

Parma Municipal Court



ANNUAL REPORT

January 1, 2000 to December 31, 2000

Kenneth R. Spanagel

*Presiding Judge
Administrative Judge*

Parma Municipal Court

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Mary L. Dunning

Judge

Timothy P. Gilligan

Judge



PARMA MUNICIPAL COURT

5555 POWERS BOULEVARD

440-887-7400

PARMA, OHIO 44129

KENNETH R. SPANAGEL
PRESIDING JUDGE
ADMINISTRATIVE JUDGE

MARY L. DUNNING
JUDGE

TIMOTHY P. GILLIGAN
JUDGE

EDWARD J. FINK
MAGISTRATE

LYNN W. LEARY
MAGISTRATE

JOHN F. SANDS
MAGISTRATE

TO THE CITY COUNCIL
OF THE CITY OF PARMA

TO THE BOARD OF COUNTY COMMISSIONERS
OF CUYAHOGA COUNTY

Ladies and Gentlemen:

Enclosed is the Parma Municipal Court's Annual Report for 2000, which is being submitted in my capacity as Presiding Judge for the year ending December 31, 2000, pursuant to statute, for the information of all persons interested in the operation of Ohio's largest suburban Municipal Court District.

Sincerely yours,

Kenneth R. Spanagel
Presiding and Administrative Judge

KRS/mlk

Enclosure

ANNUAL COURT REVENUE
(Civil and Criminal)

	<u>1998</u>	<u>1999</u>	<u>2000</u>
Fines & Costs - Criminal (Parma)	\$1,773,423	\$2,009,837	\$1,990,187
Transcript Costs	1,024	1,407	1,883
Costs - Civil & Marriage Fee	197,456	195,567	185,987
Fees - Trusteeships	127	83	38
Costs - Small Claims Court	14,543	15,960	17,448
Apportionment - Suburbs**	148,445	181,429	202,772
Rent Escrow	81	90	205
Incarcerations	0	0	0
Interest Earned	0	0	0
Capital Improvement***	108,394	109,873	105,570
Computer Fee (2)	<u>32,500</u>	<u>33,012</u>	<u>31,659</u>
TOTAL CITY OF PARMA REVENUE	<u>\$2,275,993</u>	<u>\$2,547,258</u>	<u>\$2,535,749</u>
Fines (other than Parma)	\$ 440,745	\$ 439,800	\$ 462,767
Reparations Rotary Fund (3)	358,865	355,503	335,195
State Civil Costs	<u>39,745</u>	<u>39,304</u>	<u>42,291</u>
TOTAL ANNUAL COURT REVENUE	<u>\$3,115,348</u>	<u>\$3,381,865</u>	<u>\$3,376,002</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).

ANNUAL COURT EXPENDITURES

EXPENDITURES	<u>1998</u>	<u>1999</u>	<u>2000</u>
Judges	\$109,895	\$114,205	\$112,050
Referee/Magistrate	34,325	35,693	37,113
Bailiff	37,445	37,440	37,491
Dep. Bailiff Full-Time	381,674	418,717	436,957
Dep. Bailiff Part-Time	62,181	99,725	159,851
Jury Comm. Chairman	1,200	1,500	1,500
Jury Comm. Members	1,800	2,200	1,269
Jury Comm. Secretary	1,200	1,500	1,500
Sick Leave & Disability	19,754	11,050	15,790
Empls. Ins. Life - Acc.	948	1,464	1,532
Hospitalization	73,424	69,867	99,273
Longevity	4,400	5,425	5,650
P.E.R.S.	86,604	96,064	96,374
Medicare	<u>8,535</u>	<u>9,504</u>	<u>10,592</u>
TOTAL PERSONAL SERVICES	<u>\$823,385</u>	<u>\$904,354</u>	<u>\$1,016,942</u>
Travel & Transportation	\$ 7,758	\$ 7,248	\$ 10,595
Contractual Services*	50,986	51,759	67,854
Supplies & Materials	7,572	3,826	9,473
Capital Outlay	<u>11,610</u>	<u>14,611</u>	<u>14,291</u>
TOTAL OPERATING EXPENSES	<u>\$ 77,926</u>	<u>\$ 77,444</u>	<u>\$ 102,213</u>
TOTAL MUNICIPAL COURT	<u>\$901,311</u>	<u>\$981,798</u>	<u>\$1,119,155</u>

*\$12,000.00 of this figure represents Public Defender expense,
as mandated by Argersinger -vs- Hamlin, 407 U.S. 25, 37 (1972).

ANNUAL CLERK OF COURT EXPENDITURES

EXPENSES

PERSONAL SERVICES	<u>1998</u>	<u>1999</u>	<u>2000</u>
Clerk of Court	\$ 45,390	\$ 46,742	\$ 48,144
Chief Deputy Clerk	45,121	46,745	48,608
Deputy Supervisor	29,601	30,758	33,855
Coordinator Chief Deputy	48,479	48,524	51,655
Deputy Clerk of Court	307,956	323,105	367,802
Temp. Dep. Clerk of Court	36,970	43,602	58,693
Special Deputy Clerk	29,924	32,793	35,497
Deputy Secretary	27,675	32,667	33,614
Sick Leave & Disability	15,303	26,955	11,651
Emp. Ins. (Life & Acc.)	1,079	1,740	1,725
Hospitalization	72,943	75,163	105,400
Longevity	4,950	6,150	7,500
Hospital Buy Back	8,738	8,015	6,800
P.E.R.S.	86,709	86,155	86,524
Medicare	7,584	8,323	9,133
Workman's Comp.	5,875	18,897	0
Eye Care	1,475	1,467	1,892
Overtime/Salary	<u>8,275</u>	<u>13,191</u>	<u>17,919</u>
TOTAL PERSONAL SERVICES	<u>\$784,047</u>	<u>\$850,992</u>	<u>\$926,412</u>
Travel & Transportation	\$ 2,769	\$ 4,286	\$ 2,834
Contractual Services & other	69,139	73,588	73,507
Supplies & Materials	17,535	17,779	27,537
Capital - Outlay	<u>536</u>	<u>637</u>	<u>850</u>
TOTAL OPERATING EXPENSES	<u>\$ 89,979</u>	<u>\$ 96,290</u>	<u>\$ 104,728</u>
TOTAL CLERK OF COURTS	<u>\$874,026</u>	<u>\$947,282</u>	<u>\$1,031,140</u>

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

DISTRIBUTION TO CITY OF PARMA
OF
COURT REVENUE FROM CRIMINAL CASES**

	<u>1998</u>	<u>1999</u>	<u>2000</u>
January	\$ 141,962	\$ 119,760	\$ 153,946
February	155,439	158,641	171,634
March	148,542	200,098	219,611
April	154,026	190,943	175,605
May	125,002	158,951	175,145
June	150,755	192,200	166,256
July	138,379	166,732	144,803
August	134,733	169,415	173,842
September	139,006	174,737	147,498
October	157,948	167,893	163,453
November	174,508	153,361	161,041
December	<u>153,123</u>	<u>157,106</u>	<u>130,885</u>
ANNUAL			
DISTRIBUTION TOTAL	<u>\$1,773,423</u>	<u>\$2,009,837</u>	<u>\$1,983,719</u>
Assessment paid to Cuyahoga County Law Library (O.R.C. 3375.50)	<u>\$ 0</u>	<u>\$ 1,059</u>	<u>\$ 1,998</u>
ANNUAL			
REVENUE TOTAL	<u>\$1,773,423</u>	<u>\$2,010,896</u>	<u>\$1,985,717</u>

**Non-Traffic Misdemeanors, Traffic Misdemeanors & Parking, including all waivers.

ANNUAL DISTRIBUTION

OF

COURT REVENUE FROM CRIMINAL CASES

	<u>1998</u>	<u>1999</u>	<u>2000</u>
PARMA, CITY OF			
Fines	\$1,222,157	\$1,420,198	\$1,390,653
Court Costs, Witness Fees	513,109	550,965	559,332
OMVI related costs*	<u>42,707</u>	<u>41,873</u>	<u>42,085</u>
TOTAL CRIMINAL REVENUE	<u>\$1,777,973</u>	<u>\$2,013,036</u>	<u>\$1,992,070</u>
Less Cuyahoga County Law Library**	<u>\$ 0</u>	<u>\$ 1,059</u>	<u>\$ 1,998</u>
TOTAL DISTRIBUTION - CITY OF PARMA	<u>\$1,777,973</u>	<u>\$2,011,977</u>	<u>\$1,990,072</u>
DISTRIBUTION - OTHER COMMUNITIES			
Broadview Hts., City of	\$ 55,384	\$ 54,195	\$ 52,229
Brooklyn, City of	18,973	14,403	22,340
Brooklyn Hts., City of	11,134	11,458	12,411
Cleve. Metro. Park Board	13,912	21,213	17,640
Linndale, City of	16,047	23,370	14,372
North Royalton, City of	70,195	81,881	96,184
Ohio, State of	4,339	6,929	6,911
Parma Hts., City of	15,759	16,525	20,097
Seven Hills, City of	10,776	8,760	9,479
Cuyahoga County***	185,197	196,525	208,214
State Seat Belts	<u>39,029</u>	<u>4,539</u>	<u>2,892</u>
TOTAL DISTRIBUTION - OTHER COMMUNITIES	<u>\$ 440,745</u>	<u>\$ 439,798</u>	<u>\$ 462,769</u>
REPARATIONS ROTARY FUND (2)	\$ 358,865	\$ 355,503	\$ 335,195
LEGAL AID SOCIETIES (3)	<u>39,745</u>	<u>39,304</u>	<u>42,291</u>
TOTAL DISTRIBUTION FROM CRIMINAL CASES	<u>\$2,617,328</u>	<u>\$2,846,582</u>	<u>\$2,830,327</u>

*Fines in OMVI (DUIA) cases include allocations to separate Enforcement, Incarceration and Treatment Funds.

**Assessment based on receipts of City of Parma from fines levied (O.R.C. 3375.50).

***Fines in State of Ohio cases, including Contempt of Court, but excluding fines in wildlife, liquor and other specific cases, which fines go directly to State of Ohio, as appears above opposite State of Ohio.

(2) To reimburse crime victims, see O.R.C. 2743.70.

(3) To provide financial assistance to Legal Aid Societies, see O.R.C. 1901.26.

**CRIMINAL CASES
FILED AND TERMINATED IN 2000**

	<u>FELONIES</u>	<u>NON-TRAFFIC MISDEMEANORS</u>	<u>OMVI*</u>	<u>OTHER TRAFFIC</u>	<u>TOTAL</u>
PENDING 1/1/00					
Arraignments or Preliminary Hrg.	18	73	24	1,666	1,781
Assigned to Judge	<u>0</u>	<u>378</u>	<u>100</u>	<u>437</u>	<u>915</u>
TOTAL PENDING 1/1/00	<u>18</u>	<u>451</u>	<u>124</u>	<u>2103</u>	<u>2696</u>
New Cases Filed	440	3,789	700	15,314	20,243
Reactivated	<u>0</u>	<u>12</u>	<u>0</u>	<u>46</u>	<u>58</u>
TOTAL NEW, REACTIVATED CASES	<u>440</u>	<u>3,801</u>	<u>700</u>	<u>15,360</u>	<u>20,301</u>
TOTAL CASES	<u>458</u>	<u>4,252</u>	<u>824</u>	<u>17,463</u>	<u>22,997</u>
TERMINATIONS	<u>-388</u>	<u>-3,508</u>	<u>-658</u>	<u>-14,895</u>	<u>-19,449</u>
PENDING 12/31/00					
Arraignments or Preliminary Hrg.	70	366	66	2,131	2,633
Assigned to Judge	<u>0</u>	<u>387</u>	<u>144</u>	<u>378</u>	<u>909</u>
TOTAL PENDING 12/31/00	<u>70</u>	<u>753</u>	<u>210</u>	<u>2,509</u>	<u>3,542</u>

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

**CRIMINAL CASES
FILED AND TERMINATED**

	<u>1998</u>	<u>1999</u>	<u>2000</u>
TOTAL CRIMINAL CASES PENDING AS OF DEC. 31	<u>2,144</u>	<u>2,342</u>	<u>3,542</u>

CIVIL CASES
FILED AND TERMINATED IN 2000

	<u>PERSONAL INJURY</u> <u>& PROP. DAMAGE</u>	<u>CONTRACT</u>	<u>FORCIBLE ENT.</u> <u>& DETAINER</u>	<u>OTHER</u> <u>CIVIL</u>	<u>SMALL</u> <u>CLAIMS</u>	<u>TOTAL</u>
PENDING 1/1/00						
*Not at Issue	10	96	129	24	144	403
**At Issue	<u>11</u>	<u>89</u>	<u>14</u>	<u>13</u>	<u>0</u>	<u>127</u>
PENDING 1/1/00	<u>21</u>	<u>185</u>	<u>143</u>	<u>37</u>	<u>144</u>	<u>530</u>
New Cases Filed	136	1,152	991	92	793	3,164
Reactivated	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL NEW, REACTIVATED	<u>136</u>	<u>1,152</u>	<u>991</u>	<u>92</u>	<u>793</u>	<u>3,164</u>
TOTAL CASES	<u>157</u>	<u>1,234</u>	<u>1,134</u>	<u>129</u>	<u>937</u>	<u>3,591</u>
TERMINATIONS	<u>-132</u>	<u>-1174</u>	<u>-922</u>	<u>-89</u>	<u>-933</u>	<u>-3,250</u>
PENDING 12/31/00						
*Not at Issue	14	74	198	27	4	317
**At Issue	<u>12</u>	<u>148</u>	<u>19</u>	<u>14</u>	<u>0</u>	<u>193</u>
TOTAL PENDING 12/31/00	<u>26</u>	<u>222</u>	<u>217</u>	<u>41</u>	<u>4</u>	<u>510</u>

*No Answer or Motion Filed

**Assigned to a Judge

CIVIL CASES
FILED AND TERMINATED

	<u>1998</u>	<u>1999</u>	<u>2000</u>
TOTAL CIVIL CASES PENDING AS OF DEC. 31	<u>456</u>	<u>490</u>	<u>510</u>

PROBATION

	<u>1998</u>	<u>1999</u>	<u>2000</u>
New Cases Assigned to Probation	<u>1,506</u>	<u>1,157</u>	<u>1,432</u>
Active Monthly Reporting Cases as of 12/31/00			<u>781</u>
Open Failure to Comply Warrants as of 12/31/00			<u>163</u>
<u>REPORTS</u>			
Pre-Sentence	476	389	408
Expungements	34	65	48
Probation Review Before Judge and Violation Hearings	<u>509</u>	<u>461</u>	<u>399</u>
TOTAL REPORTS	<u>1,019</u>	<u>915</u>	<u>855</u>
<u>REGISTRATIONS</u>			
72-Hr. Weekend Intervention	209	148	165
8-Hr. Intervention Program	<u>6</u>	<u>2</u>	<u>0</u>
TOTAL REGISTRATIONS	<u>215</u>	<u>150</u>	<u>165</u>
<u>SPECIAL PROBATION REQUIREMENTS</u>			
Impounding of Plates/Registration	2	1	0
Jail	**	**	**
Ignition Interlock	31	44	44
Restitution/Reimbursement	**	**	**
House Arrest - EMHA	85	74	100
Court Community Service	*94	*40	**
Court Order Immobilizations (Clubs)	91	93	109
Immobilization from other Court Jurisdiction	0	2	0
TOTAL	<u>303</u>	<u>254</u>	<u>253</u>
D.O.V.E.(Domestic Violence Intervention)		32	30
D.O.V.E. (Assessments only)		4	1
Freedom House (30+ days inpatient treatment program)		8	5
P.E.G.S. (Parenting Classes)		5	2
Institute for Adult Development Intensive Outpatient Treatment		5	0
JOHNS (Sexual Offenders Course)		0	2
AMAC (Anger Management Course)		0	11
Shoplifting Class		<u>0</u>	<u>4</u>
TOTAL		<u>54</u>	<u>55</u>

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

**Unable to calculate due to computerization of records.

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 W. Burke, Jr., was contracted to act as Indigent Counsel.

Attorney James W. Burke, Jr., represented indigent persons in the following misdemeanors and felonies for the year of 2000.

MISDEMEANORS

Assured Clear Distance	6	Hit Skip	8
BAC	17	Hit Skip/Accident	3
Blocking Intersection	1	Illegal/Fictitious Plates	13
Clear View to Front	1	Improper Backing	1
Disorderly Conduct	2	Improper Change of Lanes	3
Display Plates: Regis: Obstr.	2	Improper Lane Usage	3
Drive Left of Center	1	Improper License Plates	2
Drive w/i Cont. Lanes	3	Improper Passing	1
Driving Under ALS Suspension	3	Improper Turn	2
Driving Under FRA Suspension	37	Left of Double Yellow Line	4
Driving Under OMVI Suspension	2	M/C Endorsement Required	1
Driving Under Suspension	20	M/C Helmet/Safety Glasses	1
Driving Under Suspension/Accident	1	Muffler Required/Excess Smoke	2
D.U.I.A.	19	No Front Plate	2
D.U.I.A./Accident	1	No Headlights	6
D.U.I.A./Refused	18	No Operator License	3
D.U.I.A./Refused/Accident	1	No Penalty/Financial Responsibility	1
D.U.I.D.	2	Obey Traffic Control Device	10
Evaded Red Light	1	Obstruct License Plates	3
Expired Plates	16	OMVUAC/BAC	1
Expired/Unlawful Plates	5	Operate Unsafe Vehicle	2
Fail to Display Operator License	10	Operator License Required	18
Fail to Stop after Accident	4	Operator License Required/Accident	1
Fail to Yield Right of Way	2	Physical Control	4
Fleeing & Eluding	1	Prohibit U-Turn	1
Following to Close	2	Reasonable Control	14
Full Time & Attention	2	Reckless Operation	14

Right Side of Roadway	1	Tinted Glass Materials	2
Seat Belt	29	Two(2)License Plates Required	1
Seat Belt/Driver	9	Unsafe Vehicle	8
Speed	18	Use of Unauthorized Plates	4
Speed/School Zone	2	Vio-Turn Signals	4
Stop Sign	4	Weaving Course	3
Taillights/Illuminated License Plate	7	Wrongful Entrustment	2

TOTAL **398**

INDIGENT COUNSEL

FELONIES

Abduction	5	Forgery	1
Aggravated Arson	1	Grand Theft	6
Aggravated Robbery	9	Harrassment by Inmate	1
Assault	3	Inducing Panic	2
Assault Police Officer	4	Intimidation	2
Attempt	11	Kidnapping	2
Attempt Auto Theft	2	Misuse of Credit Card	1
Breaking & Entering	3	Obscenity Involving Minor	1
Bribery	1	Obstructing Justice	2
Burglary	11	Participating in Criminal Gang	6
Carry Concealed Weapon	2	Petit Theft	2
Criminal Damaging	3	Possession of Criminal Tools	5
Complicity	3	Possession of Cocaine	2
Domestic Violence	13	Prepare Drugs for Sale	2
Drug Abuse	7	Receiving Stolen Property	19
Failure to Comply w/Police Order	1	Robbery	13
Falsification	1	Tampering w/Evidence	1
Felonious Assault	11	Theft	11
Felony Drug Abuse	1	Theft by Deception	2
Felony Theft	19	Trafficking	1
Felony Theft Auto	1	Unauthorized Use of M/V	2
Fleeing & Eluding	1	Vandalism	1

TOTAL

198