

Euclid Municipal Court

2017 Annual Report



Patrick J. Gallagher
Judge

Kevin J. Bergem
Clerk of Court

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Euclid, Ohio 44123
Phone: (216) 289-2888
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Euclid Municipal Court Probation Department

The Probation Department is comprised of 3 full-time Probation officers who primarily monitor all defendants who have been sentenced to a term of community control and ensuring that all Court ordered conditions have been satisfied. The Probation Department prepares all presentence investigation reports and conducts expungement investigations. The Probation Department is responsible for assigning and ensuring the completion of any community service sentence ordered by the Court. The Probation officers also have the responsibility of monitoring payment agreements entered into by defendants to help ensure collection of any restitution, fines or Court costs ordered by the Court.

The following are statistics from the department in the year 2017:

Total New Probationers-278

Male- 198
Female- 80

As of 12/31/17, Probationers on Inactive Status- 0
As of 12/31/17, Probationers on Active Status- 215

Total Probationers supervised throughout 2017- 442

Drug/Alcohol urinalysis conducted- 1089

Pre-sentence investigation reports- 106

Expungement investigations- 62

Probation Conditions and Programs/Referrals:

| | |
|---|-----|
| Abstain from Alcohol and/or Drugs | 225 |
| Alcohol/Drug Assessment & Programs | 154 |
| Carrying Concealed Weapon Program | 6 |
| Domestic Violence/Anger Management Programs | 80 |
| Driver Intervention Program/72 Hour Program | 78 |
| Electronic Home Arrest | 13 |
| GED/ School & Literacy Program | 13 |
| Greater Cleveland Drug Court | 2 |
| Greater Cleveland Mental Health Court | 3 |
| MADD Program | 87 |
| Mental Health Counseling/Treatment Program | 19 |
| Parenting Program | 7 |
| SCRAM | 13 |

Probation Department Continued...

Community Service

Community service is a sentencing tool used as an alternative to jail, as well as, an alternative for those defendants who do not have the financial means to pay fines and Court costs. The community service can be performed in the City of Euclid through litter control during regular working hours, Monday through Friday or outside the City of Euclid through Court Community Service. Court Community Service is a nonprofit agency which charges an individual \$65.00 and will schedule the hours of community service at nonprofit agencies throughout the greater Cleveland area, including the City of Euclid on either weekends and/or evenings.

A total of 356 defendants were sentenced in 2017 to perform community service. The following is the breakdown of defendants sentenced to either litter control or Court community service:

| | |
|-------------------------|------------|
| Litter Control | 109 |
| Court Community Service | <u>247</u> |
| | 356 Total |



Traffic Violations Bureau

This Bureau has been successfully operating since 1959. By utilization of the Traffic Violations Bureau, the Court is able to efficiently handle a large quantity of minor violations and thereby have more time available to concentrate on more serious violations.

The Traffic Violations Bureau permits a person who has been charged with a minor traffic offense, who has no more than one traffic conviction within the previous year, to dispose their case by appearing at the Clerk's Office during office hours and paying a predetermined fine and Court cost. However, there are certain limitations established for the Traffic Violations Bureau. Hazardous violations such as driving and/or operation a vehicle under the influence, reckless operation, hit-skip, speeding in excess of 20 miles per hour over the posted speed limit and injury and/or property damage offenses are not waivable.

The Traffic Violations Bureau is open for business 24 hours a day, 7 days a week as stated below:

At the Clerk's Office Monday through Friday from 8:30a.m. until 4:30p.m.

At the Euclid Police station outside the above referenced days and times.

Online payments are also accepted through the Court's website.

The Traffic Violations Bureau has been beneficial to the Court, the defendants and the City of Euclid by permitting speedy disposition of minor traffic violations in a just manner without undue delay.

463 total cases resolved through the Traffic Violations Bureau in 2017



CIVIL DIVISION

| | |
|---|-------|
| <u>CASES PENDING DECEMBER 31, 2016</u> | 1279 |
| <u>NEW CASES FILED 2017</u> | |
| CONTRACTS | 2011 |
| PERSONAL INJURY | 13 |
| FORCIBLE ENTRY & DETAINER | 1662 |
| OTHER CIVIL | 148 |
| | <hr/> |
| TOTAL | 3834 |
| | |
| <u>TOTAL ACTIVE CASES 2017</u> | 5113 |
| <u>CASES HEARD/SETTLED/DISMISSED 2017</u> | 3869 |
| <u>CASES PENDING DECEMBER 31, 2017</u> | 1244 |
| | |
| GARNISHMENTS FILED | 2007 |
| BANK ATTACHMENTS | 917 |
| MARRIAGES | 22 |

SMALL CLAIMS DIVISION

Small Claims Court is for matters where the amount in controversy is \$6000.00 or less and the employment of legal counsel is not cost effective.

| | |
|--|-----|
| <u>CASES PENDING DECEMBER 31, 2016</u> | 120 |
| <u>CASES FILED IN 2017</u> | 350 |
| <u>CASES DISPOSED/SETTLED/DISMISSED 2017</u> | 361 |
| <u>CASES PENDING DECEMBER 31, 2017</u> | 109 |

TRUSTEESHIP DIVISION

Trusteeship procedure is for worthy distressed debtors whose obligations are "pooled" with scheduled payments disbursed to creditors pro-rata thus treating all creditors equitably and protecting the earnest debtor against wage garnishment and harassment by any creditor unwilling to be patient.

| | |
|---------------------------------------|---|
| <u>CASES ACTIVE DECEMBER 31, 2016</u> | 0 |
| <u>NEW CASES FILED 2017</u> | 1 |
| <u>CASES CLOSED 2017</u> | 1 |
| <u>CASES ACTIVE DECEMBER 31, 2017</u> | 0 |

TRAFFIC-CRIMINAL DIVISION

TRAFFIC

| | |
|---|-------|
| <u>PENDING TRAFFIC CASES DECEMBER 31, 2016</u> | 536 |
| <u>NEW TRAFFIC CASES FILED 2017</u> | 2,570 |
| <u>TRAFFIC CASES PAID BY WAIVER (VIOLATIONS BUREAU)</u> | 463 |
| <u>PENDING TRAFFIC CASES DECEMBER 31, 2017</u> | 449 |

OPERATING MOTOR VEHICLE UNDER THE INFLUENCE

| | |
|---|-----|
| <u>PENDING O.M.V.I. CASES DECEMBER 31, 2016</u> | 86 |
| <u>NEW O.M.V.I. CASES FILED 2017</u> | 201 |
| <u>PENDING O.M.V.I. CASES DECEMBER 31, 2017</u> | 79 |

MISDEMEANOR CRIMINAL

| | |
|---|-------|
| <u>PENDING CRIMINAL CASES DECEMBER 31, 2016</u> | 243 |
| <u>NEW CRIMINAL CASES FILED 2017</u> | 1,480 |
| <u>PENDING CRIMINAL CASES DECEMBER 31, 2017</u> | 239 |

FELONY CRIMINAL

| | |
|---|-----|
| <u>PENDING FELONY CASES DECEMBER 31, 2016</u> | 19 |
| <u>NEW FELONY CASES FILED 2017</u> | 531 |
| <u>PENDING FELONY CASES DECEMBER 31, 2017</u> | 10 |

TOTAL NEW TRAFFIC-CRIMINAL CASES FILED IN 2017 4,782

PARKING VIOLATIONS

PARKING VIOLATIONS FILED IN 2017 251

CIVIL DIVISION

| | |
|---|------|
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| <u>CASES ACTIVE DECEMBER 31, 2017</u> | 0 |

RECEIPTS 2017

CIVIL RECEIPTS

| | | |
|------------------------|----------------|----------------|
| CLERK AND BAILIFF FEES | \$813,216.56 | |
| JUDGMENTS | \$2,604,545.73 | |
| DEPOSITS | \$3,211.00 | |
| LEGAL AID | \$103,312.00 | |
| COMPUTER FEES | \$41,727.00 | |
| SPECIAL PROJECTS | \$41,730.00 | |
| VOIDED CHECKS | \$465.19 | |
| TOTAL | | \$3,608,207.48 |

RENT ESCROW DEPOSITS

\$46,359.00

TRUSTEESHIP DEPOSITS

\$193.00

CRIMINAL RECEIPTS

| | | |
|-------------------------|--------------|----------------|
| CITY FINES | \$528,598.40 | |
| CITY COSTS | \$264,941.74 | |
| DRUG ENF/JUSTICE SVC | \$8,712.50 | |
| FORFEITURES | \$54,510.00 | |
| STATE & COUNTY FINES | \$39,935.80 | |
| CLEVE. METROPARKS BOARD | \$6,723.00 | |
| NATURAL RESOURCES | \$190.00 | |
| CASH BONDS | \$851,957.00 | |
| BOND POUNDAGE | \$61,479.50 | |
| VICTIMS OF CRIME | \$29,337.70 | |
| PARKING | \$5,237.00 | |
| CHILD RESTRAINTS | \$2,744.00 | |
| COMPUTER FEES | \$32,841.50 | |
| EPD SAFETY | \$3,778.00 | |
| SEAT BELTS (STATE) | \$2,198.00 | |
| INDIG DEF. SUPPORT FUND | \$120,059.50 | |
| HIGHWAY PATROL | \$11,103.50 | |
| COLLECTIONS | \$37,879.89 | |
| BMV FEES | \$0.00 | |
| SPECIAL PROJECTS | \$32,730.54 | |
| REDDS | \$12,270.00 | |
| CRIMESTOPPERS | \$747.00 | |
| LIQUOR FINES | \$75.00 | |
| DWI (INDIGENT) | \$7,843.50 | |
| VOIDED CHECKS | \$0.00 | |
| TOTAL | | \$2,115,893.07 |

BALANCES ON DEPOSIT FROM 2016

| | | |
|---------------------------|--------------|--------------|
| CIVIL DEPOSITS | \$60,611.20 | |
| RENT/ESCROW | \$14,156.00 | |
| TRUSTEESHIP | \$0.00 | |
| CRIMINAL BONDS & DEPOSITS | \$144,700.00 | \$219,467.20 |

TOTAL RECEIPTS 2017

\$5,990,119.75

DISBURSEMENTS 2017

CIVIL DISBURSEMENTS

| | | |
|-------------------------------|----------------|----------------|
| DEPOSITS APPLIED & CITY COSTS | \$897,607.41 | |
| JUDGMENTS | \$2,592,654.34 | |
| DEPOSIT REFUNDS | \$2,381.00 | |
| LEGAL AID | \$102,278.88 | |
| UNCLAIMED FUNDS | \$229.18 | |
| REISSUE VOIDED CHECK | \$236.01 | |
| NSF CHECK | \$229.40 | |
| TOTAL | | \$3,595,616.22 |

RENT ESCROW DISBURSEMENTS

| | | |
|-----------------------|-------------|-------------|
| CITY COSTS | \$296.76 | |
| PAID TO LANDLORD | \$28,537.74 | |
| MISCELLANEOUS REFUNDS | \$841.50 | |
| TOTAL | | \$29,676.00 |

TRUSTEESHIP DISBURSEMENTS

| | | |
|------------|----------|----------|
| CITY COSTS | \$38.00 | |
| CREDITORS | \$155.00 | |
| TOTAL | | \$193.00 |

CRIMINAL DISBURSEMENTS

| | | |
|--------------------------|--------------|----------------|
| CITY OF EUCLID | \$991,312.15 | |
| STATE & COUNTY | \$39,935.80 | |
| METROPARKS | \$6,723.00 | |
| REFUND CASH BONDS | \$837,567.00 | |
| VICTIMS OF CRIME | \$29,337.70 | |
| LAW LIBRARY | \$648.03 | |
| SEAT BELTS (STATE) | \$2,198.00 | |
| 50%LIQUOR | \$75.00 | |
| UNCLAIMED FUNDS | \$10,370.00 | |
| CHILD RESTRAINT FINES | \$2,744.00 | |
| COLLECTIONS | \$37,879.89 | |
| BMV (STATE) | \$0.00 | |
| HIGHWAY PATROL | \$11,103.50 | |
| NATURAL RESOURCES | \$190.00 | |
| REDSS | \$12,270.00 | |
| CRIMESTOPPERS | \$747.00 | |
| INDIGENT DEFENSE SUPPORT | \$120,059.50 | |
| JUSTICE PROG SVCS | \$8,712.50 | |
| TOTAL | | \$2,111,873.07 |

ON DEPOSIT DECEMBER 31, 2017

| | | |
|--|--------------|-----------------------|
| CIVIL | \$73,202.46 | |
| RENT ESCROW | \$30,839.00 | |
| TRUSTEESHIP | \$0.00 | |
| CRIMINAL | \$148,720.00 | |
| TOTAL | | \$252,761.46 |
| <u>TOTAL DISBURSEMENTS 2017</u> | | \$5,990,119.75 |

2017 GENERAL FUND OPERATING RECEIPTS AND EXPENSES

BASED ON CITY OF EUCLID FINANCE DEPARTMENT ACCOUNTS

REVENUE

| | |
|----------------|--------------|
| CRIMINAL FINES | \$547,131.17 |
| PARKING FINES | \$9,787.00 |
| FORFEITURES | \$60,040.00 |
| CRIMINAL COSTS | \$271,820.74 |
| TRUSTEESHIP | \$38.00 |
| RENT / ESCROW | \$247.28 |
| BOND POUNDAGE | \$63,327.00 |
| CIVIL COSTS | \$812,776.65 |

TOTAL REVENUE \$1,765,167.84

EXPENSES

| | |
|---|---------------------|
| PERSONAL SERVICES | |
| Salaries & Wages | \$682,207.81 |
| Overtime | \$83.94 |
| Retirement/Separation Pay | \$26.80 |
| Healthcare | \$42.00 |
| Life Insurance | \$2,254.35 |
| Medicare | \$9,748.25 |
| P.E.R.S. | <u>\$88,196.60</u> |
| | \$782,559.75 |
| CONTRACTUAL SERVICES | |
| Outside Legal Services (Assigned Counsel) | \$35,635.66 |
| Other Professional Services | \$28,415.15 |
| Tech Services-Data Processing | \$0.00 |
| Office Equipment Services | \$0.00 |
| Rental of Equipment & Vehicle | <u>\$5,375.00</u> |
| | \$69,425.81 |
| MATERIAL AND SUPPLIES | |
| Office Supplies | \$3,310.11 |
| Janitorial/Maint. Supplies | \$0.00 |
| Postage | \$65,781.96 |
| Books and Periodicals | \$6,238.93 |
| Other Supplies | <u>\$657.64</u> |
| | \$75,988.64 |
| OTHER CHARGES | |
| Ins. Other than Emp. Benefit | \$0.00 |
| Telephone/Communications | \$0.00 |
| All other Advertising | \$0.00 |
| Printing and Binding | \$1,874.87 |
| Travel | \$826.51 |
| Membership Dues/Licenses | <u>\$1,185.00</u> |
| | \$3,886.38 |

TOTAL EXPENSES \$931,860.58