

Mason Municipal Court



Serving Mason and Deerfield Township since 1965.

2003 ANNUAL REPORT

The Honorable George M. Parker, Judge
William J. Scherpenberg, Clerk of Court

5950 Mason-Montgomery Road

Mason, Ohio 45040

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Mason Municipal Court

MEMBERS OF THE WARREN COUNTY, OHIO BOARD OF COMMISSIONERS

MEMBERS OF THE MASON, OHIO CITY COUNCIL

With Courtesy Copy to MEMBERS OF THE DEERFIELD TOWNSHIP BOARD OF TRUSTEES

Larry Crisenberry, Pat Arnold South, and C. Michael Kilburn; Mayor Peter Beck, Vice Mayor Charlene Pelfrey, Tony Bradburn, Tom Grossmann, Victor Kidd, Steve Osborne and John McCurley

Thank you for providing the court with the tools necessary to serve the public in 2003. 2003 proved to be an Enlightening year for our team of dedicated men and women as they demonstrated a commitment to living out the words "public servant."

Enlightenment was a result of two separate yet intertwined forces: unparalleled publicity and unwarranted criticism. Both of these forces originating from co-equal branches of government in Mason. While the publicity was peculiar, the criticism epitomized the anomy that results from government changing longstanding rules at the will of those temporarily in positions of authority without following and being moved by both the letter and the spirit of the law.

At the beginning of the year it was discovered that a police agency used a spurious document as part of the arrest and detention, in the county jail, process. This practice was quickly and appropriately ended by the court. This discovery raised more questions than just "how could such a practice exist in our county in 2003?"

Midway through the year, the implementation of bail policies using prudently applied criteria assisted in reducing the countywide problem of jail overcrowding. This purely judicial function brought about critical review by city personnel. The byproduct of this attempt to discredit the court's authority was as much a violation of city policy as it was a threat to the protection of the process that is paramount to victim's rights.

Finally, throughout the year, the issue of bailiffs being controlled by other than judicial authority received intense scrutiny and reached an intolerable level. United States Second Circuit Judge Barrington Parker, in an opinion on the authority of separate branches of government, touched upon the spirit of what occurred in Mason in 2003. "Were we to construe the Constitution as permitting this kind of power in the executive with only modest judicial review, we would be effecting a sea change in the constitutional life of this country and making changes that would be unprecedented in civilized society."

In the midst of a heated argument by a prosecutor and a defense attorney on the issue of why the state could not produce the body of the defendant in a case, an urgent request was made for the assistance of one of the court's bailiffs. This request and the ensuing orders to transport prisoners from the county jail for hearings demonstrated the absurdity of men and women having divided loyalties and being subject to two different authorities. These examples of the exercise of judicial discretion were, respectively, but ever so disrespectfully, the subject of criminal investigation and yet another local government/news media conjugation.

Xenoliths are a beautiful example of God's sense of humor; precious gems being included in other rock formations. They are foreign rocks transported from Earth's mantle to the surface. They are geologists' only samples from the deep Earth, and carry information about diamond growth conditions. Similar in its expression of humor is the ludicrously incongruous conditions created by the Mason Law Director's interpretation and the subsequent reliance thereon by the Chief of Police of the state statute making all local police officers *ex officio* bailiffs. The law makes these public servants subject to the court's authority (without additional compensation no less) yet simultaneously subject to the authority of the executive branch of the government which sets the compensation of each. To complicate matters worse, the way it was always done in Mason was that all Mason officers actually swore to an oath as a bailiff. Each was not just an *ex officio* bailiff but a fully empowered bailiff authorized to act without separate written instructions by the judge, clerk or bailiff of the court. As a result of orders being disobeyed all officers were required to resign as actual bailiffs making it again necessary for separate written instructions to each any time he or she would act on

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behalf of the court. This raised the issue of what authority, if any, does a Mason police officer have to transport a suspect to the county jail after arrest but prior to appearance in court. Certainly and undoubtedly the answer is clear and was not subject to any other interpretation than “none as a judicial officer” and not without specific written orders as the court will not go back to asking again for the law to be obeyed.

Judge James Graham, Chief Judge of the United States District Court in Columbus, Ohio gave a speech accepting the award as the “Outstanding Judge” for his conduct in 2003 at the 2004 The Ohio State University-Moritz College of Law Judge’s Day. In this speech Judge Graham recognized that for a court to function well all of its constituent parts must work as a team. In the most remarkable and memorable part of the speech, he thoughtfully distributed the credit to each of the members of his team for the hard work they did to win the award. Judge Graham’s words and deeds as a judge are a tangible demonstration of the ancient wisdom *do justice, love mercy and walk humbly with your God*. Yet you have me to work with in Mason. I confess to you, my brothers and sisters in public service, that in 2003 I was still struggling with the question of who were the members of my team.

Unprecedented was the position the court was left in when it had no alternative but to perform tasks that were previously performed by law enforcement and rightfully so. Without prior legislative approval and presumably by executive fiat under the guise of not having available resources, the duty of transporting people to and from the Warren County jail for court appearances was thrust upon the court. The court undertook these tasks less out of a sense of duty but more as a demonstration of the devotion of our team to protecting the process of justice.

Salvific like gestures and exercises of authority by the court have caused the most consternation when in fact they were intended to bring about restoration. The court’s natural response to failures and wrongs by other branches of government was to face the problem head on, apply the law and move on to the tasks at hand. In spite of undertaking more tasks, the court still finished under budget. As you are no doubt aware, courts are not about money they are about justice. Justice at times requires that people be held accountable for their actions both punitively and financially and courts can aim to be mainly supported by user fees. Our team is poised to make every person that is to be held accountable account following the wisdom so aptly demonstrated by Judge Graham.

The proper operation of the court was overshadowed by deception and innuendo resulting in misleading information being provided to the public as to how the court was conducted in 2003. The embarrassment caused to many of us in public service in Mason, both personally and professionally, by this despicable conduct was hard to laugh off. It is not an enjoyable lot to be the object of ridicule or scorn for that matter. In singular and unique ways, all of the attempts to challenge judicial authority described in this letter were justly and mercifully realigned with the longstanding and non-negotiable rules of American justice not the will of any one man.

In the end, justice must prevail and remains the goal for our team. The court is continuing to earn the respect of its users, peers, and co-equal branches of government by adhering to our team chant during 2003 “we will out serve all, even those who would criticize us.”

Come visit the court whenever you have an opportunity. Do not believe what you hear or read but rather experience the day. You might be surprised what you will learn. Everyday we are grateful for the opportunity to amplify the principles of justice as we serve others balancing the use of resources that, at times, have become scarce. Your supportive attention, reinvesting criticism and sacrificial moments are always welcome.

Enlightened In Mason,

George M. Parker, Judge

Mason Municipal Court

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Mason Municipal Court

Introduction



Serving Mason and Deerfield Township since 1965.

Mason Municipal Court

The Mason Municipal Court was established on January 1, 1965 pursuant to Ohio Revised Code section 1901.02. Territorial jurisdiction for this southwest Ohio court includes the citizens of the City of Mason and Deerfield Township. Additionally, this area has experienced remarkable growth as the court currently serves nearly 50,000 residents, which is an immense increase from the estimated 12,317 people who resided in this jurisdiction in 1970.

Currently, the Honorable George M. Parker serves as judge of the Mason Municipal Court. Judge Parker won a four-way race in the May 8, 2001 Republican primary election and was eventually elected in the general election on November 6, 2001. Judge Parker was sworn into office to serve a six year term on December 28, 2001.

Judge Parker replaced David Batsche, who retired from the bench following his thirty years of service to the people of Mason and Deerfield Township. During his tenure, Judge Batsche distinguished himself as a fair public servant who presided over this jurisdiction during years of incredible population growth. Prior to Judge Batsche's tenure, Judge John Zopff served as the first Mason Municipal Court judge from 1965-1971.

Mason Municipal Court

2003 Judicial Officers

Judge	George M. Parker
Chief Magistrate	Eddie Lawson
Magistrate - Traffic (until June)	Corwin Keith Nixon
Magistrate - Civil	Thomas Condit
Magistrate - Small Claims	Jonathan Niemeyer
Chief Bailiff	David Schiavone

Probation Department

Chief Probation Officer	Warren Young
Asst. to the Chief (until August)	Lisa DeBorde
Deputy Probation Officer (Sept.-Present)	Angela Hayes
Deputy Probation Officer (Aug.-Present)	Chris Carrelli

Mason Municipal Court

Clerk of Court's Staff

Clerk of Court	William Scherpenberg
Chief Deputy Clerk-Criminal	Barbara Jones
Chief Deputy Clerk-Civil	Barb Patterson
Chief Deputy Clerk-Technology	Trip Bodley
Deputy Clerk - Criminal	Debra Gardner
Deputy Clerk - Criminal	Mary Ann Timmons
Deputy Clerk - Criminal	Denise Fath
Deputy Clerk - Criminal	Terry Young
Deputy Clerk - Criminal (until June)	Mickie Ernette
Deputy Clerk - Criminal (June - Present)	Barb Reed
Deputy Clerk/Bailiff - Civil	Jason Distasio
Deputy Clerk/Bailiff - Criminal	Gerald McClung

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Clerk of Court Report



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With Courtesy Copy to **MEMBERS OF THE DEERFIELD TOWNSHIP BOARD OF
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**Larry Crisenberry, Pat Arnold South, and C. Michael Kilburn; Mayor Peter Beck,
Vice Mayor Charlene Pelfrey, Tony Bradburn, Tom Grossmann, Victor Kidd, Steve
Osborne and John McCurley**

Dear Board of Commissioners, City Council Members and Township Trustees,

Pursuant to Ohio Revised Code 1901.41 the Mason Municipal Court presents for your consideration its annual report for the year 2003.

The year 2003 was a year of transition in many respects for the court. We enjoyed our first full year in the beautiful new municipal building. The court has experienced a slight reduction in caseload allowing much needed time to address issues surrounding personnel stabilization, review and refinement of both new and old procedures and the implementation of technology to streamline operations and make the court more user-friendly overall.

As you will see in the report, the overall caseload has dropped from the year 2002. Much speculation has surrounded this drop, including theories related to the end of construction on I-71 to Judge George Parker's tough courtroom attitude towards criminal activity. Most likely it is a combination of these theories and others. The reality, however, is that the case reduction has permitted some unexpected time to respond to the many demands of a progressing court.

The first full year to enjoy our new work space has allowed us to spread our elbows and get to work. While the case count dropped, the work required of us did not. It also allowed us to expand the size of our workforce commensurate to the task. Some of the largest pieces of legislation regarding the requirements for sentencing and community controlled sanctions were slated to begin in 2004 which found the court, like so many others, scrambling to comply with a massive reorganization.

We continue to educate the legislative authority about the work we do and have come a long way in obtaining the tools we need to do the work ever before us. However, the education is not over. The modest success working with the legislative authority in reducing the taxpayer's load of operating the court by shifting general fund expenditures is not without disappointments. For instance, several tasks once performed by the police department, such as court security, prisoner transport and service of process, have been transferred to the court without the respective funding to offset these additional tasks. And, most notably is the legislative authority's lack of recognition to see the need for a full-time judge, which provides both better service and cost reductions to the city. Our ever growing population further substantiates this necessity.

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Our population has grown in numbers and diversity. The court has found an increasing number of non-English speaking defendants requiring language interpretation when appearing before the judge. The court continues to find adequate and cost effective means of accommodating these needs. This is just one of the many ways the court has become more user-friendly and accessible. The court has also developed and maintains its own website which offers a case lookup that is constantly updated to provide up to the minute case information. Our website, as with all of our records and operations, is available for public inspection.

Looking forward to 2004, we see technology to be a focus of the court for staying ahead of the increased demand for court services as will the development of a much needed mediation program. Mediation will provide the community with a less formal, confidential forum for dispute resolution that is non-judicial and less adversarial. We look forward to the year 2004 in which we will continue to strive to be the model court in all aspects, especially ease of use, customer service and fiscal responsibility.

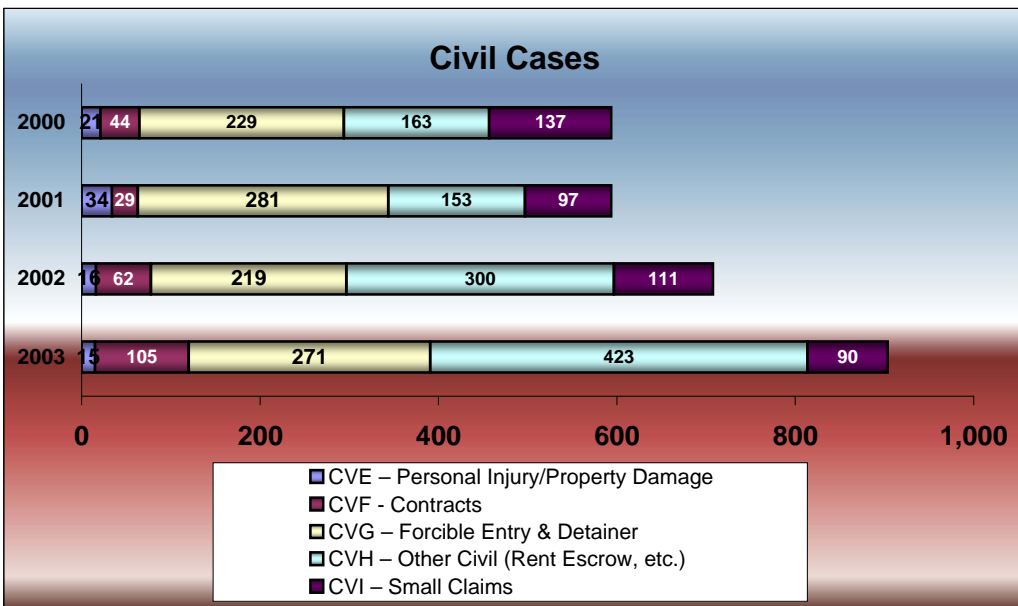
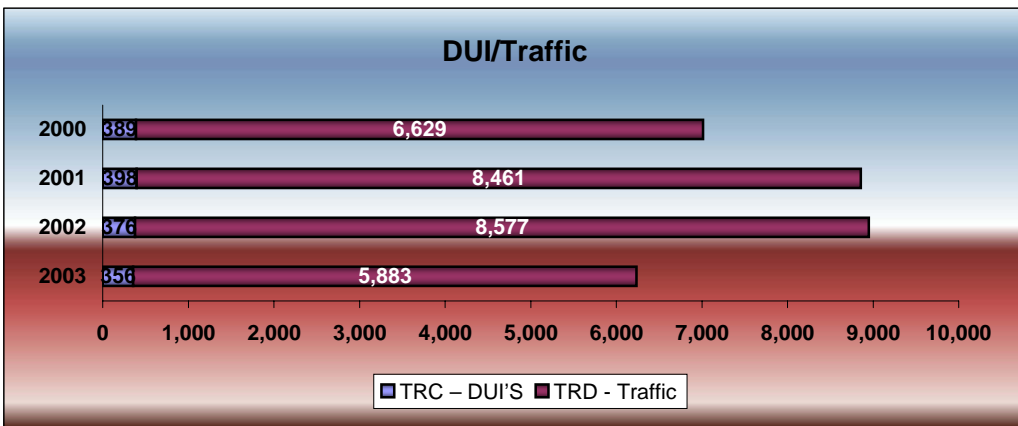
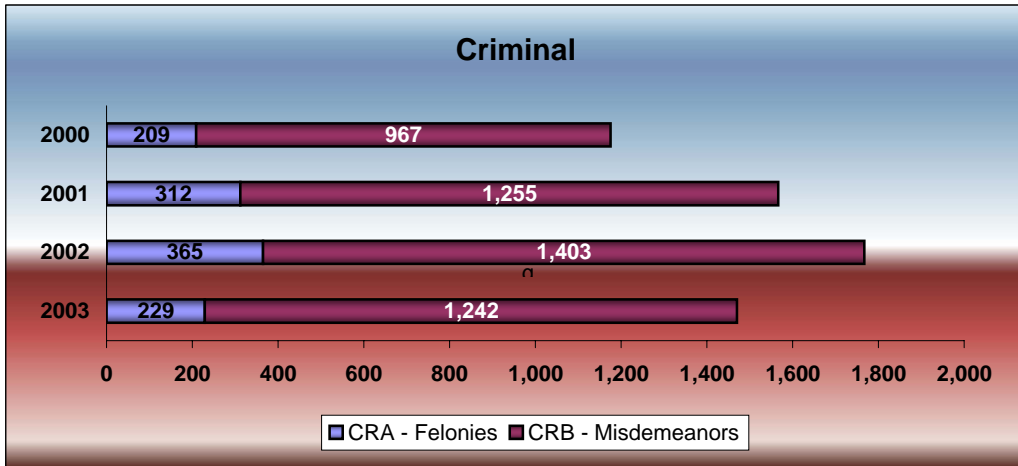
Respectfully submitted,

William J. Scherpenberg, Clerk

II. Clerk of Court's Report

A. Statistics

Four-Year Comparison of Cases Filed in Each Division



II. Clerk of Court's Report

A. Statistics

Four-Year Comparison of Cases Filed in Each Division

	2003	2002	2001	2000
CRIMINAL CASES FILED				
CRA - Felonies	229	365	312	209
CRB - Misdemeanors	1,242	1,403	1,255	967
Total Criminal Cases Filed	1,471	1,768	1,567	1,176

TRAFFIC CASES FILED				
TRC – DUI'S	356	376	398	389
TRD - Traffic	5,883	8,577	8,461	6,629
Total Traffic Cases Filed	6,239	8,953	8,859	7,018

Total Traffic & Criminal	7,710	10,721	10,426	8,194
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CIVIL CASES FILED				
CVE – Personal Injury/Property	15	16	34	21
CVF - Contracts	105	62	29	44
CVG – Forcible Entry & Detainer	271	219	281	229
CVH – Other Civil (Rent Escrow, etc.)	423	300	153	163
CVI – Small Claims	90	111	97	137
Total Civil Cases Filed	904	708	594	594

TOTAL CASES FILED	8,614	11,429	11,020	8,788
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II. Clerk of Court's Report

A. Statistics

Terminations

	Total Pending (Dec. 2002)	New Filings (2003)	Terminations (2003)	Total Pending (Dec. 2003)
CRA – Felonies	17	229	235	11
CRB - Misdemeanors	294	1,242	1,439	97
TRC – DUI'S	80	356	388	48
TRD - Traffic	994	5,883	6,665	212
CVE – Personal Injury	8	15	18	5
CVF - Contracts	24	105	90	39
CVG – F.E.D.	41	271	286	26
CVH – Other Civil	108	423	440	91
CVI – Small Claims	23	90	90	23
Total	1,589	8,614	9,651	552

Four-Year Comparison of Expungements

	2003	2002	2001	2000
Expungements	33	23	27	27

Four-Year Comparison of Jury Trials

	2003	2002	2001	2000
Jury Trials	17	14	8	7

Five-Year Comparison of Operating a Motor Vehicle While Under the Influence (OMVI) Cases*

Year	Total Cases	Convicted	Reduced	Dismissed	Transferred	Pending
2003	356	263	71	28	1	48
2002	376	220	98	17	5	0
2001	398	282	79	15	3	0
2000	389	292	66	14	1	0
1999	288	215	48	13	2	0

II. Clerk of Court's Report

A. Statistics

Four-Year Comparison of Cases Filed in Criminal/Traffic Division by Agency

Agency	2003	2002	2001	2000
City Fire Department	0	0	3	0
County Dog Warden	37	43	40	30
County Natural Resources	2	6	0	1
County Zoning	0	0	0	0
WCSSO-Deerfield Township	2,243	3,118	2,935	2,547
Individual City Code	35	17	24	19
Individual State Code	115	131	80	90
King's Island	43	59	50	51
Mason Police Department	3,449	2,890	3,008	2,603
Ohio State Patrol	1,519	4,418	4,238	2,807
Probation	201	3	0	0
State Liquor Control	2	11	1	21
State Case	46	16	15	6
Warren County Sheriff	11	7	33	19
Other	7	2	0	0

Type of Cases Filed in Criminal/Traffic Division by Agency for 2003

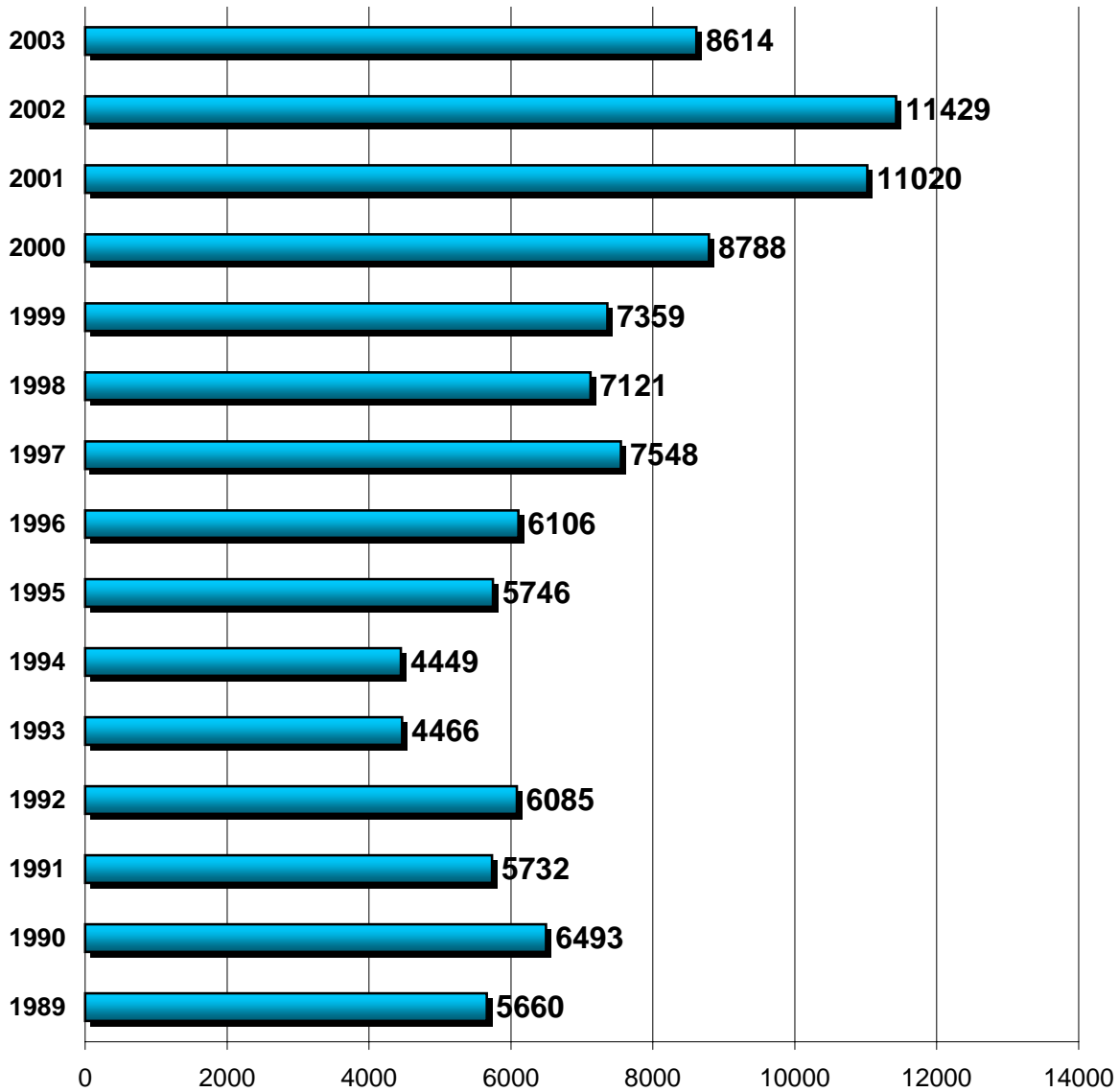
Agency	CRA Criminal Felony	CRB Criminal Misdemeanor	TRC DUI's	TRD Other Traffic	Total
City Fire Department	0	0	0	0	0
County Dog Warden	0	37	0	0	37
County Natural	0	2	0	0	2
WCSSO-Deerfield	101	456	153	1,533	2,243
Individual City Code	0	35	0	0	35
Individual State Code	2	113	0	0	115
King's Island	1	40	0	2	43
Mason Police	101	271	90	2,987	3,449
Ohio State Patrol	10	35	113	1,361	1,519
Probation	0	201	0	0	201
State Liquor Control	0	2	0	0	2
State Case	10	36	0	0	46
Warren County Sheriff	4	7	0	0	11
Other	0	7	0	0	7
Total	229	1,242	356	5,883	7,710

II. Clerk of Court's Report

A. Statistics

Annual Caseload History

Fifteen-Year Comparison of Total Cases



Four Year Comparison of Caseload Increase

	2003	2002	2001	2000
Total Cases	8,614	11,429	11,020	8,788
Percent Increase from 2000	-2.0%	30.0%	25.4%	0.0%
Annual Percent Increase	-24.6%	3.7%	25.4%	19.4%

II. Clerk of Court's Report

B. Financial

Three-Year Comparison of Combined Disbursements (Criminal and Civil)

	2003	2002	2001	2003 over/ (under) 2002
City of Mason				
Criminal Division (Schedule A)	\$ 819,126.05	\$ 721,434.04	\$ 646,837.36	\$ 97,692.01
Civil Division (Schedule B)	\$ 84,624.25	\$ 41,939.35	\$ 37,532.17	\$ 42,684.90
Total	\$ 903,750.30	\$ 763,373.39	\$ 684,369.53	\$ 140,376.91

State of Ohio				
Criminal Division (Schedule A)	\$ 211,504.87	\$ 300,531.82	\$ 294,348.91	\$ (89,026.95)
Civil Division (Schedule B)	\$ 12,810.00	\$ 9,742.00	\$ 8,044.00	\$ 3,068.00
Total	\$ 224,314.87	\$ 310,273.82	\$ 302,392.91	\$ (85,958.95)

Warren County				
Criminal Division (Schedule A)	\$ 99,510.02	\$ 135,083.04	\$ 115,714.44	\$ (35,573.02)

Other Disbursements				
Criminal Division (Schedule A)	\$ 83,658.45	\$ 108,755.71	\$ 90,267.21	\$ (25,097.26)

Garnishments/Open Deposits				
Civil Division (Schedule B)	\$ 137,194.55	\$ 77,528.18	\$ 53,032.24	\$ 59,666.37

Total Disbursements	\$ 1,448,428.19	\$ 1,395,014.14	\$ 1,245,776.33	\$ 53,414.05
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II. Clerk of Court's Report

B. Financial

Schedule A--Financial Statement for Criminal Division

Three-Year Comparison of Disbursements

	2003	2002	2001	2003 over/ (under) 2002
City of Mason				
City ORD/Traffic	\$ 184,616.24	\$ 138,123.28	\$ 151,837.97	\$ 46,492.96
OSP other	\$ 3,702.91	\$ 5,106.30	\$ 4,425.50	\$ (1,403.39)
OSP 45%	\$ 30,142.87	\$ 64,608.42	\$ 63,607.68	\$ (34,465.55)
Court Cost	\$ 268,160.58	\$ 265,445.62	\$ 246,612.40	\$ 2,714.96
Computer Education	\$ 17,778.00	\$ 22,064.00	\$ 21,873.50	\$ (4,286.00)
Court Improvement	\$ 114,418.77	\$ 55,077.74	\$ 54,583.00	\$ 59,341.03
Probation	\$ 126,418.45	\$ 71,271.59	\$ 9,894.75	\$ 55,146.86
Translator	\$ 32.00	\$ 1,440.00	\$ -	\$ (1,408.00)
Computer Cost	\$ 53,481.50	\$ 66,317.26	\$ 65,752.29	\$ (12,835.76)
Mileage	\$ 3,735.26	\$ 1,195.30	\$ -	\$ 2,539.96
Indigent Driver Alc	\$ 5,864.42	\$ 6,830.00	\$ 7,605.00	\$ (965.58)
Drug Law Enforcement	\$ 1,535.00	\$ 1,574.00	\$ 3,815.00	\$ (39.00)
Prisoner House	\$ 2,117.35	\$ 3,047.00	\$ 3,870.00	\$ (929.65)
Law Enforcement Education	\$ 1,698.00	\$ 1,828.00	\$ 2,745.00	\$ (130.00)
Lock Bar	\$ 145.90	\$ 2,756.33	\$ 2,910.00	\$ (2,610.43)
Public Defender	\$ 5,158.80	\$ 14,589.20	\$ 7,165.27	\$ (9,430.40)
Expungements	\$ 120.00	\$ 160.00	\$ 140.00	\$ (40.00)
Total	\$ 819,126.05	\$ 721,434.04	\$ 646,837.36	\$ 97,692.01
County of Warren				
Other Sheriff	\$ 1,447.88	\$ 1,757.55	\$ 1,552.65	\$ (309.67)
Overload	\$ 6,109.50	\$ 12,342.25	\$ 7,951.53	\$ (6,232.75)
OSP 10%	\$ 7,674.17	\$ 16,426.78	\$ 16,189.30	\$ (8,752.61)
OSP Other	\$ 22,008.77	\$ 34,180.91	\$ 27,740.00	\$ (12,172.14)
Local Sheriff	\$ 49,672.76	\$ 51,640.56	\$ 44,770.32	\$ (1,967.80)
Sheriff Misc	\$ 2,126.19	\$ 2,289.49	\$ 2,098.64	\$ (163.30)
King's Island	\$ 474.00	\$ 2,708.00	\$ 750.00	\$ (2,234.00)
Liquor	\$ 742.50	\$ 1,597.50	\$ 2,597.50	\$ (855.00)
PUCO	\$ -	\$ -	\$ -	\$ -
Dog	\$ 3,179.00	\$ 2,550.00	\$ 3,073.00	\$ 629.00
Expungements	\$ 440.00	\$ 300.00	\$ 400.00	\$ 140.00
Prisoner House	\$ 4,123.75	\$ 5,625.00	\$ 5,591.50	\$ (1,501.25)
KI Drug Education	\$ -	\$ -	\$ -	\$ -
Indigent Driver	\$ -	\$ -	\$ -	\$ -
Drug Education	\$ 1,511.50	\$ 3,665.00	\$ 3,000.00	\$ (2,153.50)
KI Law Enforcement	\$ -	\$ -	\$ -	\$ -
Total	\$ 99,510.02	\$ 135,083.04	\$ 115,714.44	\$ (35,573.02)

II. Clerk of Court's Report

B. Financial

Schedule A--Financial Statement for Criminal Division

Three-Year Comparison of Disbursements

	2003	2002	2001	2003 over/ (under) 2002
State of Ohio				
State 45%	\$ 42,910.02	\$ 88,007.12	\$ 85,099.51	\$ (45,097.10)
Expungement	\$ 900.00	\$ 697.00	\$ 810.00	\$ 203.00
Pharmacy	\$ 4,498.70	\$ 6,320.00	\$ 7,328.70	\$ (1,821.30)
Vic CR & General Revenue	\$ 134,383.24	\$ 165,805.00	\$ 163,673.90	\$ (31,421.76)
Seatbelt	\$ 15,771.00	\$ 24,973.00	\$ 23,920.00	\$ (9,202.00)
Liquor	\$ 1,057.50	\$ 2,847.50	\$ 2,847.80	\$ (1,790.00)
OSP Law Enforcement Educ.	\$ 1,683.10	\$ 2,609.00	\$ 2,561.00	\$ (925.90)
OSP Drug	\$ 375.00	\$ 600.00	\$ 1,550.00	\$ (225.00)
ODNR	\$ 50.00	\$ -	\$ -	\$ 50.00
Child Safety	\$ 523.00	\$ 640.00	\$ 1,223.00	\$ (117.00)
State Suspension	\$ 5,020.00	\$ 4,410.00	\$ 4,540.00	\$ 610.00
Co. Natural Resource	\$ 150.00	\$ 660.00	\$ -	\$ (510.00)
Warrant Blocks	\$ 4,183.31	\$ 2,963.20	\$ 795.00	\$ 1,220.11
Total	\$ 211,504.87	\$ 300,531.82	\$ 294,348.91	\$ (89,026.95)
Other				
Warren County Sheriff	\$ 815.40	\$ 1,063.60	\$ 1,673.90	\$ (248.20)
Deerfield DUI Law Enforcement	\$ 2,219.00	\$ 2,491.00	\$ 2,864.00	\$ (272.00)
Deerfield Township	\$ 77,485.00	\$ 100,943.46	\$ 81,802.41	\$ (23,458.46)
Law Library	\$ 3,139.05	\$ 4,257.65	\$ 3,926.90	\$ (1,118.60)
Total	\$ 83,658.45	\$ 108,755.71	\$ 90,267.21	\$ (25,097.26)
Total Disbursements	\$ 1,213,799.39	\$ 1,265,804.61	\$ 1,147,167.92	\$ (52,005.22)

II. Clerk of Court's Report

B. Financial

Schedule B--Financial Statement for Civil Division Three-Year Comparison of Disbursements

	2003	2002	2001	2003 over/ (under) 2002
RECEIPTS				
TOTAL RECEIPTS	\$ 240,029.63	\$ 127,339.56	\$ 92,221.47	\$ 112,690.07
Open Deposits (Jan. 2003)	\$ 5,305.86	\$ 1,786.35	\$ 6,387.12	\$ 3,519.51
Total	\$ 245,335.49	\$ 129,125.91	\$ 98,608.59	\$ 116,209.58
 DISBURSEMENTS				
City of Mason	\$ 56,819.75	\$ 33,468.35	\$ 30,456.17	\$ 23,351.40
Computer Fund	\$ 5,412.00	\$ 4,254.00	\$ 3,541.00	\$ 1,158.00
Computer Ed. Fund	\$ 902.00	\$ 682.00	\$ 590.00	\$ 220.00
Court Improvement Fund	\$ 21,490.50	\$ 3,535.00	\$ 2,945.00	\$ 17,955.50
	\$ 84,624.25	\$ 41,939.35	\$ 37,532.17	\$ 42,684.90
 State of Ohio	 \$ 12,810.00	 \$ 9,742.00	 \$ 8,044.00	 \$ 3,068.00
Return/Apply	\$ 137,194.55	\$ 72,222.32	\$ 51,246.07	\$ 64,972.23
Adjustments	\$ 628.08	\$ (83.62)	\$ -	\$ 711.70
Open Deposits (Dec. 2003)	\$ 10,205.86	\$ 5,305.86	\$ 1,786.35	\$ 4,900.00
Total	\$ 245,462.74	\$ 129,125.91	\$ 98,608.59	\$ 116,336.83

II. Clerk of Court's Report

B. Financial

2003 Court Expenses

City of Mason General Fund*

<u>Personnel</u>	2003	2002	2003 over/ (under) 2002
Court Salaries-Wages***	\$ 403,092.07	\$ 438,833.26	\$ (35,741.19)
Retirement***	\$ 77,629.11	\$ 72,481.30	\$ 5,147.81
Medical-Ins.	\$ 56,000.00	\$ 56,000.00	\$ -
Medicare	\$ 5,267.85	\$ 4,852.37	\$ 415.48
Workmen's Compensation	\$ -	\$ -	\$ -
Subtotal	\$ 541,989.03	\$ 572,166.93	\$ (30,177.90)
<u>Employee Development</u>			
Training/Meeting Expense	\$ 2,796.57	\$ 2,618.19	\$ 178.38
Membership/Subscriptions	\$ 565.00	\$ 1,030.00	\$ (465.00)
Subtotal	\$ 3,361.57	\$ 3,648.19	\$ (286.62)
<u>Contractual Services</u>			
Telephone/Pager	\$ 14,121.58	\$ 14,930.90	\$ (809.32)
Rents & Leases***	\$ 7,809.80	\$ (452.67)	\$ 8,262.47
Professional Services	\$ 10,672.99	\$ 11,559.60	\$ (886.61)
Legal Services***	\$ -	\$ -	\$ -
Contracts/Agreements***	\$ 14,695.33	\$ 6,863.37	\$ 7,831.96
Insurance***	\$ 902.63	\$ 450.00	\$ 452.63
Printing Advertising	\$ 227.91	\$ -	\$ 227.91
Prisoner Expense	\$ -	\$ -	\$ -
Subtotal	\$ 48,430.24	\$ 33,351.20	\$ 15,079.04
<u>Supplies and Materials</u>			
Office Supplies	\$ 17,981.55	\$ 15,929.94	\$ 2,051.61
Operational Supplies	\$ 6,712.68	\$ 1,519.36	\$ 5,193.32
Repairs and Maintenance	\$ 1,270.36	\$ 272.50	\$ 997.86
Small Tools/Minor Equipment	\$ 1,385.69	\$ -	\$ 1,385.69
Postage	\$ 11,000.00	\$ 10,040.32	\$ 959.68
Subtotal	\$ 38,350.28	\$ 27,762.12	\$ 10,588.16
<u>Capital Outlay</u>			
Buildings & Bldg. Imp.	\$ 3,910.80	\$ -	\$ 3,910.80
Furn., Fixtures & Off. Mach	\$ -	\$ -	\$ -
Computers/Comp. Equipment	\$ -	\$ -	\$ -
Machinery & Equipment	\$ -	\$ -	\$ -
Computer	\$ -	\$ -	\$ -
Subtotal	\$ 3,910.80	\$ -	\$ 3,910.80
<u>Refunds & Remittances</u>			
Refunds	\$ -	\$ 100.00	\$ (100.00)
Remittances to Law Library	\$ 9,728.63	\$ 29,541.51	\$ (19,812.88)
Subtotal	\$ 9,728.63	\$ 29,641.51	\$ (19,912.88)
Total Mason General Fund	\$ 645,770.55	\$ 666,569.95	\$ (20,799.40)

II. Clerk of Court's Report

B. Financial

2003 Court Expenses Other Court Funds*

<u>Indigent Alc. Driver Fund</u>	2003	2002	2003 over/ (under) 2002
Professional Services	\$ -	\$ 1,801.29	\$ (1,801.29)
Total	\$ -	\$ 1,801.29	\$ (1,801.29)

Clerk Computer Fund

Court Salaries-Wages	\$ 35,160.81	\$ -	\$ 35,160.81
Retirement	\$ 4,534.52	\$ -	\$ 4,534.52
Medical-Ins.	\$ 10,500.00	\$ -	\$ 10,500.00
Medicare	\$ 509.78	\$ -	\$ 509.78
Workmen's Compensation	\$ -	\$ -	\$ -
Training Meeting Expense	\$ 1,800.00	\$ -	\$ 1,800.00
Computers/Computer Equip.	\$ 260.00	\$ -	\$ 260.00
Office Supplies	\$ 158.90	\$ 36,894.90	\$ (36,736.00)
Operational Supplies	\$ 4,140.11	\$ -	\$ 4,140.11
Contracts/Agreements	\$ 26,917.00	\$ -	\$ 26,917.00
Repairs, Improvements	\$ 500.00	\$ -	\$ 500.00
Small Tools/Minor Equipment	\$ 249.95	\$ -	\$ 249.95
Computers/Computer Equip.	\$ 43,032.88	\$ 67,781.21	\$ (24,748.33)
Total	\$ 127,763.95	\$ 104,676.11	\$ 23,087.84

Court Computerization Fund

Small Tools/Minor Equipment	\$ 897.00	\$ -	\$ 897.00
Training Meeting Expense	\$ -	\$ 2,400.00	\$ (2,400.00)
Computers/Computer Equip.	\$ 27,887.00	\$ 51,900.00	\$ (24,013.00)
Total	\$ 28,784.00	\$ 54,300.00	\$ (25,516.00)

Court Improvement Fund

Court Salaries-Wages	\$ 56,052.07	\$ -	\$ 56,052.07
Retirement	\$ 7,279.45	\$ -	\$ 7,279.45
Medical-Ins.	\$ 3,500.00	\$ -	\$ 3,500.00
Medicare	\$ 813.52	\$ -	\$ 813.52
Workmen's Compensation	\$ -	\$ -	\$ -
Telephone/Pager Service	\$ -	\$ 13,946.88	\$ (13,946.88)
Professional Services	\$ 825.56	\$ -	\$ 825.56
Printing Advertising	\$ 216.50	\$ -	\$ 216.50
Operational Supplies	\$ 8,769.31	\$ -	\$ 8,769.31
Total	\$ 77,456.41	\$ 13,946.88	\$ 63,509.53

Vehicle Immobilization Fund

Professional Services	\$ -	\$ -	\$ -
Supplies & Materials	\$ -	\$ -	\$ -
Total	\$ -	\$ -	\$ -

II. Clerk of Court's Report

B. Financial

Probation Fund

	<u>2003 Court Expenses</u>		
Court Salaries-Wages	\$ 39,112.35	\$ -	\$ 39,112.35
Retirement	\$ 4,821.79	\$ -	\$ 4,821.79
Medical-Ins.	\$ 7,000.00	\$ -	\$ 7,000.00
Medicare	\$ 567.15	\$ -	\$ 567.15
Workmen's Compensation	\$ -	\$ -	\$ -
Training Meeting Expense	\$ 360.86	\$ -	\$ 360.86
Operational Supplies	\$ 3,823.49	\$ -	\$ 3,823.49
Total	\$ 55,685.64	\$ -	\$ 55,685.64

Total Other Court Funds	\$ 289,690.00	\$ 174,724.28	\$ 114,965.72
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Total City of Mason	\$ 935,460.55	\$ 841,294.23	\$ 94,166.32
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Warren County Share of Salaries**

Salaries	\$ 52,742.22	\$ 40,408.46	\$ 12,333.76
Other Benefits	\$ -	\$ 1,844.99	\$ (1,844.99)
PERS	\$ 7,146.64	\$ 6,328.47	\$ 818.17
Total	\$ 59,888.86	\$ 48,581.92	\$ 11,306.94

Grand Total Expended	\$ 995,349.41	\$ 889,876.15	\$ 105,473.26
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*These figures are based in part on the City of Mason's Combined YTD Expenses for the Month Ending 12/31/03

**These figures are based in part on Warren County's YTD Monthly Expenditures for the Month Ending 12/31/03

***These figures exclude city imposed expenses.

5950 Mason-Montgomery
Mason, Ohio 45040
(513) 398-7901 Telephone
(513) 459-8085 Facsimile

Mason Municipal Court

Probation Dept. Report



Serving Mason and Deerfield Township since 1965.

Mason Municipal Court

Chief Court Officer's Report for 2003

The Year in Review

2003 saw many changes to the function of probation, court security, prisoner transport and the service of process, both civil and criminal. Prior to 2003, all court security functions were overseen by the Mason Police Department. Early in 2003, after examining the costs of maintaining a full-time police officer as a court security officer, the Mason Municipal Court hired former or retired law enforcement officers as deputy clerks/bailiffs. The Mason Municipal Court had been charged the entire amount of the police officer's wages, retirement, health care benefits and over-time. This move to self-governed security for the Mason Municipal Court had two positive effects. The first the change freed a Mason Police Officer from this duty at a time when the Police Department was understaffed and operating below manpower. The second positive effect was the reduction in cost for the Mason Municipal Court. This occurred as a result from the new security staff being paid less than full-time police officers. Also, this allowed the Mason Municipal Court to have more than one officer on duty at the same time which is important when considering an average of 119 people come into the court facility every day. Numerous knives, box cutters, drug paraphernalia, and other contraband items have been found by the court Security staff with the result being a safe environment for the staff and public.

The Probation Department has grown from a staff of one full-time employee to three full-time employees not including the Chief Court Officer who oversees more than just the Probation Department. All Probation Officers are now paid from the Probation Special Projects Fund. There is no cost to the City of Mason to fund these employees through the general fund. At the end of the year in 2002, there were 721 probationers being actively monitored by the Probation Department. In 2003, an additional 916 defendants were placed on probation. During the same time, 226 defendants completed their term of probation or were removed from the files as a result of their death. The total probation population as of December 31, 2003 was 1,411 probationers. The new manpower, changes in personnel and a new system to monitor the payments of fines, costs and court fees have brought a tremendous increase in the Probation Special Projects Fund account. The first analysis in 2002 envisioned a budget of about \$140,000 a year through this process. HB 490 has expanded the need for Probation and consequently, more users of the program means more funds in the budget. Additional time is needed to project the average probation term for a defendant and the final projected average amount of his or her probation fees.

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Mason, Ohio 45040
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Mason Municipal Court

The Probation Department is also currently supervising pre-trial releases of defendants that have been released from jail as a condition of bond prior to their trial. The defendants are required to report their whereabouts 24 hours a day, 7 days a week to the Probation Department until their case is disposed of. This supervision includes visits to the defendant's workplace and residence. The final target for the Probation Department is to be self-sufficient and not dependent on other agencies whose schedules and overtime constrictions do not meet the court's requirements.

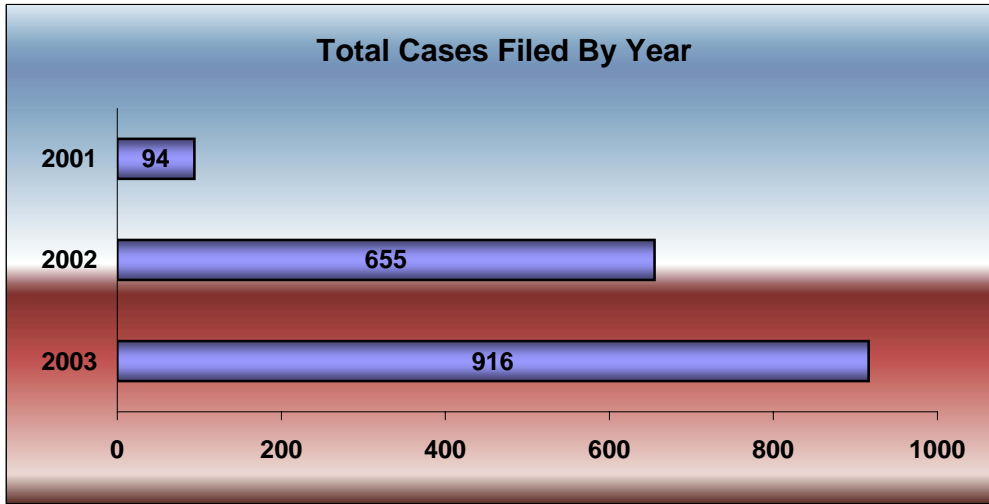
2003 also produced a change in how prisoners are brought to the Mason Municipal Court. In following Criminal Rule 4 and 46, the court requires that prisoners be brought to the court for Preliminary Hearings on Felony charges within 10 days of the prisoner's arrest. In the old system, the Sheriff's Office, while not required by law to do so, would transport prisoners only once a week for Court appearances. Mason Municipal Court obtained the use of a vehicle from the City of Mason for transporting prisoners on days the Court is in session but the Sheriff's office is unable to transport. The Sheriff's office still transports prisoners one day a week, but the newly created Court Security staff transports prisoners at any other time the Court deems necessary. This also eases the burden on law enforcement personnel. An advantage to this is the ability of the Court to bring prisoners to the Court on short notice and within the time frames outlined in the Criminal Rules of the State of Ohio for arraignments, hearings, initial appearances and other court appearances.

2004 Vision

The Probation Department is investigating the different firms and businesses that manufacture and distribute Electronic Monitoring devices. The Probation Department is actively seeking to control this function instead of outsourcing the program to other Warren County agencies. The Probation Department would then have total control of when, where and how a defendant, either on pre-trial supervision, as a condition of bond, or when after conviction a person is to be monitored and removed from the system. This is now being done on another agencies schedule, which is not always in accordance with the Court's wishes.

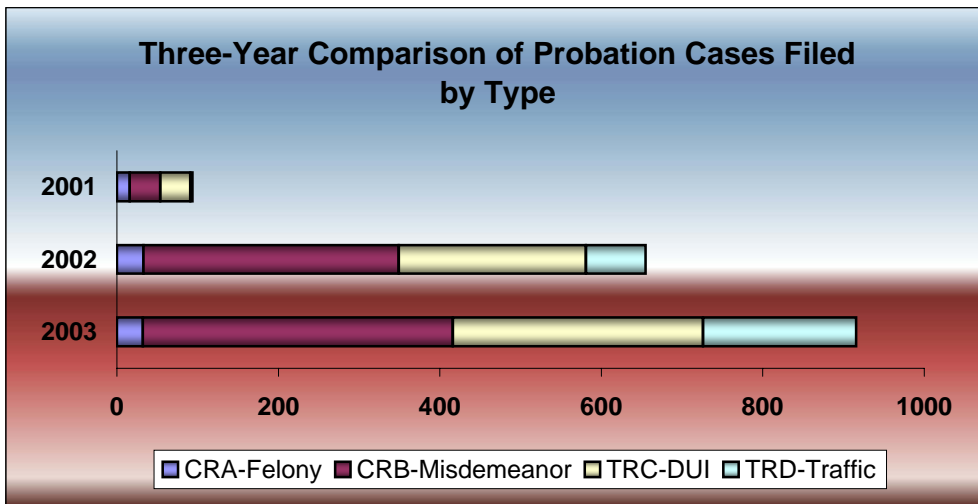
Warren D. Young
Chief Court Officer

III. Probation Department Report

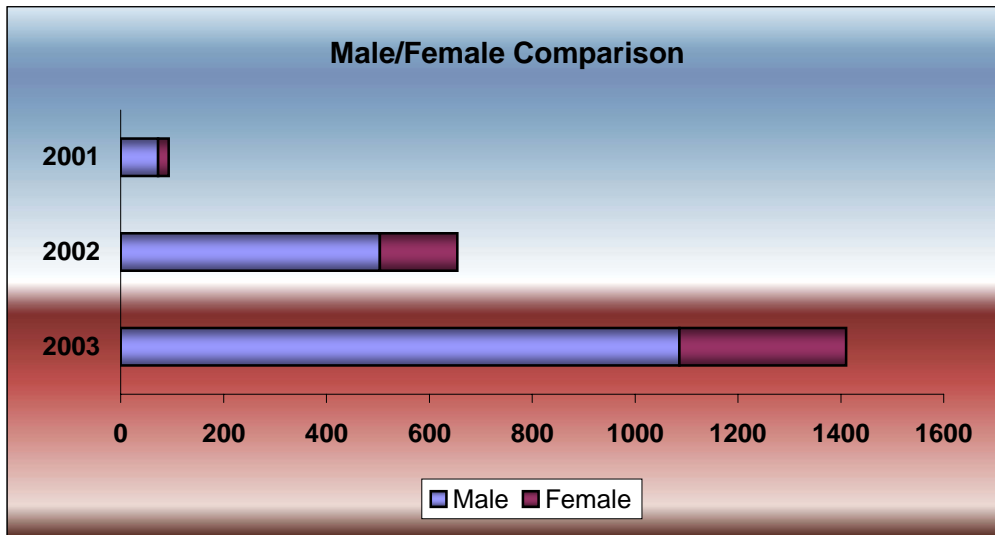


Three-Year Comparison of Cases by File Type

	2003	2002	2001	2003 Over/ (Under) 2002
CRA-Felony	32	33	16	-1
CRB-Misdemeanor	384	316	38	68
TRC-DUI	310	232	37	78
TRD-Traffic	190	74	3	116
Total	916	655	94	261



III. Probation Department Report



Three-Year Comparison of Male/Female Probationers

	2003	2002	2001	2003 Over/ (Under) 2002
Male	1086	504	73	582
Female	325	151	21	174

	2003	2002	2003 Over/ (Under) 2002
Entered the program	916	655	261
Currently in program	1,411	721	690
Community Service Hours	10,724	5,480	5,244
Re-Offend while in Program	201	10	191
Successful Completion	226	27	199