

BEN K. WRIGHT

ROCKY RIVER MUNICIPAL COURT

ANNUAL REPORT

1973

MILTON D. HOLMES, JUDGE
WILLIAM J. McCRONE, JUDGE
BEN K. WRIGHT, CLERK

The Rocky River Municipal Court

21012 HILLIARD BOULEVARD
ROCKY RIVER, OHIO 44116

333-0066

JUDGE

MILTON D. HOLMES

CLERK

BEN K. WRIGHT

JUDGE

WILLIAM J. McCRONE

January, 1974

To the Council of the City of Rocky River
and the Board of County Commissioners
of Cuyahoga County:

Gentlemen:

The Rocky River Municipal Court herewith submits its Annual Report for the year ending December 31, 1973 as required by law. The contents of the report is based upon data assembled and tabulated by Ben K. Wright, Clerk of Court, and the staff, of Deputy Clerks, ~~employed in the Clerk's office.~~

The total funds received by the Court for 1973 from all sources was ~~\$509,804.34.~~ ^{467,633.53} which is a decrease of 40,170.81 from 1972 total receipts. *THE PRINCIPAL REASON BEING THE DECREASE IN JUDICIAL COSTS.*

Once again I wish to take this opportunity to thank the entire Court staff, Judge Milton D. Holmes and Judge William J. McCrone for their diligence, loyalty, and devotion to duty.

I would also like to take this opportunity to thank Mayor Earl Martin, the Council, and all of the officials and personnel of the City of Rocky River for the help and cooperation which they have given to this Court.

and all officials of the court staff
Respectfully submitted,



Ben K. Wright
Clerk, Rocky River Municipal Court

Martin et al. City of Rocky River

SERVING ROCKY RIVER MUNICIPAL COURT IN 1973

MILTON D. HOLMES JUDGE
WILLIAM J. McCRONE JUDGE

BEN K. WRIGHT CLERK OF COURTS

MARIE WOLLENZIER CHIEF DEPUTY CLERK

MARGARET MALLABY DEPUTY CLERK

KATHLEEN WALSH DEPUTY CLERK

ERNEST STEGENS DEPUTY CLERK

CATHERINE CAREY DEPUTY CLERK

DOROTHY LOUTH DEPUTY CLERK - *part time*

ETHEL HART ~~EE~~ DEPUTY CLERK - *Part Time*

CANDACE MONTY LAW STUDENT ON GRANT - Part Time

BARBARA SOEDER COE - ROCKY RIVER HIGH SCHOOL - Part Time
Debra Knott

PATRICK A. GAREAU, JR. BAILIFF

THOMAS J. WENDLING BAILIFF

JAMES RUSSELL SMALL CLAIMS REFEREE

EDWARD O'CONNOR PROBATION OFFICER

ROCKY RIVER MUNICIPAL COURT - SERVE THE FOLLOWING COMMUNITIES

CITY OF ROCKY RIVER

CITY OF BAY VILLAGE

CITY OF FAIRVIEW PARK

CITY OF NORTH OLMSTED

CITY OF WESTLAKE

RIVEREDGE TOWNSHIP

METROPOLITAN PARK

ROCKY RIVER MUNICIPAL COURT

SMALL CLAIMS DIVISION

1974

CASES PENDING - JANUARY 1, 1973	56
CASES FILED	<u>225</u>
TOTAL	281
CASES DISPOSED OF - 1973	233
CASES PENDING - JANUARY 1, 1974	48
TRANSFERRED TO CIVIL DOCKET	<u>0</u>
TOTAL	281

EXECUTION AFTER JUDGMENT

LEVY	4
GARNISHMENT	5
EXAMINATION BEFORE JUDGE	1
MOTIONS	10
SUBPOENAS	7
CROSS-COMPLAINT	0
AMENDED COMPLAINT	4
CERTIFIED COPY OF JOURNAL ENTRY	10
BANK AIDS	16
CERTIFICATE OF JUDGMENT FOR LEIN	11
APPEALS	0
ALIAS SUMMONS	39

CASH REPORT

SMALL CLAIMS CASH BALANCE ON HAND JANUARY 1, 1973	\$ 62.76
TOTAL CASH RECEIPTS FOR THE YEAR 1973	<u>\$5122.77</u> - 987.92
TOTAL CASH HANDLED FOR THE YEAR 1973	\$5185.53

DISBURSEMENTS:

PAID TO THE CITY OF ROCKY RIVER	\$1624.65 21.00
JURY - WITNESS FEES PAID TO THE CITY OF ROCKY RIVER	\$ 2.00
REFUNDS	\$ 357.35 21.40
JUDGMENTS	<u>\$3020.77</u> 1722.83
TOTAL DISBURSEMENTS	\$5004.77
SMALL CLAIMS CASH BALANCE ON HAND DECEMBER 31, 1973	\$180.76

1973 ANNUAL REPORT

SMALL CLAIMS

MONTH	<u>RECEIPTS</u>	<u>DISBURSEMENTS</u>	BALANCE - JANUARY 1, 1973 - \$62.76
JANUARY	\$ 661.83	\$ 435.83	\$ 288.76
FEBRUARY	288.00	196.00	380.76
MARCH	489.10	-0-	869.86
APRIL	759.39	323.10	1306.15
MAY	706.86	288.18	1724.83
JUNE	230.03	846.67	1108.19
JULY	548.84	427.43	1229.60
AUGUST	112.00	101.84	1239.76
SEPTEMBER	384.00	218.00	1405.96
OCTOBER	285.61	103.61	1587.76
NOVEMBER	549.99	177.26	1960.50
DECEMBER	107.12	262.20	1805.41
	<u>\$5122.77</u>	<u>\$3380.12</u>	

COURT COSTS PAID TO THE CITY OF ROCKY RIVER FOR THE YEAR, 1973 \$1624.65

CASH BALANCE AS OF DECEMBER 31, 1973 \$180.76

ROCKY RIVER MUNICIPAL COURT

1973 ANNUAL REPORT - TRUSTEESHIP DEPARTMENT

ACTIVE ACCOUNTS AS OF JANUARY 1, 1973	21
NEW ACCOUNTS OPENED DURING THE YEAR 1973	<u>14</u>
TOTAL	35
ACCOUNTS CLOSED DURING THE YEAR 1973	14
ACTIVE ACCOUNTS AS OF DECEMBER 1973	<u>21</u>
TOTAL	35

CASH ON HAND AS OF JANUARY 1, 1973	\$ 4,203.98
CASH RECEIPTS FOR THE YEAR 1973	<u>\$16,088.19</u>
TOTAL CASH HANDLED FOR YEAR 1973	\$20,292.17

DISBURSED TO CREDITORS	\$14,999.33
DISBURSED TO CITY OF ROCKY RIVER	446.00
DISBURSED TO BANKRUPTCY COURT	<u>-0-</u>
TOTAL DISBURSEMENTS	\$15,445.33

CASH BALANCE AS OF DECEMBER 31, 1973	\$4,846.84
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CIVIL REPORT

CASES PENDING - JANUARY 1, 1973	473	
CASES FILED - 1973	1388	
CASES DISPOSED OF - 1973	1474	
CASES PENDING - JANUARY 1, 1974	<u>397</u>	1474

CLASSIFICATION OF CASES

CIVIL	899	
FORCIBLE ENTRY & DETAINER	130	
COGNOVITS	417	
TRANSFER OF JUDGMENT & REPLEVING	<u>20</u>	
TOTAL CLASSIFICATION OF CASES		1474

EXECUTIONS ISSUED

GARNISHMENT	391	
OTHER THAN GARNISHMENT	76	
LEVY	<u>63</u>	
TOTAL EXECUTIONS ISSUED		530

OTHER WRITS AND FILINGS

WRIT OF RESTITUTION	87	
JURY DEMANDS	<u>41</u>	
TOTAL WRITS & FILINGS		128

TRANSFERRED TO COURT OF COMMON PLEAS	2	
TRANSFERRED TO COURT OF APPEALS	<u>3</u>	
TOTAL		5

CIVIL REPORT CONTINUED

DISPOSITION OF CIVIL CASES BEFORE COURT

DEFAULT JUDGMENT	256	
RULINGS ON MOTIONS	101	
EVIDENCE	91	
PRE-TRIALS	96	
TRIALS	313	
JURY-TRIALS	<u>3</u>	
TOTAL DISPOSITIONS OF CIVIL CASES BEFORE COURT		875

CIVIL CASES PENDING

CIVIL CASES	303	
CIVIL JURY-TRIALS	4	
TOTAL		307

C I V I L
C A S H R E P O R T

Civil Cash Balance, January 1, 1973	\$ 2,675.54	
Deposits Applied, 1973	\$ 366.09	
Total Cash Receipts for 1973	<u>\$55,545.23</u>	
TOTAL		\$58,586.86

DISBURSEMENTS

Court Costs Paid to Rocky River	\$22,051.77	
Other Costs	\$ 1,063.67	
Garnishment Payments and Judgment Payments	\$21,597.80	
Refunds and Other Costs	<u>\$ 5,931.06</u>	
TOTAL		\$50,644.30

Civil Cash Balance on hand as of		
December 31, 1973	\$ 7,942.56	<u>\$ 7,942.56</u>
TOTAL		\$58,586.86

MARRIAGE REPORT

Marriages performed	16	
Marriage fees paid to the City of Rocky River		\$80.00

JURY REPORT

JURY DEMAND

CRIMINAL	110
CIVIL	<u>41</u>
TOTAL	154

JURY TRIALS SET

CRIMINAL	103
CIVIL	<u>37</u>
TOTAL	140

JURORS SUMMONED

SERVED	133
EXCUSED	<u>140</u>
TOTAL	273

JURY TRIALS HELD

CRIMINAL	7
CIVIL	<u>8</u>
TOTAL	15

PENDING JURY TRIALS

CRIMINAL	0
CIVIL	<u>4</u>
TOTAL	4

PRE-TRIALS

CIVIL	96
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NON JURY TRIALS

CRIMINAL	125
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BAILIFF'S REPORT

Levy Pending 1973	4
Levy	69
Pending	9
Aid & Executions	76
Replevins	20
Subpoenas	76
Evictions	6

Set for sale	8
Sales held	4
Summons	229
Writs	87

C A S H R E C E I P T S A L L S O U R C E S

CRIMINAL	\$432,968.15
CIVIL	55,545.23
TRUSTEESHIP	16,088.19
MARRIAGE FEES	80.00
SMALL CLAIMS	<u>5,122.77</u>
TOTAL	\$509,804.34

DISBURSED TO THE CITY OF ROCKY RIVER ALL SOURCES

1973

CRIMINAL	\$112,104.85	2,543.1
CIVIL	22,051.77	- 2,202.33
TRUSTEESHIP	446.00	446.00
MARRIAGE	80.00	
SMALL CLAIMS	<u>1,624.65</u>	- 915.00
TOTAL	\$136,307.27	2,152.57

CRIMINAL DIVISION
THREE YEAR COMPARISON FIGURES

	<u>1971</u>	<u>1972</u>	<u>1973</u>
CASES FILED	10,968	11,750	11,586
COURT COSTS	\$86,262.00	\$93,244.00	\$112,104.85
FINES	\$254,805.10	\$240,564.00	\$246,573.00 ✓
CASES PENDING	229	185	136
JURY TRIALS	12	19	7
NON-JURY TRIALS	302	329	125
FELONIES	95	81	194

CIVIL DIVISION
THREE YEAR COMPARISON FIGURES

	<u>1971</u>	<u>1972</u>	<u>1973</u>
CASES FILED	1,460	1,438	1,388
COURT COSTS	\$17,130.56	\$20,406.65	\$22,051.77
PENDING	450	473	387
DISPOSED	1107	1415	1474
JURIES	5	5	8
NON-JURY TRIALS	413	532	313
PRE-TRIAL	85	94	96

1974
1,320
26,523.72
331
1376
8
326 TRIALS
72

SMALL CLAIMS DIVISION
THREE YEAR COMPARISON FIGURES

	<u>1971</u>	<u>1972</u>	<u>1973</u>
PAID TO LITIGANTS	\$1,106.92	\$2,313.32	\$3,020.77
TRIALS	68	72	72
SETTLED PRIOR TO TRIAL	102	106	65
DEFAULT JUDGMENTS	78	98	80
PASSED FOR SERVICE	2	4	15
DISMISSED FOR WANT OF PROSECUTION			23

TOTAL FINES AND COSTS COLLECTED

1973

<u>MUNICIPALITY</u>	<u>FINES</u>	<u>COSTS</u>	<u>TOTAL</u>
ROCKY RIVER	\$ 48,653.00	\$ 24,591.50	\$ 73,244.50
NORTH OLMSTED	48,032.00	19,506.00	67,538.00
FAIRVIEW PARK	37,372.00	18,323.50	55,695.50
WESTLAKE	49,243.00	22,624.00	71,867.00
BAY VILLAGE	37,390.00	15,536.50	52,926.50
METROPOLITAN PARK	8,650.00	6,146.50	14,796.50
STATE OF OHIO - INCLUDES RIVEREDGE TWP.	16,913.00	5,376.85	22,289.85
DEPT. OF LIQUOR CONTROL	125.00		125.00
DEPT. OF NATURAL RESOURCES	<u>195.00</u>	<u> </u>	<u>195.00</u>
	\$246,573.00	\$112,104.85	\$358,677.85

TRAFFIC AND CRIMINAL

CITY OF BAY VILLAGE

Uniform Tickets 1523

GENERAL MISDEMEANORS

D. W. I.	56
Intoxication	20
Physical Control	4
Assault and Battery	1
Open Container	2
Possession of Drugs	12
Tax Violation	1
Animal at Large	24
Carrying a Concealed Weapon	1
Intent to Defraud	1
Malicious Destruction of Property	1
Disorderly Conduct	4
Littering	4
Trespassing	2
Petit Larceny	2
Hitch-hiking	2
Disturbing the Peace	7
Resisting Arrest	1
Bridle Path	1
Fireworks	1
Minor in Charge of Business	1

FELONIES

Intent to Defraud	2
Carrying a Concealed Weapon	3
Assault Minor	1
Breaking and Entering, Night	2
Possession of Drugs	18
Receiving Stolen Property	1
Assault with Intent to Rob	1
Assault with Dangerous Weapon	1
Felonious Assault	2
Rape	1
Bond Forfeit	6
Warrant	50
Nolle - Dismissal	12
Refer to a Probation Officer	0
Fine Suspended	17
Capias	29
Dismissed	46
Boundover	4

147

(12)

TRAFFIC AND CRIMINAL
CITY OF FAIRVIEW PARK

Uniform Tickets 1762

GENERAL MISDEMEANORS

FELONIES

D. W. I. 23
Intoxication 15
Physical Control 3
Assault and Battery 3
Possession of Drugs 1
Assault Police Officer 1
Animal at Large 6
Malicious Destruction of Property 2
Disorderly Conduct 1
Indecent Exposure 3
Building Code Violation 2
Petit Larceny 55
Hitch-hiking 1
Sell to a Minor 3
Contribute to Delinquency of Minor 1
Contempt of Court 1
Disturbing the Peace 1
Curfew 1
Liquor Laws 3
Untaxed Cigarettes 1
Consuming in Vehicle 2
False Affidavit 1
Bond Forfeit 9
Warrant 34
Nolle - Dismissal 8

Grand Larceny 4
Carrying a Concealed Weapon 1
Breaking and Entering 4
Armed Robbery 10
Assault with Dangerous Weapon 2
Forge Prescriptions 4
Embezzlement 1

Refer to a Probation Officer 2
Fine Suspended 22
Capias 26
Dismissed 43
Boundover 11

56

104

TRAFFIC AND CRIMINAL
CITY OF NORTH OLMSTED

Uniform Tickets 1688

GENERAL MISDEMEANORS

FELONIES

D. W. I. 60
Odors 1
Intoxication 42
Physical Control 10
Assault and Battery 15
Possession of Drugs 22
Indecent Language 1
Assault of Police Officer 9
Animal at Large 8
Carrying a Concealed Weapon 1
Intent to Defraud 5
Malicious Destruction of Property 3
Disorderly Conduct 11
Indecent Exposure 4
Building Code Violation 3
Littering 1
Trespassing 6
Petit Larceny 28
Peeping Tom 2
Hitch-hiking 1
Disturbing the Peace 4
Consuming 1

Robbery 5
Carrying Weapon 9
Possession of Drugs 15
Aid and Abet Grand Larceny 21
Burglary 11
Manslaughter 1
Auto Theft 4
Liquor 1

Bond Forfeit 19
Warrant 26
Nolle - Dismissal 17
Refer to Probation Officer 3
Fine Suspended 33
Capias 35
Dismissed 26
Boundover 16

222

175

TRAFFIC AND CRIMINAL

CITY OF ROCKY RIVER

Uniform Tickets

2424

GENERAL MISDEMEANORS

D. W. I.	38
Intoxication	34
Physical Control	1
Assault and Battery	5
Open Container	3
Possession of Drugs	7
Tax Violation	1
Indecent Language	4
Assault Police Officer	1
Animal at Large	2
Malicious Destruction of Property	3
Disorderly Conduct	17
Junk of Property	1
Trespassing	1
Petit Larceny	15
Fleeing a Police Officer	6
Disturbing the Peace	4
Curfew	5
Excessive Load	3
Fireworks	1
Bond Forfeit	20
Warrant	41
Nolle - Dismissal	14

FELONIES

Intent to Defraud	3
Sale of Drugs	2
Grand Larceny	3
Assault Minor	3
Breaking and Entering	2
Possession of Drugs	22
Assault w/Dangerous Weapon	1
Felonious Assault	1
Rape	1
Forge Prescription	2
Boundover	10
Refer to a Probation Officer	0
Fine Suspended	59
Capias	34
Dismissed	78

TRAFFIC AND CRIMINAL

CITY OF WESTLAKE

Uniform Tickets 2127

GENERAL MISDEMEANORS

FENONIES

D. W. I.	45
False Report	1
Intoxication	34
Physical Control	2
Assault and Battery	7
Possession of Drugs	13
Assault to a Police Officer	1
Animal at Large	75
Carrying a Concealed Weapon	8
Intent to Defraud	3
Malicious Destruction of Property	5
Littering	3
Trespassing	1
Petit Larceny	19
Hitch-hiking	1
Disturbing the Peace	3
Excessive Noise	7
Contempt of Court	<u>23</u>
Bond Forfeit	11
Warrant	37
Nolle - Dismissal	20
Refer to a Probation Officer	0
Fine Suspended	30

Intent to Defraud	6
Grand Larceny	3
Breaking and Entering at Night	2
Possession of Drugs	12
Murder, First Degree	1
Assault with Dangerous Weapon	2
Sodomy	1
Larceny by Trick	1
Gambling	1

59

Capias	31
Dismissed	25
Boundover	6

62

TRAFFIC AND CRIMINAL

METROPOLITAN PARK

Uniform Tickets	596
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GENERAL MISDEMEANORS

D. W. I.	5
Drugs	13
Disorderly Conduct	1
Impersonating an Officer	1
Fleeing an Officer	1
Bond Forfeit	0
Warrant	37
Nolle - Dismissal	41
Refer to Probation Officer	0
Fine Suspended	26
Capias	15
Dismissed	23
Boundover	1

143

TRAFFIC AND CRIMINAL

RIVEREDGE TOWNSHIP

Uniform Tickets	332
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GENERAL MISDEMEANORS

Bond Forfeit	1
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Warrant	3
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Refer to Probation Officer	0
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7

CAPIAS, WARRANTS & SUBPOENAS ISSUED

1973

CAPIAS	170
WARRANTS	116
SUBPOENAS	984

DISPOSITION OF CRIMINAL CASES BEFORE COURT

JUDGE TRIALS	339
JURY TRIALS	7
BINDOVERS	153
BOND FORFEITURES	66
NOLLE	240
DISMISSED	<u>144</u>
TOTAL	949

CRIMINAL RECAPITULATION

1973

ROCKY RIVER	2616
BAY VILLAGE	1703
FAIRVIEW PARK	1918
NORTH OLMSTED	1993
WESTLAKE	2407
RIVEREDGE TOWNSHIP	332
METROPOLITAN PARK	<u>617</u>
TOTAL	11,586

The following reflects the caseload of the Probation Officer during 1973. All data is as of December 31, 1973.

On active probation	25
On inactive probation	251
Released from probation during 1973	17
Terminated as probation violators during 1973	2
Currently under pre-sentence investigations	0
Pre-sentence investigation in non-probationary cases	0

EXPENDITURES

THREE YEAR COMPARISON FIGURES

	<u>1971</u>	<u>1972</u>	<u>1973</u>
TOTAL	\$103,971.91	\$151,085.65	\$147,370.85
SALARIES	\$ 82,755.44	\$107,447.08	\$111,311.36

The above salaries do not include that portion paid to the Judges, Clerk of Court, Bailiffs and Referee which is paid by the County Treasury in the amount of \$38,387.46.

	<u>1971</u>	<u>1972</u>	<u>1973</u>
JURY & WITNESS FEES	\$2,323.00	\$ 3,673.00	\$3,298.95
RETIREMENT	\$6,943.84	\$ 8,261.43	\$9,052.95
HOSPITALIZATION	\$2,377.82	\$ 3,446.21	\$2,992.11
LOCAL TRAVEL	\$1,327.40	\$ 1,317.60	\$2,022.55
NON-LOCAL TRAVEL	\$ 193.72	\$ 650.79	\$1,863.26
TELEPHONE	\$1,399.77	\$ 2,074.78	\$2,207.96
POSTAGE	\$1,958.10	\$ 2,868.05	\$3,117.13
MAINTENANCE & EQUIP.	\$ 50.25	\$ 624.59	\$ 203.95
XEROX	\$ 322.66	\$ 431.53	\$ 404.06
MEMBERSHIP	\$ 49.96	\$ 252.00	\$ 636.70
OFFICE SUPPLIES	\$2,125.93	\$ 1,959.64	\$2,164.36
OPERATING SUPPLIES	\$2,144.62	\$ 2,616.62	\$2,755.27
LAW LIBRARY		\$ 1,585.74	\$1,546.97
FURNITURE & FIXTURES		\$13,876.59	\$ 649.52