

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 1 judge in the Environmental Division. Judges serve six-year terms, unless appointed or elected to fill a vacancy. Annually, they elect one of their peers 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 2013

- The 1st phase of the multi-year renovation to the courthouse is expected to begin in the 2nd quarter of 2013 and the Court will be expected to work closely with the architects and contractors in seeing that the project proceeds as planned.
- House Bill 86, which was passed in 2011, has been interpreted to require the Municipal Court to use the Ohio Risk Assessment System (ORAS) in certain probation cases. Implementation of this system will continue to be a major undertaking in 2013. Funds were sought in the 2013 general fund budget request to add three probation officers to handle the increased work necessitated by this unfunded mandate from the state.
- Increase strategic and efficient usage by probationers of electronically monitored home incarceration, work release, and SCRAM (Secure, Continuous Remote Alcohol Monitoring).
- Funds were obtained in the 2012 budget for a vendor to perform a salary and job classification study. A vendor was selected pursuant to a request for proposals and the study will be completed in late 2012 or early 2013. Implementation of the recommendations will be a major undertaking in 2013.
- All of the Court's costs for security-related expenses have in the past been paid solely from a special Court account funded by court costs paid by defendants. However, increased costs and decreased revenues resulting from uncollected costs and declining case filings forced the Court to shift some security costs to the general fund budget. During 2013 the Court must develop a long-term solution to this situation.
- Evaluate the audio-video recording equipment that has been installed in several judges' courtrooms.
- Continue to focus on effectiveness and success rates of three of the Court's specialty dockets – Mental Health Program Docket, ADAP (Alcohol and Drug Abuse Program) and CATCH (Changing Actions to Change Habits) – and complete integration of the fourth docket, the Military and Veteran's Service (MAVS) docket.
- Provide additional administrative and budget support to the Specialty Docket Programs.

- Obtain continuation funding from the Franklin County Common Pleas Court for the Franklin County Foreclosure Mediation Project that is operated by the Court's Dispute Resolution Programs Office.
- 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.

2013 Budget Notes

- The 2013 general fund budget includes 188 full-time and 11 part-time employees. The general fund budget also includes increased funding for the specialty dockets to help offset some of the costs related to the ADAP (Alcohol and Drug Abuse Program), CATCH (Changing Actions and Change Habits) Program and the MAVS (Military and Veteran's Services) Programs.
- In 2010, the Court began requiring current employees to pay a portion of the employee share of OPERS retirement contribution. An additional 1 percent in 2013 will be implemented, which means that employees hired before 2010 will be paying 4 percent of their OPERS contribution. All employees hired after January 2010 are required to pay the full ten percent employee share of pension contribution.
- Most of the Court's technology costs, budgeted at \$451,136 for 2013, are paid from the Court's computer fund and not the general fund. In 2012, the Court was able to pay all of the costs (approximately \$301,601) of a new city initiated telephone system out of the computer fund.
- In 2011, the Court increased the probation user fees paid by our probationers. The increased fees should result in revenues of approximately \$541,000 that will be used to pay for programs, training, staff salaries, and other expenses.

Budget and Program Summary

| DEPARTMENT FINANCIAL SUMMARY | | | | | |
|------------------------------|----------------------|----------------------|-----------------------------------|-----------------------------------|----------------------|
| DIVISION SUMMARY | 2010 Actual | 2011 Actual | 2012 Original Appropriation | 2012 Estimated Expenditures | 2013 Proposed |
| Municipal Court Judges | \$ 14,426,989 | \$ 15,041,960 | \$ 15,550,338 | \$ 15,415,228 | \$ 16,289,047 |
| TOTAL | \$ 14,426,989 | \$ 15,041,960 | \$ 15,550,338 | \$ 15,415,228 | \$ 16,289,047 |

| DEPARTMENT SUMMARY BY OBJECT LEVEL ONE | | | | | |
|--|----------------------------|----------------------------|--|--|-----------------------------|
| MUNICIPAL CT JUDGES GENERAL FUND | 2010 Actual | 2011 Actual | 2012 Original Appropriation | 2012 Estimated Expenditures | 2013 Proposed |
| Personnel | \$12,920,252 | \$13,447,952 | \$ 14,110,315 | \$ 14,147,180 | \$ 14,397,788 |
| Materials & Supplies | 30,604 | 27,721 | 41,900 | 25,469 | 42,025 |
| Services | 1,059,796 | 906,644 | 1,045,745 | 897,604 | 1,398,098 |
| Other | 453 | 18,000 | - | - | - |
| Transfer | - | - | - | - | - |
| TOTAL | <u>\$14,011,105</u> | <u>\$14,400,317</u> | <u>\$ 15,197,960</u> | <u>\$ 15,070,253</u> | <u>\$ 15,837,911</u> |
| MUNICIPAL CT JUDGES COMPUTER FUND | 2010 Actual | 2011 Actual | 2012 Original Appropriation | 2012 Estimated Expenditures | 2013 Proposed |
| Personnel | \$ 154,635 | \$ 150,891 | \$ 82,653 | \$ - | \$ 83,817 |
| Materials & Supplies | 69,466 | 336,661 | 165,500 | 145,500 | 165,500 |
| Services | 191,783 | 154,091 | 104,225 | 199,475 | 201,819 |
| TOTAL | <u>\$ 415,884</u> | <u>\$ 641,643</u> | <u>\$ 352,378</u> | <u>\$ 344,975</u> | <u>\$ 451,136</u> |

| DEPARTMENT SUMMARY BY FUND | | | | | |
|-------------------------------|------------------------|------------------------|--|--|--------------------------|
| FUND SUMMARY | 2010 Actual | 2011 Actual | 2012 Original Appropriation | 2012 Estimated Expenditures | 2013 Proposed |
| General | \$ 14,011,105 | \$ 14,400,317 | \$ 15,197,960 | \$ 15,070,253 | \$ 15,837,911 |
| Municipal Court Computer Fund | 415,884 | 641,643 | 352,378 | 344,975 | 451,136 |
| TOTAL | \$ 14,426,989 | \$ 15,041,960 | \$ 15,550,338 | \$ 15,415,228 | \$ 16,289,047 |

| DEPARTMENT PERSONNEL SUMMARY | | | | | |
|------------------------------|--------------|------------------------|------------------------|----------------------------|----------------------------|
| DIVISION | FT/PT | 2010 Actual | 2011 Actual | 2012 Authorized | 2013 Authorized |
| General Fund | FT | 174 | 173 | 184 | 188 |
| | PT | 4 | 4 | 11 | 11 |
| Computer Fund | FT | 9 | 1 | 1 | 1 |
| | PT | 4 | 4 | 0 | 0 |
| TOTAL | | 191 | 182 | 196 | 200 |

*FT=Full-Time PT=Part-Time

**2013 Operating Budget
Municipal Court Judges**

| Program | Mission | Financial History by Program | | | | Personnel by Program | | | |
|------------------|--|------------------------------|--------------|--------------|---------------|----------------------|-----------|-----------|-----------|
| | | 2010 Budget | 2011 Budget | 2012 Budget | 2013 Proposed | 2010 FTEs | 2011 FTEs | 2012 FTEs | 2013 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. | \$ 4,424,794 | \$ 4,543,828 | \$ 4,978,673 | \$ 5,415,555 | 51 | 51 | 51 | 55 |
| 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. | \$ 905,410 | \$ 883,206 | \$ 893,771 | \$ 920,887 | 15 | 15 | 14 | 13 |
| Service Bailiffs | To assist litigants and attorneys by efficiently handling and delivering court documents and the timely enforcement of judgment remedies. | \$ 1,103,189 | \$ 1,261,079 | \$ 727,454 | \$ 650,575 | 18 | 18 | 18 | 17 |

Municipal Court Judges

2013 Operating Budget
Municipal Court Judges

| Program | Mission | Financial History by Program | | | | Personnel by Program | | | |
|--------------------|--|------------------------------|----------------|----------------|------------------|----------------------|--------------|--------------|--------------|
| | | 2010 Budget | 2011 Budget | 2012 Budget | 2013 Proposed | 2010 FTEs | 2011 FTEs | 2012 FTEs | 2013 FTEs |
| 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. | \$ 1,438,326 | \$ 1,477,731 | \$ 1,517,335 | \$ 1,536,556 | 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. | \$ 4,133,295 | \$ 4,271,178 | \$ 4,394,355 | \$ 4,600,337 | 57 | 57 | 57 | 59 |
| 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. | \$ 369,694 | \$ 381,587 | \$ 500,152 | \$ 542,810 | 5 | 5 | 5 | 5 |

2013 Operating Budget
Municipal Court Judges

| Program | Mission | Financial History by Program | | | | Personnel by Program | | | |
|-----------------|--|------------------------------|--------------|--------------|---------------|----------------------|-----------|-----------|-----------|
| | | 2010 Budget | 2011 Budget | 2012 Budget | 2013 Proposed | 2010 FTEs | 2011 FTEs | 2012 FTEs | 2013 FTEs |
| 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 | \$ 167,565 | 0 | 0 | 1 | 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. | \$ 1,092,659 | \$ 1,222,445 | \$ 1,256,259 | \$ 1,230,546 | 14 | 14 | 14 | 14 |
| 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. | \$ 405,716 | \$ 376,803 | \$ 385,312 | \$ 390,318 | 2 | 2 | 2 | 2 |

Municipal Court Judges

2013 Operating Budget
Municipal Court Judges

| Program | Mission | Financial History by Program | | | | Personnel by Program | | | |
|----------------------------------|--|------------------------------|---------------|---------------|---------------|----------------------|-----------|-----------|-----------|
| | | 2010 Budget | 2011 Budget | 2012 Budget | 2013 Proposed | 2010 FTEs | 2011 FTEs | 2012 FTEs | 2013 FTEs |
| 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. | \$ 198,374 | \$ 229,791 | \$ 242,607 | \$ 235,290 | 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. | \$ 134,316 | \$ 139,580 | \$ 144,750 | \$ 147,472 | 2 | 2 | 2 | 2 |
| Computer Services | To provide services for updating and maintaining technological needs for Municipal Court. | \$ 533,933 | \$ 717,065 | \$ 352,378 | \$ 451,136 | 3 | 3 | 1 | 1 |
| | | \$ 14,739,706 | \$ 15,504,293 | \$ 15,550,338 | \$ 16,289,047 | 187 | 187 | 185 | 189 |