



COURT OF COMMON PLEAS, COSHOCTON COUNTY

PROBATE & JUVENILE DIVISION

2011

ANNUAL REPORT

VAN BLANCHARD II, JUDGE

LINDA H. WEBER, MAGISTRATE

DOUG SCHONAUER, COURT ADMINISTRATOR

KATHY JONES, CHIEF DEPUTY CLERK

## From the Desk of Van Blanchard II, Judge

The Coshocton County Common Pleas Court, Probate and Juvenile Division experienced many changes in 2011. The most significant was the unexpected passing of Judge David W. Burns in September. Judge Burns was elected to the bench in 2008 and began his term in February 2009 following the retirement of longtime Judge C. Fenning Pierce. Judge Burns had an immediate and profound impact on the Court reflecting his values emphasizing the importance of family and religion and his experience as a trial attorney. Judge Burns had many friends in the community and at the Court. While his presence will be missed, however, his commitment to the Court and dedication to the community challenges us to go forward and succeed in our mission to provide for individuals and families coming before the Court. A portrait of Judge Burns now hangs in the main courtroom in remembrance. I also thank Cathy Burns and her family on behalf of the Court and community for the donation of artwork that now adorns the courtroom.

Following the passing of Judge Burns, I was appointed Judge. The transition was made easier by the outstanding staff of dedicated people working at the Court, many of whom I have known and worked with over the years. Also, thanks go to Judge C. Fenning Pierce, Judge David Stucki, and Judge Robert Batchelor for their assistance and support during the transition. Another person that will be greatly missed is Jill Hoberg, who retired after 11 years of service. Jill was not only a dedicated worker, but she was, and remains a close friend to all at the Court.

The greatest challenges to the Court remain an ever increasing caseload and need for the services and programs in a time of diminishing resources. The Court worked with the Coshocton County Commissioners in an effort to responsibly share in the County general funds, acknowledging the community's need for services from all county departments. We reviewed each line item of our budget to insure the efficient expenditures of funds while maintaining the effectiveness of programs and services. We also continued to pursue grants from federal, state, and private sources to supplement general funds and collaborate with local providers for more efficient programs and services. The Court again received supplemental funding from the Ohio Department of Youth Services (ODYS). Also, notification of a Juvenile Accountability Block Grant to continue the Court's Night Check Monitoring Program through August 2012 was received in December. Finally, we have

used special projects funds for drug testing, security equipment, a laptop computer, and case management & other computer and technology upgrades.

Budget considerations have also impacted the Court's approach to rehabilitation and strengthening of youth and families. ODYS continues to reduce its population and provides incentives for community based treatment. The Court continues to utilize the Perry Multi-County Juvenile Correctional Facility for less serious felony offenders and have granted transfer of incarcerated youth to the Paint Creek Residential Treatment Facility from the Ohio Department of Youth Services. Negotiations and contract adjustments for bed rates in the Muskingum County Juvenile Detention Facility has also allowed for more efficient usage of the purchased beds for short term detention center stays. Locally the Court continues to collaborate with Coshocton County Job & Family Services for foster care and family intervention meetings. Finally, we have increased transition services to youth exiting court supervision by expanding our Youth Mentoring Program.

We continue to focus and build on relationships with community partners and thank them for their contribution to and association with the Court's programs. Several Contract providers, including: Guardian Ad Litem Investigators, Adoptions Assessors, Traffic Seminar Speakers, and countless volunteers and community partners allow for quality programs in our small community. Other areas receiving attention: in the Probate Court we have started a Volunteer Guardianship Program for those persons in need of a guardian but have no family or close friends to serve in this capacity. The need in our community is great and to date the response has been positive allowing the Court to serve these people. We again updated our local rules and expanded access to forms for pro se litigants.

Thank you again to everyone assisting the Court during the transition to a new Judge, to those who give their time to participate in the Court's programs and to those who provide grant funding that enables the Court to increase services to the community, such as the Schooler Family Foundation. As always, I encourage anyone who has an interest in any of the Court's programs, whether as a volunteer or financial contributor or just desiring new information, to contact the Court.

Sincerely,

*Van Blanchard II, Judge*

## **General Court Information**

Approximately 384 hearings were handled by various Judges and 389 by the Magistrate for a total of 773 in 2011. These do not reflect that actual number of cases heard, as many hearings such as child support show cause, traffic and drug court have multiple cases in the court at the same time.

The Child Support Attorney processed approximately 216 pretrial cases for child support. Child Support Clerks processed 1,133 Title IV-D & Consent Judgment Entries. Approximately 329 Private Entries were processed by the Child Support Clerks.

Calendar Year 2012 Initial General Fund Budget \$961,472

Calendar Year 2011 (Final) General Fund Budget was \$951,759

\*\* \$55,000 was added in July 2011 due to grant reductions but was not used \*\*

### **REVENUE (APPROXIMATE) GENERATED IN 2011 INCLUDES:**

INDIRECT COSTS = \$ 67,223  
TANF CONTRACT = \$24,000  
YOUTH SERVICES FY 2011 = \$175,330  
PROBATE = \$ 62,154  
JUVENILE = \$ 29,190  
PLACEMENT ON DEPOSIT = \$1172  
FEES ON DEPOSIT = \$ 11,491  
SPECIAL PROJECTS = \$ 22,311

The Court contributed \$15,000 to the Coshocton County Alt. School in 2011

### **The Court has Contract and In-Kind Agreements with:**

Central Ohio Technical College  
Coshocton County Job & Family Services  
Coshocton County Child Support Enforcement Agency  
Coshocton County Coordinated Transportation  
Coshocton County Family & Children's First Council (Nurturing Parent)  
Family Pact (Mediation Services)  
Hopewell Board of Developmental Disabilities  
Supreme Court of Ohio  
Thompkins Child & Adolescent Services  
Zane State College

*Website for Court Information:*

<http://www.coshoctoncounty.net/agency/probate/>

## JUVENILE COURT STAFF – PROGRAMS – STATISTICS

### Probation Staff:

Nicole Shaw, Chief Probation Officer  
Aimee Matusik, Diversion Director  
Nathan Berry, Community Service Coordinator  
Kyle Myers, Probation Officer  
Steve Spaulding, Truancy Probation Officer

### Juvenile Deputy Clerks:

Kathy Jones, Chief Deputy Clerk – Juvenile Delinquency  
Billiejo Fechuch, Deputy Clerk - Contempt / Support / Custody / Visitation  
Barb Karr, Deputy Clerk – Child Support Assistant / Other Juvenile  
Sheri Landaker, Deputy Clerk –A/N/D, Traffic, Accounting

**Community Service:** Youth are placed for work on an individual basis from delinquency cases. Most Diversion Youth complete 8 hours community service and other delinquent youth complete and average of 16-24 hours each.

**Work Sites Utilized (partial listing):** Habitat for Humanity, Fairgrounds, Mentoring Center, Animal Shelter, Higher Hopes Therapeutic Stables, Coshocton Behavioral Health, Family & Children's First Council, Kid's America, Family Fun Day, Relay for Life, Riders for Relief, Memorial Fest, Head Start, Lake Park, Coshocton Public Library, Salvation Army, Hopewell, Warsaw Park, New Life Ministries, United Way, and many others!

**\*\* 148 youth completed 1,637.5 hours of work \*\***

**\*\* At minimum wage of \$7.40, this represents over \$12,117.50 of free labor \*\***

**Juvenile Traffic Cases:** There were a total of 102 Traffic Cases in 2011 with 73 Court Appearances at 12 traffic Court Hearings.

### **Violation Breakdown as Follows:**

<b>Speed = 46</b>	<b>No Seat Belt = 12</b>
<b>Failure to Control = 10</b>	<b>DUI / Drugs = 3</b>
<b>Assured Clear Distance= 5</b>	<b>other = 9</b>
<b>No Driver's License = 7</b>	<b>Reckless Op = 2</b>
<b>Stop Sign = 4</b>	<b>Fail to Yield = 4</b>

**Traffic Safety Seminar:** First time juvenile traffic offenders are ordered to attend this 1.5 hour program with a parent at the Coshocton County Career Center. The session focuses on safety issues for young drivers and responsible driving. Presenters include local accident survivor Clayton Stone, an Ohio State Highway Patrolman, and an EMT from Coshocton County EMS.

**\*\* 50 youth attended 5 seminars in 2011 \*\***

**Juvenile Traffic Violation Bureau:** A new Court Program n 2009, this program allows first time traffic offenders with certain minor violations to enter a written plea and waive the appearance in Court as long as fines, costs, and traffic seminar attendance is met.

**\*\* 29 youth participated in the Violation Bureau in 2011 \*\***

**School Truancy Program:** The School Truancy Program is a collaborative effort between the Juvenile Court, Coshocton Job & Family Services, and the Public School System in Coshocton County. The primary goal is to assist schools with compulsory education laws and to identify students with attendance issues. A series of notices are filed with the court and the family of the truant child in an effort to resolve attendance issues. Informal hearings are held in the schools to address attendance issues without having formal Court or Job & Family Services involvement. If these issues are not resolved, juveniles will have a School Truancy charge filed.

<b>Academic Year</b>	<b>First Notices</b>	<b>Second Notices</b>	<b>Third Notices</b>	<b>Informal Hearings</b>	<b>Unruly Complaints</b>	<b>Neglect Referrals</b>
2011-12*	309	103	33	77	12	10
2010-11	363	166	44	109	23	8
2009-10	305	133	55	105	43	14
2008-9	357	159	41	109	15	0

**Nurturing Parent Program:** In 2011, at least 64 families completed Family Parenting sessions with their minor children. A focus is on communication skills between teens and parents, effective interventions, and respect for the family members. Renewed understanding of current issues allows for better relationships as evidenced by pre-test and post-testing data.

**Juvenile Drug Court Program:** Started in 2002, the Coshocton County Juvenile Drug Court Program continues to work with identified offenders that have significant substance abuse histories. Weekly court hearings as well as treatment, mental health counseling, education, and family support are major components to this intensive non-traditional program. The four phase program takes participants one year minimum to complete.

Since its inception, **19 youth successfully graduated**  
 12 youth were terminated unsuccessfully  
 2 youth moved out of county  
 3 youth are currently enrolled in the program  
 1 youth is AWL

**THANKS to the following committed Drug Court Team Members:**

Beth Cormack & Janette Hall – Coshocton Behavioral Health Choice  
Norman Davitt – Attorney  
Christie Thornsley – Prosecutor’s Office  
Coshocton Juvenile Court Probation Staff  
Various School & Community Representatives

**Friends of the Coshocton County Drug Court:** Started shortly after the Drug Court Program, this nonprofit organization is affiliated to support the efforts of the Drug Court Program. They operate separately from the Court and maintain funds that encourage the efforts of youth and families in the program. In addition, they furnish refreshments and items for Graduation Ceremonies for each successful graduate of the program.

**BOARD OF TRUSTEES:**

Nancy Hatem - Coshocton City Schools  
Becky Beiter - Coshocton County Health Department  
Scott Thompson - Coshocton Behavioral Health Choices  
Anne Randles - Coshocton County Job & Family Services  
Nathan McNeal – Community Member

**Muskingum County Juvenile Detention Center:** Coshocton County Juvenile Court contracts with the Muskingum County Juvenile Detention Center for use of beds. The Detention Facility is located at 1860 East Pike, Zanesville, Ohio and is a 48 bed state of the art secure detention facility, which has 4 pods of 12 youth, one of which is designated for females. The facility employs two fulltime nurses and contracts with Zanesville City Schools for educational services. The Detention Facility is approximately 45 miles from Coshocton.

YEAR	TOTAL YOUTH	TOTAL DAYS	AVG / YOUTH	Av. Daily Pop.	TOTAL COST
2011	81	1,444	17.83	3.96	\$108,782
2010	90	1,186	13.18	3.25	\$100,727
2009	65	886	13.63	2.37	\$114,917
2008	75	876	11.68	2.39	\$120,830
2007	85	1,476	17.36	4.04	\$134,662
<b>5 Year Avg.</b>	<b>79.2</b>	<b>1,173.6</b>	<b>14.74</b>	<b>3.20</b>	<b>\$115,984</b>

**Video Detention Hearings:** The Juvenile Court purchased 3 laptop computers equipped with cameras in June, 2009. These computers allow the Court to conduct video detention hearings via a secure connection on those youth that were detained after-hours or on a weekend, thus saving on the burden of transportation by a sheriff's deputy both to and from the Juvenile Detention Facility in Zanesville, Ohio. Once a child is released from the detention facility, parents assume responsibility for transportation of their minor youth. Approximate cost savings per hearing held is in excess of \$275.00 to the County.

<b>YEAR</b>	<b>Number of Hearings</b>	<b>Approximate Savings</b>
2011	38	\$10,450
2010	44	\$12,100
2009	14	\$3,850
<b>TOTAL</b>	<b>96</b>	<b>\$26,400</b>

**Diversion Program:** Coshocton County Juvenile Court received a "Challenge Grant" in 1998 which has enabled the Court to develop a Juvenile Diversion which was implemented in January 1999. The Program is designed to give less serious first time offenders an opportunity to amend their wrong doing. This program has an average time period of 90-120 days. If the juvenile completes required programming the official complaint does not get filed with the Court and thus no official delinquency record exists for the said juvenile.

### **2011 Diversion Statistics**

73 youth entered the program

43 male & 30 female

2 were officially filed charges against for noncompliance

5 had new charges filed while in the program

### **2011 Diversion Offense Categories**

**\*\* 16 youth had multiple charges\*\***

15 Assault	7 Criminal Mischief
2 Disorderly Conduct	2 Drug Paraphernalia
8 Underage Consumption	12 Criminal Trespass
14 Petty Theft	8 Theft
9 Domestic Violence	3 Criminal Damaging
8 Possess Drugs/ Marijuana	2 Unruly
2 Curfew Violation	2 Disorderly Conduct
2 False Alarm	1 Resist Arrest
1 Littering	1 Falsification
1 Complicity to aid or abet	1 Attempted B & E

### **2010 Diversion Statistics**

68 youth entered the program  
41 male & 27 female  
63 Caucasian, 4 African American, 1 Hispanic  
1 was officially filed charges against for noncompliance  
5 had new charges filed while in the program

### **2010 Diversion Offense Categories**

**\*\* 13 youth had multiple charges\*\***

15 Assault	3 Receive Stolen Property
13 Disorderly Conduct	4 Drug Paraphernalia
11 Underage Consumption	1 Criminal Trespass
10 Petty Theft	1 Obstruct Official Business
4 Criminal Mischief	1 Telecommunication Harassment
5 Criminal Damaging	1 Possess Drugs
5 Possess Marijuana	5 Domestic Violence
2 Disseminate Harmful Material	

### **2009 Diversion Statistics**

51 youth entered the program  
33 male & 18 female  
45 Caucasian, 3 African American, 3 Hispanic  
2 were officially filed charges against for noncompliance  
3 had new charges filed

### **2009 Diversion Offense Categories**

**\*\* 5 youth had multiple charges\*\***

16 Underage Consumption	15 Assault
8 Criminal Damaging	4 Disorderly Conduct
4 Petty Theft	4 Domestic Violence
3 Criminal Trespass	2 Arson
1 Falsification	1 Menacing
1 Public Indecency	

**Mentoring Program:** Near the end of 2010 the Court received a generous grant award from the Schooler Family Foundation to establish a mentoring program. This program utilizes volunteers that have undergone criminal history checks and an interview process. The goal for this program is to match positive adult role models with identified at-risk and court involved youth. The focus age group is 11-16, but other factors are considered. Seventeen youth have been identified or matched with mentors, two of which have been released from Court supervision successfully. Five cases are currently active, and additional mentors are being recruited to continue our work.

**Intensive Probation Program:** Since 2004, the Court has received various federal, state and local grants to support the Intensive Probation Program. In 2011 the court received one half year of funding from Coshocton County Job & Family Services to continue a night monitoring program that has proven to be a valuable asset. Specialized populations of juvenile offenders including drug court youth, felony offenders, and youth with sexually acting-out behaviors were main focuses of the evening check program.

<b>YEAR</b>	<b>Total Hours</b>	<b>Total Contacts</b>	<b>Felony Contacts</b>	<b>Misdemeanor Contacts</b>
<b>2011</b>	443.5	556	156	410
<b>2010</b>	664.5	965	265	700
<b>2009</b>	696.5	848	257	591
<b>2008</b>	959.25	1056	143	913

<b>Night Check Drug Tests</b>	<b>Negative</b>	<b>Positive Alcohol</b>	<b>Positive Drugs</b>	<b>Sent to Lab</b>
<b>2011</b>	25	1	4	0
<b>2010</b>	41	1	4	4
<b>2009</b>	48	-	4	-
<b>2008</b>	64	1	11	-

### **Juvenile Felony Cases (Calendar Year Comparison)**

<b>Level</b>	<b>F-1</b>	<b>F-2</b>	<b>F-3</b>	<b>F-4</b>	<b>F-5</b>
		Induce Panic	Theft, Burglary	Assault	Traffic Drugs
<b>YEAR</b>	Rape	Burglary, etc.	Gross Sex. Imp. Drug Tr., etc.	Theft Burglary	Poss. Drugs B & E, etc.
<b>2011</b>	<b>5</b>	<b>0</b>	<b>4</b>	<b>2</b>	<b>5</b>
<b>2010</b>	<b>0</b>	<b>1</b>	<b>6</b>	<b>3</b>	<b>39</b>
<b>2009</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>18</b>
<b>2008</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>9</b>

**16 felony charges were filed in 12 Complaints in 2011**

**49 felony charges were filed in 22 Complaints in 2010**

**25 felony charges were filed against 11 youth in 2009**

**15 felony charges were filed in 2008**

**Drug Testing:** As part of the court's probationary terms, most youth involved with the court are given random drug and alcohol tests.

**2011 = 208 total drug screens were collected**

180 negative screens  
28 total positive screens  
16 positive for marijuana  
7 positive for alcohol  
2 positive for benzodiazepines  
2 positive for marijuana and benzodiazepines  
1 positive for opiates

**2010 = 235 total drug screens were collected**

202 negative screens  
33 total positive screens  
24 positive for marijuana  
7 positive for alcohol  
2 positive for benzodiazepines

**2009 = 176 total drug screens were collected**

135 negative screens  
36 positive for marijuana  
2 positive for alcohol  
2 positive for benzodiazepines  
1 diluted screen

**2008 = 281 total drug screens were collected**

220 negative screens  
54 positive for marijuana  
3 positive for alcohol  
4 positive for cocaine

**SAY Program:** Six youth and families were involved in this treatment program in 2011. It is not a time limited program, and generally takes 1-2 years to complete. The focus is for appropriate sexual boundaries, relationship issues, and community and personal safety relating to sexual issues. Regular review sessions are held in court for updates and accountability.

### Number of Hearings / By Type = JUVENILE COURT

Type - Dep/Neg/Abu/Custody	Number of Hearings 2010	Number of Hearings 2011
Arrestment	23	15
Trial	9	14
Disposition	2	1
Review	11	10
ACR	20	20
PPLA	7	5
ECO	2	5
Other	11	18
Show Cause	12	13
<b>Total</b>	<b>97</b>	<b>101</b>

Type Delq./Unr/Tob/Traffic/Drug Ct	Number of Hearings 2010	Number of Hearings 2011
Delq. Arrestment	103	76
Delq. Pretrial	16	25
Delq. Disposition	41	29
Delq. Trial	11	7
Delq. Review	4	21
Detention Hearings	81	76
Change Plea	8	0
Unruly Arrgn.	23	24
Unruly Trial	1	0
Tobacco	2	4
Traffic Arrestments	13	12
Traffic Trials	2	2
Drug Court Hearings	37	94
Other	6	21
<b>Total</b>	<b>348</b>	<b>379</b>

## 2011 JUVENILE COURT ADJUDICATIONS BY CASE TYPE

Violation	Male	Female	Total
Aggravated Disorderly Conduct	0	1	1
Aggravated Menacing	1	0	1
Assault – Misdemeanor	7	2	9
Criminal Damaging	1	0	1
Criminal Mischief	1	0	1
Criminal Trespass	4	0	4
Decimating Material – Felony	1	0	1
Disorderly Conduct	4	3	7
Domestic Violence	5	3	8
GSI – Felony	1	0	1
Menacing	1	1	2
Obstruction of Official Business	2	0	2
Petty Theft	3	2	5
Possession of Controlled Substance	0	1	1
Possession of Controlled Substance – Felony	1	0	1
Possession of Dangerous Drug	1	0	1
Possession of Marijuana	1	0	1
Probation Violation	23	7	30
Rape – Felony	5	0	5
Receiving Stolen Property – Felony	2	0	2
Resisting Arrest	0	1	1
Retaliation – Felony	1	0	1
Sexual Imposition – Misdemeanor	1	0	1
Theft – Felony	0	1	1
Theft of Drugs - Felony	1	0	1
Theft of Firearms – Felony	2	0	2
Tobacco	3	0	3
Trafficking in Prescription Drugs – Felony	0	1	1
Truancy/Unruly	11	11	22
Unauthorized Use of Motor Vehicle	1	0	1
Underage Consumption	3	2	5
<b>Total</b>	<b>88</b>	<b>35</b>	<b>123</b>

## Probate Court Staff and Statistics

### Deputy Clerks:

Billiejo Fechuch – Guardianship Investigator

Sara Hartsock – Deputy Clerk, Trusts / Estates / Probate Records

Jennifer Tahyi – Deputy Clerk, Guardianships / Adoption / Name Change

Type	2010 Hearings	2011 Hearings
Conservatorship	1	0
Trust	8	6
Guardianship	24	21
Guardianship Review	4	4
Minor Settlement	2	0
Name Change Adult	8	* 12 (combined)
Name Change Minor	3	
Adoption/Placement	10	11
<b>Total</b>	<b>60</b>	<b>54</b>

Type – Estate	2010 Hearings	2011 Hearings
Wrongful Death	8	5
Exec. Claims/Claims	1	1
Insolvency	10	6
Miscellaneous/other	10	14
Objections to Inventory	3	3
Lost Will	1	3
Structured Settlement	3	2
<b>Total</b>	<b>36</b>	<b>34</b>

**Volunteer Guardianship Program:** The Probate Court began exploring options in 2011 for establishing a volunteer guardianship program for citizens that are not able to manage their affairs either due to mental or physical disability. After selection and training, community volunteers are appointed and able to assume decision making responsibility for individuals that meet program criteria. Resources and training are provided by the Court with the generous assistance from the Schooler Family Foundation. The Court currently has 5 volunteers working with this program, and we look to continue expansion in 2012.

## 2011 SPECIAL PROJECTS ACCOUNT REPORTING

### Coshocton County Probate & Juvenile Court

<u>Account</u>	<u>Cost Assessed</u>	<u>Beginning</u>	<u>Expenses</u>	<u>Revenue</u>	<u>Ending</u>
Legal Research	\$3.00			1,987.00	1,987.00
Computer	\$10.00	44,714.00	55,277.26	12,207.61	1,644.35
Camera & Security	\$10.00	**Below	2,019.93	7,613.00	5,593.07
<u>Drug Testing</u>	<u>\$21.00</u>	<u>**9,056.75</u>	<u>2,995.98</u>	<u>503.70</u>	<u>6,564.47</u>
<b>TOTAL FOR YEAR</b>		<b>\$53,770.75</b>	<b>\$60,293.17</b>	<b>\$22,311.31</b>	<b>\$15,788.89</b>