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Chapter 1901 of the Ohio Revised Code governs the conduct of Municipal Courts including the Marietta Municipal Court. Section 1901.14(A)(4) provides as follows:

“On or before the last day of March of each year, the Court shall render a complete report of its operation during the preceding year to the Legislative Authority and to the Board of County Commissioners of each county within its territory. The report shall show the work performed by the Court, a statement of receipts and expenditures of the civil and criminal branches, respectively, the number of cases heard, decided, settled and such other data as The Supreme Court, The Secretary of State, The Legislative Authority, and the Board of County Commissioners requires.”

## **JUDGE'S COMMENTS**

The 2005 Annual Report highlights statistical information about the caseload and the receipts and expenditures of the Municipal Court. Judge W. M. Nuzum, III, and his staff worked together to discharge their solemn duty to advance the administration of justice.

As the judge responsible for the publication of this report, I thank them.

Respectfully submitted,

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Janet Dyar Welch, Judge

## CIVIL DIVISION

A. New Filings – Comparative Table

Type	2005	2004	2003	2002
Civil	874	814	890	929
Small Claims	549	497	489	317

B. Hearings – Comparative Table

Held By:	2005	2004	2003	2002
Judge	116	194	371	461
Magistrate Small Claims	357	374	328	187

C. Receipts and Expenditures

In the calendar year 2005, the Civil Division of the Marietta Municipal Court received \$92,534.15 from Court Costs including \$154.49 in interest and \$11,448.00 for Computer Costs which was distributed to the City of Marietta from the Court's civil bank account.

In 2005, the Court also receipted and disbursed to the State of Ohio the sum of \$19,722.98. The 2004 figure was \$15,718.00. This money is used by the State for their Legal Aid Society funding pursuant to ORC 1901.26, 1907.24 and 2303.201. The Court deposited \$16,993.00 into its Capital Improvement Fund.

## CRIMINAL/TRAFFIC DIVISION

A. New Filings – Four Year Comparative Table

Type Offense	2005	2004	2003	2002
Felonies	286	230	214	259
Misdemeanors	2,183	2,130	2,206	2,579
OVI	523	414	438	414
Other Traffic	5,417	5,491	8,721	10,243

B. Trials

The Court conducted 68 preliminary hearings on felony cases, 98 court trials on contested traffic and criminal cases and 17 jury trials.

C. Receipts and Expenditures – Comparative Table

<b><u>Payee</u></b>	<b><u>2005</u></b>	<b><u>2004</u></b>	<b><u>2003</u></b>	<b><u>2002</u></b>
<b>City of Marietta – Auditor</b>				
General Fund	348,088.00	367,198.60	551,823.00	602,871.00
Capital Improvement Fund	131,993.63	104,948.09	136,357.00	155,668.00
Court Computer Fund 61,239.12	59,486.72			
Indigent Alcohol Fund	10,141.30	8,485.19		
Subtotal	551,462.05	540,118.60		
<b>Washington County – Auditor</b>				
General Fund	205,553.64	174,876.72	224,116.00	215,384.00
House Arrest & Detention	24,931.00	28,222.00		
Probation Fees	<u>52,067.90</u>	<u>38,927.92</u>	41,254.00	39,654.00
Subtotal	257,621.54	242,026.64		
<b>Washington County Law Library</b>				
	5,500.00	5,500.00	5,500.00	5,500.00

<u>Payee</u>	<u>2005</u>	<u>2004</u>	<u>2003</u>	<u>2002</u>
<b>Washington County</b>				
<b>Sheriff</b>	11,093.19	10,436.10	9,886.00	9,816.00
<b>State of Ohio</b> (includes OSP, CRA, PD, Seatbelt, Child Restraint, Pharmacy Board, Liquor Control, Division of Conservation, etc.)	343,526.73	385,662.59	501,858.00	551,796.00
<b>Common Pleas Court</b>	4,290.84	4,478.11	3,786.00	4,172.00
Court of Appeals	0.00	0.00	0.00	0.00
Belpre	1,929.00	1,899.00	1,957.00	2,261.00
Beverly	300.00	185.00	50.00	50.00
New Matamoras	0.00	35.00	158.00	434.00
Lowell	0.00	240.00	735.00	940.00
Macksburg	1,130.00	0.00	0.00	0.00
Marietta College Law Enf.	25.00	25.00	0.00	0.00
Capital Recovery	23,818.79	4,549.74		
Total Disbursements:	1,200,697.14	1,195,155.78	1,477,480.00	1,588,571.00

#### **IV. UNPAID FINES AND COSTS**

The Court was owed \$331,404.39 in unpaid fines during 2005. Collection efforts continue on accumulated fines and costs for years prior to that. Uncollected fines prior to January 1, 2001 are deemed uncollectible but are subject to being reopened if the Defendants appear in court for any other reason.

#### **V. COST OF OPERATION**

In 2005, the actual total of monies expended on Court operations by the City of Marietta, was \$892,124.58. This was a decrease from the year 2004 when the cost of operating the Municipal Court was \$932,634.06.

In 2005, the Court expended \$10,819.07 from its Indigent Alcohol fund, \$67,130.86 from its Computer Fund and \$430,043.20 from its Capital Improvement Fund.

The budget for 2005 was \$951,186.00. The Court paid the required matching Drug Court Grant money of \$43,000.00 from the Municipal Court House Arrest and Detention Fund. The total budget amount was therefore \$994,186.00.

Monies expended from the Indigent Alcohol Account, the Computer Fund and the Capital Improvement Fund are separately generated through the Court by charging offenders additional costs.

## GRANT FUNDS

**Community Corrections Act Grant:** The grant award for 2005 was \$146,696. The grant award for 2004 was \$144,885. This grant funded the Project Director and, to a lesser extent, the services and salaries of the Probation Department.

**Bryne Memorial Grant:** This grant was distributed through the office of Criminal Justice Services and provided primary funding for the Drug Court Program. The 2005 grant provided \$80,000.00 for this program.



## 2005 PROBATION REPORT

Probation allows low-level offenders to remain in the community as workers, parents and consumers subject to restrictions on activities and defined expectations for behavior.

The Marietta Municipal Court's Probation Department has several programs designed to monitor and to assist in the rehabilitation of offenders. Some of these programs include:

**Pre-trial release/bond** – Allows an offender to be released from jail while the case still remains active on the docket. By reporting daily, weekly, or being placed on home monitoring, this allows the offender to continue to work and reduces jail overcrowding.

**Diversion program** – Allows an offender to complete court sanctions with an incentive. If they successfully complete all the requirements of the court, the case is usually dismissed.

**Pre-sentence investigation** – Officers conduct background checks on individuals to determine what past history the offender has and if they qualify and would benefit from community control.

**Basic supervision** – The general supervision of an offender. An officer is assigned to an offender and ensures through motivation and guidance the client completes the required tasks.

**Intensive supervision** – A more stringent form of supervision. Offenders are monitored more closely than those on basic supervision. Drug screening and breath alcohol testing devices are used to monitor the offender's illegal substance use. Home monitoring is also an option that allows the officer to track the offender location. An offender would receive such services as drug and alcohol, anger management, and educational or social behavior counseling.

A four year statistical report is submitted herewith.