

**RESOLUTION ACCEPTING ANNUAL REPORT OF CONNEAUT MUNICIPAL COURT FOR 2022**

WHEREAS, In accordance with the provisions of Section 1901.14 of the Ohio Revised Code, Conneaut Municipal Court has filed with this Board their 2022 Annual Report as required by law; and

WHEREAS, Said report which shows the work performed by the court, a statement of receipts and expenditures of the civil and criminal branches, and the number of cases heard, decided and settled has been duly examined by this Board; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that said report is hereby accepted and filed.

**ASHTABULA COUNTY COMMISSIONERS  
CERTIFICATION PAGE**

**Resolution No. 2023-198**

**March 28, 2023**

**RESOLUTION ACCEPTING ANNUAL REPORT OF CONNEAUT MUNICIPAL COURT  
FOR 2022**

**Upon the motion of Kathryn L. Whittington, seconded by J.P. Ducro IV.**

**VOTE:**

**Casey R. Kozlowski  
Kathryn L. Whittington  
J.P. Ducro IV**

**Aye  
Aye  
Aye**

**CERTIFICATE OF CLERK**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon and duly passed by the Board of County Commissioners of Ashtabula County, Ohio, on the date noted above.

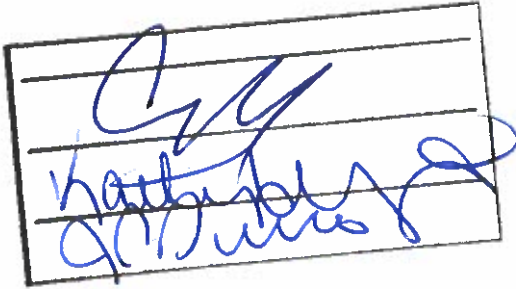


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Lisa Hawkins, Clerk of the Board  
Board of County Commissioners  
Ashtabula County, Ohio

Nicholas A. Iarocci  
Judge  
Telephone (440) 593-7410

Julie Myers  
Clerk  
Telefax (440) 593-6402



*Conneaut Municipal Court*  
*Conneaut City Hall*  
*290 Main Street*  
*Conneaut, Ohio 44030*

RECEIVED

MAR 22 2023

March 20, 2023

ASHTABULA COUNTY BOARD  
OF COMMISSIONERS

Kathryn Whittington  
Ashtabula County Commissioner  
25 West Jefferson Street  
Jefferson, Ohio 44047

**RE: Conneaut Municipal Court 2022 Annual Report**

Dear Ms. Whittington:

Enclosed please find the Annual Report for the Conneaut Municipal Court for calendar year 2022, which is being sent to you pursuant to Ohio Revised Code Section 1901.14(A)(4).

Calendar year 2022 marked the 93<sup>rd</sup> year of operations for the Conneaut Municipal Court. As you are aware, the Conneaut Municipal Court serves the City of Conneaut and Lake Erie to the Canadian Border and specifically, the following agencies: Conneaut City Police Department, Conneaut City Zoning Department, Ashtabula County Dog Warden, Ashtabula County Humane Society, Ashtabula County Sheriff's Department, Ohio Bureau of Employment, Ohio Department of Liquor Control, Ohio Department of Natural Resources – Division of Natural Areas and Preserves, Division of Watercraft, Division of Wildlife; Ohio Department of Public Safety, Ohio Department of Taxation, Ohio State Highway Patrol, Ashtabula County Metroparks and Public Utilities Commission of Ohio.

### **Staff Employment**

In 2022, the Conneaut Municipal Court employed five full-time and one part-time staff who work in the Criminal, Civil and Traffic Divisions of the Court, the Probation Department and Security Division. In 2020, the Court created a Court Security Division and hired two additional part-time staff who provide security to the Court and all of City Hall. Of all Court employees, one full-time and two part-time staff (along with two other "on call" staff) provide security for the Court and City Hall. As a result of an agreement reached between the Court, City Manager and Finance Director, the costs associated with employment of Court Security Staff are shared equally between the Court - utilizing the Special Project Funds discussed below - and the City of Conneaut.

### **Number of Filings and Jury Trials**

The Court continues to recover from the COVID-19 pandemic in the number of filings. However, in 2022, the number of filings *increased* in several areas when compared to 2021 as follows:

- 11.3% **increase** in the number of Felony Criminal cases
- 26.6% **increase** in the number of Misdemeanor Criminal cases
- 9.5% **increase** in the number of OVI cases
- 7.8% **increase** in the number of Traffic cases
- 6.2% **decrease** in the number of Civil cases
- 46.2% **decrease** in the number of Small Claims cases

In 2022, the Court conducted **four (4)** jury trials.

One of the most notable of the above filings is the substantial decrease in the number of **civil** filings. This is not unique to Conneaut Municipal Court, as most courts throughout Ohio have experienced dramatic decreases in civil filings.

### **Blocked-Crossing Cases**

As you know, on August 17, 2022, the Ohio Supreme Court issued a decision in State of Ohio v. CSX Transportation, Inc., Slip Op. No. 2022-Ohio-2832. In *CSX*, the Ohio Supreme Court held that Section 5589.21 of the Ohio Revised Code, known as the “blocked-crossing” statute, as well as Section 553.01 of the Codified Ordinances of the City of Conneaut, are preempted by the Interstate Commerce Commission Termination Act of 1995, a federal statute that regulates rail transportation. *As a result, a total of 62 criminal cases against Norfolk Southern were dismissed in 2022.*

### **Special Projects Funds**

Under Title 19 of the Ohio Revised Code, the Conneaut Municipal Court created the Municipal Court Improvement Fund and Municipal Court Security Fund, known as the Court Special Projects Funds and referred locally by the Conneaut Finance Department as “214 Accounts.” The monies in these Funds are financed entirely by court costs, are only disbursed by Court order, and are not generally available to Conneaut City Council or the Board of Commissioners of Ashtabula County. For the past 31 years, all of the computer, security, and technology needs of the Court have been acquired, maintained and funded entirely from these Special Project Funds and other grant funds obtained by the Court, and no tax dollars or general revenue funds have been used to pay for the acquisition or maintenance of these items. During the 30-year history of the Court Improvement Fund and Municipal Court Security Fund, the sum of **\$1,821,349.36** has been utilized from such Funds without any burden being placed on the City or the County’s General Funds.

### **Ohio Attorney General Collections**

The Court will soon be transferring overdue unpaid fine and cost accounts to the Ohio Attorney General Office (OAG) for collection. The Court has entered into an agreement with the OAG to begin collections, but much work is being performed to ensure our recently upgraded Case Management System (CMS) with Civica is able to do so. You will recall from my 2021 Annual Report that the Court received a grant in the amount of \$72,794.00 from the Ohio Supreme Court to upgrade the Court's outdated CMS. The CMS upgrade is near completion as of the date of this letter.

### **Renewal Court**

The Court recently started a Specialized Docket known as "Renewal Court" with the goal of addressing the unique needs of offenders with mental health and/or substance abuse disorders that have contributed to an underlying criminal offense. On January 24, 2023 and with the substantial assistance of the Ashtabula County Mental Health and Recovery Services Board (MHR SB), Renewal Court received "Initial Certification" from the Ohio Supreme Court as a Substance Abuse Mental Illness (SAMI) specialized docket, one of only four SAMI courts in all of the State of Ohio. With the continued assistance of the MHR SB, we expect that the Renewal Court will be exclusively funded with grant monies in the future.

The Court has hired Stephanie Belconis, the former Felony Drug Court Coordinator for the Ashtabula County Common Pleas Court, to serve as the part-time Renewal Court Coordinator. Until grant funds are secured to compensate Ms. Belconis, the Court will utilize funds in the Court's Indigent Drivers Alcohol Treatment Fund (IDAT) where approximately \$70,000.00 has accumulated and not been utilized over many years. IDAT funds are now legally available to be used for Specialized Docket Courts.

In less than two months of operation, Renewal Court now has 4 participants, with a capacity of 25 participants.

### **Livestreaming and Video Remote Proceedings**

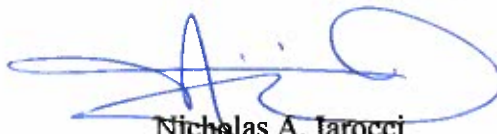
Finally, the Court is one of a very small number of courts in all of Ohio to livestream criminal court proceedings on YouTube. Since February 2021, Conneaut Municipal Court has been committed to transparency and ensuring that the community is able to view and have virtual access to the criminal court proceedings being conducted in its local courtroom. The Court's YouTube channel has proven to be very popular, having as of the date of this letter about 700 subscribers. In addition, the Court also conducts a substantial number of video remote proceedings. Video remote proceedings of those charged with a crime and who are incarcerated saves significant staff time and expense, and protects public safety from having the inmate transported to Court. In 2020, Conneaut Municipal Court conducted 290 video remote hearings. In 2021, Conneaut Municipal conducted 350 video remote hearings, and in 2022 the Court conducted over 410 video remote hearings.

The Court sincerely appreciates having a cooperative working relationship with City Manager Jim Hockaday, Finance Director John Williams, and Law Director John Lewis, as well

as all of City Council. I wish to express my personal thanks to you for your assistance in making Conneaut Municipal Court the best court it can be for all of the residents of the City of Conneaut. Conneaut Municipal Court will also continue to serve our community by timely and correctly disposing of all cases filed with the Court.

Thank you for the opportunity to provide this report, and please feel free to contact me if you have any questions or comments.

Respectfully submitted,



Nicholas A. Iarocci  
Judge

NAI/jam  
Enclosures

**IN THE CONNEAUT MUNICIPAL COURT  
CONNEAUT, OHIO  
ANNUAL REPORT FOR THE YEAR 2022**

<b><u>CRIMINAL BRANCH</u></b> (Misdemeanors)	<b>2022</b>
Cases Pending January 1, 2022	20
Cases filed during year 2022	351
Cases transferred in or reactivated	82
Total cases for 2022	453
Cases pending December 31, 2022	06
Cases disposed of during year 2022	447
<b><u>CRIMINAL BRANCH</u></b> (Felonies)	
Cases pending January 1, 2022	10
Cases filed during year 2022	98
Cases transferred in or reactivated	40
Total cases for 2022	148
Cases pending December 31, 2022	01
Cases disposed of during year 2022	147
<b><u>TRAFFIC CASES</u></b>	
Cases pending January 1, 2022	12
Cases filed during year 2022	784
Cases transferred in or reactivated	40
Total cases for 2022	836
Cases pending December 31, 2022	07
Cases disposed of during year 2022	829
<b><u>OVI CASES</u></b>	
Cases pending January 1, 2022	00
Cases filed during year 2022	23
Cases transferred in or reactivated	02
Total cases for 2022	25
Cases pending December 31, 2022	02
Cases disposed of during year 2022	23
<b><u>CIVIL CASES</u></b>	
Cases pending January 1, 2022	65
Cases filed during year 2022	206
Cases transferred in or reactivated	00
Total cases for 2022	271
Cases pending December 31, 2022	77
Cases disposed of during year 2022	194
<b><u>SMALL CLAIMS DIVISION</u></b>	
Cases pending January 1, 2022	00
Cases filed during year 2022	07
Cases transferred in or reactivated	00
Total cases for 2022	07
Cases pending December 31, 2022	00
Cases disposed of during year 2022	07
<b>TOTAL CASES DISPOSED OF DURING YEAR 2022</b>	<b>1,647</b>

**MISCELLANEOUS CRIMINAL PROCEEDINGS****2022**

Preliminary Hearings	54
Search Warrants Issued	38
Cases appealed to Higher Court	06
Jury Trials	04
Extradition Proceedings	18
Rule (4) Bond Hearings	05
Sentence Compliance and Review Hearings	71
Revocation Hearings	60
Expungements	13
Pre-trials	457
Trial	09

**MISCELLANEOUS CIVIL PROCEEDINGS**

Marriages	12
Judgment Debtors Examination	00
Landlord-Tenant Cases filed	61
Hearings on Motions	65
Cases Appealed to a Higher Court	00
Judgments Transferred In	00
Appeals (Bureau of Motor Vehicles)	00
Writs of Restitution Issued	22
Pre-trials	18

**TRUSTEESHIP PROCEEDINGS**

Trusteeships Pending January 1, 2022	01
Trusteeships Filed During Year 2022	00
Trusteeships on Docket During Year 2022	01
Trusteeships Dissolved During Year 2022	00
Trusteeships Pending December 31, 2022	01

**ESCROW PROCEEDINGS**

Escrows Filed During Year 2022	00
Escrows Dissolved During Year 2022	00
Escrows Pending December 31, 2022	00

CITY OF CONNEAUT ASHTABULA COUNTY  
 SUPPLEMENTAL SCHEDULE  
 DECEMBER 31, 2022

RECEIPTS	Undistributed Collections 12/31/2021	2022 Collections	Total To Distribute	Distributed To City	Distributed To County	Distributed To State	Distributed To Others	Adjustments	Undistributed Collections 12/31/2022
Criminal/Traffic	\$ 5,342.00	\$ 260,113.78	\$ 265,455.78	\$ 172,458.50	\$ 24,325.50	\$ 50,265.41	\$ 17,255.37	\$ -	\$ 1,151.00
Civil	\$ 2,792.43	\$ 96,221.05	\$ 99,013.48	\$ 34,812.75	\$ -	\$ 5,429.25	\$ 53,302.52	\$ -	\$ 5,488.96
Trustee	\$ 1,235.00	\$ 845.00	\$ 2,080.00	\$ -	\$ -	\$ -	\$ 1,820.00	\$ -	\$ 260.00
	\$ 9,369.43	\$ 357,179.83	\$ 366,549.26	\$ 207,271.25	\$ 24,325.50	\$ 55,694.66	\$ 72,377.89	\$ -	\$ 6,879.96
DISTRIBUTION ALLOCATIONS:									
FINES & COSTS									
MUNICIPAL COURT IMPROVEMENT F UND				\$ 110,814.66	\$ 24,325.50	\$ 13,674.50			
MUNICIPAL COURT SECURITY FUND				\$ 43,930.33					
ADULT SUPERVISION FUND				\$ 1,445.00					
AUTOMATED PAYMENT FUND				\$ 6,241.70					
DUI JAIL RE-IMBURSEMENT				\$ 4,148.00					
DRUG CPD				\$ 820.00					
DUI EDUCATION FUND				\$ 420.00					
INDIGENT ALCOHOL INTERLOCK FUND				\$ 650.00					
PROBATION FUND				\$ 7,975.00					
INDIGENT ALCOHOL TREATMENT				\$ 459.00					
INDIGENT DRIVERS ALCOHOL TREATMENT				\$ 1,319.81					
SUSP LICENSE INTERVENTION PROGRAM				\$ 270.00					
NON-MOVING VIOLATIONS				\$ 1,420.00					
CIVIL COSTS				\$ 27,117.75		\$ 5,429.25			
WEDDINGS				\$ 240.00					
DRUG LAW ENFORCEMENT						\$ 3,079.55			
INDIGENT DEFENSE SUPPORT						\$ 25,021.36			
ROTARY REPARATIONS						\$ 8,490.00			
TRUSTEE							\$ 1,820.00		
JUDGEMENTS/RENT							\$ 53,302.52		
JURY FEES									
BOND/RESTITUTION PAYOUTS							\$ 17,255.37		
Total				\$ 207,271.25	\$ 24,325.50	\$ 55,694.66	\$ 72,377.89	\$ -	