



Cuyahoga County  
Common Pleas Court General Division

# 2014 Annual Report

THE CITIZENS JURY WHEEL  
presented to  
The Chief Justice and the Judges of the Court of Common Pleas  
May 1, 1991

THE CITIZENS JURY COMMISSION

Commission on the Administration of the Court System in Cuyahoga County

1989-1991

1991-1993

1993-1995

1995-1997

1997-1999

1999-2001

2001-2003

2003-2005

2005-2007

2007-2009

2009-2011

2011-2013

2013-2015

John J. Russo

Administrative and Presiding Judge

# **Cuyahoga County Common Pleas Court General Division**

***The mission of the Court is to provide a forum for  
the fair, impartial and timely resolution of  
civil and criminal cases.***



**John J. Russo**  
Administrative Judge

**THE COURT OF COMMON PLEAS**  
**COUNTY OF CUYAHOGA**  
**JUSTICE CENTER**  
**1200 ONTARIO STREET**  
**CLEVELAND, OHIO 44113**



December 2014

Ladies and Gentlemen,

2014 was my first year as Administrative and Presiding Judge. I could not be more proud of the 500 or so women and men whose efforts allow our Court to operate and perform at outstanding levels.

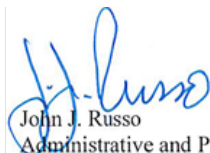
Recent improvements include complete e-Filing for criminal and civil cases. We have also increased training programs for Court personnel. Along with dockets overseen by the 34 Judges and their staffs, the Court is proud to offer numerous programs and specialized dockets to benefit the people of Cuyahoga County. The Mental Health Court, Re-Entry Court and Drug Court have all helped defendants seek treatment and counseling that can help lower recidivism. The Judges also voted to add a second Drug Court in 2015 and, for the first time, a Veterans Court.

One of my goals as Administrative and Presiding Judge was to reach out to each employee of the Court to build a sense of community, pride, and ownership in the tasks that they perform. I see the Cuyahoga County Common Pleas Court not as a government entity but as a large corporation in which each person plays a key role in its successful operation. We engaged in several morale-building programs for employees and hope to expand on them in the future.

We have also sought to improve the experience of our jurors. We estimate that more than 25,000 citizens of Cuyahoga County come through our jury system every year. The Court debuted a new, locally-produced video that explains to jurors what they can expect and why their presence is so important to our democracy. We have also undertaken other outreach programs that we hope have our jurors returning home with positive memories of their time in the Court.

As a Court, or corporation, our goal should be to continue looking for ways to improve. To that end, we will continue to strive for excellence and accountability. We proudly serve the people of Cuyahoga County and owe them nothing less than our best.

Sincerely,

  
John J. Russo  
Administrative and Presiding Judge

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**JUDGES OF THE COMMON PLEAS COURT  
GENERAL DIVISION  
CUYAHOGA COUNTY – 2014**

***John J. Russo, Administrative and Presiding Judge***

*Judge Dick Ambrose*

*Judge Michael E. Jackson*

*Judge Michael K. Astrab*

*Judge Lance T. Mason*

*Judge Pamela A. Barker*

*Judge David T. Matia*

*Judge Janet R. Burnside*

*Judge Robert C. McClelland*

*Judge Deena R. Calabrese*

*Judge Timothy McCormick*

*Judge Maureen E. Clancy*

*Judge Nancy R. McDonnell*

*Judge Cassandra Collier-Williams*

*Judge Richard J. McMonagle*

*Judge Brian J. Corrigan*

*Judge John P. O'Donnell*

*Judge Peter J. Corrigan*

*Judge Joseph D. Russo*

*Judge Michael P. Donnelly*

*Judge Michael J. Russo*

*Judge Carolyn B. Friedland*

*Judge Nancy Margaret Russo*

*Judge Stuart A. Friedman*

*Judge Shirley Strickland Saffold*

*Judge Nancy A. Fuerst*

*Judge Brendan J. Sheehan*

*Judge Steven E. Gall*

*Judge John D. Sutula*

*Judge Hollie L. Gallagher*

*Judge Kathleen Ann Sutula*

*Judge Daniel Gaul*

*Judge Joan Synenberg*

*Judge José A. Villanueva*

*Gregory M. Popovich, Court Administrator*

# SUMMARY FOR THE COURT

## January - December 2014

	A	B	C	D	E	F	G	H	I	T	V	
	Professional Tort	Product Liability	Other Torts	Workers Compensation	Foreclosures	Administrative Appeal	Complex Litigation	Other Civil	Criminal	Total	Visiting Judge	
Pending beginning of period	1	335	17	2677	1062	6226	127	4	3080	3393	16921	2
New cases filed	2	329	29	3658	1215	7041	200	X	6148	11701	30321	2
Cases transferred in, reactivated or redesignated	3	83	10	451	284	2731	22	79	1117	1395	6172	0
<b>TOTAL (Add lines 1-3)</b>	4	747	56	6786	2561	15998	349	83	10345	16489	53414	4

### TERMINATIONS BY:

	A	B	C	D	E	F	G	H	I	T	V	
Jury Trial	5	15	0	44	11	0	0	13	224	307	2	
Court Trial	6	2	0	7	3	0	1	40	113	166	0	
Settled or dismissed prior to trial	7	3	0	15	6	4	0	17	3	48	0	
Dismissal	8	275	21	2737	1152	818	84	5	2613	828	8533	1
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	9	0	0	0	0	0	0	0	0	0	0	
Magistrate	10	0	0	0	8420	1	0	10	X	8431	0	
Diversion or arbitration	11	0	0	17	0	0	0	17	1254	1288	0	
Guilty or no contest plea to original charge (criminal); Default (civil)	12	1	0	442	1	8	2	0	1852	1276	3582	0
Guilty or no contest plea to reduced charge	13	X	X	X	X	X	X	X	7827	7827	0	
Unavailability of party for trial or sentencing	14	0	0	0	1679	0	0	1	785	2465	0	
Transfer to another judge or court	15	73	13	435	315	417	9	0	1222	455	2939	0
Referral to private judge	16	0	0	0	0	0	0	0	X	0	0	
Bankruptcy stay or interlocutory appeal	17	12	0	50	3	39	4	1	183	5	297	0
Other terminations	18	41	3	412	136	9	100	3	1441	37	2182	1
<b>TOTAL (Add lines 5-18)</b>	19	422	37	4159	1627	11394	200	10	7409	12807	38065	4
Pending end of period (Subtract line 19 from line 4)	20	325	19	2627	934	4604	149	73	2936	3682	15349	0
		24	24	24	12	12	9	36	24	6	X	X
Cases pending beyond time guideline	21	21	0	61	83	887	46	5	128	479	1710	0
Number of months oldest case is beyond time guideline	22	46	0	122	45	136	130	70	134	194	X	0
Cases submitted awaiting sentencing or judgement beyond time guideline	23	0	0	0	0	0	0	0	0	0	0	0

# 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
- 1 Director of Human Resources
- 1 Outreach Coordinator
- 1 Administrative Assistant/Payroll Officer
- 2 Administrative Assistants
- 1 Office Assistant

The Judges and nearly 470 staff of the Common Pleas Court are dedicated to providing fair, accessible and efficient justice for all persons. In 2014, 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 2014 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 2014 a total of 23,397 civil cases were filed / reactivated. A total of 11,701 new criminal arraignments (and 1,395 reactivations) were brought for a total of 36,493 new cases/reactivations. Calendar year 2014 concluded with 15,349 cases pending. The Court saw the increase in its clearance rate exceed 100%.

Of the civil docket 7,041 (new filings) cases were foreclosures, a decrease of nearly 20% from 2013. In all, foreclosure cases comprised 38% of all new civil case filings.

Case filings once again decreased in 2014. Courts throughout the State continue to experience a reduction in case filings in 2014. However, courts in the State are forced by recent legislation to devote more time and resources to probation cases in order to divert more defendants from prison. Changes in the expungement laws led to a substantial increase in the filing of Applications for Expungements. The Court continues to see an increase in Applications for Expungements as a result of these recent changes in State law.

Productivity and efficiency are only two means for measuring performance of the Court. While gauging productivity and efficiency through empirical measurement is significant, more importantly, the Court must strive for justice in the resolution of each case that affects the rights and obligations of each individual or entity.

## **THE TRIAL COURT**

The Court's 34 Judges conducted jury trials in 307 instances, including 224 criminal cases and 83 civil jury trials, on average 9 per Judge. The Judges conducted 166 bench trials in 2014. Overall, jury and bench trials were down slightly in 2014 in comparison to 2013.

## **e-FILING PROJECT**

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 system provides litigants the ability to electronically file new cases and documents on existing cases at any time during the day, including after Court hours.

After extensive planning, the Court and Clerk sent and received the first filing of an e-Filed case and document in 2011. E-Filing was piloted and then made available to all Foreclosure firms. By the end of the year in 2013, all Foreclosure cases were required to be e-Filed.

The project provides litigants the ability to obtain additional services at little cost to the taxpayers. It is also hoped that the Court and the Clerk should experience efficiencies as a result of e-Filing and that this project makes Cuyahoga County a more cost effective location to conduct legal business.

In 2014, e-Filing was made available to almost all civil and criminal matters.

## **SPECIALIZED DOCKETS/PROGRAMS**

The Court created the Foreclosure Mediation program in 2009. The program became a model for other courts in the State. In 2014, 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.

Implementation of Drug Court continued under Judge David T. Matia. The number of persons entering Drug Court increased again in 2014 and several graduation ceremonies for successful candidates in Drug Court were held.

Re-Entry Court continued to accept new people in 2014 under the leadership of Judge Nancy Margaret Russo. Re-Entry Court is recognized as an exceptional program because of its high success rate. The Court is unique in Ohio because candidates are granted Judicial Release to participate. It provides participants resources upon exiting prison to provide them opportunities to return as productive members of society.

Commercial Dockets were created in 2008 on a pilot basis pursuant to Temporary Ohio Supreme Court Rules of Superintendence. In 2009, processes were implemented to allow the dockets to adjudicate commercial cases in a fair and efficient manner. In 2013, under the leadership of Judge Richard J. McMonagle and Judge John P. O'Donnell, the dockets continued to expand. Due to the overall success of the Commercial Dockets, in 2013 the Judges of the Common Pleas Court voted to fully implement and maintain the Commercial Docket with several changes. One of the primary amendments was to add two additional Judges to the Commercial Docket. Judge Nancy A. Fuerst and Judge Joseph D. Russo were selected to preside over the two new dockets starting in 2014.

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

Construction of the 200 bed Judge 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 2014, Judges of the Common Pleas Court referred numerous offenders to the facility. It is expected that sentencing offenders to the facility will reduce recidivism while decreasing the population 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 into the future. The Court appreciates the continued cooperation and assistance from the Mayor and Cleveland City Council for this project.

In 2014, in cooperation with the ADAMHS Board and the CBCF operator, the Court once again committed resources that provided the opportunity for it to refer people with a mental health diagnosis to the CBCF. By adding psychiatrists and the ability for them to provide medication, people referred to the CBCF will be able to be diverted from County Jail and the prison system. It is expected that this environment is much better suited for treating offenders with mental health illnesses while saving taxpayer dollars. In 2014, females continued to be sent to Summit County's CBCF.

In 2014, the Court participated in the CBCF's strategic planning process which set forth goals for the next several years.

In 2014, 748 offenders were placed in the CBCF; a 37% increase over 2013 figures due to a gradual increase in bed capacity from the original 177 beds in 2011 to 215 currently. Note: 59 female defendants were placed in the Cliff Skeen CBCF in Summit County.

## **ENHANCEMENTS TO THE JURY ROOM AND NEW JUROR ORIENTATION VIDEO**

The Judges and staff appreciate the sacrifices and dedication of all citizens who serve as jurors in the Common Pleas Court. On behalf of the Court of Common Pleas, thank you to all of jurors who served in 2014.

The Court continues to review processes and to look for ways to make jury service more convenient. In 2014, dedicated Jury Room staff reduced the time jurors served on jury duty by continuing to monitor activity in the courtrooms. In a number of instances jurors were released after three days of jury service. The efforts of staff also allowed the Court to experience cost savings to the General Fund.

The Court's Juror Orientation Video was updated in 2014. The jury video, titled "*Called To Serve*", was produced by a locally owned company, without expense to the General Fund or to taxpayers. The script was written to serve the needs of the Court and the video was completely redone in high definition with new film footage of Judges and Court staff. The Court's Juror Orientation video is unique as substantial parts of the video depicted live events in courtrooms and actual Judges, Court employees and jurors discussing the jury process and experience. The video can also be modified when changes are needed in the future. We also replaced an old projector and screen in the Jury Assembly Room so that the video can be shown in high definition.

A new program for jurors was created, called "*Justice Fur All*" which provides them an opportunity to visit with animals from the local animal shelter. The program's goals were to entertain jurors as they waited to be called to a courtroom and to also give animals in the shelter a chance to be adopted.

## **IMPLEMENTATION OF EVIDENCE-BASED PRACTICES (EBP) & BEHAVIORAL RESPONSE PROGRAM**

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 2014, the Court continued to move towards full implementation of EBP. Training of Judges and staff continued 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.

In 2014, the Court worked towards a Behavioral Response Program where persons on Community Control can receive immediate awards or sanctions as a result of their behavior. It is expected that this program will reduce recidivism and the amount of time a person spends in jail for a probation violation. It is also hoped that the Court will be more efficient long term due to a reduction in the number of probation violation hearings that could be needed in the future.

## **IMPLEMENTATION OF *CourTools***

The General Division of the Common Pleas Court has been committed to providing transparency into the performance of its operations for a number of years. The Common Pleas Court was the first in the State of Ohio to publish statistics for individual Judges, Magistrates, and for court system processes.

In an effort to further expand transparency into its operations, the Court in 2013 began implementation of a set of nationally recognized performance measures, called ***CourTools***.

***CourTools*** is a set of ten performance measures that were developed by the National Center for State Courts along with other court leaders and experts. These performance measures provide courts a method to collect and analyze relevant data to evaluate their own performance and compare themselves with other courts. This process provides a framework for the managing of limited resources in a way that monitors key areas of court operations to assist the Court to better serve the public.

In 2013, the Court completed work on the performance measures for *Clearance Rates for Criminal and Civil Cases* and *Time to Disposition*. In 2014, the Court completed work on three additional measures: *Age of Active Pending Caseload*, *Trial Date Certainty* and *Effective Use of Jurors*.

As the Court has done in the past with other statistics, Information about the ten measures and the relevant reports will be posted on the Court's web page. To the Court's knowledge, this Court is the only one in the State and one of the few in the country to update these measures monthly and publish them for the public to review.

## **IMPLEMENTATION OF SECURITY RENOVATIONS**

During 2014 the security renovations in the Courts' Tower were in full force. Announced in 2013, the project is still being finalized and is expected to be completed mid-year 2015. The enhancements include card access readers and intercoms installed on each courtroom floor to limit access to the work areas of the Judges, Bailiffs, Secretaries and Courtroom Assistants. The Exterior Justice Center Complex Security enhancements are being developed (*i.e.*, *blue print renderings acquired*) for the outside perimeter of the building (*i.e.*, *re-directing public parking, making entrance access for visitors, deliveries, and parking garage access safer*).

## **COURTROOM FURNITURE REPLACEMENT**

2014 also saw the first stage in the furniture replacement plan for all 34 courtrooms. The old chairs for counsel and prosecutor staff were in deplorable condition and discarded. The next level of this plan, already in the works, is to replace the jury room deliberation chairs and the court reporter chairs in each courtroom. The jury room chairs that are slated for replacement are original to the building's construction in 1976. Replacement is slated to begin in the Spring of 2015.

## **COURT SUPERVISOR TRAINING**

In 2014 the Court initiated both a Spring and a Fall Session for Court-wide Supervisor Training. This training was so successful that it will now be offered annually to address topics important to the development of our

Department Heads and Supervisors. Training in the Spring was facilitated and conducted by staff from the Supreme Court of Ohio covering a variety of topics related to basic manager training for new Supervisors. The Fall session was handled by a trainer familiar with this Court and its processes and concentrated on conducting Employee Performance Evaluations. This evaluation training was especially pertinent as the Court moves to consistent and equitable employee evaluations across all departments of the Court.

## COMMUNITY OUTREACH

2014 was the first full year for the Community Outreach Department which handles programs involving the general public and communications with local media. The two biggest projects succeeded in producing a new jury orientation video and implementing a program to handle actual Court cases at area schools.

*Court in the Classroom* was first staged in early 2014 in the Lakewood middle schools and is now being presented in school districts across Cuyahoga County. Actual court cases (e.g. probation violations, plea changes, sentencings) are held in front of 8<sup>th</sup> grade students and then followed-up with explanations and a review of the Court. Students can then ask questions of the Judge, attorneys, bailiffs, and court reporters. *Court in the Classroom* continues to generate interest from other districts.



Other projects under the Community Outreach umbrella have included a monthly internal *From The Bench* newsletter, *Memorial Mondays* during the summer in which food trucks visit at lunchtime, *Justice Fur All* in which the Cleveland Animal Protective League brings dogs and cats available for adoption, increased communication with local media, news releases about Court happenings, and connecting with other Court public information officers around the nation.

# CUYAHOGA COUNTY ASBESTOS DOCKET

**JUDGE HARRY A. HANNA**

**MARGARET G. WALLISON**  
Bailiff

## 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.

The specialized Asbestos/Beryllium Dockets is presided over by Visiting Judge Harry A. Hanna. With the Visiting Judge overseeing this docket, 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 the Visiting Judge.

In 2014 there were 2,182 cases disposed and there were 85 new or re-activated cases. At the end of 2013 there were 3,067 pending cases.



# CUYAHOGA COUNTY COMMERCIAL DOCKET

**JUDGE RICHARD J. McMONAGLE**  
**JUDGE JOHN P. O'DONNELL**  
**JUDGE NANCY A. FUERST**  
**JUDGE JOSEPH D. RUSSO**

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. The docket was made permanent by a vote of the Judges and two more dockets were added during 2014. Judge Nancy A. Fuerst's docket was added on January 1st and Judge Joseph D. Russo's docket commenced on July 1st.

According to The Supreme Court, a 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 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 2013 there were 501 pending cases. During 2014, 682 new cases were assigned, 657 cases were disposed leaving 526 pending cases at the end of 2014.

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 the Judges because they still have criminal and civil dockets to deal with.



# FISCAL

## JAMES W. GINLEY

Deputy Court Administrator / Director of Financial Operations

The 2014 actual General Fund Expenses at \$43,005,944, represent funding for the Judicial Administration, Magistrates, Court Services, and Probation / Psychiatric Clinic 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 2014 General Fund expenditures listed by individual budget are as follows:

**Judicial Administration Budget \$21,201,828** - This included funding for the following departments: *Judicial Administration, Bailiffs, Jury Bailiffs, Jury Commission, Judicial Staff Attorneys, and Judges' Secretaries.*

**Magistrates Budget \$1,251,185** - This included funding for the following departments: *Alternative Dispute Resolution (ADR) / Mediation, and Foreclosure.*

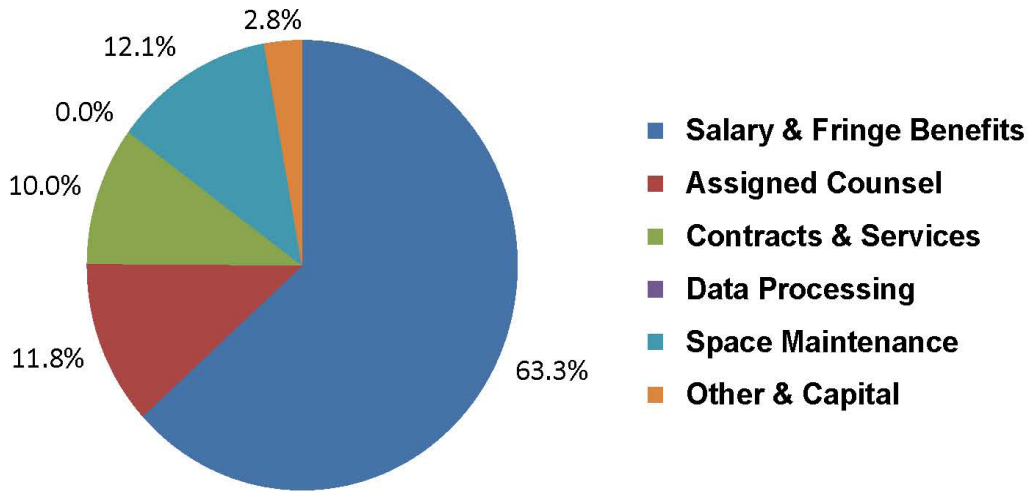
**Court Services Budget \$7,441,895** - This includes funding for the following departments: *Central Scheduling, Court Systems, Data Entry, Court Reporters, Criminal Records, and Information Systems.*

**Probation / Psychiatric Budget \$13,111,036** - This includes funding for the following departments: *Probation and the Court Psychiatric Clinic.*



# COMMON PLEAS COURT

## 2014 - GENERAL FUND EXPENDITURES



Salary & Fringe Benefits	\$27,218,333
Assigned Counsel	\$5,082,404
Contracts & Services	\$4,295,473
Data Processing	\$4,608
Space Maintenance	\$5,186,656
Other & Capital	\$1,218,470
<b>Total</b>	<b><u>\$43,005,944</u></b>

The pie chart above summarizes the Court's General Fund expenditures for 2014. This analysis is comprised of actual expenses from the Judicial Administration, Magistrates, Court Services, and Probation / Psychiatric Clinic budgets. Salary and Fringe Benefits is the largest expense category representing compensation to approximately 501 full and part-time staff inclusive of 34 elected Judges. The second largest category, Assigned Counsel, includes costs for this Court's appointed legal representation for indigent defendants in criminal cases. In 2014, the total number of arraigned indigent defendants was 8,417. Of that total, 3,067 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 40% of the total 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 Foreclosure Mediation Program Director
- 1 Court Mediator
- 4 Foreclosure Mediators
- 4 Administrative Assistants



The ADR Department is located on the 4<sup>th</sup> 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. Continuing the Program's dedication to community outreach, in August 2014 the County Executive proclaimed September as *Save Our Homes* month. The Program also implemented a Bank of America Servicer Day in September, scheduling 47 files for mediation. The day resulted in the resolution of over 50% of Bank of America's cases. Several more dedicated servicer days are planned for 2015. The program appeared on several local television and radio broadcasts in an effort to promote mediation as a successful tool for resolving foreclosures in the County.

While the total number of cases referred to the Foreclosure Mediation Program dropped slightly, the percentage of referrals as compared to overall foreclosure filings remained consistent. The Program held 6,308 hearings over the year. The average age of a foreclosure mediation case in 2014 was 131 days, which is consistent with the Program's stated goal of 120 days. Finally, the settlement ratio continued to increase—from 56% in 2012, to 74% in 2013, to 83% in 2014. This is likely related to the availability of state hardest hit funds through the *Save the Dream* program, which stopped accepting applications in July 2014.

The civil portion of the ADR department saw an increase in referrals in its programs for the second year in a row, with the greatest increase again being in civil mediations. The Department also held a Settlement Day in May 2014. The total referrals to all ADR programs for 2014 were 2,968 cases. The department achieved a 66% settlement 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 2014</b>		
	<b>2014</b>	<b>Since Inception (May 1970)</b>
Total Cases Referred	141	78,733
Arbitration Referral Vacated	10	3,552
Net Total Arbitration Referrals	131	75,141
Report & Awards Filed	84	52,901
Total Appeal de Novo Filed	35	15,205

<b>FINAL ENTRIES</b>		
	<b>2014</b>	<b>Since Inception (May 1970)</b>
Arbitration Cases settled via Mediation	1	N/A
Arbitration Cases Settled (no fees paid)	43	21,171
Awards Reduced to Judgment	32	N/A
Bankruptcy	0	N/A
Appeals Disposed	1	12,802
Total Final Entries	77	

<b>PERCENTAGES 2014</b>	
<b>(Based on 131 net referrals)</b>	
Arbitration Cases Resolved via Mediation	1%
Arbitration Cases Settled before Hearing	31%
Arbitration Cases Appealed	25%
Arbitration Awards Appealed	35%
Arbitration Awards Reduced to Judgment	89%
Arbitration Appeals Resolved via Settlement	78%
Arbitration Appeals Resolved via Jury Trial	15%

## **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 2014</b>	
Total Cases Referred to Court Mediation	818
Total Cases Mediated	555
Total Cases Settled by Mediation	254
Percentage of Settlements	46%
Total Appeals Mediated	4
Appeals Settled in Mediation	3
Percentage of Mediated Appeals Settled	75%

## 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 and ANALYSIS for 2014</b>	
Total Cases Referred to Mediation	40
Total Completed Mediations	26
Total Settlements	19
Percentage of Settlements	73%

## FORECLOSURE MEDIATION

Foreclosure Mediations are conducted through a two-step process. Any party to a foreclosure action may submit a Request for Foreclosure Mediation, and any foreclosure magistrate may directly refer a foreclosure case to the program. A referral to mediation stays all discovery and motion practice until the mediation is concluded. The mediators screen the request forms, notify the parties when a case has been accepted and schedule both a pre-mediation conference for the parties to meet and a full mediation hearing. After the initial meeting, the parties have 14 days to submit the required documentation to the Foreclosure Mediation Program. If the parties don't submit the necessary documents, sanctions may be imposed including returning the file to the active foreclosure docket or dismissing the foreclosure action without prejudice. At the full mediation, Plaintiff's counsel and client representative and the property owner and property owner's attorney/support person are present and a face-to-face negotiation takes place.

<b>STATISTICS and ANALYSIS for 2014</b>	
Total Cases Referred	1,979
Cases Available for Hearing	1,165
Total Hearings Held	6,308
Pre-mediation hearings held	1,757
Full mediation hearings held	1,263
Cases Settled	1,043
Settlement Ratio	83%

# CENTRAL SCHEDULING DEPARTMENT

**MARY KAY ELLIS**  
Supervisor of Central Scheduling

**TOTAL STAFF:**

1	Supervisor/Assigned Counsel	1	Re-Entry Program Admin Assistant
1	Assistant Supervisor/Reception	1	Jail Population Control Liaison
13	Courtroom Assistants	1	Receptionist
2	Visiting Judge Bailiffs		

## 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 20 employees.

## COURTROOM ASSISTANTS

The Courtroom Assistants' 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 Courtroom Assistants are able to create criminal as well as civil journal entries for their Judges, bailiffs and staff attorneys, they continue to be an integral part of the courtroom team while helping to relieve the load from other staff.

The Courtroom Assistants 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 Courtroom Assistant 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 Judge or bailiff to whom they have been temporarily assigned.

## 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 fee bills.

## ASSIGNED COUNSEL VOUCHERS

The Supervisor and Assistant Supervisor are 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 2014, 9,936 vouchers were prepared, examined for errors and submitted for distribution of funds. This figure represents a slight decrease from previous years.

## JAIL POPULATION CONTROL

Our Jail Population Liaison is responsible for working with the Judges, Bailiffs and the Probation Department and Sheriff's Department in helping to maintain the appropriate number of prisoners held in the Cuyahoga County Jail, as required by state law. This is 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.

At the beginning of 2014, the jail population was approximately 1,240 inmates. The ending population was 1,331 inmates. However, these numbers go up and down on a regular basis.





## VISITING JUDGE PROGRAM

The Visiting Judge Program is managed by the Supervisor of Central Scheduling and consists of 10 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 2014, in addition to the specialized Asbestosis/Workers' Compensation and Asbestos/Beryllium dockets, the Visiting Judge Program disposed of 66 civil cases. Of those, 20 cases were disposed of by settlement, which results in a 31.5% settlement rate for this year. Collectively, the Judges were in trial a total of 195 days.

JUDGE	CASES DISPOSED	CASES SETTLED
Corrigan, Michael	15	2
Cosgrove, Patricia	4	2
Coyne, William	8	5
Dartt, Denise	2	1
Greene, Lillian	0	0
Griffin, Burt	9	4
Kelly, R. Patrick	11	4
Marcus, Richard	4	1
Pokorny, Thomas	4	0
Suster, Ronald	6	2
Sweeney, James D.	3	0

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 19 cases through a combination of trials, settlements, voluntary dismissals and summary judgments. Again, this was a decrease over the previous year.

The specialized Asbestos/Beryllium dockets, presided over by Visiting Judges Harry A. Hanna and Leo M. Spellacy, currently handle a caseload of 3,067 cases.

# COURT REPORTERS

## **BRUCE J. BISHILANY**

Chief Court Reporter

## **ROBERT P. LLOYD**

Assistant Chief Court Reporter

## **NANCY A. NUNES**

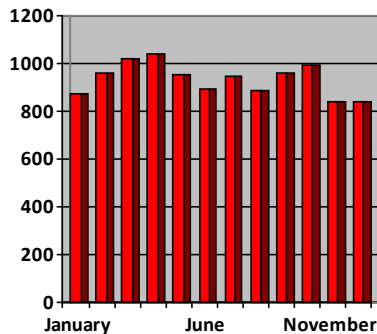
Assistant Chief Court Reporter

### **TOTAL STAFF:**

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

In 2014, over 30,750 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 10,800 arraignments and diversions, and a similar number of cases in Grand Jury.

### **Average Calls Per Month**



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 viewing device 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 Americans with Disabilities Act.

# CRIMINAL RECORDS

## GWENDOLYN BENNETT

Bond Commissioner

### **TOTAL STAFF:**

1	Bond Commissioner	1	Arraignment Room Clerk
1	Assistant Bond Commissioner	2	Grand Jury Clerks
5	Bail Investigators	1	Administrative Aide
1	Office Manager	4	Office Assistants

*(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 staffing, 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 three 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's Department's daily bookings 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 5,617 bail investigations during 2014.

### **ARRAIGNMENTS**

The arraignment clerk assembles and summarizes 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 2014 there were 14,806 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.

## FIRST APPEARANCE DOCKET

As part of the Justice Management Reform Project, defendants bound over from Municipal Courts with low level felonies are referred for a first appearance in Common Pleas Court. At the first appearance indigent defendants are assigned defense counsel, bond is set and the case is referred for early case management or presentation to the Grand Jury. In 2014, 2,842 first appearances were held.

The department supports these court appearances through bond investigation, preparation of defendant criminal history, coordination of scheduling with the Clerk of Courts and Sheriff's Department, assistance in the court proceedings and notification of appointed attorneys.

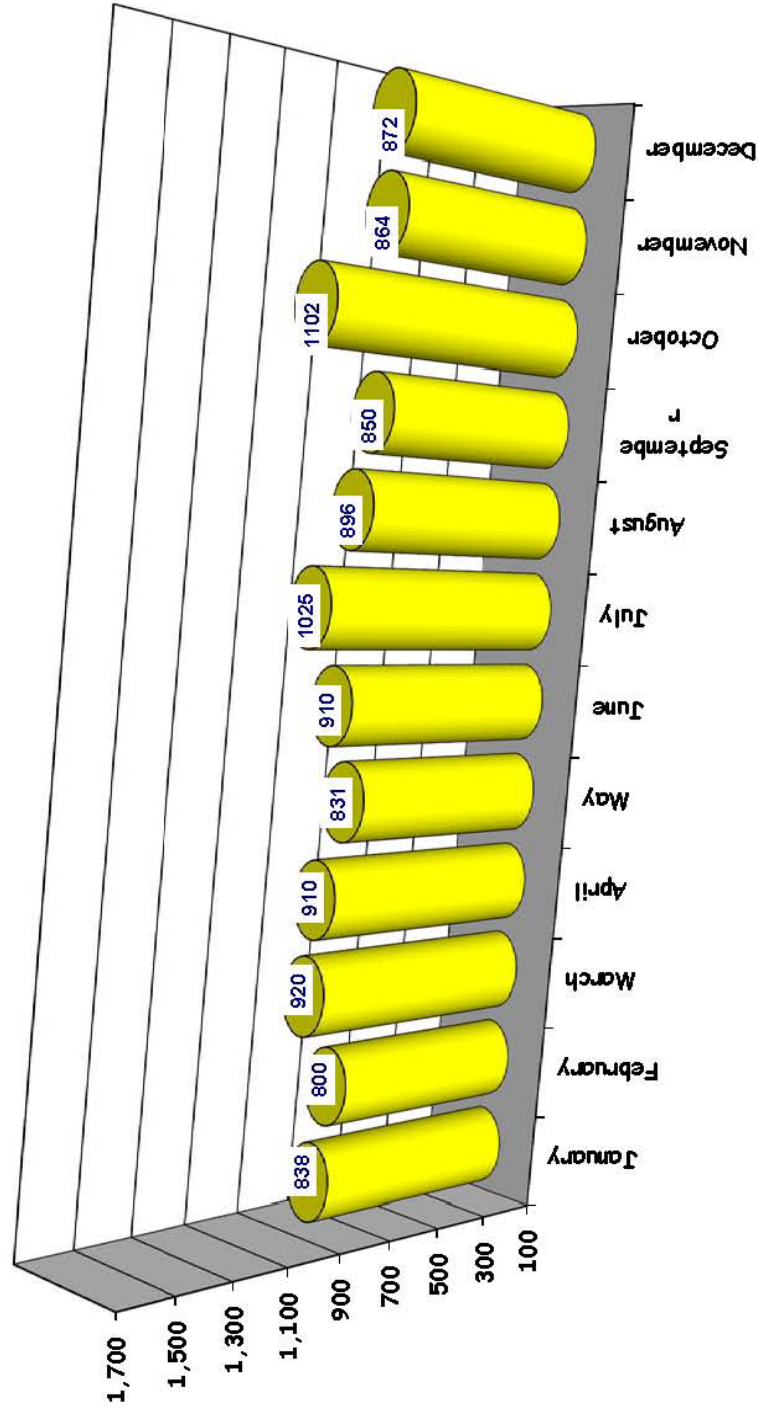
The staff of the Criminal Records Department works closely with other departments but most specifically with the Sheriff's Department, Clerk of Court's Office and the Prosecutor's Offices to assure correct identification of defendants, timely scheduling of arraignments and accurate indictment information 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
855	814	918	875	841	728	1,025	896	850	1,102	864	872	10,818

## Common Pleas Court Monthly Felony Arraignments 2014



**ARRAIGNMENT STATS YTD**

ARRAIGNMENT DATA

2014	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD TOTAL
	Female Jails	35	52	61	61	58	64	60	58	60	63	59	45
Male Jails	422	435	441	481	427	469	513	464	487	610	402	394	5545
Total Scheduled Jails	457	487	502	542	485	533	573	522	547	673	461	439	6221
Total Scheduled Bails	700	650	742	672	614	723	879	686	567	836	734	782	8585
Total Scheduled	1157	1137	1244	1214	1099	1256	1452	1208	1114	1509	1195	1221	14806
Jails Arraigned	402	423	478	511	455	476	525	477	496	609	431	439	5722
Bails Arraigned	436	377	442	399	376	434	500	419	354	493	433	433	5096
Total Arraigned	838	800	920	910	831	910	1025	896	850	1102	864	872	10818
Total Cont.	92	80	68	72	60	104	119	95	86	125	101	108	1110

Capias as % of  
Scheduled Bails  
33.5%

CAPIAS SUBURBS/OTHER													
Straight Capias	88	107	85	82	85	88	122	42	54	109	57	84	1003
OCR	33	20	28	25	16	29	23	11	10	37	23	20	275
BFC C/S/P	20	16	24	13	10	22	32	14	12	13	18	12	206
TOTAL OTHER	141	143	137	120	111	139	177	67	76	159	98	116	1484

As % of  
total capias  
34.9%

9.6%

7.2%

51.6%

CAPIAS CLEVELAND													
Straight Capias	46	79	62	72	59	71	91	93	57	64	88	98	880
OCR	19	25	32	26	28	11	16	33	29	27	27	17	290
BFC C/S/P	21	10	25	14	10	21	24	24	16	32	17	10	224
TOTAL CLEVELAND	86	114	119	112	97	103	131	150	102	123	132	125	1394

As % of  
total capias  
30.6%

10.1%

7.8%

48.4%

100.0%

<b>CAPIAS TOTAL</b>	<b>227</b>	<b>257</b>	<b>256</b>	<b>232</b>	<b>208</b>	<b>242</b>	<b>308</b>	<b>217</b>	<b>178</b>	<b>282</b>	<b>230</b>	<b>241</b>	<b>2878</b>
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Total Cap

TOTAL SCHEDULED	1157	1137	1244	1214	1099	1256	1452	1208	1114	1509	1195	1221	14806
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# FORECLOSURE MAGISTRATES

Foreclosure                  Quiet Title                  Partition

## STEPHEN M. BUCHA III

Chief Magistrate

## KEVIN C. AUGUSTYN

Assistant Chief Magistrate

**TOTAL STAFF:**

1	Chief Magistrate	1	Office Manager
1	Assistant Chief Magistrate	2	Receptionists
11	Magistrates	6	Magistrate's Clerical Assistants

All cases concerning foreclosure, quiet title and partition are adjudicated by the Court's twelve magistrates. 7,076 cases were newly referred to the Magistrates' Department in 2014, a 20% decrease from the 8,941 cases filed in 2013.

From its peak staffing levels in 2010, the department has been downsized by 25%. In 2014 alone, the department lost three employees through retirement or relocation. These employees were not replaced, representing a 13% decrease in staffing in 2014.

Traditionally, most of the cases adjudicated by the magistrates were disposed by default. Since 2010, however, with the lenders' missteps making national news and the development of a dedicated foreclosure defense bar, the number of contested cases has been on the rise. This trend continued in 2014, with approximately 350% more contested cases managed by the department in 2014 than in 2010. Despite the reduction in case filings and staff and the increase in the labor intensive contested cases, the magistrates were productive in 2014, disposing of 9,428 cases. These adjudications represent nearly 40% of the Court's civil dispositions - evidence that the department uses the resources allotted to it very efficiently.

In order to place these statistics in proper context, below is a twelve year summary of the Magistrates' Departments' 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
2003	8,724	-9.2%	1,421	29.1%	10,145	26,591	34.6%
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%
2012	10,280	-1.5%	744	-1.10%	11,024	62,311	2.5%
2013	8,941	-13.0%	607	-18.4%	9,548	58,720	-5.8%
2014	7,076	-20.1%	515	-15.2%	7,591	46,367	21.0%

<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 2003-2014**

Year	Decreases <sup>4</sup>	% Change from previous year	Dispositions <sup>5</sup>	% Change from previous year	Net Case Gain/Loss <sup>6</sup>
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
2012	6,260	9.7%	11,168	-14.0%	-144
2013	6,149	-1.7%	11,144	-0.2%	-1,596
2014	5,653	-8.1%	9,428	-15.4%	-1,837

<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	Director	2	Network Engineer Trainers
1	Assistant Director	2	Programmers (part-time)
1	Network Manager	1	Probation Information Systems Specialist
1	Systems Analyst	1	Court Systems Office Manager
1	Project Manager	2	Court Systems Data Entry / EDC Clerks

## **INFORMATION SYSTEMS**

The Information Systems Department is responsible for designing, implementing and maintaining all of the network systems and custom applications that are used throughout the Court. There are approximately 650 workstations, 20 network servers, 5 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 IIS, and file and print services running on Windows Server 2008. In 2014 the Information Services Department implemented a virtual environment for hosting network servers. The Information Systems Department also supports the interaction of the Court with other County and Municipal agencies where information sharing is required.

In 2014, the Information Systems Department continued developing and implementing new features in the various systems used by the Court. The Information Systems Department developed new applications for the Court's Psychiatric Clinic and Court Administration as well as adding features to the Court's case management system. The Information Systems Department continues to analyze and evaluate opportunities to increase efficiencies through the use of technology.

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 16,603 entries in 2014.

# JUDICIAL SECRETARIES

**Mary Kay Ellis**  
Supervisor

**TOTAL STAFF:**

- 1 Chief Judicial Secretary
- 1 Assistant Chief Judicial Secretary
- 6 Secretaries

The Secretarial Department of the Court serves the thirty-four sitting Judges as well as the visiting Judges, judicial staff attorneys and other Court personnel. Their responsibilities include the following: transcribing from Dictaphone, those who take dictation may be called upon to do so but it is no longer a requirement, typing various documents including criminal and civil jury instructions, verdict forms, jury interrogatories, journal entries, opinions, various reports, speeches, letters and any other documents required by the judges. Occasionally typing may be required for visiting Judges located in Lakeside Courthouse when the secretary assigned there is not available.

This Department consists of eight secretaries; each secretary is assigned to four Judges, with the exception of two secretaries assigned to five 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

## **CHERYL L. HANNAN**

Assistant Chief Judicial Staff Attorney

### **TOTAL STAFF:**

- 1 Chief Judicial Staff Attorney
- 1 Assistant Chief Judicial Staff Attorney
- 31 Judicial Staff Attorneys
- 2 Judicial Staff Attorneys (job share)
- 1 Staff Attorney (Asbestos Docket)

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 2014. During the calendar year, twelve (12) new Staff Attorneys joined the department. This represented a turnover of nearly 30% of the staff. It is encouraging to note that the individuals who left found positions with prestigious law firms in the city or with other governmental agencies. 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 changes in Ohio law. This camaraderie is a direct result of the mentoring program implemented in 2014. While some Staff Attorneys arrive shortly after passing the Ohio bar examination, others arrive with deeper legal experience, having served previously at the Supreme Court of Ohio, the Eighth District Court of Appeals, the Prosecutor's and Public Defender's Offices, as well as other government offices. Other Staff Attorneys have private sector legal experience, having worked in law offices and firms ranging in size from that of a sole practitioner to a large law firm setting.

The biggest change for the department continues to be the implementation of e-Filing in civil cases. The Staff Attorneys have met the challenge that any new technology brings. 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 Jury Bailiff Co-Directors  
3 Assistant Jury Bailiffs  
2 Jury Commissioners

## JURY BAILIFFS

### JUROR UTILIZATION - CRIMINAL 2014

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Panels	43	31	30	27	23	26	30	18	35	34	23	28	348
Trials	23	17	18	18	12	13	17	13	26	15	18	16	206

### JUROR UTILIZATION - CIVIL 2014

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Panels	7	11	12	12	9	5	9	15	12	9	8	7	116
Trials	5	11	7	11	8	4	7	12	12	8	7	4	96

<b>CAPITAL CASE JURY TRIAL</b>	<b>0</b>
<b>NUMBER OF JURORS</b>	<b>13,158</b>
<b>NUMBER OF JUROR DAYS OVER 5</b>	<b>1,019</b>
<b>TOTAL NUMBER OF JUROR DAYS</b>	<b>43,022</b>

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

In comparison to 2013 there was a slight decrease in the number of jurors that were called in, and an increase in the number of juror days. The number of jurors who spent more than the 5 day minimum increased slightly. Our goal 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.

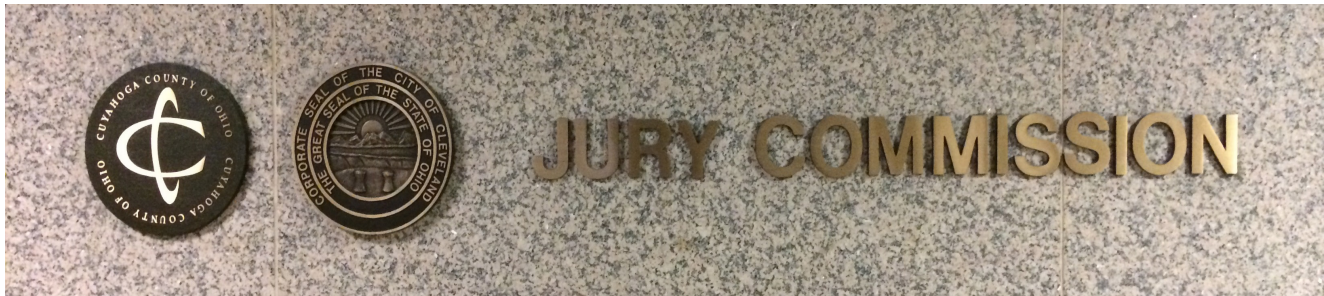


## JURY COMMISSION

### JURY COMMISSION ANNUAL REPORT 2014

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Drawn	2,550	2,925	3,760	3,300	2,100	3,000	2,625	2,800	3,000	3,350	1,850	2,026	33,286
Report	952	984	1,301	1,015	1,147	1,330	1,024	1,080	1,242	1,218	931	934	13,158

<b>PETIT JURORS DRAWN</b>	<b>33,286</b>
<b>GRAND JURORS DRAWN</b>	<b>1,575</b>
<b>SPECIAL JURORS DRAWN</b>	<b>0</b>
<b>TOTAL</b>	<b>34,861</b>



## CLEVELAND MUNICIPAL COURT

In 2013, Cuyahoga County Common Pleas Court was given the responsibility of overseeing and managing the Cleveland Municipal Court Jurors. In Comparison to 2013, 2014 experienced a dramatic decrease in the number of panels called in and a slight decrease in the number of trials.

### JUROR UTILIZATION – CITY 2014

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Panels	11	2	5	5	6	0	5	4	2	3	6	3	52
Trials	9	1	1	3	3	0	2	2	0	0	2	0	23

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Drawn	2,000	2,000	2,500	2,000	2,000	2,500	2,000	2,000	2,500	2,000	2,000	2,000	25,500
Report	139	14	21	44	129	0	50	72	16	0	27	34	546

# COURT PSYCHIATRIC CLINIC

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

Director

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

Associate Director

## **TOTAL STAFF:**

1	Director (12 hrs/week)	10	Part time (4 hrs/week) Psychiatrists
1	Associate Director	1	Part time (4 hrs/week) Psychologist
1	Chief of Psychology	1	Part time (24 hrs/week) Psychologist
1	Chief of Social Work	1	Part time (4 hrs/week) Neuropsychologist
2	Full Social Workers	1	Office Manager (vacant)
2	Full Time Psychologist	3	Transcriptionists
2	Office Assistants		

## **COURT CLINIC REFERRALS**

During calendar year 2014, the Court Psychiatric Clinic received 3,171 referrals. This number represents a 5.2% increase in referrals over the 3,015 referrals received in 2013.

## **PROFESSIONAL STAFF COMPOSITION**

All professional administrative staff provide direct clinical service.

## **SECRETARIAL STAFF**

The secretarial staff worked hard in 2014 to timely prepare clinical reports. The 2013 pilot program of Transcriptionists working from home was continued successfully throughout 2014. All three full-time Transcriptionists now work from home. We continued our relationship with the third-party typing service Premier Office Technology. They were used on an as needed basis to prepare overflow and “stat” reports that could not be completed by the three regular transcriptions. The two Office Assistants continued to do an excellent job handling office reception, telephone answering, referral, medical records, and Prosecutor file duties.

The Information Services Department continued work as a valued partner of the Court Clinic. Work continued to refine and update the Court Clinic’s electronic scheduling calendar. The electronic scheduling calendar, in its second year of operation, has proved to be a time saver and helped streamline the overall referral and scheduling process. They have also helped refine the process of inputting Ohio Department of Mental Health and Addiction Services mandated statistical reporting forms.

All staff have worked diligently and efficiently to keep pace with increased referrals despite no increase in clinical or clerical staff.

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

For the 18th year, the Ohio Department of Mental Health and Addiction Services funded the Court Psychiatric Clinic to perform Senate Bill 285 “Second Opinion” evaluations. Professional staff traveled to Northcoast

Behavioral Healthcare 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 \$72,000 to perform these evaluations. The funds are administered through the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (ADAMHS). In 2014, the Court Psychiatric Clinic staff completed 18 Senate Bill 285 evaluations. This is a decrease of 40% from last year.

## **COMPETENCY AND SANITY REFERRALS**

The Court Psychiatric Clinic received a substantial increase in *Competency to Stand Trial* and *Sanity at the Time of the Act* referrals in 2014. Competency evaluation referrals totaled 725 for the year representing an increase of 8.1 over competency referrals received in 2013. Sanity evaluation referrals for 2014 totaled 576. This represents a 10.6% increase in Sanity referrals for 2014.

## **INTERVENTION IN LIEU OF CONVICTION REPORTS**

The referral of *Intervention in Lieu of Conviction* reports increased significantly in 2014 from the already high number received in 2013. We received 828 referrals in 2014 representing a 10.2% increase. The Social Work staff did an excellent job completing the vast majority of these reports. It is important to note that they decreased the number of psychosocial evaluations completed in order to perform the additional requested evaluations.

## **HOUSE BILL 180 SEXUAL PREDATOR EVALUATIONS**

The Court Clinic received 53 Sexual Predator House Bill 180 referrals in 2014, an 89.3% increase. The referral increase resulted from the increased prosecution of the backlog of DNA cases.

Sexual Predator evaluations often require administration of the Abel Assessment for Sexual Interest (when the victim is a child) in addition to a thorough clinical interview and occasional professional staff testimony at sexual predator hearings. House Bill 180 evaluations continue to be the most labor-intensive examinations performed at the Court Psychiatric Clinic.

## **MITIGATION OF PENALTY AND PROBATION REPORTS**

The Court Psychiatric Clinic received 795 referrals for *Mitigation of Penalty Reports*. This represents a 6.5% decrease in referrals.

Referrals from Probation Officers decreased slightly in 2014. We received 142 referrals for Probation Reports, 9 less than received in 2013. Court Psychiatric Clinic staff actively review each Probation referral to determine whether a present diagnosis by a probationer’s treatment provider was sufficient to answer the referral question. The Court Psychiatric Clinic has encouraged Probation Officers to obtain contemporary medical records from a probationer’s mental health providers prior to referring for a Court Psychiatric Clinic evaluation. If the records document the presence of a psychotic illness or I.Q below 75, this information is sufficient for transfer of the individual to the Mental Health/Developmental Disability program.

## **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 four fellows; one group with three) pursuing fellowship training under the supervision of 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 academic term.

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. The seminars presented included “Police Encounters with the Mentally Ill”, “Fire, Serpents, Tongues, and Prophecy: Religious Expression or Lunacy?”, “The Mental Health Professional and Gun Control”, and “Avoiding Psychiatry Malpractice”.

**THE ASSOCIATION OF OHIO FORENSIC PSYCHIATRIC CENTER DIRECTORS**

The Associate Director was active during 2014 in the Association of Ohio Forensic Psychiatric Center Directors Association. He regularly attended the Association’s monthly meetings in Columbus, continued as a member of the Legislative and Quality Assurance Committees, and helped plan and implement a successful two-day continuing education workshop in Columbus, attended by over 125 Community Forensic Psychiatric Centers’ staff from throughout the state.

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

During 2014, 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 (01/01/14 – 12/31/14)  
NUMBER OF REFERRALS**

Competency to Stand Trial (O.R.C. § 2945.371(A))	725
Sanity at the Time of the Act (O.R.C. § 2945.371(A))	576
Mitigation of Penalty (O.R.C. § 2947.06(B))	795
Civil Commitment (O.R.C. § 2945.40 & 5122.01)	9
Movement to Non-Secured Status (Senate Bill 285)	18
House Bill 180	53
Drug Dependency/Intervention in Lieu (O.R.C. § 2945.041)	828
Reports for Probation (O.R.C. § 2951.03)	142
Miscellaneous	25
<b>Total</b>	<b>3,171</b>

**COURT PSYCHIATRIC CLINIC  
COMPARISON NUMBER OF REFERRALS 2013 - 2014**

	<b>2013</b>	<b>2014</b>	<b>change +/- %</b>
Competency to Stand Trial (O.R.C. § 2945.371(A))	671	725	+8.1%
Sanity at the Time of the Act (O.R.C. § 2945.371(A))	521	576	+10.6%
Mitigation of Penalty (O.R.C. § 2947.06(B))	850	795	-6.5%
Civil Commitment - (O.R.C. § 2945.40 & § 5122.01)	4	9	+125.0%
Movement to Non-Secured Status (Senate Bill 285)	30	18	-40.0%
House Bill 180	28	53	+89.3%
Drug Dependency/Intervention in Lieu (O.R.C. § 2945.041)	751	828	+10.2%
Reports for Probation (O.R.C. § 2951.03)	151	142	-6.0%
Miscellaneous	9	25	+177.0%
<b>Totals</b>	<b>3,015</b>	<b>3,171</b>	<b>+5.2%</b>

# ADULT PROBATION DEPARTMENT

## MARIA NEMEC

Chief Probation Officer

## STEPHANIA PRYOR

Deputy Chief Probation Officer

## JAMES STARKS

Deputy Chief Probation Officer

### **TOTAL STAFF:**

1	Chief Probation Officer	1	Fiscal Supervisor
2	Deputy Chief Probation Officers	13	Clerical and Support Staff
17	Supervisors	1	Executive Secretary
137	Probation Officers	2	Administrative Assistant
1	Drug Court Coordinator	1	Senior Lab Technician
1	MH/DD Coordinator	6	Lab Assistants
1	Re-Entry Court Coordinator	3	Cashier Bookkeepers
1	Clerical Supervisor		

The Cuyahoga County Probation Department shall establish effective alternatives to incarceration. The Cuyahoga County Probation Department shall provide evidence based services for the Court, community, victim, probationers and defendants.

### **MISSION STATEMENT**

The Cuyahoga County Probation Department, in providing community corrections services, assists the Court of Common Pleas in the protection of the community and the administration of justice.

Toward this end, we:

- Complete thorough and accurate investigations
- Monitor offenders and enforce compliance with Court orders
- Provide assistance to victims including collection of restitution
- Provide opportunities to change for offenders under our supervision
- Maintain a trained staff who are knowledgeable regarding evidence based practices
- Communicate with law enforcement, correctional and other community agencies in Cuyahoga County

### **CORE VALUES OF THE PROBATION DEPARTMENT**

- Community Protection
- Effective Communication
- Professionalism
- Quality Service
- Objectivity

## SUPERVISION

Persons on probation as of December 31, 2014	7,431
Persons on probation as of December 31, 2013	7,805
Persons sentenced – Felony (highest level)	6,519
Persons sentenced – Misdemeanor (highest level)	912
Females sentenced to community control	1,530
Males sentenced to community control	5,901

### PERSONS UNDER SUPERVISION AS OF DECEMBER 31, 2014

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
12-31-2014	6,519	87.73%	912	12.27%	7,431
12-31-2013	6,972	89.33%	833	10.67%	7,805
12-31-2012	7,644	91.01%	755	8.99%	8,399
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

### DEMOGRAPHIC PROFILE OF SUPERVISION CASES 2014

Age Group	Total	Percent
Under 18 years	0	0.00%
18 through 22	960	12.92%
23 through 27	1,548	20.83%
28 through 32	1,221	16.43%
33 through 37	1,015	13.66%
38 through 42	769	10.35%
43 through 46	547	7.36%
47 through 51	557	7.50%
52 through 56	419	5.64%
57 and over	395	5.32%
<b>Total</b>	<b>7,431</b>	<b>100.00%</b>

Gender	Total	Percent
Male	5,901	79.41%
Female	1,530	20.58%
<b>Total</b>	<b>7,431</b>	<b>100.00%</b>

Race	Total	Percent
Asian	15	0.20%
Black	4,560	61.36%
White	2,561	34.46%
Hispanic	150	2.02%
Other	145	1.95%
<b>Total</b>	<b>7,431</b>	<b>100.00%</b>

The process of integrating the Ohio Risk Assessment System (ORAS) throughout the Department continues. Beginning in June 2014, all cases referred for a Pre-Sentence Investigation had an ORAS assessment completed as part of the PSI. Beginning in September 2014, the Court modified the PSI completion time from 30 days for all referrals, to 28 days for Bail cases and 21 days for Jail cases. The Department wrote the following number of investigation reports during 2014:

<b>Investigation Statistics</b>	
Pre-Sentence	6,060
Expungements	1,238
<b>Total</b>	<b>7,298</b>

### **PROBATIONERS WITH MILITARY HISTORY**

In 2014, there were 216 active defendants with 220 records of military experience. The average age is 47 and eleven of the 216 Veterans are women.

<b>Summary by Military Branch</b>	
Air Force	22
Army	100
Coast Guard	3
Marines	43
National Guard	7
Navy	45
<b>Total</b>	<b>220</b>

### **RESTITUTION UNIT**

The Restitution Unit of the Adult Probation Department had a very successful year in 2014. Some of the accomplishments were posting the Unclaimed Funds Report in early January 2014 for crime victims to review for potential payments and passing the 2013 State Financial Audits with no findings. In addition, to fulfil our mission of serving the public the staff worked with our software consultants to develop additional methodologies to facilitate better service, accuracy and accounting reporting.

### **FINANCIAL COLLECTIONS BY THE ADULT PROBATION DEPARTMENT**

<b><u>CATEGORY</u></b>	<b><u>AMOUNT COLLECTED</u></b>
RESTITUTION PAYMENT	\$2,866,371.53
HOME DETENTION FEES	\$59,667.70
PROBATION SUPERVISION FEES	\$583,436.67
OTHER	\$5,441.63
<b>TOTAL</b>	<b>\$3,514,917.53</b>

In 2014 the Probation Department received payments by credit card of \$512,781.04, a substantial increase over 2013 of \$287,723.21.



## RESTITUTION COLLECTED

Year	Amount
2014	\$2,866,371.53
2013	\$2,332,697.89
2012	\$2,523,710.19
2011	\$2,996,008.66
2010	\$3,211,062.66
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

## PROBATION DEPARTMENT PROGRAMMING

### MENTAL HEALTH DEVELOPMENTAL DISABILITY (MHDD) PROGRAM

This program serves to assist persons who are clinically diagnosed with severe mental illnesses or developmental disabilities, whose conditions may be aided by medications, case management, and supervision in the community. The program provides judges with an alternative to prison commitment. The MHDD Unit is designed to help the severely mentally ill and/or developmentally disabled offender successfully complete probation, receive behavioral health services for their disability and assist them in making necessary adjustments for the community setting. Probation staff, trained in assisting with MHDD offenders facing their most common barriers in the community, provides supervision and enforcement of the conditions of community control sanctions and psychiatric treatment recommendations. The incorporation of Judicial and Clinical Staffings have also aided in facilitating cooperation among the offenders within the MHDD unit.

Service providers include the Cuyahoga County Board of Developmental Disabilities and Recovery Resources, selected in cooperation with the Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board, which co-funds the program, to provide mental health counseling, psychiatric services, medication management, and support services.

The program is staffed by thirteen specially trained officers and two supervisors. There was an increase in staff dedicated to the MHDD unit in 2014 by two additional probation officers and one additional supervisor. This modification was to alleviate larger caseload sizes in order to provide the intense supervision for the MHDD offender. Presently, the average caseload size in MHDD Probation is 65 offenders with an average duration of 2 years of Community Control sanctions.

The MHDD Probation Unit continued its collaboration of clinical staffings with officers and community behavioral health agencies to ensure therapeutic approaches to the offenders' community control experience. Officers work closely with several community agency providers through bi-weekly or monthly clinical staffings with forensic case managers, licensed social workers, and licensed counselors from Recovery Resources, Murtis H. Taylor, FrontLine Service Inc., Connections, Cuyahoga County Board of Developmental Disabilities (CCBDD), and Matt Talbot Inn residential treatment.

Officers continued to have working relationship with St. Vincent Charity Hospital – Psychiatric Emergency Room, Veterans' Administration, Cleveland Police CIT officers, Mobile Crisis, and other treatment providers.

In 2014, 413 offenders were assigned to supervision in the MHDD Probation Unit by the Common Pleas Court Judges. In total, the MHDD Post-Conviction Unit currently serves approximately 750 offenders on a daily basis.

## **SEX OFFENDER PROGRAM**

The Adult Sex Offender 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 a sex offending behavior. The program includes an intensive supervision component consisting of three specially trained probation officers and a treatment component. In 2014, the Sex Offender Program again contracted 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. Court general funds and CCA grant dollars provided for 86 sex offender assessments and for 90 offenders to receive treatment services in 2014. Another integral part of the program is verification of client progress and compliance through polygraph testing. Currently, this program is filled to capacity. Average caseload size is approximately 60 offenders per officer including felony and misdemeanor cases (not entered into CCIS).

In 2014, 120 felony offenders were placed in the program, a significant increase from 2013 thought to be due to a surge in indictments resulting from an Internet Crimes Taskforce sting and an increase in offenders charged with registration violations.

## **DOMESTIC VIOLENCE**

The Domestic Violence Unit is comprised of 7 specially trained officers and a supervisor. The unit is designed to provide intensive supervision for offenders who have been convicted of a domestic violence offense or an offense whose elements included domestic violence behavior. Length of supervision in the Domestic Violence Unit is generally two years. The two-year supervision term allows time for DV officers to establish and maintain contact with the victim, enforce any no contact orders, and refer and follow-up on the defendant's DV programming. Officers engage in comprehensive case planning and refer defendants to programs and treatment as indicated in their ORAS assessments and based on their criminogenic needs.

The majority of the defendants in the DV Unit attend the Domestic Intervention and Education Treatment (DIET) program offered by Cleveland Municipal Court. The DV officers and DIET staff regularly communicate and collaborate on defendant treatment progress and needs. Several officers in the DV Unit also participate on various DV committees to maintain a presence in the community.

Average caseload size including felony and misdemeanor is approximately 60-70 defendants per officer.

In 2014, 141 felony offenders were placed in the program. When including the offenders assigned to the DV Unit who pled from a felony charge at indictment to a misdemeanor conviction (generally an M1), the resulting total assigned to the Unit was 341 individuals.

## **NON-SUPPORT SPECIALIZED CASELOAD**

In FY 2011, 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.

Cuyahoga County clients represent 16% of Ohio's child support business. The Non-Support Specialized Program seeks to empower parents so they can successfully remove barriers to the payment of child support and promotes ways to rehabilitate non-support offenders without the cost of incarceration. The program works to provide the appropriate external controls along with the Non-Support Education programming, supervision approaches and interventions necessary to instill the internal motivation and skills necessary for offenders to become productive, law-abiding citizens, thereby reducing recidivism and decreasing the incidence of incarceration.

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 offender population to be served includes individuals with criminal non-support charges under the supervision of the Adult Probation Department. A portion of this offender population may also include individuals required to pay child support whose cases have not been referred for prosecution but who may benefit from the education component to strengthen their understanding of their responsibilities and increase the likelihood of compliance with child support orders. Risk level will generally be between moderate to high risk. There is also a Basic Non-Support caseload for offenders who do not generally require more intensive supervision and programming. However, moderate or high risk offenders supervised on the Basic NS Unit can be referred for NS programming if needed.

In 2014, 81 individuals were assigned to the Specialized Non Support Program for supervision and/or services.

## **ELECTRONIC MONITORING**

Electronic Monitoring and Alcohol Monitoring are provided as an alternative sanction to jail or prison while still providing community protection and control in a less restrictive setting. The program also serves as an alternative sanction for probation violators and increases the opportunities for offenders to access community programs while maintaining public safety.

The program is open to direct sentencing of offenders and Work Release offenders who become eligible after serving half of their WR sentence. Also, pretrial release defendants are eligible for the program as a condition of bond. Clients who are eligible for the program must have a verified address, working telephone with no special features and be court-ordered into Electronic Monitoring through a journal entry as a condition of community control or Court Supervised Release. The department has a limited number of cellular units which do not require the defendant to possess a land line.

In October of 2014, the Court, in conjunction with the Sheriff's Department, implemented active GPS monitoring in an effort to more closely supervise and respond to higher risk offenders in the community. It is the Court's and Sheriff's Department's hope that this real time monitoring approach increases the Judges use of this community supervision tool as an alternative to jail and prison commitments.

The Cuyahoga County Sheriff's Department provides the electronic monitoring equipment and monitoring surveillance in collaboration with the Probation Department. To defray the cost for indigent offenders and for other program costs, offenders are charged \$8 per day for base monitoring and \$10 per day if monitoring includes alcohol detection. A total of \$60,237 was collected from home detention participants, surpassing the goal of \$75,000. Offender fees pay for the Sheriff's Department electronic monitoring equipment and services. The Sheriff's Department's monitoring expenses totaled \$26,755 (based on the billable rate of \$.78 per day for base EM/passive GPS; \$1.10 per day for the cell unit; \$1.93 per day for alcohol monitoring and \$2.39 per day for alcohol monitoring and base services. Funding for the unit staff is provided by Ohio CCA. The average caseload size is approximately 75 offenders.

In 2014, 103 defendants were assigned to the Unit for electronic monitoring.

## **WORK RELEASE PROGRAM**

The Work Release Program is among the most restrictive of Cuyahoga County's community based sanctions. Individuals in the Work Release Program are granted release from the facility only for verified purposes (e.g.,

work, education, vocational training, and substance abuse treatment). Individuals can be placed in the Work Release Program at the time of sentencing or at the time of a Probation Violation/Community Control Violation Hearing. CCA funding provides the WR/EM Unit with three full-time supervision officers including a lead officer who assists with administrative oversight of the program.

Offenders sentenced to Work Release are placed in state-funded beds at Salvation Army's Harbor Light Complex. Despite a separate court-funded contract, the Salvation Army continues to operate the Work Release program with these state-funded halfway house beds.

In 2014, 18 offenders were placed in the Work Release Program.

## **APPREHENSION UNIT**

The Sheriff's Department Apprehension Unit has been in operation since April 1994. This unit was established with funding from the Ohio Department of Rehabilitation and Correction's Community Corrections Act. This unit consists of four Sheriff's Deputies. The deputies have been assigned to apprehend offenders under jurisdiction of programs within the Probation Department. The cases submitted to the Apprehension Unit are alleged Probation/Community Control violators, who have departmental warrants and/or capiases issued for their arrest.

Apprehension Unit Deputies have accompanied Probation Officers on field visits to verify offender residences and investigate allegations of suspected illegal and/or dangerous activities impacting Probation/Community Control conditions or the community. Deputies are also routinely dispatched to treatment facilities to transport offenders who are unsuccessfully discharged from programs.

In 2014, the Probation Department submitted the names of 329 offenders to the Apprehension Unit for arrest (up from 265 submissions in 2013). CCA programs, including the Nancy R. McDonnell Community Based Correctional Facility, submitted 289 requests for arrest and general supervision submitted 40 requests. The total number of arrests for CCA (and CBCF) generated Probation capiases and warrants was 276, representing a 95.5% arrest rate. The total number of arrests for regular supervision was 40, representing a 100% arrest rate.

In conjunction with the Sheriff's Department Warrant Unit, the Apprehension Unit assisted in clearing 496 capias, bench and child support warrants.

## **COGNITIVE SKILLS PROGRAMMING**

SCOPE, a cognitive skills development program utilizing the "Thinking for a Change" (T4C) curriculum, was first offered for probationers in January 2010. This program provides one more tool to assist in the supervision of Moderate to High Risk offender in the community and also serves as a community based behavior change response for technical violators. At a violation hearing or status hearing supervision officers can request that an offender be referred to 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. In early June 2013, a female SCOPE group began which allowed the program to address the unique needs, issues and learning styles of women.

In 2014, 514 individuals attended SCOPE programming.

## **INTERVENTION IN LIEU OF CONVICTION**

The Intervention in Lieu of Conviction (ILC) Program is comprised of four officers and a supervisor. Defendants are typically seen at least once a month and the average caseload size is 142. Officers need to be current with chemical dependency treatment resources and have a good understanding of the nature of addiction, the recovery process, and a current knowledge of drugs of abuse is essential. The expectation is to become

familiar with defendant's Criminogenic Needs and corresponding Evidence Based Programming. Officers use defendant office contacts to address and monitor compliance with programming outlined in the Supervision Plan as well as changes in employment, financial conditions, and any contact with law enforcement.

In 2014, 723 individuals were placed in the ILC program.

## **LOW RISK SUPERVISION**

Low Risk Supervision currently has one officer supervising approximately 320 defendants. Defendants in this group report every 6 months for one year. Research on the Risk Principle dictates that it is best to provide minimal, if any supervision for the Offenders who are assessed as Low Risk to recidivate and minimal threat to public safety. The research has found that intensive treatment and intervention for Low Risk Offenders can actually increase their risk of recidivism. By more appropriately supervising Low Risk Offenders, the Department: lessens the risk of negatively impacting their pro-social, self-corrective nature; reduce their risk of exposure to higher-risk Offenders; and better allocate resources needed to service those of a higher risk level. Office contacts are utilized to support and affirm pro-social sentiment and behavior and/or to constructively redirect any anti-social sentiment or behavior. In addition, the officer verifies addresses, employment, financial conditions and if there has been any contact with law enforcement. Organization and time management is essential because the majority of time is spent reviewing Computerized Criminal Histories (CCH) and processing instructions and termination summaries.

In 2014, 241 individuals were assigned to the Low Risk caseload.

## **LOW-MODERATE RISK SUPERVISION**

Low-Moderate Risk Supervision currently has two officers supervising approximately 300 defendants. Defendants in this group report every three months for one year. As mentioned previously, research on the Risk Principle dictates that it is best to focus resources on higher risk individuals. The research also suggests that the goal of supervising individuals in the Low-Moderate risk level should be on monitoring pro-social behavior. Therefore, individuals in the Low-Moderate Risk category are supervised at a non-intensive level, and draws upon self-corrective characteristics of Offenders in this Risk level. Office contacts are used to support and affirm pro-social sentiment and behavior and to constructively redirect any anti-social sentiment and behavior while utilizing motivational interviewing techniques when appropriate. Officers also, respond to defendant or Court requests for programming and monitor defendant group activities.

In 2014, 225 individuals were assigned to the Low Moderate Risk caseload.

## **MODERATE RISK SUPERVISION**

Moderate Risk Supervision is comprised of seventeen officers and two supervisors. Defendants in this group report once a month or as specified via court order for eighteen months. Officers are expected to be competent in utilizing and administering an Ohio Risk Assessment System (ORAS) assessment and must be familiar with defendant criminogenic needs and corresponding Evidence Based programming. In addition, officers are skilled in Supervision Planning, Motivational Interviewing and the Stages of Change. Office contacts are used to monitor strict adherence to general and specific conditions of community control by addressing an offender's pro-social sentiment and behavior and to constructively redirect any anti-social sentiment and behavior while monitoring progress in the required programming outlined in the Supervision Plan. In 2013, the Department implemented a Moderate Risk ISP Position. This position allows for an intensive supervision response for Moderate Risk Defendants who, because of their risk level, are not appropriate for intensive supervision of a High Risk Unit. This officer meets with defendants more frequently and creates a more comprehensive Supervision Plan with the Defendant that includes more programming dosage to attend to the Defendant's increased level of needs.

In 2014, 704 individuals were assigned to a Moderate Risk caseload.

## HIGH RISK SUPERVISION PROBATION

The High Risk Supervision Probation program is designed to divert eligible felony offenders, (assessed as High or Very High Risk per the ORAS Assessment) from incarceration in Ohio's prisons by providing a more intense or heightened degree of supervision within the community. HIGH RISK is designed as a two year program with frequent offender contact, intense case planning, close attention to offender criminogenic needs and appropriate program referrals, and varying urinalysis schedules, designed for the most effective habilitation of the offender. Caseload sizes range from 50 to 98 cases with an average caseload size of approximately 75 defendants per officer. In 2014, the HIGH RISK program was assigned 1,169 individuals.

## EXTREMELY HIGH RISK SUPERVISION

Extremely High Risk Supervision currently consists of one officer with a caseload of approximately 25 defendants. Defendants in this group report for up to five years. The goal of supervising the Extremely High Risk Offender is to promote public safety. Research tells us that utilizing external controls and structure are what effectively works best. Intensive supervision, surveillance, drug and alcohol testing are a necessity while programming is contraindicated. Supervision of the Extremely High Risk Offender consists of:

- Weekly office contacts
- Weekly urinalysis testing
- Weekly field visits with instant drug and/or alcohol testing
- Twice weekly collateral contacts

The officer in this position works closely with the County Sheriff's Department and county provider agencies in the close monitoring of these offenders. This officer employs non-traditional surveillance hours including working evenings and weekends for the most effective supervision.

In 2014, 37 offenders were assigned to the Extremely High Supervision caseload.

## 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 defendants 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 Mental Health / Developmental Disability offenders. In 2014, a Pretrial triage process was implemented to centralize the assignment of cases throughout the Pretrial Services Unit.

<b>Bond Investigation</b>	<b>2013</b>	<b>2014</b>	<b>% Change</b>
Individuals released from jail under CSR as a condition of bond	2,307	1,665	-27.82%
Individuals under CSR as of December 31	659	509	-22.76%
Total bond investigations by CSR staff	2,386	1,896	-20.54%
Total releases from County Jail as a result of bond investigations	2,231	2,076	-6.95%

<b>Distribution of Individuals Released Under CSR</b>	<b>2013</b>	<b>2014</b>	<b>% Change</b>
Cleveland Municipal Court	352	176	-50.00%
Common Pleas Court	1,943	1,482	-23.73%
Transferred from Diversion	12	7	-41.67%
<b>Totals</b>	<b>2,307</b>	<b>1,665</b>	<b>-27.83%</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 that 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 evaluations of eligibility.
3. Supervision of all diversion cases (supervision activities include urinalysis, community work service, restitution, court costs, supervision fees, etc.)

In 2014, the Court approved a new Agreement for the Establishment of a Diversion Program. The most significant changes within this Agreement were that the successful applicant must enter into a plea agreement which is held in abeyance pending successful completion of the Program, and the maximum allowable restitution amount was increased to \$7,500.00. During 2014, the Pretrial Services Unit performed the following activities:

<b>Supervision Activities of Diversion Defendants</b>	<b>2013</b>	<b>2014</b>	<b>Percent Change</b>
Number placed on Diversion	771	541	-29.83%
Total defendants removed from the Diversion program	744	552	-25.81%
Successful completions	582 (76.2%)	442 (80.0%)	
Unsuccessful completions	182 (23.8%)	110 (20.0%)	

## 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 Early Intervention Program (EIP) targets first time offenders with a pending felony drug charge and provides them with appropriate drug treatment services within 45 days of arrest. Offenders are placed on Court Supervised Release (CSR) as a condition of bond and are screened for substance abuse issues. At arraignment, CSR makes a recommendation to the Court for continued CSR/EIP participation for offenders in compliance with program conditions and requests that the judge allow the offender to participate in the program. Offenders must enter a guilty/no contest plea with the court in order to participate.

In 2014, 116 were placed into the EIP.

Offenders participating in EIP are referred to Treatment Alternatives to Street Crime (TASC) for further assessment, referrals for drug and alcohol treatment and case management services. Services are divided into two tracks depending on the offender's level of need. Track One is for offenders who can control their drug use. Track Two is for offenders who cannot control their drug use and require primary drug treatment, such as education, relapse prevention and support, and intensive outpatient treatment. Offenders must successfully complete at least six months of project supervision, be drug free for at least 90 days and satisfy other court ordered requirements to be considered for successful termination.

## MISDEMEANOR ALTERNATIVE SENTENCING/JAIL REDUCTION

To provide a community-based alternative to incarceration, the Misdemeanor Alternative Sentencing Program (MASP) began as an informal agreement with Garfield Heights Municipal Court in 1997 to identify, recommend, and provide limited community-based sanctions (e.g., electronic monitoring), supervision, and substance abuse and mental health treatment to eligible misdemeanant offenders sentenced by a suburban municipal court to the County Jail for more than 30 days. By FY 2000, with the assistance of Ohio Community Corrections Act (CCA) funding, the program was made available to all 12 suburban municipal courts in Cuyahoga County.

A MASP Officer conducts daily screening of misdemeanants sentenced to the County Jail. Investigation includes a comprehensive criminal history, offender interview, verification of social situation, assessment of supervision needs, ORAS-CST risk assessment and written recommendation to the municipal court-referring judge. The MASP officer coordinates with the 408 Treatment Coordinator for assessment and treatment referral for substance abuse and mental health needs. Upon completion of treatment, the Common Pleas Court's Pretrial Services Unit provides supervision and urinalysis testing in the community. The Common Pleas Court's Electronic Monitoring Unit provides supervision as an option for defendants not in need of mental health and/or substance abuse treatment. However, many of the municipal probation departments have purchased their own home detention/ GPS units.

Misdemeanor Alternative Sentencing Program	2013	2014	Percent Change
Defendants sentenced to County Jail from suburban municipal courts	3,331	3,525	5.82%
Defendants with sentences 30 days or longer	2,202	2,342	6.36%
Total defendants released from County Jail	209	224	7.18%
Defendants placed on Court Supervised Release as part of MASP	196	216	10.20%
Number of jail days saved	21,286	23,029	8.19%
Financial savings (based on per diem rate of \$81.00/day)	\$1,724,166	\$1,865,349	7.57%

## 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 is funded with Community Corrections Act dollars through a yearly contract with the Cuyahoga County Corrections Planning Board.

In August 2009, the DIET Program commenced an innovative new component, the DIET Support 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. In 2014, there were 527 referrals to the DIET Program.



## COMMON PLEAS COURT - PROBATION DEPARTMENT LABORATORY

The Probation Department Laboratory performs drug of abuse testing on urine specimens using enzyme immunoassay (EIA) and cloned enzyme donor immunoassay (CEDIA) manufactured by Microgenics Inc. The Laboratory has a three year contract (2012 to 2015) with Thermo Fisher Scientific to provide reagents, instrumentation, a water system, and the computer interface system. LabDaq software is used in conjunction with the instrument results to produce test reports, print bar code labels, compile various statistical reports, and export results into the justice system database.

The Adult Probation Laboratory is funded by Community Corrections Act grant, the Court of Common Pleas, and user fees paid by other agencies using the laboratory. Outside agencies paying for laboratory services include Cleveland, Euclid, and Garfield Heights Municipal Court Probation Departments, Juvenile Court Probation Department, Early Intervention Program, Treatment Alternatives to Street Crime (TASC), and the Domestic Relations Division of the Court of Common Pleas. Additionally, the laboratory collects and tests specimens for Cuyahoga County Human Resource and Juvenile Court Human Resource divisions.

The laboratory currently has 10 employees and is open from 7:30 a.m.- 6:15 p.m. Monday through Thursday and 7:30 a.m. – 3:15 p.m. on Friday.

### LABORATORY STATISTICS

#### NUMBER OF URINE SPECIMENS AND TESTS PERFORMED 2003 – 2014

Year	**Total Specimens	Change	Drug Tests	Change
2014*	87,898	(2.2%)	***635,346	38.2%
2013*	93,355	0.7%	**459,530	17.2%
2012	92,730	2.3%	392,139	(7.1%)
2011	90,612	(9.3%)	422,219	(1.3%)
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%)

\* Does not include creatinine test for 2013 or 2014.

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

\*\*\* Increase in 2014 due to addition of oxycodone 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 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.

### URINE DRUG SCREENS

Urine Drug Screens	2010	2011	2012	2013	2014
Total Subjects	26,370	26,564	26,947	26,768	23,845
**Total Specimens	99,877	90,612	92,730	98,274	87,898
Tested Specimens Urine				93,355	
Specimens Positive for One or More Drugs	15,393	14,756	15,071	16,340	15,844
Percent Specimens Positive for One or More Drugs	15.4%	16.4%	16.3%	17.5%	18.0%

Percent Positive by Drug	2010	2011	2012	2013	2014
Cocaine	4.7%	4.2%	2.9%	3.7%	3.1%
Marijuana	10.7%	11.2%	9.7%	12.7%	10.8%
Opiates	3.8%	4.3%	3.6%	4.5%	3.8%
Phencyclidine (PCP)	1.0%	1.1%	0.8%	0.9%	0.7%
Amphetamines	1.5%	1.5%	1.0%	1.3%	2.1%
6-Acetylmorphine (heroin)	0.4%	0.7%	0.6%	0.9%	0.8%
Oxycodone				1.5%	1.4%

NOTE: 6-acetylmorphine (6-AM) % positive rates from 2006 through 2008 will be higher than other drugs because 6-AM was run only on specimen's already testing positive for opiates. 6-AM was included for all specimens that were tested for opiates starting in September 2009 following the revised Substance Abuse and Mental Health Services Administration (SAMSHA) guidelines.

Specimens are tested for 2 to 7 drugs and may be positive for more than one drug. In addition, validity testing is performed on each specimen by measuring the creatinine level. All positive amphetamine specimens continue to be sent for confirmation by GC/MS when initially positive to confirm medical use or illegal abuse. Amphetamine cut-off was changed to 1000 ng/ml and oxycodone testing began November 1, 2013.

### HAIR TESTING

Hair specimens are sent to Omega Laboratories Inc., an accredited reference laboratory (CAP - College of America Pathologists Laboratory Accreditation Program). The majority of these tests are for Domestic Relations Court where hair generally provides a longer detection window of use over urine tests.

Hair Testing	2010	2011	2012	2013	2014
Specimens	95	139	120	152	118
Negative	79	111	93	128	94
QNS *	0	2	1	0	0
Positive	16	26	16	24	24
Cocaine	9	11	7	11	11
Marijuana	7	13	7	11	9
Amphetamines	-	-	0	0	0
MDMA (Ecstasy)	1	0	0	1	0
Methamphetamine	0	0	0	0	0
Morphine	1	2	3	1	2
Codeine	1	3	1	2	2
6-AM**	0	2	1	1	0
Phencyclidine	-	-	1	0	0

\*Quantity Not Sufficient \*\* 6-acetylmorphine (6-AM) Heroin metabolite

## BREATH ALCOHOL TESTING

The laboratory began offering breath alcohol tests for the County's Human Resources Department in 2011. Juvenile Court requires this test for their pre-employment clients while the county only requires this test for post-accident and cause. The laboratory purchased an Intoxilizer 400 and routinely maintains the instrument by checking the accuracy with a dry gas control.

	2012	2013	2014
Specimens Tested	138	142	145
Positive Tests	0	1	0
% Positive Tests	0.0%	0.7%	0.0%

## ORAL FLUID TESTING

Oral fluids are routinely tested at the laboratory from 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 dilute and unacceptable due to a low creatinine concentration of less than 20 mg/dl.

The procedure currently being used is an on-site immunoassay device from Redwood Toxicology Laboratory, Inc. All positive oral fluid specimens were sent to Redwood Toxicology Laboratory for confirmation testing by GC/MS from 2007 through 2009. Beginning in 2010, positive oral specimens were no longer sent out for confirmation unless requested. These changes were made after evaluation of the confirmation test results from 2009. Each device tests for cocaine, opiates, marijuana, phencyclidine (PCP), amphetamine, and methamphetamine; however, amphetamine and methamphetamine are no longer reported.

<b>ORAL FLUID TESTING</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Specimens	456	412	548	800	598
Positive Specimens	27	35	38	57	26
% Positive Specimens	5.9%	8.5%	6.9%	7.1%	4.3%
Tests (6/specimen)	2,736	2,472	3,288	4,800	2,392
GC/MS Confirm Pos Tests	0	0	0	0	0
% Confirm Pos Tests	0	0	0	0	0

2010: Only two specimens sent for confirmation. One specimen was positive for opiate and PCP and one specimen positive for opiate, cocaine and amphetamine. None were confirmed positive.

2011: One specimen sent out for GC/MS THC / PCP. None were confirm positive.

2012 and 2013: No specimens sent out for GC/MS.

## REFERENCE LABORATORY TESTING

In 2007, positive specimens requiring confirmation or further testing by gas chromatography/mass spectroscopy (GC/MS) were sent to Alere Toxicology Services, Inc. (aka Kroll) a SAMHSA certified laboratory. Beginning in August of 2011, the probation laboratory began partnering with Metro Health Toxicology Laboratory to perform most of the GC/MS confirmation analysis, dilutes specimen testing and 9 panel screening test. Additionally, the laboratory is using the services of Redwood laboratories for tests such as ethyl glucuronide, designer stimulant drugs, synthetic cannabinoids, tramadol, buprenorphine, and benzodiazepines.

	<b>2012</b>	<b>2012</b>	<b>2013</b>	<b>2013</b>	<b>2014</b>	<b>2014</b>
	METRO	REDWOOD	METRO	REDWOOD	METRO	REDWOOD
<b>Total Tests</b>	2,014	835	1,755	2,375	1,526	1,113
<b>Positive Tests</b>	535	194	354	569	***	630
<b>Positive Tests %</b>	26.6%	23.2%	20.2%	24.0%	***	57.0%

# CORRECTIONS PLANNING BOARD

## HON. JOHN J. RUSSO

Chair

## MARTIN MURPHY

Corrections Planning Board Administrator

## STEPHANIA PRYOR

Program Director - 407 Prison Diversion

## JAMES STARKS

Program Director - 408 Jail Diversion

### **TOTAL STAFF:**

1	Board Administrator	2	Substance Abuse Case Managers
2	Program Directors	1	Training Specialist
1	Fiscal Officer	1	Administrative Aide
1	Research Planner	2	Office Assistants

*Located in the Marion Building 1276 West Third Street, Suite 409, Cleveland, Ohio 44113*

## ROSTER OF MEMBERS as of December 31, 2014 CUYAHOGA COUNTY CORRECTIONS PLANNING BOARD

### Honorable John J. Russo, Chair

### Administrative and Presiding Judge - Cuyahoga County Common Pleas Court

#### **Hon. Edward FitzGerald**

County Executive

#### **Hon. Dick Ambrose**

Judge, Cuyahoga County Common Pleas Court

#### **Hon. Timothy McGinty**

Cuyahoga County Prosecutor

#### **Maria Nemec**

Chief Probation Officer, Adult Probation

#### **Frank Bova**

Cuyahoga County Sheriff

#### **Kenneth Kochevar**

Director, Cuyahoga County Corrections Center

#### **Robert Tobik**

Cuyahoga County Public Defender

#### **Russell R. Brown III**

Court Administrator, Cleveland Municipal Court

#### **William Denihan**

Chief Executive Officer ADAMHSB

#### **Illya McGee**

Vice President, Oriana House, Inc.

#### **Kelly Petty**

Superintendent/CEO CCBDD

#### **Hon. K. J. Montgomery**

Shaker Heights Municipal Court

#### **Calvin D. Williams**

Chief of Police, City of Cleveland

#### **Paul Jurcisin**

Crime Victim Representative

#### **Gregory Popovich**

Court Administrator, Common Pleas Court

#### **Vacant**

Admin of CCA funded program in Cuyahoga County

#### **Arthur B. Hill**

Director, Salvation Army Harbor Light Complex

#### **Vacant**

Representative of Law Enforcement Community

## 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 eighteen 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.

State funding supports programming designed to divert eligible criminal offenders from the Cuyahoga County Jail and/or the state prison system, while maintaining public safety. During 2014, the Board administered CCA grants of \$5,696,408 to fund and staff local community corrections programs. In addition to annual CCA funds, the State provided \$719,520 in Probation Improvement grant funding as part of the Justice Reinvestment Initiative and \$572,000 for the Smart Ohio - Funding Option #3: Targeted Diversion Model. In relation to the rest of the State, Cuyahoga County has reduced the number of prison commitments from 25% of all commitments to 14% in FY 2014. In 2014, approximately 4,300 criminal offenders were diverted into local community sanction alternatives.

Based on ODRC and the Bureau of Community Sanctions Annual Reports, the 407 Prison Diversion program received approximately 11% of the overall CCA 407 funding available statewide (\$3,651,409 in 2014) and contributes approximately 18% of the statewide total of prison diversions. The 408 Jail Diversion program received approximately 16% of the total CCA 408 funding available statewide (\$2,044,999 in 2014) and contributes approximately 11% of the statewide total of jail diversions.

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/Executive Board Members of the Ohio Justice Alliance for 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, Criminal Justice/Behavioral Health Leadership Committee, Office of Re-Entry Leadership Coalition, Community Based Correctional Facility, and the Cuyahoga County Drug Court). The Corrections Planning Board also provides fiscal and administrative oversight, as needed, for various grants on behalf of the Common Pleas Court and the Adult Probation Department separate from CCA (e.g., 2 SAMHSA/BJA Drug Court grants, Office of Re-Entry grant for Re-Entry Court, and several state and federally-funded TASC grants). Effective November 8, 2010, the Treatment Alternatives to Street Crime (TASC) agency was transferred from the County Department of Justice Affairs to the Common Pleas Court Corrections Planning Board.

## 407 PRISON / FELONY DIVERSION PROGRAM

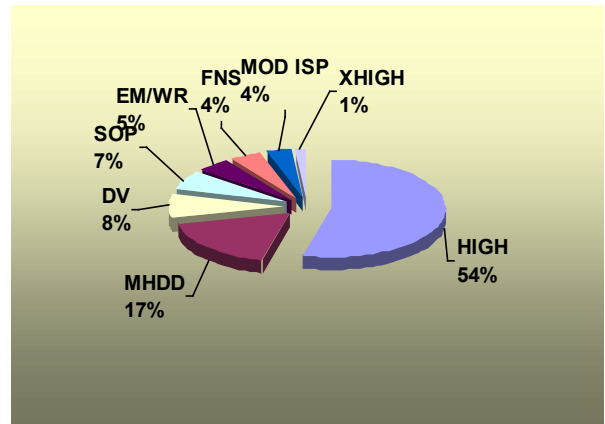
*For program descriptions and 2014 statistics, please see Probation Department Report*

The 407 Intensive Supervision Program (ISP) strives to divert offenders from prison by providing intensive supervision in the community as an alternative to incarceration. ISP includes various high risk units, specialized units and programming and services including cognitive skills development programming, Apprehension Unit services, the Staff Training and Development Project, Substance Abuse Case Management and Drug Testing.

### FELONY DIVERSIONS ACHIEVED IN 2014

#### FELONY DIVERSION PROJECTS:

- 984 High Risk / Intensive Supervision Probation (ISP)**
- 319 Mental Health/Developmental Disabilities (MHDD)**
- 141 Domestic Violence (DV) Unit**
- 120 Sex Offender Program (SOP)**
- 90 Electronic Monitoring / Work Release (EM/WR)**
- 81 Felony Non-Support (FNS)**
- 66 Moderate ISP**
- 26 Extreme High Risk Supervision**
- 1,827 TOTAL**



## 408 JAIL POPULATION REDUCTION PROGRAMS

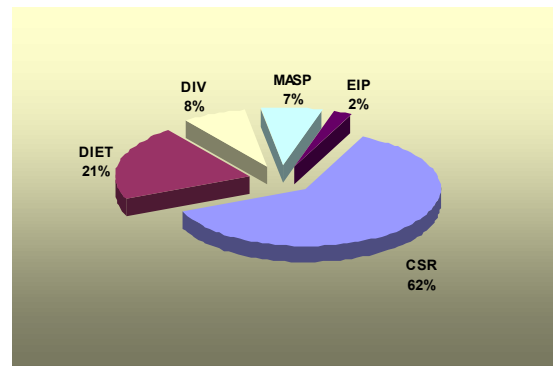
*For program descriptions and 2014 statistics, please see Probation Department Report*

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 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. The program offers several programs and 408 treatment coordination.

### JAIL DIVERSIONS ACHIEVED IN 2014

#### JAIL DIVERSION PROJECTS:

- 1,526 Court Supervised Release (CSR)**
- 58 Early Intervention Program (EIP)**  
*No longer CCA funded as of 6/30/2014*
- 181 Misdemeanor Alternative Sentencing (MASP)**
- 527 Domestic Intervention Education & Training (DIET)**
- 189 Prosecutorial Diversion**  
*CCA funding began 7/1/2014*
- 2,481 Total**



## STAFF TRAINING & DEVELOPMENT

CCA funding reimburses salary and a portion of the fringe benefit costs for the Probation Department Training Specialist. The Staff Development and Training Program's most important task is to provide training and enhance professional standards for probation staff in CCA grant programs. It strives to meet all CCA program standards in regard to training. Staff regularly meets grant requirements for training hours with innovative training events utilizing in-house facilities and offering a variety of pertinent topics.

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 and has developed a Vision Statement, a Mission Statement, a set of Core Values, along with seven general goals.

The Training Specialist has created an EBP curriculum for staff skill development, a comprehensive Safety Training Program that began in 2014, and a Technology Training curriculum. A significant number of line staff and supervisors volunteer to implement many of the components of the Training Program.

### PROBATION DEPARTMENT ANNUAL TRAINING REPORT STAFF TRAINING HOURS OBTAINED - 2014

Evidence-Based Practices		Correctional Practices	
Risk Assessment	180.50	Ethics	14.50
Needs Assessment	530.75	Legal Updates	330.00
Case Planning	164.50	Record Keeping/Documentation	61.00
Stages of Change	22.00	Mgt/Supervisor	40.00
Motivational Interviewing	534.00	New Hire Orientation	1,096.00
Responsivity Issues	906.00	Safety	1,786.00
Fidelity	14.00	Policy/Procedure	9.00
Supervision Strategies	1,898.50	Meetings	802.75
Programming	326.00	Outside Conferences	600.00
Professional Alliance	430.00	<b>Subtotal</b>	<b>4,739.25</b>
General EBP	80.75		
<b>Subtotal</b>	<b>5,087.00</b>	<b>TOTAL</b>	<b>9,826.25</b>

Approximately 33% of the hours were provided by the line staff and supervisors. Without the contribution of their time and efforts, the Adult Probation Department's training program would be significantly diminished.

All Probation Officers and Supervisors met the State HB 86 training standard of 20 hours per year. All Probation Officers and Supervisors met the State CCA training standard of 24 hours per year related to evidence-based practices and service delivery.

We provided a total of 9826.25 person-hours of training during 2014. That's approximately 1200 more hours than 2013. We spent \$19,020.09 to do so. In 2013, we spent \$33,325.29. The Staff who volunteers to do the training saved the Court \$24,805.20.

## 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 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. Due to the continuing opiate/heroin epidemic in the community, in FY 2014, length of time spent waiting for treatment placement ranged from the previous average of 14 days to as long as 30 days as demand for residential treatment increases. 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 2014, 924 offenders (a 22% increase from 2013) were placed into residential drug/alcohol treatment programs through the Probation Department Centralized Case Management program as described below.

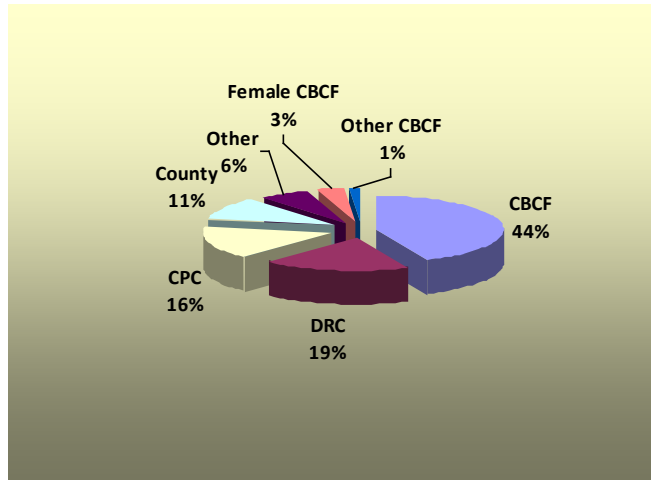
- The Common Pleas Court continued to fund contracted treatment beds placing 278 offenders at the following agencies:
  - Catholic Charities - Matt Talbot Inn & Matt Talbot for Women (153 offenders)
  - Community Assessment and Treatment (CATS) (49 offenders)
  - ORCA House (76 offenders)
  
- The County-funded Halfway House Initiative placed 174 offenders at the following agencies:
  - Community Assessment Treatment Services
  - Oriana House
  - Salvation Army – Harbor Light
  
- Using ADAMHS Board-funded Indigent Beds, Medicaid, VA and other sources, an additional 108 offenders were placed in residential treatment as the following agencies:
  - Catholic Charities
  - Community Assessment Treatment Services
  - ORCA
  - Hitchcock House
  - HUMADAOP/CASA ALMA
  - Y-Haven
  - Stella Maris
  - Veterans Administration (VA)

In addition to above funding streams, the Centralized Case Management Program utilized funding made available by the Ohio Department of Rehabilitation and Correction - ODRC dollars funded 322 halfway house placements for offenders receiving inpatient substance abuse treatment services and 24 Community Based Corrections Facility placements at Northwest Community Corrections Center, Lorain/Medina.

On February 1, 2011, the Nancy R. McDonnell Community Based Correctional Facility (CBCF) opened in Cuyahoga County. 748 offenders were placed in the CBCF in 2014; a 37% increase over 2013 figures due

to an increase in bed capacity. In addition, 59 female defendants were placed in the Cliff Skeen CBCF in Summit County.

Centralized Case Management also coordinates court-ordered placements with non-contracted providers (e.g., Ed Keating Center, Jean Marie's House, Edna House, City Mission/Laura's Home, The Lantern, and Glenbeigh).



To comply with court orders, the Centralized Case Manager referred 1,777 offenders to Treatment Alternatives to Street Crime (TASC) for assessments, case management and referral to treatment (includes re-referrals). In addition, 317 offenders were referred to TASC for assessments at the PSI stage; an almost 50% increase in referrals made at the PSI stage in 2013.

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 (See *TASC Section of the Annual Report for 2014 figures*).

#### **408 TREATMENT PLACEMENT COORDINATOR**

The 408 Treatment Coordinator receives 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 2014, the Treatment Coordinator used various funding sources to place 281 defendants into residential treatment. The Treatment Coordinator also placed 9 defendants into ARCA Halfway House to address stable housing needs with a residential placement when clinical services were not needed. ARCA, Inc. closed in June 2014. An alternative resource has not yet been identified.

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. The Coordinator works with judges, attorneys / public defenders, defendant family members, municipal courts, community agencies, and the Sheriff's Department in placing individuals in the appropriate substance abuse and mental health settings.

The Coordinator also coordinates weekly staffing with the mental health judges, community agencies, MHDD supervision officers, forensic liaisons and attorneys and assisted in the development of a female CBCF pilot with the Alcohol Drug Addiction Mental Health Services Board (ADAMHS).

# TASC

## TREATMENT ALTERNATIVE TO STREET CRIME

**MARTIN MURPHY, LISW-S**

Corrections Planning Board Administrator

**SARAH McGUIRE**

Manager

**TOTAL STAFF:**

1 Manager	2 Program Officers
1 Clinical Services Manager	18 Assessment Specialists
2 Clinical Coordinators	2 Administrative Assistants
1 Fiscal Officer	

TASC (Treatment Alternatives to Street Crime) is a nationally recognized program model designed to break the addiction-crime cycle of nonviolent, drug-involved offenders by linking the legal sanctions of the criminal justice system with the therapeutic interventions of drug treatment programs. TASC manages drug cases by moving the offender through the criminal justice process and into drug treatment, simultaneously providing monitoring services as an adjunct to criminal justice supervision. TASC's comprehensive case management services create a unique interface among the criminal justice system, the treatment service system, and the offender, thus allowing for effective and efficient outcomes. A unique benefit of the TASC model is its ability to provide case management and treatment linkages at any point in the criminal justice continuum—for pretrial service agencies, the courts, jail treatment programs, probation agencies, or community corrections agencies. TASC programs also work to establish treatment accountability by ensuring that offenders receive the appropriate type and level of treatment, are attending treatment regularly, are progressing in treatment, and that treatment agencies are providing effective treatment services.

The mission of Cuyahoga County TASC is to provide an objective and effective bridge between the treatment community and the criminal justice system. In working towards this mission Cuyahoga County TASC participates in the justice system processing as early as possible, providing substance abusing criminal defendants the help and guidance they need to achieve abstinence, recovery, and a crime free life.

Cuyahoga County TASC was established in August 1992 and was certified by the Ohio Department of Alcohol & Drug Addiction Services (ODADAS) in July 1995 to provide Outpatient Treatment services. TASC quickly established itself as the central intake and referral program for alcohol and other drug services within the Cuyahoga County criminal justice system. TASC has worked diligently to offer services which reduce recidivism rates, increase communication among treatment providers and the court, and reduce the amount of time offenders spend on treatment waiting lists. In 2011, TASC transitioned from providing Non-Intensive Outpatient Treatment to Intensive Outpatient treatment, shifting to a level of care that is in greater need by TASC consumers.

TASC serves non-violent, substance abusing, adult offenders referred by the criminal justice system on both the misdemeanor and felony levels. Referrals can be made from Cuyahoga County Common Pleas Court, Cleveland Municipal Court, and the Ohio Adult Parole Authority. TASC provides assessment, case management, intensive outpatient treatment, coordination of referrals to community treatment providers, and drug testing. TASC Case Managers and Assessment Specialists are licensed by the State of Ohio Counselor, Social Worker, Marriage and Family Therapist Board and/or the Ohio Chemical Dependency Board.

## **ASSESSMENT**

TASC assessments occur at any point along the criminal justice continuum: Diversion, Pre-Trial, Pre-Sentence, and Post Sentence. Assessors meet individually with clients in the TASC office or the County jail to conduct substance use assessments. The assessor determines a substance use disorder utilizing DSM criteria, and then recommends the appropriate treatment based on the diagnosis. The current assessment tool used by TASC is the “Solutions for Ohio’s Quality Improvement and Compliance –Cuyahoga County” (SOQIC-C). This tool is the assessment instrument utilized by all agencies within Cuyahoga County who receive funding through the Alcohol, Drug Addiction, and Mental Health Services Board of Cuyahoga County (ADAMHSCC).

## **INTENSIVE OUTPATIENT TREATMENT PROGRAM**

TASC provides two Intensive Outpatient Treatment programs. Our MATRIX Model Intensive Outpatient Treatment Program is recognized by SAMHSA as a best practice model for intensive outpatient treatment. Eligible group members are court-referred clients who have been assessed as having a substance use disorder and meet the criteria for Intensive Outpatient Treatment.

This group consists of individual and group therapy and focuses on Early Recovery Skills, Relapse Prevention Skills, Family Education, and The Twelve Steps. The MATIX IOP Treatment group meets three days a week for three hours each day for eight weeks, which is then followed by four weeks of Aftercare.

Our second program, the Women’s TREM Intensive Outpatient Treatment Program combines the TREM (Trauma, Recovery, and Empowerment) Model and a Trauma-Informed Addictions Treatment Model. Both models are recognized as being evidence-based and were developed by Dr. Maxine Harris and other clinicians at Community Connections in Washington, D.C.

The Trauma Recovery and Empowerment Model (TREM) is an evidence-based program designed to help members develop and strengthen the skills necessary to cope with the impact of traumatic experience. It utilizes psychoeducational and cognitive-behavioral techniques in an actively supportive group context.

The Trauma-Informed Alcohol and Drug Treatment Model is also focused on Early Recovery and Relapse Prevention Skills as well as The Twelve Steps. However, it also builds on key principles of safety, trustworthiness, choice, collaboration, and empowerment, while at the same time taking care not to inadvertently re-traumatize the clients.

Eligible group members are court-referred female clients who have been assessed as having a substance use disorder, meet the criteria for Intensive Outpatient Treatment, and have experienced past or present trauma.

## **DRUG COURT**

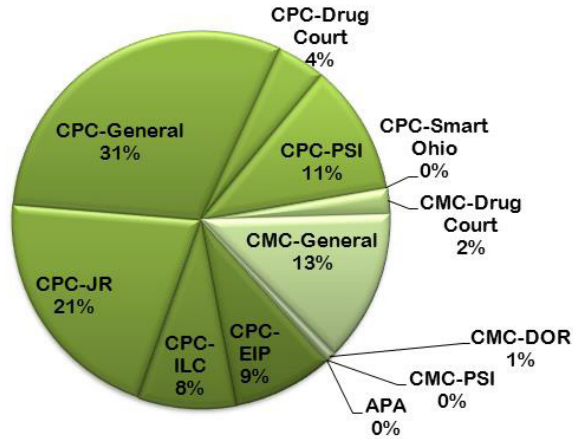
Cuyahoga County TASC is a participant in the Stephanie Tubbs Jones Drug Court for Common Pleas Court and the Greater Cleveland Drug Court for Cleveland Municipal Court, providing services to both programs.

TASC provides assessment services, dedicated case managers who are part of the Drug Court teams, and a Clinical Coordinator to provide both administrative and clinical guidance. In addition, TASC assists in providing fiscal and grant oversight for the projects, tracking the various funding streams which support the staffing and treatment components of Drug Court.

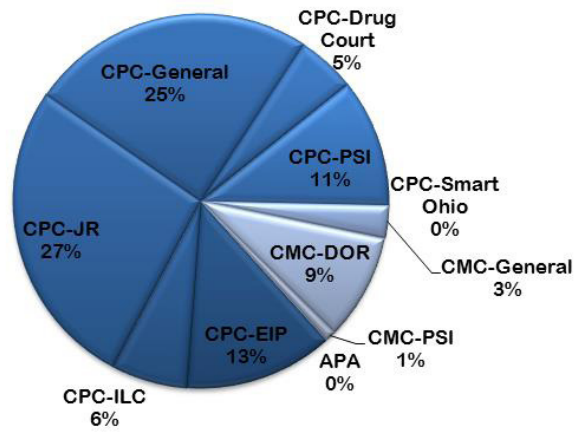
Program	Referrals Received	Assessments Completed
Common Pleas Court – EIP	256	284
Common Pleas Court – ILC	247	144
Common Pleas Court – Jail Reduction	615	592
Common Pleas Court – General	901	542
Common Pleas Court – Drug Court	123	112
Common Pleas Court – PSI	331	243
Cleveland Municipal Court – Smart Ohio	1	1
Cleveland Municipal Court - Drug Court	65	63
Cleveland Municipal Court	382	202
Cleveland Municipal Court – DOR	24	21
Cleveland Municipal Court – PSI	0	0
Adult Parole Authority	0	0
<b>TOTAL</b>	<b>3,045</b>	<b>2,204</b>

TASC Program	Admits	Discharges			TOTAL
		Successful	Unsuccessful	Neutral	
Drug Court Case Management	111	80	52	5	137
TASC Case Management	592	276	269	124	669
TASC Intensive Outpatient Treatment	86	44	53	13	110
TASC Matrix Probation Improvement	6	0	0	0	0
<b>TOTAL</b>	<b>795</b>	<b>400</b>	<b>374</b>	<b>142</b>	<b>916</b>

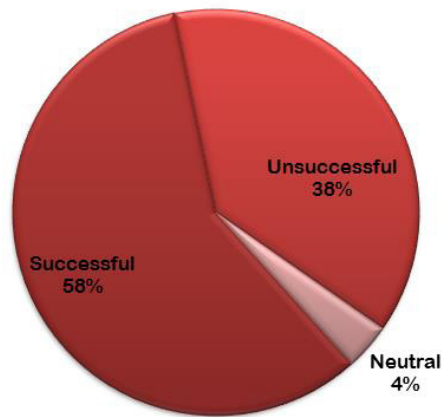
### Referrals Received



### Assessments Completed



### Drug Court Discharges



### TASC Case Management Discharges



### Intensive Outpatient Treatment Discharges



**CUYAHOGA COUNTY COURT of COMMON PLEAS**  
**Specialized Dockets**

**RE-ENTRY COURT**

**HON. NANCY MARGARET RUSSO**

Re-Entry Court Judge

**DEENA LUCCI**

Bailiff

**MEGAN FERNANDEZ**

Re-Entry Court Probation Officer

**CHYVONNE KIMBROUGH**

Administrative Assistant

The Cuyahoga County Re-Entry Court was implemented in January 2007. Re-Entry Court is a specialized docket presided over by Judge Nancy Margaret Russo. Re-Entry Court was established to address the needs of offenders transitioning from prison back to the community. The primary goal of Re-Entry Court is to reduce recommitments to prison, and thereby improve public safety, while reducing recidivism.

Re-Entry Court provides intensive programming and supervision to eligible and accepted offenders. Re-Entry Court has specific criteria for eligibility, and participation/acceptance is determined by the Re-Entry Court Judge. Transfers to the Re-Entry Court are made by the sentencing Judge.

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. Re-Entry Court 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 target population for the Re-Entry Court is selected from the statutorily eligible general prison population sentenced by the Cuyahoga County Common Pleas Court.



**CUYAHOGA COUNTY COURT of COMMON PLEAS**  
**Specialized Dockets**

**CUYAHOGA COUNTY DRUG COURT PROGRAM**

**HON. DAVID T. MATIA**

Judge

**MOLLY CHRISTOFFERSON-LECKLER**

Coordinator

*The Honorable David T. Matia, serving as a 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 75% 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 program. In 2014, (January through December) 229 defendants were screened for Drug Court eligibility. Of those, 114 were formerly placed into Drug Court. In 2014, 59 participants graduated from the Drug Court.

**HIGHLIGHTS**

- In September of 2014, Cuyahoga County Drug Court Program received a Joint Bureau of Justice Assistance and Substance Abuse Mental Health Services Administration Adult Drug Court Grant to expand services and provide a second track. Judge Joan Synenberg has been selected to oversee the new docket that will treat those that suffer from drug and/or alcohol dependency and trauma related mental health issues.

- In June of 2014, The Plain Dealer featured Cuyahoga County Drug Court Program Graduation. This date marked more than 300 graduates from the program.
- An independent analysis by the Mandel School of Applied Social Sciences at Case Western Reserve University found that only 8.4 percent were re-arrested after 12 months, compared to 27 percent in a similar group that did not receive drug court programming.

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 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.



**CUYAHOGA COUNTY COURT of COMMON PLEAS**  
**Specialized Dockets**

**MENTAL HEALTH**  
**and**  
**DEVELOPMENTAL DISABILITIES COURT**

**HON. JOSÉ A. VILLANUEVA**  
Chair

**HON. HOLLIE L. GALLAGHER**  
Vice Chair

**HON. MICHAEL P. DONNELLY**  
**HON. JOHN D. SUTULA**  
**HON. JOAN SYNENBERG**

**MEGHAN PATTON**  
Coordinator

*The mission of the Mental Health Developmental Disabilities 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.*

The Mental Health and Developmental Disabilities (MHDD) Court was established on June 9, 2003 as a response to the increasing number of offenders with serious mental health illness who were entering the criminal justice system. The MHDD Court was created through amendments to local rules 30, 30.1, and 33. Shortly thereafter, Rule 30.1 was further amended to allow defendants with a previous history on a MHDD Court or previous MHDD probation supervision automatic eligibility for MHDD Court.

The MHDD Court is funded by the Cuyahoga County Common Pleas Court and supported by local, state, and federal funding entities, especially the Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board and the Cuyahoga County Board of Developmental Disabilities (CCBDD).

The MHDD Court was established with the intent to operate with a high level of collaboration among court personnel, criminal justice entities, and community partners. From arrest to disposition and community control, many specialized services have been developed for offenders with mental health illness and or developmental disabilities.

Acceptance to the Cuyahoga County Mental Health Developmental Disabilities Court is diagnosis-driven; therefore eligible defendants come to the system with all offense types and offense levels, the exception being Capital Murder. They must qualify by meeting either of the following criteria per the diagnosis of a mental health professional; suffer from a severe mental health issues with psychosis such as schizophrenia, schizoaffective disorder, major depressive disorder with psychotic features, and bipolar disorder with psychotic features and/or suffer from a developmental disability with an IQ of 75 or below.

The five Judges who served the Mental Health Developmental Disabilities (MHDD) Court in 2014 were Honorable José A. Villanueva (Chair), Honorable Hollie L. Gallagher (Vice Chair), Honorable Michael P. Donnelly, Honorable John D. Sutula, and Honorable Joan Synenberg. The Judges oversee the MHDD Court on a voluntary basis while also carrying non-MHDD criminal and civil cases on their dockets. In 2014, approximately 40% of the MHDD Judges' dockets were identified as MHDD offenders.

The Pretrial Treatment/MHDD Probation Coordinator continued to serve as the point person for identification, eligibility determination and placement for MHDD Court dockets in 2014. This role reviews approximately 1,000 cases per year, which places a critical role in the management of the mental health flagging within the Court's information system. To indicate the presence of mental health issues, **the cases of 4,307 individuals have been flagged since the flag's inception in July 2005**, 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 flagged as "MH" are placed or transferred to the MHDD Court).

The Pretrial Services Unit in the Adult Probation Department provides Mental Health and Developmental Disabilities (MHDD) Court eligibility determination and referral recommendations for the MHDD Court. In addition, Pretrial Services provides two 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 2014, 99 offenders were placed on MHDD Pretrial Supervision as condition of bond.**

For offenders sentenced to community control, the Adult Probation Department provides MHDD supervision, which is staffed by thirteen specially trained officers and two supervisors. There was an increase in staff dedicated to the MHDD unit in 2014 by two additional probation officers and one additional supervisor. This modification was to alleviate larger caseload sizes in order to provide the intense supervision for the MHDD offender. Presently, the average caseload size in MHDD Probation is 65 offenders with an average duration of two years of Community Control sanctions.

**In 2014, 413 offenders** were assigned to supervision in the MHDD Probation Unit by the Common Pleas Court Judges. Of those 413 offenders, 301 offenders were placed in the MHDD Probation unit by MHDD Court Judges. Thus, **72% of the MHDD offenders who were placed on community control in 2014 came through the MHDD Court. In total, the MHDD Post-Conviction Unit currently serves approximately 750 offenders on a daily basis.**

One of the most unique attributes to the Mental Health and Developmental Disabilities (MHDD) Court is the incorporation of Judicial Staffings as part of its philosophy to provide team commitment and therapeutic approaches for each offender while using evidence-based practices. Each MHDD Judge has bi-weekly staffings in which a Probation Officer or the Judge may choose to address ongoing compliance issues, technical violations, or successes with the offender and the team. Our community partners from several agencies, assigned counsel, jail personnel, and representation from social worker(s) at Public Defender's Office are typically present at the team meetings. The paramount concerns are ensuring community safety and effective supervision of defendants in the community.

Another unique attribute of the MHDD Probation unit is the collaboration officers and community behavioral health agencies have formed to ensure therapeutic approaches to the offenders' community control experience. Officers work closely with several community agency providers through bi-weekly or monthly clinical staffings with forensic case managers, licensed social workers, and licensed counselors from Recovery Resources, Murtis H. Taylor, FrontLine Service Inc., Connections, Cuyahoga County Board of Developmental Disabilities (CCBDD), and Matt Talbot Inn Residential treatment.

This interaction provides all parties with relevant information on the offenders' progress, along with an opportunity to address linkage or mental health issues, community safety concerns, housing placement, substance abuse issues, benefit reinstatement plans, employment assistance, financial planning, familial and peer association assistance, and criminal thinking concerns.

Officers continued to have working relationship with St. Vincent Charity Hospital – Psychiatric Emergency Room, Veteran's Administration, Cleveland Police CIT officers, Mobile Crisis, and other treatment providers.

## UPDATES

Through a collaborative three-year Federal Grant with Cleveland Municipal Court, the Adult Probation Department was able to create a pilot Mood Disorder caseload beginning in 2011. This caseload has served a limited number of defendants who have been diagnosed with a mood disorder, such as major depressive disorder or bipolar disorder, both without psychotic features, and have a history of trauma, and/or substance abuse issues. This population has historically not been eligible for the Mental Health Developmental Disabilities (MHDD) Court and services. Grant funding services available for these offenders included case management, specialized individual and group counseling, and psychiatric treatment. The cases were assigned to two MHDD Judges, Honorable José A. Villanueva and Honorable Joan Synenberg for consolidation purposes. In September of 2013, the grant funding period ended. At this time, the Court is currently reviewing future plans for serving this population.

Summit County Community Based Correctional Facility (Women's CBCF) began providing services for women with severe mental health illness as an additional sentencing option for the MHDD Court in 2013. This began as a pilot program, with one of the main focuses to improve the acceptance and supportive services in the CBCF for the MHDD population, specifically women. In response to this need, the Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board and Cuyahoga County Common Pleas Court were able to collaborate and provide funding for services such as case management, medication, and psychiatric services, and specialized halfway house programming throughout 2014.

## HIGHLIGHTS

In August of 2014, the Common Pleas Court named the New Mental Health and Developmental Disabilities (MHDD) Court Coordinator. This position was created to better meet the needs of persons appearing before the MHDD Court and assisting the MHDD Judges with the handling of MHDD Court operations.

In October of 2014, the Court hosted the MHDD Court training for Court and Suburban Court employees. Fifty-Four participants, including many of the MHDD Probation Officer staff, took advantage of this seminar with sixteen presenters from various agencies and organizations presenting on the following topics: Overview of Mental Illness and Development Disabilities; the Court Psychiatric Clinic Overview; Community Jail Forensic Liaisons role; Overview of Forensic Monitoring; Hospitalizations; Civil Commitments; Guardianship; Power of Attorney; Probate issues; and the Department of Rehabilitation and Correction's mental health programming.

The annual Mental Health and Development Disabilities (MHDD) Court Attorney Seminar was held in December of 2014 with thirteen presenters providing the attorneys overviews on MHDD Court history and policy, mental illness and developmental disabilities, the role of community jail forensic liaisons, forensic monitoring, related legal and competency issues, and the Court Psychiatric Clinic. This year, forty attorneys attended the seminar, with twenty-four attorneys newly certified.

## 2014 HONOR ROLL OF EMPLOYEES OF THE COURT

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

Bridget Y. Austin	Administrative Aide I
Kathleen A. Barry	Foreclosure Scheduler
John T. Bilinski	Probation Officer Supervisor
William N. Birce	Bail Investigator
Bruce J. Bishilany	Chief Court Reporter
Paula D. Britton	Administrative Aide I
Rachel Colbert	Probation Officer
Mary T. Davern	Probation Officer Supervisor
Donna M. Dubs	Clerk Typist
Edward N. Dutton	Psychiatrist
Mary Kay Ellis	Supervisor
Linda M. Graves	Bailiff
Richard N. Hamski	Assistant Court Reporter
Vermell Y. Harden	Bailiff
Mary M. Hayes	Probation Officer
Bruce E. Hill	Probation Officer
Michael J. Jenovic	Assistant Court Reporter
Donna M. Kelleher	Extra Bailiff
Kathleen A. Kilbane	Assistant Court Reporter
Karl Kimbrough	Probation Officer
Sheila A. Koran	Office Manager
Deborah L. Kracht	Assistant Court Reporter
Darlene Louth	Probation Officer
Deborah A. Maddox	Administrative Aide I
Margaret A. Mazzeo	Courtroom Assistant
Margaret M. Murphy	Probation Officer Supervisor
Nancy A. Nunes	Assistant Chief Court Reporter
Floyd B. Oliver	Probation Officer
Patricia O. Parente	Probation Officer
Janna S. Phillips	Probation Officer Supervisor
Marguerite A. Phillips	Assistant Court Reporter
Stephania A. Pryor	Deputy Chief Probation Officer
Miguel A. Quinones	Probation Officer
Jeffrey J. Ragazzo	Assistant Court Reporter
Phillip Resnick	Director Psychiatric Clinic
Melissa M. Singer	Probation Officer Supervisor
James E. Starks	Deputy Chief Probation Officer
Gerianne A. Stroh	Probation Officer
Brian J. Thelen	Probation Officer
Armatha A. Uwagie-Ero	Clerical Supervisor
Suzanne Vadnal	Assistant Court Reporter
Sheila D. Walters	Assistant Court Reporter
Phillip G. Zeitz	Probation Information Specialist

*with 20 to 25 years of service with the Court:*

Kevin C. Augustyn	Foreclosure Magistrate Assistant Director
Teroldlyn D. Barkley	Clerk Typist
Robert M. Beck III	Probation Officer Supervisor
Lee A. Bennett	Administrative Aide II
Gary A. Bolinger	Probation Officer Supervisor
Michael T. Brady	Probation Officer Supervisor
Dewey D. Buckner	Probation Officer
Erika D. Bush	Office Manager
Jarvis A. Clark	Probation Officer
Mary J. Cooley	Assistant Court Reporter
Michelle L. Davis	Executive Secretary
Molly L. Gauntner	Probation Officer Supervisor
James W. Ginley	Deputy Court Administrator/Financial Operations
Andrea M. Gorman	Training Specialist
Winston L. Grays	Probation Officer Supervisor
Lisa M. Hrovat	Assistant Court Reporter
James M. Jeffers	Probation Officer
Sandra Kormos	Bailiff
Michelle C. Kozak	Cashier/Bookkeeper
Deborah Kreski-Bonanno	Assistant Jury Bailiff
Catrina M. Lockhart	Probation Officer
Nicholas P. Marton	Systems Analyst
Laura M. Martz	Clerk Typist
Tracey L. McCorry	Probation Officer
Timothy J. McNally	Probation Officer
Denise H. McNea	Probation Officer
James P. Newman	Bailiff
Evangelina Orozco	Bail Investigator
Susan M. Ottogalli	Assistant Court Reporter
Gregory M. Popovich	Court Administrator
Mary Rauscher	Probation Officer
Kellie M. Reeves-Roper	Assistant Court Reporter
Cheryl A. Russell	Administrative Aide I
Michael P. Scully	Probation Officer
Nicole D. Thomas	Probation Officer
Jeniffer L. Tokar	Assistant Court Reporter
Margaret M. Wagner	Probation Officer
Cynthia H. Walker	Social Worker
Kimberlee B. Warren	Probation Officer
Rebecca B. Wetzel	Co-ADR Administrator

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

Veronica L. Adams	Jury Bailiff Co-Director
Thomas P. Arnaut	Director Information Systems
Michael H. Aronoff	Chief Psychologist
Lisa S. Austin	Probation Officer
Mary J. Baden	Assistant Court Reporter
Kelly Barr	Probation Officer
Kathleen M. Barrett	Office Assistant
Tion Benn	Probation Officer
Rose M. Bennett	Bailiff
Patricia I. Bittner	Jury Bailiff Co-Director
Mariagrazia Bonezzi	Foreclosure Scheduler
Monica R. Brown	Clerk Typist
Angie D. Bryant	Probation Officer
Stephen M. Bucha, III	Foreclosure Magistrate Director
Mark J. Budzar	Bailiff
Nicole Byron	Probation Officer
Michael A. Cain	Probation Officer
Weddie D. Carroll	Probation Officer
Jose B. Casiano	Probation Officer
Michael P. Caso	Chief Social Worker
Joseph I. Cassidy	Probation Officer
Luann Z. Cawley	Assistant Court Reporter
Janet Charney	Chief Judicial Secretary
Diane L. Cieply	Assistant Court Reporter
John B. Coakley	Probation Officer
Angela D. Collins	Probation Officer
Laura W. Creed	Chief Judicial Staff Attorney
Angela R. Cudo	Assistant Court Reporter
Mary Lynn D'Amico	Clerk Typist
Kathleen A. DeCrane	Grand Jury Clerk
Shaunte Dixon	Probation Officer
Mary A. Donnelly	Probation Officer
Marlene Ebner	Assistant Court Reporter
Cindy M. Eiben	Assistant Court Reporter
Brian S. Ely	Substance Abuse Case Manager
Vivian E. Eskridge	Probation Officer
Leila Fahd	Courtroom Assistant
Omer Farhat	Probation Officer
Reynaldo Feliciano	Probation Officer Supervisor
Anna M. Foley	Courtroom Assistant
Eileen F. Fox	Bailiff
Julie M. Fritz-Marshall	Probation Officer
Keith L. Fromwiller	Bailiff
Kevin M. Gallagher	Probation Officer
Ann Marie Gardner	Probation Officer Supervisor
Joanne M. Gibbons	Courtroom Assistant



Tracey S. Gonzalez	Senior Foreclosure Magistrate
Michelle R. Gordon	Laboratory Assistant
Kenya R. Gray	Probation Officer
Erricka L. Grays	Probation Officer
Sertarian B. Hall	Clerk Typist
Tisha L. Harrell	Probation Officer
Margaret A. Hastings	Bailiff
Lisa A. Heathfield	Probation Officer
Aileen M. Hernandez	Psychiatrist
Michelle M. Hoiseth	Probation Officer
Robert A. Intorcio	Assistant Court Reporter
Amy R. Jackson	Senior Foreclosure Magistrate
Kari L. Jones	Probation Officer
LaToya M. Jones	Probation Officer
Karen M. Jopek	Probation Officer
Bill S. Kavourias	Probation Officer
Colleen A. Kelly	Administrative Assistant
Andrea R. Kinast	Co-ADR Administrator
Sean A. Kincaid	Probation Officer
Monica C. Klein	Senior Foreclosure Magistrate
Gregory L. Koterba	Assistant Court Reporter
Edward J. Kovacic	Grand Jury Clerk
Richard P. Kraft	Probation Officer Supervisor
Molly W. Krueger	Probation Officer
Jessica E. Lane	Clerk Typist
Molly Leckler	Drug Court Coordinator
Paul R. Ley	Assistant Director Information Systems
Robert P. Lloyd	Assistant Chief Court Reporter
Walter J. Luc	Bail Investigator
Paul H. Lucas	Senior Foreclosure Magistrate
Deena M. Lucci	Bailiff
Renee W. Maalouf	Probation Officer
Timothy Malik	Probation Officer
Mikel M. McCormick	Probation Officer Supervisor
Regina M. McFarland-Mohr	Assistant Arraignment Room Coordinator
Steve E. McGinty	Probation Officer
Kelly M. McTaggart	Administrative Assistant
Wendy L. McWilliam	Probation Officer
Timothy G. Meinke	Assistant Court Reporter
Althea L. Menough	Probation Officer
Norma J. Meszaros	Judicial Secretary
Laura A. Miller	Bailiff
Patricia A. Mingee	Payroll Officer
Nakia Mitchell	Probation Officer
Monique D. Moore	Probation Officer
Eric D. Moten	Probation Officer
Maria Nemec	Chief Probation Officer

Stephen G. Noffsinger	Psychiatrist
Philip M. Novak	Probation Officer
Anita B. Olsafsky	Laboratory Technician
Sarah J. O'Shaughnessy	Bailiff
Cheryl C. Parker	Probation Officer Supervisor
Kathleen A. Patton	Cashier/Bookkeeper
Kerry L. Paul	Assistant Court Reporter
Maureen Povinelli	Assistant Court Reporter
Jean R. Presby	Probation Officer
Ellen A. Rassie	Assistant Court Reporter
Lauren M. Rivera	Probation Officer
James R. Rodio	Psychiatrist
Loretta Ryland	Research Planner
George W. Schmedlen	Assistant Director Psychiatric Clinic
Patricia K. Schmitz	Clerk Typist
Mary Ellen Schuler	Assistant Court Reporter
Michele M. Severt	Probation Officer
Mary Jo. Shannon	Office Assistant
Lakisha Sharp	Probation Officer
Patrick M. Shepard	Probation Officer Supervisor
Tammy L. Sherman	Probation Officer
Mary Pat Smith	Bailiff
Michael S. Stanic	Project Manager
Joy Ellen Stankowski	Psychiatrist
Patricia A. Stawicki	Bailiff
Kelli A. Summers	Probation Officer
Cheryl A. Sunyak	Probation Officer
Leslie A. Svoboda	Probation Officer
Rose A. Tepley	Tech Specialist II
John L. Thomas, Jr.	Bailiff
Pamela Thompson	Cashier/Bookkeeper
Shontrell Thompson	Probation Officer
Carlos L. Torres	Probation Officer
Minerva Torres	Probation Officer
James M. Toth	Probation Officer Supervisor
Anne Tullos	Clerk Typist
Mathew J. Urbancich	Probation Officer
Jennifer E. Vargics	Office Assistant
Lawrence R. Wallace	Bailiff
Colleen M. Walsh	Receptionist
Stephanie Wherry	Probation Officer
Ilene E. White	Assistant Court Reporter
Thomas A. Wiktorowski	Courtroom Assistant
Latanya R. Wise	Clerk Typist
Michael G. Yezbak	Probation Officer
Amy J. Zbin	Judicial Secretary

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