

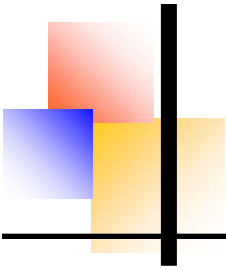


Delaware County Probate/Juvenile Court

2008 Annual Report



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



Delaware County Probate/Juvenile Court 2008 Annual Report

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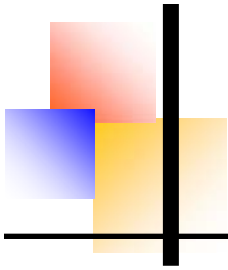
It is my pleasure to provide the citizens and affiliate agencies with the Delaware County Probate and Juvenile Courts 2008 Annual Report.

A number of opportunities were presented in 2008. One was the implementation and rollout of the Courts Global Position Satellite (GPS) monitoring system. This allowed the Court to be able to monitor youth on probation and restrict the activity of youth, without the need to place the youth in an out of home settings. The GPS system allowed supervision of fifty four (54) youth, and saved the cost of a considerable number of days in care valued at many thousands of dollars.

The Juvenile Treatment Court saw eleven (11) youth graduate from the program. This has been a wonderful program for youth and their families as it is truly a life altering experience.

Unfortunately, the Juvenile Court heard two hundred three (203) cases of abuse, neglect and dependency in 2008. By year end, the Court had ordered one hundred eleven (111) youth into foster care and other out of home placements. The Delaware County Department of Job and Family Services and all member agencies of the Delaware County Family and Children First Council continues to strive to promote prevention and treatment to assure the safety and well being of each youth and family.

The Probate Court handled a number of cases of increasing complexity. The volume of matters filed with the Court, coupled with that complexity, was demanding on the staff of both Probate and Juvenile Court. I am very proud of the manner the entire staff rose to meet those demands.



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This year was marked by staff retirements, staff realignments and staff hirings. This consisted of two (2) staff retirements, eighteen (18) resignations and eighteen (18) new hires. I continue to be impressed with the hard work and due diligence of the staff at the Court, and I look forward to continue to serve with my co-workers to deliver a high quality level of service to the youth and families of Delaware County.

In May 2008, Chief Justice Thomas Moyer of the Supreme Court of Ohio, in partnership with Governor Ted Strickland, invited teams from each county in Ohio to attend a Children's Summit for the purpose of improving services to Ohio's children and families. County leaders were encouraged to develop and implement strategies for an effective community outcome in the following areas:

- Broadening the scope of collaboration between courts and child protection agencies to include schools, service providers and key funding authorities; and
- Establishing short- and long-term intensive action plans; and
- Offering opportunities for community leaders to identify needed state-level actions to benefit Ohio's children and families; and
- Highlighting effective practices taking place in various Ohio communities and sharing successful and innovative practices.

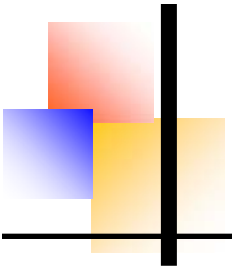
With these goals in mind, I had the privilege of hosting the first local Delaware County Summit on Children which was held on October 31, 2008. This meeting brought together superintendents, directors and administrators from schools, social services agencies and county government to identify strengths, challenges and gaps in service being delivered to the children of Delaware County.

A second Summit is being planned for May, 2009. To ensure that Delaware County children receive maximum benefit from the prior Summits, those professionals on the front line who deal with the children on a regular basis will be invited to assist in implementing actions to be taken in addressing the challenges and gaps identified.

This will be an on-going collaboration by Delaware County Probate/Juvenile Court, Delaware county school districts, and service agencies of Delaware County.

Respectfully,

Kenneth J. Spicer, Probate/Juvenile Judge



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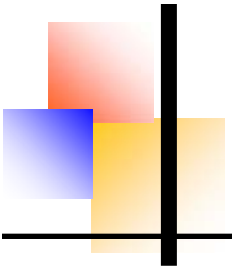
The Probate Court assists the public in matters governed by the probate laws of Ohio. The Court oversees the transfer of property from generation to generation through wills or trusts to assure that such property is legally given to those who are to receive it under the law and the wishes of decedent or grantor; 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.

In 2008, four hundred twenty-six (426) new estates, one hundred six (106) new guardianships, and seven (7) new trusts were opened and will continue to be overseen until terminated. Presently, three hundred eighty-two (382) guardianships are being monitored for the protection of minor and/or incompetent wards. Ninety-seven (97) 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. Often these cases involve an individual over the age sixty (60) and many are initiated by the Adult Protective Services (APS) staff which is funded by the Delaware County Jobs and Family Services department (DCJFS) but works through the Council for Older Adults (COA). Emergency Guardianships can be used for individuals under the age of sixty (60) also. This process for either type of case temporarily assists individuals until a court-appointed assessor can make a recommendation to the Court that a full guardianship is or is not necessary.

| | 2005 | 2007 | 2008 | |
|--------------------------------|--------------|--------------|--------------|---|
| Estates | 418 | 427 | 426 | In addition, seven (7) potential psychiatric commitments were referred and filed in the Probate Court for review and processing in 2008. |
| Guardianships | 79 | 108 | 106 | |
| Trusts | 13 | 9 | 7 | 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 the re-finalization of foreign adoptions. Each adoption proceeding (with the exception of adult adoptions) is examined by a Court-appointed Adoption Assessor who makes a recommendation to the Court. Fifty-seven (57) adoption-related cases were processed in 2008, compared to a total of sixty-four (64) adoption cases in 2007. |
| Psychiatric Mental Commitments | 5 | 4 | 7 | |
| Adoption Proceedings | 57 | 64 | 57 | |
| Marriage License | 796 | 730 | 775 | |
| Miscellaneous Filings | 127 | 118 | 114 | |
| Total Cases Filed | 1,495 | 1,460 | 1,492 | |

Figure 1: Probate Cases Filed in 2005, 2007 and 2008



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The Probate Court also processed seven hundred seventy-five (775) marriage licenses in 2008. 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 and corrections, delayed birth certificates, will contests, designation of heirs, will construction and various civil actions including complaints for land sales in guardianships and estates. One hundred fourteen (114) miscellaneous cases were filed at the Probate Court during 2008.

Intake/Diversion Department

Intake/Diversion Officers screen all Juvenile Court referrals and manage the initial filing of all delinquent/unruly 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 1,719 filed referrals in 2008. Another 1,854 referrals were handled by the Court informally.

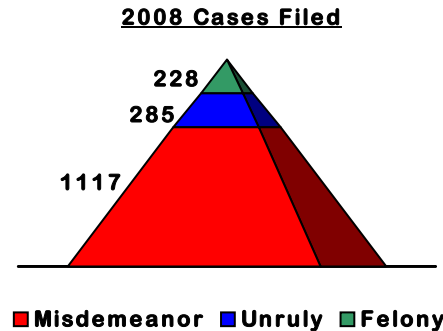
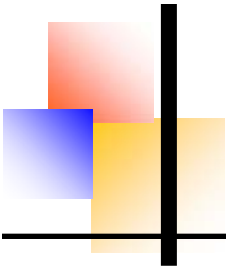


Figure 2: 2008 Cases Filed

- **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 five hundred fifty (550) referrals in 2008. Out of these referrals, three hundred nineteen (319) came from Delaware City Schools and the Delaware Area Career Center and two hundred thirty-one (231) came from Big Walnut, Buckeye Valley and Olentangy Local Schools.
- **School Attendance Officer** The Court continues to provide truant officer services to



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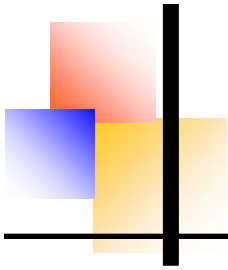
three county school districts by monitoring youths' school attendance through ongoing contact with parents, students, teachers, and school administrators. The School Attendance Officer also works closely with the School Liaison Officers to ensure proper school attendance, to determine the need for and level of intervention, and to identify when formal truancy complaints need to be filed. Five hundred forty-two (542) referrals were made to the School Attendance Officer in 2008.

- **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. Twenty-six (26) youth-adult mentor matches were made in 2008. A number of the mentors are students at Ohio Wesleyan 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 2008, thirty-three (33) Mentors helped thirty-three (33) 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.

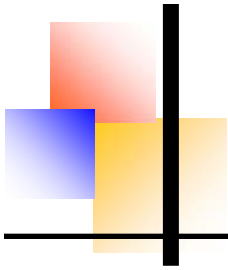
- **Probation** Probation terms and conditions are monitored for timely completion so youth can learn from their experience and avoid further involvement with the juvenile justice system. Probation Officers work closely with the youth on probation, family, school, and community to ensure community protection, offender accountability, victim reparation, and competency development. Probation Officers supervised two hundred sixty-seven (267) youth on probation in 2008. Intensive Probation is designed to closely monitor serious offenders (often felony level offenders) within the community whenever possible. Most youths are placed on Probation in lieu of incarceration or institutionalization. Adjudicated delinquent juveniles between the ages of 11-18 on probation are often court ordered to participate in the Correctional Treatment Unit (CTU) program during their stay at the Central Ohio Youth Center (COYC). CTU is a 90-day program that builds on cognitive-behavior techniques (CBT), motivational enhancement therapy (MET), risk factors management, relapse prevention and social learning concepts. The program targets criminal thinking errors and teaches the Stop-



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Think-Act method for changing these thought patterns. Juveniles participate in groups such as anger/aggression/violence, personal needs/anti-social peer groups, problem solving/risk factors, substance abuse treatment, victim awareness and young women's lives.

- **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 2008, the JSO Treatment Program supervised sixteen (16) 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. Testing helps to keep youth substance-free and guides staff on appropriate recommendations for treatment. In 2008, over one thousand (1,000) drug tests were performed on Court involved juveniles and adults.
- **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. Electronically monitored house arrest may be utilized to keep constant contact of an offender's whereabouts. GPS monitoring is an active, single-unit ankle device that encompasses cellular technology and GPS. The 95-decible siren can be activated by the monitoring center or a probation officer and provide instant intervention by voice communication to the offender. In 2008, four hundred fourteen (414) juveniles spent three thousand six hundred (3,600) days under in-home, electric or GPS monitoring.
- **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.



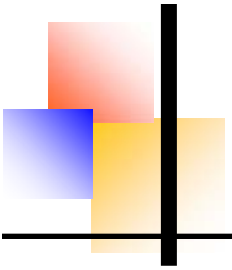
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- **Seeds Planted In a Community Environment (SPICE)** The SPICE Garden is dedicated to empowering court involved youth in Delaware County through an organic gardening program that provides hands-on learning experiences and the opportunity to establish a positive relationship with the community. In 2008, the garden generated over \$115.00 in profits at the local weekly farmers market.

Programs Department

The mission of providing community-based programs 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.

- **Family Advocates** The Family Advocate program, active since 1983, is focused on improving family relationships and delivers home-based intervention that makes treatment accessible to those families who might otherwise be excluded and overcomes barriers to treatment including lack of transportation and child care, job commitments and chronic physical illness or handicap. Services provided, but not limited to include support and mentoring, teaching of parenting communication, social skills and problem solving, monitoring of high risk situation, crisis intervention, conflict resolution, advocacy on behalf of the individual or family with the Court and other social service systems, encouraging positive family activities and modeling appropriate behaviors. Family Advocates served ninety-one (91) youth and families in 2008.
- **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 (CASAs)** 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. CASAs provided services to one hundred seventy-one (171) children in ninety-one (91) cases during 2008.
- **Victim Services Program** was established for Juvenile Court in 1994 to provide information and support for victims of juvenile crime and to ensure that case related decisions include greater consideration for the victim. The program is committed to protecting victims by informing them of their rights, providing information regarding the Court's legal process, arranging support for personal and emotional needs and attempting to help recover any financial losses. Keeping sight of a "balanced approach" ensures that offenders are held accountable to their victims and that victims regain



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some degree of wholeness after an offense has been committed against them. During fiscal year 2008, the Victim Services Program received four hundred twenty-eight (428) cases involving more than four hundred seventy (470) victims of crime.

- **Victim Awareness Program** Started in 2007, this program helps juvenile offenders understand how their actions have affected their victims. Through a series of classes, these juveniles must analyze their actions and participate in exercises geared to help them more fully understand the consequences of those actions. The goal of the program is to keep these juveniles from re-offending by helping them understand the impact that their actions will have on others and themselves.
- **Restitution** The purpose of restitution is to provide crime victims with financial restoration. Over \$17,000.00 in restitution was collected from juvenile offenders and paid to victims in 2008.

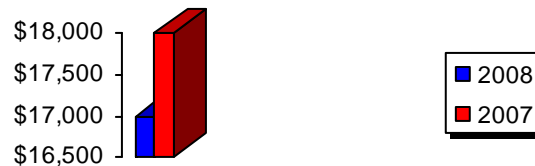
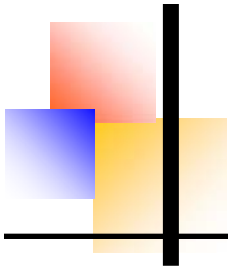


Figure 3: Restitution Collected: 2007 vs. 2008

- **Mediation** The Court's Mediation Program is an informal, yet structured process in which a neutral person (mediator) assists the parties in their negotiations. It is a confidential process in which the parties are provided an opportunity to actively participate in the negotiation process and determine the outcome of their dispute. The Court's Mediation Program consists of three (3) trained staff and provides mediations for parenting issues, juvenile/victim offender, child protection, probation and truancy. A total of three hundred thirteen (313) mediations were held in 2008.
- **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 2008, two hundred sixty-nine (269) youth participated in the SAP program for a grand total of 1,972 hours served.

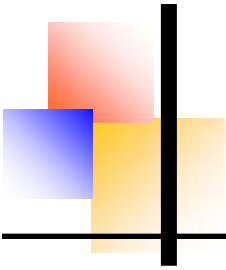


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- **Community Responsibility Programs** The Community Responsibility Program was created for Court-ordered youth to serve community service hours after school and in the summer while learning valuable job skills and increasing their self-esteem. This program is 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. Over one hundred forty (140) youth served 2,058.75 hours in CRP in 2008.
- **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. Ten (10) parents participated in the Family Treatment Court in 2008. Of these ten (10) parents, five (5) successfully completed their case plans, 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 twenty (20) youth who participated in the Juvenile Treatment Court in 2008, eleven (11) successfully completed their case plans, were compliant in counseling and attended graduation.

Abuse, Neglect and Dependency

In 2008, the Court handled two hundred three (203) filings representing sixty-eight (68) families for Abuse, Neglect and Dependency matters. Of the 203 filings handled by the Court, there were thirty (30) abused, forty-two (42) neglected, and one hundred thirty-one (131) dependent children. Case management for abuse, neglect, and dependency cases is provided 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).



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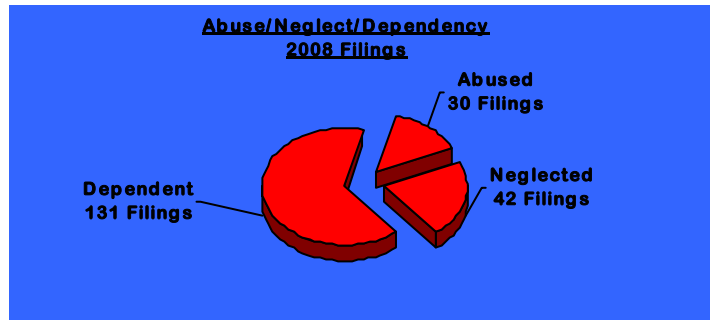


Figure 4: 2008 Abuse, Neglect and Dependency Filings

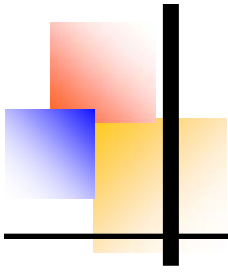
Parenting

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 2008, nine hundred eighty (980) 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



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were nine hundred ninety-five (995) traffic cases in 2008.

- **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. Two hundred seventy-two (272) youth participated in the Carteens program in 2008. This program is provided through the Extension Service of The Ohio State University and is a resource appreciated by the Court.

Administration

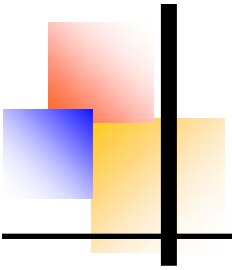
The Juvenile Court saw many administrative changes during 2008. Two (2) employees retire from the Court with over 50 years of service between them. The Court also saw the addition of eighteen (18) new employees, of those seven (7) of them were promoted from within the Court to positions in Probation, Intake/Diversion, Victims, Mediation, Department Head and Court Administrator. During the year, there eighteen (18) employees resigned from the Court; many of them went on to jobs within the same field, some to further their education and others to pursue other interests.

Court programs such as, Mentors, M.O.M.S. and CASAs are successful due to the many dedicated volunteers; in 2008, there were sixty-three (63) new volunteers in these three (3) programs. The Court is also a place where student interns come to receive real on the job training while fulfilling their educational requirements. During 2008 the Probation, Intake/Diversion and Treatment Departments had eight (8) interns. Additionally, the Court had two (2) law clerks work during the summer, working in the Intake/Diversion Department.

Clerical

The Delaware County Juvenile Court strives to meet or exceed any time limits for resolution of cases. The Clerical Support staff serves all Departments and programs by handling a large amount of information presented to the Court. Whether by submission of paper filings, routing calls to staff members, intake and maintenance of case files, notification, perseverance of legal records, researching, typing and directing the public, the clerical support staff is experienced and professional.

In 2008, the Court employed fifteen (15) staff members and support the following dockets: Abuse, Neglect and Dependency, Juvenile Delinquency/Unruly, Child



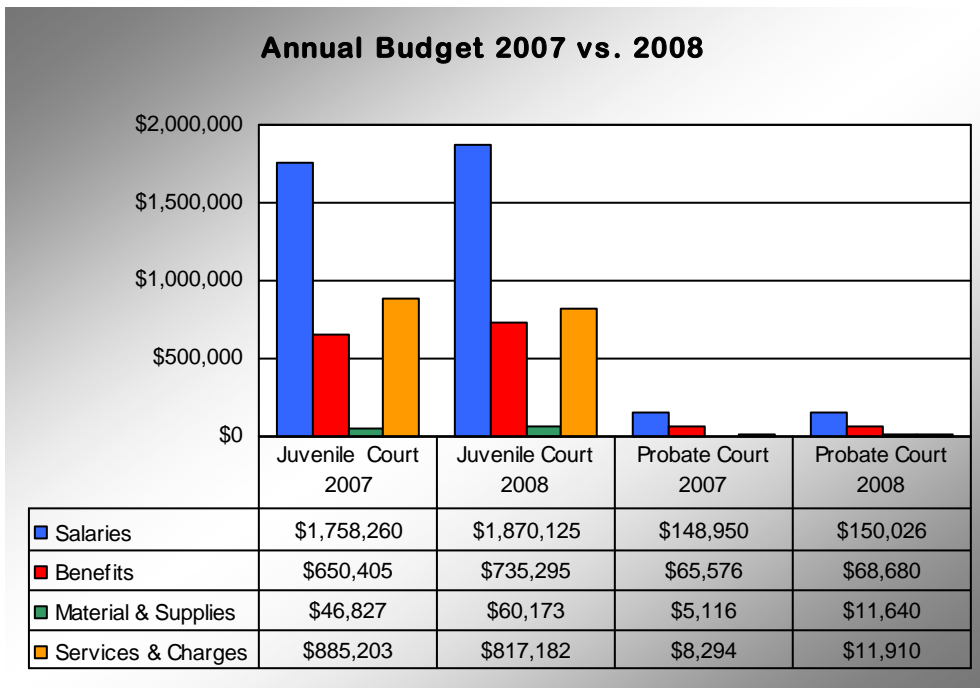
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Support Enforcement, Child Custody Matters, Traffic Court, Sex Offender and Treatment Court. Additionally, in 2008, the clerical staff began other areas of the Court to insure efficient workflow maintenance of timelines.

Financial

Funding for The Delaware County Probate and Juvenile Court's yearly expenses come from various sources; in 2008, sixty-three (63%) came from the County Commissioner's General Fund through the form of taxes, sixteen (16%) came from the collection of fines and fees from individuals using Court services and lastly, twenty-one (21%) came from our eight (8) grants; the biggest grantor for 2008 came from The Department of Youth Services in the amount of \$590,000.00.

By far the biggest expense are salaries and benefits; in 2008, the Probate and Juvenile Court both saw increased expenses over calendar year 2007.





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