



Cuyahoga County
Common Pleas Court
General Division
2009
ANNUAL REPORT



Nancy R. McDonnell
Administrative and Presiding Judge



NANCY R. MCDONNELL
Presiding Judge
443-8756

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 is the busiest court in the State of Ohio. In 2009 our court disposed of 54,910 cases. 668 were resolved of by way of jury trial and 396 were by bench trials.

The year 2009 saw the expansion of both the Drug Court, handled by Judge David T. Matia and the Commercial Court, presided over by Judges Richard J. McMonagle and John P. O'Donnell. Both of these courts endeavor to give specialized attention to cases of their unique nature. These dockets have been well received by practicing attorneys, litigants and the community.

Chief Justice Thomas J. Moyer passed away in 2009. His passion for the law and the betterment of the courts of Ohio was unparalleled. He was a kind soul who served with distinction. His presence will be greatly missed.

Our own Court of Common Pleas General Division saw the retirement of Judge Kenneth R. Callahan and Judge Judith Kilbane Koch. Both judges served this community with distinction. We wish them well.

Due to illness I did not complete my 2009 term as the Presiding and Administrative Judge. In late September Judge Eileen A. Gallagher became the Acting Presiding and Administrative Judge. She assumed the duties of the position and did an outstanding job. I am grateful to her for taking on the additional tasks in addition to her own docket. She is to be commended for her willingness to step in without hesitation.

Judge Nancy A. Fuerst was elected to begin a new term as Presiding and Administrative Judge in January of 2010. I am confident that she will ably lead our court. Her experience and temperament demonstrate she will continue the great tradition of justice in Cuyahoga County.

Before closing, I would like to take this opportunity to thank all the citizens of Cuyahoga County who have served on either a grand jury or trial jury. I recognize the tremendous sacrifice of time away from family and work obligations such service requires. Each juror reporting for duty ensures the unique and enviable system of justice enjoyed in this great country.

The Court of Common Pleas General Division continues to provide justice for all who come before the Court. It is an honor and a privilege for each of the 34 judges to serve the citizens of this county.

Very truly yours,

Nancy R. McDonnell
Presiding/Administrative Judge

**JUDGES OF THE COMMON PLEAS COURT
GENERAL DIVISION
CUYAHOGA COUNTY – 2009**

Nancy R. McDonnell, 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 Nancy A. Fuerst

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 M. McCafferty

Judge Timothy McCormick

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 2009

	A	B	C	D	E	F	G	H	I	T	V		
	Professional Tort	Product Liability	Other Torts	Workers Compensation	Foreclosures	Administrative Appeal	Complex Litigation	Other Civil	Criminal	Total	Visiting Judge		
Pending beginning of period	1	383	55	3427	1077	7569	115	5	6255	5118	24004	54	1
New cases filed	2	383	41	4302	1668	14171	204	X	12651	14770	48190	0	2
Cases transferred in, reactivated or redesignated	3	103	10	740	423	2399	14	1	934	1942	6566	149	3
TOTAL (Add lines 1-3)	4	869	106	8469	3168	24139	333	6	19840	21830	78760	203	4
TERMINATIONS BY:													
	A	B	C	D	E	F	G	H	I	T	V		
Jury Trial	5	19	0	105	16	0	0	0	35	493	70	93	5
Court Trial	6	1	0	17	4	0	1	0	67	306	396	11	6
Settled or dismissed prior to trial	7	5	0	72	26	0	0	0	33	4	140	0	7
Dismissal	8	343	29	3464	1297	842	50	0	4693	1266	11984	36	8
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	9	0	0	0	0	0	0	0	1	2	3	0	9
Magistrate	10	0	0	1	0	12353	0	0	6	X	12360	0	10
Diversion or arbitration	11	0	0	62	1	0	3	0	74	1025	1165	2	11
Guilty or no contest plea to original charge (criminal); Default (civil)	12	2	0	345	1	67	0	0	5639	2828	8882	0	12
Guilty or no contest plea to reduced charge	13	X	X	X	X	X	X	X	X	9791	9791	0	13
Unavailability of party for trial or sentencing	14	0	0	0	0	0	0	0	0	991	991	0	14
Transfer to another judge or court	15	88	16	728	449	1461	4	0	1070	591	4407	0	15
Referral to private judge	16	0	0	0	0	0	0	0	0	X	0	0	16
Bankruptcy stay or interlocutory appeal	17	9	5	81	2	66	2	0	540	1	706	1	17
Other terminations	18	51	17	510	143	119	114	0	2431	32	3417	65	18
TOTAL (Add lines 5-18)	19	518	67	5385	1939	14908	174	0	14589	17330	54910	185	19
Pending end of period (Subtract line 19 from line 4)	20	351	39	3084	1229	9231	159	6	5251	4500	23850	18	20
		24	24	24	12	12	9	36	24	6	X	X	
Cases pending beyond time guideline	21	23	2	80	57	836	43	1	144	667	1853	0	21
Number of months oldest case is beyond time guideline	22	77	34	64	15	90	70	9	120	151	X	0	22
Cases submitted awaiting sentencing or judgement beyond time guideline	23	0	0	0	0	0	0	0	0	0	0	0	23
	A	B	C	D	E	F	G	H	I	T	V		

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 reduced its budget by 2.9 million dollars in 2009. This was in addition to the 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 added programs in 2009 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 2009 a total of 38,044 civil cases were filed/reactivated. A total of 14,770 new criminal arraignments (and 1,942 reactivations) were brought for a total of 54,756 new cases/reactivations. The Court finished calendar year 2008 with 24,004 cases pending. Calendar year 2009 concluded with 23,850 cases pending. The Court saw the increase in its clearance rate exceed 100%. Productivity and efficiency are only one means for measuring performance of the Court. More importantly the institution must strive for justice in the resolution of each case that affects the rights and obligations of each individual or entity.

Of the civil docket 14,171 (new filings) cases were foreclosures, an increase of nearly 3% from 2008. In all, foreclosure cases comprised 42% of all new civil case filings. Through the dedicated efforts of the Foreclosure Department Staff, the Court was able to keep pace with increased demands of the mortgage crisis locally. The Court also realized a substantial increase in debt collection cases in 2009. The Court will continue to monitor the increase in 2010.

THE TRIAL COURT

The Court's 34 Judges conducted jury trials in 668 instances, including 493 criminal cases and 175 civil jury trials, on average 20 per Judge. The Judges conducted 396 bench trials in 2009. Jury trials were up slightly from 2008 while bench trials were down slightly.

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. It is expected that electronic e-notices will reduce postage costs anywhere from \$200,000 to \$300,000 annually.

SUBSTANTIAL INCREASE IN CAPITAL CASE FILINGS

Capital Case filings increased substantially in 2009 to 58 (includes five reindicted 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 will substantially impact the Court's budget in 2010 and 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 continued to allocate resources to respond to the large number of Foreclosure filings in Cuyahoga County. The Foreclosure Mediation Program was expanded to accommodate the needs of the citizens in Cuyahoga County who wish to make every effort to stay in their homes.

Implementation of Drug Court continued under Judge David Matia. The number of persons entering Drug Court increased dramatically on 2009 and the first graduation for successful candidates in Drug Court was held.

Re-Entry Court continued to expand in 2009 under the leadership of Judge Nancy Margaret Russo and new processes were implemented. Re-Entry Court was recognized as an exceptional program with a success rate of 70%. The Court is unique in Ohio because candidates are granted Judicial Release to participate. It provides participants resources upon exiting prison to provide them opportunities to return as productive members of society. Given the potential for continued success, Re-Entry Court received a continuation grant from the State of Ohio for 2009

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. Under the leadership of Judge Richard J. McMonagle and Judge John O'Donnell, the dockets continued to expand.

Mental Health dockets were implemented in 2003 to respond to the needs of a number of persons with mental illness in the criminal justice system. The Chair of the Common Pleas Court Initiative is Judge Timothy E. McMonagle. Judges Hollie L. Gallagher, John P. O'Donnell, John D. Sutula and Jose A. Villanueva also preside over Mental Health dockets.

The Mental Health dockets operate with a high level of collaboration among Court personnel and criminal justice and community partners. Funding for this project comes from various Court, local, State and Federal funding entities. In 2009, the National Association of Counties and the Pretrial Justice Institute recognized Cuyahoga County's Mental Health Court dockets in one of their publications. Additionally, Mental Health Court partners presented information about the Initiative at trainings and conferences throughout Ohio.

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 received such a overwhelming response that it expanded the ability of more jurors to access the Internet. 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 began implementing new procedures in 2009 to better utilize jurors. The new procedures allow the Court to reduce the number of days some jurors had to spend on jury duty and the costs associated.

COMMUNITY-BASED CORRECTIONAL FACILITY

Plans for the construction of a \$10.5 million, 200 bed Community-Based Correctional Facility (CBCF) for Cuyahoga County are proceeding. 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. It is hoped that the facility will also provide housing and programs for Reentry Court participants.

Major undertakings in 2009 included the obtaining of construction permits from the City of Cleveland and the remediation of the land where the CBCF would be constructed. The Facility Governing Board approved the naming of the CBCF as the “Nancy R. McDonnell Community Based Correctional Facility.” A Request for Proposal was also released in 2009 in order to select an entity to oversee the operation of the CBCF. After a competitive process, Oriana House was selected and the Facility Governing Board will work closely with it during construction and program development.

The Court appreciates the continued cooperation and assistance from the Mayor and Cleveland City Council for this project. The project continues to move forward and within budget with the expectation that construction will be completed in late 2010.

JUSTICE MANAGEMENT REFORM

The Court’s sweeping reform project proceeded through its third full year in 2009. Working in conjunction with the Cuyahoga County Clerk of Courts, Prosecutors Office, Sheriff’s Department, Suburban and Cleveland Police Departments, the project addressed time intervals between date of arrest to initial appearance, to arraignment. All suburban jurisdictions were added to the program in 2009.

IMPLEMENTATION OF EVIDENCE-BASED PRACTICES

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 2009, the Court continued to move towards implementation of Evidence-Based Practices. The Probation Department created new instruments to measure the major identified criminogenic factors impacting recidivism and began testing them. Further, Judges and staff continued to receive training on various aspects of Evidence-Based Practices. 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

JUSTICE FRANCIS E. SWEENEY

ROBERT H. MOONEY, NOREEN A. STEIGER, 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 three 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. If the Judge in the assigned Courtroom is unavailable, then any of the three Judges who are assigned to the Asbestos docket may be consulted. The cases are tried in any available Courtroom on the assigned trial date.

At the end of 2009 there were 7,171 pending cases.

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 the first year, each judge had been assigned over 280 cases! Judges' McMonagle and O'Donnell try to have the claimants in Court within days of the filing of the claim. 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 Fiscal Operations

The 2009 actual General Fund Expenses at **\$43,035,836** represent funding for the **Judicial Administration, Magistrates, Court Services, Probation/Psychiatric Clinic, Law Library, 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 2009 expenditures listed by individual budget are as follows:

Judicial Administration Budget \$23,489,305 - This included funding for the following departments: *Judicial, Administration, Bailiffs, Jury Bailiffs, Jury Commission, Judicial Staff Attorneys, and Judges' Secretaries.*

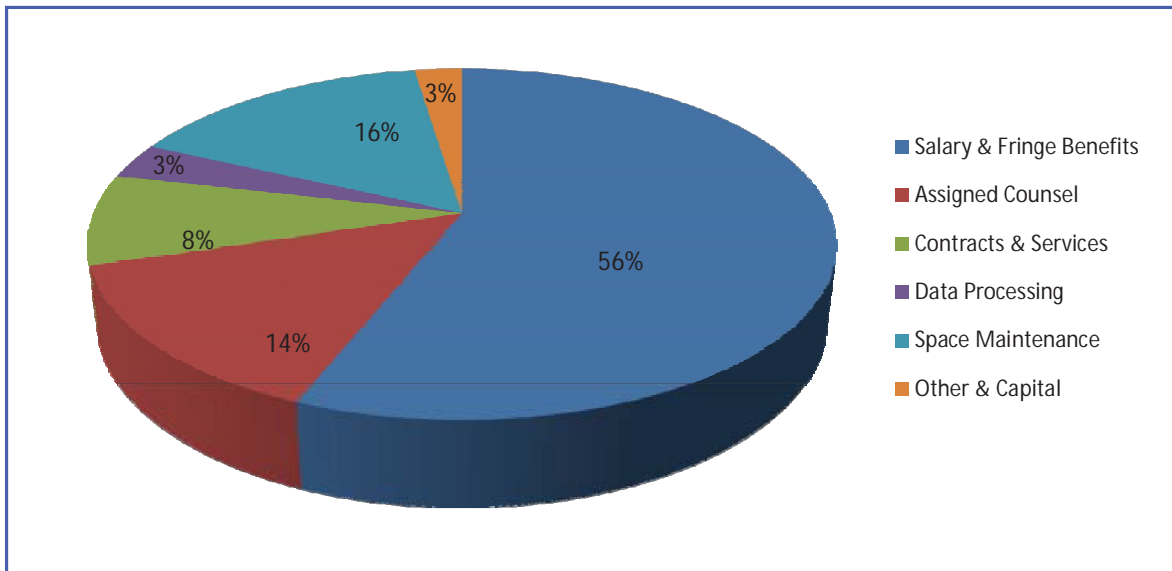
Magistrates Budget \$1,157,283 - This included funding for the following departments: *Alternative Dispute Resolution (ADR) / Mediation, and Foreclosure.*

Court Services Budget \$7,803,923 - This includes funding for the following departments: *Central Scheduling, Court Systems, Data Entry, Court Reporters, Criminal Records, and Information Systems.*

Probation/Psychiatric Budget \$9,952,156 - This includes funding for the following departments: *Probation, and the Court Psychiatric Clinic.*

The Law Library at \$560,754 and the Legal Research Budget's expenses at \$72,415 complete the cost of the General Fund operational requirements for 2009.

COMMON PLEAS COURT 2009 - GENERAL FUND EXPENDITURES



Salary & Fringe Benefits	24,138,158
Assigned Counsel	6,109,065
Contracts & Services	3,596,137
Data Processing	1,409,836
Space Maintenance	6,739,823
Other & Capital	1,042,817
TOTAL	\$43,035,836

The Pie Chart above summarizes the Court's General Fund Expenditures for 2009. This analysis is comprised of actual expenses from the Judicial Administration, Magistrates, Court Services, Probation / Psychiatric Clinic, Legal Research, and Law Library budgets. Salary and Fringe Benefits is the largest expense category representing compensation to approximately 457 Full-Time- Equivalents that includes 34 elected judges. The third largest category, Assigned Counsel, includes costs for Court appointed legal representation for indigent defendants in criminal cases. In 2009 the total number of arraigned indigent defendants was 11,631 of that total, 3,568 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 28% of the total expenditure.

ALTERNATIVE DISPUTE RESOLUTION

REBECCA B. WETZEL
ADR Administrator

ELIZABETH A. HICKEY
Mediator

ANDREA R. KINAST
Foreclosure Mediator

ANN T. MANNEN
Foreclosure Mediator

TOTAL STAFF:

- 1 ADR Administrator
- 1 Court Mediator
- 2 Foreclosure Mediators
- 2 Administrative Assistants

The ADR Department is located on the fourth floor of the Justice Center across from the Cafeteria. The Department provides five methods of alternative dispute resolution for the Court; arbitration, mediation, mediation after arbitration, business mediation and foreclosure mediation.

The Foreclosure Mediation program started on June 25, 2008. The Foreclosure Mediation Program is lead by Andrea Kinast. The program continued to grow and expand as it completed its first full year. At year end of 2009 ADR was in the process of adding two new foreclosure mediators.

In 2009 ADR continued its practice of holding Settlement Days. On these days approximately 60 mediation hearings are scheduled and conducted by volunteer mediators. ADR achieved a 50% settlement ratio in each of the three Settlement Days.

The total number of cases referred to the ADR Department in 2008 was 2,678 of which 1,114 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 & analysis for 2009

	2009	Since Inception (May 1970)
Total Cases Referred	295	77,815
Arbitration Referral Vacated	13	3,495
Net Total Arbitration Referrals	282	74,280
Report & Awards Filed	202	52,306
Total Appeal de Novo Filed	74	14,981

FINAL ENTRIES

	2009	Since Inception (May 1970)
Arbitration Cases settled via Mediation	4	N/A
Arbitration Cases Settled (no fees paid)	76	20,861
Awards Reduced to Judgment	121	N/A
Bankruptcy	0	N/A
Appeals Disposed	6	12,794
TOTAL FINAL ENTRIES	207	

PERCENTAGES 2009

(based on 338 net referrals)

Arbitration Cases Resolved via Mediation	1%
Arbitration Cases Settled before Hearing	27%
Arbitration Cases Appealed	25%
Arbitration Awards Appealed	26%
Arbitration Awards Reduced to Judgment	60%
Arbitration Appeals Resolved via Settlement	83%
Arbitration Appeals Resolved via Jury Trial	13%

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 & Analysis for 2009

Total Cases Referred to Court Mediation	590
Total Cases Mediated	526
Total Cases Settled by Mediation	219
Percentage of Settlements	42%
Total Appeals Mediated	10
Appeals Settled in Mediation	6
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 2009

Total Cases Referred to Mediation	94
Total Completed Mediations	90
Total Settlements	53
Percentage of Settlements	60%

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 2009

Total Cases Referred	3310
Settled Prior	317
Hearing Held	1410
Cases Settled	778
Settlement Ratio	55%

CENTRAL SCHEDULING DEPARTMENT

RICHARD SUNYAK

Director of Operations

ROBERT ODON

Supervisor of Central Scheduling

Total Staff:

- 1 Director
- 1 Supervisor
- 15 Schedulers (Full Time)
- 2 Schedulers (Part Time)
- 6 Visiting Judge Bailiffs
- 1 Jail Population Control Liaisons
- 2 Receptionists
- 1 Assigned Counsel Voucher Coordinator

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 27 employees.

CENTRAL SCHEDULING DEPARTMENT

The year 2009 was no different than previous years as continuing changes to the operation of the Court of Common Pleas continued. Training of new staff in emergency evacuation procedures and the distribution and update of emergency evacuation material to courtrooms and other departments added to the normal duties performed by this department.

SCHEDULERS

The schedulers' duties include the responsibility for the scheduling of criminal and civil hearings, the distribution of various court pleadings & 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 now able to create criminal as well as civil journal entries for their bailiffs, judges & 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 2009, 12,009 vouchers were prepared, examined for errors and submitted for distribution of funds. While this figure represents a slight decrease from 2008, 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. In addition, as of September 2008, the fee schedule for assigned counsel was 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 the 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 2009, the estimated jail population was 1450 inmates. The end of 2009 found the number increased to approximately 1980. 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. While this program continues and the judges are assigned their duties by the Central Scheduling Department, the judges will no longer be assisted by our scheduling staff. Additional, permanent staff has been hired using grant funds and our department is no longer directly involved in the daily workings of the program.



VISITING JUDGE PROGRAM

The Visiting Judge Program is managed by the Supervisor of Central Scheduling and consists of 16 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 2009, in addition to the specialized Asbestosis/Workers' Compensation and Asbestos/Beryllium dockets, the Visiting Judge Program disposed of 163 civil cases and 5 criminal cases. Of those, 41 cases were disposed of by settlement, which results in a 24% settlement rate for this year. Collectively, the judges were in trial a total of 317 days.

JUDGE	CASES DISPOSED	CASES SETTLED
Corrigan, John E.	7	0
Corrigan, Michael	16	3
Coyne, William	17	8
Curran, Thomas *	18	3
Griffin, Burt	13	4
Kelly, R. Patrick	12	2
Kilbane-Koch, Judith	5	0
Markus, Richard	12	3
Pokorny, Thomas	17	3
Porter, James	11	3
Rocker, Linda	12	4
Shapiro, Marvin	5	3
Spellacy, Leo *	1	1
Sweeney, James D.	17	5

* In addition to the Asbestos Docket

We welcomed the Honorable Linda Rocker, Judith Kilbane-Koch and Marvin Shapiro to the ranks of our visiting judges this year. We hope that they will all continue to add wisdom & expertise to our program. We were saddened by the loss of the Honorable Ralph McAllister and Francis Sweeney as visiting judges, the former having reached the mandatory retirement age of 80 and the latter choosing full retirement. They will be sorely missed.

The Asbestos/Workers' Compensation Docket disposed of a total of 33 cases through a combination of trials, settlements and summary judgments. This was a decrease over last 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 7,177 cases. With three 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

PAMELA BENN-HILL
Assistant Chief Court Reporter

ROBERT P. LLOYD
Assistant Chief Court Reporter

TOTAL STAFF

- 1 Chief Reporter
- 2 Assistant Chief Reporters
- 42 Court Reporters
- 1 Receptionist

In 2009, over 35,000 job cards were filed representing court reporter attendance at trials, pleas, sentencing, motions, hearings and other related matters in both civil and criminal cases. In addition, the Court Reporters Department reported over 14,600 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 2009 was fifty five (55). 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 seventy five (1,475) 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 by 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
 - 6 Bond Investigators
 - 1 Post-Arrestment Clerk
 - 2 Grand Jury Bailiffs
 - 1 EDC Coordinator
 - 2 Assistant EDC Coordinators
 - 1 Arrestment Room Clerk
 - 3 Pre-Arrestment Clerks
 - 1 Clerical
- (9 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 4,695 bail investigations during 2009.

ARRAIGNMENTS

The arraignement clerks assemble and summarize the criminal history of each defendant scheduled for arraignement, along with determining if the case needs to be assigned randomly or to a specific trial judge based on local rules. During the arraignement hearing the Bond Commissioner presents these materials, along with a bond recommendation to the Arrestment Room Judge, so that a defendant may be properly arraigned. The Judge proceeds with the Arrestment, which includes the setting of the bond, instructions

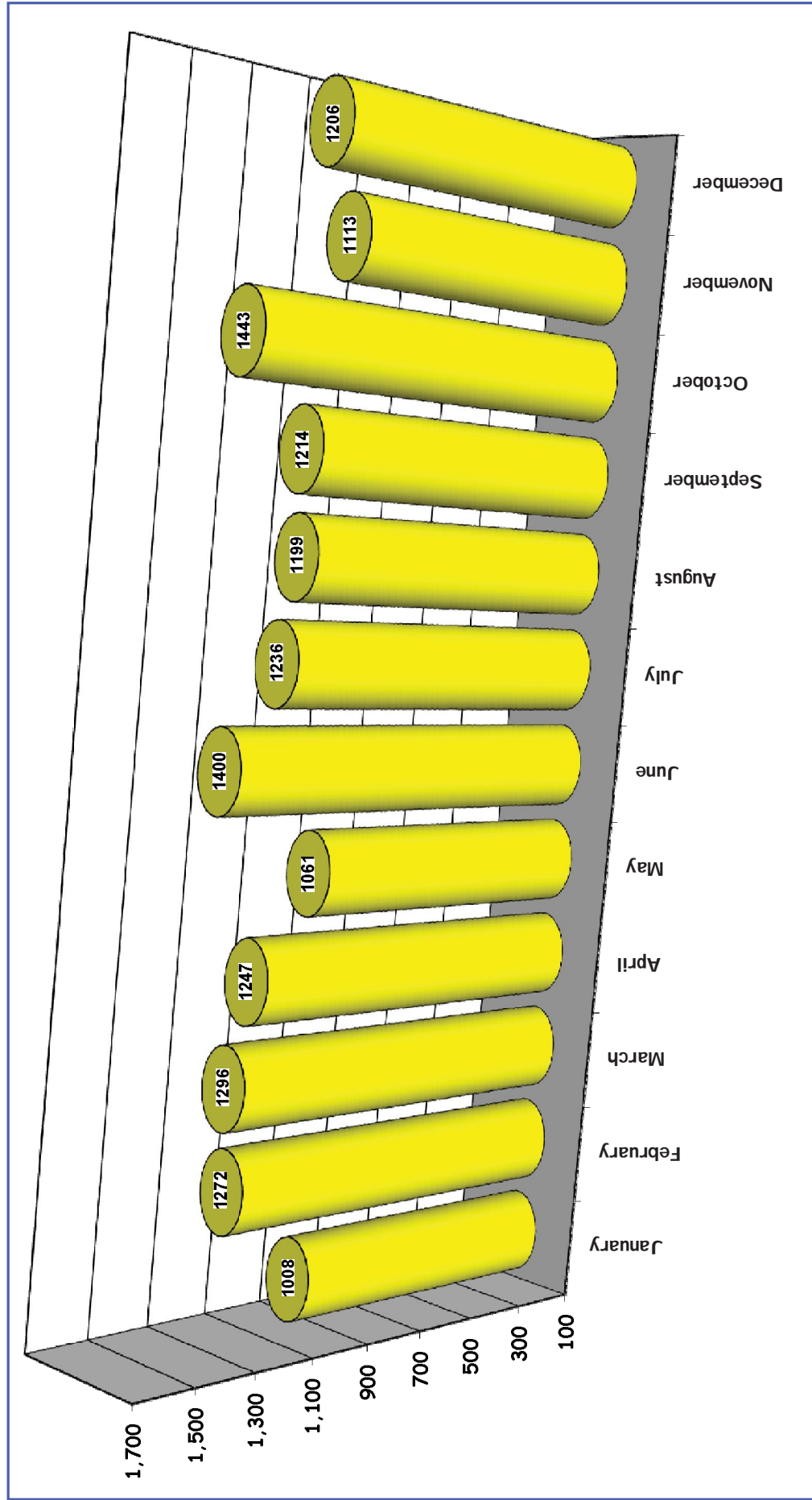
on any conditions of a bond, assignment of the trial judge and appointment of an attorney, if the defendant needs one to be appointed. The Arraignment Judge also issues capias for defendants who fail to appear at the scheduled arraignment.

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.

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
1,008	1,272	1,296	1,247	1,061	1,400	1,236	1,199	1,214	1,443	1,113	1,206	14,695

Common Pleas Court Monthly Felony Arraignments 2009



CAPIAS STATS YTD 2009

ARRAIGNMENT DATA

DATE	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	Y.T.D. TOTAL
VIDEO	24	26	22	16	0	1	0	2	1	0	0	0	92
Female Jails	60	64	65	67	51	77	62	44	64	44	45	61	704
Male Jails	429	485	542	505	452	636	525	512	542	614	494	519	6255
Scheduled Jails	489	549	607	572	503	713	587	556	606	658	539	580	6959
Scheduled Bails	830	1165	1068	1116	863	1151	976	1007	995	1222	909	1033	12335
Total Scheduled	1319	1714	1675	1688	1366	1864	1563	1563	1601	1880	1448	1613	19294
Jails Arraigned	482	536	597	562	496	705	580	526	591	636	518	558	6787
Bails Arraigned	526	736	699	685	565	695	656	673	623	807	595	648	7908
Total Arraigned	1008	1272	1296	1247	1061	1400	1236	1199	1214	1443	1113	1206	14695
Jails Cont.	7	13	9	7	7	8	7	20	15	22	21	22	158
Bails Cont.	51	58	57	79	51	43	63	69	50	53	49	67	690
Total Cont.	58	71	66	86	58	51	70	89	65	75	70	89	848
Diversion	17	11	8	12	11	13	11	12	18	17	14	17	161
Nolle	1	0	2	2	3	1	1	1	2	0	0	0	13

Capias as % of Scheduled Bails
29.0%

	CAPIAS SUBURBS/OTHER												As % of total capias	
Straight Capias	90	136	117	143	90	146	79	90	90	114	73	120	1288	36.0%
OCR	15	34	25	30	21	38	34	23	38	44	21	20	343	9.6%
BFC 10%	0	2	6	2	0	3	2	3	0	2	1	2	23	0.6%
BFC C/S/P	15	10	12	14	14	22	9	12	12	15	12	15	162	4.5%
BFC PB	0	1	3	3	1	3	3	1	1	2	2	2	22	0.6%
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	1	0	0	1	0.0%
Rewrite 10%	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Returns Inst.	15	16	14	25	9	14	14	12	11	9	14	10	163	4.6%
TOTAL OTHER	135	199	177	217	135	226	141	141	152	187	123	169	2002	56.0%

	CAPIAS CLEVELAND												As % of total capias	
Straight Capias	58	102	67	65	45	81	48	59	83	85	78	69	840	23.5%
OCR	23	31	24	26	27	36	24	28	27	32	32	27	337	9.4%
BFC 10%	6	9	13	12	10	16	11	11	13	10	5	19	135	3.8%
BFC C/S/P	10	15	21	20	16	36	20	23	23	29	12	14	239	6.7%
BFC PB	1	4	1	1	0	2	1	0	4	2	1	3	20	0.6%
Rewrite PB	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Rewrite C/S/P	2	0	0	0	0	2	0	0	0	0	0	0	4	0.1%
Rewrite 10%	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
TOTAL CLEVELAND	100	161	126	124	98	173	104	121	150	158	128	132	1575	44.0%

	CAPIAS TOTAL												As % of total capias	
CAPIAS TOTAL	235	360	303	341	233	399	245	262	302	345	251	301	3577	100.0%
Total	1319	1714	1675	1688	1366	1864	1563	1563	1601	1880	1448	1613	19294	

FORECLOSURE MAGISTRATES

STEPHEN M. BUCHA III
Foreclosure Magistrate Director

KEVIN C. AUGUSTYN
Assistant Director

Total Staff:

- 1 Director
- 1 Asst. Director
- 1 Staff Attorney
- 1 Office Manager
- 1 Asst. Office Manager
- 12 Foreclosure Magistrates
- 9 Support Staff

All cases concerning foreclosure, quiet title and partition are adjudicated by the Court's fourteen magistrates. In the last three 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 March of 2006, the average time to disposition was 539 days. In 2009, the average time to disposition was reduced to 185 days.

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.

13,417 cases were newly referred to the Magistrates' Department in 2009, slightly fewer than 2008, but still near the record high of 13,968 cases set in 2007 and the third most yearly filings during the nineteen years for which the department has statistics. The magistrates adjudicated 13,210 cases in 2009.

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

Cuyahoga County Court of Common Pleas, General Division
Magistrates' Department Statistics Summary 1990-2009

Year	Referrals ¹	% Change From Previous Yr.	Reinstates ²	%Change From Previous Yr.	Referrals & Reinstates Combined	Supplementals ³	%Change From Previous Yr.
1990	4796	n/a	45	n/a	4841	1564	n/a
1991	4247	-11.4%	66	46.7%	4133	1320	-15.6%
1992	3895	-8.2%	60	-9.1%	3955	1430	8.3%
1993	3564	-8.4%	39	-35.0%	3603	1821	27.3%
1994	3366	-5.6%	77	97.4%	3443	2569	41.1%
1995	2582	-23.3%	230	198.7%	2812	4611	79.4%
1996	4065	57.4%	245	6.5%	4310	4364	-5.3%
1997	3867	-4.9%	411	67.8%	4278	5121	17.3%
1998	5133	32.7%	538	30.9%	5671	6431	25.6%
1999	5446	6.1%	628	16.7%	6074	7097	10.4%
2000	5915	8.6%	835	32.9%	6750	10083	42.1%
2001	7161	21.1%	928	11.1%	8089	17438	72.9%
2002	9609	34.2%	1101	18.6%	10710	19753	13.3%
2003	8724	-9.2%	1421	29.1%	10145	26591	34.6%
2004	9739	11.6%	1470	3.4%	11209	29539	11.1%
2005	11075	13.7%	1634	11.2%	12709	33100	12.1%
2006	13276	19.9%	1584	-3.1%	14872	67972	105.4%
2007	13968	5.2%	1356	-14.4%	15324	77592	14.2%
2008	13742	-1.6%	1241	-8.5%	14983	64506	-16.8%
2009	13417	-2.3%	936	-24.6%	14353	57016	-11.6%

¹This column represents all cases referred to the Magistrates which includes all of the Court's Foreclosure, Quiet Title and Partition cases. Foreclosures represent approximately 90% to 95% of all cases referred to the Magistrates' Department

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

³After 1992, this column represents all proposed rulings by the Magistrates Department on miscellaneous motions and all magistrate's orders. 1992 and earlier, this column represents all proposed rulings by the Magistrates Department on motions to distribute funds generated by sheriff's sales.

Year	Decreases ⁴	%Change From Previous Yr.	Dispositions ⁵	%Change From Previous Yr.	Net Case Gain/(Loss) ⁶
1990	2854	n/a	4512	n/a	329
1991	3678	28.9%	4535	0.5%	(402)
1992	3060	-16.8%	3933	-13.3%	22
1993	2875	-6.0%	3656	-7.0%	(53)
1994	2463	-14.3%	4271	16.8%	(828)
1995	2199	-10.7%	3974	-7.0%	(1162)
1996	2174	-1.1%	3960	-0.3%	350
1997	2608	20.0%	4597	16.0%	(319)
1998	3043	16.7%	5583	21.4%	88
1999	2823	-7.2%	5795	3.7%	279
2000	3073	8.8%	6265	8.1%	485
2001	3048	-0.8%	6843	9.2%	1246
2002	3261	7.0%	7315	6.5%	3395
2003	3510	7.6%	8544	16.8%	1601
2004	4988	42.1%	10394	21.6%	815
2005	5515	10.6%	11852	14.0%	857
2006	10412	88.8%	16351	38.0%	(1479)
2007	11378	9.3%	18041	10.3%	(2717)
2008	9698	-14.8%	15950	-11.6%	(2208)
2009	6908	-28.8%	13210	-17.2%	1143

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

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

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

INFORMATION SYSTEMS/COURT SYSTEMS

THOMAS P. ARNAUT
Director

MICHAEL STANIC
Assistant Director – Network Engineering

PAUL R. LEY
Assistant Director – Programming

RICHARD E. PIEKARSKI
Certified Network Administrator

TOTAL STAFF:

1 Administrative Assistant	1 Court Technology Specialist
1 Assistant Director – Network Engineering	4 Computer Programmers
1 Assistant Director – Programming	1 Court Systems Supervisor
1 Certified Network Administrator	1 Court Systems Assistant Supervisor
2 Network Technicians	1 Data Entry Staff

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 2009, the Information Systems Department continued developing and implementing new features in the Court's Case Management System. The 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 County's Justice System Reform Initiative through various projects such as case management system modifications and providing statistical reports for gauging the progress that is being made.

The Information Systems Department continues 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 38,000 entries in 2009.

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

MICHAEL HEFFERNAN

Chief Judicial Staff Attorney

LAURA W. CREED

Assistant Chief Judicial Staff Attorney

TOTAL STAFF:

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

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

The Judicial Staff Attorney Department continued to evolve in 2009. Laura Creed was promoted to the position of Chief Judicial Staff Attorney, and Molly DeFranco to the position Assistant Chief Judicial Staff Attorney. Combined, these attorneys bring over 20 years of experience and service to the Court of Common Pleas. During the calendar year, 10 new staff attorneys joined the department, which represents a turnover of nearly one-third of the staff. Another significant change was the elimination of the term limit for staff attorneys. Now each judge may choose whether to impose a term limit on his or her staff attorney.

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 Bailiff
- 2 Assistant Jury Commissioners

JURY BAILIFFS

JUROR UTILIZATION - CRIMINAL 2009

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Panels	83	78	80	81	64	76	57	71	62	58	53	37	800
Trials	49	49	32	21	22	45	38	43	31	31	25	23	409

JUROR UTILIZATION - CIVIL 2009

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Panels	13	14	24	17	24	24	17	16	11	17	17	11	205
205	11	10	17	6	14	21	15	14	11	14	13	10	156

CAPITAL CASE JURY TRIAL 3
NUMBER OF JURORS 15,581
NUMBER OF JUROR DAYS OVER 5 1,431
TOTAL NUMBER OF JUROR DAYS 62,889

effective utilization of jurors. There were 78 fewer panels drawn in 2009 compared to 2008 and 98 fewer trials in 2009 compared to 2008. There was a significant drop of the number of trials during the months July, August, September and October and again in December of 2009 compared to 2008, which resulted in to many jurors sitting around doing nothing. There were 1,572 more jurors drawn in 2009 to accommodate special venire cases but only three of those cases went forward, which then results to extra cost to pay these jurors for appearing but not being used.

JURY COMMISSION

JURY COMMISSION ANNUAL REPORT 2009

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Drawn	2709	3162	4121	3625	2728	2809	2661	3669	3394	3710	3155	2254	37997
Report	1198	1156	1531	1350	1340	1389	1102	1381	1340	1375	1277	1178	15581

PETIT JURORS DRAWN 37,997
GRAND JURORS DRAWN 2,100
SPECIAL JURORS DRAWN 0
TOTAL 40,097

COURT PSYCHIATRIC CLINIC

PHILLIP J. RESNICK

M.D., Director

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

Associate Director

TOTAL STAFF:

- 1 Director (12 hours per week)
- 1 Associate Director
- 1 Chief of Psychology
- 1 Chief of Social Work
- 2 Full Social Workers
- 1 Full Time Psychologist
- 11 part time (4 hours per week) Psychiatrists
- 2 part time (4 hours per week) Psychologist
- 1 part time (20 hours per week) Psychologist
- 1 part time (20 hours per week) Psychologist
- 1 Office Manager
- 5 Secretaries (transcription, office duties)

Court Clinic Referrals in 2009:

During the calendar year 2009 the Court Psychiatric Clinic received a total of Two Thousand Four Hundred and Forty-Six (2,446) referrals. This number represents Ninety (90) fewer referrals than 2008, a three and five-tenths (3.5) percent decrease compared to 2008 (2,536). There appears to be no single explanation for the observed decrease. One possible contributing factor is a reported decision by the City of Cleveland to retain "crack pipe" cases at the misdemeanor level.

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, eleven part time psychiatrists (three of whom are forensic psychiatry fellows), two part time psychologists (one of whom works half-time), and one part time neuropsychologist.

There were several personnel changes in the professional staff during 2009. Thomas Hall, Ph.D., and Nancy Huntsman, Ph.D. both retired from the professional staff after long years of service. Praveen Kambam, M.D., a psychiatrist, was hired to fill one of the two vacant positions.

Secretarial Staff:

Ms. Kathleen Barrett is the Court Psychiatric Clinic Office Manager. She has completed her fifth full year in the position and continues to do an excellent job. She complements the full time secretarial and support staff composed of Sherry Halasy, Cheryl Russell, Pamela Krickler, Maureen Broestl and Ronald Borchert. 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 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 thirteenth 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.” Due to budget cuts at the Ohio Department of Mental Health, the past year’s funding of Seventy One Thousand Three Hundred Forty Dollars (\$71,340) will be reduced to Twenty-Two Thousand Dollars (\$22,000) for 2010. The funds are administered through the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (ADAMHS).

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. Sanity evaluations increased approximately eight and six/tenths (8.6) percent from Five Hundred Eighty-Nine (589) to Six Hundred Forty (640). Competency evaluations increased from Seven Hundred and Four (704) in 2008 to Seven Hundred and Twenty-Five (725) in 2009. This change represents a nearly three (2.98) percent increase in competency referrals.

Continued High Volume of Mitigation and Drug Dependency/Intervention in Lieu of Conviction Reports:

The Court Psychiatric Clinic received Five Hundred Seventy-Three (573) referrals for Mitigation of Penalty Reports. This represents a twelve (12) percent decrease over the Six Hundred and Fifty-Three (653) referrals received in 2008. To cut down on post plea and post conviction jail time, more courtrooms appear to be ordering recommendations for treatment concurrent with their initial referrals for Competency to Stand Trial and Sanity at the Time of the Act evaluations. A number of Judges have made referrals equivalent to the former but now obsolete House Bill 180 Sexual Predator evaluations when seeking to determine a sexual offender’s likelihood for reoffending as part of their sentencing decision.

The Clinic received Two Hundred Ninety-Three (293) referrals for Drug Dependency/ Intervention in Lieu of Conviction Reports. This represents a Twenty-three (23) percent decrease in Drug Dependency/ Intervention in Lieu of Conviction Reports over the Three Hundred Eighty-One (381) referrals received in 2008. The decrease appears to be partially explained by the fewer number of “crack pipe” cases reaching the Common Pleas Court. 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 three forensic psychiatry fellows 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 2009 component of the 2009 - 2010 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 four lunchtime seminars open to Clinic staff, Judges, Probation Officers and Mental Health Professionals from the community. Joel Watts, M.D. presented the topic “Guns Don’t Kill, People Do: the impact of Gun Legislation on Homicide and Suicide.” Edward Poa, M.D. presented, “Doomed to Kill? Violent Video Games Play in the Assessment of Violence Risk.” Sherif Soliman, M.D. presented, “Anatomy of a Filicide: The Amber Hill Case. Stephen Noffsinger, M.D. presented “The Thin Line: Duty to Protect.”

The Social Work staff conducted a two-part internal training seminar, “The Use of Engagement and Information Gathering Techniques in Forensic Evaluation.” The seminar focused on ways to interview defendants who are reluctant to participate in the forensic evaluation process and to gather information on substance use.

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:

Drs. Aronoff and Schmedlen were active during 2009 in the Association of Ohio Forensic Psychiatric Center Directors (Association). Dr. Schmedlen regularly attended the Association’s monthly meetings in Columbus. He was a member of the Education Committee and 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. Dr. Aronoff regularly attended the Association’s monthly meetings and was an active member of the Quality Assurance Committee.

The Court Psychiatric Clinic Remains Focused on Its Core Mission:

During 2009, 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 (1/1/09 - 12/31/09)
NUMBER OF REFERRALS**

Competency to Stand Trial (O.R.C. § 2945.371(A))	725
Sanity at the Time of the Act (O.R.C. § 2945.371(A))	640
Mitigation of Penalty (O.R.C. § 2947.06(B))	573
Civil Commitment (O.R.C. § 2945.40 & 5122.01)	17
Movement to Nonsecurred Status (Senate Bill 285)	21
Drug Dependency/Intervention in Lieu (O.R.C. § 2945.041)	293
Reports for Probation (O.R.C. § 2951.03)	175
Total	2,446

**COURT PSYCHIATRIC CLINIC
COMPARISON NUMBER OF REFERRALS 2008 - 2009**

	2008	2009	change +/- %
Competency to Stand Trial (O.R.C. § 2945.371(A))	704	725	2.98% +
Sanity at the Time of the Act (O.R.C. § 2945.371(A))	589	640	8.65% +
Mitigation of Penalty (O.R.C. § 2947.06(B))	653	573	12.3 -
Civil Commitment - (O.R.C. § 2945.40 & § 5122.01)	25	17	32.0% -
Movement to Nonsecurred Status (Senate Bill 285)	21	22	04.6% -
Drug Depen/Intervention in Lieu (O.R.C. § 2945.041)	381	293	23.1% -
Reports for Probation (O.R.C. § 2951.03)	162	175	08.0% +
Total	2,536	2,446	

ADULT PROBATION DEPARTMENT

VINCENT D. HOLLAND

Chief Probation Officer

MOLLY BRENINGHOUSE & ELLEN WOODRUFF

Deputy Chiefs Probation Officers

DANIEL PETERCA

Manager of Pretrial Services

TOTAL STAFF:

- 1 Chief Probation Officer
- 2 Deputy Chief Probation Officer
- 1 Managers
- 17 Supervisors
 - 1 Supervisor of Information Services
 - 1 Training Specialist
- 130 Probation Officers
 - 1 Clerical Supervisor
- 18 Clerical & 7 Support Staff
 - 1 Executive Secretary
 - 7 Administrative Assistants
 - 1 Laboratory Supervisor
 - 3 Senior Lab Technicians
 - 3 Lab Assistants
 - 3 Cashier-Bookkeepers

SUPERVISION

PERSONS ON PROBATION AS OF DECEMBER 31, 2009..... 8, 223

PERSONS PLACED ON PROBATION IN 2008..... 8,103

NUMBER OF PERSONS SERVICED IN 2009 17,473

INDIVIDUALS REMOVED FROM PROBATION IN 2009:

CATEGORY	NUMBER
Probation Expired	2,617
Early Termination	1,251
Abated by Death	40
Capias Issued	2,731
Probation violation (sentenced prison or jail)	1,162
Probation Violation (Probation Terminated)	504
Total	8,305

PERSONS UNDER SUPERVISION AS OF DECEMBER 31, 2009

Date as of:	Number of Individuals on Probation for a Felony Conviction	Percent	Number of Individuals on Probation for a Misdemeanor Conviction	Percent	Total Number on Probation
12-31-2009	7,583	92.22%	640	7.78%	8,223
12/31/2008	7,733	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
12/31/1993	7,384	87.72%	1,034	12.28%	8,418
12/31/1992	7,468	86.69%	1,147	13.31%	8,615
12/31/1991	7,683	86.36%	1,213	13.64%	8,896
12/31/1990	8,681	95.12%	445	4.88%	9,126
12/31/1989	8,102	94.97%	429	5.03%	8,531

DEMOGRAPHIC PROFILE OF SUPERVISION CASES - 2008

AGE GROUP	Percentage of Total	Total Probationers
Under 18 years	0.01%	0
18 through 22	11.59%	1,111
23 through 27	19.60%	1,555
28 through 32	16.19%	1,350
33 through 37	12.19%	1,012
38 through 42	12.54%	943
43 through 46	8.21%	638
47 through 51	9.42%	738
52 through 56	5.48%	520
57 and over	4.77%	356
Unknown	0.01%	0
Total	100.00	8,223

SEX	Percent	Number
Male	74.92%	6,161
Female	25.08%	2,062
Total	100.00	8,223
RACE	Percent	Number
Native-American	0.00%	0
Asian	0.22%	18
African-American	61.46%	5,054
Caucasian	34.76%	2,858
Hispanic	1.92%	158
Other	1.64%	135
Total	100.00	8,223

INVESTIGATION REPORTS

Investigation reports are done by state probation officers and dedicated County Probation Department investigation officers. Investigation reports are used for sentencing purposes by the courts. Investigation reports may also be used for case planning, Ohio’s correctional system, the psychiatric clinic, other probation departments, treatment and residential programs.

<u>REPORT TYPE</u>	<u>NUMBER</u>	
Pre-sentence reports	7,737	
Expungement Reports	1,485	
Total Investigations (assigned)	9,222	
Distribution of Pre-sentence Reports Assigned		
<u>TYPE</u>	<u>NUMBER</u>	<u>PERCENT</u>
State Probation	2,852	36.86%
County Probation	4885	63.14%
Total	7737	100.00%
Distribution of Jail and Bail Pre-sentence Reports assigned		
<u>TYPE</u>	<u>NUMBER</u>	<u>PERCENT</u>
Pre-sentence-Jail	1466	18.95%
Pre-sentence-Bail	6271	81.05%
Total	7737	100.00%

FINANCIAL COLLECTIONS BY THE ADULT PROBATION DEPARTMENT

The Probation Department allowed for payments to be collected utilizing credit cards for the first time in 2009. Exactly \$154,879.14 was collected via credit cards in 2009.

<u>CATEGORY</u>	<u>AMOUNT COLLECTED</u>
Restitution Payments.....	\$ 2,631,167.04
Home Detention Fees.....	64,571.84
Probation Supervision Fees	278,718.0795
Court Costs	6,889.17
Total	\$2,981,346.12

RESTITUTION COLLECTED 1988 - 2009

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
1999	\$1,655,514.80

DRUG TESTING

An important milestone was reached in February of 2009. After many years of planning the Laboratory moved to a new location in the lower level of the Marion Building. The area was completely renovated and provided much needed space for storage and daily operations. This allowed for close to 3000 DNA specimen collections to now be performed in the Laboratory in addition to urine, oral fluid and hair specimen collections.

The Probation Department Laboratory performs drug of abuse testing and currently has a five year (2007 to 2012) contract with ThermoFisher Scientific, Inc. (formerly Microgenics, Inc.) to provide reagents, instrumentation and some supplies to perform the drug tests. A 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
Total Subjects	35,334	34,501	33,682	29,691	2,7170
Total specimens**	121,837	122,214	123,338	103,113	9,4289
Specimens positive ONE OR MORE DRUGS	17,538	17,618	17,207	15,438	14,869
Percent of specimens positive ONE OR MORE DRUGS	14.1%	14.4%	14.0%	15.0%	15.8%

*Unable to provide accurate number of subjects in 2004 due to changes in computer software and archiving of data.

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

Percent Positive by Drug	2005	2006	2007	2008	2009
Cocaine	5.4%	5.8%	5.0%	4.1%	3.7%
Marijuana	9.1%	9.5%	10.0%	11.5%	11.9%
Opiates	2.4%	2.4%	2.7%	3.2%	3.7%
Phencyclidine (PCP)	1.1%	0.9%	1.0%	1.0%	0.8%
Amphetamines	1.1%	1.2%	1.2%	0.2%	14.3%
Alcohol	1.6%	n/a	n/a	n/a	n/a
6 Acetylmorphine (heroin)	14.1%	11.9%	11.2%	13.8%	0.1%

NOTE: 6-acetylmorphine % positive rate from 2005 through 2008 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 5 drugs and may be positive for more than one drug. In addition, Validity Testing (urine creatinine) is performed on each specimen (94,289). 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 2009 decreased by 8.6% and the number of drug tests performed decreased by 10% when compared to the previous year. The change in test volume is due to the elimination of tests performed for outside treatment facilities on persons who were not clients of the Court of Common

Pleas Department of Probation and the restrictions placed on drug testing that were initiated by some groups due to budgetary constraints. The Adult Parole Authority did not utilize our services after April 2008 for this reason.

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; Adult Parole Authority, 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), Youth Development Center, and the Domestic Relations Division of the Court of Common Pleas. In the latter group, all clients that are able pay directly for all laboratory testing.

NUMBER OF URINE SAMPLES AND TESTS PERFORMED
1988 - 2009

Year	SPECIMENS	CHANGE	TESTS	CHANGE
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%)	415,137	-3.70%
2005	121,837	-5.00%	431,178	-7.00%
2004	128,304	6.30%	463,424	5.20%
2003	120,686	-0.60%	440,591	-4.70%
2002	121,409	7.60%	462,886	10.00%
2001	112,793	15.20%	422,184	24.10%
2000	97,891	7.50%	340,114	9.80%
1999	91,042	1.70%	309,848	18.00%
1998	89,549	15.70%	262,464	28.80%
1997	77,373	4.40%	203,777	11.00%
1996	74,127	10.40%	183,512	21.00%
1995	67,073	13.40%	151,666	
1994	59,149	3.70%		
1993	57,028	4.95%		
1992	54,339	5.55%		
1991	51,477	48.85%		
1990	34,582	32.20%		
1989	26,158	96.54%		
1988	13,309			

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
SUBJECTS	48	52	95			
SPECIMENS	60	60	112	83	117	75
Negative	44	433	79	68	98	61
Not tested*	0	1	0	0	0	0
Positive	16	15	33	15	19	14
COCAINE	12	14	27	11	17	11
MARIJUANA	3	2	5	3	2	1
AMPHETAMINES					0	0
MDMA (Ecstasy)	1	1	1	1	0	0
Methamphetamine	0	1	0	0	2	0
OPIATES				3	0	
Morphine	1	1	0	2	0	1
Codeine	4	1	0	2	0	0
6AM**	2	1	1	1	0	0
6AM & Morphine						1

*Not tested= insufficient quantity ** 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.

	2007	2007	2008	2009
METHOD	ABMC	REDWOOD	REDWOOD	REDWOOD
SPECIMENS	31	253	219	715
Positive Specimens	10	21	71	86
% Positive Specimens	33.3%	8.3%	32.4%	12%
TESTS (6/specimen)	186	1518	1314	4290
Positive Tests	20	26	71	86
GC/MS Confirm Pos Tests	NA*	7	44	28
% Confirm Positive Tests	NA*	0.5%	61.9%%	32.6%
No Tests Results	0	0	0	0

*Unable to confirm tests by GC/MS.

REFERENCE LABORATORY TESTING

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

Testing by the Cuyahoga County Coroner Toxicology Laboratory was begun in October 2007. They perform testing on dilute specimens and positives requiring confirmation and they also provide valuable assistance in the investigation into any unusual or unexpected test results.

** The increased percent positive specimens from Kroll Laboratories are 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, which have a much

	2007	2007	2008	2008	2009	2009
	KROLL LAB	CORONER LAB	KROLL LAB	CORONER LAB	KROLL LAB	CORONER LAB
SPECIMENS TESTED	1,559	63	825	808	845	348
Total Tests	2,321	62	1419	1460	1444	467
Positive Tests	693	18	430	243	572	127
% Positive tests	30%	29%	29%	16.6%	29.4%	36.5%

SUBSTANCE ABUSE SERVICES

Cuyahoga County's Treatment Alternatives to Street Crime (T.A.S.C.) program provides alcohol and drug assessments through funds from the Ohio Department of Alcohol and Drug Addiction Services. TASC also provides case management services, including referral to treatment and case management services to 1,634 Common Pleas Court offenders in 2009. The TASC program works in conjunction with the Probation Department's Case Manager.

The Centralized Case Management program is operated by the Probation Department and is funded through the Community Corrections Act Subsidy. A single case manager coordinates and manages all substance abuse treatment and assessment placements.

The Corrections Planning Board and the Common Pleas Court funded Drug Treatment beds in 2009 at the following agencies: with Community Assessment Treatment Services, Matt Talbot for Women, Fresh Start and Alternative Agencies. Due to the fiscal climate in the County and State, service programs experienced significant reductions in funding during 2009. The table below gives a numerical summary of the number of referrals completed and the number of persons referred by TASC in 2009.

SUBSTANCE ABUSE SERVICES (2009)

SERVICE CATEGORY	NUMBER
Referred to TASC by Case Manager	2,444
Alcohol & Drug Assessments by TASC	2,010
Jail Reduction	725
Persons placed in treatment by Probation Department's Centralized Case Management Program	1,002
Referral for Case Management and/or Assessment only	678
Pre-sentence TASC investigation assignments*	73

* TASC stopped doing assessments at the Pre-sentence Investigation stage as of April 2008.
The Court of Common Pleas

COURT COMMUNITY WORK SERVICE

Court Community Service (CCS) is a not for profit agency that places individuals into community service work assignments when it is ordered as a condition of probation. CCS works with more than 400 area not-for-profit /governmental agency work sites. In addition, they operate five supervised community service work crews that clean public roads and properties throughout the county. The rate charged changed to \$7.00 an hour due to the change in the minimum wage by the Federal Government in July of 2008. The Federal Government increased the minimum wage rate again in July of 2009.

	2003	2004	2005	2006	2007	2008	2009
Number of individuals referred to CCS	4,029	4,029	4,218	4,060	4,082	4,246	5,727
Number of individuals placed in work assignments	3,251	3,251	3,415	3,372	3,368	3,556	4,695
Number of hours of community work service assigned	362,595	362,595	388,923	372,163	366,403	370,125	529,448
Number of hours of community work service completed	250,396	250,396	163,820	170,404	162,269	174,952	233,834

When computed at \$7.00 per hour, individuals on probation completed 233,834 hours or \$ 1,636,838 of work service to the Cuyahoga County Community in 2009.

* Number of community work service hours worked by all referral sources at agencies located in Cuyahoga County	454,347
* Percentage of hours worked at agencies located in Cuyahoga County	97.6%
* Number of participating agency work sites in Cuyahoga County	229
* Administrative Fees collected in 2005 from offenders referred by the Cuyahoga County Common Pleas Court.	\$ 77,148.88

Court Community Service Work Crew Statistics

* Communities served in Cuyahoga County	56
* Total number of hours worked by work crews	85,7245
* Total bags of trash collected	45,809
* Total number of tires collected	17,598
* Total number of cubic yards of debris collected	2,055

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 367*
 (* 2009 figure represents a 12.11% increase over the 2008 figure)

Average number of offenders in the Home Detention Program at any time 75

Successful Terminations	312	85.01%
Unsuccessful Terminations	<u>55</u>	<u>14.99%</u>
Totals	367	100.00%

Home Detention Fees Paid by Offenders \$ 64,571.84

Average Length of Stay Per Offender in the Home Detention Program 74 Days

Number of Hours of Community Work Service Hours Completed by Work 167 (CWS)
 Release and Home Detention Offenders 12,309.75(Worked Hrs.)

WORK RELEASE PROGRAM

The Probation Department maintains working agreements with Cuyahoga Re-entry and the Salvation Army’s work release programs. Due to fiscal considerations, the initial contract for the work release program was terminated in 2008. Our present working agreements allows for a greater flexibility in placing persons in work release program settings in a timely manner.

IMPLEMENTATION OF EVIDENCE-BASED PRACTICES

During 2009 our Department continued its work in implementing evidence-based principles throughout all levels of the Department. The Department continues to focus on developing instruments that measure the major identified criminogenic factors impacting on recidivism. Risk and needs instrument have been piloted in the special project arena during 2009, and staff members are also involved in work-groups, training, research and other activities important in developing evidence-based practices throughout the Department. Our investigation staff has also piloted the use of the State’s ORAS (Ohio’s Risk Assessment System).

Training needs were identified, and a time-line was developed for training all staff, investigators, support staff and supervision staff, on the evidence-based paradigm (EBP). Trainings were held on the evidence-based practices model for Judges, Probation staff and some outside organizations during the calendar year. Probation staff also received training on Motivation Interviewing techniques during the year. A number of the Department’s staff has worked directly with our trainer in the development of curriculum and training staff in EBP techniques

Research continues to be done on how different instruments effectively measured risk. An instrument, termed the “Hawaii Proxy,” was compared with the Ohio Developed risk instrument with favorable results. Staff also researched information on the effectiveness of risk instruments from other jurisdictions, and also reviewed the literature in the field in order to ensure that our Department developed protocols and procedures that were innovative and effective.

The Probation Department also continued to develop an evidence based model that stressed the following core principles: (1) assess offender risk and needs, (2) enhance offender motivation, (3) target interventions, (4) provide skills training using cognitive-behavioral treatment methods, (5) increase positive reinforcement,

(6) engage on-going support in natural communities, (7) measure relevant processes and practices, and (8) provide measurement feedback.

The Department also implemented training on needs instruments during 2009. These trainers are heavily involved in presenting skill-based exercises to all persons in the Department. The Department is also in the process of training staff in quality assurance, as this will also be paramount for our success in implementing EBP. This will also help the Department to sustain our evidence-based practices model, as there will be persons in the Department who can act as trainers into the future.

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 2009 the CCW program held ten sessions, and 298 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.

SPECIALIZED PROGRAMS

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

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

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 Cuyahoga County Mental Health 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 **Developmentally Disabled Offender Program (formerly MRO)** is a specialized unit within the Probation Department. The Developmentally Disabled Offenders Project contracts directly with the Board of Mental Retardation and Developmental Disabilities for services. The officers assigned to this unit supervise caseloads of offenders diagnosed as developmentally disabled, behaviorally disabled 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 Mental Retardation and 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 MR/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. Treatment services, which consist of group and individual counseling for sex offenders, are provided by Psych & Psych, Advanced Psychotherapy and Lumen (servicing the MRO population). 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.

	No. placed in Specialized Programs in 2006	No. placed in Specialized Programs in 2007	No. placed in Specialized Programs in 2008	No. placed in Specialized Programs in 2009
Intensive Supervision	1,349	1,249	1,216	1,462
Mentally Disordered Offender	386	392	348	339
Mentally Retarded Offender	93	107	78	99
Sex Offender Program	69	75	78	64

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 2009, the Probation Department submitted the names of 103 offenders to the Apprehension Unit for arrest. CCA programs submitted 84 requests for arrest and general supervision submitted 19 requests. The total number of arrests for CCA-generated Probation capiases and warrants was 79, representing a 94.04% arrest rate. The total number of arrests for regular supervision was 18, representing a 94.73% arrest rate. In addition to the offenders arrested at the request of the Probation Department, the Apprehension Unit cleared 290 warrants. The Apprehension unit arrested a total of 300 offenders, including those arrested for felonies, misdemeanors, parole violations, juvenile, and civil citations.

Please note, no confiscations were noted in the Sheriff’s Department summary for 2009.

IMPLEMENTATION OF EVIDENCE-BASED PRACTICES

During 2009 our Department has worked to implement evidence-based principles throughout all levels of the Department. The Department continues to focus on developing instruments that measure the major identified criminogenic factors impacting on recidivism. Risk and needs instrument have been piloted in the special project arena during 2009, and staff members are also involved in work-groups, training, research and other activities important in developing evidence-based practices throughout the Department.

Training needs were identified, and a time-line was developed for training all staff, investigators, support staff and supervision staff, on the evidence-based paradigm. Trainings were held on the evidence-based practices model for Judges, Probation staff and some outside organizations during the calendar year. There have also been a few retreats during the year, where probation staff and judges met in order to assess how to best implement EBP throughout the Court. Probation staff also received training on Motivation Interviewing techniques during the year.

Research was also done on how different instruments effectively measured risk. An instrument, termed the “Hawaii Proxy,” was compared with the Ohio Developed risk instrument with favorable results. Staff also researched information on the effectiveness of risk instruments from other jurisdictions, and also reviewed the literature in the field in order to ensure that our Department developed protocols and procedures that

were innovative and effective.

The Probation Department also continued to develop an evidence based model that stressed the following core principles: (1) assess offender risk and needs, (2) enhance offender motivation, (3) target interventions, (4) provide skills training using cognitive-behavioral treatment methods, (5) increase positive reinforcement, (6) engage on-going support in natural communities, (7) measure relevant processes and practices, and (8) provide measurement feedback.

The Department also trained staff as trainers. These trainers started their training during 2008, and will be heavily involved in training staff during 2009. This process will help the Department to sustain the evidence-based practices model, as there will be person in the Department who can act as trainers into the future.

STUDENT INTERNS - 2009

Internships are often coordinated between local colleges and universities with the Probation Department. Internships may involve working directly with clients or in carrying out research on specific topics for the Department. A student may earn credit for her/his internship at an undergraduate or graduate level. During the past year 19 people interned in our Department.

CORRECTIONS PLANNING BOARD

MARIA NEMEC

Corrections Planning Board Administrator

MOLLY BRENINGHOUSE

Program Director - 407 Prison Diversion

DANIEL E. PETERCA

Program Director - 408 Jail Diversion

TOTAL STAFF

- 1 Board Administrator
- 2 Project Directors
- 1 Fiscal Officer
- 1 Research Planner
- 1 Substance Abuse Case Manager
- 1 Training Specialist
- 3 Administrative Aides

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 FY2009, the Board administered CCA grants of \$4,260,296 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. Over 4,500 criminal offenders were diverted into local community sanction alternatives during 2009. The percentage of funding received by Cuyahoga County for the 407 Prison/Felony Project has remained at approximately 17.12% of the total Community Corrections Act (CCA) 407 funding available statewide over the last few fiscal years. Cuyahoga County has contributed an average of close to 19.2% of the statewide total of prison diversions in Ohio during the same time period. The percentage of funding received by Cuyahoga County for the 408 Jail Project is approximately 14.71% of the total Community Corrections Act (CCA) 408 funding available statewide over the last few fiscal years. Cuyahoga County has contributed an average of close to 16.25% of the statewide total of prison diversions in Ohio during the same time period.

The Cuyahoga County CCA programs through the Corrections Planning Board have been the recipients of numerous awards. In October 2008, the Ohio Justice Alliance for Community Corrections (OJACC) awarded the 2008 Jim Wichtman Award to the CPB Board Administrator Maria Nemec, and the C. J. McLin Award to the Corrections Planning Board Chair Hon. Nancy R. McDonnell. In July 2004, the Ohio Department of Rehabilitation and Corrections' Cliff Skeen Award for "Excellence in Community Corrections" was awarded to the 407 Prison Diversion Program. Cuyahoga County's 408 Jail Diversion Program was also a past recipient of the Cliff Skeen Award. In addition, Chief Probation Officer Vincent Polito, during his term as the interim CCA Board Administrator, was recognized for his contributions to community corrections in the state of Ohio. In the past, the CCA Program Directors William Kroman and Daniel Peterca were honored with an award recognizing their contributions to community corrections by their willingness to assist other Ohio counties and their active participation in the CCA Directors organization. In 2001, the 408 Director, Daniel Peterca was awarded the Dr. Simon Dinitz Award by the Ohio Community Corrections Organization (OCCO) for contributions to the improvement of community corrections in Ohio. Mr. Peterca, 408 Jail Diversion Manager, Vincent Polito, former Chief Probation Officer and Maria Nemec, CPB Administrator are all 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 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 Adult Probation Department that are separate from CCA. (e.g. BOCC Halfway House Initiative, ADAMHS Board Jail Reduction, Court Substance Abuse Treatment, CSOM Sex Offender Management Enhancement Grant, Re-Entry Court).

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

**ROSTER OF MEMBERS as of December 31, 2009
CUYAHOGA COUNTY CORRECTIONS PLANNING BOARD**

Nancy R. McDonnell, Chair
Presiding and Administrative Judge
Cuyahoga County Common Pleas Court

Timothy F. Hagan
Board of County Commissioners

William D. Mason
Cuyahoga County Prosecutor

Gerald T. McFaul
Cuyahoga County Sheriff

Robert Tobik
Cuyahoga County Public Defender

Chief Michael McGrath
Cleveland Police Department

Vincent M. Polito, 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

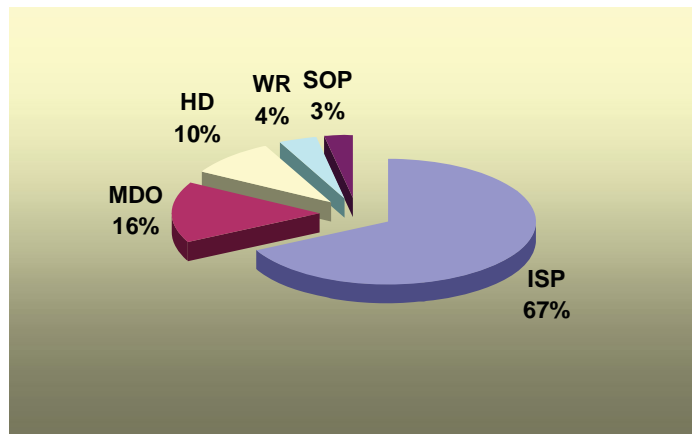
Paul Jurcisin
Retired CPD

Two positions currently vacant

DIVERSIONS ACHIEVED IN 2009 (January 1, 2008 – December 31, 2008)

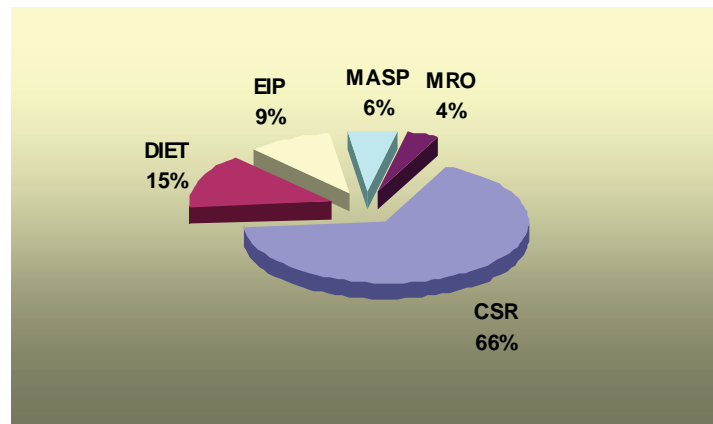
FELONY DIVERSION PROJECTS:

1,462	Intensive Supervision Probation (ISP)
95	Work Release/Treatment Release (WR)
210	Home Detention (Electronic Monitoring) (HD)
339	Mentally Disordered Offender Program (MDO)
64	Sex Offender Program (SOP)
<hr/>	
2,170	TOTAL



JAIL DIVERSION PROJECTS:

1,827	Court Supervised Release (CSR)
257	Early Intervention Program (EIP)
152	Misdemeanor Alternative Sentencing (MASP)
99	Mentally Retarded Offender (MRO)
411	Domestic Intervention Education and Training (DIET)
<hr/>	
2,669	TOTAL



407 PRISON / FELONY DIVERSION PROGRAM

- Work Release and Home Detention (Electronic Monitoring)
- Intensive Supervision Project
 - ♦ Intensive Supervision Program (ISP)
 - ♦ Mentally Disordered Offender Program (MDO)
 - ♦ 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. All program and service costs are funded by the Court of Common Pleas. This program is fully utilized and often has a waiting list. Effective December 31, 2008 the Work Release contract with Alternative Agency, Inc. expired and no new funding was identified to continue this program in 2009. Despite the lack of funding, the CPB is collaborating with local state-funded Halfway Houses for use of beds for the Work Release program (Please see Probation Department Report for 2009 figures).

INTENSIVE SUPERVISION PROJECT: Community Corrections Act funding reimburses salary costs to staff the Intensive Supervision Program (ISP), the Mentally Disordered Offender Program (MDO 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 MDO Program, a treatment provider (currently Recovery Resources) selected in cooperation with the local mental health board, which co-funds the project with Court, provides mental health counseling, psychiatric services, medication management and support services. The sex offender program contracts with three services to provide group and individual counseling for sex offenders (Psych & Psych, Lumen (service for the MRO population) and Advanced Psychotherapy Services). Some of the sessions are conducted at the Justice Center for location convenience purposes.

The Apprehension Unit has been in operation since April 1994, having been established with funding from Community Corrections Act Subsidy Funds from the Ohio Department of Rehabilitation and Correction. This unit consists of four Sheriff's Deputies, two funded with CCA dollars and two funded by the County Commissioners since September 1997. (Please see Probation Department Report for 2009 figures).

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 4 general Goals. Members of the Workgroup have formed 4 Subgroups to address each of those goals.

SUBGROUP 1: Determine "what works" in our Court. This group took responsibility for on-going EBP literature review, with the information gained to be used in developing an implementation plan for our Department. 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.

SUB-SUBGROUP 3: 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.

The goals of Subgroup 4, to educate and train the Judges, was achieved in May 2008 at a judicial seminar designed to inform the bench about evidence-based practice in sentencing, and about its connection to evidence-based practice in corrections.

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

Lastly, the Training Specialist is creating an EBP curriculum for staff skill development. Ten staff has volunteered to be trained as trainers.

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.

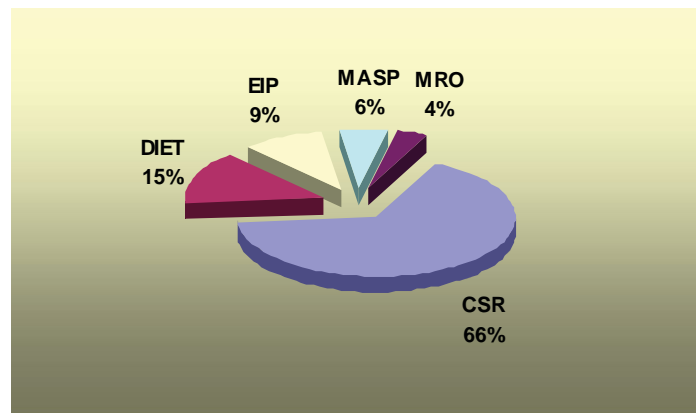
The Corrections Planning Board also manages treatment contracts not funded by CCA dollars: Common Pleas Court treatment contract, the Halfway House Initiative and the Alcohol, Drug Addiction and Mental Health Services Board Jail Reduction contracts. As of 2005 the local ADAMHS and the Board of Cuyahoga 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.

In 2009:

- The Common Pleas Court continued to fund 26 contract treatment beds serving **257** offenders at the following agencies:
 - ♦ Catholic Charities (Matt Talbot Inn & Matt Talbot for Women) (107 offenders)
 - ♦ Fresh Start (96 offenders)
 - ORCA house (44 offenders)

- The BOCC funded Halfway House Initiative served **170** offenders at the following agencies:
 - ♦ Alternative Agency
 - ♦ ARCA
 - ♦ Community Assessment Treatment Services
 - ♦ Fresh Start
 - ♦ Oriana House
 - ♦ Salvation Army

- The ADAMHS Board funded Jail Reduction served **94** residential placements 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 ODRC dollars funded 215 halfway house placements for offenders receiving inpatient substance abuse treatment services and 152 halfway house placements for offenders in need of residential support following completion of primary substance abuse treatment, and 71 Community Based Corrections Facility placements at: Oriana House and Northwest Community Corrections Center, Lorain/Medina
 - ♦ CCA Contract – Emergency Treatment - One time funds: 10 residential placements
 - ♦ ADAMHS Board Indigent Funds: 72 residential placements
 - ♦ Veterans Administration funds: 32 residential placements
 - ♦ Other funding – grants
 - ♦ Community Assessment Treatment Foundation (124 offenders)
 - ♦ CASA ALMA (9 offenders)
 - ♦ Y-Haven (3 offenders)



- **1,002** offenders were placed into residential drug/alcohol treatment programs through the Probation Department Centralized Case Management program:
- 55 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 1,634** offenders to Treatment Alternatives to Street Crime (TASC) for assessments, case management and referral to treatment.
- TASC completed **1,220** chemical dependency assessments:

- ♦ **645** Jail Reductions
- ♦ **65** Pre-sentence Investigation assessments (Note: TASC stopped conducting assessments at PSI stage in April 2008.)
- ♦ 501 Post Sentence (Referrals for Assessment & Case Management and Assessment Only)

TASC admitted **176** 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 2009. 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 2009 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)

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 7 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 2009 figures).

OFFENDERS WITH MENTAL RETARDATION (MRO) PROBATION UNIT: MR/DD offenders are often sentenced to probation in the specialized MRO Unit. The unit officers, specially trained to work with MR/DD offenders, work closely with the MR/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. CCA funding also provides the cash match for a contract with the local MR/DD Board. (Please see Probation Department Report for 2009 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 2009 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 2009 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 2009, the program admitted 411 new offenders to the program.

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.

	2008	2009	PERCENT CHANGE
Number of individuals released from jail under Court Supervised Release supervision as a condition of a bond	1,967	1,951	-.01%
Number of individuals under C.S.R. supervision as of December 31, 2009	932	1,078	+.16%
Total bond Investigations by C.S.R. staff	3,833	3,942	+.03%
Total releases from County Jail as a result of Bond Investigations	1,956	2,140	+.09%

DISTRIBUTION OF INDIVIDUALS RELEASED UNDER C.S.R. SUPERVISION

	2008	2009	PERCENT CHANGE
Cleveland Municipal Court	565	265	-.53
Common Pleas Court	1,376	1,674	+.22
Transferred from Diversion	26	12	-.54
TOTALS	1,967	1,951	-.01

TOTAL RELEASES GRANTED C.S.R. SUPERVISION AS A CONDITION OF PERSONAL BOND

Year	Total	Percentage (+/- prev. year)	Average Per Month
2009	1,951	-01%	162.58
2008	1,967	-01%	163.91
2007	1,994	-6%	166.17
2006	2,111	-1%	175.92
2005	2,124	-8%	177.00
2004	2,327	+10%	193.91
2003	2,118	-1%	176.05
2002	2,145	+3%	178.75
2001	2,087	+62%	173.92
2000	1,292	+9%	107.67
1999	1,118	-16%	98.06
1998	1,402	+36%	116.83
1997	1,029	-28%	85.75
1996	1,420	+6%	118.33
1995	1,335	-3%	111.25
1994	1,377	+2%	114.75

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 2009, the Court Supervised Release Unit has performed the following activities.

Record Checks	2008	2009	Percent Change
1. Total number of welfare record checks completed	53	48	-.10%
2. Total number of non-welfare record checks completed	837	851	+.02%
3. Total number of record checks	890	899	+.01%
Total found eligible	610	721	+.19%
Total found non-eligible	280	178	-.37%
Total number of non-welfare investigations and interviews conducted	596	575	-.04%
Supervision activities of diversion defendants:	2008	2009	Percent Change
1. Number placed on diversion	596	575	+005%
2. Number of urine samples taken:	1,121	1,091	-18%
3. Number of referrals to Court Community Service	756	839	+02%
Total placements	692	784	+03%
Total hours assigned:	35,296	38,846	+04%
Total hours completed:	26,437	27,803	+01%
4. Defendants removed from Diversion Program			
Total removed:	616	616	0%
Successful completions:	418	411	Percent of Total Removed -.02%
Unsuccessful completions:	198	205	Percent of Total Removed +.04%

PROBATION DEPARTMENT TRAINING

Cuyahoga County's Probation Department conducted a number of trainings for staff during 2008. The Department allowed staff to attend a number of relevant training events during the calendar year. Some staff members were also involved in presenting trainings throughout the State in the field of community corrections. This report shall summarize some of the significant information pertaining to the various training programs attended by probation staff in 2008. Many of the trainings involved motivational interviewing and evidence based practices modalities, as the Department has made a commitment to moving toward a community corrections evidence based practices paradigm.

Ms. Andrea Gorman helped to coordinate a number of significant training events during the year for our Department. Many of our staff members were cross-trained. This training consisted of exposing our staff to trainings in our special projects area, such as our mentally retarded, mentally disordered, intensive supervision, pretrial, interstate, and sex offenders units. These trainings accounted for 139.5 hours, and were attend by 410 persons.

Our Department's trainer also conducted trainings for our interns, newly hired officers and new supervisors. Our Department conducted 249 hours of training for newly hired officers, and also held trainings on legal issues, diversity, time management and emergency procedures.

Evidence based practices trainings for trainers were also conducted between the months of September to December. Attendees received training on training skills and the needs assessment. This core consisted of 10.5 hours of training.

Probation Department staff also attended fifty (50) different outside trainings held in 2008. Some of the programs were free, such as those put on by the local alcohol and drug board, and some were held for specific members of the Probation Department, such as "Women and Money" and the "Women's Leadership Conference." Staff members also were involved in presentations at professional conferences, local universities, other agencies, school career days and at the State Training Institute.

Staff members were afforded opportunities to attend 500 hours of professional development training by outside agencies and programs during 2008. Trainings were also arranged for our judges, as some were afforded the opportunity to visit a state prison. Cuyahoga County Court of Common Pleas Judges were also given the opportunity to attend a full-day evidence based training seminar. A workshop was also conducted for our jurists on Ohio's Offender Risk Assessment Instrument during the year.

The evidence based practice executive committee was also heavily involved in coordinating training for staff during the year. Recommendations for training were made by the various subcommittees. There were as follows: Education and Training, Motivation and Communication, Research and Outcomes, Visual Tools & Court Personnel. Many of these committee members were also involved in training staff, and underwent numerous training sessions in order to prepare themselves to instruct staff on the various aspects of the evidence based practices paradigm.

An Evidence-Based Practice Workgroup was created to explore implementation of Evidence Based Practices (EBP) in the Probation Department. The Evidence-Based Practice Workgroup held a daylong Retreat. The retreat solidified the initiative with a Vision Statement, Mission Statement, set of Core Values, and set of general Goals.

Cuyahoga County Court of Common Pleas-Specialized Dockets

Re-Entry Court

HON. NANCY MARGARET RUSSO:
Re-Entry Court Judge

DEENA LUCCI
Bailiff

MICHAEL LONG:
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 the community.

The primary goal of the Reentry Court is to reduce recommitments to prison; congruent with the mission of ODRC: 'Beginning at sentencing and extending beyond release, Reentry will assess, identify and link offenders with services specific to their needs' in order to reduce the likelihood of additional criminal behavior.

REEC provides intensive programming and supervision to eligible offenders who have been sentenced to prison by our Common Pleas Court Judges. The re-Entry Court has established specific criteria for eligibility, including residence in Cuyahoga County upon release from prison, no more than three prior prison commitments to either State or Federal prisons, no pending felony charges. Excluded are 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-Entry Court is selected from the general prison population sentenced through Cuyahoga county Common Pleas Court. The Re-Entry Court participants are under the supervision of the Intensive Supervision Program (ISP) in the Adult Probation Department. The Re-Entry Court, offers a coordinated, team approach, and requires regular court

appearances, extensive probation appointments and special services and incentives to increase the likelihood of participant success.

The Cuyahoga county Common Please Court’s Re-Entry Court is proud to share the following data regarding the program from inception on September 1, 2007 through December 31, 2009.

REEC Statistics September 1, 2007 Through 12-31-09

Referrals

1832 Total Referrals
 18% 1st Time Offenders
 80% Repeat Offenders
 2% Criminal History Unknown

Referrals From Top 5 Prison Locations

29% Belmont
 26% Marion
 16% Grafton
 15% Lake Erie
 14% Richland

Race

73% African Americans	64% Males	5% Females
23% Caucasians	19% Males	4% Females
3% Hispanics	3% Males	4% Female
1% Other	1% Males	0% Females
Total	87% Males	13% Females

Statistics On Clients Admitted To REEC

Diverted To Program

46 Clients Admitted
 16,733 Days Saved
 364 Average Days Saved
 \$1,160,935.54 Saved

Termination Data

80% Successful Terminations
 20% Unsuccessful Terminations

Admitted Alcohol and Drug Involved

2% Alcohol
 22% None
 76% Drug

Race

58% African Americans	33% Males	25% Females
40% Caucasians	25% Males	15% Females
3% Hispanics	0% Males	2% Female

Mental Health

33% Have Mental Health Issues
 67% Do Not Have Mental Health Issues

Drug Of Choice

26% Cocaine
 37% Marijuana
 23% None
 7% Crack Cocaine
 3% Heroin
 2% Alcohol
 2% PCP

Felony Information

28% Felony 5
 24% Felony 4
 30% Felony 3
 16% Felony 2
 2% Felony 1

Admitted Clients – Prison Location

25% Ohio Reformatory for Women
 17% Northeast Pre-Release
 13% North Coast
 11% Marion
 8% Belmont
 7% Lorain
 7% Richland
 4% Ohio State Penitentiary
 2% Lake Erie
 2% Noble
 2% North Central
 2% Franklin

CY2009 Statistics:

Applications/referrals received and reviewed: 515

New Admissions into Re-entry Court: 26

Prison days saved: 7,660

Prison cost savings based on \$69.38 State Funded Cost per diem: \$531,450.80

Admission Profile;

42% Have Mental Health Issues

Substance Abuse Involvement:

3% Alcohol
 73% Drug

Drug Of Choice

38% Cocaine
 31% Marijuana
 4% Heroin
 4% Alcohol

Felony Information

38% Felony 5
 38% Felony 4
 20% Felony 3
 4% Felony 2

Termination Data

84% success
 16% failure

2009 Referrals: 515 Total Referrals

25% 1st Time Offenders
 75% Repeat Offenders
 78% Males
 22% Females

Admitted Clients – Prison Location

39% Ohio Reformatory for Women
 20% Northeast Pre-Release
 12% Richland
 12% North Coast
 8% Lorain
 3% Franklin Pre-Release
 3% Belmont
 3% Ohio State Penitentiary

Race

71% African Americans	57% Males	14% Females
25% Caucasians	17% Males	7% Females
3% Hispanics	3% Males	1% Female
1% Other	1% Males	0% Females

CUYAHOGA COUNTY COURT OF COMMON PLEAS DRUG COURT

Part of the
STEPHANIE TUBBS JONES
GREATER CLEVELAND DRUG COURT

2009 ANNUAL REPORT

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, Co-Directors and soon to be hired, a Drug Court Coordinator.

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 2009 (May through December), 68 defendants were screened for Drug Court eligibility. Of those, 63 were formally placed in Drug Court. In 2009, 15 participants graduated from the Drug Court. The average length of time in the program for the 2009 graduates was 9 months.

MENTAL HEALTH COURT

Cuyahoga County Common Pleas Court

2009 ANNUAL REPORT

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.

The GAINS Center estimates 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 have Mental Health Court dockets: Hon. Timothy E. McMonagle (Chair), Hon. Jose 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 local 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 local 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 local 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 2009, close to two hundred defendants (176) 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 50. 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 Developmental Disability Board. Probation Department Supervision staff work closely with the County Jail and other community providers (e.g., St. Vincent Charity Hospital - Psychiatric Emergency Room, Veteran's Administration). In 2009, over four hundred cases (464) 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 85 MH cases on their dockets at any one time (including active, investigation, and supervision cases) representing approximately 20% of their total docket. In 2009, 342 cases were assigned to a Mental Health Court docket:

Hon. Timothy McMonagle	81
Hon. Hollie Gallagher	39
Hon. John O'Donnell	76
<u>Hon. John Sutula</u>	<u>76</u>
	342

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 local Alcohol Drug Addiction and Mental Health Services Board (ADAMHS) and the Developmental Disabilities Board (DD), long time partners of the MHC Program.

Highlights

In 2009, several Mental Health Court partners have presented information about this local initiative at trainings and conferences in Ohio. In September 2009, a publication provided by the Pretrial Justice Institute and the National Association of Counties highlighted Cuyahoga County's Mental Health Court Initiative.

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 NAMI training for Jail and Court staff.

Prepared by Loretta Ryland
Corrections Planning Board
H:\My Documents\Mental Health\MHCD Annual Report June 2010.doc

In 2009, The Justice Management Reform - Pilot Project cases continued to be directed to the Arraignment Room for processing. The Project expanded to include all twelve municipal courts and 2 districts of Cleveland Municipal Court. During 2009, the Pilot Project Staff of Criminal Records processed 3,169 criminal cases. These cases bypassed the historical municipal court process by having arrested defendants sent directly to Cuyahoga County Jail and complaints sent directly to Cuyahoga County Common Pleas Court for action. The project is expected to expand to encompass all of Cleveland Municipal Court's police districts in the near future.

<i>IA HISTORY TOTALS</i>									
YEAR	INITIAL/ACT SUBURBS	IA/1st APP CLEVELAND	GRAND JURY	Capias	DVSN	WAIVER INFORMA- TION	RETAINED W / ATT.	INDIGENT W/O ATT.	PD ASSIGNED
2007	137	0		1	3	29	9	128	39
2008	914	93	304	7	43	293	105	902	298
2009	2976	193	1741	15	132	885	385	2784	926
TOTALS	4027	286	2045	23	178	1207	499	3814	1263

2009 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.....	Asst. Bond Commissioner
Bruce Bishilany	Chief Shorthand Reporter
Leo Blatt.....	Bailiff
Brenda Boyd	Probation Officer Supervisor
Paula Britton.....	Administrative Aide I
Douglas Buford.....	Probation Officer
Dianne A. Burkhart.....	Office Manager
Michael F. Callahan.....	Probation Officer Supervisor
Jacalyn Costello.....	Deputy Bond Commissioner
Denise Davala	Support Staff
Lino A. DeSapri	Assistant Shorthand Reporter
Donna Dubs	Clerk Typist
Edward Dutton	Psychiatrist
Cheryl Fietko	Administrative Assistant
Fred Ford.....	Probation Officer
Sherry Halasy.....	Clerk Typist
Valerie G. Hamlet	Secretary
Vincent Holland	Chief Probation Officer
Mary C. Hooper.....	Office Manager
Stanley L. Hubbard	Probation Officer
Daniel Kaleal	Probation Officer
Joseph J. Keppler.....	Probation Officer
Kathleen Kilbane.....	Assistant Shorthand Reporter
Bernice King.....	Assistant Shorthand Reporter
Robert Kozub.....	Bond Commissioner
Teresa Keyes.....	Judicial Secretary
Dorothy E. Lawson	Bailiff
Darlene Louth.....	Probation Officer
Deborah Maddox	Administrative Aide I
Margaret A. Mazzeo	Scheduler
Virginia O’Haire	Administrative Assistant Administration
Daniel E. Peterca.....	Manager, Pretrial
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
 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
 Pamela Benn-Hill Assistant Chief Shorthand Reporter
 Rachel Colbert Support Staff
 Leo D’Arcy Extra Bailiff
 Mary Davern..... Probation Officer
 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..... Assistant Jury Bailiff
 Mary M. Hayes Probation Officer
 Eric Hess Assistant Law Librarian
 Bruce E. Hill..... Probation Officer
 Michael Jenovic..... Assistant Shorthand Reporter
 Donna M. Kelleher Extra Bailiff
 Karl Kimbrough..... Probation Officer
 Sheila Koran Support Staff
 Deborah Kracht Assistant Shorthand Reporter
 Christine J. Krist Scheduler
 Margaret Murphy..... Polygraph Examiner
 John Murray Arraignment Clerk
 Nancy Nunes Assistant Shorthand Reporter
 Floyd Oliver..... Probation Officer
 Patricia Parente Probation Officer
 Janna Phillips..... Probation Officer Supervisor
 Marguerite Phillips..... Assistant Shorthand Reporter
 Stephania Pryor..... Probation Officer Supervisor
 Miguel Quinones Probation Officer
 Jeffrey J. Ragazzo..... Assistant Shorthand Reporter
 Melissa Singer Probation Officer Supervisor
 James Starks Probation Officer Supervisor
 Gerianne Stroh..... Probation Officer

Brian Thelen Probation Officer
 Timothy Tolar Assistant Shorthand Reporter
 Suzanne Vadnal Assistant Shorthand Reporter
 Ellen Woodruff Chief Deputy 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
 Kevin C. Augustyn Foreclosure Magistrate
 Lisa S. Austin Probation Officer
 Mary J. Baden Assistant Shorthand Reporter
 Teroldyn D. Barkley Support Staff
 Robert M. Beck, III Probation Officer Supervisor
 Lee A. Bennett Administrative Aide II
 Linda Bixel Bailiff
 Gary A. Bolinger Probation Officer
 Michael T. Brady Probation Officer
 Molly L. Breninghouse Chief Deputy Probation Officer
 Angie Bryant Probation Officer
 Mark Budzar Bailiff
 Stephen Bucha, III Foreclosure Magistrate Director
 Dewey D. Buckner Probation Officer
 Erika D. Bush Asst. Office Manager
 Michael Cain Probation Officer
 Michael Caso Chief Social Worker
 Joseph Cassidy Probation Officer
 Janet Charney Chief Judicial Secretary
 Jarvis A. Clark Probation Officer
 John B. Coakley Probation Officer
 Mary Jean Cooley Assistant Shorthand Reporter
 Laura Creed Assistant Chief Staff Attorney
 Mitzi Bradley Cunard Support Staff
 Amy Cuthbert Foreclosure Magistrate
 Sally J. Dadlow Receptionist
 Michelle L. Davis Administrative Aide
 Shaunte Dixon Probation Officer
 Mary A. Donnelly Probation Officer
 Vivian Easley Probation Officer
 Marlene Ebner Assistant Shorthand Reporter
 Margaret Elliott Tech Specialists
 Brian Ely Probation Officer
 Leila Fahd Extra Bailiff
 Teresa Faulhaber Librarian
 Reynaldo Feliciano Probation Officer
 Bettye Ferguson Clerk Typist

Steven Flowe	Probation Officer
Anna Foley.....	Schedular
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
Aileen Hernandez.....	Psychiatrist
Michelle Hoiseth.....	Probation Officer
Lisa M. Hrovat.....	Assistant Shorthand Reporter
Toni R. Hunter	Support Staff
Robert A. Intorcio	Assistant Shorthand Reporter
James M. Jeffers	Probation Officer
Otto Kausch	Psychiatrist
Colleen A. Kelly.....	Data Entry
Sandra Kormos.....	Bailiff
Edward J. Kovacic	Grand Jury Clerk
Michelle L. Kozak	Cashier/Bookkeeper
Deborah Kreski-Bonanno	Bailiff
Jessica Lane.....	Court Constable Clerk Typist
Paul Ley.....	Assistant Director Information Systems
Catrina M. Lockhart	Probation Officer
Paul Lucas.....	Foreclosure Magistrate
Nicholas P. Marton.....	Probation Information Specialist
Laura M. Martz.....	Support Staff
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
Monique Moore	Probation Officer
Darlene Moutoux.....	Assistant Officer Manager
James P. Newman	Bailiff
Stephen Noffsinger.....	Psychiatrist
Robert Odon.....	Supervisor Central Scheduling

Anita Olsafsky.....	Lab Technician
Evangelina Orozco	Support Staff
Susan M. Ottogalli	Assistant Shorthand Reporter
Kathleen Patton	Receptionist
Kerry Paul.....	Assistant Shorthand Reporter
Gregory M. Popovich	Court Administrator
Jean Presby.....	Probation Officer
Virginia L. Profitt.....	Probation Officer
Mary Rauscher	Probation Officer
Kellie M. Reeves-Roper	Assistant Shorthand Reporter
James Rodio	Psychiatrist
Cheryl A. Russell.....	Support Staff
Loretta Ryland	Research Planner
Patricia Schmitz	Court Constable Clerk Typist
Mary Ellen Schrader.....	Data Entry Clerk
Michael P. Scully	Probation Officer
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
Rose Tepley	Tech Spec II
John Thomas Jr.	Bailiff
Nicole Thomas.....	Probation Officer
Pamela Thompson.....	Cashier/Bookkeeper
Jennifer L. Tokar	Assistant Shorthand Reporter
James Toth	Probation Officer Supervisor
Theresa Toth	Data Entry Clerk
Anne Tullos.....	Receptionist
Jennifer Vargics	Data Entry Clerk
Margaret M. Wagner	Probation Officer
Cynthia Walker	Social Worker
Lawrence R. Wallace.....	Bailiff
Colleen Walsh	Receptionist
Kimberlee Warren	Probation Officer
Rebecca B. Wetzel	ADR Administrator
Stephanie Wherry.....	Clerk-Typist
Latanya Wise.....	Clerk Typist
Kenneth J. Wolf.....	Assistant Bond Commissioner
Margaret M. Zahn.....	Administrative Assistant Administration
Amy Zbin	Judicial Secretary



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