

2017 ANNUAL REPORT



William Steuk
Judge

Julie Ortega
Clerk of Court

“When they are impartial and independent, courts earn public trust and confidence as they balance needs for social order and individual freedom in the ‘ordinary administration of criminal and civil justice.’”

**HURON MUNICIPAL COURT
2017 ANNUAL REPORT**

2017 Employee Roster

William SteukJudge
Julie OrtegaClerk
Diana Krawetzki.....Deputy Clerk
Kimberly Binford.....Probation Officer/Deputy Clerk
Laura Alkire.....Police Prosecutor

Pursuant to section 1901.14(A)(4) of the Ohio Revised Code, the following report, relative to the operation of the Huron Municipal Court for the year 2017 is respectfully submitted.

MISSION STATEMENT

The Mission of the Huron Municipal Court is to provide a fair, impartial, and efficient resolution of the matters brought before it, without unnecessary delay, in a courteous manner.

DEPARTMENTAL GOALS

The Municipal Court is committed to providing fair and impartial resolution of all issues in a manner that is efficient for all parties involved. The Municipal Court is also committed to ensuring that defendants strictly comply with all judicial orders. Finally, the Huron Municipal Court is committed to operate the court well within the boundaries of its budget, and to report in a timely manner all revenues and expenditures to the appropriate agencies, thereby earning and maintaining the public’s respect, confidence and satisfaction.

MUNICIPAL COURT

The Constitution of the United States and the Ohio Constitution both established three separate branches of government: the Executive, the Legislative and the Judiciary. The doctrine of “separation of powers” is embodied in the framework of the Ohio Constitution, the U.S. Constitution, and the system of representative government and constitutional democracy. The authority to operate the court and make determinations as to the appropriate level of funding needed to operate the court, are decisions that are within the exclusive authority of the courts. These are matters about which the courts have the constitutional obligation to protect and preserve from interference from another branch or level of government. These principles are at the heart of the separation of powers framework endorsed by the Founding Fathers in the Federalist Papers, and evident in the Federalist Paper #52:

In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent, is admitted on all hands to be essential to the preservation of liberty, it is evident that each department [branch of government] should have a will of its own....The great security against a gradual concentration of the several powers in the same department [branch of government], consists in giving to those who administer each department, the necessary constitutional means, and personal motives, to resist encroachment of the others....Ambition must be made to counter ambition.(Federalist #52)

The creation and maintenance of the municipal courts is reserved to the General Assembly pursuant to Ohio Const. art. IV, §1. The Huron Municipal Court was established in 1968 pursuant to Ohio Revised Code 1901.01.

The Huron Municipal court is a single judge court where the part-time Judge acts as both the Presiding and Administrative Judge. The Judge serves a term of 6 years. The court employs one (1) full time Clerk of Court/Court Administrator and one (1) full time Deputy Clerk/Probation Officer and one (1) full time Deputy Clerk for the Civil Division.

Purposes of Courts:

1. To Do Individual Justice in Individual Cases
2. To Appear To Do Individual Justice in Individual Cases
3. To Provide a Final Forum for the Resolution of Legal Disputes
4. To Protect Individuals from the Arbitrary Use of Government Power
5. To Provide a Formal Record of Legal Status

6. To Deter Criminal Behavior
7. To Rehabilitate Persons Convicted of Crime
8. To Separate Convicted Persons from Society
9. To Protect the Weak Against the Strong

Clerk of Court's Department:

The clerk shall do all of the following: file and safely keep all journals, records, books, and papers belonging or appertaining to the court; record the proceedings of the court; perform all other duties that the judges of the court may prescribe; and keep a book showing all receipts and disbursements, which book shall be open for public inspection at all times. The clerk shall prepare and maintain a general index, a docket, and other records that the court, by rule, requires, all of which shall be the public records of the court. In the docket, the clerk shall enter, at the time of the commencement of an action, the names of the parties in full, the names of the counsel, and the nature of the proceedings. Under proper dates, the clerk shall note the filing of the complaint, issuing of summons or other process, returns, and any subsequent pleadings. The clerk also shall enter all reports, verdicts, orders, judgments, and proceedings of the court, clearly specifying the relief granted or orders made in each action. The clerk of a municipal court shall receive, collect, and issue receipts for all costs, fees, fines, bail, and other moneys payable to the office or to any officer of the court. The clerk shall on or before the twentieth day of the month following the month in which they are collected disburse to the proper persons or officers, and take receipts for, all costs, fees, fines, bail, and other moneys that the clerk collects. Moneys deposited as security for costs shall be retained pending the litigation. The clerk shall keep a separate account of all receipts and disbursements in civil and criminal cases, which shall be a permanent public record of the office. The clerk shall have other powers and duties as are prescribed by rule or order of the court.

State law mandates that this department collect and disburse monies and maintain the records of the court. This department processes matters for and provides information to the Huron Police Department, State Highway Patrol, Ohio Bureau of Motor Vehicles, Erie County Sheriff, civil litigants, attorneys, prosecutors, criminal defendants, The Supreme Court of Ohio, The Bureau of Criminal Identification and Investigation and all other law enforcement agencies.

Money is paid into this department as fines and costs on traffic, criminal and civil cases. In 2017, the court operated well within the boundaries of its \$306,353 budget, collecting \$763,135 in fines and costs from both criminal/traffic and civil cases. From this total collected the court paid \$386,281 to the City of Huron. As required by statute, fines and costs were distributed to the various law enforcement agencies, state agencies and to the City of Huron and are shown in the following pages.

The Clerks' office is ever grateful for the cooperation received from the municipalities of this court district, other courts and law enforcement agencies. The clerk's office looks forward to assisting

you in the coming year. We would also like to take this opportunity to thank those who have contributed to the continued success of the court.

HURON MUNICIPAL COURT 2017 ANNUAL REPORT

SUMMARY REPORT

Traffic & Criminal Cases

Number of Traffic Cases Filed in 2017:	2447	
Huron Police Department:	703	29%
Ohio State Highway Patrol:	1401	57%
Erie County Sheriff:	343	14%
Number of Criminal Cases Filed in 2017:	576	
Huron Police Department:	271	47%
Ohio State Highway Patrol:	42	7%
Erie County Sheriff:	212	37%
Ohio Dept. of Natural Resources & Dept. of Taxation:	51	9%

Civil Cases

Number of Civil cases Filed in 2017:	257
Number of Small Claims Cases Filed in 2017:	52
Total Civil cases filed in 2017:	309

TOTAL MONIES COLLECTED IN 2017

Criminal & Traffic Account:	\$ 638,971.12
Civil Account:	\$ 124,164.34
Total Collections:	\$ 763,135.46

**HURON MUNICIPAL COURT
2017 ANNUAL REPORT**

2017 FINANCIAL REPORT

Balance on Hand 1/1/17:	\$ 9,728.00
Total Collections for 2017:	\$ 763,135.46

Total Cash:	\$ 772,863.46
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Disbursements:

City of Huron:	
Court Costs:	\$ 166,658.57
Capital Improvement Fund:	\$ 17,132.00
Computer Improvement Fund:	\$ 17,407.50
City Ordinance Fines:	\$ 101,561.16
Special Warrant Fund:	\$ 3,676.50

45% OSP Fines – General Fund:	\$ 18,965.00
45% OSP Fines – Hwy Patrol Fund:	\$ 15,204.40
Special Projects:	\$ 1,618.50
DUI Arresting Agency:	\$ 1,611.00
DUI Indigent Alcohol Fund:	\$ 3,943.50
Probation Fees	\$ 38,499.00
Unclaimed Funds	\$ 3.60

Total paid to City of Huron: \$ 386,280.73

Erie County:

Highway Maintenance Fines:	\$ 12,098.00
Regular Fines Collected:	\$ 19,965.45
Uniform Fines Collected:	\$ 39,687.08
Highway Safety:	\$ 00.00
Dog Fines:	\$ 00.00
Drug Fines:	\$ 5,755.00
Liquor Fines:	\$ 1,305.00
10% OSP Fines:	\$ 8,542.49
Sheriff Housing Fund:	\$ 1,074.00
Sheriff Fees:	\$ 31.74
DUI Arresting Agency:	\$ 170.00
Public Defenders Fee:	\$ 2,112.00
Erie County Law Library	\$ 1,060.20

Total Paid to Erie County: \$ 91,800.96

State of Ohio:

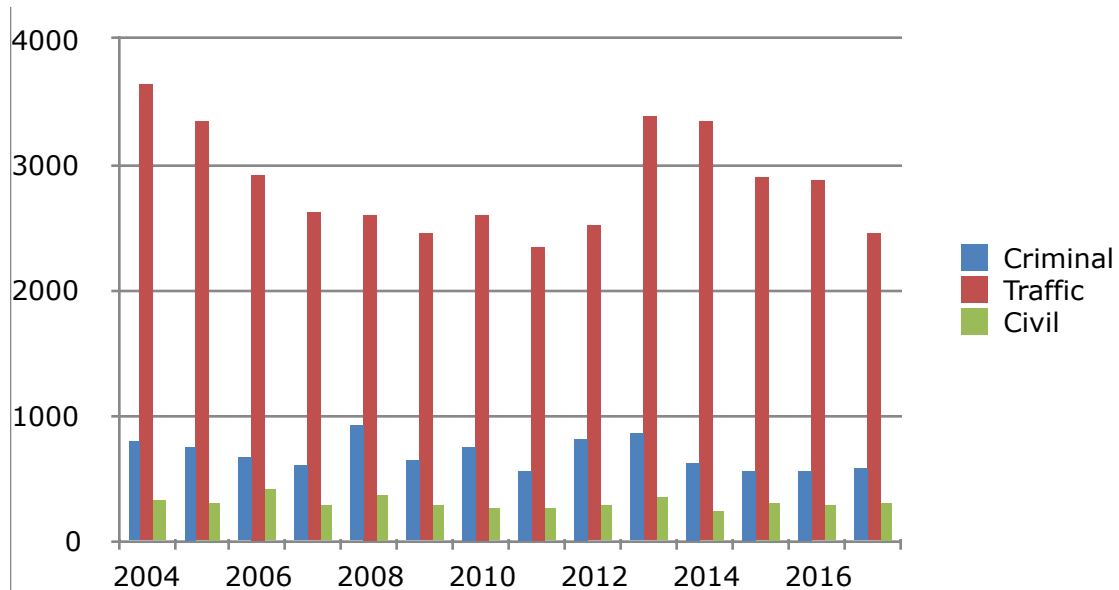
Victims of Crime Fund:	\$ 21,078.00
Indigent Defense Fund:	\$ 64,784.15
Expungement Costs:	\$ 690.00
45% OSP Fines:	\$ 42,712.51
DUI Arresting Agency	\$ 260.00
OSP Drug Fines:	\$ 1,960.00
Board of Pharmacy Fines:	\$ 4,510.00
50% Liquor Fines:	\$ 1,305.00
Seat Belt Fines:	\$ 4,160.00
Highway Safety Fund	\$ 200.00
Bureau of Motor Vehicles:	\$ 85.00
Ohio Dept. Natural Resources	\$ 3,140.00
Ohio Dept. of Taxation	\$ 200.00
Legal Aid:	\$ 7,098.00

Drug Enforcement:	\$	7,101.40
Total paid to State of Ohio:		\$ 159,284.06
Miscellaneous Disbursements:		
Restitution Payments Collected and Disbursed:	\$	3,846.70
Bond Refunds paid throughout Year:	\$	25,433.96
Garnishment Payments (Civil Cases)	\$	77,079.85
Bonds Forwarded to Erie County Common Pleas Court:	\$	14,425.00
Capital Recovery Systems:	\$	6,039.20
TOTAL DISBURSEMENTS:		\$ 764,190.46
BALANCE ON HAND DECEMBER 31, 2017:		\$ 8,673.00

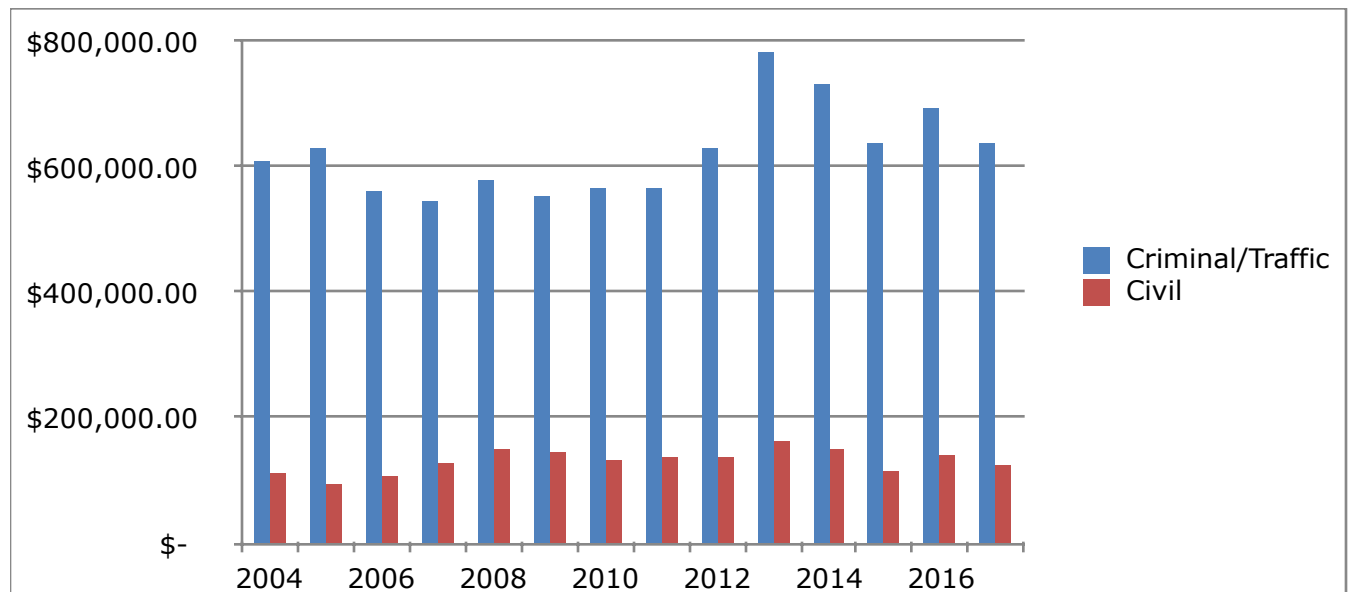
The balance on hand represents bonds being held on pending cases in the Huron Municipal Court and will be carried over to the beginning of the year 2018.

**HURON MUNICIPAL COURT
2017 ANNUAL REPORT**

Cases Filed:



Collections:



CALENDAR YEAR 2017 ACCOMPLISHMENTS

- Maintained the Huron Municipal Court website. The website now has all court forms, the current court docket, case look-up, e-payments. The new website can be found at www.huronmunicipalcourt.us

- Batched all current overdue accounts to Capital Recovery Systems for help in securing payment.
- Court Rules updated and sent to the Supreme Court of Ohio
- Continued to maintain a self-sustaining probation department to monitor offenders, as well as, all court ordered requirements.
- Maintained a 100% or better clearance rate of cases in the Criminal and Traffic Divisions: 135% and 110%, respectively, for 2017.
- The Court continued to be self-sustaining by operating well within the boundaries of its budget and contributing \$40,726 of overage (amount over the actual budget expenditures) to the City of Huron's General Fund. Also donating \$32,000 from the courts' Capital Projects Fund to the City of Huron to help pay the costs of city renovations.
- Successfully resolved 300 civil conflicts, 2573 traffic violations and 654 criminal offenses.
- Processed and disbursed a total of \$77,080 in civil garnishments. These were processed and returned to the plaintiffs in a timely manner.
- Collected and disbursed \$3,847 in restitution payments (note: not all restitution payments are paid through the Court, they can be made directly to the victim.)
- Completed timely performance evaluations of all full-time employees; providing for a comparable performance based bonus.
- Complied with and met all requirements for the State of Ohio Audit through the City of Huron with no finding for recovery.
- Collected \$763,135 in monies and properly distributed all monies to the appropriate agencies: Erie County Auditor, City of Huron, State of Ohio, Ohio State Board of Pharmacy, Ohio Bureau of Motor Vehicles, Ohio Department of Natural Resources and Erie County Sheriff in the time prescribed by the Ohio Revised Code.
- Reported all unclaimed funds to the City of Huron as prescribed by the Ohio Revised Code.
- Continued to utilize the video arraignment system to eliminate the cost of transporting prisoners for court hearing.
- Issued 332 warrants for arrest and served a total of 327 warrants on defendants.
- Held 101 regular court sessions with 4,335 cases scheduled during those sessions.
- Reconciled all bank accounts monthly with no discrepancies.
- Continued to monitor and try new avenues for collections of the \$484,637 in outstanding debt owed to the court.
- Successfully continued the process of collecting fines and costs via the internet through n-court; collecting a total of \$230,431 for 2017.
- Scheduled approximately 677 pre-trials, motion hearings, court trials, and other various court hearing throughout 2017.

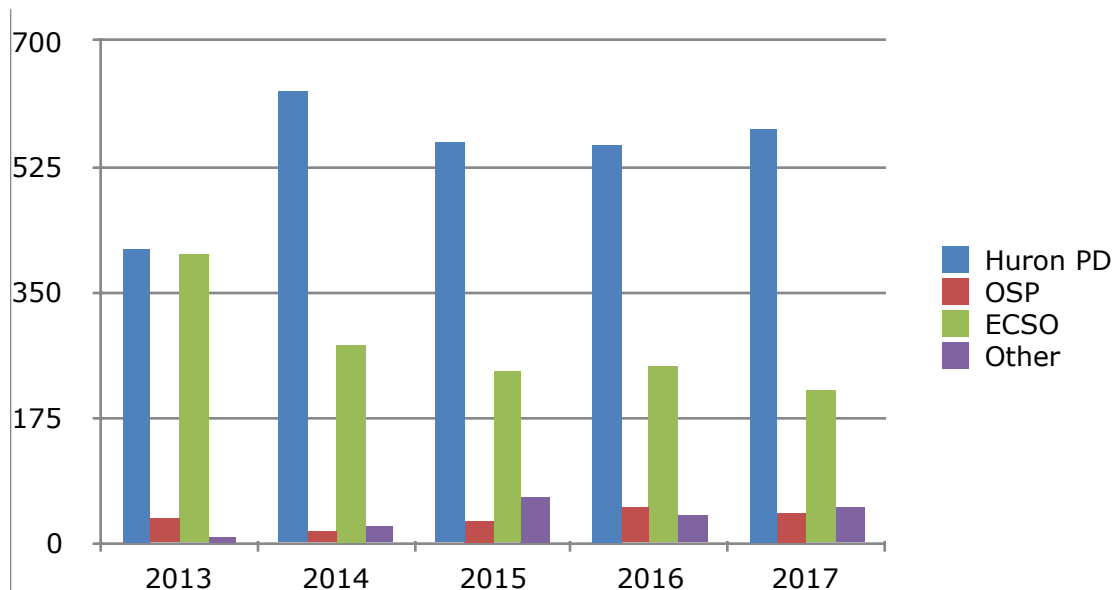
HURON MUNICIPAL COURT

2017 YEAR END REPORT

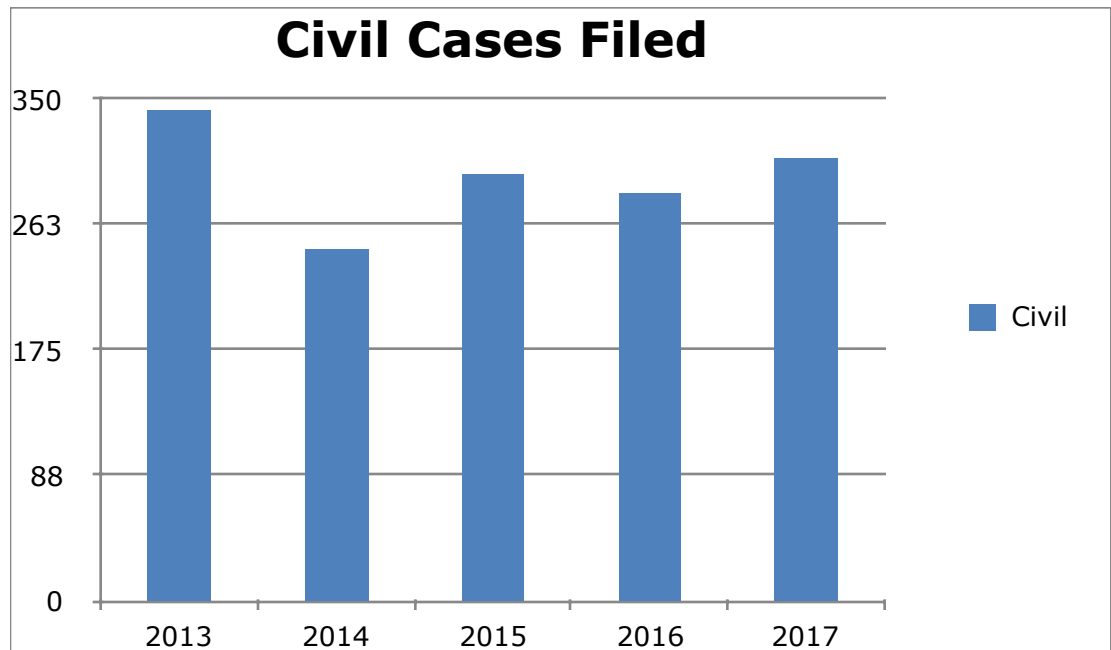
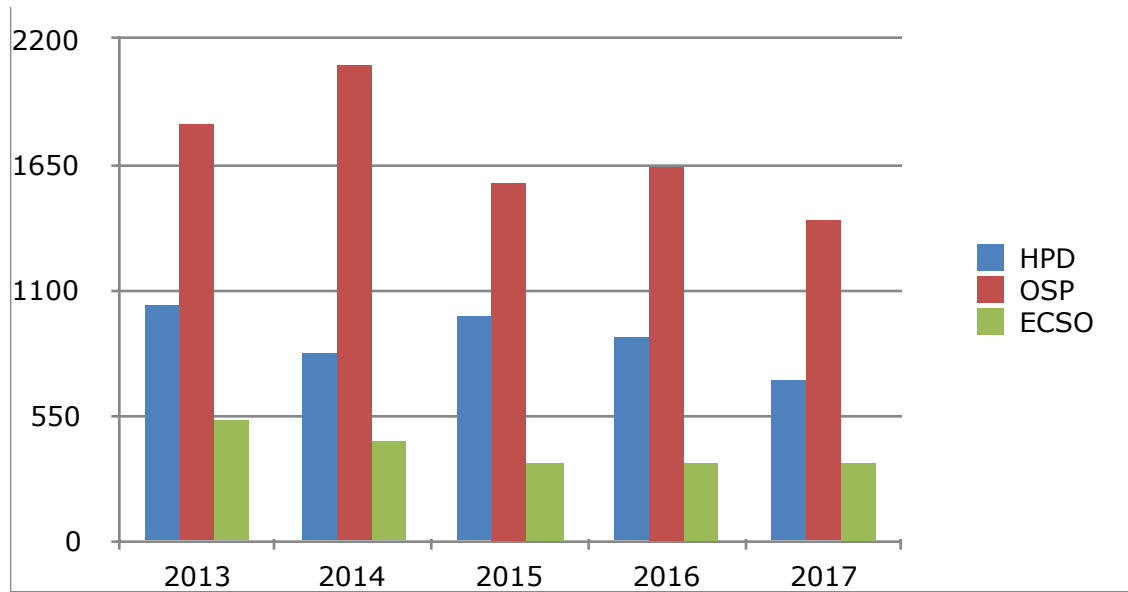
CALENDAR YEAR 2018 DEPARTMENTAL OBJECTIVES

- Maintain high profile in state and local professional organizations such as the Ohio Association of Municipal and County Court Clerks, The Ohio Judges Association, Ohio Judicial Association and the Supreme Court of Ohio. Meet quarterly with local court clerks to improve regional collaboration.
- Continue to conduct yearly warrant sweep in conjunction with all outside agencies.
- Consistent sentencing of Defendants as to deter crime in the city.
- Actively seek and monitor all accounts receivable by seeking new avenues for collections.
- Improved customer satisfaction.
- Implement and monitor 2018 budget.
- Develop staff through continued education programs and performance evaluations.
- Develop Probation staff through professional organizations and continued education.
- Continue to work with Erie County’s Mental Health, Drug and Domestic Violence Courts.
- Establish a DUS License Reinstatement Project to help individuals work with the Bureau of Motor Vehicles to become valid drivers.

WORKLOAD MEASURES
Criminal Cases Filed



Traffic Cases Filed



PRODUCTIVITY MEASURES	2014 Actual	2015 Actual	2016 Actual	2017 Actual
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Criminal/ Traffic Receipts	\$729,370	\$639,133	\$690,856	\$638,971
Civil/Small Claims Receipts	\$147,151	\$117,054	\$142,169	\$124,164
Expenses	\$254,039	\$265,908	\$247,197	\$306,353
Paid to City	\$432,776	\$389,076	\$418,366	\$386,281

Clearance Rates for Cases

Criminal/Traffic	112%	108%	114%	114%
Civil	100%	103%	95%	97%

FUND ACCOUNTING TO SHOW SELF-SUSTAINING OPERATION OF COURT

	General Fund 2015	General Fund 2016	General Fund 2017
Receipts:			
Reimbursement from County:*	\$ 35,695.56	\$ 66,199.90	\$ 59,894.62
Court Costs	\$180,415.28	\$184,855.33	\$166,658.57
City Ordinance Fines:	\$106,013.76	\$108,266.90	\$101,561.16
State Patrol Fines:	\$ 17,191.17	\$ 22,409.00	\$ 18,965.00
TOTAL RECEIPTS	\$339,315.77	\$381,731.13	\$347,079.35
TOTAL DISBURSEMENTS:	\$265,907.78	\$247,197.49	\$306,353.46
TOTAL OVERAGE TO GENERAL FUND:	<u>\$ 73,407.99</u>	<u>\$134,533.64</u>	<u>\$ 40,725.89</u>

* The City of Huron is reimbursed for 40% of the Judge and Clerk's salaries and benefit compensation as prescribed by the Ohio Revised Code whereas, 100% of this expense is budgeted for in the court's budget

Court Special Funds

The court has four special funds that have been established. These funds are held by the City for the uses and purposes set forth by statute. Monies can only be expended upon court order.

Indigent Alcohol Fund: The Indigent Alcohol Fund is a statutory fund, established under Ohio Revised Code Section 4511.191(H)(1) and provides that the court may order the use of these funds for payment of the cost of the attendance at an alcohol and drug addiction treatment program of a person who is convicted of an OVI offense and who is determined by the court to be unable to pay the cost of attendance at the treatment program. Collections for this fund come in two forms,

from defendants who plead to a conviction of OVI and from the State of Ohio department of public safety as a portion of reinstatement fees paid. The total of these funds are reported to the Ohio Department of Mental Health and Addiction Services through the Mental Health and Recovery Board of Erie and Ottawa Counties. As of December 31, 2017 this fund holds a balance of \$145,068.12.

Ignition Drivers Interlock and Alcohol Monitoring Fund: Pursuant to RC 4511.19(I)(1) the Court has established a Special Projects Fund called the Indigent Drivers Interlock and Alcohol Monitoring Fund. Fifty dollars of the fine imposed for certain repeat OVI offenders are to be deposited into this fund and are used exclusively to cover the cost of immobilizing or disabling devices, including certified ignition interlock devices, and remote alcohol monitoring devices for indigent offenders who are required by a judge to use either of these devices. Again, collections for this fund come from two sources: convictions for an OVI and portion of reinstatement fees paid through the State of Ohio. The fund balance as of December 31, 2017 was \$64,108.70

Court Computer Fund: This fund was established in 1998 in accordance with Ohio Revised Code Section 1901.261(A)(1). The court collects \$10.00 per case to fund this account, allowing the court to be independent and not place a burden on its funding authority. The balance in this fund as of December 31, 2017 is \$81,326.98.

Court Improvement Fund: This fund was created in 1998 in accordance with Ohio Revised Code Section 1901.26(B)(1). The court collects \$9.00 per case to fund this account, again, allowing for the court to expend monies upon court order and to alleviate any burden upon the funding authority. The balance as of December 31, 2017 is \$173,488.34.

**OTHER COURT FUNDS
Accounting for 2017**

	<u>Computer Fund</u>	<u>Capital Projects Fund</u>	<u>Ind Alc Trtmnt</u>	<u>Ind Int & Alc Trtmnt</u>
Revenues:	\$ 17,407.50	\$ 17,132.00	\$ 7,958.47	\$ 4,990.93
Expenses:	\$ 2,464.80	\$ 35,540.00	\$ 00.00	\$ 00.00

Jury Service

In order to keep a current docket and for the efficient operation of the court it is necessary to have jurors available and jury trials scheduled on a regular basis. Jurors are randomly chosen from voting lists. We take this opportunity to thank the many citizens who were called for jury duty this past year, for their service to this court and to the community

**HURON MUNICIPAL COURT
DEPARTMENT OF PROBATION**

The Huron Municipal Court Probation department was established in 2010 and is a self-sustaining department. The department offers many services: holding defendant's accountable, helping victims seek full restitution and offering solutions to individuals who struggle with addictions. This community control department monitors offenders to ensure compliance with their court ordered requirements. The Court collects fees from defendants who are placed on probation to support these efforts. Since its inception, this department has remained self-sustaining. The ending balance of this fund as of December 31, 2017 is \$23,329.36.

FINANCIAL STATISTICS:

Total Fees Collected in 2017:	\$ 38,499.00
Total Expenditures for 2017:	\$ 31,367.80

PROBATION STATISTICS FOR 2017

- 123 Defendants put on Supervised Probation for the year 2017.
- 78 Successfully completed Supervised Probation during the 2017 calendar year.
- 26 Probationers were released from probation unsuccessfully; jail time was imposed on these probationers in lieu of their supervised probation.
- 58 Probable Cause Hearings held in 2017
- 87 Probation Revocation Hearing Held 2017
- 3 Probationers Died in 2017 due to Overdose
- 1 Probationer Died due to Natural Causes
- 26 Probationers having an Active Warrant at the end of 2017

I hope you have found this information informative, as the court strives to keep the public informed. Thank you for the opportunity to continue to serve as Judge of the Huron Municipal Court. It is a position that I truly enjoy and consider it an honor and a privilege to serve. We will continue our endeavor toward improving the operation of the court and building confidence in our justice system to better serve both the community and the participants in the proceedings.

Thank you,

William Steuk, Judge
Huron Municipal Court

A copy of this report will be sent to the following as required by Ohio Revised Code:
Huron City Council, as our legislative authority
Board of Erie County Commissioners