

Parma Municipal Court



ANNUAL REPORT

January 1, 2002 to December 31, 2002

Timothy P. Gilligan
Presiding Judge
Administrative Judge

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Administrative Judge

Mary L. Dunning
Judge

Kenneth R. Spanagel
Judge

ANNUAL DISTRIBUTION

OF

COURT REVENUE FROM CRIMINAL CASES

	<u>2000</u>	<u>2001</u>	<u>2002</u>
PARMA, CITY OF			
Fines	\$1,390,653	\$1,342,050	\$ 584,496
Court Costs, Witness Fees	559,332	550,462	370,705
OMVI related costs*	<u>42,085</u>	<u>52,083</u>	<u>50,057</u>
TOTAL CRIMINAL REVENUE	<u>\$1,992,070</u>	<u>\$1,944,595</u>	<u>\$1,005,258</u>
Less Cuyahoga County Law Library**	<u>\$ 1,998</u>	<u>\$ ----</u>	<u>\$ 1,011</u>
TOTAL DISTRIBUTION - CITY OF PARMA	<u>\$1,990,072</u>	<u>\$1,944,595</u>	<u>\$1,004,247</u>
DISTRIBUTION - OTHER COMMUNITIES			
Broadview Hts., City of	\$ 52,229	\$ 50,701	\$ 54,198
Brooklyn, City of	22,340	35,913	33,209
Brooklyn Hts., City of	12,411	10,272	10,021
Cleve. Metro. Park Board	17,640	18,796	23,176
Linndale, City of	14,372	8,108	12,711
North Royalton, City of	96,184	85,826	84,069
Ohio, State of	6,911	7,135	5,201
Parma Hts., City of	20,097	24,338	24,688
Seven Hills, City of	9,479	9,263	11,804
Cuyahoga County***	208,214	208,667	193,598
State Seat Belts	<u>2,892</u>	<u>2,822</u>	<u>2,578</u>
TOTAL DISTRIBUTION - OTHER COMMUNITIES	<u>\$ 462,769</u>	<u>\$ 461,841</u>	<u>\$ 455,253</u>
REPARATIONS ROTARY FUND (2)	\$ 335,195	\$ 336,240	\$ 167,969
LEGAL AID SOCIETIES (3)	<u>42,291</u>	<u>43,743</u>	<u>48,032</u>
TOTAL DISTRIBUTION FROM CRIMINAL CASES	<u>\$2,830,327</u>	<u>\$2,786,419</u>	<u>\$1,675,501</u>

ANNUAL CLERK OF COURT EXPENDITURES

EXPENSES

PERSONAL SERVICES	<u>2000</u>	<u>2001</u>	<u>2002</u>
Clerk of Court	\$ 48,144	\$ 49,591	\$ 50,804
Chief Deputy Clerk	48,608	52,265	52,680
Deputy Supervisor	33,855	37,932	37,872
Coordinator Chief Deputy	51,655	58,735	58,757
Deputy Clerk of Court	367,802	383,632	345,835
Temp. Dep. Clerk of Court	58,693	58,314	55,421
Special Deputy Clerk	35,497	36,378	23,160
Deputy Secretary	33,614	36,378	36,387
Sick Leave & Disability	11,651	----	----
Emp. Ins. (Life & Acc.)	1,725	1,650	1,257
Hospitalization	105,400	126,628	156,520
Longevity	7,500	7,325	8,100
Hospital Buy Back	6,800	3,723	2,799
P.E.R.S.	86,524	88,132	92,043
Medicare	9,133	9,283	8,712
Workman's Comp.	----	15,938	4,217
Eye Care	1,892	2,390	2,468
Overtime/Salary	<u>17,919</u>	<u>2,851</u>	<u>-----</u>
TOTAL PERSONAL SERVICES	<u>\$926,412</u>	<u>\$971,145</u>	<u>\$937,032</u>
Travel & Transportation	\$ 2,834	\$ 3,739	\$ 3,331
Contractual Services & other	73,507	63,398	72,642
Supplies & Materials	27,537	28,471	15,447
Capital - Outlay	<u>850</u>	<u>420</u>	<u>475</u>
TOTAL OPERATING EXPENSES	<u>\$ 104,728</u>	<u>\$ 96,028</u>	<u>\$ 91,895</u>
TOTAL CLERK OF COURTS	<u>\$1,031,140</u>	<u>\$1,067,173</u>	<u>\$1,028,927</u>

Source of Annual Expenditures for the Court and the Clerk of Court: City Auditor

ANNUAL COURT REVENUE
(Civil and Criminal)

	<u>2000</u>	<u>2001</u>	<u>2002</u>
Fines & Costs - Criminal (Parma)	\$1,990,187	\$1,949,427	\$1,010,010
Transcript Costs	1,883	4,831	4,751
Costs - Civil & Marriage Fee	185,987	193,756	209,127
Fees - Trusteeships	38	3	0
Costs - Small Claims Court	17,448	17,745	19,460
Apportionment - Suburbs**	202,772	119,782	215,848
Rent Escrow	205	291	72
Incarcerations	----	----	----
Interest Earned	----	----	----
Capital Improvement***	105,570	106,835	63,073
Computer Fee (2)	<u>31,659</u>	<u>32,012</u>	<u>18,915</u>
TOTAL CITY OF PARMA REVENUE	<u>\$2,535,749</u>	<u>\$2,424,682</u>	<u>\$1,541,256</u>
Fines (other than Parma)	\$ 462,767	\$ 461,842	455,252
Reparations Rotary Fund (3)	335,195	336,240	167,969
State Civil Costs	<u>42,291</u>	<u>43,743</u>	<u>48,032</u>
TOTAL ANNUAL COURT REVENUE	<u>\$3,376,002</u>	<u>\$3,266,507</u>	<u>\$2,212,509</u>

**Apportionment of operating costs for courts having territorial jurisdiction outside municipal corporation in which located (O.R.C. 1901.26 effective 8-28-81).
Source: Clerk of Court, City of Parma.

***Court assessed \$5.00 fee for Capital Improvement Fund (O.R.C. 2303.20 & 1901.26).

(2) \$1.50 fee for information, development & legal research.

(3) Fund established by State of Ohio to reimburse crime victims (O.R.C. 2743.70).
General Revenue for Public Defender (O.R.C. 2949.091).

TRAFFIC & MISDEMEANORS VIOLATIONS BUREAU

WAIVERS

	<u>2000</u>		<u>2001</u>		<u>2002</u>	
	<u>Misd.</u>	<u>Traffic</u>	<u>Misd.</u>	<u>Traffic</u>	<u>Misd.</u>	<u>Traffic</u>
January	2	766	12	1,235	0	40
February	10	851	2	1,164	0	71
March	25	1,216	8	1,383	2	72
April	11	953	21	1,331	8	351
May	21	1,072	31	1,126	6	402
June	30	1,179	28	1,555	15	479
July	28	1,025	22	1,012	15	427
August	61	1,098	22	1,416	14	421
September	20	772	17	1,030	14	529
October	23	922	3	449	15	624
November	8	915	1	34	4	452
December	<u>6</u>	<u>664</u>	<u>1</u>	<u>11</u>	<u>3</u>	<u>248</u>
TOTAL	<u>245</u>	<u>11,433</u>	<u>168</u>	<u>11,758</u>	<u>96</u>	<u>4,116</u>

MONIES COLLECTED FOR PARKING VIOLATIONS

	<u>2000</u>	<u>2001</u>	<u>2002</u>
January	\$ 4,570	\$13,540	\$ 670
February	6,522	8,200	800
March	4,480	5,070	970
April	4,100	5,850	2,640
May	2,655	3,455	1,980
June	1,785	1,951	1,450
July	1,270	1,955	1,200
August	2,440	1,790	1,032
September	2,845	1,920	1,585
October	2,980	700	1,795
November	3,810	770	1,510
December	<u>7,3459</u>	<u>965</u>	<u>6,640</u>
TOTAL	<u>\$44,802</u>	<u>\$46,166</u>	<u>\$22,272</u>

CRIMINAL CASES
FILED AND TERMINATED IN 2002

	<u>FELONIES</u>	<u>NON-TRAFFIC MISDEMEANORS</u>	<u>OMVI*</u>	<u>OTHER TRAFFIC</u>	<u>TOTAL</u>
PENDING 1/1/02					
Arraignments or Preliminary Hrg. Assigned to Judge	10 <u>0</u>	62 <u>353</u>	6 <u>118</u>	914 <u>129</u>	992 <u>600</u>
TOTAL PENDING 1/1/02	<u>10</u>	<u>415</u>	<u>124</u>	<u>1,043</u>	<u>1,592</u>
New Cases Filed Reactivated	704 <u>0</u>	3,693 <u>10</u>	599 <u>4</u>	6,390 <u>8</u>	11,386 <u>22</u>
TOTAL NEW, REACTIVATED CASES	<u>704</u>	<u>3,703</u>	<u>603</u>	<u>6,398</u>	<u>11,408</u>
TOTAL CASES	<u>714</u>	<u>4,118</u>	<u>727</u>	<u>7,441</u>	<u>13,000</u>
TERMINATIONS	<u>- 703</u>	<u>- 3,540</u>	<u>- 369</u>	<u>- 5,394</u>	<u>-10,006</u>
PENDING 12/31/02					
Arraignments or Preliminary Hrg. Assigned to Judge	11 <u>0</u>	578 <u>366</u>	358 <u>118</u>	2,047 <u>153</u>	2,994 <u>637</u>
TOTAL PENDING 12/31/02	<u>11</u>	<u>944</u>	<u>476</u>	<u>2,200</u>	<u>3,631</u>

*Driving Under the Influence of Alcohol and/or Drugs.

CRIMINAL CASES
FILED AND TERMINATED

	<u>2000</u>	<u>2001</u>	<u>2002</u>
TOTAL CRIMINAL CASES PENDING AS OF DEC. 31	<u>3,542</u>	<u>3,514</u>	<u>3,631</u>

CIVIL CASES
FILED AND TERMINATED IN 2002

	<u>PERSONAL INJURY & PROP. DAMAGE</u>	<u>CONTRACT</u>	<u>FORCIBLE ENT. & DETAINER</u>	<u>OTHER CIVIL</u>	<u>SMALL CLAIMS</u>	<u>TOTAL</u>
PENDING 1/1/02						
*Not at Issue	3	37	169	103	33	345
**At Issue	<u>9</u>	<u>227</u>	<u>16</u>	<u>13</u>	<u>0</u>	<u>265</u>
PENDING 1/1/02	<u>12</u>	<u>264</u>	<u>185</u>	<u>116</u>	<u>33</u>	<u>610</u>
New Cases Filed	161	1,342	1,151	67	1,109	3,830
Reactivated	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL NEW, REACTIVATED	<u>161</u>	<u>1,342</u>	<u>1,151</u>	<u>67</u>	<u>1,109</u>	<u>3,830</u>
TOTAL CASES	<u>173</u>	<u>1,606</u>	<u>1,336</u>	<u>183</u>	<u>1,142</u>	<u>4,440</u>
TERMINATIONS	<u>-159</u>	<u>-1,315</u>	<u>-1,252</u>	<u>-52</u>	<u>-1,135</u>	<u>-3,913</u>
PENDING 12/31/02						
*Not at Issue	13	41	14	48	169	285
**At Issue	<u>14</u>	<u>80</u>	<u>7</u>	<u>6</u>	<u>0</u>	<u>107</u>
TOTAL PENDING 12/31/01	<u>27</u>	<u>121</u>	<u>21</u>	<u>54</u>	<u>169</u>	<u>392</u>
*No Answer or Motion Filed						
**Assigned to a Judge						

CIVIL CASES
FILED AND TERMINATED

	<u>2000</u>	<u>2001</u>	<u>2002</u>
TOTAL CIVIL CASES PENDING AS OF DEC. 31	<u>510</u>	<u>1,716</u>	<u>392</u>

TOTAL CRIMINAL AND TRAFFIC CASES

FILED IN

PARMA MUNICIPAL COURT IN 2002

	<u>CRIMINAL</u>	<u>TRAFFIC</u>	<u>TOTAL</u>
Broadview Heights	403	456	859
Brooklyn	370	277	647
Brooklyn Heights	31	45	76
Linndale	33	174	207
Metro Parks	43	395	438
North Royalton	448	569	1,017
Parma	2,320	4,990	7,310
Parma Heights	171	196	367
Seven Hills	73	78	151
Department of Liquor Control	4	0	4
State Highway Patrol	4	11	15
Division of Wildlife	2	0	2
Other Cities	0	0	0
Popas	2	4	6
Domestic Violence	299	1	300
Building Dept.	183	1	184
Stalking	11	0	11
City Property	<u>2</u>	<u>6</u>	<u>8</u>
TOTALS	<u>4,399</u>	<u>7,203</u>	<u>11,602</u>

INDIGENT COUNSEL

As a result of the United States Supreme Court Decision in the Argersinger case, legal representation must be provided, without charge, to all indigent persons accused of certain crimes.

The Parma City Council, in 1974, passed Ordinance No. 192-74 providing for payment of indigent legal representation. Attorney James R. Gallagher was contracted to act as Indigent Counsel.

Attorney James R. Gallagher, represented indigent persons in the following misdemeanors and felonies for 2002.

MISDEMEANORS

Aggravated Menacing	8	Maintenance Foundations	2
Alcohol Consumpt. In MV	2	Making False Alarms	1
Assault	13	Menacing	11
Attempt Theft	3	Mis-use Credit Card	2
Attempt Violation of TPO	1	Mis-use 911	1
Carry Concealed Weapon	8	Noise Disturb in MV	1
Child Endangering	5	Obstruct Justice	1
Contempt	33	Obstruct Office Business	12
Consumption Minor	2	Open Container	9
Ctrb. Delinquency Minor	17	Passing Bad Checks	17
Criminal Damaging	11	Petit Theft	16
Criminal Mischief	5	Possession Criminal Tools	1
Criminal Trespassing	13	Poss. Drug Abuse Instr.	4
Defraud A Livery	2	Possession of Drugs	1
Disorderly Conduct	91	Possession of Marijuana	1
Domestic Violence	47	Poss. Drug Paraphernalia	8
Drug Abuse	24	Prohibitions Purchase U/21	3
Drug Paraphernalia	6	Rec. Stolen Property	3
Electrical Facilities Req'd	2	Reg. of Dogs Required	1
Exterior Property Areas	2	Resisting Arrest	19
Falsification	20	Restrict Vicious Dog	1
Fleeing & Eluding	1	Satisfy Fines & Costs	1
Failure Maint. Structure	4	Telephone Harassment	5
General Maint. Req.	2	Theft	14
Insurance Fraud	1	Theft of Identity	2
Intox Disorderly	1	Unauth. Entry of Vehicle	2
Labeling	1	Unauth Operation of Veh.	1
Liquor Sales to Minor	2	Violation of Court Order	1
Loitering	2	Violation of Rest. Order	3
Maintenance Sidewalk	2	Violation of T.P.O.	1

TOTAL 476

INDIGENT COUNSEL

FELONIES

Abduction	2	Criminal Trespassing	4
Aggravated Arson	4	Deception to Obtain Drugs	1
Aggravated Burglary	2	Disrupt Public Service	1
Aggravated Menacing	1	Domestic Violence	11
Aggravated Robbery	9	Drug Abuse	18
Aggravated Trafficking	1	Escape	5
Aggravated Trespassing	1	Falsification	1
Assault	11	Felon. Assault	22
Assault Police Officer	10	Felon. Assault on P.O.	3
Att.Agg. Veh. Assault	1	Felon. Domestic Violence	2
Attempt Drug Abuse	1	Felon. DUIA Refused	1
Attempt Felony Assault	1	Felonious Theft	44
Attempt Forgery	1	Fleeing	1
Attempt Illegal Process	1	Forgery	18
Attempt Kidnapping	1	FT Comply w/ P.O.	6
Attempt Poss. Drugs	1	FT Comply/Fleeing	1
Attempt Proc. Drug Docum	2	Grand Theft	1
Attempt Rec. Stolen Prop.	2	Gross Sexual Imposition	1
Attempt Theft	10	Illegal Drug Doc.	2
Attempt. Vandalism	1	Kidnapping	2
Attempt. Vandalism Govt.	1	Menacing	4
B & E	8	Mis-Use Credit Card	3
Burglary	11	Murder	2
Carry Concealed Weapon	2	Obstr. Off. Business	3
Complicity	16	Passing Bad Checks	6
Complicity To Robbery	1	Perm. Vehicle Drug Off.	1
Contrib. Deliq. Minor	1	Permit Drug Abuse	13
Conveyance Drug Item	2	Petit Theft	6
Corrupting Other W/Drugs	1	Poss. of Cocaine/1-4gr	8
Criminal Damaging	1	Poss. of Crack Cocaine	1
Criminal Mischief	1	Poss. of Criminal Tools	32

FELONIES Continued

Possession of Drugs	5
Possession of Herione	5
Rape	3
Rec. Stolen Property	23
Resisting Arrest	2
Robbery	30
Selling Drugs	2
Sexual Battery	1
Ship Cntld. Substance	5
Tamper Evid/Dest. Record	3
Tamper w/Drugs/Alter Pkg.	2
Tamper with Records	1
Theft	12
Theft by Deception	1
Theft of Identity	5
Trafficking	26
Unauth. Use of Property	1
Unauth. Use of M/V	2
Unlawful Restraint	1
Unlawful Sex Cond.w/Minor	2
Uttering	2
Vandalism	2
Weapons under Disability	3

TOTAL 475

TRUSTEESHIP

	<u>2000</u>	<u>2001</u>	<u>2002</u>
Active Trusteeships as of Jan. 1	3	0	0
Applications Granted Jan. 1 - Dec. 31	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>3</u>	<u>0</u>	<u>0</u>
Applications Dissolved or Paid Active Trusteeships as of Dec. 31	0 <u>3</u>	3 <u>0</u>	0 <u>0</u>

SMALL CLAIMS

	<u>2000</u>	<u>2001</u>	<u>2002</u>
Cases Pending Jan. 1	144	4	33
New Cases Filed	793	1,014	1,112
Cases Transferred In	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL FOR YEAR	<u>937</u>	<u>1,018</u>	<u>1,145</u>
Cases Terminated	-933	-985	-976
TOTAL PENDING DEC. 31	<u>4</u>	<u>33</u>	<u>169</u>

BAILIFF EXECUTIONS AND WRITS SERVED

	<u>2000</u>	<u>2001</u>	<u>2002</u>
Garnishment, Wages	460	457	340
Examinations	185	180	216
Citations & Motions (To Show Cause)	40	69	79
Levy (Executions Against Property)	24	33	27
Bailiff Sales	5	8	7
Forcible Entries	991	1,100	1,150
Immobilizations(Clubs)	----	79	87
Put-Outs by Deputy (Eviction/Lock-Outs)	88	156	183
Replevin	4	3	2
Writs of Restitution	424	399	770
Subpoenas (Civil)	62	46	26
Small Claim Summons	47	25	15
TOTAL EXECUTIONS AND WRITS SERVED	<u>2,330</u>	<u>2,555</u>	<u>2,902</u>

JURY COMMISSION

	<u>2001</u>	<u>2002</u>
Number of Jurors polled	1,090	1,200
Number of Jury Trials Set	84	66

PROBATION

	<u>2000</u>	<u>2001</u>	<u>2002</u>
New Cases Assigned to Probation	<u>1,432</u>	<u>1,443</u>	<u>1351</u>
Active Monthly Reporting Cases	<u>781</u>	<u>639</u>	<u>616</u>
Open Failure to Comply Warrants	<u>163</u>	<u>161</u>	<u>188</u>
<u>REPORTS</u>			
Pre-Sentence	408	496	390
Expungements	48	59	39
Probation Review Hearings Before Judge		282	358
Violation Hearings Before Judge	<u>399</u>	<u>75</u>	<u>80</u>
TOTAL REPORTS	<u>855</u>	<u>912</u>	<u>867</u>
<u>REGISTRATIONS</u>			
72-Hr. Weekend Intervention	165	140	150
8-Hr. Intervention Program	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL REGISTRATIONS	<u>165</u>	<u>140</u>	<u>150</u>
<u>SPECIAL PROBATION REQUIREMENTS</u>			
Impounding of Plates/Registration	0	0	0
Ignition Interlock	44	29	40
County Jail Reduction Program ***		18	0
House Arrest - EMHA	100	70	81
Court Community Service	**	**	**
Court Order Immobilizations (Clubs)	109	72	98
Immobilization from other Court Jurisdiction	0	1	1
TOTAL	<u>253</u>	<u>190</u>	<u>220</u>
D.O.V.E.(Domestic Violence Intervention)	30	35	18
D.O.V.E. (Assessments only)	1	1	2
Freedom House (30+ days inpatient treatment program)	5	5	3
P.E.G.S. (Parenting Classes)	2	2	0
JOHNS (Sexual Offenders Course)	2	1	0
AMAC (Anger Management Course)	11	17	27
Shoplifting Class	<u>4</u>	<u>2</u>	<u>0</u>
TOTAL	<u>55</u>	<u>63</u>	<u>50</u>

* Denotes only cases sent to court community service agency in Cleveland.

** Unable to calculate due to computerization of records.

***County Prisoners released to House Arrest under the jurisdiction of the Cuyahoga County Sheriff's Department to relieve jail overcrowding.