

MONTGOMERY COUNTY MUNICIPAL COURT
WESTERN AND EASTERN DIVISIONS
2020 ANNUAL REPORT



New Lebanon Courthouse



Huber Heights Courthouse

MONTGOMERY COUNTY
MUNICIPAL COURT
EASTERN DIVISION
2021 FEB 26 PM 1:41

JAMES D. PIERGIES, PRESIDING
AND ADMINISTRATIVE JUDGE

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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 in New Lebanon and one full-time judge in Huber Heights. 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

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

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.

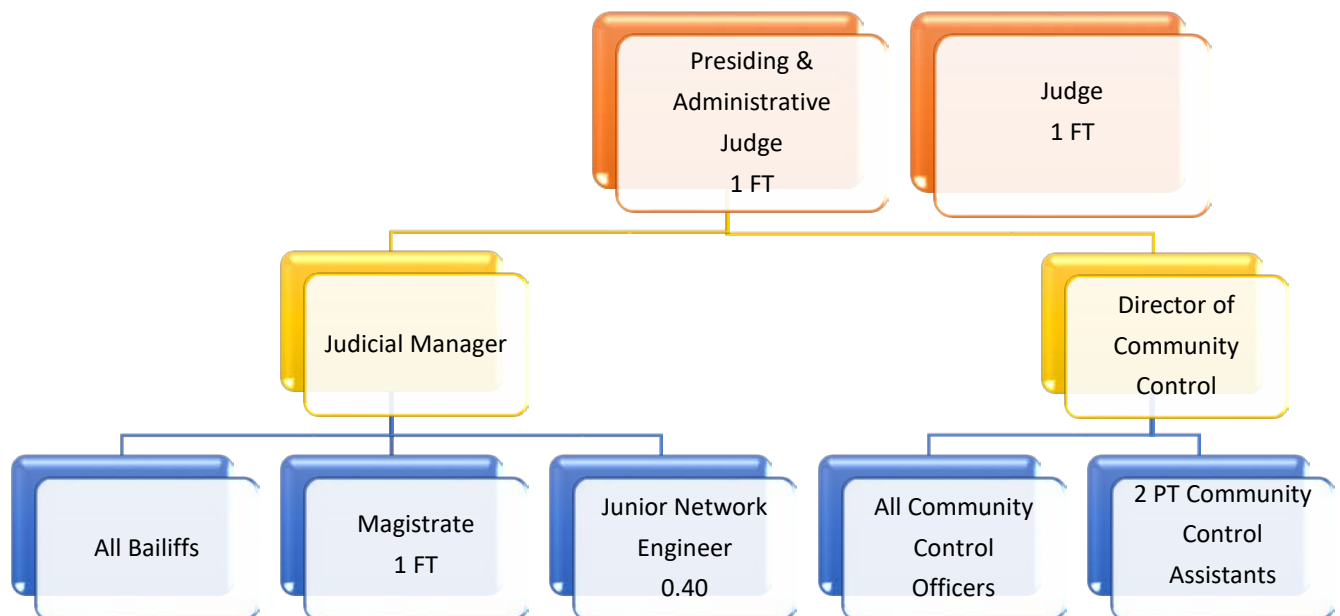
The County Municipal Court Western Division in New Lebanon serves the cities of Trotwood and Brookville; the townships of Clay, Jackson, Jefferson and Perry; and the villages of Farmersville, New Lebanon, Phillipsburg and Verona. The County Municipal Court Eastern Division in Huber Heights serves the 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, is staffed by two full-time elected Judges (James D. Piergies and William C. Cox), one full-time Magistrate (Jeffrey D. Slyman), elected Clerk of Courts for Montgomery County (Mike Foley), one Judicial Manager (Amy Weimer), one Chief Community Control Officer/Bailiff (Dean A. Johnson) and two full-time Community Control Officers (Taylor Shelton and Lesley Riley) three full-time bailiffs (Dean Johnson, Kristi Cox and Joseph Russell), four part-time security/service bailiffs (Douglas Hayes, Jo Marlow, David Reed, and James Gebhart), and two part-time judicial/community control assistants (Kellen McCoy and Emily Gazelle).

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 sixty-one (461) individuals on Community Control in 2020 and four hundred sixty-three (463) individuals were successfully terminated. The Community Control Department prepared twenty-three (23) pre-sentence investigation reports and one hundred ninety-three (193) expungement reports.

Case Load

During the calendar year 2020 County Municipal Court processed twelve thousand nine hundred and seven (12,907) cases comprised of eleven thousand three hundred and ten (11,310) new case filings from local jurisdictions and had one thousand five hundred and ninety-seven (1,597) 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 2020.

THE SUPREME COURT OF OHIO
ADMINISTRATIVE JUDGE REPORT
MUNICIPAL COURT AND COUNTY COURT

County: MONTGOMERY COUNTY Judge: ALL
Report for the Month of: Jan-20
Date Range: 01/01/20 to 12/31/20

	A	B	C	D	E	F	G	H	I	T
	Felonies	Mis- demerors	O.M.V.I.	Other Traffic	PVPD	Contracts	F.E.D.	Other Civil	Small Claims	TOTAL
Pending beginning of period	3	80	2	269	11	940	5	4	22	1336
New cases filed	174	2237	333	6054	34	1810	725	47	70	11484
Cases transferred in, reactivated or redesignated	55	612	11	901	1	15	0	1	1	0
TOTAL (Add lines 1-3)	232	2929	346	7224	46	2765	730	52	93	14417

TERMINATIONS BY:

	A	B	C	D	E	F	G	H	I	T
Trial/Hearing by Judge (include bindover by prelim hearing, guilty or no contest plea or default Hearing by Magistrate (include guilty or no contest plea or default)	5	195	3	1673	21	963	0	6	12	2878
Transfer (include waivers of prelim hearing and individual Judge assignments	X	7	0	67	0	9	0	5	36	124
Dismissal for lack of speedy trial or want of prosecution	24	1815	320	1449	8	146	723	3	0	4488
Other dismissals (include dismissals at preliminary hearing)	0	0	0	3	0	0	0	0	0	3
Violations Bureau	145	103	1	171	7	944	6	3	26	1406
Unavailability of accused	X	123	X	2736	X	X	X	X	X	0
Bankruptcy stay or interlocutory appeal	52	614	20	902	0	3	0	0	1	1592
Other terminations	0	0	0	0	0	30	0	0	0	30
TOTAL (Add lines 5-13)	2	0	0	0	3	129	0	34	5	173
Pending end of period f from line 4)	228	2857	344	7001	39	2224	729	51	80	13553
Time Guideline (Months)	4	72	2	223	7	541	1	1	13	864
Cases pending beyond time guideline Number of months oldest case is beyond time guideline	1	6	6	6	24	12	12	12	6	X
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	X

THE SUPREME COURT OF OHIO
INDIVIDUAL JUDGE REPORT
MUNICIPAL COURT AND COUNTY COURT

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County: MONTGOMERY COUNTY Judge: PIERGIES, JUDGE JAMES D.
Report for the Month of: Jan-20
Date Range: 01/01/20 to 12/31/20

Date of completion of most recent physical case inventory

	B	C	D	E	F	G	H	T	V	
	Mis-demeanors	C.M.V.I	Other Traffic	PI/PD	Contracts	F.E.D.	Other Civil	TOTAL	Visiting Judge	
Pending beginning of period	97	13	59	0	10	215	0	0	394	0
New cases filed	953	146	666	2	52	391	3	0	2213	0
Cases transferred in, reactivated or redesignated	168	22	159	0	0	4	0	0	353	0
TOTAL (Add lines 1-3)	1218	181	884	2	62	610	3		2960	0

TERMINATIONS BY:

	B	C	D	E	F	G	H	T	V	
Jury Trial	0	0	0	0	0	0	0	0	0	
Court Trial	12	0	3	0	0	2	0	0	17	0
Default	X	X	X	0	4	5	0	0	9	0
Guilty or No Contest plea to original charge	127	46	327	X	X	X	X	0	500	0
Guilty or No Contest plea to reduced charge	255	72	164	X	X	X	X	0	491	0
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	1	0	0	0	0	1	0	
Other Dismissals	510	5	144	1	27	438	0	0	1125	0
Transfer to another judge or court	0	1	0	0	0	0	2	0	3	0
Referral to private judge	X	X	X	0	0	0	0	0	0	0
Unavailability of party for trial or sentencing	197	33	163	X	X	X	X	0	393	0
Bankruptcy stay or interlocutory appeal	0	0	0	0	0	0	0	0	0	0
Other terminations	0	0	0	0	16	74	1	0	91	0
TOTAL (Add lines 5-16)	1101	157	802	1	47	519	3		2630	0
Pending end of period (from line 4)	117	24	82	1	16	91	0	0	330	0
Time Guideline (Months)	6	6	6	24	12	12	12	X	X	
Cases pending beyond time guideline	1	0	0	0	0	0	0	0	1	0
Number of months oldest case is beyond time guideline	1	0	0	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	0

THE SUPREME COURT OF OHIO
INDIVIDUAL JUDGE REPORT
MUNICIPAL COURT AND COUNTY COURT

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County: MONTGOMERY COUNTY Judge: COX, JUDGE WILLIAM C.
Report for the Month of: Jan-20
Date Range: 01/01/20 to 12/31/20

Date of completion of most recent
physical case inventory

	B	C	D	E	F	G	H	T	V	
	Mis- demeanors	O.M.V.I	Other Traffic	PI/PPD	Contracts	F.E.D.	Other Civli	TOTAL	Visiting Judge	
Pending beginning of period	198	60	226	3	32	160	0	0	679	0
New cases filed	862	174	783	6	94	331	0	0	2250	0
Cases transferred in, reactivated or redesignated	255	26	338	0	1	3	0	0	623	0
TOTAL (Add lines 1-3)	1315	260	1347	9	127	494	0		3552	0

TERMINATIONS BY:

	B	C	D	E	F	G	H	T	V	
Jury Trial	1	0	0	0	0	0	0	0	1	0
Court Trial	4	0	3	0	0	1	0	0	8	0
Default	X	X	X	0	2	9	0	0	11	0
Guilty or No Contest plea to original charge	277	74	370	X	X	X	X	0	721	0
Guilty or No Contest plea to reduced charge	310	120	232	X	X	X	X	0	662	0
Dismissal for lack of speedy trial (criminal) or want of prosecution (civil)	0	0	2	0	0	0	0	2	2	0
Other Dismissals	350	2	282	7	35	117	0	0	793	0
Transfer to another judge or court	0	0	0	0	0	1	0	0	1	0
Referral to private judge	X	X	X	0	0	0	0	0	0	0
Unavailability of party for trial or sentencing	254	24	340	X	X	X	X	0	618	0
Bankruptcy stay or interlocutory appeal	0	0	0	0	1	0	0	0	1	0
Other terminations	0	0	2	1	72	296	0	0	371	0
TOTAL (Add lines 5-16)	1196	220	1231	8	110	424	0		3189	0
Pending end of period ' from line 4)	119	40	116	1	17	70	0		363	0
Time Guideline (Months)	6	6	6	24	12	12	12		X	X
Cases pending beyond time guideline	2	1	0	0	0	0	0	0	3	0
Number of months oldest case is beyond time guideline	2	1	0	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	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 2020 year, County Municipal Court collected **\$1,400,539.29** in fines, court costs, and other monies for criminal and traffic cases. Distributed as follows:

**CRIMINAL-
TRAFFIC**

BROOKVILLE	\$ 6812.49
CLAY TOWNSHIP	\$ 200.00
FIVE RIVERS METRO PARK	\$ 462.00
HUBER HEIGHTS	\$ 32,362.49
JACKSON TOWNSHIP	\$ 35.00
NEW LEBANON	\$ 249.00
PERRY TOWNSHIP	\$ 35.00
PHILLIPSBURG	\$ 90.00
RIVERSIDE	\$ 18,295.97
TROTWOOD	\$ 4,093.14
VERONA	\$ -
OTHER COUNTIES - SERVICE OF SUMMONS	\$ 371.50
OHIO STATE PATROL	\$ 720.00

**MONT CO
TREASURER:**

CLERK AUTOMATION/ COMPUTER IMPROVEMENT	\$ 85,934.35
COMPUTER/LEGAL RESEARCH	\$ 25,700.73
COURT IDAFT	\$ 10,152.07
CREDIT CARD FEE/ AUTOMATION	\$ 20,947.66
INDIGENT MONITORING FUND	\$ 6,029.47

**MONTGOMERY CO
TREASURER:**

BROOKVILLE:

4511 & 4513	\$ 5,813.50
NON 4511 & 4513	\$ 4,945.54
CRIMINAL	\$ 2,835.37

CLAY:

4511 & 4513	\$ 4,106.00
NON 4511 & 4513	\$ 1,591.52
CRIMINAL	\$ 1,275.00

HUBER HEIGHTS:

4511 & 4513	\$ 8,256.64
NON 4511 & 4513	\$ 17,262.30
CRIMINAL	\$ 13,393.54

JACKSON:

4511 & 4513	\$ 1,324.56
NON 4511 & 4513	\$ 1,125.00
CRIMINAL	\$ 100.00

MCSO/JEFFERSON:

4511 & 4513	\$ 7,102.31
NON 4511 & 4513	\$ 7,455.82
CRIMINAL	\$ 666.00

NSF FEES	\$ 29.00
PROBATION	\$ 61,560.28
PUBLIC DEFENDER FEE	\$ 27,376.57
REIMBURSEMENTS	\$ -
SPECIAL PROJECTS FEES	\$ 224,328.97

MONT COUNTY
SHERIFF:

BOOK IN /BOOK OUT	\$ 11,154.45
HOUSING	\$ 7,957.64
COUNTY IDATF	\$ 3,253.00
VIDEO TRANSPORTATION FEES	\$ 3,145.31
MONT. CO. SHERIFF FINES	\$ 320.00
MONT CO. SHERIFF - SERVICE OF SUMMONS	\$ 5,905.20

STATE OF OHIO:

CHILD RESTRAINT	\$ 1,169.80
DRUG LAW ENFORCEMENT	\$ 19,993.42
EXPUNGEMENT	\$ 3,720.00
INDIGENT DEFENSE/ GENERAL REVENUE	\$ 183,995.54
LIQUOR	\$ 338.75
OSP FINES (50%)	\$ 18,882.01
SEAT BELT	\$ 5,318.79
VICTIM OF CRIME	\$ 63,054.52
STATE BAIL BOND SURCHARGE	\$ 14,237.50
OHIO BUREAU OF MOTOR VEHICLES	\$ -
LICENSE FORFEITURE	\$ 30.00
WARRANT BLOCK	\$ 52.49
DIVISION OF WILDLIFE	\$ 50.00
OHIO BOARD OF PHARMACY	\$ 1,994.55

NEW LEBANON:

4511 & 4513	\$ 2,254.99
NON 4511 & 4513	\$ 1,982.41
CRIMINAL	\$ 3,294.48

PERRY:

4511 & 4513	\$ 3,717.49
NON 4511 & 4513	\$ 1,295.00
CRIMINAL	\$ 828.98

PHILLIPSBURG:

4511 & 4513	\$ 130.00
NON 4511 & 4513	\$ 55.00
CRIMINAL	\$ -

RIVERSIDE:

4511 & 4513	\$ 12,291.19
NON 4511 & 4513	\$ 10,565.33
CRIMINAL	\$ 5,286.46

SHERIFF:

4511 & 4513	\$ 1,286.49
NON 4511 & 4513	\$ 832.80
CRIMINAL	\$ 1,841.98

TROTWOOD:

4511 & 4513	\$ 27,376.67
NON 4511 & 4513	\$ 29,438.60
CRIMINAL	\$ 16,654.72

VERONA:

4511 & 4513	\$ -
NON 4511 & 4513	\$ -
CRIMINAL	\$ -

OHIO DEPT OF PUBLIC SAFETY	\$ -	MONT CO. LIQUOR	\$ 338.74
MIAMI VALLEY CRIME STOPPERS	\$ 1,179.34	MONT. CO. LOCAL COST	\$ 179,738.03
CAPITAL RECOVERY	\$ 94,491.17	10% BOND FEE	\$ 22,317.50
HIGBEE AND ASSOCIATES	\$ -	EXPUNGEMENT CO.	\$ 1,317.60
		JURY FEE	\$ 1,308.99
		WITNESS FEES	\$ 1,817.96
		OSP FINES TRAFFIC	\$ 18,554.61
		OSP FINES CRIMINAL	\$ 576.50
		DOG WARDEN	\$ 2,860.50
		TREASURER MONT CO. - UNCLAIMED FUNDS	\$ 9,458.00
		TOTAL	\$1,400,539.29

CIVIL DIVISION RECIPITS AND DISBURSEMENTS

The court collected money through the civil and small claims divisions totaling **\$423,655.77** and distributed as follows:

MONT. CO.:

LOCAL COST:	\$ 204,601.91
LEGAL RESEARCH	\$ 7,968.00
COMPUTER IMPROVEMENT	\$ 26,724.91
OPERATION FEES	\$ 92,970.00
REIMBURSEMENTS	\$ -
MONT. CO. SHERIFF – SERVE OF SUMMONS	\$ 1,020.00
OTHER COUNTIES – SERVE OF SUMMONS	\$ 126.44

STATE OF OHIO:

LEGAL AID (99%)	\$ 67,400.19
NSF FEES	\$ 25.00
TREASURER OF MONT. CO. – UNCLAIMED FUNDS	\$ 4,227.32
DAILY LAW JOURNAL – COX MEDIA	\$ 18,592.00
TOTAL	\$ 423,655.77

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 2020 the Public Defender’s Office represented a total of two thousand one hundred seventy-one (2,171) individuals in the County Municipal Court. Of those one thousand nine hundred thirty-one (1,931) were new case filings from local jurisdictions, ninety (90) cases that were reactivated.

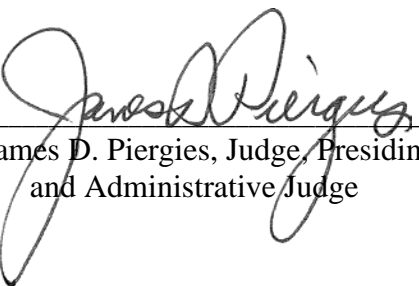
SUMMARY

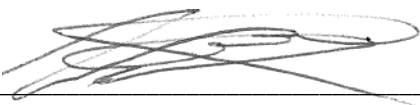
The goal of the Montgomery County Municipal Court is to provide judicial service to those citizens who are required to utilize the courts’ services. While the court primarily services citizens of Montgomery County, we touch the lives of many people who travel into Montgomery County or have business dealings 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 nine hundred and seven (12,907) 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