



COMMON PLEAS COURT
GENERAL DIVISION

Richard E. Berens, Administrative Judge
David A. Trimmer, Judge

The
2017
Annual Report
of the
Fairfield County
Common Pleas Court
General Division



Court of Common Pleas of Fairfield County, Ohio • Hall of Justice • 224 East Main Street • Lancaster, Ohio 43130
Judge Richard E. Berens (740) 652-7422 • Judge David A. Trimmer (740) 652-7423 • www.fairfieldcountyohio.gov

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AN INTRODUCTORY NOTE FROM THE BENCH:



Equal Justice Under Law. These words are etched onto the cornerstone of the United States Supreme Court building. As a Court, we believe that this is our mission, our purpose as well. This year's Annual Report reflects the Court's continuing commitment to this principle.

With the assistance of a dedicated staff the Court met the challenges in 2017 of a significant increase in criminal and civil case filings, expanded its specialized docket programs and support services, and streamlined its procedures. We look forward to continue to serve the litigants and counsel who come before the Court and the community as well.

Judge Richard E. Berens

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BUILDING ON 2016: ONGOING COLLABORATION WITH COMMUNITY PARTNERS

THE STEPPING UP INITIATIVE

In April 2016, the Fairfield County Common Pleas Court and the County's Board of Commissioners committed to joining the national SteppingUp Initiative, which aims to safely reduce the number of individuals with mental illnesses in jails. The Initiative focuses on connecting mentally ill individuals with community-based treatment and services, which aligns with the County's mission to protect and enhance the health, welfare, and safety of its residents in efficient and cost-effective ways.

According to Co-Coordinator Valerie Carpico, a majority of 2017 was spent collaborating with community partners and working on developing a core planning team to determine the Initiative's direction in the coming year.

MUNICIPAL COURT DRUG-TESTING PARTNERSHIP

In February 2016, the Fairfield County Common Pleas Court entered into a pilot program wherein a small number of felony probationers began testing with the Fairfield County Municipal Court (using its in-house call-in system and testing machine), rather than with the private companies previously utilized for these services. The results of the pilot project were so overwhelmingly positive, that the Courts agreed to expand the program.

In just under two years, 8,228 felony drug/alcohol tests have been performed as part of this collaboration, resulting in a cost savings of approximately \$35,000.00 to the county.

SAMHSA FUNDING

In 2016, the Municipal and Common Pleas Court were the recipients of a three-year federal Substance Abuse and Mental Health Services Administration grant to coordinate efforts between both Courts' specialized dockets, i.e., the Recovery Court Collaboration Project. This grant continues to provide funding for the full salary of one Common Pleas Community Control Officer as well as funding for substance abuse testing and medication-assisted treatment.

A special thanks to Municipal Court Specialty Dockets Director Tamara Bartek for her hard work and oversight of this grant.

COLLABORATION WITH THE HARCUM HOUSE

In late 2016, local child advocacy center Harcum House received a grant through the Ohio Attorney General's Office to purchase "comfort cabinets" to help make children's time in court less stressful and traumatic. With the Court's blessing, Harcum House installed these cabinets in every floor of the Hall of Justice in January 2017. The cabinets are stocked with toys, snacks, tissues, and hygiene items, which can be distributed by authorized court employees.

Also, in March 2017, the Court issued a formal declaration authorizing the use of the Courthouse Dogs program, whose mission is to promote justice with compassion and emotional support through the use of professional trained facility dogs. This program is administered locally by the Crime Victim Services Manager of the Harcum House, Laura Romans.



2017 GRANT AWARDS

The Court received several grant awards in 2017:

In recognition of its collaboration with the Fairfield County Municipal Court, the Court is benefiting from a large federal grant awarded by the Substance Abuse and Mental Health Services Administration. The \$700,000 grant was awarded for a total of three years and covers expenditures such as personnel salaries, drug testing equipment, and medical-assisted treatment options for both Courts.

In 2017, the Court also continued to receive funding from the Ohio Department of Rehabilitations to support its Intensive Supervised Probation caseload. This grant funds personnel costs as well as other programming expenses for individuals under intensive supervision.

The Ohio Department of Mental Health and Addiction Services awarded a grant in the amount of \$40,000 to support and enhance the Court's Drug Recovery Court. Grant funds are used to offset the costs of specialized docket staff, addiction treatment services, drug testing, medication assisted treatment, and a broad range of recovery supports, such as housing needs, transportation vouchers, and GED/employment training for Recovery Court participants.

Following a competitive application process, the Court was also awarded a technology grant by the Ohio Supreme Court. The grant provided funds for the Court to upgrade its case management system to include CourtView2Go, a program that provides justice partners with digital access to the Court's docket.



THE NUMBERS:

Recovery Courts Collaboration Project
(SAMHSA):

\$700,000 (over 3 years)

Intensive Supervised Probation Grant
(ODRC):

\$371,818 (over 2 years)

Recovery Court Grant
(OMHAS):
\$40,000

Technology Grant
(Ohio Supreme Court):
\$8,991

Special thanks to Tamara Bartek, Shannon Seesholtz, and Mark Conrad for their hard work throughout the grant application and management process. The Court would also like to recognize Officers Wayne Moss and Casey Jones for their oversight of the Court's specialized dockets.



PROCESS & TECHNOLOGY CHANGES

NEW FELONY COMPLAINT PROCESS

Effective July 2017, all felony complaints are filed and processed at Common Pleas Court. In the past, felony complaints were filed with the Fairfield County Municipal Court; only after a complaint was indicted was it transferred to Common Pleas Court. This process was inefficient and often led to confusion among defendants, family members, attorneys, and court staff.

After significant planning and review, and with insight and assistance from the Prosecutor's Office and Clerk's Office, the Courts decided to streamline the felony complaint process. This change, while increasing the Common Pleas Court's workload, has had overwhelmingly positive results such as consistent bond orders, streamlined attorney appointments, and quicker post-indictment processing.

PROBATION CHECK-IN

The Community Control Department now utilizes an automated check-in system which allows probationers to check in with their supervising officer and receive an immediate confirmation. This system has reduced waiting time and increased accountability for both probationers and officers.

VIDEO TECHNOLOGY

The Court has begun using video conferencing equipment to conduct some of its criminal hearings such as arraignments and initial appearances. The use of this technology has resulted in significant cost-savings for both the Court and Sheriff's Office without compromising the integrity of the justice process.

ASSISTANCE FOR THE HEARING IMPAIRED

The Court allocated a portion of its special project funds to purchase technology that assists hearing-impaired persons in the courtroom. Audio Everywhere is an app that allows persons to tap directly into the Court's microphone system to amplify court proceedings while reducing ambient noise. This technology will be provided free to the public, attorneys, jurors, and parties upon request.



LOCAL RULES UPDATE

The Common Pleas Court performed a comprehensive review and overhaul of its local rules in 2017. After considering input from the bar association and other counties, the Court's new rules went into effect on July 26, 2017. The Court's updated local rules (along with several other new document templates) can be located at

<https://www.co.fairfield.oh.us/Commonpleas/documents/court-rules.pdf>

A few highlighted changes are outlined below.

GENERAL

- ◆ An email address is now required to be included in attorneys' signature blocks.
- ◆ The process to allow fax filing is the same; however, the fax will be deemed the original. Attorneys are NOT to send the original to follow.
- ◆ As an alternative to requesting an official transcript, an individual can also request an audio CD of any court proceeding.
- ◆ If you are requesting a continuance on the basis that you have another commitment at the same time, supporting documentation is now required to support your request.

CIVIL

- ◆ A case information sheet is required for ALL civil filings. It has been revised, so please make sure you are submitting the correct version.
- ◆ To be admitted as an exhibit, you must be able to reduce the exhibit to 8 ½ x 11 in size. You may use larger exhibits for demonstrative purposes, but only the reduced version will be admitted.
- ◆ For all garnishment hearings where a hearing has been requested, the creditor's attorney is required to appear.
- ◆ Exhibit and witness lists are required to be submitted at the close of trial.

CRIMINAL

- ◆ Outlines the new rules regarding the appointment of court-appointed counsel
- ◆ Explains the Court's new bail bondsman registration and forfeiture process
- ◆ Outlines new judicial release process. Specifically, the warrant to remove and praecipe must be filed at the time the judicial release motion is filed.
- ◆ Courtesy copies: Upon the filing of any motion, counsel is instructed to submit a courtesy copy of said motion to the respective Judge's Assignment Commissioner directly in chambers.



JUDGE BERENS RECEIVES GEORGE MARTIN AWARD

On May 18, 2017, Judge Richard Berens of the Fairfield County Court of Common Pleas was awarded the George Martin Professionalism Award by the Fairfield County Bar Association.

The George Martin Professionalism Award was first awarded in 2001 to recognize Fairfield County attorneys who display the highest standards of professionalism. The award is named after George D. Martin (1907 – 1993) who practiced law in Lancaster, Ohio for most of his life. Upon his retirement from practice, George Martin continued to serve his community by volunteering as a law clerk at the Fairfield County Common Pleas Court. He was widely known and respected for his passion for the law as well as his

professional and personal integrity.

“George Martin was a brilliant lawyer who lived his professional and personal lives to the highest



ethical standards,” explained former Common Pleas Court Judge Chris Martin, a previous award recipient. “He was a gentleman whose word was his bond.”

Judge Berens was nominated by FCBA Committee member Jason Price. “Judge Berens has been the example of professionalism and dedication to the law and pursuit of justice during his career as an attorney and now Judge,” Mr. Price wrote. “As a judge, Richard has always sought to promote justice, fairness and the right result for each case he presides over. He treats all litigants and counsel before him with grace and dignity, and his knowledge and application of the law is to be admired.”

PERSONNEL NEWS

2017 brought several changes to the Court and Community Control Department’s team roster.

Larry Harmon, Janice Fry, and Stella Senig all retired after many years of dedicated service to the Court.

Lynne Gordon was hired as the Community Control Department’s Pre-Sentence Investigator, while Tim Norris and Austin Miller were brought on as basic supervision Community Control Officers. Kelsey Meyers also returned to the Community Control Department in 2017 after a brief stint with Hamilton County.

Finally, Josh Butler was hired as Judge Trimmer’s new bailiff after former staff attorney Josh Bogdewiecz decided to pursue a career in private practice.

NEW JAIL FACILITY

The new 110,000 square foot jail and public safety facility opened its doors in July 2017. The new jail complex, located at the site of the old Wheeling Street facility, is equipped with enhanced security and technology features and has the ability to hold over 380 inmates.



COMMUNITY CONTROL STATISTICS

1440

Individuals currently under community control supervision

300

Individuals currently under bond supervision

161

Individuals who were referred to in-patient treatment such as CBCFs, halfway houses, and residential treatment facilities in 2017

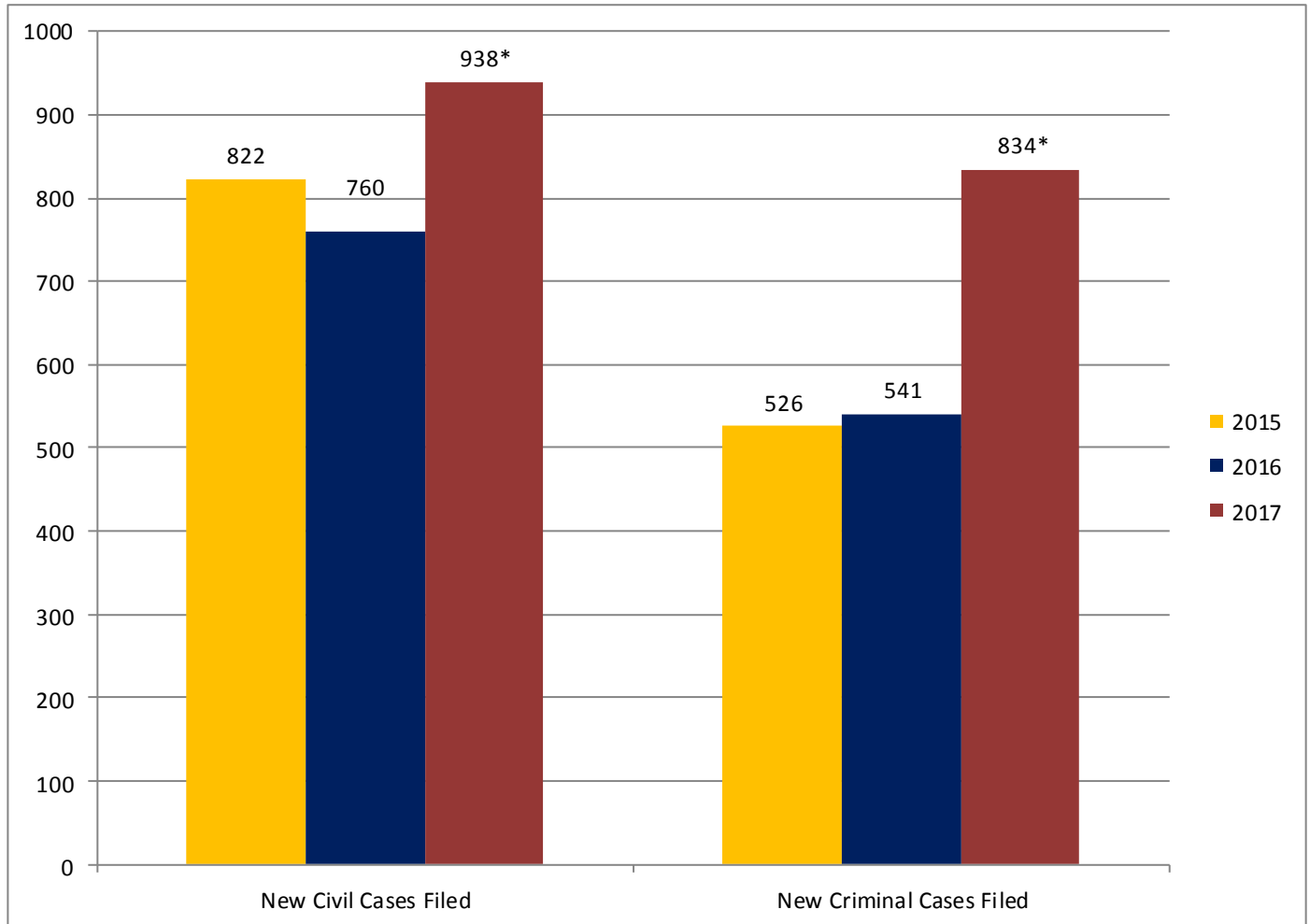
57

Individuals who participated in specialized docket programs such as Drug Recovery Court and the Intensive Supervised Probation docket in 2017

\$75,000

Total amount of supervision fines and fees collected in 2017

CASE STATISTICS



*as of 12/28/2017

As is evident by the chart above, the Court's caseload continues to grow. 2017 showed a **23% increase in civil filings**, which includes cases such as foreclosures, personal injury claims, medical and legal malpractice claims, and civil stalking protection orders. 2017 also showed a drastic rise in criminal cases, as evidenced by a **54% increase in criminal filings**.



The Court is appreciative of court staff, its Community Control Department, and the Clerk's Office for their hard work in effectively managing this increased caseload.

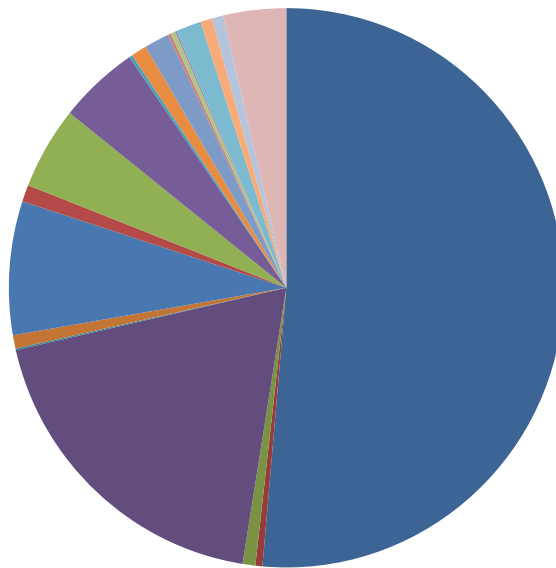


EXPENDITURES

MAJOR SPENDING CATEGORIES

| | | |
|----------------------|--------------|-----|
| Salaries | \$394,373.00 | 53% |
| Fringe Benefits | \$213,827.00 | 29% |
| Contractual Services | \$94,205.00 | 13% |
| Capital Outlay | \$37,517.00 | 5% |

EXPENDITURES BY LINE ITEM

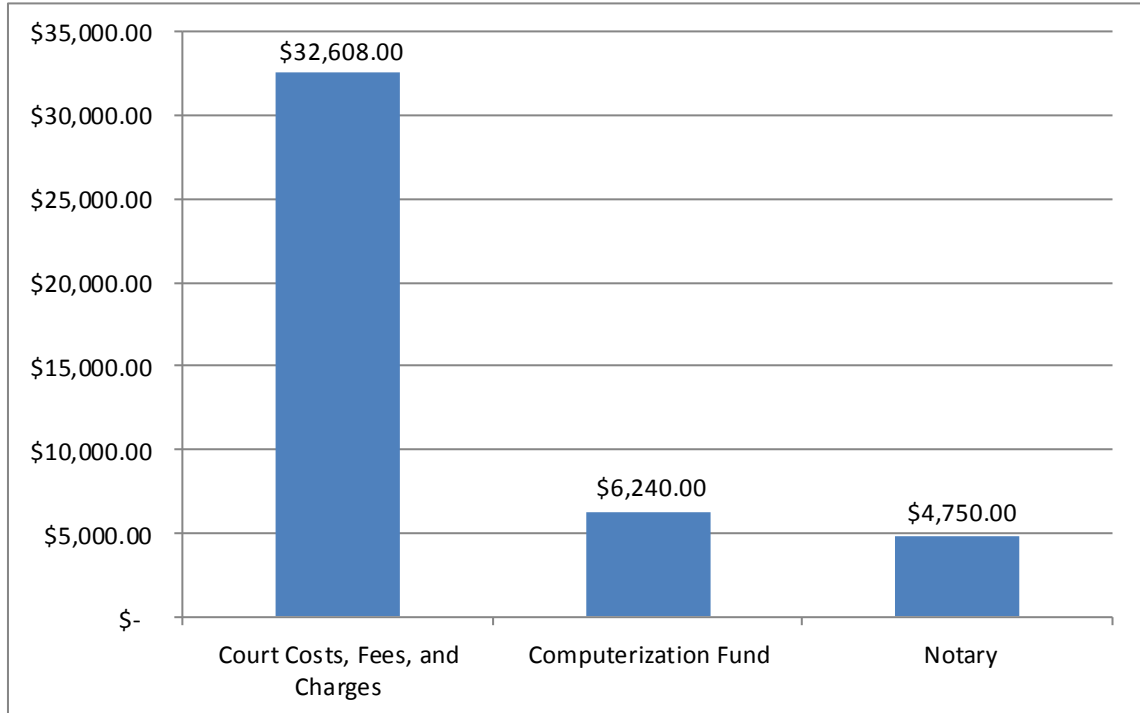


- | | | |
|---------------------------|---------------------------|------------------------|
| ■ Salaries | ■ Vacation Payout | ■ Sick Payout |
| ■ Health Insurance | ■ Life Insurance | ■ Medicare |
| ■ PERS | ■ Workers Comp | ■ Contractual Services |
| ■ Jury Expenses | ■ Witness Expenses | ■ Transcription |
| ■ Other Profess. Services | ■ Foreign Judge Exp. | ■ Travel Reimbursement |
| ■ Maintenance/Repair | ■ General Office Supplies | ■ Equipment/Software |

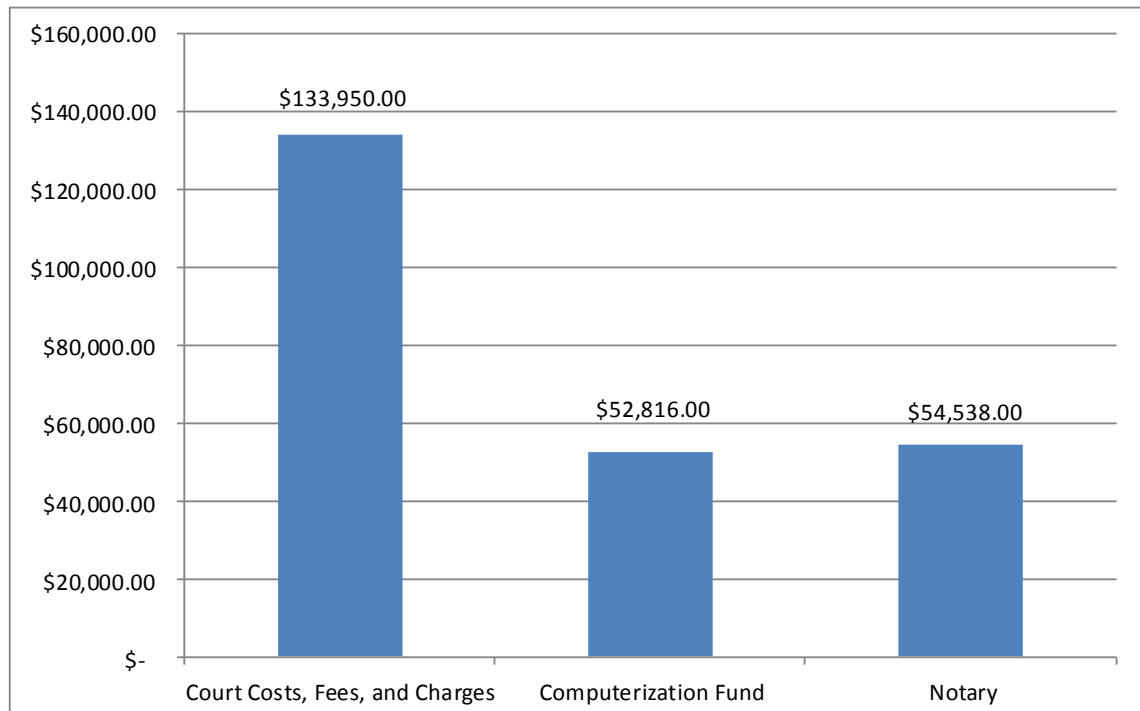


REVENUES

2017 REVENUES



TOTAL POOLED CASH





DIRECTORY

Assignment Commissioners

| | |
|----------------------------|--------------|
| Misty Conkle (J. Berens) | 740-652-7431 |
| Kathy Hartman (J. Trimmer) | 740-652-7427 |

Administrative Assistants

| | |
|---------------------------------------|--------------|
| Traci Dresbach (J. Berens) | 740-652-7435 |
| Shannon Seesholtz (Fiscal / M. Boone) | 740-652-7434 |

Bailiffs / Staff Attorneys

| | |
|------------------------------|--------------|
| Josh Butler (J. Trimmer) | 740-652-7430 |
| Michael Cox, Jr. (J. Berens) | 740-652-7432 |

Court Administrator / Magistrate

| | |
|---------------|--------------|
| Jillian Boone | 740-652-7424 |
|---------------|--------------|

Court Services Coordinator

| | |
|---------------|--------------|
| Kelly Starkey | 740-652-7433 |
|---------------|--------------|

CPO & Director of Community Control

| | |
|-----------------|--------------|
| Angel Sanderson | 740-652-7344 |
|-----------------|--------------|

Community Control Officers

| | |
|--------------------------|--------------|
| B. Casey Jones (ISP SPO) | 740-652-7346 |
| Dan Jones (Basic SPO) | 740-652-7345 |
| Danielle Pizzuto | 740-652-7348 |
| Austin Miller | 740-652-7341 |
| Kelsey Meyers | 740-652-7353 |
| Tim Norris | 740-652-7354 |
| Andrew Dreyer | 740-652-7351 |
| Lynne Gordon (PSI) | 740-652-7343 |
| Laurie Henderson | 740-652-7342 |
| Wayne Moss | 740-652-7347 |
| Kasey Komjati | 740-652-7425 |