

**Logan County Common Pleas Court
Domestic Relations-Juvenile-Probate Division
“Family Court”
2015 Annual Report**



SUBMITTED TO:

LOGAN COUNTY COMMISSIONERS

John Bayliss

Dustin Wickersham

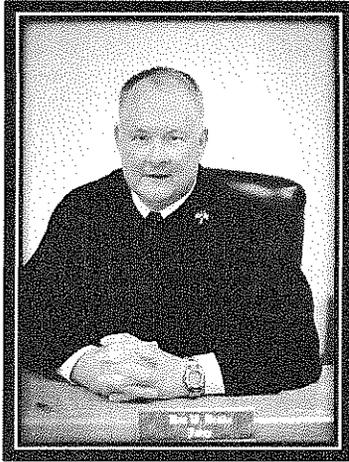
Anthony Core

Harvey J. Reed, Director

Department of Youth Services

**This report is submitted in compliance with the requirements of
Section 2151.18 of the Ohio Revised Code.**

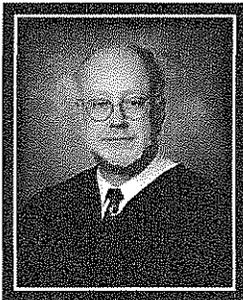
The cost to Produce this Annual Report is \$1.00



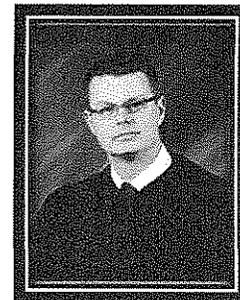
Judge Dan W. Bratka



Judge Kim Kellogg-Martin



**Thomas Minahan Ph.D.
Magistrate**



**Dan LaRoche
Magistrate**

DOMESTIC RELATIONS

Peg Cook-Chief Deputy Clerk
Erika Spring-Assignment Commissioner
Amy Wilson- Deputy Clerk/CSEA
Terri Fullerton-Deputy Clerk/CPO/DR Case Mgr.
Christie Forsythe-Deputy Clerk/CSEA

JUVENILE DIVISION

LeAnn Forsythe-Chief Deputy Clerk
Kara Phillips-Deputy Clerk
Cheryl Brautigam-Deputy Clerk

PROBATE DIVISION

Mary Newkirk-Chief Deputy Clerk
Alisa Geboy-Deputy Clerk
Erin Stafford-Deputy Clerk

JUVENILE PROBATION

LuAnna Miller-Chief Probation Officer
Robert Beightler-Probation Officer
Taryn Dean Probation Officer
Scott Turner-Probation Officer

FAMILY TREATMENT COURT

Annette Deao-Treatment Court Coordinator
Carisa Paavola-Community Resource Officer

ADMINISTRATION

Brandie Stonerock, Chief Fiscal Officer
Deb Day, Fiscal Assistant
Patty Molton, Court Reporter

NIGHT MONITORS

Ashlee Greene
Brandon Stockton

Vision Statement

The Logan County Juvenile Court
is dedicated to Impartial Justice,

Community Well-Being,

and

Partnerships that

empower and support

Youth and Families

by providing

respectful,

quality and timely services

SCOPE OF FAMILY COURT ACTIVITIES

The Family Court handles a wide variety of legal matters pertinent to children and families. Within the parameters of the Family Court's jurisdiction the issues include:

JUVENILE

- Dependency
- Neglect
- Abuse
- Contributing by an adult to Unruliness or Delinquency of a Minor
- Criminal Non-Support
- Parentage
- Permanent Custody
- Permanent Surrender
- Custody Only
- Custody and Support
- Certification/Transfer
- Traffic
- Unruly
- Delinquency
- Writ of Habeas Corpus
- Motions
- Notice of Appeal
- Department of Youth Services Aftercare (Parole)
- Visitation (Parenting Time)
- Grandparent Visitation
- Juvenile Civil Protection Orders
- Family Drug Court
- Juvenile Sex Offender Court

DOMESTIC RELATIONS

- Divorce
- Dissolution
- Allocation of Parental Rights
- Child Support
- Civil Protection Orders
- Post Decree Modification and Enforcement of Court Orders

PROBATE

- Estates
- Will Contest/Designation of Heirs/Civil Issues
- Conservatorships
- Guardianships-Minor/Incompetent
- Trusts
- Emergency Guardianships
- Mental Commitments
- Adoptions/Placements
- Marriage Licenses
- Name Change
- Settlement of Minor Claims
- Wrongful Death Actions
- Birth Registrations/Corrections
- Complaints for Land Sale
- Adult Protective Services

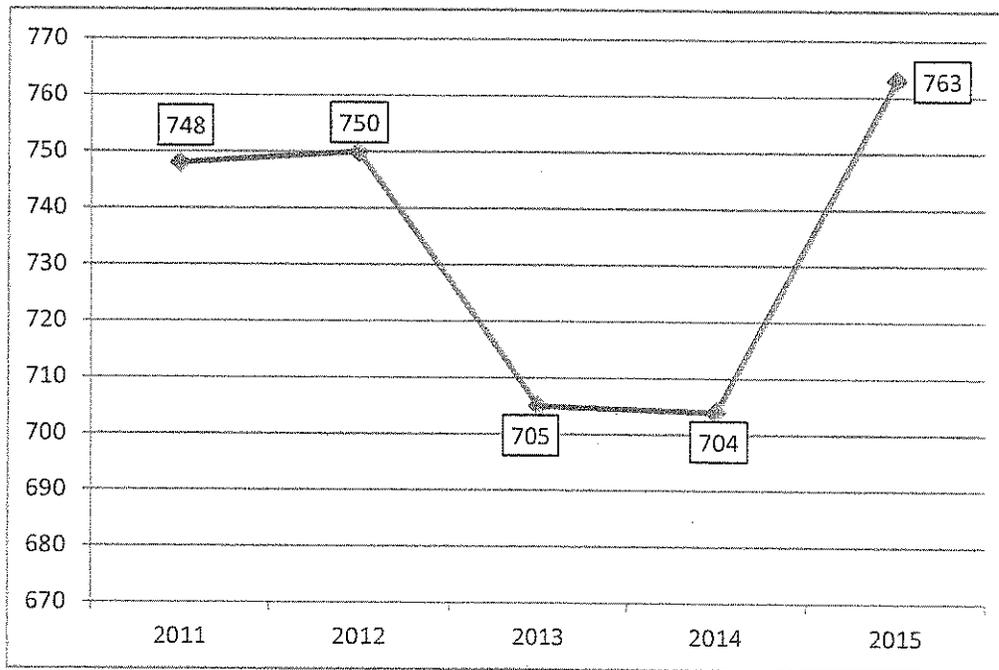
JUVENILE DIVISION

The Juvenile Court is guided by a set of operating principles that allow the prioritization necessary to utilize limited resources:

- Utilizing informal strategies to handle the vast majority of referrals that do not require court intervention to succeed.
- Minimally intervening with less serious offenders who can respond to a combination of basic supervision and family assistance.
- Extensively dealing with the most serious offenders to ensure the greatest likelihood of community protection and youth habilitation.
- Reserving the majority of resources for “extraordinary needs kids” who require extraordinary supervision and treatment.
- Maintaining youths in their home and/or community whenever possible, since this is where youth must learn to be successful.
- Investing in community partnerships as the most effective way to succeed with youths and families.

The Intake Department assists the Court in providing swift justice and holding youths accountable in a timely manner. This results in a decrease in the time it takes for disposition to occur on uncontested delinquent and unruly cases. The Court utilizes “fast track” arraignments whenever possible, having Probation and Intake Staff handle appropriate cases informally, and using the Intake Officer for Pre-Sentence Investigations (PSI).

**TOTAL ALL JUVENILE COURT CASE FILINGS BY YEAR
2011 - 2015**



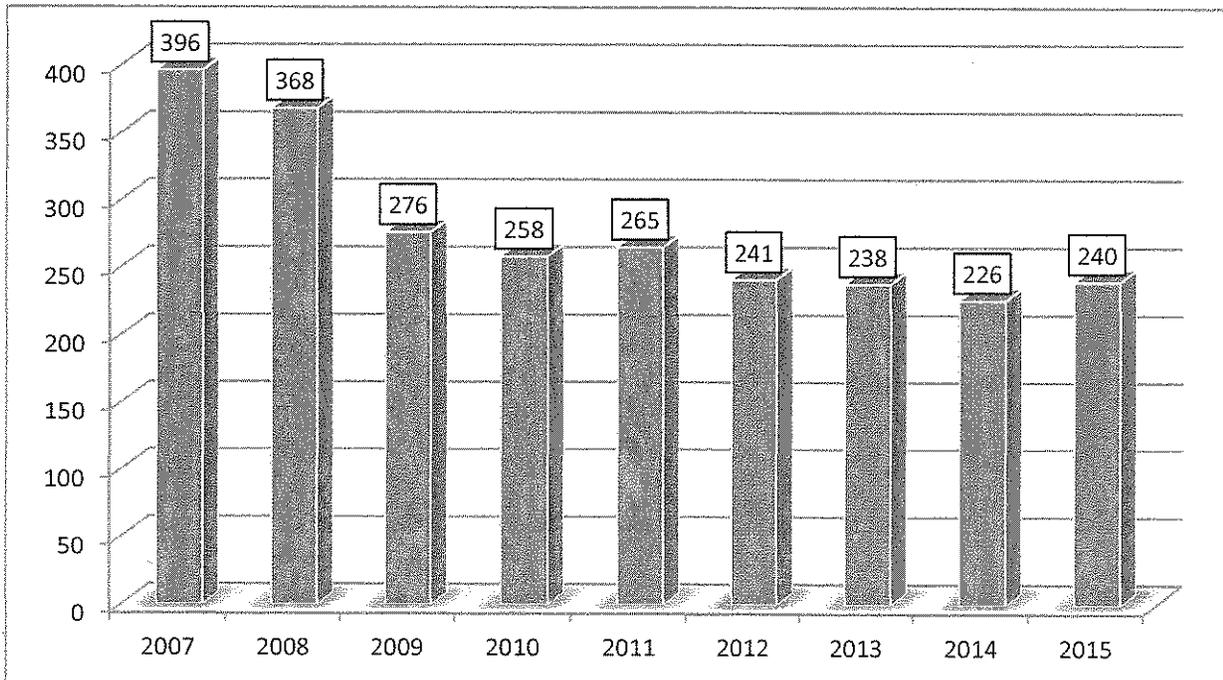
JUVENILE TRAFFIC COURT

Juvenile Traffic Court has been serious business for Logan County teens for many years. The Court takes a tough approach in order to teach juvenile traffic offenders the seriousness of their actions and the responsibility they undertake as a motor vehicle operator. Penalties increase for subsequent offenses and are regulated through the Bureau of Motor Vehicles.

A personal appearance is mandatory and a parent is required to accompany each juvenile to court. If a juvenile admits to the traffic citation, disposition occurs that day. Fines, costs, and license suspension for 4-8 weeks are the norm for traffic citations. Most juvenile traffic offenders do not return for subsequent offenses, a reliable indicator that license suspension is an effective deterrent to violating traffic laws. If the citation is denied, trial is set for a later date. Sentencing will occur subsequent to the trial should the traffic violation be proven in Court. Seatbelt only traffic citations do not require a personal appearance and may be paid via the mail. Second citations always result in license suspension.

If a juvenile under the age of 17 is convicted of a moving violation within the first six months of obtaining their license, the Judge may impose a BMV Parental Restriction. While this restriction is in effect the youth may ONLY drive with a parent in the car. This restriction will remain until the juvenile reaches the age of 17 or for 6 months, whichever period is shorter.

JUVENILE TRAFFIC CASES 2007-2015



JUVENILE PROBATION

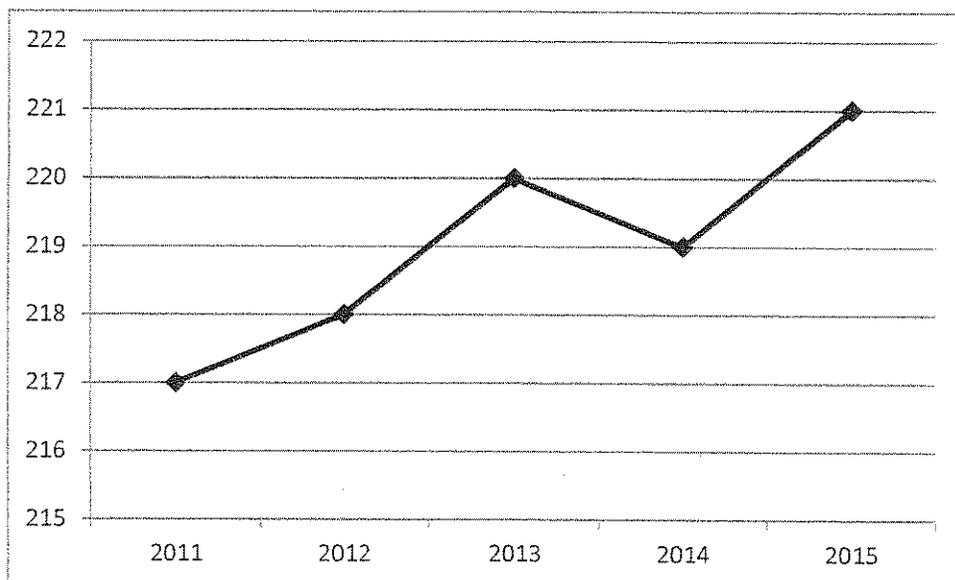
A sentencing of Probation sets firm limits and provides regular supervision, while affording the youth a chance to prove to the Court, to the community, and to themselves that they can conduct themselves in a law abiding manner. Probation creates an opportunity for the youth and family to make positive changes. It provides consequences for illegal or unacceptable behavior. Reporting to a Probation Officer on a regular basis by means of having curfews, required school reports, house arrest, community service, night monitoring and detention, are a few examples of Court imposed sanctions. The youth and parents, who acknowledge an understanding of the terms of probation and agree to abide by them, sign terms of probation. Violation of the terms of probation can result in subsequent hearings at which the youth faces additional sanctions by the Court.

Successful completion of the program requires cooperation and participation throughout the term of probation. Family support and involvement is critical in meeting this goal.

The specific goals of Probation are:

- To reduce criminal activity.
- To improve school attendance and academic success.
- To encourage and enforce sobriety and a drug free lifestyle.
- To increase responsible behavior.
- To support family growth and functioning.
- To support positive activities.

**JUVENILE PROBATION
AVERAGED SUPERVISION TOTALS
2011-2015**



JUVENILE SEX OFFENDER PROGRAM

The Logan County Juvenile Sex Offender Treatment Program is a collaborative effort of local counseling providers and the Logan County Family Court, and is overseen by Judge Kellogg-Martin. The program was developed with the belief that the majority of juvenile sexual offenders can be successfully treated in their own community while ensuring community safety. Community based treatment typically increases the level of parental involvement, which is an essential component for positive outcomes. Institutional treatment of Juvenile Sex Offenders has resulted in escalating rates of re-offending.

Each youth and family initially participates in a comprehensive assessment that includes the gathering of current and historical information in the following areas: psychosocial, education, medical, mental health/drug and alcohol, legal, victimization and sexual activity. In addition, psychological consultation and testing is included when indicated. Based on information gathered, a summary is prepared with recommendations addressing the most appropriate level of care and supervision for effective intervention and community safety.

Admission criteria to the Juvenile Sex Offender (JSO) treatment program include:

- 18 years of age or younger at the time of the offense.
- Adjudicated of a sexual offense.
- Assigned to a specialized Probation Officer.
- Completed sex offender assessment and mental health evaluation that indicates the offender can be safely managed in a community setting.

Program Goals for the Juvenile Sex Offender program are:

- To provide effective community-based supervision and treatment for juvenile sex offenders.
- To help offenders learn to exercise greater control of their behavior.
- To enhance both short and long term community safety by holding offenders accountable, developing personal safety plans and expanding competencies.

The Logan County Juvenile Sex Offender program offers a specific Sex Offender Court Docket and community based Sex Offender Treatment as an alternative to incarceration and costly residential treatment. During the Juvenile Sex Offender Court, each juvenile sex offender reports to the Court on various areas of his or her life such as progress in treatment, school, home, and work. Each youth is seen in a formal court hearing as needed, but no less than once a month in order to recognize progress, preserve community placements, and address problems in a timely manner.

The Logan County Juvenile Sex Offender (JSO) Treatment Program is designed to allow offenders to receive intensive treatment while residing in their own community through intensive supervision and community teaming. Through the treatment process, the offenders learn to develop and exercise greater control of their behavior while being supervised by a specially trained Probation Officer.

DOMESTIC RELATIONS DIVISION

As a result of legislation passed in 2003, Logan County became the first two-Judge Family Court in Ohio. Effective January 3, 2005, the Probate-Juvenile Division assumed the responsibilities of the Domestic Relations Division, becoming the Family Court.

The Domestic Relations Division hears cases for all original divorce, dissolution of marriage, legal separation and annulment actions. The Domestic Relations Division also hears post-decree actions involving allocation of parental rights and responsibilities (custody), child support, visitation and enforcement actions for failure to comply with Court orders. A significant portion of the Court's docket involves Petitions for Domestic Violence Civil Protection Orders (DVCPOs). The Court also assists the Logan County Child Support Enforcement Agency (CSEA) in collecting support in domestic relations (parents married then divorced) and juvenile (parents never married) cases.

The following definitions may assist the reader in understanding the duties of the Domestic Relations Division.

Divorce-A contested proceeding, where the filing party (Plaintiff) alleges one of eleven grounds, seeking to terminate the marriage based on the fault of the other party (Defendant).

Dissolution-A non-adversarial proceeding, where the parties jointly seek a termination of the marriage. The parties prepare and submit a contract called a separation agreement where they divide marital property, allocate parental rights, determine issues of child and spousal support, visitation, etc.

Legal Separation-This is also a fault-based adversarial proceeding. The person filing the action (Plaintiff) seeks a Court order arranging the terms (custody, support, etc.) under which a married couple will live separately. Also called an Order for Separate Maintenance and divorce a Mensa et thoro (divorce from table and bed).

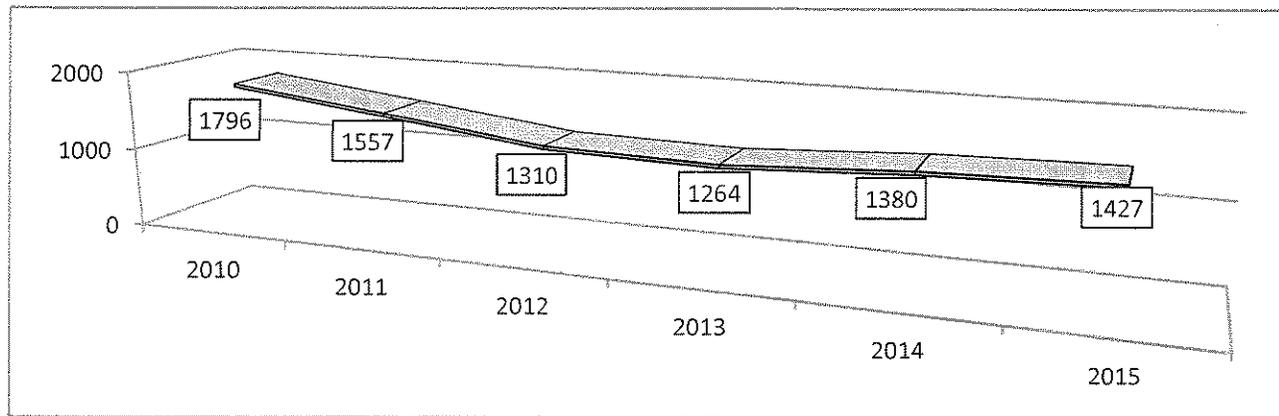
Annulment-Another fault-based adversarial action where the person filing the action (Plaintiff) seeks an order from the Court that the parties' marriage never existed. The ground for the annulment must be in existence at the time the marriage is solemnized. An annulment differs from a Divorce in that a divorce terminates a legal status (marriage), whereas an annulment establishes that no marital status ever existed.

Domestic Violence Civil Protection Orders-First enacted in 1978, the CPO statute, R.C. 3113.31 requires Courts to provide emergency relief on an accelerated schedule that is almost unknown elsewhere in American Law. Designed specifically to end violence within families, petitioners seeking relief have an initial ex parte hearing the same day the petition is filed and final hearing within 7-10 days of filing.

New Directions, operated by Consolidated Care, Inc., is a community resource established to assist victims of domestic violence. The staff of New Directions can assist victims in completing the necessary paperwork to file a petition for CPO, provide counseling services to victims, coordinate efforts with local law enforcement, prosecutors and the Court, provide temporary housing, and assist victims with obtaining legal representation.

Post Decree Motions-The Court retains continuing jurisdiction over children involved in divorce, dissolution, legal separation and paternity cases until the children reach the age of 18 years and graduate from high school. The Court also retains jurisdiction to enforce property division and to modify spousal support.

DOMESTIC RELATIONS DIVISION TOTAL CASES FILED 2010-2015



ENFORCEMENT OF CHILD SUPPORT-DOMESTIC RELATIONS DIVISION

The creation of the Family Court, in 2005, provided an opportunity to formalize the Court's enforcement of Child Support Orders. Under the current system, the Court has been able to assimilate the best practices from the two separate courts into one policy that has proven to be beneficial in the collection of child support.

At the Show Cause Hearing if a payor is found in Contempt of Court for failure to pay support, a Judgment Entry is issued that contains the finding of contempt of court, jail sentence for the contempt of court, a start date for ninety day purge period, and the penalty for continued non-payment.

The jail sentence can vary depending on how many times there has been a finding of contempt against the payor, length of time of non-payment, degree of cooperation with the CSEA, and other circumstances. The maximum sentences are as follows: the first offense is thirty days, second offense is sixty days, and the third offense is ninety days. If the payor has been found in contempt for more than one case the sentences are served consecutively. Also if there has been a suspended sentence in the past, that is also added and served consecutively.

A Magistrate determines the effective date according to the circumstances of the case. If a payor is not working at the time of the Show Cause hearing the Magistrate will generally allow two weeks to find a job before the effective date of the Purge Period. The Magistrate will also consider the other circumstances of the payor in determining the effective date. However, an effective date is set and the purge period begins on that date.

A Purge hearing is held at the end of the purge period and the CSEA provides the pay records of the payor for the past ninety days. If the Court finds that the payor has made the full and regular payments for ninety days, the finding of contempt is purged and the case is dismissed. If the payor has not made full and regular payments for ninety days the finding of contempt stands and the payor already has the report to jail date and the length of the sentence.

It is the view of the Court that collecting child support is our foremost goal, not sending payors to jail. The jail sentence is used only when the payors refuse to cooperate and pay support. At the Purge Hearing if a payor had made an effort to pay the ordered support but fell short of the required amount, a second Purge Period of ninety days can be ordered. After the Purge Hearing a second Judgment Entry is sent to the parties.

In the case of the payor who chooses not to pay or fell short without good cause, the Judgment Entry would state to the payor that they have already been found in contempt, did not purge the finding of contempt and remind them of their already set report to jail date and length of sentence. Also included in this Judgment Entry is a final chance for the payor to avoid serving the jail sentence.

FAMILY TREATMENT COURT

The Family Treatment Court initiative provides effective alcohol, drug and mental health treatment and related services to the parents of abused, neglected, and/or dependent children in an attempt to prevent or shorten out-of-home placement. The program makes services available, in a timely manner, to parents who have been required by the Court to have drug, alcohol or mental health assessments and/or treatment. Participants' successful participation in the Family Treatment Court requires compliance with their treatment plan, Department of Children's Services requirements, and court orders.

- Early identification of parental substance abuse in Abuse, Neglect and Dependency cases.
- To reduce out-of-home placements in Abuse, Neglect and Dependency cases.
- To enhance the effectiveness of the court system through providing increased accountability for parents at required substance abuse and mental health treatment in Abuse, Neglect and Dependency cases.
- To ensure the availability of treatment services to participating parents involved in Abuse, Neglect and Dependency cases.
- To reduce the duration of time that children are placed out-of-home in Abuse, Neglect and Dependency cases involved with the Family Treatment Court.

Participants in the Family Treatment Court are referred by the "Family Court" Judge, Probation and Intake Department, or the Department of Children's Services. All have pending abuse/neglect/dependency actions or child protection orders and a history of substance abuse and/or mental health problems. Parents are seen weekly at the Court—after a joint staffing with attorneys and professional staff, and then in a hearing in which the Judge reviews progress, sets expectations, and provides orders, as necessary.

BEHAVIORAL HEALTH JUVENILE JUSTICE PROGRAM (BH/JJ)

The Logan County Family Court's BHJJ Program is focused on developing a system of care that enhances the county's ability to provide services, supports and accountability to enhance community safety and outcomes for youth and their families.

Each court involved youth is ordered to participate in a Mental Health and Substance Abuse screening. The youth is evaluated for risk of suicide, incidence of trauma, mental health issues and substance abuse issues. Using evidenced based screening tools to determine risk factors helps to initiate a timely intervention of behaviors and symptoms that the youth is displaying. Youth and families can then be referred to community services such as counseling, medical care, educational supports or other identified services. Youth are monitored for compliance and attendance through the Treatment Office of the Court.

In addition to screening and monitoring the BH/JJ Program staff and Probation staff facilitates Juvenile Compliance Reviews that support the highest risk youth and their families with additional supervision and accountability. Juvenile Compliance Reviews include a family, youth and provider meeting with the intention of identifying barriers to improved behaviors with the youth, supports for the parents/guardians and coordination of care with providers. This program also provides the opportunity for frequent Judicial review of the youth's behavior and compliance with recommendations.

PROBATE DIVISION

The Probate Division aids and assists the public in matters governed by the probate laws of Ohio. The Court assures that these laws are followed in a timely and accurate manner; that persons entitled to property through wills or trusts receive such property; that persons' rights are not abused or neglected; and that their interests are protected.

Probate Court's duty is to ensure that decedents' estates are administered promptly and accurately.

Guardianships, conservatorships, and adoption proceedings are carefully monitored to determine the best interests of the parties involved.

Persons in need of medical or protective care can be assisted through the Court by an application for Adult Protective Services or Emergency Guardianship. This process assists individuals until a court investigator makes a recommendation to the Court that a Guardianship be established or that the application be dismissed. Mental commitments are also referred to the Probate Court for review by a Judge.

Adoption proceedings are also processed through the Probate Court. These proceedings may include pre-placement approval, placement of infants, stepparent adoptions, adult adoptions, and foreign adoptions. Each adoption proceeding (with the exception of adult adoptions) is examined by a court-appointed assessor who makes a recommendation to the Court.

Other services of the Probate Court include legal name changes, settlement of minor claims, wrongful death settlements, birth registrations, birth corrections, will contests, designation of heirs, will construction, complaints for land sales, civil cases and other miscellaneous determinations and exceptions. The Court is also statutorily responsible for appointments to a variety of boards serving Logan County.

The Probate Court maintains historical genealogy records for the citizen of Logan county, including:

- Birth & Deaths-1867-1909
- Marriages-1818 – current
- Estate Records-1820-Current
- Delayed Registrations & Corrections of Birth-1941-Current

PROBATE CASES FILED BY TYPE-2015

ESTATES	268
GUARDIANSHIP AND TRUST	30
CIVILS	8
ADOPTIONS	14
MARRIAGE LICENSES	305
PROBATE - OTHER	36
Includes:	
Minor's Claims	
Delayed and Corr. Births	
Name Changes	
Mentals	