

## MONTGOMERY COUNTY JUVENILE DRUG COURT

“Largest Juvenile Drug Court in Ohio”



COMMON PLEAS COURT &  
CLERK OF COURTS

# ANNUAL REPORT 2015



JUVENILE DIVISION  
PROBATE DIVISION  
GENERAL DIVISION  
DOMESTIC RELATIONS DIVISION  
& CLERK OF COURTS





## WHAT IS COMMON PLEAS COURT & CLERK OF COURTS



Judges of the *Montgomery County Common Pleas Court* take this opportunity to provide you with information about the Court. The Common Pleas Court consists of four divisions that provide timely and equitable service to the citizens of Montgomery County. Each of the divisions has a unique role for a specific area of the judicial process. Collectively, the Court is dedicated to delivering superior programs in public safety, corrections, rehabilitation, family law, probate, and civil justice. While the Courts are, by law, separate entities, Judges and administrative staff work together on joint programs and projects designed to provide more cost effective solutions for the Courts. These joint efforts reduce expenditures as well as avoid duplication and inefficiency. We appreciate citizen support and endeavor to continue our efforts to provide the best Court system in the State of Ohio.



The *Montgomery County Clerk of Courts* plays a vital role in serving the interest of justice. It is a complex organization that has the important responsibilities of receiving, docketing, indexing, certifying, and preserving the pleadings, court orders, and other legal documents that are filed with the General Division and Domestic Relations Division of Common Pleas Court, Montgomery County Municipal Court, and the Second District Court of Appeals. The Auto Title Division of the Clerk of Courts issues titles for motor vehicles and processes U.S. passport applications as an authorized Passport Acceptance Agency.

### DESCRIPTION OF THE COMMON PLEAS COURT

There are sixteen Judges in the Common Pleas Court for Montgomery County. The Judges are elected to and conduct their work in one of the four divisions. In some instances, the Presiding Judge will assign a Judge from one division to another for specific cases. This is done to avoid the cost and delay involved with a Judge from another county being assigned to a matter.

The *Domestic Relations Division* has two Judges empowered by statute to hear all divorce, dissolution, legal separation, and annulment cases, as well as civil domestic violence cases for residents of Montgomery County. In addition, the Court maintains jurisdiction over post-decree matters such as allocation of parental rights and responsibilities, child support, parenting time issues, spousal support, and other related matters.

The *Juvenile Division* has two Judges with jurisdiction over cases regarding delinquent and unruly children, as well as those youth charged with traffic violations. The Court also makes judicial determinations relating to dependency, neglect, abuse, paternity, child support, and parenting time.

The *Probate Division* has one Judge with exclusive jurisdiction over the administration of estates and trusts, appointment of guardians for incompetents and estates of minors, adoptions, the issuance of marriage licenses, name changes, commitment of the mentally ill, and various other actions. The Court also approves settlements in wrongful death actions and minor injury claims. The Probate Division is empowered with more than two hundred responsibilities pursuant to the Ohio Revised Code.

The *General Division* has eleven Judges responsible for civil cases and criminal felony cases. Civil cases involve disputes between parties for such things as unpaid debts, personal injuries from accidents, contract disputes and other conflicts arising out of different types of business transactions. Criminal felony cases are prosecutions for crimes that can result in a prison sentence for the offender. Felony cases are divided by classifications from One to Five with Level One crimes being the most serious offenses.

# STRUCTURE OF THE OHIO JUDICIAL SYSTEM

## SUPREME COURT OF OHIO

Chief Justice and six Justices. Court of last resort on all constitutional questions, and questions of public or general interest. Appeals from Board of Tax Appeals and Public Utilities.



## SECOND DISTRICT COURT OF APPEALS

Three judge panels, Original jurisdiction in select cases. General Appellate Review of judgements of Common Pleas Courts, Municipal Courts, and County Courts, and appeals from Board of Tax Appeals.



## MONTGOMERY COUNTY COURT OF COMMON PLEAS

### DOMESTIC RELATIONS DIVISION

Divorces, dissolutions; Legal Separations and annulments. Allocations of parental rights and responsibilities; parenting time; child and spousal support.

### GENERAL DIVISION

In each of 88 counties-Trials in civil and criminal cases; appeals from most administrative agencies. - Unlimited civil, and felony criminal jurisdiction.

### JUVENILE DIVISION

Offenses involving minors, most paternity action, abuse, neglect, dependency and child support.

### PROBATE DIVISION

Decedents' estates, mental illness commitments, guardianships, adoptions and marriage licenses.



### COUNTY COURTS

Traffic cases, minor offenses, and civil cases up to \$3,000. Preliminary jurisdiction in felony matters.

### COURT OF CLAIMS

Civil cases involving statewide jurisdiction. All suits against the state for personal injury, property damage, contracts, and wrongful death actions. Three-judge court, if requested.

### MUNICIPAL COURTS

Civil cases up to \$15,000; criminal cases where sentence is one year or less. Preliminary jurisdiction in felony matters.

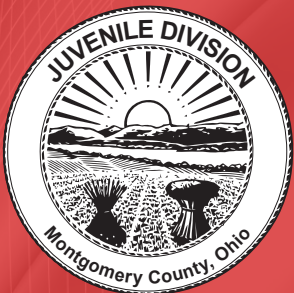


### MAYORS COURTS

Misdemeanor offenses; Traffic cases.

## STRUCTURE OF THE OHIO JUDICIAL SYSTEM





**HON.**

**NICK KUNTZ**

**Administrative Judge**

Judge Kuntz was elected Montgomery County Juvenile Court Judge in 1994 and became Administrative Judge in January 2005 and was reelected in November 2012. He began his career forty years ago in the Montgomery County Prosecutor's Office. Before being elected as Judge at Juvenile Court, he held the positions of referee, legal director and court administrator. Judge Kuntz received his B.A. from the University of Dayton in 1965 and his J.D. from the University of Toledo College of Law in 1973. He serves on the JDAI State Executive Steering Committee and is a member of the Montgomery County Criminal Justice Council comprised of Judges, elected officials and leaders of criminal justice agencies within the county.

Judge Nick Kuntz has initiated and supported a number of very important and innovative youth programs that have been of significant benefit to the community and to the youth they have helped. Examples include the Re-Entry Program for youth coming back from their commitment at the Ohio Department of Youth Services (one of the first in Ohio), the Start Right program which targets the parents and guardians of children, in grades kindergarten through fourth grade, who have excessive absenteeism, a specialized Intensive Probation Unit, the Bridges out of Poverty Initiative and the Juvenile Detention Alternative Initiative (JDAI). Judge Kuntz also fostered the Disproportionate Minority Contact (DMC) Project which has diverted over 741 African American youth from the juvenile justice system.

## 2015 COMMON PLEAS COURT ANNUAL REPORT

# JUVENILE DIVISION

## MONTGOMERY COUNTY

## JUVENILE JUSTICE CENTER

380 W. Second Street  
Dayton, Ohio 45422-4131

[www.mcjcoho.org](http://www.mcjcoho.org)

### Hon. Nick Kuntz

- Administrative Judge • 937.225.4125

### Hon. Anthony Capizzi

- Judge • 937.496.6602

- Court Administration • 937. 225.4267
- Clerk's Office • 937. 225.4199
- Legal • 937. 225.4250
- Detention Services • 937. 496.7324
- Intervention Center (24 hours) • 937. 225.4141
- Court Services • 937. 224.3977

## CENTER FOR ADOLESCENT SERVICES

333 Access Road  
New Lebanon, Ohio 45345 • 937.687.9427

## JUDGE F. W. NICHOLAS RESIDENTIAL TREATMENT CENTER FOR YOUTH

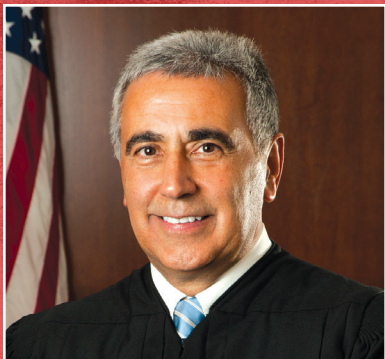
5581 Dayton-Liberty Road  
Dayton, Ohio 45417 • 937.496.7100

## JUVENILE PROBATION

3501 Merrimac Ave.  
Dayton, Ohio 45405 • 937.225.4162







**HON. ANTHONY CAPIZZI • Judge**

Judge Capizzi was elected Juvenile Court Judge in 2004. In addition to his full-time legal practice starting in 1979, he served as a City of Dayton Commissioner from 1986-1998 and as an Acting Judge for Dayton Municipal Court from 1998-2003. Judge Capizzi received his B.A. from Saint Bonaventure University and his J.D. from the University Of Dayton School Of Law. He is admitted to the Ohio and Federal Bars. Judge Capizzi is also a Leadership Dayton graduate.

Judge Capizzi serves as Trustee on the Supreme Court of Ohio Judicial College; on the Supreme Court Advisory Committee on Children, Families & the Courts; and on the Advisory Committee on Case Management. He also serves as Past-President of the Ohio Association of Juvenile Court Judges.

Judge Capizzi serves as a Board Member of the National Council of Juvenile and Family Court Judges Association and as a Senior Judicial Fellow supervising Reclaiming Futures judicial training.

Judge Capizzi has overseen the growth of Drug Court from serving approximately 20 to 115 youth per week. He led the initiative to create the Evening Reporting Center, implemented the Juvenile Detention Alternative Initiative (JDAI), initiated the Pro Se Services program to help those clients that choose to file legal documents without attorney representation, and strengthened the Court's Reclaiming Futures and Natural Helpers programs to better serve youth and their families in our community. In addition, Judge Capizzi has led moving our court into the 21<sup>st</sup> Century technology-wise to streamline the hearing process by providing a more efficient case action procedure.

Judge Capizzi, known as a workaholic, remains enthusiastic and energetic about working to promote the welfare of children and families, as has been his trademark throughout his legal career.

# MONTGOMERY COUNTY JUVENILE COURT DRUG COURT



## DRUG COURT HISTORY

The Montgomery County Ohio Juvenile Drug Court (MCJDC) began in 1998 and was expanded and enhanced under the leadership and guidance of Hon. Judge Anthony Capizzi. MCJDC serves as a specialized docket within the Juvenile Court to assist in the rehabilitation of juvenile offenders adversely affected by drugs and alcohol. The docket began with a capacity to serve approximately 50 youth with a target population of adjudicated, non-violent, drug-involved offenders. Drug Court now serves moderate and high risk juvenile offenders with a capacity to serve 180 youth annually. Typically, Drug Court provides intense services to approximately 125 youth and their families at any given time. An average of 162 youth and families per year were served in the past five years (2010 – 2015).





## DRUG COURT STRUCTURE

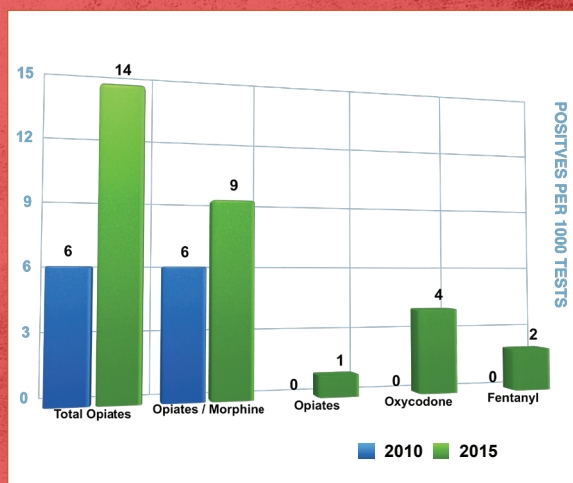
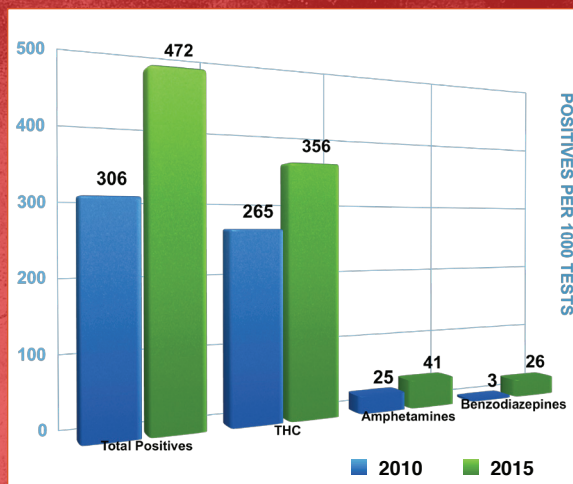
The structure of MCJDC affords an environment in which youth can develop healthy attitudes and values necessary for reducing substance abuse and recidivism. Specifically, Drug Court provides judicially supervised treatment and case management, mandatory random drug testing, community supervision and the use of appropriate incentives and sanctions. Youth are expected to follow rules of the home, attend school daily, attend all probation meetings, counseling sessions and court hearings, obtain employment (if age appropriate) and become drug free. The program is individually paced and includes three phases of advancement. Depending on the youth's performance and progress, successful completion averages nine months, but some youth may need services for two to three years.

Many youth while participating in Drug Court will be assigned a Natural Helper through the Court's Reclaiming Futures Program. Natural Helpers are trained citizen volunteers who provide support and connect the youth and their families to opportunities for positive life changes. Natural Helpers may attend Court hearings, go on group or individual outings with the youth and overall provide a positive adult figure in a youth's life. Approximately 444 volunteers have been trained as Natural Helpers since the program's inception, with 390 total youth referred to a Natural Helper. 248 matches were made with 142 non-matches.

## DRUG TRENDS

Historically, marijuana was the drug of choice and most youth entering the program showed a history of low level misdemeanor charges. Today, Judge Capizzi's Drug Court looks extensively different. Youth entering drug court since it was expanded in 2006 have moderate/high level offenses with primarily drug dependence diagnosis. The main drug of choice continues to be marijuana but higher level drugs, such as benzodiazepines, methamphetamines, and fentanyl are prevalent as illustrated in the accompanying charts.

From 2010 to 2015, opiate usage increased in Montgomery County Juvenile Court by 15%. In 2010, the Court showed 61 positive opiate tests out of 9,891 tests conducted. In 2015, MCJC showed 124 positive opiate tests out of 9,133 tests conducted—an amount doubled from 2010. Other drugs that increased significantly include benzodiazepines, methamphetamines, fentanyl and other drugs used to treat opiate addiction such as buprenorphine and methadone. This data relates to what modern youth have readily available, both from the street but also from their home. With the increase of adults struggling with heroin addiction and requiring medically assisted treatment, more families carry these types of drugs in their home medicine cabinets, thus increasing availability to today's youth.



## PARTNERS

In addition to the Montgomery County Juvenile Court collaborative, the partners for Drug Court include: Substance Abuse and Mental Health Services Administration (SAMHSA), The Ohio Department of Mental Health and Addiction Services (OHMHAS), the Ohio Department of Youth Services (ODYS), Case Western Reserve University (CWRU), Reclaiming Futures, The Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County (ADAMHS), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), South Community, Inc. and several other treatment providers.





## JUVENILE DRUG COURT LEARNING COLLABORATIVE PROJECT

On June 1, 2016 The Montgomery County Juvenile Court was named one of six sites to participate in a national drug court project.

The National Council of Juvenile and Family Court Judges (NCJFCJ) selected Montgomery County to be in the Juvenile Drug Court Learning Collaborative. “We are really excited and proud to have been selected as one of the six new Learning Collaborative sites,” said Montgomery County Juvenile Court Judge Anthony Capizzi.

The collaborative seeks to build a community of best practices among the 400 drug juvenile courts operating nationally. The six sites will participate in the project from now until September 30, 2018.

“These courts are implementing practical approaches that are based on research and the principals of adolescent development,” said Jacque van Wormer, Ph.D., Spokane regional criminal justice administrator, who serves as a faculty member for the Learning Collaborative Project and was a reviewer during the selection process. “The approaches can be easily replicated [in] courts in order to create a juvenile drug court field that is driven by science in order to improve outcomes for youth and families.”

## FUNDING

The Court continues to actively seek and receive funding for the expansion of Drug Court. In the past three years, the Court received several grants through the following organizations: Treatment Alternatives to Street Crime (TASC), the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Current TASC funds run from 2015 through 2016 for \$195,369 with an additional subsidy of \$43,111. SAMHSA funds run over a three year period (2013 – 2016) with a total award of \$985,000 in funding. OJJDP funds are also a three year grant (2014 – 2017) with a total award of \$526,443.

## DRUG COURT PROGRAM YOUTH DATA: 2010 – 2015

YEARS	SERVED	REFERRALS	COMPLETIONS	GRADUATES	GRADUATE PERCENTAGE
2015	176	96	63	41	65%
2014	183	101	62	45	73%
2013	153	136	58	34	59%
2012	144	90	66	34	52%
2011	162	118	78	60	71%
2010	156	110	77	49	64%
TOTALS	974	651	404	263	Average: 64%



# MISSION STATEMENT

We are a Court of law dedicated to the task of upholding the Constitution and administering the laws of our land in a just and equal manner. We must strive to provide individualized justice for our children and protect our community, carefully balancing the interests of both. We believe there must be consequences for violation of the laws and that treatment begins with legal consequences. These consequences are intended to teach one responsibility and accountability for their actions; yet our goal is not to punish but to rehabilitate whenever rehabilitation can be effected without endangering the community.

## Goals:

We are a Juvenile Court, and although protecting children is everyone's responsibility, we must be the catalyst in rallying the entire community toward that end through the following:

- Be a leader in the effective and cost-efficient utilization of community resources for the treatment of children and families;
- Provide for the protection of the community through just and speedy consequences;
- Be sensitive and responsive to individual victims and their families;
- Provide individualized justice for the offenders;
- Protect the abandoned, neglected and abused and assess and seek treatment for children in need;
- Hold those accountable who fail to meet their obligations as parents, guardians or custodians;
- Demand high professional standards for ourselves and make every effort possible to demand the same standards from other government agencies and service providers;
- We must pursue these goals vigorously and honestly with the utmost respect for the rights of all our citizens.

## JURISDICTION

The jurisdiction of the Juvenile Court extends countywide to children who are alleged to be traffic offenders, delinquent, unruly, neglected, dependent or abused, and their families. The Court also determines adult misdemeanor criminal cases charging adults with misdemeanor offenses against children, including contributing to delinquency/unruly, child endangering and educational neglect; hears matters of custody, parentage, child support, and visitation; and hears other miscellaneous areas involving children and families, including tobacco possession cases and juvenile protection orders hearings.

## 2015 ACCOMPLISHMENTS

### TO THE CITIZENS OF MONTGOMERY COUNTY

During 2015, some of the Montgomery County Juvenile Court's accomplishments and changes included:

#### IMPLEMENTATION OF CLERKS IN THE COURTROOM (CIC)

In 2015, two-thirds of the Juvenile Court's cases went fully operational under Clerks in the Courtroom (CIC) with delinquency and support cases.

CIC is a real time process of streamlining the hearing process by providing Court entries to parties immediately after a court session is ended. CIC provides an efficient method of recording key aspects of a hearing and allows the entries to be electronically signed by the magistrates and judges. This eliminates any lengthy processing and waiting time for youth and families to receive their paperwork.

#### TRUANCY COURT

On March 26, 2015, Honorable Judge Kuntz held the first session of Truancy Court. In a mass docket format, hearings are attended by the family, a school representative and the Court's Intervention Center's Truancy Court Liaison. The school representative briefs the Court on prior efforts used to improve attendance and makes suggestions of sanctions that will assist the youth/parent in improving attendance.



The Court supports these sanctions by issuing legal orders. The liaison provides case management, identifies the juvenile's and/or the family's needs and barriers and links them to services.

In 2015, Truancy Court conducted hearings on 220 truancy referrals. Of those referrals, seventy-five percent (75%) were closed out successfully.

### **PREA**

The Prison Rape Elimination Act (PREA) is an Act of Congress passed in 2003 to protect individuals from prison rape. Official standards were finalized by the Department of Justice in 2012.

In 2015, the Court underwent its first PREA audit at its Center for Adolescent Services (CAS) building, a secure residential correctional/treatment facility. The Court passed all requirements with 100% compliance in PREA standards.

### **JUVENILE COURT HAALO PROGRAM**

In 2015, HAALO (Helping Adolescents Achieve Long-Term Outcomes) completed one mural in partnership with K-12 Gallery. The largest mural completed by HAALO to date, the artwork is located at 300 Hamilton Avenue on a wall of the Wilson Sign Company building. The artwork spanned an impressive 3,000 square feet and won Keep Ohio Beautiful's "Best Community Revitalization Project" award.



*Mural located at 300 Hamilton Avenue on a wall of the Wilson Sign Company building.*



### **COMMUNITY CLEANUPS**

The Court completed two community neighborhood cleanups in April and October of 2015. Collectively, work groups removed a total of 12.13 tons of trash from Dayton neighborhoods.

Partners included Dayton Police, United Against Violence, residential neighborhood community members, Court staff, local volunteers and Court youth.



### **SBIRT**

Screening Brief Intervention and Referral to Treatment (SBIRT) is a model used to identify the most appropriate level of treatment needed for a youth. SBIRT training was completed in 2015 for Court Intervention Center staff. One Court Assessment Specialist began using the model as a pilot in 2015. The use of SBIRT will be expanded in 2016.



## **JDAI**

We continued our involvement in the Juvenile Detention Alternative Initiative (JDAI) in partnership with the Ohio Department of Youth Services (ODYS) and in conjunction with seven other Ohio counties. JDAI's core values are designed to reduce the need for youth to be in secure detention, to reduce the length of time they remain in detention and to address the issue of disproportionate minority contact while always balancing the need for public safety.

Since 2009, by utilizing the JDAI core values and safe alternatives to detention, the Court has reduced detention admissions by 49% and youth of color admissions by 50%. Detention's average general population has also been reduced by 49% from 76 youth to 39 youth.

## **2016 GOALS**

### **Evening Reporting Center II (ERC)**

The current ERC I serves as an alternative to secure confinement for both pre and post adjudicated youth who score as medium and high risk through the Ohio Youth Assessment Survey (OYAS) tool. The Court will expand the services currently offered at the Reporting Center by addressing the needs of low risk youth through a second ERC branch (ERC II).

The goals of the centers are to reduce the number of secure detention days served by youth, to improve long-term youth success, reduce recidivism rates and divert low risk youth from penetrating the Court system. To date, the ERC I branch shows an overall rate of 71% of youth successfully completing programming.



*Location of the Evening Reporting Center,  
Mount Enon Missionary Baptist Church.*

## **Diversion Unit**

To further divert youth who come into contact with the Court system, a Diversion Unit was planned under the leadership of Court Judges, Administration, and the Probation and Intervention Center departments. Using existing Court resources and personnel, the unit officially launched on March 28, 2016.

The Diversion Unit will allow for the unofficial handling and supervision of low risk youth charged with misdemeanor and unruly cases whose offenses would normally be filed with an official case status. Youth involved in the unit will engage in services separate from other youth scoring as medium or high risk and who are on official probation. This new endeavor will not only keep youth risk levels separated, but it should reduce the number of cases filed officially in the Court. In turn, this will reduce the number of youth placed on official probation, thus reducing the number of potential detainments caused by Violations of Court Orders (VCO's).

### **Family Treatment Court**

The Juvenile Court plans to address the needs of families whose parent(s) or caregivers are experiencing a substance use and/or mental health disorder while undergoing dependency and legal custody proceedings.

The Family Treatment Court will provide services to the parent(s) and youth individually while also providing wraparound services to the family unit as a whole. The goal is to successfully treat the parent or caregiver's disorder, to address any youth needs and to prevent children from being placed in foster placements by successfully reuniting healed families.

### **Project Empower**

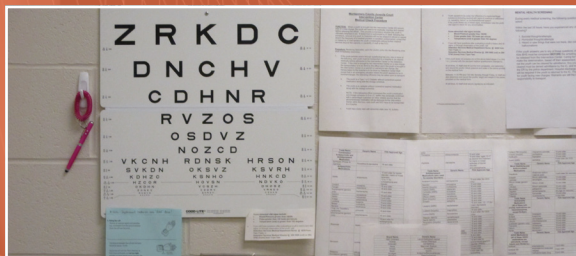
The purpose of Project Empower is to improve the overall health and well-being of youth involved with the Juvenile Court System by enhancing existing programs and services offered in its Detention Center. The Court plans to implement and expand Adolescent Skill-Streaming programming through Aggression Replacement Training (ART) groups and to implement adolescent Wellness Programming. This programming will help to address the social, mental and physical health and needs of the Court's detained youth while also working to reduce the number of detention days and impact long-term youth success. The programming will help youth transition to their families and communities upon release by providing skills and information transferrable to their daily lives.



## JUVENILE COURT SERVICES

The **Intervention Center (IC)** is a 24-hour, 7-days a week single point of entry for court service (intake, case screening, assessment and processing) for unruly and delinquent youth, providing easier access for local law enforcement. The Center coordinates needed services and provides ongoing follow-up for youth and their families to divert them from the official court system. With the on-site support of outside agencies such as Caring for Kids, a South Community, Inc. program, which conducts comprehensive assessments on youth, and the Children Services Division of the Montgomery County Department of Job and Family Services (CSD/MCDJFS), the Center can provide a triage for youth and their families needing more in-depth intervention. In 2015, 2,746 Behavioral Health Screens (BHS) and 527 comprehensive mental health and drug assessments were completed by Caring for Kids, a South Community Inc. program. IC conducted 1,104 administrative hearings on unofficial cases and diverted 415 cases to the Dayton Mediation Center to find meaningful resolution for parties outside of court involvement.

IC provides electronic monitoring for youth and families released in lieu of detention and also houses the Care Coordination Team (CCT), which works closely with children, 10 years of age and younger, their families and the Disproportionate Minority Contact Diversion Program (DMC/DP). During 2015, IC provided electronic monitoring for 723 cases.<sup>1</sup> The CCT served 259 youth in 2015. In addition, 166 youth successfully completed the DMC/DP in 2015.



*The Intervention Center's vision testing and examination area.*

The **Court Services Office** is responsible for processing all official filings for the Court. Documents requiring filing are received via mail or in person from several sources. These sources include private citizens, law enforcement, attorneys representing private or agency parties, appointed counsel, and agencies themselves. The Clerk's Office processes Delinquency, Unruly, Tobacco, Traffic, Petitions for Protection Orders (where the respondent is juvenile), Adult Misdemeanor, Parentage, Support, Custody, Dependency, Neglect, Abuse, Permanent Custody, Visitation, U.I.F.S.A., Judicial Consent Cases, Grandparent Powers of Attorney, Grandparent Caretaker Authorization Affidavits, Objections, Ohio Department of Youth Service Releases / Re-Entry Filings, Certifications, Transfers and Appeals. A separate journal is maintained to docket Adoption Placement Agreements, Permanent Surrenders, and Fingerprinting and Photographing Motions and Entries as well as Juvenile Court appointments, resignations and terminations.

Prior to the first hearing, Deputy Clerks file the initial documentation of the case. This includes the time-stamping and journalizing of the documents in the Court's case management system, assigning a Judge and Magistrate to the case, and assigning a case number or motion suffix. All complaints, motions and entries are then imaged upon journalizing the document. Service is prepared to 1) assure legal notification to parties of upcoming hearings; 2) notify persons of required documentation or mandatory appearance at a hearing; or 3) restrain or detain a person in order for justice to be served. Service documents include summons, subpoenas, warrants, capias', orders of apprehension, and temporary restraining orders (used in support cases only). These documents are prepared upon the Judge or Magistrate's setting the hearing on the court docket and are tracked for perfection or failure. Clerks also perform several on-going, case processing responsibilities. Service production mentioned above may be necessary at several points in an open case.

The receipt or failure of service is also journalized in the court's docket, along with all official documents in a case, including all Judges' and Magistrates' entries and orders. Other Clerks' duties include mailing the majority of official case documents for the Court and acting as a receiving area for payments of filing fees, bonds, court costs, fines and restitution. Clerks also maintain the 'hard-copy' case files for the Court, complete agency reporting for traffic violations, fingerprints collected, as well as the number of applications for attorneys by indigent parties and the waiver of any fee for the application. Record request

<sup>1</sup> This number does not include 36 youth on EHMP at the end of 2015 who completed the program in 2016.



for private citizens, judicial agencies and military are completed daily. Additionally, the Chief Deputy will testify regarding the Court's record for criminal non-support cases or in venues when subpoenaed and appropriate.

**Detention Services** is a 108-bed multipurpose facility, which includes an 48-bed short-term detention that houses 36 males and 12 females pending court disposition or transfer to another jurisdiction, a 24-bed residential treatment option (JCARE ART/STP)<sup>2</sup> for boys who may typically have been committed to the Ohio Department of Youth Services and a 36-bed short-term correctional high-impact intervention program. These programs offer comprehensive programming (educational programming and recreational, therapeutic group and community-sponsored activities) for youth in a safe and secure environment, while protecting the community. 895 boys and 335 girls were detained in Detention in 2015 and 465 boys and 150 girls were served in the Corrections Program in 2015. 64 boys were served in the residential treatment program (JCARE/ART) in 2015 and 21 boys were served in the JCARE/STP sex offender treatment program. The Detention Center also housed 14 youth certified to the adult court pending their case resolutions as adults.



*The Detention Services medical and treatment area.*

The **Nicholas Residential Treatment Center for Youth (NRTC)**: NRTC is a 24-hour, non-secure residential treatment center with a 22 bed capacity that provides behavioral interventions for Court-involved boys, ages 11 to 17. The program generally

takes 6-9 months to complete, based on the progress and compliance of each youth. While involved with the program, these youth can expect to engage in family, individual and group counseling, as well as community resources, school, athletics and other pro-social activities. 52 youth received needed treatment at NRTC during 2015.

The **Center for Adolescent Services (CAS)**: CAS was completed in the fall of 2000 and officially dedicated on May 16, 2001. The facility is located in the Village of New Lebanon, Ohio and is a co-educational secure residential correctional/treatment facility. CAS is currently funded to serve 25 boys and 25 girls. Fifteen of these girls come from referrals through the Ohio Department of Youth Services (ODYS) facility. During 2015, CAS served a total of 113 youth (54 boys and 59 girls).

This highly structured program provides a safe and secure learning environment for youth adjudicated of felony offenses. Youth participate in a cognitive-behavioral treatment program stressing pro-social skills, self-discipline, and personal responsibility.



<sup>2</sup> Juvenile Cognitive Alternative Rehabilitative Effort/Aggression Replacement Training and Juvenile Cognitive Alternative Rehabilitative Effort/Specialized Treatment Program.



Treatment modules target thinking patterns, substance abuse, relapse prevention, understanding one's personal, social and family history, developing new habits of thought and action, values exploration and clarification, restitution and victim empathy. Treatment is delivered through a combination of individual, group and family counseling. In addition, youth must participate actively in a year-round academic program in which credits are earned and transferred to their permanent academic record. Additional services provided for all youth include medical and health services, daily recreation, food services, vision screening, dental services, custodial services, and a program of aftercare.

The average length of treatment is 3.77 months depending upon the needs and responsiveness of each youth. Prior to release each Montgomery County youth enters a transition period during which he or she spends increasing periods of time at home. When released, all youth are required to participate in aftercare services with the Probation Department.



**Probation Services:** Provides treatment planning and supervision of Court ordered youth placed under community corrections. Probation Services operates from a strength-based perspective in providing supervision and support. The strength-based approach to supervision demands a different way of looking at individuals, families and the community. The Probation Department is organized into eight units: Geographical Units I, II and III that provide supervision and monitoring; Resource Planning Program that provides out-of-home placement and supervision and JCARE/ART programming; Community Based Services that provides work therapy; the Juvenile Court Work Program (JCWP); Drug Court/Treatment Alternatives to Street Crime (TASC); and the Intensive Probation Services Unit that provides intensive supervision.

This unit also uses its' officers in the Learning Independence and Family Empowerment (LIFE) Program and the JCARE/STP Program. Approximately 883 youth were under probation supervision during 2015. The average caseload for a probation officer in 2015 was 23 youth.



**Drug Court:** Presided over by Judge Anthony Capizzi, Drug Court is a specialized docket to assist in the rehabilitation of juvenile offenders who have been adversely affected by drugs and alcohol. It provides intensive intervention and supervision of these youth, ages 13 – 17, who have been screened and assessed to be in need of alcohol/drug treatment. Drug Court served a total of 176 youth during 2015. A total of 41 youth successfully graduated Drug Court in 2015.

**Citizens Review Board (CRB):** Is an independent arm of the Court to monitor the permanency planning efforts for children adjudicated abused, neglected and dependent served by Montgomery County Job and Family Services-Children Service Division (MCJFS-CSD). CRB conducts 6 month case planning monitoring reviews of youth on probation, under the care and control of the Court in out-of-home placement. The Board conducts a portion of the Courts Annual Review Hearings for children placed in MCJFS-CSD Permanent Custody and or in a Planned Permanent Living Arrangement. In 2015 CRB monitored around 1,568 families with a total of 3,921 children served by MCJFS-CSD.<sup>3</sup> The CRB conducted 33 Formal Review Board meetings and 300 Annual Court Review Hearings.

**Court Appointed Special Advocate (CASA):** Trains and supervises adult volunteers to serve as Guardians Ad Litem (GAL) for neglected, dependent and abused children. These volunteers conduct independent investigations, provide written reports to the Court and monitor the child's case as long as it remains in the court system. In 2015, 85 CASA volunteers served 325 children in 201 families.

<sup>3</sup> These Numbers include some families who carried over from 2014.



**Start Right:** Under the direction of Magistrate Gregory Scott, the Start Right program handles Parental Failure to Send and Contributing to Educational Neglect referrals on parents whose children, kindergarten through 4th grade, have excessive school absenteeism or who fail to enroll a child in school. Parents are plugged into community programming to help solve the problems these families are facing. In 2015, Start Right received 449 cases and served 849 children. The Start Right Program closed 441 cases, of which 87% were closed successfully.

**Reclaiming Futures:** With the active leadership of Judge Nick Kuntz and Judge Anthony Capizzi, Reclaiming Futures has been bringing together court staff, treatment providers, families, community partners and volunteers to address the needs of court-involved youth with substance abuse challenges. One of its successful components is the Natural Helpers Program. Natural Helpers are trained citizen volunteers who provide support and connect the youth and their families to opportunities for positive life changes. They work in partnership with youth, family and professionals. In 2015, Reclaiming Futures trained 67 Natural Helpers and retained 82 Natural Helpers. Together, they served 126 youth.



*A recent group of trained, volunteer Natural Helpers.*

## 2013 - 2015 STATISTICS

### ADULT MISDEMEANOR COMPLAINTS\*

	2013	2014	2015
<b>TOTAL</b>	<b>548</b>	<b>720</b>	<b>657</b>
*Complaints include such reasons as parental failure to send children to school/educational neglect, child endangerment, contributing to delinquency or unruly offenses, etc.			

### CIVIL COMPLAINTS ON ADULTS

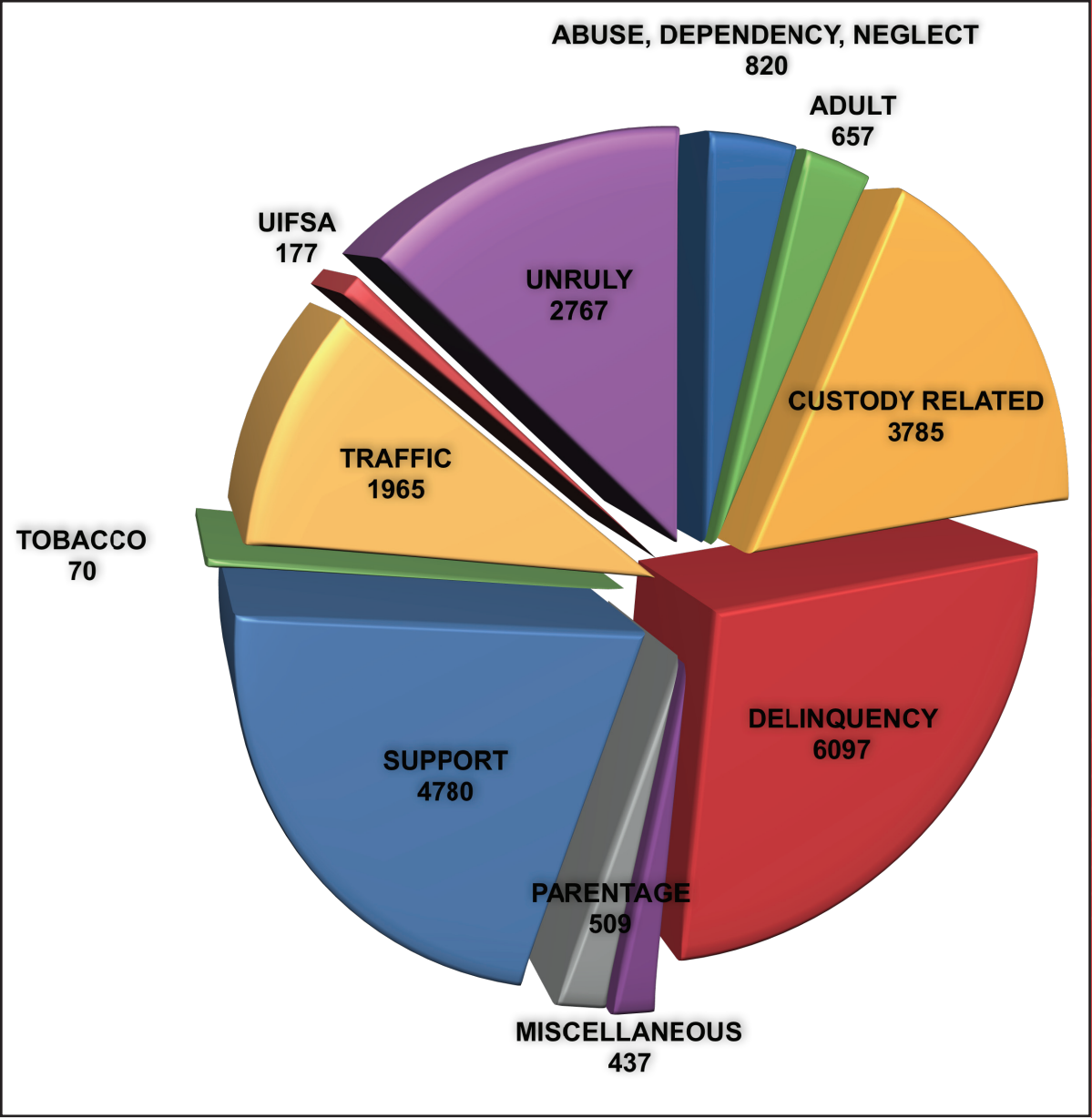
	2013	2014	2015
Parentage	848	758	509
SUPPORT	5,147	4,857	4,780
U.I.F.S.A.**	353	191	177
<b>TOTAL</b>	<b>6,348</b>	<b>5,806</b>	<b>5,466</b>
**Uniform Inter-State Family Support Act pertains to out-of-state support complaints.			

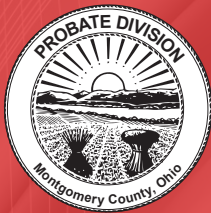
### JUVENILE REFERRALS

	2013	2014	2015
ABUSE, DEPENDENCY & NEGLECT	1,077	854	820
UNRULY	2,895	2,791	2,767
TOBACCO	106	98	70
TRAFFIC	1,889	1,947	1,965
DELINQUENCY	6,556	6,037	6,097
CUSTODY RELATED	3,778	3,663	3,785
MISCELLANEOUS	532	538	437
<b>TOTAL</b>	<b>16,833</b>	<b>15,928</b>	<b>15,941</b>



# 2015 JUVENILE CHARGES





**HON. ALICE O. MCCOLLUM**  
Administrative Judge

Judge Alice O. McCollum is the first woman to serve on the Montgomery County Court of Common Pleas Probate Division, having been first elected in 2002 and re-elected in 2008 and 2014. Prior to sitting on the bench in the Probate Division, she was the first woman elected to the Dayton Municipal Court bench where she served for 24 years. Judge McCollum received her law degree from the University of Cincinnati, College of Law after graduating from the University of North Carolina at Greensboro with a B.A. in Mathematics. Her affiliations with professional organizations include the Dayton Bar Association (past President); the Thurgood Marshall Law Society (past President); Dispute Resolution Commission; and the National Association of Women Judges. Judge McCollum has served on many community boards including; Sinclair Community College Legal Assisting Advisory Board; Children's Medical Center, the Victoria Theatre Association and the United Theological Seminary.

## 2015 COMMON PLEAS COURT ANNUAL REPORT

# PROBATE DIVISION

### MONTGOMERY COUNTY COURTS BUILDING

41 N. Perry Street, 2nd Floor  
Dayton, Ohio 45422-2155

[www.mcoho.org/probate](http://www.mcoho.org/probate)

#### Hon. Alice O. McCollum

Administrative Judge • 937.225.4552

#### SOURCES

Adoptions • 937.224.8498  
Clerk's Department • 937.225.4640  
Court Administrator • 937.225.4625  
Marriage • 937.225.4656

#### Chief Magistrate

David Farmer • 937.225.4609

#### Magistrates

Joseph Gallagher • 937.225.4601  
Arvin Miller • 937.225.4490  
David White • 937.225.4608

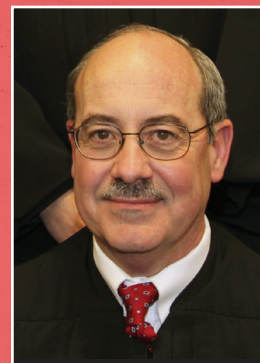
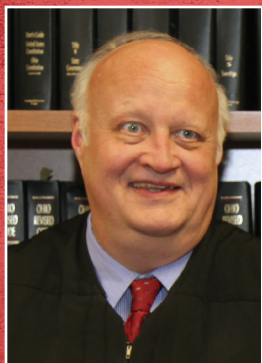




# MISSION STATEMENT

The Montgomery County Probate Court is dedicated to resolving matters and disputes fairly and efficiently. The Court accomplishes this mission by:

- Offering easy access to the Court for prompt problem resolution;
- Providing quality and innovative services to the public;
- Ensuring efficient case management by a professional and courteous staff; and
- Upholding the law and delivering justice in an equitable and just manner.



## 2015 ACCOMPLISHMENTS

- Hired Licensed Social Worker
- Received Court Technology Grant from the Supreme Court of Ohio to upgrade three audio visual court rooms
- Began implementation of new Rules of Superintendence for Guardianship cases, including training of guardians
- Updated Local Rules



## 2016 GOALS

- Coordinate with County Telecommunications Department to install a new telephone system
- Begin e-filing system on civil cases
- Create volunteer guardianship program and training
- Create Internship program with local universities for social work interns
- Develop a Guardianship Department to fully implement Sup. Rule 66

## JUDICIAL DEPARTMENT

### JUDGE MCCOLLUM

The Chief Justice of the Supreme Court of Ohio, Maureen O'Connor presented Judge McCollum with a check for \$48,385.00. The Court received a Technology Grant to upgrade three audio visual court room recording systems. The audio visual recording system creates a permanent record of the hearings.

The Judge of the Probate Court shall be assigned all cases coming before the Court. The Judge is charged with the assignment and division of the work of the departments and with the employment and supervision of all personnel of the Probate Court.



## MAGISTRATES

Four Magistrates assist the Judge in handling the case load. A magistrate is an attorney appointed by the Court who hears cases referred by the Judge. Magistrates hear and consider cases in the same manner as a judge. All magistrates' decisions are reviewed and approved by the Judge. Magistrates are available to answer procedural and other questions,



but may not discuss a case with either a litigant or attorney in the absence of the other party, or that party's attorney to the case.

## COURT OPERATIONS DEPARTMENT

### COURT ADMINISTRATOR

The Judge appoints the Court Administrator. The Administrator manages and coordinates the operations and nonlegal staff of the Court. The Administrator is responsible for the general administration and supervision of all support services for the Court. In addition, the Court Administrator supervises the implementation of all special projects the court may undertake. The Court Administrator utilizes leadership and management skills to create a high-performance work environment for court staff. The Administrator reviews data and information for planning purposes, evaluates organizational effectiveness, reviews cost and impact analysis, and establishes time lines and benchmarks of standards. The Administrator handles attorney, agency and public concerns and complaints regarding court proceedings. The Court Administrator also acts as a liaison between the Judge and staff.

### FINANCE

The Finance Department is responsible for the preparation and maintenance of budgets, financial reporting and analysis, support for financial and

analytical needs of other court departments, control over all payments and purchasing, and continual monitoring of all aspects of finance for the Court.

## MANAGEMENT OF INFORMATION SYSTEMS

The M.I.S. Department provides data processing services and office automation to the entire staff of the Probate Court in order to provide a more



efficient court for the public. The department administers and maintains a Windows network, granting Network users appropriate permissions and access rights to a variety of applications. The department upgrades hardware and software, installs new hardware and software, and troubleshoots any computer-related problems users may have.

### CLERKS OFFICE

The Clerks Office maintains and makes available to the public the hard-copy records of all case files for the Probate Court. The Clerks Office assists customers at the Court and over the telephone. The Clerks Office collects any costs or fees required, issues receipts, and posts the collected monies. Appropriate information





for case files is docketed in a timely manner, including entering information in the computer system and issuing appropriate notices. Documents are scanned for the case file database which is available online. Further duties of the office include providing basic case management information and completing statistical reporting.

## MARRIAGE DEPARTMENT

The Marriage Department's principal function is to issue marriage licenses and complete marriage certificates. Further duties include providing statistical reporting concerning case management.

## ADOPTION DEPARTMENT

One of the most rewarding responsibilities of the Probate Court is to make sure a child is placed in a safe, loving, and permanent home. The Adoption Department serves a dual function. The primary function is to provide case management for the adoption cases. Adoption filings are accepted by this Department, reviewed, and set for hearings as appropriate. All adoption proceedings and records are confidential. Every year the Court participates



in National Adoption Day. The theme for the 2015 was the Minions. The theme embraced family ideals such as love, security and acceptance. The entire Court participates in the National Adoption Day agenda. The secondary function is that of a case management specialist to the magistrates.

The case management specialist duties require considerable knowledge of office, secretarial, and administrative practices and procedures. They maintain court orders, reports, forms, correspondence, and final decisions by the magistrates and Judge.

## MENTAL HEALTH

It is the responsibility of the Probate Court to oversee the involuntary commitment process of individuals who are alleged to be mentally ill or mentally retarded, while protecting their rights and ensuring they receive treatment in the least restrictive environment.

The Court conducts hearings at various hospitals and other mental health facilities throughout the county to determine if an individual requires hospitalization.

The Court conducts hearings at various hospitals and other mental health facilities throughout the county to determine if an individual requires hospitalization. The Court will appoint an attorney for a person if it appears the alleged mentally ill/mentally retarded person is indigent. Doctors, psychologists and other experts may also be appointed as required. All proceedings and records are confidential.

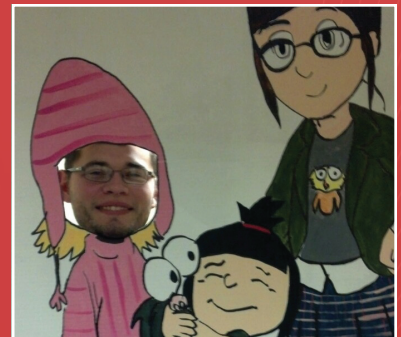
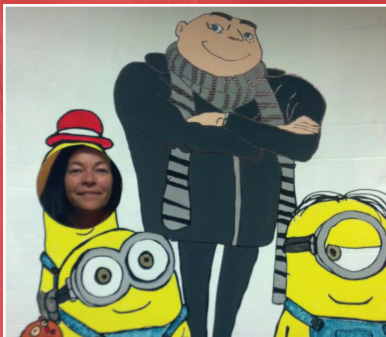
## 2013-2015 CASES FILED & MARRIAGE STATISTICS

	2013	2014	2015
CASES FILED STATISTICS			
Adoptions	158	179	134
Estates	2,515	2,309	2,361
Guardianships	378	391	310
Mental Health	550	528	562
Miscellaneous	402	452	423

	2013	2014	2015
MARRIAGE STATISTICS			
Licenses Issued	3,073	3,167	3,345
Marriage Certificates	11,375	11,218	11,895







## RESOURCES

### ATTORNEY REFERRALS

- Dayton Bar Association • 937.222.7902
- Dayton Bar Association
- Lawyer Referral • 937.222.6102
- Ohio State Bar Association • 614.421.2121

### GUARDIANSHIP REFERRALS

- Life Essentials • 937.586.0545
- Adult Protective Services • 937.225.4906
- Advocacy
- Protective Services • 937.743.4400

### MENTAL HEALTH

- ADAMHS Board • 937.443.0416
- Alcohol Drug Addiction and Mental Health Service Board*
- DDS - Developmental Disabilities Services • 937.837.9200

## RESOURCES SENIOR SERVICES

- Senior Resource Connection • 937.223.8246
- Adult Protective Services • 937.225.4529

## AREA AGENCY OF AGING

[www.info4seniors.org](http://www.info4seniors.org)

## SENIOR RESOURCE CONNECTION

[www.seniorresourceconnection.org](http://www.seniorresourceconnection.org)

## PRO SENIORS

[www.proseniors.org](http://www.proseniors.org)









**HON.  
MICHAEL L. TUCKER**  
Administrative Judge

Judge Tucker was elected to the bench in 2001. He received his undergraduate degree from Wright State University and his law degree from the University of Dayton.

He was in the private practice of law from 1980-2000 where the emphasis of his work was in civil litigation.

Judge Tucker is a member of the Ohio and Dayton Bar Associations, and the Carl D. Kessler Inns of Court.

## 2015 COMMON PLEAS COURT ANNUAL REPORT

### GENERAL DIVISION

#### MONTGOMERY COUNTY COURTS BUILDING

41 N. Perry Street, 2<sup>nd</sup> Floor  
Dayton, Ohio 45422-2155

*[www.montcourt.org](http://www.montcourt.org)*

#### REIBOLD BUILDING

117 S. Main Street, 7<sup>th</sup>, 8<sup>th</sup> and 10<sup>th</sup> Floor  
Dayton, Ohio 45422

#### S.T.O.P.

1901 S. Gettysburg Ave.  
Dayton, Ohio 45408

#### Hon. Michael L. Tucker

- Administrative Judge

#### Hon. Barbara P. Gorman

- Presiding Judge

#### Hon. Dennis J. Langer

#### Hon. Mary Katherine Huffman

#### Hon. Gregory F. Singer

#### Hon. Timothy N. O'Connell

#### Hon. Mary Wiseman

#### Hon. Steven K. Dankof

#### Hon. Dennis J. Adkins

#### Hon. Michael W. Krumholtz

#### Hon. Richard S. Skelton





# 2015 QUICK FACTS

## PERSONNEL

<i>Judges</i>	11
<i>Magistrates</i>	2
<i>Judicial Staff</i>	33
<i>Court Support Staff</i>	130
<b>Total General Division Staff</b>	<b>176</b>

## BUDGET

**\$12,904,056**

## CASE ACTIVITY

<i>Civil Filings</i>	7,385
<i>Criminal Filings</i>	4,017
<i>Probation-Offenders Supervised</i>	8,305
<i>Investigations - Bonds, PSI, Other</i>	3,252
<b>Total Case Activities</b>	<b>22,959</b>

## 2015 CASELOAD

	CIVIL	CRIMINAL	TOTAL
<i>New Cases</i>	7,385	4,017	11,402
<i>Cases Disposed of</i>	5,070	3,252	8,322
<i>Pending 12-31-15</i>	2,315	765	3,080

## CRIMINAL JUSTICE SERVICES

The Division of Criminal Justice Services provides for public safety through the supervision of offenders on probation within the Montgomery County community.

### PUPILLOMETRY DRUG AND ALCOHOL TESTING

In May 2010 the Division of Criminal Justice Services implemented pupillometry monitoring for drugs and alcohol use through the use of the PassPoint testing system. Offenders are required to submit to this non-invasive test upon each and every visit to a probation officer. The need for frequent monitoring to deter drug and alcohol use has been listed as a best practice by the National Drug Court Institute (NDCI). An important feature of the PassPoint system is that it detects drug or alcohol abuse immediately. The implementation of the pupillometry testing equipment was accomplished with probation service fees paid by offenders as a condition of their probation. No taxpayer funds were used for the purchase of this equipment.

## 2015 DRUG AND ALCOHOL ACCOMPLISHMENTS

- 15,527 drug tests were performed that eliminated the use of a similar number of urine tests that take significantly longer to complete;
- Neither the test process, nor its results, can be adulterated by the offender;
- The system reduces staff time previously spent on collecting urine samples;
- The Probation Officer receives immediate electronic notification every time their client is tested.

## COMMUNITY SERVICE WORK

Community service work provides the court with an alternative to sentencing by ordering the defendant to complete a maximum of 500 hours of community service work. The Division of Criminal Justice Services places offenders in nonprofit agencies in Montgomery County to perform service work, and offenders are often placed side-by-side with community group and county agency employees, saving taxpayers thousands of dollars.

### 2015 COMMUNITY SERVICE WORK ACCOMPLISHMENTS

- 1,676 probationers participated in community service work;
- 60,712 hours of service work were provided;
- \$492,517 savings to county and local nonprofit agencies;
- 20 agencies accepted community service workers from the Division of Criminal Justice Services.

## RESTITUTION TO VICTIMS

In an effort to increase collections and reimbursement for victims of crime, the Montgomery County Common Pleas Court judges are using a provision in a 1995 Ohio Crime Bill to authorize restitution for victims to be collected before fines and court costs are paid. In September 1995 the first payments made by probationers were designated for reimbursement to the victim. This method is unique to Montgomery County and ensures victims are compensated first. In 2015, \$551,279 was collected and distributed to victims of crime in Montgomery County.

### ACCREDITATION

The Court has supported independent evaluations of the Division of Criminal Justice Services and the S.T.O.P. program in order to provide quality criminal justice services to the Montgomery County community.



The Division of Criminal Justice Services has been accredited by the American Correctional Association/Commission on Accreditation for Corrections since 1987. We are one of the oldest accredited departments in the country and the first county probation department accredited in Ohio. We are accredited under the Performance-Based Standards for Adult Probation and Parole Field Service.

The S.T.O.P. program was accredited on January 31, 2011, under the Performance-Based Standards for Adult Community Residential Services, Fourth Edition, and the program is planning to be re-accredited in 2016 in the new facility.

The Division's Intensive Supervision Program, established in 1984, and the Chemical Offender Program, both begun in 1990, have maintained successful and consistent annual audits by the Ohio Department of Rehabilitation and Corrections.

## **DNA COLLECTION**

In February 2005 the Ohio General Assembly passed House Bill 525 which provided for the collection of DNA samples from convicted felons and persons convicted of certain misdemeanors. Since February 2005 probation staff of the General Division has collected a total of 16,394 DNA samples; 542 of those samples were collected in 2005. DNA samples provide law enforcement a very valuable tool in solving crimes and closing cases.

## **DRUG COURT**

In 2005 the Government Accountability Office issued a report regarding the effects of adult criminal drug courts. At that time, 23 programs were evaluated for effectiveness and efficiency. The study concluded that drug courts can significantly reduce crime in a community. The General Division of the Montgomery County Common Pleas Court has operated a drug court since 1996.

Drug courts are a very good example of an effective problem-solving approach to dealing with drug-abusing offenders in the judicial system. Drug court closely monitors the defendant's progress toward sobriety and recovery through ongoing treatment, frequent drug testing, regular mandatory court appearances, and the use of a broad range of immediately-imposed sanctions and incentives to foster behavior change.

Our drug court judges collaborate with other traditional court participants (prosecutors, defense counsel, treatment providers, probation officers) whose roles have been substantially modified, but not relinquished, in the interest of helping defendants deal with their addiction and, consequently, discontinue their criminal behavior.

With a traditional sentence, an offender may simply spend time in jail as a punishment. Drug court participants are required to attend treatment and show progress in recovery, as well as pay any fines and costs that may be imposed by the Court. Since its inception, 2,016 offenders have successfully completed the General Division's Drug Court program.

### **2015 DRUG COURT ACCOMPLISHMENTS**

- 52 offenders were provided with the necessary tools to lead a life free of drugs and alcohol, successfully completing all Drug Court sanctions;
- Only 12 offenders served prison sentences for failing to meet the requirements placed upon them in drug court.

## **WOMEN'S THERAPEUTIC COURT (WTC)**

On June 17, 2014, this specialized docket began. It was designed to provide female offenders with the opportunity to address gender specific life issues, while address the conditions ordered by the sentencing judge.

### **2015 WTC ACCOMPLISHMENTS**

- 46 offenders were provided with the necessary tools to lead a life free of drugs and alcohol, successfully completing all WTC sanctions;
- 23 offenders served prison sentences for failing to meet the requirements placed upon them in WTC.

## **VETERANS TREATMENT COURT**

On November 20, 2013, this specialized docket began. It was designed to provide address chemical dependency and mental health issues of veterans through regular court appearances and treatment plans specifically created for each veterans. A relationship has been developed with Veterans Services to provide mentors for the offenders to assist them in their journey with probation and recovery.

### **2015 VETERANS TREATMENT COURT ACCOMPLISHMENTS**

- 16 offenders were provided with the necessary tools to lead a life free of drugs and alcohol, successfully completing all sanctions;
- Only two offenders served prison sentences for failing to meet the requirements.



## NON SUPPORT COURT

The General Division's Non Support Court began operating in 2004. Traditionally, the only sanction a judge could impose was a jail sentence. However, taking away a parent's ability to work and pay their debt does not benefit the children. Non Support Court utilized various methods, including short-term jail sentences, to motivate an offender to meet his/her financial obligations. The Non Support court ceased operations in December 2015.

### 2015 NON SUPPORT COURT ACCOMPLISHMENTS

- \$452,968 in child support was collected;
- 62 defendants were successfully terminated from probation;
- Non Support court participants either gain employment or are referred for employment assistance at Goodwill, the Job Center, or the Re-Entry Program.
- The Court uses various tools to determine the appropriate sentencing alternative. Presentence Investigation (PSI) and Intervention in Lieu of Conviction (ILC) reports provide the judges with innovative sentencing alternatives based on individual needs, treatment options, a supervision plan, and input from the victim.

## SECURE TRANSITIONAL OFFENDER PROGRAM (S.T.O.P.)

The Secure Transitional Offender Program (S.T.O.P.) is an alternative residential sanction that diverts felony offenders from the Montgomery County Jail. It is an intensive education and cognitive program that challenges offenders to make permanent changes in their behavior and, consequently, their lives. Programming, counseling, and education are provided by the Court's Department of Criminal Justice Services and many community volunteers.

### 2015 S.T.O.P. ACCOMPLISHMENTS

- In October 2015, the S.T.O.P. facility began accepting female offenders;
- 464 offenders were sentenced and accepted into the S.T.O.P program;
- 393 offenders successfully completed the S.T.O.P. program;
- 48,856 hours of community service work was performed by S.T.O.P. participants;

## PRESENTENCE INVESTIGATION AND INTERVENTION IN LIEU OF CONVICTION REPORTS

### 2015 PSI/ILC ACCOMPLISHMENTS

- 1,815 Presentence Sentence Investigation reports were completed;
- 829 Intervention In Lieu of Conviction reports were completed.

## COURT SERVICES

The Court Services Division provides an array of direct services to the Court which includes case management, alternative dispute resolution programs, bond investigation and pretrial supervision, and management of the evidence room.

## PRETRIAL SERVICES

The Department of Pretrial Services of the General Division screens and supervises defendants in criminal cases before their cases are adjudicated. The right to reasonable bail before trial is a constitutional guarantee that reinforces the concept of "innocent until proven guilty." When a criminal defendant is provided pretrial supervision by the court, public safety is enhanced as well as the reliability of the Defendant's appearing in court. Additionally, considerable taxpayer funds are saved because the defendant is not housed in the County jail. In 2015, the National Institute of Corrections (NIC) conducted a site visit to Pretrial Services, and determined that the department is sound and high-functioning.

### 2015 PRETRIAL SERVICES ACCOMPLISHMENTS

- 4,820 felony defendants were screened; of those, 847 were supervised by Pretrial Services prior to trial;
- 2,214 misdemeanor defendants were screened; of those, 306 were supervised by Pretrial Services prior to trial;
- \$1,125,362 in cost savings for taxpayers in 2015 because defendants awaiting trial were not housed in the Montgomery County Jail;
- 4,004 jail time credit calculations were completed;
- 540 Sealing of Record Reports were completed;
- 13 Certificate of Qualification of Employment Reports were completed;
- 1,782 urinalyses were conducted;
- Completed National Institute of Corrections Technical Assistance site visit;
- Successfully completed CCA audit with a 100% compliance rate.



## **STALKING AND SEXUALLY ORIENTED OFFENSE PROTECTION ORDER (SSOOPO) PROGRAM**

The Stalking and Sexually Oriented Offense Protection Order (SSOOPO) program provides vital services to stalking victims and their families. The overwhelming majority of citizens who seek protection orders do not have the benefit of legal counsel and they are not familiar with the legal system. The SSOOPO program provides assistance to those citizens seeking protection orders to ensure that they are in the appropriate jurisdiction and that petitions for relief can be reviewed by the court in a timely manner.

### **2015 SSOOPO PROGRAM ACCOMPLISHMENTS**

- 1,184 petitioners assisted in seeking a protection order;
- 521 petitions for protection orders filed;
- 262 ex parte orders were granted.

## **ALTERNATIVE DISPUTE RESOLUTION PROGRAM (ADR)**

The Alternative Dispute Resolution (ADR) program was established to assist our judges with the challenges of an ever-increasing caseload. The goal of this program is to resolve legal disputes in a manner which is more economical and amicable than trial. The Court continues to expand its pool of mediators and the available practice areas that the mediators bring to the process. The parties to the mediation process are permitted to choose their mediators from a list that has been placed online by the Court. The General Division maintains the list of independent qualified mediators to conduct mediation conferences. In 2015 our mediators accepted 320 cases to mediate, with a settlement rate of 63 percent.

## **MANAGEMENT INFORMATION SYSTEMS (MIS)**

The Management Information System Department (i.e., Information Technology) of the General Division provides the following services:

- ▷ IT Strategic Planning
- ▷ Procurement and Management of Hardware, Software, & Maintenance Contracts
- ▷ Service Desk Management (HelpDesk)
- ▷ Network Administration
- ▷ Report Creation and Maintenance
- ▷ Change, Patch, Release Management of all hardware and software

- ▷ Functional and Project Management
- ▷ Courtroom Automation and Maintenance
- ▷ Software Deployment, maintenance
- ▷ Web sites Development and maintenance
- ▷ Manages and supports critical applications
  - Case and Jury Management
  - E-mail
  - File and Print
  - Document Management
  - Evidence tracking
- ▷ Court WI-Fi and Network Services
- ▷ IT Security
- ▷ Management the process for the court's sealing of records
- ▷ Video Conferencing
- ▷ Remote Access

### **2015 MIS ACCOMPLISHMENTS**

- Mediator Panel Members: To support the enhanced mediator program, provide a webpage containing information including Mediator bios.
- Age and Condition (Evergreening) Plan: A five-year plan was developed for ensuring up-to-date and fully supported technology throughout the Court.
- Technology Equipment Audit: Review all Court technology and ensure it is included in future evergreening plans.
- IT Budget: Develop an ongoing IT budget with supporting funds to ensure all future Court technology needs are met.
- Sealing of Records: Transferred function of Sealing of Records to the IT department.
- Court Combined Web Calendars: Corrected the remaining bugs and enhanced the existing features of the Court Combined Web Calendars.
- Outlook CourtView Calendars: Provided a means of accessing CourtView event information within Outlook and external devices.
- JAVS System 7 upgrades: Completed JAVS System 7 upgrades for all Judges that still retained System 6.5 courtrooms
- JAVS Grand Jury system: Replaced out-of-date recording system for the Grand Jury with JAVS System 7 equipment.
- STOP Women's program: Installed technology, networking, and equipment in the new STOP Women's program wing of the Echo building.
- Radio replacement: Replaced all Court radios with digital capable models.





**PRESIDING JUDGE  
HON. BARBARA P. GORMAN**

Judge Gorman joined the bench in 1987. She received an Honors B.A. from Marquette University, a Master's Degree, then her Juris Doctorate, *summa cum laude*, from the University of Dayton.

She joined the Montgomery County Prosecutor's Office in 1977. Judge Gorman is a past president of Catholic Social Services of the Miami Valley and past Chair of the Chaminade-Julienne High School Board of Trustees. She presently serves on the Boards of the Ohio Common Pleas Judges Association (Secretary); the Dayton School of Law Advisory Council as well the Alumni Association, Linda Vista, Inc., the Brunner Literacy Center, and YWCA Dayton.

Judge Gorman is a member of the Dayton, Ohio, and American Bar Associations; a member of the Dayton Lawyers Club, and the Carl D. Kessler Inn of Court. She is a member of the Ohio Supreme Court Commission on the Rules of Practice and Procedure. In 1993, she received the Distinguished Alumni Award from the University of Dayton School of Law.

Judge Gorman currently presides over the Men's Drug Court.



**HON. DENNIS J. LANGER**

Judge Langer joined the bench in 1995. He received his undergraduate degree from John Carroll University and law degree from Boston University.

He served as a Montgomery County Assistant Prosecuting Attorney from 1976-1995, and was named Ohio's "Outstanding Assistant Prosecuting Attorney" in 1994.

He served as Administrative Judge of the General Division from 2004-2007. Judge Langer is an Adjunct Professor at the University of Dayton School of Law.



**HON. MARY KATHERINE  
HUFFMAN**

Judge Huffman has been a General Division Judge since 2002. From 2007-2010 Judge Huffman presided over the Common Pleas Court's Drug Court, and presided over the court's Non-Support Court from 2005-2006.

Judge Huffman received her B.A. in political science from Wright State University and her J.D. from the University of Dayton School of Law, graduating *summa cum laude* from each institution. She received a M.A. in Judicial Studies from the University of Nevada in May, 2015. Judge Huffman also received a Certificate in Judicial Development, General Jurisdiction Trial Skills, from The National Judicial College in 2015. In 2007 Judge Huffman completed mediation training at the National Judicial College.

Judge Huffman is a member of the American, Ohio and Dayton Bar Associations, the Ohio Common Pleas Judges Association, and is a Master at the Carl Kessler Inn of Court, serving as that organization's President from 2011-2013.





**HON. GREGORY F. SINGER**

Judge Singer joined the bench in 2005. He received his Bachelor's degree from the University of Cincinnati, and his law degree from the University of Dayton.

He served for 15 years as an adjunct Professor of Law at the University of Dayton, he is a member of the Ohio and Dayton Bar Associations, and has been licensed to practice law in Ohio, Kentucky, and the United States Supreme Court.

Judge Singer serves on the Ohio Judicial Specialized Dockets and Community Corrections Committees, as well as the Ohio Common Pleas Judges Association Board of Trustees.



**HON. TIMOTHY N. O'CONNELL**

Judge O'Connell was elected to the bench in 2006. He obtained his undergraduate and law degrees from the University of Dayton.

He was in the private practice of law from 1980-1990, at which time he was appointed as a Referee in the General Division.

Judge O'Connell teaches continuing legal education seminars for the Dayton Bar Association and is a mentor for Dayton Public School elementary students.

Judge O'Connell serves on the Fee Arbitration and Diversity Committees of the Dayton Bar Association and Magistrates Committee of the Ohio Judicial Conference, as well as the board of Trustees of Nova House Association.



**HON. MARY WISEMAN**

Judge Wiseman joined the bench in 2007. She holds an undergraduate degree from Ball State University and a law degree, with honors, from the University of Arkansas.

In her private practice she focused on complex commercial litigation in both the state and federal courts.

Judge Wiseman served on the Dayton City Commission from 1998 to 2002. She serves on the Board of the Volunteer Lawyer's Project for Greater Dayton.

Judge Wiseman teaches at the University of Dayton School of Law. She chairs the Court's Technology Committee.





**HON. STEVEN K. DANKOF**

Governor Strickland appointed Judge Dankof to the General Division on December 30, 2010, and he was re-elected to the bench in November, 2012 and again in November, 2014.

He received his BBA, summa cum laude, from The Ohio University in 1973 and his J.D. with Honors from the University of Texas at Austin School of Law in 1976.

For 35 years, Judge Dankof was a Dayton trial lawyer, recognized in The Best Lawyers in America, Martindale-Hubbell AV rated, and was named “Dayton Best Lawyers 2011 Personal Injury Litigator of the Year”.

Judge Dankof frequently lectures, serves on multiple Court committees, and is a member of The Dayton Lawyers Club.



**HON. DENNIS J. ADKINS**

Judge Adkins was appointed to the General Division bench on June 6, 2011. He serves as the Appointments Committee Chair, and serves on the Criminal Practice, Security and Technology Committees.

He received his B.S. degree from the University of Dayton in 1982, and his law degree from Salmon P. Chase School of Law in 1986.

Judge Adkins chaired the committee to create the first Veteran’s Treatment Court in Montgomery County, and serves as Judge of that Court. He also chaired a committee to overhaul the Criminal Appointed Counsel Program for the Court. Judge Adkins frequently lectures, serves on the Dayton Bar Association’s Certified Grievance committee and Criminal Practice Committee, and is a member of the Dayton Lawyers Club.



**HON. MICHAEL W. KRUMHOLTZ**

Michael W. Krumholtz was elected to the General Division bench in November 2012. He received his undergraduate degree from Denison University and his Juris Doctorate degree from the University of Cincinnati College of Law. He came to the bench after a distinguished 30-plus-year career as an attorney with one of the area’s oldest law firms – Bieser, Greer & Landis.

Judge Krumholtz has been a Fellow of the American College of Trial Lawyers since 2007, as well as a Fellow of the American Bar Foundation. He is also a Trustee for the Building Bridges Board, as well as

a member of the Dayton Bar Association.

Judge Krumholtz currently serves on the Jury Management and Security Committees of the General Division.





**HON. RICHARD S. SKELTON**

Governor Strickland appointed Local Attorney Richard S. “Dick” Skelton was elected to the Common Pleas Bench, General Division, in November of 2014, taking office in early January 2015.

Judge Skelton received his Bachelor’s degree from Wright State University in 1984 and his Juris Doctorate from the University of Dayton School of Law in 1988. From 1988 until his election to the Common Pleas Court, he worked as a trial attorney gaining extensive experience in both criminal and civil litigation while representing parties in a variety of cases – personal injury, medical malpractice, wrongful death, criminal defense (federal, state, and county), general tort, custody, DUI, DWI, and OVI. Judge Skelton has also appeared on local television shows devoted to legal issues, and is a frequent guest lecturer at the University of Dayton School of Law.

He is a member of the Dayton Bar Association where he served on the Ethics Committee, as well as the Ohio State Bar Association. As a private-practicing attorney, Judge Skelton received the highest peer review attorney ranking by Martindale-Hubbe.





**HON. DENISE L. CROSS**  
Administrative Judge

Judge Denise L. Cross is currently serving her sixteenth (16th) year as Administrative Judge of the Montgomery County Domestic Relations Court. She received a Bachelor of Arts degree from Wilberforce University in 1975 and her Juris Doctorate from the University of Akron in 1978. Judge Cross has practiced as a private attorney and has been a public servant in several capacities. In addition to acting as an Assistant Prosecuting Attorney and Assistant Public Defender, she has led in the Court system as both Chief Magistrate and Legal Director. She was elected to the bench as Judge in 2000. She actively participates in many legal forums and community organizations.

## 2015 COMMON PLEAS COURT ANNUAL REPORT

# DOMESTIC RELATIONS DIVISION

### DAYTON-MONTGOMERY COUNTY COURTS BUILDING

301 W. Third Street  
Dayton, Ohio 45422-2156

[www.mcchio.org/dr](http://www.mcchio.org/dr)



#### **Hon. Denise L. Cross**

Administrative Judge • 937.496.7538

#### **Hon. Timothy D. Wood**

Judge • 937.496.7536

### DEPARTMENTS

Assignment Office	• 937. 225.4107
Compliance Office	• 937. 225.4782
Court Administration	• 937. 225.6060
Family Relations	• 937. 225.4191
Legal Administration	• 937. 225.6061
Legal Secretaries	• 937. 225.5483
Magistrates	• 937. 225.4063
Mediation Services	• 937. 225.4539
Parent Education	• 937. 225.4092

### COMMUNITY PARTNERS & RESOURCES

#### DOMESTIC VIOLENCE HELP

Artemis Center	• 937. 461.4357
24-Hour Crisis Hotline	• 937. 222.7233
YWCA Dayton Shelter & Housing	• 937. 222.6333
Suicide Prevention Center	• 800. 320.4357

#### ATTORNEY REFERRALS

Dayton Bar Association	• 937. 222.6102
Ohio State Bar Association	• 800. 282.6556





**HON. TIMOTHY D. WOOD**  
Judge

After serving as a magistrate in the Montgomery County Domestic Relations Court for eighteen (18) years, Judge Timothy D. Wood was appointed as Judge in 2011. He was elected to the bench in 2012. Judge Wood received his Bachelor of Arts degree from the University of Dayton in 1980 and his Juris Doctorate from the University of Dayton in 1984. Judge Wood maintained a private practice for several years before serving as a Staff Attorney, and then as a Magistrate and Judge. He is also very involved in several legal and community organizations.

## COMMUNITY PARTNERS & RESOURCES

### ATTORNEY REFERRALS FOR THE INDIGENT

Volunteer Lawyers Project & Legal Aid	• 937. 461.3857
University of Dayton Law Clinic	• 937. 229.3817
Public Defender's Office	• 937. 225.4652

### CHILD SUPPORT ASSISTANCE

Montgomery County Child Support	• 937.225.4600
State of Ohio Tracking	• 800.860.2555

### SOCIAL SERVICE EDUCATION AGENCIES

Montgomery County Children Services	• 937.224.5437
Montgomery County Job & Family Services	• 937.225.6164
Family Services Association	• 937.222.9481

## MISSION STATEMENT

The Montgomery County Court of Common Pleas, Domestic Relations Division is dedicated to resolving family conflict by:

- Providing quality services to the public
- Ensuring efficient case management by a professional and courteous staff
- Offering easy access to the court for prompt issue resolution

The court continually meets the challenges presented by social, legal, and technological changes.

## JURISDICTION

The Domestic Relations Court is the division of the Common Pleas Court of Montgomery County, Ohio empowered by statute to hear all divorce, dissolution, legal separation, and annulment cases as well as civil domestic violence cases for residents of Montgomery County. In addition, the court maintains jurisdiction over post-decree matters such as allocation of parental rights and responsibilities (formerly "custody"), child support, parenting time issues, spousal support, civil protection orders and other related issues.

## ORGANIZATION

Administrative Judge Denise L. Cross and Judge Timothy D. Wood lead the Court. Staff assigned to several departments assist the Judges in meeting the Court's responsibilities. Duties are shared among the bailiffs, court reporters, judicial assistant, administrators, magistrates, staff attorneys, information system manager, legal secretaries, assignment and compliance officers, family investigators, parent educators, public coordinators and mediators.







## SERVICES AND DEPARTMENTS

### ADMINISTRATION

Two Administrators have the primary responsibility of overseeing Court departments and day-to-day functions. Duties are divided between court operations and legal matters. The Court Administrator primarily attends to public and staff relations, as well as the safety and welfare of all participants in the Domestic Relations Court. This administrator assists in program development, payroll, budget and inventory control, contract oversight and manages staff directly related to the support of the courtrooms and daily operations. The Legal Administrator primarily oversees the magistrates and legal support staff and maintains relations among the attorneys and legal community practicing in Domestic Relations Court. This administrator assists in maintaining the Court's Local Rules, providing legal training and assuring magistrates provide timely and consistent decisions. Administrators collaborate on case management and special projects.



### ASSIGNMENT OFFICE

Assignment officers have the primary duties of assigning magistrates to cases and scheduling initial hearings. Related to these duties, assignment officers facilitate calendar coordination between the Court, attorneys and self-represented parties, collect and

maintain files for matters pending before the Court, and complete case inventory. The Assignment Office has the additional responsibility of preparing statistical case management reports required by the Supreme Court of Ohio, or as approved for public record requests. The department also reviews the records of individuals to determine their compliance with Seek Work Orders and to monitor the payment history of individuals in support matters. The staff prepares compliance reports for the Judges and Magistrates



**ASSIGNMENT OFFICE STAFF**

prior to contempt or imposition of sentence hearings.

### BAILIFFS

Supporting each of the Judges, the Bailiff has the primary responsibilities to maintain the Judge's calendar, coordinate hearing dates, prepare files and questionnaires for the weekly docket, and enter results for Supreme Court reporting. The Bailiff serves as a point of contact for attorneys, self-represented parties and the public. They monitor docket case flow by tracking pending motions or objections, as well as the timely submissions of final decrees and addenda. Bailiffs prepare notices and ex parte entries as necessary. They maintain security in the courtroom, lobby, and halls in coordination with Sheriff Deputies. Bailiffs also swear in litigants and witnesses for court hearings.

### COMPLIANCE OFFICE

The Compliance Office includes staff reviewing pleadings prepared by self-represented litigants (previously known as "pro se") and administrative orders involving support. The Public Coordinator is primarily reviewing paperwork that is initiating a case or reactivating the case with the Court. This position assures that all addenda are included and provides reviewed decrees to the Judges. Compliance Officers primarily prepare post decree administrative orders regarding support. They review the final decree, subsequent orders and any agreed orders submitted by attorneys and self-represented litigants, to assure administrative support matters are addressed in accordance with Ohio law and the Montgomery







**COMPLIANCE OFFICE STAFF**

County Domestic Relations Court Local Rules. Compliance Officers may also prepare administrative orders for the Judge including modifications, terminations or even establishment of arrearage payments.

### **COURT REPORTERS**

As the official Court Reporters for the court, staff of this department provides a verbatim record of legal proceedings. When requested, they will prepare written transcripts of these proceedings. Transcripts are available in written or electronic format. The cost for this service is dependent upon the number of pages in the transcript. These transcripts are necessary whenever objections or appeals are filed. Additionally, this department is responsible for retaining custody of all exhibits that are admitted in proceedings in



**COURT REPORTERS**

accordance with applicable statutes.

### **FAMILY RELATIONS**

Per a Judge or Magistrate's referral, the Family Relations Department provides services to litigating parties in order to help resolve issues pertaining to allocation of parental rights and responsibilities. Services may be provided either pre or post decree. Staff primarily completes family or parenting time investigations, but also performs home studies. The Family Relations Department also assists parents in creating a workable parenting time schedule, and



**FAMILY RELATIONS STAFF**

may mediate on cases they are not already involved.

### **LEGAL SECRETARIES**

The Legal Secretary Department supports the magistrates by preparing court orders, reports, forms, memos and correspondence. They are the point of contact for self-represented parties and attorneys and are responsible for maintaining files, including confidential materials. The legal secretaries may also assist the Judges in preparing final decisions, and they



**LEGAL SECRETARIES**

regularly coordinate with other court departments and agencies.

### **MAGISTRATES**

Magistrates are attorneys appointed by the court to hear cases referred by the Judges. Magistrates may answer procedural and other questions; however, they may not discuss a case with either party (or their attorney) if the other party / attorney is not present. Magistrates write articles for legal publications, make presentations at legal seminars and participate on special projects of the Court. While magistrates often encourage and facilitate party settlements via mediation or agreed orders, they also issue decisions. Parties may object to decisions (per the civil rules) but even if there is no objection filed, the assigned Judge





**MAGISTRATES**

will review, before the decision becomes a permanent order of the court.

### **MANAGEMENT OF INFORMATION SYSTEMS**

The Court recognizes that technology is necessary to create an environment of highly efficient staff, while still maintaining confidentiality of personal information. For its case management system, the Domestic Relations Court maintains CourtView and also works in a Novell and Windows networking environment. MIS is responsible for updating hardware, software, web information and forms, as well as maintaining



phone, kiosk check-in and communication with other county and state departments and agencies.

### **MEDIATION AND DOMESTIC VIOLENCE SERVICES**

Mediation is a process where parties resolve disputes outside the formal legal system. In Domestic Relations Court, mediation services are available for most cases, and all pre-decree cases are screened for mediation. If the parties agree to mediate, they will meet in a private setting with two staff mediators who are Ohio Supreme Court certified. They assist the couple in identifying issues and developing options and solutions in the best interests of the children, but they will not decide the issues for the couple. Mediation is a confidential process and the mediators may not be

subpoenaed into court. If the parties are able to reach an agreement, a “written agreement” is prepared, and signed by the parties, which, in turn, is given to the parties, sent to the court, and attorneys of record.

The Court also provides assistance to the individuals who petition the court for a Domestic Violence Civil Protection Order. The department staff cannot give legal advice, but can assist as to the form of the pleading and procedural information. If a full protection order is granted by the Court, a DV Wallet Card will be provided to each person protected under the order. This Wallet Card does not replace the



**MEDIATION, DV AND FRONT LINE STAFF**

full order, but does contain much of the pertinent information needed when reporting an emergency.

### **PARENT EDUCATION**

While the Parent Education Department has the primary duty of conducting parent seminars, the staff also assists married couples with or without children, prior to or during the pendency of an action for divorce, annulment or legal separation. The Family Relations Department primary duties are to assist families with developing parenting time schedules and make recommendations regarding custody, all of which are in the children’s best interests.

Parent Educators present “Helping Children Succeed After Divorce” a mandatory class for all parents of children who are under 18 years old, that are seeking divorce. The 3-hour class is offered several times a month and the purpose of this presentation is to inform parents about the effects of divorce and parental conflict on children. Staff also offer conciliation services. Conciliation is a process in which one of the spouses may not want to go forward with a divorce, dissolution, or annulment, but recognizes marital issues. This spouse may request (even prior to a case being filed) the opportunity to discuss and identify marital problems and alternative solutions. The conciliation conference allows both spouses the time and avenue to discuss whether they want to seek marital counseling or resolve those issues through the divorce process.





PARENT EDUCATION STAFF

## REORGANIZATION TO BETTER SERVE OUR COMMUNITY

In 2015, the Domestic Relations Court underwent reorganization. There were several changes in staffing, as well as dynamic decisions in the law that fostered an environment ready for change. With the Court preparing for its entrance into electronic filing, and assisting increasing numbers of self-represented litigants, a structure was created to assure that community needs are met effectively and efficiently. Court resources have been shifted to respond to critical services, and the administrative team continues to discuss further enhancements for the upcoming year.

## 2015 ACCOMPLISHMENTS

### DOMESTIC VIOLENCE PROTECTION ORDER WALLET CARD MAILINGS

In 2014, the Montgomery County Domestic Relations Court unveiled a wallet-size Civil Protection Order card that provides police agencies with a practical way to verify and enforce such orders. “It’s a convenient method for domestic violence victims to provide evidence that they have a protection order,” said Administrative Judge Denise Cross. Initially, these cards were provided to all persons who had been granted a full protection order and returned to Court to request the card.

In July 2015, Judge Cross reviewed the process. She found that it was in the protected party’s best interest to receive their wallet card at the same time they receive the certified copy of the full order. Domestic Relations Court staff are now mailing both together to the parties, eliminating an additional trip to the Court. The Court will continue to provide replacement cards in person, when needed.

Since the change in 2015, Hamilton County representatives met with Judge Cross regarding the wallet card, and instituted their version of the process in Fall, 2015.

## 2016 GOALS

- In conjunction with the United States Supreme Court decision, update all forms and documents to assure gender neutrality.
- Further develop electronic filing procedures and programming; implement electronic filing in conjunction with the Montgomery Court Clerk of Courts, and in coordination with the General Division.
- Increase staff productivity through reorganization, enhanced cross-training and utilizing innovative technologies.
- Continue regular communication between the court and attorneys who are participating in the court’s e-mail notification group
- Update website and other communications to reflect reorganization.

### SPECIAL DEDICATION IN MEMORIAM, ROBIN M. LEHMAN

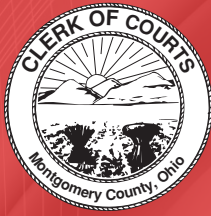
Montgomery County lost an extremely talented and dedicated employee in 2015. The Domestic Relations Court lost a true leader and friend. Robin M. Lehman passed away on May 14, 2015. We carry her memory forward with us, as we continue to serve the citizens of our community.



## 2013 - 2015 STATISTICS

	2013	2014	2015
<b>NEW FILINGS</b>			
DIVORCES	1,260	1,192	1,198
DISSOLUTIONS	676	647	646
LEGAL SEPARATIONS	22	26	27
ANNULMENTS	11	9	10
<b>TOTAL</b>	<b>1,969</b>	<b>1,874</b>	<b>1,881</b>
<b>PRE &amp; POST DECREE MOTIONS/HEARINGS</b>			
CUSTODY	215	219	210
PARENTING TIME	135	122	117
PROPERTY/OTHER	401	344	361
SUPPORT	494	710	642
<b>TOTAL</b>	<b>1,245</b>	<b>1,395</b>	<b>1,330</b>
<b>MOTIONS DISMISSED</b>			
BY PARTIES	661	607	602
BY THE COURT	616	570	626
<b>TOTAL</b>	<b>1,277</b>	<b>1,177</b>	<b>1,228</b>
<b>FINAL ORDERS</b>			
DIVORCE DECREES	1,197	1,158	1,115
DISSOLUTION DECREES	657	620	605
ANNULMENT DECREES	6	10	7
LEGAL SEPARATION DECREES	17	19	21
<b>TOTAL</b>	<b>1,877</b>	<b>1,807</b>	<b>1,748</b>
<b>OTHER SERVICES PROVIDED</b>			
FAMILY RELATION INVESTIGATIONS	165	129	119
MEDIATIONS	250	224	176
PRO-SE DOCUMENTS REVIEWED	2,348	2,669	3,270
DOMESTIC VIOLENCE PETITIONS FILED	1,580	1,453	1,613
NOTICE OF WITHHOLDING ORDERS	1,378	915	1,573
CHILD SUPPORT EMANCIPATION ENTRIES	1,337	1,339	1,195
CONCILIATION COUNSELING ATTENDANCE	55	46	56
PARENT EDUCATION SEMINAR ATTENDANCE	1,375	1,389	1,274
<b>TOTAL</b>	<b>8,488</b>	<b>8,164</b>	<b>9,276</b>
<b>APPROVED BUDGET SUMMARY</b>			
JUDICIAL OPERATIONS	\$353,336	\$407,539	\$420,005
CHILD SUPPORT OPERATIONS	\$2,889,149	\$2,830,141	\$2,873,454
PARENT EDUCATION OPERATIONS	\$23,626	\$23,626	\$23,626
LEGAL RESEARCH FEE	\$6,000	\$6,000	\$6,000
SPECIAL PROJECT FEE (Salaries & Benefits)	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$3,272,111</b>	<b>\$3,267,306</b>	<b>\$3,323,085</b>





**GREGORY A. BRUSH**  
Clerk of Courts

Greg has served as Montgomery County Clerk of Courts since January, 2007. He works diligently to provide positive leadership and to meet the day-to-day challenges of the office. He has led his staff in research and development for new and more efficient processes by collaborating with other elected officials to bring more advanced technology to the office procedures. Greg is a past president of the Ohio Clerk of Courts Association, a member of the Association of Municipal/County Court Clerks; the Montgomery County Township Association; and the Dayton Bar Association. He graduated from Wright State University in 1985 with a B.A. in Sociology and he received his Master's Degree in Public Administration from Central Michigan University.

## 2015 COMMON PLEAS COURT ANNUAL REPORT

# CLERK OF COURTS

### MONTGOMERY COUNTY COURTS BUILDING

41 N. Perry Street, 1st Floor  
Dayton, Ohio 45422-2130

[www.clerk.co.montgomery.oh.us](http://www.clerk.co.montgomery.oh.us)

#### Gregory A. Brush

Clerk of Courts • 937.496.7623

### DIVISIONS

#### ADMINISTRATION

Human Resources • 937.496.7623  
Information Technology • 937.496.7580

#### LEGAL

Bookkeeping • 937.225.5066  
Civil • 937.225.4512  
Criminal • 937.225.4536  
Domestic Relations • 937.225.4562  
Court of Appeals • 937.225.4512

#### RECORDS

• 937.496.7762





## DIVISIONS Cont'd

### MUNICIPAL COURT

Eastern Division Office  
6111 Taylorsville Road  
Huber Heights, Ohio 45424-2951

Traffic/Criminal • 937.496.7231  
Civil • 937.225.5824

Western Division Office  
195 S. Clayton Road  
New Lebanon, Ohio 45345-9601

Traffic/Criminal • 937.687.9099  
Civil • 937.687.9092

### AUTO TITLE

Downtown Office • 937.225.4480, Ext. 627  
451 W. Third Street  
Dayton, Ohio 45422-3132

Centerville Office • 937.225.4480, Ext. 629  
108 W. Spring Valley Road  
Centerville, Ohio 45458

Clayton Office • 937.225.4480, Ext. 630  
8391 N. Main Street  
Dayton, Ohio 45415-1601

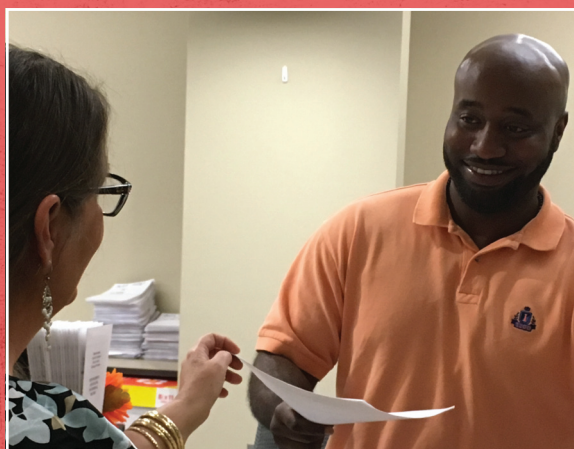
Huber Heights Office • 937.225.4480, Ext. 632  
6108 Chambersburg Road  
Huber Heights, Ohio 45424-3857

West Carrollton Office • 937.225.4480, Ext. 633  
1152 E. Dixie Drive  
West Carrollton, Ohio 45449-1825

## GUIDING PRINCIPLES

We are committed to the citizens of Montgomery County and will serve the public by working together, rely on one another, and staying focused on our core values:

- **Respect** – for those we serve and those we work with;
- **Fairness** – we hold everyone to the same standards;
- **Honesty** – in our dealings with customers and co-workers;



*Deputy Clerk Jermaine Tims serves a customer in the Criminal Department of our Legal Division*

**MISSION:** Our mission is to provide progressive and efficient records management and financial services for the justice system, legal community, and public so they have fair and timely access to accurate Court and Auto Title records and services.

**VISION:** The Montgomery County Clerk of Courts is to be the most technologically advanced organization, focused on delivering outstanding customer service in every aspect of operations.



## OFFICE OVERVIEW

The Clerk of Courts Office traces its origins from the medieval cleric who maintained records, was responsible for correspondence, and had the power to issue writs and other processes ordered by the court. The 1802 Ohio State Constitution provided for the appointment of a Clerk of Court for each county. Originally, the Clerk was appointed by the judges of the Court of Common Pleas for a seven-year term.

Under the 1851 Constitution, the office became elective for a three-year term that was then extended to a four-year term in 1936.



The Montgomery County Clerk of Courts' Office today is comprised of approximately 100 employees who maintain and make available all court records filed with the General Division and Domestic Relations Division of Common Pleas Court, the Montgomery County Municipal Court, and the Second District Court of Appeals. The Clerk's Office also issues titles for motor vehicles and processes U.S. passport applications as an authorized Passport Acceptance Agency.

## DIVISIONS OF THE CLERK OF COURTS OFFICE

### AUTO TITLE DIVISION

The Auto Title Division of the Clerk of Courts' Office issues and maintains motor vehicle and watercraft titles to individuals and automobile dealers in and outside of Montgomery County. The Auto Title Division also processes passport applications in response to the federal mandate requiring passports for all travelers.

*By the authority of the President of the United States, the Secretary of State has designated various entities authorized to accept passport applications. One of these entities is the State Court of Record. The Clerk of Courts for Montgomery County is designated as a State Court of Record, thus enabling the office to accept passport applications.*

AUTO TITLE STATISTICS	2013	2014	2015
Automobile Titles	239,094	242,220	255,094
Watercraft Titles	2,222	1,892	2,344
Other Titles *	266,060	273,749	282,311
Passport Applications	4,200	4,709	6,755
TOTAL	511,576	572,570	546,504

*\*Other Titles include Buses, Motorcycles, Motor Homes, Off Road All-Terrain Vehicles, Outboard Motors, Travel Trailers, Vans, Mobile Homes, and Built Homes.*

## LEGAL DIVISION

The Legal Division is comprised of four departments: Civil, Criminal, Domestic Relations and Second District Court of Appeals.

*The Clerk of Courts Legal Division processes an average of 2,205 documents daily.*

**Civil Department** accepts electronic filings for new complaints, issues service of summons, maintains a journal of pleadings filed in each case, and issues subpoenas to witnesses when a case is ready for trial. Judgment liens including Ohio sales and personal income tax liens are also filed in the Civil Department, along with the execution of lien proceedings.

**Criminal Department** maintains all electronic case files for felony case proceedings. The Criminal Department receives all filings pertaining to a particular case and executes the necessary documents in each phase of the criminal justice process including indictments, arraignments, issuance of subpoenas for grand jury and trial witnesses, and filing notices of appeal. Other duties include posting bonds, calculating court costs, paying witnesses, and preparing post-sentencing documents to transfer defendants to designated state institutions.



**Domestic Relations Department** is responsible for the filing, docketing, and distribution of court papers from attorneys, judges, and court personnel pertaining to divorce, dissolution of marriage, domestic violence, and foreign support orders. Many of the cases processed in Domestic Relations involve child support to minor children, requiring continual updating of files until the children are emancipated, under most circumstances until the child is 18 years old.

**Second District Court of Appeals** is served by the Clerk of Courts in the capacity that the Clerk is responsible for receiving, filing, and conveying all appeals filed from various trial courts in Montgomery County. Additionally, the Clerk of Courts Office is responsible for preparing the lower court record in appeal cases including cases appealed to the Ohio Supreme Court.

## MUNICIPAL COURT DIVISION

The Montgomery County Municipal Court serves the cities of Brookville, Trotwood, Huber Heights, and Riverside; the villages of Farmersville, New Lebanon, Phillipsburg, and Verona; and the townships of Clay, Jackson, Jefferson, and Perry. In addition to the law enforcement agencies in these areas, the court also serves various other agencies including the Ohio State Patrol, State of Ohio Park Rangers, Ohio Division of Wildlife, Public Utilities Commission, Montgomery

County Zoning, Public Health – Dayton & Montgomery County, Montgomery County Animal Resource Center, Board of Liquor Control, Board of Pharmacy, Department of Taxation, and Five Rivers Metro Parks.

The County Municipal Court has authority in all adult traffic and misdemeanor cases occurring in the court's jurisdiction, civil cases up to \$15,000, and small claims cases up to \$3,000, and is the originating court for felony preliminary hearings in its jurisdiction.

## NO TITLE, NO TRANSFER, NO TRANSPORTATION CAMPAIGN

In 2015, the Clerk launched several commercials to warn the public of the risks associated with purchasing a motor vehicle without obtaining a legal title. The ability to purchase vehicles online and across state lines creates the scenario where citizens purchase vehicles without ever obtaining the titles to those vehicles. Thus, they are not able to establish legal ownership in Ohio by transferring the title of the vehicle into their name. Without a valid title and/or required paperwork, individuals are forced to file a Petition to Transfer Title with the General Division of the Court of Common Pleas.

*In 2015, there were 52 Petitions to Transfer Title filed with the General Division of the Court of Common Pleas, compared to 17 filed in 2014.*

The most popular commercial was "... Why do Zombies walk..." They are forced to walk because they have no title to be transferred into their name.



*Greg Brush, Clerk of Courts, and Vanessa Bradfield, Chief Deputy Auto Title, with the cast of the Zombie commercial.*

### MAINTAINING COURT RECORDS

Caseloads Past 3 Years	2013	2014	2015
Common Pleas Civil	7,748	7,233	6,779
Common Pleas Criminal	4,552	4,934	4,550
Domestic Relations (Excluding DV)	2,024	1,913	1,934
Domestic Violence	1,580	1,453	1,613
Court of Appeals	488	499	432
Certificates of Judgment	3,906	3,902	3,610
State Certificates of Judgment	11,498	16,307	10,593
Executions of Judgment	1,617	1,549	1,304
Board of Revision	251	540	376
Notary	1,347	1,213	1,264
County Municipal Civil	2,259	2,439	2,310
County Municipal Criminal	3,819	3,718	3,477
County Municipal Traffic	9,296	9,650	9,409
<b>TOTAL</b>	<b>50,385</b>	<b>55,350</b>	<b>47,651</b>



## MUNICIPAL COURT DIVISION MOVES TO NEW CASE MANAGEMENT SYSTEM

The Municipal Court Division migrated to a new case management system in March 2015. The new system provides a more efficient way of scheduling events, generating documents, and creating caseload reports that are required to be submitted to the Ohio Supreme Court. The Clerk of Courts strategically moved the Municipal Court Division to the same case management system as the Legal Division in order to avoid additional license and software maintenance cost. There is one database for both the Municipal Court and Legal Divisions, which is less labor intensive for our IT staff.

## THE GROWTH OF EFILING

In October 2009, the Clerk's Office began a pilot project to allow participating parties to electronically file their case documents for Common Pleas Civil cases. Through the years, the program expanded to mandatory eFiling of all documents for Common Pleas Civil and Criminal Cases. The Montgomery County Clerk of Courts was the first in Ohio to have a fully integrated eFiling system and was recognized nationally for this accomplishment. eFiling permits judges, attorneys, parties, and relevant court and clerk personnel to view a case simultaneously and increases the speed and efficiency of case processing.

*The busiest day for eFiling documents in 2015 was August 31, 2015, when 3,108 documents were filed electronically.*

The Clerk's Office strives to continually bring the procedures and processes of the offices into the electronic field of efficiency. In 2016, the Clerk's Office will work in conjunction with Domestic Relations Court to develop and implement electronic filing for all cases filed with that court as well.

### 2015 eFILING STATISTICS

<b>Filers</b>	<b>2,448</b>
<b>eFiling Submissions</b>	<b>218,404</b>
<b>Documents Filed</b>	<b>345,933</b>
<b>Pages Filed</b>	<b>940,077</b>

## ELEVATED PRO ACCESS

Visitors continue to search cases on our Public Records Online (PRO) system, which offers public access to all court case information that is not confidential. The Clerk's Office has an extended user interface that allows law enforcement officers and courts to log in and gain elevated access to the PRO system. Elevated access provides the ability to obtain documents that are not available to the public in a secure format with the convenience of our always-available online system.

*The Clerk's Office maintains over 9.3 million electronic documents, allowing the public to obtain non-confidential documents through our Public Records Online system any time, day or night.*

### 2015 REDACTION STATISTICS

<b>Documents Processed by Redaction</b>	<b>454,515</b>
<b>Pages Processed by Redaction</b>	<b>1,486,444</b>
<b>Number of Documents with Redactions</b>	<b>51,531</b>
<b>Total Redactions Found</b>	<b>121,209</b>

## CLERK'S WEBSITE

Visit us at [www.clerk.co.montgomery.oh.us](http://www.clerk.co.montgomery.oh.us)

The Clerk of Courts website receives thousands of hits per week. Visitors are offered access to a variety of information, including how much it costs to file a case, how to release a judgment lien, and how to seal a criminal record.



## APPRECIATION TO OUR STAFF FOR A JOB WELL DONE

Our best resource is our people. The Clerk's Office has a workforce of 100 talented employees who complete varied tasks. We strive to create a workforce where our customers are efficiently served and our employees are provided with the tools to provide high levels of service. We think it is important to recognize and express our appreciation for the hard work and dedication of our employees. We provide several opportunities for our staff to kick back and enjoy fun with their co-workers. Whether it is a bowling event, Halloween fun, or an appreciation dinner, we make time to just relax, laugh, and be together.



*Clerk of Court employees enjoy an evening of bowling with their co-workers.*



*Legal Division staff participates in their annual Halloween Costume Day.*





*Municipal Court Division's annual employee appreciation dinner.*

## **COMMUNITY OUTREACH: CLERK STAFF RAISES MONEY FOR WORTHY CAUSES**

The Clerk's Office sponsored several "Casual for a Cause" days in 2015. Monies collected from these events were donated to United Way, UNCF, Heid Family Scholarship Fund, and a Lift Chair Fund for a disabled retiree of the Clerk's Office. Clerk of Courts staff also participated in the MS Walk, Making Strides Against Breast Cancer Walk, and the Marine Corps Toys for Tots campaign.

