

THE DELAWARE MUNICIPAL COURT

2008 ANNUAL REPORT

Serving All of Delaware County



Judge David P. Sunderman
Judge David M. Gormley
Clerk of Court Cindy Dinovo

JUSTICE CENTER, 70 NORTH UNION STREET, DELAWARE, OHIO 43015
www.municipalcourt.org

DELAWARE MUNICIPAL COURT
JUSTICE CENTER

DAVID P. SUNDERMAN
JUDGE

70 NORTH UNION STREET
DELAWARE, OHIO 43015-1939

DAVID M. GORMLEY
JUDGE

March 31, 2009

Delaware City Council Members
City Hall
1 South Sandusky Street
Delaware, Ohio 43015

and

The Board of County Commissioners
101 North Sandusky Street
Delaware, Ohio 43015

Dear Public Officials:

Pursuant to Ohio Revised Code Section 1901.14, the Annual Report of the Delaware Municipal Court for the year of 2008 is hereby submitted for your consideration.

This Annual Report is compiled from original records of the Court, which are available for examination.

Should you have any questions about the report, please feel free to contact the Court.

Respectfully submitted,

David M. Gormley
Judge

cc: The Supreme Court of Ohio
Delaware City Manager
Finance Director of the City of Delaware
Delaware County Administrator
Delaware County Auditor

Serving Delaware County
Web Site Address: www.municipalcourt.org

MUNICIPAL COURT JUSTICE CENTER MAIN NUMBER: (740) 203-1500

JUDGE'S CHAMBERS: (740) 203-1501

CLERK OF COURT: (740) 203-1550

JURY SERVICE NUMBER: (740) 203-1513

CRIMINAL/TRAFFIC DIVISION: (740) 203-1570

FAX LINE: (740) 203-1599

OFFICE OF COMMUNITY CONTROL: (740) 203-1525

CIVIL/SMALL CLAIMS DIVISION: (740) 203-1560

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DELAWARE MUNICIPAL COURT

JUDICIAL STAFF

<i>David P. Sunderman</i>	<i>Judge</i>
<i>David M. Gormley</i>	<i>Judge</i>
<i>Kevin L. Pelanda</i>	<i>Magistrate</i>

ADMINISTRATIVE STAFF

<i>Pamela Starling</i>	<i>Administrative Assistant/Jury Commissioner</i>
<i>Kathy Bauder</i>	<i>Administrative Assistant - Part-Time</i>
<i>Pat Dattilo</i>	<i>Administrative Assistant</i>
<i>Catherine Brooks</i>	<i>Assignment Administrator</i>
<i>Gil Borchers</i>	<i>Bailiff/Security Officer</i>
<i>David Huston</i>	<i>Bailiff/Security Officer</i>
<i>Dave Kleman</i>	<i>Bailiff/Security Officer</i>
<i>Dean Skipton</i>	<i>Bailiff/Security Officer</i>
<i>Ed Slone</i>	<i>Bailiff/Security Officer</i>
<i>Michael Keller</i>	<i>Chief/Office of Community Control</i>
<i>Carrie Mattox</i>	<i>Office Assistant/Office of Community Control</i>
<i>Stephanie Hardman</i>	<i>Community Control Officer</i>
<i>Brad Roudebush</i>	<i>Community Control Officer</i>
<i>Sheryl Titus</i>	<i>Community Control Officer</i>
<i>Ed White</i>	<i>Community Control Officer</i>

The following is a list of the Judges who served at the Delaware Municipal Court:

DELAWARE MUNICIPAL COURT JUDGES

Henry W. Wolf	01/01/54 - 04/01/55
John R. Anderson	04/02/55 - 08/15/58
Franklin Wright	08/16/58 - 12/31/59
Peter Vatsures	01/01/60 - 12/31/65
Thomas C. Clark	01/01/66 - 12/31/71
Nino Sferrella	01/01/72 - 12/31/77
William Taylor	01/01/78 - 12/31/83
Everett Krueger	01/01/84 - 12/31/93
Jeffrey Burkam	01/01/94 - 12/31/95
Michael Hoague	01/01/96 - 12/31/01
David P. Sunderman	01/01/02 - 12/31/13
David M. Gormley	01/02/08 - 01/01/14

MISSION STATEMENT

To fairly and properly administer justice throughout Delaware County and serve those persons who come before the Court in a courteous and professional manner. To assure that all persons coming before the Court are treated equitably. To provide a forum through which persons can have their disputes resolved.

AUTHORITY AND JURISDICTION

The Delaware Municipal Court was created by the Ohio General Assembly in 1952. The Court hears cases from throughout Delaware County, and it has the authority to hear the following kinds of cases:

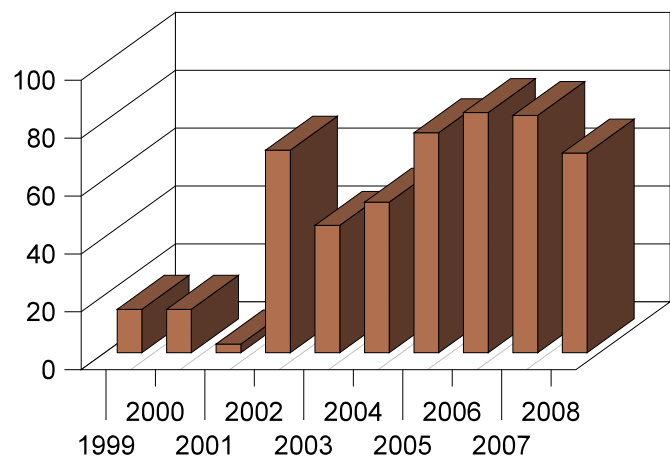
Felony Cases - Initial Appearance/Preliminary Hearings
Misdemeanor Cases - Through Final Determination
Traffic and Parking Violations
Civil Actions - Up to \$15,000.00
Small Claims Actions - Up to \$3,000.00
Administrative Appeals (BMV Cases)

The Judges preside over civil, criminal, and traffic cases and conduct jury and non-jury trials. In jury trials, the judges interpret the law and the jury determines the factual matters. In non-jury trials - by far the more common - the judges have the dual role of interpreting the law and determining the facts. The judges conduct criminal arraignments and preliminary hearings on felony cases; set bond on criminal charges; issue search warrants; and impose sentence when a defendant is found guilty of a traffic or criminal charge. The judges hear civil cases where the amount in controversy is \$15,000.00 or less. The judges perform civil wedding ceremonies.

SEARCH WARRANTS ISSUED

2008	69
2007	82
2006	83
2005	76
2004	52
2003	44
2002	70
2001	3
2000	15
1999	15

Search Warrants



2008
STATISTICS

JURY TRIALS	18
COURT TRIALS	214
OVI CASES (STATE/CITY/VILLAGE CODES)	897
MOTION HEARINGS	47
TOTAL NEW CASES FILED	22,052
TOTAL CASES RESOLVED	23,357

WEDDINGS

Judge Sunderman and Judge Gormley are authorized to conduct marriage ceremonies for residents of Delaware County. One of the parties must be a Delaware County resident. These ceremonies are performed on Fridays at 4:00 p.m. The parties must have their marriage license from the Delaware County Probate Court prior to the ceremony. In 2008, Judge Sunderman and Judge Gormley performed a total of 77 marriage ceremonies.

COURT PROGRAMS

SPECIALIZED MENTAL HEALTH DOCKET

Recognizing that the mentally ill offender poses special challenges to the criminal justice system, the Court has created the Mental Health Docket, a problem-solving program, offering intense supervision and treatment intended to protect the community by reducing recidivism and improving the quality of life for offenders with mental health disorders.

The Mental Health Docket is a program for individuals charged with misdemeanors who have been diagnosed with certain mental disorders that are amenable to treatment. Individuals must meet the following criteria to be admitted to the docket:

- a. The offender is charged with a misdemeanor that carries with it the possibility of a jail sentence and the charge is not an OVI charge;
- b. The offender may not have a pending felony;
- c. The offender understands and appreciates the consequences of the legal proceedings;
- d. The offender does not have current sex offender status;
- e. The offender has legal counsel;
- f. The offender is a resident of Delaware County;
- g. The offender has a primary mental health diagnosis of a DSM-IV, Axis I disorder, which was a factor in the behavior that resulted in the pending charge(s);
- h. The offender is appropriate for care available in the community and is receptive to behavioral health treatment; and
- i. The offender does not pose a risk of harm to the staff of the Court, the providers, or other agencies working with the Mental Health Docket.

The Docket Coordinator will screen defendants for eligibility for admission. If screening indicates the defendant is otherwise eligible and an appropriate candidate for admission to the docket, the Docket Coordinator will refer the defendant to an appropriate agency or mental health professional for mental health assessment. Upon receipt of the assessment and upon consideration of all applicable criteria and circumstances, the Docket Coordinator shall determine whether to recommend the defendant for admission to the docket.

Admission to the program is made only as a condition of community control.

CIVIL/SMALL CLAIMS MEDIATION PROGRAM

Except by leave of court for good cause shown, all civil matters filed in either the Small Claims or General divisions are referred to mediation.

The parties select a mediator from the court roster and inform the Court of their selection in writing. In the event that the parties fail to select a mediator in a timely manner, the Court assigns a mediator to the case from the Court's roster of approved mediators.

At the conclusion of mediation, the mediator files a report with the Court containing the following:

- a. Whether mediation occurred or was terminated
 - b. Whether a settlement was reached on all, some, or none of the issues
 - c. Attendance of the parties
 - d. Future mediation sessions, including date and time
2. If the parties reach a full or partial settlement, the mediator, parties, and counsel if applicable, immediately prepare and execute a written memorandum memorializing the agreement.

SMALL CLAIMS MEDIATION PROGRAM 2008

In 2008, the Delaware Municipal Court issued Local Rule 20A, requiring mediation in all civil cases filed in the court. In conjunction with the new rule mandating mediation, the Court established a free mediation program for parties in small claims actions.

The Court built its mandatory small claims program on an earlier established optional mediation program started in February, 2007. Under the optional program, parties were given the opportunity on the day of their small claims hearing to meet with a mediator at no cost. During the year and a half of the voluntary program, the volunteer mediator, Thomas Bailey, mediated 42 cases.

The court rule became effective in June, 2008. All small claims cases filed after mid July were set for mediation.

From August 1 to December 31, 2008, 187 cases were set for mediation. Eighty-five cases, or 45%, were disposed of by the magistrate on the assigned mediation day because of failure of one or both parties to appear. Another 41 cases, or 22%, were disposed of on or before the mediation day, including by dismissal or ability of the parties to work out a satisfactory settlement while waiting in the court hallway to see a mediator.

Sixty-one cases, or 33% of all cases on the small claims docket between August 1 and December 31, 2008, went to mediation on the scheduled mediation day. Parties in mediation were able to resolve the case and enter into an agreement in 40 of those cases, representing a 66% settlement rate. The remaining 21 cases went on to trial. The 40 cases that were resolved represent 21% of the overall caseload, a significant reduction in court time.

The Court has not formally surveyed participants as to client satisfaction, but informal anecdotal evidence abounds. The program coordinator has talked with exiting parties who express their thanks and appreciation. Even where the parties do not resolve their dispute in mediation, they too express appreciation of the process. As Thomas Bailey, who continues to donate his time to the project, notes, mediation allows parties with a dispute “to talk freely, safely, and respectfully.” He observes that “by allowing the parties to take control through the mediation process, they are often successful in resolving their own disputes and have greater long-term satisfaction with the outcome.”

Currently eight mediators volunteer on a rotating basis for the small claims program. The Court is presently in the planning stages of a program to recruit and train community volunteers to mediate small claims cases. To that end, the Court is working with Ken Davis at the Supreme Court of Ohio to arrange a community training session.

2008 MEDIATION SUMMARY						
DATE	CASES ON DOCKET	APPEARANCE BY ONE PARTY	APPEARANCE BY NO PARTY	OTHER DISPOSITION INCLUDING DISMISSAL DAY OF CASE	MEDIATED RESOLUTION	MEDIATION NO RESOLUTION
7-AUG	15	9	0	3	3	0
14-AUG	12	10	0	1	0	1
21-AUG	4	3	0	0	1	0
28-AUG	3	1	0	0	1	1
4-SEP	7	3	0	2	1	1
11-SEP	8	1	0	2	3	2
25-SEP	10	3	0	2	0	5
2-OCT	14	7	1	4	2	0
9-OCT	5	1	0	0	2	2
16-OCT	6	2	1	0	2	1
23-OCT	6	2	0	1	2	1
30-OCT	16	7	0	5	4	0
6-NOV	1	0	0	0	1	0
13-NOV	12	3	0	4	2	3
20-NOV	16	6	4	1	5	0
25-NOV	9	2	0	7	0	0
4-DEC	7	6	0	0	1	0
11-DEC	11	2	0	0	7	2
18-DEC	19	9	0	6	2	2
23-DEC	6	2	0	3	1	0
TOTALS	187	79	6	41	40	21
PERCENTAGE OF TOTAL CASES:		42%	3%	22%	21%	11%
PERCENTAGE OF TOTAL CASES THAT GO TO MEDIATION:					33%	
PERCENTAGE OF MEDIATED CASES THAT RESOLVE AT MEDIATION:					66%	

**FIRST-OFFENDER DIVERSION PROGRAM FOR
ALCOHOL-RELATED OFFENSES AND
CERTAIN DRUG-RELATED OFFENSES**

The Court's pre-trial diversion program is intended to provide a short period of supervision and education to those persons who (1) have been charged with any of several alcohol-related misdemeanor offenses or certain drug-related offenses that are minor misdemeanors or fourth-degree misdemeanors and (2) are willing to accept responsibility for their misconduct. The program is aimed at first-time offenders. Those who successfully complete the program will not have a criminal conviction on their records. The goal of the diversion program is to encourage first-time offenders to learn from their mistakes, and to discourage them from further misconduct in the community.

The program is open to first-time offenders (persons who have not already participated in the diversion program and who have not been convicted as an adult in this or other courts for any other criminal activity or any alcohol-related traffic offenses) whose pending charges are limited to any or all of the following: (1) misdemeanor violations of Chapter 4301 of the Revised Code (regulating the sale, possession, and consumption of alcohol) or comparable municipal ordinances, (2) minor misdemeanor violations of R.C. 2925.11(A) and 2925.11(C)(3)(a) (barring the possession or use of less than 100 grams or marijuana) or comparable municipal ordinances, or (3) fourth-degree misdemeanor violations of R.C. 2925.14(C)(1) (barring the use or possession of drug paraphernalia) or comparable municipal ordinances.

If the prosecutor (1) confirms that a defendant is eligible for the program and (2) recommends that the defendant participate in it, the Court will then ask the defendant if he or she wishes to participate in the program. Before making the recommendation, the prosecutor must consult any victim of the alleged crime(s) and must consider any victim's views. Admission to the program is not automatic, and the assigned judge retains the discretion to reject the proposed participation of any given defendant.

If the prosecutor recommends that the defendant participate in the diversion program, if the defendant wishes to do so, and if the assigned judge approves the defendant's participation, the defendant must—at an arraignment or a pretrial hearing—do all of the following:

1. Waive, in writing, his or her right to a trial and—if not represented by an attorney—the right to be represented by an attorney;
2. Agree, in writing, to pay a \$150.00 fee for supervision services associated with the diversion program as well as any other court costs for the case; and
3. Enter a guilty plea to the charge or charges.

When the defendant enters a guilty plea, the prosecutor will agree at the same time that the defendant may withdraw that plea in 90 days if the defendant completes all of the requirements of the diversion program.

The Court will then find the defendant guilty and will impose on the defendant an appropriate sentence for the charge or charges. Enforcement of that sentence will be

stayed for 90 days.

Within 90 days after entering the plea, the defendant must:

1. (A) Complete an alcohol-education or drug-education class, and (B) attend a treatment program for alcohol or drug dependency if directed to do so by the Court's probation department;
2. Complete 20 hours of community service under the direction of the Court's probation department;
3. Report to the probation department as scheduled, and notify the probation department about any address changes and any events that affect the participant's ability to complete the program;
4. Refrain from committing any other criminal offense or any drug-related or alcohol-related traffic offense while participating in the program;
5. Pay the \$150.00 supervision fee, pay the cost of the appropriate drug or alcohol class, pay the cost of any drug or alcohol assessment, pay the full amount of any restitution owed to any victims of the offense(s), and pay any court costs associated with the case.

Once the 90-day period following the defendant's guilty plea has expired, the Court will either (1) approve the defendant's request to withdraw the guilty plea and will dismiss the case against the defendant if the defendant has complied with the requirements of the program, or (2) enforce the previously suspended sentence if the defendant has not complied with the requirements of the program.

2008 COURT AND CLERK OFFICE TECHNOLOGY REPORT

In 2008, the court worked with the City to prepare for construction of additional space in the Justice Center, and installed the necessary computer equipment and wiring to record court proceedings. The Court and Clerk's networks were expanded to reach to the new courtroom, new office spaces, and to the Clerk's additional work space. We worked with the City's IT Department to carry out these objectives, and to extend the existing security system to the new courtroom.

As a part of the strategy to lower overall IT cost for court operations, it was decided that with the 2009 fiscal year, to (1) stop livestreaming courtroom proceedings to the public (2) share the City's Internet connection, thus discontinuing payment for the court's own T1 access to the Internet, and (3) work with the City to consolidate the hosting of the court/clerk website onto the same provider as that used by the City. The overall economic impact in 2009 will be in the thousands of dollars saved through lower overall operating cost.

The Court's website, www.municipalcourt.org, contains more than 3.6 million pieces of information, with about 554,000 full pages viewable during the year. The website averaged about 1,511 pages per day to an average of 718 visitors per day. The site recorded visits from nearly 73,000 unique visitors during the year, with a total number of visitors at about 264,000. Usage reports show that the court's website is used 24 hours per day, seven days per week. The information also demonstrates that many users of the Court's website are repeat visitors.

The Clerk of Court's office discontinued taking online ticket payments during the year. The change is not permanent, as the Clerk's office intends to modify versions of the record management software used. In addition, the upgraded software should give better utility to the public's use of court calendar information.

COURT TOURS

02-15-08	Olentangy Liberty High School Tour
07-16-08	Delaware Area Career Center High School Tour
10-22-08	Tyler Run 3 rd Grade Elementary
11-05-08	Wyandot Run 3 rd Grade Elementary
11-19-08	Olentangy Meadows 3 rd Grade Elementary

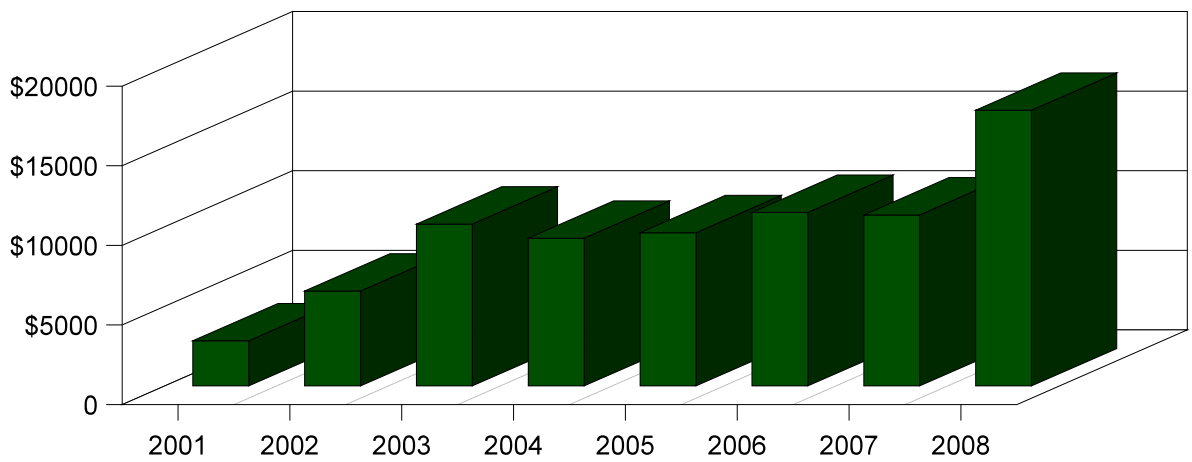
INTERPRETING SERVICES

Interpreters are used during courtroom proceedings and related court events, and for communication between clients and their legal representation. Interpreting services are on the rise due to the increase in population of Delaware County. Spanish interpretation consumes the majority of the budgeted dollar, but we have offenders from other nationalities of the world which gave us the opportunity to seek out highly qualified Arabic, Cambodian, Farsi, Korean, Lao, Mandarin, Russian, Somali, Urdu, and Vietnamese interpreters. One other interpretation need is of the American Sign Language for individuals that are hearing impaired. According to the U.S. Census Bureau 2005-2007 out of 142,848 total population 5 years old and over 2,427 spoke a language other than English. 83.6% were aged 18 to 64 and 33.7% were not a U.S. citizen.

Arabic	2
Cambodian	3
American Sign Language	8
Farsi	1
Korean	3
Lao	2
Mandarin	1
Russian	2
Somali	3
Spanish	248
Urdu	1
Vietnamese	3

<u>Actual Fees Paid From Interpreting Fund:</u>	<u>Amount Spent:</u>	<u>Amount Budgeted:</u>
2001	\$ 2,836.00	\$ 4,500.00
2002	\$ 5,961.25	\$ 3,500.00
2003	\$ 10,167.50	\$ 8,000.00
2004	\$ 9,270.00	\$12,000.00
2005	\$ 9,623.46	\$12,000.00
2006	\$10,898.80	\$12,000.00
2007	\$10,739.15	\$15,000.00
2008	\$17,314.42	\$18,000.00

Fees Paid For Interpreting Services



OFFICE OF COMMUNITY CONTROL

LIST OF ABBREVIATIONS AND DEFINITIONS

1. **CWP** Community Work Program, “Community Service” served at the direction of the Court and supervised by the Office of Community Control. Community service may be used in lieu of a jail sentence or payment of fines and court costs.
2. **EMHA** Electronic Monitored House Arrest. Used in lieu of actual jail time. The Defendant is electronically and personally monitored by the Office of Community Control for compliance with requirements set forth by the Court.
3. **IS** Intensive Supervision. High level of monitoring.
4. **NCR** Non-Classified Referral. Defendants referred to the Office of Community Control for the enforcement of court orders without an order of community control.
5. **C.C.O.** Community Control Officer. An officer of the Court with the statutory authority to execute the orders of the Court regarding community control matters.
6. **C.C.V.** Community Control Violation. A violation of the terms/conditions of community control or the orders of the Court.
7. **B.W.** Bench Warrant. A warrant issued by the Court for failure to comply with a court order and/or a violation of community control.
8. **Rest.** Restitution. An order by the Court to re-pay or restore to whole, a victim in a criminal or traffic case.
9. **Exp.** Expungement. An order to seal a court record.
10. **P.S.I.** Pre-Sentence Investigation. An investigation ordered by the Court prior to rendering a sentence.
11. **P.N.C.** Pending-No-Conviction. Execution of any suspended sentence is pending provided the Defendant in the case has no subsequent violations of law.
12. **D.I.P.** Driver Intervention Program. An Alcohol Education Program used in conjunction with any jail sentence imposed by the Court.
13. **Caseload** The number of individual cases being supervised by a community control officer. This would include: EMHA, DIP, Restitution, CWP, Intensive Supervision/Basic/Monitored Time Community Control, etc. A single defendant could be on basic community control and completing EMHA, this would be two (2) separate cases.
14. **PTD** Pre-Trial Alcohol and Drug Diversion Program.

OFFICE OF COMMUNITY CONTROL

The Community Control Officer's primary goal is to safely and efficiently supervise offenders placed on community control and enforce other Court orders as directed. The Office of Community Control provides supervision of offenders at various levels of intensity as ordered by the Court or as otherwise deemed appropriate for the offender and the safety of the community. The community control officer's challenge is to see that the offender participates in all required treatment/education programs, refrains from criminal behavior, and addresses all orders of the Court in a responsible and conscientious manner. Community control protects the community, and also gives the offender the opportunity of correcting behavior that is harmful to society.

Other sanctions implemented and supervised by the Office of Community Control are: community work program, electronically monitored house arrest, ignition interlock, multiple offender DUI program, pre-sentence investigations, expungement investigations, restitution, SCRAM, and referral to community based mental health, alcohol/drug services, and other social service delivery systems as needed and/or as ordered.

The Community Work Program (CWP) is available to the Court as a sentencing option - as part of the sentence, as a condition of fines and/or jail time being suspended, or as a way of satisfying the payment of fines rather than sitting it out in jail. All community work program participants sign a contract for the performance of the community service. The contract specifies the number of hours needed, the placement site, and a time certain by which the service must be completed. All community service must be performed for a non-profit organization or for a governmental subdivision, and the participant cannot be compensated in any way for the service performed. The offender may now satisfy their court costs, if the Court permits, at the rate of \$7.30 per hour in the CWP.

The Court may order a Defendant to serve a period of his or her sentence via Electronic Monitored House Arrest (EMHA). This period of EMHA may be imposed in addition to or in lieu of jail time ordered. The Community Control Officer explains the terms and conditions of the EMHA Program and the cost for the service to the Defendant and they must sign a judgment entry specifying those terms. The Defendant will contact the service provider and make financial arrangements with the company. The Defendant will then schedule an office appointment for installation of the EMHA device.

Ignition interlock is essentially a Breathalyzer attached to the ignition of a motor vehicle, and is designed to prevent an alcohol impaired person from starting and driving a motor vehicle. The Court may order an ignition interlock as a condition for obtaining restricted driving privileges.

The Office of Community Control is responsible for completing a Pre-Sentence Investigation (PSI) report if the Court orders the report prior to a Defendant's sentencing hearing. This report includes the Defendant's prior criminal record, interviews with law enforcement, the Defendant, and the victim along with a sentencing recommendation. All of this information assists the Judge in determining an appropriate sentence.

An applicant may file a motion with the Court requesting to Seal or Expunge the Record of Conviction. The Court directs the Office of Community Control to make inquiries

about the applicant and prepare a written report informing the Court whether or not the applicant meets the statutory requirements for granting the motion to seal or expunge their record of conviction.

If the Court orders a Defendant to make restitution, the Office of Community Control will make arrangements for payment of the restitution with the Defendant and will keep a record of all restitution payments made.

If the Court determines that a Defendant is, or is in danger of becoming, a drug dependent person, an alcoholic, or suffering from acute alcohol intoxication, the Court may order a Defendant to serve a portion of his or her sentence in an appropriate treatment program or facility. It is the responsibility of the Office of Community Control to monitor the Defendant's compliance with the prescribed treatment plan.

MULTIPLE OFFENDER DUI PROGRAM

The Delaware Municipal Court presides over numerous alcohol and drug related offenses every year. The Multiple Offender DUI Program, which began in January, 2003, was originally designed to provide an educational opportunity to persons who have multiple convictions for OVI.

In 2005 the program was modified to include first time OVI offenders as well. The goal is to deter OVI offenders from re-offending by providing dramatic testimony from victims of the tragic consequences of drinking and driving.

In 2008 the program was modified once again to include specific alcohol and drug related offenses. The new program addresses the general use of alcohol or drugs and the legal consequences. The emphasis is on abstinence.

On April 16, 2008 the Delaware Municipal Court, Office of Community Control, partnered with the Delaware County Victims Advocacy Group to present the MOD Program to 356 offenders and their guests. The program was held at the Ohio Wesleyan University, Gray Chapel, in recognition of Victim's Rights Week. The Master of Ceremonies was Judge Kenneth J. Spicer of the Delaware County Juvenile/Probate Court. The guest speakers were Donald Owens and Jim Moore. Both families lost their sons in tragic alcohol related incidents.

This year all attendees brought canned food items which were donated to People in Need of Delaware County, Ohio.

COMMUNITY SERVICE WORK PROGRAM

Offenders are referred to the Office of Community Control to perform community service as part of their sentence or to satisfy a financial sanction imposed by the Court. When a Defendant is working to satisfy a financial sanction they will receive credit at a rate of \$8.00 per hour for fines. Offenders sentenced to or referred to the community work program must perform a requisite number of hours at a non-profit organization, charitable organization, or a governmental subdivision. Offenders may not receive any form of compensation for the community service (financial, goods, or services). A listing of community work sites and program guidelines are available for review in the Community

Control Office.

Information for the community service work program for 2008 is as follows:

1.	Total number of defendants referred in 2008	604
2.	Defendants referred as part of sentence	473
3.	Defendants referred to satisfy financial sanction	131
4.	Hours of service performed on sentence	4,453
5.	Hours of service performed in lieu of fines	12,076
6.	Dollar value on sentence	\$96,608.00
7.	Dollar value in lieu of fines	\$57,806.00
8.	Total dollar value	\$154,414.00

FIVE-YEAR COMPARISON

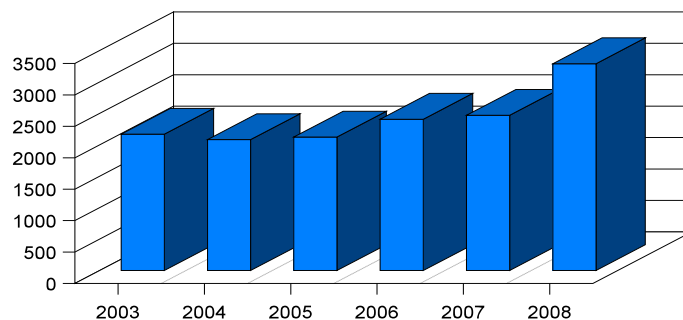
	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
CWP hours assigned	15,931	22,756	16,656	17,299	12,998
Value of Hours	\$127,448	\$182,050	\$133,246	\$138,392	\$103,982

NEW REFERRALS FOR 2008

This information shows the number of new Defendants referred to the Office of Community Control by case type during the month. Some defendant referrals may be included in more than one category.

MONTH	EMHA	COMMUNITY CONTROL	REST	I.S.	CWP	DIP	PD FEES	PTD	PT SUPV	TOTALS
January	5	138	17	-	20	46	12		5	224
February	12	106	11	-	15	24	17		12	197
March	6	95	17	-	9	31	8		24	190
April	9	120	11	3	35	47	19		16	260
May	3	111	10	2	40	35	14		22	237
June	6	94	14	4	46	25	11	15	14	229
July	5	265	27	23	95	33	32	47	19	546
August	4	87	13	4	50	30	28	25	14	255
September	12	115	15	1	80	30	20	30	20	323
October	5	75	10	2	77	33	19	24	15	260
November	6	75	8	3	63	17	22	31	16	241
December	7	112	9	5	74	34	29	25	15	310
Totals	80	1,393	162	47	604	385	231	197	193	3,292
<u>Prior Year Comparison</u>										
2007	79	1,231	106	55	229	410	225		136	2,471
2006	59	1,216	107	66	224	369	250		117	2,408
2005	63	1,162	103	40	234	338	184		0	2,124
2004	89	1,221	111	56	285	321	0		0	2,083
2003	117	1,332	95	4	272	350	0		0	2,170

New Referrals



2008 MONTHLY CASELOAD/PROBATIONERS BY OFFICER

This information includes the individual officer's monthly caseload and the total monthly caseload for the Office of Community Control. The annual totals for each officer is computed for comparative purposes.

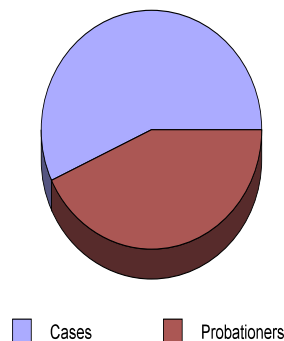
MONTH	Burden	Hardman	Keller	Titus	White	Totals
January	670/425	640/420	340/241	547/360	370/252	2,567/1,698
February	638/387	644/430	321/227	532/349	416/274	2,551/1,667
March	601/393	666/447	285/228	559/370	404/283	2,518/1,721
April	431/289	663/440	316/242	599/390	457/306	2,466/1,667
May	446/302	693/456	313/239	635/419	477/329	2,564/1,745
June	418/286	675/461	321/248	638/420	544/365	2,596/1,780
July		906/592	451/348	798/528	569/391	2,724/1,859
August		929/608	472/363	846/556	562/486	2,809/2,013
September		996/650	493/379	918/589	706/532	3,113/2,150
October	* 70/41	957/636	497/382	943/653	709/533	3,176/2,245
November	* 125/71	957/630	474/379	843/625	748/560	3,147/2,265
December	* 131/122	963/649	490/388	999/650	771/578	3,354/2,387

* Roudebush, new Community Control Officer

Caseload The number of individual cases being supervised by a Community Control Officer. This would include: EMHA, DIP, Restitution, CWP, Intensive/Basic/Monitored Time Community Control, etc. A single probationer could be on basic community control and completing EMHA, this would be two (2) separate cases.

Defendant A probationer placed on Community Control by the Court to be supervised and monitored by a Community Control Officer.

Cases Supervised vs. Probationers



MONTHLY RELEASES PER OFFICER 2008

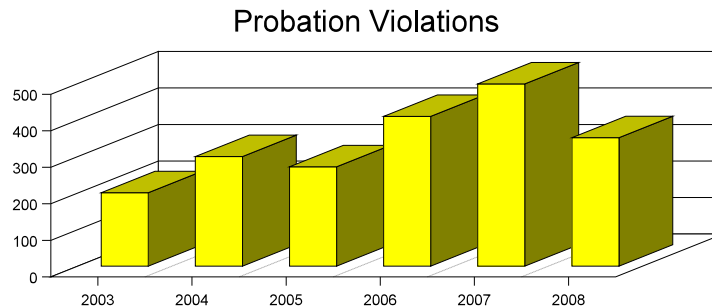
This information shows the number of probationers released and the number of probation violations during the month. The most common form of probation release is; upon successful conclusion of the assigned time period of supervision, the probationer has completed and complied with all court orders, and all terms of community control. Early release may be granted upon satisfactory progress and rehabilitation when warranted. If a probation violation occurs during the probationary period, the term of community control may be terminated by a judicial official.

MONTH	Burden	P.V.s	Hardman	P.V.s	Keller	P.V.s	Titus	P.V.s	White	P.V.s
January	42	30	78	15	27	0	18	3	31	1
February	79	8	61	10	30	3	56	1	28	0
March	58	0	29	5	40	4	26	4	50	1
April	0	0	93	15	43	3	18	1	42	3
May	43	7	35	10	19	0	31	0	43	2
June	44	10	86	16	25	2	58	2	22	1
July	0	0	41	17	10	5	9	1	15	1
August	0	0	73	12	24	5	21	2	31	3
September	0	0	58	15	22	9	0	2	22	0
October	* 1	* 0	107	11	37	11	50	4	67	1
November	* 2	* 0	83	16	20	3	38	4	20	1
December	* 7	* 0	75	21	49	8	36	1	33	2
Total	276	55	819	163	346	53	361	25	404	16

* Roudebush, new Community Control Officer

TOTAL COMMUNITY CONTROL VIOLATIONS FIVE-YEAR COMPARISON

<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
201	300	272	410	499	352



PROBATIONER CONTACTS 2008

This information shows the monthly contacts each Community Control Officer had with probationers. These contacts include; office visits, home visits, jail visits, and telephone calls. Each contact is documented in the probationer's record.

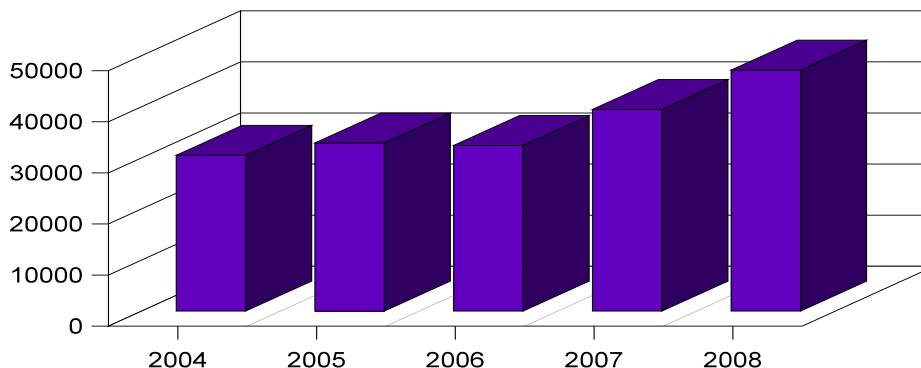
MONTH	Burden	Hardman	Keller	Titus	White	Mattox	Totals
January	841	750	494	547	370	568	3,570
February	656	750	498	730	800	607	4,041
March	0	740	538	500	404	831	3,013
April	0	750	593	700	911	987	3,941
May	771	765	184	950	890	**236	3,796
June	905	755	522	1,000	825	**219	4,226
July	0	850	644	850	560	321	3,225
August	0	860	560	1,050	900	411	3,781
September	0	880	394	2,000	900	452	4,626
October	* 70	850	766	1,075	915	592	4,268
November	* 85	870	329	843	900	642	3,669
December	* 175	850	675	1,990	850	502	5,042
Totals	3,503	9,670	6,197	12,235	9,225	6,368	47,198

* Roudebush, new Community Control Officer

** Bauder, Part-time Administrative Assistant

	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Four-year comparison:	30,507	32,916	32,447	39,491	47,198

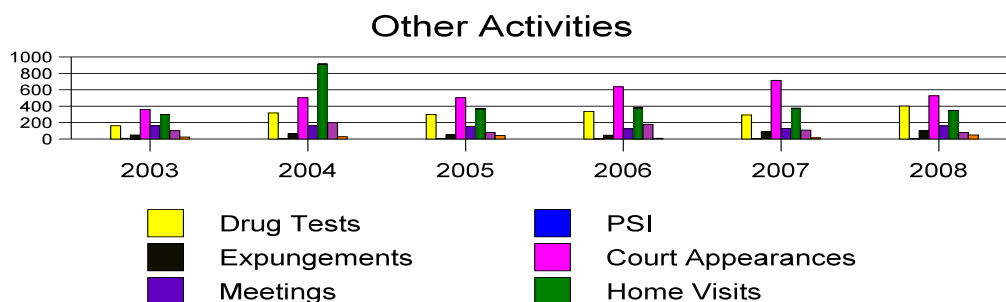
Probationer Contacts



OTHER ACTIVITIES 2008

Other activities involving Office of Community Control personnel include; drug testing of defendants, conducting pre-sentence investigations, conducting inquiries for expungement requests, personal appearances in court, attendance at various meetings, conducting home visits with probationers, assisting the court bailiffs on an “as needed basis”, and training opportunities. The numbers identified in this category are self-explanatory.

MONTH	DRUG TESTS	PSI	EXPUNGEMENT	COURT APPEARANCES	MEETINGS	HOME VISITS	ASSIST BAILIFFS/HRS	TRAINING
January	30	0	11	51	22	0	6/6.5	0
February	41	0	7	43	21	52	10/16.5	0
March	31	1	6	42	11	68	0	6
April	31	0	9	40	12	42	9/17	4
May	39	1	6	32	6	20	0	1
June	33	0	10	46	12	0	0	0
July	27	0	9	31	17	12	5/12	7
August	34	0	5	33	15	0	5/5	7
September	39	0	10	37	15	21	12/12.5	3
October	36	0	14	64	15	102	5/5	4
November	35	2	4	43	6	0	4/4.5	10
December	25	0	7	65	8	30	23/39.5	7
Total	401	4	98	527	160	347	79/118.5	49
Prior Year Comparison								
2007	293	4	88	715	128	374	108/126	14
2006	336	3	46	637	124	378	179/281	9
2005	299	6	50	503	151	366	79/124	43
2004	318	7	67	504	162	914	199	27
2003	162	9	49	361	162	299	102	24



EMHA DATA 2008

Probationers sentenced to the Electronic Monitored House Arrest Program pay a daily fee of \$12.00 to the EMHA provider. During 2008, probationers paid a total of \$32,976.00 for that service. The daily cost of incarceration in the local jail facility is \$60.00 per day. The cost savings of EMHA versus jail was \$131,904.00 for 2008.

AGENCY	TOTAL DEFENDANTS	TOTAL DAYS	AVERAGE DAYS	COSTS PAID BY DEFENDANT	JAIL COSTS
Alum Creek State Park	1	18	18	\$216.00	\$1,080.00
Ashley Police Department	0	0	0	\$0.00	\$0.00
Delaware Municipal Court	0	0	0	\$0.00	\$0.00
Delaware County Sheriff	25	864	35	\$10,368.00	\$51,840.00
Delaware State Park	0	0	0	\$0.00	\$0.00
Delaware Police Department	17	612	36	\$7,344.00	\$36,720.00
Genoa Twp Police Department	9	380	42	\$4,560.00	\$22,800.00
Ohio State Highway Patrol	11	437	40	\$5,244.00	\$26,220.00
Powell Police Department	7	218	31	\$2,616.00	\$13,080.00
Prosecutor (City)	0	0	0	\$0.00	\$0.00
Dublin Police Department	0	0	0	\$0.00	\$0.00
Shawnee Hills Police Department	0	0	0	\$0.00	\$0.00
Sunbury Police Department	3	40	13	\$480.00	\$2,400.00
Westerville Police Department	7	179	26	\$2,148.00	\$10,740.00
Totals	80	2,748	241	\$32,976.00	\$164,880.00

\$12.00/day paid by the Defendant for Electronic Monitored House Arrest (EMHA)
\$60.00/day for jail costs
Savings of \$131,904.00

ADDITIONAL ACTIVITIES

PUBLIC DEFENDER FEES, RECORD CHECKS FOR APA, AND PRE-TRIAL DIVERSION PROGRAM

2008

Among the other responsibilities of the Office of Community Control, community control officers monitor the reimbursement of public defender fees to the Delaware County Auditor's Office and assist officers of the Ohio Adult Parole Authority in conducting pre-sentence background record checks.

During 2008, the Office of Community Control assisted in recovering a total of \$44,532.34 in public defender fees and conducted 436 pre-sentence background record checks for the Ohio Adult Parole Authority and other agencies.

SCRAM

When House Bill 163 took effect in September, 2004, it gave another sentencing option to the Court. Secure Continuous Remote Alcohol Monitor or **SCRAM** allows offenders to be monitored for alcohol usage 24/7 and provides the Office of Community Control with another tool to assist in monitoring persons under their supervision.

During 2008 the Court placed a total of 131 persons on SCRAM.

PRE-TRIAL DIVERSION PROGRAM

In June, 2008, the Court initiated a bold, new program targeting underage consumption offenders and offenders of specific drug related offenses. Each offender must sign an agreement to comply with the requirements of the diversion program and must meet specific criteria to be allowed to enter the program. The offender enters a plea of guilty to the charge, acknowledges they have not previously participated in the diversion program, and they have not been convicted of any crime or any alcohol/drug related offenses in this court or any other court. The offender agrees to actively participate in an alcohol/drug education program as directed by the Office of Community Control, complete twenty hours of community service, pay all costs associated with the program, not commit any further criminal offenses while participating in the program, and report to the Office of Community Control as required. If the offender successfully completes all the requirements of the diversion program the conviction is vacated and the case dismissed. If the offender fails to complete the program stricter penalties and additional costs may be imposed.

SECURITY DIVISION

MISSION STATEMENT

The Security Division is a unit of the court and consists of highly trained professionals. The functions of the Security Division are:

- To ensure the safety of and provide the highest quality service to the citizens of Delaware County and those who use the Court;
- To provide security for the Court Facility; and,
- To execute all legal process, criminal and civil, issued by the Court.

GOALS & OBJECTIVES

- * Maintain compliance with the Court Security Standards of the Supreme Court of Ohio.

Objectives:

- Document all incidents involving the court and/or court personnel.
 - Publish written directives whose foundation is based on laws, standards, and Rules of Superintendence.
 - Provide prompt and effective service of all legal process and their immediate return to the court.
- * Maintain a high level of performance through training.
 - * Improve the efficiency and effectiveness of the courts security system.

COURT SECURITY INFORMATION

The Delaware Municipal Court adjudicates cases, penalizes those found guilty of violating the law and protects the constitutional rights of those brought before it. Violence or the threat of violence, in the court would have a profound negative impact on the court's ability to function. Therefore, appropriate levels of security should prevail in the court to protect the integrity of court procedures, to protect the rights of individuals before it, to deter those who would take violent action against the court litigants, and to sustain the proper decorum and dignity of the court.

You will both experience these security measures upon arrival, as well as be the benefactor of these measures during your stay at the court. Upon arrival, you will be required to pass through the security control point located at the front door. This control point is equipped much like a security control point found at airports. You will be required

to pass your purse, briefcase, or anything else you may be carrying, through the x-ray machine. You will also be required to place any metal objects in the trays provided and then pass through the magnetometer. If you are carrying anything which can be construed as a weapon, such as a penknife, box cutter, knitting needles, scissors, ice pick, and so on, you can take it back to your vehicle or leave it with the security officer and pick the item up when you leave the court. If you are found to be carrying a weapon which it is illegal to carry or possess by law, it will be confiscated and you may be arrested.

If you continue to set off the magnetometer after all items are removed, the security officer will pass a handwand around your person to determine what is continuing to set off the alarm. If the x-ray machine indicates there is anything suspicious in an item sent through it, the security officer will open the item to examine its contents.

The security standards and measures employed by the court are designed to intercept and remove individuals and items that may represent a threat to the peace, order, and dignity of the court. They are designed to provide appropriate protection for all those using the court facility and the judicial process while allowing the court to remain accessible to the community.

SECURITY DIVISION STATISTICS

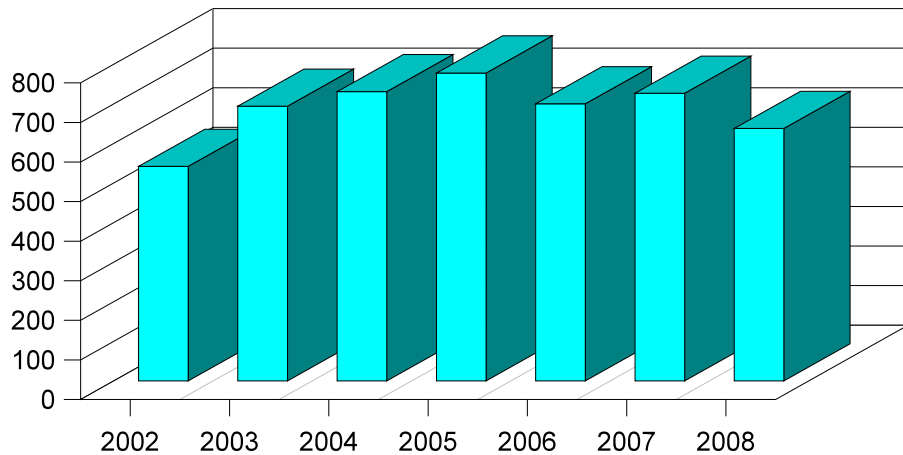
INCIDENT	2002	2003	2004	2005	2006	2007	2008
THREATS AND ETC.	2	3	4	2	4	3	2
WARRANTS	5	20	57	77	116	129	117
ILL/SICK/INJURY	3	4	0	2	3	1	0
ALL KNIVES *	1,112	923	737	671	613	606	546
MACE *	43	35	38	33	29	25	31
SCREWDRIVERS *	20	14	11	10	21	12	8
MULTI TOOLS *	118	73	74	63	49	45	46
SCISSORS *	50	28	27	30	30	32	29
ALL GUNS/AMMUNITION *	5	7	7	4	9	3	11
PLIERS *	6	10	4	1	3	2	1
CHAINS *	32	11	11	4	11	2	9
MISCELLANEOUS *	98	43	63	38	45	68	58
DRUGS	0	2	0	0	0	1	0
JURY TRIALS	26	19	24	19	28	26	
SEARCH WARRANTS	70	44	52	76	83	82	69
TRIAL TO COURT - COURTROOM A	29	50	31	20	17	13	34
TRIAL TO COURT - COURTROOM B	202	166	125	131	105	133	45
TRIAL TO COURT - COURTROOM C CIVIL	109	77	87	77	83	50	38
MOTION HEARINGS	69	48	66	43	88	72	47
TVA - COURTROOM A	393	345	217	224	108	75	656
TVA - COURTROOM B	881	921	1,093	1,116	1,488	1,467	823
PRISONERS FROM SHERIFF'S OFFICE	293	269	335	302	309	346	208
PRISONERS FROM COURT	122	143	157	114	183	154	91
COPIED TAPES	38	39	36	27	24	26	10
COPIED DVD	10	32	48	62	91	167	125

*ITEMS TAKEN AT THE SECURITY CHECK POINT. THESE ITEMS WERE RETURNED TO THEIR OWNERS WITHOUT BEING RETURNED TO THE WRONG OWNER. THE ONLY ITEMS NOT RETURNED WERE TURNED OVER TO THE DELAWARE POLICE DEPARTMENT FOR INVESTIGATION.

BAILIFF SERVICE AND OTHER DUTIES

	2002	2003	2004	2005	2006	2007	2008
Writ of Summons	3	0	0	5	0	0	1
Contempt Summons	14	24	13	6	8	6	3
Summons Small Claims	5	4	8	18	28	16	13
Summons Criminal	2	0	1	0	0	0	0
Writ of Restitution	0	2	0	0	1	1	1
Set Outs	31	55	43	58	55	73	56
Judgment Debtor Exam	31	54	51	52	42	40	31
Subpoena	9	0	0	0	0	2	0
Garnishment of Wage	0	0	0	1	0	1	0
Garnishment	0	0	0	0	0	0	0
Bank Attachment	0	3	3	0	0	0	0
Writ of Replevin	0	0	0	1	1	1	0
Writ of Execution	5	4	1	7	5	8	7
FED's	442	548	611	630	560	579	526
TOTAL	542	694	731	778	700	727	638

Bailiff Duties beyond Courtroom



TRAINING AND SEMINARS

Judge David P. Sunderman, Judge David M. Gormley,
Magistrate Kevin Pelanda, and Court Staff

Each year, judicial officials are required by statute to acquire specific amounts of hours of Continuing Legal Education obtained through seminars, meetings, and conferences.

***Judge David P. Sunderman:**

Member of the American Judges Association, Columbus Bar Association, Delaware County Bar Association, Ohio Judicial Conference (Court Administration Committee), and Ohio State Bar Association. Judge Sunderman is also a member of the Ohio Supreme Court Commission on Professionalism and the Judicial Conduct Task Force Committee.

***Judge Sunderman's training, conference, and seminar attendance.**

- ⇒ Association of Municipal Judges - Winter Conference - February, 2008
- ⇒ Association of Municipal Judges - Summer Conference - July, 2008
- ⇒ Association of Municipal Judges presenter - July, 2008
- ⇒ Ohio Courts Network training - Supreme Court of Ohio - August, 2008
- ⇒ Westlaw Seminar - August, 2008
- ⇒ Specialized Mental Health Docket Conference - Supreme Court of Ohio - November, 2008
- ⇒ Judges & Journalists Workshop - Office of Public Information - Ohio Supreme Court - December, 2008

***Judge David M. Gormley:**

Judge David Gormley, who took office in January 2008, completed the Supreme Court's two-week new-judge orientation course in March, 2008. Judge Gormley also attended a one-week course entitled "Sentencing Motor Vehicle Law Offenders" at the National Judicial College in August 2008, and he attended the February 2008 and July 2008 meetings of the Ohio Association of Municipal Judges, where he received an additional 21 hours of legal training. He also attended courses hosted by the Ohio Judicial College in 2008, including a course on evidence and a court on the relationship between judges and journalists. In all, Judge Gormley spend 87.5 hours in continuing-education classes during 2008. The Supreme Court of Ohio requires Ohio judges to attend 40 hours of course work every two years.

During 2008, Judge Gormley served on the Character and Fitness Committee of the Delaware County Bar Association, the Public Confidence and Community Outreach Committee of the Ohio Judicial Conference, and the Ohio State Bar Association's

Judicially-Led Pro Bono Committee for the Fifth District.

Judge Gormley is a member of the Delaware County Bar Association, the Ohio State Bar Association, the Federal Bar Association, the Ohio Association of Municipal Judges, and the Ohio Judicial Conference.

*Judge Gormley's training, conference, and seminar attendance.

- ⇒ Association of Municipal Judges - Winter Conference - February, 2008
- ⇒ New Judges Orientation, Part II - March, 2008
- ⇒ Association of Municipal Judges - Summer Conference - July, 2008
- ⇒ National Judicial College - Sentencing Motor Vehicle Law Offenses - August, 2008
- ⇒ Westlaw I Seminar - August, 2008
- ⇒ Evidence by the Numbers: Part II - Ohio Judicial College - November, 2008

*Magistrate Kevin L. Pelanda's training, conference, and seminar attendance:

- ⇒ Member of Delaware County Bar Association, Ohio Association of Magistrates, and Ohio State Bar Association.
- ⇒ Ohio Association of Magistrates - Spring Conference - May, 2008
- ⇒ Improving the Courts for Everyone - Ohio Judicial College - May, 2008
- ⇒ Debtor-Creditor Issues in Municipal Courts - Ohio Judicial College - June, 2008
- ⇒ Westlaw Seminar - August, 2008
- ⇒ Evidence by the Numbers: Part II - Ohio Judicial College - November, 2008

*The Acting Judge and Magistrate who sit on the bench during the judges' or magistrate's conferences, seminars, illness, or vacation attended the following:

- ⇒ Acting Judge - Criminal Procedure: Basics beyond Traffic - March, 2008
- ⇒ Acting Judge - Traffic Law for Acting Judges and Magistrates - September, 2008
- ⇒ Acting Magistrate - Traffic Law for Acting Judges and Magistrates - September, 2008

*The Administrative Assistant/Jury Commissioner attended the following:

- ⇒ Public Records Training - Auditor of State - March, 2008
- ⇒ Jury Management Conference - April, 2008
- ⇒ Conflict Resolution - April, 2008
- ⇒ Supreme Court Statistical Reporting - May, 2008
- ⇒ Preventing Identity Theft and Financial Disaster Preparation - May, 2008
- ⇒ Coaching for Improved Work Performance - July, 2008
- ⇒ Fleet Management Training - August, 2008
- ⇒ Ohio Courts Network Training - Supreme Court of Ohio - August, 2008
- ⇒ Customer Service Training - October, 2008
- ⇒ Westlaw Seminar - August, 2008
- ⇒ Technology Processes, Issues & Services - October, 2008
- ⇒ Managerial Courage and Leadership Resiliency - November, 2008

*The Permanent-Part-time Administrative Assistant attended the following:

- ⇒ ODADAS Webinar - Indigent Driver's Treatment (IDAT) Funds" - September, 2008
- ⇒ Customer Service Training - October, 2008
- ⇒ Delaware County Domestic Violence Response Team update meeting - December, 2008

*The Administrative Assistant attended the following:

- ⇒ Customer Service Training - October, 2008

*The Assignment Administrator attended the following:

- ⇒ Customer Service Training - October, 2008

*The Bailiff/Security Officers attended the following:

- ⇒ Qualified with their firearms - November, 2008
- ⇒ Customer Service Training - December, 2008

*The Office of Community Control training is as follows:

<u>DATE</u>	<u>COURSE</u>	<u>OFFICER</u>
3/13 - 3/14/08	Advanced Mental Health Training	S. Hardman S. Titus
3/26/08	Supervisor I	M. Keller
3/27/08	UPT - new equipment, cell phone	S. Titus
4/09/08	CMI User Group	C. Mattox
4/9/08	Security Awareness Teleconference	C. Mattox
4/15/08	Defensive Driver Training	M. Keller S. Hardman
4/16/08	Conflict Resolution	M. Keller
4/29/08	LEADS TAC Training	M. Keller
5/8/08	Media Relations	M. Keller
7/16/08	Supervisor II	M. Keller
7/23/08	Probation Officer Safety Training	S. Hardman S. Titus
7/29/08	Fax Training	M. Keller S. Hardman E. White
8/5/08	Ohio Court Network Training	S. Hardman S. Titus
8/9/08	Ohio Court Network Training	C. Mattox
8/15/08	Ohio Court Network Training	M. Keller E. White
8/20/08	Fleet Management Training	M. Keller
8/27/08	Supervisor III	M. Keller
9/10 - 9/11/08	OPOTA Sentencing, LEADS, BCI&I, PSI	B. Roudebush
9/22 - 9/26/08	OPOTA Firearms Qualification	B. Roudebush
9/24/08	IDAT/IDAM Webinar	S. Hardman
9/25/08	Understanding substance abuse disorders	S. Titus
10/13/08	Ex Offenders Program (Andrews Hs)	C. Mattox
10/15 - 10/16/08	OPOTA Search and Seizure	B. Roudebush

10/20/08	CMI Training User Group Meeting	S. Hardman
10/23/08	Customer Service Training	M. Keller
11/3 - 11/7/08	OPOTA Defensive Tactics	B. Roudebush
11/11/08	CMI Training	M. Keller
11/12/08	Legal Aide Society	C. Mattox
11/15/08	Firearms Qualification	M. Keller S. Hardman S. Titus E. White
12/1/08	Customer Service Training	S. Hardman
12/3 - 12/4/08	OPOTA Substance Abuse, DV, Sex Offenders	B. Roudebush
12/09/08	Customer Service Training	C. Mattox
12/10/08	Ex Offenders Program	C. Mattox
12/11/08	Customer Service Training	S. Titus

CLERK OF COURT

DELAWARE MUNICIPAL CLERK OF COURT OFFICE

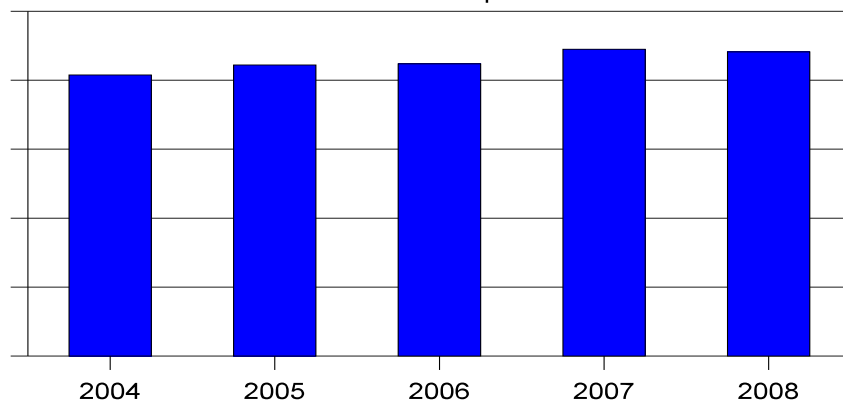
CASE ACTIVITY

CASE LOAD ACTIVITY SUMMARY
Five Year Comparison

Year	2004	2005	2006	2007	2008	2007/2008 % Increase
Cases Pending Start of the Year	1,739	1,689	2,390	2,404	2,618	8.90%
New Cases Filed	20,381	21,105	21,191	22,246	22,052	-0.87%
Felony	244	269	310	289	358	23.88%
Criminal Misdemeanor	2,565	2,528	2,760	2,830	3,005	6.18%
OVI	660	670	740	804	704	-12.44%
Other Traffic	14,464	14,893	14,724	15,308	14,606	-4.59%
Civil	2,013	2,308	2,207	2,552	2,835	11.09%
Small Claims	435	437	450	463	544	17.49%
Old Cases Reactivated	1,299	1,101	1,080	1,277	1,349	5.64%
Total Cases Open During Year	23,419	23,895	24,661	25,927	26,019	0.35%
Terminations by Court Trial	189	204	187	196	217	10.71%
Terminations by Jury Trial	24	18	28	26	18	-30.77%
Terminations by Waiver	12,086	12,609	12,348	12,773	11,489	-10.05%
Terminations by Other Means	9,431	8,674	9,694	10,314	11,633	12.79%
Total Terminations	21,730	21,505	22,257	23,309	23,357	0.21%
Cases Pending End of the Year	1,689	2,390	2,404	2,618	2,662	1.68%

NEW CASES FILED

Five Year Comparison



FILINGS PER AGENCY
Criminal Division
2008

Agency Breakdown	Felony	Criminal	OVI	Traffic	*Other	Total Filings	% of Total Filings
Attorney General's Office	0	1	0	0	0	1	0.01%
Alum Creek State Park	5	245	8	260	1	519	2.76%
Ashley Police Department	1	20	7	38	0	66	0.35%
BCII	0	0	0	0	1	1	0.01%
BMVI	0	1	0	0	0	1	0.01%
Columbus Police Department	5	2	0	0	4	11	0.06%
Delaware County Dog Warden	0	12	0	0	0	12	0.06%
Delaware City Prosecutor	0	0	0	0	1	1	0.01%
Delaware City Police	77	1,195	138	3,221	47	4,678	24.87%
Delaware County Prosecutor	2	13	0	1	0	16	0.08%
Delaware County Sheriff	164	800	156	1,937	20	3,077	16.36%
Delaware State Park	0	4	0	4	0	8	0.04%
Dublin Police Department	0	2	1	0	2	5	0.03%
Delaware County Task Force	14	1	0	0	15	30	0.16%
Galena Police Department	1	3	1	14	0	19	0.10%
Genoa Township Police	11	79	35	937	2	1,064	5.65%
Metro Parks	0	2	0	0	0	2	0.01%
Ohio Department of Public Safety	0	9	0	0	0	9	0.05%
Ohio Department of Taxation	0	7	0	0	0	7	0.03%
State Code Other Agencies	0	1	0	2	0	3	0.01%
Ohio State Highway Patrol	28	113	236	7,770	5	8,152	43.34%
Powell Police Department	5	62	74	259	3	403	2.14%
Shawnee Hills Police	4	3	0	6	0	13	0.07%
Sunbury Police Department	12	23	11	41	3	90	0.48%
Upper Arlington Police Department	0	0	0	0	1	1	0.01%
Division of Watercraft	1	119	0	0	0	120	0.64%
Westerville Police Dept.	28	112	37	116	1	294	1.56%
Division of Wildlife	0	176	0	0	0	176	0.94%
Miscellaneous	0	0	0	0	31	31	0.16%
Subtotal (Felony, Criminal, OVI & Traffic)	358	3,005	704	14,606		18,673	
Grand Total	358	3,005	704	14,606	137	18,810	100.00%

*Other includes (Bond Hearings, Extraditions, Parking Tickets, Search Warrants, and Miscellaneous)

FINANCIAL STATEMENTS

**DELAWARE MUNICIPAL COURT
FINANCIAL STATEMENT 2008**

CRIMINAL DIVISION	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
CITY	0.00	1,819,468.19	(5,267.40)	1,814,200.79	0.00
COUNTY	0.00	525,941.04	2,718.90	528,659.94	0.00
STATE	0.00	571,142.28	(2,628.50)	568,513.78	0.00
VILLAGES	0.00	18,709.25	258.00	18,967.25	0.00
OTHERS	0.00	46,471.25	27.00	46,498.25	0.00
OVERPAYMENT	1,709.11	11,258.00	(1,225.50)	10,465.11	1,276.50
Total Criminal Division	1,709.11	2,992,990.01	(6,117.50)	2,987,305.12	1,276.50
BOND	99,293.70	636,499.38	(1,936.00)	625,287.08	108,570.00
CIVIL	70,798.57	1,424,559.48	5,799.65	1,447,060.40	54,097.30
JUROR/WITNESS	3,467.00	31,704.10	1,053.90	34,021.90	2,203.10
RENT ESCROW	598.01	10,801.92	0.00	6,677.00	4,722.93
RESTITUTION	124.00	46,712.02	0.00	45,469.48	1,366.54
TRUSTEESHIP	503.41	6,632.64	0.00	7,136.05	0.00
Total	174,784.69	2,156,909.54	4,917.55	2,165,651.91	170,959.87
Grand Total	176,493.80	5,149,899.55	(1,199.95)	5,152,957.03	172,236.37

CRIMINAL DIVISION 2008

CITY OF DELAWARE	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Ordinance Fines	0.00	91,378.85	(1,286.00)	90,092.85	0.00
Ordinance Costs	0.00	173,259.09	2,799.60	176,058.69	0.00
Patrol Fines 40%	0.00	92,510.58	507.60	93,018.18	0.00
State Costs	0.00	989,356.49	(4,725.60)	984,630.89	0.00
Computer Fee	0.00	230,844.00	(222.00)	230,622.00	0.00
Expungement Fee	0.00	0.00	0.00	0.00	0.00
Immobilization Reimbursement	0.00	14,210.00	90.00	14,300.00	0.00
Internet Payment Fee	0.00	0.00	0.00	0.00	0.00
Credit Card Convenience Fee	0.00	19,930.00	(5.00)	19,925.00	0.00
Jury Fee	0.00	0.00	0.00	0.00	0.00
Witness Fee	0.00	19.00	0.00	19.00	0.00
Interest Criminal	0.00	65.27	0.00	65.27	0.00
Arresting Agency OVI DPD	0.00	3,052.00	(135.00)	2,917.00	0.00
Arresting Agency Drug DPD	0.00	10,709.00	(1,752.00)	8,957.00	0.00
Indigent Fund OVI	0.00	19,039.00	(50.00)	18,989.00	0.00
Special Projects Fund	0.00	89,039.50	(85.00)	88,954.50	0.00
Special Projects Fund Indigent Immob.	0.00	1,300.00	0.00	1,300.00	0.00
Special Projects Fund Interlock SCRAM	0.00	10.00	0.00	10.00	0.00
Electronic Monitor Indigent Fee	0.00	1,694.00	0.00	1,694.00	0.00
Probation Services Fee	0.00	85,051.41	(404.00)	82,647.41	0.00
Total	0.00	1,821,468.19	(5,267.40)	1,814,200.79	0.00

CRIMINAL DIVISION 2008

DELAWARE COUNTY	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Patrol Fines 10%	0.00	23,122.54	28.90	23,151.44	0.00
State/County Fines	0.00	375,152.35	(5,372.00)	369,780.35	0.00
Roads/Bridges Fines	0.00	48,310.00	0.00	48,310.00	0.00
Delaware Sheriff Fees	0.00	5,710.05	12.00	5,722.05	0.00
Reimbursement Public Defender	0.00	0.00	0.00	0.00	0.00
Expungement Fee	0.00	1,125.00	0.00	1,125.00	0.00
Witness Fee	0.00	2,001.60	0.00	2,001.60	0.00
Jury Fee	0.00	4,833.00	0.00	4,833.00	0.00
Arresting Agency OVI DSO	0.00	2,945.00	125.00	3,070.00	0.00
Arresting Agency Drug DSO (includes \$150 Drug Task Force)	0.00	10,740.00	995.00	11,735.00	0.00
Cigarette Tax Fines (75%)	0.00	0.00	0.00	0.00	0.00
Incarceration Fee	0.00	0.00	0.00	0.00	0.00
OVI Housing Fund	0.00	31,966.50	(100.00)	31,866.50	0.00
Public Defender Indigent App. Fee	0.00	19,535.00	30.00	19,565.00	0.00
County Handicapped Parking	0.00	500.00	0.00	500.00	0.00
Law Library	0.00	0.00	7,000.00	7,000.00	0.00
Total	0.00	525,941.04	2,718.90	528,659.94	0.00

CRIMINAL DIVISION 2008

STATE OF OHIO	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Patrol Fines 50%	0.00	115,592.13	130.50	115,722.63	0.00
Victim of Crime	0.00	129,730.00	(724.00)	129,006.00	0.00
Public Defender	0.00	216,539.15	(1,220.00)	215,319.15	0.00
Board of Pharmacy	0.00	19,718.50	(700.00)	19,018.50	0.00
Liquor Control 50%	0.00	9,234.00	180.00	9,414.00	0.00
Seat Belt	0.00	43,890.00	(140.00)	43,750.00	0.00
Child Restraint	0.00	537.50	0.00	537.50	0.00
Expungement Fee	0.00	1,710.00	0.00	1,710.00	0.00
Arresting Agency Drug Public Safety -Liquor	0.00	0.00	0.00	0.00	0.00
Arresting Agency OVI OSP	0.00	4,005.00	0.00	4,005.00	0.00
Arresting Agency Drug OSP	0.00	3,650.00	50.00	3,700.00	0.00
Bureau of Motor Vehicle Fee	0.00	450.00	0.00	450.00	0.00
Ohio Department of Agriculture	0.00	0.00	0.00	0.00	0.00
Ohio Department of Commerce	0.00	0.00	0.00	0.00	0.00
State Handicapped Parking Fines	0.00	250.00	0.00	250.00	0.00
Indigent Defense Support Fund Fine	0.00	6,366.00	(125.00)	6,241.00	0.00
Indigent Defense Support Fund Cost 50%	0.00	0.00	9,640.00	9,640.00	0.00
Drug Law Enforcement Fund Cost 35%	0.00	0.00	6,748.00	6,748.00	0.00
Indigent Drivers Alcohol Cost 15%	0.00	0.00	2,892.00	2,892.00	0.00
Immobilization Waiver Fee	0.00	100.00	0.00	100.00	0.00
State OVI Interlock SCRAM Fee	0.00	10.00	0.00	10.00	0.00
Moving Violation Court Costs Transfer	0.00	19,360.00	(19,360.00)	0.00	0.00
Total	0.00	571,142.28	(2,628.50)	568,513.78	0.00

CRIMINAL DIVISION 2008

VILLAGES	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
<u>ASHLEY</u>					
Fines	0.00	780.00	0.00	780.00	0.00
Arresting Agency OVI	0.00	110.00	0.00	110.00	0.00
Arresting Agency Drug	0.00	0.00	150.00	150.00	0.00
Total	0.00	890.00	150.00	1,040.00	0.00
<u>DUBLIN</u>					
Fines	0.00	161.00	0.00	161.00	0.00
Arresting Agency OVI	0.00	35.00	35.00	70.00	0.00
Arresting Agency Drug	0.00	0.00	0.00	0.00	0.00
Mayor's Court Costs	0.00	34.00	0.00	34.00	0.00
Total	0.00	230.00	35.00	265.00	0.00
<u>GALENA</u>					
Fines	0.00	0.00	0.00	0.00	0.00
Arresting Agency OVI	0.00	0.00	0.00	0.00	0.00
Arresting Agency Drug	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00	0.00
<u>POWELL</u>					
Fines	0.00	6,091.25	(28.00)	6,063.25	0.00
Arresting Agency OVI	0.00	1,535.00	(25.00)	1,510.00	0.00
Arresting Agency Drug	0.00	690.00	150.00	840.00	0.00
Total	0.00	8,316.25	97.00	8,413.25	0.00
<u>SHAWNEE HILLS</u>					
Fines	0.00	830.00	(7.00)	823.00	0.00
Arresting Agency OVI	0.00	0.00	0.00	0.00	0.00
Arresting Agency Drug	0.00	0.00	0.00	0.00	0.00
Mayor's Court Costs	0.00	0.00	0.00	0.00	0.00
Total	0.00	830.00	(7.00)	823.00	0.00
<u>SUNBURY</u>					
Fines	0.00	1,445.00	(28.00)	1,417.00	0.00
Arresting Agency OVI	0.00	205.00	25.00	230.00	0.00
Arresting Agency Drug	0.00	0.00	0.00	0.00	0.00
Mayor's Court Costs	0.00	0.00	0.00	0.00	0.00
Total	0.00	1,650.00	(3.00)	1,647.00	0.00
<u>WESTERVILLE</u>					
Fines	0.00	3,446.00	(14.00)	3,432.00	0.00
Arresting Agency OVI	0.00	1,246.00	0.00	1,246.00	0.00
Arresting Agency Drug	0.00	1,189.00	0.00	1,189.00	0.00
Mayor's Court Costs	0.00	912.00	0.00	912.00	0.00
Total	0.00	6,793.00	(14.00)	6,779.00	0.00
GRAND TOTAL	0.00	18,709.25	258.00	18,967.25	0.00

CRIMINAL DIVISION 2008

OTHERS	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
<u>WILDLIFE</u>					
Fines	0.00	11,896.50	0.00	11,896.50	0.00
Arresting Agency Drug	0.00	1,600.00	150.00	1,750.00	0.00
Total	0.00	13,496.50	150.00	13,646.50	0.00
<u>WATERCRAFT</u>					
Fines	0.00	2,920.00	0.00	2,920.00	0.00
Arresting Agency Drug	0.00	150.00	99.00	249.00	0.00
Total	0.00	3,070.00	99.00	3,169.00	0.00
<u>DELAWARE STATE PARK</u>					
Arresting Agency OVI	0.00	0.00	0.00	0.00	0.00
Arresting Agency Drug	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00	0.00
<u>ALUM CREEK STATE PARK</u>					
Arresting Agency OVI	0.00	85.00	0.00	85.00	0.00
Arresting Agency Drug	0.00	1,981.00	108.00	2,089.00	0.00
Total	0.00	2,066.00	108.00	2,174.00	0.00
<u>GENOA TOWNSHIP 50%</u>					
Fines	0.00	25,664.75	(305.00)	25,359.75	0.00
Arresting Agency OVI	0.00	660.00	0.00	660.00	0.00
Arresting Agency Drug	0.00	1,339.00	0.00	1,339.00	0.00
Genoa Twp Fees	0.00	0.00	0.00	0.00	0.00
Total	0.00	27,663.75	(305.00)	27,358.75	0.00
<u>HUMANE SOCIETY</u>					
Fines	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00	0.00
<u>METRO PARKS - Highbanks</u>					
Fines	0.00	0.00	0.00	0.00	0.00
Arresting Agency OVI	0.00	0.00	0.00	0.00	0.00
Arresting Agency Drug	0.00	100.00	50.00	150.00	0.00
Total	0.00	100.00	50.00	150.00	0.00
<u>OUT OF COUNTY SHERIFF FEES</u>					
Champaign County SO	0.00	0.00	0.00	0.00	0.00
Knox County SO	0.00	0.00	0.00	0.00	0.00
Licking County SO	0.00	0.00	0.00	0.00	0.00
Union County SO	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00	0.00
<u>COUNTY & CITY PROSECUTOR'S</u>					
Arresting Agency Drug	0.00	0.00	0.00	0.00	0.00
ARRESTING AGENCY MISC. OVI	0.00	75.00	(75.00)	0.00	0.00
ARRESTING AGENCY MISC. DRUG	0.00	0.00	0.00	0.00	0.00
GRAND TOTAL	0.00	46,471.25	27.00	46,498.25	0.00

CRIMINAL DIVISION 2008

OVERPAYMENT	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Overpayment	1,709.11	11,258.00	(1,225.50)	10,465.11	1,276.50
Total	1,709.11	11,258.00	(1,225.50)	10,465.11	1,276.50

BOND 2008

BOND	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Bond Account	99,293.70	636,499.38	(1,936.00)	625,287.08	108,570.00
Total	99,293.70	636,499.38	(1,936.00)	625,287.08	108,570.00

DETAILS OF DISBURSEMENTS:

Bond Released	605,920.08
Court Costs to City	19,276.00
Interest Bond	91.00
Total Disbursements	625,287.08

CIVIL DIVISION 2008

CIVIL	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Judgment to Creditors	49,889.45	864,439.87	(25,794.97)	846,140.71	42,393.64
Refunds to Depositors	20,909.12	147,835.96	31,904.62	188,946.04	11,703.66
State Legal Aid	0.00	78,709.26	146.22	78,855.48	0.00
Computer Fees	0.00	43,747.50	103.50	43,851.00	0.00
Legal Aid to City	0.00	794.74	1.78	796.52	0.00
Court Costs to City	0.00	289,032.15	(561.50)	288,470.65	0.00
TOTAL	70,798.57	1,424,559.48	5,799.65	1,447,060.40	54,097.30

JUROR/WITNESS 2008

JUROR/WITNESS	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Juror	3,138.90	28,440.00	680.00	30,200.00	2,058.90
Witness	328.10	3,264.10	373.90	3,821.90	144.20
TOTAL	3,467.00	31,704.10	1,053.90	34,021.90	2,203.10

RENT ESCROW 2008

RENT ESCROW	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Rent Escrow	598.01	10,801.92	0.00	6,677.00	4,722.93
TOTAL	598.01	10,801.92	0.00	6,677.00	4,722.93

RESTITUTION 2008

RESTITUTION	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Restitution Account	124.00	46,712.02	0.00	45,469.48	1,366.54
TOTAL	124.00	46,712.02	0.00	45,469.48	1,366.54

TRUSTEESHIP 2008

TRUSTEESHIP	BEGINNING YEAR BALANCE	RECEIPTS	ADJUSTMENTS	DISBURSEMENTS	ENDING YEAR BALANCE
Trusteeship	503.41	6,632.64	0.00	7,136.05	0.00
TOTAL	503.41	6,632.64	0.00	7,136.05	0.00

CERTIFICATION

I, Cindy Dinovo, Clerk of Delaware Municipal Court, do hereby certify that the foregoing Financial Statements for the calendar year 2008 are prepared in accordance with usual and accepted sources, and the disbursements made thereof are as provided by law. I further certify that the details on the computations and calculations thereof are contained in records and ledgers which are part of the standard and recognized books of accounts in the office of the Clerk of Court.

The statements are prepared for submission to the members of City Council for the City of Delaware and to the Board of County Commissioners of Delaware County in compliance with Section 1901.14(A), Ohio Revised Code.

Completed this 31st day of March, 2009

Cindy Dinovo, Clerk of Court
Delaware Municipal Court