

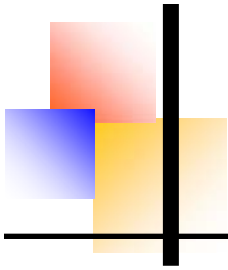


Delaware County Probate/Juvenile Court

2007 Annual Report

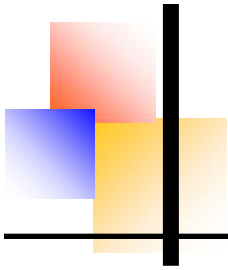


**Kenneth J. Spicer
Probate/Juvenile Judge**



Delaware County Probate/Juvenile Court 2007 Annual Report

	Page Number
Index	2
Introduction	3-4
Probate Court	5
Intake/Diversion Department Mentors	6
M.O.M.S. Probation Department	7 7-8
Treatment Services Department	8-9
Treatment Court	9
Victim Services Mediation Community Service	10
Abuse, Neglect and Dependency	11
Parenting Traffic	12



Delaware County Probate/Juvenile Court 2007 Annual Report



As Judge of the Delaware County Probate & Juvenile Court, I want to take this opportunity to share with the citizens of Delaware County my sincere thanks not only to my many dedicated co-workers of the Court but also to the various County and Community Agencies that pass through our front door every day. It's amazing to see the willingness of each of these individuals and agencies to go above-and-beyond to provide the best services to help the families and clients we see daily in our Court.

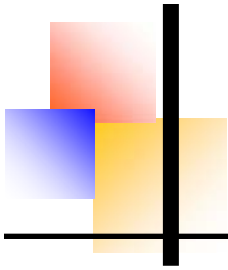
In 2007, the Court began an organizational planning process. The Delaware County Commissioners granted funding for a consultant to assist the Court in the endeavor. Dr. Alvin Cohn, D.Crim was chosen as the consultant for this project.

Dr. Cohn began the process by meeting with the entire Court staff at an All-Court meeting. He explained the project and what he was trying to accomplish. The staff was then asked to complete a questionnaire to help Dr. Cohn collect data to begin identifying the tasks to be addressed. After analyzing the responses, Dr. Cohn requested a Steering Committee to be formed to start addressing the Court's needs and also an Advisory Committee be created to allow for the stakeholder agencies' needs to be addressed.

The Steering Committee was formed and consisted of initially nine (9) subcommittees:

- Committee 1-Mission Statement and Court Values
- Committee 2-Identify Critical Stakeholders
- Committee 3-Examine Risks/Needs Assessment/Classification
- Committee 4-Discover Evidence Based Programs
- Committee 5-Develop E-Newsletter
- Committee 6-Coordinated Services with the Court
- Committee 7-Programs in this Court
- Committee 8-Data and Technology
- Committee 9-Fiscal Resources

Eventually a 10th Committee was added to address the Organizational Management Map and Building/Security Issues.



Delaware County Probate/Juvenile Court 2007 Annual Report

The Advisory Committee was formed with various community members in an effort to utilize the community resources in effectively planning for the future of the Court and also its relationship with many of the county stakeholders.

Dr. Cohn's portion of the project has been completed; the Court will address the Steering Committee's recommendations with the guidance of Dr. Cohn on an as needed basis in determining the Court's future plans.

During 2007, the Court identified a need to address the issue of restitution owed to crime victims, as a result the Court reintroduced the Community Service/Restitution Program to assist those victims in receiving the restitution money they were owed. In many cases juveniles ordered to pay restitution are not old enough to get jobs and repay those victims, thus the Court's program allows those juveniles to perform community service within the County. They receive monetary credit which helps pay down the restitution they owe.

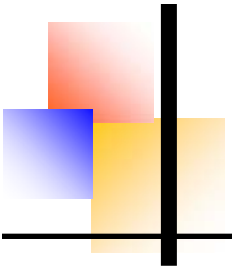
In 2007, I continued my efforts with other elected County officials in our task to establish a new County Court's Building. The need was identified in the 20/20 Committee evaluation as early as 2003 and since that time the County's population has continued to grow, making the need for a new court's building even more imperative. In the fall of 2007, the County Commissioners and other elected officials began consulting with an architect for plans to move forward for a new courts building. Today's planning will benefit our County's citizens long into the future.

Lastly, in today's changing times, as we become more mindful of the heightened awareness of security issues not only in the Court but in the Country, we have begun not only look out for the safety of the citizens of Delaware County but our staff as well. With that in mind, we contacted the Supreme Court of Ohio's Security Division and requested an assessment of our current Court's space and safety plan. After the evaluation, the Court started implementing suggestions made by the Supreme Court, including establishing a single point entry and we plan on continuing updating security in 2008.

Please take a few minutes and read the attached report to get a sense of what areas of life the Probate & Juvenile Court impacts within the county.

Again, thank you to the citizens of Delaware County for giving me the privilege of serving as Judge. It has been, and continues to be, a high honor for me.

Kenneth J. Spicer
Probate/Juvenile Judge



Delaware County Probate Court 2007 Annual Report

The Probate Court assists the public in matters governed by the probate laws of Ohio. The Court assures that these laws are followed in a timely and accurate manner; that persons entitled to property through wills or trusts receive such property; that persons' rights are not abused or neglected; that their interests are protected through guardianship, conservatorship, and other civil actions; and, that adoptions and guardianship proceedings are carefully monitored to determine the best interests of the parties involved.

Probate Court's duty is to ensure that decedents' estates are administered promptly and accurately. In 2007, four hundred twenty-seven (427) new estates, one hundred eight (108) new guardianships, and nine (9) new trusts were opened and will continue to be overseen until terminated. Presently, three hundred forty-seven (347) guardianships are being monitored for the protection of minor and/or incompetent wards. Ninety-five (95) trusts remain on open status with the Probate Court, requiring an annual accounting of financial transactions.

Persons in need of medical or other protective care can be assisted through the Court by a petition for Emergency Guardianship. This process temporarily assists individuals until a court-appointed assessor can make a recommendation to the Court that a guardianship be established or that the matter be dismissed. Four (4) potential mental commitments were referred and filed in the Probate Court for review and referral in 2007.

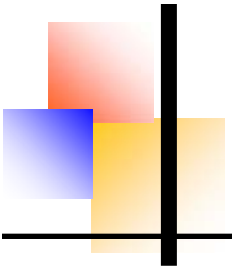
Adoption proceedings are also handled in the Probate Court. Such matters include pre-placement approval, placement of infants, surrender of newborns, step-parent adoptions, adult adoptions, and foreign adoptions. Each adoption proceeding (with the exception of

	2001	2007
Estates	447	427
Guardianships	64	108
Trusts	7	9
Voluntary Mental Commitments	1	4
Adoption Proceedings	43	64
Marriage License	735	730
Miscellaneous Filings	85	118
Total Cases Filed	1,409	1,460

adult adoptions) is examined by a Court-appointed investigator who makes a recommendation to the Court. Sixty-four (64) adoption-related cases were processed in 2007, compared to a total of forty-three (43) adoption cases in 2001.

The Probate Court also processed seven hundred thirty (730) marriage licenses in 2007. Other miscellaneous Probate Court services include: legal name changes, approval of settlement of minor claims, wrongful death settlements, appointments to various boards, disinterment/reinterment, birth registration, delayed birth certificates, will contests, designation of heirs, will construction, and various court actions including complaints for land sales. One hundred eighteen (118) miscellaneous cases were filed at the Probate Court during 2007.

Figure 1: Probate Cases Filed in 2001 vs. 2007



Delaware County Juvenile Court Intake/Diversion Department

Intake/Diversion Officers screen all Juvenile Court referrals and manage the initial filing of all complaints. The Intake Department also provides dispositional recommendations to the bench. They first consider the least restrictive option which balances the interests of the youth, victims, and the community while holding the offender accountable. In total, the Intake/Diversion Department handled 1,270 filed referrals in 2007. Another 1,214 referrals were handled by the Court informally.

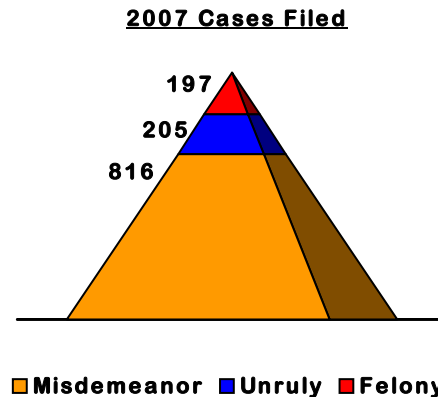
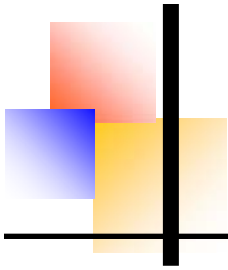


Figure 2: 2007 Cases Filed

- **School Liaison Officers** The primary function of School Liaison Officers is to divert youth from the formal Court system. This is primarily done by handling school truancy and unruly behavior through informal intervention whenever possible. The School Liaison Officers focus on maintaining effective communication between the Court and schools, developing behavior plans, and participating in Individualized Education Plan (IEP) meetings to ensure youth receive every allowable service at school. Two School Liaison Officers handled four hundred eighteen (418) referrals in 2007.
- **School Attendance Officer** The Court continues to provide truant officer services to three county school districts by monitoring youths' school attendance through ongoing contact with parents, students, teachers, and school administrators. The School Attendance Officer also works closely with the School Liaison Officers to ensure proper school attendance, to determine the need for and level of intervention, and to identify when formal truancy complaints need to be filed. Over three hundred thirty (330) referrals were made to the School Attendance Officer in 2007.
- **Together Everyone Achieves More Mentor Program (TEAM)** The Court's mentoring program matches ten to fourteen (10-14) year old non-adjudicated youth with trained adult mentors. Mentors work to reduce the delinquent and unruly behaviors of youth through role-modeling and advocacy. Youth are exposed to positive activities and new life experiences through these mentor relationships. Thirty (30) youth-adult mentor matches were made in 2007. A number of the mentors are students at Ohio Wesleyan



Delaware County Probate/Juvenile Court 2007 Annual Report

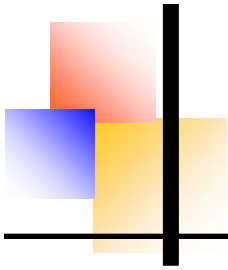
University, while others represent various services organizations.

- **Moms Offering Mentoring Support (M.O.M.S.)** The M.O.M.S. program matches young mothers and mothers-to-be with mentors. In 2007, twenty-three (23) Mentors helped twenty-three (23) young mothers and infants by providing them support, assisting with transportation to doctor's appointments, teaching fiscal responsibility skills, meal planning, and introducing them to local community resources/services. Mentors work with the young mother until the infant reaches his/her 1st birthday.

Probation Department

The philosophy of Probation is to facilitate a "balanced approach" to offender accountability and rehabilitation. This includes holding youth accountable both to their victims and to the community and providing services to support offender competency development. Probation Officers provide comprehensive case management, linkage to community resources, and maintain court-sanctioned accountability for youths on probation.

- **Probation** Probation terms and conditions are monitored for timely completion so youth can learn from their experience and avoid further involvement with the juvenile justice system. Probation Officers work closely with the youth on probation, family, school, and community to ensure community protection, offender accountability, victim reparation, and competency development. Probation Officers supervised two hundred eighty-two (282) youth on probation in 2007. Intensive Probation is designed to closely monitor serious offenders (often felony level offenders) within the community whenever possible. Most youths are placed on Intensive Probation in lieu of incarceration or institutionalization.
- **Sex Offenders** The Court's Juvenile Sex Offender (JSO) Treatment Program is designed to allow offenders to receive intensive treatment while residing in their own community through intensive supervision and community teaming. Through a rigorous treatment program, offenders learn to develop and exercise greater control of their behavior while being supervised by specially trained Probation Officers. Each juvenile sex offender's case is clinically supervised by the Court's consulting psychologist. In 2007, the JSO Treatment Program supervised thirty-three (33) youth who provide peer support to each other through weekly meetings.
- **Aftercare/Re-Entry** Youth who have been removed from their homes and placed into a residential facility, foster care, or an Ohio Department of Youth Services (ODYS) institution must be reintegrated back into the community following a long-term placement. Intensive Aftercare provides an avenue to help the youth and family remain connected throughout the duration of the youth's incarceration or placement. When the youth returns to the community, he/she is monitored closely to ensure compliance with Court orders.
- **Drug Testing** Urinalysis and breathalyzers are consistently used to test youths for drug/alcohol use. In some cases, parents may be required to submit to these tests.



Delaware County Probate/Juvenile Court 2007 Annual Report

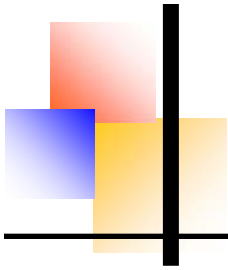
Testing helps to keep youth substance-free and guides staff on appropriate recommendations for treatment. In 2007, five hundred eighty (580) drug tests were performed on one hundred thirty-nine (139) youths.

- **Monitoring Services** Court Monitors provide face-to-face and telephone contact with offenders in their homes and community outside of regular court hours, mostly in the evenings and on weekends. These checks ensure compliance with curfews, other probation terms to assure compliance with house arrest. Additionally, electronically monitored house arrest may be utilized to keep constant contact of an offender's whereabouts. In 2007, ninety-three (93) youths were placed on electronic monitors. This year, GPS monitoring was added to the Juvenile Court, providing a "real time" location of juveniles being monitored. There were seven (7) youths on GPS monitors from August to December 2007.
- **Positive Activities for Youth (PAY)** PAY provides an incentive for court-involved youth to reach case plan goals through positive activity rewards. It provides opportunities for youth to try new activities in and around their community. This year, youth participated in a variety of activities including pottery, ball games, bowling, camping, high ropes, canoeing and picnics. In addition, often family members of those youth on probation participate in the activities also.
- **Seeds Planted In a Community Environment (SPICE)** The SPICE Garden is dedicated to empowering court involved youth in Delaware County through an organic gardening program that provides hands-on learning experiences and the opportunity to establish a positive relationship with the community. In 2007, the Garden saw the addition of a new 10x10 wood tool shed and rear tine tiller, a revised garden format from raised beds to an open layout including an enlarged garden plot to 64'x44' and new crops such as butter nut squash, eggplant and cauliflower. The garden generated over \$200.00 in profits at the local weekly farmers market;

Treatment Services Department

The mission of providing Community-Based Services is to serve the best interests of youth by providing balanced, innovative, and family-centered services. The priority is to keep youth with their own families and in the community while maintaining public safety by tailoring resources to fit the individualized needs of each youth and family.

- **Wraparound** Wraparound planning is designed to create a supportive social system and a natural sustainable circle of care for a youth and his/her family. This is accomplished through the use of a strength-based team planning and action process. Wraparound utilizes the strengths of even the most challenging families to assist them in creating solutions and identifying their own natural support systems.
- **Family Advocates** The Family Advocate program has been active since 1983, and



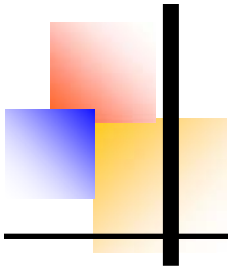
Delaware County Probate/Juvenile Court 2007 Annual Report

provides in-home mentoring and advocacy to develop youth competencies, parenting skills, and increase positive family relationships. Additionally, Intensive Family Advocates, utilize in-home advocates to provide family therapy using different therapy models. Family Advocates served seventy-three (73) youth and families in 2007.

- **Interagency Cluster for Youth** Cluster provides case consultation, resources, and funding for the County's extraordinary-needs children and families. Community agency representatives, including schools, meet monthly to review cases and provide direction for family and child teams. The Cluster provides a unique forum for establishing funding partnerships and accessing state funds for multi-agency extraordinary-needs kids.
- **Court Appointed Special Advocates (CASA'S)** Court Appointed Special Advocates provide verbal and written advocacy concerning the best interests of children involved in abuse, neglect, and dependency cases. The program also provides advocacy for children whose parents are involved in the Family Treatment Court. CASA's provided services to one hundred eighty-seven (187) children in ninety-two (92) cases during 2007.

The **Treatment Court** Programs strive to effectively intervene with both youth and parental substance abuse and mental health issues through systematic and coordinated supervision, treatment, and case planning. By supporting substance-free lifestyles and enhancing mental health treatment compliance, the programs can reduce negative behaviors and assist in the development of healthier families and a safer community.

- **Family Treatment Court** The Family Treatment Court seeks to provide effective drug and alcohol treatment to the parents of abused, neglected, and dependent children in order to prevent or shorten out-of-home placement. All participants have pending abuse, neglect, or dependency actions or child protection orders and a history of substance abuse or mental health issues. Successful participation in the Family Treatment Court is based on the participant's compliance with their treatment plan, Department of Jobs and Family Services requirements, and Court orders. Nine (9) parents participated in the Family Treatment Court in 2007. Of these nine (9) parents, seven (7) of them successfully completed the case plan, were compliant in their counseling and were invited to attend a graduation ceremony
- **Juvenile Treatment Court** The Juvenile Treatment Court provides community-based intervention, treatment, and supervision for juvenile offenders between fourteen and eighteen (14-18) years old. Offenders must have been charged with a drug or alcohol related offense, or their offense must have been motivated by drug or alcohol use/dependency. The Juvenile Treatment Court offers a continuum of treatment services including individual counseling, intensive outpatient services, group counseling, and relapse prevention. Of the eighteen (18) youth who participated in the Juvenile Treatment Court in 2007, six (6) successfully completed their case plans, were compliant in counseling and attended graduation.



Delaware County Probate/Juvenile Court 2007 Annual Report

The **Victim Services** program provides comprehensive services to victims of juvenile crime in the Delaware community and is an important responsibility of the Court. Keeping sight of the “balanced approach” ensures that offenders are held accountable to their victims and that the victims regain some degree of wholeness after an offense has been committed against them. During 2007, victim services helped to serve over four hundred seventy-five (475) victims of crime.

- **Restitution** The purpose of restitution is to provide crime victims with financial restoration. Over \$18,000.00 in restitution was collected from juvenile offenders and paid to victims in 2007.

Restitution Collected: 2007 vs. 1996

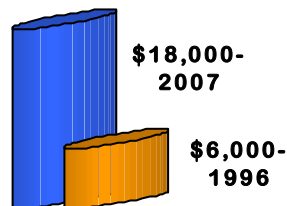
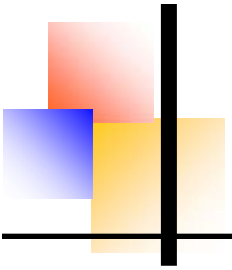


Figure 3: Restitution Collected: 2007 vs. 1996

- **Mediation** The Court’s Mediation Program serves a two-fold purpose: (1) to provide victims with an opportunity to ask questions and communicate to the offender how the crime has affected their lives and (2) to provide parents with an opportunity to meet face-to-face to discuss issues concerning their child’s best interest; A trained, neutral professional guides this process. A total of three hundred one (301) mediations were held in 2007.

Community Service offers opportunities for youths to explore vocational interests and skills, as well as develop self-esteem, pride and teamwork. Community service programs hold youth accountable for their behavior while providing meaningful services to the community.

- **Suspension Alternative Program** The Suspension Alternative Program (SAP) is an alternative to out-of-school suspension. Youth who are suspended are placed in SAP by local school systems and supervised in a structured environment. Youth provide service to the community and participate in a Court tutoring program to ensure they do not fall behind in school because of their suspensions. In 2007, two hundred eighty-six (286) youth participated in the SAP program for a grand total of 2,713 hours served.



Delaware County Probate/Juvenile Court 2007 Annual Report

- **Community & Summer Responsibility Programs** The Community and Summer Responsibility Programs were created for Court-ordered youth to serve community service hours after school and in the summer while learning valuable job skills and increasing their self-esteem. These programs are also utilized to hold youth accountable for their actions by placing them into the programs immediately following poor behavior at home, school, or in the community.

Abuse, Neglect and Dependency

In 2007, the Court handled two hundred eighty-four (284) cases representing seventy-seven (77) families for Abuse, Neglect and Dependency matters. Of the 284 cases handled by the Court, there were thirty-six (36) abused, one hundred five (105) neglected, and one hundred forty-three (143) dependent children. Case management for abuse, neglect, and dependency cases is provided through the Delaware County Department of Jobs and Family Services under the mandates and guidelines of the State of Ohio Department of Jobs and Family Services. The Court provides additional support in these cases through the appointment of both Guardians ad litem (GALs) and Court Appointed Special Advocates (CASAs).

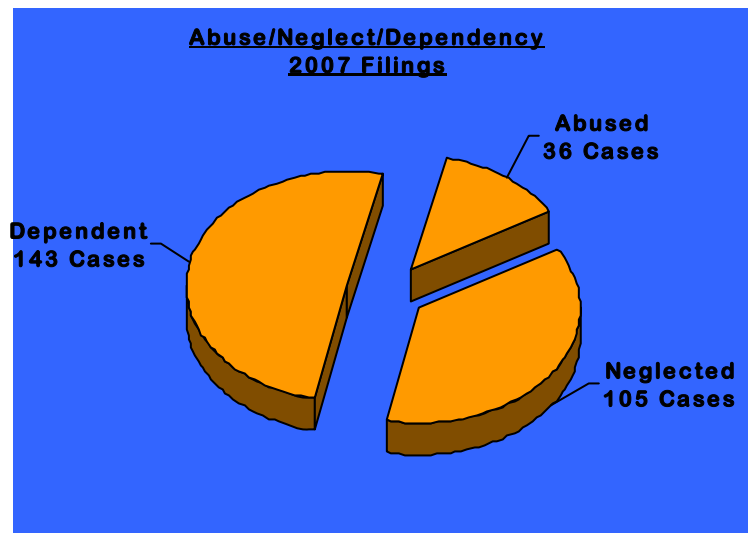
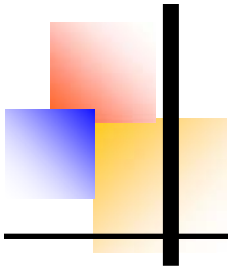


Figure 4: 2007 Abuse, Neglect and Dependency Filings



Delaware County Probate/Juvenile Court 2007 Annual Report

PARENTING

The Juvenile Court conducts hearing and trials on all matters of Parental Rights and Responsibilities involving children of all non married parents and children of parents not seeking divorce, dissolution or legal separation. These cases involve the issues of custody, parenting time, visitation for third parties, child support, medical support and related issues. Hearings and trials are conducted in compliance with the Ohio Rules of Civil Procedure and Juvenile Rules of Procedure. Decisions are timely made after all the evidence is presented to the Court. Parties will be referred to the Mediation Department for the process of mediation to assist them in resolving the issues before the Court. In 2007, 1036 custody and related cases were filed with the Court. The Delaware County Child support Enforcement Agency files a large number of cases before the Court to determine paternity, child support orders, and medical support orders and to enforce said Orders.

TRAFFIC

Juvenile Traffic Court has been a serious matter for Delaware County teens for many years. The philosophy of holding first time offenders accountable through license suspension is something many area teens have learned from. This tough action is taken in order to teach juvenile traffic offenders the seriousness of their actions and the responsibility they have as a motor vehicle operator.

A personal appearance is mandatory for juveniles summoned to Traffic Court, with a parent or custodian. If a juvenile admits to the traffic citation, disposition occurs that same day. Fines, costs, and license suspension for four to six (4-6) weeks are the norm for traffic citations. If a traffic citation is denied, then a trial is set for a later date. Disposition will occur subsequent to the trial should the traffic violation be proven in Court. Seatbelt-only traffic violations do not require a personal appearance and may be paid via the mail. There were over one thousand (1,000) traffic cases in 2007.

- **Caring and Responsible Teens (Carteens)** Carteens is an important program that emphasizes safe driving. Speakers come from the State Highway Patrol and area hospitals, parents of children killed or injured in car crashes and youth who survived serious accidents. All present their personal experiences to teen drivers and emphasize safety and responsibility. Four hundred forty-seven (447) youth participated in the Carteens program in 2007. This program is provided through the Extension Service of The Ohio State University and is a resource appreciated by the Court.



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