



ANNUAL REPORT 2020

Stark County Family Court

Website:

<https://www.starkcountyohio.gov/family-court>

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Canton, OH 44702



TABLE OF CONTENTS

Message from the Court _____	3
Stark County Census Population _____	5
Juvenile Division _____	6
Juvenile Delinquency Referral Trends _____	7
Delinquency Charges _____	8
Case Processing _____	10
Diversion _____	10
Truancy _____	12
Formal Case Processing _____	13
Formal Case Outcomes/Dispositions _____	14
Probation _____	14
Detention _____	16
Detention Alternatives _____	17
Juvenile Traffic _____	18
CASA/Abuse, Neglect, and Dependency/Adult Offenses _____	19
Domestic Relations _____	20
Budget Information _____	22
From the Judges _____	25
Contact Information _____	27

Dear Stark County,

The volatility created by the COVID-19 pandemic did not escape Family Court in 2020. No different than any other business, Family Court had to quickly adapt to the ever changing COVID-19 landscape. The speed of change, rooted in the foundation of flexible thinking, allowed Family Court to remain open, administering justice, without creating an insurmountable backlog. Judge James, Judge Hall, and Judge Nist created an environment equally focused on the health and wellness of all those entering the court, as well as, the continuity of court operations.

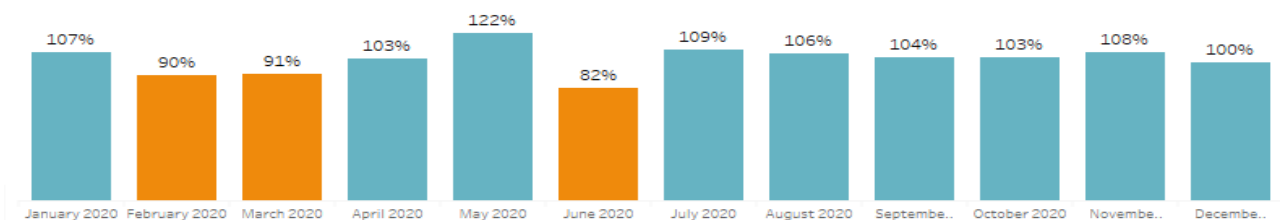
During such an unprecedented year, a dedicated court staff allowed the Judges vision of service to be fully realized as demonstrated by Family Court's 2020 *clearance rates*. Clearance rates are defined as: the length of time from filing, to disposition, that a case type remains active on a court's docket without going past the Ohio Supreme Court time guidelines. Rates extending beyond 100% indicate the Court has cleared a backlog of those case types, closing more cases than were filed. Family Court worked monthly to mitigate what could have been, a COVID-19 created, year-end back log. The following data, sourced from the Supreme Court of Ohio Case Management Section statistical reporting, collected under Sup. R. 37, demonstrates the efficiency of the court's operation during such an unprecedented time in the world's history.

Stark County Juvenile Docket Clearance Rates

Clearance Rate, All Case Types, 2020

Stark - All Judges

Clearance rate is calculated by dividing the number of cases disposed in a given month by the number of cases coming in to the court in the same month. **Orange bars** indicate where the clearance rate is less than the optimal 100%. If a judge is selected and no data is displayed, check the year filter and choose a year in which the judge was in office.

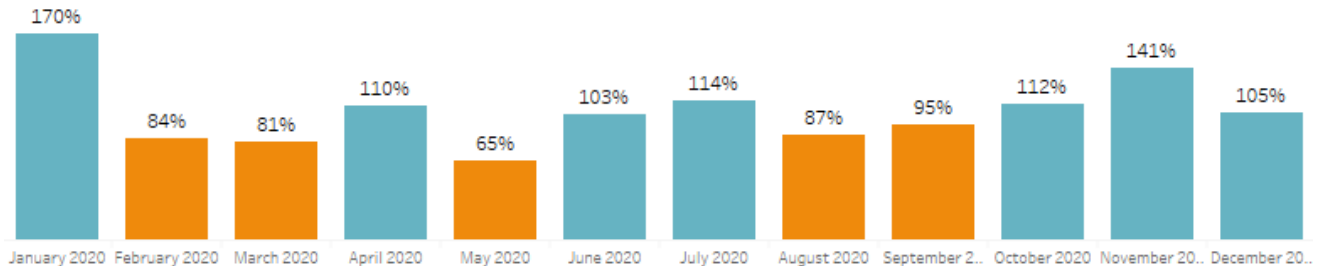


Stark County Domestic Relations Docket Clearance Rates

Clearance Rate, All Case Types, 2020

Stark - All Judges

Clearance rate is calculated by dividing the number of cases disposed in a given month by the number of cases coming in to the court in the same month. **Orange bars** indicate where the clearance rate is less than the optimal 100%. If a judge is selected and no data is displayed, check the year filter and choose a year in which the judge was in office.



Family Court's clearance rates demonstrate that access to justice was not hindered by the pandemic. To keep the Court open, protective measures were implemented, program revisions and suspensions required, and the court's digital infrastructure went from a novelty to a necessity. Although court operations looked different, the court functioned daily. And, despite the numerous challenges created by this pandemic, Family Court persevered.

Although it has been a very long, sobering year, Family Court remained committed to serving Stark County, as demonstrated by the enclosed annual report. Although ORC 2151.18 speaks directly to the submission of an annual report from a juvenile court, Family Court includes the Domestic Relations docket as well. Therefore, the Domestic Relations statistical information is also included.

It is an honor to serve you, Stark County. On behalf of Judge James, Judge Hall and Judge Nist, and in compliance with ORC 2151.18, I submit the 2020 Family Court annual report.

Best regards,

Diane

Diane Wilson,
Court Administrator

STARK COUNTY CENSUS

Knowing Stark County's census information allows a better overall understanding of the court's data.

Stark County's total population, according to 2019 Census Bureau estimates, is 371,574. The county is the eighth largest county in Ohio, having lost 1.01% of its population since 2010.

- 21.4% of the population is under the age of 18
- 73% of the population is over the age of 18
- The median age in Stark County is 41.9

Demographic Information

- Population that identifies as "one race" - 97.3%
- Population that identifies as "two or more races" - 2.6%

One Race

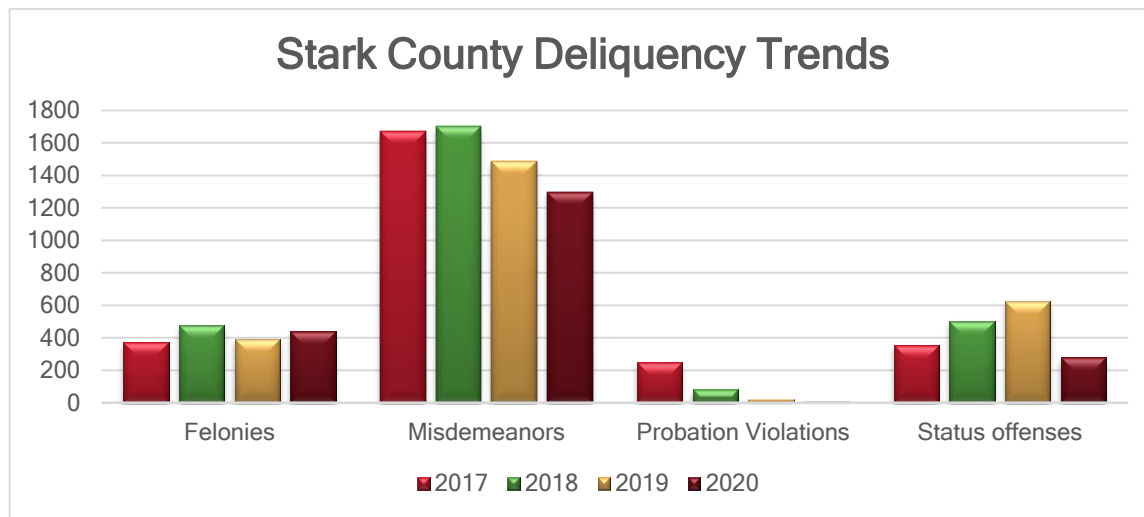
- White - 88.1%
- Black or African American - 7.9%
- Asian - 1.0%
- Hispanic or Latino - 2.2%

Families & Living Arrangements

- Total Households- 152,649
- Persons per household- 2.39
- Language other than English spoken at home- 3.6%
- Marital Status- 48% Married

*Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

JUVENILE DIVISION REPORT



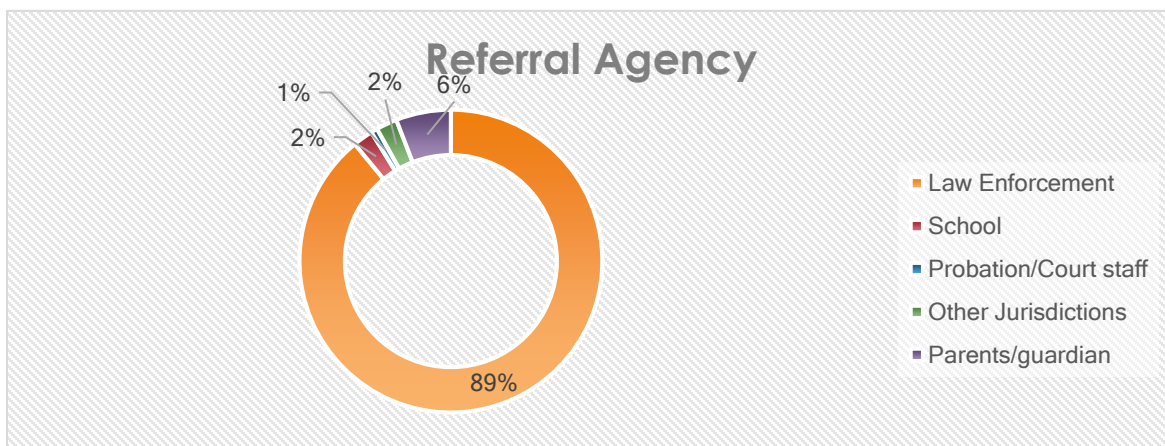
Stark County is on trend with the state, as well as the nation, as incoming delinquency cases continue to trend down. Nationally, NCJJ reports a 48% reduction in delinquency cases handled by juvenile courts between 2009 - 2018. Ohio Supreme Court, Case Management statistical reporting, shows the state with a 38% reduction over the past 9 years, and Stark County, in this same time period, demonstrating a 43% reduction.

Many variables may be considered to explain this reduction, as there is certainly, no easy explanation. However, implementing evidenced based programming, and utilizing community resources have been well documented in research as a primary means of reducing juvenile recidivism. Following the research, implementing programs specifically targeting recidivism, and utilizing data to inform decision making are certainly factors that contribute to Stark County's reduction.

Paramount to understanding how a delinquency case is processed in Family Court, is to understand the Court's *referral sources*, and *charge types*.

Referral Sources

Delinquency charges come to the court from a referral source, as the following chart depicts. The descriptor, “Other Jurisdictions”, are cases transferred to Stark County from other courts. This occurs when a youth is charged in another county, but resides in Stark.



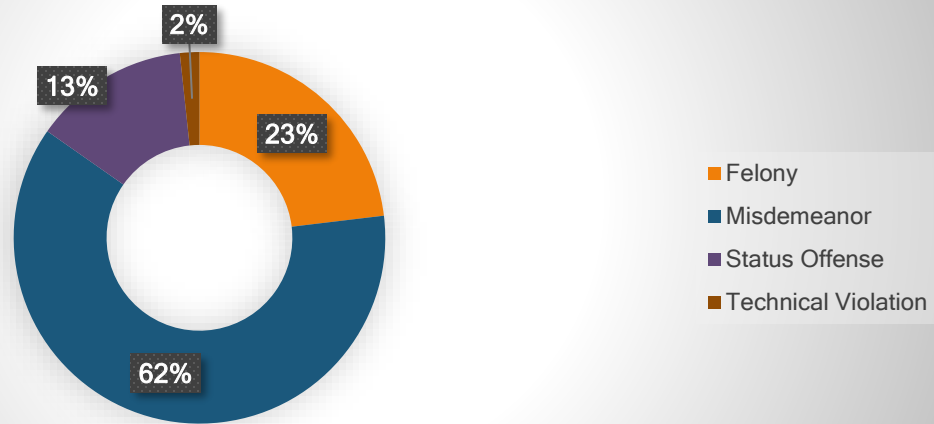
Charges

A **status offense**, defined as “unruly”, is a charge that would not be criminal for an adult (over the age of 18). These include actions such as curfew violations, truancy and not listening at home. Status offenses can be referred to the Court by parents, schools or law enforcement. There were a total of 206 unruly complaints filed with the Court.

A **Technical Violation** is a complaint against a youth for not following court orders after a case is disposed. These violations can come from law enforcement or Probation Officers. In 2020 there were 32 technical violations filed with the Court. 8 from Probation, and 24 from law enforcement.

In 2020, there were 1,890 referrals alleging delinquency. Misdemeanor charges continue to yield the highest percentage of delinquency charges. The following graph illustrates the 2020 charge types.

Charge Types



The most common misdemeanor offense charges were:

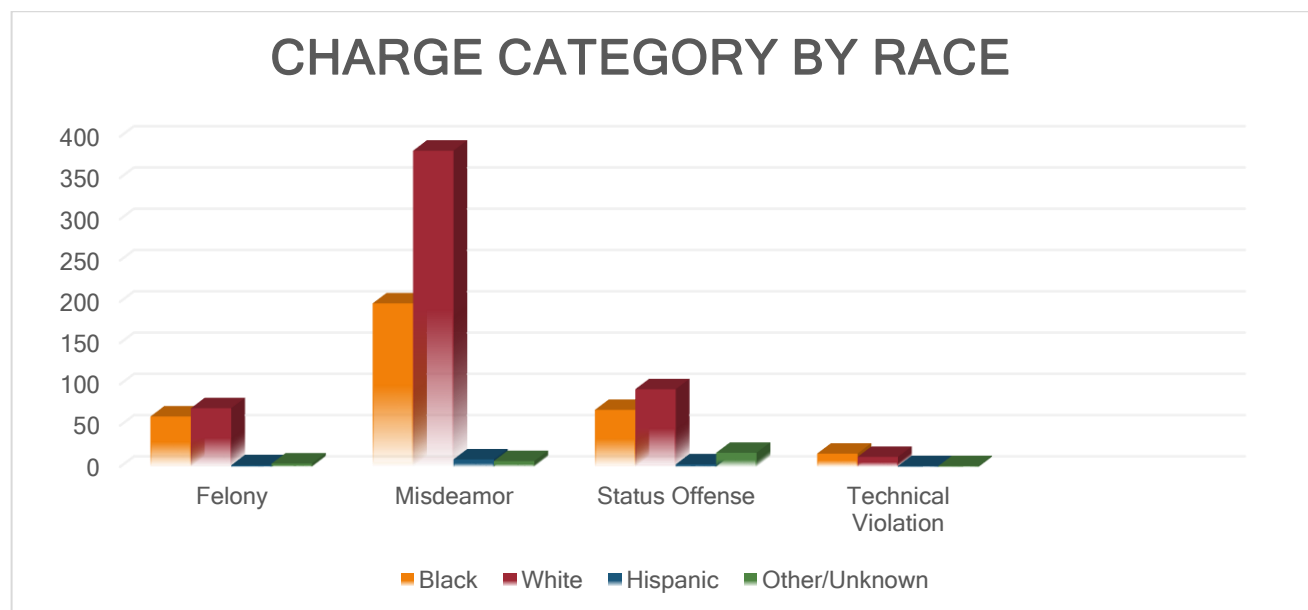
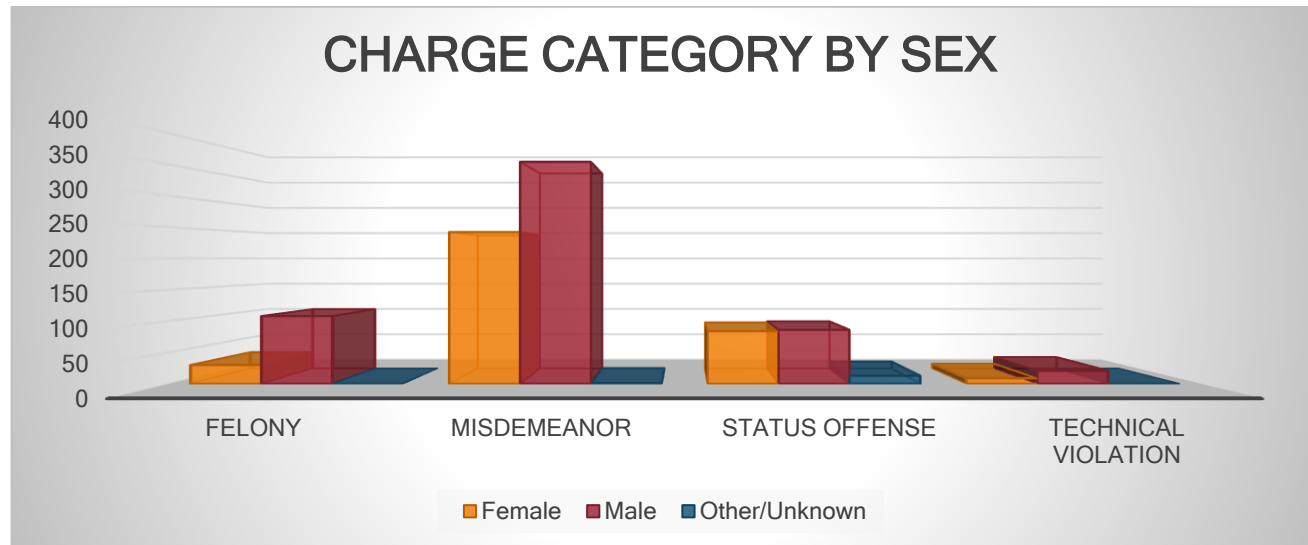
Domestic Violence	225 charges
Theft	168 charges
Obstructing Official Business	122 charges

The most common felony charges were:

Burglary	28 charges
Grand Theft	28 charges
Assault	22 charges
Receiving Stolen Property	21 charges

Charge Demographics

The following illustrates the 2020 charge demographics.



Formal and Informal Case Processing

Upon a “referral source” filing a complaint demonstrating the allegation of a charge, the court determines whether the charge will be managed through *formal* or *informal* case processing.

Rule 9 of the Rules of Juvenile Procedure states “In all appropriate cases formal court action should be avoided and other community resources utilized to ameliorate situations brought to the attention of the court.” To affirm this rule, the Family Court Judges established criteria which allows for the informal processing of a case. The criteria used is based upon the offense type, a juvenile’s history with the court, and age. The informal case processing is managed by a practice known as Diversion. A case managed through diversion interventions does not create a juvenile record.

Formal case processing, is the traditional method of a judicial hearing officer deciding upon the disposition of a case. A case processed formally does create a juvenile record.

Diversion

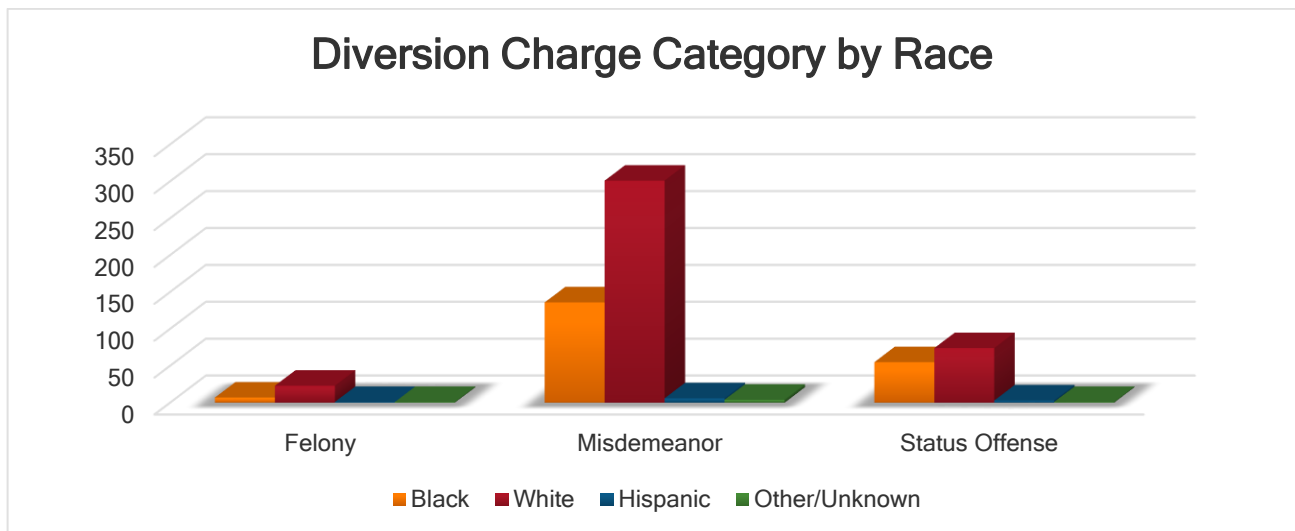
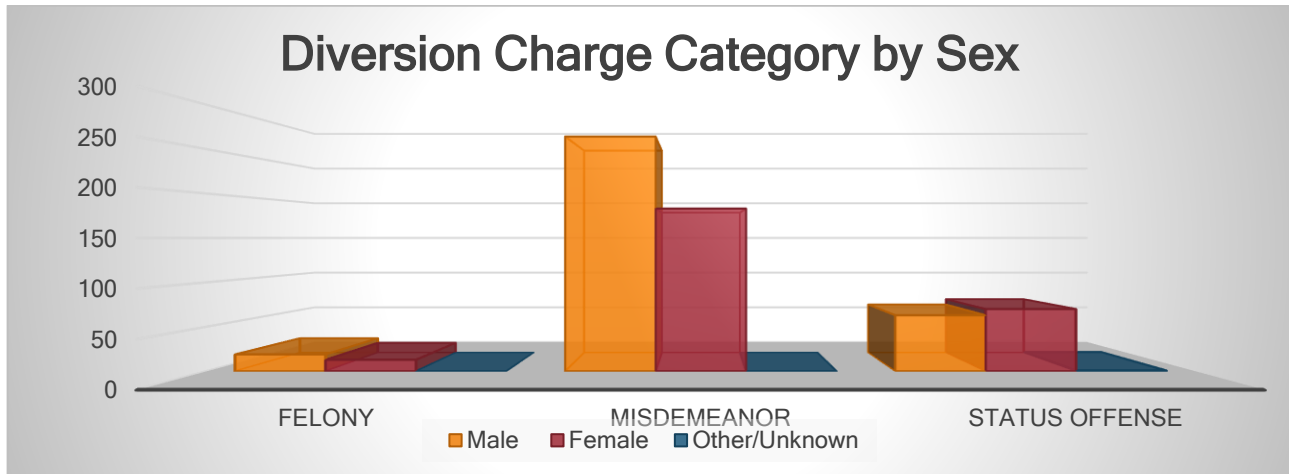
The standardized definition of diversion, as provided by the Ohio Supreme Court is “redirection of youth from the formal processing of juvenile court which occurs prior to the youth’s initial appearance before the judge”. Best explained by the Anne. E. Casey foundation, (and adopted in the Ohio Supreme Court’s May 2021 Juvenile Diversion, Toolkit for Judicial Use), “The purpose of diversion is to redirect youth from involvement in the formal juvenile court system in an effort to hold youth accountable for their behavior without resorting to legal sanctions, court oversight, or the threat of confinement to mitigate future risk and subsequent delinquent behavior. By creating informal alternatives to court processing, diversion interventions serve as an opportunity to reduce the criminogenic effects that entry into the juvenile justice system and incarceration have on long-term youth development such as increased recidivism, stigmatization, and increased criminal-justice costs.”

883 cases were processed through the Diversion Department in 2020. The average age of youth receiving diversion intervention was 15; 81% of diversion cases closed successfully; 7% closed unsuccessfully; 2% received additional criminal charges during the life of the diversion case; and 10% of the diversion cases were unsuccessful, and returned for formal court processing.

The most common charges managed by the Diversion Department were:

Status Offenses (not including truancy)	147 charges
Theft	116 charges
Domestic Violence	110 charges
Drug & Alcohol	110 charges

Diversion Charge Demographics



Truancy

With the decriminalization of truancy through the passage of H.B. 410, Family Court worked to develop diversionary interventions designed to mitigate formal habitual truancy charges.

The primary intervention is a court funded Truancy Family Support Specialist (FSS) who works as a member of the Stark County (ESC) Educational Service Center's C.A.R.E. Team initiative. The ESC's CARE Team Initiative partners and collaborates with the Stark County Board of Developmental Disabilities, Stark County Family Council, Stark County Family Court, Stark County Health Department, Stark County Job and Family Services, Stark County Mental Health and Addiction Recovery, Stark Education Partnership, and The United Way of Greater Stark County. These partnerships offer braided funding and in-kind services to 114 CARE Team school buildings in 21 school districts served by the Stark County ESC.

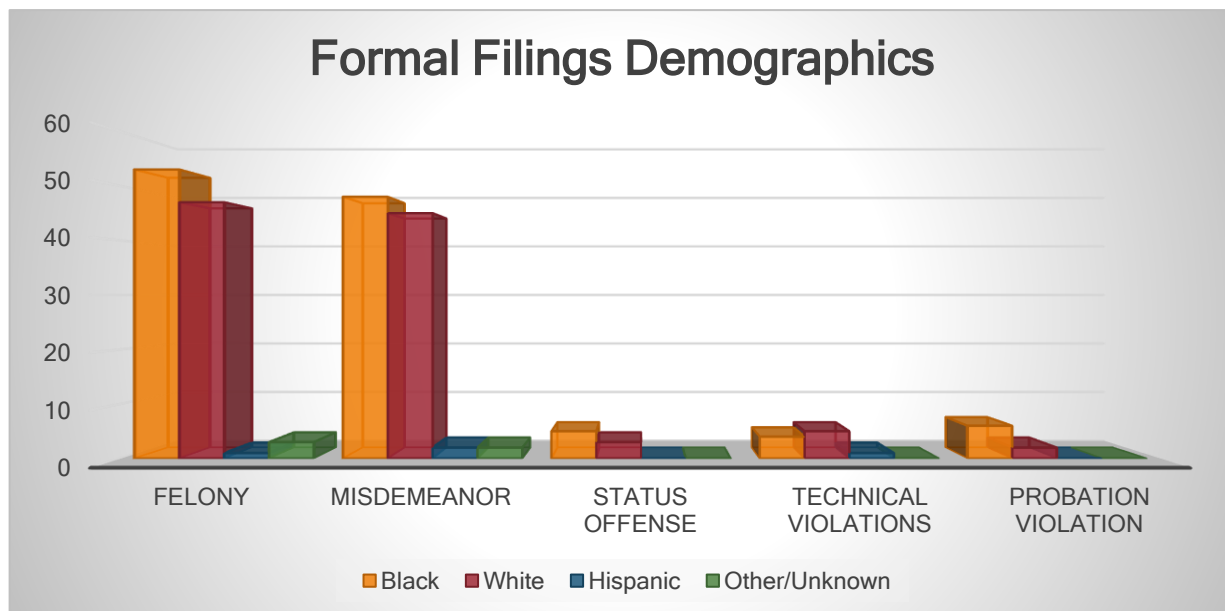
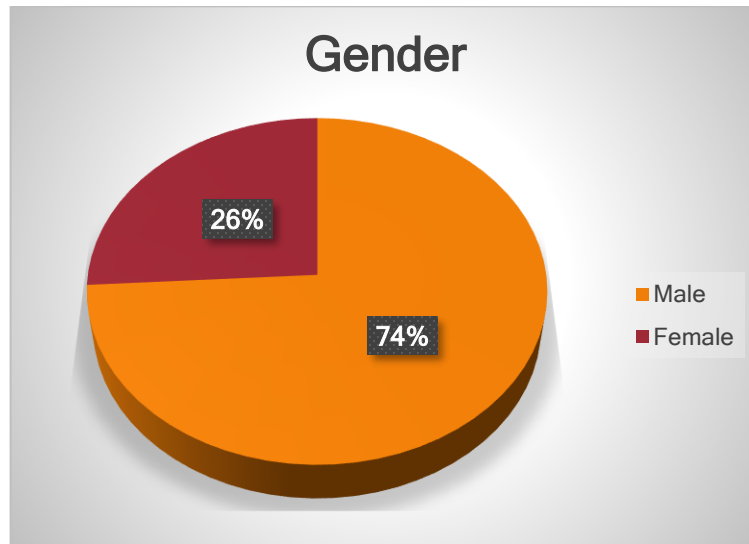
The Truancy FSS serves as the liaison between the Court's truancy-based cases and the school based C.A.R.E. Team, as well as, the school's truancy officer. The Truancy FSS participants in all Informal and Formal Truancy hearings. The Truancy FSS is a support to the family of a truant child prior to the hearing, and is a support after the hearing, immediately connecting the youth and family to his or her school's C.A.R.E. Team. The FSS can make the Informal hearings even more productive by laying groundwork with families prior to scheduled hearings. This helps parents/guardians come into the hearing with a more open mind, and with an awareness that the Court does not want to be adversarial, rather, wants to identify and rectify needs that have manifested into school attendance issues.

Another intervention strategy focuses on the parent/guardian facing contributing charges for his/her child's truancy. A Resiliency Coach is available to work one-on-one helping a parent/guardian to develop coping skills needed to facilitate the priority of getting their children to school. In addition, this Resiliency Coach is trained in the Parent Café model. A specific Parent Café has been designed to address problems keeping parents from getting their children to school. The Resiliency Coach, along with the Truancy FSS, identify parents/guardians who could benefit from the support of the parent Café. Hearing Officers are also able to refer a parent/guardian to attend.

The 2019/2020 school year efforts to mitigate formal truancy charges appear successful. 153 truancy cases were diverted with the interventions noted above, and only 10 of those cases proceeded formally, being adjudicated unruly.

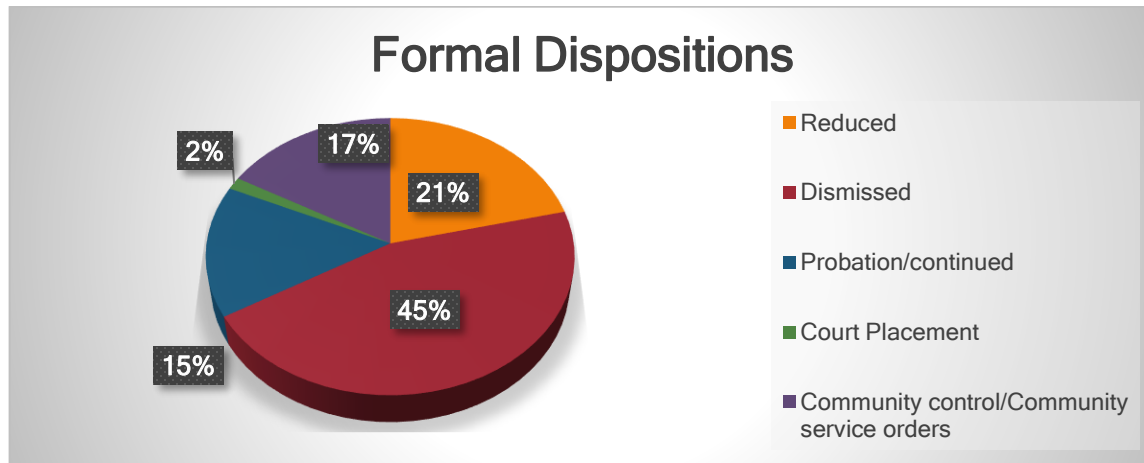
Formal Case Processing

The Court processed 1036 delinquency cases and technical violations through the formal court process. These are cases subject to consequences including, but not limited to; detention, probation, restitution, court placement and/or other custody orders.



Outcomes for Formally Processed Cases

The following graph represents dispositional orders of formally processed delinquency case.



Of the dispositional options graphed above, DYS commitments (Department of Youth Services) did not yield a large enough percentage for graph placement. When court ordered, DYS is the state system statutorily mandated to confine felony offenders ages 10 to 21. A dispositional order requiring DYS is considered with felony offenses that typically pose a substantial risk of serious harm to the community, and services in the community, or through a private court placement, will not yield the rehabilitation necessary. In 2020, two youth were ordered to DYS.

Of the other dispositional options graphed above, probation warrants further discussion.

Probation

Probation transformation has been in full force since 2019 when the Ohio Department of Youth Services notified RECLAIM Ohio funded courts, it will no longer fund surveillance only probation. This change afforded Family Court the opportunity to become laser focused on employing the Risk, Needs, Responsivity (RNR) principles, ensuring services match criminal risk reduction needs.

For Family Court, a strong Diversion Department has allowed Probation to transform. No longer are probation officers carrying caseloads of 35 -40 youth. Instead, a large percentage of the youth facing court action are diversion eligible, leaving a smaller percentage formally processed, and ordered into probation. Anne E. Casey's, *A New Vision for Juvenile Probation* states, "Smaller caseloads should allow probation officers to work intensively with youth and partner with their families and communities to help young people thrive, and build cognitive behavioral skills that increase capacities of impulse control, weighing consequences, resisting

negative peer pressure and to navigate stressful situations”. This quote depicts Family Court’s transformed Probation philosophy.

In addition to smaller caseloads, Probation has worked extensively on developing objective measures of participant behavior; ensuring family voice in the case planning process; reducing rules of probation; using technology to assist with service delivery; combining an evidenced based CBT model of service delivery with success principles; and developing low risk probation as part of the probation continuum.

The Council of State Governments provided the following research report, *Core principles for reducing recidivism and improving other outcomes for youth in the juvenile justice system*, which stated, “Research shows that juvenile justice systems can do more harm than good by actively intervening with youth who are at low risk of reoffending”. Low risk probation has been designed to provide only the interventions necessary to eliminate risk assessed in a specific domain area, and/or connect services that will help eliminate an identified barrier.

Protecting the community remains a priority for Family Court. Innovative, evidenced based practices, implemented with program fidelity, have a higher probability of recidivism reduction than continuing to employ practices that demonstrate little to any effects on recidivism. When dealing with human behavior, there are never any guarantees. However, the explosion of juvenile justice research over the past 15 years has provided evidence-based interventions demonstrating positive behavioral changes for youth ordered into probation. If positive behavioral change is paramount to successful probation completion, employing new practices, supported by research, is a must.

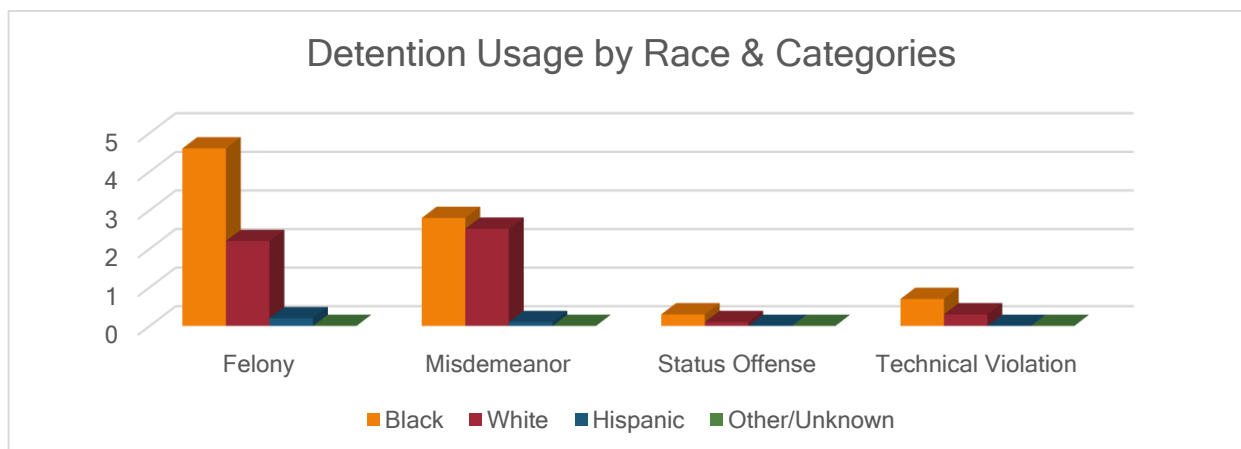
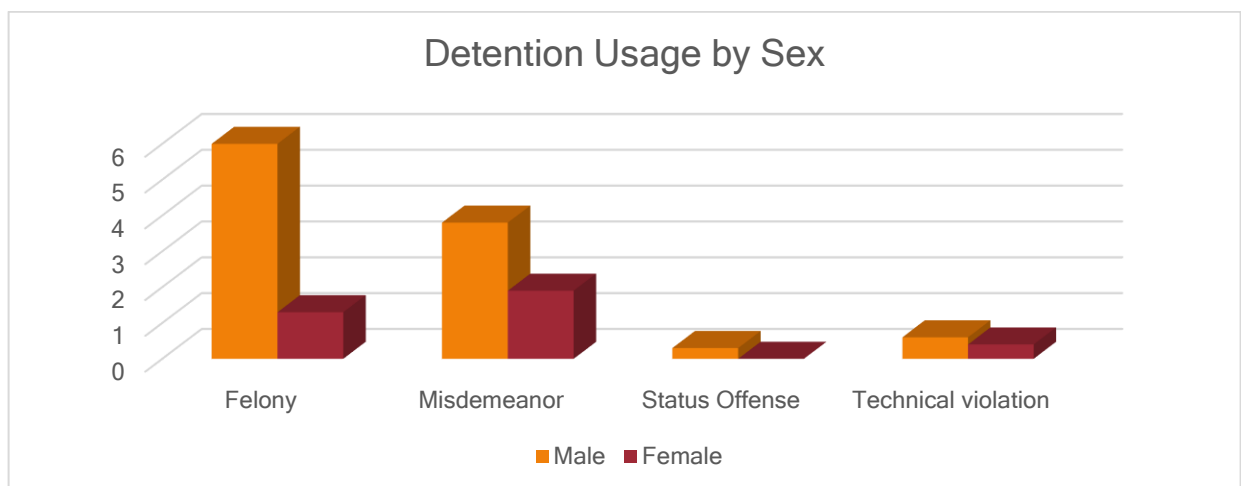
Participant Count	190	
Male	145	76%
Female	45	24%
Average Age of Participant	16.4	
Race/Ethnicity		
Black/African American	70	37%
White/Caucasian	91	48%
Hispanic	6	3%
Asian	1	1%
American Indian/Alaska Native	0	0%
Hawaiian Native/Other Pacific Island	0	0%
Multiple Races	22	12%
OYAS Risk Level		
Low	93	49%
Moderate	69	36%
High	24	13%

Detention

In Stark County, when a youth is arrested, s/he is placed in detention. Additionally, detention, determined by a hearing officer, may be used through the life of a formally processed case, or as a form of disposition.

Research indicates that detention has no diminishing effect on juvenile delinquency. In fact, detention is considered a contributing factor, exacerbating criminal risk for youth assessed as low to moderate to criminally reoffend. Therefore, hearing officers typically refrain from the use of detention, unless there is a substantial risk of serious harm, a significant public safety risk, or other identified risk factors necessitating its use. With the Court's utilization of effective detention alternatives, fewer juveniles are being held in detention. In 2020, Stark County admitted 478 youth into detention.

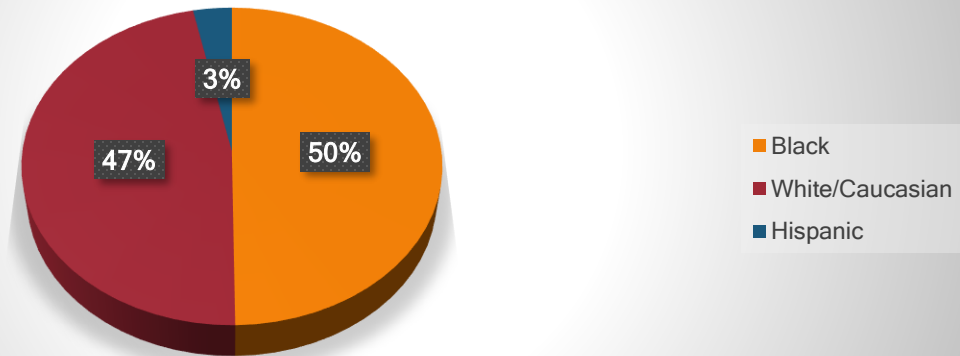
The following graph represents the average daily population in detention based on demographics and levels of charge.



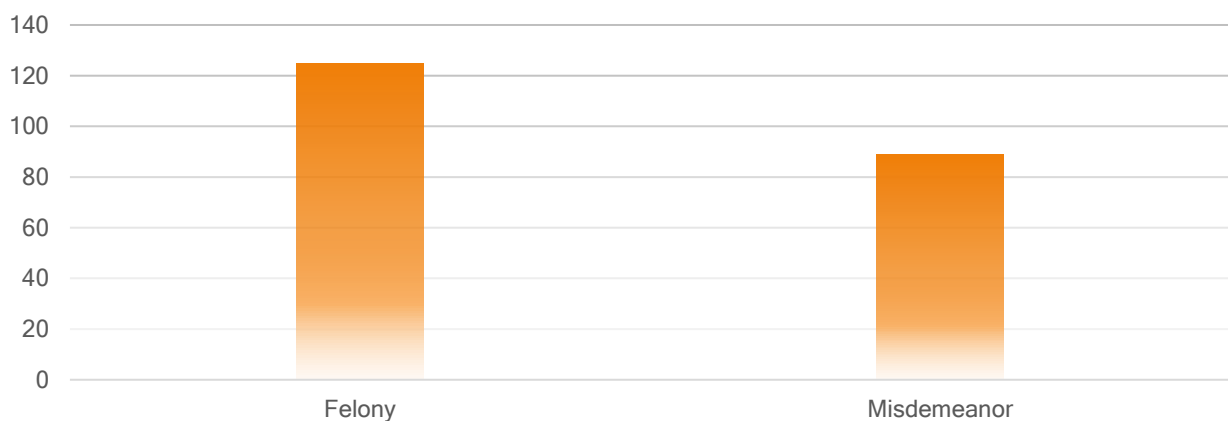
Alternatives to Detention

Stark County Family Court utilizes the Pretrial Release Program as the primary alternative to youth detention. Juveniles placed on this program are monitored by a continuum, ranging from direct supervision up to, and including, electronic monitored house arrest (EMHA). Pretrial Release is an option available to a hearing officer during the pendency of a delinquency case. In 2020, 215 juveniles were supervised on the Pretrial Release Program.

Pretrial Release Demographics

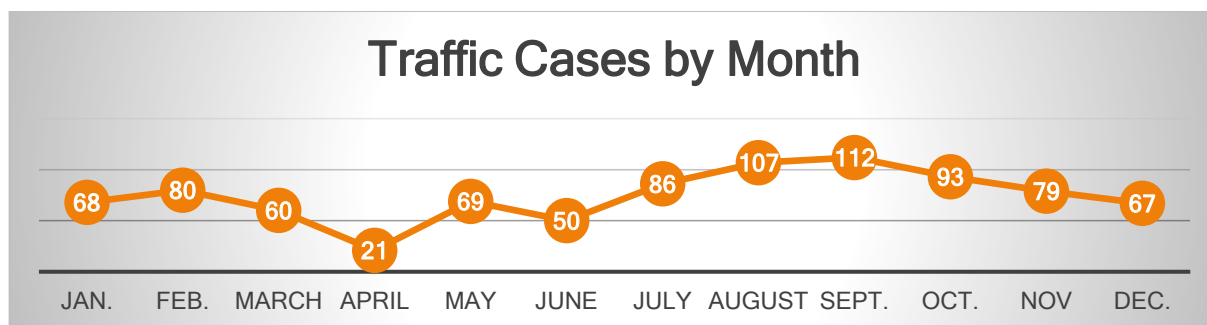
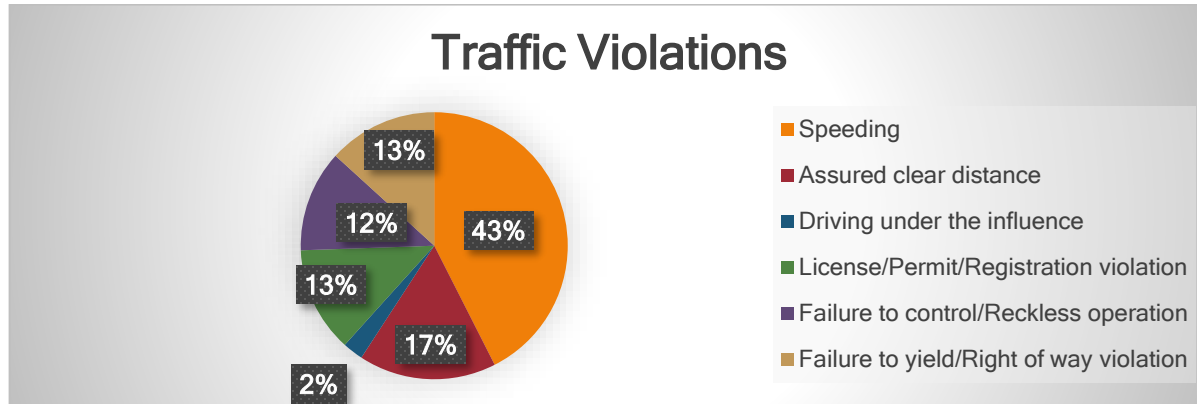


PRETRIAL RELEASE DELIQUENCY TYPES



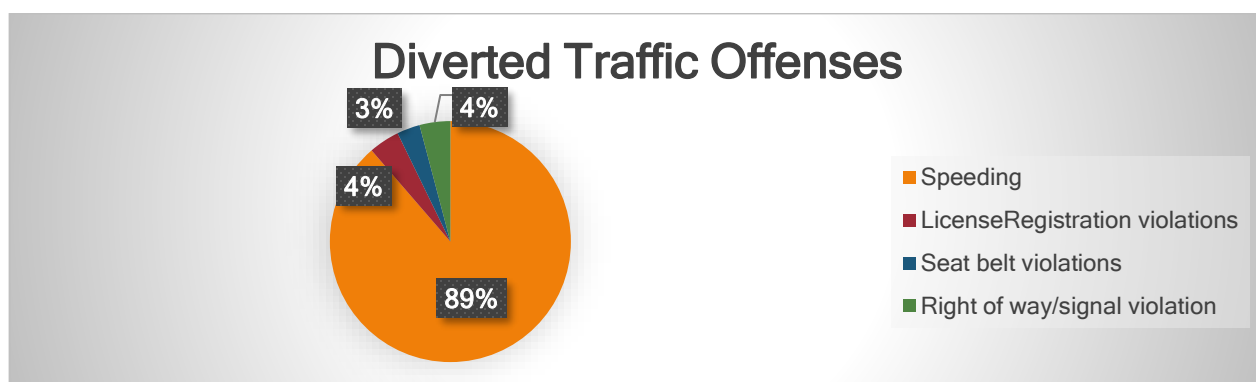
Juvenile Traffic

The Court processed 892 juvenile traffic cases in 2020 with \$161,757.35 in fines and costs assessed.



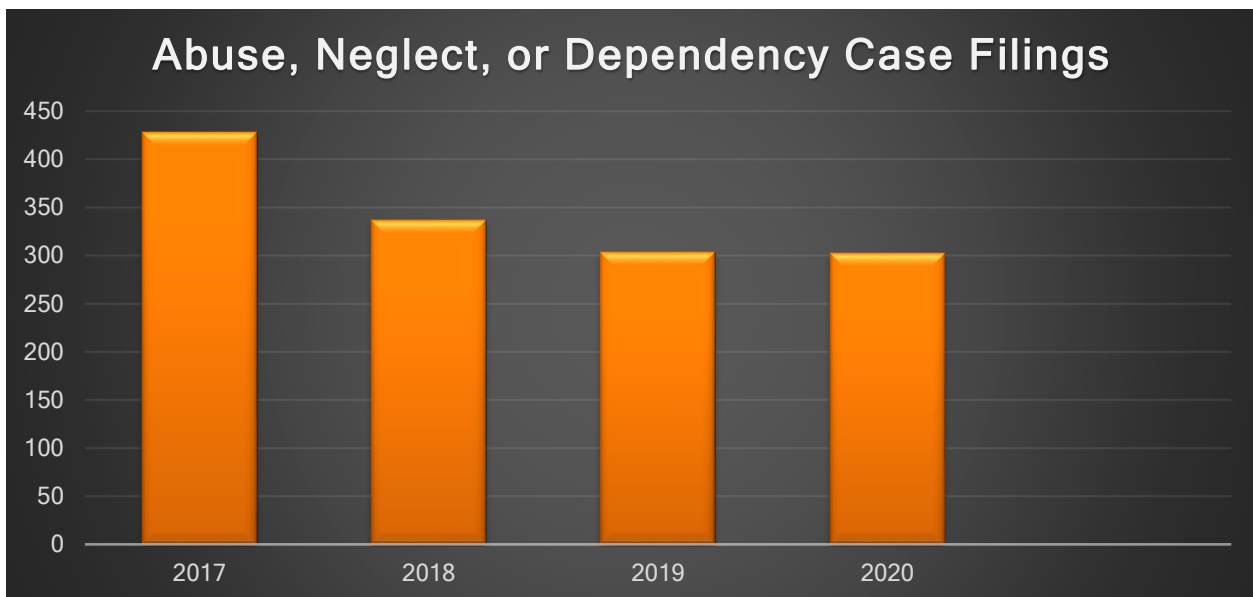
Traffic Diversion Program

Traffic Diversion targets drivers, under the age of 18, with minor, first time traffic violations. Participants in this program complete a driver's training program, as well as, pay all fines and costs. The traffic case can be completed with no points assigned to the participant's record. In 2020, 106 traffic cases were sent through Traffic Diversion, with 98% being successfully completed. Cases not successfully diverted are referred for formal court processing.



CASA/GAL

A Court Appointed Special Advocate / Guardian ad Litem, (CASA/GAL) is a trained community volunteer appointed by Stark County Family Court to represent the best interests of a child during a Court proceeding that involves Child Protective Services. In 2020, 185 children and 109 families were served by 40 CASA volunteers. 89 of those children were under the age of 5. 93 cases were closed, 37 resulting in legal custody to a relative, or third party; 25 ended in adoption and 21 children either stayed in their home throughout the case or were reunited with their family.



Adult Offenses

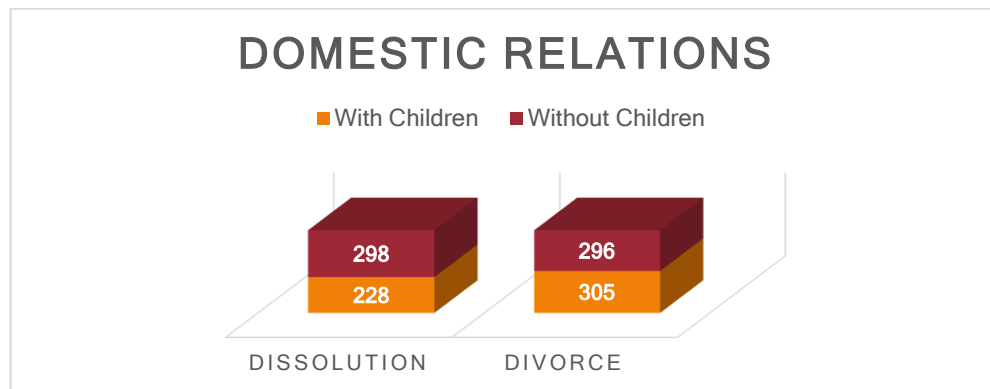
Stark County Family Court processes some adult charges. These charges typically involve Contributing to the Delinquency or Unruliness of a Minor, which is a misdemeanor offense. In some cases, these charges are brought forth with Truancy charges and parents unwilling to send a child to school. In 2020, the Court processed 22 adult cases, with 8 resulting from truancy filings.

Domestic Relations Division

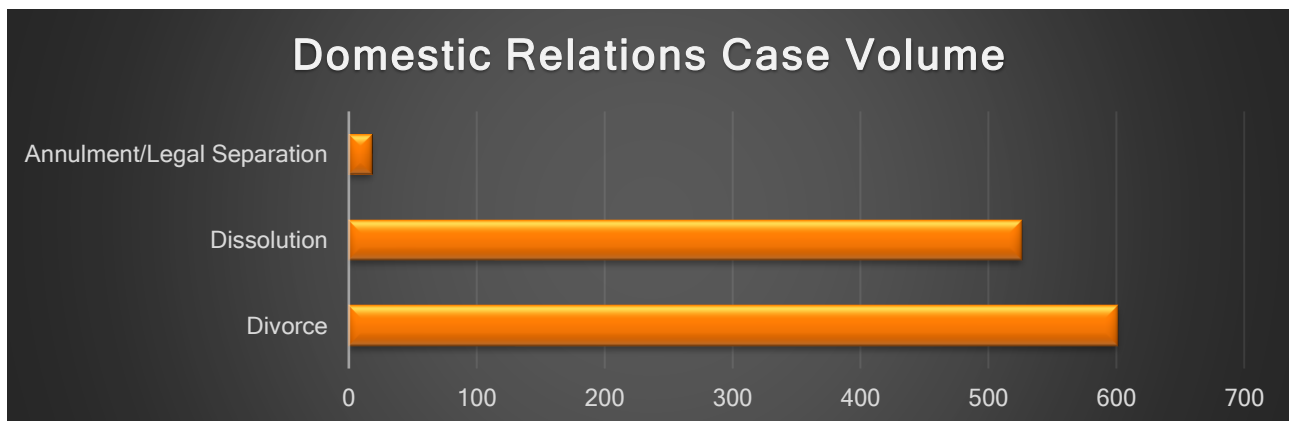
The Domestic Relations Division of the Family Court addresses cases involving domestic couples, including Divorces, Dissolutions, Domestic Violence, Child Support, Child Custody and Visitation. Domestic Relations case types are described on the following pages.

Divorce/ Dissolution

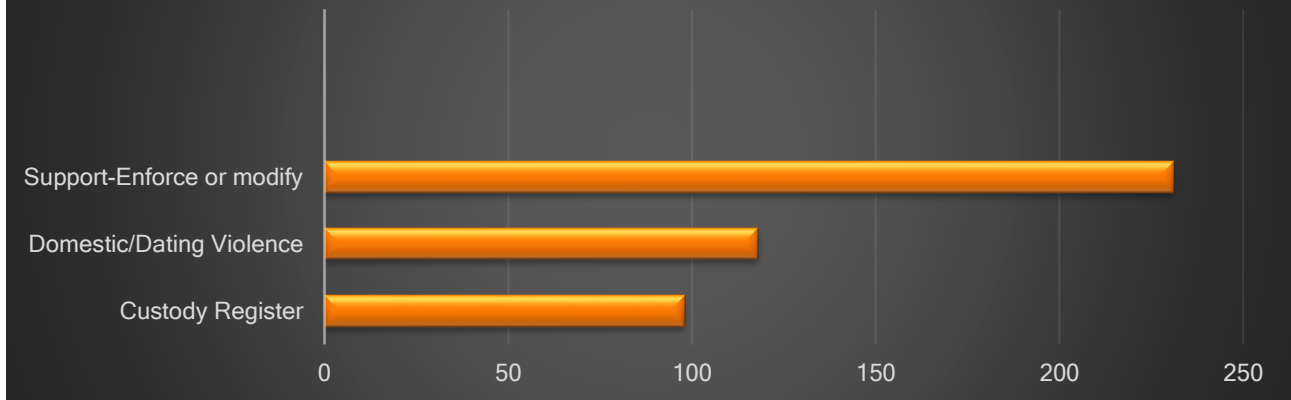
The Domestic Relations Division addressed 1,790 cases in 2020; 601 divorces and 526 dissolutions. The Division heard 118 Domestic Violence Civil Protection Requests.



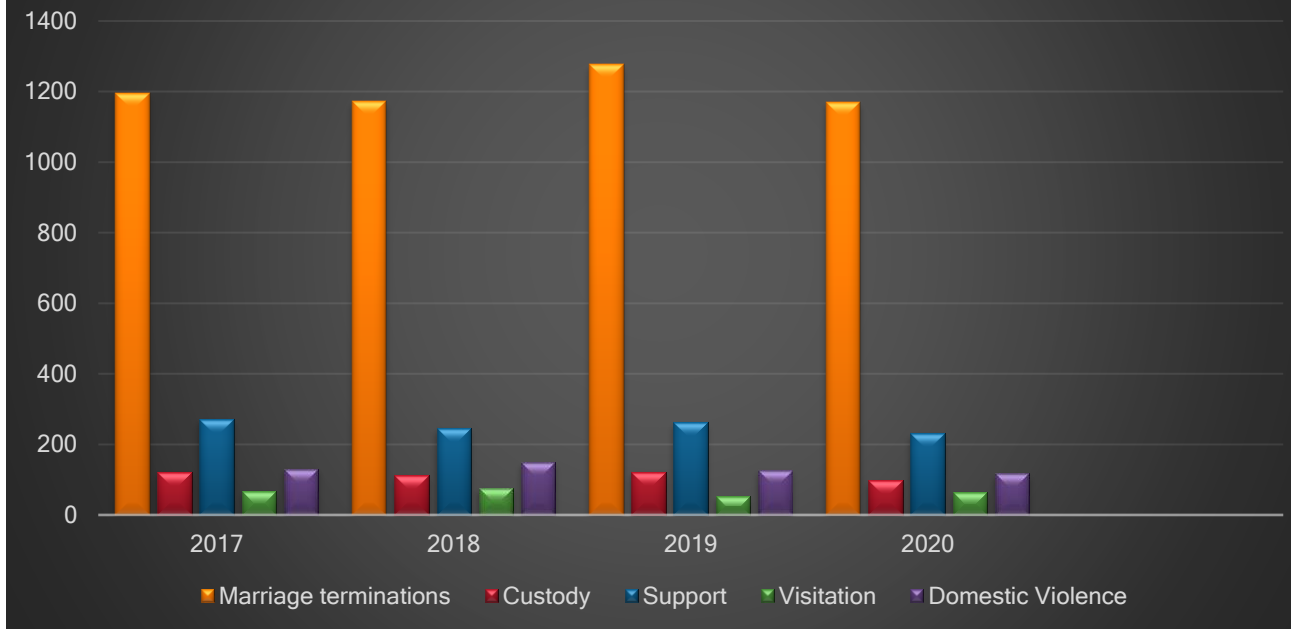
While divorces and dissolutions make up a majority of cases processed by the Domestic Relations docket, other case types are also included. The graphs below represent the volume of cases processed by the Domestic Relations Division in 2020.



Domestic Relations Case Volume-All Others



Domestic Relations Case Volume-Yearly Trends



Fund and Grant Description

County General Fund:

The Stark County general fund is primarily funded by sales tax revenue. The fund is additionally comprised of local conveyance and recorder fees, interest income, the Ohio local government fund, and State casino revenue tax. Stark County Family Court receives an allocation after submission of a budget request to the Stark County Board of Commissioners. A combined 41 full and part-time positions were funded via the general fund, as well as the county portion of the Court's 3 elected Judges. Many other operating expenses are paid through the general fund, such as deputy security, interpreter services, court ordered behavioral health testing, information technology and much more.

Youth Services / RECLAIM:

The Ohio Department of Youth Services grant, better known as RECLAIM, stands for Reasoned and Equitable Community & Local Alternatives to the Incarceration of Minors. It is a state-wide competitive grant that is applied for annually, each state fiscal year, and awarded to courts based on a weighted formula of DYS/CCF commitments and felony adjudications.

For standardization and comparative purposes of this report, expenses were based upon the calendar year. Additionally, multiple line items within RECLAIM have been grouped together. The separate allocations received by Stark County, within RECLAIM, are known as the base grant, the subsidy variable, targeted RECLAIM, YE/EVB and JDAI.

In 2020, the RECLAIM grant funded 21 full-time court positions in our Probation and Behavioral Health departments, as well as 16 internal and/or community-based programs providing evidence-based treatment to court involved youth.

Title IV-E Juvenile Administration:

Title IV-E of the Social Security Act provides federal reimbursement for a portion of the maintenance, administration and training costs of foster care children who meet the federal eligibility requirements. The federal funding operates as a pass-through which is coordinated by the Ohio Department of Job and Family Services (ODJFS) and open to juvenile courts meeting IV-E criteria.

In 2020, 1 employee was funded via Title IV-E. 12 youth were in a licensed IV-E facility at some point in 2020; 9 of those youth were placed within 2020.

Family Court Special Projects:

Ohio Revised Code allows for the court of common pleas of any county to authorize the clerk of courts to charge and collect applicable court fees under ORC 2303.20. Special projects funds can be utilized at the discretion of the Judges to pay for a wide range of expenses deemed essential for efficient operation of the court. In 2020, 2 full-time positions were funded via Special Projects, amongst other allowable expenses necessary for efficient operation, including the implementation of E-Filing.

Various Awards and Grants Received in 2020

The Stark County Family Court continually seeks funding opportunities to reduce expenses charged to the general fund. In 2020, 41% of court expenses were financed with either Federal, State, or privately funded grants.

Additional grants and funding received in 2020, which would be included in one of the noted funds are \$87,325 in funding received for Court Appointed Special Advocates (CASA), \$20,000 received from the Ohio Department of Mental Health and Addiction Services (OhioMHAS) for the Drug Court Specialized Docket, and a \$47,157 technology grant received from the Supreme Court of Ohio to enhance electronic monitoring of youth on pretrial.



From the Judges

Several years ago, the Family Court prepared its “COOP”, Continuity of Operations Plan, as required by the Supreme Court’s Rules of Superintendence, Standard 4. While we felt pretty good about our planning and the ability to conduct court operations in the face of disasters, what hit us all in 2020 with the Coronavirus pandemic had not been predicted or planned out. Many of the cases which are filed in the Family Court require court attention in hours, not months. As such, shutting down court operations was never a viable option for us.

Court hearings for children in detention, abuse, neglect and dependency cases, civil protection orders and emergency custody orders all continued to be heard in 2020. A combination of socially distanced court hearings, utilizing remote technology, and conference calling insured that the needs of our families were met. Staff also met with youth on-line, utilized electronic monitoring and developed the first of its kind evidenced based treatment program for youth on line.

The Judges are extremely grateful to our court administration, dedicated staff and Sheriff deputies for assisting us in meeting our obligations to the community. Thanks also to the Supreme Court, state and federal governments for financial assistance in adopting technological advancements and installing health and safety features in our facilities. Many thanks as well to the

administration at Multi-County Attention System for keeping the spread of the virus at bay in detention through most of the crisis.

This annual report also shows a continuation of a decade long decline in juvenile delinquency in Stark County. The Court's commitment to juvenile justice reform has continued to be effective in reducing recidivism. The Court's use of the Risk/ Need/ Responsivity Model for Assessment and Rehabilitation has resulted in a complete transformation of Juvenile Probation Services. Staff have been tasked in engaging families to achieve equity no matter what the child's race, to address trauma in children's lives and to combat delinquency and truancy.

Despite the adversities thrown at the court during 2020, the Court stayed true to its mission of *promoting a safe and healthy community by protecting and supporting children and families.*



Judge Jim D. James



Judge Rosemarie A. Hall



Judge David R. Nist

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