog Offense Restrictions	3
Restitution	23

THEFT

Economic Crime Program	40
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COUNSELING

Psychiatric therapy/evaluation	20
Sexual Disorders therapy	1
Parenting Classes	1
Family Counseling	2

EMPLOYMENT/EDUCATION

Maintain fulltime school and/or employment	8
Obtain GED	9

COMMUNITY SERVICE

Community Service referrals, as of 12-31-95	81
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VI. RESTITUTION/ COMMUNITY SERVICE, 1995 inclusive
 (1994 number in parenthesis, for comparison)

Restitution transferred to Victims, 1995: \$4,586.35 (\$2,033.86)

Community Service referrals to Court Community Service, 1995:	162	(103)
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Community Service, total hours ordered, in 1995:	5,303	(3,642)
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Total hours scheduled in Cleveland Heights non-profit agencies, through Court Community Service:	3,497.50	(2,828.75)
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SERVING THE COURT IN AN OFFICIAL CAPACITY DURING 1995 WERE:

Lynn C. Toler, Judge
Maria F. Hallabrin, Clerk of Court
William E. Uzl, Bailiff

Ranelle Gamble, Acting Judge
Mark L. Hoffman, Acting Judge
Lynn Kelley, Acting Judge
Alan H. Kraus, Acting Judge
Joy Savren, Acting Judge

Georgeann Schmidt, Referee/Magistrate
Dale Lefferts, Referee/Magistrate
Gary Axner, Volunteer Referee
Robert Vecchio, Volunteer Referee

Lincoln Scott, Housing Officer

Nancy Simpson, Deputy Bailiff
Ken Sutherland, Deputy Bailiff

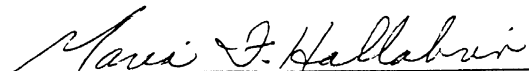
JoAnn Gallitto, Chief Deputy Clerk/Civil Division
Ann Ludwig, Chief Deputy Clerk/Criminal Division

Bettie Ballard, Civil Deputy Clerk
Nichole Burke, Civil Deputy Clerk
Irene Humanchuk, Criminal Deputy Clerk
Lisa Little, Criminal Deputy Clerk
Carole Motyka, Criminal Deputy Clerk
Jeanette Politi, Civil Deputy Clerk
Amy Satterwaite, Criminal Deputy Clerk
Rochelle Smith, Criminal Deputy Clerk
Tawanda Smith, Criminal Deputy Clerk

Kathy Hayes, Law Clerk until 8/13/95
Amy Trejbal, Law Clerk

James Miller, Chief Probation Officer
Valinda Garner, Probation Officer
Celeste Corbin, Probation Office Secretary

This report covers all operations, employees, income and disbursements of the Cleveland Heights Municipal Court as verily prepared.



Maria F. Hallabrin, Clerk of Court