

## **Municipal Court Judges**

### **Department Description**

The Franklin County Municipal Court is established pursuant to section 1901.01 of the Ohio Revised Code and traces its origin to the creation of the Columbus Municipal Court in 1916. The geographic jurisdiction of the court is all of Franklin County and those portions of the City of Columbus that extend beyond the boundaries of Franklin County.

The court has 14 judges in the General Division and one judge in the Environmental Division. Judges serve six-year terms, unless appointed or elected to fill a vacancy. Annually, one peer is elected to serve as the Administrative and Presiding Judge.

The judges preside over civil, criminal, and traffic cases and conduct both jury and non-jury trials. In jury trials, judges interpret the law and the jury determines factual matters. In non-jury trials, by far the more common, judges have the dual role of interpreting the law and determining the facts. The judges also conduct criminal arraignments and initial appearances on felony cases, set bond on criminal charges, issue search warrants, and impose sentence when a defendant is found guilty of a traffic or criminal charge. The judges hear civil cases where the amount in controversy is \$15,000 or less, and cases that are transferred from the Small Claims Division to the regular docket of the court.

The jurisdiction and powers of the Environmental Division differ from those of the General Division in several important respects. The Environmental Division has exclusive jurisdiction to enforce local codes and regulations affecting real property, such as fire and building codes. The Environmental Division has injunctive powers, and there is no monetary limit on the cases that fall within the Environmental Division's exclusive jurisdiction.

Each week, a different judge is assigned to the Duty Session to handle a variety of responsibilities, which include applications for search warrants, motions to dismiss filed by the prosecutor, cognovit notes, motions to excuse jurors, probable cause hearings, motions for default judgments filed in unassigned cases, and performing civil wedding ceremonies.

The court administrator is the chief executive officer and reports to the judges of the court, primarily through the administrative and presiding judge. The court administrator is responsible for developing and implementing policies and procedures, and directs and supervises all administrative and operational court functions, which include the following areas: budget and finance, purchasing, facilities, security, human resources, magistrates, jury, case assignment, probation services, service bailiffs, small claims, court reporters, interpreters, vehicle immobilization, court-appointed counsel, and court investigation.

## Department Mission

**Judiciary** - To safeguard the constitutional rights of all citizens and to provide equal access to all; professional, fair, and impartial treatment; timely disposition of cases without unnecessary delay; and a just resolution of all court matters.

**Administration** - The mission of the employees is to implement the policies and procedures established by the judiciary and the legislature in a professional and dedicated manner, and to ensure accessibility, fairness, accountability, and courtesy in the administration of justice.

## Strategic Priorities for 2012

- House Bill 86 passed in 2011 appears to mandate the use of the Ohio Risk Assessment System (ORAS) in certain probation cases. Implementation of this system will be a major undertaking for the Department of Probation Services and may require the addition of several new Probation Officers (for which there is currently no funding) and extensive staff time and training.
- Find reliable funding sources to continue participation in the Alvis House Residential Work Release program. House Bill 86 provides that mandatory incarceration days for OVI cases (operating a vehicle under the influence of alcohol or drugs) can be served in a work release setting.
- Increase usage by probationers of electronically monitored home incarceration and SCRAM (Secure, Continuous Remote Alcohol Monitoring).
- If funding is approved in the 2012 budget, prepare a request for proposals seeking a vendor to perform a salary survey and update the Court's job classifications, salary ranges, and, if required, salaries.
- Stabilize the special projects fund (which funds the Court's security department) and determine whether an increase in court costs for the Fund is necessary and desirable.
- Evaluate the audio-video recording equipment that has been installed in several judges' courtrooms.
- Prepare financially and programmatically for the mandatory use of certified foreign language and American Sign Language interpreters, which will be required by the Supreme Court beginning in 2013.
- Explore financial reporting methods and forms that would provide better information for hiring and purchasing decisions.
- Complete the move of the Security Department and Service Bailiffs Department to the 18<sup>th</sup> floor.
- Undertake limited remodeling to reconfigure the duty room and create several new work spaces.
- Increase effectiveness and success rates of the court's specialty dockets – Mental Health Program Docket, ADAP (Alcohol and Drug Abuse Program) and CATCH (Changing Actions to Change Habits). Work with government and

community partners to evaluate feasibility and desirability of creating a veterans' docket.

- Obtain continuation funding from the Franklin County Common Pleas Court and other government partners for the Franklin County Foreclosure Mediation Project operated by the Court's Dispute Resolution Programs Office.
- If not completed in 2011, finish the installation of a new VoIP telephone system.
- Continue collaboration with other government partners (City Council, Mayor, Franklin County Common Pleas Court, Franklin County Commissioners, Sheriff, Department of Rehabilitation and Correction, etc.), community partners, and vendors leading to greater program efficiencies, cost-saving measures, and increased funding, all of which affect the Court's ability to achieve its other strategic priorities.

### **2012 Budget Notes**

- The 2012 general fund budget funds 184 full-time and 11 part-time employees. Also included are fees for court-appointed counsel (\$50,000), foreign language interpreters (\$115,488), forensic psychological examinations (\$98,017), and interpreters for the deaf (\$15,000).
- Funding of \$30,000 is included for electronic monitoring of offenders in the home incarceration program, which provides a cost effective option to incarceration of offenders who do not pose a threat to public safety.
- Juror's fees, totaling \$210,000, are included in the budget for 2012. These funds are used to pay jurors a nominal fee to cover incidentals such as parking, food and other related items.
- Court costs and fees fund core court functions that would otherwise require general fund support. The security fund, which is budgeted at \$1,728,435, pays for all court security, including 21 full-time positions, contracted evening and weekend services, and equipment. The court's computer fund is budgeted at \$352,378 and funds technology needs.

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## Budget and Program Summary

DEPARTMENT FINANCIAL SUMMARY					
DIVISION SUMMARY	2009 Actual	2010 Actual	2011 Original Appropriation	2011 Estimated Expenditures	2012 Proposed
Municipal Court Judges	\$ 14,249,842	\$ 14,426,989	\$ 15,504,293	\$ 15,163,920	\$ 15,550,338
<b>TOTAL</b>	<b>\$ 14,249,842</b>	<b>\$ 14,426,989</b>	<b>\$ 15,504,293</b>	<b>\$ 15,163,920</b>	<b>\$ 15,550,338</b>

<b>DEPARTMENT SUMMARY BY OBJECT LEVEL ONE</b>					
<b>MUNICIPAL CT JUDGES GENERAL FUND</b>	<b>2009 Actual</b>	<b>2010 Actual</b>	<b>2011 Original Appropriation</b>	<b>2011 Estimated Expenditures</b>	<b>2012 Proposed</b>
Personnel	\$ 12,745,565	\$ 12,920,252	\$ 13,816,722	\$ 13,618,592	\$ 14,110,315
Materials & Supplies	27,801	30,604	28,600	28,350	41,900
Services	996,014	1,059,796	941,906	968,779	1,045,745
Other	-	453	-	18,000	-
Transfer	-	-	-	-	-
<b>TOTAL</b>	<b>\$ 13,769,380</b>	<b>\$ 14,011,105</b>	<b>\$ 14,787,228</b>	<b>\$ 14,633,721</b>	<b>\$ 15,197,960</b>
<b>MUNICIPAL CT JUDGES COMPUTER FUND</b>	<b>2009 Actual</b>	<b>2010 Actual</b>	<b>2011 Original Appropriation</b>	<b>2011 Estimated Expenditures</b>	<b>2012 Proposed</b>
Personnel	\$ 161,254	\$ 154,635	\$ 237,600	\$ 177,076	\$ 82,653
Materials & Supplies	169,451	69,466	285,300	169,068	165,500
Services	149,757	191,783	194,165	184,055	104,225
<b>TOTAL</b>	<b>\$ 480,462</b>	<b>\$ 415,884</b>	<b>\$ 717,065</b>	<b>\$ 530,199</b>	<b>\$ 352,378</b>

DEPARTMENT SUMMARY BY FUND					
<b>FUND SUMMARY</b>	<b>2009 Actual</b>	<b>2010 Actual</b>	<b>2011 Original Appropriation</b>	<b>2011 Estimated Expenditures</b>	<b>2012 Proposed</b>
General	\$ 13,769,380	\$ 14,011,105	\$ 14,787,228	\$ 14,633,721	\$ 15,197,960
Municipal Court Computer Fund	480,462	415,884	717,065	530,199	352,378
<b>TOTAL</b>	<b>\$ 14,249,842</b>	<b>\$ 14,426,989</b>	<b>\$ 15,504,293</b>	<b>\$ 15,163,920</b>	<b>\$ 15,550,338</b>

DEPARTMENT PERSONNEL SUMMARY					
<b>DIVISION</b>	<b>FT/PT</b>	<b>2009 Actual</b>	<b>2010 Actual</b>	<b>2011 Authorized</b>	<b>2012 Authorized</b>
General Fund	FT	175	174	184	184
	PT	4	4	9	11
Computer Fund	FT	1	9	3	1
	PT	4	4	4	0
<b>TOTAL</b>		<b>184</b>	<b>191</b>	<b>200</b>	<b>196</b>

\*FT=Full-Time PT=Part-Time

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**2012 Operating Budget  
Municipal Court Judges**

Program	Mission	Financial History by Program				Personnel by Program			
		2009 Budget	2010 Budget	2011 Budget	2012 Proposed	2009 FTEs	2010 FTEs	2011 FTEs	2012 FTEs
Administration	To carry out non-judicial policies of the court including personnel management; fiscal management; purchasing; appointment of counsel for indigent defendants; liaison with other courts, governmental entities and private agencies; public information and report management; settlement week; secretarial services; and appointment of interpreters and security management.	\$ 4,581,926	\$ 4,424,794	\$ 4,543,828	\$ 4,978,673	51	51	51	51
Assignment	To control case flow management by making individual case assignments to judges; to prepare individual judges' and magistrates' court sheets and broadsheets; to notify plaintiffs, defendants, prosecutors, attorneys and suburban solicitors of all court hearings; to schedule and maintain an up-to-date status of all active cases assigned to the judges and magistrates; and process all motions and pleadings.	\$ 890,323	\$ 905,410	\$ 883,206	\$ 893,771	15	15	15	14

**2012 Operating Budget  
Municipal Court Judges**

Program	Mission	Financial History by Program				Personnel by Program			
		2009 Budget	2010 Budget	2011 Budget	2012 Proposed	2009 FTEs	2010 FTEs	2011 FTEs	2012 FTEs
Service Bailiffs	To assist litigants and attorneys by efficiently handling and delivering court documents and the timely enforcement of judgment remedies.	\$ 1,239,449	\$ 1,103,189	\$ 1,261,079	\$ 727,454	18	18	18	18
Courtroom Bailiffs	To coordinate activities in the courtrooms of judges and magistrates including scheduling cases and providing information to the public regarding the status of pending cases.	\$ 1,323,899	\$ 1,438,326	\$ 1,477,731	\$ 1,517,335	17	17	17	17
Probation	To provide administration, regular supervision, non-reporting probation, the domestic violence program, the chemical abuse program, the multiple OMVI offender program, the sex offender program, the investigation services, the community service program, the restitution program and the no convictions program.	\$ 3,836,968	\$ 4,133,295	\$ 4,271,178	\$ 4,394,355	57	57	57	57

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2012 Operating Budget  
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Program	Mission	Financial History by Program				Personnel by Program			
		2009 Budget	2010 Budget	2011 Budget	2012 Proposed	2009 FTEs	2010 FTEs	2011 FTEs	2012 FTEs
Small Claims	To provide citizens with a simplified procedure for bringing civil suits for sums of \$3,000 or less by providing forms and assistance to individuals wishing to file claims, motions and writs of execution.	\$ 365,864	\$ 369,694	\$ 381,587	\$ 500,152	5	5	5	5
Legal Research	To research and prepare memoranda of issues pending before the court, maintain the law library, review new case law to ensure the court's compliance with the decisions, review pending legislation that may affect the court, advise the judges and employees regarding new legal developments and applications of current law to court procedures, and update local court rules.	\$ -	\$ -	\$ -	\$ 157,292	0	0	0	1
Court Reporters	To provide a verbatim record of all court proceedings, to read back any and all portions of court proceedings, to prepare verbatim transcripts of court proceedings and to maintain records on court exhibits.	\$ 1,102,918	\$ 1,092,659	\$ 1,222,445	\$ 1,256,259	14	14	14	14

**2012 Operating Budget  
Municipal Court Judges**

Program	Mission	Financial History by Program				Personnel by Program			
		2009 Budget	2010 Budget	2011 Budget	2012 Proposed	2009 FTEs	2010 FTEs	2011 FTEs	2012 FTEs
Jury Office	To summon citizens to serve as jurors, randomly select jurors for panels, postpone and reschedule jury service, and maintain information on prospective jurors.	\$ 425,434	\$ 405,716	\$ 376,803	\$ 385,312	2	2	2	2
Home Incarceration/ Work Release	To provide a cost-effective alternative sentencing option to traditional jail incarceration, consistent with public safety. To provide for the court's acquisition of software, technology-related equipment, internal technology billings and on-line services.	\$ 207,397	\$ 198,374	\$ 229,791	\$ 242,607	3	3	3	3
Mental Health Program Docket	To provide a cost-effective alternative sentencing option to traditional jail incarceration for prisoners with mental illnesses.	\$ 139,812	\$ 134,316	\$ 139,580	\$ 144,750	2	2	2	2
Computer Services	To provide services for updating and maintaining technological needs for Municipal Court.	\$ 598,893	\$ 533,933	\$ 717,065	\$ 352,378	3	3	3	1
		\$ 14,712,883	\$ 14,739,706	\$ 15,504,293	\$ 15,550,338	187	187	187	185

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