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BARBERTON, OHIO
DIANA STEVENSON, CLERK

BARBERTON MUNICIPAL COURT

2018 ANNUAL REPORT

TABLE OF CONTENTS

- Letter to Barberton City Council and Summit County Council
- Jurisdiction and Organization
- Judges of the Court
- Clerk of Court
- Court Personnel
- Clerk's Office Personnel
- Probation Department
- Specialized Dockets
- Case Filings
 - Cases by Community
 - Cases Filed **2012-2018**
- Court Receipts
- Court Operating Statement
- Special Project Funds
- Monthly Disbursements
 - City of Barberton
 - Summit County
 - State of Ohio
 - City of Barberton
 - Other Entities





Barberton Municipal Court

576 West Park Avenue, Barberton, Ohio 44203

Judge David E. Fish
Lisa Whitmore, Bailiff

Judge Todd McKenney
Nancy Collin, Bailiff

Diana Stevenson, Clerk of Court

Dear Public Official:

Pursuant to Ohio Revised Code Section 1901.14(A)(4), we are pleased to submit the Barberton Municipal Court 2018 Annual Report for your consideration. The report reflects the Barberton Municipal Court's activities and financials in 2018.

One of the highlights of 2018 included the continuing expansion of our Barberton Municipal Mental Health Court Program, B.E.S.T., which received final re-certification – required every three years – from the Supreme Court of Ohio in March of this year.

We are also proud to announce that we received continuing grant funding for our Barberton Municipal Drug Court Program for Recovery Support our Drug Court participants.

Another highlight of 2018 included the expansion of our efforts to assist those needing to reinstate, or otherwise obtain, valid Ohio driving privileges. Our probation department's S.L.I.P. program offers individuals an opportunity to address drivers license suspension issues and saw a 26% increase in participation during 2018.

We look forward to continuing our progress in 2019 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



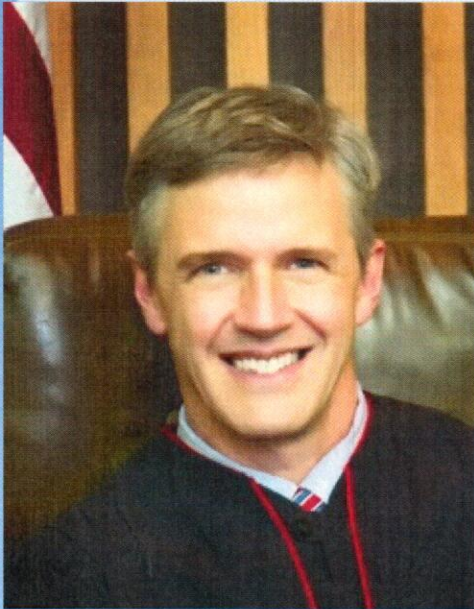
Judge David Fish serves as the Presiding and Administrative Judge of the Barberton Municipal Court. In this capacity, Judge Fish oversees the operations of the court in addition to handling his regular docket. Judge Fish also developed and presides over the Barberton Municipal Mental Health Court, the 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. 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 President-elect of the Magic City Kiwanis (2018-2019), 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. Judge McKenney is currently serving as Senior Pastor of the Akron Chinese Christian Church.

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, Summit County Councilwoman Bethany McKenney, have two teenage children.

DIANA STEVENSON CLERK OF COURT



Diana Stevenson has been serving the communities of Barberton, Norton, Green, New Franklin, Copley, Coventry and Clinton as the Clerk of the Barberton Municipal Court since January 2012. Diana strives for her office to provide the best service to all the citizens who have business with the court. She continues to advance the court in its use of technology in order to enhance the efficiency and quality of the administration of justice.

Diana is a member of the Ohio Association of Municipal/County Court Clerks and also holds a certificate from the National Center for State Courts, Court Management Program. Additionally, she will receive her certificate as a Certified Court Executive in 2021.

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 also an active member of our community. She is a member of Magic City Kiwanis as well as the Kiwanis Lieutenant Governor over 19 clubs in Summit, Medina and Wayne Counties. She serves on the Tuscora Park Health and Wellness Board and the University of Akron Economics Advisory Board. 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

Dylan Brumbaugh, Chief Deputy Clerk - Operations

Deputy Clerks

Ashley Carr

Civil Division Clerk

Erin Dean

Traffic Division Clerk

Caitlin Greene

Cashier Clerk

Jackie Hollenbach

Cashier Clerk

Kelly Kulick

Civil Division Clerk

Joyce Laney

Cashier Clerk

Daniel Lewis

Records Clerk

Megan Mitchell

Criminal Division Clerk

Debbie Wasch

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 2018, the Barberton Probation Department recognized the following achievements:

- Chief Probation Officer Rebecca Dilbeck oversaw the expansion of agency referral services and incarceration alternatives to better assist those with a variety of needs. Consistently meeting the challenge to find appropriate services for those served by the department.
- Chief Probation Officer Rebecca Dilbeck and Probation Officer Paul Webb expanded their responsibilities as they undertook assisting Judge McKenney with the Barberton Municipal Court Drug Court programming.

SLIP Program 340 Participants

The Barberton Municipal Court continues to provide assistance to Ohio drivers seeking to reinstate valid driving privileges and saw a marked increase in participation during 2018. SLIP participants are guided through their individual reinstatement requirements and given an opportunity to benefit in a diversion program setting.

Community Service

18 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

Court Sentenced House Arrest	27
Presentence Investigations Performed	385
Offenders Placed on Probation	116
Outside Agency Assessments	177
Diversion Program Placements	187
Sealing of Records/Expungements	206



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.

In 2018, under the guidance of Judge David Fish, the Supreme Court of Ohio began the process to continue certification of this important specialized docket court.

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.

Under Judge McKenney's guidance the Barberton Municipal Drug Court continues to grow and serve those in need of addiction services. Participation expanded in 2018 and new members continue to benefit from the expanded services provided in this specialized docket program.

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.

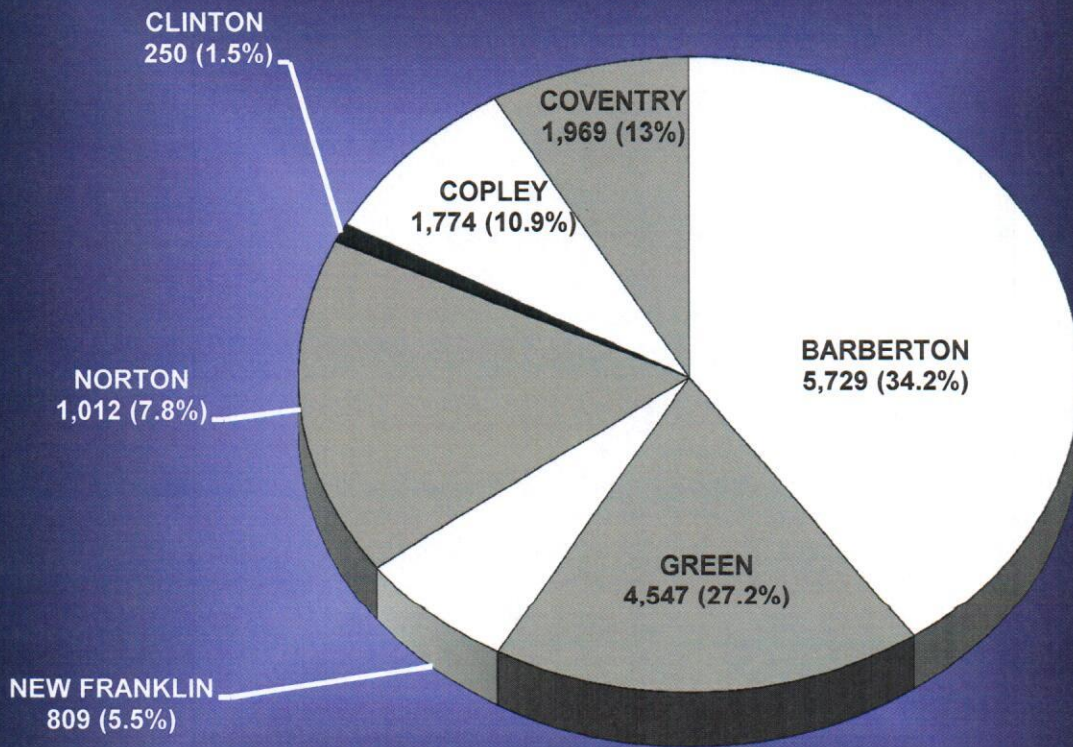
Today, there are 17 Drug Court participants with new potential participants are being screened weekly. Most importantly, the individuals that are able to participate in the Barberton Drug Court are on the road to recovery and a productive, crime free future.

2018 also saw the successful graduation of Drug Court participants. In a proud series of successful completions, several drug court participants met their goals and graduated from the Drug Court program. Congratulations to them!

2018 CASES FILED BY COMMUNITY

	TRAFFIC	CRIMINAL	CIVIL	PARKING	TOTAL	
	CASES	CASES	CASES	CASES	CASES	%
BARBERTON	1997	1457	1018	1045	5517	40.3%
GREEN	1573	593	286	1	2453	17.9%
NEW FRANKLIN	402	247	253	0	902	6.6%
NORTON	1723	433	203	0	2359	17.2%
CLINTON	37	13	81	0	131	1.0%
COPLEY	619	355	227	0	1201	8.8%
COVENTRY	573	315	242	4	1134	8.3%
TOTAL	6924	3413	2310	1046	13,693	100%

2015 CASES FILED BY COMMUNITY



CASES FILED 2012 - 2018

CASE TYPE	2018	2017	2016	2015	2014	2013	2012
Criminal Division							
Felony (CRA)	891	876	731	601	634	623	569
Misdemeanor (CRB)	2,522	2,585	2,484	2,341	2,439	2,285	2,434
Criminal Total	3,413	3,461	3,215	2,942	3,073	2,908	3,003
Traffic Division							
OVI (TRC)	347	421	556	524	577	500	585
Regular (TRD)	6,577	8,300	7,514	6,742	6,618	6,497	7,223
Traffic Total	6,924	8,721	8,070	7,266	7,195	6,997	7,808
Civil Division							
Property Damage Personal Injury (CVE)	23	21	45	26	31	24	34
Contracts (CVF)	1,436	1,339	1,045	1,183	1,104	1,175	1,658
Evictions (CVG)	558	519	556	584	600	622	588
Other (CVH)	120	118	266	302	200	151	168
Small Claims (CVI)	173	157	174	269	300	219	212
Civil Total	2,310	2,154	2,086	2,364	2,235	2,191	2,660
Parking Division							
Barberton Police	1,045	1,458	1,223	1,475	1,833	1,443	1,909
Summit County SO	5	5	8	29	62	103	113
Parking Total	1,050	1,463	1,231	1,486	1,895	1,546	2,022
GRAND TOTAL	13,697	15,799	14,602	14,058	14,398	13,642	15,493

2018 COURT RECEIPTS

	CRIMINAL / TRAFFIC DIVISION		CIVIL DIVISION		TOTAL
January	\$173,640.77		\$107,975.75		\$281,616.52
February	\$216,550.35		\$93,920.17		\$310,470.52
March	\$199,252.04		\$102,527.14		\$301,779.18
April	\$196,572.95		\$93,882.31		\$290,455.26
May	\$174,227.69		\$90,159.80		\$264,387.49
June	\$193,959.63		\$95,922.56		\$289,882.19
July	\$174,341.00	#	\$92,595.12		\$266,936.12
August	\$219,712.50		\$115,773.98		\$335,486.48
September	\$181,881.65		\$100,747.47		\$282,629.12
October	\$207,061.84		\$120,986.88		\$328,048.72
November	\$162,939.87		\$101,434.12		\$264,373.99
December	\$140,042.59		\$106,215.87		\$246,258.46
TOTAL:	\$2,240,182.88		\$1,222,141.17		\$3,462,324.05

2018 OPERATING STATEMENT

Municipal Court Operating Statement - General Fund

Charges for Services

101-0000-44110	Criminal Court Costs	266,750.90
101-0000-44111	Civil Court Costs	273,149.98
101-0000-44112	Criminal Bond Fees	5,215.00
101-0000-44115	Municipal Court Bank Fees	(7,768.58)
101-0000-44119	Misc. Municipal Courts	(200.95)
101-0000-44120	Court Security	2.00
101-0000-44122	Garnishment Fees	14,458.21
101-0000-44124	Jury and Witness Fees	1,020.00

Fines

101-0000-45110	Court Fines	49,371.51
101-0000-45111	45% Highway Patrol Fines	15,276.14
101-0000-45116	Arresting Department DUI	1,523.00
101-0000-45211	Unclaimed Funds	7,617.18
101-0000-45214	Nuisance Fines	600.00

Miscellaneous

101-0000-48014	Restitution From Court	150.00
101-0000-48015	Court Cost Apportionment	41,389.67
101-0000-48024	Court Operating Fund Reimbursements	500,004.00

Total Revenue

1,167,958.06

101-4120	Municipal Court Judges	482,951.28
101-4121	Municipal Clerk of Courts	796,168.32
101-4235	Probation	232,803.60

Total Expenditures

1,511,923.20

SPECIAL PROJECT FUNDS 2018

208	Probation Services		
		Beginning Balance	423,853.55
		Revenue	123,926.27
		Expenditures	(92,778.45)
		Encumbrances	(2,797.06)
		Unencumbered Balance	452,204.31
209	Special Projects-Operations		
		Beginning Balance	346,913.99
		Revenue	536,948.48
		Expenditures	(630,653.23)
		Encumbrances	(4,775.12)
		Unencumbered Balance	248,434.12
210	Computer Fund		
		Beginning Balance	403,309.70
		Revenue	102,515.71
		Expenditures	(53,904.96)
		Encumbrances	(14,684.63)
		Unencumbered Balance	437,235.82
211	Special Projects-Buildings		
		Beginning Balance	2,046,063.36
		Revenue	508,970.48
		Expenditures	(300,590.00)
		Encumbrances	(27,880.00)
		Unencumbered Balance	2,226,563.84
214	Computer Legal Research		
		Beginning Balance	108,273.20
		Revenue	30,122.50
		Expenditures	(9,813.41)
		Encumbrances	(988.60)
		Unencumbered Balance	127,593.69

DISBURSEMENTS TO CITY OF BARBERTON

	TOTAL
<i>Criminal / Traffic Division</i>	
Criminal/ Traffic Court Costs	268,842.78
City Fines	48,888.41
Drug Fines	810.00
45% of OSP Fines	27,292.29
OVI Arresting Agency Costs	1,521.00
OVI Indigent Costs	8,214.75
10% Bond Fee	4,778.50
Jury and Witness Fees	1,020.00
Copy Fees / Misc.	1,046.41
Court Security Fund	4.00
Special Project Fund-Computer	81,136.71
Computer Legal Research	23,679.20
Special Project Fund-Operations	499,636.97
Credit Card Fees	12.00
Special Project Fund-Building	166,160.22
Indigent Alcohol Treatment Fund	7,795.15
Indigent Interlock Fund	13,614.90
Immobilization Fees	3,700.00
Probation Services Fund	91,510.43
Expungement Fees	360.00
Criminal / Traffic Subtotal	1,250,023.72
Credit Card Fees Back-Out	13,667.31
Misc. Adjustment Back-Out	<u>1,805.00</u>
CRIMINAL / TRAFFIC TOTAL	1,234,551.41
<i>Civil Division</i>	
Civil Court Costs	276,554.39
Special Project Fund-General	24,682.00
1% Legal Aid	536.05
Marriage Fees	5,320.00
Special Project Fund-Computer	21,717.00
Computer Legal Research	6,528.00
Copy Fees / Misc. and Jury	272.90
Special Project Fund-Building	43,395.12
2% Garnishment Fees	14,565.51
Civil Subtotal	393,570.97
Credit Card Fees Back-Out	1,566.94
Mis. Adjustment Back-Out	0.00
CIVIL TOTAL	392,004.03
CITY OF BARBERTON TOTAL	1,626,555.44

DISBURSEMENTS TO SUMMIT COUNTY

Disbursements to Summit County Fiscal Officer	
Witness Fees Collected	213.68
County Regular Fines	158,348.85
County Uniform Fines	106,011.67
OVI Housing	19,778.25
Sheriff Drug Fines	1,359.40
10% of OSP Fines	6,821.21
50% of Liquor Fines	835.32
Sheriff OVI Arresting Agency Fines	2,298.00
Jury Fees	9.90
Lakes Fines	1,148.00
Expungement Fees	<u>2,548.40</u>
SUMMIT COUNTY FISCAL OFFICER TOTAL	299,372.68
Other County Disbursements	
Crimestopper Fees Collected	1,294.80
Public Defender Fees Collected	<u>7,709.44</u>
OTHER COUNTY TOTAL	9,004.24

DISBURSEMENTS TO STATE OF OHIO

Disbursements to Ohio Treasurer	
Victims of Crime Costs	59,425.92
General Revenue Costs	2,974.30
Expungement Costs	5,520.60
45% of OSP Fines	34,098.75
50% of Liquor Fines	835.30
Seat Belt Fines	10,294.80
Highway Safety Fund	728.00
Ind Def Support Fund Fine (IDSF)	25,094.35
Ind Def Support Fund Cost (IDFC)	160,209.06
Drug Enforcement Fund (DEFC)	17,502.10
Justice Program Sevice Fund (JPSF)	513.50
Ignition Interlock Fund (IIFS)	160.00
Ind Def Support Fund (FBB)	3,302.20
Criminal / Traffic Subtotal	320,658.88
99% Legal Aid (from Civil Division)	<u>53,068.95</u>
OHIO TREASURER TOTAL	373,727.83
Other State Disbursements	
OSP Drug Fines	261.00
OSP OVI Arresting Agency Fines	1,038.00
Board of Pharmacy Fines	5,065.18
BMV Fees	<u>1,656.00</u>
OTHER STATE OF OHIO TOTAL	8,020.18

DISBURSEMENTS TO OTHER ENTITIES

Disbursements to Other Entities	
City of Green Ordinance Fines	20,669.15
Copley Police OVI Fines	1,067.00
Copley Police Drug Fines	<u>526.00</u>
Copley Police Subtotal	1,593.00
MetroParks	70.00
New Franklin Police OVI Fines	917.00
New Franklin Police Drug Fines	<u>114.00</u>
New Franklin Police Subtotal	1,031.00
City of Norton Ordinance Fines	15,843.00
Norton Police OVI Fines	1,560.00
Norton Police Drug Fines	1,069.00
Norton Local Court Transfer Fee	<u>45.00</u>
Norton Subtotal	18,517.00
State Wildlife	413.00
State Watercraft	169.00
State Parks	<u>3,556.45</u>
ODNR Subtotal	7,694.90
Humane Society	25.00
Collection Agency	131,702.84
Ohio Department of Taxation	228.00
Sheriff Fees	3,311.01
Criminal / Traffic Division Subtotal	181,285.45
Akron Legal News (Civil)	24,894.50
OTHER ENTITY TOTAL	206,592.45