

Cuyahoga County



Common Pleas Court *General Division* **2010** **ANNUAL REPORT**



Nancy A. Fuerst
Administrative and Presiding Judge



Nancy A. Fuerst
Presiding Judge

THE COURT OF COMMON PLEAS

COUNTY OF CUYAHOGA

JUSTICE CENTER

1200 ONTARIO STREET

CLEVELAND, OHIO 44113



Greetings to the Citizens of Cuyahoga County,

The Cuyahoga County Court of Common Pleas, General Division, is comprised of 34 elected Judges and a support network of nearly 465 employees who assist in processing and resolving a variety of civil and felony criminal cases. As the largest court in the State of Ohio, the Court continues to effectively address increasingly complex dockets and to meet the challenges of prudent budgeting, public perception of fairness and implementation of new technologies.

In the civil arena, a few noteworthy Pilot Projects are producing positive results. The Commercial Docket, handled by two specially trained Judges, is exclusively focused on early resolution of business disputes. Our nationally acclaimed Foreclosure Mediation Program is a forum in which parties are encouraged to explore and to devise ways to avoid the loss of residential property and to keep families in their homes. Both programs are successful models recognized throughout Ohio.

In the criminal arena, through its innovative Probation Department, the Court continues to adopt and implement sweeping changes in evidence-based practices in an effort to reduce recidivism. We remain committed to advance early disposition of amenable cases and the Court eagerly anticipates the 2011 opening of the newly-constructed Judge Nancy R. McDonnell Community Based Correctional Facility. The Mental Health Docket continues to grow and to refine the critical assessment and treatment delivery under the direction of five dedicated Judges. Additionally, our Re-Entry Court and Drug Court programs show impressive success.

Technological changes are planned in the coming year as the Court moves toward e-filing, electronic dockets and other ways to make the Courts work better for everyone. To stay informed, all are encouraged to visit our website at <http://cp.cuyahogacounty.us/internet/index.aspx>. The report that follows will outline our Court activity in more detail.

Many thanks to all who have served on a grand jury or trial jury. Your participation is crucial to the operation of our justice system and the Court appreciates your time and effort. Thanks also to our dedicated employees who proudly serve the constituents of Cuyahoga County. It has been my distinct pleasure to serve you in 2010.

Sincerely,

Nancy A. Fuerst
Presiding/Administrative Judge

**JUDGES OF THE COMMON PLEAS COURT
GENERAL DIVISION
CUYAHOGA COUNTY – 2010**

Nancy A. Fuerst, Presiding and Administrative Judge

Judge Dick Ambrose

Judge Janet R. Burnside

Judge Deena R. Calabrese

Judge Brian J. Corrigan

Judge Peter J. Corrigan

Judge Michael P. Donnelly

Judge Carolyn B. Friedland

Judge Stuart A. Friedman

Judge Eileen A. Gallagher

Judge Eileen T. Gallagher

Judge Hollie L. Gallagher

Judge Daniel Gaul

Judge Lance T. Mason

Judge David T. Matia

Judge Bridget McCafferty

Judge Timothy McCormick

Judge Nancy R. McDonnell

Judge Timothy J. McGinty

Judge Richard J. McMonagle

Judge Timothy E. McMonagle

Judge John P. O'Donnell

Judge John J. Russo

Judge Joseph D. Russo

Judge Michael J. Russo

Judge Nancy Margaret Russo

Judge Shirley Strickland Saffold

Judge Brendan J. Sheehan

Judge Ronald Suster

Judge John D. Sutula

Judge Kathleen Ann Sutula

Judge Joan Synenberg

Judge Steven J. Terry

Judge José A. Villanueva

Gregory M. Popovich, Court Administrator

SUMMARY FOR THE COURT January - December 2010

	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	
Pending beginning of period	351	39	3084	1229	9231	159	6	5251	4500	23850	18
New cases filed	403	53	4183	1638	12825	167	X	10894	14377	44540	0
Cases transferred in, reactivated or redesignated	98	6	653	383	2503	29	3	1164	1828	6667	135
TOTAL (Add lines 1-3)	852	98	7920	3250	24559	355	9	17309	20705	75057	153
TERMINATIONS BY:											
	A	B	C	D	E	F	G	H	I	T	V
Jury Trial	17	0	82	13	0	0	0	31	322	465	60
Court Trial	0	0	10	4	0	3	0	58	211	286	2
Settled or dismissed prior to trial	2	0	36	10	0	0	0	12	3	63	0
Dismissal	321	27	3140	1453	1233	75	1	4007	1190	11447	32
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	0	0	0	0	0	0	0	0	0
Magistrate	0	0	1	0	12875	0	0	23	X	12899	0
Diversion or arbitration	0	0	67	0	0	0	0	44	812	923	1
Guilty or no contest plea to original charge (criminal); Default (civil)	1	0	433	3	22	0	0	4894	2232	7585	0
Guilty or no contest plea to reduced charge	X	X	X	X	X	X	X	X	10220	10220	0
Unavailability of party for trial or sentencing	0	0	0	0	48	0	0	0	857	905	0
Transfer to another judge or court	98	26	640	420	1363	19	1	1247	606	4420	5
Referral to private judge	0	0	0	0	0	0	0	0	X	0	0
Bankruptcy stay or interlocutory appeal	10	1	66	4	96	2	1	438	9	627	0
Other terminations	44	8	466	162	90	133	0	2240	24	3167	37
TOTAL (Add lines 5-18)	493	62	4941	2069	15727	232	3	12994	16486	53007	137
Pending end of period (Subtract line 19 from line 4)	359	36	2979	1181	8832	123	6	4315	4219	22050	16
	24	24	24	12	12	9	36	24	6	X	X
Cases pending beyond time guideline	18	0	61	44	1422	36	1	134	572	2288	0
Number of months oldest case is beyond time guideline	89	0	76	20	81	81	5	172	161	X	0
Cases submitted awaiting sentencing or judgement beyond time guideline	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
- 2 Administrative Assistants
- 2 Administrative Aides

The Judges and staff of the Common Pleas Court are dedicated to providing fair, accessible and efficient justice for all persons. To assist the County in these difficult budgetary times, the Court furloughed staff in 2010. This was in addition to a reduction by 2.9 million dollars in 2009 and another 1.1 million dollar reduction in the Court's budget in 2008. Through the efforts of the dedicated Judges and staff, the Court finished the year with a surplus while continuing to provide needed services to litigants and the citizens of Cuyahoga County. The Court continued to add and maintain programs in 2010 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 2010 a total of 35,002 civil cases were filed/reactivated. A total of 14,377 new criminal arraignments (and 1,828 reactivations) were brought for a total of 51,207 new cases/reactivations. The Court finished calendar year 2009 with 23,850 cases pending. Calendar year 2010 concluded with 22,050 cases pending. The Court saw the increase in its clearance rate exceed 100%. Productivity and efficiency are only two means for measuring performance of the Court. More importantly the institution must strive for justice in the resolution of each case that affects the rights and obligations of each individual or entity.

Of the civil docket 12,825 (new filings) cases were foreclosures, a decrease of nearly 10% from 2009. In all, foreclosure cases comprised 42.5% of all new civil case filings. Through the dedicated efforts of the Foreclosure Department Staff, the Court was able to keep pace with increased demands of the mortgage crisis locally. The Court again realized a substantial increase in debt collection cases in 2010.

THE TRIAL COURT

The Court's 34 Judges conducted jury trials in 465 instances, including 322 criminal cases and 143 civil jury trials, on average 14 per Judge. The Judges conducted 286 bench trials in 2010. Both Jury trials and Bench were down from 2009.

CIVIL E-NOTICES

In 2009, the Court and the Clerk of Courts began replacing postcard notices of court proceedings and Orders to attorneys and litigants with electronic e-mail notices at little cost to the taxpayers. The new electronic notices provide additional information and are received by attorneys and the litigants quicker than mailed postcard notices. Also, attorneys can receive information from their PDA's anywhere in the world. The General Fund realized a substantial cost savings in 2010 as a result of the electronic e-notices.

CRIMINAL E-NOTICES

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

FUGITIVE SAFE SURRENDER

In 2005, Cuyahoga County, in cooperation with the U.S. Marshall's Office, offered the first Fugitive Safe Surrender program to people, with warrants for their arrest, the opportunity to surrender safely at a church and to expedite the resolution of their cases. The program was recognized by the Department of Justice as one of the best programs in the country. The Program was found to reduce the risks to law enforcement who have to apprehend individuals with outstanding arrest warrants and allowed offenders the opportunity to have their cases quickly adjudicated with the knowledge that the Justice System would take into consideration that they surrendered. Due to the success of the Program, it was repeated in a number of other jurisdictions throughout the Country.

In 2010, Cuyahoga County, in cooperation with the U.S. Marshall's Office, once again offered the Fugitive Safe Surrender program. Meetings were held with all Justice System partners throughout the year and a tremendous amount of resources were committed to the planning and implementation of the program. With the assistance of many dedicated Common Pleas Court Judges, various municipal court judges, County and non-profit agencies, and staff, the success of the program was overwhelming, as over 7,000 people with misdemeanor or felony warrants surrendered at a local area church. This amount surpassed any other jurisdiction that had previously offered a Safe Surrender Program in their community.

SUBSTANTIAL INCREASE IN CAPITAL CASE FILINGS

The Court realized a decrease in the number Capital Case filings in 2010 to 45 (includes five re-indicted cases) after experiencing a substantial increase in 2009 to 58 (includes five re-indicted cases). The Court began experiencing a rise in Capital Case filings in 2007 when they reached 27 and 35 in 2008. Capital cases are the most serious matters handled by the Court due to the possible imposition of the death penalty upon conviction. These matters require a significant amount of time and resources. As a result, the increase in filings over the past few years may substantially impact the Court's budget in 2011 and may require the Court to reallocate internal resources to insure that the cases receive the attention needed to adjudicate them in a fair and impartial manner.

SPECIALIZED DOCKETS/PROGRAMS

The Court created the Foreclosure Mediation program in 2009. The program became a model for other courts in the State. In 2010, the Court continued to allocate resources to the Foreclosure Mediation Program to respond to the large number of Foreclosure filings in Cuyahoga County and to accommodate the needs of the citizens in Cuyahoga County who wish to make every effort to stay in their homes. The Court's Foreclosure Committee, chaired by Judge Eileen T. Gallagher, continues to meet and discuss ways to expand mediation services to the public. In 2010, the Court received approval from the Ohio Supreme Court to implement a pilot project that could expand the number of cases referred to Foreclosure Mediation.

Implementation of Drug Court continued under Judge David Matia. The number of persons entering Drug Court increased dramatically in 2010 and several graduation ceremonies for successful candidates in Drug Court were held.

Re-Entry Court continued to accept new people in 2010 under the leadership of Judge Nancy Margaret Russo and new processes were implemented. Re-Entry Court is recognized as an exceptional program because of its success rate of 85%; this success rate is based on the percentage of clients who have not been returned to prison after one year of Re-Entry Court completion.

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 received a continuation grant from the State of Ohio for 2010.

Commercial Dockets were created in 2008. In 2009, processes were implemented to allow the dockets to adjudicate commercial cases in a fair and efficient manner. In 2010, under the leadership of Judge Richard J. McMonagle and Judge John O'Donnell, the dockets continued to substantially expand.

JUROR UTILIZATION

The Judges and staff appreciate the sacrifices and dedication of all citizens who serve as jurors in the Common Pleas Court. The Court continues to review processes and to look for ways to make jury service more convenient. In 2008, at little cost to the taxpayers, the Court installed free wireless access for all jurors to use. The Court increased bandwidth in 2010 so that more jurors can now conduct business and/or view e-mails via the Internet while they wait to be called to one of our courtrooms. The Court also attempts to continually review the needs of the Justice System and allow jurors to be dismissed before serving the one week of required service.

NANCY R . McDONNELL COMMUNITY-BASED CORRECTIONAL FACILITY

Plans for the construction of a \$10.5 million, 200 bed Community-Based Correctional Facility (CBCF) for Cuyahoga County began in 2009. The project is supervised by a Facility Governing Board consisting of representatives appointed by the Court and County Commissioners. The CBCF provides a sentencing alternative to State prison. These programs provide stable housing, work release, substance abuse and mental health treatment for participants. Average length of stay is 90 days.

In 2010, construction of the Nancy R. McDonnell CBCF was completed within budget. The Court appreciates the continued cooperation and assistance from the Mayor and Cleveland City Council for this project. It is expected that the facility will open in early 2011.

JUSTICE MANAGEMENT REFORM

The Court's sweeping reform project proceeded through its fourth full year in 2010. Working in conjunction with the Cuyahoga County Clerk of Courts, Prosecutors Office, Sheriff's Department, Suburban and Cleveland Police Departments, the project continues to address time intervals between date of arrest to initial appearance, to arraignment.

IMPLEMENTATION OF EVIDENCE-BASED PRACTICES (EBP)

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

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

CUYAHOGA COUNTY ASBESTOS DOCKET

JUDGE HARRY A. HANNA

JUDGE LEO M. SPELLACY

NOREEN A. STEIGER and MARGARET G. WALLISON

Bailiffs

CASE MANAGEMENT

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

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

In 2010 the Asbestos Docket disposed of 330 cases and adjudicated 7,507 partial dismissals. At the end of 2010 there were 7,087 pending cases.

CUYAHOGA COUNTY COMMERCIAL DOCKET

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

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

When Judges McMonagle and O'Donnell were asked by The Supreme Court to preside over these cases, they were told that the number of cases that they could expect to be filed on each of their dockets would total no more than 23. At the conclusion of 2009, each judge had been assigned over 280 cases, for 2010 each Judge has been assigned over 300 cases. Judges McMonagle and Judge O'Donnell try to have the litigants in Court within days of the filing of the claim. The average turnover time for a Commercial Docket case is approximately 85 days. The judges estimate that 20% of the cases are settled prior to the defense's answer date.

Many cases involve Temporary Restraining Orders and non-compete claims, which necessitate early attention.

The cases are voluminous, time consuming, and quite demanding on these two judges because they still have criminal and civil dockets to deal with. Obviously, the docket is very popular.

FISCAL

JAMES W. GINLEY

Deputy Court Administrator / Director of Financial Operations

The 2010 actual General Fund Expenses at **\$42,216,641**, represent funding for the **Judicial Administration, Magistrates, Court Services, Probation/Psychiatric Clinic, and Legal Research Budgets**. The General Fund for Cuyahoga County supports the majority of the Court's operations. The Court is constitutionally entitled to reasonable allocation for its operations. The 2010 expenditures listed by individual budget are as follows:

Judicial Administration Budget \$23,772,269 - This included funding for the following departments: *Judicial, Administration, Bailiffs, Jury Bailiffs, Jury Commission, Judicial Staff Attorneys, and Judges' Secretaries.*

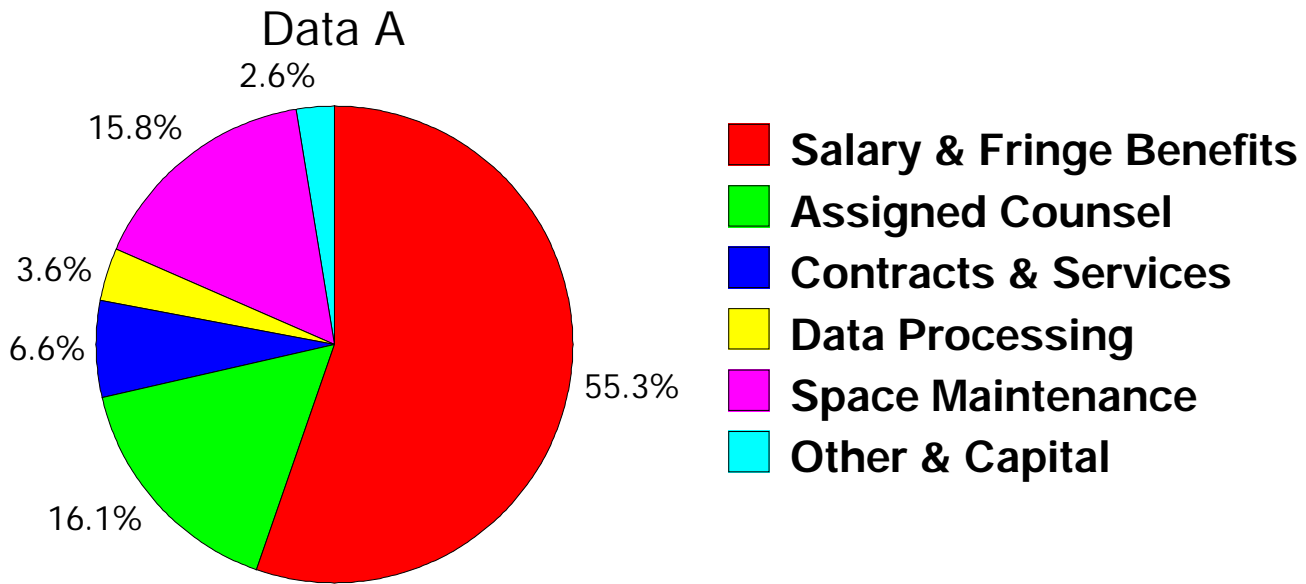
Magistrates Budget \$1,194,389 - This included funding for the following departments: *Alternative Dispute Resolution (ADR) / Mediation, and Foreclosure.*

Court Services Budget \$7,644,973 - This includes funding for the following departments: *Central Scheduling, Court Systems, Data Entry, Court Reporters, Criminal Records, and Information Systems.*

Probation/Psychiatric Budget \$9,561,691 - This includes funding for the following departments: *Probation, and the Court Psychiatric Clinic.*

The **Legal Research Budget's expenses at \$43,319** complete the cost of the General Fund operational requirements for 2010.

COMMON PLEAS COURT 2010 - GENERAL FUND EXPENDITURES



Salary & Fringe Benefits	23,348,501
Assigned Counsel	6,803,145
Contracts & Services	2,776,382
Data Processing	1,502,675
Space Maintenance	6,689,756
Other & Capital	1,096,182
 TOTAL	 <u>\$42,216,641</u>

The Pie Chart above summarizes the Court's General Fund Expenditures for 2010. This analysis is comprised of actual expenses from the Judicial Administration, Magistrates, Court Services, Probation / Psychiatric Clinic, and Legal Research Budgets.

Salary and Fringe Benefits is the largest expense category representing compensation to approximately 486 Full-Time-Equivalents that includes 34 elected judges. The second largest category, Assigned Counsel, includes costs for Court appointed legal representation for indigent defendants in criminal cases. In 2010 the total number of arraigned indigent defendants was 11,437 of that total, 3,445 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 to the General Fund for these costs, estimated at approximately 34.5% 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 Court Mediator
- 4 Foreclosure Mediators
- 1 Scheduler
- 3 Administrative Assistants

The ADR Department is located on the fourth floor of the Justice Center across from the Cafeteria. The Foreclosure Mediation Program is located on the 10th 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 Andrea Kinast. The program continues to grow and expand. In 2010, the Foreclosure Mediation program added

additional full-time staff members, La Toya Brown, who works at the front desk as an Administrative Assistant, and La'Tia Mays, who is the scheduler for Foreclosure Mediation. We are currently in the process of hiring for the Floating Staff Attorney, who will work in Foreclosure Mediation as well. So far, in 2011 we have had a 10% increase in referrals to the Department.

In 2010 the ADR department divided the offices to provide more room for foreclosure mediation. The former offices of the foreclosure magistrates were converted to offices, hearing rooms and housing-counselor meeting spaces for the foreclosure mediations. The move allowed the civil mediation program to grow while still offering the excellent service it has been known for.

The total number of cases referred to the ADR Department in 2010 was 4,656 of which 1,896 were disposed for a 42% disposition ratio.

ARBITRATION

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

MANDATORY ARBITRATION STATISTICS for 2010		
	2010	Since Inception (May 1970)
Total Cases Referred	239	78,054
Arbitration Referral Vacated	10	3,505
Net Total Arbitration Referrals	229	74,509
Report & Awards Filed	179	52,485
Total Appeal de Novo Filed	68	15,049

FINAL ENTRIES		
	2010	Since Inception (May 1970)
Arbitration Cases settled via Mediation	4	N/A
Arbitration Cases Settled (no fees paid)	77	20,938
Awards Reduced to Judgment	118	N/A
Bankruptcy	0	N/A
Appeals Disposed	3	12,797
TOTAL FINAL ENTRIES	202	

PERCENTAGES 2010 (Based on 229 net referrals)	
Arbitration Cases Resolved via Mediation	1%
Arbitration Cases Settled before Hearing	34%
Arbitration Cases Appealed	30%
Arbitration Awards Appealed	38%
Arbitration Awards Reduced to Judgment	66%
Arbitration Appeals Resolved via Settlement	58
Arbitration Appeals Resolved via Jury Trial	4

MEDIATION

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

Statistics and Analysis for 2010	
Total Cases Referred to Court Mediation	505
Total Cases Mediated	393
Total Cases Settled by Mediation	198
Percentage of Settlements	50%
Total Appeals Mediated	5
Appeals Settled in Mediation	3
Percentage of Mediated Appeals Settled	60%

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.

Statistics & Analysis for 2010	
Total Cases Referred to Mediation	68
Total Completed Mediations	68
Total Settlements	37
Percentage of Settlements	54%

FORECLOSURE MEDIATION

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

Statistics & Analysis for 2010	
Total Cases Referred	3,854
Total Hearings Held	5,519
Pre-mediations hearings held	3,143
Full mediation hearings held	2,376
Cases Settled	1,459
Settlement Ratio	61%

CENTRAL SCHEDULING DEPARTMENT

ROBERT ODON

Supervisor of Central Scheduling

TOTAL STAFF:

1	Supervisor	1	Jail Population Control Liaison
14	Schedulers (Full Time)	2	Receptionists
1	Scheduler (Part Time)	1	Assigned Counsel Voucher Coordinator
6	Visiting Judge Bailiffs		

The Central Scheduling Office is located on the 11th 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 26 employees.

CENTRAL SCHEDULING DEPARTMENT

In 2010, the Central Scheduling Department continued to experience the same budget cuts affecting all departments associated with the Court of Common Pleas. Reduction in staff due to retirements and other reasons was more prevalent than in previous years.

This year saw the retirement of Richard Sunyak, Director of Operations, after more than 35 years of service with the Court. He will be greatly missed. His position was not filled and his duties were assigned to the Central Scheduling Supervisor. Also retiring this year was Scheduler Christine Krist after 30 years with the Court.

SCHEDULERS

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

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

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

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

RECEPTIONISTS

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

ASSIGNED COUNSEL VOUCHERS

One coordinator is responsible for preparing assigned counsel vouchers or fee bills. These vouchers are forwarded to the Auditor's Office for payment to the attorneys who were assigned by the Court to represent indigent defendants. In 2010, 11,754 vouchers were prepared, examined for errors and submitted for distribution of funds. While this figure represents a slight decrease from 2009, it is due to the fact that all cases handled by an assigned attorney for a particular client are now submitted on a single form rather than using separate forms for each client's case as was previously done. So, while the number of vouchers has decreased, the actual number of cases assigned has actually increased.

JAIL POPULATION CONTROL

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

Though her efforts continue, the inmate population of the Cuyahoga County Jail has seen a significant increase and costs to the county have increased proportionately. At the beginning of 2010, the estimated jail population was 1980 inmates. The end of 2010 found the number increased to approximately 2091. This is due, in large part, to the fact that the Sheriff's Department is making more arrests on active warrants than ever before.

EARLY DISPOSITION/PLEA PROGRAM

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

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



VISITING JUDGE PROGRAM

The Visiting Judge Program is managed by the Supervisor of Central Scheduling and consists of 14 retired Cuyahoga County Common Pleas Judges and several retired out-of-county judges called in for special cases. Robert Odon, 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 2010, in addition to the specialized Asbestosis/Workers' Compensation and Asbestos/Beryllium dockets, the Visiting Judge Program disposed of 147 civil cases and 1 criminal case. Of those, 49 cases were disposed of by settlement, which results in a 33% settlement rate for this year. Collectively, the judges were in trial a total of 310 days.

JUDGE	CASES DISPOSED	CASES SETTLED
Corrigan, Michael	4	0
Coyne, William	19	14
Curran, Thomas	22	6
Griffin, Burt	21	4
Inderlied, Herman	4	3
Kelly, R. Patrick	8	2
Markus, Richard	1	0
Milligan, John	1	1
Pokorny, Thomas	24	5
Porter, James	21	1
Rocker, Linda	3	1
Schneiderman, Ted	1	1
Sherck, James	1	1
Sweeney, James D.	18	2

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. We were saddened by the loss of the Honorable Richard M. Markus and James D. Sweeney as visiting judges, both having reached the mandatory retirement age of 80. They will be sorely missed.

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

The specialized Asbestos/Beryllium dockets, presided over by Visiting Judges Harry A. Hanna and Leo M. Spellacy, currently handle a caseload of almost 7,000 cases. With two judges overseeing these dockets, for efficiency purposes, the Court has implemented a three-tiered approach to scheduling trials. During the pretrial period, groups are assigned to a specific courtroom only for supervision purposes. In these cases, if a motion is filed or if a problem arises, the parties are first directed to that courtroom in order to schedule a hearing. If the assigned judge is unavailable, the judge on the docket is consulted and the cases are then tried on the scheduled trial date by either of the two judges available.

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

COURT REPORTERS

BRUCE J. BISHILANY

Chief Official Court Reporter

ROBERT P. LLOYD

Assistant Chief Court Reporter

NANCY A. NUNES

Assistant Chief Court Reporter

TOTAL STAFF:

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

In 2010, over 35,000 job cards were filed representing court reporter attendance at trials, pleas, sentencings, motions, hearings and other related matters in both civil and criminal cases. In addition, the Court Reporters Department reported over 14,200 arraignments and diversions, and a similar number of cases in the Grand Jury.

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

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

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

CRIMINAL RECORDS

ROBERT J. KOZUB

Bond Commissioner

JACALYN A. COSTELLO

Deputy Bond Commissioner

TOTAL STAFF:

- 1 Bond Commissioner
 - 1 Deputy Bond Commissioner
 - 1 Office Manager
 - 5 Bond Investigators
 - 1 Post-Arrestment Clerk
 - 2 Grand Jury Bailiffs
 - 1 EDC Coordinator

 - 1 Arrestment Room Clerk
 - 3 Pre-Arrestment Clerks
 - 1 Clerical
- (8 of the above employees are also C.R.I.S. Operators)

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

GRAND JURY

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

BOND INVESTIGATION

The bond investigators monitor the Sheriff Department's daily booking list for incoming inmates who have not yet been indicted and/or arraigned and need to have their bond continued, set or lowered. The investigators interview the defendants, verify accuracy of information obtained from the interview, run an extensive criminal background check and review the felony charges filed against the defendant to determine the amount to recommend for a reasonable bond. Bond investigators will also provide information to the courtrooms where there has been a motion for bond reduction. The department's bond investigators conducted 5,523 bail investigations during 2010.

ARRAIGNMENTS

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

At the conclusion of the arraignments, the staff updates the case files, notifies the attorneys appointed to represent indigent defendants and forwards the files to the trial judge assigned. During 2009 there were 19,294 scheduled arraignments. The staff maintains detailed statistics on the defendants who are scheduled for and appear at arraignment, *capiases* issued and assignments to private counsel and the Public Defender.

EARLY CASE MANAGEMENT

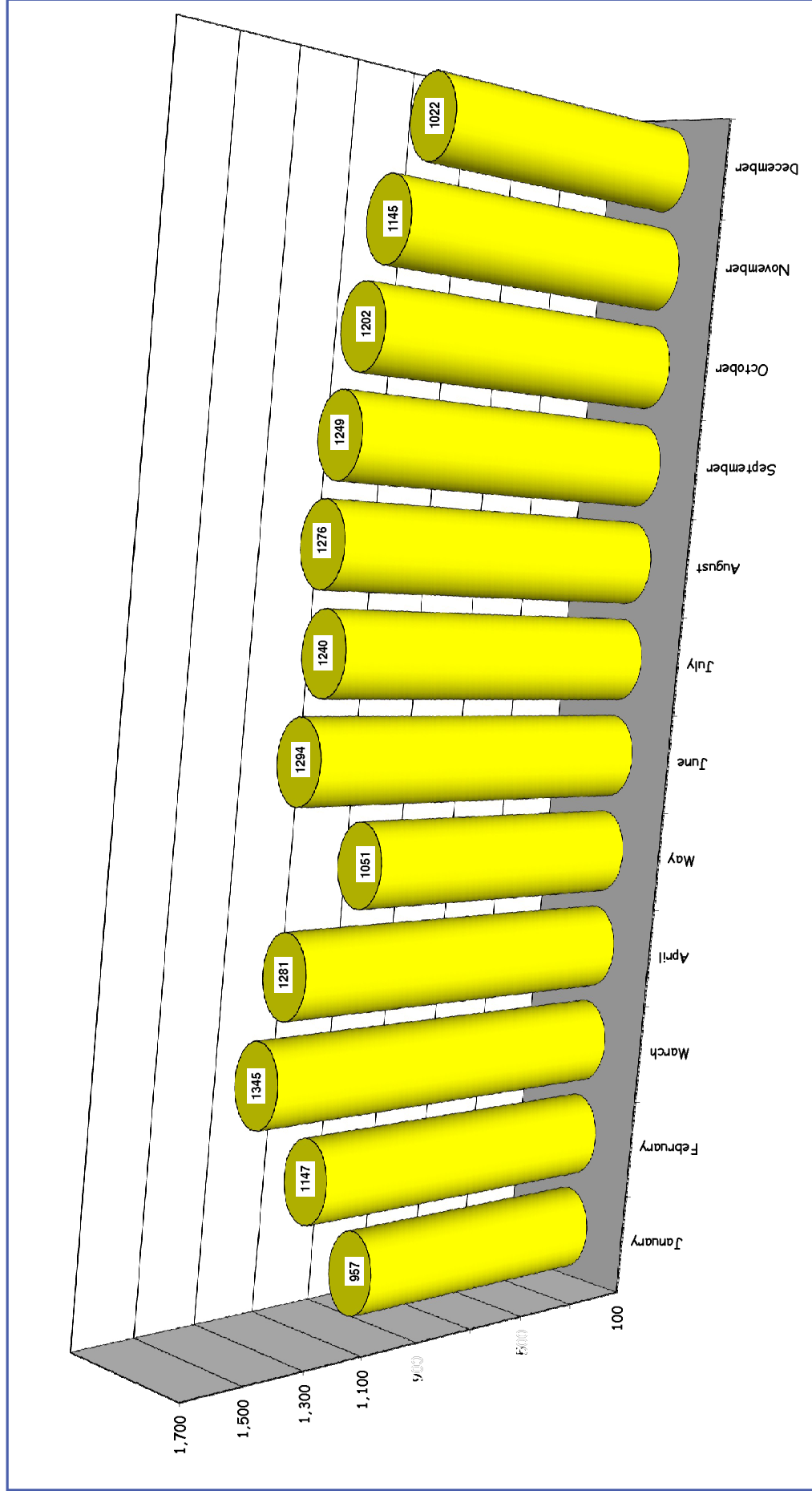
As part of the Justice Management Reform Project, individuals arrested in the suburbs on felony charges are transported directly to the County Jail and are scheduled for an initial appearance in the arraignment room to reduce jail time and provide for early assignment of defense counsel. Suburban and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

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

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

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

Common Pleas Court Monthly Felony Arraignments 2010



ARRAIGNMENT STATS YTD 2010

ARRAIGNMENT DATA

MONTH	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD TOTAL
VIDEO	0		0	1		0		0		0		0	1
Female Jails	52	61		35	38	61		30		63	47	51	728
Male Jails	436	392		530	414		577	630	619	510		463	6039
Scheduled Jails	488	453		546		572		303	708	575		516	6767
Scheduled Balls	706		1100	1003	802	1052		583		813	943	821	11054
Total Scheduled	1437		1437	1523	1254	1630	1575	1601	1249	1202	1459	1334	17821
Jails Arraigned	436	711		302	599	575	632	678	711	573		523	6687
Balls Arraigned	482	711		302	599	605	605	628	629	592		552	7522
Total Arraigned	957	1147	1345	1281	1051	1294	1240	1276	1249	1202	1145	1022	14209
Jails Cont.	14	7		2		0		5		3	4	0	45
Balls Cont.	32	34	40	41	33		30	47	35		32	42	467
Total Cont.	46	41	45	45	33		35	47	35	35	42	42	512
Diversion	25	15		24		19	24	15	12	12		16	214
Nolle		2		0		0		0		0	1	0	5

Capias as % of Scheduled Balls
26.1%

	CAPIAS SUBURBS/OTHER												As % of total capias	
Straight Capias	44	88	93	110	34	60	60		26		62	72	875	30.4%
OCR	18	27	31	23	21	30	15		26	25		30	304	10.6%
BFC 10%	0	1	2	0	0	1	1	0	1	4	6	4	20	0.7%
BFC C/S/P	9	10	11	7	14	11	26		13	14	17	13	158	5.5%
BFC PB	0	1	0	1		2	4		2		0	0	10	0.3%
Rewrite PB	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Rewrite C/S/P	0	0	1	2		0		0	0	0		0	3	0.1%
Rewrite 10%	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Returns Inst.	9		8		12	14		23	18	8	13	8	147	5.1%
TOTAL OTHER	80	135	146	155	81	137	129	109	103	134	136	127	1517	52.7%

	CAPIAS CLEVELAND												As % of total capias	
Straight Capias	51	75	82	61	40	72	69		71	73	60	83	800	27.8%
OCR	16	16	38	17	11	36	29		21	21	37	26	282	9.8%
BFC 10%	8	8	10	5	2	8	0	2	1	1	6	1	51	1.8%
BFC C/S/P	15	17	19	12	20	30	20	22	18	15	22	14	224	7.8%
BFC PB	0	1	0	1		1	1		0	1	0	0	7	0.2%
Rewrite PB	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Rewrite C/S/P	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Rewrite 10%	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
TOTAL CLEVELAND	84	117	151	95	74	147	117	109	111	134	136	124	1364	47.3%

	CAPIAS TOTAL												Total Cap	
CAPIAS TOTAL	164	252	297	250	155	284	246	258	219	244	261	251	2881	100.0%
TOTAL SCHEDULED	1194	1437	1709	1523	1254	1630	1575	1601	1517	1533	1459	1334	17821	

FORECLOSURE MAGISTRATES

STEPHEN M. BUCHA III

Chief Magistrate

KEVIN C. AUGUSTYN

Assistant Chief Magistrate

TOTAL STAFF:

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

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

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

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

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

other states have followed this court's lead and have adopted similar requirements in response to the robo-signer phenomenon. The lenders have responded to the robo-signer crisis as well, delaying the prosecution of foreclosure cases while reviewing their affidavit procedures.

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

In order to place the foreclosure crisis in its proper context, below is a twenty-one year summary of the Magistrates' Departments' statistics.

**Cuyahoga County Court of Common Pleas, General Division
Magistrates' Department Statistics Summary 1990-2010**

Year	Referrals ¹	% Change From Previous Year	Reinstates ²	% Change From Previous Year	Referrals & Reinstates Combined	Supplementals ³	% Change From Previous Year
1990	4,796	n/a	45	n/a	4,841	1,564	n/a
1991	4,247	-11.4%	66	46.7%	4,133	1,320	-15.6%
1992	3,895	-8.2%	60	-9.1%	3,955	1,430	8.3%
1993	3,564	-8.4%	39	-35.0%	3,603	1,821	27.3%
1994	3,366	-5.6%	77	97.4%	3,443	2,569	41.1%
1995	2,582	-23.3%	230	198.7%	2,812	4,611	79.4%
1996	4,065	57.4%	245	6.5%	4,310	4,364	-5.3%
1997	3,867	-4.9%	411	67.8%	4,278	5,121	17.3%
1998	5,133	32.7%	538	30.9%	5,671	6,431	25.6%
1999	5,446	6.1%	628	16.7%	6,074	7,097	10.4%
2000	5,915	8.6%	835	32.9%	6,750	10,083	42.1%
2001	7,161	21.1%	928	11.1%	8089	17,438	72.9%
2002	9,609	34.2%	1,101	18.6%	10,710	19,753	13.3%
2003	8,724	-9.2%	1,421	29.1%	10,145	26,591	34.60%
2004	9,739	11.6%	1,470	3.4%	11,209	29,539	11.1%
2005	11,075	13.7%	1,634	11.2%	12,709	33,100	12.1%
2006	13,276	19.9%	1,584	-3.1%	14,872	67,972	105.4%
2007	13,968	5.2%	1,356	-14.4%	15,324	77,592	14.2%
2008	13,742	-1.6%	1,241	-8.5%	14,983	64,506	-16.8%
2009	13,417	-2.3%	936	-24.6%	14,353	57,016	-11.6%
2010	12,050	-10.2%	849	-9.3%	12,899	66,644	16.8%

⁽¹⁾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.

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

⁽³⁾In the years 1990 through 1992, this column represents all proposed rulings by the Magistrates' Department on motions to distribute funds generated by sheriff's sales. After 1992, this column represents all proposed rulings by the Magistrates' Department on miscellaneous motions and all magistrates' orders.

Year	Decreets ⁴	% Change from previous year	Dispositions ⁵	% Change from previous year	Net Case Gain/ Loss ⁶
1990	2,854	n/a	4,512	n/a	329
1991	3,678	28.9%	4,535	0.5%	-402
1992	3,060	-16.8%	3,933	-13.3%	22
1993	2,875	-6.0%	3,656	-7.0%	-53
1994	2,463	-14.3%	4,271	16.8%	-828
1995	2,199	-10.7%	3,974	-7.0%	-1,162
1996	2,174	-1.1%	3,960	-0.3%	350
1997	2,608	20.0%	4,597	16.0%	-319
1998	3,043	16.7%	5,583	21.4%	88
1999	2,823	-7.2%	5,795	3.7%	279
2000	3,073	8.8%	6,265	8.1%	485
2001	3,048	-0.8%	6,843	9.2%	1,246
2002	3,261	7.0%	7,315	6.5%	3,395
2003	3,510	7.6%	8,544	16.8%	1,601
2004	4,988	42.1%	10,394	21.6%	815
2005	5,515	10.6%	11,852	14.0%	857
2006	10,412	88.8%	16,351	38.0%	-1,479
2007	11,378	9.3%	18,041	10.3%	-2,717
2008	9,698	-14.8%	15,950	-11.6%	-2,208
2009	6,908	-28.8%	13,210	-17.2%	1,143
2010	7,781	12.6%	14,219	7.6%	-1,320

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

⁽⁵⁾ 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.

⁽⁶⁾ This column is the difference between Referrals and Reinstates Combined and Dispositions.

INFORMATION SYSTEMS/COURT SYSTEMS

THOMAS P. ARNAUT

Director

TOTAL STAFF:

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

INFORMATION SYSTEMS

Located on the 11th floor of the Justice Center, the Information Systems Department is responsible for designing, implementing and maintaining all of the systems and applications that are used throughout the Court. There are approximately 500 workstations, 9 network servers, 3 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 2003 and Windows XP, file and print services running on Novell OES. The Information Systems Department also supports the interaction of the Court with other County and Municipal agencies where information sharing is required.

In 2010, the Information Systems Department continued developing and implementing new features in the various systems used by the Court. The Information Systems Department will continue to analyze and evaluate opportunities to increase efficiencies through the use of technology. The Court's Information Systems Department continued to support the Justice System Reform Initiative through various projects such as case management system modifications and providing statistical reports for gauging the progress of the initiatives.

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

COURT SYSTEMS

The primary function of the Court Systems Department is to create criminal journal entries and prepare them for signature by the Judges. A form is provided to the Court System Department by the Judges, which contains the information to be included in the journal entry. Using this form the Court Systems Department will create a completed journal entry. The entry will be proof read for accuracy, then delivered to the Judges for their signature. The Court Systems Department prepared more than 25,000 entries in 2010.

JUDICIAL SECRETARIES

JANET CHARNEY

Chief Judicial Secretary

TOTAL STAFF:

- 1 Chief Judicial Secretary
- 6 Secretaries

The Secretarial Department of the Court serves the thirty-four sitting judges as well as the visiting judges, judicial staff attorneys and other Court personnel. Their responsibilities include the following: taking and transcribing dictation, transcribing from dictaphone, 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.

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

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

JUDICIAL STAFF ATTORNEYS

LAURA W. CREED

Chief Judicial Staff Attorney

MOLLY DeFRANCO

Assistant Chief Judicial Staff Attorney

TOTAL STAFF:

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

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

With an upswing in case filings involving consumer debt and petitions for civil stalking protection orders, interaction by court staff with the public, particularly individuals who are without counsel, is on the rise. Learning the boundaries of what information may legally be provided, and also recognizing the unique concerns of uncounseled litigants are key to performing ably as a Common Pleas Court employee.

The camaraderie among the judicial staff attorneys facilitates the exchange of information regarding recent trends in Ohio law. In this forum, staff attorneys benefit one another by circulating important recent judicial opinions and advice on legal issues. The department kept their research skills sharp by attending training on electronic research.

The department continued its commitment to our community by serving as teachers in the Cleveland Metropolitan School District's award-winning 3 Rs program. By applying their energy, talent and desire for public service, the staff attorneys worked tirelessly in service of the Court and community, both in and out of the Justice Center.

JURY BAILIFF/JURY COMMISSION

EILEEN GALLAGHER

Jury Bailiff Director

TOTAL STAFF:

- 1 Jury Bailiff Director/Assistant Jury Commissioner
- 2 Jury Bailiffs
- 2 Assistant Jury Commissioners
- 2 Jury Commissioners

JURY BAILIFFS

JUROR UTILIZATION - CRIMINAL 2010

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Panels	54	60	84	61	52	58	43	47	36	36	43	23	597
Trials	36	33	37	34	29	25	15	27	16	20	26	12	310

JUROR UTILIZATION - CIVIL 2010

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Panels	12	20	14	19	8	20	17	16	15	20	17	11	189
Trials	10	18	13	17	7	16	14	13	13	13	12	9	155

CAPITAL CASE JURY TRIAL	12
NUMBER OF JURORS	14,912
NUMBER OF JUROR DAYS OVER 5	51,086
TOTAL NUMBER OF JUROR DAYS	57,166

Our goal remains the same and that is to reduce the cost of jurors and gain more effective utilization of jurors. In comparison to 2009 there was a slight decrease in the number of jurors that were called in. The number of jurors who spent more than the five day minimum decreased. Our goal this year is to try and utilize the Monday / Wednesday jurors in a way that if possible we can get them out at their five day term or less, so we can stay within our budget.

JURY COMMISSION

JURY COMMISSION ANNUAL REPORT 2010

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Drawn	2,810	3,450	5,200	3,800	3,560	3,125	2,650	3,475	3,900	2,775	2,441	1,752	38,938
Report	1,080	1,138	1,694	1,385	1,512	1,501	1,051	1,354	1,161	1,130	1,087	819	14,912

PETIT JURORS DRAWN	38,938
GRAND JURORS DRAWN	2,100
SPECIAL JURORS DRAWN	0
TOTAL	41,038

COURT PSYCHIATRIC CLINIC

PHILLIP J. RESNICK, M.D.

Director

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

Associate Director

TOTAL STAFF:

1	Director (12 hours/week)	11	Part time (4 hours/week) Psychiatrists
1	Associate Director	1	Part time (4 hours/week) Psychologist
1	Chief of Psychology	1	Part time (24 hours/week) Psychologist
1	Chief of Social Work	1	Part time (4 hours/week) Neuropsychologist
2	Full Social Workers	1	Office Manager
1	Full Time Psychologist	5	Secretaries

COURT CLINIC REFERRALS IN 2010

During the calendar year 2010 the Court Psychiatric Clinic received a total of Two Thousand Six Hundred and Seventy-One (2,671) referrals. This number represents a nine and two/tenths (9.2) percent increase in referrals over 2009 (2,446). There appears to be no single explanation for the observed increase. One possible contributing factor is a reported increase in the actual number of prosecutions within the County.

PROFESSIONAL STAFF COMPOSITION

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

There were several personnel changes in the professional staff during 2010. Timothy Kohl, Ph.D., a half-time psychologist retired. Bethany Young-Lundquist, Ph.D. was hired to fill his position and the position increased to twenty-four (24) hours per week.

SECRETARIAL STAFF

Ms. Kathleen Barrett is the Court Psychiatric Clinic Office Manager. She has completed her sixth full year in the position. She complements the full time secretarial and support staff composed of Sherry Halasy, Cheryl Russell, Pamela Krickler, and Ronald Borchert. Secretary Maureen Broestl was selected to fill a vacant Judicial Secretary position and was replaced by Linda Eaton. The secretarial staff worked hard all year to complete forensic reports in a timely

manner. Their continued diligent work has allowed the Court Psychiatric Clinic to keep pace with its increased referrals. The efficient work of the secretarial staff also continues to allow time for scanning of completed files and the electronic entry of Ohio Department of Mental Health mandated statistical reporting forms.

CONTINUATION OF HOUSE BILL 285 "Second Opinion" FUNDING

For the fourteenth year, the Ohio Department of Mental Health (ODMH) funded the Court Psychiatric Clinic to perform House Bill 285 "Second Opinion" evaluations. Professional staff travel to Northcoast Behavioral Healthcare - Northfield Campus to examine forensic patients who have a Not Guilty By Reason of Insanity or Incompetent to Stand Trial -Unrestorable status and have been recommended by their Treatment Team for "Movement to Nonsecured Status." The Ohio Department of Mental Health funds the Court Psychiatric Clinic in the amount of Twenty-Two Thousand Dollars (\$22,000) to perform these evaluations. The funds are administered through the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (ADAMHS). In 2010, the Court Psychiatric Clinic staff completed Twenty-Four (24) Senate Bill 285 evaluations, an increase of Fourteen and three/tenths (14.3) over the number completed in 2009.

COMPETENCY AND SANITY REFERRALS

The Court Psychiatric Clinic experienced an increase in referrals for both Competency to Stand Trial and Sanity at the Time of the Act evaluations. Competency evaluations for the year increased from Seven Hundred Twenty-Five (725) in 2009 to Seven Hundred and Eighty-Eight (788) in 2010. This change represents an eight and seven/tenth (8.7) percent increase in competency referrals for the year. Sanity evaluations increased approximately six and

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

The Court Psychiatric Clinic received Six Hundred Thirteen (613) referrals for Mitigation of Penalty Reports. This represents a Seven (7.0) percent increase over the Five Hundred and Seventy-Three (573) referrals received in 2009.

The Clinic received Three Hundred and Twenty-Five (325) referrals for Drug Dependency/ Intervention in Lieu of Conviction Reports. This represents a (10.9) percent increase in such referrals over the Two Hundred and Ninety-Three (293) referrals received in 2009. The Social Work staff complete the majority of the Drug Dependency reports.

COURT CLINIC TRAINING FUNCTIONS

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

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

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 six lunchtime seminars open to Clinic staff, Judges, Probation Officers and Mental Health Professionals from the community. Craig Beech, M.D. presented his research on "Forensic Assertive Community Treatment: Improving Criminal Justice and Mental Health Outcomes." Galit Askenazi, Ph.D. presented on "Use of the MMPI-2: Separating Honest Abuses from Pinocchios. Dr. Phil Saragoza presented on "Fringe Constituency: Those Who Stalk, Threaten and Attack Politicians." Praveen Kambam, M.D. presented on "Cybercrime and Psychiatry." Dr. Susan Hatters-Friedman presented on "Forensic Mental Health: Lessons from a New Zealand Sabbatical and "Salem Witchcraft and Forensic Psychiatry."

Mr. Michael Caso, Chief Social Worker, was the invited speaker at the Annual Ohio Chief Probation Officers Association convention in Columbus. He spoke on "Threat of Self Harm: Response and Intervention."

The Social Work staff conducted an internal training seminar entitled, "The Assessment of Mood Disorders."

PARTICIPATION IN THE MENTAL HEALTH COURT

Dr. Schmedlen continues to be active in the Mental Health Court. He works closely with personnel from the Court Supervised Release unit of the Cuyahoga County Probation Department to recommend the transfer of qualified defendants to the Mental Health Docket at the pre-arraignment stage. In addition, he reviewed prior psychiatric care documentation to determine whether post-arraignment defendants were eligible for transfer to the Mental Health Court docket. The professional staff of the Court Clinic continues to routinely perform a number of assessments to determine individual defendant's eligibility for transfer to the Mental Health Court docket.

PARTICIPATION IN THE ASSOCIATION OF OHIO FORENSIC PSYCHIATRIC CENTER DIRECTORS

Dr. Schmedlen was active during 2010 in the Association of Ohio Forensic Psychiatric Center Directors (Association). Dr. Schmedlen regularly attended the Association's monthly meetings in Columbus. He was elected Secretary of the Association and appointed as a member of the Education Committee. He helped plan and implement a successful two-day continuing education workshop in Columbus attended by over one hundred and twenty-five Community Forensic Psychiatric Centers' staff from all over the state.

THE COURT PSYCHIATRIC CLINIC REMAINS FOCUSED ON ITS CORE MISSION

During 2010, 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 (01/01/10 – 12/31/10) NUMBER OF REFERRALS

Competency to Stand Trial (O.R.C. § 2945.371(A))	788
Sanity at the Time of the Act (O.R.C. § 2945.371(A))	681
Mitigation of Penalty (O.R.C. § 2947.06(B))	613
Civil Commitment (O.R.C. § 2945.40 & 5122.01)	15
Movement to Nonsecurred Status (Senate Bill 285)	24
Drug Dependency/Intervention in Lieu (O.R.C. § 2945.041)	325
Reports for Probation (O.R.C. § 2951.03)	223
Miscellaneous	2
Total	2,671

COURT PSYCHIATRIC CLINIC COMPARISON NUMBER OF REFERRALS 2009 - 2010

	2009	2010	change +/- %
Competency to Stand Trial (O.R.C. § 2945.371(A))	725	788	+8.7%
Sanity at the Time of the Act (O.R.C. § 2945.371(A))	640	681	+6.4%
Mitigation of Penalty (O.R.C. § 2947.06(B))	573	613	+7.0%
Civil Commitment - (O.R.C. § 2945.40 & § 5122.01)	17	15	-12.0%
Movement to Nonsecurred Status (Senate Bill 285)	21	24	+14.3%
Drug Depen/Intervention in Lieu (O.R.C. § 2945.041)	293	325	+10.9%
Reports for Probation (O.R.C. § 2951.03)	175	223	+8.0%
Miscellaneous	0	2	
Total	2,444	2,671	+9.2%

ADULT PROBATION DEPARTMENT

VINCENT D. HOLLAND

Chief Probation Officer

MOLLY BRENINGHOUSE and ELLEN WOODRUFF

Deputy Chief Probation Officers

DANIEL PETERCA

Manager of Pretrial Services

TOTAL STAFF:

1	Chief Probation Officer	1	Clerical Supervisor
2	Deputy Chief Probation Officers	17	Clerical & Support Staff
1	Manager	1	Executive Secretary
17	Supervisors	6	Administrative Assistants
1	Supervisor of Information Services	1	Laboratory Supervisor
1	Information Specialist	3	Senior Lab Technicians
1	Substance Abuse Case Manager	3	Lab Assistants
1	Training Specialist	3	Cashier Bookkeepers
127	Probation Officers		

SUPERVISION

Persons on probation as of December 31, 2010	8,467
Persons on probation as of December 31, 2009	8,223
Persons placed on probation in 2008	8,103
Number of persons serviced in 2010	16,856

During 2010 there were 8,550 persons added to Cuyahoga County's Probation Department for supervision. In 2010 there were 8,306 persons terminated from community control.

Persons sentenced – Felony only	5,120
Persons sentenced – Misdemeanor only	1,206
Persons sentenced – Both Felony and Misdemeanor	2,141
Total	8,467

INDIVIDUALS REMOVED FROM PROBATION IN 2010:

CATEGORY	NUMBER
Probation Expired	2,702
Early Termination	1,264
Abated by Death	60
Capias Issued	2,648
Probation Violation (Sentenced Jail or Prison)	948
Probation Violation (probation terminated)	401
Other	283
Total	8,306

PERSONS UNDER SUPERVISION AS OF DECEMBER 31, 2010

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
12-31-2010	7,951	93.90%	516	6.10%	8,467
12-31-2009	7,583	92.22%	640	7.78%	8,223
12-31-2008	7,433	91.72%	670	8.28%	8,103
12-31-2007	7,300	91.49%	679	8.51%	7,979
12-31-2006	7,361	92.45%	601	7.55%	7,962
12-31-2005	6,928	91.69%	628	8.31%	7,556
12-31-2004	7,246	91.39%	683	8.61%	7,929
12-31-2003	7,471	89.83%	846	10.17%	8,317
12-31-2002	7,663	89.26%	922	10.74%	8,585
12-31-2001	7,688	89.00%	950	11.00%	8,638
12-31-2000	7,076	88.07%	958	11.93%	8,034
12-31-1999	6,881	84.60%	1,252	15.40%	8,133
12-31-1998	6,920	86.31%	1,098	13.69%	8,018
12-31-1997	7,169	85.18%	1,247	14.82%	8,416
12-31-1996	7,732	89.33%	924	10.67%	8,656
12-31-1995	7,602	88.93%	946	11.07%	8,548
12-31-1994	7,267	88.40%	954	11.60%	8,221

DEMOGRAPHIC PROFILE OF SUPERVISION CASES 2010

Age Group	Percent of Total
Under 18 years	0.01%
18 through 22	11.58%
23 through 27	19.60%
28 through 32	16.19%
33 through 37	12.19%
38 through 42	12.54%
43 through 46	8.21%
47 through 51	9.42%
52 through 56	5.48%
57 and over	4.77%
Unknown	0.01%
Total	100.00%

Sex	Percent
Male	73.51%
Female	26.49%
Total	100.00%

Race	Percent
Asian	.002%
African-American	62.4%
Caucasian	34.3%
Hispanic	3.28%
Other	.018%
Total	100.00%

INVESTIGATION REPORTS

Investigation reports are done by state probation officers and dedicated Cuyahoga County probation investigation officers. The Courts use investigation reports for sentencing purposes. In addition, investigation reports may be used for case-planning, the psychiatric clinic, other probation departments, residential and treatment programs, other mental health and developmental disability agencies linked with a few of our forensic projects, for research purposes, our local C.B.C.F. and by the Ohio Department of Rehabilitation and Correction.

<u>REPORT TYPE</u>	<u>NUMBER</u>
Presentence reports	7,557
Expungement reports	1,762
Total	9,319

DISTRIBUTION OF PRESENTENCE ASSIGNMENTS:

<u>TYPE</u>	<u>NUMBER</u>	<u>PERCENT</u>
State Probation	5,175	68.48%
County Probation	2,382	31.52%
Total	7,557	100.00%

FINANCIAL COLLECTIONS BY THE ADULT PROBATION DEPARTMENT

<u>CATEGORY</u>	<u>AMOUNT COLLECTED</u>
RESTITUTION PAYMENT	\$3,211,062.66
HOME DETENTION FEES	\$80,378.93
PROBATION SUPERVISION FEES	\$285,255.78
COURT COSTS	\$3,135.33
TOTAL	\$3,579,832.70

In 2009 our Department received payments by credit card of \$154,879.14. In 2010 our Department received payments of \$313,427.03 from those who paid by credit cards. This was 202.37% higher than our credit card payment rate for the year 2009.

- In 2010 the Department collected \$3,579,832.70. This is the highest total ever collected by the Department.

RESTITUTION COLLECTED

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

DRUG TESTING

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

LABORATORY STATISTICS

Urine Drug Screens	2005	2006	2007	2008	2009	2010
Total Subjects	35,334	34,501	33,682	29,691	27,170	26,370
Total Specimens*	121,837	122,214	123,338	103,113	94,289	99,877
Specimens Positive: One or more drugs	17,538	17,618	17,207	15,438	14,869	15,393
Percent of specimens positive: One or more drugs	14.1%	14.4%	14.0%	15.0%	15.8%	14.4%

* Total specimens = urine only; does not include oral fluid and hair specimens

Percent Positive by Drug	2005	2006	2007	2008	2009	2010
Cocaine	5.4%	5.8%	5.0%	4.1%	3.7%	4.7%
Marijuana	9.1%	9.5%	10.0%	11.5%	11.9%	10.7%
Opiates	2.4%	2.4%	2.7%	3.2%	3.7%	3.8
Phencyclidine (PCP)	1.1%	0.9%	1.0%	1.0%	0.8%	1.0%
Amphetamines	1.1%	1.2%	1.2%	0.2%	1.4%	1.5%
Alcohol	1.6%	N/A	N/A	N/A	N/A	N/A
6-Acetylmorphine (heroin)	14.1%	11.9%	11.2%	13.8%	0.1%	0.4%

Note: 6-acetylmorphine % positive rate from 2005 through 2010 will be higher than other drugs because it was run only on specimens already testing positive for opiates. In September 2009, in order to follow revised SAMSHA guidelines, 6-acetylmorphine was run on all specimens that were tested for opiates, not just specimens with positive opiates.

Specimens are tested for 2 to 6 drugs and may be positive for more than one drug. In addition, Validity Testing (urine creatinine) is performed on each specimen (99,877). All positive amphetamine specimens continue to be sent for confirmation by GC/MS. This testing continues to identify a large percentage of positive amphetamines due to ecstasy (MDMA) and the other amphetamine variants/designer drugs-MDA, etc)

The total number of specimens tested in 2010 increased by 5.9% and the number of drug tests performances increased when compared to the previous year. The increase in number of drugs tested is primarily due to the addition of 6-acetylmorphine (heroin metabolite) being run when opiates are ordered. Previously they were only run if the opiate was positive.

Testing is funded by Community Corrections Act grant funds from the State of Ohio Department of Rehabilitation and Correction, the Court of Common Pleas, and user fees paid by other agencies using the laboratory. Outside agencies paying for Laboratory Services include the following: Cleveland Municipal Court Probation Department, Euclid Municipal Court Probation Department, Garfield Heights Municipal Court Probation Department, Juvenile Court Probation Department, Early Intervention Program, Treatment Alternatives to Street Crime (TASC), and the Domestic Relations Division of the Court of Common Pleas. In the latter group, clients that are able to, pay directly for all laboratory testing.

**NUMBER OF URINE SPECIMENS AND TESTS PERFORMED
1995 – 2010**

Year	Specimens	Change	Drug Tests	Change
2010	99,877	5.9%	427,943	21.9% **
2009	94,289	(8.6%)	351,168	(10.0%)
2008	103,133	(16.0%)	390,929	(6.9%)
2007	123,338	1.0%	419,792	1.1%
2006	122,214	(<1.0%)	415,137	(3.7%)
2005	121,837	(5.0%)	431,178	(7.0%)
2004	128,304	6.3%	463,424	5.2%
2003	120,686	(0.6%)	440,591	(4.7%)
2002	121,409	7.6%	462,886	10.0%
2001	112,793	15.2%	422,184	24.1%
2000	97,891	7.5%	340,114	9.8%
1999	91,042	1.7%	309,848	18.0%
1998	89,549	15.7%	262,464	28.8%
1997	77,373	4.4%	203,777	11.0%
1996	74,127	10.4%	183,512	21.0%
1995	67,073	13.4%	151,666	-

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

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

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

HAIR TESTING

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

	2004	2005	2006	2007	2008	2009	2010
Specimens	60	60	112	83	117	75	95
Negative	44	43	79	68	98	61	79
Not tested *	0	1	0	0	0	0	0
Positive	16	15	33	15	19	14	16
Cocaine	12	14	27	11	17	11	9
Marijuana	3	2	5	3	2	1	7
Amphetamines:							
MDMA (Ecstasy)	1	1	1	1	0	0	1
Methamphetamine	0	1	0	0	0	0	0
Opiates				3	0		
Morphine	1	1	0	2	0	1	1
Codeine	4	1	0	2	0	0	1
6 AM**	2	1	1	1	0	0	0
6AM & Morphine						1	0

* Not tested: quantity insufficient

** 6-acetylmorphine (heroin metabolite)

ORAL FLUID TESTING

The Laboratory tested oral fluids routinely this past year. They are primarily performed on individuals who are unable to produce urine specimens due to medical conditions (i.e. renal dialysis) and those who continue to submit dilute urine specimens. Approximately 3% of all urine specimens are considered unacceptable due to low concentration (dilute).

The procedure being used is an on-site immunoassay device from Redwood Toxicology Laboratory, Inc. (In 2007 some tests used devices from ABMC) All positive oral fluid specimens were sent to Redwood Toxicology Laboratory for confirmation testing by GC/MS in from 2007 through 2009. Beginning in 2010, testing changes were made after evaluation of the test results in 2009. Although each on-site device tests for 6 analytes: cocaine, opiates, marijuana, phencyclidine (PCP), amphetamine and methamphetamine, amphetamines are no longer tested and positive specimens are not sent for confirmation unless requested.

ORAL FLUID TESTING 2007- 2010

	2007	2007	2008	2009	2010
Method	ABMC	Redwood	Redwood	Redwood	Redwood
Specimens	31	253	219	715	456
Positive Specimens	10	21	71	86	27
% Positive Specimens	33.3%	8.3%	32.4%	12%	5.9%
Tests (6/specimen)	186	1518	1314	4290	1824
Positive Tests	20	26	71	86	39
GC/MS Confirm Pos Tests	NA*	7	44	28	0**
% Confirm Positive Tests	NA*	0.5%	61.9%	32.6%	0**
No Test Results	0	0	0	0	7

**Unable to confirm tests by GC/MS. ** Only two specimens were sent for confirmation. One specimen was positive for opiate and PCP and one specimen was positive for opiate, cocaine and amphetamine. None were confirmed positive.*

REFERENCE LABORATORY TESTING

Positive specimens requiring confirmation or further testing of dilute samples by GC/MS (Gas chromatography/mass spectroscopy) are being sent to Alere Toxicology Services, Inc. (Kroll Laboratory Specialists, Inc.), Richmond, VA. Alere Laboratories are **SAMHSA** (Substance Abuse and Mental Health Services Administration-formerly NIDA) certified laboratories.

	2007	2007	2008	2008	2009	2009	2010
Laboratory	Kroll	Coroner	Kroll	Coroner	Kroll	Coroner	Alere
Specimens Tested	1559	63	825	808	845	348	1679
Total Tests	2321	62	1419	1460	1944	467	2276
Positive Tests	693	18	430	243	572	127	616
% Positive Tests	30.0%	29.0%	30.3%	16.6%	29.4%	36.5%	27.1%

Testing by the Cuyahoga County Coroner Toxicology Laboratory was begun in October 2007. They perform some testing on certain specimens and those requiring special consideration. They also provide valuable assistance in the investigation into any unusual or unexpected test results.

** The increased percent of positive specimens from Kroll Laboratories was due to the type of specimens and tests requested. Kroll performs all opiate testing by GC/MS and they are predominantly positive specimens being sent for confirmation. The majority of the specimens sent to the Coroner's Toxicology Laboratory are dilute negative specimens.

CORONER TOXICOLOGY LABORATORY 2010

OPIATE TESTS	58
6-AM TESTS	55
PCP TESTS	6
COCAINE TEST	1

COMMUNITY WORK SERVICE:

Court Community work service is a not-for-profit agency that places individuals into community service assignments when it is ordered as a condition of probation. CCS works with more than 400 area not-for-profit /government agency worksites. In addition, the program operates five supervised community service work crews that clean public roads and properties throughout the county.

The rate changed to \$7.00 an hour due to an increase in the minimum wage by the Federal Government in July of 2008. While the minimum wage rate increased slightly in 2009, the Agency still calculates the earned service rate at \$7.00 an hour.

	2004	2005	2006	2007	2008	2009	2010
Individuals referred to CCS	4,218	4,060	4,082	4,246	4,592	5,727	4,883
Individuals placed in work assignments	3,415	3,372	3,368	3,556	3,803	4,695	3,895
Hours of community work service assigned	388,923	372,163	366,403	370,125	402,951	529,448	457,904
Hours of community work service completed	163,820	170,404	162,269	174,952	175,621	233,834	206,794

When computed at \$7.00 per hour, individuals on probation completed 206,794 hours or \$1,447,558.00 of work service to the Cuyahoga County Community in 2010.

Number of community work service hours worked by all referral sources at agencies located in Cuyahoga County	401,412
<ul style="list-style-type: none"> ▪ Percentage of hours worked at agencies located in Cuyahoga County 	96.7%
Number of participating agency work sites in Cuyahoga County	226
<ul style="list-style-type: none"> ▪ Administrative Fees collected in 2010 from offenders referred by the Cuyahoga County Common Pleas Court. 	\$122,667.62

Court Community Service Work Crew Statistics	
<ul style="list-style-type: none"> ▪ Communities served in Cuyahoga County 	56
Total number of hours worked by work crews	81,976
<ul style="list-style-type: none"> ▪ Total bags of trash collected 	57,784
Total number of tires collected	20,208
<ul style="list-style-type: none"> □ Total number of cubic yards of debris collected 	1,832

CARRYING CONCEALED WEAPON PROGRAM

The Court Community Work Service Program coordinates and administers the Carrying Concealed Weapon (CCW) program. The program takes place at the Justice Center on designated Saturday mornings six to ten times per year. In 2010 the CCW program held ten sessions, and 247 clients attended these workshops.

This three-hour program consists of group discussions that examine the emotional, physical, and financial consequences of an arrest and conviction for carrying a gun. An attorney presents information on the legal ramifications of a CCW conviction, and also functions as the facilitator for the program's workshops.

HOME DETENTION PROGRAM (Electronic Monitoring)

The purpose of the Home Detention Program is to restrict the offender to his/her residence except for verified releases, such as employment, education, training, outpatient treatment for substance abuse, court community service or other verified activity ordered by the court as a condition of probation, community control, or personal bond (Court Supervised Release). Offenders ordered to participate in this program are monitored by electronic devices, which include a transmitter worn on the ankle, which sends a continuous signal to an installed monitor attached to the participant's telephone. The Cuyahoga County Sheriff's Department provides the electronic monitoring equipment, monitoring services and surveillance. Offenders are charged \$7.00 per day to defray cost of indigent offenders and other costs. The Home Detention Program is supported by the Court of Common Pleas.

Total Number of Individuals (new installs) in the Home Detention Program (*2010 figure represents a 5% decrease over the 2009 figure)	245*
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Average number of offenders in the Home Detention Program at any time	85
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Successful Terminations	216	88.2%
Unsuccessful Terminations	<u>29</u>	<u>11.8%</u>
Totals	245	100.0%

Home Detention Fees Paid by Offenders	\$74,692.93
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Although there were only 245 new installs in 2010, approximately 326 probationers were monitored on Electronic Detention from January 1, 2010 to December 31, 2010.

Connected in 2008 and completed in 2010	1
Connected in 2009 and completed in 2010	79
Connected in 2009 and still on after 12/31/10	1
Connected in 2010	245
Total clients monitored in 2010	326

WORK RELEASE PROGRAM

The Probation Department's Work Release Program is housed at Harbor Light Inc., located at 1710 Prospect Avenue. Individuals in the Work Release Program are granted release from the facility only for verified purposes (i.e. work, education, vocational training, substance abuse treatment). Individuals can be placed in the Work Release Program as a condition of being placed in the Court Supervised Release Unit, at the time of sentencing, or at the time of Probation Violation/Community Control Violation Hearing. The Work Release Program is supported by Community Corrections Act Subsidy Funds and by the Court of Common Pleas.

Total Number of Individuals (New intakes)			91
<i>(*2010 figure represents a 5.9% decrease from the 2009 figure)</i>			
Average number of offenders in the program at any time			13
Successful Terminations	13	62.6%	
Unsuccessful Terminations	57	37.4%	
Totals	<u>91</u>	<u>100.0%</u>	

Amount of Restitution Paid by Work Release Residents: \$1,283.74

Amount of Probation Supervision Fees Paid by Work Release Residents: \$ 880.50

SUBSTANCE ABUSE SERVICES

The Cuyahoga County Adult Probation Department provides services for those offenders who are identified to have problems with chemical dependency. The department provides for a centralized case management process to coordinate placement and treatment alternatives for those persons suffering from chemical dependency abuse or addiction. Our Centralized Case Manager and his administrative aide coordinate both assessment and treatment referrals for the Court and the Probation Department. Additionally, the Centralized Case Manager is also heavily involved in coordinating placement from the County jail, pretrial and Intervention in Lieu referrals. Further, Case Manager Brian Ely works to place people in programs throughout the area (both with or without contractual relationships with our Department).

Mr. Ely placed the following number of persons in treatment during 2010:

Program Number

Contracted Treatment Beds	220
Halfway-House	213
Jail Reduction (ADAMHS Board)	115
ODRC Halfway-House	388
Others	57
Total	993

Additionally, our Treatment Alternatives to Street Crimes (TASC) program completed 1,408 chemical Dependency Assessments for our Court. 734 of these reports were done for the jail reduction project. An additional 674 reports were done at the post-sentence level (Referrals for Assessment and Case Management and Assessment only). TASC admitted 240 offenders into Case Management in 2010.

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

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

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

	2009	2010	Percent Change
Individuals released from jail under CSR as a condition of bond	1,951	2,116	+8.5%
Individuals under CSR as of December 31, 2010	484	460	-4.9%
Total bond investigations by CSR staff	3,942	4,309	+9.3%
Total releases from County Jail as a result of bond investigations	2,140	3,112	+45.4%

Distribution of Individuals Released Under CSR	2009	2010	Percent Change
Cleveland Municipal Court	265	311	+17.4%
Common Pleas Court	1,674	1,795	+7.2%
Transferred from Diversion	12	10	-16.7%
Totals	1,951	2,116	+8.5%

Total Releases Granted Under CSR as a Condition of Personal Bond			
Year	Total	Percentage (+/- previous year)	Average per Month
2010	2,116	+8.5%	176.33
2009	1,951	-0.8%	162.58
2008	1,967	-1.4%	163.91
2007	1,994	-4.5%	166.17
2006	2,088	-1.7%	174.00
2005	2,124	-8.7%	177.00
2004	2,327	+9.9%	193.91
2003	2,118	-1.3%	176.05
2002	2,145	+2.8%	178.75
2001	2,087	+61.5%	173.92
2000	1,292	+9.4%	107.67

DIVERSION PROGRAM

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

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

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

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

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

In 2010, the Pretrial Services Unit has performed the following activities:

Record Checks	2009	2010	Percent Change
Total number of welfare record checks completed	48	41	-14.6%
Total number of non-welfare record checks completed	851	837	-1.6%
Total Number of Record Checks	899	878	-2.3%
Total found eligible	721	747	+3.6%
Total found ineligible	178	131	-26.4%
Total number of non-welfare investigations and interviews conducted	575	514	-10.6%

Supervision Activities of Diversion Defendants	2009	2010	Percent Change
Number placed on Diversion	575	514	-10.6%
Number of urine samples taken	1,091	1,324	+21.4%
Number of referrals to Court Community Service	839	747	-11.0%
Total CCS placements	784	672	-14.3%
Total CCS hours assigned	38,846	33,664	-13.3%
Total CCS hours completed	27,803	24,063	-13.5%
Total defendants removed from the Diversion program	616	710	+15.3%
Successful completions	411	572	+39.2%
Unsuccessful completions	205	138	-32.7%

SPECIALIZED PROGRAMS

The Probation Department provides specialized program services to the Court in order to protect the community, rehabilitate the offender, focus on the identified criminogenic needs of the offender, and meet the other needs of the criminal justice system. The major principles that define criminogenic needs are as follows: (1) assess the risk and needs of the offender, (2) enhance the motivation of the offender, (3) targeting the offender's needs, (4) providing training in order to develop a highly skilled staff able to provide the necessary services, (5) engage ongoing support in local neighborhoods and communities, (6) measure relevant processes and practices, and (8) provide measurable feedback. Specialized programming is administered through the Intensive Probation Program. These programs include the Intensive Supervision Probation, Felony-Non-Support, Sex Offender and the Mental Health and Developmental Disabilities units of the Probation Department. In early 2011 the Mentally disordered offenders and mentally retarded offenders projects were renamed Mental Health and Developmental Disabilities project in order to comport with recent changes in both fields.

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

The **Mentally Disordered Offender Program (MDO)** is designed to provide monitoring, counseling, treatment and other services to clients placed on community control who are clinically diagnosed by the Court Psychiatric clinic, or a reputable diagnostic service, as psychotic. These major psychotic illnesses are as follows: schizophrenia, Schizoaffective Disorder, and other disorders with psychotic features as defined in the DSM-IV. The MDO project contracts directly with the Alcohol, Drug Addiction and Mental Health Services Board for services for the MDO project. Recovery Resources and Murtis Taylor are among the agencies that are heavily utilized by our Department with this population.

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

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

In recent years there has been a significant increase in the number of clients placed in the program. In 2007, a MDO Step-Down caseload was created in order to significantly reduce current caseload numbers of the regular MDO probation officers and allow officers to more appropriately channel their time and energy on the most appropriate cases. To be considered

for the step-down caseload, a client must meet the following eligibility criteria: have no pending violations, have stable housing for a minimum of ninety-days, be compliant with case management, medication compliance, and show up for doctor's appointments for a minimum of ninety days, and have already served a significant period of supervision.

The **Mentally Retarded Offender Program (MRO)** is a specialized unit within the Probation Department. The officers assigned to this unit supervise caseloads of offenders diagnosed as mentally retarded or borderline normal by the Court Psychiatric Clinic. The probation officers, in cooperation with various community agencies, coordinate specialized services. In addition, a team consisting of representatives from our court psychiatric clinic, Public Defender's Office, County Board of Developmental Disabilities, Bureau of Vocational Rehabilitation and the Cuyahoga County Jail, meets once a month to staff individual cases and recommend treatment plans. In 2003, the Court initiated a Mental Health (MH) Court Docket with specially trained judges, prosecutors and defense counsel, as well as liaisons trained to provide screening and assessment for early identification of the MRO population. The Board of MR/DD also developed a training program for their providers that included workshops on how to supervise MR/DD clients who are actively under court supervision. The DD Board also increased staff during the year in order to better serve this population. Many offenders in the MRO program will benefit from the increased collaboration and streamlined services characteristic of the new MH Court Docket.

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

Number of Defendants Placed in Specialized Programs				
Year	2007	2008	2009	2010
Intensive Supervision	1,249	1,216	1,462	1,764
Mentally Disordered Offender	392	348	339	276
Mentally Retarded Offender	107	78	99	107
Sex Offender	75	78	64	66
Felony Non-Support	N/A	N/A	N/A	91

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 Corrections Community Corrections Act. This unit consists of four Sheriff's Deputies. The deputies have been assigned to arrest 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 2010, the Probation Department submitted the names of 147 offenders to the Apprehension Unit for arrest (up from 103 submissions in 2009). CCA programs submitted 132 requests for arrest and general supervision submitted 15 requests. The total number of arrests for CCA-generated Probation capiases and warrants was 118, representing an 89.39% arrest rate. The total number of arrests for regular supervision was 13, representing an 86.66% arrest rate. In conjunction with the Sheriff's Department Warrant Unit, the Apprehension Unit assisted in clearing over 375 capiases, bench, and child support warrants and participated in the arrest of over 300 felony and misdemeanor offenders. Their efforts also resulted in the confiscation of \$2,486.00 in cash, a 9MM handgun, and the following drugs: Ecstasy, Marijuana, Cocaine, Crack Cocaine, and Heroin.

FUGITIVE SAFE SURRENDER

Fugitive Safe Surrender, an initiative launched in Cleveland in 2005 by United States Marshall Peter J. Elliott, is a partnership of law enforcement authorities, municipal and state courts, volunteer lawyers, media, faith-based institutions and community service agencies. Fugitive Safe Surrender (FSS) encourages persons with warrants to voluntarily surrender to the law in faith-based settings as it offers "a first-step toward a second chance" in the form of consideration from the Court for individuals who wish to resolve their outstanding warrants. FSS has been successfully implemented in 17 cities across the Nation since 2005 resulting in the peaceful, voluntary surrender of more than 25,000 people.

In 2010 the Court of Common Pleas in partnership with many local municipal courts participated in our local FSS initiative. The program ran from Wednesday, September 22, 2010 through Saturday, September 25, 2010 at Mount Zion Church in Oakwood Village, Ohio.

Court staff, including Judges, Bailiffs, Court stenographers, probation, pretrial, bond commission, Clerk-of-Courts and other staff personnel, participated in the planning and implementation of the four-day event. Out of the 7,431 individuals who came to surrender at this event, 409 had a felony warrant. Additionally, 10% of those who came to turn themselves in did not have any warrant in the system.

STUDENT INTERNS

Internships are often coordinated between local colleges and universities with the Probation Department. Internships involve working directly with offenders or in carrying out research on specific topics for the Department. A student may earn credit for his/her internship at an undergraduate or graduate level and in the past year 27 people interned in our Department.

CORRECTIONS PLANNING BOARD

HON. NANCY A. FUERST

Chair

MARIA NEMEC

Corrections Planning Board Administrator

MOLLY BRENINGHOUSE

Program Director - 407 Prison Diversion

DANIEL PETERCA

Program Director - 408 Jail Diversion

TOTAL STAFF:

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

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

Mission Statement

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

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

- Provide effective alternatives to incarceration
- ∨ Enhance public safety and protection of victims
- Seek and secure funding and resources
- ^ Develop and maintain partnerships with stakeholders

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

During FY2010, the Board administered CCA grants of \$5,196,037 to fund and staff local community corrections programs. These programs are designed to divert eligible criminal offenders from the Cuyahoga County Jail or the state prison system, while maintaining public safety. Just over 5,000 criminal offenders were diverted into local community sanction alternatives during 2010. In relation to the rest of the State, Cuyahoga County has reduced the number of prison commitments from 25% of all commitments to 19% in 2010. The percentage of funding received by Cuyahoga County for the 407 Prison/Felony Project in FY 2010 was approximately 16.6% of the total Community Corrections Act (CCA) 407 funding available statewide. Cuyahoga County has contributed an average of 19% of the statewide total of prison diversions in Ohio over the last decade. The percentage of funding received by Cuyahoga County for the 408 Jail Project in FY 2010 was approximately 14% of the total Community

Corrections Act (CCA) 408 funding available statewide. Cuyahoga County has contributed an average of 14% of the statewide total of jail diversions in Ohio over the last decade.

**ROSTER OF MEMBERS as of December 31, 2010
CUYAHOGA COUNTY CORRECTIONS PLANNING BOARD**

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

Peter Lawson Jones, President
Board of County Commissioners

William D. Mason
Cuyahoga County Prosecutor

Bob Reid
Cuyahoga County Sheriff

Robert Tobik
Cuyahoga County Public Defender

Chief Michael McGrath
Cleveland Police Department

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

Kenneth Kochevar, Director
Cuyahoga County Corrections Center

Russell R. Brown, Court Administrator
Cleveland Municipal Court

Judge Dick Ambrose
Cuyahoga County Common Pleas Court

Judge K. J. Montgomery
Shaker Heights Municipal Court

Regina Daniel, Deputy Court Administrator
Cleveland Municipal Court

Paul Jurcisin
Retired CPD

Two positions currently vacant

The Cuyahoga County CCA programs through the Corrections Planning Board have been the recipients of numerous awards to recognize their contributions to community corrections. The Probation Department Management has been recognized for their willingness to assist other Ohio counties with criminal justice initiatives. CCA Project Directors and Board Administrator actively participate in the CCA Directors Organization and as Board of Trustees Members of the Ohio Justice Alliance on Community Corrections.

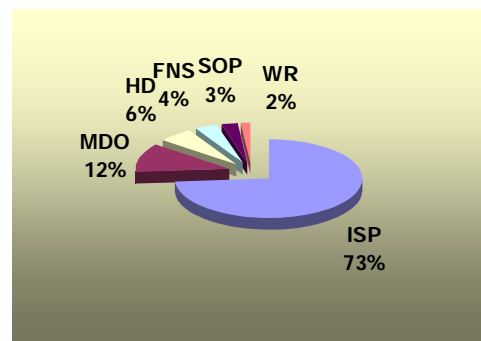
The Board funds several of the projects listed below jointly with other Cuyahoga County agencies such as the Alcohol, Drug Addiction and Mental Health Services Board (ADAMHS) and the Cuyahoga County Board of Developmental Disabilities. This allows all concerned agencies to maximize the resources available to the community. In addition, the Board participates in the planning and coordination of a number of collaborative projects (e.g., Mental Health Advisory Committee, Cuyahoga County Council on Sex Offender Issues, Justice System Reform Collaborative, Community Based Correctional Facility, Re-Entry Court, Greater Cleveland Drug Court). The Corrections Planning Board also provides fiscal and administrative oversight, as needed, on other grants on behalf of the Common Pleas Court and the Adult Probation Department that are separate from CCA (e.g., BOCC Halfway House Initiative, ADAMHS Board Jail Reduction, Court Substance Abuse Treatment, Re-Entry Court, Drug Court, CBCF).

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

DIVERSIONS ACHIEVED IN 2010 (January 1, 2010 – December 31, 2010)

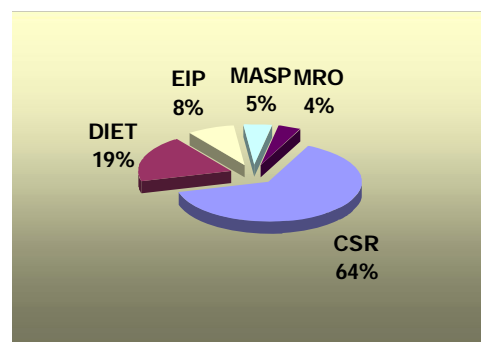
FELONY DIVERSION PROJECTS:

1,764	Intensive Supervision Probation (ISP)
276	Mental Health/Developmental Disabilities (MHDD)
40	Work Release/Treatment Release (WR)
66	Sex Offender Program (SOP)
91	Felony Non Support (FNS)
2,383	Total



JAIL DIVERSION PROJECTS:

1,717	Court Supervised Release (CSR)
215	Early Intervention Program (EIP)
134	Misdemeanor Alternative Sentencing (MASP)
107	Mentally Retarded Offender (MRO)
511	Domestic Intervention Education & Training (DIET)
2,684	Total



407 PRISON / FELONY DIVERSION PROGRAM

- Work Release and Home Detention (Electronic Monitoring)
- Intensive Supervision Project
 - ◆ Intensive Supervision Program (ISP)
ISP Maintenance
 - ◇ Mentally Disordered Offender Program (MDO)
 - ◆ Non Support Specialized Caseload
 - ◆ Sex Offender Program
 - ◆ Apprehension Unit
- Staff Training and Development Project
- Substance Abuse Project
 - ◆ Substance Abuse Case Management
 - ◆ Drug Testing

WORK RELEASE and HOME DETENTION: Community Corrections Act funding provides for three full-time supervision officers, two part-time interns and a supervisor to staff the Home Detention (Electronic Monitoring) and Work Release Programs. Program and service costs are funded by the Court of Common Pleas. This program is fully utilized and often has a waiting list. In absence of a dedicated contract to house and treat Work Release offenders, due to diminished funding, the CPB collaborates with local state-funded **Halfway Houses for use of beds for the Work Release program.** (Please see Probation Department Report for 2010 figures).

INTENSIVE SUPERVISION PROJECT: Community Corrections Act funding reimburses salary costs to staff the Intensive Supervision Program (ISP), the Mental Health Development Disabilities Program (MHDD) and the Sex Offender Program. All program costs are funded by the Court of Common Pleas. Currently, all programs are filled to capacity. For offenders in the MHDD Program, a treatment provider (currently Recovery Resources) selected in cooperation with the local ADAMHS board, which co-funds the project with the Court, provides mental health counseling, psychiatric services, medication management and support services. In 2010, the Sex Offender Program contracted with three agencies to provide group and individual counseling for sex offenders (Psych & Psych, Lumen (service for the DD population) and Advanced Psychotherapy Services).

The Apprehension Unit has been in operation since April 1994, having been established with funding from Community Corrections Act Subsidy Funds from the Ohio Department of Rehabilitation and Correction. This unit consists of four Sheriff's Deputies, two of which are partially funded with CCA dollars since September 1997. (Please see Probation Department Report for 2010 figures).

NON-SUPPORT SPECIALIZED CASELOAD: In FY 2010, the Non-Support Specialized Caseload was established to provide an additional option in the continuum of sanctions for offenders under supervision for Felony Non-Support. The creation of the Non-Support Specialized Caseload is intended to reduce the need for incarceration in state prisons or the local jail by providing an effective sentencing alternative. It is especially important to expand the continuum of sanctions for individuals with non-support offenses to decrease prison commitments for technical violations and avoid interruption in offender employment and subsequent ability to pay child support.

The program collaborates with various community social support agencies that focus on barriers to success, and ensure offenders pay child support and receive services to address their specific needs to encourage responsible parenthood, while promoting public safety. The program also collaborates with criminal justice stakeholders to implement diversion activities, decreasing the employment barrier of a felony conviction, to potentially reduce the number of felony non-support cases and increase collections of child support for families and reduce the number of offenders sentenced to prison for failure to pay child support. The program contracts with a dedicated service provider for fatherhood programming. (Please see Probation Department Report for 2010 figures).

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

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

In keeping with the Cuyahoga County Probation Department mission to establish effective alternatives to incarceration and provide evidence-based services for the Court and community, an **evidence-based practice** workgroup was formed in February 2007. It consists of 45 staff that includes the Chief, both Deputy Chiefs, 1 Manager, the CCA Board Administrator, 7 Supervisors and Officers representing General Supervision, the ISP Units, Pre-trial Services, and PSI Writers.

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

SUBGROUP 1: Determine "what works" in our Court. This group took responsibility information gained to be used in developing an implementation plan for our Department. It's future activities will deal with fidelity, quality assurance, and measuring outcomes. The group includes the Chief, 1 ISP Supervisor, and Officers representing General Supervision, the ISP Units, and Pre-trial Services.

SUBGROUP 2: Motivate and communicate with Staff. This group took responsibility for crafting a message about evidence-based practices and delivering that message to staff in a convincing way. The group includes 1 General Supervision Supervisor and Officers from General Supervision and ISP Units.

SUBGROUP 3: Educate and train staff. This group took responsibility for developing an EBP training process that provides the entire staff with opportunities to gain knowledge about evidence-based practices and to engage in skill development. The group includes the Chief, a Deputy Chief, a General Supervision Supervisor, an ISP Supervisor and Officers representing both General and ISP Units.

SUBGROUP 4: Create visual learning tools for staff to support their learning process. This group is an offshoot of the "Educate and Train Staff" subgroup. Its task is to design the learning tools, create them, laminate them and distribute them. The group consists of General Supervision Supervisor, 2 ISP Officers and the Substance Abuse Case Manager.

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

SUBGROUP 6: Educate and train offenders. This group is responsible for developing an Offender Orientation program.

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

The subgroups meet about once per month. The larger Workgroup (which we have since named the EBP Executive Workgroup) met quarterly so that reports from the subgroups can be shared and overall planning can be coordinated.

The Training Specialist created an EBP curriculum for staff skill development. Twelve staff volunteered to be trained as trainers. Lastly, the Training Specialist has been given the responsibility of coordinating the Department's transition to an evidence-based practice structure.

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

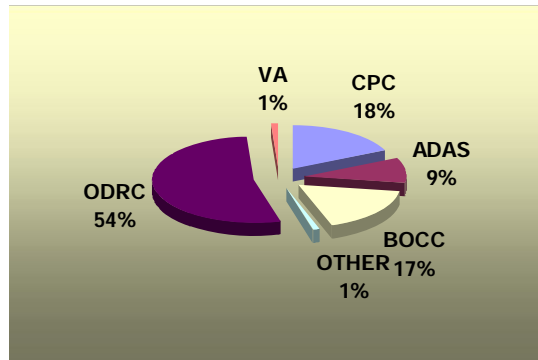
With CCA funding, the Adult Probation Department continues to provide centralized case management, staffed by a Centralized Case Manager and an Administrative Aide, for both assessment and treatment referrals. One case manager coordinates all offender referrals for substance abuse assessment and treatment services, and manages offenders throughout treatment. Defendants and probationers are selected to participate in the program based on an evaluation of Bail Bond Investigation reports, Pre-sentence Investigation reports, Risk/Needs

Assessment, and Alcohol and Drug Assessment. They may be referred as a condition of probation. Drug dependent persons requesting Intervention in Lieu of Conviction under O.R.C. 2951.041 may also be referred for treatment.

The Corrections Planning Board also manages treatment contracts not funded by CCA dollars: Common Pleas Court treatment contract, the Halfway House Initiative and the Alcohol Drug Addiction and Mental Health Services Board Jail Reduction contracts. As of 2005 the local ADAMHS and the Board of Cuyahoga County Commissioners had dedicated funding for jail reduction efforts. Prior to the availability of these dollars the average length of stay in jail for offenders waiting admission to treatment was approximately 45 days. As a direct result of additional funding, the average length of time spent by offenders waiting for a placement is 14 days. The most difficult clients to place continue to be those dually diagnosed with a mental illness, which complicates treatment, or those with a prior sex offense or arson conviction. To assist with placement of these offenders, through collaboration with the ADAMHS Board, limited access to psychotropic medication is available from Central Pharmacy for offenders waiting in jail for treatment placement. In 2010:

- The Common Pleas Court continued to fund contracted treatment beds placing 220 offenders (*46% increase from 2009 placements*) at the following agencies:
 - ◊ Catholic Charities (Matt Talbot Inn & Matt Talbot for Women) (158 offenders)
 - ◊ Fresh Start (31 offenders)
 - ◆ ORCA house (31 offenders)
- The BOCC funded Halfway House Initiative placed 213 offenders (*76% increase from 2009 placements*) at the following agencies:
 - ◊ Alternative Agency
 - ◊ ARCA
 - ◆ Community Assessment Treatment Services
 - ◊ Fresh Start
 - ◊ Oriana House
 - ◆ Salvation Army
- Using ADAMHS Board-funded Jail Reduction / Indigent beds, placed 115 offenders (*22% increase from 2009 placements*) in residential treatment at the following agencies:
 - ◊ Catholic Charities
 - ◊ Fresh Start
 - ◆ Community Assessment Treatment Services
 - ◊ ORCA
 - ◊ Hitchcock House
 - ◆ HUMADAOP/CASA ALMA
- In addition to above funding streams, the Centralized Case Management Program utilizes funding made available by:
 - ◊ Ohio Department of Rehabilitation and Correction dollars funded 388 halfway house placements for offenders receiving inpatient substance abuse treatment services and 120 halfway house placements for offenders in need of residential support following completion of primary substance abuse treatment, and 140 Community Based Corrections Facility placements at Oriana House and Northwest Community Corrections Center, Lorain/Medina. This represents a 55% increase over 2009 placements.
 - ◊ Veterans Administration funds: 13 residential placements
 - ◊ Other funding – grants

- o CASA ALMA (4 offenders)
- o Y-Haven (4 offenders)
- o Hitchcock house (4 offenders)
- o Fresh Start – Ryan White HIV funding (2 offenders)



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

- 993 (23% increase from 2009 placements) offenders were placed into residential drug/alcohol treatment programs through the Probation Department Centralized Case Management program.
- Similar to 2009 (29 offenders placed), in 2010, 26 offenders were placed into Halfway house Initiative contracted beds by the Jail Reduction (MASP) Coordinator who works with municipal courts to reduce County Jail usage.

To comply with court orders, the Centralized Case Manager referred 1,715 (10% increase from 2009 referrals) offenders to Treatment Alternatives to Street Crime (TASC) for assessments, case management and referral to treatment.

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

- TASC completed 1,408 chemical dependency assessments:
 - ◆ 734 Jail Reductions
 - ◆ 674 Post Sentence (Referrals for Assessment & Case Management and Assessment Only)
- TASC admitted 240 (24% decrease than 2009 figures) offenders into Case Management

The Cuyahoga County Court of Common Pleas Drug Testing Laboratory operates under Community Corrections funding for its staff and provides drug of abuse testing for CCA and other probation programs. Laboratory staff that collect, test and report drug of abuse test results, has been increased from 6 full-time and 3 part-time individuals in 1995 to a staff of 10 full-time and one part-time staff in 2010. A five-year contract (July 1, 2007 through June 30, 2012) for instrumentation and reagents was awarded to ThermoFisher Scientific, Inc. (formerly Microgenics). (Please see Probation Department Report for 2010 figures).

408 JAIL / MISDEMEANOR DIVERSION GRANT

Jail Population Reduction Project

- Court Supervised Release (CSR) Unit
- Offenders with Mental Retardation (MRO) Program
- Early Intervention Program (EIP)
- Misdemeanor Alternative Sentencing Program
- Batterer's Intervention Program (BIP)
- 408 Treatment Placement Coordinator

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

COURT SUPERVISED RELEASE PROGRAM: The Court Supervised Release Program became part of the Community Corrections Plan in FY1995. CSR is implemented by the Adult Probation Department whereby close to 2,000 felony cases a year are released from pretrial detention in the County Jail to the supervision of a pretrial officer as a condition of a bond. Community Corrections Act funding reimburses salaries and a portion of fringe benefits for CSR staff including seven supervision officers, two who specialize in the supervision of mentally disordered or mentally disabled offenders. All program costs are funded by the Court of Common Pleas. (Please see Probation Department Report for 2010 figures).

408 TREATMENT PLACEMENT COORDINATOR: In late 2009, the position of 408 Treatment Coordinator was created to receive referrals for treatment for defendants identified and assessed during pretrial incarceration in the jail or during pretrial supervision as having mental health and/or substance abuse issues from any of the Pretrial Services programs including

Diversion, and the Misdemeanor Alternative Sentencing Program (MASP). In 2010, the 408 Treatment Coordinator placed 194 defendants into outpatient or residential substance abuse treatment, with mental health services if indicated.

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

MENTAL HEALTH DEVELOPMENTAL DISABILITIES (MHDD) PROBATION UNIT: Offenders with Developmental Disabilities are often sentenced to probation in the specialized MHDD Unit. The unit officers, specially trained to work with DD offenders, work closely with the DD case manager. Together the team provides services and information; treatment planning; referral and community placement; determination of offender compliance with case plans, supervision enforcement of treatment plan and other court orders. Community Corrections Act funding

reimburses salary and a portion of fringe benefits for the two supervision officers that staff the unit. The DD Broad contract is fee for service to screen, identify, and assess a minimum or 97 offenders in the County Jail. (Please see Probation Department Report for 2010 figures).

EARLY INTERVENTION PROGRAM (EIP): The goal of the Early Intervention Program (EIP) is to identify and intervene early in the criminal justice process for those offenders who are in need of substance abuse, and/or mental health services. The program is modeled, in part, on the Greater Cleveland Drug Court, and targets first-time, non-violent felony offenders. Community Corrections Act funding reimburses salary and a portion of fringe benefits for the 2 supervision officers that staff the program. CCA funding also funds a TASC case manager as well as a contract with the Alcohol and Drug Addiction Services Board for an IOP treatment provider, currently Community Assessment Treatment Services (CATS). (Please see Probation Department Report for 2010 figures).

MISDEMEANOR ALTERNATIVE SENTENCING/JAIL REDUCTION: The Misdemeanor Alternative Sentencing Program (MASP) identifies, recommends, and provides limited community-based sanctions (e.g., electronic monitoring), supervision, and substance abuse and mental health treatment to eligible misdemeanant offenders sentenced to the County Jail. The program began as an informal agreement with Garfield Heights Municipal Court in 1997. By FY 2000, with the assistance of CCA funding, it was expanded as a pilot project that included 12 municipal courts. Community Corrections Act funding reimburses salary and fringe benefits for the supervision / investigation officer that staffs the program. Program costs are funded by the Court of Common Pleas. (Please see Probation Department Report for 2010 figures).

DOMESTIC INTERVENTION, EDUCATION and TRAINING (D.I.E.T.): In September 2006, the Cleveland Municipal Court commenced the D.I.E.T. program to provide domestic violence education for offenders charged with misdemeanor and felony domestic violence offenses in Cleveland Municipal Court, Common Pleas Court, or the suburban municipal courts. The program is 16 weeks long and is held at two different locations, downtown and at the Cleveland Probation Department's West Office. The D.I.E.T. program fills a void left when the Batterers' Intervention Project (BIP) closed in June of 2006. The D.I.E.T. program is funded with Community Corrections Act dollars through a yearly contract with the Cuyahoga County Corrections Planning Board. From January to December 2010, the program admitted 535 new offenders to the program.

In August 2009, the DIET Program commenced an innovative new component, the DIET Support Group. In 2010, approximately **60** offenders participated in the group. The Support Group is an assembly of successful graduates that meet on the third Monday of each month. A facilitator monitors the group, but primary direction of the meeting comes from the graduates. Issues discussed include successful implementation of safety plans and what constitutes a healthy relationship. Incentives such as note pads or coffee mugs are given to group members to encourage participation.

CUYAHOGA COUNTY COURT of COMMON PLEAS

Specialized Dockets

RE-ENTRY COURT

HON. NANCY MARGARET RUSSO

Re-Entry Court Judge

DEENA LUCCI

Bailiff

KAREEM MITCHELL

Re-Entry Court Probation Officer

MICHAEL BRADY

Supervisor

AMANDA LaBANC

Administrative Assistant

MARIA NEMEC

Corrections Planning Board Administrator

Re-Entry Court, (REEC) implemented in January 2007 with grant funding award from the Office of Criminal Justice Services (OCJS), is a specialized docket presided over by Judge Nancy Margaret Russo established to address the needs of offenders transitioning from prison back to

with the mission of ODRC: 'Beginning at sentencing and extending beyond release, Re-Entry Court will assess, identify and link offenders with services specific to their needs' in order to reduce the likelihood of additional criminal behavior.

REEC provides intensive programming and supervision to eligible offenders who have been

specific criteria for eligibility, including residence in Cuyahoga County upon release from prison, no more than three prior prison commitments to either State or Federal prisons, no pending felony charges. Excluded are all sexual offenders and those statutorily ineligible for judicial release.

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

The Cuyahoga County Re-Entry Court embraces the utilization of the Office of Justice Program's core elements in its design of the Re-Entry Court. The target population for the Re-

Common Pleas Court. The Re-Entry Court participants are under the supervision of the Intensive Supervision Program (ISP) in the Adult Probation Department. The Re-Entry Court, offers a coordinated team approach, and requires regular court appearances, extensive probation appointments and special services and incentives to increase the likelihood of participant success.

The Cuyahoga County Common Pleas Re-Entry Court is proud to share the following data regarding the program from January 1, 2010 through December 31, 2010.

Referrals

Total Referrals 536

Admissions

Clients Admitted: 55

Prison Days Saved: 16,050

Average days saved per offender: 292

1st Time Offenders: 40%

Repeat Offenders: 60%

Saved in prison costs*: \$1,101,030.00

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

Mental Health

Have Mental Health Issues: 33%

Do Not Have Mental Health Issues: 67%

Admitted Alcohol and Drug Involved

Alcohol: 2%

Cocaine: 31%

Ecstasy: 2%

Heroin: 5%

Marijuana: 51%

PCP: 4%

None: 5%

Felony Information

Felony 5: 31%

Felony 4: 31%

Felony 3: 24%

Felony 2: 13%

Felony 1: 2%

Termination Data

Successful Terminations: 82%

Unsuccessful Terminations: 18%

CUYAHOGA COUNTY COURT of COMMON PLEAS

Specialized Dockets

DRUG COURT

Part of the
STEPHANIE TUBBS JONES GREATER CLEVELAND DRUG COURT

HON. DAVID T. MATIA

Judge

MOLLY CHRISTOFFERSON-LECKLER

Coordinator

The Cuyahoga County Common Pleas Court implemented its County Drug Court in May 2009 significantly increasing the number of non-violent offenders engaged in drug court by opening eligibility to those with multiple prior felony 4 and 5 offenses and to offenders arrested in suburban jurisdictions who were not eligible for the Cleveland Municipal Drug Court track (in operation since March 1998). The jointly overseen operation is named *The Stephanie Tubbs Jones Greater Cleveland Drug Court* in honor of one of Cleveland's drug court key supporter and implementer.

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

The rest of the Drug Court Team is comprised of the Drug Court Public Defender, Drug Court Prosecutor, Pretrial Investigation Officer, Supervision Officer, TASC Assessment Specialist, TASC Case Manager and Co-Directors.

Eligibility criteria for Drug Court in the 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 F4 or F5 conviction.

In 2010 (January through December), 113 defendants were screened for Drug Court eligibility. Of those, 69 were formally placed in Drug Court. In 2010, 34 participants graduated from the Drug Court. The average length of time in the program for the 2010 graduates was 11 months.

CUYAHOGA COUNTY COURT of COMMON PLEAS

Specialized Dockets

MENTAL HEALTH COURT

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

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

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

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

Local Response

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

Five Common Pleas Court Judges had Mental Health Court dockets in 2010: Hon. Timothy E. McMonagle (Chair), Hon. José A. Villanueva, Hon. John D. Sutula, Hon. John P. O'Donnell and Hon. Hollie L. Gallagher.

Defendants/Offenders on the MHC dockets are similar to the overall offender population in distribution of race. However, a higher percentage of female offenders are found on the MHC dockets than in the overall offender population. Individuals in the Mental Health Court are often unemployed, indigent and homeless.

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

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

The Cuyahoga County Corrections Center (County Jail) has added MH/DD screening questions to the booking process. In addition, the ADAMHS Board electronically receives and reviews the daily booking list to identify offenders already linked with a community provider. An Intake Specialist tracks and refers offenders identified with MH/DD issues at booking either back to an existing MH or DD provider in the community or to the Jail Psychiatric Clinic which provides psychiatrists, psychiatric nursing and medication.

Several years ago, the Jail designated **96** beds for the MH/DD population and, with the support of the ADAMHS Board, incorporated the use of MH/DD Jail Liaisons from several community service providers to assist in service to this population. These supports regularly communicate jail inmate needs and status with Jail Mental Health Services as well as the Probation Department's Pretrial and post-disposition supervision units.

The Pretrial Services Unit in the Adult Probation Department provides Mental Health Court eligibility determination and referral recommendations for the MHC. In addition, Pretrial Services provides 2 specially trained MHDD Supervision Officers and coordinates the Restoration Outpatient Program (RTC) with the Common Pleas Court Psychiatric Clinic. In 2010, **125** defendants were placed on MHDD Pretrial Supervision as a condition of bond.

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

For offenders sentenced to community control, the Adult Probation Department provides an MHDD Unit, which is staffed by 9 specially trained officers and a supervisor. Average caseload size in the MHDD Probation Unit is 65. This unit includes funding for additional services, and regular staffing with community providers - Recovery Resources, Center for Families and Children, Murtis Taylor, Mental Health Services, Inc., Connections, Bridgeway and the Cuyahoga County Board of Developmental Disabilities (Board of DD). Probation Department Supervision staff work closely with the County Jail and other community providers (e.g., St.

404 offenders were assigned to supervision in the MHDD Probation Unit.

To indicate the presence of mental health issues, the cases of **2,038** individuals (with 2,531 cases) have been flagged with "MH" in the Court's information system allowing for more expedient identification and linkage to services should the individual cycle through the system in the future. (Note: Not all individuals tagged as "MH" are placed or transferred to a MHC docket.)

MHC Judges carry an average of 100 MH cases on their dockets at any one time (including active, investigation, and supervision cases) representing approximately 25% of their total docket. In 2010, **387** cases were assigned to a Mental Health Court docket:

77	Hon. Timothy E. McMonagle
70	Hon. Hollie L. Gallagher
76	Hon. John P. O'Donnell
72	Hon. John D. Sutula
92	Hon. José A. Villanueva

Funding

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

Highlights

In late 2010, the program welcomed two judges from the CPC bench to the MHC; the Hon. Joan Synenberg and Hon. Michael P. Donnelly replace Judge Timothy E. McMonagle who retired in 2010 and Judge John P. O'Donnell who has completed the two-year rotation as a MHC Judge. Taking over for Judge McMonagle in the role of MHC Chair is the Hon. José A. Villanueva.

Additional funding was obtained in the local Community Corrections prison reduction budget to provide continuing care for MH/DD offenders completing residential treatment. The programming has resulted in a significant decrease in prison commitments at 3-month follow up.

Next Steps

Next steps for the Mental Health Court include promoting increased voluntary transfers from the entire bench to this specialty docket, developing an evaluation component to answer important questions about outcomes, identifying strategies to decrease length of jail stays, implementing evidence-based practices to affect a decrease in recidivism rates, better clinical outcomes and fewer hospitalizations, and possibly hosting a regional National Alliance on Mental Illness (NAMI) training for Jail and Court staff. Expanded recruitment and training of attorneys to represent MHC defendants and continuing and enhanced training for MHC judges will also be pursued in 2011. In addition, in light of plans to close the Cleveland Campus of the Northcoast Behavioral Health Hospital, it has become even more important to advocate for the preservation of funding to support crucial community resources for this population.

2010 HONOR ROLL OF EMPLOYEES OF THE COURT

with 25 or more years of service with the Court:

Richard O. Althoff	Assistant Shorthand Reporter
Michael H. Bajorek	Probation Officer Supervisor
Kathleen A. Barry	Data Entry Clerk
Laura M. Bates	Support Staff
John T. Bilinski	Probation Officer
William Birce	Bail Investigator
Bruce Bishilany	Chief Shorthand Reporter
Leo Blatt	Bailiff
Brenda Boyd	Probation Officer Supervisor
Paula Britton	Administrative Aide I
Douglas Buford	Probation Officer Supervisor
Dianne A. Burkhart	Office Manager
Michael F. Callahan	Probation Officer Supervisor
Rachel Colbert	Clerk Typist
Jacalyn Costello	Deputy Bond Commissioner
Denise Davala	Clerk Typist
Lino A. DeSapri	Assistant Shorthand Reporter
Donna Dubs	Clerk Typist
Edward Dutton	Psychiatrist
Cheryl Fietko	Administrative Assistant
Fred Ford	Probation Officer
Julianne Fritz-Marshall	Probation Officer
Sherry Halasy	Clerk Typist
Valerie G. Hamlet	Secretary
Eric Hess	Assistant Law Librarian
Vincent Holland	Chief Probation Officer
Mary C. Hooper	Office Manager
Stanley L. Hubbard	Probation Officer
Daniel Kaleal	Probation Officer
Joseph J. Keppler	Probation Officer
Teresa Keyes	Judicial Secretary
Kathleen Kilbane	Assistant Shorthand Reporter
Bernice King	Assistant Shorthand Reporter
Sheila Koran	Support Staff
Robert Kozub	Bond Commissioner
Dorothy E. Lawson	Bailiff
Darlene Louth	Probation Officer
Deborah Maddox	Administrative Aide I
Margaret A. Mazzeo	Scheduler
Virginia O'Haire	Administrative Assistant Administration
rca	Pretrial Manager
Janna Phillips	Probation Officer Supervisor
Phillip Resnick	Director, Psychiatric Clinic
Anthony J. Rinella	Probation Officer

Gilbert J. Ryan Bailiff
 Timothy Schaefer Assistant Shorthand Reporter
 Susan Sheehan Bailiff
 Dennis Spremulli Probation Officer Supervisor
 Craig Stewart Assistant Shorthand Reporter
 Gerianne Stroh Probation Officer
 Richard N. Sunyak Central Scheduling Supervisor
 Carol Tolbert Probation Officer
 Armatha Uwagie-Ero Clerical Supervisor
 Sheila Walters Assistant Shorthand Reporter
 Joanne M. Widlak Probation Officer Supervisor
 Anthony C. Williams Probation Officer
 Valerie A. Williamson Probation Officer

with 20 to 24 years of service with the Court:

Juliann Adams Assistant Shorthand Reporter
 Bridget Austin Administrative Aide I
 Teroldlyn D. Barkley Clerk Typist
 Robert M. Beck III Probation Officer Supervisor
 Pamela Benn-Hill Assistant Chief Shorthand Reporter
 Gary A. Bolinger Probation Officer Supervisor
 Dewey D. Buckner Probation Officer
 Erika D. Bush Asst Office Manager
 Jarvis A. Clark Probation Officer
 Mary Jean Cooley Assistant Shorthand Reporter
 Mitzi Bradley Cunard Clerk Typist
 Leo D'Arcy Extra Bailiff
 Mary Davern Probation Officer Supervisor
 Michelle L. Davis Administrative Aide
 Eileen Demas Support Staff
 Joseph C. DeMio Bailiff
 Mary Kay Ellis Fee Bill Coordinator
 Andrienne H. Fetterman Cashier/Bookkeeper
 Linda Graves Scheduler
 Richard N. Hamski Assistant Shorthand Reporter
 Vermell Harden Bailiff
 Mary M. Hayes Probation Officer
 Bruce E. Hill Probation Officer
 Toni Hunter Clerk Typist
 Michael Jenovic Assistant Shorthand Reporter
 Donna M. Kelleher Extra Bailiff
 Karl Kimbrough Probation Officer
 Deborah Kracht Assistant Shorthand Reporter
 Christine J. Krist Scheduler
 Laura M. Martz Clerk Typist
 Margaret Murphy Probation Officer Supervisor
 John Murray Arraignment Clerk
 Nancy Nunes Assistant Shorthand Reporter
 Floyd Oliver Probation Officer
 Evangelina Orozco Bail Investigator

Patricia Parente..... Probation Officer
Marguerite Phillips.....Assistant Shorthand Reporter
Gregory M. Popovich.....Court Administrator
Virginia L. Profitt Probation Officer
Stephania Pryor Probation Officer Supervisor
Miguel Quinones Probation Officer
Jeffrey J. RagazzoAssistant Shorthand Reporter
Cheryl A. Russell.....Support Staff
Michael P. Scully..... Probation Officer
Melissa Singer..... Probation Officer Supervisor
James Starks Probation Officer Supervisor
Brian Thelen..... Probation Officer
Timothy TolarAssistant Shorthand Reporter
Suzanne Vadnal.....Assistant Shorthand Reporter
Kimberlee Warren..... Probation Officer
Ellen Woodruff..... Deputy Chief Probation Officer
Phillip Zeitz..... Probation Information Specialists

with 10 to 19 years of service with the Court:

Veronica Adams.....Administrative Assistant Administration
Michael Aronoff.....Psychologist, Psychiatric Clinic
Thomas Arnaut..... Director Information Systems
Kevin C. Augustyn.....Foreclosure Magistrate Asst. Director
Lisa S. Austin Probation Officer
Mary J. BadenAssistant Shorthand Reporter
Lee A. Bennett Administrative Aide II
Patricia Bittner.....Assistant Jury Bailiff
Linda Bixel..... Bailiff
Michael T. Brady Probation Officer Supervisor
Molly L. Breninghouse..... Deputy Chief Probation Officer
Angie Bryant..... Probation Officer
Mark Budzar Bailiff
Stephen Bucha, III..... Foreclosure Magistrate Director
Michael Cain Probation Officer
Michael Caso Chief Social Worker
Joseph Cassidy Probation Officer
Janet Charney..... Chief Judicial Secretary
John B. Coakley Probation Officer
Laura CreedChief Staff Attorney
Amy Cuthbert Foreclosure Magistrate
Sally J. Dadow..... Clerk Typist
Mary Lynn D'Amico.....Clerk Typist
Shaunte Dixon..... Probation Officer
Mary A. Donnelly..... Probation Officer
Vivian Easley..... Probation Officer
Marlene Ebner.....Assistant Shorthand Reporter
Cindy Eiben.....Assistant Shorthand Reporter
Margaret ElliottTech Specialist
Brian Ely Substance Abuse Case Manager
Leila Fahd.....
Teresa FaulhaberAssistant Law Librarian

Reynaldo Feliciano.....	Probation Officer
Bettye Ferguson.....	Clerk Typist
Steven Flowe.....	Probation Officer
Anna Foley.....	Scheduler
Eileen F. Fox.....	Bailiff
Keith L. Fromwiller.....	Bailiff
Colleen Gallagher.....	Bailiff
Kevin Gallagher.....	Probation Officer
Maria Gaynor.....	Administrative Aide I
Joanne Gibbons.....	Receptionist
James W. Ginley.....	Deputy Court Administrator/Fiscal Op.
Michelle R. Gordon.....	Lab Assistant
Andrea M. Gorman.....	Training Specialist
Winston L. Grays.....	Probation Officer
Mary Ann Griffin.....	Bailiff
Sertarian B. Hall.....	Lab Assistant
Margaret Hastings.....	Scheduler
Aileen Hernandez.....	Psychiatrist
Michelle Hoiseth.....	Probation Officer
Lisa M. Hrovat.....	Assistant Shorthand Reporter
Robert A. Intorcio.....	Assistant Shorthand Reporter
James M. Jeffers.....	Probation Officer
Otto Kausch.....	Psychiatrist
Colleen A. Kelly.....	Video Tech
Sean Kincaid.....	Probation Officer
Sandra Kormos.....	Bailiff
Edward J. Kovacic.....	Grand Jury Clerk
Michelle L. Kozak.....	Cashier/Bookkeeper
Richard Kraft.....	Probation Officer
Deborah Kreski-Bonanno.....	Bailiff
Jessica Lane.....	Clerk Typist
Paul Ley.....	Assistant Director Information Systems
Catrina M. Lockhart.....	Probation Officer
Paul Lucas.....	Foreclosure Magistrate
Sarah Mahoney.....	Bailiff
Nicholas P. Marton.....	Supervisor Information Services
Laura M. Martz.....	Clerk Typist
Tracey L. McCorry.....	Probation Officer
Steve McGinty.....	Probation Officer
Timothy J. McNally.....	Probation Officer
Denise J. McNea.....	Probation Officer
Wendy L. McWilliam.....	Probation Officer
Timothy Meinke.....	Assistant Shorthand Reporter
Norma Meszaros.....	Judicial Secretary
Bernadine Miller.....	Administrative Aide I
Patricia Mingee.....	Fiscal Officer
Nakia Mitchell.....	Probation Officer
Regina Mohr.....	Support Staff
Monique Moore.....	Probation Officer
Eric Moten.....	Probation Officer
Darlene Moutoux.....	Assistant Officer Manager
James P. Newman.....	Bailiff
Stephen Noffsinger.....	Psychiatrist

Robert Odon.....	Supervisor Central Scheduling
Anita Olsafsky	Lab Technician
Susan M. Ottogalli.....	Assistant Shorthand Reporter
Cheryl Parker.....	Probation Officer Supervisor
Kathleen Patton.....	Receptionist
Kerry Paul.....	Assistant Shorthand Reporter
Jean Presby	Probation Officer
Mary Rauscher	Probation Officer
Kellie M. Reeves-Roper	Assistant Shorthand Reporter
Jennifer Ring.....	Lab Technician
James Rodio	Psychiatrist
Loretta Ryland.....	Research Planner
George Schmedlen.....	Assoc. Director Psych Clinic
Patricia Schmitz	Clerk Typist
Mary Ellen Schrader.....	Data Entry Clerk
Mary Ellen Schuler.....	Assistant Shorthand Reporter
Daniel S. Siekaniec.....	Probation Officer
Mary Jo Simmerly	Bailiff
Mary Pat Smith.....	Bailiff
Ann Snyder	Laboratory Supervisor
Mary E. Spellacy	Bailiff
Michael S. Stanic	Network Manager
Patricia A. Stawicki.....	Judicial Secretary
Noreen A. Steiger.....	Asbestos Bailiff
Kelli Summers	Probation Officer
Cheryl Sunyak.....	Probation Officer
Rose Tepley	Tech Spec II
John Thomas Jr.	Bailiff
Nicole Thomas	Probation Officer
Pamela Thompson.....	Cashier/Bookkeeper
Shontrell Thompson.....	Probation Officer
Jennifer L. Tokar	Assistant Shorthand Reporter
James Toth	Probation Officer Supervisor
Theresa Toth.....	
Anne Tullos	Receptionist
Mathew Urbancich.....	Probation Officer
Jennifer Vargics	Data Entry Clerk
Margaret M. Wagner	Probation Officer
Cynthia Walker	Social Worker
Lawrence R. Wallace	Bailiff
Colleen Walsh.....	Receptionist
Rebecca B. Wetzel.....	ADR Administrator
Stephanie Wherry	Probation Officer
Latanya Wise	Clerk Typist
Kenneth J. Wolf.....	Assistant Bond Commissioner
Margaret M. Zahn.....	Administrative Assistant Administration
Amy 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