

# **2018 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 2018 ANNUAL REPORT**

<b>2018 Employee Roster</b>
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William Steuk.....	Judge
Julie Ortega.....	Clerk
Diana Krawetzki.....	Deputy Clerk
Kimberly Binford .....	Probation Officer/Deputy Clerk
Michael Kaufman. ....	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 2018 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.

### **Core Purposes of Courts : (as described by the Institute for Court Management)**

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 2018, the court operated well within the boundaries of its \$268,362 budget, collecting \$715,210 in fines and costs from both criminal/traffic and civil cases. From this total collected the court paid \$341,693 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 2018 ANNUAL REPORT

### SUMMARY REPORT

#### Traffic & Criminal Cases

Number of Traffic Cases Filed in 2018:	2008	
Huron Police Department:	544	27%
Ohio State Highway Patrol:	1173	58%
Erie County Sheriff:	291	15%
Number of Criminal Cases Filed in 2018:	454	
Huron Police Department:	151	33%
Ohio State Highway Patrol:	28	6%
Erie County Sheriff:	240	53%
Ohio Dept. of Natural Resources & Dept. of Taxation:	35	8%

#### Civil Cases

Number of Civil cases Filed in 2018:	256
Number of Small Claims Cases Filed in 2018:	101
Total Civil cases filed in 2018:	357

### TOTAL MONIES COLLECTED IN 2018

Criminal & Traffic Account:	\$ 559,322.87
Civil Account:	\$ 155,887.13
Total Collections:	\$ 715,210.00

## HURON MUNICIPAL COURT 2018 ANNUAL REPORT

2018 FINANCIAL REPORT
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Balance on Hand 1/1/18:	\$ 8,673.00	
Total Collections for 2018:	\$ 715,210.00	
 Total Cash:		 \$ 723,883.00

Disbursements:
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**City of Huron:**

Court Costs:	\$ 157,102.19	
Capital Improvement Fund:	\$ 15,032.80	
Computer Improvement Fund:	\$ 14,914.60	
City Ordinance Fines:	\$ 75,638.00	
Special Warrant Fund:	\$ 3,485.00	
45% OSP Fines – General Fund:	\$ 15,620.20	
45% OSP Fines – Hwy Patrol Fund:	\$ 11,896.20	
Special Projects:	\$ 1,851.50	
DUI Arresting Agency:	\$ 1,954.00	
DUI Indigent Alcohol Fund:	\$ 3,681.00	
Probation Fees	\$ 40,517.53	

Total paid to City of Huron:		\$ 341,693.02
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**Erie County:**

Highway Maintenance Fines:	\$ 24,893.00	
Regular Fines Collected:	\$ 24,416.57	
Uniform Fines Collected:	\$ 34,394.00	
Highway Safety:	\$ 00.00	
Dog Fines:	\$ 30.00	
Drug Fines:	\$ 3,695.00	
Liquor Fines:	\$ 1,732.50	
10% OSP Fines:	\$ 6,879.10	
Sheriff Housing Fund:	\$ 1,402.00	
Sheriff Fees:	\$ 53.00	
DUI Arresting Agency:	\$ 310.00	
Public Defenders Fee:	\$ 1,926.00	
Erie County Law Library	\$ 961.93	

Total Paid to Erie County:		\$ 100,693.10
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**State of Ohio:**

Victims of Crime Fund:	\$	17,521.00
Indigent Defense Fund:	\$	55,310.15
Expungement Costs:	\$	630.00
45% OSP Fines:	\$	34,395.50
DUI Arresting Agency	\$	483.00
OSP Drug Fines:	\$	1,243.00
Board of Pharmacy Fines:	\$	3,485.00
50% Liquor Fines:	\$	1,732.50
Seat Belt Fines:	\$	3,395.00
Highway Safety Fund	\$	442.50
Bureau of Motor Vehicles:	\$	30.00
Ohio Dept. Natural Resources	\$	2,210.00
Ohio Dept. of Agriculture	\$	1,000.00
Legal Aid:	\$	7,845.00
Drug Enforcement:	\$	5,790.80

Total paid to State of Ohio: \$ 135,513.45

**Miscellaneous Disbursements:**

Restitution Payments Collected and Disbursed:	\$	10,871.27
Bond Refunds paid throughout Year:	\$	22,005.00
Garnishment Payments (Civil Cases)	\$	103,393.96
Bonds Forwarded to Erie County Common Pleas Court:	\$	1,400.00
Capital Recovery Systems:	\$	5,669.20
Higbee & Associates	\$	405.00

TOTAL DISBURSEMENTS: \$ 721,644.00

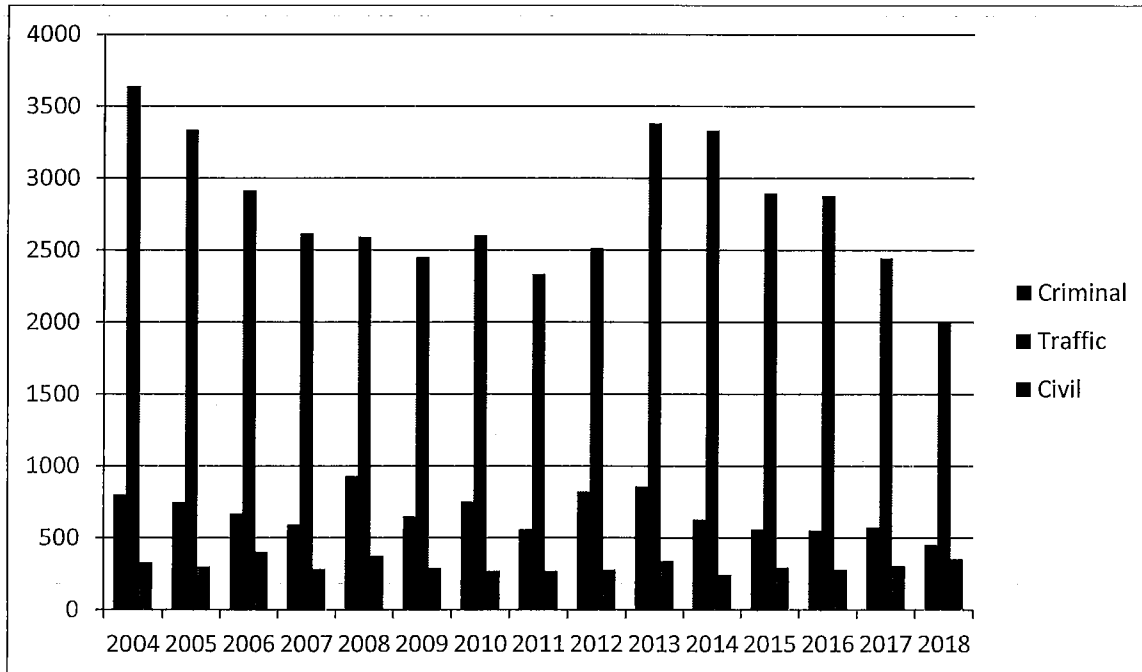
BALANCE ON HAND DECEMBER 31, 2018: \$ 2,239.00

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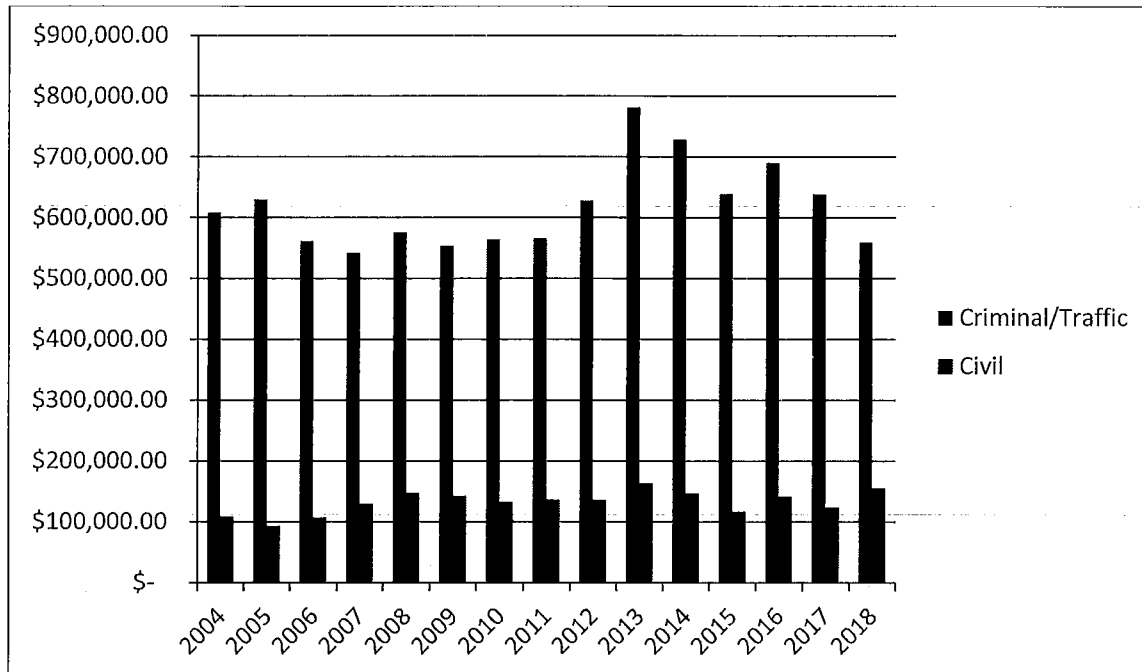
The balance on hand represents bonds being held on pending cases in the Huron Municipal Court and will be carried over to the beginning of the year 2019.

# HURON MUNICIPAL COURT 2018 ANNUAL REPORT

## Cases Filed:



## Collections:



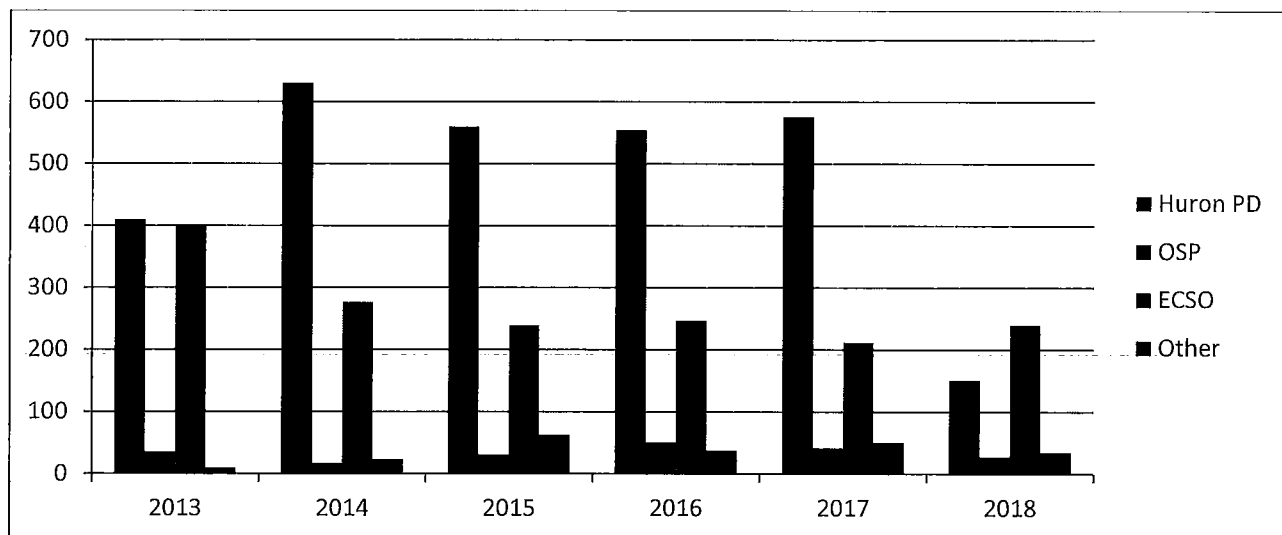


**CALENDAR YEAR 2018 ACCOMPLISHMENTS**

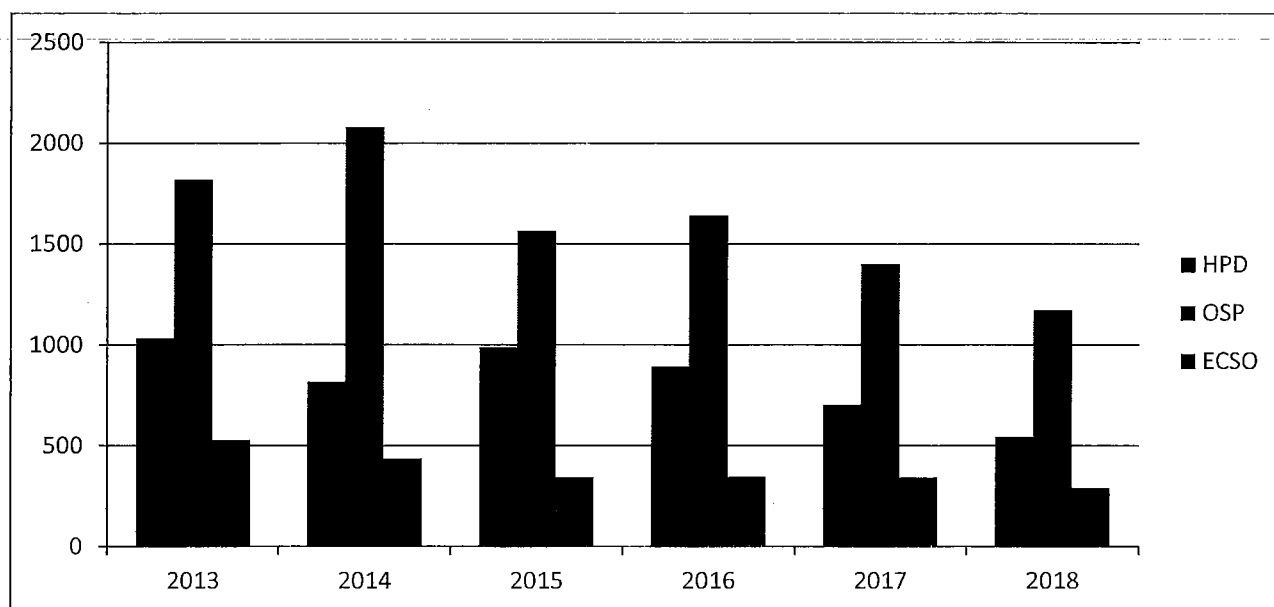
- Maintained the Huron Municipal Court website. The website now has all court forms, the current court docket, case look-up, e-payments. The new website can be found at [www.huronmunicourt.us](http://www.huronmunicourt.us)
- Batched all current overdue accounts to Capital Recovery Systems for help in 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, Traffic and Civil Divisions: 141%, 108%, and 104% respectively, for 2018.
- The Court continued to be self-sustaining by operating well within the boundaries of its budget and contributing \$38,297 of overage (amount over the actual budget expenditures) to the City of Huron's General Fund.
- Successfully resolved 373 civil conflicts, 2068 traffic violations and 536 criminal offenses.
- Processed and disbursed a total of \$103,394 in civil garnishments. These were processed and returned to the plaintiffs in a timely manner.
- Collected and disbursed \$10,871 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 \$715,210 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 308 warrants for arrest and served a total of 304 warrants on defendants.
- Held 102 regular court sessions with 3,275 cases scheduled during those sessions.
- Reconciled all bank accounts monthly with no discrepancies.
- Continued to monitor and try new avenues for collections of the \$468,013 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 \$218,055, 1,417 transactions for 2018.
- Scheduled approximately 507 pre-trials, motion hearings, court trials, and other various court hearing throughout 2018.

**CALENDAR YEAR 2019 DEPARTMENTAL OBJECTIVES**

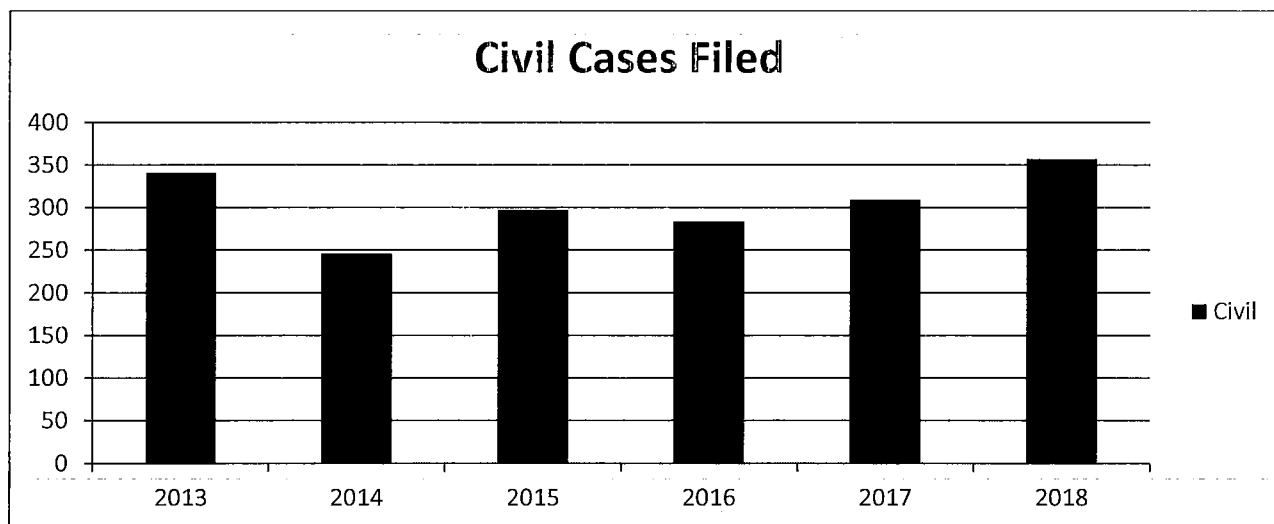
- Maintain high profile in state and local professional organizations such as the Ohio Association of Municipal and County Court Clerks, The Ohio Judges Association, Ohio Judicial Association and the Supreme Court of Ohio. Meet quarterly with local court clerks to improve regional collaboration.
- Continue 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 2019 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



### Civil Cases Filed



### PRODUCTIVITY MEASURES

	2015 Actual	2016 Actual	2017 Actual	2018 Actual
Criminal/ Traffic Receipts	\$639,133	\$690,856	\$638,971	\$559,323
Civil/Small Claims Receipts	\$117,054	\$142,169	\$124,164	\$155,887
Expenses	\$265,908	\$247,197	\$306,353	\$272,174
Paid to City	\$389,076	\$418,366	\$386,281	\$341,693

### Clearance Rates for Cases

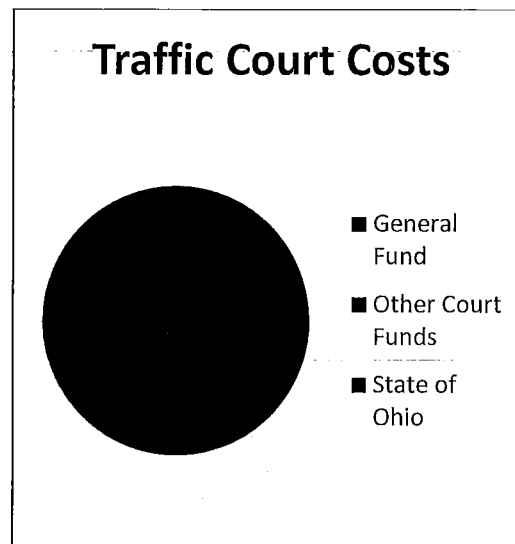
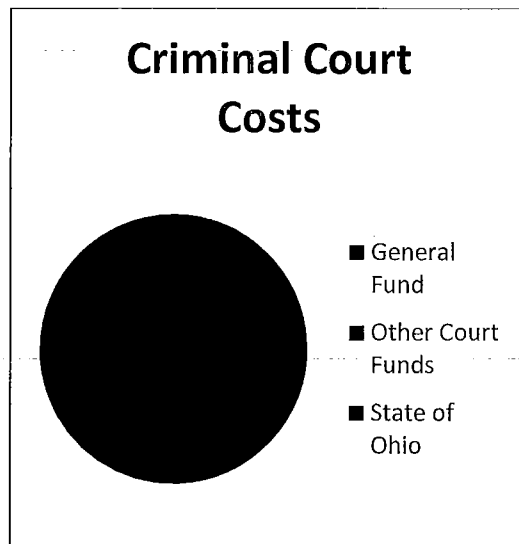
Criminal/Traffic	108%	114%	114%	113%
Civil	103%	95%	97%	104%

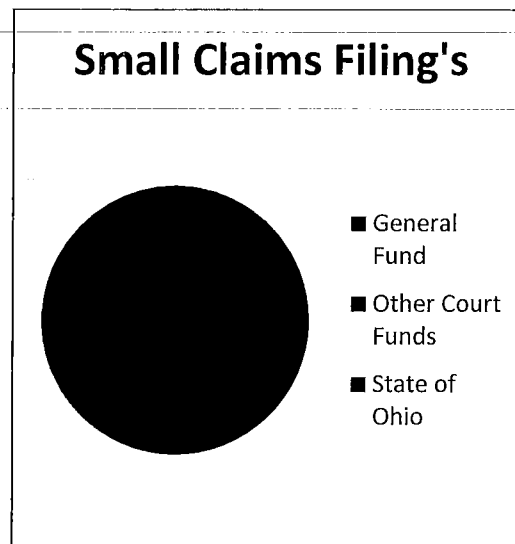
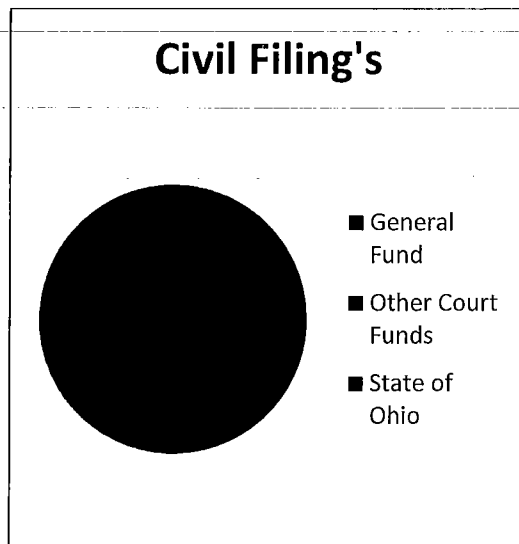
## FUND ACCOUNTING TO SHOW SELF-SUSTAINING OPERATION OF COURT

	General Fund 2016	General Fund 2017	General Fund 2018
Receipts:			
Reimbursement from County:*	\$ 66,199.90	\$ 59,894.62	\$ 62,110.26
Court Costs:**	\$184,855.33	\$166,658.57	\$157,102.19
City Ordinance Fines:***	\$108,266.90	\$101,561.16	\$ 75,638.00
State Patrol Fines:	\$ 22,409.00	\$ 18,965.00	\$ 15,620.20
 TOTAL RECEIPTS	 \$381,731.13	 \$347,079.35	 \$310,470.65
TOTAL DISBURSEMENTS:	\$247,197.49	\$306,353.46	\$272,173.60
 TOTAL OVERAGE TO GENERAL FUND:	 <u>\$134,533.64</u>	 <u>\$ 40,725.89</u>	 <u>\$ 38,297.05</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 costs are established by the Presiding Judge and set forth in a standard fee schedule. A great misconception is that court costs are established to support the operation of a Municipal Court; however, the majority of costs are established by the Ohio Legislature and are sent to the State of Ohio at the close of every month. Court costs for the Huron Municipal Court are \$95.00 per case, of this amount the court contributes only \$44.00 and \$47.00 from traffic and criminal cases, respectively to the General Fund. Civil Filings fees are again, established by the Presiding Judge and state fees are collected in these as well. For a civil filing fee of \$110.00, \$75.00 goes to the General Fund and for a small claim filing of \$75.00, \$55.00 goes to the General Fund.





\*\*\*City Ordinance Fines are all fines collected from offenses cited under the City Codified Ordinances; through the Huron Police Department.

### 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, 2018 this fund holds a balance of \$150,794.65.

**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, 2018 was \$68,571.15.

**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, 2018 is \$90,250.14.

**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, 2018 is \$187,149.82.

### SPECIAL COURT FUNDS Accounting for 2018

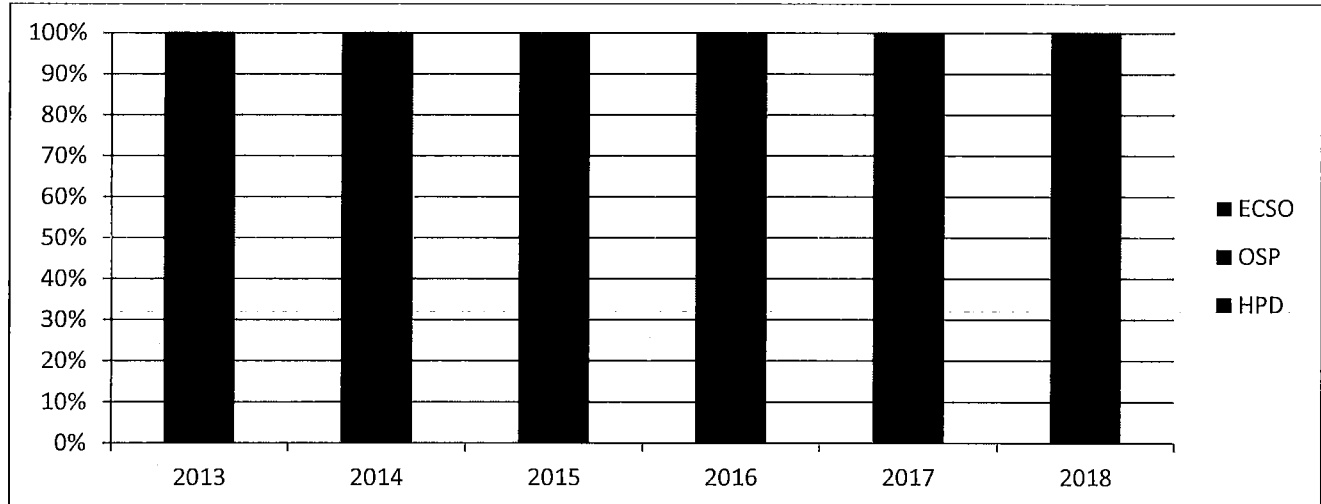
	<u>Computer Fund</u>	<u>Capital Projects Fund</u>	<u>Ind Alc Trtmnt</u>	<u>Ind Int &amp; Alc Trtmnt</u>
Revenues:	\$ 14,914.60	\$ 15,032.80	\$ 6,076.53	\$ 4,462.45
Expenses:	\$ 5,991.44	\$ 1,371.32	\$ 350.00	\$ 00.00

### 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.

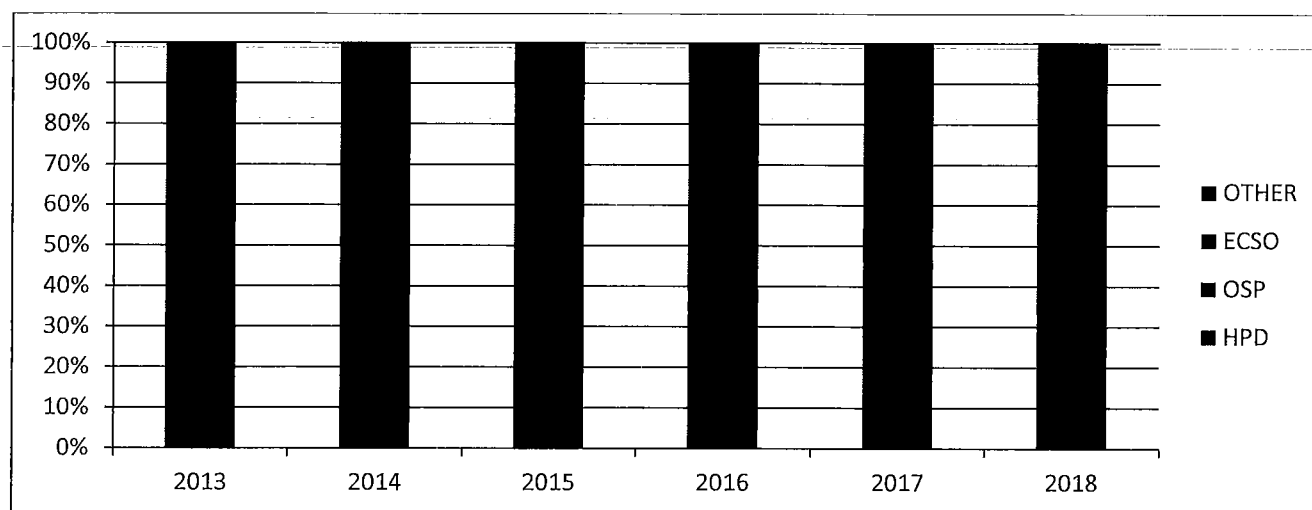
### TRENDS

#### TRAFFIC OFFENSE TRENDS



From the above trends you can see that there is a shift where the court is receiving the bulk of its' traffic citations. Ohio State Highway Patrol from 2013 to 2018 went from 54% of our citations to 58%; whereas the Huron Police Department went from 30% to 27%. HPD citations have fallen from 1,033 to 544 or a reduction of 90%. The court receives greater than 50% of our traffic citations from the Ohio State Highway Patrol.

### CRIMINAL OFFENSE TRENDS



From the above trends you can see that there is a shift where the court is receiving the bulk of its' criminal offenses. The Erie County Sheriff's Office from 2013 to 2018 went from 47% of our citations to 53%; whereas the Huron Police Department went from 40% to 33%. HPD citations have fallen from 410 to 151 or a reduction of 172%. The court now receives greater than 50% of our criminal offenses from the Erie County Sheriff.

### 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, 2018 is \$16,771.54.

The probation officer is also a deputy clerk for the Huron Municipal Court. It is considered a 50/50 full-time position. The probation officer salary and benefits are split 50% by the General Fund and the Probation Fund. At the conclusion of 2018 the probation officer was supervising approximately 174 probations in varying stages of their probation requirements.

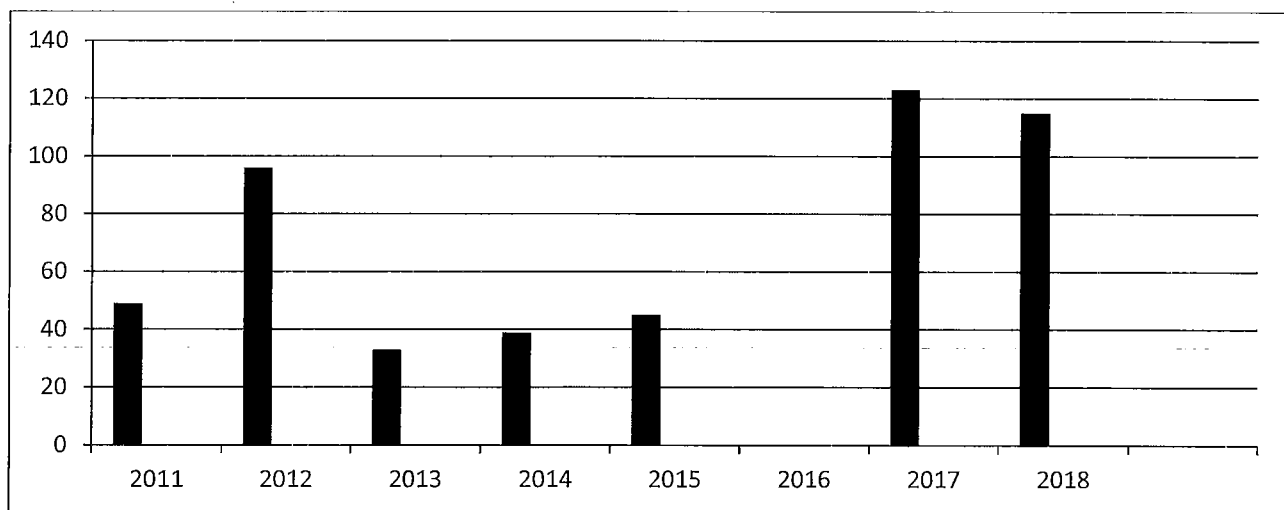
### FINANCIAL STATISTICS:

Total Fees Collected in 2018:	\$ 40,517.53
Total Expenditures for 2018:	\$ 47,075.35

## PROBATION STATISTICS FOR 2018

- 115 Defendants placed on Supervised Probation for the year 2018.
- 33 Defendant placed on Non-Reporting Probation in 2018  
(Utilized for monitoring of programs)
- 67 Successfully completed Supervised Probation during the 2018 calendar year.
- 23 Probationers were released from probation unsuccessfully; jail time was imposed on these probationers in lieu of their supervised probation.
- 9 Successful Completion of Underage Diversion Program for 2018
- 9 Probationers admitted to residential treatment facilities with 6 successfully completing these programs in 2018
- 7 Probations started on Vivitrol Treatment for addictions in 2018
- 64 Probable Cause Hearings held in 2018
- 59 Probation Revocation Hearing Held 2018
- 121 Active Probations at the conclusion of 2018 (does not include probations on warrant)
- 27 Active Probations on diversion or monitoring of program at the end of 2018
- 26 Probationers having an Active Warrant at the end of 2018

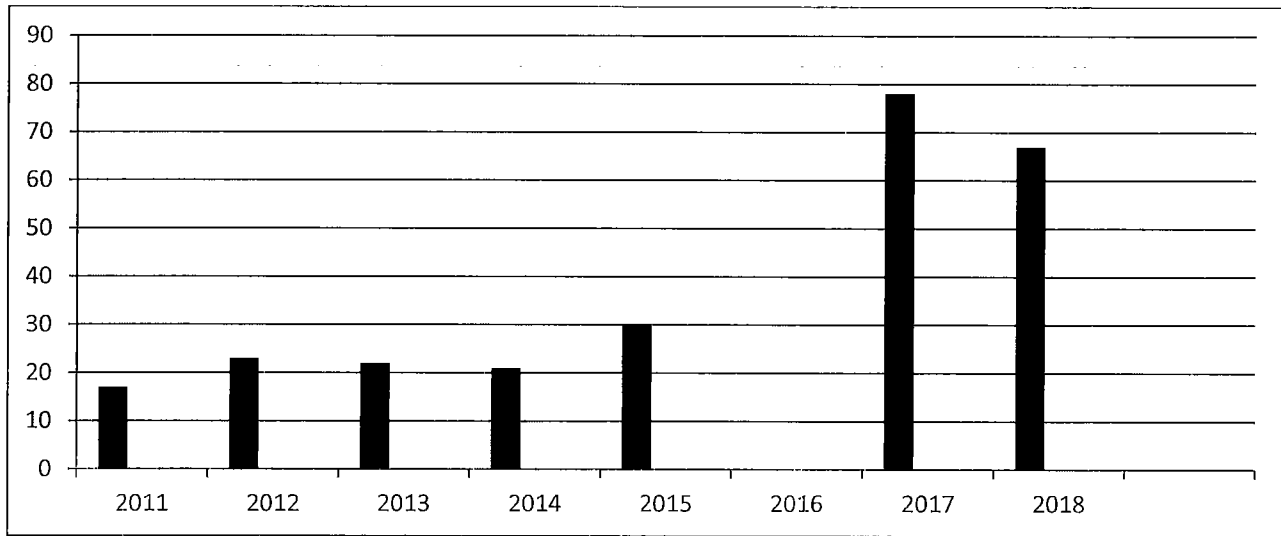
### PROBATIONS PLACED ON SUPERVISION



(Please note that we do not have any statistics for 2016 as we were in the process of hiring a new probation officer.)



## SUCCESSFUL COMPLETION OF PROBATIONS



(Please note that we do not have any statistics for 2016 as we were in the process of hiring a new probation officer.)

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