

SHAKER HEIGHTS MUNICIPAL COURT

2022 ANNUAL REPORT

JUDGE ANNE WALTON KELLER

SERVING:

BEACHWOOD, HUNTING VALLEY, PEPPER PIKE,
SHAKER HEIGHTS, UNIVERSITY HEIGHTS

3355 Lee Road
Shaker Heights, Ohio 44120-3499
Phone: (216) 491-1300
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Presiding Judge Anne Walton Keller

**Shaker Heights Municipal Court gratefully acknowledges
the service of its former judges:**

The Honorable John C. Corlett	1958 to 1968
The Honorable Blanche Krupansky	1968
The Honorable Manuel M. Rocker	1968 to 1981
The Honorable Paul R. Donaldson	1982 to 1992
The Honorable Virgil E. Brown, Jr.	1993
The Honorable K.J. Montgomery	1994 to 2021

March 31, 2023

To: Cuyahoga County Executive Chris Ronayne, Cuyahoga County Council Members, and the Mayors and Council Members of Beachwood, Hunting Valley, Pepper Pike, Shaker Heights and University Heights.

In re: 2022 Shaker Heights Municipal Court Annual Report

Dear County Executive, Cuyahoga County Council Members, Mayors and Municipal Council Members:

Enclosed is the 2022 Annual Report of Shaker Heights Municipal Court. It summarizes the Court's finances and caseload and describes the daily operations of the Court's Clerk, Magistrate, Bailiff, and Probation Departments. The report highlights Court improvements and community collaborations. It also provides notice that available to the public are reports listing revenues, expenditures, and uses of the Court's special project and restricted funds which have been established and maintained in accordance with Ohio Revised Code Sections 1901.26, 1901.261, 1901.262, 2151.541, 2301.031 and/or 2303.201. To review these reports, please contact Court Administrative Manager Juli Freeman-Johnson.

A municipal court is a creature of statute. Thus, the Court's authority and duties are controlled by the Ohio Revised Code. Laws require this Court district to include the municipalities of Beachwood, Hunting Valley, Pepper Pike, Shaker Heights and University Heights and be physically situated in Shaker Heights. State laws require that there be one judge in the jurisdiction and limit the types of cases that the judge can hear. This Court's duties to collect fines, fees and costs and to disburse them to the state, county or court communities are also directed by statute. Laws provide that "court costs" be paid to Shaker Heights to help that City pay for the cost of operating a municipal court. They require that fines be paid to the State of Ohio or the court municipality under whose authority a criminal or traffic case is filed. And, they require that certain fees be assessed for every court case to fund many state programs and one county-run program.

These transactions are audited annually by the State of Ohio. The Auditor's representative examines our case files and financial records to ensure matters are properly and timely adjudicated and that all moneys collected are timely disbursed to the proper state, county or municipal entity. For example, funds collected for the state must be disbursed to them by the 20th of every month. Funds left behind and unclaimed by bond depositors must be turned over to the City of Shaker Heights annually by April 1st. The Court is proud to have been found in full compliance with these technical laws by the Ohio Auditor for the 24th consecutive year! I am thankful to **Clerk of Court Steve Tomaszewski** for his attention to these financial matters.

FINANCE AND CASELOAD

Every fall, the Court sets a budget for the following calendar year. Included in the budget are the Court's anticipated expenses. These generally include the costs for employee salaries and benefits, postage for all required notices and entries that must be mailed pursuant to law, Ohio Supreme Court mandated record retention expenses, updated technology expenses and much more. The Court did not exceed its **\$2,251,953.00** projected 2022 budget prepared in the Fall of 2021. This budget included a \$50,000.00 grant that the Court was awarded for electronic monitoring in 2020. I am pleased to report that we underspent our budget by approximately \$280,682.00.

Anticipated revenues are projected in the annual budget. Although raising money is only a by-product of the administration of justice, the fact is that municipalities statewide have suffered budget cuts. As a result, they rely on all sources of revenue, including the municipal courts, for general fund operating dollars. The municipalities look to the courts to work hard to collect fines, costs and fees associated with criminal and civil case filings and adjudications. This is especially true as we continue to be impacted by a troubled economy.

It is noteworthy that without case filings there can be no moneys to collect. The amount of funds available to collect is directly tied to the number of court cases filed for the year, the public's payments to the Court, and the financial ability of convicted defendants to pay moneys owed. These combined efforts resulted in the Court collecting **\$2,911,982.00** for the year in court costs, fines, and state fees.

2022 Case Filings Totaled 10,632: The Court receives complaints for traffic and criminal case filings from its five police departments and from the general public for most civil case filings. In 2022, we again saw rising numbers. The total case filings of **10,632** is an increase of 488 cases from the previous year's filings. The filings in the traffic and criminal division rose by 236 cases. Civil and small claims filings increased by 252 cases. The total case filings increased 4.8% from last year.

Collection Efforts: In 2022, most defendants convicted of nonwaiverable criminal offenses or OVI were *not* able to pay monetary penalties in full at the time of sentence. We continue to see *annual* growth in the percentage of defendants needing payment plans or "time to pay" with the Court. The pandemic made matters worse. In 2022, 3,571 payment plans were initiated for payment of fines and costs. Some defendants fail to attend court and/or follow court-imposed guidelines or instructions for paying fines and costs. The Court tries to give those who fail to pay the benefit of the doubt by sending text messages and monthly reminders. When a payment is missed, the Court then sets the defendant for a "payment ability hearing" which is an opportunity for the defendant to come to court and explain why the payment was missed. Different arrangements may be made at that time. To give an example of just how large of an issue delinquent payments are, the Court set 14,352 payment ability hearings in 2022 for delinquent payors, averaging over 1,196 hearings per month. The Court encourages defendants to perform community service in lieu of fines and costs when suffering financial hardship. When efforts to collect prove futile, the Court sends delinquent accounts to **Capital Recovery Systems, Inc.** These specialists work with the Court without an upfront fee. Instead, their fee is collected from defendants only *after* the Court has received all fines, fees, and costs owed. Capital Recovery Systems informed the Court that *about 22% of the 2022 traffic/criminal placements have been paid through collections. This is outstanding considering the national average for collection of government funds is only 11%!*

A national and statewide movement away from requiring monetary bonds for nonviolent offenders has been adopted by the Court. This means there is not bond money on deposit with the Court available to pay financial sanctions at the end of many cases.

COST SAVING MEASURES

Expenses are monitored very carefully. Court functions like notification of payment delinquency and giving individuals the opportunity to be heard are required by law. The Court needs staff to perform these tasks. Outside of employee costs and associated employment benefits, there is little remaining in the Court's budget. Due to the continued impact of the pandemic on the Court's revenue in 2021, we worked especially hard to lower costs. Some cost saving measures include leaving open positions in certain departments. The Court has also looked for low-cost solutions to keep staff up to date on training for court-related issues.

Special Project Funds. The Court has established several special funds including the Court Computer/Legal Research Fund, the Alternative Dispute Resolution Fund, the Special Project’s Fund, the Security Project Fund and Clerk's Computerization Fund which are authorized under Ohio laws. Money directed into any of these special funds is derived solely from court imposed user fees paid by convicted defendants and unsuccessful litigants - in other words the “users” of this court. The municipalities and taxpayers served by the Court are not charged for these special funds. Special project funds defray costs for such things as electronic notifications, bailiff equipment, and much more.

Through the Computerization Fund, the Court began sending notices to litigants through electronic means. The Court can now send notifications via text messages and emails. The Court is presently sending out texts from the traffic and criminal divisions of the Clerk’s Office. Reminders have improved appearance rates, reduced postage and labor costs, and increased timely payment plan payments. The Court continues to utilize text messages for hearing and payment reminders. In the future, the Court will discontinue the use of mail for payment reminders (replacing them with electronic notification) which will lower the Court’s greatest expense after personnel costs – postage.

REQUIRED DISBURSEMENTS

A Court must disburse money collected in accordance with law. A Court has no funds of its own. Rather, it acts as a collector of money which it then distributes in accordance with state law. In 2022, the Court distributed money collected to the five municipalities it serves as follows:

Municipality	Amount Distributed
Shaker Heights (fines and all court costs)	\$2,337,861
University Heights (fines only)	\$ 49,566
Beachwood (fines only)	\$ 46,546
Pepper Pike (fines only)	\$ 35,028
Hunting Valley (fines only)	\$ 7,107

The balance of the money went to the State of Ohio for its general fund as well as to various state programs (\$72,263.00 of fines and \$326,488.00 of fees). The State of Ohio requires that we collect money on every court case to benefit various state programs. For example, an additional \$37,122.00 was collected on civil and small claims filings and sent to Ohio’s Legal Aid program. Other state programs we must support include Victims of Crime, Crime Stoppers, Indigent Drivers’ Alcohol Treatment, Indigent Defense Support, and the Drug Law Enforcement Program. Cuyahoga County also imposes a mandatory \$5.00 fee on every municipal court traffic conviction to support the Regional Enterprise Data Sharing System (REDSS). These state and local payments must be made regardless of whether the funded program provides service to the Court.

TECHNOLOGY

We continue to be innovative with technology. We were awarded a Technology grant from the Ohio Supreme Court in May. This helped launch several projects including updating the Court’s website. In March we began offering parties in some cases, the option of having a virtual hearing via ZOOM. This was extremely popular with Court users and eventually led to us upgrading courtroom equipment to improve these hybrid-hearings in August.

Our website renovation is nearly complete and ready for launch in 2023. The renovated website will be user-friendly, mobile phone accessible, and will have an improved case docket with images. This will create more accessibility to the public.

COURT PROGRAMS AND CONTINUING EDUCATION

Our new Domestic Violence docket began in February. The nationwide increase in domestic violence cases prompted the need for this docket. The mission of this docket is to reduce the risk of recurring domestic violence in our community. We accomplish this by giving extra attention to domestic violence cases, increasing offender accountability through status hearings, and expanding monitoring during the pretrial and post-conviction phases of a domestic violence case. We have increased collaboration with community partners to strengthen our resources in these cases.

The Court's special Driving Under Suspension Docket educates defendants and helps resolve license suspension issues. These cases take longer to conclude, but result in lowered financial sanctions when the driver obtains a valid license. The financial sanctions are lowered for valid drivers and it differs from a time when defendants were simply fined – often heavily – for driving with a suspended license. Defendants concluding their cases with a valid license and car insurance are a benefit to all.

The Court is still mindful of how the economic consequences associated with COVID-19 affect landlord-tenant relationships. Landlord-tenant relationships continue to be strained by the economic contraction and realities associated with COVID-19. The Court has produced forms for use by parties who want to enter into structured settlements of eviction claims. The purpose of these structured settlements is to either permit the parties to preserve the landlord-tenant relationship through a pay-to-stay arrangement or, in the alternative, to dissolve the landlord-tenant relationship in a way that avoids an eviction judgment being entered against a tenant, should the evidence support such an award. After a structured settlement is entered into, the Court permits the parties to appear at subsequent status hearings via telephone or videoconference (ZOOM) so as to increase party participation. The Court continued its policy of permitting parties to obtain continuances of their cases without having to pay the corresponding filing fee if they were working on a structured settlement or if they were working together towards obtaining rental assistance from the Cleveland Housing Network or the Emerald Development and Economic Network. The Court has seen great success with this approach. In 2023, the Court will expand its use of the ZOOM platform and permit parties the opportunity to appear at their initial eviction hearing via telephone or videoconference. It is my hope that this will increase participation in eviction proceedings.

The Court's educational highlights: Magistrate Ripma virtually attended the *New Magistrates Orientation* Conference through the Ohio Supreme Court Judicial College. Supervisors and staff attended a webinar *Supervisor Series: Writing Policies and Procedures*, also hosted by the Ohio Supreme Court. As part of my new administration, in May I attended Part II of the *New Judge's Orientation* through the Ohio Supreme Court Judicial College.

This year I had the opportunity to present at four Continuing Legal Education (CLE) events: in April I spoke at the Cleveland Metropolitan Bar Association (CMBA) about *Exploring Career Options with Your JD*; in May, I participated in a panel of Judges for the CMBA 2022 *Criminal Law Symposium: a View from the Municipal Court Bench*, in June I had the pleasure of speaking at the Annual *Ohio Association of Criminal Defense Lawyers OVI* seminar, and in October I taught with **Magistrate Gregory Gentile** at the annual Municipal Court CLE on the subject of *Senate Bill 215, Changes to Firearm Laws*.

COURT DEPARTMENTS

In addition to the **Clerk's Office** which is charged with the duty of collecting and disbursing funds and maintaining records, the Court's organizational structure includes the Administrative Manager and the Bailiff, Probation, and Magistrate Departments.

The Court's **Administrative Manager** handles matters pertaining to employee payroll, vacation and sick time, processes all purchases and service contracts, monitors the Court's various accounts for proper debits and credits, and prepares the first budget draft annually for review by the Judge and Clerk of Court.

The **Bailiff Department** is responsible for Court safety and many courtroom duties. **Chief Bailiff Joseph Gogala** supervises a department consisting of himself and 3 full-time deputies. Chief Gogala continues to work closely with his staff to ensure safe and timely courtroom services for all visitors. 2022 saw the departure of Deputy Bailiff Steve Labonte. We are grateful for his dedication and years of service to the Shaker Heights Municipal Court. This year, the Court welcomed Phillip Coe Jr. who previously worked with Moore Counseling on specialty dockets in Cleveland Municipal Court. We also welcomed Robert Williams, a retired Shaker Heights Jailer/Police Officer as the newest bailiff. His knowledge of the Court and the criminal justice system in general has made for a smooth transition.

The Court's **Probation Department** primarily supervises offenders while on community control (probation). Many defendants must serve community control after being convicted of crimes like domestic violence, drug abuse, OVI, and theft. **Chief Probation Officer Gail Chisholm** supervises the department with a continued focus on maintaining a high level of client services for those we serve. In November 2022, the Court was awarded the American Rescue Plan Act grant that provides for the addition of a Pretrial Services Probation Officer who was hired in 2023.

Housing and Building Cases: Probation Officer Michael Maharidge handles building and housing violation cases. When such cases are filed, the Court's primary goal in sentencing is to encourage compliance with local codes and to discourage recidivism. Although these cases are criminal in nature, high fines and jail are not the preferred method to get violations corrected. Probation Officer Maharidge works with defendants to create a Court-approved repair schedule and monitors for compliance.

Offenses of Violence: Probation Officer Jean Panter-Graham is assigned cases of partner violence and other offenses of violence. Defendants in these cases are convicted of domestic violence, assault, menacing, and/or violating protection orders. Supervision can be intense as Ms. Panter-Graham gathers information from victims and family members for the safety of all involved.

Drug Abuse and OVI: Chief Probation Officer Gail Chisholm is a Chemical Dependency Counselor Assistant certified by the Ohio Chemical Dependency Professionals Board. She was referred many new drug-related and OVI cases in 2022, some of which involved repeat offenders. She required detailed assessments for these defendants. The assessments help the Court determine if a defendant needed inpatient treatment, outpatient counseling, or support meetings in order to deal with substance use and recidivism prevention. Many defendants were required to wear Secure Continuous Remote Alcohol Monitors (SCRAM) devices, which monitor a defendant 24/7 for the ingestion of any alcohol. In 2022, defendants referred to SCRAM were monitored for alcohol consumption for a total of 2,188 days and approximately 99% of those were sober days. In 2022, defendants placed on GPS/House Arrest were monitored for a total of 2,229 days as a viable alternative to jail.

Theft, Underage Drinking and Other First Time Offenders: A conviction for underage drinking or theft can reduce a person's ability to get into various schools and jobs. As a result, the Court has a **First Offenders Program (FOP)** supervised by **Probation Officer Michael Maharidge**. The FOP allows those charged with their first criminal offense (some offenses like OVI are ineligible) an opportunity to have their charge(s) dismissed and sealed to avoid having a criminal record. First offenders also complete complete community service work and/or other requirements.

Probation officer Sandra Blue retired in 2022. Ms. Blue supervised defendants ordered to complete Community Service. Her talents will be greatly missed.

The **Magistrate Department** led by **Magistrate Kyle Ripma**, conducts civil pretrials, certain trials, rental escrow disputes, small claims hearings, evictions, R.I.T.A. and post-judgement collection disputes. Magistrate Ripma interviews the Court's law clerks for hiring, organizes their assignments and monitors their work product.

Magistrates Greg Gentile and Leslie Johns assist me with hearing the Court's multi-jurisdictional traffic arraignment and driving under suspension dockets. When mediation is needed, cases are referred to the Court's part-time mediator.

VALUABLE PROBATION RELATED RESOURCES

Northcoast Behavioral Healthcare is a state-owned and operated psychiatric hospital that works with the Court in cases where a crime is allegedly committed by a person with mental illness. I want to commend and thank **Elizabeth E. Tady, LCPC**, for her prompt response to the Court in crisis situations. We greatly appreciate her dedication and kindness.

The Court is also grateful for the assistance to violence victims provided through the **Journey Center for Safety and Healing**. Through the Journey Center, victims of violence in this Court are immediately supported by **Advocate Janice Smith**. She responds to the police departments, the Court, and appears at the side of victims providing knowledge, suggestions for protection, and guidance throughout the prosecutions. Ms. Smith also participates in the Court's Domestic Violence docket.

Similarly, the Court could not do without the services of **Recovery Resources**. Recovery Resources has been funded by the **ADAMHS Board** to provide liaisons to our jails and municipalities when defendants display symptoms of mental illness or substance dependency. The liaisons respond to police or court requests visiting inmates and assessing whether they need to be seen by a doctor or screened by a professional for issues of mental illness or substance abuse. The liaisons provide the Court with a report containing recommendations. These reports assist the Court in determining whether further diagnostic assessments are needed and provide valuable information for the Court's use when determining bond conditions or determining probation conditions at sentencing.

The Court has expanded our use of community service. We work with **Court Community Service (CCS)**, a not-for-profit agency that arranges community service work for individuals referred by Courts as part of sentencing. CCS schedules and closely supervises offenders as they complete tasks ranging from litter collection, landscaping, maintenance, painting, and other specific tasks.

The Cleveland Municipal Court continues to accept defendants referred from this Court to participate in specialized docket programs such as the **Greater Cleveland Drug Court, the Mental Health Court, and the Veteran's Treatment Docket**. Suburban courts can transfer individuals in need

of treatment and intense supervision to the Cleveland Municipal Drug Court. Similarly, the Mental Health Court and Veteran's Treatment Docket offer individuals, convicted in this Court, access to the treatment and care that these specialized dockets can provide. We are fortunate to be able to refer eligible offenders to these programs. Our Probation Department continues to monitor the progress of those participating in these specialized dockets.

COLLABORATIVE EFFORTS

The Court understands the importance of sharing information and expertise with other courts and agencies as well as charitable and neighborhood groups. Staff members and I worked with various groups and agencies in 2022 on issues involving domestic violence, county jail and Justice Center reconfiguration, mental health and addiction services, and justice system reform. I was also able to speak about the Court to the legal community and area residents.

I am a member of the **Cuyahoga County Domestic Violence Task Force (DVTF)**. The group includes suburban, Cleveland, and Common Pleas Court Judges as well as representatives from the County Executive's Office, Legal Aid, Municipal and County Prosecutors' offices, Family Justice Center, Cuyahoga County Sheriff's Department, Cuyahoga County Police Chiefs Association, Cuyahoga County Public Defenders Association, SANE nurses, area probation and clerks' office personnel and many more. The task force has addressed concerns involving the transfer of cases between municipal and common pleas courts, the entry of protection orders into LEADS, and the proper disposal of weapons. The group also promotes education on violence-related topics.

The Court continues to participate with **Cleveland Municipal Clerk of Court Earle B. Turner** in a project aimed at restoring defendants' driver's licenses. Known as "**In The Neighborhood**", the Cleveland Clerk holds meetings at churches and recreation centers throughout Cleveland. The purpose of the meetings is to assist defendants in clearing up arrest warrants and court cases which have caused license suspensions and/or license and registration blocks.

In 2023, I look forward to this Court's continued collaborative efforts to make the justice system better for everyone we serve.

COMMUNITY OUTREACH

Engaging in our community is of the utmost importance to me. Being a Judge gives me the opportunity to be involved, participate in educational opportunities, speak to organizations, and enhance the public's knowledge about the judiciary.

Early in 2022, I had the privilege to be a part of the Beaumont School Career Day. I spoke to high school students about careers within our justice system and my role as a Judge. I also enjoyed presiding over a Mock Trial of a case presented by Cleveland State University College of Law trial advocacy students. It was a great opportunity to engage with our future lawyers.

Throughout the year, I invite local schools to bring students to the Court for a field trip. I enjoyed two very special field trips in 2022. St. Dominic's 5th graders came to court. We had a great time talking about the Court and the legal system. I also took a field trip to Mercer Elementary and spoke to 3rd graders about the importance of common good in all areas of life.

I was honored to receive the University Heights Public Servants award on November 16, 2022. It was a special moment as retired Judge K.J. Montgomery presented me with the award on behalf of the City of University Heights.

In the Fall, the Beachwood Buzz and the University Heights Mosaic published articles about the state of the Court. I take great pride in sharing the Court's new initiatives and updates on our efforts to provide services to the citizens served by the Court.

I am an active member of the **Cleveland Metropolitan Bar Association**. The CMBA, under the direction of **Executive Director Rebecca McMahon**, is a nonprofit organization that promotes the highest ethical and professional standards for legal professionals while assisting its members to serve the greater Cleveland community with pro bono and community service programs.

I am the President-Elect of the William K. Thomas American Inn of Court, an association of lawyers and Judges who share a commitment to professionalism, ethics, and civility in the legal profession. The American Inns of Court inspire the legal community to advance the rule of law by achieving the highest level of professionalism through example, education, and mentoring. I look forward to commencing my term as President of this professional organization in 2023.

ACKNOWLEDGMENTS

Judge K.J. Montgomery passed away in January 2023. We honor her many years of public service and 27 years as Judge of the Court. I look forward to continuing her tradition of outstanding public service.

Every day **my staff** does their best to assist the judicial process by effectively performing their tasks. They present innovative ideas and work hard as part of the Court team.

In 2022, the Court continued to work well with court partners including **Beachwood Mayor Justin Berns, Hunting Valley Mayor Bruce Mavec, Pepper Pike Mayor Richard Bain, Shaker Heights Mayor David Weiss, and University Heights Mayor Michael Dylan Brennan**, and the council members of those communities.

The Court also thanks **Police Chiefs Michael Cannon, Katherine McLaughlin, Karl Dietz, Jeffrey Demuth, and Dustin Rogers** for their assistance, dedication, and willingness to partner in our many efforts to provide a safe community and fairly administer justice. The Court looks forward to working with the new Shaker Heights Chief of Police **Wayne Hudson** as Chief Demuth retired in January 2023.

We are fortunate to work with these and many other professionals and community members who give their time to make these court communities among the very best in northeast Ohio.

This annual report is provided to each of the mayors and council members of the court district since the municipalities we serve share in the expense of our operations and in the benefits of revenue and service. This report also constitutes the Court's 2022 Annual Report issued to the legislative authority of its home municipality as required by Ohio Revised Code Section 1901.14(A) (4). To further comply with this statute, which refers only to "county commissioners," we are also sending the 2022 Annual Report to the County Executive and the County Council Members who represent the Court district.

Finally, the public is notified that they may review reports listing revenues, expenditures, and uses of the Court's special project and restricted funds which have been established and maintained in accordance with Ohio Revised Code Sections 1901.26, 1901.261, 1901.262, 2151.541, 2301.031 and/or 2303.201. To review these reports, please contact Court Administrative Manager Juli Freeman-Johnson at jfjohnson@shakerheightscourt.org.

Respectfully submitted,

A handwritten signature in cursive script that reads "Anne Walton Keller". The signature is written in black ink and is positioned below the text "Respectfully submitted,".

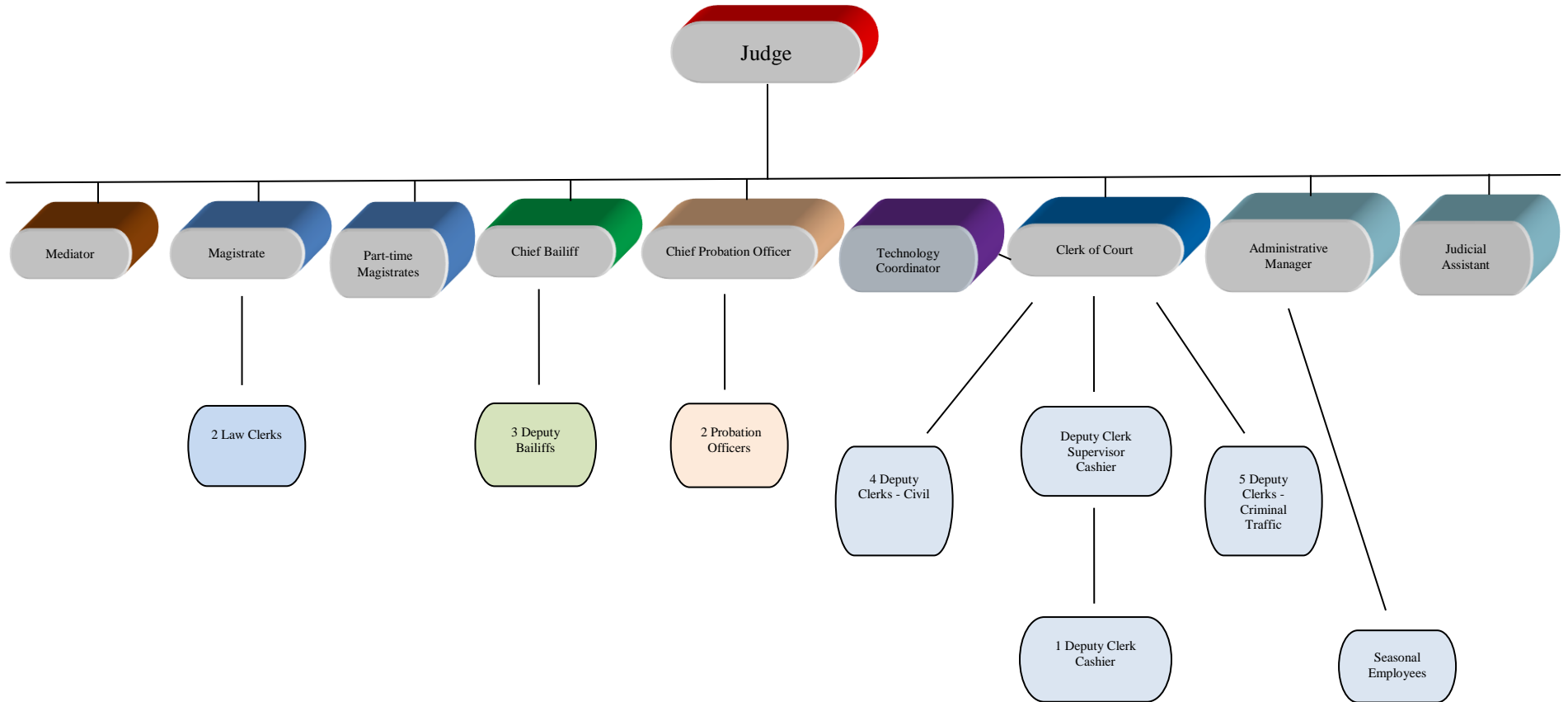
Judge Anne Walton Keller

ADMINISTRATION

ORGANIZATIONAL CHART

SHAKER HEIGHTS MUNICIPAL COURT

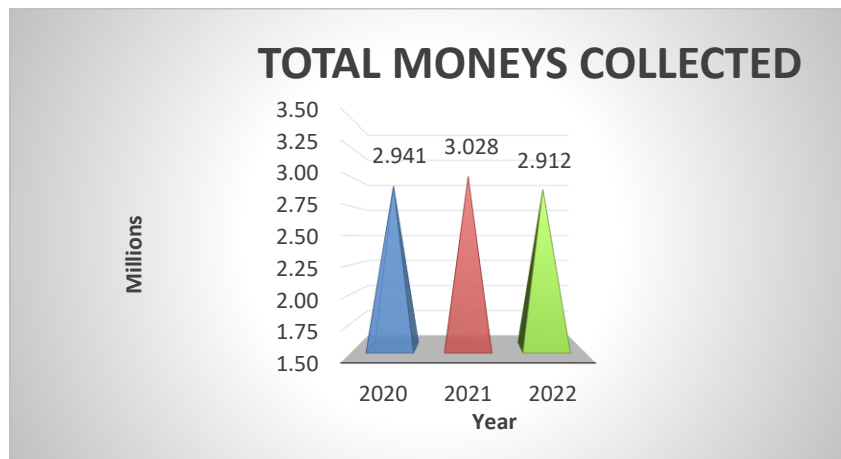
ORGANIZATIONAL CHART



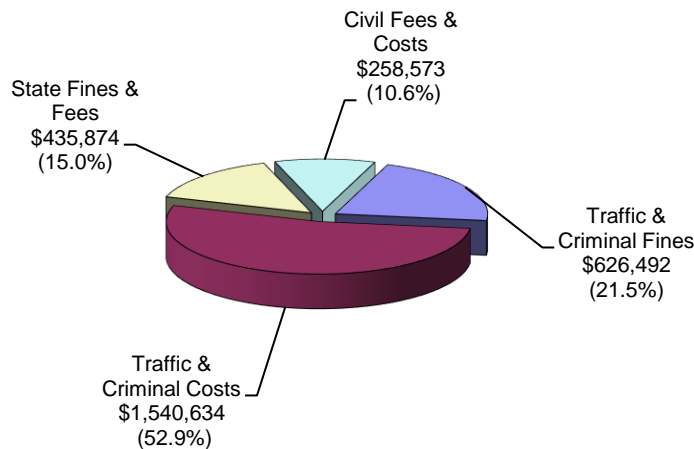
CLERK OF COURT'S REPORT

FISCAL MATTERS

The Clerk's Office is by law responsible for receiving and collecting all moneys payable to the Court. Moneys payable to the Court are received as fines, court costs, state fees, county fees, garnishment payments, rent deposits, restitution, and trusteeship payments. The Clerk's Office collects funds on traffic, criminal, parking, civil, and small claims cases. The Court is a mere repository that receives funds and then disburses them to the appropriate municipalities, the State of Ohio, and the proper individuals according to law. In 2022, the Court collected \$2,911,982 in court costs, fines, and state fees. This included \$308,982 in court costs from civil and small claims actions, \$1,540,634 in court costs from traffic and criminal cases, \$626,492 in fines on behalf of all the municipalities in the Court district, and \$435,874 in fines and fees for the State of Ohio. The Court also collected \$561,011 in garnishment and judgment payments associated with civil cases. The following charts show a comparison of moneys collected in years 2020 through 2022 for fines, costs and fees.



2022 COLLECTION OF FINES, FEES, & COURT COSTS

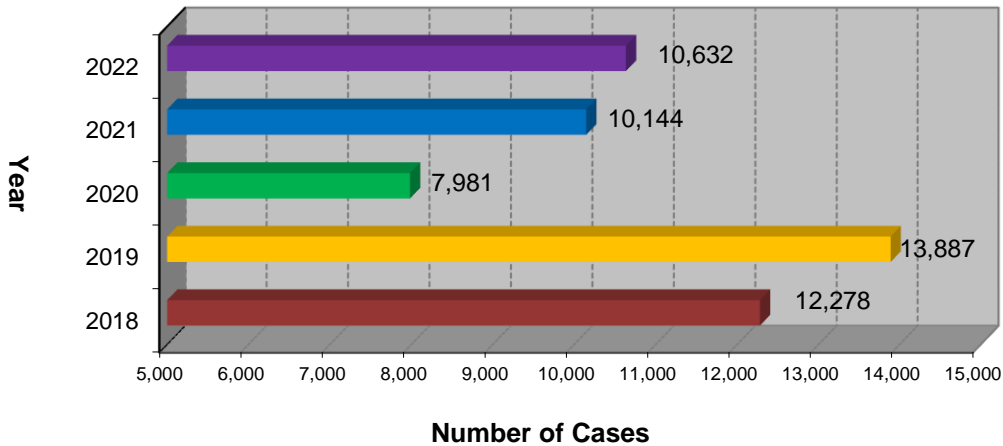


CASES FILED

The amount of funds coming into the Court typically correlates to the number of cases filed. Furthermore, the Court does not generate cases. The Court is dependent on the police departments in its district for traffic and criminal filings and the public for civil filings. Once a case is filed, the Clerk's Office collects fines and associated costs on criminal, traffic, and, in the case of Shaker Heights, parking violations. The Court also collects civil and small claims court costs.

The total number of cases filed in 2022 was 10,632. This is an increase of 488 cases from the previous year's filings. The filings in the traffic and criminal division rose by 236 cases. Civil and small claims filings increased by 252 cases. The chart below compares cases filed over the last five years.

COMPARISON OF NUMBER OF NEW CASES FILED BY YEAR



MONEYS DISTRIBUTED

The required disbursement of court moneys as established by statute is followed by this Court. Fines were distributed to the municipalities within the geographic jurisdiction of this Court; state fines and fees were distributed to the State of Ohio and court costs were distributed to our home municipality to pay the Court's operating costs. An additional portion of court costs paid by litigants was directed into special fund accounts. The costs directed into special fund accounts are referred to as "user fees" because they are paid only by litigants of the court system and its services. Such user fees continue to be paid into the Clerk's Computer Fund, Computerized Legal Research Fund, Alternate Dispute Resolution Fund, Security Fund, and the Court Special Projects Fund, enabling those programs to be economically viable. Moneys from civil garnishment or judgment payments were paid to the appropriate judgment creditors.

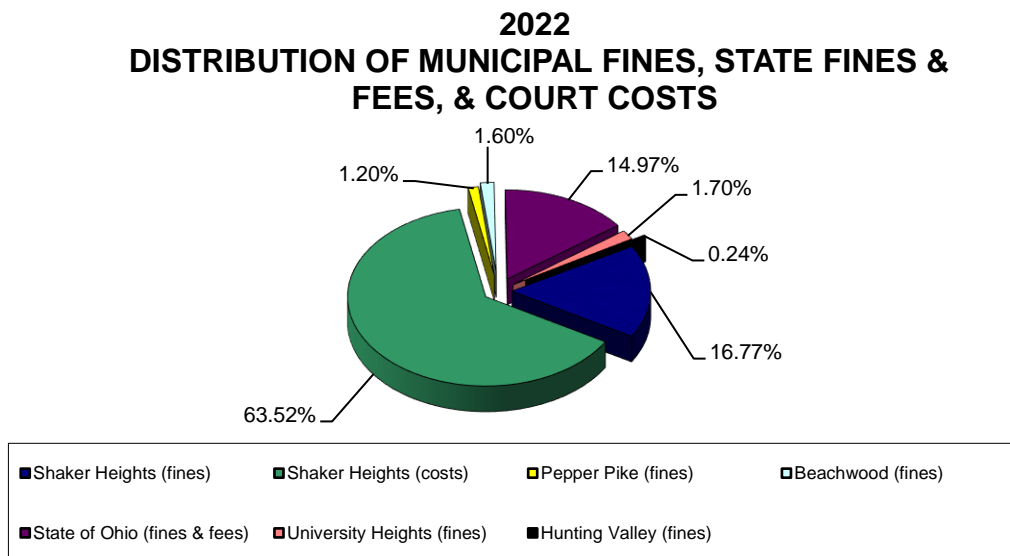
Moneys were distributed to the municipalities of the Court district as follows:

Municipality	Amount Distributed
Shaker Heights (fines and all court costs)	\$2,337,861
University Heights (fines only)	\$ 49,566
Beachwood (fines only)	\$ 46,546
Pepper Pike (fines only)	\$ 35,028
Hunting Valley (fines only)	\$ 7,107

Revenue was distributed to the State of Ohio and Cuyahoga County in accordance with law. The Court remitted \$72,263 in fines and \$326,488 in fees to the State to increase Ohio’s general fund and to pay for various state programs. These fines are generated from criminal, traffic and seat belt offenses charged under the Ohio Revised Code. This Court is mandated to collect and distribute various fees to the State of Ohio, and said fees that support the State funds for Victims of Crime, Crime Stoppers, Indigent Driver’s Alcohol Treatment, Indigent Defense Support, the Drug Law Enforcement Program, Justice Program Services, and Indigent Drivers Interlock and Alcohol Monitoring programs. An additional \$37,122 was required to be collected on civil and small claims case filings and sent to Ohio’s Legal Aid program. Cuyahoga County also imposes a mandatory \$5.00 fee on every municipal court traffic conviction to support the Regional Enterprise Data Sharing System (REDSS).

The Court received certification from Ohio’s state auditors for the 24th consecutive year that moneys were properly collected and disbursed by the Court. Each year, the State auditors examine the Court’s case files and financial records for compliance with numerous State laws and accounting guidelines. For example, Ohio requires all funds collected on behalf of the State be disbursed monthly by the 20th day of the subsequent month. State law also requires the Clerk’s Office to compile a list of cases in which there remain funds not consumed by the costs in the case. The Clerk’s Office must notify all parties who are entitled to these funds. The Court was again found to be in full compliance with State law requiring the annual and timely distribution of unclaimed funds earning the Court a “clean” audit report. This indicates the Court’s financial records and statements are fairly and appropriately presented and free of material misstatements.

The following chart illustrates the distribution of fines, costs, and fees collected.



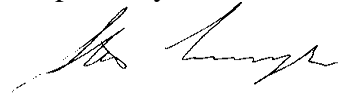
FINANCIAL MANAGEMENT

The Court continually strives to be more self-supporting. To this end and as permitted by statute, the Court charges user fees which fund special accounts including the Court Computer/Legal Research Fund, the Clerk's Computerization Fund, the Alternate Dispute Resolution Fund, the Security Fund and the Court Special Projects Fund. Because the moneys directed to these accounts are derived solely from court imposed user fees, the municipalities and taxpayers served by the Court are not charged for these special programs. Thus, in 2022, the Court continued an ambitious computer capital improvement program, maintained legal research services and paid law clerks by using only the Court Computer/Legal Research Fund and Clerk's Computerization Fund.

The Court continued its contractual relationship with Capital Recovery Systems, Inc., a collection agency, to improve collections of delinquent payments. A state statute permits collection companies to collect and pay to courts 100% of delinquent fines, fees, and costs at no cost to the municipalities served by the court. Only after the court is fully paid all moneys owed does the agency collect its service fees from the debtor. The Clerk's Office currently sends past due accounts, unpaid waiver traffic tickets, and delinquent parking tickets to Capital Recovery Systems. Capital Recovery Systems has informed this Court that approximately 22% of the 2022 traffic/criminal placements have been paid. This is excellent considering the national average in recovery percentage for government collections is only around 11%.

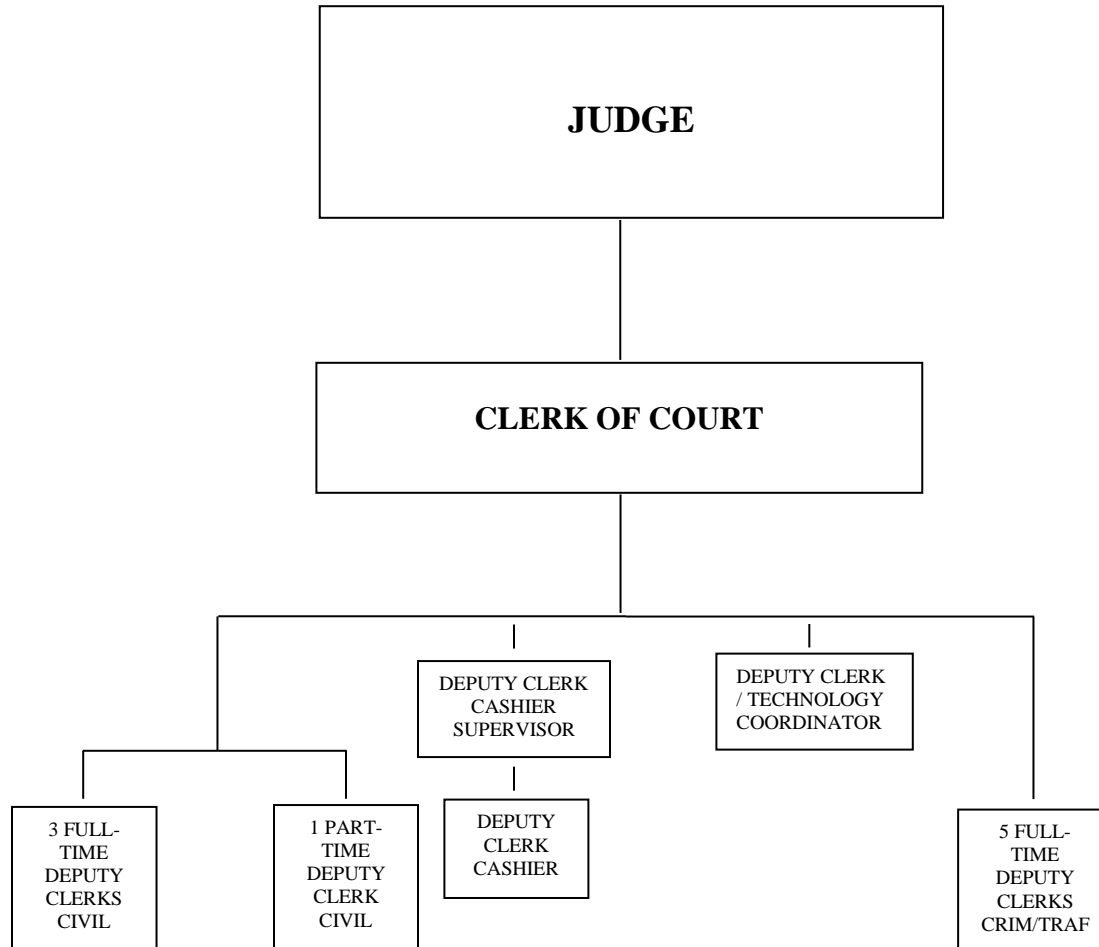
The Court permits online payments to provide the public with a convenient means to pay their fines. For the year 2022, web payments comprised about 40% of the Court's total revenue. The court received 10,353 online payments totaling \$1,158,797.

Respectfully submitted,



Steven Tomaszewski
Clerk of Court

CLERK OF COURT DEPARTMENT ORGANIZATIONAL CHART



REPORT OF THE MAGISTRATE'S DEPARTMENT

The Magistrate Department of the Shaker Heights Municipal Court consists of one full-time Magistrate, two part-time Magistrates, and one part-time Mediator. All Magistrates have their own responsibilities. The Magistrates and Mediator assist the Judge by hearing, among other things, evictions, civil pre-trials and trials, mediations, garnishments, replevins, and traffic arraignments.

Magistrate Kyle L. Ripma manages the regular civil and small claims dockets. Magistrate Ripma reviews all civil motions with the assistance of the Court's able law clerks. Magistrate Ripma hears evictions, motions, applications to release rent, civil pre-trials and certain trials, garnishments, and small claims.

Magistrates Greg Gentile and Leslie Johns assist the Judge by hearing traffic matters. Specifically, Magistrate Gentile conducts arraignments for general traffic tickets and Magistrate Johns conducts arraignments for traffic cases when a defendant is charged with operating a vehicle while under a suspension. During these arraignments, Magistrate Johns provides defendants with pertinent information to help them obtain valid drivers' licenses.

Mediator Nadeen Nassar served as the court's part-time mediator. Mediator Nassar resolved many cases so that parties avoided the contentious environment of trial. The types of cases mediate included evictions, rent escrows, creditor-debtor disputes, torts, and various types of small claim cases.

Chief Magistrate Cornelia Byrne retired after 29 years. She began working with the Court in 1993 serving in various capacities. In 2000, she was appointed as a Magistrate and eventually serving as the Chief Magistrate. Ms. Byrne's experience and professionalism will be greatly missed.

Also retiring, Magistrate and Mediator Wendy Rosett. Ms. Rosett began working part-time for the Court in 1994. Her mediation and collaboration will be greatly missed.

The Court is very fortunate to employ law clerks, who assist the Judge and Magistrates. The quality of the students continues to be exceptional. In May, the Court saw the departure of Ryan Kun after his graduation from Cleveland State University College of Law. The Court retained Bridget Coyne from Case Western Reserve University Law School for another year. Our newest law clerk, Claire Kinnear from Cleveland State University College of Law joined us in May.

Law clerks research a number of legal issues, prepare memos on various motions, assist with Court Courier newsletter articles, and prepare jury instructions. The clerks also maintain the law library, ensure that the codified ordinances are up to date, and perform various administrative tasks in an effort to aid Court staff.

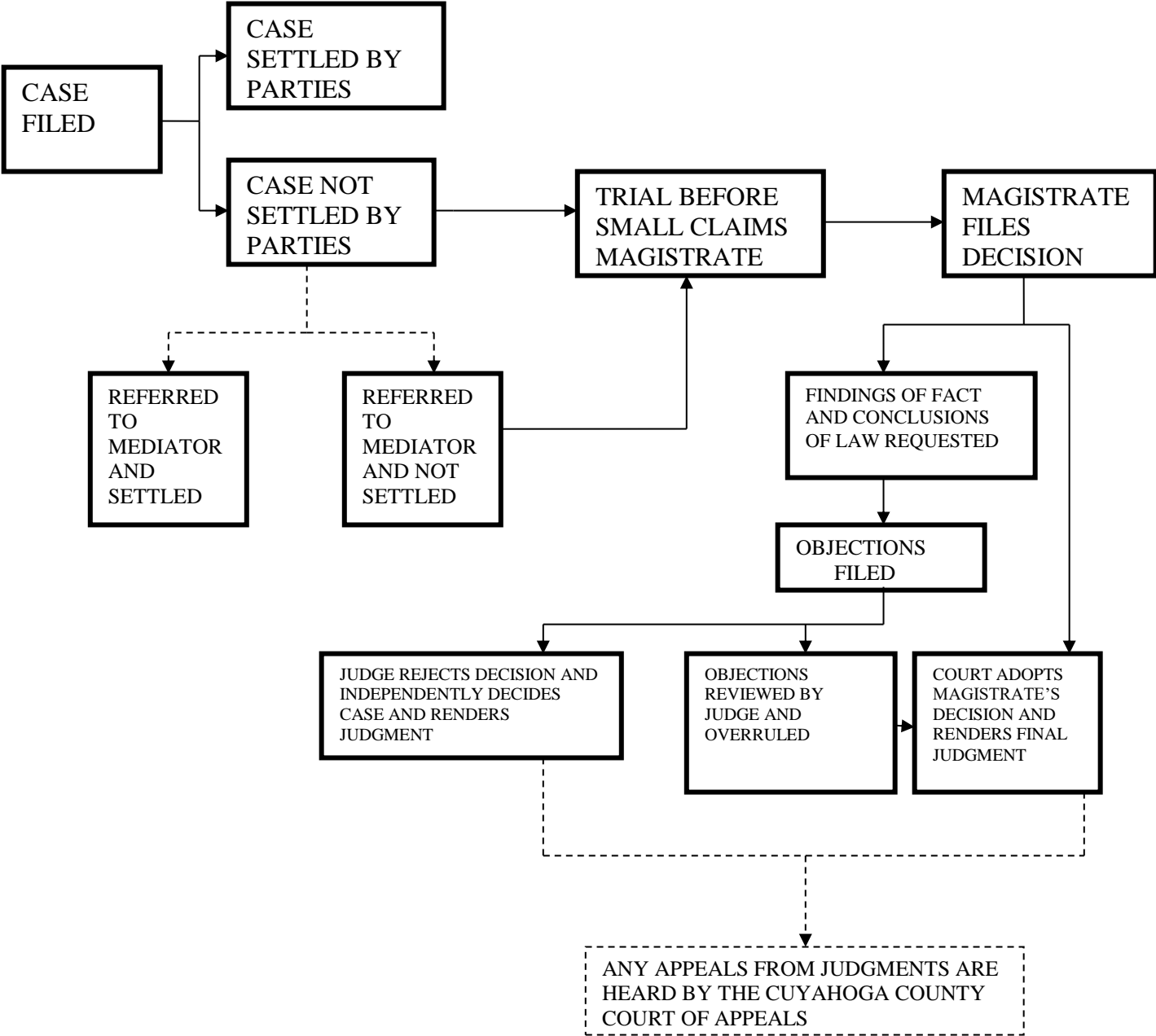
The annual report would not be complete without commending the support staff for the Magistrates. The deputy clerks and the bailiffs are essential to the efficient movement of cases in the Magistrate Department. We appreciate their professionalism, courtesy, and helpfulness.

Respectfully submitted,

Kyle L. Ripma

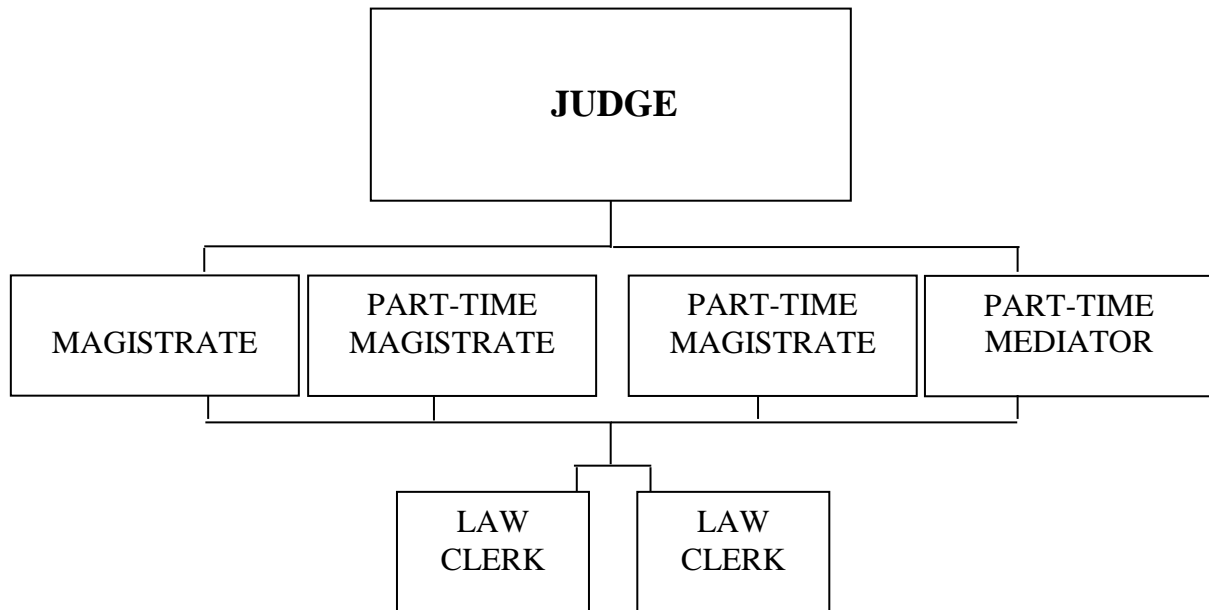
Kyle L. Ripma, Magistrate

THE PATH OF A SMALL CLAIMS CASE



MAGISTRATE DEPARTMENT

ORGANIZATIONAL CHART



CHIEF BAILIFF'S REPORT

The Bailiff Department of the Shaker Heights Municipal Court is responsible for many different aspects of Court operations. The Bailiff Department consists of Chief Bailiff Joseph Gogala and three full-time bailiffs.

Bailiffs maintain the safety and security of all persons entering the courthouse. During Court sessions, bailiffs call cases and record traffic, criminal, and civil proceedings. The bailiffs set timely pretrials where discovery and settlement discussions can occur. An expedited setting of pretrials moves cases along by requiring early discovery. The bailiffs assist in scheduling the traffic and driving under suspension compliance dockets, payment ability hearings, and criminal dockets for every municipality. Their hands-on involvement maintains an orderly courtroom and has been well received by prosecutors, defendants, and lawyers. Bailiffs provide security escorts to the parking area for individuals who are involved in potentially volatile matters. Aside from the courtroom, preserving and properly disposing of evidence and weekly outside service is another aspect of bailiff duties. On the lighter side, they also give courthouse tours to visitors including elementary and middle school students. These tasks are performed as assigned by Chief Bailiff Joseph Gogala.

The Bailiff Department began using ZOOM for change of plea and sentencing hearings, and some traffic matters where defendant's live out of state.

Bailiffs were recertified to carry TASERS and firearms, through the help of the Beachwood Police Department. The Bailiff Department also purchased a portable radio that was programmed with the assistance of the Shaker Heights Police Department. This allows quicker communication with the Police Departments if the need arises when out in the courts jurisdiction.

2022 saw the departure of Deputy Bailiff Steve Labonte. We are grateful for his dedication and years of service to the Shaker Heights Municipal Court. This year, the court welcomes Phillip Coe Jr. who previously worked with Moore Counseling with specialty dockets in Cleveland Municipal Court. Phil worked as a Probation Officer in our Court prior to transitioning to the role of Bailiff. We also welcome Robert Williams, a retired Shaker Heights Jailer/Police Officer as the newest bailiff. His knowledge of the Court and the criminal justice system in general has made for a smooth transition.

The Bailiff Department continually strives to maintain a cooperative and professional attitude toward the public we serve, all of the municipalities and the legal profession.

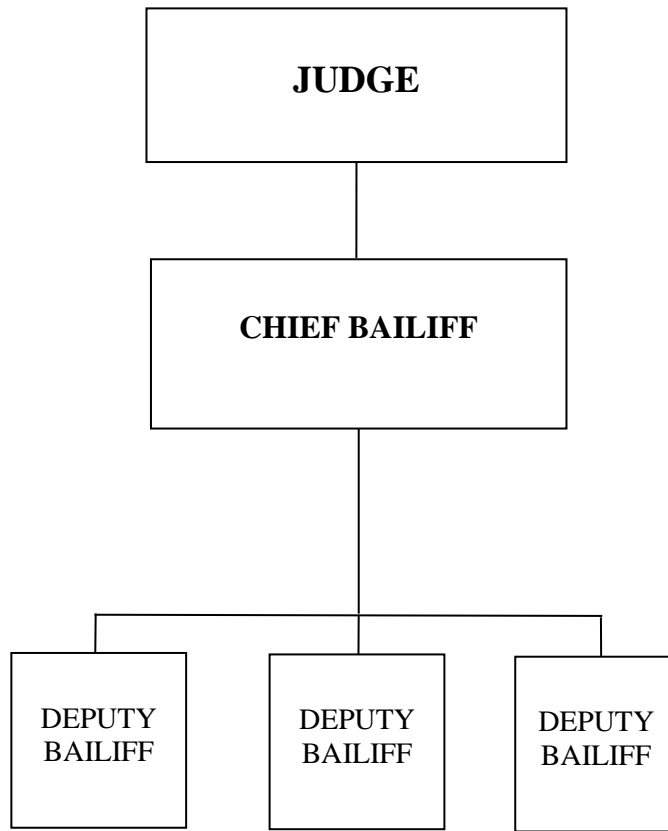
Respectfully submitted,



Joseph Gogala
Chief Bailiff

BAILIFF DEPARTMENT

ORGANIZATIONAL CHART



CHIEF PROBATION OFFICER'S REPORT

The Probation Department consists of Chief Probation Officer Gail Chisholm and 2 full-time probation officers, Jean Panter-Graham and Michael Maharidge. The department was previously staffed with five officers. Probation Officers Sandra Blue retired in 2022, and Mr. Phil Ertel in 2021.

Probation officers are responsible for supervising defendants while on probation/community control. We conduct pre-sentence investigations, personal interviews with victims and defendants, review mental health and substance abuse assessments, criminal histories and driving records in order to make recommendations to the Court for sentencing. Upon sentencing, probation officers assist defendants with their sentencing requirements, monitor their progress to ensure compliance, work through barriers/issues that may impede their progress, and, if necessary, report violations of probation. Other functions of the Probation Department include monitoring defendants in the First Offender Program, supervision of housing code violation cases, reviewing and preparing limited driving privileges, and monitoring payment of restitution for victims. We provide courtroom support by establishing individual payment plans for fines and costs, and assigning and monitoring community service orders from the Court, in some cases, in lieu of fines and costs for indigent defendants. The Probation Department makes community service referrals to Court Community Service, and other non-profit organizations. The Probation Department uses ZOOM and telephone reporting for effective case management and convenience.

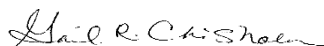
The Coronavirus Emergency Supplemental Funding Grant awarded in 2021 from Office of Criminal Justice Services was continued for 2022 and used for many cases involving GPS monitoring, House Arrest, and Secure Continuous Remote Alcohol Monitor (SCRAM). Defendants referred to SCRAM were monitored for alcohol consumption for a total of 2,188 days and, of those days approximately 99% were sober days. Defendants placed on GPS/House Arrest were monitored for a total of 2,229 days as a viable alternative to jail. The Court received another Grant from the Office of Criminal Justice Services in 2022 through the American Rescue Plan Act. The funds from ARPA will be allocated to hire a Pretrial Services Probation Officer in 2023.

The Court and its Probation Department continued to partner with the Cleveland Municipal Court's specialized dockets. These programs provide suburban municipal court defendants with the benefits of direct access to drug/alcohol and treatment, mental health services, veteran's services, and other social services.

The Chart below illustrates the number of cases referred to the Probation Department in 2022.

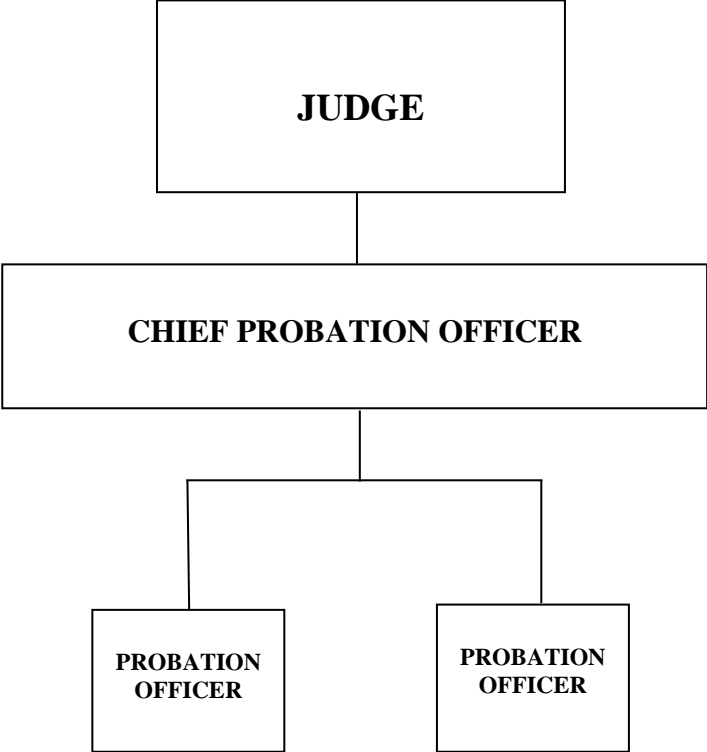
Officer	Defendants Referred to Probation	Defendants On Active Supervision as of 12/31/22
Chisholm	180	121
Maharidge	210	154
Panter-Graham	118	122

Respectfully submitted,



Gail R. Chisholm
Chief Probation Officer

PROBATION DEPARTMENT
ORGANIZATIONAL CHART



STATISTICAL COMPARISONS

COMPARISON OF CASE ACTIVITY IN CIVIL AND SMALL CLAIMS DIVISION			
NEW CASES FILED	2020	2021	2022
Personal Injury and Property Damage Claims	4	2	9
Breach of Contract or Agreement Claims	466	546	519
Forcible Entry and Detainer (Evictions)	353	463	685
All Other Civil Matters	4	5	3
Small Claims	468	584	636
TOTAL	1,295	1,600	1,852
Judge and Magistrate Trials	74	91	141
Default Judgment Hearings Before Magistrate	701	904	842
Jury Trials	0	0	0
Pretrial Settlements	26	26	35
Lack of Prosecution Dismissals – Failure of Plaintiff to go Forward	47	28	72
Transferred to Other Court Due to Conflicts or Lack of Venue	78	92	84
Bankruptcy/Interlocutory Appeal Which Stay Cause	9	7	3
All Other Dismissals	403	545	646
TOTAL	1,338	1,693	1,823
Aids in Execution Issued (Garnishments, Bank Attachments and Examinations)	418	481	561
Certificates of Judgment of Lien/Transfer Filed	260	274	278
Judgments Transferred from Other Courts for Collection	1	3	4
Levies Against Property – Requested/Filed/Executed	0	0	0
Marriages Performed	15	7	11
Motions or Requests Ruled Upon by the Judge	2,085	2186	2,411
Jury Demands Filed	4	5	0
TOTAL	2,781	2,956	3,265
Regular Civil and Small Claims – Fees and Costs Collected	210,743	\$258,255	308,170
Rent Escrow Deposit Fees	\$369	\$292	\$812
Trusteeship (Debtor’s Payment Arrangement Accounting Fees)	0	\$26	0
TOTAL	\$211,112	\$258,573	\$308,982
TOTAL JUDGMENT PAYMENTS DISBURSED TO SUCCESSFUL PARTY IN CASE	\$550,813	\$516,052	\$561,011

COMPARISON OF CASE ACTIVITY IN CRIMINAL DIVISION			
NEW CASES FILED	2020	2021	2022
Felony	117	148	159
Misdemeanor	818	745	807
Operating a Vehicle Under the Influence (“OVI”)	162	240	239
Traffic	5,589	7,411	7,575
TOTAL	6,686	8,544	8,780
BREAKDOWN BY MUNICIPALITY OF TRAFFIC CASES FILED (Excluding OVI Cases)			
Shaker Heights	4,530	6,311	6,094
University Heights	541	526	536
Beachwood	279	293	385
Pepper Pike	184	224	406
Hunting Valley	55	57	184
Other	0	0	0
TOTAL	5,589	7,411	7,575
BREAKDOWN BY MUNICIPALITY OF OVI CASES FILED			
Shaker Heights	87	138	136
University Heights	17	24	18
Beachwood	46	61	60
Pepper Pike	12	16	24
Hunting Valley	0	1	1
TOTAL	162	240	239
BMV LICENSE SUSPENSION APPEAL CASES FILED – For persons whose licenses were suspended by the BMV	31	19	28
PARKING CITATIONS (Shaker Heights Only) FILED	3,671	3,265	2,472
TRAFFIC WARRANTS ISSUED – Contempt of court for non-appearance	2,239	1,572	2,316

**COMPARISON OF COMPLETED CRIMINAL CASES
BY MUNICIPALITY**

MISDEMEANORS COMPLETED BY MUNICIPALITY	2020	2021	2022
Shaker Heights	213	205	260
University Heights	237	237	142
Beachwood	246	299	311
Pepper Pike	24	19	33
Hunting Valley	1	0	1
Other (Transfer)	0	0	0
TOTAL	721	760	747
FELONIES – COMPLETED BY BINDOVER OR OTHER DISPOSITION INCLUDING DISMISSALS			
Shaker Heights	51	57	74
University Heights	29	38	25
Beachwood	38	37	48
Pepper Pike	3	6	11
Hunting Valley	0	1	0
TOTAL	121	139	158
HOUSING CASES FILED / COMPLETED			
Shaker Heights	16 / 46	7 / 18	17 / 16
University Heights	10 / 17	7 / 11	18 / 13
Beachwood	0 / 1	0 / 0	0 / 0
Pepper Pike	1 / 2	0 / 5	1 / 1
Hunting Valley	0 / 0	0 / 0	0 / 0
TOTAL	27 / 66	14 / 34	36 / 30
MISCELLANEOUS CRIMINAL CASE ACTIVITY			
Criminal Warrants Issued – Contempt of court for non-appearance	758	537	678
Extradition Hearings – To determine whether to return defendant to place where offense occurred	0	0	2
Jury Demands Filed	41	36	32
Jury Trials Heard and Not Otherwise Resolved	1	2	0

**CRIMINAL DIVISION COMPARISON BY MUNICIPALITY
OF NEW CASES FILED**

2022	FELONY	MISDEMEANOR	OVI	TRAFFIC	TOTAL
Beachwood*	48	333	60	385	826
Hunting Valley	0	1	1	184	186
Pepper Pike	8	26	24	406	464
Shaker Heights	79	293	136	6,064	6,572
University Heights	24	154	18	536	732
Total	159	807	239	7,575	8,780
2021	FELONY	MISDEMEANOR	OVI	TRAFFIC	TOTAL
Beachwood*	41	309	61	293	704
Hunting Valley	1	1	1	57	60
Pepper Pike	7	13	16	224	260
Shaker Heights	66	229	138	6,311	6,744
University Heights	33	193	24	526	776
Total	148	745	240	7,411	8,544
2020	FELONY	MISDEMEANOR	OVI	TRAFFIC	TOTAL
Beachwood*	35	320	46	279	680
Hunting Valley	1	1	0	55	57
Pepper Pike	4	18	12	184	218
Shaker Heights	46	219	87	4,530	4,882
University Heights	31	260	17	541	849
Total	117	818	162	5,589	6,686

*The City of Beachwood maintains a Mayor's Court. These figures reflect only those cases processed by the Shaker Heights Municipal Court.

COMPARISON OF MONEYS GENERATED AND COLLECTED BY SHAKER HEIGHTS MUNICIPAL COURT BY MUNICIPALITY			
SHAKER HEIGHTS FINES AND COSTS	2020	2021	2022
Parking Fines	\$63,399	\$53,859	47,418
Fines – Criminal and Traffic	\$447,597	\$485,982	440,827
Court Costs – Criminal and Traffic	\$1,621,752	\$1,626,062	1,540,634
Court Costs & Fees Civil/Small Claims (ADR Fee)	\$211,112	\$258,573	308,982
TOTAL FOR SHAKER HEIGHTS	\$2,343,860	\$2,424,476	2,337,861
OTHER MUNICIPALITIES	2020	2021	2022
University Heights – Fines	\$75,370	\$64,593	49,566
Beachwood – Fines	\$56,326	\$43,437	46,546
Pepper Pike – Fines	\$27,310	\$20,512	35,028
Hunting Valley – Fines	\$3,324	\$2,760	7,107
TOTAL FOR OTHER MUNICIPALITIES	\$162,330	\$131,302	138,247
STATE OF OHIO	2020	2021	2022
Traffic and Criminal Cases – Fines and Fees	\$409,538	\$439,378	\$398,752
Civil Cases – Fees	\$25,476	\$32,438	\$37,122
TOTAL FOR STATE OF OHIO	\$435,014	\$471,816	\$435,874
TOTAL COLLECTED	\$2,941,204	\$3,027,594	\$2,911,982

**COMPARISON OF MONEYS DISTRIBUTED TO MUNICIPALITIES
FROM CRIMINAL AND TRAFFIC CASES**

COURT COSTS (Distributed to Shaker Heights pursuant to law)	2020	2021	2022
Shaker Heights Parking	\$27,171	\$23,597	\$19,654
Shaker Heights – Traffic & Criminal Costs	\$1,007,829	\$1,186,687	\$1,118,571
University Heights – Traffic & Criminal Costs	\$195,160	\$178,031	\$134,708
Pepper Pike – Traffic & Criminal Costs	\$56,592	\$40,428	\$62,321
Beachwood – Traffic & Criminal Costs	\$196,280	\$185,200	\$179,040
Hunting Valley – Traffic & Criminal Costs	\$8,254	\$7,719	\$21,278
Bail Bond Fees (considered by law as costs)	\$52,672	\$42,770	\$39,105
TOTAL COURT COSTS DISTRIBUTED	\$1,543,958	\$1,664,432	\$1,574,677
SHAKER HEIGHTS FINES			
Parking Fines	\$63,399	\$53,859	\$47,418
Traffic and Criminal Fines	\$447,597	\$485,982	\$440,827
TOTAL SHAKER HEIGHTS FINES	\$510,996	\$539,841	\$488,245
TOTAL FINES AND COSTS DISTRIBUTED TO SHAKER HEIGHTS	\$2,054,954	\$2,204,273	\$2,062,922
STATE OF OHIO FINES & FEES			
Traffic & Criminal Fines	\$84,616	\$89,808	\$72,263
BMV Registration Block Fees/DLE Fund	\$197	\$150	\$103
Mandated Fees	\$324,922	\$349,569	\$326,488
TOTAL FINES & FEES DISTRIBUTED TO STATE OF OHIO	\$409,735	\$439,527	\$398,854
TOTAL FINES DISTRIBUTED TO UNIVERSITY HEIGHTS	\$75,370	\$64,593	\$49,566
TOTAL FINES DISTRIBUTED TO PEPPER PIKE	\$27,310	\$20,512	\$35,028
TOTAL FINES DISTRIBUTED TO BEACHWOOD	\$56,326	\$43,437	\$46,546
TOTAL FINES DISTRIBUTED TO HUNTING VALLEY	\$3,324	\$2,760	\$7,107
GRAND TOTAL CRIMINAL & TRAFFIC MONEYS DISTRIBUTED (FINES, COSTS & FEES)	\$2,627,019	\$2,775,102	\$2,600,023