

AKRON MUNICIPAL COURT 2001 Annual Report



Hon. John E. Holcomb, Alison McCarty, Lynne S. Callahan, Carla D. Moore, Presiding Judge Elinore Marsh Stormer, Marvin A. Shapiro

FOREWORD

Progress was the hallmark for the year 2001 in the Akron Municipal Court. The creation of a court website, the addition of a new specialty court, and the renovation of six courtrooms marked just a few of the innovations brought about in 2001.

The Akron Municipal Court represents the people of Akron, Fairlawn, Bath, Richfield, Springfield, Lakemore and the Summit County portion of Mogadore. A total of 58,462 new cases were filed in 2001. The total number of criminal cases filed was 13,789. The total number of civil cases filed was 10,033, plus an additional 1,968 cases filed in small claims court. Additionally, 32,672 traffic cases were filed. Overall, the court disposed of 57,807 cases in 2001.

In its continuing effort to make the court more accessible to the citizens it serves, the Akron Municipal Court introduced its own web site in 2001. The web site was created through the joint and cooperative efforts of the Court, the City of Akron Clerk of Courts, and City Hall. Currently, the web site provides useful information to the citizens about the court, and the services it provides. The site also allows citizens to access certain court records. Future plans for the site include such modernizations as allowing citizens to pay their fines through the web site.

Akron Municipal Court continues to be a nationwide leader in providing cost effective, quality alternatives to incarceration and litigation. In addition to Drug Court, Family Violence Court, and the Discretionary Rehabilitation Program (DRP), the year 2001 saw the addition of two new and effective alternatives to old methods of dealing with mental health issues and license suspensions. The Mental Health Court, which is presided over by Judge Elinore Marsh Stormer, is the first of its kind in the state of Ohio and one of a handful of such courts in the United States. The Mental Health Court was formed, in part, as a response to the overwhelming number of mentally ill offenders being seen in the Akron Municipal Court. The court provides a viable alternative to incarceration by requiring its participants to complete an intensive two year probationary period

which includes regular meetings with the judge and compliance with all mental health treatment related counseling requirements.

The year 2001 also saw the implementation of the License Intervention Program (L.I.P.) The program, under the direction of Magistrate Barbara Vassel, offers aid to persons caught up in bureaucratic difficulties which result in the suspension of their operator's license. These persons are assisted by Traffic Safety Officer Mick Williams and are given 120 days to come into compliance with all licensing requirements.

The Akron Municipal Court continues to play a role in problem-solving in the Summit County Justice System. Judicial Associate Laura Killian worked closely with representatives of The University of Akron School of Law to develop a mandatory court mediation program for small claims court cases. The program is expected to be up and running in January, 2002. Judges Lynne S. Callahan and Elinore Marsh Stormer were appointed to the County of Summit Criminal Justice Advisory Board. Additionally, a new position was created in the probation department to assist the judges in evaluating inmates for transfer from the often-crowded Summit County Jail. Vicki Litman moved from her receptionist position in the probation department to the new case-tracking position where she supplies the judges weekly reports of inmates who are serving Summit County Jail sentences and possible sentencing alternatives for which they qualify. These transfers, where appropriate, make available valuable jail space and save the tax payers thousands of dollars.

"Doing more with less" continued to be the theme for the Akron Municipal Court in 2001. Many physical improvements were made to the court including the modernization of six courtrooms, and the painting of the library and service bailiff's offices. By taking advantage of some predicted savings in salaries due to retirements, by cutting costs, and by reassigning some jobs, the court was able to save enough money to pay for the renovations without a budget increase or requesting capital expenditure funds.

HISTORY OF COURT

In 1910 the legislature established a police court in Akron vested with jurisdiction over offenses under the ordinances of the city and all misdemeanors committed within the limits of Summit County. It was made a court of record and was presided over by an attorney duly admitted to practice in this state.

In 1919 the legislature established the Akron Municipal Court with three sitting judges elected for four-year terms. In 1930 two judgeships were added to the court. In 1939 the legislature reduced the number of judges from five to four. A fifth judge was again made a member of the court in 1967 and the sixth judgeship was created in 1975. The judges now serve six-year terms.

The court now serves a jurisdiction which includes the cities of Akron and Fairlawn; the townships of Bath, Richfield, and Springfield; the villages of Lakemore and Richfield; and that part of Mogadore in Summit County.

In 1966 the court moved into the City-County Safety Building which was renamed the Harold K. Stubbs Justice Center in 1991 located in downtown Akron. The sitting judges are Judge Lynne S. Callahan, the Presiding / Administrative Judge for 2000, Elinore Marsh Stormer, Alison McCarty, Carla D. Moore, Marvin A. Shapiro, and John E. Holcomb.

PROBATION DEPARTMENT



Probation Department Staff.

The Probation Department headed by Chief Probation Officer Jim Ward and Deputy Chief Probation Officer Jill Forster came into 2001, after a year filled with retirements and staff changes, hoping for a

calmer year. The department got just that. The only staff departure occurred when Candace Rising, Probation Secretary, left to join her husband serving in the U.S. Air Force.

Below are listed some important departmental statistics for 2001:

4640	offenders were referred by the judges and the traffic magistrate for various correctional services and specialized court services.
246	Presentence Investigations referrals were received.
272	Summary Presentence Investigation referrals were received.
409	persons were placed on traditional probation...
286	(70%) were placed on Direct Probation without a Presentence Investigation.
\$45,206.91	was collected and disbursed by the Restitution Coordinator.
2328	community service placements were made.
155	defendants entered the Family Violence Court, with a retention rate of 86%.
75	defendants entered the Drug Court with a retention rate of 83%.
147	defendants entered the Mental Health Court for screening, 94 were admitted into the program with a retention rate of 72%.
561	defendants were screened for the Discretionary Rehabilitation Program...
447	were found to be eligible and approved, with a retention rate of 70%.



JUDGE LYNNE S. CALLAHAN is a graduate of University of Akron and the University of Akron School of Law. She has served as an Akron police officer, an Assistant Director of Law and an Assistant Summit County Prosecutor. She was appointed Judge in May 1997, and elected to the bench in November 1997.



JUDGE JOHN E. HOLCOMB is a graduate of Baldwin-Wallace College and the University of Akron School of Law. In the past, Judge Holcomb served as Director of Law for the City of Akron and also served as a member of the Ohio State Board of Education as well as the Akron Board of Education.



JUDGE ALISON McCARTY graduated from Wheaton College and Wake Forest University School of Law. She served as an Assistant Summit County prosecutor handling felony criminal cases. She was appointed Judge in May, 1999, and elected to the bench in November, 1999.



JUDGE CARLA D. MOORE, an Akron native, earned her undergraduate degree from the University of Akron and her law degree from the Ohio State University College of Law. She has served as Municipal Court Judge since her appointment in June of 1989.



JUDGE MARVIN A. SHAPIRO, lifetime Akron resident, earned his Bachelor of Arts degree from the University of Akron in 1960 and his Juris Doctorate degree at the University of Akron in 1965. He has served the Akron Municipal Court since January of 1991.



JUDGE ELINORE MARSH STORMER graduated from Davidson College with an undergraduate degree in history. She earned her Juris Doctorate from the University of Akron graduating in the top of her class. She was elected to the bench in 1991, re-elected in 1993 and 1999.

Family Violence Court



Judge Callahan speaks with program participant.

It has been twenty years since the Ohio General Assembly first enacted the Ohio Domestic Violence Act. In the ensuing years, domestic violence arrests have been one of the fastest growing cases on court dockets throughout Ohio. Summit County, including the Akron Municipal Court district, has been no exception. In 1996, there were 1,536 filings and in 2000, 2,125 filings under a domestic violence statute in the Akron Municipal Court.

The Family Violence Court was implemented in April, 1998 in response to the growing number of domestic violence cases, the need to provide a sanctioning option to reduce jail crowding, the desire to address both victim and offender needs, and the desire to enhance probation supervision and to protect the public safety.

Akron's Family Violence Court is a domestic violence diversion program, the only one of its kind in Ohio, and one of very few throughout the country. The Family Violence Court was made possible from a grant from the Office of Criminal Justice Services. The actual program is the combined brain-child of the Oriana House, Inc., the Akron Municipal Court and its probation department, Akron's prosecutor's office and police department, the

Summit County Prosecutor's Office, Victim Assistance, the Battered Women's Shelter, and the Public Defender's Office. The program provides increased supervision of the offender as well as increased coordination of services. Judge Lynne S. Callahan presides over the Family Violence Court.

Under the terms of the grant, the program is currently open to 250 qualified participants. Offenders who enter the Family Violence Court program are required to complete a twenty-six week violence cessation program, as well as case management, one year of probation, drug and alcohol testing and counseling, when needed, and employment counseling, when needed. Victims are urged to attend the Early Intervention Program and Stop the Cycle at the Battered Women's Shelter and have access to a victim advocate through every step of the proceedings.

Participants are closely monitored throughout the one year term of the program. Rewards or sanctions are handed out by Judge Callahan, as required. Participants who comply with all of the program requirements and successfully complete the program are eligible to have their cases dismissed at the end of the year. 600 people have been admitted to the program since April, 1998.

Drug Court

The Akron Municipal Court Drug Court Program, begun in 1995, reflects the collaboration of the municipal and common pleas judges, the city and county prosecutors, the defense bar, Oriana House and the treatment community. This program targets Felony-5 cocaine offenders who meet certain screening criteria. The offender

SPECIALTY COURTS

pleads no contest to attempted drug abuse, a misdemeanor, and enters a year-long program of

treatment and case management. Treatment may be outpatient or residential. Case management may include education, training and employment. Frequent drug testing is an integral component of the program.

Judge Marvin A. Shapiro presides in Drug Court, holding weekly hearings to oversee client progress and to impose sanctions and positive reinforcement as warranted. The offender who commits a new felony is terminated from the program and incarcerated. If the offender successfully completes treatment and case management, his or her case is dismissed.

Since 1995, more than 880 offenders have been diverted from Common Pleas Court, resulting in accelerated prosecution, as well as cost reduction in the form of reduced police, grand jury and adjudication time. In 2000, 133 offenders were admitted to Drug Court. 130 continue in treatment, a retention rate of 76%.



Judge Shapiro overseeing Drug Court as Chief Jim Ward looks on.

Mental Health Court



Judge Stormer speaks with program participant.

Akron Municipal Court Mental Health Court began operation on 1/2/01, the first in the State of Ohio and 5th in the United States. The Mental Health Court (MHC) was the product of the observations of Judge Elinore Marsh Stormer in Drug Court, where she saw many defendants with co-occurring disorders of drug abuse and mental illness. The court is a 2 year voluntary program, using the Drug Court model. The Court is a cooperative arrangement with Akron Municipal Court, the Akron Police Department, City of Akron Prosecutor's Office, Public Defender, Veterans Addiction Recovery Center, and the Alcohol Drug and Mental Health Board and its affiliate agencies: Community Support Services, Portage Path Behavioral Health, Oriana House, Community Health Center, Psycho Diagnostic Clinic, and Summit Psychological Associates. The Court began with 3 clients and 1 case manager and, over the next 12 months, helped identify and divert 147 persons with mental illness who were involved in the criminal justice system. Mental Health Court has provided treatment to 94 persons and, at the end of the year 2001, had 68 active clients and 6 case managers. Tony Ingram is the coordinator of the Court.

SERVICES BAILIFF HIGHLIGHT 2001

The Service Bailiffs' Office is comprised of 6 Service Bailiffs, 2 Court Secretary/Court Records Officers, an Office Manager, and the Chief Bailiff. This office is charged with the respon-



Chanin Holland, Cheryl Price and David Soder starting this day.

sibility to perform Evictions, Levies, Replevins, conduct Bailiff Sales, remove clubs, and provide personal service of all court documents generated by The Akron Municipal Court that require individual service. Unlike the courtroom bailiffs who perform their duties in the courtroom, the Service Bailiffs go out into the community to do their job.

The Outside Bailiffs travel throughout Summit County, into virtually every segment of society to serve Bank Aids, F&D's, Garnishments, Mandatory Orders, Show Causes, Small Claims, Subpoenas, and Summons. They also perform Evictions, Levies, Replevins, conduct Bailiff Sales, and remove clubs from vehicles immobilized by Akron, Richfield, Bath, Fairlawn, Lakemore, Springfield and Cuyahoga Falls Police Departments.

The Bailiffs traveled 58,479 miles to 22,231 locations, served 11,299 papers, conducted 1,971 evictions, 160 emergency replevins, 87 forced entry replevins, performed 304 levies, and removed 121 clubs, on behalf of the Akron Municipal Court in 2001.

The Service Bailiffs are continually cross trained in various judicial assignments, since they are called upon to substitute for absent Personal Bailiffs and other court personnel on a daily basis. Service Bailiffs provide personnel to the county jail to staff the video arraignment department weekly, Monday through Saturday.

Court Secretary Relief Bailiffs

Vivian Tomko and Kelly Warner

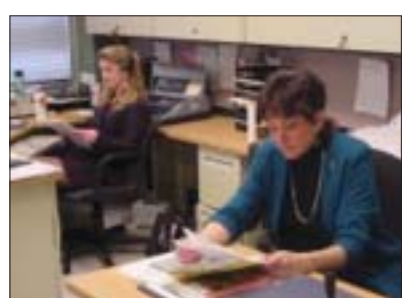
are the Court Secretary/Relief Bailiffs who are charged with the primary function to provide secretarial assistance for the judges, law clerks, and the Probation Department. They also provide duplicate court record audio tapes when requested, and perform transcription work involving the preparation of verbatim testimony.

Vivian and Kelly also serve as the Municipal Court wedding coordinators. This is a service our court provides to area residents for a nominal fee. Weddings are scheduled in person here throughout the week, and Friday mornings are always busy preparing the licenses, notifying the judge, and escorting the eight or more couples, often accompanied by family and friends, to the courtroom to exchange their vows. Akron Municipal Judges performed a total 405 wedding ceremonies in 2001.

Both the Municipal Court and the Clerk of Courts depend upon Court Secretary/Relief Bailiffs to supervise the random lot assignment and any subsequent transfers of all cases to individual courts. The judges rely upon this office for accurate data entry in managing their dockets. At the end of the month, this information is used to compile the Ohio Supreme Court Individual Judge Reports, which is then generated through this office.

This office is also responsible for the entry of civil court date information and the subsequent mailing of notices to all parties. The information is then forwarded to the Akron Legal News for publishing. On the average, 200-300 notices are mailed weekly.

Like the Service Bailiffs, the Court Secretary/Relief Bailiffs are qualified to replace personal bailiffs, as well as personnel in felony, traffic, family violence, drug, mental health, and small claims courts on a scheduled or



Kelly Warner and Vivian Tomko processing cases.

emergency basis for vacations or personal leave. In the year 2001 the Service Bailiffs teamed up with the Court Secretary/Relief Bailiffs to provide a total of 3,156 other duty or substitute hours to Akron Municipal Court. This averages out to 1.5 Employees per day.

year. These requests include report requests, data entry questions, PC/printer problems, communication problems, program change requests, control file updates, and others. Some requests can be completed within minutes. Others take days or weeks. Our department is on call 24 hours a day, seven (7) days a week to support court personnel.

Our major areas of focus for the coming year are: completing our web site and case lookup system; completing automation of our Probation department; and continuing to convert our proprietary network infrastructure to the city's network



Larry Lee and Peter Spearing loading new software.

infrastructure. We continue to find ways of streamlining the operations of our department. We are always looking at new technologies that we can use to enhance the operation of the court.

ARRAIGNMENT ROOM

Arraignments of misdemeanor and felony prisoners are heard in the mornings in the Arraignment Room. Thanks to interdepartmental cooperation between the Akron Municipal Court, Summit County Sheriff's Office and the Akron Police Department, the video arraignments run very smoothly and effectively. State-of-the-art equipment allows the Judge to see and hear the defendant while the defendant monitors activity in the courtroom, eliminating the costs and manpower to transport those prisoners to the Court.

The Direct Indictment Program (DIP) began November 1, 1996 and is a cooperative effort between the Akron Police Department, Akron City Prosecutor's Office and the Summit County Prosecutor's Office to present criminal cases to the Grand Jury within the 10 day period allowed to hold a preliminary hearing in Municipal Court. By the Grand Jury acting on the case promptly, the preliminary hearing is eliminated. This process cuts the delay in transferring cases between the Courts.

Misdemeanor arraignments are held in the Arraignment Room in the afternoons. All misdemeanor summons, early releases from Summit County Jail

and bond outs are scheduled for appearance in the afternoon. If the defendant pleads not guilty, they are then lotted out to one of our six Judges for future hearings. If the defendant enters a no contest or guilty plea, the Judge proceeds with sentencing.

The Court instituted a Discretionary Rehabilitation Program (DRP), an alternative program for first time misdemeanants. The program is intended for first time offenders charged with a non-violent criminal offense. After a check for any past record, the Prosecutor makes a recommendation to the Judge of the applicant's suitability for admission to the program. The program fee of \$175 includes the cost of sealing the record and court appearances. The applicant must complete five treatment sessions of 1-1/2 hours each. These sessions provide information regarding the court system, general principals of problem solving, review of chemical dependency/abuse issues, anger management and establishing ethical values and individual responsibility. The sessions must be completed within 90 days. Upon the successful completion of the program the charge is dismissed and the record is ordered sealed.

DATA PROCESSING

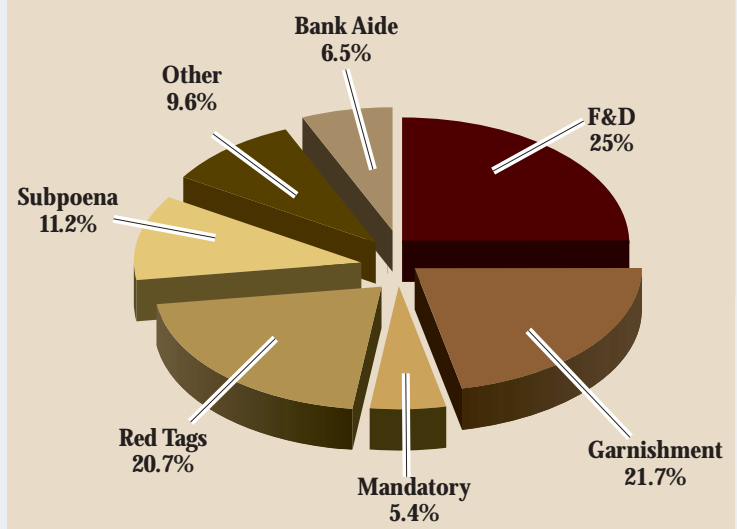
The Data Processing Department is composed of the Data Processing Manager, the Assistant Data Processing Manager, a Programmer/Analyst, and the System Operator / Secretary.

Our main focus this year was the creation of a web site for the Court. The Court hired MAPSYS Corporation to implement a web based case inquiry system that was originally developed for Clark County Municipal Court. Several improvements were added to the original software. The site will go live in the first quarter of 2002. Our Probation Department was connected to the City of Akron's network and Probation Officers were given e-mail and Internet access. We worked with several area justice agencies in developing a connection point between agencies. We now have an application that updates the Akron Police Department with warrant information in near real-time. We

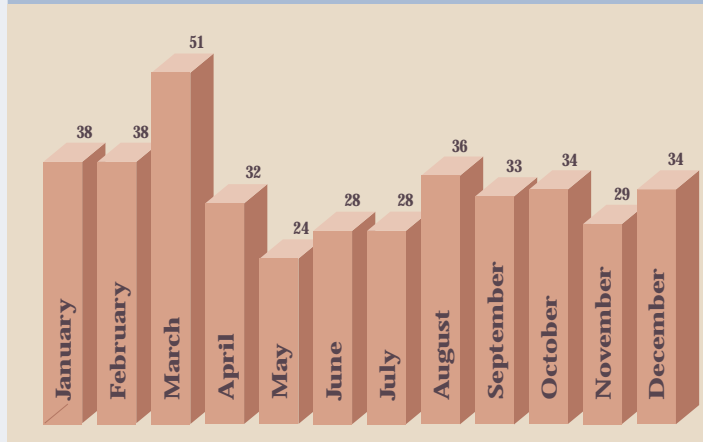
purchased and installed a firewall between our network connections and our main computer system. Significant work was done in creating a Restitution tracking system in the Probation Department. The Clerk's office replaced aging dot-matrix printers with laser printers to increase the speed and decrease the noise of printing complaints, bonds, court appearance sheets, subpoenas and other documents. We upgraded the operating system of our main court system. This was necessary to implement our web project. The Judges, their bailiffs, Probation Department personnel were given access to the County Jail System.

One of the primary functions of the Data Processing Department is supporting the users of the court's computer system. We received 120 requests for changes or reports during the year. 109 were completed within the

2001 COURT PAPERS SERVED



2001 WEDDINGS



JIM LARIA AND STAFF BREAK RECORDS IN COURT COLLECTIONS



JIM LARIA, has been Clerk of Courts since January 1, 1997. Laria is a graduate of The University of Akron and the National Judicial College as a Court Administrator. Jim was an elected member of the Akron School Board and has worked in our court systems for more than 23-years, serving as the Chief Deputy Clerk of the Akron Municipal Courts and Court Administrator for the Summit County Probate Court. Jim Laria was elected by his peers as 1st Vice President of the Northeastern Ohio Municipal Court Clerk's Association.

JIM LARIA AND STAFF CONTINUE TO BREAK RECORDS IN COURT COLLECTIONS

JIM LARIA, Akron Municipal Clerk of Courts, and staff were busy in 2001 with record breaking collections of court funds.

The Clerk's Office total gross receipts exceeded the \$10 million dollar mark for the first time, with collections totaling \$10,055,719.00 for the fiscal year. This was an increase of \$595,228.00 over the previous high that was set in fiscal year 2000.

SMALL CLAIMS MAGISTRATES



Magistrates Thomas L. Lynett, Suzanne L. Stephens, James K. Reed

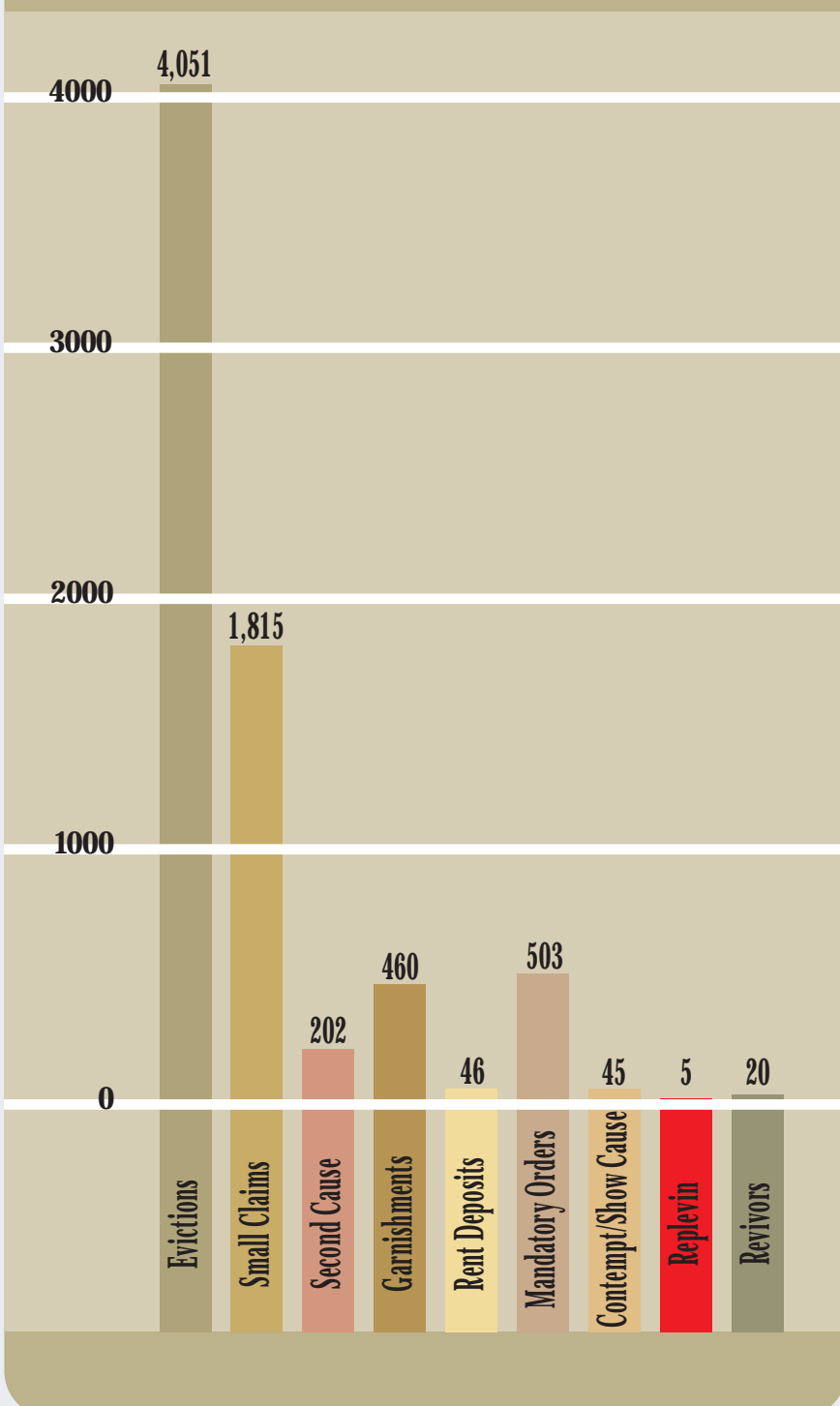
Small Claims Magistrates handle many types of cases. They hear evictions, small claim, rent deposits, garnishments/execution hearings,

mandatory orders, contempt/show cause, replevin and revivors. The magistrates also heard traffic arraignments.

The office is staffed by three part-time magistrates and two full-time employees as support staff. The magistrates are Suzanne Stephens, Thomas F. Lynett and James Reed. The support staff are Melissa Briggs and Barbara List.

The magistrates office handled over 7,000 civil cases along with traffic arraignments twice a week.

The following are the totals of cases scheduled before the Magistrates in 2001:



The Office continues to modernize and improve the work environment. For the first time since the building opened in 1966, the Clerk's area was carpeted and the walls were updated and painted. This helped to reduce the noise level and provide a more professional atmosphere.

Clerk of Courts Jim Laria was elected by his peers as 1st Vice President of the Northeastern Ohio Municipal Court Clerk's Association after serving as the past 2nd Vice President, Secretary and Treasurer. Laria has been elected Trustee of the statewide organization of the Ohio Association of Municipal Court

Clerks (OAMCC) and serves as Chairman of the important Education Committee.

In September of 2001, Akron hosted the Annual Fall Conference of the Ohio Association of Municipal Court Clerks attracting Clerk of Courts and their deputies for the three day conference. As OAMCC Education Chairman, Jim Laria was responsible for the education training and introducing innovational approaches to court management, record retention and collection of outstanding fines to more than 150 court leaders from around the State of Ohio.

TRAFFIC COURT



Magistrate Vassel taking a plea.

operator's license. This program has taken over 417 cases off of the Judges' dockets. Individuals who have corrected their license problems before making their initial appearance in Traffic Court can plead to the reduced charge, if they qualify, and not have to return to court for a pre-trial conference.

In 2001, the staff in Traffic Court personally handled and completed a total of 9,139 cases. Of those cases 237

The major news in Akron Municipal Traffic Court is the License Intervention Program (LIP). This program is an extension of the work that Mick Williams was completing as the Traffic Safety Officer. The LIP program allows a defendant, with a Driving Under Suspension (DUS) citation, who has valid FRA insurance at the time of the new citation, and who qualifies under the terms of the program, 120 days to clear all the problems with his/her Ohio Operator's License. If the Defendant is successful in clearing his/her license, the DUS is amended down to a No Operator's cite with no points placed on his/her driving record. A portion of the fine is also reduced. The program began in on February 1, 2001. As of December 31, 2001, 288 individuals, or 69% of the Defendants cleared all of their problems with their driving record and obtained a new license or reinstated their old

were DUI cases; 2,238 were DUS cases; 1,785 were other M-1 to M-4 cases; and 4,879 were minor misdemeanor cases. Overall the number of DUI and DUS cases decreased, while other M-1 to M-4 cases increased with minor misdemeanor cases remaining about the same. Traffic Court also processed all the cases when the individuals pled not guilty to all M-1 to M-4 cases. Those cases are then randomly lotted out to one of the six Municipal Court Judges. All of the individuals seen were from traffic violations for Akron, Bath, Fairlawn, Lakemore, the Summit County portion of Mogadore, Richfield and Springfield. In addition to arraignments and trials, the Traffic Court staff handles the procedure for granting driving privileges for individuals with Driving Under the Influence suspensions, Administrative License suspensions, and 12 point suspensions.

LAW LIBRARY



Judicial associate Laura Killian searching the internet.

The Law Library provides legal reference material for judges, magistrates, attorneys and litigants. The Library has reference material in book form and on CD-ROM as well as access to specialized legal databases on the Internet. Opinions from the U.S. Supreme Court, the Ohio Supreme Court and the 9th District Court of Appeals become available in the Library as soon as they are handed down, ensuring that decisions from the court are based on current law



Congratulations goes out to Anthony Ingram achieving employee of the month, October, 2001.

Visit us at: <http://courts.ci.akron.oh.us>