

MONTGOMERY COUNTY MUNICIPAL COURT
WESTERN AND EASTERN DIVISIONS
2022 ANNUAL REPORT



New Lebanon Courthouse



Huber Heights Courthouse

FILED
MUNICIPAL COURT
WESTERN DIVISION

2023 FEB 15 AM 9:18

JAMES D. PIERGIES, PRESIDING
AND ADMINISTRATIVE JUDGE

TABLE OF CONTENTS

	<u>Page</u>
Introduction.....	3
County Municipal Judges	4
Jurisdiction and Organization	5
Court Personnel	6
Community Control Department	6
Case Load	6
2022 New Cases Filed Administrative Report	7
2022 New Cases Filed Individual Report, Judge James D. Piergies	8
2022 New Cases Filed Individual Report, Judge William C. Cox	9
Funds Collected and Disbursements	10
Criminal/Traffic Receipts and Distributions	10-12
Civil Division Receipts and Disbursements	12
Public Defender's Office	13
Summary	13

INTRODUCTION

The Montgomery County Municipal Court was established by the State of Ohio on July 1, 2010. This Court is the successor court to the County Court of Montgomery County which was established in 1952. That court was the successor court to the Township Justices of the Peace prior to 1952. The Justices of the Peace were laymen elected by each township to act as part-time judicial officers. The County Court was comprised of attorneys elected throughout the area of the court's jurisdiction to serve as part-time judges. The County Municipal Court has downsized by attrition from five part-time judges to two full-time judges. We now have one full-time judge that sits on the bench in New Lebanon (Western Division) and one full-time judge that sits on the bench in Huber Heights (Eastern Division). We also have one part-time Magistrate who hears the civil docket in both the Eastern and the Western Divisions.

THE PRESENT COUNTY MUNICIPAL COURT JUDGES ARE:



Honorable James D. Piergies
1995 – Present

Currently sitting in New Lebanon (Western Division)

Judge James Piergies received his B.A. from Bowling Green State University in 1974 and his J.D. from University of Dayton School of Law in 1980.



Honorable William C. Cox
2020 – Present

Currently sitting in Huber Heights (Eastern Division)

Judge William C. Cox received his B.A. from Bowling Green State University in 1986 and his J.D. from Claude W. Pettit College of Law of Ohio Northern University in 1989.

Jurisdiction and Organization

The County Municipal Court serves four townships and eight municipalities in the northwest and northeast portions of Montgomery County.

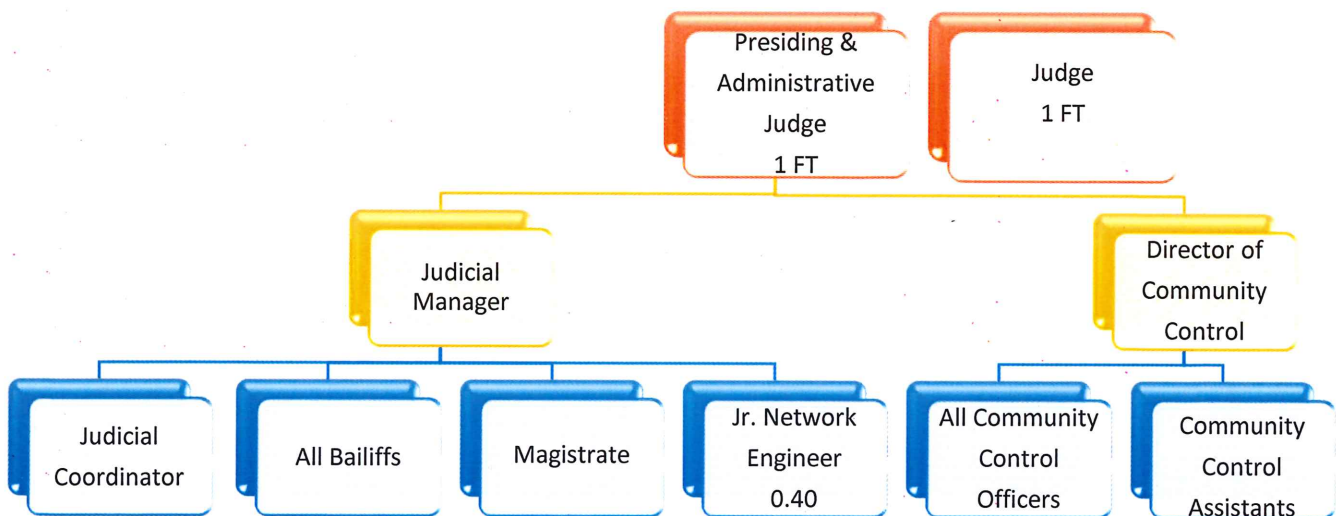
The County Municipal Court Western Division in New Lebanon serves the cities of Trotwood and Brookville; the townships of Clay, Jackson, Jefferson and Perry; and the villages of Farmersville, New Lebanon, Phillipsburg and Verona. The County Municipal Court Eastern Division in Huber Heights serves the cities of Huber Heights and Riverside.

County Municipal Court also serves the other law enforcement agencies that file cases from within these jurisdictions such as the Montgomery County Sheriff's Office, Ohio State Patrol, Ohio Park Rangers, Ohio Division of Wildlife, Public Utilities

Commission Police, Montgomery County Zoning, Public Health District of Dayton and Montgomery County, Animal Resource Center, Municipal Department of Taxation and the Board of Liquor Control.

The County Municipal Court has jurisdiction in all adult traffic and misdemeanor cases occurring in the court's jurisdiction. They are also the originating court for felony filings for preliminary hearings. The court has jurisdiction in civil cases up to \$15,000 and jurisdiction in small claims cases up to \$6,000. The court has a full-time Community Control Department responsible for supervising defendants. The Clerk of the County Municipal Court is the elected Clerk of Courts of Montgomery County.

The present organizational chart of the court is:



Court Personnel

The County Municipal Court, Western and Eastern Divisions, are staffed by two full-time elected Judges (James D. Piergies and William C. Cox), one part-time Magistrate (Jeffrey D. Slyman), elected Clerk of Courts for Montgomery County (Mike Foley), one Judicial Manager (Amy Weimer), one Judicial Coordinator (LaJuana Curington), one Chief Community Control Officer/Bailiff (Dean A. Johnson) and four full-time Community Control Officers (Taylor Shelton, James Hayes, Jr., Lesley Riley and Sean Mitchell) three full-time bailiffs (Dean Johnson, Kristi Cox and Joseph Russell), four part-time security/service bailiffs (Mark Bruns, Michael Rotterman, David Reed, and James Gebhart), and two part-time judicial/community control assistants (Kellen McCoy and Wyonna Chenault).

Community Control Department

The County Municipal Court Community Control Department has supervisory responsibility for individuals whom the court places on community control. The Community Control Officers monitor the individuals for compliance with the law, completion of drug and alcohol treatment, batterers' education, theft education, anger management, community service and other requirements ordered by the Court.

The Community Control Department is responsible for preparing pre-sentence investigation reports, expungement reports, accepting restitution payments, performing drug screens, scheduling revocation hearings, and establishing ignition interlock.

The court placed five hundred (500) individuals on Community Control in 2022 and six hundred nineteen (619) individuals were successfully terminated. The Community Control Department prepared forty-three (43) pre-sentence investigation reports and four hundred sixty-four (464) expungement reports.

Case Load

During the calendar year 2022 County Municipal Court processed fourteen thousand five hundred and eighty three (14,583) cases comprised of twelve thousand nine hundred and twenty eight (12,928) new case filings from local jurisdictions and had one thousand five hundred and eighty three (1,655) cases that were reactivated. The new case filings may include multiple charges and does not include parking tickets. The following charts summarize the case load of the Administrative Judge and the Individual Judges for 2022.

Montgomery County Municipal Court

James Piergies

	A	B	C	D	E	F	G	H	I	T
	Felonies	Misdemeanors	O.V.I.	Other Traffic	Personal Injury &	Contracts	F.E.D.	Other Civil	Small Claims	Total
Pending beginning of period	2	56	7	246	6	638	0	2	21	978
New cases filed	130	2,173	337	6,930	27	1,833	1,344	57	97	12,928
Cases transferred in, reactivated, or redesignated	53	563	23	1,005	0	11	0	0	0	1,655
Total cases	185	2,792	367	8,181	33	2,482	1,344	59	118	15,561

TERMINATIONS BY:	A	B	C	D	E	F	G	H	I	T
Trial/Hearing by Judge (include bindover by preliminary hearing, guilty or no contest pleas and defaults)	0	109	0	1,864	10	861	0	7	13	2,864
Hearing by Magistrate (include guilty or no contest pleas and defaults)	X	6	0	43	0	0	0	1	22	72
Transfer (include waivers of preliminary hearing and individual judge assignments)	0	1,889	330	1,710	1	91	1,343	0	0	5,364
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	0	3	0	0	0	0	0	3
Other Dismissals (include dismissals at preliminary hearing)	134	96	4	201	5	729	1	5	50	1,225
Violations Bureau	X	88	X	3,171	X	X	X	X	X	3,259
Unavailability of party for trial or sentencing	49	561	27	964	0	0	0	0	0	1,601
Bankruptcy stay or interlocutory appeal	0	0	0	0	0	10	0	0	0	10
Other terminations	2	1	0	0	1	125	0	46	15	190
TOTAL Terminations	185	2,750	361	7,956	17	1,816	1,344	59	100	14,588

Clearance rate	101%	101%	100%	100%	63%	98%	100%	104%	103%	100%
Time guideline (months)	1	6	6	6	24	12	12	12	6	X
Pending end of period	0	42	6	225	16	666	0	0	18	973
Cases pending beyond time guideline	0	0	0	1	0	0	0	0	0	1
Overage rate	NaN	0%	0%	0%	0%	0%	0%	0%	0%	0%

Number of months oldest case overage	1	0	0	7	0	0	0	0	1	X
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Form IJ

Between 1/2022 and 12/2022

Montgomery County Municipal Court

James Piergies

	B	C	D	E	F	G	H	T	V
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury	Contracts	F.E.D.	Other Civil	Total	Visiting Judge
Pending beginning of period	116	21	83	1	10	102	0	333	0
New cases filed	1,099	185	983	0	20	773	0	3,060	0
Cases transferred in, reactivated, or redesignated	212	23	256	0	0	0	0	491	0
Total cases	1,427	229	1,322	1	30	875	0	3,884	0

TERMINATIONS BY:	B	C	D	E	F	G	H	T	V
Jury trial	0	0	2	0	0	0	0	2	0
Court Trial	3	2	6	0	0	0	0	11	0
Default	X	X	X	0	2	3	0	5	0
Guilty or no contest plea to original charge	251	90	467	X	X	X	X	808	0
Guilty or no contest plea to reduced charge	206	82	298	X	X	X	X	586	0
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	1	0	0	0	0	1	0
Other Dismissals	638	7	155	1	10	452	0	1,263	0
Transfer to another judge or court	0	0	0	0	0	2	0	2	0
Referral to private judge	X	X	X	0	0	0	0	0	0
Unavailability of party for trial or sentencing	227	23	270	0	0	0	0	520	0
Bankruptcy <u>stay</u> or interlocutory appeal	0	0	0	0	0	2	0	2	0
Other terminations	0	0	0	0	13	256	0	269	0
TOTAL Terminations	1,325	204	1,199	1	25	715	0	3,469	0

Clearance rate	101%	98%	97%	0%	125%	92%	0%	98%	0%
Time guideline (months)	6	6	6	24	12	12	12	X	X
Pending end of period	102	25	123	0	5	160	0	415	0
Cases pending beyond time guideline	1	0	0	0	0	0	0	1	0
Overage rate	1%	0%	0%	0%	0%	0%	0%	0%	0%

Number of months oldest case overage	3	1	1	0	7	0	0	X	0
Cases submitted awaiting sentencing or judgment beyond time guideline	0	0	0	0	0	0	0	0	0

Form IJ

Between 1/2022 and 12/2022

Montgomery County Municipal Court

William Cox

	B	C	D	E	F	G	H	T	V
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury and	Contracts	F.E.D.	Other Civil	Total	Visiting Judge
Pending beginning of period	96	34	97	1	29	93	0	350	0
New cases filed	790	145	727	1	71	570	0	2,304	0
Cases transferred in, reactivated, or redesignated	172	22	203	0	1	1	0	399	0
Total cases	1,058	201	1,027	2	101	664	0	3,053	0

TERMINATIONS BY:	B	C	D	E	F	G	H	T	V
Jury trial	1	0	0	0	1	2	0	4	0
Court Trial	1	0	3	0	0	0	0	4	0
Default	X	X	X	0	1	2	0	3	0
Guilty or no contest plea to original charge	207	58	276	X	X	X	X	541	0
Guilty or no contest plea to reduced charge	233	88	207	X	X	X	X	528	0
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	0	0	0	0	0	0	0
Other Dismissals	344	10	272	1	41	270	0	938	0
Transfer to another judge or court	0	0	0	0	0	0	0	0	0
Referral to private judge	X	X	X	0	0	0	0	0	0
Unavailability of party for trial or sentencing	167	14	189	0	0	0	0	370	0
Bankruptcy <u>stay</u> or interlocutory appeal	0	0	0	0	1	0	0	1	0
Other terminations	1	0	0	0	44	255	0	300	0
TOTAL Terminations	954	170	947	1	88	529	0	2,689	0

Clearance rate	99%	102%	102%	100%	122%	93%	0%	99%	0%
Time guideline (months)	6	6	6	24	12	12	12	X	X
Pending end of period	104	31	80	1	13	135	0	364	0
Cases pending beyond time guideline	0	0	0	0	0	0	0	0	0
Overage rate	0%	0%	0%	0%	0%	0%	0%	0%	0%

Number of months oldest case overage	1	0	1	0	1	0	0	X	0
Cases submitted awaiting sentencing or judgment beyond time guideline	0	0	0	0	0	0	0	0	0

FUNDS COLLECTED AND DISBURSEMENTS

The following charts set out the fines and court costs that were assessed by the court and collected and disbursed by the Clerk of Courts.

CRIMINAL/TRAFFIC RECEIPTS AND DISTRIBUTIONS

For the 2022 year, County Municipal Court collected **\$1,472,342.34** in fines, court costs, and other monies for criminal and traffic cases. Distributed as follows:

CRIMINAL- TRAFFIC

BROOKVILLE	\$ 1,202.93
CLAY TOWNSHIP	\$ 170.00
FIVE RIVERS METRO PARK	\$ 2,900.41
HUBER HEIGHTS	\$ 35,228.78
JACKSON TOWNSHIP	\$ 25.00
NEW LEBANON	\$ 120.00
PERRY TOWNSHIP	\$ 408.00
PHILLIPSBURG	\$ 130.00
RIVERSIDE	\$ 13,937.84
TROTWOOD	\$ 3,894.54
VERONA	\$ 104.50
OTHER COUNTIES - SERVICE OF SUMMONS	\$ 586.32
OHIO STATE PATROL	\$ 395.00

MONT CO TREASURER:

CLERK AUTOMATION/ COMPUTER IMPROVEMENT	\$ 85,427.80
COMPUTER/LEGAL RESEARCH	\$ 25,605.35
COURT IDAFT	\$ 9,536.12
CREDIT CARD FEE/ AUTOMATION	\$ 25,381.27
INDIGENT MONITORING FUND	\$ 6,899.88
NSF FEES	\$ 50.00
PROBATION	\$ 53,946.12
PUBLIC DEFENDER FEE	\$ 25,226.37

MONTGOMERY CO TREASURER:

BROOKVILLE:

4511 & 4513	\$ 4,131.50
NON 4511 & 4513	\$ 3,404.54
CRIMINAL	\$ 2,164.00

CLAY:

4511 & 4513	\$ 6,845.50
NON 4511 & 4513	\$ 2,741.37
CRIMINAL	\$ 1,953.88

HUBER HEIGHTS:

4511 & 4513	\$ 15,278.60
NON 4511 & 4513	\$ 15,474.93
CRIMINAL	\$ 9,910.73

JACKSON:

4511 & 4513	\$ 2,424.00
NON 4511 & 4513	\$ 1,679.00
CRIMINAL	\$ 260.00

MCSO/JEFFERSON:

4511 & 4513	\$ 9,995.66
NON 4511 & 4513	\$ 7,169.45
CRIMINAL	\$ 689.00

NEW LEBANON:

4511 & 4513	\$ 2,488.00
NON 4511 & 4513	\$ 1,620.00

REIMBURSEMENTS \$ 12.16

SPECIAL PROJECTS FEES \$ 311,721.39

**MONT COUNTY
SHERIFF:**

BOOK IN /BOOK OUT \$ 8,050.80

HOUSING \$ 9,285.00

COUNTY IDATF \$ 3,621.11

VIDEO TRANSPORTATION
FEES \$ 2,437.51

MONT. CO. SHERIFF FINES \$ 495.00

MONT CO. SHERIFF -
SERVICE OF SUMMONS \$ 5,489.60

STATE OF OHIO:

CHILD RESTRAINT \$ 912.00

DRUG LAW ENFORCEMENT \$ 20,649.84

EXPUNGEMENT \$ 3,750.00

INDIGENT DEFENSE/
GENERAL REVENUE \$ 183,626.67

LIQUOR \$ 307.50

OSP FINES (50%) \$ 12,374.19

SEAT BELT \$ 4,238.38

VICTIM OF CRIME \$ 62,927.88

STATE BAIL BOND
SURCHARGE \$ 12,705.00

OHIO BUREAU OF MOTOR
VEHICLES \$ -

LICENSE FORFEITURE \$ 24.62

WARRANT BLOCK \$ 30.00

GREATER DAYTON HUMANE
SOCIETY \$ 50.00

DIVISION OF WILDLIFE \$ 135.00

OHIO BOARD OF PHARMACY \$ 2,074.00

OHIO DEPT OF PUBLIC
SAFETY \$ -

CRIMINAL \$ 1,357.00

PERRY:

4511 & 4513 \$ 10,561.85

NON 4511 & 4513 \$ 3,168.97

CRIMINAL \$ 1,078.00

PHILLIPSBURG:

4511 & 4513 \$ 410.00

NON 4511 & 4513 \$ 50.00

CRIMINAL \$ 100.00

RIVERSIDE:

4511 & 4513 \$ 9,012.45

NON 4511 & 4513 \$ 8,145.71

CRIMINAL \$ 4,720.77

SHERIFF:

4511 & 4513 \$ 1,471.88

NON 4511 & 4513 \$ 737.75

CRIMINAL \$ 3,891.25

TROTWOOD:

4511 & 4513 \$ 40,552.32

NON 4511 & 4513 \$ 33,076.79

CRIMINAL \$ 10,807.31

VERONA:

4511 & 4513 \$ -

NON 4511 & 4513 \$ -

CRIMINAL \$ -

MONT CO. LIQUOR \$ 307.50

MIAMI VALLEY CRIME STOPPERS	\$ 942.29	MONT. CO. LOCAL COST	\$ 175,700.37
CAPITAL RECOVERY	\$ 70,726.14	10% BOND FEE	\$ 32,076.00
HIGBEE AND ASSOCIATES	\$ -	EXPUNGEMENT CO.	\$ 2,500.00
		JURY FEE	\$ -
		WITNESS FEES	\$ 1,879.80
		OSP FINES TRAFFIC	\$ 12,374.22
		OSP FINES CRIMINAL	\$ 5.00
		DOG WARDEN	\$ 2,088.00
		TREASURER MONT CO. - UNCLAIMED FUNDS	\$ 20,276.93
		TOTAL	\$1,472,342.34

CIVIL DIVISION RECEIPTS AND DISBURSEMENTS

The court collected money through the civil and small claims divisions totaling **\$573,611.73** and distributed as follows:

MONT. CO.:

LOCAL COST:	\$ 270,446.39
LEGAL RESEARCH	\$ 9,918.00
COMPUTER IMPROVEMENT	\$ 33,358.08
OPERATION FEES	\$ 141,434.00
REIMBURSEMENTS	\$ -
MONT. CO. SHERIFF – SERVE OF SUMMONS	\$ 4,471.00
OTHER COUNTIES – SERVE OF SUMMONS	\$ 342.06

STATE OF OHIO:

LEGAL AID (99%)	\$ 83,759.94
NSF FEES	\$ -
TREASURER OF MONT. CO. – UNCLAIMED FUNDS	\$ 6,740.46
DAILY LAW JOURNAL – COX MEDIA	\$ 23,141.80
TOTAL	\$ 573,611.73

PUBLIC DEFENDER'S OFFICE

The Montgomery County Public Defender's Office provides valuable legal defense services to individuals who cannot afford to retain their own attorney. In 2022 the Public Defender's Office represented a total of two thousand seven hundred and seventy-six (2,776) individuals in the County Municipal Court. Of those two

thousand five hundred and sixty-four (2,564) were new case filings from local jurisdictions, one hundred and nineteen (119) cases that were reactivated.

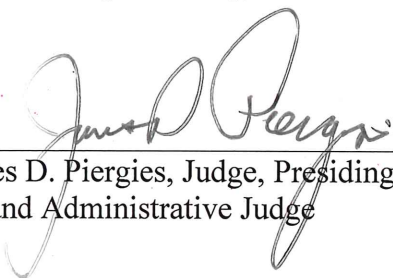
SUMMARY

The goal of the Montgomery County Municipal Court is to provide judicial service to those citizens who are required to utilize the courts' services. While the court primarily services citizens of Montgomery County, we touch the lives of many people who travel into Montgomery County or have business dealings therein. Although providing these services is important, we strive to meet the extraordinarily high standards which are set by the Second District Court of Appeals, the Ohio Supreme Court and the U.S. Supreme Court. The court provides an impartial forum to all citizens regarding criminal, traffic and civil cases.

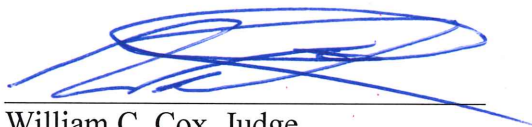
The essence of any organization is the people who toil day-to-day to serve the citizen. In that respect our court is fortunate to have employees who are dedicated to this goal and who have achieved a high level of competence.

Fourteen thousand five hundred and eighty-three (14,583) cases passed through the court either in civil, criminal or traffic filings. This range includes cases which were reactivated by the court due to some action by the defendant, i.e. expungements, etc. The Supreme Court has time guidelines which mandate all Ohio courts to report any case which exceeds their requirements. This record is a tribute to the hard work and attention to detail from the Judges, the judicial staff and the Clerk of Courts' staff. All court employees strive to ensure that each citizen who is touched by this organization leaves with the belief that their case has been heard and that they were treated fairly and with dignity.

All of us at the court express our gratitude for the support of the Montgomery County Commissioners and their staff. Without the help of these dedicated county workers we could not achieve the high level of efficiency which is a hallmark of Montgomery County. Our hope is that this positive working relationship will continue and that this partnership will be a benefit to the community we serve.



James D. Piergies, Judge, Presiding
and Administrative Judge



William C. Cox, Judge