

DELAWARE MUNICIPAL COURT

2021 ANNUAL REPORT

Serving All of Delaware County



MARIANNE T. HEMMETER
Judge

KYLE E. ROHRER
Judge

CINDY DINOVO
Clerk of Court

Justice Center ♦ 70 North Union Street ♦ Delaware, Ohio, 43015
www.municipalcourt.org

IN THE DELAWARE MUNICIPAL COURT OF DELAWARE COUNTY, OHIO

Justice Center • 70 North Union Street, Delaware, Ohio 43015 • Voice: 740.203.1570 • Facsimile: 740.203.1599 • www.municipalcourt.org

Marianne T. Hemmeter
JUDGE

Kyle E. Rohrer
JUDGE

April 29, 2022

Delaware City Council Members
City Hall
1 South Sandusky Street
Delaware, Ohio 43015

The Board of County Commissioners
101 North Sandusky Street
Delaware, Ohio 43015

Dear Public Officials:

Pursuant to Ohio Revised Code Section 1901.14(A)(4), the Annual Report of the Delaware Municipal Court for the year 2021 is hereby submitted for your consideration.

This Annual Report is compiled from original records of the Court, which are available for examination.

Should you have any questions about the report, please feel free to contact the Court.

Respectfully submitted,



Marianne T. Hemmeter
Administrative Judge

cc: Delaware City Manager
Finance Director of the City of Delaware
Delaware County Administrator
Delaware County Auditor

Serving Delaware County
Web Site Address: www.municipalcourt.org

MUNICIPAL COURT JUSTICE CENTER MAIN NUMBER: (740) 203-1500 • FAX LINE: (740) 203-1599
JUDGE'S CHAMBERS: (740) 203-1501 • JURY SERVICE NUMBER: (740) 203-1513 • OFFICE OF COMMUNITY CONTROL: (740) 203-1525
CLERK OF COURT: (740) 203-1550 • CRIMINAL/TRAFFIC DIVISION: (740) 203-1570 • CIVIL/SMALL CLAIMS DIVISION: (740) 203-1560

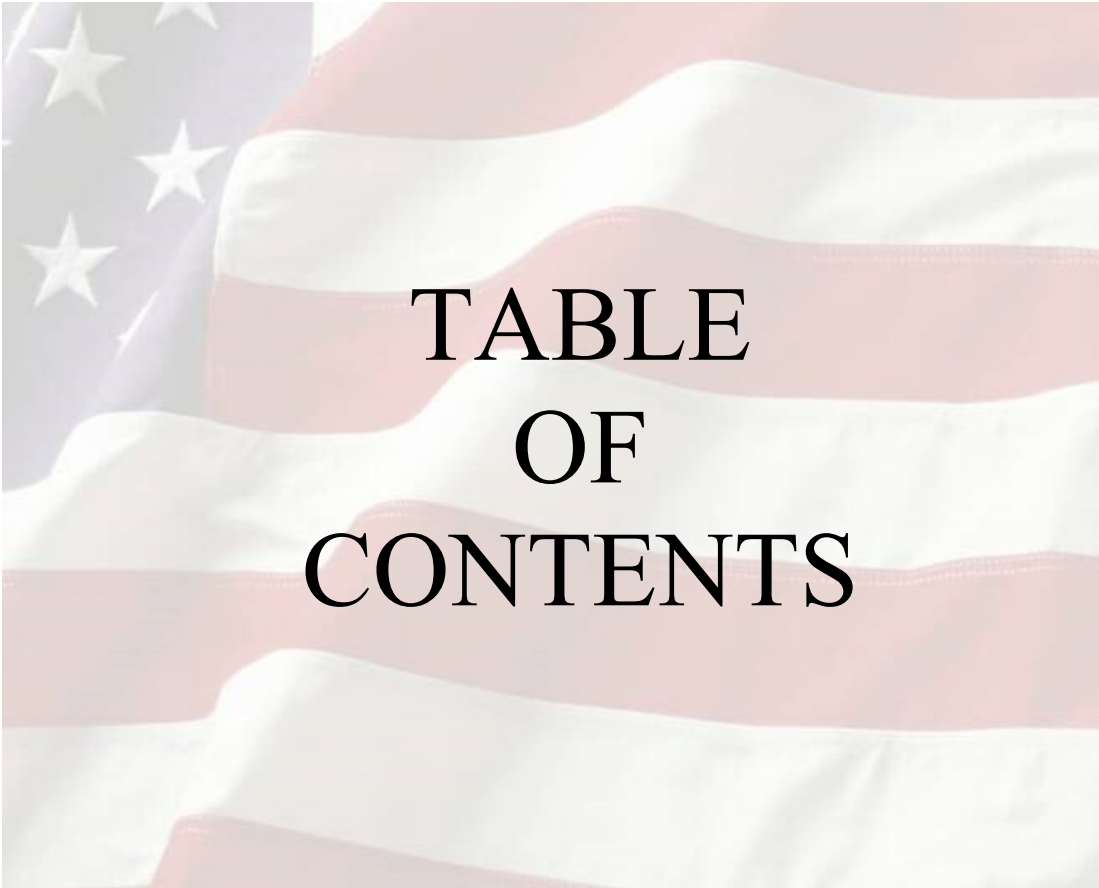
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DELAWARE MUNICIPAL COURT

JUDICIAL STAFF

Marianne T. HemmeterJudge
Kyle E. Rohrer.....Judge
Kevin L. PelandaMagistrate
Amanda Bunner.....Magistrate - Part-Time

ADMINISTRATIVE STAFF

Court Administration

Justin Kudela..... Court Administrator / Magistrate
Pat Dattilo Assignment Commissioner
Anna Travis..... Assignment Commissioner / Jury Commissioner
Rick Fair..... Administrative Assistant / Jury Commissioner - Part-Time (retired 3-21)
Eric Sowers Mission Court Mentor Coordinator - Part-Time (resigned 4-21)
Nicholas Sanctis..... Mission Court Mentor Coordinator - Part-Time

Office of Court Security

Ron Kuszmaul..... Chief Bailiff
Bruce Orlov..... Bailiff
Donna Brewer Bailiff
Elliott Goff..... Bailiff
John Thompson..... Bailiff
Pat Yankie..... Bailiff
Bob Wery Bailiff - Part-Time
Shawn Craig..... Bailiff - Part-Time

Office of Community Control

Douglas Staugler..... Chief
Kurt Olson..... Deputy Chief
Andrew Conway Officer
LeAnn Taylor..... Officer
Lindsey Blue Officer
Sarah Fitzgerald Officer
Jenn Stamolis Docket Coordinator
Carrie Mattox Office Assistant

The following is a list of Judges who have served, or who are presently serving at the Delaware Municipal Court:

DELAWARE MUNICIPAL COURT JUDGES

Henry W. Wolf	01/01/54 - 04/01/55
John R. Anderson	04/02/55 - 08/15/58
Franklin Wright	08/16/58 - 12/31/59
Peter Vatsures	01/01/60 - 12/31/65
Thomas C. Clark	01/01/66 - 12/31/71
Nino Sferrella	01/01/72 - 12/31/77
William Taylor	01/01/78 - 12/31/83
Everett Krueger	01/01/84 - 12/31/93
Jeffrey Burkam	01/01/94 - 12/31/95
Michael Hoague	01/01/96 - 12/31/01
David P. Sunderman	01/01/02 - 12/31/19
David M. Gormley	01/02/08 - 02/06/15
Marianne T. Hemmeter	02/17/15 - 01/01/2026
Kyle E. Rohrer	01/01/20 - 12/31/2025

MISSION STATEMENT

- ❖ To fairly and properly administer justice throughout Delaware County and serve those persons who come before the Court in a courteous and professional manner.
- ❖ To assure that all persons coming before the Court are treated equitably.
- ❖ To provide a forum through which persons can have their disputes resolved.

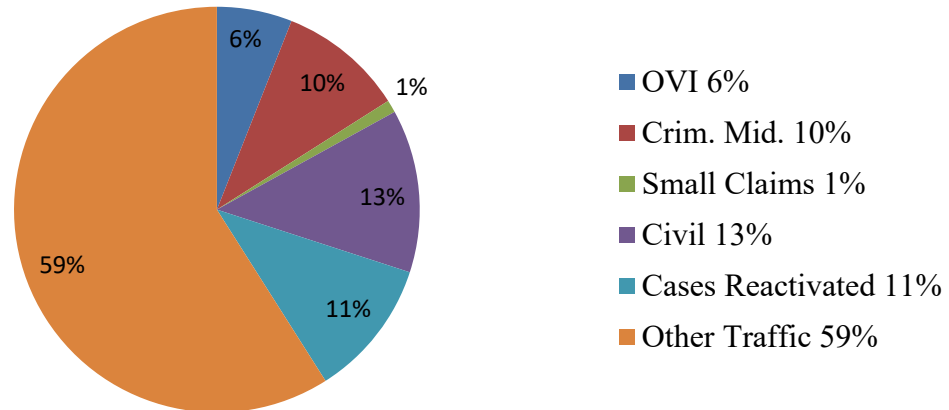
AUTHORITY AND JURISDICTION

The Delaware Municipal Court was created by the Ohio General Assembly in 1952. The Court hears cases from throughout Delaware County, and it has the authority to hear the following kinds of cases:

Misdemeanor Cases	- Through Final Determination
Traffic and Parking Violations	
Civil Actions	- Up to \$15,000.00
Small Claims Actions	- Up to \$6,000.00
Administrative Appeals	- BMV Cases

The judges preside over civil, criminal, and traffic cases and conduct jury and non-jury trials. In jury trials, the judges interpret the law and the jury determines the factual matters. In non-jury trials, by far the more common, the judges have the dual role of interpreting the law and determining the facts. The judges conduct criminal arraignments; set bond on criminal charges; issue search warrants; and impose sentence when a defendant is found guilty of a traffic or criminal charge. The judges hear civil cases where the amount in controversy is \$15,000.00 or less. In addition, the judges perform civil wedding ceremonies.

Summary of 2021 New and Reactivated Cases



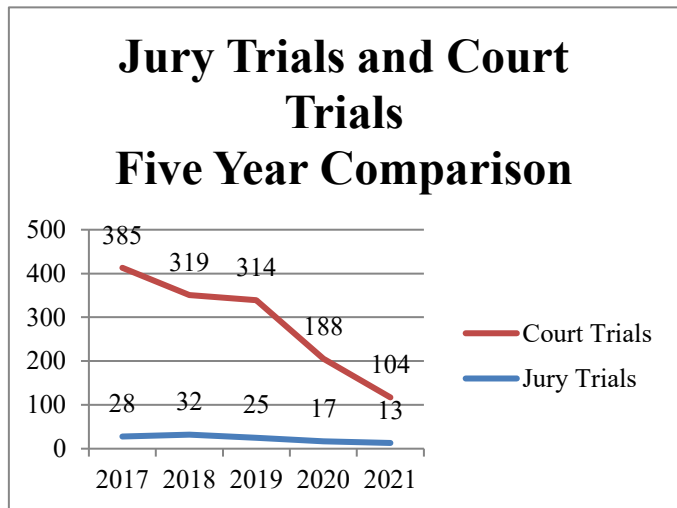
SEARCH WARRANT HEARINGS

2014	2015	2016	2017	2018	2019	2020	2021
184	196	221	221	270	310	394	423

STATISTICS

2021 STATISTICS

Jury Trials	13
Court Trials	104
OVI Cases (State/City/Village Codes)	886
Total New Cases Filed	14,113
Total Cases Resolved	13,327



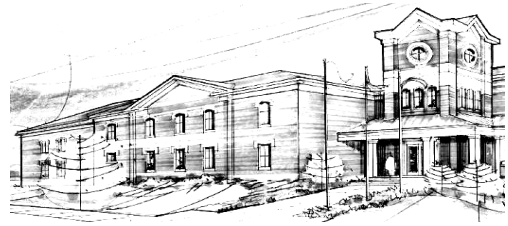
WEDDINGS

Judges Rohrer and Hemmeter are authorized to conduct marriage ceremonies in Delaware County. One of the parties must be a Delaware County resident. The parties must obtain their marriage license from the Delaware County Probate Court prior to the ceremony. In 2021, a total of 55 marriage ceremonies were performed at the Delaware Municipal Court.



**CLERK OF
COURT**

DELAWARE MUNICIPAL CLERK OF COURT OFFICE
CINDY DINOVO
CLERK OF COURT
DELAWARE MUNICIPAL COURT
70 N. UNION ST.
DELAWARE, OHIO 43015



April 29, 2022

Delaware City Council Members
City Hall
1 S. Sandusky Street
Delaware, Ohio 43015

and

The Board of County Commissioners
101 N. Sandusky Street
Delaware, Ohio 43015

Dear Public Officials,

The following pages contain the case activity, financial receipts, and disbursements for 2021. Pursuant to 1901.31 O.R.C. two of the main duties my office is responsible for is maintaining the public records and receipting and disbursing all monies collected.

If you have any questions regarding the information, please feel free to contact me.

Respectfully submitted,

Cindy Dinovo
Clerk of Court

Serving Delaware County
Website Address: www.municipalcourt.org

CIVIL (740) 203-1560

CRIMINAL (740) 203-1570

FAX (740) 203-1599

The background of the page is a close-up, slightly blurred image of the United States flag, showing the red and white stripes and the blue field with white stars. The flag appears to be waving or draped. Centered over this background is the text "CASE ACTIVITY" in a bold, black, serif font.

CASE ACTIVITY

CASE ACTIVITY

CASE ACTIVITY - CASE LOAD SUMMARY

Five Year Comparison

Year	2017	2018	2019	2020	2021	2020-21 % Increase or Decrease
Cases Pending Start of the Year	1,906	2,397	2,154	2119	1078	-65.12%
<u>New Cases Filed</u>						
Felony	330	304	253	0	0	0%
Criminal Misdemeanor	3,093	3,120	2,580	1,649	1,634	-0.91%
OVI	1,045	998	922	727	886	19.71%
Other Traffic	21,903	18,024	15,832	10,157	9,387	-7.87%
Civil	1,794	2,129	2,360	1805	2,011	10.79%
Small Claims	291	289	243	204	195	-4.51%
Total New Cases Filed	28,456	24,864	22,190	14,542	14,113	-2.99%
Old Cases Reactivated	2,234	2,135	2,076	1,634	1,812	10.33%
Total Cases Open During Year	32,596	29,396	26,420	17,627	15,925	-10.14%
<u>Terminations by:</u>						
Court Trial	385	319	314	188	104	-57.53%
Jury Trial	30	34	27	17	13	-26.66%
Waiver	16,559	13,429	11,738	7,327	5,250	-33.02%
Other Means	13,225	13,460	12,222	9,017	7,960	- 12.45%
Total Terminations	30,199	27,242	24,301	16,549	13,327	-21.56%
Cases Pending End of Year	2,397	2,154	2,119	1,078	2,598	184.18%

**FILINGS PER AGENCY
Criminal Division 2021**

**FILINGS PER AGENCY
Criminal Division YEAR**

Agency Breakdown	Criminal	OVI	Traffic	Other¹	Total Filings	% of Total
Ashley Police Department	13	2	39	0	54	0.44%
County Dog Warden	57	0	0	0	57	0.46%
Columbus Police Department	0	0	0	8	8	0.06%
Delaware Code Enforcement	35	0	0	0	35	0.28%
Delaware Co. Drug Task Force	0	0	0	5	5	0.04%
Delaware City Police Dept.	517	42	726	127	1,412	11.44%
Division Of Parks & Watercraft	51	1	11	8	71	0.57%
Delaware County Sheriff	521	182	1662	170	2,535	20.53%
Dublin Police Department	10	2	0	4	16	0.13%
Grove City Police Department	0	0	0	1	1	0.01%
Genoa Township Police Dept.	41	36	342	16	435	3.52%
Miscellaneous	0	0	0	10	10	0.08%
Marysville Police Dept	0	0	0	1	1	0.01%
New Albany Police Department	0	0	0	1	1	0.01%
Ohio Dept Of Public Safety	2	0	0	0	2	0.02%
Ohio Department Of Taxation	3	0	0	0	3	0.02%
Ohio State Highway Patrol	188	555	6423	11	7,177	58.12%
Ostrander Police Department	1	1	0	0	2	0.02%
Pataskala Police Department	0	0	0	2	2	0.02%
Powell Police Department	58	23	100	31	212	1.72%
The Preservation Park District	8	0	1	1	10	0.08%
Delaware County Prosecutor	15	0	0	0	15	0.12%
Shawnee Hills Police Dept.	2	3	26	0	31	0.25%
State Code Other Agencies	0	0	0	1	1	0.01%
Sunbury Police Dept.	20	12	8	20	60	0.49%
Westerville Police Department	56	26	43	22	147	1.19%
Division Of Wildlife	35	0	0	0	35	0.28%
Miscellaneous	1	1	6	2	10	0.08%
Total	1,634	886	9,387	441	12,348	100.00%

¹ Other includes bond hearings, extraditions, parking tickets, search warrants, and miscellaneous.

² Miscellaneous includes other agencies for bond transfers, search warrants, etc.

The background of the image is a stylized, semi-transparent American flag. The stars and stripes are visible but faded, creating a watermark-like effect behind the text.

FINANCIAL STATEMENTS

DELAWARE MUNICIPAL COURT - 2021 FINANCIAL STATEMENTS SUMMARY

Criminal Division	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
City of Delaware	0.00	1,848,947.00	1,848,947.00	0.00
Delaware County	0.00	409,894.80	409,894.80	0.00
State of Ohio	0.00	590,853.62	590,853.62	0.00
Other Municipalities	0.00	7,279.00	7,279.00	0.00
Other Agencies	0.00	18,864.50	18,864.50	0.00
Collection Fees	0.00	129,057.31	129,057.31	0.00
Bond	158,117.70	833,468.87	749,874.03	241,712.54
Juror/Witness	2,061.56	15,729.22	15,861.02	1,929.76
Restitution	0.00	6,880.46	2,278.25	4,602.21
Subtotal	160,179.26	3,860,974.78	3,772,909.53	248,244.51

Civil Division	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Civil	18,225.01	1,074,083.02	1,091,496.71	811.32
Rent Escrow	11,425.00	24,840.41	36,239.56	26.09
Subtotal	29,650.01	1,098,923.43	1,127,736.27	837.41

Grand Total	189,829.27	4,959,898.21	4,900,645.80	249,081.92
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CRIMINAL DIVISION 2021

(Receipts + Adjustments)

City of Delaware	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Ordinance Fines	0.00	22,765.03	22,765.03	0.00
Ordinance Costs	0.00	38,832.74	38,832.74	0.00
Patrol Fines 40%	0.00	98,720.37	98,720.37	0.00
State Costs	0.00	1,005,490.86	1,005,490.86	0.00
Computer Fees	0.00	142,221.27	142,221.27	0.00
Expungement Fee	0.00	0.00	0.00	0.00
Credit Card Convenience Fee	0.00	0.00	0.00	0.00
Witness Fee	0.00	13.87	13.87	0.00
Diversion Fee	0.00	18,493.00	18,493.00	0.00
Delaware City Police OVI Fees	0.00	1,432.00	1,432.00	0.00
Delaware City Police Drug Fees	0.00	2,713.00	2,713.00	0.00
Indigent OVI Fund	0.00	11,744.24	11,744.24	0.00
Special Projects Fund	0.00	131,077.90	131,077.90	0.00
Special Projects Fund Indigent Immob.	0.00	21,605.00	21,605.00	0.00
Special Projects Fund Interlock SCRAM	0.00	137.50	137.50	0.00
Community Control Fees	0.00	316,195.29	316,195.29	0.00
Indigent Interlock & Alcohol Monitoring Fees	0.00	0.00	0.00	0.00
Indigent Alcohol Treatment	0.00	18,789.21	18,789.21	0.00
Immobilization Reimbursement	0.00	2,694.00	2,694.00	0.00
Copies	0.00	\$1,990.95	\$1,990.95	0.00
Overpayment	0.00	3.00	3.00	0.00
10% Bonds	0.00	8,732.50	8,732.50	0.00
Bond Unclaimed Funds	0.00	3,100.00	3,100.00	0.00
Interest	0.00	0.00	0.00	0.00
Jury Fees	0.00	0.00	0.00	0.00
Jury Witness Unclaimed	0.00	2,195.27	2,195.27	0.00
Traffic Safety Program	0.00	0.00	0.00	0.00
Total	0.00	1,848,947.00	1,848,947.00	0.00

CRIMINAL DIVISION 2021

(Receipts + Adjustments)

Delaware County	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Patrol Fines	0.00	24,317.49	24,317.49	0.00
State/County Fines	0.00	242,721.22	242,721.22	0.00
Delaware Sheriff Fees	0.00	13,023.31	13,023.31	0.00
Roads/Bridges Fines	0.00	29,933.25	29,933.25	0.00
Genoa Township Police Fines	0.00	14,752.50	14,752.50	0.00
Witness Fee	0.00	3,519.21	3,519.21	0.00
Jury Fee	0.00	3,000.71	3,000.71	0.00
Dog & Kennel Fee	0.00	3,908.00	3,908.00	0.00
Alum Creek State Park Fines	0.00	50.00	50.00	0.00
Expungement Fee	0.00	2,340.00	2,340.00	0.00
Liquor Control	0.00	1,285.60	1,285.60	0.00
County Handicapped Parking	0.00	381.00	381.00	0.00
Law Library	0.00	15,000.00	15,000.00	0.00
Delaware Sheriff OVI Fees	0.00	3,317.00	3,317.00	0.00
Delaware Sheriff Drug Fees	0.00	2,225.00	2,225.00	0.00
OVI Housing Fund	0.00	32,771.91	32,771.91	0.00
Public Defender Indigent App. Fee	0.00	17,348.60	17,348.60	0.00
Total	0.00	409,894.80	409,894.80	0.00

CRIMINAL DIVISION 2021

(Receipts + Adjustments)

State of Ohio	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Patrol Fines	0.00	127,868.77	127,868.77	0.00
Victim of Crime	0.00	79,496.30	79,496.30	0.00
Board of Pharmacy	0.00	13,835.56	13,835.56	0.00
Liquor Control	0.00	1,485.60	1,485.60	0.00
Seat Belt Fines	0.00	30,970.00	30,970.00	0.00
Child Restraint Fines	0.00	\$2,392.00	\$2,392.00	0.00
Expungement Fee	0.00	3,610.00	3,610.00	0.00
Ohio State Highway Patrol OVI Fees	0.00	8,689.00	8,689.00	0.00
Ohio State Highway Patrol Drug Fees	0.00	5,028.00	5,028.00	0.00
BMV Fee - Release of Forfeiture	0.00	30.00	30.00	0.00
BMV - Warrant Blocks	0.00	4,881.40	4,881.40	0.00
Indigent Defense Support Fund (from fines)	0.00	40,237.73	40,237.73	0.00
Indigent Defense Support Fund (from costs)	0.00	38,607.50	38,607.50	0.00
Indigent Defense Support Fund (from bonds)	0.00	206,554.00	206,554.00	0.00
Drug Law Enforcement Fund Costs	0.00	27,025.26	27,025.26	0.00
State OVI Interlock SCRAM Fee	0.00	137.50	137.50	0.00
State Public Defender Costs	0.00	0.00	0.00	0.00
Total	0.00	590,853.62	590,853.62	0.00

CRIMINAL DIVISION 2021

Other Municipalities	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Ashley Costs/Fines	0.00	445.00	445.00	0.00
Dublin Costs/Fines	0.00	35.00	35.00	0.00
Powell Costs/Fines	0.00	1,496.00	1,496.00	0.00
Shawnee Hills Costs/Fines	0.00	511.00	511.00	0.00
Sunbury Costs/Fines	0.00	2,390.00	2,390.00	0.00
Westerville Costs/Fines	0.00	2,402.00	2,402.00	0.00
Total	0.00	7,279.00	7,279.00	0.00

CRIMINAL DIVISION 2021

Other Agencies	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Division of Parks & Watercraft Costs/Fines	0.00	1,708.00	1,708.00	0.00
Genoa Township Fines	0.00	14,765.50	14,765.50	0.00
ODNR	0.00	175.00	175.00	0.00
Wildlife Fines	0.00	2,216.00	2,216.00	0.00
Total	0.00	18,864.50	18,864.50	0.00

CRIMINAL DIVISION 2021

Collection Fees	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Capital Recovery Systems Inc.	0.00	57,812.34	57,812.34	0.00
Mann & Carducci	0.00	52,729.46	52,729.46	0.00
Law Offices of Robert Schuerger	0.00	18,515.51	18,515.51	0.00
Total	0.00	129,057.31	129,057.31	0.00

Juror/Witness	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Juror	1,738.90	12,035.00	12,035.00	1,738.90
Witness	322.66	3,694.22	3,826.02	190.86
Total	2,061.56	15,729.22	15,861.02	1,929.76

Bond	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Bond Account	158,117.70	833,468.87	749,874.03	241,712.54
Total	158,117.70	833,468.87	749,874.03	241,712.54

Details of Bond Disbursements

Bond Unclaimed Fund	3,100.00
Court Costs to City	8,732.50
Bonds Released	<u>738,041.53</u>
Total Disbursements	749,874.03

CIVIL DIVISION 2021

Civil	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Judgment to Creditors	10,427.05	547,446.24	559,447.44	-1,574.15
Refunds to Depositors	7,797.96	108,040.22	113,482.41	2,355.77
State Legal Aid	0.00	53,159.04	53,129.34	29.70
Computer Fees	0.00	28,288.00	28,288.00	0.00
Legal Aid to City	0.00	536.96	536.96	0.00
Special Projects Funds to City	0.00	26,112	26,112	0.00
Court Costs to City	0.00	310,500.56	310,500.56	0.00
Total	18,225.01	1,074,083.02	1,091,496.71	811.32

Rent Escrow	Beginning Year Balance	Receipts	Disbursements	Ending Year Balance
Rent Escrow	11,425.00	24,840.41	36,239.56	26.09
Total	11,425.00	24,840.41	36,239.56	26.09

CERTIFICATION

I, Cindy Dinovo, Clerk of Delaware Municipal Court, do hereby certify that the foregoing Financial Statements for the calendar year 2021 are prepared in accordance with usual and accepted sources, and the disbursements made thereof are as provided by law. I further certify that the details on the computations and calculations thereof are contained in records and ledgers which are part of the standard and recognized books of accounts in the office of the Clerk of Court.

The statements are prepared for submission to the members of City Council for the City of Delaware and to the Board of County Commissioners of Delaware County in compliance with Section 1901.14(A), Ohio Revised Code.

Completed this 29th day of April 2022.

A handwritten signature in blue ink that reads "C. Dinovo, Clerk". The signature is written in a cursive style.

Cindy Dinovo, Clerk of Court
Delaware Municipal Court