Local Rules of Court
Akron Municipal Court
Summit County, Ohio

AMC Rule No. 43.2. Specialized Dockets: Family Intervention Program

SEP 30 2013 PM '13
AKRON MUNICIPAL COURT
JIM LARRA
CLERK

(A) Establishment of Akron Family Intervention Program

(1) Pursuant to Sup. R. 36.20 through 36.29 and by order of the Judges of The Akron Municipal Court, effective September 23, 2013, the rules and guidelines of The Akron Municipal Family Intervention Program are hereby adopted.

(2) The Akron Municipal Family Intervention Program will hold participants charged with Domestic Violence accountable by providing immediate and appropriate substance abuse and mental health assessment and treatment, and facilitating behavioral change through the use of risk/needs assessments, referrals to appropriate community services, comprehensive case management and community supervision.

(3) The goals and objectives of The Akron Family Intervention Program are to:
(a) Reduce the cost of incarceration by tracking the costs savings in diverting jail bed days to community corrections based treatment and court supervision;
(b) Reduce the recidivism of Domestic Violence offenders to a rate of less than 20% (recidivism is defined as a new charge, conviction, and sentence resulting in a sentence of jail or prison incarceration);
(c) Have a successful graduation rate of 60% of admitted participants to the program which have complied with treatment plan for behavioral health needs;
(d) Link all participants to available community resources to reduce homelessness, unemployment, or provide benefits for disability; and,
(e) Treat victims with respect and dignity by providing them with a voice during the court process and providing victims with information regarding victim-related community resources.

(B) Placement in the Akron Family Intervention Program

(1) Individuals being considered for The Family Intervention Program must be adjudicated through the Akron Municipal Court and charged with Domestic Violence (M-1). Individuals referred to the Family Intervention Program must express a willingness to participate in Family Intervention Program Programming and engage in treatment.

(a) All individuals shall be screened by the Akron Municipal Court Probation Department. The Akron Probation Department screening unit will review the arraignment docket each day, Monday-Friday. The screening staff will complete the Family Intervention Program Preliminary Screening form on any offender charged with Domestic Violence. The screening form shall be placed in the court file for

further review with a copy being given to the Family Intervention Program Coordinator/Probation Officer.

(b) Offenders may also be referred from another Akron Municipal Court Judge, pre or post-adjudication, or by referral on a probation violation and/or early release from another Akron Municipal Court Judge.

(2) Legal Criteria: Any offender charges with Domestic Violence (M1) and adjudicated through the Akron Municipal Court.

(3) Exclusionary criteria include the following:
No prior violent felony convictions;
No more than one (1) non-violent felony conviction F-3 or higher;
No more than three (3) prior Assault or Domestic Violence misdemeanor convictions (including DV/Menacing, Aggravated Menacing, and Menacing by Stalking) within five (5) years;
Are on active probation, parole, or community control, No pending non-related felony cases;
No companion felony cases;
No use of a firearm in the instant case;
No prior successful completion of a Diversion program;
Must be a US citizen;
No pending violent misdemeanors;
No reasonable objection from the victim (objections to be reviewed by Chief Prosecutor or Family Intervention Program Prosecutor);
No prior DV M-1; and,
No sexually oriented offenders.

AKRON MUNICIPAL COURT
CLARIA
CLERK
3 36 PM '13

(4) Clinical eligibility criteria:
(a) Offender acknowledges that their violent behavior has a negative consequence in their life and they are willing to change;
(b) Offender acknowledges that violence has had a significant impact on their victim and other household or family members;
(c) Demonstrate a willingness to participate in treatment and recognize the benefit of intensive outpatient services;
(d) Recognition that case management and probation services will improve their quality of life;
(e) Responsiveness to positive incentives and graduated sanctions imposed by the court;
(f) Willingness to actively participate in group and/or individual therapy; and,
(g) Comply with all court orders regarding victim contact.

(C) Case Assignment:

(1) All eligible Family Intervention Program cases shall be transferred to the Family Intervention Program Judge following a plea of guilty, but prior to sentencing. Individuals found eligible, and who voluntarily agree to enter the Family Intervention Program, will enter the plea before the Family Intervention Program Judge or another Akron Municipal Court Judge for post-adjudication cases. Case assignment for The Akron Municipal Court Judges will not be affected.

(a) The Family Intervention Program Judge will be responsible to monitor compliance by utilizing appropriate rewards, and sanctions to help modify offender behavior.

(b) In the event a participant is terminated from the program, the case shall remain with the Family Intervention Program Judge. The Family Intervention Program Judge will administer the re-imposition of the participant's sentence.

(D) Case Management

(1) The Akron Family Intervention Program will provide Case Management services in the least restrictive manner that is consistent with offender compliance, and public safety.

(2) The Akron Municipal Family Intervention Program will work closely with all of its community partners to provide the most intensive, and comprehensive treatment to each offender entering the Family Intervention Program.

(3) All forms, program descriptions, handbooks and agreements shall be incorporated as part of the Akron Family Intervention Court Program.

(E) Termination from the Akron Family Intervention Program

(1) All individuals who are unsuccessfully terminated from the Akron Family Intervention Program are subject to have their entire original suspended sentence re-imposed by the Family Intervention Court Judge.

(2) With input from the Family Intervention Program Team, the Family Intervention Program Judge may impose a sentence utilizing a combination of all resources available to the court including but not limited to jail, community service, house arrest, residential treatment, non-residential treatment, probation, fines, court costs, etc.

IT IS SO ORDERED,

Family Intervention Program Judge

Judge

Judge

Judge

Judge

NOT AVAILABLE/ON LEAVE

Judge John E. Holcomb

SEP 30 3 36 PM '15
AKRON MUNICIPAL COURT
CLARIA
CLERK