



*Cuyahoga County  
Common Pleas Court  
General Division*  
**2011**  
**ANNUAL REPORT**

*Nancy A. Fuerst*  
*Administrative and Presiding Judge*





Nancy A. Fuerst  
Presiding Judge

## THE COURT OF COMMON PLEAS

COUNTY OF CUYAHOGA  
JUSTICE CENTER  
1200 ONTARIO STREET

CLEVELAND, OHIO 44113



December 2011

Greetings to the Citizens of Cuyahoga County,

The Cuyahoga County Court of Common Pleas, General Division is comprised of 34 elected Judges and a support network of nearly 475 employees who assist in processing and resolving a variety of civil and felony criminal cases. As the largest court in the State of Ohio, the Court continues to effectively address increasingly complex dockets and to meet the challenges of prudent budgeting, public perception of fairness and implementation of new technologies.

Our 2011 Annual Report will detail the activity which occurred in each department of the Court in the civil, criminal and foreclosure areas. To stay informed, please visit our website at [www.cuyahogacounty.us](http://www.cuyahogacounty.us) and go to the Common Pleas Court link.

February 2011 marked the opening of the newly-constructed Judge Nancy R. McDonnell Community Based Correctional Facility (CBCF) as an alternative to prison. Judges welcomed the local option and the new facility quickly reached its capacity. Effective September 2011, HB 86 adjusted the felony sentencing structure and directed the increased use of community control sanctions in lieu of prison. The Mental Health/Developmental Disability Docket substantially increased with critical assessment and treatment delivery under the direction of five dedicated and specially trained judges. Drug Court stepped up its activity with the emergence of increased opiate addiction.

Outside the courtroom, the Court was introduced to members of the new Charter county government and to new processes and procedures for funding. Lobbying efforts in Columbus were undertaken on matters affecting the court operations and behavioral health. Various judicial and bench-bar committees explored practical ways to preserve access to justice and to make the Courts work better for everyone.

Many thanks to all who have served on a grand jury or trial jury. Your participation is crucial to the operation of our justice system and the Court appreciates your time and effort. Thanks also to our dedicated employees who proudly serve the constituents of Cuyahoga County. Finally, I commend my fellow judges who serve the community and the legal profession as volunteers in so many ways. It has been my distinct pleasure to serve you in 2011.

Sincerely,

Nancy A. Fuerst  
Presiding/Administrative Judge



**JUDGES OF THE COMMON PLEAS COURT  
GENERAL DIVISION  
CUYAHOGA COUNTY – 2011**

***Nancy A. Fuerst, Presiding and Administrative Judge***

*Judge Dick Ambrose*

*Judge Michael K. Astrab*

*Judge Pamela A. Barker*

*Judge Janet R. Burnside*

*Judge Annette G. Butler*

*Judge Deena R. Calabrese*

*Judge Maureen E. Clancy*

*Judge Brian J. Corrigan*

*Judge Peter J. Corrigan*

*Judge Michael P. Donnelly*

*Judge Carolyn B. Friedland*

*Judge Stuart A. Friedman*

*Judge Eileen T. Gallagher*

*Judge Hollie L. Gallagher*

*Judge Daniel Gaul*

*Judge Lance T. Mason*

*Judge David T. Matia*

*Judge Robert C. McClelland*

*Judge Timothy McCormick*

*Judge Nancy R. McDonnell*

*Judge Richard J. McMonagle*

*Judge John P. O'Donnell*

*Judge John J. Russo*

*Judge Joseph D. Russo*

*Judge Michael J. Russo*

*Judge Nancy Margaret Russo*

*Judge Shirley Strickland Saffold*

*Judge Brendan J. Sheehan*

*Judge Ronald Suster*

*Judge John D. Sutula*

*Judge Kathleen Ann Sutula*

*Judge Joan Synenberg*

*Judge José A. Villanueva*

*Gregory M. Popovich, Court Administrator*



# ADMINISTRATION

## GREGORY M. POPOVICH

Court Administrator

## JAMES W. GINLEY

Deputy Court Administrator/Director of Fiscal Operations

### **TOTAL STAFF:**

- 1 Court Administrator
- 1 Deputy Court Administrator/Director of Fiscal Operations
- 2 Administrative Assistants
- 2 Administrative Aides

The Judges and all of the more than 475 staff of the Common Pleas Court are dedicated to providing fair, accessible and efficient justice for all persons. To assist the County in these difficult budgetary times, the Court furloughed staff in 2010. This was in addition to a reduction by 2.9 million dollars in 2009 and another 1.1 million dollar reduction in the Court's budget in 2008. In 2011, the Court's did not receive any additional funding to meet the needs of the citizens of Cuyahoga County. Through the efforts of the dedicated Judges and staff, the Court finished the year with a small surplus while continuing to provide needed services to the citizens of Cuyahoga County and to litigants. The Court continued to add and maintain programs in 2011 that will benefit the community and assist with reducing costs to the General Fund for years to come.

### **CASE MANAGEMENT**

A Court, in part, measures productivity by comparing the total number of cases filed and/or reactivated with the number of cases disposed of during the calendar year. This case management tool is referred to as the clearance rate. In 2011 a total of 35,034 civil cases were filed/reactivated. A total of 13,166 new criminal arraignments (and 1,731 reactivations) were brought for a total of 49,931 new cases/reactivations. The Court finished calendar year 2010 with 22,050 cases pending. Calendar year 2011 concluded with 20,099 cases pending. The Court saw the increase in its clearance rate exceed 100%. Productivity and efficiency are only one means for measuring performance of the Court. More importantly the institution must strive for justice in the resolution of each case that affects the rights and obligations of each individual or entity.

Of the civil docket 11,544 (new filings) cases were foreclosures, a decrease of nearly 10% from 2010. In all, foreclosure cases comprised 42% of all new civil case filings. Through the dedicated efforts of the Foreclosure Department staff, the Court was able to keep pace with increased demands of the mortgage crisis locally. The Court again realized an increase in debt collection cases in 2011.

### **THE TRIAL COURT**

The Court's 34 Judges conducted jury trials in 397 instances, including 273 criminal cases and 124 civil jury trials, on average 12 per Judge. The Judges conducted 220 bench trials in 2011. Overall, jury and bench trials were down slightly in 2011 in comparison to 2010.

### **E-NOTICES**

In 2009, the Court and the Clerk of Courts began replacing postcard notices of court proceedings and Orders to attorneys and litigants with electronic e-mail notices at little cost to the taxpayers. The new electronic

notices provide additional information and are received by attorneys and the litigants quicker than mailed postcard notices. Also, attorneys can receive information from their PDA's anywhere in the world.

In 2010, the Court and Clerk began expanding the electronic e-mail notice project to criminal cases. In the past, notice of court proceedings was provided to attorneys in person or by phone. This manual process worked well, but it was sometimes inefficient and there was always the possibility of human error when noting dates in a calendar while in court. The new criminal electronic notices provide counsel additional information about their clients and their cases in a quick and efficient manner.

In 2011, the e-notice project was completed. The General Fund will continue to experience a substantial cost savings in the future as a result of the electronic e-notices. Further, it is expected that this technology will be utilized for the e-filing project that will begin to be implemented in 2011.

## **ADJUDICATION OF CAPITAL CASES**

The Court realized a decrease in the number Capital Case filings in 2011 to 28, including one re-indicted case, after experiencing a substantial increase over the past years. The Court began experiencing a rise in Capital Case filings in 2007 when they reached 27 and 35 in 2008. In 2009, the Court saw 58 capital cases filed (includes five re-indicted cases). Capital cases are the most serious matters handled by the Court due to the possible imposition of the death penalty upon conviction. These matters require a significant amount of time and resources.

In 2011, the Court adjudicated a capital murder case that required a substantial amount of financial and labor intensive resources. This case took extensive planning by the Judge and a number of Court staff. With their assistance, the Court was able to meet the needs of all litigants and the substantial number of victims, their families, the media, and the public, during the course of the trial.

Although the Court continues to lead the State in the number of capital case filings, the Court will continue to reallocate internal resources to insure that these cases receive the attention needed to adjudicate them in a fair and impartial manner.

In 2010, the Court and the Clerk of Courts expanded the electronic e-mail notice project to criminal cases. In the past, notice of court proceedings was provided to attorneys in person or by phone. This manual process worked well, but it was sometimes inefficient and there was always the possibility of human error when noting dates in a calendar while in court. The new criminal electronic notices provide counsel additional information about their clients and cases assigned to them in a quick and efficient manner.

## **E-FILING PROJECT**

After extensive planning, the Court and Clerk sent and received the first filing of an e-filed case and document in 2011. The project was implemented with no requests from the Court or Clerk for additional funding from taxpayers; projects of this type generally cost taxpayers millions of dollars. The e-filing of cases and documents will provide litigants the ability to electronically file cases and documents at any time during the day, including after Court hours.

It is anticipated that the project will provide litigants the ability to obtain additional services at little cost to the taxpayers. It is also hoped that the Court and the Clerk will experience efficiencies as a result of e-filing and that this project will make Cuyahoga County a more cost effective location to conduct legal business in the future.

It is expected that testing and implementation will continue in 2012.

## **SPECIALIZED DOCKETS/PROGRAMS**

The Court created the Foreclosure Mediation program in 2009. The program became a model for other courts in the State. In 2010, the Court continued to allocate resources to the Foreclosure Mediation Program to respond to the large number of Foreclosure filings in Cuyahoga County and to accommodate the needs of the citizens in Cuyahoga County who wish to make every effort to stay in their homes. The Court's Foreclosure Committee, chaired by Judge Eileen T. Gallagher, continues to meet and discuss ways to expand mediation services to the public. In 2011, the Court's program received national attention as Judge Gallagher and staff were asked to attend meetings in Washington to provide information about the program to the Federal Government and other jurisdictions throughout the country.

Implementation of Drug Court continued under Judge David Matia. The number of persons entering Drug Court increased again in 2011 and several graduation ceremonies for successful candidates in Drug Court were held.

Re-Entry Court continued to accept new people in 2011 under the leadership of Judge Nancy Margaret Russo. Re-Entry Court is recognized as an exceptional program because of its success rate of 76%. The Court is unique in Ohio because candidates are granted Judicial Release to participate. Upon exiting prison, Re-Entry Court provides participants resources and opportunities to return as productive members of society.

Commercial Dockets were created in 2008. In 2009, processes were implemented to allow the dockets to adjudicate commercial cases in a fair and efficient manner. In 2011, under the leadership of Judge Richard J. McMonagle and Judge John O'Donnell, the dockets continued to expand.

## **JUROR UTILIZATION**

The Judges and staff appreciate the sacrifices and dedication of all citizens who serve as jurors in the Common Pleas Court. The Court continues to review processes and to look for ways to make jury service more convenient. In 2011, dedicated staff in the jury room were able to reduce the time committed to jury duty by continuing to monitor activity in the courtrooms. The efforts of staff also allowed the Court to experience cost savings to the General Fund.

## **NANCY R. McDONNELL COMMUNITY-BASED CORRECTIONAL FACILITY**

Construction of the 200 bed Nancy R. McDonnell Community-Based Correctional Facility (CBCF) for Cuyahoga County began in 2009 and the facility opened in 2011. The project is supervised by a Facility Governing Board, consisting of representatives appointed by the Court and County Government. The CBCF provides a sentencing alternative to State prison. These programs provide stable housing, work release, substance abuse and mental health treatment for participants. The average length of stay is 90 days.

Throughout 2011, Judges of the Common Pleas Court referred eligible offenders to the facility, thus allowing the CBCF to operate at full capacity throughout the year. It is expected that the continued sentencing of eligible offenders to the facility will reduce recidivism while decreasing the number of persons being sent to State prisons. It is also expected that the facility will assist with decreasing the number of offenders held in County Jail; this will positively impact the General Fund in 2011 and into the future. The Court appreciates the continued cooperation and assistance from the Mayor and Cleveland City Council for this project.

## **JUSTICE MANAGEMENT REFORM**

The Court's sweeping reform project proceeded in 2011. Working in conjunction with the Cuyahoga County Clerk of Courts, Prosecutors Office, Sheriff's Department, Suburban and Cleveland Police Departments, the project continues to address time intervals between date of arrest to initial appearance, to arraignment and on to final disposition. In 2011, a number of changes in system and Court processes were implemented and monitoring will continue to determine overall effectiveness.

## **IMPLEMENTATION OF EVIDENCE-BASED PRACTICES (EBP)**

A meta analysis of research findings indicates that some interventions are more effective at reducing recidivism than others. Evidence-Based Practices are those interventions. In 2010, the Court continued to move towards implementation of EBP. The Probation Department created new instruments to measure the major identified criminogenic factors impacting recidivism and testing continued. Changes to the Court's case management system and Sentencing forms began to accommodate the implementation of EBP and were completed in 2011. Plans continued to be made in 2011 for the restructuring of the Department in accordance with EBP. Training continued to be offered to Judges and staff to facilitate the implementation process.

It is hoped that with the assistance of Evidence-Based Practices and the data collected, that the Court will be able to better evaluate Court programs in the future to determine their overall effectiveness on recidivism rates. Based upon research conducted nationally, it is expected that full implementation of Evidence-Based Practices will increase safety in the community and allow the Court to better utilize its limited resources.

## **NEW COUNTY GOVERNMENT**

In 2010, Cuyahoga County citizens voted to create a new Charter form of government. In 2011, a new County Executive and County Council took office and a number of changes were implemented. The Court looks forward to cooperating with the new government in the future.

# CUYAHOGA COUNTY ASBESTOS DOCKET

**JUDGE HARRY A. HANNA**

**JUDGE LEO M. SPELLACY**

**NOREEN A. STEIGER and MARGARET G. WALLISON**

Bailiffs

## **CASE MANAGEMENT**

Since 1999, the Court has implemented an electronic docket system, Lexis Nexis File and Serve (formerly called CLAD) to manage the Asbestos Docket.

With two Judges now overseeing the Asbestos Docket, for efficiency purposes, the Court utilizes a three-tiered approach to scheduling trials. During the pretrial period, groups are assigned to a specific Courtroom only for supervision purposes-and not exclusively. If a motion is filed, or a problem needing the Court's attention arises, the parties are first directed to that Courtroom to obtain a hearing.

In 2011 the Asbestos Docket disposed of 492 cases and adjudicated 2,528 partial dismissals. At the end of 2011 there were 6,699 pending cases.

# CUYAHOGA COUNTY COMMERCIAL DOCKET

In November 2008, Judge Richard J. McMonagle and Judge John P. O'Donnell were appointed by Chief Justice Thomas Moyer of the Supreme Court of Ohio to preside over the Cuyahoga County Court of Common Pleas Commercial Docket. Other Commercial Dockets were designated for Franklin, Hamilton and Lucas counties. The Commercial Docket was formed because the Supreme Court Justices were concerned about the economic environment in the State of Ohio and desired to make the courts of Ohio more corporate and business accessible. The cases assigned to this docket were to be governed by Temporary Rules of Superintendence Rule 1.01 as a "Pilot Project Court". This project was originally for a four-year term and last May was extended for another year until July 2013. At that time the Supreme Court will decide whether to make this very popular docket permanent.

According to The Supreme Court, the Commercial Docket Judge shall accept a civil case, including any jury, non-jury, injunction, including any temporary restraining order, class action, declaratory judgment, or derivative action, into the commercial docket of the pilot project Court if the case is within the statutory jurisdiction of the Court and the gravamen of the cases relate to a number of business/commercial oriented claims.

At the conclusion of 2011 each Judge had been assigned over 1,000 cases. Judge McMonagle and Judge O'Donnell try to have the litigants in Court within days of the filing of the claim. The average turnover time for a Commercial Docket case is approximately 85 days. The Judges estimate that 20% of the cases are settled prior to the defense's answer date.

Many cases involve Temporary Restraining Orders and non-compete claims, which necessitate early attention. The use of Special Masters has not been continued as a part of the Commercial Docket.

The cases are voluminous, time consuming, and quite demanding on these two Judges because they still have criminal and civil dockets to deal with.

# FISCAL

## JAMES W. GINLEY

Deputy Court Administrator / Director of Financial Operations

The 2011 actual General Fund Expenses at **\$39,352,313**, represent funding for the **Judicial Administration, Magistrates, Court Services, Probation / Psychiatric Clinic, and Legal Research Budgets**. The General Fund for Cuyahoga County supports the majority of the Court's operations. The Court is constitutionally entitled to reasonable allocation for its operations. The 2011 expenditures listed by individual budget are as follows:

**Judicial Administration Budget \$21,520,384** - This included funding for the following departments: *Judicial Administration, Bailiffs, Jury Bailiffs, Jury Commission, Judicial Staff Attorneys, and Judges' Secretaries.*

**Magistrates Budget \$1,322,278** - This included funding for the following departments: *Alternative Dispute Resolution (ADR) / Mediation, and Foreclosure.*

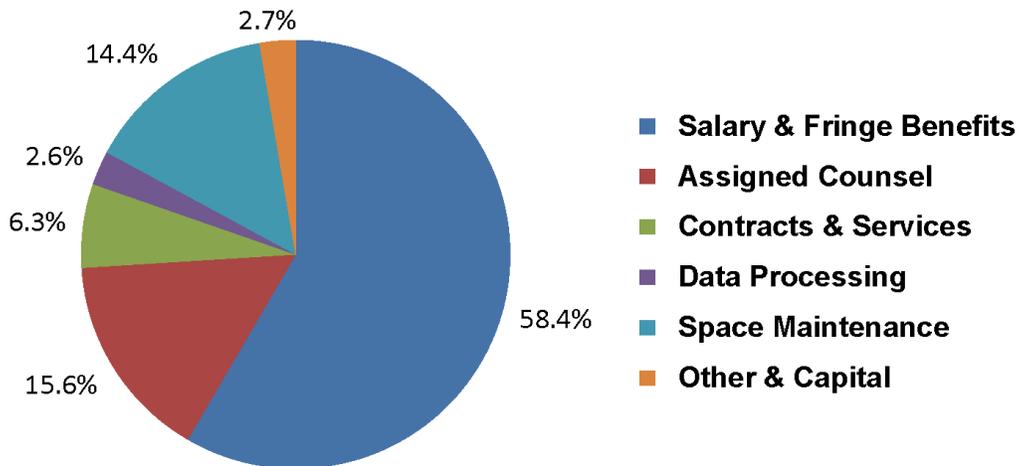
**Court Services Budget \$7,459,701** - This includes funding for the following departments: *Central Scheduling, Court Systems, Data Entry, Court Reporters, Criminal Records, and Information Systems.*

**Probation / Psychiatric Budget \$9,005,327** - This includes funding for the following departments: *Probation and the Court Psychiatric Clinic.*

The **Legal Research Budget expenses at \$44,623** complete the cost of the General Fund operational requirements for 2011.

# COMMON PLEAS COURT

## 2011 - GENERAL FUND EXPENDITURES



Salary & Fringe Benefits	\$22,990,252
Assigned Counsel	\$6,132,886
Contracts & Services	\$2,492,243
Data Processing	\$1,009,560
Space Maintenance	\$5,667,728
Other & Capital	\$1,059,644
<b>Total</b>	<b><u>\$39,352,313</u></b>

The pie chart above summarizes the Court's General Fund expenditures for 2011. This analysis is comprised of actual expenses from the Judicial Administration, Magistrates, Court Services, Probation / Psychiatric Clinic, and Legal Research budgets. Salary and fringe benefit costs are the largest expense category representing compensation to approximately 490 full and part-time staff including 34 elected Judges. The second largest category, Assigned Counsel, includes costs for Court appointed legal representation for indigent defendants in criminal cases. In 2011, the total number of arraigned indigent defendants was 10,543. Of that total, 2,715 defendants were, at the time of arraignment, then assigned to the Public Defender's Office. The Assigned Counsel expense listed above is not adjusted for the reimbursement by the State of Ohio to the Court's General Fund for these costs, estimated at approximately 35% of the total Assigned Counsel expenditure.

# ALTERNATIVE DISPUTE RESOLUTION

## REBECCA B. WETZEL

ADR Administrator

## ANDREA R. KINAST

Foreclosure Mediation Program Director

## ELIZABETH A. HICKEY

Court Mediator

### **TOTAL STAFF:**

- 1 ADR Administrator
- 1 Court Mediator
- 4 Foreclosure Mediators
- 1 Scheduler
- 3 Administrative Assistants

The ADR Department is located on the fourth floor of the Justice Center across from the Cafeteria. The Foreclosure Mediation Program is located on the 10<sup>th</sup> floor of the Justice Center. ADR provides five methods of alternative dispute resolution for the Court: arbitration, foreclosure mediation, civil mediation, business mediation and mediation after arbitration.

The Foreclosure Mediation program began on June 25, 2008, and is led by the Foreclosure Mediation Program Director. In 2011 the Foreclosure Mediation program experienced transition in department staff. The Scheduler left her position to move to another County position. This position has not been filled. In January 2012, a new Foreclosure Mediator was hired to replace a mediator who had left the department. In February 2012, the County Executive proclaimed March as *Save Our Homes* month, continuing the Program's dedication to community outreach.

In 2011 the ADR department expanded the types of mediations conducted to include Worker's Compensation cases. The total number of cases referred to the ADR Department in 2011 was 4,064 of which 1,769 were disposed for a 44% disposition ratio.

## ARBITRATION

The original method of ADR is arbitration. Cases involving claims that are \$50,000 or less per claimant are amenable to arbitration. Judges refer cases to the ADR Department where a panel of three arbitrators is assigned. The chairperson of the panel notifies all concerned of the hearing date, which is to take place within 90 days of the date of referral. The Department receives and files the Report and Awards from the arbitrators and if no appeal is taken from the award within 30 days, the department prepares a final judgment entry reflecting the arbitration award.

<b>MANDATORY ARBITRATION STATISTICS for 2011</b>		
	<b>2011</b>	<b>Since Inception (May 1970)</b>
Total Cases Referred	214	78,268
Arbitration Referral Vacated	18	3,523
Net Total Arbitration Referrals	196	74,705
Report & Awards Filed	126	52,611
Total Appeal de Novo Filed	44	15,093

<b>FINAL ENTRIES</b>		
	<b>2011</b>	<b>Since Inception (May 1970)</b>
Arbitration Cases settled via Mediation	3	N/A
Arbitration Cases Settled (no fees paid)	65	21,003
Awards Reduced to Judgment	81	N/A
Bankruptcy	0	N/A
Appeals Disposed	1	12,798
<b>TOTAL FINAL ENTRIES</b>	<b>150</b>	

<b>PERCENTAGES 2011 (Based on 196 net referrals)</b>	
Arbitration Cases Resolved via Mediation	2%
Arbitration Cases Settled before Hearing	33%
Arbitration Cases Appealed	21%
Arbitration Awards Appealed	30%
Arbitration Awards Reduced to Judgment	64%
Arbitration Appeals Resolved via Settlement	58
Arbitration Appeals Resolved via Jury Trial	4

## **MEDIATION**

Mediation is the most widely used method of ADR. It is a non-binding process for the resolution of a dispute where a mediator assists the parties in negotiating the resolution of contested issues to a settlement. Mediated cases are chosen from arbitration cases or referred directly by the Judges. In addition, the department began mediating Arbitration Appeals in 1998.

<b>Statistics and Analysis for 2011</b>	
Total Cases Referred to Court Mediation	695
Total Cases Mediated	520
Total Cases Settled by Mediation	277
Percentage of Settlements	53%
Total Appeals Mediated	5
Appeals Settled in Mediation	1
Percentage of Mediated Appeals Settled	20%

## **BUSINESS MEDIATION**

Business mediations are conducted pursuant to Local Rule 21.2. Judges may refer any business case to the ADR Department for mediation. The Department notifies the parties of the referral and provides them with three names of mediators from the List of Eligible Mediators. The parties rank their choice and return the ranking sheet to the Department. The ADR Administrator then designates the Mediator and notifies all parties of the Mediator. The Business mediator must conduct the mediation within 30 days of the Notice of Designation of Mediator and file a report within ten days of the hearing.

<b>Statistics &amp; Analysis for 2011</b>	
Total Cases Referred to Mediation	67
Total Completed Mediations	37
Total Settlements	20
Percentage of Settlements	54%

## **FORECLOSURE MEDIATION**

Foreclosure Mediations are conducted through a two-step process. Any party to a foreclosure case may submit a Request for Foreclosure Mediation, and any foreclosure magistrate may directly refer a foreclosure case to the program. The mediators screen the requests and notify the parties when a case has been accepted. A pre-mediation conference takes place where the parties meet. During the initial meeting the program is explained and paperwork is given to the parties to be completed and returned within 30 days to the ADR Department. Once the Department receives the paperwork a full mediation is scheduled where a representative of the lender along with the attorney for the lender and the property owner and property owner's attorney are present and a face-to-face negotiation takes place.

<b>Statistics &amp; Analysis for 2011</b>	
Total Cases Referred	3,106
Total Hearings Held	4,871
Pre-mediation hearings held	2,594
Full mediation hearings held	2,277
Cases Settled	1,379
Settlement Ratio	61%

# CENTRAL SCHEDULING DEPARTMENT

## ROBERT ODON

Supervisor of Central Scheduling

### TOTAL STAFF:

1	Supervisor	1	Jail Population Control Liaison
14	Schedulers	2	Receptionists
6	Visiting Judge Bailiffs	1	Assigned Counsel Voucher Coordinator

## CENTRAL SCHEDULING DEPARTMENT

The Central Scheduling Office is located on the 11<sup>th</sup> floor of the Justice Center Tower. This department assists the Judges in docket management, record keeping, scheduling of cases and the preparation of criminal and civil journal entries. This department consists of a staff of 25 employees.

### SCHEDULERS

The schedulers' duties include the responsibility for the scheduling of criminal and civil hearings, the distribution of various court pleadings and forms to the appropriate departments and assisting in the preparation of the annual physical inventory of pending civil and criminal cases for each of their Judges. As schedulers are able to create criminal as well as civil journal entries for their Bailiffs, Judges and Staff Attorneys, they continue to be an integral part of the courtroom team while helping to relieve the load from other employees.

Each scheduler is normally assigned two courtrooms but additional reduction in staff this year has necessitated some schedulers being assigned to three courtrooms and Judges on different floors in order to cover for employees not replaced due to budget cuts.

The court schedulers are an integral part of each courtroom team as they are often called upon to substitute in the absence of the court bailiff due to unscheduled illness or scheduled vacation time. In these instances, the scheduler is required to fulfill all the duties of the regular court bailiff as well as keep abreast of their own duties until the return of the regular bailiff, be it a day, a week or occasionally longer. Also, because a scheduler may be asked to assist in a courtroom to which they are not regularly assigned, they must be well versed in all facets of courtroom operation in order to adequately assist the bailiff or judge to whom they have been temporarily assigned.

The assignment of an additional courtroom to many schedulers has placed a greater load on the department as additional coverage must be found when a scheduler covering his or her assigned courtrooms is called upon to fill in for an absent scheduler or for more than one absent bailiff on any given day.

### RECEPTIONISTS

Our receptionists are multi-functional employees. In addition to assisting the general public and attorneys, in person at the reception desk or via telephone, with specific questions relating to criminal and civil cases, they also assist in the preparation of assigned counsel vouchers as well as a variety of other tasks such as filing, assisting schedulers in their duties and filling in for other absent employees on the floor.

## **ASSIGNED COUNSEL VOUCHERS**

One coordinator is responsible for preparing assigned counsel vouchers or fee bills. These vouchers are forwarded to the Fiscal Office for payment to the attorneys who were assigned by the Court to represent indigent defendants. In 2011, 11,558 vouchers were prepared, examined for errors and submitted for distribution of funds. This figure represents a slight decrease from 2010.

## **JAIL POPULATION CONTROL**

Our jail population liaison is responsible for working with the bailiffs, Judges and the Probation and Sheriff's Departments in helping to maintain the appropriate number of prisoners held in the Cuyahoga County Jail, as required by state law. This was done by a review of each Judge's docket, checking the list of inmates incarcerated more than 45 days and by expediting the completion of sentencing journal entries.

Though her efforts continue, the inmate population of the Cuyahoga County Jail has seen a significant decrease and costs to the county have decreased proportionately. At the beginning of 2011, the estimated jail population was 2,090 inmates. The end of 2011 found the number decreased to approximately 1,350.

## **EARLY DISPOSITION/PLEA PROGRAM**

This program uses the facilities of our Arraignment Room on the 12<sup>th</sup> Floor. The program allows Judges who are engaged in trial to send defendants willing to enter a guilty plea to a charge before a visiting Judge who will hear the defendant's plea and assign a sentencing date that has been previously set by the referring judge. This program helps to eliminate the backlog of cases that can occur when a judge is in trial.

The program is funded by the Cuyahoga County Executive rather than the State of Ohio and visiting Judges work no more than 50 hours per week. In the time that the program has been in effect, all 34 Common Pleas Court Judges have participated and numerous cases have been handled by the visiting Judges.



## VISITING JUDGE PROGRAM

The Visiting Judge Program is managed by the Supervisor of Central Scheduling and consists of 13 retired Cuyahoga County Common Pleas Judges and several retired out-of-county Judges called in for special cases. The Supervisor of Central Scheduling maintains records and prepares monthly and annual reports on this program for submission to the Administrative Judge and Court Administrator. In 2011, in addition to the specialized Asbestosis/Workers' Compensation and Asbestos/Beryllium dockets, the Visiting Judge Program disposed of 95 civil cases and 2 criminal cases. Of those, 30 cases were disposed of by settlement, which results in a 29% settlement rate for this year. Collectively, the Judges were in trial a total of 198 days.

<b>JUDGE</b>	<b>CASES DISPOSED</b>	<b>CASES SETTLED</b>
<b>Brown, Robert</b>	<b>2</b>	<b>2</b>
<b>Corrigan, John</b>	<b>6</b>	<b>3</b>
<b>Corrigan, Michael</b>	<b>13</b>	<b>2</b>
<b>Coyne, William</b>	<b>14</b>	<b>2</b>
<b>Curran, Thomas</b>	<b>14</b>	<b>4</b>
<b>Faulkner, David</b>	<b>1</b>	<b>1</b>
<b>Greene, Lillian</b>	<b>11</b>	<b>3</b>
<b>Griffin, Burt</b>	<b>17</b>	<b>9</b>
<b>Hanna, Harry</b>	<b>1</b>	<b>0</b>
<b>Inderlied, Herman</b>	<b>1</b>	<b>0</b>
<b>Mitrovich, Paul</b>	<b>1</b>	<b>1</b>
<b>Pokorny, Thomas</b>	<b>8</b>	<b>2</b>
<b>Porter, James</b>	<b>2</b>	<b>1</b>
<b>Rocker, Linda</b>	<b>1</b>	<b>0</b>
<b>Schneiderman, Ted</b>	<b>1</b>	<b>1</b>
<b>Spellacy, Leo</b>	<b>1</b>	<b>0</b>
<b>Wittenberg, Charles</b>	<b>1</b>	<b>1</b>

We welcomed several new, out-of-county retired Judges assigned to special cases this year. Their service was most appreciated and we look forward to their continuing presence.

The Asbestosis/Workers' Compensation Docket disposed of a total of 22 cases through a combination of settlements, voluntary dismissals and summary judgments. This was a decrease over the previous year. In general, two cases are set for trial each week with back-up cases waiting in case of prior disposition of the regularly set cases. As this sometimes results in no cases being ready for trial on a certain day, the plan is to schedule more than two cases each week during the coming year. In addition, if no asbestos cases are available for trial and a civil spin is requested from our Court, the Judge sitting for the week is given a regular civil case set for trial.

The specialized Asbestos/Beryllium dockets, presided over by Visiting Judges Harry A. Hanna and Leo M. Spellacy, currently handle a caseload of almost 6,000 cases. With two Judges overseeing these dockets, for efficiency purposes, the Court has implemented a three-tiered approach to scheduling trials. During the pretrial period, groups are assigned to a specific courtroom only for supervision purposes. In these cases, if a motion is filed or if a problem arises, the parties are first directed to that courtroom in order to schedule a hearing. If the assigned Judge is unavailable, the Judge on the docket is consulted and the cases are then tried on the scheduled trial date by either of the two Judges available.

All Visiting Judges were asked to continue limiting the hours worked during the fiscal year and to continue this cutback throughout their tenure. We hope to do this by limiting the hours worked per day or the number of days per week. This will depend upon the trial and hearing schedules of individual Judges but it is planned that these cuts will reduce the program cost by the 15% mandated by the State of Ohio.

# COURT REPORTERS

## **BRUCE J. BISHILANY**

Chief Official Court Reporter

## **ROBERT P. LLOYD**

Assistant Chief Court Reporter

## **NANCY A. NUNES**

Assistant Chief Court Reporter

### **TOTAL STAFF:**

- 1 Chief Reporter
- 2 Assistant Chief Reporters
- 40 Court Reporters
- 1 Administrative Assistant

In 2011, over 35,000 job cards were filed representing court reporter attendance at trials, pleas, sentencings, motions, hearings and other related matters in both civil and criminal cases. In addition, the Court Reporters Department reported over 14,200 arraignments and diversions, and a similar number of cases in the Grand Jury.

The average number of Court Reporter assignments to court per day in 2010 was fifty one (51). This includes Arraignments, Grand Jury, reporters in trial, and requests for court reporters in the morning and afternoon sessions. Each reporter on average reported the proceedings in one thousand four hundred and sixty four (1,464) different matters.

Court Reporters serve the Judges of the Court of Common Pleas in the Justice Center, visiting Judges sitting by assignment in the Lakeside Courthouse, the Arraignment Room, and all Grand Jury proceedings. As guardians of the record, the members of the Court Reporters Department make a verbatim record of the proceedings for later use by the Judges, attorneys, litigants, Court of Appeals, or any interested party. All assignments are coordinated through the Chief Court Reporter.

Realtime reporting, the instantaneous translation from the court reporter's steno machine to a computer terminal should be coordinated with the Chief Court Reporter. The Court Reporters Department regularly provides realtime reporting throughout the year for hearing impaired jurors as well as hearing impaired attorneys so that they are able to participate in the judicial process and in order for the County to be in compliance with the American with Disabilities Act. The Court Reporters Department has also provided realtime reporting for Juvenile Court as well as the Foreclosure Department in order that hearing-impaired individuals were able to participate in their respective proceedings.

# CRIMINAL RECORDS

## JACALYN A. COSTELLO

Bond Commissioner

### **TOTAL STAFF:**

1	Bond Commissioner	2	Grand Jury Clerks
2	Assistant Bond Commissioners	1	EDC Coordinator
1	Office Manager	1	Assistant EDC Coordinator
1	Administrative Aide	1	Arraignment Room Clerk
3	Bail Investigators	3	Data Entry Clerks

*(8 of the above employees are also C.R.I.S. Operators)*

The Criminal Records Department, located on the 12<sup>th</sup> floor of the Justice Center, is primarily responsible for bond investigations, Grand Jury bailiffs, Arraignment Room proceedings and defendant criminal history maintenance.

### **GRAND JURY**

In January, May and September prospective jurors' names are drawn for service on a Grand Jury. There are four Grand Juries per term and each Grand Juror serves two days a week for four months. The Grand Jury Bailiffs are the liaison between the Prosecutor and the Grand Jurors and Grand Jury witnesses.

### **BOND INVESTIGATION**

The bond investigators monitor the Sheriff Department's daily booking list for incoming inmates who have not yet been indicted and/or arraigned and need to have their bond continued, set or lowered. The investigators interview the defendants, verify accuracy of information obtained from the interview, run an extensive criminal background check and review the felony charges filed against the defendant to determine the amount to recommend for a reasonable bond. Bond investigators will also provide information to the courtrooms where there has been a motion for bond reduction. The department's bond investigators conducted 6,791 bail investigations during 2011.

### **ARRAIGNMENTS**

The arraignment clerks assemble and summarize the criminal history of each defendant scheduled for arraignment, along with determining if the case needs to be assigned randomly or to a specific trial Judge based on local rules. During the arraignment hearing the Bond Commissioner presents these materials, along with a bond recommendation to the Arraignment Room Judge, so that a defendant may be properly arraigned. The Judge proceeds with the Arraignment, which includes the setting of the bond, instructions on any conditions of a bond, assignment of the trial Judge and appointment of an attorney, if the defendant needs one to be appointed. The Arraignment Judge also issues capias for defendants who fail to appear at the scheduled arraignment.

At the conclusion of the arraignments, the staff updates the case files, notifies the attorneys appointed to represent indigent defendants and forwards the files to the trial judge assigned. During 2011 there were 17,821 scheduled arraignments. The staff maintains detailed statistics on the defendants who are scheduled for and appear at arraignment, capiases issued and assignments to private counsel and the Public Defender.

## **EARLY CASE MANAGEMENT**

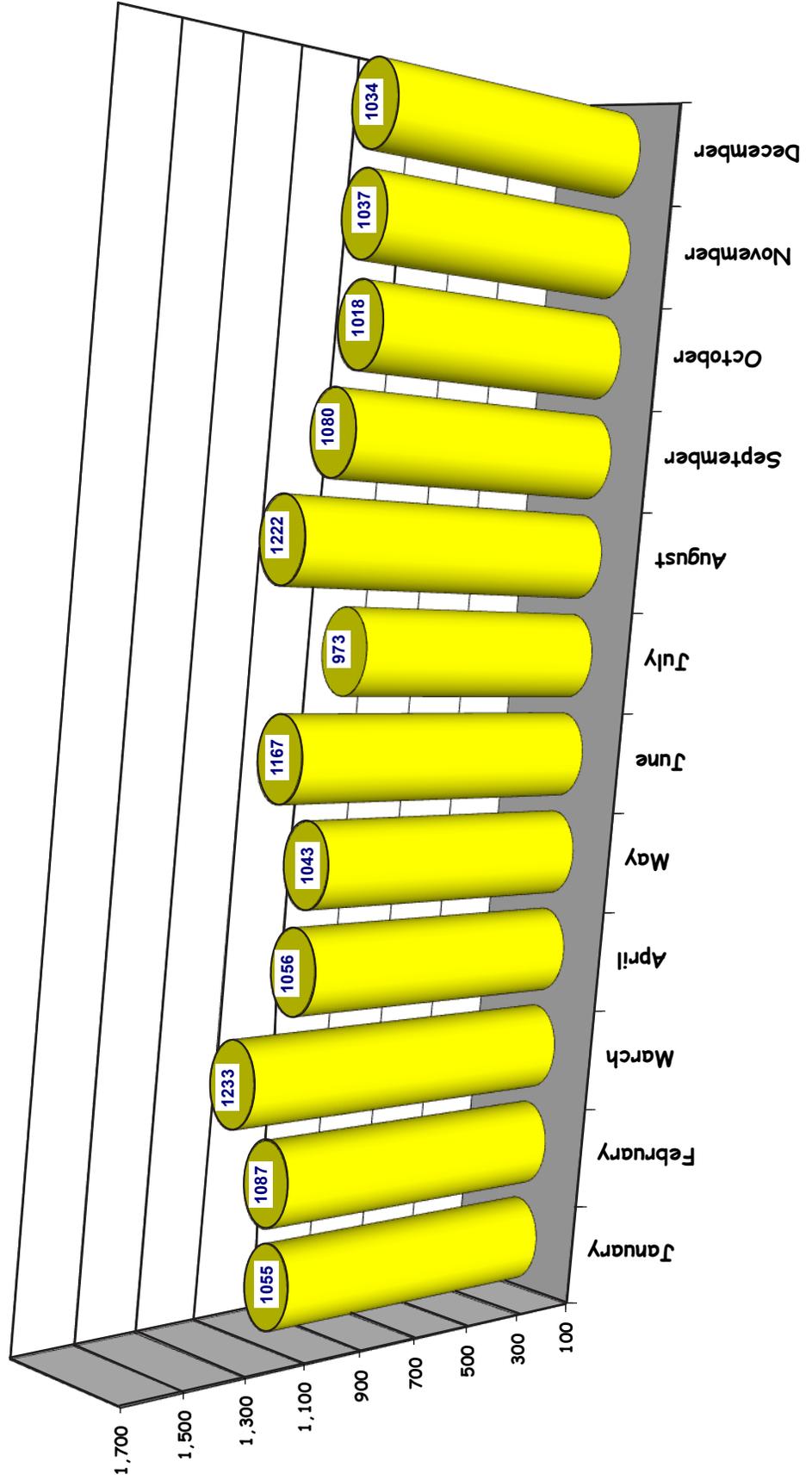
As part of the Justice Management Reform Project, individuals arrested in the suburbs on felony charges are transported directly to the County Jail and are scheduled for an initial appearance in the arraignment room to reduce jail time and provide for early assignment of defense counsel. Suburban and Cleveland Municipal Court low level felony cases may be referred for early case disposition. Cases resolved in the early disposition process proceed to the trial court by way of information or diversion.

The department supports the court appearance through bond investigation, preparation of defendant criminal history, coordination of scheduling with the clerk of courts and sheriff departments, assistance in the court proceedings and notification of appointed attorneys.

The staff of the Criminal Records Department works closely with other departments but most specifically with the Sheriff's, Clerk's and Prosecutor's Offices to assure correct identification of defendants, timely scheduling of arraignments and accurate indictment information for the Arraignment process. The Bond Commissioner and her staff are often assigned special projects at the request of various Judicial Committees.

January	February	March	April	May	June	July	August	September	October	November	December	TOTAL
957	1,147	1,345	1,281	1,051	1,294	1,240	1,276	1,249	1,202	1,145	1,022	14,209

## Common Pleas Court Monthly Felony Arraignments 2011



## Arraignments / Capias 2011

	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	Y.T.D.TOTAL
Video	0	0	0	0	0	0	0	0	0	0	0	0	0
Female Jails	37	38	63	44	51	45	54	43	65	47	51	49	587
Male Jails	461	348	492	396	417	449	393	446	459	394	399	422	5076
Total Scheduled Jails	498	386	555	440	468	494	447	489	524	441	450	471	5663
Total Scheduled Bails	763	944	961	844	773	956	786	1023	827	861	836	813	10387
Total Scheduled	1261	1330	1516	1284	1241	1450	1233	1512	1351	1302	1286	1284	16050
Jails Arraigned	487	383	555	440	468	483	446	483	524	441	449	469	5628
Bails Arraigned	568	704	678	616	575	684	527	739	556	577	588	565	7377
Total Arraigned	1055	1087	1233	1056	1043	1167	973	1222	1080	1018	1037	1034	13005
Jails Cont.	1	0	0	0	0	0	2	5	1	0	0	0	9
Bails Cont.	25	25	36	34	36	38	57	74	56	41	27	46	495
Total Cont.	26	25	36	34	36	38	59	79	57	41	27	46	504
Diversion	20	19	16	14	20	20	21	22	19	18	19	11	219
Nolle	0	1	0	0	1	1	0	0	0	0	1	0	4

Capias as % of  
Scheduled Bails  
22.3%

	CAPIAS SUBURBS/OTHER													As % of total capias
Straight Capias	44	57	69	57	40	76	68	66	73	76	102	58	786	33.9%
OCR	24	19	26	18	22	21	20	9	22	31	16	21	249	10.7%
BFC 10%	4	0	2	2	0	3	0	1	1	0	0	8	21	0.9%
BFC C/S/P	17	9	14	5	7	10	8	15	16	23	6	14	144	6.2%
BFC PB	0	0	0	0	0	0	0	1	0	0	0	0	1	0.0%
Rewrite PB	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Rewrite C/S/P	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Rewrite 10%	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Returns InstL	2	2	1	0	0	0	0	0	0	0	0	0	5	0.2%
TOTAL OTHER	91	87	112	82	69	110	96	92	112	130	124	101	1206	52.0%

	CAPIAS CLEVELAND													As % of total capias
Straight Capias	40	67	69	64	33	52	44	55	46	54	44	57	625	27.0%
OCR	17	26	36	21	25	30	27	19	18	18	13	12	262	11.3%
BFC 10%	3	0	1	0	0	2	0	2	0	0	0	0	8	0.3%
BFC C/S/P	9	18	13	13	14	30	13	21	19	23	21	23	217	9.4%
BFC PB	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Rewrite PB	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Rewrite C/S/P	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Rewrite 10%	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
TOTAL CLEVELAND	69	111	119	98	72	114	84	97	83	95	78	92	1112	48.0%

	CAPIAS TOTAL													As % of Total Cap
CAPIAS TOTAL	160	198	231	180	141	224	180	189	195	225	202	193	2316	100.0%
Total	1261	1330	1516	1284	1241	1450	1233	1512	1351	1302	1286	1284	16050	

# FORECLOSURE MAGISTRATES

Foreclosure      Quiet Title      Partition

## STEPHEN M. BUCHA III

Chief Magistrate

## KEVIN C. AUGUSTYN

Assistant Chief Magistrate

### **TOTAL STAFF:**

1	Chief Magistrate	1	Assistant Office Manager
1	Assistant Chief Magistrate	2	Receptionists
12	Magistrates	8	Magistrate's Clerical Assistants
1	Office Manager		

All cases concerning foreclosure, quiet title and partition are adjudicated by the Court's fourteen magistrates. In the last several years the Magistrate's Department has added additional staff and has made numerous changes to its procedures in reaction to the foreclosure crisis that is gripping the County. These increases in capacity and procedural changes have resulted in a tremendous increase in output of the department and a dramatic decrease in the average time to disposition.

In many instances the faster disposition rate has benefited the communities of Cuyahoga County by more quickly placing foreclosed properties, many of which are vacant, in productive and responsible hands. In other instances, the sheriff's sale itself has caused the property to become vacant with the sheriff's sale purchaser no more responsible or even less responsible than the original owner in maintaining the foreclosed properties. Further, in many cases this faster disposition rate has prevented homeowners from having a meaningful opportunity to save their homes prior to foreclosure. In recognition of these negative consequences of the faster disposition rate, in mid-summer of 2008, the Court implemented a Foreclosure Mediation Program to facilitate communication between the lender and homeowners and to allow homeowners time to save their homes. The Magistrates' Department played an important role in the development of the Foreclosure Mediation Program and is an enthusiastic partner with the Court's ADR Department in implementing this program. The Foreclosure Mediation Program has been successful in reducing the negative effects of the foreclosure crisis.

10,434 cases were newly referred to the Magistrates' Department in 2011, a significant decrease from the 12,050 cases filed in 2010 and the 13,417 cases filed in 2009. It is likely that this decrease, at least in part, is the result of the lenders' self-imposed review and resulting delay in prosecution of foreclosures brought on by the revelation of widespread foreclosure abuses in the years preceding 2010. The magistrates adjudicated 12,996 cases in 2010. Of these 12,996 dispositions, 5,707 were decrees of foreclosure – orders permitting lenders to sell property at sheriff's sale.

In many instances the faster disposition rate has benefited the communities of Cuyahoga County by more quickly placing foreclosed properties, many of which are vacant, in productive and responsible hands. In other instances, the sheriff's sale itself has caused the property to become vacant with the sheriff's sale purchaser no more responsible or even less responsible than the original owner in maintaining the foreclosed properties. Further, in many cases this faster disposition rate has prevented homeowners from having a meaningful opportunity to save their homes prior to foreclosure. In recognition of these negative consequences of the faster disposition rate, in mid-summer of 2008, the Court implemented a Foreclosure Mediation Program to facilitate communication between the lender and homeowners and to allow homeowners time to save

their homes. The Magistrates' Department played an important role in the development of the Foreclosure Mediation Program and is an enthusiastic partner with the Court's ADR Department in implementing this program. The Foreclosure Mediation Program has been successful in reducing the negative effects of the foreclosure crisis.

The magistrates faced a new crisis in 2010 – “robo-signers”. It came to light in mid-2010 that several large lenders and mortgage servicers have filed thousands of affidavits in court in fact, the affiants did not have personal knowledge of the statements made in the affidavit. The press and others commonly refer to these affiants as “robo-signers”.

The Court has taken an aggressive approach to the robo-signer crisis. Foreclosure counsel must file an affidavit in all residential foreclosure cases that indicates that counsel has spoken with the affiant or lender's representative and has verified that the statements made in affidavits and allegations made in the complaint. In the alternative, the affiant may appear in court and provide testimony in support of the statements made in affidavits and the complaint. These requirements ensure that documents the Magistrates rely upon when making rulings in foreclosure cases will be carefully examined and reliable and that the drastic step of permitting a lender sell a family home or other property is a proper one to take. Other courts in Ohio and other states have followed this court's lead and have adopted similar requirements in response to the robo-signer phenomenon. The lenders have responded to the robo-signer crisis as well, delaying the prosecution of foreclosure cases while reviewing their affidavit procedures.

2,050 cases were newly referred to the Magistrates' Department in 2010, a significant decrease from the 13,417 cases filed in 2009. It is likely that this decrease is the result of the robo-signer crisis and the lenders' self-imposed review and resulting delay in prosecution of foreclosures. As the lenders' review comes to a conclusion in the early months of 2011, it is expected that a corresponding increase in foreclosure filings will occur. The magistrates adjudicated 14,219 cases in 2010, an increase of over seven percent compared to 2009. The magistrates further entered 7,781 decrees of foreclosure – orders permitting lenders to sell property at sheriff's sale - in 2010. This represents an increase of over twelve percent compared to 2009.

In order to place the foreclosure crisis in its proper context, below is a twelve year summary of the Magistrates' Department's statistics.

Year	Referrals <sup>1</sup>	% Change From Previous Year	Reinstates <sup>2</sup>	% Change From Previous Year	Referrals & Reinstates Combined	Supplementals	% Change From Previous Year
2000	5,915	8.6%	835	32.9%	6,750	10,083	42.1%
2001	7,161	21.1%	928	11.1%	8089	17,438	72.9%
2002	9,609	34.2%	1,101	18.6%	10,710	19,753	13.3%
2003	8,724	-9.2%	1,421	29.1%	10,145	26,591	34.60%
2004	9,739	11.6%	1,470	3.4%	11,209	29,539	11.1%
2005	11,075	13.7%	1,634	11.2%	12,709	33,100	12.1%
2006	13,276	19.9%	1,584	-3.1%	14,872	67,972	105.4%
2007	13,968	5.2%	1,356	-14.4%	15,324	77,592	14.2%
2008	13,742	-1.6%	1,241	-8.5%	14,983	64,506	-16.8%
2009	13,417	-2.3%	936	-24.6%	14,353	57,016	-11.6%
2010	12,050	-10.2%	849	-9.3%	12,899	66,644	16.8%
2011	10,434	-13.4%	752	-11.4%	11,186	60,771	-8.8%

<sup>(1)</sup>This column represents all cases referred to the Magistrates which includes all of the Court's Foreclosure, Quiet Title and Partition cases. Foreclosures represent 95%+ of all cases referred to the Magistrates' Department.

<sup>(2)</sup>This column represents all cases reinstated after a final judgment has been entered or from bankruptcy stays, contract stays, and the Court of Appeals.

**Cuyahoga County Court of Common Pleas, General Division  
Magistrates' Department Statistics Summary 2000-2010**

Year	Decreases <sup>4</sup>	% Change from previous year	Dispositions <sup>5</sup>	% Change from previous year	Net Case Gain/ Loss <sup>6</sup>
2000	3,073	8.8%	6,265	8.1%	485
2001	3,048	-0.8%	6,843	9.2%	1,246
2002	3,261	7.0%	7,315	6.5%	3,395
2003	3,510	7.6%	8,544	16.8%	1,601
2004	4,988	42.1%	10,394	21.6%	815
2005	5,515	10.6%	11,852	14.0%	857
2006	10,412	88.8%	16,351	38.0%	-1,479
2007	11,378	9.3%	18,041	10.3%	-2,717
2008	9,698	-14.8%	15,950	-11.6%	-2,208
2009	6,908	-28.8%	13,210	-17.2%	1,143
2010	7,781	12.6%	14,219	7.6%	-1,320
2011	5,707	-26.7%	12,996	-8.6%	-1,810

<sup>(4)</sup> This column represents all decrees of foreclosure, decrees for quiet title, and decrees of partition entered by the Magistrates.

<sup>(5)</sup> This column represents all cases disposed by the Magistrates Department including disposition by decree, dismissal, vacated reference, real estate tax contract stays and bankruptcy stays.

<sup>(6)</sup> This column is the difference between Referrals and Reinstates Combined and Dispositions.

# INFORMATION SYSTEMS/COURT SYSTEMS

**THOMAS P. ARNAUT**  
Director

## **TOTAL STAFF:**

1	Administrative Assistant	1	Court Systems Supervisor
1	Court Technology Specialist	1	Court Systems Assistant Supervisor
1	Assistant Director – Network Engineering	2	Network Technicians
1	Computer Programmer		
1	Assistant Director – Programming		

## **INFORMATION SYSTEMS**

The Information Systems Department is responsible for designing, implementing and maintaining all of the network systems and applications that are used throughout the Court. There are approximately 600 workstations, nine network servers, five local area networks, all connected through the county wide area network. Applications range from the primary case management system running on AIX, web applications running on Windows, and file and print services running on Novell OES. The Information Systems Department also supports the interaction of the Court with other County and Municipal agencies where information sharing is required.

In 2011, the Information Systems Department continued developing and implementing new features in the various systems used by the Court. The Information Systems Department will continue to analyze and evaluate opportunities to increase efficiencies through the use of technology. The Court's Information Systems Department continued to support the Justice System Reform Initiative through various projects such as case management system modifications and providing statistical reports for gauging the progress of the initiatives.

The Information Systems Department will continue to work diligently on upgrading and enhancing the systems used by the Court, the legal community, and the public so that they may have reliable, accurate access to the information that they require.

## **COURT SYSTEMS**

The primary function of the Court Systems Department is to create criminal journal entries and prepare them for signature by the Judges. A form is provided to the Court System Department by the Judges, which contains the information to be included in the journal entry. Using this form the Court Systems Department will create a completed journal entry. The entry will be proof read for accuracy, then delivered to the Judges for their signature. The Court Systems Department prepared more than 29,000 entries in 2011.

# JUDICIAL SECRETARIES

## JANET CHARNEY

Chief Judicial Secretary

### **TOTAL STAFF:**

- 1 Chief Judicial Secretary
- 6 Secretaries

The Secretarial Department of the Court serves the thirty-four sitting Judges as well as the visiting Judges, bailiffs, judicial staff attorneys, and other Court personnel. Their responsibilities include the following: typing various documents including criminal and civil jury instructions, verdict forms, jury interrogatories, journal entries, opinions, various reports, speeches, letters, transcribing from Dictaphone, and any other documents required by the above mentioned personnel.

This Department formerly consisted of eight secretaries; each secretary assigned to four Judges, with the exception of two secretaries assigned to five Judges. The Department now consists of just seven secretaries; each secretary is assigned to five Judges, with the exception of one secretary being assigned to four Judges. The Department works as a unit, filling in for each other during absences, as well as helping each other with heavy workloads.

The secretaries also attend periodic training classes to upgrade their skills in the use of new software to continue with the installation of new programs.

# JUDICIAL STAFF ATTORNEYS

## LAURA W. CREED

Chief Judicial Staff Attorney

## MOLLY DeFRANCO

Assistant Chief Judicial Staff Attorney

### **TOTAL STAFF:**

- 1 Chief Judicial Staff Attorney
- 1 Assistant Chief Judicial Staff Attorney
- 34 Judicial Staff Attorneys

A judicial staff attorney assists the Judge in the management of their civil and criminal dockets. The duties of the position include reviewing and researching legal questions; formulating recommendations on the disposition of motions; assisting in drafting opinions and orders; conducting case management conferences and other pre-trials at the request of the Judge; and answering inquiries from members of the bar and the public.

The Judicial Staff Attorney Department continued to evolve in 2011. During the calendar year, eight (8) new staff attorneys joined the department. This represented a turnover of nearly a quarter of the staff. It is encouraging to note that the individuals who left found positions with the F.B.I., prestigious law firms in the city or with the Appellate Court. The experience gained by our staff attorneys appears valuable to both public and private sector employers because they receive valuable training, learn the workings of the court system and develop expertise in the latest litigation areas.

The camaraderie among the judicial staff attorneys facilitates the exchange of information regarding recent trends in Ohio law. In this forum, staff attorneys benefit one another by circulating important recent judicial opinions and advice on legal issues. At its annual departmental meeting, the staff attorneys were advised of the new e-filing system that will be put into place in 2012 and about the Supreme Court of Ohio's new Writing Manual.

The coming year will undoubtedly bring more changes. The judicial staff attorneys will continue to adapt and respond so that the Cuyahoga County Court of Common Pleas may fulfill its role in administering justice without denial or delay.

# JURY BAILIFF/JURY COMMISSION

**PATRICIA I. BITTNER**  
**VERONICA L. ADAMS**

Co-Directors Jury Bailiff

**TOTAL STAFF:**

2	Co-Directors Jury Bailiff	1	Assistant Jury Commissioner
1	Jury Bailiff	2	Jury Commissioners

## JURY BAILIFFS

### JUROR UTILIZATION - CRIMINAL 2011

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Panels	51	40	43	28	37	42	31	42	29	41	47	25	456
Trials	29	19	21	17	17	20	15	21	13	27	26	18	243

### JUROR UTILIZATION - CIVIL 2011

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Panels	16	26	17	9	16	8	12	13	17	9	7	9	159
Trials	14	22	14	8	16	5	10	12	13	8	5	7	134

<b>CAPITAL CASE JURY TRIAL</b>	<b>11</b>
<b>NUMBER OF JURORS</b>	<b>12,968</b>
<b>NUMBER OF JUROR DAYS OVER 5</b>	<b>890</b>
<b>TOTAL NUMBER OF JUROR DAYS</b>	<b>50,923</b>

Our goal remains the same and that is to reduce the cost of jurors and gain more effective utilization of jurors.

In comparison to 2010, there was a slight decrease in the number of jurors that were called in and a significant decrease in the number of Juror days. The number of jurors who spent more than the 5-day minimum decreased dramatically. Our goal this year is to try and utilize the Monday/Wednesday jurors in a way that if possible we can get them out at their 5-day term or less so we can stay within our budget.

## JURY COMMISSION

### JURY COMMISSION ANNUAL REPORT 2011

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Drawn	3,210	2,700	3,560	3,000	3,300	3,500	2,450	3,550	2,550	3,200	2,301	1,900	35,221
Report	1,163	869	1,137	1,026	1,359	1,423	928	1,223	957	1,168	883	832	12,968

<b>PETIT JURORS DRAWN</b>	<b>35,221</b>
<b>GRAND JURORS DRAWN</b>	<b>2,100</b>
<b>SPECIAL JURORS DRAWN</b>	<b>0</b>
<b>TOTAL</b>	<b>37,321</b>

# COURT PSYCHIATRIC CLINIC

**PHILLIP J. RESNICK, M.D.**

Director

**GEORGE W. SCHMEDLEN, PhD., J.D.**

Associate Director

## **TOTAL STAFF:**

1	Director (12 hours/week)	12	Part time (4 hours/week) Psychiatrists
1	Associate Director	1	Part time (4 hours/week) Psychologist
1	Chief of Psychology	1	Part time (24 hours/week) Psychologist
1	Chief of Social Work	1	Part time (4 hours/week) Neuropsychologist
2	Full Social Workers	1	Office Manager
1	Full Time Psychologist	5	Secretaries

## **COURT CLINIC REFERRALS IN 2011**

During the calendar year 2011 the Court Psychiatric Clinic received a total of 2,830 referrals. This number represents a 5.9% increase in referrals over calendar year 2010 (2,671). The increase was primarily in Mitigation of Penalty and Intervention in Lieu of Conviction referrals.

## **PROFESSIONAL STAFF COMPOSITION**

The Court Psychiatric Clinic professional administrative staff is composed of the Director, Associate Director, Chief of Psychology, and Chief Social Worker. The Director serves part time, twelve (12) hours per week. The rest of the professional administrative staff is composed of full time employees. All professional administrative staff provide direct clinical service. The remaining professional staff is composed of two full time social workers, one full time psychologist, twelve part time psychiatrists (four of whom are forensic psychiatry fellows), two part time psychologists (one of whom works twenty-four hours per week), and one part time neuropsychologist.

One Social Worker resigned from the Court Psychiatric Clinic to accept another position. Another qualified individual was hired to fill the open slot.

## **SECRETARIAL STAFF**

The Court Psychiatric Clinic secretarial staff worked diligently and efficiently to keep pace with the increase in the number of referrals. One secretary transferred back to the Probation Department. Another retired at the end of the year. The efficient work of the secretarial staff has also allowed time for scanning of completed files and the electronic entry of Ohio Department of Mental Health mandated statistical reporting forms.

## **CONTINUATION OF HOUSE BILL 285 “Second Opinion” FUNDING**

For the fifteenth year, the Ohio Department of Mental Health (ODMH) funded the Court Psychiatric Clinic to perform House Bill 285 “Second Opinion” evaluations. Professional staff travel to Northcoast Behavioral Healthcare - Northfield Campus to examine forensic patients who have a Not Guilty By Reason of Insanity or Incompetent to Stand Trial - Unrestorable status and have been recommended by their Treatment Team for “Movement to Non-Secured Status.” The Ohio Department of Mental Health funds the Court Psychiatric Clinic in the amount of Twenty-Two Thousand Dollars (\$22,000) to perform these evaluations. The funds are administered through the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (ADAMHS). In 2011, the Court Psychiatric Clinic staff completed 28 Senate Bill 285 evaluations, an increase of 16.7% percent over the number completed in 2010.

## COMPETENCY AND SANITY REFERRALS

The number of Court Psychiatric Clinic Competency to Stand Trial and Sanity at the Time of the Act referrals remained essentially unchanged in 2011. Competency evaluations for calendar year were 788 and in calendar year 2010 were 794. Sanity evaluations totaled 681 in 2010 and were 683 in 2011.

## HIGH VOLUME OF MITIGATION AND DRUG DEPENDENCY/ INTERVENTION IN LIEU OF CONVICTION REPORTS

The Court Psychiatric Clinic received 706 referrals for Mitigation of Penalty Reports in 2011. This represents a 15% percent increase over the 613 referrals for Mitigation of Penalty Reports received in 2010.

The Clinic received 363 referrals for Drug Dependency / Intervention in Lieu of Conviction Reports in 2011. This represents an 11.6% percent increase in such referrals over the 325 referrals for Drug Dependency/ Intervention in Lieu of Conviction Reports received in 2010. The Social Work staff complete the majority of the Drug Dependency reports.

Referrals from Probation Officers in 2011 remained on pace with the number of referrals received in 2010. We received 233 referrals for Reports for Probation in 2011. This is comparable to the 223 referred in 2010.

## COURT CLINIC TRAINING FUNCTIONS

The Court Psychiatric Clinic maintained its affiliation with the Case Western Reserve University School of Medicine. Two groups of forensic psychiatry fellows (one group with three fellows; one group with four) pursuing fellowship training under the supervision of the Clinic Director Phillip J. Resnick, M.D., rotated through the Court Psychiatric Clinic during the July 1 - June 30 training cycle.

We maintained our association with the Mandel School of Applied Social Science (MSASS) at Case Western Reserve University and have had a 24-hour per week social work student placed at our facility during the 2011 component of 2010-2011 and 2011-2012 training years.

After several years' hiatus, a second year student from the Cleveland State University Master's Program in Clinical-Community Psychology participated in a 16-hour per week psychology internship.

The Court Psychiatric Clinic continued its mission to provide education and training experiences to numerous undergraduate behavioral science students, law students, advanced medical students, psychiatry residents, and a number of other mental health professionals.

The Court Psychiatric Clinic sponsored lunchtime seminars open to Clinic staff, Judges, Probation Officers and mental health professionals from the community:

- Abhishek Jain, M.D. presented on *"Informed Consent and Capacity: Roadmapping the Right to Decide."*
- Vasilis K. Pozios, M.D. spoke on *"Mental Illness and Media: Do Misinformed Juries Deny Justice?"*
- Dr. Susan Kimmel presented on *"Campus Shooters: What Can We Learn from Their Stories?"*
- Les Kapalczynski, M.D. gave a lecture on *"Murder-Suicide: A Sum of its Parts or a Unique Entity?"*
- Stephen Noffsinger, M.D. rounded out the year by presenting a *"Legal Update"* on cases relevant to forensic assessment.

## PARTICIPATION IN THE MENTAL HEALTH COURT

The Associate Director of the Court Psychiatric Clinic continues to be active in the Mental Health Court. He works closely with personnel from the Court Supervised Release unit of the Cuyahoga County Probation

Department to recommend the transfer of qualified defendants to the Mental Health Docket at the pre-arraignment stage. In addition, he reviewed prior psychiatric care documentation to determine whether post-arraignment defendants were eligible for transfer to the Mental Health Court Docket. The professional staff of the Court Clinic continues to routinely perform a number of assessments to determine individual defendant's eligibility for transfer to the Mental Health Court Docket.

## **PARTICIPATION IN THE ASSOCIATION OF OHIO FORENSIC PSYCHIATRIC CENTER DIRECTORS**

The Associate Director was active during 2011 in the Association of Ohio Forensic Psychiatric Center Directors Association. He regularly attended the Association's monthly meetings in Columbus. He continued as Secretary of the Association and as a member of the Education Committee. He helped plan and implement a successful two-day continuing education workshop in Columbus attended by over 130 Community Forensic Psychiatric Centers' staff from all over the state.

## **THE COURT PSYCHIATRIC CLINIC REMAINS FOCUSED ON ITS CORE MISSION**

During 2011, the Court Psychiatric Clinic continued to focus its resources on discharging its primary mission to prepare thorough, timely, useful, clinical assessments of defendants referred by the Common Pleas Court Judges and Probation Officers.

### **COURT PSYCHIATRIC CLINIC (01/01/11 – 12/31/11) NUMBER OF REFERRALS**

Competency to Stand Trial (O.R.C. § 2945.371(A))	794
Sanity at the Time of the Act (O.R.C. § 2945.371(A))	683
Mitigation of Penalty (O.R.C. § 2947.06(B))	706
Civil Commitment (O.R.C. § 2945.40 & 5122.01)	22
Movement to Non-Secured Status (Senate Bill 285)	28
Drug Dependency/Intervention in Lieu (O.R.C. § 2945.041)	363
Reports for Probation (O.R.C. § 2951.03)	233
Miscellaneous	1
<b>Total</b>	<b>2,830</b>

### **COURT PSYCHIATRIC CLINIC COMPARISON NUMBER OF REFERRALS 2010 - 2011**

	<b>2010</b>	<b>2011</b>	<b>change +/- %</b>
Competency to Stand Trial (O.R.C. § 2945.371(A))	794	794	-----
Sanity at the Time of the Act (O.R.C. § 2945.371(A))	681	683	+3.3%
Mitigation of Penalty (O.R.C. § 2947.06(B))	613	706	+15.0%
Civil Commitment - (O.R.C. § 2945.40 & § 5122.01)	15	22	+46.7%
Movement to Non-Secured Status (Senate Bill 285)	24	28	+16.7%
Drug Dependency/Intervention in Lieu (O.R.C. § 2945.041)	325	363	+11.6%
Reports for Probation (O.R.C. § 2951.03)	223	233	+4.5%
Miscellaneous	2	1	-50.0%
<b>Totals</b>	<b>2,671</b>	<b>2,830</b>	<b>+5.9%</b>

# ADULT PROBATION DEPARTMENT

**VINCENT D. HOLLAND**

Chief Probation Officer

**MOLLY BRENINGHOUSE and ELLEN WOODRUFF**

Deputy Chief Probation Officers

**DANIEL PETERCA**

Manager of Pretrial Services

**TOTAL STAFF:**

1	Chief Probation Officer	1	Clerical Supervisor
2	Deputy Chief Probation Officers	15	Clerical & Support Staff
1	Manager	1	Executive Secretary
15	Supervisors	2	Administrative Assistants
1	Supervisor of Information Services	1	Laboratory Director
1	Information Specialist	2	Senior Lab Technicians
127	Probation Officers	6	Lab Assistants
1	Drug Court Coordinator	3	Cashier Bookkeepers

**SUPERVISION**

Persons on probation as of December 31, 2011	8,023
Persons on probation as of December 31, 2010	8,467
Persons sentenced – Felony only	6,844
Persons sentenced – Misdemeanor only	1,179
Females sentenced to community control	1,679
Males sentenced to community control	6,344

Those persons who are placed on community control receive an assessment in order to determine their risk score. The risk score for persons sentenced to community control is as follows:

CATEGORY	NUMBER
Extremely High	10
High	2,499
Moderate	2,871
Low/Moderate	1,316
Low	1,327
<b>Total</b>	<b>8,023</b>

## PERSONS UNDER SUPERVISION AS OF DECEMBER 31, 2011

Date as of:	Number of persons on Probation for a Felony Conviction(s)	Percent	Number of persons on Probation for Misdemeanor Conviction(s)	Percent	Total Number on Probation
12-31-2011	6,844	85.30%	1,179	14.70%	8,023
12-31-2010	7,951	93.90%	516	6.10%	8,467
12-31-2009	7,583	92.22%	640	7.78%	8,223
12-31-2008	7,433	91.72%	670	8.28%	8,103
12-31-2007	7,300	91.49%	679	8.51%	7,979
12-31-2006	7,361	92.45%	601	7.55%	7,962
12-31-2005	6,928	91.69%	628	8.31%	7,556
12-31-2004	7,246	91.39%	683	8.61%	7,929
12-31-2003	7,471	89.83%	846	10.17%	8,317
12-31-2002	7,663	89.26%	922	10.74%	8,585
12-31-2001	7,688	89.00%	950	11.00%	8,638
12-31-2000	7,076	88.07%	958	11.93%	8,034

## DEMOGRAPHIC PROFILE OF SUPERVISION CASES 2011

Age Group	Percent of Total
Under 18 years	0.04%
18 through 22	15.65%
23 through 27	19.05%
28 through 32	17.20%
33 through 37	12.40%
38 through 42	10.74%
43 through 46	7.07%
47 through 51	8.01%
52 through 56	5.75%
57 and over	4.08%
Unknown	0.01%
<b>Total</b>	<b>100.00%</b>

## FINANCIAL COLLECTIONS BY THE ADULT PROBATION DEPARTMENT

<u>CATEGORY</u>	<u>AMOUNT COLLECTED</u>
RESTITUTION PAYMENT	\$2,996,008.66
HOME DETENTION FEES	\$91,262.50
PROBATION	\$442,016.79
SUPERVISION FEES	
COURT COSTS	\$5,929.11
TOTAL	\$3,535,217.06

In 2011 our Department received payments by credit card of \$339,690.04. In 2010 our Department received payments of \$313,427.03 from those who paid by credit cards. This was an increase of 8.38% in credit card payments.

In 2011 the Department collected \$3,535,217.06. This is the second highest total ever collected by the Department.

### RESTITUTION COLLECTED

Year	Amount
2011	\$3,535,217.06
2010	\$3,579,832.70
2009	\$2,631,167.04
2008	\$2,324,329.65
2007	\$2,745,929.21
2006	\$2,292,211.66
2005	\$1,881,129.50
2004	\$2,091,077.34
2003	\$2,270,172.24
2002	\$2,035,221.79
2001	\$2,129,402.58
2000	\$1,914,258.41

## DRUG TESTING

The Probation Department Laboratory performs drug of abuse testing and currently has a five-year (2007 to 2012) contract with Thermo-Fisher Scientific, Inc. (formerly Microgenics, Inc.) to provide reagents, instrumentation and some supplies to perform the drug tests. The laboratory information system is supplied by Antek, Inc. They provide the software to produce bar code labels for the specimens, print test results and compile various statistical reports and provide for the export of results into PROWARE. The Laboratory processed 87,031 specimens in 2011. Most of these specimens were tested for opiates, cocaine and/or marijuana.

## LABORATORY STATISTICS

Our Laboratory provides drug testing for a number of programs. The TASC (Treatment Alternatives to Street Crimes), Stella Maris, Juvenile Court, Harbor Light, Re-Entry Court and a few of our municipalities use our Lab's services.

The Lab also performs hair and oral swab testing. Hair specimens are sent to Omega Laboratories, Inc. in Mogadore, Ohio, an accredited reference laboratory (CAP – College of American Pathologists Laboratory Accreditation Program).

### NUMBER OF URINE SPECIMENS AND TESTS PERFORMED 2000 – 2011

Year	Specimens	Change	Drug Tests	Change
2011	87,031	(12.86%)	-----	-----
2010	99,877	5.9%	427,943	21.9% **
2009	94,289	(8.6%)	351,168	(10.0%)
2008	103,133	(16.0%)	390,929	(6.9%)
2007	123,338	1.0%	419,792	1.1%
2006	122,214	(<1.0%)	415,137	(3.7%)
2005	121,837	(5.0%)	431,178	(7.0%)
2004	128,304	6.3%	463,424	5.2%
2003	120,686	(0.6%)	440,591	(4.7%)
2002	121,409	7.6%	462,886	10.0%
2001	112,793	15.2%	422,184	24.1%
2000	97,891	7.5%	340,114	9.8%

*\*\* Increase due to addition of 6 acetylmorphine test added to all specimens with opiate requested*

The Probation Department Laboratory continues to subscribe to proficiency testing from the American Association of Bioanalysts and has scored 100 percent (%) in testing accuracy.

The Laboratory it is not eligible to participate in any other inspection or certification programs because confirmation testing by gas chromatography/mass spectroscopy (GC/MS) is not performed in-house.

## HAIR TESTING

Hair specimens are sent to Omega Laboratories Inc., Mogadore, Ohio, an accredited reference laboratory, (CAP - College of America Pathologists Laboratory Accreditation Program).

## ORAL FLUID TESTING

The Laboratory tests oral fluids routinely. They are primarily performed on individuals who are unable to produce urine specimens due to medical conditions (i.e. renal dialysis) and those who continue to submit dilute urine specimens. Approximately 3% of all urine specimens are considered unacceptable due to low concentration (dilute). The procedure being used is an onsite immunoassay device from Redwood Toxicology Laboratory, Inc. (In 2007 some tests used devices from ABMC) All positive oral fluid specimens were sent to Redwood Toxicology Laboratory for confirmation testing by GC/MS in from 2007 through 2009. Beginning in 2010, testing changes were made after evaluation of the test results in 2009. Although each on-site device tests for 6 analytes: cocaine, opiates, marijuana, phencyclidine (PCP), amphetamine and methamphetamine, amphetamines are no longer tested and positive specimens are not sent for confirmation unless requested.

## **COMMUNITY WORK SERVICE:**

Cuyahoga County's Community Work Service Program (CWSP) is a not-for profit agency that laces persons into court ordered community work service assignments. The CWSP program has a twenty-six year history of working with our probation department. They have working agreements with over 500 agencies. The agency received more than 4,500 referrals from our Department, and placed more than 3,700 persons in agencies and work crews in 2011. In addition their excellent program also worked with the Department to establish work crews that were consistent with the mission of evidence based practices by not mixing low level risk offender with our higher level risk offenders.

## **HOME DETENTION PROGRAM (Electronic Monitoring)**

The purpose of the Home Detention Program is to restrict the offender to his/her residence except for verified releases, such as employment, education, training, outpatient treatment for substance abuse, court community service or other verified activity ordered by the court as a condition of probation, community control, or personal bond (Court Supervised Release). Offenders ordered to participate in this program are monitored by electronic devices, which include a transmitter worn on the ankle, which sends a continuous signal to an installed monitor attached to the participant's telephone. The Cuyahoga County Sheriff's Department provides the electronic monitoring equipment, monitoring services and surveillance. In addition, the Home detention program also contracted with BI to provide alcohol monitoring equipment for their client base.

This unit collected \$91,262.50 in fees from the clients serviced by the program.

## **SPECIALIZED PROGRAMS**

The Probation Department provides specialized program services to the Court in order to protect the community, rehabilitate the offender, focus on the identified criminogenic needs of the offender, and meet the other needs of the criminal justice system. The major principles that define criminogenic needs are as follows: (1) assess the risk and needs of the offender, (2) enhance the motivation of the offender, (3) targeting the offender's needs, (4) providing training in order to develop a highly skilled staff able to provide the necessary services, (5) engage ongoing support in local neighborhoods and communities, (6) measure relevant processes and practices, and (8) provide measurable feedback. Specialized programming is administered through the Intensive Probation Program. These programs include the Intensive Specialized Probation, Mentally Disordered Offender, Sex Offender and the Mentally Retarded Offender units of the Probation Department.

Our Intensive Supervision Probation Program (ISP) is designed to divert non-violent felony offenders from the prison setting by providing a more intensive paradigm of supervision within the community. ISP was originally designed as a one-year program with three levels of supervision, requiring a variety of office and field contact standards, varying urinalysis schedules, and commitment to a case plan designed to enhance effective habilitation of the client. Recently, the supervision model has been driven by an evidence-based practices paradigm. Offenders are also placed in the program if they are released from prison on judicial release.

Our mental health and developmental disabilities units were combined in 2010. They are now known as the Mental Health-Developmental Disabilities unit, as this terminology best reflects the workings of the project. The project is designed to provide monitoring, counseling, treatment and other services to clients placed on community control that are clinically diagnosed by the Court Psychiatric Clinic, or a reputable diagnostic service, as psychotic. These major psychotic illnesses are as follows: schizophrenia, Schizoaffective Disorder, and other disorders with psychotic features as defined in the DSM-IV. The project contracts directly with the Cuyahoga County Mental Health Board for services for the project's mental health issues, and the Board of developmental disabilities for those needs. In addition, the staff has been active in working with the local ADAMHS and Developmental Disabilities Boards.

Program staff meets regularly with staff from both agencies on a regular basis. Probation, jail liaison, support administrators and mental health board staff meet at regular intervals in order to reevaluate the program. The program has also linked with the housing liaison staff in order to help facilitate a smoother transition for MDO clients. Probation staff also developed protocols and procedures for transporting clients to hospitals when needed, and have also undergone training in crisis intervention, probate procedures, psychotropic medications, evidence based practices and other relevant issues.

During 2003, the Court initiated a Mental Health (MH) Court Docket with specially trained Judges, prosecutors and defense attorneys, as well as liaisons trained to provide screening and assessments for early identification of special needs offenders. Many offenders in the program will benefit from the increased collaboration and streamlined services characteristic of the new Mental Health Court Docket.

Those officers who work directly with the developmentally disabled populations work directly with the Board. This project contracts directly with the Board of Developmental Disabilities for services. The probation officers, in cooperation with various community agencies, coordinate specialized services. In addition, a team consisting of representatives from our court psychiatric clinic, Public Defender's Office, County Board of Developmental Disabilities, Bureau of Vocational Rehabilitation and the Cuyahoga County Jail, meets once a month to staff individual cases and recommend treatment plans. The Board of Developmental Disabilities also developed a training program for their providers that included workshops on how to supervise developmental disabilities clients who are actively under court supervision. The Developmental Disabilities Board also increased staff during the year in order to better serve this population. Many offenders in the program will benefit from the increased collaboration and streamlined services characteristic of the new MH court docket.

Cuyahoga County's **Sex Offender Program (SOP)** began in 1994. This program is designed to provide assessment, intensive probation supervision and treatment to sex offenders who have been convicted of a sex offense or an offense whose elements include sex-offending behavior. The program includes intensive supervision and treatment components, and is staffed by three probation officers located in the Justice Center. Treatment services, which consist of group and individual counseling for sex offenders, are provided by experienced practitioners. Some of the programs are conducted at the Justice Center for convenience purposes. A clinical assessment is provided for all offenders placed in the program. This assessment may include a polygraph examination for those evidencing denial of the offense. This assessment provides the Court and Probation Department with information related to the Client's offending behavior, risk of reoffending, amenability for treatment and a supervision plan for the offender should the person be granted community control. Offenders ordered into the program as a condition of community control, and accepted into treatment, will be expected to comply with treatment program requirements, including further polygraph examinations. The Unit also monitors compliance with sex offender registration and associated state laws.

The probation department also operates an apprehension unit. This unit works in tandem with the Sheriff's Department in order to apprehend those offenders who have absconded or who are not in compliance with the major terms of their community control requirements. In addition, the probation department also monitors a non-support program for those persons who owe child support. Additionally, the Department also maintains a dedicated probation officer at the Community Based Corrections Facility (CBCF).

Our Department is in the process of moving toward full implementation of an evidence based practices paradigm (EBP). All persons placed on community control are assessed for risk and need. The Department also places persons in their supervision level by their respective risk scores. Additionally, all staff has undergone training in the basic principles of EBP, and staff has received specific training in areas of counseling, ORAS assessment, motivational interviewing and other areas of EBP. In addition, there are a number of standing committees that are overseen by probation officers and other persons in the Department that address important areas needed for planning and implementing EBP.

## PRETRIAL SERVICES UNIT COURT SUPERVISED RELEASE (C.S.R.) PROGRAM

Court Supervised Release involves the bail investigation and supervision of defendants charged with felonies, who prior to disposition, are released into the community under supervision with a personal or financial bond.

The following represents defendant released under Court Supervised Release as well as defendants receiving additional or specialized pretrial supervision services including: The Domestic Violence Program, Early Intervention Program, Greater Cleveland Drug Court candidates, as well as Mentally Disordered and Retarded Offenders.

	2011	2010	Percent Change
Individuals released from jail under CSR as a condition of bond	2,472	2,116	+16.8%
Individuals under CSR as of December 31, 2011	791	460	+71.9%
Total bond investigations by CSR staff	3,755	4,309	-12.9%
Total releases from County Jail as a result of bond investigations	2,686	3,112	-13.7%

Distribution of Individuals Released Under CSR	2011	2010	Percent Change
Cleveland Municipal Court	419	311	+34.7%
Common Pleas Court	2,046	1,795	+13.9%
Transferred from Diversion	7	10	-3.0%
<b>Totals</b>	<b>2,472</b>	<b>2,116</b>	<b>+16.8%</b>

## DIVERSION PROGRAM

The Cuyahoga County Prosecutor's Office began the Pretrial Diversion Program in conjunction with the Court of Common Pleas in March 1993.

The program was established pursuant to Revised Code 2935.36. It is designed for persons charged with non-violent and non-drug related crimes, who have no previous felony convictions or patterns of adult or juvenile criminal behavior.

The program had been divided into two types, welfare cases and non-welfare cases. However, in January 2000, the Pretrial Unit began supervision of all newly granted welfare diversion cases.

The Pretrial Unit provides services to the County Prosecutor's Pretrial Diversion Program. Services currently consist of:

1. Completing extensive criminal record checks on both welfare and non-welfare felony diversion candidates.
2. Conducting investigations including interviews, determining restitution amounts and recipients and evaluations of eligibility.
3. Supervision of all diversion cases (supervision activities include urinalysis, community work service, restitution, court costs, supervision fees, etc.)

In 2011, the Pretrial Services Unit has performed the following activities:

Supervision Activities of Diversion Defendants	2011	2010	Percent Change
Number placed on Diversion	473	514	-8.0%
Total defendants removed from the Diversion program	537	710	-24.4%
Successful completions	353	572	-38.3%
Unsuccessful completions	184	138	+33.3%

# CORRECTIONS PLANNING BOARD

**HON. NANCY A. FUERST**

Chair

**MARIA NEMEC**

Corrections Planning Board Administrator

**MOLLY BRENINGHOUSE**

Program Director - 407 Prison Diversion

**DANIEL PETERCA**

Program Director - 408 Jail Diversion

## **TOTAL STAFF:**

1	Board Administrator	2	Substance Abuse Case Managers
2	Program Directors	1	Training Specialist
1	Fiscal Officer	3	Administrative Aides
1	Research Planner		

*Located in the Marion Building 1276 West Third Street, Suite 700, Cleveland, Ohio 44113*

## **Mission Statement**

*Cuyahoga County Corrections Planning Board exists to create an environment to improve the coordination of community corrections at all levels of the criminal justice system.*

*Toward this end, the Corrections Planning Board members and staff will work to:*

*Provide effective alternatives to incarceration*

*Enhance public safety and protection of victims*

*Seek and secure funding and resources*

*Develop and maintain partnerships with stakeholders*

The Corrections Planning Board, comprised of fifteen members, administers Community Corrections Act (CCA) grant funds from the State of Ohio's Department of Rehabilitation and Correction for community jail and prison diversion programs. The Chair of the Board is the Presiding Judge of the Cuyahoga County Common Pleas Court. Cuyahoga County established its Corrections Planning Board in 1984. Most of the Board's local community sanction programs are administered through the Court's Adult Probation Department.

During FY 2011, the Board administered CCA grants of \$5,358,444 to fund and staff local community corrections programs. These programs are designed to divert eligible criminal offenders from the Cuyahoga County Jail or the state prison system, while maintaining public safety. Just over 5,000 criminal offenders were diverted into local community sanction alternatives during 2011. In relation to the rest of the State, Cuyahoga County has reduced the number of prison commitments from 25% of all commitments to 19% in 2011. The percentage of funding received by Cuyahoga County for the 407 Prison/Felony Project in FY 2011 was approximately 16.6% of the total Community Corrections Act (CCA) 407 funding available statewide. Cuyahoga County has contributed an average of 19% of the statewide total of prison diversions in Ohio over the last decade. The percentage of funding received by Cuyahoga County for the 408 Jail Project in FY 2011 was approximately 14% of the total Community Corrections Act (CCA) 408 funding available statewide. Cuyahoga County has contributed an average of 14% of the statewide total of jail diversions in Ohio over the last decade.

The Cuyahoga County CCA programs through the Corrections Planning Board have been the recipients of numerous awards to recognize their contributions to community corrections. The Probation Department Management has been recognized for their willingness to assist other Ohio counties with criminal justice

initiatives. CCA Project Directors and Board Administrator actively participate in the CCA Directors Organization and as Board of Trustees Members of the Ohio Justice Alliance on Community Corrections.

The Board funds several of the projects jointly with other Cuyahoga County agencies such as the Alcohol, Drug Addiction and Mental Health Services Board (ADAMHS) and the Cuyahoga County Board of Developmental Disabilities. This allows all concerned agencies to maximize the resources available to the community. In addition, the Board participates in the planning and coordination of a number of collaborative projects (e.g., Mental Health Advisory Committee, Cuyahoga County Council on Sex Offender Issues, Justice System Reform Collaborative, Community Based Correctional Facility, Re-Entry Court, Greater Cleveland Drug Court). The Corrections Planning Board also provides fiscal and administrative oversight, as needed, on other grants on behalf of the Common Pleas Court and the Adult Probation Department that are separate from CCA (e.g., BOCC Halfway House Initiative, ADAMHS Board Jail Reduction, Court Substance Abuse Treatment, Re-Entry Court, Drug Court, CBCF). In 2011, the Board applied for and received a BJA/SAMHSA federal grant for \$1.475 million to provide treatment for offenders on specialized dockets in Cleveland Municipal and Common Pleas Court who have been diagnosed as opiate dependent.

The Corrections Planning Board also serves as the facilitator and coordinator of various criminal justice initiatives between the Court, the Sheriff's Department, the County Prosecutor, and the Cleveland Police Department, as well as with the Cleveland Municipal Court, the City Prosecutor and other concerned agencies.

**ROSTER OF MEMBERS as of December 31, 2011  
CUYAHOGA COUNTY CORRECTIONS PLANNING BOARD**

**Nancy A. Fuerst, Chair  
Presiding and Administrative Judge - Cuyahoga County Common Pleas Court**

**Edward FitzGerald**  
County Executive

**Kenneth Kochevar, Director**  
Cuyahoga County Corrections Center

**William D. Mason**  
Cuyahoga County Prosecutor

**Russell R. Brown, Court Administrator**  
Cleveland Municipal Court

**Bob Reid**  
Cuyahoga County Sheriff

**Judge Dick Ambrose**  
Cuyahoga County Common Pleas Court

**Robert Tobik**  
Cuyahoga County Public Defender

**Judge K. J. Montgomery**  
Shaker Heights Municipal Court

**Chief Michael McGrath**  
Cleveland Police Department

**Regina Daniel, Deputy Court Administrator**  
Cleveland Municipal Court

**Vincent H. Holland, Chief Probation Officer**  
Cuyahoga County Adult Probation

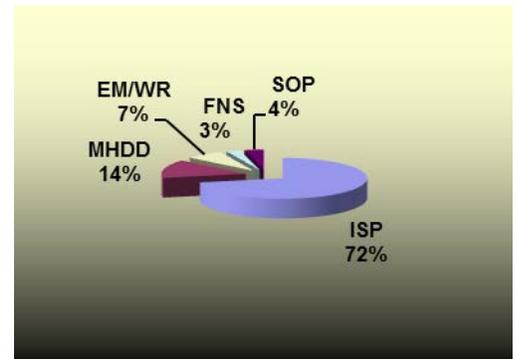
**Paul Jurcisin**  
Retired CPD

Two positions currently vacant

## DIVERSIONS ACHIEVED IN 2011 (January 1, 2011 – December 31, 2011)

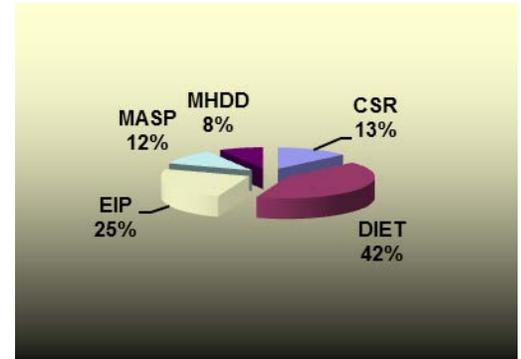
### FELONY DIVERSION PROJECTS:

1,492	Intensive Supervision Probation (ISP)
302	Mental Health/Developmental Disabilities (MHDD)
152	Electronic Monitoring / Work Release (EM/WR)
77	Sex Offender Program (SOP)
57	Felony Non Support (FNS)
2,080	Total



### JAIL DIVERSION PROJECTS:

1,826	Court Supervised Release (CSR)
336	Early Intervention Program (EIP)
156	Misdemeanor Alternative Sentencing (MASP)
112	Mental Health/Developmental Disabilities (MHDD)
577	Domestic Intervention Education & Training (DIET)
3,007	Total



## 407 PRISON / FELONY DIVERSION PROGRAM

Electronic Monitoring / Work Release  
 Intensive Supervision Probation (ISP)  
 ISP Maintenance  
 Mental Health and Developmental Disabilities Program (MHDD)  
 Non-Support Specialized Caseload  
 Sex Offender Program  
 Apprehension Unit  
 Staff Training and Development Project  
 Substance Abuse Project  
 Substance Abuse Case Management  
 Drug Testing

**ELECTRONIC MONITORING / WORK RELEASE:** Community Corrections Act funding provides for three full-time supervision officers and a lead officer to staff the Electronic Monitoring and Work Release Programs. Program and service costs are funded by the Court of Common Pleas. This program is fully utilized and often has a waiting list. In absence of a dedicated contract to house and treat Work Release offenders, due to diminished funding, the CPB collaborates with local state-funded Halfway Houses for use of beds for the Work Release program.

**INTENSIVE SUPERVISION PROJECT:** Community Corrections Act funding reimburses salary costs to staff the Intensive Supervision Program (ISP), the Mental Health and Developmental Disabilities Program (MHDD) and the Sex Offender Program. All program costs are funded by the Court of Common Pleas. Currently, all programs are filled to capacity. For offenders in the MHDD Program, a treatment provider (currently Recovery Resources) selected in cooperation with the local ADAMHS board, which co-funds the project with the Court, provides mental health counseling, psychiatric services, medication management and

support services. In 2011, the Sex Offender Program will contract with Psych & Psych to provide group and individual counseling for sex offenders, including the DD population. Most of the sessions are conducted at the Justice Center for convenience purposes.

The Apprehension Unit has been in operation since April 1994, having been established with funding from Community Corrections Act Subsidy Funds from the Ohio Department of Rehabilitation and Correction. This unit consists of four Sheriff's Deputies, two of which are partially funded with CCA dollars since September 1997.

**NON-SUPPORT SPECIALIZED CASELOAD:** In December 2009, the Non-Support Specialized Caseload was established to provide an additional option in the continuum of sanctions for offenders under supervision for Felony Non-Support. The creation of the Non-Support Specialized Caseload is intended to reduce the need for incarceration in state prisons or the local jail by providing an effective sentencing alternative. It is especially important to expand the continuum of sanctions for individuals with non-support offenses to decrease prison commitments for technical violations and avoid interruption in offender employment and subsequent ability to pay child support.

The program collaborates with various community social support agencies that focus on barriers to success, and ensure offenders pay child support and receive services to address their specific needs to encourage responsible parenthood, while promoting public safety. The program also collaborates with criminal justice stakeholders to implement diversion activities, decreasing the employment barrier of a felony conviction, to potentially reduce the number of felony non-support cases and increase collections of child support for families and reduce the number of offenders sentenced to prison for failure to pay child support. The program contracts with a dedicated service provider for fatherhood programming

**COGNITIVE SKILLS DEVELOPMENT PROGRAMMING:** A cognitive skills development program, SCOPE, utilizing the "Thinking for a Change" curriculum, began in January 2010. This program provides an alternative sentencing option for offenders with moderate to high risk scores and for offenders with technical violations. At a violation hearing or status hearing, supervision officers can request that an offender be ordered into the Cognitive Skills Development program as a result of Risk/Need Assessment or a technical violation. For technical violators, officers can recommend that an offender be continued on supervision and ordered into the Cognitive Skills Development program. SCOPE provides 21 hours of cognitive skills development programming. The program provides one more option in the continuum of sanctions rather than incarceration. In 2011, 415 offenders were placed in the SCOPE program. Twenty-nine percent (29%) of the 257 participants completing the programming as of December 31, 2011 were successful.

**STAFF TRAINING & DEVELOPMENT:** In FY 2002, a training specialist position was created to ensure compliance with training requirements. CCA funding reimburses salary and a portion of fringe benefit costs for the Training Specialist. The Staff Development and Training Program's most important task is to provide training and enhance professional standards for probation staff in the CCA grant programs. It strives to meet all CCA program standards in regard to training. Staff regularly meet grant requirements for training hours with innovative training events utilizing in-house facilities and offering a variety of pertinent topics even with a lack of adequate funding within the CCA grants to support the required training hours.

In keeping with the Cuyahoga County Probation Department mission to establish effective alternatives to incarceration and provide evidence-based services for the Court and community, an evidence-based practice workgroup was formed in February 2007. It consisted of 45 staff that included the Chief, the Deputy Chiefs, and Supervisors and Officers representing General Supervision, the ISP Units, Pre-trial Services, and PSI Writers.

The group has developed a Vision Statement, a Mission Statement, a set of Core Values, and 7 general Goals. Members of the original Workgroup have formed 7 Subgroups to address each of those goals. The Workgroup then disbanded.

**SUBGROUP 1:** Determine “what works” in our Court. This group took responsibility for on-going EBP literature review, with the information gained to be used in developing an implementation plan for our Department. Its future activities will deal with fidelity, quality assurance, and measuring outcomes.

**SUBGROUP 2:** Motivate and communicate with Staff. This group took responsibility for crafting a message about evidence-based practices and delivering that message to staff in a convincing way. It is an essential element in changing the Department’s culture in an evidence-based practice direction.

**SUBGROUP 3:** Educate and train staff. This group took responsibility for developing an EBP training process that provides the entire staff with opportunities to gain knowledge about evidence-based practices and to engage in skill development.

**SUBGROUP 4:** Create visual learning tools for staff to support their learning process. This group is an offshoot of the “Educate and Train Staff” subgroup. Its task is to design the learning tools, create them, laminate them and distribute them.

**SUBGROUP 5:** Court communication and education. This group is responsible for providing training opportunities for our Judges on using evidence-based practices in sentencing. Multiple seminars have been held for this purpose. This group also facilitates a collaborative relationship between the Judges and the Probation Department as we move to an evidence-based practice paradigm.

**SUBGROUP 6:** Educate and train offenders. This group has been responsible for developing an Offender Orientation program. It’s future goals include providing cognitive-behavioral programming and pre-contemplative primers for offenders.

**SUBGROUP 7:** Community resources and education. This group is responsible for developing an education piece to inform our community partners about the Department’s transition to evidence-based practices. They are also responsible for developing a method to evaluate our community partners with regard to their adherence to evidence-based practices.

The Training Specialist has created an EBP curriculum for staff skill development. Twelve staff volunteered to be trained as trainers.

Lastly, the Training Specialist was given the responsibility of coordinating the Department’s transition to an evidence-based practice structure.

**SUBSTANCE ABUSE PROGRAM:** The Substance Abuse program targets offenders with drug and alcohol problems. Various activities are utilized as a coordinated system process to deal with substance abusing offenders including centralized case management for referring and managing offenders placed in various residential substance abuse treatment programs.

With CCA funding, the Adult Probation Department continues to provide centralized case management, staffed by a Centralized Case Manager and an Administrative Aide, for both assessment and treatment referrals. One case manager coordinates all offender referrals for substance abuse assessment and treatment services, and manages offenders throughout treatment. Defendants and probationers are selected to participate in the program based on an evaluation of Bail Bond Investigation reports, Pre-sentence Investigation reports, Risk/Needs Assessment, and Alcohol and Drug Assessment. They may be referred as a condition of probation. Drug dependent persons requesting Intervention in Lieu of Conviction under O.R.C. 2951.041 may also be referred for treatment.

The Corrections Planning Board also manages treatment contracts not funded by CCA dollars: Common Pleas Court treatment contract, the Halfway House Initiative and the Alcohol Drug Addiction and Mental Health Services Board Jail Reduction contracts. As of 2005 the local ADAMHS and the Board of Cuyahoga County Commissioners had dedicated funding for jail reduction efforts. Prior to the availability of these

dollars the average length of stay in jail for offenders waiting admission to treatment was approximately 45 days. As a direct result of additional funding, the average length of time spent by offenders waiting for a placement is 14 days. The most difficult clients to place continue to be those dually diagnosed with a mental illness, which complicates treatment, or those with a prior sex offense or arson conviction. To assist with placement of these offenders, through collaboration with the ADAMHS Board, limited access to psychotropic medication is available from Central Pharmacy for offenders waiting in jail for treatment placement.

In 2011, 756 offenders were placed into residential drug/alcohol treatment programs through the Probation Department Centralized Case Management program as described below.

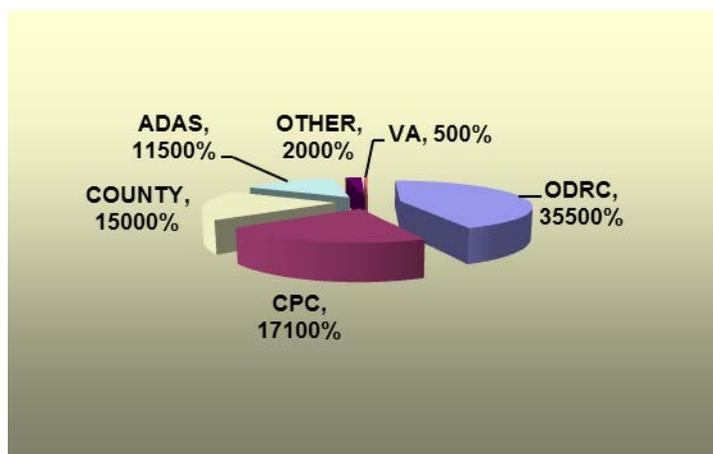
- The Common Pleas Court continued to fund contracted treatment beds placing 171 offenders at the following agencies:
  - Catholic Charities - Matt Talbot Inn & Matt Talbot for Women (137 offenders)
  - Fresh Start - Closed on 6/30/2011 (1 offender)
  - ORCA House (33 offenders)
  
- The County-funded Halfway House Initiative placed 150 offenders at the following agencies:
  - Community Assessment Treatment Services
  - Fresh Start - Closed on 6/30/2011
  - Oriana House
  - Salvation Army – Harbor Light
  
- Using ADAMHS Board-funded Jail Reduction / Indigent beds, placed 29 offenders in residential treatment at the following agencies:
  - Catholic Charities
  - Fresh Start - Closed on 6/30/2011
  - Community Assessment Treatment Services
  - ORCA
  - Hitchcock House
  - HUMADAOP/CASA ALMA

In addition to above funding streams, the Centralized Case Management Program utilized funding made available by:

- Ohio Department of Rehabilitation and Correction - ODRC dollars funded 355 halfway house placements for offenders receiving inpatient substance abuse treatment services and 52 halfway house placements for offenders in need of residential support following completion of primary substance abuse treatment, and 26 Community Based Corrections Facility placements at Northwest Community Corrections Center, Lorain/Medina.

*Note: On February 1, 2011, the Nancy R. McDonnell Community Based Correctional Facility (CBCF) opened in Cuyahoga County. 408 offenders were placed in the CBCF in 2011.*

- Veterans Administration funds: 5 residential placements
- Other funding – grants
- CASA ALMA (4 offenders)
- Y-Haven (4 offenders)
- Hitchcock House (7 offenders)
- Matt Talbot Inn – JAG Grant (3 offenders)
- Stella Maris (2 offenders)



Centralized Case Management also coordinates placements with non-contracted providers (e.g., Ed Keating Center, Jean Marie’s House, Edna House, City Mission) to comply with court orders.

In 2011, the 408 Treatment Placement Coordinator used various funding sources to place 207 defendants into residential treatment and 21 defendants into ARCA for a residential placement when clinical services were not needed.

To comply with court orders, the Centralized Case Manager referred 1,792 offenders to Treatment Alternatives to Street Crime (TASC) for assessments, case management and referral to treatment (includes re-referrals).

Effective November 8, 2010, the Treatment Alternatives to Street Crime (TASC) division was transferred from the BOCC Department of Justice Affairs to the Common Pleas Court Corrections Planning Board.

TASC completed 1,392 chemical dependency assessments:

- 564 Jail Reductions
  - 828 Post Sentence
- (Referrals for ‘Assessment & Case Management’ and ‘Assessment Only’)

TASC admitted 531 (121% increase from 2010 figures) offenders into Case Management

The Cuyahoga County Court of Common Pleas Drug Testing Laboratory operates under Community Corrections funding for its staff and provides drug of abuse testing for CCA and other probation programs. Laboratory staff that collect, test and report drug of abuse test results, has been increased from 6 full-time and 3 part-time individuals in 1995 to a staff of 10 full-time and one part-time staff in 2011. A five-year contract (July 1, 2007 through June 30, 2012) for instrumentation and reagents was awarded to ThermoFisher Scientific, Inc. (formerly Microgenics). (Please see Probation Department Report for 2011 figures).

## 408 JAIL / MISDEMEANOR DIVERSION GRANT

Jail Population Reduction Project  
Court Supervised Release (CSR) Unit  
Mental Health and Developmental Disabilities Program (MHDD)  
Early Intervention Program (EIP)  
Misdemeanor Alternative Sentencing Program  
Domestic Intervention and Education Training (DIET)  
408 Treatment Placement Coordinator

The Jail Population Reduction Project began as a Community Corrections Act project in 1994. The project's overall goal is to reduce jail overcrowding by reducing unnecessary pretrial detention and case processing delay and by better utilization of limited local jail space for appropriate offenders. First, through a number of collaborative criminal justice initiatives and activities in Cuyahoga County, case processing procedures are examined to identify and resolve difficulties and delays. Second, the project gears its activities to developing and operating community control programs described below to reduce commitments and the average length of stay in local jails.

**COURT SUPERVISED RELEASE PROGRAM:** The Court Supervised Release Program became part of the Community Corrections Plan in FY1995. CSR is implemented by the Adult Probation Department whereby close to 2,000 felony cases a year are released from pretrial detention in the County Jail to the supervision of a pretrial officer as a condition of a bond. Community Corrections Act funding reimburses salaries and a portion of fringe benefits for CSR staff including seven supervision officers, two who specialize in the supervision of mentally disordered or mentally disabled offenders. All program costs are funded by the Court of Common Pleas. (Please see Probation Department Report for 2011 figures).

**408 TREATMENT PLACEMENT COORDINATOR:** In late 2009, the position of 408 Treatment Coordinator was created to receive referrals for treatment for defendants identified and assessed during pretrial incarceration in the jail or during pretrial supervision as having mental health and/or substance abuse issues from any of the Pretrial Services programs including Court Supervised Release (CSR), Bond Investigation, Early Intervention Program (EIP), Diversion, and the Misdemeanor Alternative Sentencing Program (MASP). In 2011, the 408 *Treatment Coordinator placed 228 defendants into outpatient or residential substance abuse treatment, with mental health services if indicated.*

The 408 Treatment Coordinator also serves as the point person for identification, eligibility determination and placement for the Mental Health Court Docket (MHCD) and coordinates with the Forensic MH Liaisons and the Jail MH Intake Specialist to place defendants identified with substance abuse and/or mental health issues. In addition, the Coordinator accepts referrals for placement into ARCA, Inc., a facility that addresses residential issues for offenders lacking stable housing. ARCA placements are state-funded.

In 2011, the Coordinator assumed responsibility for coordinating weekly staffing with the mental health Judges, MHDD supervision officers, forensic liaisons and attorneys as well as collection of data regarding CBCF denials and MH service provider referrals.

**MENTAL HEALTH and DEVELOPMENTAL DISABILITIES (MHDD) PROBATION UNIT:** Offenders with Developmental Disabilities are often sentenced to probation in the specialized MHDD Unit. The unit officers, specially trained to work with DD offenders, work closely with the DD case manager. Together the team provides services and information; treatment planning; referral and community placement; determination of offender compliance with case plans, supervision enforcement of treatment plan and other court orders. Community Corrections Act funding reimburses salary and a portion of fringe benefits for the two supervision officers that staff the unit. The DD Broad contract is fee for service to screen, identify, and assess a minimum of 97 offenders in the County Jail. (Please see Probation Department Report for 2011 figures).

**EARLY INTERVENTION PROGRAM (EIP):** The goal of the Early Intervention Program (EIP) is to identify and intervene early in the criminal justice process for those offenders who are in need of substance abuse, and/or mental health services. The program is modeled, in part, on the Greater Cleveland Drug Court, and targets first-time, non-violent felony offenders. Community Corrections Act funding reimburses salary and a portion of fringe benefits for the 2 supervision officers that staff the program. CCA funding also funds a TASC case manager as well as a contract with the Alcohol and Drug Addiction Services Board for an IOP treatment provider, currently Community Assessment Treatment Services (CATS). (Please see Probation Department Report for 2011 figures).

**MISDEMEANOR ALTERNATIVE SENTENCING/JAIL REDUCTION:** The Misdemeanor Alternative Sentencing Program (MASP) identifies, recommends, and provides limited community-based sanctions (e.g., electronic monitoring), supervision, and substance abuse and mental health treatment to eligible misdemeanant offenders sentenced to the County Jail. The program began as an informal agreement with Garfield Heights Municipal Court in 1997. By FY 2000, with the assistance of CCA funding, it was expanded as a pilot project that included 12 municipal courts. Community Corrections Act funding reimburses salary and fringe benefits for the supervision / investigation officer that staffs the program. Program costs are funded by the Court of Common Pleas. (Please see Probation Department Report for 2011 figures).

**DOMESTIC INTERVENTION, EDUCATION and TRAINING (D.I.E.T.):** In September 2006, the Cleveland Municipal Court commenced the D.I.E.T. program to provide domestic violence education for offenders charged with misdemeanor and felony domestic violence offenses in Cleveland Municipal Court, Common Pleas Court, or the suburban municipal courts. The program is 16 weeks long and is held at two different locations, downtown and at the Cleveland Probation Department's West Office. The D.I.E.T. program fills a void left when the Batterers' Intervention Project (BIP) closed in June of 2006. The D.I.E.T. program is funded with Community Corrections Act dollars through a yearly contract with the Cuyahoga County Corrections Planning Board. From January to December 2011, the program admitted 535 new offenders to the program.

In August 2009, the DIET Program commenced an innovative new component, the DIET Support Group. In 2011, approximately 60 offenders participated in the group. The Support Group is an assembly of successful graduates that meet on the third Monday of each month. A facilitator monitors the group, but primary direction of the meeting comes from the graduates. Issues discussed include successful implementation of safety plans and what constitutes a healthy relationship. Incentives such as note pads or coffee mugs are given to group members to encourage participation.

# TASC

## TREATMENT ALTERNATIVE TO STREET CRIME

**SARAH McGUIRE**

Manager

**TOTAL STAFF:**

1	Manager
6	Supervisors
14	Assessment Specialists
7	Case Managers
2	Administrative Assistants

**TASC (Treatment Alternatives to Street Crime)** is a nationally recognized program model used across the United States to deliver assessment, referral, case management, and treatment services to substance abusing offenders. Cuyahoga County TASC follows this model and since 1992 has effectively provided services to help criminal defendants achieve recovery from chemical dependency. In this effort TASC works closely with Common Pleas Court Judges, the County Probation Department, Cleveland Municipal Court Judges, the City of Cleveland Probation Department, and the Cuyahoga County Jail. In addition, TASC staff has established relationships with the whole array of alcohol and drug treatment providers to whom they make treatment referrals on a daily basis.

In 2011 TASC completed its first full year under the jurisdiction of Cuyahoga County Common Pleas Court Corrections Planning Board. Change is both a challenge and an opportunity, and TASC has certainly benefited from becoming part of the Court. TASC has continued its well- established services of alcohol and drug assessment, case management, and group treatment, but during the past year has also added and/or enhanced the services it provides:

In May 2011, TASC became part of a state and local collaboration to provide vocational assistance to target groups such as opiate addicts and those returning to the community from jail or prison. The Recovery to Work program is funded by the Ohio Department of Alcohol and Drug Addiction Services (ODADAS) and our local Alcohol Drug Addiction and Mental Health Services (ADAMHS) Board. This initiative funds TASC counselors who are fully devoted to helping our clients become employed, an important part of sustained recovery.

TASC now offers two Intensive Outpatient Program (IOP) groups because this is the treatment modality most requested for community alcohol and drug treatment. TASC began its IOP in July, 2011 and the agency is hoping to expand this service even further in 2012.

In preparing to provide the IOP service, TASC brought in a national expert in the MATRIX model who provided comprehensive training to all clinical staff. MATRIX is an evidenced based practice and gives TASC a strong clinical underpinning for its IOP treatment.

Towards the latter part of 2011 TASC transitioned to having only licensed staff provide case management services. Although a social work or counseling license is not required for case management, this upgrades the level of services provided and allows the agency maximum flexibility in serving our clients.

During 2011, TASC completed 2,384 alcohol and drug assessments which is the first step in connecting substance abusing individuals with the most appropriate treatment. Of these assessments, 516 were conducted in the County Jail as part of the Jail Reduction program, a major factor in moving offenders out of the jail and into appropriate treatment facilities.

TASC continues to collaborate with the City of Cleveland and the Cuyahoga County Drug Courts and the program received 142 new admissions during the past year. Drug Court case managers provided ongoing assistance and counseling to help connect these clients to treatment, as well as work towards other goals which support a sober, crime free life.

Case management services are also offered for those individuals not enrolled in Drug Court, and in 2011 there were 755 referrals for the general case management program. TASC case managers help connect these clients to the level of care which best meets their needs, as well as a whole range of other services aimed at helping them achieve sobriety.

# CUYAHOGA COUNTY COURT of COMMON PLEAS

## Specialized Dockets

### RE-ENTRY COURT

**HON. NANCY MARGARET RUSSO**

Re-Entry Court Judge

**DEENA LUCCI**

Bailiff

**AMANDA LaBANC**

Re-Entry Court Probation Officer

**MARIA NEMEC**

Corrections Planning Board Administrator

Re-Entry Court, (REEC) implemented in January 2007 with grant funding award from the Office of Criminal Justice Services (OCJS), is a specialized docket presided over by Judge Nancy Margaret Russo established to address the needs of offenders transitioning from prison back to the community. The primary goal of the REEC is to reduce recommitments to prison; congruent with the mission of ODRC: *'Beginning at sentencing and extending beyond release, Re-Entry Court will assess, identify and link offenders with services specific to their needs'* in order to reduce the likelihood of additional criminal behavior.

REEC provides intensive programming and supervision to eligible offenders who have been sentenced to prison by our Common Pleas Court Judges. The Re-Entry Court has established specific criteria for eligibility including: Residence in Cuyahoga County upon release from prison; No more than three prior prison commitments to either State or Federal prisons; No pending felony charges. Excluded are those statutorily ineligible for judicial release, poor institutional adjustment, pending cases/warrants, or more than three prior prison terms.

Case plans, unique to each participant, are prepared and focus on specific offender needs such as education, employment, housing, substance abuse and mental health treatment. Case plans are specifically tailored to provide the best possible opportunities for success upon release. REEC uses the power of judicial authority and sanctions, including a return to prison, to aggressively monitor released offenders and to increase public safety. The program links offenders to agencies and community organizations that provide needed services.

The Cuyahoga County Re-Entry Court embraces the utilization of the Office of Justice Program's core elements in its design of the Re-Entry Court. The target population for the Re-Entry Court is selected from the general prison population sentenced through Cuyahoga County Common Pleas Court. The Re-Entry Court participants are under the supervision of the Intensive Supervision Program (ISP) in the Adult Probation Department. The Re-Entry Court offers a coordinated team approach and requires regular court appearances, extensive probation appointments and special services and incentives to increase the likelihood of participant success.

The Cuyahoga County Common Pleas Re-Entry Court is proud to share the following data regarding the program from January 1, 2011 through December 31, 2011.

## Re-Entry Court Statistics

### Referrals

Total Referrals 632

### Admissions

Clients Admitted: 30  
Prison Days Saved: 13,607  
Average days saved per offender: 454  
1st Time Offenders: 24%  
Repeat Offenders: 76%  
Saved in prison costs\*: \$905,681.92

*\*Incarceration costs based on per diem rate of \$68.60*

### Mental Health

Have Mental Health Issues: 14%  
Do Not Have Mental Health Issues: 86%

### Admitted Alcohol and Drug Involved

Alcohol: 0%  
Cocaine: 3%  
Ecstasy: 0%  
Heroin: 14%  
Marijuana: 24%  
PCP: 3%  
Percocet: 1%  
None: 55%

### Felony Information

Felony 5: 20%  
Felony 4: 23%  
Felony 3: 40%  
Felony 2: 10%  
Felony 1: 7%

### Termination Data

Successful Terminations: 74%  
Unsuccessful Terminations: 26%

**Recidivism Follow-Up:** Criminal record checks conducted on 67 offenders one year post REEC discharge indicate 76% of offenders had no new arrests. Of those re-arrested (16), nine (9) were convicted of a new offense (4 misdemeanors, 5 felonies). Two (2) offenders were returned to prison.

# CUYAHOGA COUNTY COURT of COMMON PLEAS

## Specialized Dockets

### DRUG COURT

Part of the

STEPHANIE TUBBS JONES GREATER CLEVELAND DRUG COURT

**HON. DAVID T. MATIA**

Judge

**MOLLY CHRISTOFFERSON-LECKLER**

Coordinator

*The Honorable David Matia, serving as the Drug Court Judge for the Common Pleas Court, has adopted the philosophy of the National Drug Court model (USDOJ/OJP/BJA) whose mission is to “stop the abuse of alcohol and other drugs and related criminal activity. Drug courts promote recovery through a coordinated response to offenders dependent on alcohol and other drugs. Realization of these goals requires a team approach, including cooperation and collaboration of the Judges, prosecutors, defense counsel, probation authorities, other corrections personnel, law enforcement, pretrial services agencies, TASC programs, evaluators, an array of local service providers, and the greater community”.*

Cuyahoga County Common Pleas Court implemented its County Drug Court in May 2009. The mission of the County Drug Court Program is to reduce recidivism among drug dependent offenders by providing enhanced treatment services. The majority of participants in the County’s Drug Court Program are opiate dependent. Opiate dependency, largely due to the abuse of prescription drugs, currently is a major public health crisis in Ohio.

Approximately 60% of those enrolled in Drug Court are opiate dependent. One-half of those report that their dependency began as a result of initially being treated for a medical condition.

The number of opiate dosages prescribed per Ohioan has risen drastically from 1997 through 2010. According to statistics from the Ohio Department of Alcohol and Drug Addiction Services, seven dosages were prescribed per Ohioan in 1997. That figure increased to 67 dosages per resident in 2010.

Judge David Matia, Drug Court Coordinator Molly Christofferson-Leckler, and the rest of the Drug Court Staff have been engaged in efforts to educate the community about the public health crisis involving opiate abuse. Drug overdoses, largely due to the use of opiates, is the leading cause of accidental death in Ohio. Judge Matia’s efforts outside of the courtroom have been to reduce the flow of prescription drugs into the community through physician education and to remove excess drug supply from the medicine cabinets of the local population through the promotion of the [Rxdrugdropbox.org](http://Rxdrugdropbox.org) program.

In 2011, (January through December) 221 defendants were screened for Drug Court eligibility. Of those, 112 were formerly placed into Drug Court. In 2011, 54 participants graduated from the Drug Court.

Eligibility criteria for Drug Court in Common Pleas Court are:

- A current charge of a felony drug (non-trafficking) offense of the third, fourth, or fifth degree and eligible for probation/community control
- No criminal history of sexually oriented or violent behavior, three or fewer prior non-violent felony convictions, and no prior drug trafficking convictions
- There is a diagnosis of substance abuse or dependency (probation violation referrals must have diagnosis of dependence) with medium to medium-high risk scores

The County Drug Court offers a Diversionary Track for defendants with up to one prior felony, and a Non-Diversionary Track for defendants with two or three prior felonies. Successful completion of the Diversionary Track results in plea withdrawal, dismissal and expungement. Successful completion on the Non-Diversionary Track results in a clean and sober defendant who is less likely to reoffend.

# CUYAHOGA COUNTY COURT of COMMON PLEAS

## Specialized Dockets

### MENTAL HEALTH COURT

*The mission of the Mental Health Court is to promote early identification of defendants with severe mental health/developmental disabilities in order to promote coordination and cooperation among law enforcement, jails, community treatment providers, attorneys and the courts for defendants during the legal process and achieve outcomes that both protect society and support the mental health care and disability needs of the defendant.*

Mental Health Courts have been created across the United States largely as a response to the increasing number of defendants with serious mental health illness who are caught up in the criminal justice system. Authoritative research estimates that approximately 800,000 persons with serious mental illness are admitted annually to U.S. jails. When mental health facilities disappeared in the 90's, law enforcement departments, jails and prisons became de facto service providers to persons with mental illness.

In the June 2009 issue of Psychiatric Services, a study by Henry J. Steadman, Ph.D. and colleagues found that 14.5% of male and 31.0% of female inmates recently admitted to jail had a serious mental illness. For the Cuyahoga County Corrections Center (County Jail), with a rated capacity of close to 1800 inmates, it can be estimated that there are approximately 300 offenders with mental illness in the Jail on any given day.

Individuals with severe mental illness spend more time in jail than similarly charged offenders without mental health issues. An informal survey conducted by the Court's Corrections Planning Board in 2002 compared average length of stay for offenders in a specialized unit for severe mental health issues versus those in an intensive supervision program with no severe mental health issues. The study revealed that from arrest to disposition and community control, offenders with mental health issues spend close to twice as much time in jail as the comparison group.

#### LOCAL RESPONSE

The local criminal justice system created several specialized responses to address the needs of mentally ill offenders (e.g., Probation's Pretrial Services Unit and Mental Health Developmental Disabilities (MHDD) Unit, Bond Investigation screening process, mental health pods in the Jail, MHDD Liaisons), but several gaps in service still remained. In response, the Mental Health Developmental Disabilities Court (MHDDC) was established on June 9, 2003. The MHDDC was created through amendments to local rules 30, 30.1 and 33. Recently Rule 30.1 was amended to allow defendants with a previous history on a MHDDC docket or previous MHDD probation supervision automatic eligibility for MHDDC Court. Shortly thereafter, the MHDD Court Coordinator Position was created in an effort to further improve the early identification and assignment of MHDD eligible defendants to the Court. Acceptance to the Cuyahoga County Mental Health Developmental Disabilities Court is diagnosis-driven so eligible defendants come to the system with all offense types and offense levels, the exception being Capital Murder.

Five Common Pleas Court Judges had Mental Health Court dockets in 2011: Hon. José A. Villanueva (Chair), Hon. John D. Sutula, Hon. Michael P. Donnelly, Hon. Joan Synenberg and Hon. Hollie L. Gallagher.

Defendants/Offenders on the MHDDC dockets are similar to the overall offender population in distribution

of race. However, a higher percentage of female offenders are found on the MHDDC dockets than in the overall offender population. Individuals in the Mental Health Developmental Disabilities Court are often unemployed, indigent and homeless.

The MHDDC is operated with a high level of collaboration among court personnel, criminal justice and community partners. From arrest to disposition and community control, many specialized services have been developed for defendants with mental health issues and/or developmental disabilities.

For law enforcement, the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (ADAMHS Board) sponsors police Crisis Intervention Team (CIT) training and the Cleveland Police Academy added a mental health component to new officer training curriculum. In addition, Mental Health Liaisons and the Mobile Crisis Unit (Mental Health Services, Inc.) are available to officers when encountering persons with possible MH/DD issues.

The Cuyahoga County Corrections Center (County Jail) has added MHDD screening questions to the booking process. In addition, the ADAMHS Board electronically receives and reviews the daily booking list to identify defendants already linked with a community behavioral health provider. An Intake Specialist tracks and refers defendants identified with MHDD issues at booking either to their existing community provider or to jail psychiatric services for MHDD Court eligibility determination and necessary jail psychiatrist care.

Several years ago, the Jail designated **96** beds for the MHDD population and, with the support of the ADAMHS and CCBDD Boards, incorporated the use of MHDD Jail Liaisons from several community service providers to assist in service to this population. The liaisons regularly communicate jail inmate needs and status with Jail Mental Health Services, the Probation Department's Pretrial and post-disposition supervision units, and the MHDD Court Judges.

The Pretrial Services Unit in the Adult Probation Department provides Mental Health Developmental Disabilities Court eligibility determination and referral recommendations for the MHDDC. In addition, Pretrial Services provides 2 specially trained MHDD Supervision Officers and coordinates the Outpatient Restoration Program with the Common Pleas Court Psychiatric Clinic and the Public Defender's Office. In 2011, **213** defendants were placed on MHDD Pretrial Supervision as a condition of bond.

At Arraignment, eligible defendants are assigned to a Judge with a MHDDC docket and the individual's record is tagged as a "Mental Health Court" case in the Court Information System. A specially trained MHDDC attorney is assigned at arraignment. A MHDDC attorney can be requested even if eligibility is not yet determined but is expected. Defendants/Offenders identified post-arraignment as eligible for MHDDC can be transferred to a MHDDC docket via request to the Administrative/Presiding Judge, subject to compliance with the Local Rules.

For defendants sentenced to community control, the Adult Probation Department provides a MHDD Unit, which is staffed by 9 specially trained officers and a supervisor. Average caseload size in the MHDD Probation Unit is 75. This unit includes funding for additional services, and regular staffings with community providers - Recovery Resources, Center for Families and Children, Murtis Taylor, Mental Health Services, Inc., Connections, Bridgeway and the Cuyahoga County Board of Developmental Disabilities (Board of DD). Probation Department Supervision staff work closely with the County Jail and other community providers (e.g., St. Vincent Charity Hospital – Psychiatric Emergency Room, Veteran's Administration). In 2011, **475** defendants were assigned to supervision in the MHDD Probation Unit.

To indicate the presence of mental health issues, the cases of **3,094** individuals, representing a total of 4,069 cases, have been flagged as "MH" in the Court's information system allowing for more expedient identification and linkage to services should the individual cycle through the system in the future. (Note: Not all individuals tagged as "MH" are placed or transferred to a MHDDC docket.)

MHDDC Judges carry an average of 151 MH cases on their dockets at any one time (including active, investigation, and supervision cases) representing an increase of 51% from 2010 and approximately 25% of their total docket. In 2011, **599** cases were assigned to a Mental Health Court docket (**this reflects an increase of 112 cases, or a 55% increase, from the 2010**):

- ◆ 108 Hon. Jose A. Villanueva
- ◆ 131 Hon. John D. Sutula
- ◆ 87 Hon. Hollie L. Gallagher
- ◆ 137 Hon. Michael P. Donnelly
- ◆ 136 Hon. Joan Synenberg

## FUNDING

In addition to funding from the Cuyahoga County Common Pleas Court, the MHDDC program is supported by local, state and federal funding entities, especially the ADAMHS and CCBDD Boards, both long time partners of the MHDDC Program.

## HIGHLIGHTS

- On February 1, 2011, the Nancy R. McDonnell CBCF opened in Cuyahoga County providing for an additional sentencing option. One of the main focuses during this past year has been to improve the acceptance and supportive services in the CBCF for the MHDD Population. In response to this need, the ADAMHS Board and Cuyahoga County Court of Common Pleas funded much needed case management, medication and psychiatric treatment services.
- On April 8, 2011, the ADAMHS hosted a fundraiser/luncheon in support of Seasons of Hope. This program was designed to provide a caring and supportive environment for women struggling with trauma and recovery. MHDDC Judge Joan Synenberg acted as the Mistress of Ceremonies for this event.
- In May 2011, the MHDDC Judges attended the National Judicial College's training *Addressing Advanced Issues in Cases Involving Co-Occurring Mental health and Substance Abuse Disorders*.
- In June and December of 2011, the Court of Common Pleas hosted two MHDDC Attorney Trainings. Over 160 attorneys participated in these trainings. Retired MHDDC Chair, Judge Timothy McMonagle, returned as a host and presenter at these events.
- In late 2011, the Behavioral Health/Criminal Justice Committee was formed to jointly identify and address shared issues. This group meets regularly to identify strategies and opportunities for enhanced advocacy and collaboration.

## NEXT STEPS

Next steps for the Mental Health Developmental Disabilities Court is to increase the percentage of eligible cases placed on the MHDD Court and specialized MHDD Post Disposition Supervision from the current 51% to a minimum of 60%. This includes promoting increased early identification and voluntary transfers from the entire bench to this specialty docket.

By utilizing the nationally recognized *Sequential Intercept Model*, a mapping exercise to identify all potential intercepts or identification points present in our local criminal justice system has begun.

Through a collaborative three year Federal Grant with Cleveland Municipal Court, our Probation Department was able to create a pilot Mood Disorder Caseload. This caseload will serve a limited number of defendants who have been diagnosed with a mood disorder (major depressive or bipolar) without psychotic features, and have a history of a trauma, and/or substance abuse issues. This population has historically not been eligible for the MHDD Court and services. Grant funded services available for these defendants include case management, specialized individual and group counseling and psychiatric treatment. These cases will be assigned to Judges Jose Villanueva and Joan Synenberg for consolidation purposes. The pilot will allow us to consider future inclusion of this population.

Previous studies looking at length of stay in jail for the MHDD population is in need of being updated.

The recently enacted House Bill 86 (Criminal Justice Sentencing Reform Bill), requires that low level offenses and lower risk offenders be sentenced to the community instead of prison. Advocacy for the appropriate level of behavioral health services to meet the treatment needs of this population in the community will be a major challenge as we move forward to meet this mandate. Conversations are underway with various stakeholders on how to best meet these challenges.

# 2011 HONOR ROLL OF EMPLOYEES OF THE COURT

## *with 25 or more years of service with the Court:*

Kathleen A. Barry.....	Data Entry Clerk
John T. Bilinski.....	Probation Officer Supervisor
William N. Birce.....	Bail Investigator
Bruce J. Bishilany.....	Chief Shorthand Reporter
Leo R. Blatt.....	Bailiff
Paula D. Britton.....	Administrative Aide I
Rachel Colbert.....	Probation Officer
Jacalyn A. Costello.....	Bond Commissioner
Donna M. Dubs.....	Clerk Typist
Edward N. Dutton.....	Psychiatrist
Cheryl L. Fietko.....	Administrative Assistant
Fred C. Ford.....	Probation Officer
Linda M. Graves.....	Bailiff
Sherry D. Halasy.....	Clerk Typist
Eric J. Hess.....	Assistant Law Librarian
Vincent D. Holland.....	Chief Probation Officer
Mary C. Hooper.....	Office Manager
Teresa Keyes.....	Judicial Secretary
Kathleen A. Kilbane.....	Assistant Shorthand Reporter
Sheila Koran.....	Data Entry Clerk
Darlene Louth.....	Probation Officer
Deborah A. Maddox.....	Administrative Aide I
Margaret A. Mazzeo.....	Scheduler
Margaret Murphy.....	Probation Officer Supervisor
Daniel Peterca.....	Manager Pretrial
Janna S. Phillips.....	Probation Officer Supervisor
Phillip Resnick.....	Director, Psychiatric Clinic
Anthony Rinella.....	Probation Officer
Gilbert J. Ryan.....	Bailiff
Timothy M. Schaefer.....	Assistant Shorthand Reporter
Gerianne A. Stroh.....	Probation Officer
Armatha Uwagie-Ero.....	Clerical Supervisor
Sheila D. Walters.....	Assistant Shorthand Reporter
Anthony C. Williams.....	Probation Officer
Valerie A. Williamson.....	Probation Officer

## *with 20 to 24 years of service with the Court:*

Juliann M. Adams.....	Assistant Shorthand Reporter
Bridget Y. Austin.....	Administrative Aide I
Teroldlyn D. Barkley.....	Clerk Typist
Robert M. Beck III.....	Probation Officer Supervisor
Gary A. Bolinger.....	Probation Officer Supervisor

Dewey D. Buckner.....	Probation Officer
Erika D. Bush.....	Office Manager
Jarvis A. Clark.....	Probation Officer
Mary J. Cooley.....	Assistant Shorthand Reporter
Mitzi B. Cunard.....	Clerk Typist
Mary Davern.....	Probation Officer Supervisor
Michelle L. Davis.....	Secretary
Joseph C. DeMio.....	Bailiff
Mary K. Ellis.....	Fee Bill Coordinator
Richard N. Hamski.....	Assistant Shorthand Reporter
Vermell Y. Harden.....	Bailiff - Presiding Judge
Mary M. Hayes.....	Probation Officer
Bruce E. Hill.....	Probation Officer
Toni R. Hunter.....	Clerk Typist
Michael J. Jenovic.....	Assistant Shorthand Reporter
Donna Kellehe.....	Extra Bailiff
Karl Kimbrough.....	Probation Officer
Michelle C. Kozak.....	Cashier/Bookkeeper
Deborah L. Kracht.....	Assistant Shorthand Reporter
Laura Martz.....	Clerk Typist
Tracey L. McCorry.....	Probation Officer
Denise H. McNea.....	Probation Officer
John A. Murray.....	Arraignment Clerk
Nancy A. Nunes.....	Assistant Chief Shorthand Reporter
Floyd B. Oliver.....	Probation Officer
Evangelina Orozco.....	Bail Investigator
Patricia O. Parente.....	Probation Officer
Marguerite A. Phillips.....	Assistant Shorthand Reporter
Gregory M. Popovich.....	Court Administrator
Virginia L. Profitt.....	Probation Officer
Stephanie A. Pryor.....	Probation Officer Supervisor
Miguel A. Quinones.....	Probation Officer
Jeffrey J. Ragazzo.....	Assistant Shorthand Reporter
Cheryl Russell.....	Clerk Typist
Michael P. Scully.....	Probation Officer
Mary J. Simmerly.....	Bailiff
Melissa Singer.....	Probation Officer Supervisor
James E. Starks.....	Probation Officer Supervisor
Brian J. Thelen.....	Probation Officer
Timothy E. Tolar.....	Assistant Shorthand Reporter
Suzanne Vadnal.....	Assistant Shorthand Reporter
Margaret M. Wagner.....	Probation Officer
Cynthia H. Walker.....	Social Worker
Kimberlee B. Warren.....	Probation Officer
Ellen K. Woodruff.....	Deputy Chief Probation Officer
Phillip G. Zeitz.....	Probation Information Specialist

*with 10 to 19 years of service with the Court:*

Elizabeth A. Adamonis.....	Assistant Jury Commissioner
Veronica L. Adams.....	Jury Bailiff Co-Director
Thomas P. Arnaut.....	Director Information Systems
Michael H. Aronoff.....	Chief Psychologist
Kevin Augustyn.....	Foreclosure Magistrate Assistant Director
Lisa S. Austin.....	Probation Officer
Mary J. Baden.....	Assistant Shorthand Reporter
Tion Benn.....	Probation Officer
Lee A. Bennett.....	Administrative Aide II
Rose M. Bennett.....	Bailiff
Patricia I. Bittner.....	Jury Bailiff Co-Director
Michael Brady.....	Probation Officer Supervisor
Molly L. Breninghouse.....	Deputy Chief Probation Officer
Angie Bryant.....	Probation Officer
Stephen M. Bucha.....	Foreclosure Magistrate Director
Mark J. Budzar.....	Bailiff
Nicole Byron.....	Probation Officer
Michael A. Cain.....	Probation Officer
Jose Casiano.....	Probation Officer
Michael P. Caso.....	Chief Social Worker
Joseph I. Cassidy.....	Probation Officer
Janet Charney.....	Chief Judicial Secretary
John B. Coakley.....	Probation Officer
Angela D. Collins.....	Probation Officer
Laura W. Creed.....	Chief Judicial Staff Attorney
Amy R. Cuthbert.....	Senior Foreclosure Magistrate
Sally J. Dadlow.....	Clerk Typist
Mary Lynn D'Amico.....	Clerk Typist
Shaunte Dixon.....	Probation Officer
Mary A. Donnelly.....	Probation Officer
Vivian E. Easley.....	Probation Officer
Marlene Ebner.....	Assistant Shorthand Reporter
Cindy M. Eiben.....	Assistant Shorthand Reporter
Margaret M. Elliott.....	Tech Specialist
Brian S. Ely.....	Substance Abuse Case Manager
Leila Fahd.....	Extra Bailiff
Teresa Faulhaber.....	Assistant Law Librarian
Reynaldo Feliciano.....	Probation Officer Supervisor
Bettye L. Ferguson.....	Clerk Typist
Steven E. Flowe.....	Probation Officer
Anna Foley.....	Scheduler
Eileen F. Fox.....	Bailiff
Julianne M. Fritz-Marshall.....	Probation Officer
Keith L. Fromwiller.....	Bailiff
Kevin M. Gallagher.....	Probation Officer
Maria A. Gaynor.....	Administrative Aide I

Joanne M. Gibbons ..... Receptionist  
 James W. Ginley..... Deputy Court Administrator/Director Fiscal Operations  
 Michelle R. Gordon..... Lab Assistant  
 Andrea M. Gorman..... Training Specialist  
 Winston L. Grays..... Probation Officer Supervisor  
 Mary Ann Griffin..... Bailiff  
 Sertarian B. Hall..... Lab Assistant  
 Tisha L. Harrell..... Probation Officer  
 Margaret A. Hastings..... Bailiff  
 Aileen M. Hernandez..... Psychiatrist  
 Michelle Hoiseth..... Probation Officer  
 Lisa M. Hrovat..... Assistant Shorthand Reporter  
 Robert A. Intorcio..... Assistant Shorthand Reporter  
 James M. Jeffers..... Probation Officer  
 Otto Kausch..... Psychiatrist  
 Colleen A. Kelly..... Administrative Assistant  
 Sean A. Kincaid..... Probation Officer  
 Monica C. Klein..... Foreclosure Magistrate  
 Sandra Kormos..... Bailiff  
 Edward J. Kovacic..... Grand Jury Clerk  
 Richard P. Kraft..... Probation Officer  
 Deborah Kreski-Bonanno..... Assistant Jury Commissioner  
 Molly W. Krueger..... Probation Officer  
 Jessica E. Lane..... Clerk Typist  
 Paul R. Ley..... Assistant Director Information Systems  
 Robert P. Lloyd..... Assistant Chief Shorthand Reporter  
 Catrina M. Lockhart..... Probation Officer  
 Paul H. Lucas..... Foreclosure Magistrate  
 Deena M. Lucci..... Bailiff  
 Renee Maalouf..... Probation Officer  
 Sarah K. Mahoney..... Bailiff  
 Nicholas P. Marton..... Supervisor Information Services  
 Regina M. McFarland-Mohr..... Assistant Arraignment Room Coordinator  
 Steve E. McGinty..... Probation Officer  
 Erricka McGuire..... Probation Officer  
 Timothy J. McNally..... Probation Officer  
 Wendy L. McWilliam..... Probation Officer  
 Timothy G. Meinke..... Assistant Shorthand Reporter  
 Norma J. Meszaros..... Judicial Secretary  
 Laura A. Miller..... Bailiff  
 Patricia A. Mingee..... Payroll Officer/Administrative Assistant  
 Nakia Mitchell..... Probation Officer  
 Monique D. Moore..... Probation Officer  
 Eric D. Moten..... Probation Officer  
 Darlene A. Moutoux..... Assistant Office Manager  
 James P. Newman..... Bailiff  
 Stephen G. Noffsinger..... Psychiatrist  
 Philip M. Novak..... Probation Officer

Robert S. Odon.....	Supervisor Central Scheduling
Anita B. Olsafsky .....	Lab Technician
Sarah J. O'Shaughnessy.....	Bailiff
Susan M. Ottogalli .....	Assistant Shorthand Reporter
Cheryl C. Parker .....	Probation Officer Supervisor
Supervisor Kathleen A. Patton.....	Cashier/Bookkeeper
Kerry L. Paul.....	Assistant Shorthand Reporter
Richard E. Piekarski .....	Network Manager
Jean R. Presby .....	Probation Officer
Ellen A. Rassie .....	Assistant Shorthand Reporter
Mary Rauscher .....	Probation Officer
Kellie M. Reeves-Roper.....	Assistant Shorthand Reporter
Jennifer Ring .....	Lab Technician
Lauren M. Rivera .....	Probation Officer
James R. Rodio .....	Psychiatrist
Loretta Ryland .....	Research Planner
George W. Schmedlen .....	Assistant Director Psych Clinic
Patricia K. Schmitz .....	Clerk Typist
Mary Ellen Schrader .....	Data Entry Clerk
Mary Ellen Schuler .....	Assistant Shorthand Reporter
Michele M. Severt.....	Probation Officer
Karen M. Slesinger .....	Probation Officer
Mary Pat Smith .....	Bailiff
Michael S. Stanic.....	Assistant Director Information Systems
Patricia A. Stawicki .....	Bailiff
Noreen A. Steiger .....	Asbestos Bailiff
Kelli A. Summers .....	Probation Officer
Cheryl A. Sunyak .....	Probation Officer
Leslie A. Svoboda.....	Probation Officer
Rose A. Tepley.....	Tech Specialist II
Nicole D. Thomas .....	Probation Officer
John L. Thomas, Jr. ....	Bailiff
Pamela Thompson .....	Cashier/Bookkeeper
Shontrell Thompson .....	Probation Officer
Jeniffer Tokar .....	Assistant Shorthand Reporter
James M. Toth .....	Probation Officer Supervisor
Anne Tullos.....	Receptionist
Mathew J. Urbancich .....	Probation Officer
Jennifer E. Vargics.....	Office Assistant
Carmen G. Velez .....	Bailiff
Lawrence R. Wallace.....	Bailiff
Colleen Walsh .....	Receptionist
Rebecca B. Wetzel .....	ADR Administrator
Stephanie Wherry.....	Probation Officer
Latanya Wise.....	Clerk Typist
Michael Yezbak.....	Probation Officer
Amy J. Zbin.....	Judicial Secretary

*This page is intentionally left blank*

*inside back cover is blank*



Cuyahoga County Common Pleas Court  
General Division  
County of Cuyahoga Justice Center  
1200 Ontario Street, Cleveland, Ohio 44113