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MUNICIPAL COURT
BARBERTON, OHIO
DIANA STEVENSON, CLERK

BARBERTON MUNICIPAL COURT

2017 ANNUAL REPORT

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Barberton Municipal Court

576 West Park Avenue, Barberton, Ohio 44203

Judge David E. Fish
Lisa Whitmore, Bailiff

Judge Todd McKenney
Nancy Collin, Bailiff

March 26, 2018

Dear Public Official:

Pursuant to Ohio Revised Code Section 1901.14(A)(4), we are pleased to submit the Barberton Municipal Court 2017 Annual Report for your consideration. The report reflects the Barberton Municipal Court's activities and financials in 2017.

One of the highlights of 2017 included continuing expansion of our Barberton Municipal Drug Court Program which received final certification in February of 2017. We are proud to announce that we received continuing grant funding for a Drug Court Program Manager and for Medicated Assisted Treatment for our Drug Court participants.

Another highlight of 2017 included a revisit of our successful Amnesty Program whereby over **\$100,500** in outstanding fines, court costs, and restitution was collected and participants became valid drivers.

We look forward to continuing our progress in 2017 and thank you for your continued cooperation and support.

Respectfully,

David E. Fish
Presiding Judge

Todd McKenney
Judge

Diana Stevenson
Clerk of Court

JURISDICTION AND ORGANIZATION

The Barberton Municipal Court District includes the residents of the following seven Summit County, Ohio communities:

City of Barberton
City of Green
City of New Franklin
City of Norton
Village of Clinton
Copley Township
Coventry Township

The Barberton Municipal Court is the court of original jurisdiction for the seven communities within its territory, as established by Section 1901.02 of the Ohio Revised Code. The Court is served by two elected judges and one elected Clerk of Courts, each of whom serve terms of six years.

The jurisdiction of the Court includes traffic, criminal, and civil cases. The Court hears misdemeanor criminal and traffic cases, with felony cases initially arraigned in the court and then bound over to the Common Pleas Court. Civil cases involving contested dollar amounts not exceeding \$15,000 are heard in the Court, as are eviction cases and small claims cases up to \$6,000.



JUDGE DAVID FISH



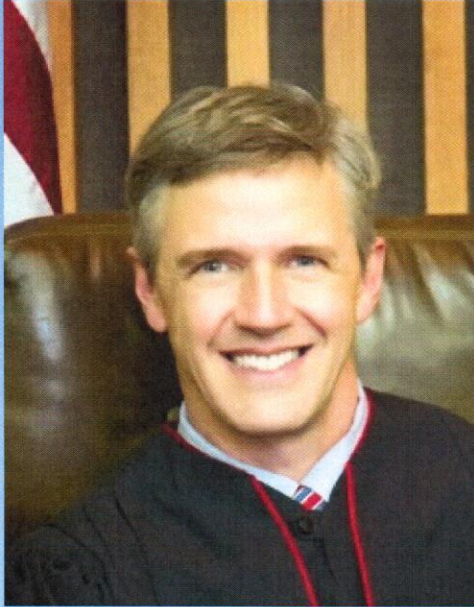
Judge David Fish serves as the Presiding and Administrative Judge of the Barberton Municipal Court. In this capacity, Judge Fish oversees the operations of the court in addition to handling his regular docket. Judge Fish also developed and presides over the Barberton Municipal Mental Health Court, the first specialized docket of the Barberton Municipal Court. This specialized court provides for increased supervision and treatment for offenders with mental illness.

Judge David Fish was elected Judge of the Barberton Municipal Court in November 2007. He previously served 16 years as Criminal Prosecutor for Green, Copley, Barberton, Norton, Coventry, New Franklin and Clinton in the Barberton Municipal Court. Judge Fish also served 15 years as Criminal Prosecutor for Norton in Norton Mayor's Court. Judge Fish taught as an Adjunct Professor for the University of Akron, teaching "Criminal Evidence and Legal Process" from 2001-2007.

Judge Fish is honored to have been selected by his peers to serve as trustee for the Association of Municipal/County Judges of Ohio for 2017-2019.

Judge Fish was a founding member of The Summit County Domestic Violence Coalition, serving as its president from 2005-2008. He is a member and Foundation Fellow of the Akron Bar Association. Judge Fish received his Bachelor of Arts degree from Tulane University, New Orleans, Louisiana, double majoring in Political Science and Public Policy. He received his Juris Doctorate in 1984 from the University of Akron School of Law. He was admitted to the practice of law in the State of Ohio in 1984.

JUDGE TODD MCKENNEY



A life-long area resident, Judge Todd McKenney graduated from Manchester High School in 1982. He then graduated Magna Cum Laude, from Hiram College in 1986. He went on to earn his Juris Doctorate degree from the Ohio State University College of Law in 1989 and was thereafter admitted to the Ohio Bar. Judge McKenney is also licensed to practice in the Northern and Southern Districts of Ohio and the U.S. Sixth Circuit Court of Appeals.

From 1989 to 1991 and again from 2005 to 2007, Judge McKenney served as the Judicial Law Clerk to the Honorable David D. Dowd, Jr. in the United States District Court for the Northern District of Ohio. During his extensive legal career, Judge McKenney has practiced law with the firms of Black, McCuskey, Souers and Arbaugh and most recently with Leiby, Hanna, Rasnick, Towne, Evanchan, Palmisano & Hobson, LLC. He is also an ordained pastor serving at The Chapel in Akron and Green.

Judge McKenney has served the residents of the Barberton Municipal Court District in the past as a New Franklin City Council member, State Representative for the 43rd District of Ohio and Judge of the Summit County Common Pleas Court in both Probate and General Divisions and at the Barberton Municipal Court originally in 2014. Judge McKenney was appointed to the Court again in 2017 and was elected to a full 6-year term in November 2017.

Judge McKenney has been active in the community and has been the recipient of several awards recognizing his community involvement, including the 2013 Liberty Bell Award. This award from the Akron Bar Association is for promoting a better understanding of the rule of law, encouraging a greater respect for law and the courts, stimulating a sense of civic responsibility and contributing to good government in the community.

Judge McKenney serves on the Green Opiate Task Force, sits as Vice President of the Magic City Kiwanis (2017-2018), and is a member of the Barberton Rotary Club. He serves on the boards of Faithful Servants (free medical clinic) and Mission USA Disaster Relief and as a member of the Akron Bar Association and The Chapel in Green.

Judge McKenney formerly served on the Board of the International Institute of Akron, Youth Excellence Performing Arts Workshop (YEPAW) for African-American Teen Leadership, Akron Area YMCA Trustee, Green Family YMCA Advisory Board, Lake Anna YMCA Capital Campaign and Love Akron.

Judge McKenney is a lifelong resident of Summit County. He and his wife Bethany have two children.

DIANA STEVENSON CLERK OF COURT



Diana Stevenson was appointed Clerk of the Barberton Municipal Court in January 2012 and was elected to the position by an overwhelming majority of the voters in both 2013 and 2015. Diana is now serving a full six-year term as the Clerk and is looking forward to continuing to advance the court in its use of technology in order to best serve the citizens of the Barberton Municipal Court.

Diana has a long history of public service in the Court system. After graduating from The University of Akron School of Law in 1992, Diana served various courts as a judicial attorney, including the Supreme Court of Ohio, the Summit County Probate Court and the Stark County Common Pleas Court. She also served 12 years as a Magistrate in Summit County Probate Court.

Diana is an active member of our community. She is president elect of the Magic City Kiwanis, and serves on the Tuscora Park Health and Wellness Board and the University of Akron Economics Advisory Board. She is a member of the Ohio Association of Municipal/County Court Clerks holds a certificate from the National Center for State Courts, Court Management Program, a nationally recognized program intended to enhance the efficiency and quality of the administration of justice. Diana is also a Fellow of the Akron Bar Association.

COURT PERSONNEL



Judge David E. Fish

Presiding/Administrative Judge
Bailiff Lisa Whitmore

Judge Todd McKenney

Bailiff Nancy Collin

Magistrate Andrew Peck

Bob Incorvati, Court Administrator

Bill Braman, Court Service Bailiff

Bob Nickol, Court Security Bailiff

Bob Davis, Court Security Bailiff

Rebecca Dilbeck, Chief Probation Officer

Paul Webb, Senior Probation Officer

Greg Bowersox, Probation Officer

Renee King, Probation Administrative Assistant

CLERK OF COURTS PERSONNEL

Diana Stevenson **Clerk of Court**

Evelyn DeVitis, Chief Deputy Clerk - Finance

Dawn Brown, Chief Deputy Clerk - Operations

Deputy Clerks

Dylan Brumbaugh

Ashley Carr

Erin Dean

Jackie Hollenbach

Kelly Kulick

Joyce Laney

Daniel Lewis

Megan Mitchell

Rachel Stefan

Debbie Wasch

Cashier Clerk

Civil Division Clerk

Traffic Division Clerk

Cashier Clerk

Civil Division Clerk

Cashier Clerk

Records Clerk

Criminal Division Clerk

Traffic Division Clerk

Disposition Clerk



PROBATION DEPARTMENT

The primary role of the Barberton Probation Department is community control supervision of offenders and enforcement of court orders. The Department performs several other functions for the court including random drug and alcohol testing of offenders, conducting presentence investigations, preparing sealing of records recommendations, and compliance with court orders related to assessment, treatment, employment, and restitution. As alternatives to jail sentence dispositions are sought, the probation department continues to expand its role in serving the court and community.

In 2017, the Barberton Probation Department recognized the following achievements:

- Chief Probation Officer, Rebecca Dilbeck, oversaw the expansion of staff, services and incarceration alternatives. Consistently meeting the challenge to find appropriate services for those served by the department.
- Probation Officer Greg Bowersox assumed an expanded role in a period of short-staffing.
- Probation Officer Paul Webb joined the department upon his retiring from Copley Twp. Police Department after 20 years of service bringing a valuable skill set to the department.
- Renee King was promoted to a full-time position as an administrative assistant.

SLIP Program 273 Participants

The Barberton Municipal Court continues to provide assistance to Ohio drivers seeking to reinstate valid driving privileges. SLIP participants are guided through their individual reinstatement requirements and given an opportunity to benefit in a diversion program setting.

Community Service

44 Court Referrals & Placements

Partnering Agencies:

American Red Cross

MAPS Air Museum

Goodwill Industries of Akron

Salvation Army Main Office

Keep Akron Beautiful

Ohio State Parks (ODNR)

Interval Brotherhood Home

Habitat for Humanity of Summit County

ORAS Administered

Presentence Investigations Performed

Offenders Placed on Probation

Outside Agency Assessments

Diversion Program Placements

Sealing of Records/Expungements

27

385

112

157

138

164



SPECIALIZED DOCKETS

"BEST" Mental Health Court

In 2013 under the leadership of Judge David Fish, Barberton Municipal Court began their first Specialized Docket to help those with mental disabilities. The Barberton Municipal Mental Health Court provides safe, effective treatment and supervision to eligible participants. Mental Health Court serves to motivate individuals to connect to community-based treatment services while the court monitors their progress and ensures public safety.

The goals of the Barberton Mental Health Court are to:

1. reduce recidivism;
2. improve public safety;
3. promote fair and equitable treatment of adult offenders that suffer with a mental disability or illness;
4. reduce the costs of prosecution and incarceration to taxpayers;
5. improve defendants access to public mental health treatment services as well as other community resources;
6. enhance collaboration between criminal justice agencies and the mental health system to better serve those with mental illness, and
7. improve the quality of life of mentally ill defendants.

Barberton Municipal Drug Court

In February 2016, the Barberton Municipal Court received certification from the Ohio Supreme Court to begin a specialized docket Drug Court program. Upon assuming responsibility for handling the Drug Court docket in 2017, Judge Todd McKenney sought and received ongoing Final Certification from the Ohio Supreme Court ensuring the program would continue to assist those struggling with opioid and similar addictions.

Drug Court is a minimum of 18 months and a maximum of 2 years. Participants are required to maintain a year of sobriety and are subject to random alcohol and drug screens. The Drug Court Program consists of four (4) phases. These phases are used as guidelines that can be modified to meet Participant's specific needs. Participant is required to frequently report to the Drug Court Judge and other treatment team members for compliance monitoring, assistance with treatment plans, and random alcohol and drug testing.

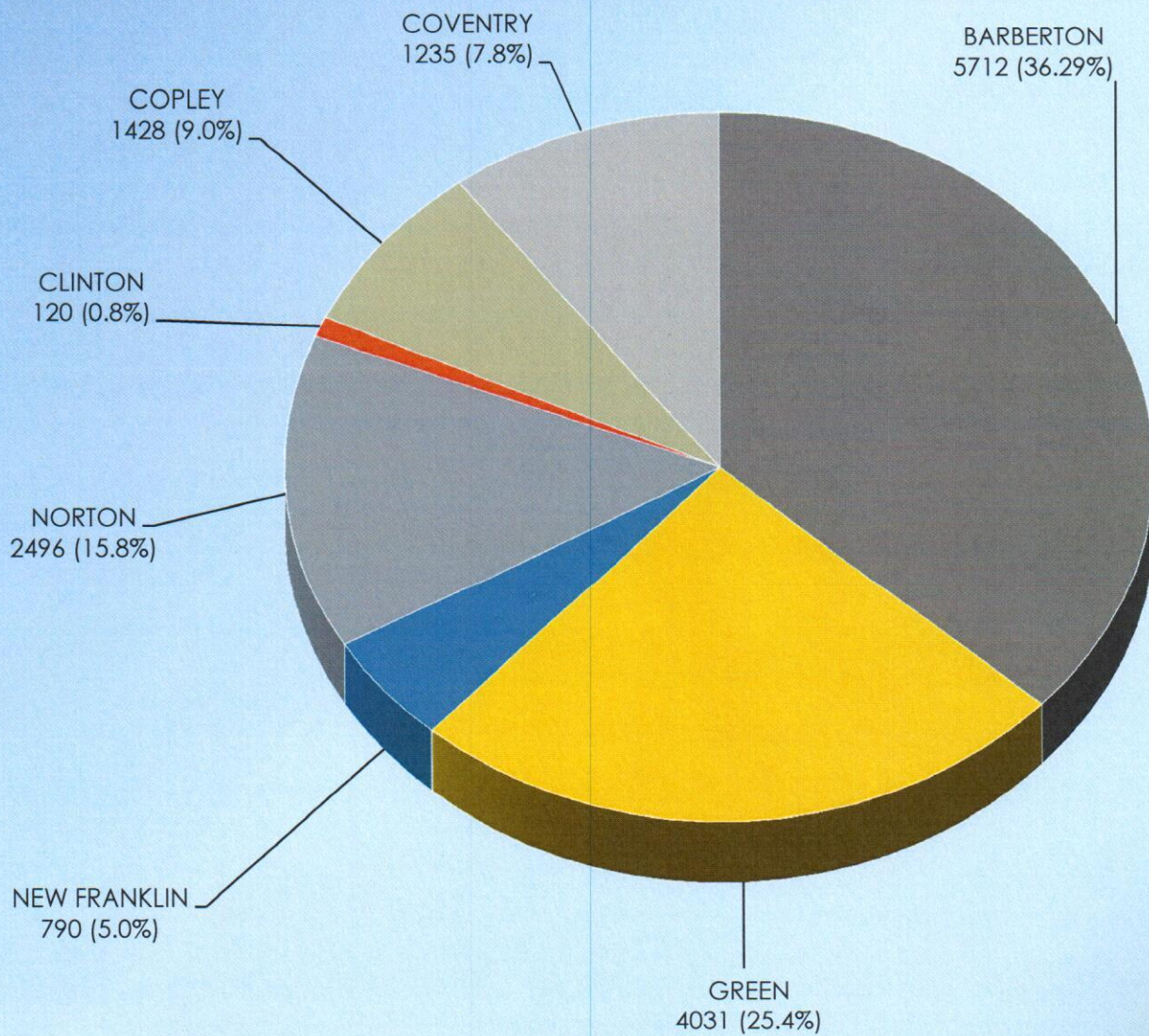
Today, there are 15 Drug Court participants with new potential participants are being screened weekly. Most importantly, the individuals that are able to participate in the Barberton Drug Court are on the road to recovery and a productive, crime free future.

2017 also saw the successful graduation of the first Drug Court participants. In a proud series of successful completions, eight drug court participants met their goals and graduated from the Drug Court program. Congratulations to them!

2017 CASES FILED BY COMMUNITY

	TRAFFIC	CRIMINAL	CIVIL	PARKING	TOTAL	
	CASES	CASES	CASES	CASES	CASES	%
BARBERTON	1840	1463	957	1452	5712	36.2%
GREEN	52	7	61	0	120	0.8%
NEW FRANKLIN	871	310	247	0	1428	9.0%
NORTON	674	317	244	0	1235	7.8%
CLINTON	410	231	149	0	790	5.0%
COPLEY	3034	678	296	0	4013	25.4%
COVENTRY	1842	455	199	0	2496	15.8%
TOTAL	8723	3461	2153	1452	15,789	100%

2015 CASES FILED BY COMMUNITY



CASES FILED 2011 - 2017

CASE TYPE	2017	2016	2015	2014	2013	2012	2011
Criminal Division							
Felony (CRA)	876	731	601	634	623	569	649
Misdemeanor (CRB)	2,585	2,484	2,341	2,439	2,285	2,434	2,620
Criminal Total	3,461	3,215	2,942	3,073	2,908	3,003	3,269
Traffic Division							
OVI (TRC)	421	556	524	577	500	585	591
Regular (TRD)	8,300	7,514	6,742	6,618	6,497	7,223	6,051
Traffic Total	8,721	8,070	7,266	7,195	6,997	7,808	6,642
Civil Division							
Property Damage Personal Injury (CVE)	21	45	26	31	24	34	41
Contracts (CVF)	1,339	1,045	1,183	1,104	1,175	1,658	2,039
Evictions (CVG)	519	556	584	600	622	588	616
Other (CVH)	118	266	302	200	151	168	149
Small Claims (CVI)	157	174	269	300	219	212	310
Civil Total	2,154	2,086	2,364	2,235	2,191	2,660	3,155
Parking Division							
Barberton Police	1,458	1,223	1,475	1,833	1,443	1,909	971
Summit County SO	5	8	29	62	103	113	199
Parking Total	1,463	1,231	1,486	1,895	1,546	2,022	1,170
GRAND TOTAL	15,799	14,602	14,058	14,398	13,642	15,493	14,236

2017 COURT RECEIPTS

	CRIMINAL/TRAFFIC DIVISION	CIVIL DIVISION	TOTAL
January	\$193,771.92	\$133,308.71	\$327,080.63
February	\$249,778.27	\$105,181.58	\$354,959.85
March	\$309,572.96	\$123,948.05	\$433,521.01
April	\$204,015.54	\$111,689.32	\$315,714.86
May	\$244,679.62	\$91,569.20	\$336,248.82
June	\$215,740.40	\$108,714.60	\$324,455.00
July	\$230,133.27	\$100,109.24	\$330,251.51
August	\$224,541.42	\$103,522.86	\$328,064.28
September	\$217,013.36	\$89,914.88	\$306,928.24
October	\$210,008.79	\$95,400.34	\$305,409.13
November	\$215,052.95	\$87,680.25	\$302,733.20
December	\$150,655.41	\$98,292.59	\$248,948.00
TOTAL:	\$2,664,963.91	\$1,249,331.62	\$3,914,295.53

2017 OPERATING STATEMENT

Municipal Court Operating Statement - General Fund

Charges for Services		
101-0000-44110	Criminal Court Costs	288,928
101-0000-44111	Civil Court Costs	263,548
101-0000-44112	Criminal Bond Fees	9,149
101-0000-44115	Municipal Court Bank Fees	(16,550)
101-0000-44119	Misc. Municipal Courts	7,570
101-0000-44120	Court Security	6
101-0000-44122	Garnishment Fees	15,604
101-0000-44124	Jury and Witness Fees	900
Fines		
101-0000-45110	Court Fines	55,016
101-0000-45111	45% Highway Patrol Fines	17,939
101-0000-45116	Arresting Department DUI	1,396
101-0000-45211	Unclaimed Funds	5,774
101-0000-45214	Nuisance Fines	600
Miscellaneous		
101-0000-48014	Restitution From Court	150
101-0000-48015	Court Cost Apportionment	46,122
101-0000-48024	Court Operating Fund Reimbursements	500,000
Total Revenue		1,212,702
101-4120	Municipal Court Judges	453,482
101-4121	Municipal Clerk of Courts	790,920
101-4235	Probation	196,973
Total Expenditures		1,441,375

SPECIAL PROJECT FUNDS 2017

208	Probation Services	Beginning Balance	375,559.76
		Revenue	136,555.81
		Expenditures	(88,262.02)
		Encumbrances	(0.00)
		Unencumbered Balance	423,853.55
209	Special Projects-Operations	Beginning Balance	303,098.04
		Revenue	641,574.47
		Expenditures	(597,758.52)
		Encumbrances	(19,795.32)
		Unencumbered Balance	327,118.67
210	Computer Fund	Beginning Balance	315,170.91
		Revenue	123,386.39
		Expenditures	(35,247.60)
		Encumbrances	(7,160.64)
		Unencumbered Balance	396,149.06
211	Special Projects-Buildings	Beginning Balance	1,815,185.50
		Revenue	247,387.47
		Expenditures	(16,509.61)
		Encumbrances	(0.00)
		Unencumbered Balance	2,046,063.36
214	Computer Legal Research	Beginning Balance	92,472.58
		Revenue	34,905.56
		Expenditures	(19,104.94)
		Encumbrances	(574.84)
		Unencumbered Balance	107,698.36

DISBURSEMENTS TO CITY OF BARBERTON

Criminal / Traffic Division		
Criminal/ Traffic Court Costs		288,410.00
City Fines		57,131.50
Drug Fines		984.00
45% of OSP Fines		33,401.00
OVI Arresting Agency Costs		1,424.00
OVI Indigent Costs		10,989.05
10% Bond Fee		9,149.25
Jury and Witness Fees		540.00
Copy Fees / Misc.		619.32
Court Security Fund		6.00
Speical Project Fund-Computer		98,479.73
Computer Legal Research		28,726.76
Special Project Fund-Operations		618,309.72
Credit Card Fees		111.90
Special Project Fund-Building		205,904.83
Indigent Alcohol Treatment Fund		9,881.25
Indigent Interlock Fund		18,625.75
Immobilization Fees		3,600.00
Probation Services Fund		100,812.02
Expungement Fees		500.00
	Criminal / Traffic Subtotal	1,487,606.08
Credit Card Fees Back-Out		16,211.32
	CRIMINAL / TRAFFIC TOTAL	1,471,394.76
Civil Division		
Civil Court Costs		263,075.05
Special Project Fund-General		19,848.00
1% Legal Aid		503.57
Marriage Fees		2,800.00
Special Project Fund-Computer		20,257.00
Legal Research		6,078.00
Copy Fees / Misc. and Jury		265.66
Special Project Fund-Building		40,512.00
2% Garnishment Fees		15,436.81
	Civil Subtotal	368,776.09
Credit Card Fees Back-Out		1,589.64
	CIVIL TOTAL	367,186.45
	CITY OF BARBERTON TOTAL	1,838,581.21

DISBURSEMENTS TO SUMMIT COUNTY

Disbursements to Summit County Fiscal Officer		
Witness Fees Collected		406.53
County Regular Fines		169,854.77
County Uniform Fines		123,805.27
OVI Housing		26,125.22
Sheriff Drug Fines		1,781.25
10% of OSP Fines		8,347.22
50% of Liquor Fines		1,107.80
Sheriff DUI Arresting Agency Fines		3,086.75
Jury Fees		190.00
Lakes Fines		1,094.00
Expungement Fees		1,820.00
SUMMIT COUNTY FISCAL OFFICER TOTAL		337,618.81
Other County Disbursements		
Crimestopper Fees Collected		1,396.40
Public Defender Fees Collected		8,922.86
OTHER COUNTY TOTAL		10,319.26

DISBURSEMENTS TO STATE OF OHIO

Disbursements to Ohio Treasurer		
Victims of Crime Costs		73,598.53
General Revenue Costs		3,823.15
Expungement Costs		4,620.00
45% of OSP Fines		41,724.03
50% of Liquor Fines		1,107.80
Seat Belt Fines		17,519.20
Highway Safety Fund		736.00
Ind Def Support Fund Fine (IDSF)		33,031.76
Ind Def Support Fund Cost (IDFC)		200,076.16
Drug Enforcement Fund (DEFC)		22,438.30
Justice Program Service Fund (JPSF)		658.80
Ignition Interlock Fund (IIFS)		197.50
Ind Def Support Fund (FBB)		3,468.00
	Criminal / Traffic Subtotal	402,999.23
99% Legal Aid	Civil Division	49,853.43
	OHIO TREASURER TOTAL	452,852.66
Other State Disbursements		
OSP Drug Fines		670.00
OSP OVI Arresting Agency Fines		2,039.40
Board of Pharmacy Fines		4,580.62
BMV Fees		1,444.62
	OTHER STATE OF OHIO TOTAL	8,734.64

DISBURSEMENTS TO OTHER ENTITIES

Disbursements to Other Entities	
City of Green Ordinance Fines	18,377.82
Copley Police OVI Fines	1,382.00
Copley Police Drug Fines	1,365.00
Copley Police Department Subtotal	2,747.00
Metro Parks Subtotal	110.00
New Franklin Police OVI Fines	800.00
New Franklin Police Drug Fines	225.00
New Franklin Police Department Subtotal	1,025.00
City of Norton Ordinance Fines	17,946.85
Norton Police OVI Fines	2,516.00
Norton Police Drug Fines	1,479.00
Norton Local Court Transfer Fee	45.00
Norton Police Department Subtotal	21,986.85
State Wildlife	353.00
State Watercraft	832.00
State Parks	6,128.50
Ohio Department of Natural Resources Subtotal	13,442.00
Humane Society	205.00
Collection Agency	133,511.19
Ohio Department of Taxation	150.00
Sheriff Fees	4,677.83
Criminal / Traffic Division Subtotal	190,104.19
Akron Legal News (Civil)	23,350.00
OTHER ENTITY TOTAL	213,454.19