

Mason Municipal Court



Serving Mason and Deerfield Township since 1965

2004 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

David G. Young, 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 and City Council Members,

Following this letter is the 2004 Annual Report. Feel free to visit the Mason Municipal Court whenever you have an opportunity. I hope you find the following annual report both helpful and informative as you consider taking any action concerning Mason Municipal Court throughout 2005.

Your Fellow Public Servant,

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 City of Mason and Deerfield Township of Warren County Ohio.

Currently, the Honorable George M. Parker serves as judge of the Mason Municipal Court. Judge Parker was sworn into office to serve a six year term on December 28, 2001 effective January 1, 2002.

Judge Parker replaced David Batsche, who retired from the bench following his thirty years of service to the people of Mason and Deerfield Township. Prior to Judge Batsche's tenure, Judge John Zopff served as the first Mason Municipal Court judge from 1965-1971.

Mason Municipal Court

2004 Judicial Officers

Judge	George M. Parker
Chief Magistrate	Eddie Lawson
Magistrate - Civil	Thomas Condit
Magistrate - Small Claims	Jonathan Niemeyer

Probation Department

Chief Court/Probation Officer	Warren D. Young
Asst. to the Chief	Angela Hayes
Deputy Probation Officer	Chris Carrelli
Deputy Probation Officer	Lori Abbott
Deputy Probation Officer (until June)	Kevin Stall

Security Officers

Security Officer (until April)	Tim Gallagher
Security Officer (until April)	Chuck Huff
Security Officer (June - Aug.)	John Konrad
Security Officer (June - Present)	Carol Reynolds
Security Officer (June - Present)	Kevin Stall

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	Ben Alexander
Deputy Clerk/Bailiff - Criminal	Frank Surette
Deputy Clerk/Bailiff - Civil	Jason Distasio
Deputy Clerk/Bailiff - Criminal (PT)	Gerald McClung

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Clerk of Court Report



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Mason Municipal Court

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

2004 was a particularly challenging year because of the City's efforts to disband the court. Mason City Council along with the City Administration has set in motion a plan to not only destroy the court but Judge Parker professionally and personally as well. Moreover, the combined published attitudes of both the executive and legislative branches of the City of Mason have made it clear that they believe a court should be primarily a revenue producing entity over other purposes. In addition the court should conform to the will of the legislative branch and be answerable by loss of position when not performing consistent with their wishes.

To that end, the Executive Branch, with the blessing of the Legislative Branch, sought complaints against the Judge, made them available for publication to the press and other media and then submitted them to the Supreme Court's Council for grievances and discipline. Certain members of Mason City Council sought to place the worst possible spin on each complaint making no effort to prove the complaint true or false. This conjoined effort was made to paint the court in the worst possible light and provide a reason to replace the existing court with a Mayor's Court, as the best alternative, or at worse, combine this court with the present County Court to form a county operated municipal court. All these efforts produced requests for various documents that occupied many hours of clerk of court and deputy clerks to produce.

Moreover, absolutely false information about the court's spending habits was described by members of Mason City Council as "a drain on the City's treasury." In fact, the court was given a budget by the City of Mason for the year 2004 that was 3% less than the previous year and the Court asked for appropriations of 7% less than the approved budget that took seven council meetings to approve. In fact, in the year 2003, the court was budgeted for \$741,740.00 and actually spent \$645,770.55 and in the year 2004 with a reduced case load, was given a budget of \$690,492.00 and actually spent \$574,642.64 out of the general funds of the City. Keep in mind that Mason City Council have bestowed on the court tasks previously performed by the police department, namely service of process, prisoner transport, and court house security.

Mason City Council however, published that the courts budget is actually much higher than those numbers and placed the budget at somewhere in excess of \$1,000,000. What actually gives any credibility to this budget position is the addition of City approved and controlled expenses to the court's budget. These expenses are not accepted by the court and are actually paid to the City. The combined total of these City controlled expenses are in excess of \$343,000. Keep in mind that the court neither authorizes these expenses nor is there any agreement between the City and the court that legitimizes them.

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Mason Municipal Court

In fact, the court strongly opposes their inclusion in the court's budget based on the Ohio Revised Code which specifically outlines the responsibilities of the City to provide these goods and services, making them liabilities of the City not the court. Actually the only item over spent for the year 2004 is the cost of legal expenses; a City created and controlled expense. Many of these legal expenses were incurred when the Law Director, by council vote, acted as their "point person" to collect complaints against the Judge specifically and the court in general. These legal expenses, as they relate to these issues, were not approved by the court nor did the court benefit from them.

The real test of what the court is costing is the expenses of the court the City must pay out of the general fund over the revenue the court produces. In the year 2003 that amount was \$87,045.22. This is higher than average because it included mop up expenses for the move from the old City building to the new facility. In 2004, the cost was \$39,352.91. These numbers (obviously) do not include any of the \$343,000 worth of expenses that the court believes to be City's obligation.

It is the contention of the City that the \$343,000 number which includes among other things \$250,000 for rent, is presented as a cost analysis tool used to develop the true cost of operating the municipal court, thus should be budgeted, appropriated and subsequently disbursed. The law director has issued a written legal decision confirming that the City Administration can develop these numbers as an analysis of the cost of court operation but stops short of validating the budgetary, appropriations and disbursement process. The court relies on the Ohio Revised Code to illustrate its point that clearly affirms the City's responsibility for these costs. Additionally, members of City Council have illustrated that the City would be willing to rent the same space with the same services to Warren County for the sum of \$1.00 per year if the court were to be disbanded or merged. Is then the \$250,000 a true cost of the space the court utilities? Why is the City willing to eat that cost if another tenant were to occupy the same space?

During the last quarter of 2004 and in preparation of the 2005 appropriations requests, the court conducted a survey of 16 other municipal courts. The focus of this study was courts of similar size, population served, case load by type and method of case disposition. Also included in this study were larger courts to see if indeed bigger was better. The results indicated that the Mason Municipal Court was an average court in all respects with the exception of two areas. The results indicated that the number of court trials and jury trials for OVI cases represented a slightly larger percentage of OVI cases resolved by that method in this court as compared with other courts. The second area of court operation that showed a deficiency was the salary amounts paid to practically every employee in every position compared to the average salary paid by all other sixteen courts studied.

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Mason Municipal Court

The City of Mason has provided the court with a budget that was appropriated at the same time the budget was passed allowing no raises for personnel that receive their compensation from the general fund. These individual's salaries when adjusted for the cost of living as end of 2004 will suffer the loss of 2.7% in real income while keeping in mind those salaries are already well below the average. Also, the 2005 budget has already been compromised by the City Administration by disbursing the unauthorized sum of \$4,896.00 out of the general fund payroll account that will cause the court to reduce the work force of the court by one individual to keep that particular line item within the budgeted and appropriated amount.

The sole purpose of any court is dispute resolution. Whether the issue is between the State and a citizen (criminal) or between two citizens (civil), the axiom that defines this function of government is seated in both the Federal and well as each State's constitution and their importance to democracy is noteworthy. In fact this function of our government separates us from dictatorship and monarchies. The premise that courts are about justice and not about money is the professed ideology of all judges. However, courts share the common responsibility as do all governmental entities to be cost efficient and operated properly. This court has been guided by the principle of user fees to support its operation. It is important to realize that justice must be available to all -- even the indigent. Any cost of court operation must factor in the inability of the indigent users to compensate the court for their court usage. Therefore, in the spirit of the founding fathers to make government available to all, and not just the gifted, the legislative authorities have been mandated to provide for any court that which is reasonable, necessary and affordable. Is then \$50,000, the approximate average of two years of operation, too much for the general population to pay for a service that they, each and everyone, may at one time or another need?

Keeping this philosophy in mind, the Mason Municipal Court has over the past three years endeavored to support, where possible, court specialized operations by the fees charged. Each fee was developed with the idea that not all users would be able to pay and so a factor was added to the fees charges to ensure that each fund would support all necessary costs for that particular service. So, while the court has expanded, it has done so at near zero cost increase to the general public, while at the same time adhering to the notion that courts are not only about retribution but also about rehabilitation. This has been illustrated by the State Legislature's expressed intent manifested in House Bill 490. Each effort the court has made in this area has permitted the court to expand into the appropriate mandated areas without significant impact on the funding provided by the City, unlike the portrait of the court painted by the City.

During the year 2004, the Mason Municipal Court sought and was awarded a grant from the Mental Health Foundation of Greater Cincinnati. Not only did this provide Warren County with Hamilton County money, it would have provided the financial

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Mason Municipal Court

needs of courts to start building a bridge between the mental health community and the courts of Warren County. This grant, in addition to that bridge, would have provided to the Mason Municipal Court as well as other courts in Warren County seed money to award to the mental health community of Warren County for the development of a Drivers Intervention Program. This effort was stifled by the Law Director's withholding a legal opinion and decision on certain phrases in the grant contract until it was ultimately too late to sign the grant contract. In the end, the loss of \$124,000 was felt by the judicial community of Warren County. Specifically, the Mason Municipal Court felt the loss of an additional \$18,000 that would have defrayed some probation salaries.

Mason City Council and the Administration of the City of Mason continue efforts to disband the Mason Municipal Court. This loss doesn't make sense for several reasons. Financially, such a loss will be felt City and Township wide as additional costs will be incurred for police officers to leave their jurisdiction and drive to Lebanon to testify. Long term, the building constructed for the purpose of court operation will likely need modifications to make it usable for some other purpose resulting in construction costs. And then, there is an expressed willingness not to seek reimbursement or rent but merely token compensation resulting in no additional revenue. Most important to each individual is the loss of each one's personal time expended to appear either as a witness, victim, juror or defendant in a court outside the City, in front of a judge not directly elected by the local electorate can not be overlooked and is difficult to valuate in terms of dollars. The combination of other courts and their functions will force longer times to accomplish the same tasks, thus longer waiting times for court users. In the end everyone loses for the mere price of \$50,000.

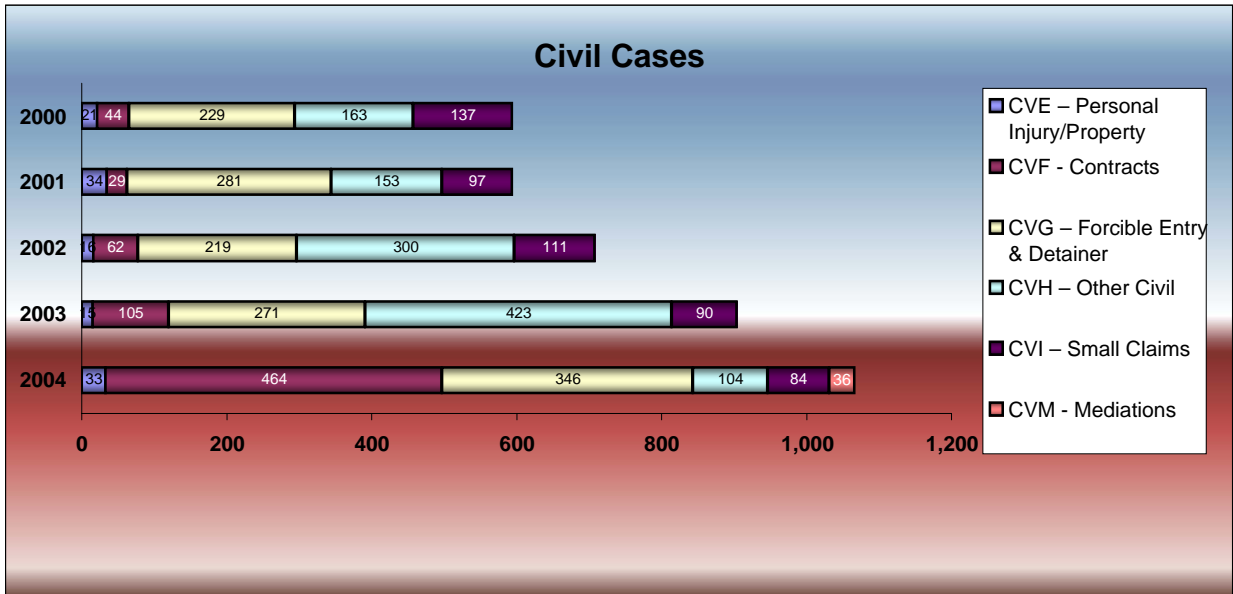
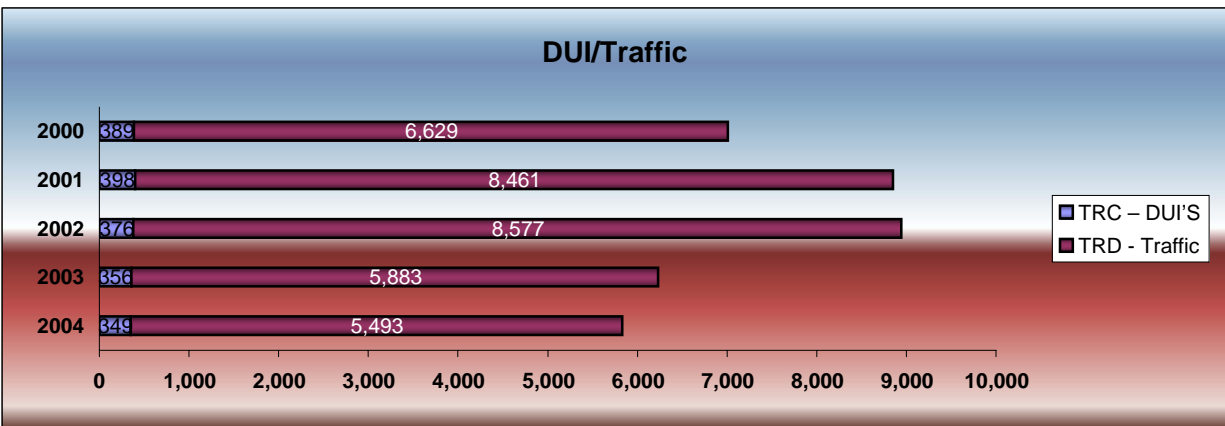
During the year 2004, these activities surrounding these issues have used a great deal of court personnel time to supply the many studies and reports requested by various governmental and news entities. If there were any intention to reduce the number of people utilized to run the court, that notion should perish. It appears that neither the City Administration nor Mason City Council show any sign of stopping this assault.

William Scherpenberg,
Clerk

II. Clerk of Court's Report

A. Statistics

Five-Year Comparison of Cases Filed in Each Division



II. Clerk of Court's Report

A. Statistics

Five-Year Comparison of Cases Filed in Each Division

	2004	2003	2002	2001	2000
CRIMINAL CASES FILED					
CRA - Felonies	197	229	365	312	209
CRB - Misdemeanors	1,331	1,242	1,403	1,255	967
Total Criminal Cases Filed	1,528	1,471	1,768	1,567	1,176

TRAFFIC CASES FILED					
TRC – DUI'S	349	356	376	398	389
TRD - Traffic	5,493	5,883	8,577	8,461	6,629
Total Traffic Cases Filed	5,842	6,239	8,953	8,859	7,018

Total Traffic & Criminal	7,370	7,710	10,721	10,426	8,194
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CIVIL CASES FILED					
CVE – Personal Injury/Property	33	15	16	34	21
CVF - Contracts	464	105	62	29	44
CVG – Forcible Entry & Detainer	346	271	219	281	229
CVH – Other Civil	104	423	300	153	163
CVI – Small Claims	84	90	111	97	137
CVM - Mediations	36	0	0	0	0
Total Civil Cases Filed	1,067	904	708	594	594

TOTAL CASES FILED	8,437	8,614	11,429	11,020	8,788
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II. Clerk of Court's Report

A. Statistics

Terminations

	Total Pending (Dec. 2003)	New Filings (2004)	Terminations (2004)	Total Pending (Dec. 2004)
CRA – Felonies	11	197	205	3
CRB - Misdemeanors	97	1,331	1,415	13
TRC – DUI'S	48	349	345	52
TRD - Traffic	212	5,493	5,590	115
CVE – Personal Injury	5	33	27	11
CVF - Contracts	39	464	363	140
CVG – F.E.D.	26	346	329	43
CVH – Other Civil	91	104	185	10
CVI – Small Claims	23	84	90	17
CVM - Mediations	0	36	36	0
Total	552	8,437	8,585	404

Five-Year Comparison of Expungements

2004	2003	2002	2001	2000
50	33	23	27	27

Five-Year Comparison of Jury Trials

2004	2003	2002	2001	2000
7	17	14	8	20

Five-Year Comparison of Operating a Vehicle While Under the Influence (OVI) Cases

Year	Total Cases	Convicted	Reduced	Dismissed	Transferred	Pending
2004	349	228	71	19	5	52
2003	356	263	71	28	1	0
2002	376	220	98	17	5	0
2001	398	282	79	15	3	0
2000	389	292	66	14	1	0

II. Clerk of Court's Report

A. Statistics

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

Agency	2004	2003	2002	2001	2000
City Fire Department	0	0	0	3	0
County Dog Warden	40	37	43	40	30
County Natural Resources	0	2	6	0	1
County Zoning	3	0	0	0	0
WCOSO-Deerfield Township	2,777	2,243	3,118	2,935	2,547
Individual City Code	39	35	17	24	19
Individual State Code	78	115	131	80	90
King's Island	32	43	59	50	51
Mason Police Department	2,709	3,449	2,890	3,008	2,603
Ohio State Patrol	1,415	1,519	4,418	4,238	2,807
Probation	237	201	3	0	0
State Liquor Control	1	2	11	1	21
State Case	20	46	16	15	6
Warren County Sheriff	16	11	7	33	19
Other	3	7	2	0	0
Total	7,370	7,710	10,721	10,426	8,194

Type of Cases Filed in Criminal/Traffic Division by Agency for 200

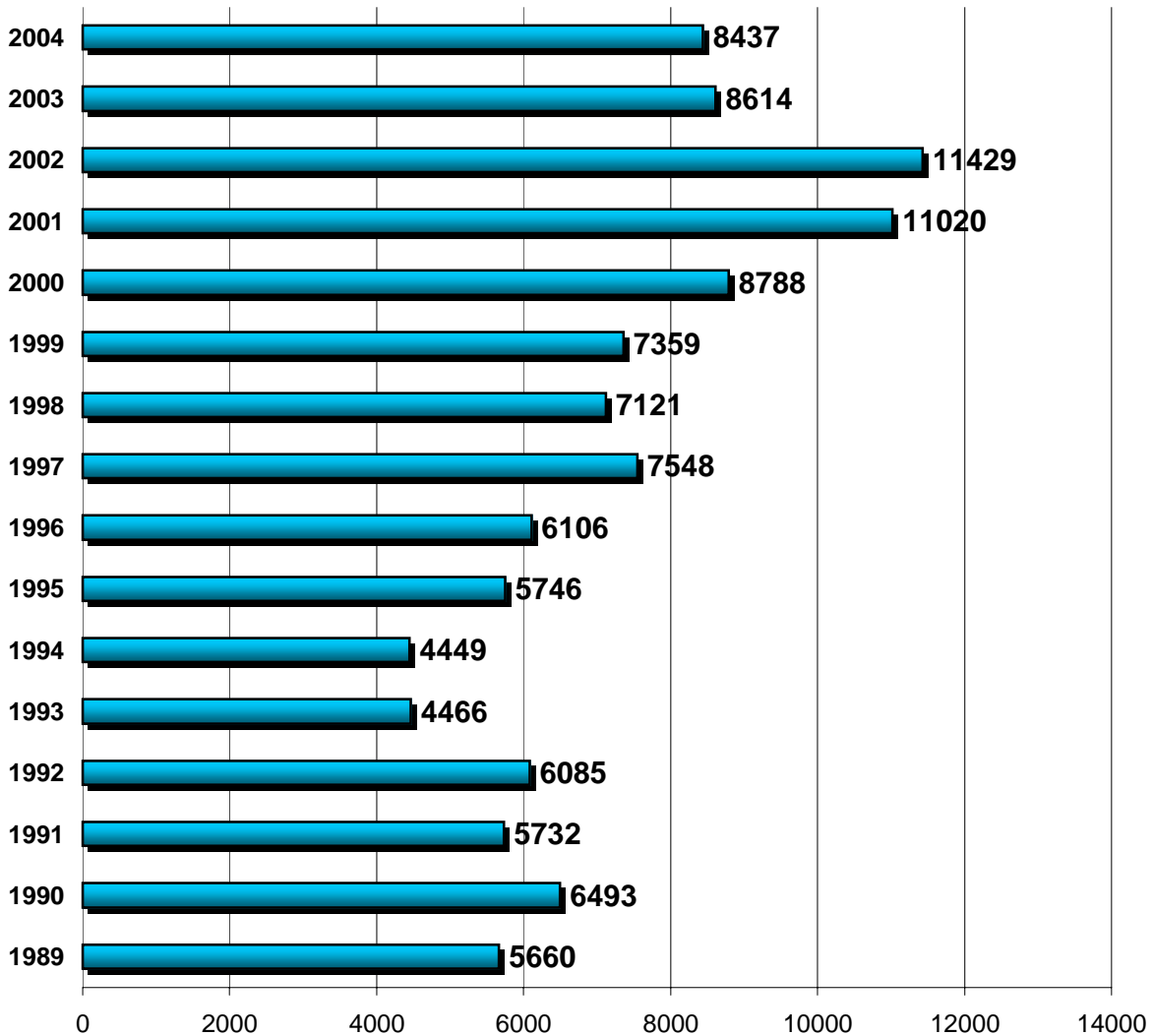
<u>Agency</u>	<u>CRA</u> Criminal Felony	<u>CRB</u> Criminal Misdemeanor	<u>TRC</u> DUI's	<u>TRD</u> Other Traffic	<u>Total</u>
City Fire Department	0	0	0	0	0
County Dog Warden	0	40	0	0	40
County Natural	0	0	0	0	0
County Zoning	0	3	0	0	3
WCOSO-Deerfield	87	510	155	2,025	2,777
Individual City Code	0	38	0	1	39
Individual State Code	0	78	0	0	78
King's Island	3	29	0	0	32
Mason Police	89	345	105	2,170	2,709
Ohio State Patrol	5	26	89	1,295	1,415
Probation	0	237	0	0	237
State Liquor Control	0	1	0	0	1
State Case	0	20	0	0	20
Warren County Sheriff	13	3	0	0	16
Other	0	1	0	2	3
Total	197	1,331	349	5,493	7,370

II. Clerk of Court's Report

A. Statistics

Annual Caseload History

15-Year Comparison of Total Cases



Five Year Comparison of Caseload Increase

	2004	2003	2002	2001	2000
Total Cases	8,437	8,614	11,429	11,020	8,788
Percent Increase from 2000	-4.0%	-2.0%	30.1%	25.4%	0.0%
Annual Percent Increase	-2.1%	-24.6%	3.7%	25.4%	19.4%

II. Clerk of Court's Report

B. Financial

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

	2004	2003	2002	2001	2000	2004 over/ (under) 2003
City of Mason						
Criminal Division (Schedule A)	\$ 910,825.74	\$ 819,126.05	\$ 721,434.04	\$ 646,837.36	\$ 525,855.05	\$ 91,699.69
Civil Division (Schedule B)	\$ 105,226.11	\$ 84,624.25	\$ 41,939.35	\$ 37,532.17	\$ 35,605.94	\$ 20,601.86
Total	\$ 1,016,051.85	\$ 903,750.30	\$ 763,373.39	\$ 684,369.53	\$ 561,460.99	\$ 112,301.55

State of Ohio						
Criminal Division (Schedule A)	\$ 210,635.98	\$ 211,504.87	\$ 300,531.82	\$ 294,348.91	\$ 231,572.06	\$ (868.89)
Civil Division (Schedule B)	\$ 14,785.00	\$ 12,810.00	\$ 9,742.00	\$ 8,044.00	\$ 7,740.00	\$ 1,975.00
Total	\$ 225,420.98	\$ 224,314.87	\$ 310,273.82	\$ 302,392.91	\$ 239,312.06	\$ 1,106.11

Warren County						
Criminal Division (Schedule A)	\$ 146,597.37	\$ 99,510.02	\$ 135,083.04	\$ 115,714.44	\$ 97,578.85	\$ 47,087.35

Other Disbursements						
Criminal Division (Schedule A)	\$ 148,763.26	\$ 83,658.45	\$ 108,755.71	\$ 90,267.21	\$ 82,133.06	\$ 65,104.81

Garnishments/Open Deposits						
Civil Division (Schedule B)	\$ 138,492.96	\$ 137,194.55	\$ 77,528.18	\$ 53,032.24	\$ 65,569.28	\$ 1,298.41

Total Disbursements	\$ 1,675,326.42	\$ 1,448,428.19	\$ 1,395,014.14	\$ 1,245,776.33	\$ 1,046,054.24	\$ 226,898.23
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II. Clerk of Court's Report

B. Financial

Schedule A--Financial Statement for Criminal Division

Five-Year Comparison of Disbursements

	2004	2003	2002	2001	2000	2004 over/ (under) 2003
City of Mason						
City ORD/Traffic	\$186,547.30	\$184,616.24	\$138,123.28	\$151,837.97	\$120,276.05	\$1,931.06
OSP other	\$2,539.08	\$3,702.91	\$5,106.30	\$4,425.50	\$4,545.40	-\$1,163.83
OSP 45%	\$15,818.27	\$30,142.87	\$64,608.42	\$63,607.68	\$55,459.33	-\$14,324.60
Court Cost	\$238,362.52	\$268,160.58	\$265,445.62	\$246,612.40	\$207,487.32	-\$29,798.06
Computer Education	\$16,079.75	\$17,778.00	\$22,064.00	\$21,873.50	\$18,223.02	-\$1,698.25
Special Projects	\$183,520.66	\$114,418.77	\$55,077.74	\$54,583.00	\$45,468.00	\$69,101.89
Probation	\$181,393.05	\$126,418.45	\$71,271.59	\$9,894.75	\$3,215.25	\$54,974.60
Translator	\$32.00	\$32.00	\$1,440.00	\$0.00	\$0.00	\$0.00
Computer Cost	\$48,524.61	\$53,481.50	\$66,317.26	\$65,752.29	\$54,792.95	-\$4,956.89
Mileage	\$25,458.52	\$3,735.26	\$1,195.30	\$0.00	\$0.00	\$21,723.26
Indigent Driver Alc	\$5,003.58	\$5,864.42	\$6,830.00	\$7,605.00	\$7,975.00	-\$860.84
Drug Law Enforcement	\$975.00	\$1,535.00	\$1,574.00	\$3,815.00	\$1,475.00	-\$560.00
Prisoner House	\$1,278.65	\$2,117.35	\$3,047.00	\$3,870.00	\$1,591.00	-\$838.70
Law Enforcement Ed.	\$1,254.00	\$1,698.00	\$1,828.00	\$2,745.00	\$2,570.00	-\$444.00
Lock Bar	\$63.63	\$145.90	\$2,756.33	\$2,910.00	\$2,213.00	-\$82.27
Public Defender	\$2,120.12	\$5,158.80	\$14,589.20	\$7,165.27	\$403.73	-\$3,038.68
Expungements	\$480.00	\$120.00	\$160.00	\$140.00	\$160.00	\$360.00
Jury	\$1,040.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,040.00
Jail Costs	\$335.00	\$0.00	\$0.00	\$0.00	\$0.00	\$335.00
Total	\$910,825.74	\$819,126.05	\$721,434.04	\$646,837.36	\$525,855.05	\$91,699.69
County of Warren						
Other Sheriff	\$1,673.89	\$1,447.88	\$1,757.55	\$1,552.65	\$1,641.95	\$226.01
Overload	\$17,908.75	\$6,109.50	\$12,342.25	\$7,951.53	\$9,375.50	\$11,799.25
OSP 10%	\$8,105.50	\$7,674.17	\$16,426.78	\$16,189.30	\$12,746.48	\$431.33
OSP Other	\$27,351.07	\$22,008.77	\$34,180.91	\$27,740.00	\$17,020.27	\$5,342.30
Local Sheriff	\$80,514.13	\$49,672.76	\$51,640.56	\$44,770.32	\$47,187.37	\$30,841.37
Sheriff Misc	\$1,599.83	\$2,126.19	\$2,289.49	\$2,098.64	\$1,314.28	-\$526.36
King's Island	\$315.00	\$474.00	\$2,708.00	\$750.00	\$215.00	-\$159.00
Liquor	\$1,374.25	\$742.50	\$1,597.50	\$2,597.50	\$1,487.50	\$631.75
PUCO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Dog	\$2,519.00	\$3,179.00	\$2,550.00	\$3,073.00	\$2,330.00	-\$660.00
Expungements	\$240.00	\$440.00	\$300.00	\$400.00	\$380.00	-\$200.00
Prisoner House	\$3,481.95	\$4,123.75	\$5,625.00	\$5,591.50	\$3,330.50	-\$641.80
KI Drug Education	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Indigent Driver	\$175.00	\$0.00	\$0.00	\$0.00	\$0.00	\$175.00
Drug Education	\$1,339.00	\$1,511.50	\$3,665.00	\$3,000.00	\$550.00	-\$172.50
KI Law Enforcement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$146,597.37	\$99,510.02	\$135,083.04	\$115,714.44	\$97,578.85	\$47,087.35

II. Clerk of Court's Report

B. Financial

Schedule A--Financial Statement for Criminal Division Five-Year Comparison of Disbursements

	2004	2003	2002	2001	2000	2004 over/ (under) 2003
State of Ohio						
State 45%	\$43,604.17	\$42,910.02	\$88,007.12	\$85,099.51	\$62,518.26	\$694.15
Expungement	\$1,087.00	\$900.00	\$697.00	\$810.00	\$810.00	\$187.00
Pharmacy	\$5,383.13	\$4,498.70	\$6,320.00	\$7,328.70	\$3,536.00	\$884.43
Vic CR & General Revenue	\$140,759.76	\$134,383.24	\$165,805.00	\$163,673.90	\$135,929.10	\$6,376.52
Seatbelt	\$9,046.00	\$15,771.00	\$24,973.00	\$23,920.00	\$15,626.00	-\$6,725.00
Liquor	\$1,418.25	\$1,057.50	\$2,847.50	\$2,847.80	\$5,032.20	\$360.75
OSP Law Enforcement	\$1,614.90	\$1,683.10	\$2,609.00	\$2,561.00	\$3,510.00	-\$68.20
OSP Drug	\$100.00	\$375.00	\$600.00	\$1,550.00	\$250.00	-\$275.00
ODNR	\$100.00	\$50.00	\$0.00	\$0.00	\$214.50	\$50.00
Child Safety	\$185.00	\$523.00	\$640.00	\$1,223.00	\$3,796.00	-\$338.00
State Suspension	\$2,780.00	\$5,020.00	\$4,410.00	\$4,540.00	\$350.00	-\$2,240.00
Co. Natural Resource	\$0.00	\$150.00	\$660.00	\$0.00	\$0.00	-\$150.00
Warrant Blocks	\$4,557.77	\$4,183.31	\$2,963.20	\$795.00	\$0.00	\$374.46
Total	\$210,635.98	\$211,504.87	\$300,531.82	\$294,348.91	\$231,572.06	-\$868.89
Other						
Warren County Sheriff	\$3,342.88	\$815.40	\$1,063.60	\$1,673.90	\$1,156.00	\$2,527.48
Deerfield DUI Law Enforc.	\$2,541.00	\$2,219.00	\$2,491.00	\$2,864.00	\$2,659.00	\$322.00
Deerfield Township	\$121,121.61	\$77,485.00	\$100,943.46	\$81,802.41	\$74,119.36	\$43,636.61
Law Library	\$21,757.77	\$3,139.05	\$4,257.65	\$3,926.90	\$4,198.70	\$18,618.72
Total	\$148,763.26	\$83,658.45	\$108,755.71	\$90,267.21	\$82,133.06	\$65,104.81
Total Disbursements	\$1,416,822.35	\$1,213,799.39	\$1,265,804.61	\$1,147,167.92	\$937,139.02	\$203,022.96

II. Clerk of Court's Report

B. Financial

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

	2004	2003	2002	2001	2000	2004 over/ (under) 2003
RECEIPTS						
Total Receipts	\$258,622.97	\$240,029.63	\$127,339.56	\$92,221.47	\$108,363.24	\$18,593.34
Open Deposits (Jan. 2004)	\$10,205.86	\$5,305.86	\$1,786.35	\$6,387.12	\$551.98	\$4,900.00
Total	\$268,828.83	\$245,335.49	\$129,125.91	\$98,608.59	\$108,915.22	\$23,493.34
 DISBURSEMENTS						
City of Mason	\$59,452.61	\$56,819.75	\$33,468.35	\$30,456.17	\$28,521.94	\$2,632.86
Computer Fund	\$6,186.00	\$5,412.00	\$4,254.00	\$3,541.00	\$3,552.00	\$774.00
Computer Ed. Fund	\$1,031.00	\$902.00	\$682.00	\$590.00	\$592.00	\$129.00
Special Projects Fund	\$38,556.50	\$21,490.50	\$3,535.00	\$2,945.00	\$2,940.00	\$17,066.00
	\$105,226.11	\$84,624.25	\$41,939.35	\$37,532.17	\$35,605.94	\$20,601.86
 State of Ohio	 \$14,785.00	 \$12,810.00	 \$9,742.00	 \$8,044.00	 \$7,740.00	 \$1,975.00
Return/Apply	\$138,492.96	\$137,194.55	\$72,222.32	\$51,246.07	\$59,182.16	\$1,298.41
Adjustments	(\$271.24)	\$628.08	(\$83.62)	\$0.00	\$0.00	(\$899.32)
Open Deposits (Dec. 2004)	\$10,596.00	\$10,205.86	\$5,305.86	\$1,786.35	\$6,387.12	\$390.14
Total	\$268,828.83	\$245,462.74	\$129,125.91	\$98,608.59	\$108,915.22	\$23,366.09

II. Clerk of Court's Report

B. Financial

Three-Year Comparison of Court Expenses

City of Mason General Fund

<u>Personnel</u>	<u>2004</u>	<u>2003</u>	<u>2002</u>	<u>2004 over/ (under)</u> <u>2003</u>
Court Salaries-Wages ³	\$387,466.02	\$ 403,092.07	\$ 438,833.26 ⁴	(\$15,626.05)
Retirement ³	\$52,453.79	\$ 77,629.11	\$ 72,481.30 ⁴	\$ (25,175.32)
Medical-Ins.	\$63,000.00	\$ 56,000.00	\$ 56,000.00	\$ 7,000.00
Medicare	\$5,652.42	\$ 5,267.85	\$ 4,852.37	\$ 384.57
Workmen's Compensation	\$ -	\$ -	\$ -	\$ -
Subtotal	\$ 508,572.23	\$ 541,989.03	\$ 572,166.93	\$ (33,416.80)
 <u>Employee Development</u>				
Training/Meeting Expense	\$ 3,149.88	\$ 2,796.57	\$ 2,618.19	\$ 353.31
Membership/Subscriptions	\$ 720.00	\$ 565.00	\$ 1,030.00	\$ 155.00
Subtotal	\$ 3,869.88	\$ 3,361.57	\$ 3,648.19	\$ 508.31
 <u>Contractual Services</u>				
Telephone/Pager	\$ 14,973.77	\$ 14,121.58	\$ 14,930.90	\$ 852.19
Rents & Leases ³	\$ 967.15	\$ 7,809.80	\$ (452.67)	\$ (6,842.65)
Professional Services	\$ 10,894.05	\$ 10,672.99	\$ 11,559.60 ⁴	\$ 221.06
Legal Services ³	\$ -	\$ -	\$ -	\$ -
Contracts/Agreements ³	\$ 2,280.38	\$ 14,695.33	\$ 6,863.37	\$ (12,414.95)
Insurance ³	\$ -	\$ 902.63	\$ 450.00	\$ (902.63)
Printing Advertising	\$ 84.83	\$ 227.91	\$ -	\$ (143.08)
Prisoner Expense	\$ -	\$ -	\$ -	\$ -
Subtotal	\$ 29,200.18	\$ 48,430.24	\$ 33,351.20	\$ (19,230.06)
 <u>Supplies and Materials</u>				
Office Supplies	\$ 9,581.27	\$ 17,981.55	\$ 15,929.94	\$ (8,400.28)
Operational Supplies	\$ 11,666.08	\$ 6,712.68	\$ 1,519.36	\$ 4,953.40
Repairs and Maintenance	\$ 2,753.00	\$ 1,270.36	\$ 272.50	\$ 1,482.64
Small Tools/Minor Equipment	\$ -	\$ 1,385.69	\$ -	\$ (1,385.69)
Postage	\$ 9,000.00	\$ 11,000.00	\$ 10,040.32	\$ (2,000.00)
Subtotal	\$ 33,000.35	\$ 38,350.28	\$ 27,762.12	\$ (5,349.93)
 <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	\$ -
Remittances to Law Library	\$ -	\$ 9,728.63	\$ 29,541.51	\$ (9,728.63)
Subtotal	\$ -	\$ 9,728.63	\$ 29,641.51	\$ (9,728.63)
 <u>Total Mason General Fund</u>				
Subtotal	\$ 574,642.64	\$ 645,770.55	\$ 666,569.95	\$ (71,127.91)

II. Clerk of Court's Report

B. Financial

Three-Year Comparison of Court Expenses

Other Court Funds¹

<u>Indigent Alc. Driver Fund</u>	<u>2004</u>	<u>2003</u>	<u>2002</u>	<u>2004 over/ (under) 2003</u>
Professional Services	\$ 1,570.00	\$ -	\$ 1,801.29	\$ 1,570.00
Total	\$ 1,570.00	\$ -	\$ 1,801.29	\$ 1,570.00
 <u>Clerk Computer Fund</u>				
Court Salaries-Wages	\$ 21,105.61	\$ 35,160.81	\$ -	\$ (14,055.20)
Retirement	\$ 2,893.60	\$ 4,534.52	\$ -	\$ (1,640.92)
Medical-Ins.	\$ -	\$ 10,500.00	\$ -	\$ (10,500.00)
Medicare	\$ 306.00	\$ 509.78	\$ -	\$ (203.78)
Workmen's Compensation	\$ -	\$ -	\$ -	\$ -
Training Meeting Expense	\$ -	\$ 1,800.00	\$ -	\$ (1,800.00)
Computers/Computer Equip.	\$ -	\$ 260.00	\$ -	\$ (260.00)
Rents and Leases	\$ 2,616.32	\$ -	\$ -	\$ -
Office Supplies	\$ -	\$ 158.90	\$ 36,894.90	\$ (158.90)
Operational Supplies	\$ 14,354.01	\$ 4,140.11	\$ -	\$ 10,213.90
Contracts/Agreements	\$ 11,693.28	\$ 26,917.00	\$ -	\$ (15,223.72)
Repairs, Improvements	\$ 741.65	\$ 500.00	\$ -	\$ 241.65
Small Tools/Minor Equipment	\$ -	\$ 249.95	\$ -	\$ (249.95)
Computers/Computer Equip.	\$ -	\$ 43,032.88	\$ 67,781.21	\$ (43,032.88)
Total	\$ 53,710.47	\$ 127,763.95	\$ 104,676.11	\$ (74,053.48)
 <u>Court Computerization Fund</u>				
Operational Expenses	\$ 2,619.99	\$ -	\$ -	\$ 2,619.99
Small Tools/Minor Equipment	\$ -	\$ 897.00	\$ -	\$ (897.00)
Training Meeting Expense	\$ 150.00	\$ -	\$ 2,400.00	\$ 150.00
Computers/Computer Equip.	\$ 31,725.00	\$ 27,887.00	\$ 51,900.00	\$ 3,838.00
Total	\$ 34,494.99	\$ 28,784.00	\$ 54,300.00	\$ 5,710.99
 <u>Special Projects Fund</u>				
Court Salaries-Wages	\$ 150,470.31	\$ 56,052.07	\$ -	\$ 94,418.24
Retirement	\$ 17,358.73	\$ 7,279.45	\$ -	\$ 10,079.28
Medical-Ins.	\$ -	\$ 3,500.00	\$ -	\$ (3,500.00)
Medicare	\$ 1,383.03	\$ 813.52	\$ -	\$ 569.51
Telephone Pager Service	\$ -	\$ -	\$ 13,946.88	\$ -
Training	\$ 362.98	\$ -	\$ -	\$ 362.98
Furniture/Fixtures	\$ 2,646.95	\$ -	\$ -	\$ 2,646.95
Professional Services	\$ 2,097.81	\$ 825.56	\$ -	\$ 1,272.25
Printing Advertising	\$ -	\$ 216.50	\$ -	\$ (216.50)
Contracts/Agreements	\$ 26,728.85	\$ -	\$ -	\$ 26,728.85
Operational Supplies	\$ 494.93	\$ 8,769.31	\$ -	\$ (8,274.38)
Total	\$ 201,543.59	\$ 77,456.41	\$ 13,946.88	\$ 124,087.18
 <u>Vehicle Immobilization Fund</u>				
Professional Services	\$ -	\$ -	\$ -	\$ -
Supplies & Materials	\$ -	\$ -	\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -

II. Clerk of Court's Report

B. Financial

Three-Year Comparison of Court Expenses

Other Court Funds (Cont'd)¹

<u>Probation Fund</u>	<u>2004</u>	<u>2003</u>	<u>2002</u>	<u>2004 over/ (under) 2003</u>
Court Salaries-Wages	\$ 121,870.59	\$ 39,112.35	\$ -	\$ 82,758.24
Retirement	\$ 15,648.05	\$ 4,821.79	\$ -	\$ 10,826.26
Medical-Ins.	\$ -	\$ 7,000.00	\$ -	\$ (7,000.00)
Medicare	\$ 1,811.27	\$ 567.15	\$ -	\$ 1,244.12
Workmen's Compensation	\$ -	\$ -	\$ -	\$ -
Training Meeting Expense	\$ 1,175.61	\$ 360.86	\$ -	\$ 814.75
Membership/Subscriptions	\$ 1,900.00	\$ -	\$ -	\$ 1,900.00
Contracts/Agreements	\$ 8,596.69	\$ -	\$ -	\$ 8,596.69
Office Supplies	\$ 306.42	\$ -	\$ -	\$ 306.42
Postage	\$ 500.00	\$ -	\$ -	\$ 500.00
Operational Supplies	\$ 9,474.03	\$ 3,823.49	\$ -	\$ 5,650.54
Total	\$161,282.66	\$ 55,685.64	\$ -	\$105,597.02
Total Other Court Funds	\$ 452,601.71	\$ 289,690.00	\$ 174,724.28	\$ 162,911.71
Total City of Mason	\$ 1,027,244.35	\$ 935,460.55	\$ 841,294.23	\$ 91,783.80

Warren County Share of Salaries²

Salaries	\$ 81,189.46	\$ 52,742.22	\$ 40,408.46	\$ 28,447.24
Other Benefits	\$ -	\$ -	\$ 1,844.99	\$ -
PERS	\$ 11,001.10	\$ 7,146.64	\$ 6,328.47	\$ 3,854.46
Total	\$ 92,190.56	\$ 59,888.86	\$ 48,581.92	\$ 32,301.70

Grand Total Expended	\$ 1,119,434.91	\$ 995,349.41	\$ 889,876.15	\$ 124,085.50
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¹These figures are based in part on the City of Mason's Combined YTD Expenses for the Month Ending 12/31/02, 12/31/03 and 12/31/04

²These figures are based in part on Warren County's YTD Monthly Expenditures for the Month Ending 12/31/02, 12/31/03 and 12/31/04

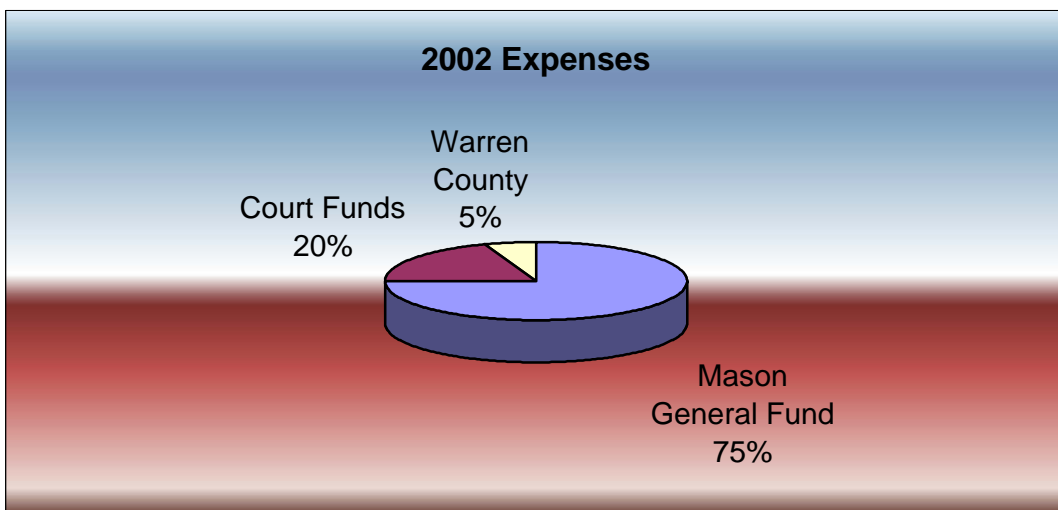
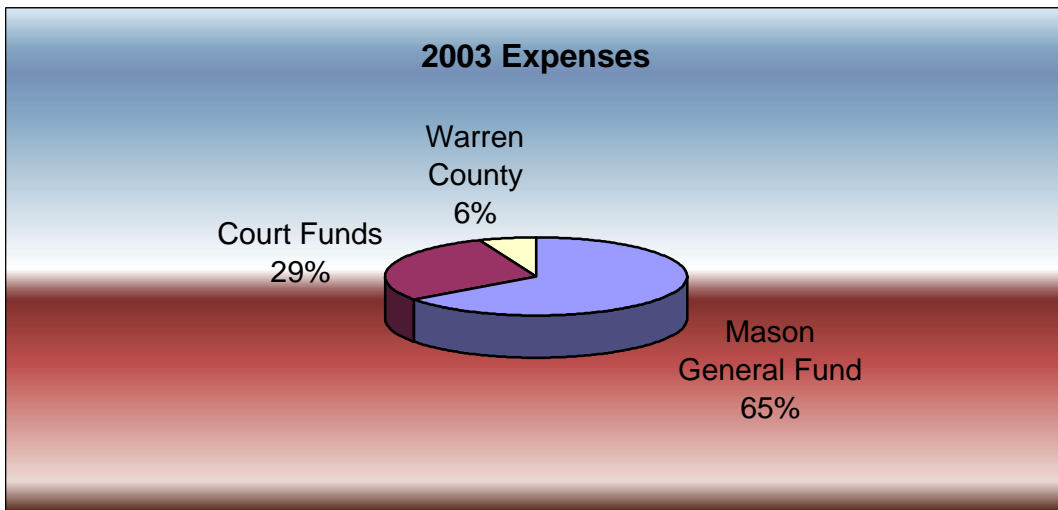
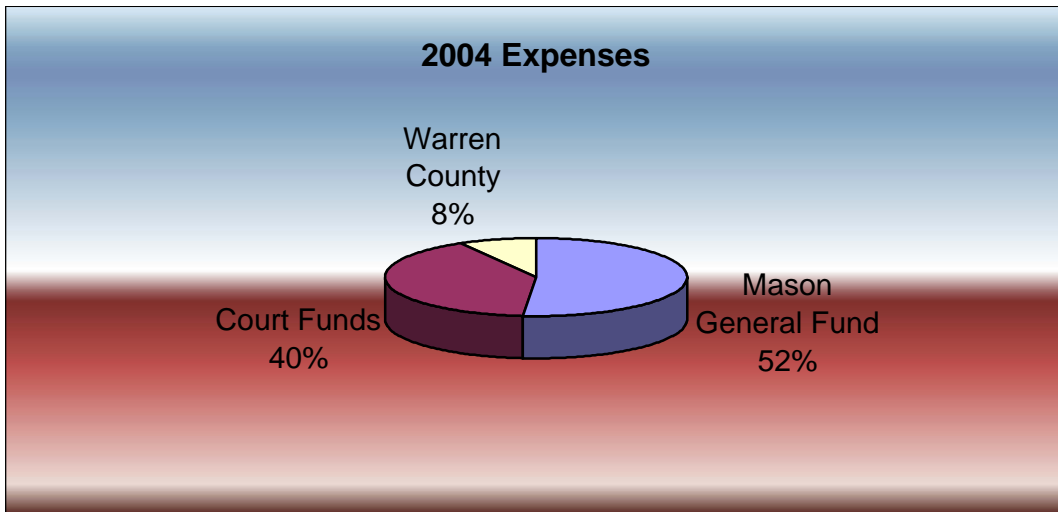
³These figures exclude city imposed expenses for years 2003 and 2004.

⁴This figure excludes expenses for city prosecutor.

II. Clerk of Court's Report

B. Financial

Three-Year Comparison of Court Expenses by Funding Authority



5950 Mason-Montgomery
Mason, Ohio 45040
(513) 398-7901 Telephone
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Mason Municipal Court

Probation Dept. Report



Serving Mason and Deerfield Township since 1965

Mason Municipal Court

Chief Court Officer's Report for 2004

The Year in Review

2004 saw many changes to the function of probation with the implementation of H490. 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 since 2003. All Probation Officers are now paid from the Probation Special Projects Fund. During 2004, the probation department hired a new employee as a probation officer. This employee was a licensed social worker. There was an entry level contact with the criminal justice system now available to determine if a probationer was in need of additional evaluations or treatment. The probation department also utilized a security officer/bailiff in the probation department to supplement the workload in the office. This help was in the form of filing, making telephone calls to probationers that had missed scheduled appointments and other administrative duties. The cross training that occurred was to ensure that the Mason Municipal Court could function in the event key personnel were absent or if multiple employees were ill concurrently.

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 as a community control sanctions. 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. At the end of the 2004-year, there were 774 new defendants placed on a term of probation as part of their community control sanctions. There were 412 terms of probation terminated also, leaving a net gain of 467 new probation cases for 2004. This figure added to the 2003-year end count of 1,411 means 1,773 defendants are currently on a term of probation. The new manpower, changes in personnel and a new system to monitor the payments of fines, costs and court fees have brought an increase in the Probation Special Projects Fund account.

A new drug screen vendor was found and their services were implemented. The new vendor has laboratory services available that enables the sample obtained from the defendant to be sealed and labeled to conform to evidentiary materials. The laboratory tests the sample for a quantitative analysis of the substance. An affidavit is sent to the probation department for use in any court hearing about the violation of the defendant's community control sanctions.

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 probation department has to use the same vehicle used by the court for prisoner transport. This reduces the availability of the probation department to actively seek out those defendants on pre-trial supervision. This can only be done on non-court hearing days.

5950 Mason-Montgomery
Mason, Ohio 45040
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Mason Municipal Court

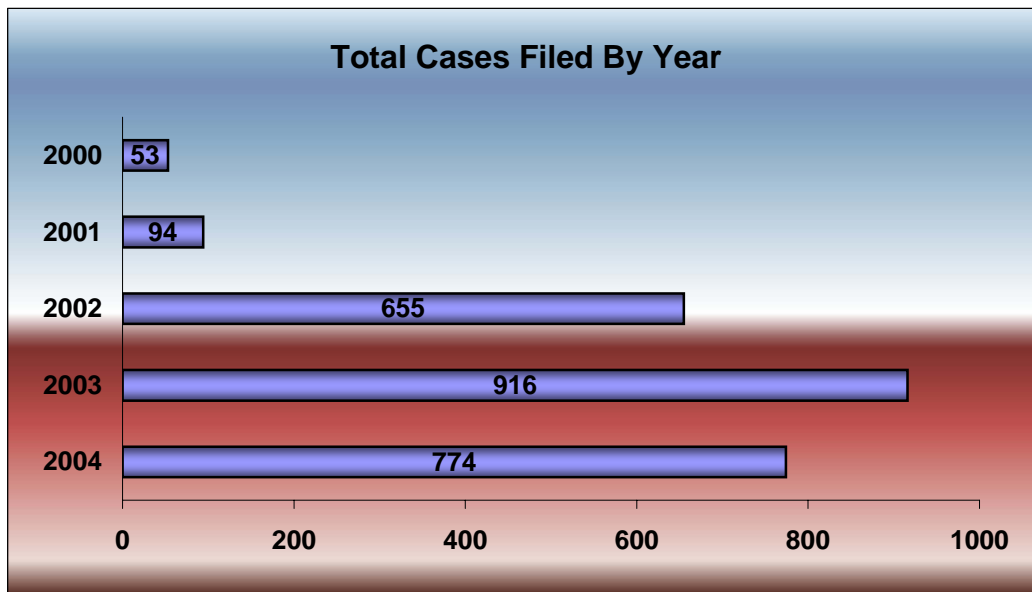
2004 still found that the court transports all of its defendants that are incarcerated in the Warren County Jail to the court for those hearings. In following Criminal Rule 4 and 46, the court requires that prisoners be brought to the court for preliminary hearings on felony charges within 10 days of 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. An advantage to the court bailiffs transporting prisoners 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.

2005 Vision

The final target for the Probation Department to be self-sufficient is not yet a reality. Although the fees charged by the probation department as user fees meet the payroll requirements for specialized staff, the staffing numbers prohibit the probation department from managing an electronic monitoring system on its own. The reliance on an outside vendor does not meet the department's current vision of eventual operations.

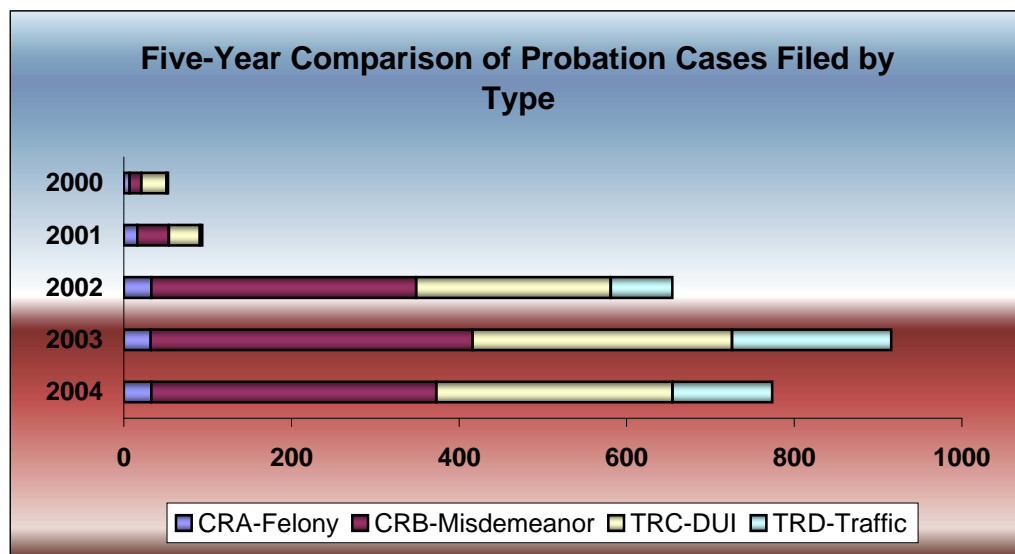
Warren D. Young
Chief Court Officer
Mason Municipal Court

III. Probation Department Report

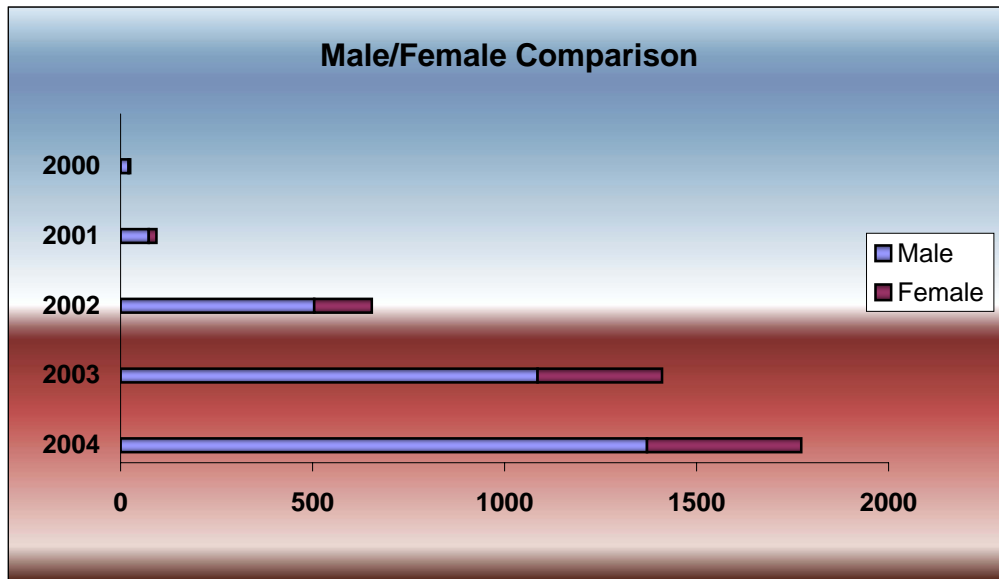


Five-Year Comparison of Cases by File Type

	2004	2003	2002	2001	2000	2004 Over/ under 2003
CRA-Felony	33	32	33	16	7	1
CRB-Misdemeanor	340	384	316	38	14	-44
TRC-DUI	282	310	232	37	30	-28
TRD-Traffic	119	190	74	3	2	-71
Total	774	916	655	94	53	-142



III. Probation Department Report



Five-Year Comparison of Male/Female Probationers

	2004	2003	2002	2001	2000	2004 Over/ (Under) 2003
Male	1371	1086	504	73	21	285
Female	402	325	151	21	5	77

	2004	2003	2002	2004 Over/ (Under) 2003
Entered the Program	774	916	655	-142
Currently in Program	1,773	1411	721	362
Re-Offend while in program	237	201	10	36
Pre-Trial Diversion	113	79	n/a	34
Pre-Trial Supervision	37	2	n/a	35
Successful Completion	412	226	27	186