

2018

Annual Report



Guernsey County

Probate/Juvenile Court &
Juvenile Probation

Executive Summary

The Probate and Juvenile Court are divisions of the Common Pleas Court of Guernsey County.

The Juvenile Court's mission is to provide for the education, rehabilitation, care, protection, and mental and physical development of children subject to the jurisdiction of the Court; Further, its mission is to protect the welfare of the community and the public interest by treating children as persons in need of supervision, care and rehabilitation.

The Probate Court is responsible for over two hundred separate duties. Those duties range from issuing marriage licenses to overseeing testamentary trusts valued in the millions of dollars. The Court provides the oversight of Guardianships for minors and incompetent adults. As such, the Court is the Superior Guardian to these individuals.

Both the Probate and Juvenile Courts are responsible for the welfare of the most vulnerable members of our community. The Court not only decides cases based on sound legal principles, but also must determine the best course in achieving justice for individuals, and society as a whole.

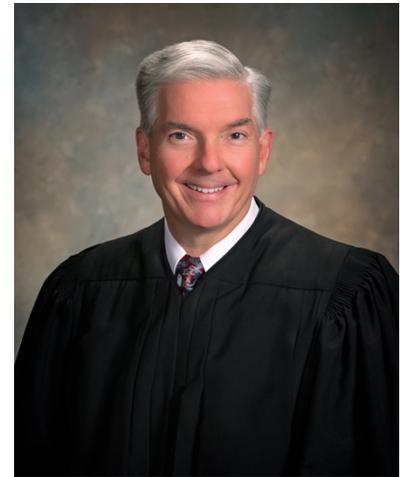
The year 2017 saw many physical changes to the Juvenile and Probate Court. The Court was under construction for the better part of six months during 2017. During the construction, the Juvenile Court administrative offices and Magistrate's Courtroom were extensively remodeled. The Probate Court administrative offices were relocated, and a new Courtroom was established in much of the old Probate Court administrative space. As a result of the remodel, the Court has enhanced the overall security for the employees, as well as the litigants who come before the Court.

Special thanks are given to County Commissioners Dave Saft, Skip Gardner, and Dave Wilson for their willingness to fund this project and recognizing the importance of safety and security for the persons working in, and attending, Court hearings. All enhanced security upgrades were in keeping with recommendations of the Ohio Supreme Court Physical Security Assessment performed in April of 2016.

During 2017, the Court said goodbye to longtime employee, Mary Mitchell, as she moved on to other job opportunities. Rebecca Townsend was then hired to take her place.

The work in the Juvenile Court remains challenging as noted by the statistics found within this report. While the number of delinquency cases has declined, the seriousness of the offenses continues to concern the Court. As a result of HB 410, school truancy is no longer considered to be a delinquent act. The issues surrounding school truancy have been placed back on the local school districts to devise intervention plans in order to keep children out of Juvenile Court. Our Probation Department, as well as our School Engagement Coordinators, have been working with the local school districts to implement plans to keep our young people in school. As a result of HB 410, most truancy issues are resolved by the local school districts without Juvenile Court filings. As noted on page 11 of this report, the Court assisted local school districts in 424 cases involving attendance.

Guernsey County Children Services Dependency, Neglect and Abuse filings continue to climb as a result of the drug issues in the county, as well as private filings for custody. On a positive note, the amount of cases being prosecuted for delinquent child support has also risen, resulting in additional revenue for the care of minor children.



The Court continues to seek out programming for youth and families to assist the youth in making better decisions, and assisting families in managing the behavior of youth. A new program that will be launched in the schools in 2018 will be the S.E.A.D. Program, or Sexting Education Awareness Diversion. This program attempts to educate middle school and high school youth on the dangers and consequences of sexting and cyberbullying. This program was developed in anticipation of legislation currently in the Ohio House of Representatives mandating a sexting diversion program by the Courts of Ohio.

The Probate Court continued its Family Guardianship Training Program in 2017 with the addition of a second program for Guardians. This second program is designed for Guardians who have completed the initial “Responsibilities and Duties of Guardians” course. In 2017, those topics included: Nursing Home Placement; Representative Payee and Financial Issues; Gun Safety/Ownership and Mental Health Issues; and Estate Planning. Special thanks to my staff, Tim Welch and Deana Craft, as well as our partners – Guernsey County Board of Developmental Disabilities, Area Agency on Aging Region 9, and the Mental Health and Recovery Services Board – for their work on this worthwhile program.

The Probate Court continues to seek ways to modernize the office and provide easier access to records by the public, while maintaining confidentiality required in certain Probate cases. The Court is currently investigating ways to access our indexes prior to 1992 online. Proposals have been submitted for the Court’s review. However, as always, funding for this program must be received from sources other than the County General Fund.

In an effort to stay engaged with best practices and the ever-evolving state of the law, I have continued to participate within our state associations, maintaining appointments to the Juvenile Law and Procedures Committee, and the Probate Law and Procedures Committee. In addition, I continue to serve on the Board of Directors of the Ohio Association of Juvenile Court Judges. In 2017, I was also appointed to the Ohio Supreme Court Commission on the Rules of Superintendence, and the Legislative Committee for the National Council of Juvenile and Family Court Judges.

It is my hope that my involvement with these organizations will provide me with the knowledge and resources I need to properly administer the Probate and Juvenile Courts here in Guernsey County. It is my belief that both Courts continue to administer justice in the county in an efficient manner.

Judge David B. Bennett
Guernsey County Probate/Juvenile Court

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Employees

Magistrate

Peter Cultice

Juvenile Court Division

Tim Welch, Court Director
Amy Weaver, Deputy Clerk
Debbie Bennington, Deputy Clerk
Mary Caldwell, Deputy Clerk
Rebecca Townsend, Deputy Clerk
Veronica Mourer, Deputy Clerk/Court Reporter
Tom Galbreath, Bailiff



Juvenile Probation Division

Travis Stevens, Chief Probation Officer
Kayla Higgins, Probation Officer
Josh Snyder, Probation Officer
Noah Burris, Probation Officer
Tiffany Lowry, Probation Clerk
Heather Robinson, Multi-System Youth Coordinator
Casey McVicker, School Engagement Coordinator
John Davis, Elementary School Truancy Prevention Officer
Kathy Kelly Hibler, Grants Administrator

Probate Court Division

Patricia Nichols, Court Administrator
Deana Craft, Deputy Clerk
Allanna Decker, Deputy Clerk
Alexis Burris, Intern

Court Appointed Special Advocates (CASA)

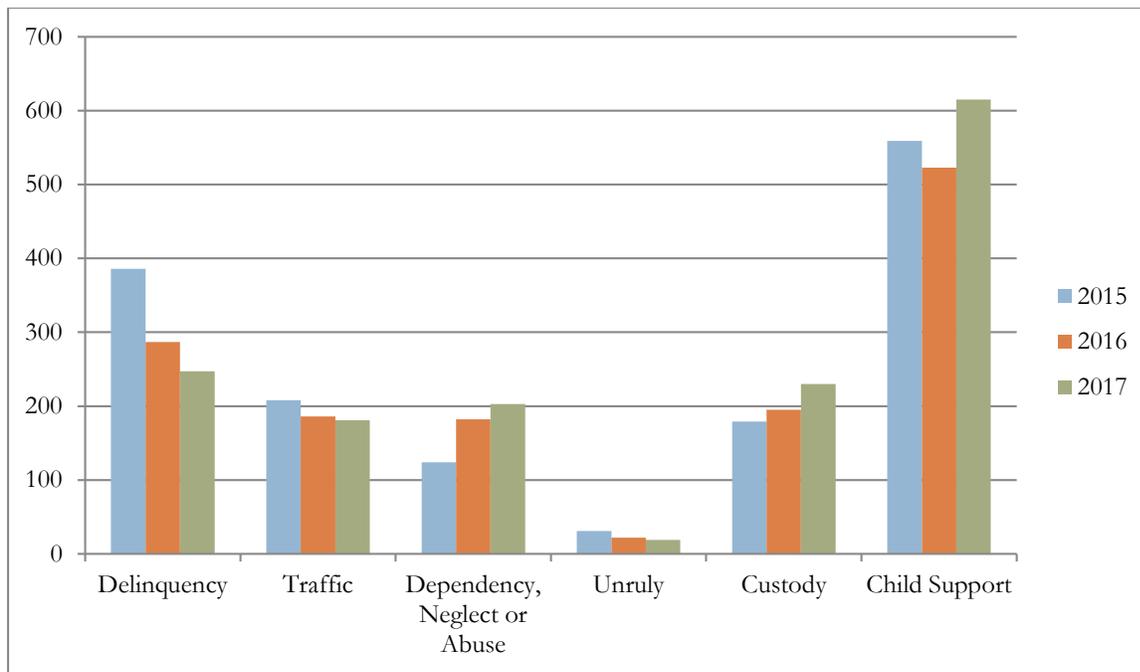
Kayla Higgins, CASA Director
Kathy Walters, Volunteer Coordinator
B.J. Yates, Volunteer
Cheryl Gadd, Volunteer
Julia Dowling, Volunteer
Lynne Maynard, Volunteer
Cassie Ragsdale, Volunteer
Diane Carkin, Volunteer (Retired)

Juvenile Court

The Juvenile Court is a division of the Common Pleas Court of Guernsey County, and it is located on the second floor of the Courthouse.

Its purpose is to provide care, protection, and mental and physical development for the children in the Court’s jurisdiction; to protect the welfare of the community, and to protect the public interest by treating children as persons in need of supervision, care, and rehabilitation.

Among the duties of the Juvenile Court include: Delinquent/Unruly Children (Truancy); Dependent, Abused, Neglected Children (Guernsey County Children Services); Traffic Offenders; Custody, Visitation, Child Support, Paternity involving unmarried, and in some cases, married persons, who are living separate and apart; and Juvenile Civil Protection Orders.



Case Totals *The Supreme Court of Ohio Reports*

- **2017** – The total number of cases in all categories pending beginning of period, new cases filed, cases transferred in, reactivated or redesignated was **1,548**.
- Highlighted areas include: Delinquency = 247; Traffic = 181; Dependency, Neglect or Abuse = 203; Unruly = 19; Custody = 230; and Child Support = 615.

Case Totals Continued
The Supreme Court of Ohio Reports

- **2016** – The total number of cases in all categories pending beginning of period, new cases filed, cases transferred in, reactivated or redesignated was **1,472**.
- Highlighted areas include: Delinquency = 287; Traffic = 186; Dependency, Neglect or Abuse = 182; Unruly = 22; Custody = 195; and Child Support = 523.

- **2015** – The total number of cases in all categories pending beginning of period, new cases filed, cases transferred in, reactivated or redesignated was **1,590**.
- Highlighted areas include: Delinquency = 386; Traffic = 208; Dependency, Neglect or Abuse = 124; Unruly = 31; Custody = 179; and Child Support = 559.



Local CASA Program (Court Appointed Special Advocates)



The Court Appointed Special Advocates Program is affiliated with, and under the direction of, the Guernsey County Court of Common Pleas, Juvenile Division.

Its Mission is to speak for the best interests of the abused, neglected, and dependent children in the courtroom.

The Agency promotes and supports quality volunteer advocacy for children to provide each child with a safe, permanent, nurturing home.

The Volunteers serve as a fact finder for the Court by completely researching the background of child abuse, neglect and dependent cases.

They speak for the child in the courtroom, focusing exclusively on the child's best interests. A CASA Volunteer provides carefully researched information to help the Judge make decisions.

The Volunteers continue to monitor the child during the life of the case, helping to ensure that he or she will be raised in the best possible environment.

Among the requirements to become a CASA Volunteer include:

- Must pass a criminal background investigation.
- Must be 21 years of age or older.
- Complete a face to face interview with the CASA Program Director.
- Pass all requirements.
- Complete 40-hours of training.

Established through the Guernsey County Juvenile Court in 1991, the local CASA Program had a Director, a Volunteer Coordinator, and 5 Volunteers during the 2017 calendar year.

Juvenile Probation

The Juvenile Probation Department is located on the ground floor of the Courthouse, and is responsible for performing many duties beyond the supervision of the juveniles on probation.

The Staff is involved in facilitating and participating in many programs to encourage the growth and support to the youth they encounter.

Everyday duties include: attending court hearings; completing risk assessments, providing referrals; making school, home, and community visits; attending trainings; informal hearings; and advocating for the juveniles they are involved with, as appropriate, to help ensure their success and well-being.

Additional Important Facts:

- There are currently 3 Probation Officers and 1 Supervisor.
- There is a female (Kayla Higgins) that deals with gender specific issues. She also handles the sexually aggressive youth.
- The Probation Officers meet with the youth a minimum of once a week, but usually 2 to 3 times per week, generally at school.
- There is an additional person (John Davis) who handles truancy and prevention/education issues in the elementary schools in the county.
- There is also one person (Casey McVicker) who handles truancy issues in the Rolling Hills Local School District (Middle School & High School).

On average, there are 160 juveniles on probation at any given time.

Drug Screens Administered to Youth

2017 – 544 Total screens administered – **307** Positive
285 Marijuana; 7 Extended Opiates; 3 Benzodiazepines; 3 Cocaine;
2 Alcohol; 19 Amphetamines (prescribed medication).

2016 – 605 Total screens administered - **306** Positive
297 Marijuana; 1 Extended Opiates; 2 Benzodiazepines;
2 Dilute; 8 Amphetamines.

2015 – 322 Total screens administered - **167** Positive
150 Marijuana; 3 Extended Opiates; 3 Benzodiazepines; 1 Cocaine;
6 Dilute; 3 Amphetamines (prescribed medication).

Current Programs Operating Under Juvenile Court & Juvenile Probation

Thinking For A Change – This is an evidence-based program from the U.S. Department of Justice, National Institute of Corrections. It is an integrated cognitive behavioral change program, which focuses on social skills, cognitive self-change, and problem solving. The main goal is to teach individuals how to stop, think, and make better choices, which will lead to avoiding conflict and poor decision making. It is currently being used with local high school and middle school students; however several area counseling agencies also use to with adults. This program is provided through the Guernsey County Juvenile Probation Department.

Creative Options – This is a wraparound program for families with children (Ages prenatal to 21). It uses the model of teams with a central facilitator who assists the family by supporting their voice, and linking service providers with the families. These teams are made up of natural supports and service providers, including the schools and the family. The focus is to streamline and prioritize the goals and needs of the families to make sure that they are attainable, and to make sure that all family members are working together for the betterment of the family and its functioning. This program is provided through the Guernsey County Family and Children First Council.

Parent Project – The Parent Project is an evidence-based parenting program consisting of two different curriculums: Changing Destructive Teen Behavior, and Loving Solutions.

Changing Destructive Teen Behavior is curriculum for parents of youth ages 12 to 21 who are out of control behaviorally, sexually active, violent, involved in gangs, or involved with drugs and/or alcohol. It provides parents with the tools and support to maintain consistency, structure, appropriate discipline techniques, and incorporate tough love. It also provides parents with information on how to connect with community services, such as mental health providers, law enforcement, and the court systems.

Loving Solutions – This curriculum is for parents of youth, ages 5 – 11. It is a more traditional parenting course, which teaches parents consistency, structure, and basic milestones for young children, such as how children of this age think, grow, and learn. It specifically covers appropriate discipline for this age group, and how it should be set-up, incorporated, and utilized in the home. It also provides parents with information on how to work with community supports, such as schools and mental health providers. These programs are provided through the Guernsey County Family and Children First Council.

Drug Screens – Any juvenile placed on probation is subject to random drug and alcohol testing at any time as part of their probation terms. A juvenile on probation for a drug or alcohol offense is screened much more frequently. Probation uses instant 8-panel screens, as well as 10-panel screens that are sent to the lab for confirmation and levels.

Detention – The Guernsey County Juvenile Court contracts with the Sargus Juvenile Detention Center in St. Clairsville, Ohio, and the Muskingum County Juvenile Detention Center in Zanesville, Ohio. The Court has 3 contracted beds at Sargus, and 2 contracted beds with 1 floater bed at Muskingum JDC. Juveniles can be sentenced to detention for up to 90-days.

Current Programs Continued

Electronic Monitoring – Guernsey County Juvenile Probation uses Themis Tracking Services for EMHA. The units used will monitor the juveniles through a GPS system. The juveniles that are placed on EMHA have certain zones set-up, which determines where they can be. Probation Officers are able to monitor those youth who are placed on EMHA through their work computers, and also through an APP on their cell phones.

Oakview Juvenile Residential Center – Oakview is a facility that the Guernsey County Juvenile Court uses for males that have been adjudicated on a felony charge. They are placed there for a minimum of 6-months, or until they complete the program. While they are there, the juveniles will have a mental health assessment, drug and alcohol assessment, and attend individual, group and family counseling appointments. They also have in-house schooling, as well as community service work and assigned duties inside the facility. This is usually the last option for the Court before having to send a juvenile to the Ohio Department of Youth Services.

Court Foster & Residential Placement – The Juvenile Court will work with Guernsey County Children Services, and other agencies and resources to find solutions for youth. The Court uses several residential placements, depending on the needs of the child. The most common used by the Court is All Well Behavioral Health Services Residential, Cornell Abraxas (substance abuse), The Village Network, and Gender Specific (females). The Court will utilize a residential placement if there are several concerns with a child's behavioral or mental health issues that cannot be addressed appropriately by the family.

Department of Youth Services – DYS is the juvenile corrections system for the state of Ohio. DYS is statutorily mandated to confine felony offenders, ages 10 to 21, who have been adjudicated and committed by the Juvenile Court. During their stay, youth are engaged in programming that is designed to address their criminological and behavioral needs. Each of the facilities also operates a year-round school that offers general curriculum, as well as vocation opportunities.

Sexting Education Awareness Diversion (S.E.A.D.) – Places special emphasis on preventing sexting by minors, and to address the potential negative impact it can have on their legal, social, emotional, educational, and career goals. It is a 3 to 5-day program that is presented to middle school and high school classrooms within the county. The program is designed to approach the complex issues around sexting from an educational standpoint. In addition to sexting, the local program also discusses the topics of bullying, cyberbullying and harassment.

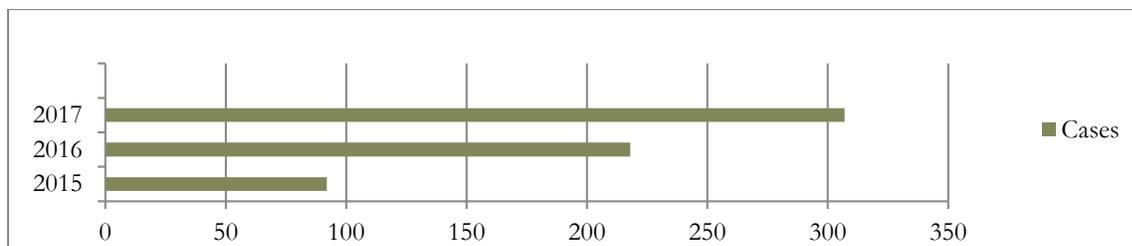
Alternatives to Adjudication

Grade K – 6 Prevention – The Prevention Officer receives referrals from schools within the county on students and/or families that have been red flagged for attendance or behaviors within the school. The Prevention Officer makes contact with the family and child. They address the problems and concerns in a meeting with the school to establish conditions in order to correct the issues. All parties will then sign an informal contract that states the recommendations in order to alleviate the filing of charges with the Juvenile Court.

2017 – Worked with **307** different cases.

2016 – Worked with **281** different cases.

2015 – Worked with **92** different cases.

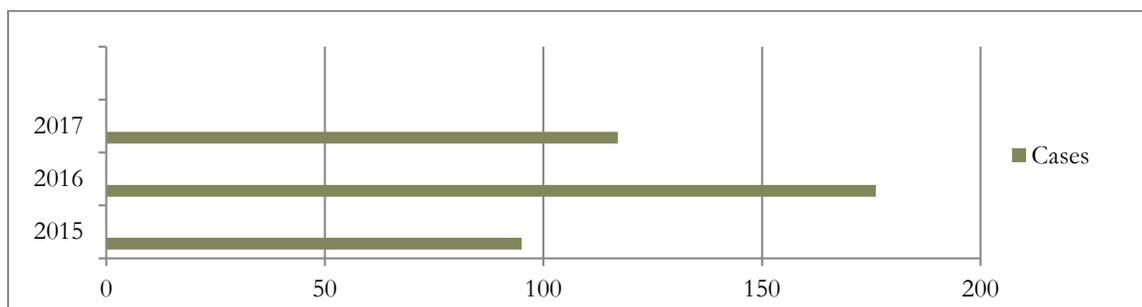


Grade 7 – 12 Truancy – The Truancy/Engagement Coordinator receives referrals from schools on students who have been red flagged by the school for their attendance. The Truancy/Engagement Coordinator will meet one-on-one with the child to try and determine the reason for the absences from school. The Coordinator will also conduct meetings with the child and parent(s), where informal contracts will be signed which outline the issues and the recommendations to correct the problems that are presented.

2017 – Worked with **117** different cases.

2016 – Worked with **176** different cases.

2015 – Worked with **95** different cases.



Probate Court

The Probate Court is located on the second floor of the Courthouse, and has over 200 separate duties that it is charged with by the Ohio Revised Code.

Each of Ohio's 88 counties has a Probate Division of its Court of Common Pleas, and their duties range from the issuing of marriage licenses to overseeing testamentary trusts valued at millions of dollars.

The duties of the Probate Court include the following:

- Marriage Licenses
- Administering Estates
- Guardianships
- Conservatorships
- Mental Illness
- Adoption
- Correction of Birth Certificates
- Change in Name
- Testamentary & Inter Vivos Trusts
- Appoint to Boards & Commissions

Case Types	Totals for 2017		Totals for 2016		Totals for 2015	
	Number of Cases Opened	Cases Pending at the End of the Year	Number of Cases Opened	Cases Pending at the End of the Year	Number of Cases Opened	Cases Pending at the End of the Year
Adoptions	14	7	13	4	20	8
Birth Correction/Registration	2	0	0	0	3	0
Probate Civil	16	12	10	10	9	12
Conservatorship	0	0	1	2	3	3
Estates	189	159	178	153	197	165
Guardianship of a Minor	4	11	3	14	1	13
Guardianship of an Incompetent	33	282	36	278	34	291
Guardianship Emergency	0	0	14	0	16	0
Marriage License	235	0	240	0	269	0
Minors Settlement	6	14	1	21	4	21
Name Change	22	0	21	0	20	0
Trust	1	17	0	20	1	24

Local Guardianship Program

The Probate Court is the superior guardian of those placed in guardianships and is responsible for monitoring guardians to make sure that they fulfill their duties.

Guardianship is one of the more restrictive protective services available under Ohio law and is only necessary when individuals are unable to care for their basic needs, finances, or medical issues and when a less-restrictive alternative is not feasible.

People placed in guardianship are especially vulnerable, and there is a great need for willing volunteers, family members, and attorneys to act on their behalf. In many cases, every decision affecting those individuals is in another person's hands. That is why it is so important for guardians to carry out their duties responsibly.

A Guardian holds a unique role with respect to the ward and the Guardian has an obligation to obtain an understanding of the fundamentals of that relationship. Formalized training is one means to gain that competency.

In 2016, the Probate Court adopted Local Rule 66, which requires family guardians to attend a shortened local version of the Supreme Court of Ohio's Guardian Fundamentals Training Program.

This program was developed in conjunction with the Guernsey County Board of Developmental Disabilities, Mental Health and Recovery Services Board, and the Area Agency on Aging Region 9.

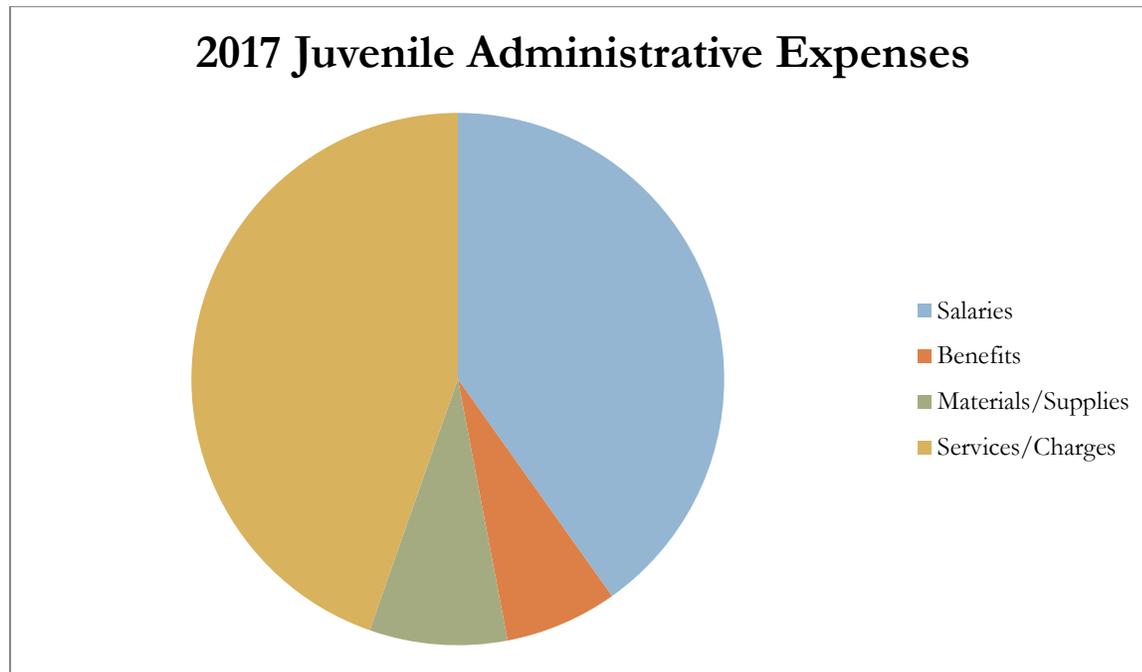
The training sessions are offered 4 times per year at various times, and all family guardians must attend this program once during the year.

In addition to the initial basic course titled "Responsibilities and Duties of Guardians," a second course is held with topic of interest to guardians, which were created from suggestions and questionnaires that were completed at previous trainings. In 2017, those topics included: Nursing Home Placement; Representative Payee and Financial Issues; Gun Safety/Ownership and Mental Health Issues; and Estate Planning.

This program assists the guardians in complying with the law, as well as helping them learn about the different resources that may be available to them for the benefit of their ward.

Fiscal Report

Funding for the Guernsey County Probate/Juvenile Court and Juvenile Probation is received from a variety of sources, with the majority coming from the County’s General Fund, and some programs being supplemented with several grants.



2017

Salaries	\$269,684.93
Benefits	\$ 45,897.09
Materials/Supplies	\$ 56,139.38
Services/Charges	<u>\$299,626.19</u>
Total Appropriation	\$671,347.59

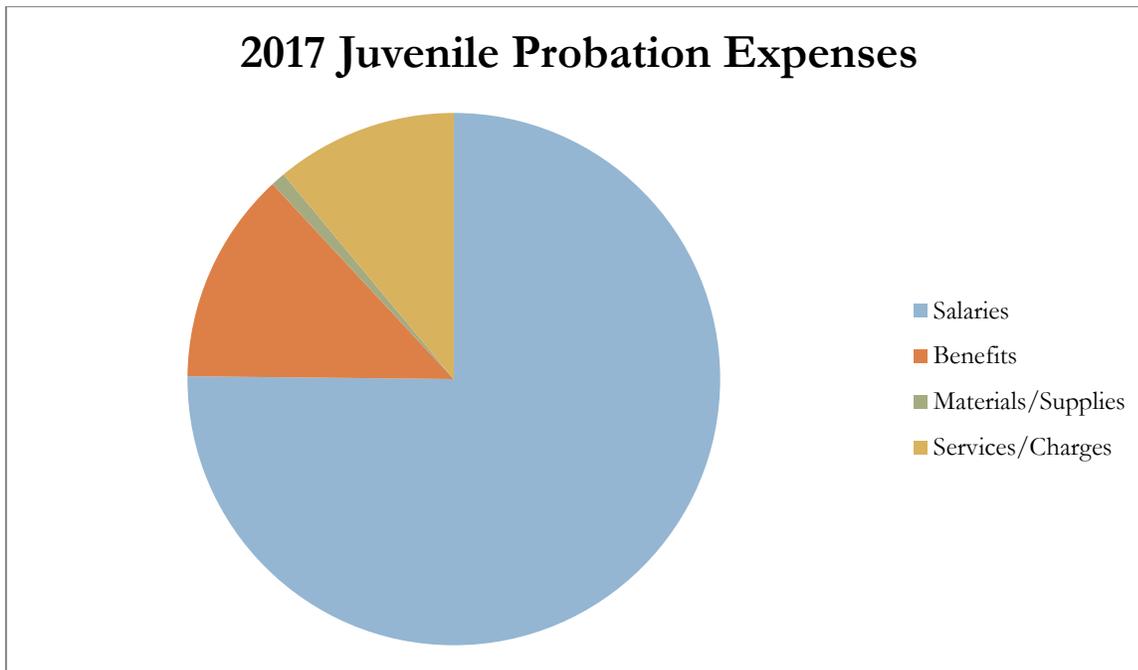
2016

Salaries	\$270,820.48
Benefits	\$ 46,803.16
Materials/Supplies	\$ 15,174.87
Services/Charges	<u>\$341,871.07</u>
Total Appropriation	\$674,669.58

2015

Salaries	\$217,083.74
Benefits	\$ 37,503.38
Materials/Supplies	\$ 35,910.11
Services/Charges	<u>\$328,574.39</u>
Total Appropriation	\$619,071.62

Fiscal Report Continued



2017

Salaries	\$213,464.39
Benefits	\$ 36,680.41
Materials/Supplies	\$ 2,487.25
Services/Charges	<u>\$ 31,352.88</u>
Total Appropriation	\$283,984.93

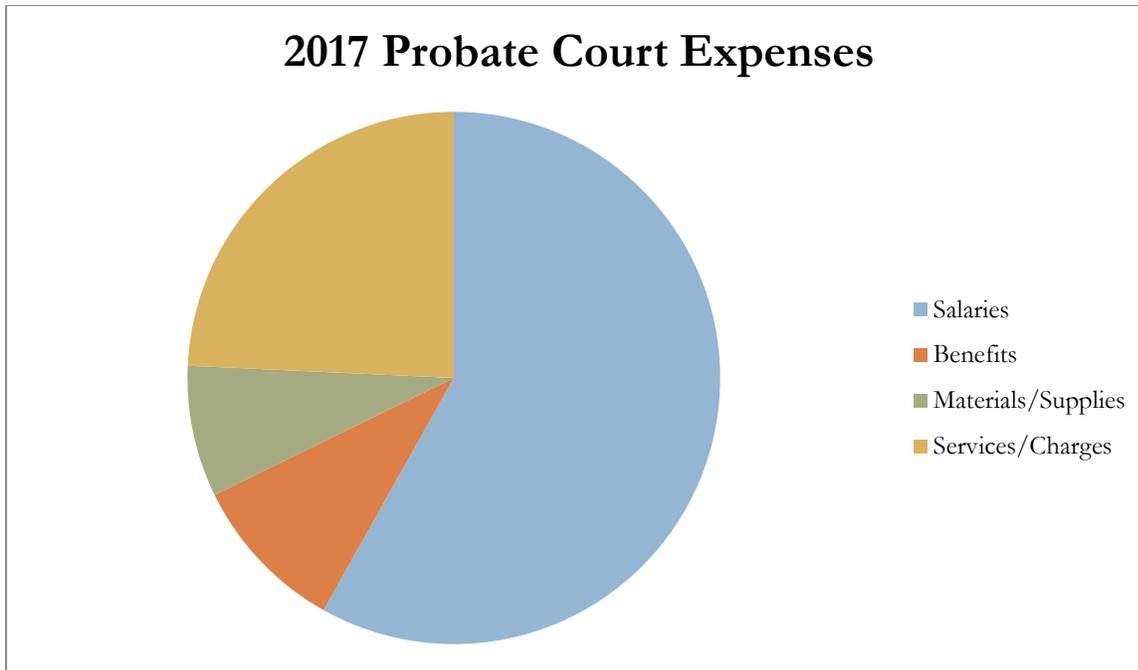
2016

Salaries	\$219,643.61
Benefits	\$ 38,196.16
Materials/Supplies	\$ 2,302.98
Services/Charges	<u>\$ 31,878.00</u>
Total Appropriation	\$292,020.75

2015

Salaries	\$216,474.44
Benefits	\$ 37,409.43
Materials/Supplies	\$ 1,688.81
Services/Charges	<u>\$ 29,829.82</u>
Total Appropriation	\$285,402.50

Fiscal Report Continued



2017

Salaries	\$119,369.78
Benefits	\$ 19,763.56
Materials/Supplies	\$ 16,365.39
Services/Charges	<u>\$ 49,831.21</u>
Total Appropriation	\$205,329.94

2016

Salaries	\$116,634.06
Benefits	\$ 20,584.92
Materials/Supplies	\$ 13,376.53
Services/Charges	<u>\$ 34,015.28</u>
Total Appropriation	\$184,610.79

2015

Salaries	\$114,151.33
Benefits	\$ 18,987.96
Materials/Supplies	\$ 16,603.38
Services/Charges	<u>\$ 22,246.58</u>
Total Appropriation	\$171,989.25

Contact Information



**Guernsey County Courthouse
801 East Wheeling Avenue
Cambridge, Ohio 43725**

**Juvenile Court – (740) 432-9266
Probate Court – (740) 432-9262
Juvenile Probation – (740) 432-9229
CASA Program – (740) 439-5697**

www.guernseycounty.org

Monday – Friday – 8:30 A.M. to 12:00 P.M. & 1:00 P.M. to 4:00 P.M.