

Logan County Court of Common Pleas Family Court Division 2019 Annual Report



SUBMITTED TO:

LOGAN COUNTY COMMISSIONERS

Joe Antram

John Bayliss

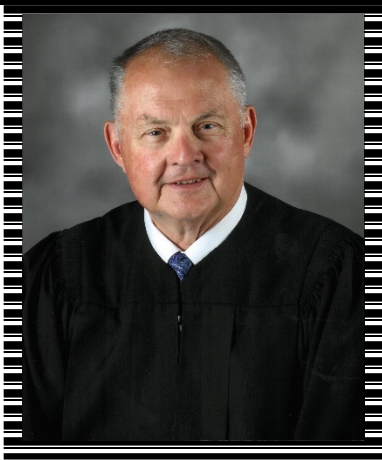
Paul Benedetti

Ryan Gies, 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 \$2.00



Judge Dan W. Bratka



Judge Kim Kellogg-Martin



**Natasha R. Kennedy
Magistrate**



**Richard A. Meyer
Magistrate**

DOMESTIC RELATIONS-JUVENILE-PROBATE

Erin Stafford-Chief Deputy Clerk

DOMESTIC RELATIONS

Peg Cook- Deputy Clerk
Christie Forsythe -Assignment Commissioner
Ashlee Greene-Deputy Clerk
Kara Phillips-Deputy Clerk

JUVENILE

Junell Bible-Deputy Clerk
Erica Cluck-Deputy Clerk
Terri Fullerton -Deputy Clerk
Amy Wilson- Deputy Clerk

ADMINISTRATION

Brandie Stonerock, Chief Fiscal Officer
Deb Day, Fiscal Assistant

PROBATE

Alisa Geboy-Deputy Clerk
Ashlee Anderson-Deputy Clerk

FAMILY TREATMENT COURT

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

JUVENILE PROBATION

LuAnna Miller-Chief Probation Officer
Robert Beightler-Probation Officer
India Slayback Probation Officer
Scott Turner-Probation Officer
Krista Nelson-Intake Coordinator

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

Vision Statement

**The Logan County
Family 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 .**

JUVENILE SECTION

The Juvenile Section utilizes relationships with area agencies and programs that best assist the citizens of Logan County. By using methods that range from informal strategies which do not require court intervention, minimal interventions which utilize basic supervision and family assistance, or to more intensive, or extraordinary measures which ensure the greatest likelihood of protection for the community and habilitation for the youth, needs are identified and prioritized to achieve the best possible results.

JUVENILE TRAFFIC COURT

Juvenile Traffic Court continues to be an important area of the Juvenile Section of the Family Court. While many teens only have one offense, 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 traffic court. If a juvenile admits to the traffic citation, disposition occurs that day. Fines, costs, and license suspension are typical for traffic citations, with the potential for longer suspensions and high fines and costs for subsequent traffic offenders. 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 PROBATION SECTION

Probation creates an opportunity to decriminalize youth and empower parents while using local resources that are accessible to all and sustainable especially after Court involvement ends. Probation Officers use evidence-based programming with youth and their family to create a case plan with attainable goals to address areas of high risk and/or areas in need of improvement. Recent studies show it is important to encourage and reward youth for participating in pro-social activities and making good decisions. The Probation Officers attach rewards and incentives to the case plan goals for youths to attempt to reach. At times it is necessary to have sanctions for probation infractions, such as: early curfews, required school reports, GPS ankle monitoring and detention time. These are just a few examples of sanctions.

The specific goals of Probation are:

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

HOUSE BILL 410

In response to House Bill 410 (HB410), the Court’s Juvenile Probation Officers participate in Absence Intervention Teams with local school districts. Local school officials, the Probation Officer, youth and their parent/s create an Absence Intervention Plan to help the youth attend school on a regular basis, and therefore, avoid having unruly truancy charges filed with the Court.

In the 2019-2020 school year, the Court’s Probation Officers were a part of 175 AIT’s. Of those, six (6) youth did not improve their attendance and subsequently had to appear in Court on truancy charges. When youth appear in Court on truancy charges, the Court provides an alternative to adjudication by offering a “Hold Open” status. This means the youth are not adjudicated. Each youth is ordered to participate in a Well-Being Check to ensure if the youth is in need of mental health or substance abuse counseling so that those areas can be addressed. The youth also complete an assignment before leaving the Courthouse entitled, “The Importance of Education,” which prompts youths to contemplate what role education plays in their life, what it means for their future and the overall value of learning. The youth are ordered to attend school on a regular basis. After 90 days, if the youth has attended school regularly, the case is closed with the youth having no record. Of the cases filed in school year 2019-2020, all were successfully terminated with the Court except two (2) that remain open for administrative reasons only.

YEARLY SUPERVISION AVERAGES						
CASE TYPES	2014	2015	2016	2017	2018	2019
PROBATION	97	76	71	54	35	31
ADMINISTRATIVE PROBATION	6	7	6	6	5	3
DIVERSION	0	0	2	6	3	5
ADJUDICATED ONLY	96	105	98	90	85	57
CASE HELD OPEN	8	12	24	33	25	41
TRUANCY COURT	N/A	N/A	N/A	N/A	4	7
TOTAL NEW PROBATION CASES	38	27	30	19	23	18
TOTAL PROB CASES CLOSED OR TRANSFERRED TO ANOTHER COUNTY	57	39	30	45	34	31

JUVENILE SEX OFFENDER PROGRAM

The Logan County Juvenile Sex Offender (JSO) Court 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 participate 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 JSO program include:

- 17 years of age or younger at the time of the offense.
- Adjudicated of a sex offense.
- Completed sex offender assessment that indicates the offender can be safely managed in a community setting.

Program Goals for the JSO 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 and expanding competencies.

The Logan County JSO 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 JSO 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 in order to recognize progress, preserve community placements, and address concerns in a timely manner.

PASS

The Court offers a tutoring program for any Court involved youth who may need help with their studies. The purpose of the Positive About School Success (PASS) program is for youth to increase knowledge of effective study skills, note taking, and test preparation and to catch up when behind in their studies. The Court seeks out tutors who are licensed educators. The tutor will help students complete individualized work provided by their home school. Each Probation Officer will submit proof of completion of missing assignments, overall grade increases, earned credits, or advancement to the next grade level to the Chief Probation Officer to show success in the program. There is no limit to the number of times a youth may be referred to the program. Youth may be rewarded with incentives for improved grades, earned credits and/or completion of assignments. Thus far, the program has had only one participant. The student improved grades in each of his subjects.

SMS

The Court currently provides a Social Media Safety program (SMS). The purpose of the sexting class is to educate youth on the dangers of sexting and potential legal and life consequences. The program goal is to increase pro-social decision making while on social media. Youth are referred to the program by Judiciary, Probation Officers, Prosecutor, and the Intake Officer. Assigned youth attend a one time, two-hour class. SMS presenters review a power point presentation that outlines definitions, potential legal charges, and potential social consequences which includes an educational video, and case studies. This curriculum has been locally developed by collaborating with the prosecutor's office, mental health professionals, and information researched on the internet. Youth participate in pre- and post- testing to measure increased knowledge of the subject. Thus far, the program has had seven (7) participants. Each participant increased their score between pre- and post-test by at least 10%.

CLEAR

The primary purpose of the Creating Low risk options Engage And Release (CLEAR) program is to divert lower risk youth from the court system when possible, but also when youth must appear in court, to keep them from further penetrating into the system. This is a two-fold program.

First, the Court accepts DIVERSION cases from the County Prosecutor when they are first time offenders. The primary goal for Diversion youth is to keep them from the formal court system and to prevent future delinquent behavior. Short-term outcomes include: no new charges, following the diversion contract and completing the program successfully. The program will not accept felony level charges, except for Sexting-Related offenses. All youth/parents are given the option of taking their case to court if they so desire, if they believe charges should not have been brought against them. The program is no longer than 60 days in length. For the Sexting Related cases, the youth must participate in a Social Media Safety education program and complete it for their case to be terminated successfully. Their Diversion case may be closed as soon as they attend the Social Media Safety education class. Meetings with the Diversion Officer are minimal, sometimes once a month, or even none. The Diversion Officer does not see youth at their school unless the complaint was school-related. The Carey Guides BITS may be used with Diversion youth when deemed appropriate. Upon completion, the case is submitted for sealing with the Court, Prosecutor, and local law enforcement agencies. If the youth is unsuccessful, the case may be filed with the Court for formal processing. At times, the Diversion Officer, after collaboration with the Chief Probation Officer, may extend a youth's contract if there are concerns, rather than filing for formal processing, in efforts to close the case successfully. The Diversion Officer will use incentives (gift cards, movie passes, pool membership, etc.) to encourage youth and promote pro-social activities.

The INTAKE program covers all cases that formally appear in Court. The primary goal for INTAKE is to keep the youth from further penetrating into the system when they first appear. Short term outcomes include: no new charges, complete court orders in a timely manner, and successful case closure. This program includes all levels of offenses. Often times, the Intake Officer will recommend a "Hold Open" status to the court if it is the first time a youth has appeared. This is typically for lower level offenses (unruly, misdemeanors), but can be a felony offense too. A Hold Open status means if the youth completes all court orders without any further charges or violations in the allotted timeframe, the case will be automatically sealed and have no record. A Hold Open case is usually open for 90 days. The next level of status would be simply "Adjudicated." Again, the Intake Officer ensures these youth complete court orders in the assigned timeframe. The Intake Officer will make phone calls or send reminder letters if needed, to gain compliance to enable successful case closure. At times, youth may have to return to Court for non-compliance; the Intake Officer will brainstorm with the probation staff for creative ideas for sanctions rather than using detention or a sentence of probation. An Adjudicated case is usually open for 6 months. When court orders are satisfactorily completed the case is closed.

DOMESTIC RELATIONS

The Domestic Relations Section hears cases for all original divorce, dissolution of marriage, legal separation and annulment actions. The Domestic Relations Section 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).

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

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.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
DIVORCE	121	105	105	103	127	76	106	65	81	133
DISSOLUTION	109	109	85	88	98	113	92	99	106	103
CHANGE OF CUSTODY	53	46	31	53	44	47	52	36	35	34
VISITATION ENFORCEMENT/MODIFICATION	2	5	2	2	6	6	4	5	9	7
SUPPORT ENFORCEMENT/MODIFICATION	393	285	175	181	232	258	223	237	243	159
DOMESTIC VIOLENCE CIVIL PROTECTION ORDERS	231	225	256	270	307	215	206	225	229	334

ENFORCEMENT OF CHILD SUPPORT

The Family Court's Domestic Relations Section works with the Logan County Child Support Enforcement Agency to enforce Child Support Orders.

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 is a Specialized Docket certified by the Supreme Court of Ohio. 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 Section, 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.

PROBATE SECTION

The Probate Section 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 Section'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 Section for review by a Judge.

Adoption proceedings are also processed through the Probate Section. 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 Section 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 Section maintains historical genealogy records for the citizens of Logan county, including:

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