



**COURT OF COMMON PLEAS  
JUVENILE COURT DIVISION**

COUNTY OF CUYAHOGA  
9300 QUINCY AVENUE  
CLEVELAND, OHIO 44106  
(216) 443-8400  
OHIO RELAY SERVICE 711

**THOMAS F. O'MALLEY**  
ADMINISTRATIVE JUDGE

**MARITA L. KAVALEC**  
COURT ADMINISTRATOR

JUDGES

**PATRICK F. CORRIGAN**  
**ALISON L. FLOYD**  
**KRISTIN W. SWEENEY**  
**MICHAEL J. RYAN**  
**DENISE N. RINI**

October 29, 2013

C. Ellen Connally  
Cuyahoga County Council President  
1219 Ontario Street, Room 424  
Cleveland, Ohio 44113

Dear Council President Connally:

On behalf of the Court of Common Pleas-Juvenile Division, I respectfully submit the 2014-2015 Budget.

Since our last budget submission much has changed not only at our Court but also in Juvenile Justice across the State of Ohio. We have achieved historic decreases in commitments to the Ohio Department of Youth Services while also decreasing the use of out of home residential placements. At the same time we face an enormous challenge with the implementation of Senate Bill 337. Senate Bill 337 has added adult residents to our detention center and threatens to wipe away the savings we have realized in residential placement costs. Our budget addresses this new challenge and reflects the funding required to administer justice, rehabilitate juveniles, support and strengthen families and promote public safety.

Sincerely,

Thomas F. O'Malley  
Administrative Judge

cc: County Council Members

**Cuyahoga County Court of Common Pleas  
Juvenile Court Division**

2014-2015 General Fund/HHS/Special Revenue Budget Request (excluding carryover)

**2014 Budget      2015 Budget**

**Judicial JC372052**

10/010 Personal Services	1,193,444	1,217,313
10/015 Personal Benefits	428,699	432,375
20/022 Commodities	49,862	49,862
20/026 Contractual	286,406	286,406
20/035 Controlled	4,406,400	4,406,400
20/060 Other Operating	596,765	596,765
30/070 Capital	27,790	27,790

<b>Department Total</b>	<b>\$6,989,366</b>	<b>\$7,016,910</b>
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**Legal JC372060**

10/010 Personal Services	5,518,477	5,628,847
10/015 Personal Benefits	2,178,049	2,195,046
20/022 Commodities	27,985	27,985
20/026 Contractual	2,687,534	2,687,534
20/035 Controlled	581,898	581,898
20/060 Other Operating	106,129	106,129
30/070 Capital	11,953	11,953

<b>Department Total</b>	<b>\$11,112,025</b>	<b>\$11,239,391</b>
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**Child Support JC 375055**

10/010 Personal Services	2,159,074	2,202,256
10/015 Personal Benefits	1,058,109	1,064,759
20/022 Commodities	4,346	4,346
20/026 Contractual	2,193	2,193
20/035 Controlled	645,652	645,652
20/060 Other Operating	126,978	126,978
30/070 Capital	5,049	5,049

<b>Department Total</b>	<b>\$4,001,401</b>	<b>\$4,051,232</b>
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**Detention JC370056**

10/010 Personal Services	7,485,184	7,634,888
10/015 Personal Benefits	3,174,389	3,197,444
20/022 Commodities	407,481	407,481
20/026 Contractual	298,634	298,634
20/035 Controlled	2,519,426	2,519,426
20/060 Other Operating	67,384	67,384
30/070 Capital	14,547	14,547

<b>Department Total</b>	<b>\$13,967,045</b>	<b>\$14,139,803</b>
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<b>Sub Total GF</b>	<b>\$36,069,836</b>	<b>\$36,447,337</b>
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**YOUTH & FAMILY COM. PRT. HHS**  
**JC108092**

10/010 Personal Services	643,320	656,186
10/015 Personal Benefits	299,563	301,544
20/022 Commodities	1,612	1,612
20/026 Contractual	0	0
20/035 Controlled	9,368	9,368
20/050 Client Services	443,500	443,500
20/060 Other Operating	2,700,000	2,700,000
30/070 Capital	1,336	1,336

<b>Department Total</b>	<b>\$4,098,699</b>	<b>\$4,113,547</b>
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**LEGAL HHS JC107532**

10/010 Personal Services	107,368	109,515
10/015 Personal Benefits	62,732	63,063
20/022 Commodities	18,493	18,493
20/026 Contractual	2,409,942	2,409,942
20/035 Controlled	0	0
20/060 Other Operating	62,830	62,830
30/070 Capital	379	379

<b>Department Total</b>	<b>\$2,661,744</b>	<b>\$2,664,222</b>
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**Probation HHS JC107516**

10/010 Personal Services	4,023,863	4,104,341
10/015 Personal Benefits	1,503,605	1,515,999
20/022 Commodities	87,696	87,696
20/026 Contractual	981,310	981,310
20/035 Controlled	166,138	166,138
20/060 Other Operating	2,561,333	2,561,333
30/070 Capital	9,345	9,345

<b>Department Total</b>	<b>\$9,333,290</b>	<b>\$9,426,161</b>
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**Detention HHS JC107524**

10/010 Personal Services	381,398	389,026
10/015 Personal Benefits	184,750	185,925
20/022 Commodities	11,283	11,283
20/026 Contractual	3,174,104	3,174,104
20/060 Other Operating	0	0

30/070 Capital	876	876
<b>Department Total</b>	<b>\$3,752,412</b>	<b>\$3,761,214</b>
<b>Total HHS</b>	<b>\$19,846,145</b>	<b>\$19,965,144</b>
<b>Sub Total GF &amp; HHS</b>	<b>\$55,915,982</b>	<b>\$56,412,481</b>

**COMBINED COURTWIDE**

Personal Services	\$21,512,128	\$21,942,371
Personal Benefits	\$8,889,896	\$8,956,154
Commodities	\$608,758	\$608,758
Contractual	\$9,840,123	\$9,840,123
Controlled	\$8,328,882	\$8,328,882
Client Services	\$443,500	\$443,500
Other Operating	\$6,221,419	\$6,221,419
Capital	\$71,275	\$71,275

<b>SUB TOTAL GF &amp; HHS</b>	<b>\$55,915,982</b>	<b>\$56,412,481</b>
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**Special Revenue**

**IV-E Administration JC517326**

10/010 Personal Services	\$166,803	\$175,143
10/015 Personal Benefits	\$48,707	\$51,142.35
20/022 Commodities	\$0	\$0
20/026 Contractual	\$274,800	\$280,000
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$10,000	\$10
30/070 Capital	\$0	\$0
FTE 3		
<b>Department Total</b>	<b>\$500,310</b>	<b>\$506,296</b>

**IV-E Maintenance JC517318**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$900,000
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$1,500,000	\$1,200,000
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total</b>	<b>\$1,500,000</b>	<b>\$2,100,000</b>

**Legal Computerization JC514919**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total</b>	<b>\$0</b>	<b>\$0</b>

**Legal Research JC495051**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		

**Alternative Dispute Resolution JC510925**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	0	0
20/026 Contractual	\$26,000	\$26,000
20/035 Controlled	\$0	\$0
20/050 Client Services	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total</b>	<b>\$26,000</b>	<b>\$26,000</b>

**ODYS Subsidy OP & Maint JC372300**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$55,000	\$55,000
30/070 Capital	\$0	\$0
<b>Department Total</b>	<b>\$55,000</b>	<b>\$55,000</b>

**Indigent Alcohol Drivers Fund JC510065**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total-</b>	<b>\$0</b>	<b>\$0</b>

**Juvenile Incentives 515189**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/060 Other Operating	\$3,500	\$3,500
30/070 Capital		\$0
FTE -0-		
<b>Department Total</b>	<b>\$3,500</b>	<b>\$3,500</b>

**Forfeited Property JC510990**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total</b>	<b>\$0</b>	<b>\$0</b>

**Electronic Monitoring JC510560**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total</b>	<b>\$0</b>	<b>\$0</b>

**Total Special Revenue**

10/010 Personal Services	\$166,803	\$175,143
10/015 Personal Benefits	\$48,707	\$51,142
20/022 Commodities	\$0	\$0
20/026 Contractual	\$300,800	\$1,206,000
20/060 Other Operating	\$3,500	\$3,500

30/070 Capital	\$1,565,000	\$1,255,010
FTE 3		\$0
<b>Sub Total Special Revenue</b>	<b>\$2,084,810</b>	<b>\$2,690,796</b>
<b>Sub Total GF &amp; HHS</b>	<b>\$55,915,982</b>	<b>\$56,412,481</b>
<b>TOTAL OPERATING BUDGET JUVENILE COURT</b>	<b>\$58,000,792</b>	<b>\$59,103,277</b>

# OVERVIEW



## Overview

As required by Ohio Revised Code, the Court of Common Pleas, Juvenile Division is submitting its budget today, October 29, 2013. Our budget reflects exactly what is required for the safe, effective operations of the Court. Since we appeared for the last biennium, much has changed, not only at our Court, but in Juvenile Justice in Ohio as well.

In State Fiscal Year 2013, that ended June 30<sup>th</sup>, the Court committed 96 youth to the Ohio Department of Youth Services. This is the lowest number of commitments to State of Ohio correctional institutions since 1919. At the same time we placed fewer youth in residential treatment facilities. Our residential budget for 2013 was 5 million. We are on pace to spend only 3.3 million. Keep in mind that as recent as 2008, we committed more than 300 youth to ODYS, we had an average daily population of 100 at the County's Youth Development Center and we had 50+ youth in residential treatment facilities. The cost of operating YDC alone was 8-12 million. We have accomplished these historic achievements by intensifying community supervision, adding evidence-based practices and developing review teams that scrutinize

each and every youth we consider for removal from the community. This approach has saved the taxpayers of Cuyahoga County millions of dollars. More importantly, it is better for kids because placing kids in congregate care intensifies delinquency, it does not reduce it. Kids are most effectively treated in their communities where we work to strengthen bonds to positive groups and activities while weakening and disrupting delinquent networks.

Having said that, some youth need to be placed at correctional and treatment facilities for the safety of the community. Also, implementing effective evidence based programs, while far cheaper than residential treatment, is still costly. As has been reported to this body in the past, the Court started the Placement Planning Day Report Program last year. You may remember that youth go to this program 6-days a week from 8:00AM to 8:00PM. Since July 2012 this program has prevented at least 62 residential placements. Those 62 youth in placement and shelter care would have cost of 2.7 million. Instead, the Placement Planning Day Report program has cost \$350,000.

Diverting youth from out-of-home placements is important, but the Court has also worked diligently to divert kids from coming into the system at all. It is far better for youth and families and it is far less expensive than creating complaints, setting hearings, holding a hearing, assigning probation, etc. The Court has operated the Court Unruly Program for the last 5 years on what was supposed to be one year of funding. Through careful oversight of vendor practices and Medicaid billing we have made one year of funding last for five, while serving almost 5,000 youth and families. If these 5,000 cases had become official filings the estimated cost to the Court would have been 7.6 million. Our budget includes the \$250,000 required to continue this important and effective program.

Those are just two of the achievements for which our Court and the people of Cuyahoga County may be proud. Still, we face significant challenges, one of which has already had a significant fiscal impact on the Court.

On June 26, 2012 Governor Kasich signed Senate Bill 337. SB 337 made significant changes across the justice system. Perhaps the biggest

impact of 337 for our Court is the requirement of Juvenile Courts to hold youth and adults who have had their cases bound over to the adult court. A year ago, before we felt the full effects of SB 337 we had 103 youth in detention on 10/26/12. Yesterday morning our population was 171. Added to the cost are the sometimes extraordinary steps we are required to take to keep youth and adults separated. Prior to SB 337, an individual was transferred to County Jail when they turned 18. Now, the Court is required to keep these adults, often for months. Yesterday morning there were 21 adult offenders and 15 bound-over youth, who before SB 337, would not have been with us. SB 337 created a new population in our facility; a population that is less cooperative, more aggressive and presents a greater risk to staff and other residents. Clearly, SB 337 has significantly increased our census and our costs.

SB 337 also changed the way the Ohio Department of Youth Services counts credit for time served. Prior to SB 337, only days spent in a detention center immediately preceding a commitment were counted. Now, SB 337 requires ODYS to count all the days associated with the committing case, including days spent in residential treatment.

The implications of this change are not fully known yet but the impact to the budget could be severe. In the past, a youth who failed in placement and remained a risk to the community could be committed to ODYS. That is no longer the case if the placement credit days exceed the potential commitment days at ODYS. With ODYS off the table, the Court will be faced with placing some youth multiple times in increasingly secure and increasingly expensive facilities. The substantial savings the Court achieved in placement in the past year may be wiped away by this new law. Still, the Court remains committed to treating youth in the community and using placement as a last resort, but our analysis of SB337 and our duty to provide community protection require us to prepare for an increase in placements and our budget reflects that preparation.

In closing, we are proud of our historic accomplishments that our professional and dedicated staff have achieved. We have balanced careful stewardship of public funding with our duty to provide protection

to the community. We respectfully submit a budget that , even with new challenges, continues that balance.

# **BUDGET**

**Cuyahoga County Court of Common Pleas  
Juvenile Court Division**

2014-2015 General Fund/HHS/Special Revenue Budget Request (excluding carryover)

**2014 Budget    2015 Budget**

**Judicial JC372052**

10/010 Personal Services	1,193,444	1,217,313
10/015 Personal Benefits	428,699	432,375
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30/070 Capital	27,790	27,790
<b>Department Total</b>	<b>\$6,989,366</b>	<b>\$7,016,910</b>

**Legal JC372060**

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**Child Support JC 375055**

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20/060 Other Operating	126,978	126,978
30/070 Capital	5,049	5,049
<b>Department Total</b>	<b>\$4,001,401</b>	<b>\$4,051,232</b>

**Detention JC370056**

10/010 Personal Services	7,485,184	7,634,888
10/015 Personal Benefits	3,174,389	3,197,444
20/022 Commodities	407,481	407,481
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20/035 Controlled	2,519,426	2,519,426
20/060 Other Operating	67,384	67,384
30/070 Capital	14,547	14,547



<b>Department Total</b>	<b>\$13,967,045</b>	<b>\$14,139,803</b>
<b>Sub Total GF</b>	<b>\$36,069,836</b>	<b>\$36,447,337</b>

**YOUTH & FAMILY COM. PRT. HHS**

**JC108092**

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10/015 Personal Benefits	299,563	301,544
20/022 Commodities	1,612	1,612
20/026 Contractual	0	0
20/035 Controlled	9,368	9,368
20/050 Client Services	443,500	443,500
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30/070 Capital	1,336	1,336

<b>Department Total</b>	<b>\$4,098,699</b>	<b>\$4,113,547</b>
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**LEGAL HHS JC107532**

10/010 Personal Services	107,368	109,515
10/015 Personal Benefits	62,732	63,063
20/022 Commodities	18,493	18,493
20/026 Contractual	2,409,942	2,409,942
20/035 Controlled	0	0
20/060 Other Operating	62,830	62,830
30/070 Capital	379	379

<b>Department Total</b>	<b>\$2,661,744</b>	<b>\$2,664,222</b>
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**Probation HHS JC107516**

10/010 Personal Services	4,023,863	4,104,341
10/015 Personal Benefits	1,503,605	1,515,999
20/022 Commodities	87,696	87,696
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20/035 Controlled	166,138	166,138
20/060 Other Operating	2,561,333	2,561,333
30/070 Capital	9,345	9,345

<b>Department Total</b>	<b>\$9,333,290</b>	<b>\$9,426,161</b>
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**Detention HHS JC107524**

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10/015 Personal Benefits	184,750	185,925
20/022 Commodities	11,283	11,283
20/026 Contractual	3,174,104	3,174,104
20/060 Other Operating	0	0

30/070 Capital	876	876
<b>Department Total</b>	<b>\$3,752,412</b>	<b>\$3,761,214</b>
<b>Total HHS</b>	<b>\$19,846,145</b>	<b>\$19,965,144</b>
<b>Sub Total GF &amp; HHS</b>	<b>\$55,915,982</b>	<b>\$56,412,481</b>

**COMBINED COURTWIDE**

Personal Services	\$21,512,128	\$21,942,371
Personal Benefits	\$8,889,896	\$8,956,154
Commodities	\$608,758	\$608,758
Contractual	\$9,840,123	\$9,840,123
Controlled	\$8,328,882	\$8,328,882
Client Services	\$443,500	\$443,500
Other Operating	\$6,221,419	\$6,221,419
Capital	\$71,275	\$71,275
<b>SUB TOTAL GF &amp; HHS</b>	<b>\$55,915,982</b>	<b>\$56,412,481</b>

**Special Revenue**

**IV-E Administration JC517326**

10/010 Personal Services	\$166,803	\$175,143
10/015 Personal Benefits	\$48,707	\$51,142.35
20/022 Commodities	\$0	\$0
20/026 Contractual	\$274,800	\$280,000
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$10,000	\$10
30/070 Capital	\$0	\$0
FTE 3		
<b>Department Total</b>	<b>\$500,310</b>	<b>\$506,296</b>

**IV-E Maintenance JC517318**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$900,000
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$1,500,000	\$1,200,000
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total</b>	<b>\$1,500,000</b>	<b>\$2,100,000</b>

**Legal Computerization JC514919**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total</b>	<b>\$0</b>	<b>\$0</b>

**Legal Research JC495051**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		

**Alternative Dispute Resolution JC510925**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	0	0
20/026 Contractual	\$26,000	\$26,000
20/035 Controlled	\$0	\$0
20/050 Client Services	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total</b>	<b>\$26,000</b>	<b>\$26,000</b>

**ODYS Subsidy OP & Maint JC372300**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$55,000	\$55,000
30/070 Capital	\$0	\$0
<b>Department Total</b>	<b>\$55,000</b>	<b>\$55,000</b>

**Indigent Alcohol Drivers Fund JC510065**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/035 Controlled	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total-</b>	<b>\$0</b>	<b>\$0</b>

**Juvenile Incentives 515189**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/060 Other Operating	\$3,500	\$3,500
30/070 Capital		\$0
FTE -0-		
<b>Department Total</b>	<b>\$3,500</b>	<b>\$3,500</b>

**Forfeited Property JC510990**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
<b>FTE -0-</b>		
<b>Department Total</b>	<b>\$0</b>	<b>\$0</b>

**Electronic Monitoring JC510560**

10/010 Personal Services	\$0	\$0
10/015 Personal Benefits	\$0	\$0
20/022 Commodities	\$0	\$0
20/026 Contractual	\$0	\$0
20/060 Other Operating	\$0	\$0
30/070 Capital	\$0	\$0
FTE -0-		
<b>Department Total</b>	<b>\$0</b>	<b>\$0</b>

**Total Special Revenue**

10/010 Personal Services	\$166,803	\$175,143
10/015 Personal Benefits	\$48,707	\$51,142
20/022 Commodities	\$0	\$0
20/026 Contractual	\$300,800	\$1,206,000
20/060 Other Operating	\$3,500	\$3,500

30/070 Capital	\$1,565,000	\$1,255,010
FTE 3		\$0
<b>Sub Total Special Revenue</b>	<b>\$2,084,810</b>	<b>\$2,690,796</b>
<b>Sub Total GF &amp; HHS</b>	<b>\$55,915,982</b>	<b>\$56,412,481</b>
<b>TOTAL OPERATING BUDGET JUVENILE COURT</b>	<b>\$58,000,792</b>	<b>\$59,103,277</b>

# **DECISION ISSUES**

## Senate Bill 337

Due to SB 337, for the past year juvenile detention has been required to house adults facing bind over proceeding in adult court. We presently have:

- 21 adult offenders
- They are charged with serious offenses ranging from murder, rape, kidnapping, aggravated robbery with firearms, and felonious assault.
- Juvenile Court on average has completed their case in 60 days.
- Their average length of stay is over 9 months after juvenile court has finished processing them.
- That is a total of 11 months for a resident we formerly only kept 60 days
- What's more, these are adults that take more supervision because:
  - They are the most serious offenders
  - They have to be kept separate from youth
  - They cannot be made to go to school
  - Will not take orders from staff because they feel they are adults

Additionally, we have our under 18 years of age bind over kids that we would have normally sent to County Jail, but now due to SB 337 we have to keep them as well.

- There are 15 offenders
- They are murders, rapists, kidnappers, aggravated robbers.
- Deeply involved with the Heartless Felon street gang

We now house 30 more offenders, all incredibly dangerous juveniles and adults

And these numbers do not even consider the regular juveniles we have in the DH, of which we have

- 7 Murders

32 Aggravated robberies

6 Felonious assaults

7 Rapes

Current count is 157 and that is even after we tirelessly try every day to move out who we possibly can as long as they are not a risk to the community.

Given our current staffing levels we risk:

- Being under staffed and when that occurs the D.O.'s get hurt and property is destroyed
- Not having proper equipment to control and maintain these aggressive adult and juvenile bind- overs.
- The past several weeks we had 6 assaults on staff
- The past several weeks we had 10 incidents involving destruction of property

Again, we now house some incredibly dangerous juveniles and adults



## Bargaining and Non Bargaining

The agreement between the Court and Laborers Local 860 was recently before this body. You may remember that the agreement contains increases of 3%, 3% and 2% for 2013, 2014 and 2015 respectively. The agreement also includes a salary study to be completed by 2015. Still, even with these increases, our Court staff remain amongst the lowest paid staff in the county for their respective positions. Clerical staff at our Court start at \$20,889. Clerical staff in the General Division start at \$27,672. The average salary of a probation officer who has been at our Court for 17 years is \$37,625. A probation officer who has been at the General Division for more than 16 years makes \$57,894. The salary disparity is not limited to our union employees. A probation manager at our Court starts at \$52,000. A probation manager in the General Division starts at \$68,000. This disparity goes beyond Cuyahoga County. If you look at the rest of the state, our staff is amongst the lowest paid staff when compared with other urban counties. Yet our staff deal with youth that have the highest felony rate, highest number of gun crimes and highest poverty rate in the state. The difficulty of our work, coupled with

pay that is not competitive has resulted in a staggering turnover rate.

Over the last four years we have had approximately 125 employees leave the Court. That is nearly a quarter of our staff! Some estimates for the cost of interviewing, drug testing, checking references, completing background checks and training a single new employee are as much as \$20,000. Our lack of competitive pay not only is extremely costly, it must surely decrease our effectiveness.

The budget we submit today does not correct this, it is only a stop-gap until we can complete a salary study.

## **Court Unruly Program (CUP)**

### **I. Introduction**

The objective of this budget request is to ensure the Cuyahoga County Juvenile Court has sufficient funding to refer approximately 800 youth to the Court Unruly Program during each year of the upcoming two-year budget. Without appropriate funding, the court would be required to accept each unruly child referral as an official court filing.

### **II. Legal Basis**

Ohio Revised Code section 2151.11 provides the authority to contract outside the juvenile court for supervisory or other services for youth. Rule 9 of the Ohio Rules of Juvenile Procedure states: "In all appropriate cases, formal juvenile court action should be avoided and other community resources utilized to ameliorate situations brought to the attention of juvenile court."

The goal of CUP is to divert alleged unruly youth from the official court filings by providing high-quality assessment and case management services to youths and their families by identifying and addressing their problems and needs. Referred youth are under the age of eighteen (18) at the time of the offense, are residents of Cuyahoga County and have been referred to the attention of the court because of behavior described under Ohio Revised Code Section 2151.022. An unruly child is any child who:

- 1) Does not submit himself or herself to the reasonable control of the child's parents, teacher, guardian or custodian, by reason of being wayward or habitually disobedient;
- 2) Is an habitual truant from school and who previously has not been adjudicated as an unruly child for being an habitual truant; or
- 3) Who behaves in a manner as to injure or endanger the child's own health or morals or the health or morals of others.

### **III. Costs**

- Total Dollar Figure Allocated to CUP Since 2008: \$1,900,000.00
- Total Program Services costs, including RiteTrack® database (calendar years 2008 - 2012): \$1,112,680.15

- Estimated Program Services costs, including RiteTrack® database (calendar years 2013): \$84,349.96
- TOTAL ACTUAL & ESTIMATED Program Services costs, including RiteTrack® database (calendar years 2008 - 2013): \$1,197,030.11
- Estimate of cost to juvenile court if cases were not diverted (calendar years 2008 - 2013): \$7,654,167.84
- Estimated CUP services costs, including RiteTrack® database (calendar years 2014-2015): \$433,196.38
- Potential cost to the court if youth are not referred to CUP and the unruly referrals become official filings (calendar years 2014 - 2015): \$2,526,128.00

#### **IV. Significant Reduction in Program Services and Funding in 2009**

Midway through calendar year 2009, all of the ancillary services (anger management, parent respite, youth mentoring, parenting classes, life skills classes and intensive case management services) contracts were terminated. In addition, the length of service for general assessment and case management were reduced.

The court has been operating the CUP program with the FY 2008 allocation of \$1,000,000.00 since 2009. The funds have been stretched to permit multiple years of services through:

- Severe restriction in the amount of time the service provider is allowed to complete an assessment (limited to 1.25 hours per youth);
- Drastic reductions in the number and duration of face-to-face interactions with youth / families receiving case management services (2 encounters per month limited to .75 hours);
- Reduction in the length of participation in case management services (limited to 90 days from the time of referral);
- Elimination of all enhancement services;
- Strict monitoring of program usage through the RiteTrack® database;
- Allowing the service provider to “self-refer” for additional medically necessary services if the youth is Medicaid eligible; and
- Natural reduction in the number of CUP filings over the years (currently between 700-800 filings annually).

In the past 2 years, from October 1, 2011 to September 30, 2013, CUP has serviced 1,410 youth and their families. The sources for the unruly complaints are parents, schools, and police departments. The chart included with this outline displays the breakdown of these sources. Parents / guardians accounted for 71% of the complainants, with 996

referrals; schools made up 21% with 299 referrals; and police departments accounted for the remaining 8%, with 115 referrals.

## **V. Goal**

The court's goal is to utilize CUP to keep unruly youth from entering the official court system, in order to preserve the court's resources without compromising the integrity of the services being provided to the youth and community. Of the 1,410 referrals in the past 2 years, 1,008 youth, or 72%, have **not** been adjudicated delinquent of an official filing with the court; 274 youth, or 19%, have been adjudicated with respect to an official filing; and 128 youth, or 9%, have incurred an official filing and the case is still active. Of the 274 CUP recidivating youth who have been adjudicated, 146 youth, or 53%, were found delinquent of a misdemeanor offense; 78 youth, or 29% were determined to be unruly; and 50 youth, or 18%, were found delinquent of a felony offense. *Recidivism is defined here as an official court filing made at any time after the CUP referral.*

## **VI. Summary**

Without the ability to assign unruly referrals to CUP, the court would be unable to manage the additional 800 filings per year. The court's intake & diversion officers would not be able to provide the services required of this population. The community diversion programs around the county would not be able to manage the cases.

Approving the court's request for CUP funding in the amount of \$250,000.00 for calendar years 2014 – 2015 would enable the court to provide services at the pre-2010 level. Ancillary services such as anger management, parent respite, youth mentoring, parenting classes, life skills classes and intensive case management services could be restored. Children and families who are not Medicaid eligible could once again continue to receive general assessment and case management services as necessary beyond the 90-day time frame that currently exists.

## Residential

SB 337 changed the way the Ohio Department of Youth Services counts credit for time served. Prior to SB 337, only days spent in a detention center immediately preceding a commitment were counted. Now, SB 337 requires ODYS to count all the days associated with the committing case, including days spent in residential treatment. (provide example)

In the past, a youth who failed in placement and remained a risk to the community could be committed to ODYS. That is no longer the case if the placement credit days exceed the potential commitment days at ODYS. With ODYS off the table, the Court will be faced with placing some youth multiple times in increasingly secure and increasingly expensive facilities. (provide example) The substantial savings the Court achieved in placement in the past year may be wiped away by this new law. Still, the Court remains committed to treating youth in the community and using placement as a last resort, but our analysis of SB337 and our duty to provide community protection require us to

prepare for an increase in placements and our budget reflects that preparation.

## Incentive

The budget contains an attendance incentive of \$250 for employees who use 8 hours or less of sick time during a given quarter.

Research shows that  $\frac{3}{4}$  of the time, in both private and public sectors, employees are not really sick when they call in.

Absenteeism results in

- Lower morale
- Loss of productivity
- Decreased productivity for those working
- Overtime

Overtime pay is a significant driver in the Court's budget. This is especially true in the Detention Center, which of course is a 7-day a week 24-hour operation.

With SB 337 and the resultant increase in population, overtime costs have increased.

Coupled with a change in the bargaining agreement that changes vacation time to "non-productive time" when calculating overtime, the Court is confident that the incentive will reduce overtime and increase productivity and morale.



**COURT – TITLE IV-E  
ISSUE**

### **Title IV-E Issue**

The budget submitted by the County Executive violates the Subgrant Agreement between the Ohio Department of Jobs and Families, the Juvenile Court and Cuyahoga County signed by County Executive Edward Fitzgerald. On page 7 of the agreement items C. 2 and 4, state:

C.2. County agrees that any Title IV-E FFP received pursuant to this Subgrant Agreement, whether past, present or anticipated, will not be treated as countervailing income or resources in the determination of current, or future general appropriations made in support of the operation of SUBGRABTEE or xcounty child welfare agency.

C.4. County agrees not to subject SUBGRANTEE, or county child welfare to new costs not presently borne by the SUBGRANTEE or county welfare agency because of anticipated revnue that will be rece3ived by SUBGRANTEE under this Subgrant agreement.