

# The 2020 Annual Report of the Garfield Heights Municipal Court

## **Introduction**

This is the 2020 Annual Report of the Garfield Heights Municipal Court required to be published each year pursuant to Ohio Revised Code §1901.14(A)(4). This report explains court operations and the work performed by the Court; is a statement of receipts and expenditures of the civil and criminal divisions, respectively, and the number of cases heard, decided and settled.

## **Highlights of 2020**

### **The 2020 Coronavirus State of Emergency**

On March 9, 2020, the Ohio Governor declared the Coronavirus State of Emergency which resulted in various state and federal mandates which set the course for 2020 and beyond. The Garfield Heights Municipal Court responded to the State of Emergency in several phases as new procedures were implemented and new resources became available.

#### **Phase One - Immediate Protection of Court Users and Employees**

To protect the health and safety of court users and staff, all civil matters were postponed and only pending criminal and traffic cases were heard in the immediate weeks following declaration of the State of Emergency. New criminal cases proceeded but new traffic cases were postponed. Where possible, hearings were held telephonically. Masks and gloves were required and social distancing implemented immediately. Furloughs of non-essential employees began. The court never closed, however, operations were reduced until safety measures could be fully implemented. Because the Court was digital in all respects other than courtroom hearings, only reduction in operations was in-person hearings.

#### **Phase Two - Planning for a Short-Term Pandemic**

With federal CARES Act funds received from the City of Garfield Heights and an Ohio Supreme Court technology grant, the court implemented remote hearings held via Zoom and made physical changes to the courthouse. Plexiglass was installed in both courtrooms to protect jurors, judges and all other trial participants. A secure entrance was created for screening persons entering the courthouse. Temperature taking devices were installed and tracking protocols developed. Alternative communication protocols were adopted which included email submissions by court users and surrender of fugitives by email contact with the Court. The Court resumed all operations within a month except for eviction cases. At the direction of Ohio Supreme Court Chief Justice Maureen O'Connor, evictions were stayed because of the "shelter in place" orders of the Governor. Shelters and other housing alternatives were closed. Eventually, federal authorities issued an eviction moratorium which continued into 2021.

The Ohio Supreme Court also suspended the time limitations and speedy trial rules so that courts which could not adapt quickly would still be able to complete cases after the State of Emergency was over.

During the initial months of the Pandemic, law firms and collection agencies shut down while planning for working remotely. Treatment programs and remedial driving classes essential to rehabilitation of criminal and traffic offenders shut down. The County and local jails shut down while they implemented health and safety protocols. Police departments stopped routine traffic enforcement to avoid exposure of officers to Covid19 and to preserve their health so they could continue emergency response operations. The lack of traffic on the roads by reason of the vast unemployment reduced the need for traffic enforcement anyway.

During this phase, the State of Emergency was expected to last only a few months so the Court planned to return to normal operations by fall. Nothing in our lives returned to normal, so the staff pushed on to the third phase.

### Phase Three - Planning Long Term Changes

Judge Deborah Nicastro was appointed by Chief Justice Maureen O'Connor to the ICourt Task Force because of her experience with the digital court. The purpose of the Task Force was to make recommendations for permanent remote operations. The first job of the Task Force was to identify the changes in Ohio law and court rules which would be necessary to continue remote operations after the Pandemic. The second job was to survey judges, attorneys, probation departments and other court users about their willingness to continue remote operations and the judges' ability to deliver justice in this new environment. Those decisions will be made in 2021.

Having devised a safe courthouse environment and implemented remote operations through Zoom and the Court website, Judge Nicastro concluded that permanent remote operations will be the long-term plan for our Court for the following reasons.

- The physical courthouse needs serious and expensive repairs, including new roofing, plumbing, heating and air conditioning, plus expanded parking if we revert to in-person operations only. If the City of Garfield Heights builds a new justice center, the Court footprint will be much smaller. If the Court has to move to newer and smaller rental premises, the cost would be far less than the repairs.
- With hybrid operations, some appearing in-person but most remotely, we would require more security. In the first phase of the Pandemic, the Court terminated its contract for security guards and saved about \$50,000.00 per year.
- Fewer arrest warrants were issued for failure of criminal/traffic offenders to appear as they did not have to leave their jobs or look for childcare to come to the courthouse in person. They could appear via Zoom from home or place of employment.
- Court users, especially attorneys, prefer the remote appearance alternative. The judges have adapted to remote hearings and still have the option to order litigants to appear in person for those cases that are not amenable to remote technology. Court users who do not have a computer or smart phone to appear remotely, still have the option to appear in person or through a Zoom Room at the Cuyahoga County Public Library Branches.

## Phase Four - Unknown at the Close of 2020

The Pandemic still dominates the justice system as well as all areas of life world-wide. The Court will use the experiences of 2020 to adapt to whatever comes in 2021 to continue delivering justice as fairly and as expeditiously as possible.

### **Racial Equity and the Court**

As Americans nationwide and locally turned our attention to issues surrounding racial equity and diversity, Judge Deborah Nicastro, in collaboration with other elected officials and citizens, began to discuss a review of the Court in a racial equity framework. This discussion will continue in order develop a permanent plan for seeking, achieving and maintaining racial equity.

### **Financial Review**

Foreseeing the financial impact of a months-long Pandemic, Judge Nicastro met with Garfield Heights City Council in April 2020 to explain that it would be unlikely for the Court to bring in enough revenue to cover the cost of operations even with the reduction of staff and other operating expenses. Without payment of court costs by litigants, the Court cannot be self-sustaining. The reduced caseload by reason of fewer traffic tickets; the moratorium on evictions and fewer civil filings; and the widespread unemployment of court users would reduce the Court caseload and revenues to historical lows. Those numbers are set forth with specificity in the financial report contained herein.

### **Traffic Camera Tickets**

In June 2020, the Ohio Supreme Court affirmed the constitutionality of Ohio Revised Code Section 4511.092-4511.0911 which gives municipal courts exclusive jurisdiction over traffic camera cases. Mayor's Courts may no longer hear those cases. The Villages of Newburgh Heights and Walton Hills are the only municipalities in the Court District with traffic cameras. 451 new cases were filed with the Court since June 2020. Much of the statute is still being appealed by the Village of Newburgh Heights so those numbers may increase or decrease in the future. Until all litigation is completed, the Ohio Supreme Court has not added these types of cases to the required monthly statistical reporting. They will be considered for purposes of reapportionment of operating expenses.

## **Recognition of Court Staff**

The judges would like to thank the Staff of the Garfield Heights Municipal Court for their perseverance during the greatest period of adversity most of us have known in our lifetime. Clerk of Court Je'Nine Nickerson worked tirelessly to push the Court through all the challenges and helped invent many of the processes which have kept us in operation. The deputy clerks, probation officers, and security bailiffs never waived from their mission to deliver quality and timely service in the pursuit of justice.

The judges would especially like to thank City of Garfield Heights Finance Director Barbara Biro for her direct service to the Court in maintaining the financial operations of the Court when our staff was reduced by retirements and furloughs.

We would all like to thank deputy Clerk Kathy Rinella who retired in 2020 for 20 years of outstanding service to the Court.

Respectfully Submitted,

A handwritten signature in black ink, reading "Deborah J. Nicastro", written over a horizontal line.

Judge Deborah J. Nicastro  
Presiding Judge

THE SUPREME COURT OF OHIO  
ADMINISTRATIVE JUDGE REPORT  
MUNICIPAL COURT

GARFIELD HEIGHTS MUNICIPAL COURT, Judge Deborah J. Nicastro  
Report for the month of Annual Report 2020

|  |    | A   | B    | C   | D    | E   | F    | G   | H   | I   | T     |    |  |
|--|----|-----|------|-----|------|-----|------|-----|-----|-----|-------|----|--|
|  |    | CRA | CRB  | TRC | TRD  | CVE | CVF  | CVG | CVH | CVI | TOTAL |    |  |
| Pending beginning of period                                  | 1  | 4   | 57   | 3   | 180  | 3   | 669  | 179 | 7   | 105 | 1207  | 1  |  |
| New cases filed  | 2  | 304 | 1325 | 268 | 2912 | 2   | 1647 | 682 | 168 | 413 | 7721  | 2  |  |
| Case transferred in<br>reactivated or redesignated           | 3  | 11  | 224  | 37  | 1078 | 0   | 60   | 61  | 1   | 56  | 1528  | 3  |  |
| TOTAL (Add lines 1-3)  | 4  | 319 | 1606 | 308 | 4170 | 5   | 2376 | 922 | 176 | 574 | 10456 | 4  |  |
| TERMINATIONS BY:   |    | A   | B    | C   | D    | E   | F    | G   | H   | I   | T     |    |  |
| Trial/Hearing by judge                                       | 5  | 0   | 67   | 6   | 248  | 0   | 5    | 73  | 2   | 37  | 438   | 5  |  |
| Hearing by Magistrate  | 6  | X   | 165  | 0   | 897  | 0   | 0    | 152 | 0   | 181 | 1395  | 6  |  |
| Transfer   | 7  | 252 | 999  | 249 | 667  | 0   | 181  | 3   | 69  | 0   | 2420  | 7  |  |
| Dismissal for lack of speedy<br>trial or want of prosecution | 8  | 0   | 0    | 0   | 0    | 0   | 144  | 51  | 0   | 11  | 206   | 8  |  |
| Other dismissals   | 9  | 55  | 65   | 5   | 56   | 1   | 344  | 321 | 2   | 154 | 1003  | 9  |  |
| Violations Bureau  | 10 | X   | 15   | X   | 1356 | X   | X    | X   | X   | X   | 1371  | 10 |  |
| Unavailability of accused                                    | 11 | 7   | 262  | 45  | 854  | 0   | 44   | 62  | 0   | 60  | 1334  | 11 |  |
| Bankruptcy stay or appeal                                    | 12 | 0   | 0    | 0   | 0    | 0   | 23   | 1   | 0   | 3   | 27    | 12 |  |
| Other terminations   | 13 | 0   | 5    | 1   | 43   | 2   | 1065 | 74  | 89  | 5   | 1284  | 13 |  |
| TOTAL (Add lines 5-13)                                       | 14 | 314 | 1578 | 306 | 4121 | 3   | 1806 | 737 | 162 | 451 | 9478  | 14 |  |
| Pending end of period  | 15 | 5   | 28   | 2   | 49   | 2   | 570  | 185 | 14  | 123 | 978   | 15 |  |
| Time Guideline (Months)                                      |    | 1   | 6    | 6   | 6    | 24  | 12   | 12  | 12  | 6   | X     |    |  |
| Case pending beyond time                                     | 16 | 0   | 0    | 0   | 0    | 0   | 0    | 0   | 0   | 0   | 0     | 16 |  |
| Number of months oldest case<br>is beyond time guideline     | 17 | 0   | 0    | 0   | 0    | 0   | 0    | 0   | 0   | 0   | X     | 17 |  |
|  |    | A   | B    | C   | D    | E   | F    | G   | H   | I   | T     |    |  |

Administrative Judge

Date

Henschen and Associates, Inc.  
Written July 1991

Preparer and Telephone Number

Date

THE SUPREME COURT OF OHIO  
INDIVIDUAL JUDGE REPORT  
MUNICIPAL COURT

Date of most recent  
physical case inventory  
8/20/2021

GARFIELD HEIGHTS MUNICIPAL COURT, Judge Deborah J. Nicastro  
Report for the month of Individual Judges 2020

|  |   | B   | C   | D   | E   | F   | G   | H   | T     | V     |   |
|--|---|-----|-----|-----|-----|-----|-----|-----|-------|-------|---|
|  |   | CRB | TRC | TRD | CVE | CVF | CVG | CVH | TOTAL | VISIT |   |
| Pending beginning of period                        | 1 | 144 | 36  | 73  | 1   | 30  | 0   | 4   | 288   | 0     | 1 |
| New cases assigned                                 | 2 | 474 | 119 | 318 | 0   | 91  | 2   | 34  | 1038  | 0     | 2 |
| Case transferred in<br>reactivated or redesignated | 3 | 136 | 28  | 103 | 0   | 4   | 0   | 1   | 272   | 0     | 3 |
| TOTAL (Add lines 1-3)                              | 4 | 754 | 183 | 494 | 1   | 125 | 2   | 39  | 1598  | 0     | 4 |

TERMINATIONS BY:

|   |    | B   | C   | D   | E  | F   | G  | H  | T    | V |    |
|---|----|-----|-----|-----|----|-----|----|----|------|---|----|
| Jury trial  | 5  | 0   | 0   | 0   | 0  | 0   | 0  | 0  | 0    | 0 | 5  |
| Court trial   | 6  | 4   | 0   | 3   | 0  | 0   | 0  | 0  | 7    | 0 | 6  |
| Default   | 7  | X   | X   | X   | 0  | 0   | 0  | 0  | 0    | 0 | 7  |
| Guilty or no contest to<br>original charge                                  | 8  | 184 | 76  | 150 | X  | X   | X  | X  | 410  | 0 | 8  |
| Guilty or no contest to<br>reduced charge                                   | 9  | 189 | 47  | 168 | X  | X   | X  | X  | 404  | 0 | 9  |
| Dismissal for lack of speedy<br>trial or want of prosecution                | 10 | 0   | 0   | 0   | 1  | 11  | 0  | 4  | 16   | 0 | 10 |
| Other dismissal   | 11 | 147 | 6   | 54  | 0  | 35  | 1  | 3  | 246  | 0 | 11 |
| Transfer to another judge<br>or court                                       | 12 | 10  | 2   | 1   | 0  | 1   | 0  | 0  | 14   | 0 | 12 |
| Referral to private judge   | 13 | X   | X   | X   | 0  | 0   | 0  | 1  | 1    | 0 | 13 |
| Unavailability of accused   | 14 | 157 | 28  | 76  | 0  | 6   | 0  | 0  | 267  | 0 | 14 |
| Bankruptcy stay or appeal   | 15 | 0   | 0   | 0   | 0  | 1   | 0  | 0  | 1    | 0 | 15 |
| Other termination   | 16 | 5   | 2   | 14  | 0  | 52  | 0  | 31 | 104  | 0 | 16 |
| TOTAL (Add lines 5-16)  | 17 | 696 | 161 | 466 | 1  | 106 | 1  | 39 | 1470 | 0 | 17 |
| Pending end of period   | 18 | 58  | 22  | 28  | 0  | 19  | 1  | 0  | 128  | 0 | 18 |
| Time Guideline (Months)   |    | 6   | 6   | 6   | 24 | 12  | 12 | 12 | X    | X |    |
| Cases pending beyond time   | 19 | 0   | 0   | 0   | 0  | 0   | 0  | 0  | 0    | 0 | 19 |
| Number of months oldest case  | 20 | 0   | 0   | 0   | 0  | 0   | 0  | 0  | X    | 0 | 20 |
| Cases submitted awaiting<br>sentencing or judgment<br>beyond time guideline | 21 | 0   | 0   | 0   | 0  | 0   | 0  | 0  | 0    | 0 | 21 |

Henschen and Associates, Inc.  
Written July 1991

Judge

Date

Prepare and Telephone Number

Date

Administrative Judge

Date

THE SUPREME COURT OF OHIO  
INDIVIDUAL JUDGE REPORT  
MUNICIPAL COURT

Date of most recent  
physical case inventory  
8/20/2021

GARFIELD HEIGHTS MUNICIPAL COURT, Judge Jennifer P. Weiler  
Report for the month of Individual Judges 2020

|   |    | B   | C   | D   | E   | F   | G   | H   | T     | V     |    |  |
|---|----|-----|-----|-----|-----|-----|-----|-----|-------|-------|----|--|
|   |    | CRB | TRC | TRD | CVE | CVF | CVG | CVH | TOTAL | VISIT |    |  |
| Pending beginning of period   | 1  | 93  | 38  | 65  | 1   | 29  | 0   | 4   | 230   | 0     | 1  |  |
| New cases assigned  | 2  | 475 | 121 | 321 | 0   | 90  | 0   | 34  | 1041  | 0     | 2  |  |
| Case transferred in<br>reactivated or redesignated                          | 3  | 157 | 29  | 108 | 0   | 4   | 0   | 1   | 299   | 0     | 3  |  |
| TOTAL (Add lines 1-3)   | 4  | 725 | 188 | 494 | 1   | 123 | 0   | 39  | 1570  | 0     | 4  |  |
| TERMINATIONS BY:  |    | B   | C   | D   | E   | F   | G   | H   | T     | V     |    |  |
| Jury trial  | 5  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0     | 0     | 5  |  |
| Court trial   | 6  | 4   | 0   | 5   | 0   | 0   | 0   | 0   | 9     | 0     | 6  |  |
| Default   | 7  | X   | X   | X   | 0   | 1   | 0   | 0   | 1     | 0     | 7  |  |
| Guilty or no contest to<br>original charge                                  | 8  | 180 | 106 | 196 | X   | X   | X   | X   | 482   | 0     | 8  |  |
| Guilty or no contest to<br>reduced charge                                   | 9  | 139 | 30  | 107 | X   | X   | X   | X   | 276   | 0     | 9  |  |
| Dismissal for lack of speedy<br>trial or want of prosecution                | 10 | 0   | 0   | 1   | 0   | 12  | 0   | 0   | 13    | 0     | 10 |  |
| Other dismissal   | 11 | 169 | 8   | 37  | 0   | 29  | 0   | 4   | 247   | 0     | 11 |  |
| Transfer to another judge<br>or court                                       | 12 | 7   | 0   | 3   | 0   | 2   | 0   | 0   | 12    | 0     | 12 |  |
| Referral to private judge   | 13 | X   | X   | X   | 0   | 0   | 0   | 0   | 0     | 0     | 13 |  |
| Unavailability of accused   | 14 | 155 | 24  | 110 | 0   | 2   | 0   | 0   | 291   | 0     | 14 |  |
| Bankruptcy stay or appeal   | 15 | 0   | 0   | 0   | 0   | 4   | 0   | 0   | 4     | 0     | 15 |  |
| Other termination   | 16 | 3   | 2   | 7   | 1   | 47  | 0   | 28  | 88    | 0     | 16 |  |
| TOTAL (Add lines 5-16)  | 17 | 657 | 170 | 466 | 1   | 97  | 0   | 32  | 1423  | 0     | 17 |  |
| Pending end of period   | 18 | 68  | 18  | 28  | 0   | 26  | 0   | 7   | 147   | 0     | 18 |  |
| Time Guideline (Months)   |    | 6   | 6   | 6   | 24  | 12  | 12  | 12  | X     | X     |    |  |
| Cases pending beyond time   | 19 | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0     | 0     | 19 |  |
| Number of months oldest case  | 20 | 0   | 0   | 0   | 0   | 0   | 0   | 0   | X     | 0     | 20 |  |
| Cases submitted awaiting<br>sentencing or judgment<br>beyond time guideline | 21 | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0     | 0     | 21 |  |
|   |    | B   | C   | D   | E   | F   | G   | H   | T     | V     |    |  |

Henschen and Associates, Inc.  
Written July 1991

Judge

Date

Prepare and Telephone Number

Date

Administrative Judge

Date

## **Court Caseload**

The Court caseload consists of all the traffic, criminal and civil cases heard by the Court. A municipal court's caseload is evaluated in two ways. The Ohio Supreme Court requires each Ohio court to file a monthly report with regard to the number of cases filed and terminated and the manner of termination. The number of cases from each municipality served by the Court and the Metro Parks is tracked yearly for purposes of apportionment of operating costs as specified in ORC §1901.026. In 2020, 451 new traffic camera cases were added to this total.

### **Ohio Supreme Court Statistical Reporting**

The Supreme Court measures the types of cases heard and the manner in which each case is terminated. The report is very important in ensuring that all cases are heard in a timely manner. The required monthly report is three pages and includes sections for both Judge Nicastro's and Judge Weiler's personal dockets and a section for the Administrative Judge's docket, which are cases that have not been assigned to a particular judge. The Administrative Judge's docket is commonly heard by a magistrate and then reviewed by Judge Nicastro or Judge Weiler on an alternating two-week schedule.

The types of cases and their three-letter case identifier designated by the Supreme Court are CRA-Felonies; CRB-Misdemeanors; TRD-Traffic; TRC-Operating a Vehicle under Influence of Alcohol/Drug; CVE- Personal Injury; CVF- Contracts; CVG-Forcible Entry and Detainer (Evictions); CVH- Other Civil; and CVI- Small Claims. Reprinted on the following pages are the three parts of the Supreme Court report for the entire year of 2020 in the format submitted monthly to the Supreme Court with the EXCEPTION of traffic camera cases which are not tracked until the appeals are concluded.



## Caseload by Municipality

The Court tracks all cases filed by each municipality and other government entities which the Court serves. The Court performs much more work than is depicted in the case count and Supreme Court statistical reports and is described in **Other Work of The Court** below.

The purpose of the case count by municipality is to calculate the apportioning of operating expenses. ORC §1901.026 requires apportionment of any deficiencies in operating costs to each municipality within the Court's jurisdiction.

ORC §1901.026 provides that the current operating costs of any municipal court shall be apportioned among all of the municipalities within the territory of the court. Each municipality shall be assigned a proportionate share of the current operating costs that is equal to the percentage of the total criminal and civil caseload of the court that arose in that municipality. Each municipality shall then be liable for its assigned proportionate share of the current operating costs of the Court, except that it is not required to pay that part of its proportionate share of the current operating costs that exceeds the total amount of fines or other monies collected by the Court.

The chart below summarizes the caseload by the number of cases originating in each municipality in the Court's jurisdiction. In traffic and criminal cases, the case may be generated by a law enforcement agency other than the local police as can be seen from the number of cases generated by the Ohio Highway Patrol and the Cuyahoga County Sheriff's Office.

NOTE: The following chart does not contain the 451 traffic camera tickets processed by the Court in 2020 but those cases will be included in the apportionment calculations.

| MUNICIPALITY  | Felony | Misdem | OVI | Traffic | Civil | SmClaim | Total |
|---------------|--------|--------|-----|---------|-------|---------|-------|
| Garf Hgts     | 112    | 591    | 104 | 1473    | 1135  | 102     | 3517  |
| OSP           |        | 6      | 12  | 194     |       |         | 212   |
| SHF           |        |        |     | 43      |       |         | 43    |
| Other (civ)   |        |        |     |         |       |         | 0     |
| SUBTOTAL      | 112    | 597    | 116 | 1710    | 1135  | 102     | 3772  |
| Brecksville   | 10     | 24     | 11  | 33      | 79    | 21      | 178   |
| OSP           |        |        |     | 166     |       |         | 166   |
| SHF           |        |        |     | 2       |       |         | 2     |
| SUBTOTAL      | 10     | 24     | 11  | 201     | 79    | 21      | 346   |
| Cuyahoga Hgts | 6      | 19     | 5   | 164     | 13    | 2       | 209   |
| OSP           |        | 1      | 1   | 30      |       |         | 32    |
| SHF           |        |        |     | 3       |       |         | 3     |
| SUBTOTAL      | 6      | 20     | 6   | 197     | 13    | 2       | 244   |
| Independence  | 28     | 110    | 23  | 72      | 51    | 25      | 309   |
| OSP           |        | 2      | 8   | 55      |       |         | 65    |
| SHF           |        | 1      |     | 243     |       |         | 244   |
| SUBTOTAL      | 28     | 113    | 31  | 370     | 51    | 25      | 618   |
| Maple Heights | 110    | 385    | 45  | 238     | 1061  | 234     | 2073  |
| OSP           |        | 1      |     | 11      |       |         | 12    |
| SHF           |        |        |     | 1       |       |         | 1     |
| SUBTOTAL      | 110    | 386    | 45  | 250     | 1061  | 234     | 2086  |
| Metroparks    | 3      | 54     | 4   | 84      |       |         | 145   |
| SUBTOTAL      | 3      | 54     | 4   | 84      |       |         | 145   |
| Newburgh Hgts | 23     | 63     | 25  | 45      | 112   | 23      | 291   |
| OSP           |        |        |     | 8       |       |         | 8     |
| SUBTOTAL      | 23     | 63     | 25  | 53      | 112   | 23      | 299   |
| Valley View   | 3      | 10     | 7   | 3       | 22    | 6       | 51    |
| OSP           |        |        | 1   | 14      |       |         | 15    |
| SHF           |        |        |     | 1       |       |         | 1     |
| SUBTOTAL      | 3      | 10     | 8   | 18      | 22    | 6       | 67    |
| Walton Hills  | 9      | 35     | 22  | 28      | 26    |         | 120   |
| OSP           |        |        |     | 1       |       |         | 1     |
| SUBTOTAL      | 9      | 35     | 22  | 29      | 26    | 0       | 121   |
| RTA           |        | 23     |     |         |       |         | 23    |
| OSP           |        |        |     |         |       |         | 0     |
| SUBTOTAL      | 0      | 23     | 0   | 0       | 0     | 0       | 23    |
| Other         |        |        |     |         |       |         | 0     |
| OSP           |        |        |     |         |       |         | 0     |
| SHF           |        |        |     |         |       |         | 0     |
| SUBTOTAL      | 0      | 0      | 0   | 0       | 0     | 0       | 0     |
| GRAND TOTALS  | 304    | 1325   | 268 | 2912    | 2499  | 413     | 7721  |

## Other Work of the Court

The Court performs other substantial functions which are not measured by the Ohio Supreme Court and which are not reflected in the Court caseload for apportionment of current operating costs.

Not considered in these measurements for 2020 are

- 12 weddings;
- 1364 new parking tickets filed by the Garfield Heights Police Department;
- 451 traffic camera tickets;
- Collection of \$1,145,261.53 in civil judgments; and
- Action to collect civil judgments as illustrated in the chart below.

### 2020 Civil Executions of Judgments

| Category                          | Totals |
|-----------------------------------|--------|
| Bank Account Attachments          | 229    |
| Wage Garnishments                 | 994    |
| Debtor Exams                      | 8      |
| Judgment Liens                    | 724    |
| Levies on Personal Property       | 1      |
| Writs of Restitution in Evictions | 425    |
| Garnishment Payments Received     | 5145   |

The work of the Probation and Victim Advocacy Divisions of the Court are not considered in the Supreme Court statistical reporting.

## Probation

Supervision of criminal and traffic offenders sentenced to community control sanctions is performed by the Probation Department. Community control sanctions include, but are not limited to, drug and alcohol treatment, electronic monitoring, domestic violence counseling, community service, psychiatric treatment, and parenting programs.

2020 Probation Department Caseload by Number of Offenders

| Type                           | Judge Nicastro | Judge Weiler | TOTAL         |
|--------------------------------|----------------|--------------|---------------|
| CARRIED OVER                   | 471            | 360          | <b>831</b>    |
| NEW ACTIVE                     | 383            | 344          | <b>727</b>    |
| NEW INACTIVE                   | 71             | 116          | <b>187</b>    |
| NEW ACTIVE NON-REPORT          | 65             | 1            | <b>44</b>     |
| SELECTIVE INTERVENTION PROGRAM | 18             | 25           | <b>43</b>     |
| TERMINATED                     | (509)          | (500)        | <b>(1009)</b> |
| CURRENT PENDING                | <b>499</b>     | <b>348</b>   | <b>847</b>    |

## Victim Advocacy

Victims are represented in all court proceedings by the Court's Victim Advocate Glenn Dugas. The Journey Center, which was formerly the Domestic Violence Center, provides a specially trained victim advocate for all domestic violence cases at no cost to the Court. Those cases are not included in the chart below. In 2020, the Court collected \$37,065.00 in restitution for victims.

2020 Victim Advocate Caseload

| Case Type |     | Municipality      | Criminal | Traffic | Total | Victim Type        | Total |
|-----------|-----|-------------------|----------|---------|-------|--------------------|-------|
| Criminal  | 253 | Garfield Heights  | 119      | 67      | 186   | Female             | 187   |
| Traffic   | 135 | Maple Heights     | 81       | 46      | 127   | Male               | 123   |
|           |     | Brecksville       | 13       | 5       | 18    | Business/Property  | 108   |
|           |     | Cuyahoga Heights  | 0        | 1       | 1     | Unknown -No Report | 4     |
|           |     | Independence      | 20       | 8       | 28    |                    |       |
|           |     | Metro Parks       | 3        | 0       | 3     |                    |       |
|           |     | Newburgh Heights  | 7        | 1       | 8     |                    |       |
|           |     | Ohio State Patrol | 0        | 4       | 4     |                    |       |
|           |     | Valley View       | 5        | 1       | 6     |                    |       |
|           |     | Walton Hills      | 5        | 2       | 7     |                    |       |
| Total     | 388 | Total             | 253      | 135     | 388   | Total              | 422   |

## **Financial Report**

The monies collected by the Court fall into four categories:

- Costs collected for operations and chemical dependency treatment of indigent offenders
- Fines and fees collected on behalf of other municipalities and government agencies
- Restitution for victims of crime
- Judgments for the prevailing party in civil lawsuits.

The following chart sets forth the revenue and expenditures in the Court's operating funds. Court costs are deposited into these funds and are used exclusively for court operations. Any deficiency in the General Fund at the end of each year is assessed against the municipalities within the Court district in accordance with their share of the caseload pursuant to ORC §1901.026. In 2020, there was a deficiency of \$269,518.75 which the City of Garfield Heights may apportion among the guest municipalities.

### 2020 Revenues and Expenditures by Court Operating Funds

| FUND   | BEGINNING<br>BALANCE | REVENUES<br>FROM COURT<br>COSTS ONLY | EXPENDITURES<br>FOR COURT<br>OPERATIONS | ENCUMBRANCES | ENDING<br>BALANCE |
|--|----------------------|--------------------------------------|---|--------------|-------------------|
| General Fund                                 | 0                    | \$936,857.23                         | \$1,206,375.98                          |              | (\$269,518.75)    |
| Special Project Fund                         | \$163,523.75         | \$299,275.48                         | \$339,004.66                            | \$250.00     | \$123,544.57      |
| Probation Fund                               | \$17,448.14          | \$145,265.63                         | \$113,192.10                            | \$1,993.70   | \$47,527.89       |
| Computer/Technology<br>Fund                  | \$5,410.42           | \$176,950.35                         | \$176,104.13                            | \$1,781.00   | \$4,475.56        |
| Indigent Driver<br>Alcohol Treatment<br>Fund | \$436,851.95         | \$43,961.04                          | \$53,888.34                             | \$34,606.89  | \$392,317.76      |

only the following expenditures from the General Fund may be considered in calculating the apportionment of operating expenses pursuant to ORC §1901.026

### 2020 General Fund Expenditures

| Expenditures                  | Amount         |
|-------------------------------|----------------|
| Salaries & Wages              | 693,409.43     |
| Jury/Witness Fees             | 150.00         |
| Pension - PERS                | 99,925.87      |
| Hospitalization               | 271,211.72     |
| Worker's Compensation         | 12,231.97      |
| Unemployment Compensation     | 354.41         |
| Medicare                      | 9,774.61       |
| Life Insurance                | 1,880.90       |
| Special Services              | 21,748.74      |
| Training & Education          | 1,550.00       |
| Telephone                     | 6,212.22       |
| Employee Bonds                | 100.00         |
| Office Supplies               | 7,943.28       |
| Operating Supplies            | 46,921.56      |
| City Equipment Rental         | 10,775.00      |
| Building Maintenance Supplies | 5,820.08       |
| Insurance - Property          | 6,487.19       |
| Payroll Preparation           | 9,879.00       |
| Total Expenditures            | \$1,206,375.98 |
| Expenditures over Receipts    | (\$269,518.75) |

The Court assesses fines as penalties in criminal and traffic cases and is charged by the State of Ohio and Cuyahoga County to assess fees for various state and local programs. The monies collected are remitted monthly to each municipality, the County and the State. The apportionment of the 2020 deficiency in operating costs among the municipalities served by the Court is limited to the amount of fines collected by the Court in 2020. The following chart summarizes the monies distributed to these government agencies.

#### 2020 Disbursements of Fines & Special Fees

| Agencies         | Fines & Fees |
|------------------|--------------|
| Brecksville      | \$3,993.40   |
| Cuyahoga Hts.    | \$3,830.00   |
| Garfield Heights | \$199,081.91 |
| Independence     | \$4,659.00   |
| Maple Heights    | \$11,332.00  |
| Metro Parks      | \$5,437.00   |
| Newburgh Hts.    | \$2,948.50   |
| Valley View      | \$1,140.00   |
| Walton Hills     | \$2,930.10   |
| Cuyahoga County  | \$137,554.77 |
| State of Ohio    | \$194,607.42 |

## **CONCLUSION**

Due to the Pandemic in 2020, the Court caseload and revenues decreased. We make no predictions for the future.

Respectfully Submitted,

A handwritten signature in black ink, reading "Deborah J. Nicastro", written over a horizontal line.

Judge Deborah J. Nicastro  
Presiding Judge



