

Lyndhurst Municipal Court

5301 Mayfield Road, Lyndhurst, Ohio 44124

Judge
Dominic J. Coletta

Clerk of Court
Janet R. Colaluca

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April 29, 2019

Honorable Patrick A. Ward
City of Lyndhurst
5301 Mayfield Road
Lyndhurst, Ohio 44124

Re: 2019 State of the Court Update

Dear Mayor Ward,

After nearly sixteen months on the bench, I want to take an opportunity to share with you some of the Court's accomplishments and outline some of my goals for the Court. Moving forward, I will provide you with an annual "State of the Court Update" to keep you informed as to the operations of the Court.

Supreme Court Review

Prior to making any wholesale changes to the day-to-day operations of the Court, I invited the Supreme Court of Ohio's Case Management Section to perform a caseflow and operations management review of the Court. The purpose of this review was to study the Court's operations from top to bottom and provide a detailed opinion of what the Court does well and also to identify areas where the Court can improve its operations. The Supreme Court commended the Court for its willingness to improve the Court's processes to better serve the community. The Court recently received the Supreme Court's final report which included recommendations regarding the Court's schedule, use of technology to improve systems, records retention policy, and payment types accepted. The Court looks forward to implementing many of the recommended changes to operate more efficiently and to better serve the community.

Bail Reform Leads to Reduced Jail Costs

In response to a statewide initiative for bail reform, the Court reformed its bail practices to reduce the number of individuals sitting in jail awaiting trial simply because they cannot afford bail. Individuals charged with minor or non-violent offenses that do not pose a threat to the community are released on reasonable or personal bonds. Reducing the jail population not only alleviates the unnecessary financial strain on those individuals charged with criminal

offenses but also provides financial relief to each municipality responsible for the cost of housing these individuals.

The reduction in jail population and the resulting financial savings to each municipality could not have been possible without the tireless efforts of Chief Bailiff Michael Harvey. Mr. Harvey is in constant communication with each police department so that the Court learns of new arrests as soon as possible. The Court has eliminated the prior practice of having defendants sit in jail multiple days for the sole purpose of giving them an opportunity to post a bond. Mr. Harvey ensures that each defendant is seen by the Court as soon as possible so that the Court can make an appropriate decision with respect to bail.

The Court's bail reform produced substantial savings for each municipality in the jurisdiction through reduced jail operation costs. For those municipalities that house their own prisoners – Mayfield Heights, Highland Heights and Lyndhurst - fewer inmates results in reduced costs related to staffing, meals, medical costs, laundry and other jail-related expenses.

The Court also streamlined the procedure for when a defendant is arrested on a traffic warrant to further eliminate unnecessary jail stays. Previously, the Court required the police departments to book these individuals in jail prior to notifying the Court of their arrest. Now, if an individual is arrested on a traffic warrant during Court hours, the police departments have been instructed to bring these defendants directly to the Court for these cases to be adjudicated. This saves police officers time by eliminating the needless step of booking these individuals into jail. It also saves the municipalities money by eliminating the costs associated with booking and housing these defendants in jail.

The Court's new bond practices and its procedures related to traffic warrants have significantly reduced jail costs. Despite housing more prisoners in 2018, Mayfield Heights experienced a 27% reduction in jail days from 2017. Similarly, Highland Heights saw a 20% increase in prisoners in 2018 but its total jail hours decreased by more than 40%. Lyndhurst reported a 46% decrease in jail days in 2018 compared to 2017.

Gates Mills, Mayfield Village and Richmond Heights pay a daily rate per inmate to house prisoners in other jails. These municipalities saw a reduction in their jail costs as well. Gates Mills' jail costs were reduced by 33% while Richmond Heights realized a 15% reduction in its jail costs. While arrests in Mayfield Village increased by 4% in 2018, the Village experienced a 20% reduction in jail days, resulting in a reduction of costs.

The Court remains committed to regularly reviewing its bail practices to ensure that best practices are being utilized. Last week, the Court participated in the Ohio Supreme Court's first ever "Pretrial Justice Summit" where strategies were offered for implementing an effective pretrial system that keeps the public safe, ensures that individuals accused of crime appear in court as needed, and respects the presumption of innocence by not unfairly interfering with the freedom of people who have not been found guilty. The Court will seek to implement some of these strategies utilizing the Court's existing resources while exploring funding opportunities to expand its pretrial services where necessary.

The Court Operated Under Budget and at a Surplus

The Court operated in a fiscally responsible manner by underspending its allocated budget and finishing 2018 with a surplus. The Court was able to accomplish this without raising court costs.

Throughout 2018, the Court heard it was rumored among the municipalities that the Court would run at a deficit due to its revised bond practices. When a defendant posts a bond, that money can be applied to fines and costs if the defendant is found guilty. With more defendants being released on lower or personal bonds, the Court is holding less bond money that can later be applied to fines and costs. However, the Court's ability to collect fines and costs was not negatively impacted by its new bond practices.

Fines imposed by the Court in criminal and traffic cases are distributed among the six municipalities in the jurisdiction. Despite fewer criminal and traffic cases being filed with the Court in 2018 than the year before, the Court collected an additional \$24,000 in fines in 2018. The additional fines were not generated through the imposition of higher fines but through improved efforts and greater diligence to collect unpaid fines and court costs in cases from the past several years that had been left delinquent.

The Court collected an additional \$46,000 in court costs in traffic and criminal cases, which are used to fund the daily operations of the Court. This year, the Court is on pace to once again collect more fines and court costs than the year before.

Community Service

In 2018, the Court implemented a community service program that is responsive to the needs of our community. Prior to the implementation of this program, the Court was not incorporating community service as a part of any sentence.

The Court now places non-violent, low-level offenders with non-profit agencies in need of completing certain tasks, that may otherwise be left undone due to low manpower or funding issues. These individuals, working under close supervision, repay society, and satisfy the Court's sentence by serving our community. While the Court sometimes imposes community service as a condition of a defendant's probation, indigent defendants are also permitted to work off court fines through community service.

Community Outreach

The Court was fortunate to have several opportunities to go out into the community to educate the public about the Court's role in the community.

Much of the Court's community involvement took place in our schools. At the elementary level, the Court spoke to 3rd and 4th graders at Millridge Elementary School about the judicial branch of the government. The Court also showed its support for D.A.R.E. programs by speaking at D.A.R.E. graduations at Millridge and St. Paschal Baylon.

For the middle schoolers, the Court hosted a mock trial for students from Memorial Junior High School. The students did a fabulous job. The Court looks forward to hosting future mock trials for any interested teachers in the jurisdiction. In addition, I will be speaking at the Career Day at the Mayfield Middle School next month.

The Court's community outreach also extended to the high schools. I, along with Clerk of Court Janet Colaluca, recently participated in Mayfield High School's Career Day. Last month, the Court addressed the entire freshman class at Gilmour Academy regarding the dangers of substance abuse. The Court was invited back to Gilmour a few weeks later to speak to the Constitutional Law and AP Government classes at the eighth annual Potenziani Symposium in Constitutional Law.

The Court hopes to expand its involvement with our schools. Earlier this month, I went to observe Judge Michael Shaughnessy of the Cuyahoga County Court of Common Pleas conduct "Court in the Classroom" for the 7th and 8th graders at Gesu. This program, operated by the Cuyahoga County Court of Common Pleas, literally brings the Court into the schools. Judge Shaughnessy conducted two actual hearings involving a prosecutor, defendant, defense counsel, probation officer and court reporter. In addition to observing actual court hearings, the students were able to ask questions about the hearings and about the justice system. The Lyndhurst Municipal Court hopes to start its own "Court in the Classroom" program and hold court in interested middle and high schools in our jurisdiction.

The Court was contacted by Josh Patty, a social studies teacher at Richmond Heights High School. Mr. Patty is interested in starting a mock trial team at the high school and has asked the Court for guidance and assistance. The Court is excited to assist Mr. Patty in getting a mock trial team started at Richmond Heights High School.

The Court's community outreach has also extended outside of our schools. The Court, with the assistance of the Mayfield Heights Police Department, spoke to residents at Schnurmann House about current scams against the elderly and ways to avoid them.

Last fall, the Court participated in Richmond Heights' "Community Conversations," which is an informal roundtable discussion between community members and leaders to address different issues facing our community. The Court will be participating in Richmond Heights' next "Community Conversations" set for April 30, 2019 and looks forward to sharing with members of the community many of the Court's accomplishments set forth in this letter.

The Court Received a \$100,000 Grant to Modernize the Court

Upon taking the bench, one of my main goals was to modernize the Court through the use of improved technology. The Court is excited to announce that it was recently awarded a \$100,000 grant through the Ohio Supreme Court's 2019 Technology Grant Fund. This is one of the largest grants ever awarded by the Ohio Supreme Court to a single-judge, municipal court. The Court would like to recognize the efforts of Clerk of Court Janet Colaluca and Deputy Chief Clerk Kelsey Algeri in assisting the Court in securing this grant. The improvements facilitated by this grant will be transformative for the Court.

Utilizing the grant funds, the Court will be replacing its current case management software (CMS). With the new CMS, the Court will be as technologically advanced as any municipal court in Ohio. With the new CMS, the Court will:

- Accept online payments, which will make it more convenient for individuals to satisfy monetary obligations to the Court. The Court also anticipates a correlating increase in revenues by offering online payments;
- Implement electronic filing, which allows case documents, such as pleadings and motions to be filed with the Court electronically;
- Make all orders, pleadings and motions accessible online; and
- Be able to send text notifications to remind individuals of upcoming hearings, appointments or when their next scheduled payment is due.

These long overdue improvements will make the Court more accessible, convenient and efficient for all Court users.

Partnering with the Cleveland Municipal Court

A significant number of criminal cases initiated in the Court involve substance abuse and/or mental illness. However, the Lyndhurst Municipal Court lacks the resources and staffing necessary to properly address the needs of each of these defendants.

This year, the Lyndhurst Municipal Court will be partnering with the Cleveland Municipal Court to refer defendants to the Cleveland Municipal Court's Drug Court and Mental Health Docket. These specialized dockets are dedicated to handling offenses related to substance abuse and mental illness and use a combination of techniques for holding the offenders accountable while also addressing the underlying causes of their behavior. The Court is excited for this partnership and the opportunity to better address the needs of defendants that appear before the Court suffering from addiction and/or mental illness.

In addition to partnering with the Cleveland Municipal Court, members of Court staff will participate with City of Lyndhurst and South Euclid-Lyndhurst City Schools' personnel in a "Trauma 101" training to better identify and relate to persons affected by trauma and behaviors stemming from exposure to traumatic experiences.

Conclusion

I am proud of the progress the Court has made since January 2018. I am confident that, with our very capable staff, we are well positioned to meet any challenge and am excited for the future of the Court. If you would like me to further address any of the topics contained herein or should you have any questions, please let me know. I am also happy to make myself available to address your Council on Court matters at an upcoming Council meeting. Thank you for your service to our community and your support of our Municipal Court.

Respectfully,



Dominic J. Coletta

cc: Members of Council
Rick Porrello, Chief of Police
Patrick Rhode, Executive Lieutenant
John Luskin, Prosecutor