

**2009**  
**Annual Report**



**William R. Zimmerman, Judge**  
**Shelby County Juvenile Court**  
**Sidney, Ohio**



## **2009 Shelby County Juvenile Court Report by Judge William R. Zimmerman**

2009 was a year of change and challenge for the Shelby County Juvenile Court. The major change was the retirement of Judge Norman P. Smith after being the Juvenile Court Judge in Shelby County since 1991. The major challenge was the economic recession and its impact upon funding and programming. However, the economic crisis did not go to waste and our court staff, led by our Court Administrator, Dawn Bailey, found new ways of doing business at reduced costs.

Juvenile Court handles a wide variety of cases involving children, including child abuse, child neglect, traffic offenses, truancy, unruly and criminal delinquency behavior. The Court also handles custody and child support cases involving children born of unmarried parents. Finally, cases filed by grandparents seeking custody and visitation also occur in Juvenile Court. The custody cases and neglect cases are handled by the new Juvenile Court Magistrate Michael L. Smith. Mike brings to the Court legal experience of over 38 years.

2009 was very busy, especially in the areas of child neglect and felony cases involving children. 2009 saw an increase of child neglect cases of over 200%! Felony adjudications, which represent serious youth crimes, increased nearly 25%. The poor economy, the erosion of the family unit and substance abuse were contributing factors to these increases.

In response to the expanded need for youth services, the Juvenile Court collaborated with other agencies in hosting the first ever Shelby County Summit on Children. Led by Juvenile Court-School Liaison Officer, Gary Reed, over 50 representatives from local agencies, schools and businesses met, developed and filed an action plan with the Governor's office as to how Shelby County can better address pressing needs and issues involving youth.

# Court & Probation Staff



Chad Gessler is the Chief Probation Officer of Shelby County Juvenile court and has worked for the court for 7 years. He received his Bachelor's degree in Human Ecology from The Ohio State University in 2001. Prior to college he served actively in the United States Army for 3 years and Ohio National Guard for 6 years. Chad has spent the past 4 years actively working with community partners to strengthen community efforts to help children and families succeed in Shelby County. He has served as a Parent Project Facilitator for three years.



McKenzie Couchot has served as a probation officer since February 2005. McKenzie started gaining knowledge of juvenile probation when she completed a one year internship with the department. McKenzie is a graduate of the Ohio State University with a degree in Social Work.



Dustin Snow has been with Shelby County Juvenile Probation since April 2007. He came to us from Hardin County Juvenile Probation, where he was employed for 8 months. Dustin completed a 7-month internship at the Central Ohio Youth Center in Marysville where he was a Detention Officer Specialist. He graduated from Urbana University in August, 2006 with a degree in Criminal Justice.



Lorie Hurey has been with the Probation Department since June of 2006. Lorie began her employment with the Court as the Program Coordinator and now is our Intake Officer. Her duties have broadened in the past 3 years, giving Lorie the responsibilities of monitoring all court orders with the Court Order Compliance Program and also managing the Diversion Program. Previously Lorie worked with the Sidney-Shelby County YMCA for nearly 15 years.



Courtney Layman started her employment with the Shelby County Juvenile Court Probation Department in February, 2009. She serves as Program Coordinator and Systems Administrator for the Court. Courtney was previously employed at the Shelby County Public Defender's Office where she served as Administrative Assistant for 10 years.



Kenneth Pirics was hired in January 2006 and serves as the Court's Transport Officer and Bailiff. He also serves as a supervisor for the Juvenile Justice Work Program. Ken brings a wealth of experience to the Court after serving 25 years with the Shelby County Sheriff's Department.



Gary L. Reed was hired as the Court/School Liaison in 2000, a position which he was instrumental in creating. He received his Bachelor's Degree in 1970 from Bowling Green State University and his Masters Degree in 1975 from Wright State University and has served many roles in the field of education including, classroom teacher, assistant principal, elementary and middle school principal, and superintendent. The Liaison's position, funded by the city and county schools as well as government sources, bridges the gap between the schools and Juvenile Court by helping to develop policy and increase communication, develop education options for students in the court system, and monitor student academic and behavioral process.



Dawn R. Bailey began her career with the Court in 1992 as a Deputy Clerk. Since that time, she has held many positions within the Court and was appointed as Court Administrator in 2006. Dawn handles the day-to-day operations of the Court which includes the management the Court's budget. She also serves on the Victim Services Advisory Board. Dawn is a graduate of Bluffton University with the Bachelor's Degree in management.

## Juvenile Court Clerks



From L to R: Cheryl McCullough, Deputy Clerk; Kimberly Rosengarten, Chief Deputy Clerk; Cheryl Harmon, Deputy Clerk

# Probation Services

The mission of the Shelby County Juvenile Probation Department is to assist in the rehabilitation of delinquent/unruly youth and families by encouraging the acceptance of change in their lives through programming, education, and community partnerships. Our probation staff believes in the philosophy that every youth is capable of change and it is our duty to foster that change to the best of our ability. Although our department is small, working with a goal-driven, team-focused mentality we have implemented new programs and performance initiatives to encourage and assist youth to complete probation successfully.

In 2009, 30 youth were placed on Intensive Probation in Shelby County and 14 youth were successfully released from the courts supervision during that time period. At the end of 2009, we had a total of 45 youth on Intensive Probation. Youth appearing in court for delinquency cases and who were not placed on Intensive Probation were monitored through Court Order Compliance (COC) until their orders were completed. Our COC Officer tracks all court orders and follows up with local service providers to ensure the youth is making progress toward completion of their orders. In 2009, 213 youth were placed on COC and 189 youth completed all their court orders successfully. At the end of 2009, we had a total of 131 youth being monitored through Court Order Compliance.

Sidney and Shelby County are blessed to have compassionate, youth-focused service providers in our community helping to combat destructive behaviors and educating youth on healthier lifestyles. Taking a community based approach with juvenile delinquency has allowed us to collaborate with and include in the process our local school districts, counseling agencies, social service agencies, churches, and special interest groups. Gateway Youth Programs, the Salvation Army, and Shelby County Counseling Center have been instrumental in providing services our youth need to turn their lives in a positive direction. We partnered with The Humane Society to conduct a community service project that will allow youth to give back to their community. Youth involved in this project worked with the animals being sheltered as well as provided assistance to local disabled seniors with various chores. We also partnered with Harbor Life Ministries, aka Harbor House, located in Norwalk, Ohio. Harbor House is a residential program for young girls who are pregnant or have a baby and are in need of support and education for the difficult challenges they will face. In 2009, two young ladies successfully completed the program and transitioned back home. There are many people from various service agencies in our community that assist the court in our mission to help children succeed, and we are very appreciative of all their efforts.

Juvenile probation faced many challenges throughout the year. We had to step back and think outside the box with many of the kids we deal with. Many of the conventional methods of accountability do not work with today's youth, so we made it our mission to find what has caused the behaviors and create a plan to help the youth change those behaviors. We found that we can't always make that connection and unfortunately for some, long term incarceration is our only alternative. We also took a strong stance on parent accountability of their children. Many of the youth on probation are at a crossroads in life, and the direction they choose at this critical time may have a great impact on what they become in their future. Parents have to be invested in their children in order for them to succeed. In 2009, we had four parents not follow through with the plan developed to help their child, and they were held in contempt and sent to jail.

We upgraded our monitoring system to include GPS tracking for those youth who were placed on house arrest. GPS allowed us to pinpoint exact locations a youth had been as well as gave us a real time status as to where the youth was at all times. Using this monitoring system allowed us to keep some non-violent offenders out of detention, but still under community control at home. In 2009, 8 youth were placed on GPS monitoring and 6 successfully completed without violations of their home arrest.

An incentive program was implemented to motivate youth to make better decisions and allow them to see that in life you are rewarded for hard work and good choices. Many of the youth we deal with are seldom

given positive reinforcement at home and therefore, have no incentive to set goals and work hard to achieve them. Youth on probation set behavioral and academic goals with their Probation Officer and were rewarded as they achieved their goals. In July, 2009, we had our first annual cook out with probationers. Our staff and the youth whom attended competed in wiffle ball, corn hole, and tug-of-war. Playing games with the youth gave our staff the opportunity to show the kids that we are not here to just make their lives miserable and would rather that they see us as a positive support in their lives. The outing was very successful with 27 youth attending.

## **Court/School Liaison**

The court/school liaison program was created in October of 2000 to build a stronger working relationship and strengthen communication between the court and school in order to better serve the youth of Shelby County. The liaison reports directly to the Educational Service Center and serves the city and county schools, as well as the Juvenile Court. Responsibilities for the liaison fall into three major categories: consultation, monitoring, and transitioning of students.

A typical week for the liaison commences with a staff meeting every Monday in conjunction with the juvenile judge and the probation officers. Cases are reviewed and recommendations made for the rehabilitation of the youth facing charges in court. Assignments are given for the staff, with the liaison focusing on school issues. From monitoring school progress of students involved with the court to researching educational options, the liaison spends several hours each week consulting with probation officers and following up on court orders mandated each Monday.

Finding educational options for students involves visits each week to the Cooperative Learning Center, an alternative school, and the Opportunity School at Sidney High School, commonly referred to as night school. The liaison works closely with the staff to develop educational plans for students involved with Juvenile Court. Shelby County is fortunate to have alternative options for students who are attempting to recover credits. In addition, the court refers students to the GED program and the liaison facilitates the process of student enrollment in that program.

Along with the Juvenile Court Chief Probation Officer, the liaison is Shelby County ESC's representative to the Diversion Assistance Team meetings held twice each month. Commonly referred to as the DAT team under the umbrella of Family and Children First, families and individuals are referred by county agencies for assistance. Often the liaison is a part of a family stability team which meets with the family or individual in a timely manner.

During the 2009 school year, the court implemented a new strategy to hold parents and students more accountable for school-related issues. Referred to as the liaison contract, specific responsibilities are outlined in a contractual agreement signed by the parents, students, and school officials. Focus points include school attendance, grades, and behavior while at school. The liaison monitors and meets with clients in an effort to assist them in adhering to the contract specifics.

In 2009, the liaison carried a caseload of 56 students which included 43 new referrals. By the end of the year, 14 students had been terminated successfully.

# **Rehabilitative Programs – Incarceration - Placements**

## **Rehabilitative Programs**

**Gateway Youth Program** – This program is a 12-week program which the court refers adjudicated and at-risk youth. The program helps youth with school attendance and performance, social skills and getting the youth and their families to the appropriate services. 11 youth referred in 2009

**Juvenile Justice Work Program** – Youth perform community service at various work sites throughout the county. The program teaches youth responsibility for negative actions and a basic work ethic. 175 days completed in 2009

**Community Service** – Youth perform community service for charitable organizations, school and churches. 393 hours completed in 2009

**West Central Juvenile Day Treatment** – This program provides alternative schooling, GED preparation and living skills to adjudicated youth. 11 youth completed in 2009

**PATH (Partnering Alongside Teens for Hope & Healing)** – This program is a mentoring program collaboration between the Court and the Sidney First United Methodist Church. The youth referred to this program are matched with a positive role model with similar likes and interests. 25 youth referred in 2009

**Bridging the Gap** – This program is facilitated by The Salvation Army. The youth participate in various life skill lessons that enable them to better handle issues that young people face today. 14 youth completed in 2009

**STAR (Start Today Accepting Responsibility)** – This program which is run by the West Central Juvenile Detention Center shows youth what it is like to be placed in a secure facility for a few hours. 27 youth completed in 2009

**Parent Project** – This nationwide effective program presented twice a year by the Shelby County Educational Service Center educates parents while reducing juvenile crime and improving school attendance and academic performance. While parents are in one class room, teens between the ages of 11 and 17 are in a separate class, which helps teens explore positive alternatives to destructive behavior. 20 youth and 40 parents completed in 2009

**Loving Solutions** – A component of the Parent Project, this 7 week class provides skills and support for parents of children between the ages of 5 and 10 so that they can express their love and care for their children in an effective manner of parenting. 27 parents completed in 2009

**Mental Health Counseling/Alcohol & Drug Services** – the services of the Shelby County Counseling Center, Catholic social Services, Victim Services and other counselors are utilized to address youth with mental health, behavioral and/or alcohol and drug problems. 34 youth completed alcohol & drug counseling and 19 youth completed mental health counseling

**Diversion** – Youth in this program admit to the offense without a formal hearing, and the youth must comply with the contract established with the diversion officer and parent(s). If the youth completes the program successfully, he/she will not have a juvenile record. 56 youth completed in 2009

## Incarceration

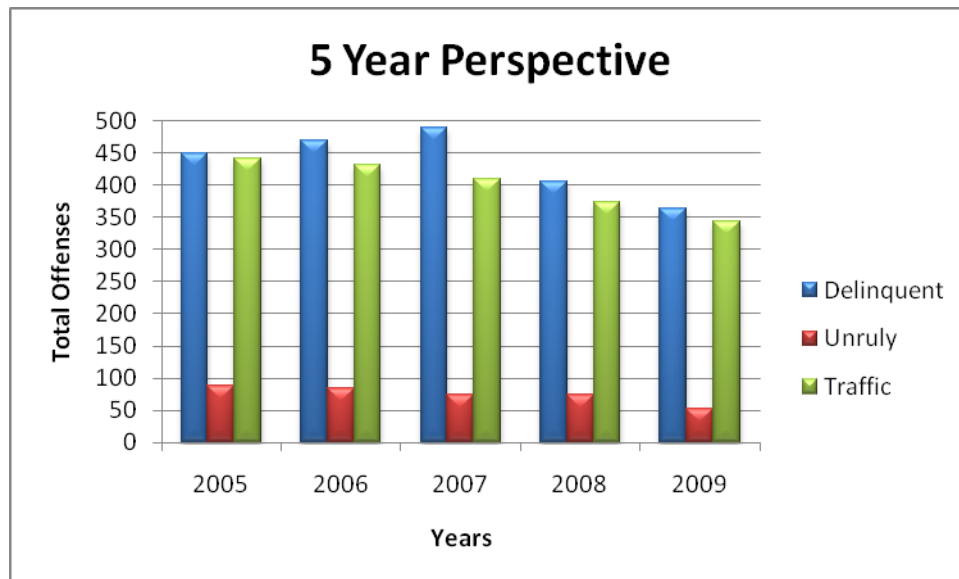
**DYS** – The Department of Youth Services is the juvenile corrections system for the State of Ohio operating eight juvenile facilities with six regional parole officers. 4 youth were placed in 2009

**Rehabilitation** – The West Central Juvenile Rehabilitation Center treats male juveniles aged 12 to 18 who are referred to this facility to receive cognitive behavioral therapy with the focus on thinking errors. 6 youth were placed in 2009

**Detention** – The Shelby County Commissioners have contracted with the West Central Juvenile Detention Center for 6 beds per day. The facility is a locked facility serving male and female youth between the ages of 12 and 18. 97 youth were placed and 2, 200 bed days served in 2009

## Placements

**Clear Creek Farm** – Children placed with this agency live in family-styled units, residence for 8 to 10 kids cared for by house parents 24 hours a day. Children are expected to participate in the family unit by doing chores and sharing responsibilities, helping with meals, doing their own laundry, and grocery shopping. They enjoy spiritual as well as recreational activities together as a family and learn to support one another. 2 youth were placed in 2009

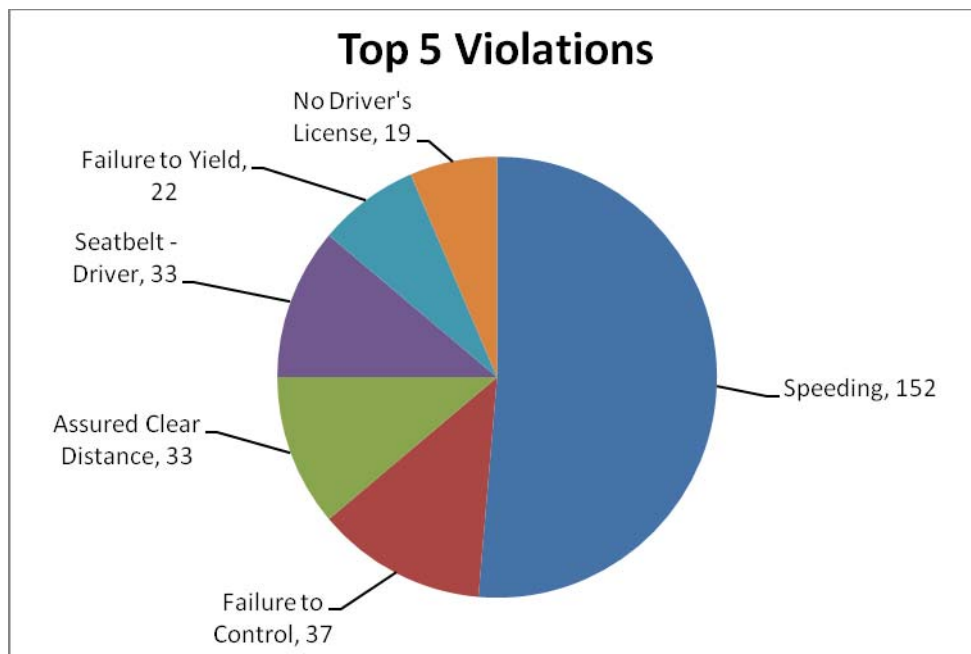


# Juvenile Traffic Cases

The Juvenile Court is designated to hear all traffic cases of persons who are under the age of 18 when they are charged with a traffic violation. The violation could be a state statute or municipal ordinance.

The creation of the court's traffic violations bureau allows juveniles to admit to a violation and pay their court costs and fines without having to appear in court. In 2009, of the 344 traffic violations filed with the Court, the bureau processed 51 cases. All juvenile traffic offenses may be disposed of by the violations bureau, except the following offenses:

- a) Indictable offenses;
- b) Operating a motor vehicle under the influence of alcohol or any drug of abuse;
- c) Leaving the scene of an accident;
- d) Driving while under suspension or revocation of a driver's or commercial driver's license;
- e) Driving without being licensed to drive, except where the driver's or commercial driver's license had been expired for six months or less;
- f) Failure to stop and remain standing upon meeting or overtaking a school bus stopped for the purpose of receiving or discharging a school child;
- g) Willfully eluding or fleeing a police officer;
- h) Drag racing;
- i) A second or subsequent moving offense;
- j) An offense that involves an accident;
- k) Any traffic offense, otherwise eligible to be disposed of by said violation bureau, that the Court, in its discretion and upon a case-by-case basis, determines should not be disposed of by said violations bureau.



# Domestic Relations Division

The jurisdiction of the Juvenile Court, Domestic Relations Division, is limited to resolving disputes concerning children of unmarried parents, deceased parents, or children that are not “a ward of another court”. The Court issues decisions regarding paternity, custody, child support, and visitation. The Domestic Relations Division also enforces orders previously issued through the contempt of court process.

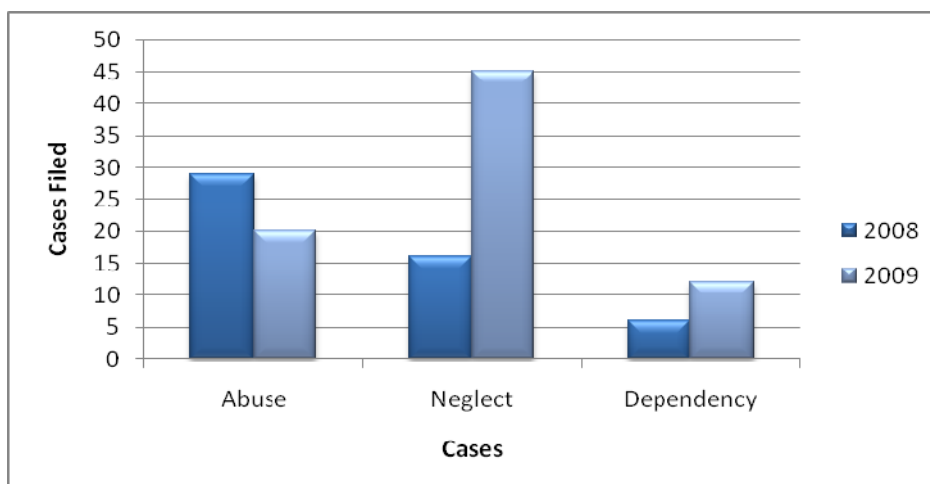
Custody and visitation issue are resolved by applying the legal standard of “best interests of the child”. Child support issues are resolved by applying the Ohio Child Support Guideline Calculation Statute. Modification of custody, child support, and visitation are regularly and routinely heard by the court with the objective of protecting the best interests of the minor children. In 2009, the Magistrate handled a total of 126 cases, with 26 concerning custody and/or visitation; 12 concerning paternity; and 88 cases concerning support issues.

## Child Abuse, Neglect and Dependency

The Children Services Division of the Shelby County Department of Job and Family Services is responsible for filing a complaint in Juvenile Court when the Agency discovers child abuse, child neglect, or child dependency. The Juvenile Court hears the cases filed by Children Services and determines whether or not the allegations are true. If the allegations are proven, Children Services must file a case plan that is designed to correct the parental problems. Juvenile Court must either approve or disapprove the proposed case plan.

A child may not be removed from the parental home unless the Juvenile Court is satisfied that the child is in danger. Following removal, the Court seeks to place the child with a relative, if one is available, before placing a child in foster care.

If the parents are successful in completing the case plan, the children are reunited in the parental home. If the parents perform the case plan unsuccessfully, or refuse to perform the case plan, or are unable to perform the case plan, the Juvenile Court has the authority to permanently terminate parental rights. Thereafter the child becomes available for adoption. The Court saw a decrease in the number of abuse complaints that were filed in 2009, however, there was a major increase in the neglect and dependency filings as shown in the chart below.



# Financial Perspective

The court faced many financial challenges in 2009. Due to Shelby County’s dire financial situation, the County Commissioners requested that all departments cut their budgets 8 percent in 2009. In order to honor this request, the court reduced its operating hours and was forced to make major cuts in its budget in the areas of placements and detention. Additionally, in June of 2009, the County Commissioners again requested that all departments make a second reduction to their budgets of 7.5% for the remainder of 2009. Unfortunately, the only recourse the Court had in order to meet this reduction was to ask its staff to take a voluntary furlough. As a result, all employees agreed to each take 10 days off without pay.

In addition, the Court’s Reclaim Ohio grant allocation from the Ohio Department of Youth Services realized a reduction of 34 percent. Due to the county’s inability to pick up any of the costs of the programs that this grant funded, several programs that served the children of Shelby County had to be either discontinued or services reduced.

## County General Fund and Reclaim Ohio Grant Expenses

<b>Judicial, Administration, Clerk Services &amp; Placements</b>		<b>Probation Services</b>	
Salaries & Benefits	321,489	Salaries & Benefits	168,331
Equipment & Supplies	2,239	Supplies & Equipment	16,185
Contracts & Repairs	3,806	Psychological Evaluations	800
Telephone	7,380	Group Therapy	18,947
Witness Fee	9	Drug Testing	2,180
Training & Travel	1,950	Motor Vehicle	765
Attorney Fees	19,468	Seminars & Training	75
Dues & Memberships	1,013	Juvenile Justice Work Program	6,228
Motor Vehicles	1,722	Court-School Liaison	4,250
Other Expenses	476	Incentive Program	237
Detention	193,718	Mentoring	20,000
David Brown Youth Center	11,600	Advocates/Guardian Ad Litem	11,175
Clear Creek Farms	8,035	Parent Project	10,000
Cluster-Other Placements	7,556	Mental Health Counseling	6,125
	<b>580,461</b>	CASA/GAL Program	12,167
		Electronic Home Monitoring	4,506
			<b>281,971</b>

The Court continued to pursue the collection of past due court costs and fines. Due to the inability of the current staff to dedicate the time involved to concentrate solely on the collection of past due court costs and fines, the Court entered into an agreement with Capital Recovery Systems, Inc. (CRS) for the collection of these past due monies. The service that CRS provides is free to the Court, with the cost of their service being passed on to the client. Since the agreement wasn't signed until the latter part of 2009, this program wasn't fully up and running by the end of the year, but the Court fully anticipates an increase in revenue in future years.

Additionally, in order to increase the revenue that the Court returns to the County General Fund, the Court revised its contract with the Ohio Department of Job and Family Services for the services provided by the Magistrate. This revision generated an additional \$7,993 in 2009.

	<b>Amount Received</b>	<b>Amount Used</b>	<b>Purpose</b>
<b>Shelby County General Fund</b>	588,301	580,461	Court operations, detention, Placements
<b>Computer Fees</b>	8,607	13,741*	Computer hardware, maintenance & supplies
<b>Special Project Funds</b>	4,283	-	Training of staff, Magistrate's salary, attorney fees
<b>Probation Services Fee</b>	374	-	Rehabilitative Programs
<b>State of Ohio Funds</b>			
510 Grant & Reclaim Funds	123,487	281,971*	Probation Services
<b>Federal Funds</b>			
IV-D Funds	19,728	19,728	Child Support costs related to Juvenile Court Magistrate & Clerks' Office

\*When receipts are less than expenditures, accumulated funds from previous years are used.

Revenue collected by Juvenile Court and paid into the General Fund - \$90,029

This report was produced by the Shelby County Juvenile Court at a cost of \$1.47 per copy.