

# The 2023 Annual Report of the Garfield Heights Municipal Court

## Contents

Introduction .....	1
Highlights of 2023 .....	2
<b>Traffic Camera Tickets</b> .....	2
<b>Evictions Trend</b> .....	2
<b>Criminal and Traffic Trend</b> .....	2
<b>Courthouse</b> .....	2
Court Structure and Operations .....	3
<b>Judiciary</b> .....	3
<b>Office of the Clerk of Court</b> .....	3
<b>Probation</b> .....	3
<b>Victim Advocacy</b> .....	3
<b>Security</b> .....	3
Caseload .....	4
<b>Percentage of Caseload -Municipality</b> .....	4
Financial Report .....	6
<b>Receipts-General Fund</b> .....	6
<b>Expenditures -General Fund-Operating Expenses</b> .....	7
<b>Court Funds Other than General Fund</b> .....	7
<b>Apportionment-General Fund</b> .....	8
Disbursements .....	9
<b>Criminal/Traffic Disbursements</b> .....	9
Probation Caseload .....	10
Victim Advocate Caseload.....	12

## Introduction

The 2023 Annual Report of the Garfield Heights Municipal Court is required to be published each year pursuant to Ohio Revised Code §1901.14(A)(4). This report is intended to explain the court operations and show the work performed by the Court, a statement of receipts and expenditures of the civil and criminal divisions, respectively, and the number of cases heard, decided, and settled.

## Highlights of 2023

### Traffic Camera Tickets

Traffic camera tickets dominated court operations in 2023. The Villages of Newburgh Heights and Walton Hills deploy traffic cameras for traffic control. In 2019, the state legislature granted exclusive jurisdiction over traffic camera tickets to municipal courts. These cases were formerly litigated in mayor's courts and only came to the municipal court on appeal. While the Village of Newburgh Heights challenged the new law, Court review was stayed until May 19, 2023. The Ohio Supreme Court ruled against the Village of Newburgh Heights on all challenges.

The Court had to develop a case management system that could handle a high volume of digital cases and process fine payments online, as well as through the Court's 24-hour-per-day call center, in addition to accepting payments made by check or in cash.

Due to traffic camera tickets, the Court's overall caseload increased from 11,102 cases in 2022 to 77,529 cases in 2023. The consequence of this caseload increase is that the Village of Newburgh Heights is the highest-volume filer in the Court district at 81.61% of the cases, and the host City of Garfield Heights is the second highest-volume filer at 6.92%.

## Evictions Trend

Evictions decreased in 2023 but remained above normal, with 1,289 new cases being filed. The housing market remains unstable after the Pandemic.

### Criminal and Traffic Trend

Domestic violence, gun law violations, and operating a vehicle while under the influence of alcohol or drugs dominated the Criminal/Traffic Division. The number of defendants with severe mental health and chemical dependency issues continued to increase, overburdening the probation department and its ability to provide intensive supervision.

### Courthouse

The deteriorated courthouse is impairing court operations. Shutdowns for broken pipes, persistent black mold, lack of ADA-compliant washrooms, inadequate secure parking, lack of separate safe spaces for victims and witnesses, lack of adequate secure entrances for judges, and more have caused city officials and the judges to debate issues around a new facility and the city's ability to build new or rent space.

## Court Structure and Operations

Understanding the structure of the Court will aid in understanding court operations. The Court is comprised of separate divisions, each with a unique function. The five divisions are the Judiciary, Office of the Clerk of Court, Probation, Security, and Victim Advocacy.

### Judiciary

Presiding and Administrative Judge Sergio I. DiGeronimo and Judge Deborah J. Nicastro perform the judicial functions of the Court. Aiding them in the performance of their judicial duties are full-time Magistrate Jeffrey R. Short and part-time Magistrates Mary Hanna and Christina Londrico. Magistrates have the authority to make decisions pursuant to Ohio Criminal Rule 19, Ohio Traffic Rule 14, and Ohio Civil Rule 53, but all decisions must be reviewed and adopted as a final judgment by Judge Nicastro or Judge DiGeronimo.

### Office of the Clerk of Court

The Office of the Clerk of Court performs the record-keeping and administrative functions of the Court. The appointed Clerk also serves as the Court Administrator. The Office of the Clerk of Court is comprised of deputy clerks and bailiffs in the following Divisions:

- IT Division
- Civil Division
- Criminal/Traffic Division
- Traffic Camera Division

- Fiscal Management Division
- Bailiff Division for service of official documents and evictions

### Probation

The Probation Department supervises criminal and traffic offenders sentenced to community control sanctions. 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.

### Victim Advocacy

The Journey Center, formerly known as the Domestic Violence & Child Advocacy Center, provides a specially trained victim advocate for all domestic violence cases at no cost to the Court. The victim advocate supports victims and protects their rights under Article I, Section 10a of the Ohio Constitution.

### Security

Security for the judges, all employees, all court users, and the court premises is the responsibility of the security bailiffs. Security bailiffs are present in the courtrooms and at the cashier's office during all court proceedings. They also transport all offenders to jail after sentencing.

## Caseload

The Court's caseload consists of all cases filed with the Court in the following categories: general traffic, parking tickets, criminal, general civil, small claims, evictions, and civil traffic camera tickets. The number of cases from each municipality served by the Court and the Metro Parks is tracked annually to apportion operating costs, as specified in ORC §1901.026. ORC §1901.026 requires apportionment of any operating expenses over receipts to each municipality in the Court's jurisdiction, in proportion to its share of the caseload.

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 then shall 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 received from the Court. The chart below describes the caseload and the percentage of the caseload by municipality.

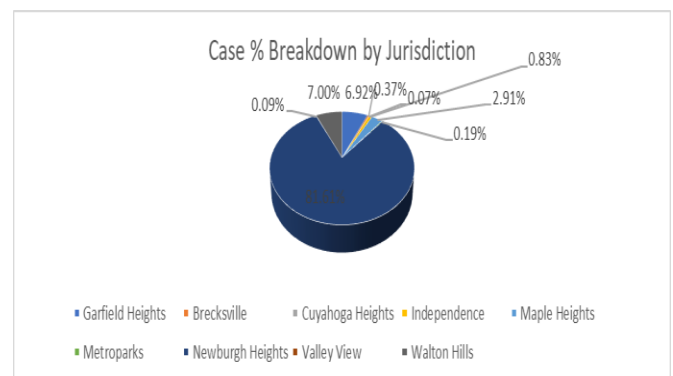
Independently of the apportionment analysis under ORC §1901.026, the Ohio Supreme Court requires each municipal court to file a monthly report regarding the number of cases filed, but does not include

traffic camera tickets or parking tickets in that case count. These statistical reports are compiled and published on its [website](#).

Neither the apportionment nor the Supreme Court analyses account for post-judgment proceedings, such as probation in criminal and traffic cases, or the collection of civil judgments or marriages, all of which create a substantial workload for the Court. Yet these functions comprise a large portion of the Court's personnel and budget.

### Percentage of Caseload -Municipality

Brecksville	.37 %
Cuyahoga Heights	.07 %
Garfield Heights	6.92 %
Independence	.83 %
Maple Heights	2.91 %
Metroparks	.19 %
Newburgh Heights	81.61 %
Valley View	.09 %
Walton Hills	7.00 %



MUNICIPALITY	FELONY	MISDEM	OVI	TRAFFIC	PARKING	CIVIL	SMCLAIM	CAMERA	TOTAL
Garfield Hts.	169	666	77	1424	1781	1663	194		5974
OSP		2	7	101					110
SHF				5					5
Other (civ)									0
SUBTOTAL	169	668	84	1530	1781	1663	194	0	6089
Brecksville	18	42	23	27		64	34		208
OSP		1	1	111					113
SHF				6					6
SUBTOTAL	18	43	24	144	0	64	34	0	327
Cuyahoga Hts.	5	20	2	16		4	4		51
OSP		2	1	5					8
SHF									0
SUBTOTAL	5	22	3	21	0	4	4	0	59
Independence	67	238	49	162		51	29		596
OSP		2	3	117					122
SHF				14					14
SUBTOTAL	67	240	52	293	0	51	29	0	732
Maple Heights	159	427	27	302		1241	388		2544
OSP			3	8					11
SHF				1					1
SUBTOTAL	159	427	30	311	0	1241	388	0	2556
Metroparks	4	28	4	133					169
SUBTOTAL	4	28	4	133					169
Newburgh Hts.	21	73	34	49		51	47	71483	71758
OSP			3	8					11
SHF				3					3
SUBTOTAL	21	73	37	60	0	51	47	71483	71772
Valley View	16	17	8	2		11	9		63
OSP			1	16					17
SHF									0
SUBTOTAL	16	17	9	18		11	9	0	80
Walton Hills	1	21	15	26		12	13	6067	6155
OSP									0
SHF									0
SUBTOTAL	1	21	15	26	0	12	13	6067	6155
Other	2	2				1	1		6
									0
									0
									0
SUBTOTAL	2	2	0	0	0	1	1	0	6
GRAND TOTALS	462	1541	258	2536	1781	3098	719	77550	87945

## Financial Report

The Court's financial operations encompass receipts from the assessment, collection, and distribution of court costs, fines, restitution, and civil judgments, as well as expenditures for court operations.

The Court assesses local court costs, which are intended to defray the expense of operating the Court. These are deposited into the various funds outlined in the chart below, depending on their purpose and the provisions of the Ohio Revised Code. Any shortage in the General Fund is apportioned among the municipalities served by the Court.

All monies received by the Court fall into four categories:

- Court costs assessed by Order of the Court and by state law and either retained for court operations or distributed to other agencies designated by the state. Fines assessed in general criminal and traffic cases and civil traffic camera tickets are distributed to the municipalities and other government agencies.
- Restitution for victims of crime.
- Judgments for the prevailing party in civil lawsuits.

The Court assesses local court costs, which are intended to defray the expense of operating the Court. These are deposited into the various funds outlined in the chart

below, depending on their purpose and the provisions of the Ohio Revised Code. Any shortage in the General Fund is apportioned among the municipalities served by the Court.

### Receipts-General Fund

Civil/Small Claims	520,044.17
Criminal/Traffic	452,722.20
Poundage	375.52
Traffic Camera	247,233.63
Total Receipts	1,220,375.52

**General Fund**  
**Court Funds Other than General Fund**

**Expenditures -General Fund-Operating  
Expenses**

The Court incurred the following operating expenses in 2023 in the General Fund. These expenses are the only operating expenses considered in calculating the apportionment amount the municipalities must contribute for Court operations, pursuant to ORC §1901.026

Court Fund	Ending Balance
Indigent Driver Alcohol Treatment Fund	425,619.76
Probation Fund	231.25
Special Project Fund	311,490.32
Technology/Capital Improvement Fund	1,524.91
Special Project Building Fund	64,862.00
Traffic Camera Fund	0

Salaries & Wages	989,775.29
Overtime	2,872.04
Jury/Witness Fees	330.00
Pension - PERS	143,167.61
Hospitalization	373,183.20
Worker's Compensation	17,507.38
Medicare	14,212.45
Life Insurance	2,006.23
Special Services	28,731.23
Telephone	4,551.46
Employee Bonds	100.00
Office Supplies	10,994.01
Operating Supplies	87,871.09
City Equipment Rental	11,697.00
Building Maintenance Supplies/Services	6,000.00
Insurance - Property	10,947.90
Payroll Preparation	10,324.38
<b>Total Operating Expenses</b>	<b>1,714,271.27</b>

### Apportionment-General Fund

Municipality	Cases	% Caseload	% Expenses	Fines Received	Rebilled
Garfield Heights	6,090	6.92%	34,198.10	1701233.37	34198.10
Maple Heights	2,559	2.91%	14,369.94	32880.50	14369.94
Independence	733	0.83%	4,116.13	21579.00	4116.13
Brecksville	327	0.37%	1,836.25	11924.00	1836.25
Newburgh Heights	71,779	81.61%	403,071.45	4005084.34	403071.45
Walton Hills	6,156	7.00%	34,568.72	353129.00	34568.72
Cuyahoga Heights	60	0.07%	336.93	5758.60	336.93
Metro Parks	169	0.19%	949.01	22187.00	949.01
Total	87,953	100.00%	493,895.75		493895.77



## Disbursements

The Court assesses fines and special fees in traffic, civil traffic camera, and criminal cases. The Court is also required by the State of Ohio and Cuyahoga County to assess fees for various purposes for state and county programs. These monies are remitted monthly to each municipality, the County, and the State.

In the Civil Division, the Court collects civil judgments for litigants through wage and bank garnishments. In 2023, the Court collected and disbursed directly to litigants the sum of \$1,024,708.92.

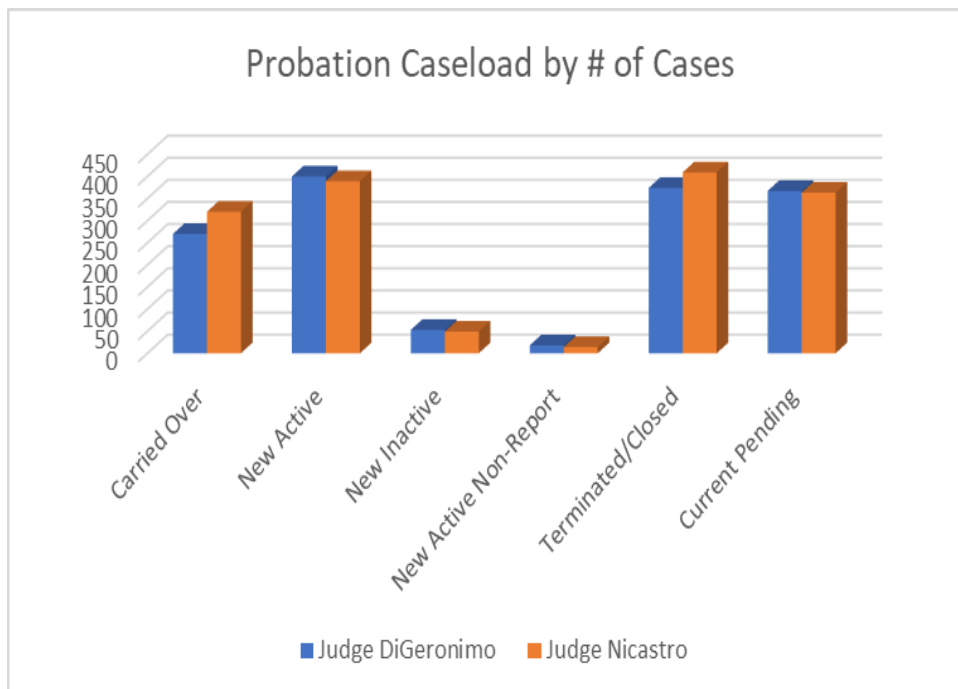
### Criminal/Traffic Disbursements

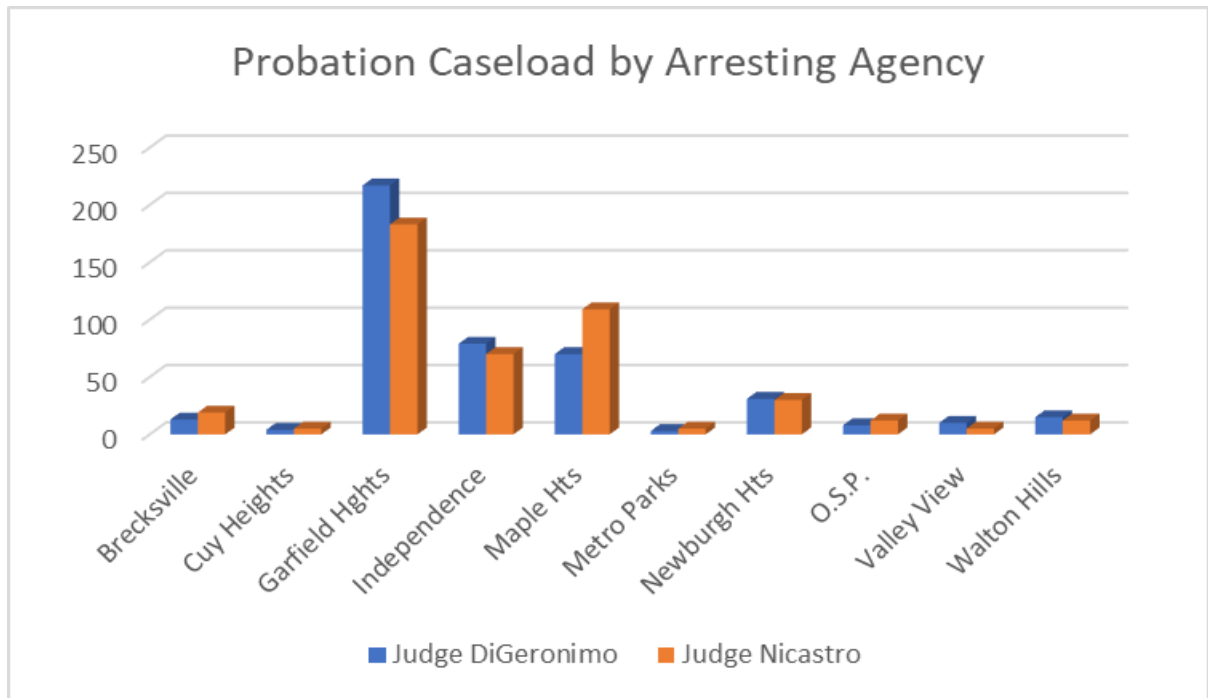
Brecksville	\$5,186.00
Cuyahoga Hts.	\$2,2559.00
Garfield Heights	\$175,142.63
Independence	\$9,850.00
Maple Heights	\$15,329.00
Metro Parks	\$10,291.00
Newburgh Hts.	\$4,005,229.34
Valley View	\$489.00
Walton Hills	\$351,816.00
Cuyahoga County	\$145,617.80
State of Ohio	\$164,639.21

## Probation Caseload

### By Number of Cases

2023	Judge Nicastro	Judge DiGeronimo	TOTAL
CARRIED OVER	320	270	590
NEW ACTIVE	389	400	789
NEW INACTIVE	49	53	102
NEW ACTIVE NON-REPORT	14	18	32
TERMINATED/CLOSED	409	374	783
CURRENT PENDING	363	367	730





**By Arresting Agency (includes New Active, Inactive, and Active Non-Reporting from Chart Above)**

ARRESTING AGENCIES	Judge Nicastro	Judge DiGeronimo	TOTAL
BRECKSVILLE	19	13	32
CUYAHOGA HTS	5	4	9
GARFIELD HTS	183	217	400
INDEPENDENCE	70	79	149
MAPLE HTS	109	70	179
METRO PARKS	5	3	8
NEWBURGH HTS	30	31	61
O.S.P.	12	8	20
VALLEY VIEW	5	10	15
WALTON HILLS	12	15	27
<b>TOTAL</b>	<b>450</b>	<b>450</b>	<b>900</b>

## Victim Advocate Caseload

<b>Arresting Agencies</b>	<b>Criminal</b>	<b>Traffic</b>	<b>Total</b>	<b>Victim Information</b>	
Garfield Heights	107	62	169	Females	192
Maple Heights	66	19	85	Males	100
Brecksville	9	4	13	Business or Property Loss	56
Cuyahoga Heights	1	2	3		
Independence	29	9	38		
Metro Parks	0	1	1		
Newburgh Heights	7	2	9		
Ohio State Patrol	0	1	1		
Valley View	2	0	2		
Walton Hills	3	0	4		
Cleveland Clinic	6	0	6		
<b>Total</b>	<b>232</b>	<b>99</b>	<b>331</b>	<b>Total</b>	<b>348</b>

