

**MONTGOMERY COUNTY MUNICIPAL COURT**  
**WESTERN AND EASTERN DIVISIONS**  
**2023 ANNUAL REPORT**



Trotwood Courthouse



Huber Heights Courthouse

FILED  
MUNICIPAL COURT  
EASTERN DIVISION

2024 JAN 30 AM 9:41

**JAMES D. PIERGIES, PRESIDING  
AND ADMINISTRATIVE JUDGE**

## **TABLE OF CONTENTS**

	<b><u>Page</u></b>
Introduction.....	3
County Municipal Judges .....	4
Jurisdiction and Organization .....	5
Court Personnel .....	6
Community Control Department .....	6
Case Load .....	6
2023 New Cases Filed Administrative Report .....	7
2023 New Cases Filed Individual Report, Judge James D. Piergies .....	8
2023 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 Trotwood (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 Western Division moved to the Trotwood location and opened to the public on May 1, 2023.

THE PRESENT COUNTY MUNICIPAL COURT JUDGES ARE:



Honorable James D. Piergies  
1995 – Present

Currently sitting in Trotwood (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.

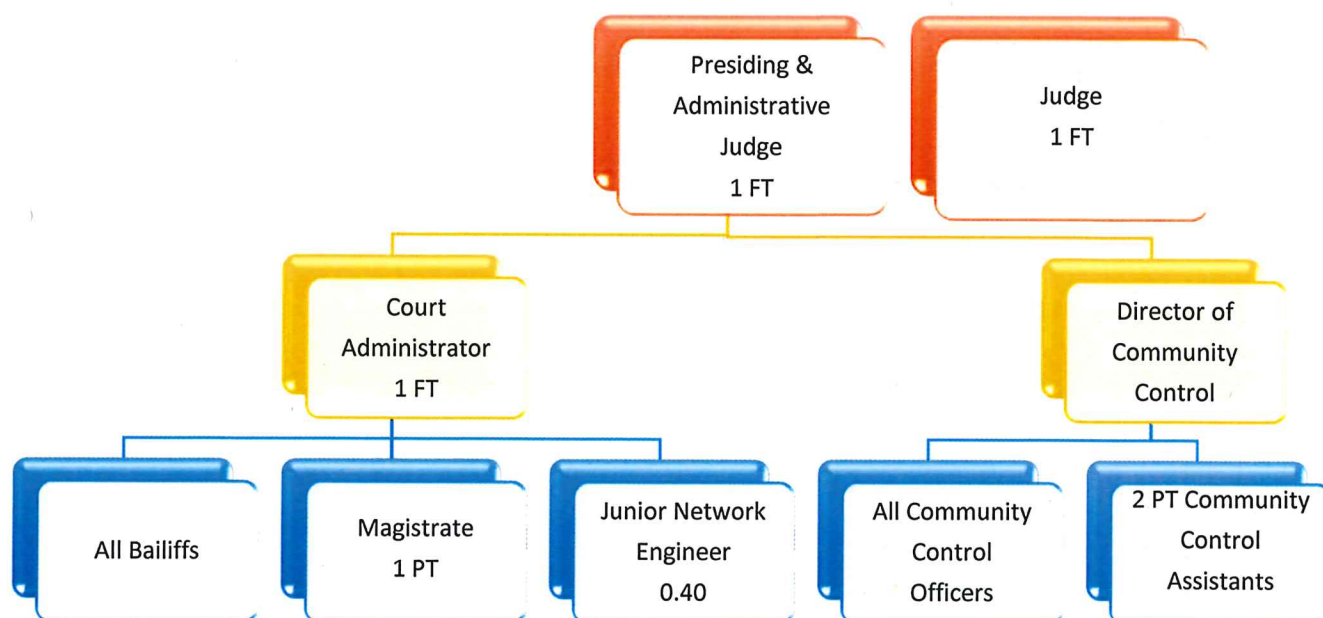
The County Municipal Court Western Division in Trotwood serves the cities of Trotwood and Brookville; the townships of Clay, Jackson, Jefferson and Perry; and the villages of Farmersville, New Lebanon, Phillipsburg and Verona. The County Municipal Court Eastern Division in Huber Heights serves the cities 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 Court Administrator (Amy Weimer), one Judicial Coordinator (LaJuana Curington), one Director of Community Control/Bailiff (Dean A. Johnson) and four full-time Community Control Officers (Taylor Shelton, James Hayes, Jr., Lesley Riley and Jeff Mahar) three full-time bailiffs (Dean Johnson, Michael Rotterman and Joseph Russell), four part-time security/service bailiffs (Mark Bruns, David Reed, James Gebhart and 1 currently vacant position), 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 four hundred thirty-five (435) individuals on Community Control in 2023 and five hundred sixty (560) individuals were successfully terminated. The Community Control Department prepared forty-three (43) pre-sentence investigation reports and four hundred twenty-three (423) expungement reports.

### **Case Load**

During the calendar year 2023 County Municipal Court processed twelve thousand three hundred and ninety three (12,393) cases comprised of eleven thousand one hundred and thirty five (11,135) new case filings from local jurisdictions and had one thousand two hundred and fifty eight (1,258) 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 2023.

# Form AJ

Between 1/2023 and 12/2023

Montgomery County Municipal Court

James Piergies

	A	B	C	D	E	F	G	H	I	T
	Feltonics	Misdemeanors	C.V.L.	Other Traffic	Personal Injury & Property Damage	Contracts	F.E.D.	Other Civil	Small Claims	Total
Pending beginning of period	0	42	5	225	16	656	0	0	18	973
New cases filed	153	1,943	292	5,380	22	1,781	1,317	51	56	11,045
Cases transferred in, reactivated, or redesignated	42	455	17	696	1	6	0	0	1	1,255
Total cases	195	2,450	315	6,311	39	2,453	1,317	51	115	13,276

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	101	1	1,233	20	626	0	2	4	2,107
Hearing by Magistrate (include guilty or no contest pleas and defaults)	X	17	0	78	0	0	0	0	34	130
Transfer (include waivers of preliminary hearing and individual judge assignments)	0	1,705	265	1,262	4	135	1,315	0	0	4,707
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	0	2	0	0	0	0	0	2
Other Dismissals (include dismissals at preliminary hearing)	145	82	3	160	3	736	2	2	49	1,184
Violations Bureau	X	45	X	2,770	X	X	X	X	X	2,824
Unavailability of party for trial or sentencing	43	485	18	511	0	0	0	0	0	1,107
Bankruptcy stay or interlocutory appeal	0	0	0	0	0	17	0	0	0	17
Other terminations	1	0	0	0	1	73	0	46	6	129
TOTAL Terminations	189	2,435	300	6,126	20	1,789	1,317	50	95	12,337

Clearance rate	97%	100%	105%	101%	122%	100%	100%	88%	98%	102%
Time guideline (months)	1	6	6	6	24	12	12	12	6	X
Pending end of period	5	45	7	185	11	664	0	1	20	939
Cases pending beyond time guideline	1	0	0	0	0	0	0	0	1	2
Coverage rate	17%	0%	0%	0%	0%	0%	0%	0%	5%	0%
Number of months oldest case coverage	2	0	0	0	0	0	0	0	2	X

# Form 1J

Between 1/2023 and 12/2023

Montgomery County Municipal Court

James Piergies

	B	C	D	E	F	G	H	T	V
	Misdemeanors	C.V.L.	Other Traffic	Personal Injury and Property Damage	Contracts	F.E.D.	Other Civil	Total	Waiting Judge
Pending beginning of period	102	28	123	0	6	160	0	419	0
New cases filed	1,009	179	748	2	58	778	0	2,772	0
Cases transferred in, reactivated, or redesignated	173	19	192	0	0	0	0	384	0
Total cases	1,284	223	1,063	2	60	938	0	3,571	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	6	0	7	0	0	0	0	12	0
Default	X	X	X	0	1	2	0	3	0
Guilty or no contest plea to original charge	201	78	409	X	X	X	X	688	0
Guilty or no contest plea to reduced charge	209	93	239	X	X	X	X	541	0
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	1	0	0	1	0	2	0
Other Dismissals	531	10	133	0	15	270	0	950	0
Transfer to another judge or court	0	0	0	0	2	4	0	6	0
Referral to private judge	X	X	X	0	0	0	0	0	0
Unavailability of party for trial or sentencing	171	20	180	0	0	0	0	371	0
Bankruptcy stay or interlocutory appeal	0	0	0	0	0	0	0	0	0
Other terminations	0	0	0	0	22	421	0	443	0
TOTAL Terminations	1,117	199	971	0	40	698	0	3,026	0

Clearance rate	95%	101%	103%	0%	73%	90%	0%	96%	0%
Time guideline (months)	6	6	6	24	12	12	12	X	X
Pending end of period	167	24	92	2	20	241	0	546	0
Cases pending beyond time guideline	6	0	0	0	0	0	0	6	0
Overage rate	5%	0%	0%	0%	0%	0%	0%	1%	0%

Number of months oldest case overage	4	2	1	0	0	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 1/2023 and 12/2023

Montgomery County Municipal Court

William Cox

	B	C	D	E	F	G	H	T	V
	Misdemeanors	O.V.I.	Other Traffic	Personal Injury and Property Damage	Contracts	F.E.D.	Other Civil	Total	visiting Judge
Pending beginning of period	104	31	80	1	13	135	0	364	0
New cases filed	895	107	514	2	20	536	0	1,935	0
Cases transferred in, reactivated, or redesignated	166	8	120	0	1	0	0	302	0
Total cases	995	144	723	3	34	671	0	2,601	0

TERMINATIONS BY:	B	C	D	E	F	G	H	T	V
Jury trial	0	0	0	0	1	1	0	2	0
Court Trial	2	0	3	0	0	1	0	6	0
Default	X	X	X	1	6	6	0	12	0
Gilty or no contest plea to original charge	196	26	197	X	X	X	X	418	0
Gilty or no contest plea to reduced charge	179	55	134	X	X	X	X	398	0
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	0	0	0	0	0	0	0
Other Dismissals	354	1	185	1	27	254	0	822	0
Transfer to another judge or court	0	0	0	0	0	0	0	0	0
Referral to private judge	X	X	X	1	1	0	0	2	0
Unavailability of party for trial or sentencing	155	7	139	0	0	0	0	301	0
Bankruptcy stay or interlocutory appeal	0	0	0	0	0	3	0	3	0
Other terminations	0	0	0	0	35	274	0	309	0
TOTAL Terminations	855	119	658	3	70	538	0	2,273	0

Clearance rate	100%	105%	102%	100%	88%	100%	0%	102%	0%
Time guideline (months)	6	6	6	24	12	12	12	X	X
Pending end of period	81	25	65	0	24	133	0	328	0
Cases pending beyond time guideline	2	0	0	0	0	0	0	2	0
Overage rate	2%	0%	0%	0%	0%	0%	0%	1%	0%

Number of months oldest case overage	3	1	0	0	0	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 2023 year, County Municipal Court collected **\$1,289,349.79** in fines, court costs, and other monies for criminal and traffic cases. Distributed as follows:

### **CRIMINAL- TRAFFIC**

BROOKVILLE	\$ 4,927.62
CLAY TOWNSHIP	\$ 199.00
FIVE RIVERS METRO PARK	\$ 3,542.07
HUBER HEIGHTS	\$ 19,963.61
JACKSON TOWNSHIP	\$ -
NEW LEBANON	\$ 300.00
PERRY TOWNSHIP	\$ 110.00
PHILLIPSBURG	\$ 175.00
RIVERSIDE	\$ 12,150.26
TROTWOOD	\$ 3,349.14
VERONA	\$ 50.00
OTHER COUNTIES - SERVICE OF SUMMONS	\$ 289.00
OHIO STATE PATROL	\$ 490.00

### **MONT CO TREASURER:**

CLERK AUTOMATION/ COMPUTER IMPROVEMENT	\$ 73,428.40
COMPUTER/LEGAL RESEARCH	\$ 22,015.19
COURT IDAFT	\$ 7,843.96
CREDIT CARD FEE/ AUTOMATION	\$ 24,260.65
INDIGENT MONITORING FUND	\$ 4,431.07

### **MONTGOMERY CO TREASURER:**

#### **BROOKVILLE:**

4511 & 4513	\$ 5,110.50
NON 4511 & 4513	\$ 3,787.88
CRIMINAL	\$ 3,798.16

#### **CLAY:**

4511 & 4513	\$ 8,152.23
NON 4511 & 4513	\$ 2,302.06
CRIMINAL	\$ 225.00

#### **HUBER HEIGHTS:**

4511 & 4513	\$ 11,945.23
NON 4511 & 4513	\$ 10,062.55
CRIMINAL	\$ 10,814.45

#### **JACKSON:**

4511 & 4513	\$ 2,101.00
NON 4511 & 4513	\$ 724.75
CRIMINAL	\$ 25.00

#### **MCSO/JEFFERSON:**

4511 & 4513	\$ 5,932.54
NON 4511 & 4513	\$ 7,062.31
CRIMINAL	\$ 778.69

NSF FEES \$ 50.00

PROBATION \$ 49,376.33

PUBLIC DEFENDER FEE \$ 24,600.18

REIMBURSEMENTS \$ 6.34

SPECIAL PROJECTS FEES \$ 264,163.04

**MONT COUNTY**  
**SHERIFF:**

BOOK IN /BOOK OUT \$ 8,583.64

HOUSING \$ 7,115.51

COUNTY IDATF \$ 2,739.90

VIDEO TRANSPORTATION  
FEES \$ 2,294.12

MONT. CO. SHERIFF FINES \$ 160.00

MONT CO. SHERIFF -  
SERVICE OF SUMMONS \$ 4,640.02

**STATE OF OHIO:**

CHILD RESTRAINT \$ 969.25

DRUG LAW ENFORCEMENT \$ 17,221.58

EXPUNGEMENT \$ 3,360.00

INDIGENT DEFENSE/  
GENERAL REVENUE \$ 158,708.93

LIQUOR \$ 308.54

OSP FINES (50%) \$ 16,631.70

SEAT BELT \$ 3,531.75

VICTIM OF CRIME \$ 54,176.57

STATE BAIL BOND  
SURCHARGE \$ 11,140.69

**OHIO BUREAU OF**  
**MOTOR VEHICLES:**

LICENSE FORFEITURE \$ 15.00

WARRANT BLOCK \$ 60.00

DIVISION OF WILDLIFE \$ -

OHIO BOARD OF PHARMACY \$ 1,193.86

**NEW LEBANON:**

4511 & 4513 \$ 1,157.90

NON 4511 & 4513 \$ 876.75

CRIMINAL \$ 2,508.88

**PERRY:**

4511 & 4513 \$ 8,389.25

NON 4511 & 4513 \$ 4,693.12

CRIMINAL \$ 445.00

**PHILLIPSBURG:**

4511 & 4513 \$ 630.00

NON 4511 & 4513 \$ -

CRIMINAL \$ -

**RIVERSIDE:**

4511 & 4513 \$ 8,520.58

NON 4511 & 4513 \$ 9,293.23

CRIMINAL \$ 4,199.84

**SHERIFF:**

4511 & 4513 \$ 930.00

NON 4511 & 4513 \$ 564.34

CRIMINAL \$ 1,694.62

**TROTWOOD:**

4511 & 4513 \$ 32,962.64

NON 4511 & 4513 \$ 34,117.89

CRIMINAL \$ 10,991.25

**VERONA:**

4511 & 4513 \$ 50.00

NON 4511 & 4513 \$ -

CRIMINAL \$ -

OHIO DEPT OF PUBLIC SAFETY	\$ -	MONT CO. LIQUOR	\$ 308.52
MIAMI VALLEY CRIME STOPPERS	\$ 823.07	MONT. CO. LOCAL COST	\$ 148,688.47
CAPITAL RECOVERY	\$ 53,003.82	10% BOND FEE	\$ 31,935.61
HIGBEE AND ASSOCIATES	\$ -	EXPUNGEMENT CO.	\$ 2,240.00
GREATER DAYTON HUMANE SOCIETY	\$ 104.75	JURY FEE	\$ 110.00
SCHUERGER LAW	\$ 16,189.76	WITNESS FEES	\$ 1,581.02
		OSP FINES TRAFFIC	\$ 16,631.86
		OSP FINES CRIMINAL	\$ 954.00
		DOG WARDEN	\$ 1,552.02
		TREASURER MONT CO. - UNCLAIMED FUNDS	\$ 11,807.33
		<b>TOTAL</b>	<b>\$1,289,349.79</b>

### **CIVIL DIVISION RECIPITS AND DISBURSEMENTS**

The court collected money through the civil and small claims divisions totaling **\$544,135.65** and distributed as follows:

#### **MONT. CO.:**

LOCAL COST:	\$ 253,702.24
LEGAL RESEARCH	\$ 9,669.00
COMPUTER IMPROVEMENT	\$ 32,583.39
OPERATION FEES	\$ 137,915.00
REIMBURSEMENTS	\$ -
MONT. CO. SHERIFF – SERVICE OF SUMMONS	\$ 2,489.00
OTHER COUNTIES – SERVICE OF SUMMONS	\$ 203.81

#### **STATE OF OHIO:**

LEGAL AID (99%)	\$ 81,682.92
NSF FEES	\$ 25.00
TREASURER OF MONT. CO. – UNCLAIMED FUNDS	\$ 3,304.29
DAILY LAW JOURNAL – COX MEDIA	\$ 22,561.00
<b>TOTAL</b>	<b>\$ 544,135.65</b>



## **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 2023 the Public Defender's Office represented a total of two thousand seventy-nine (2,079) individuals in the County Municipal Court. Of those one thousand eight hundred ninety-one (1,891) were new case filings from local jurisdictions, seventy eight (78) cases that were reactivated.

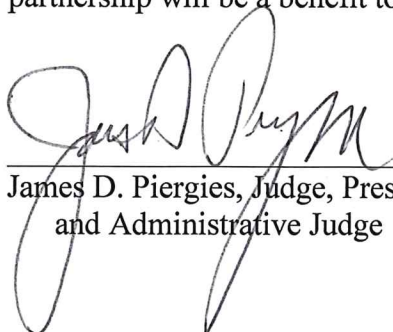
## **SUMMARY**

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.

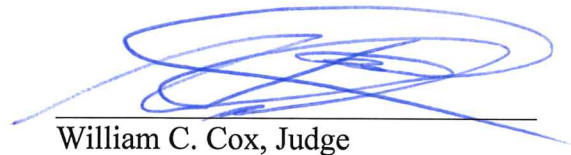
The essence of any organization is the people who toil day-to-day to serve the citizen. In that respect our court is fortunate to have employees who are dedicated to this goal and who have achieved a high level of competence.

Twelve thousand three hundred and ninety three (12,393) 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