



2023

ANNUAL REPORT

MIDDLETOWN

MUNICIPAL

COURT

James E. Sherron
Judge

Steven P. Longworth
Director of Court Services

MIDDLETOWN MUNICIPAL COURT

Middletown Municipal Court was established in 1914 by the Ohio Legislature and given original jurisdiction in civil and misdemeanor criminal cases. The court also has jurisdiction over preliminary hearings in felony cases. In the State of Ohio, the judge of a municipal court is elected for a term of six years.

The geographical jurisdiction of the Middletown Municipal Court is the area from which cases may be brought and decided. The court may hear and decide cases, disputes or controversies arising in the cities of Middletown and Trenton and the townships of Madison and Lemon. The court also has jurisdiction to hear and determine probable cause in all felony cases within its jurisdiction. The court also hears civil and small claims complaints.

The subject matter jurisdiction of the court is its ability to hear and decide specific kinds of cases. In civil matters, this jurisdiction is limited to cases where the monetary claim requested by either party does not exceed \$15,000. Small claims cases may be filed for monetary claims up to \$6,000. Municipal courts have jurisdiction in misdemeanor traffic and criminal cases where the maximum sentence is one year and the maximum fine is no more than \$1,000. Middletown Municipal Court is unique in that its jurisdiction extends to both Butler and Warren Counties.

The population of the jurisdiction of the court is approximately 80,000. It is anticipated that approximately 17,000 traffic, criminal and civil cases will be filed, docketed, tried and determined by the court next year.

The Clerk of Court is appointed by the Judge and is responsible for maintaining the docket, filings and all other official records for the court. The Clerk is also responsible for collecting fines, costs, bonds, fees and issuing subpoenas and warrants to arrest. Funds received by the court are deposited daily. These funds are then distributed by the Clerk in accordance with state statutes and city ordinances to a variety of governmental jurisdictions and agencies.

Court costs include fees which are specified for victims of crimes, representation of indigent persons, county law libraries, the State Highway Patrol and others. Fines are distributed to the appropriate representative governmental entity in whose jurisdiction the case arose. These include, among others, the Treasurer of the State of Ohio, the Butler County Treasurer, Lemon Township, Madison Township, the City of Trenton and the City of Middletown. Each year the court submits its operating budget for approval to the governing body of the largest municipality within its jurisdiction. In the case of the Middletown Municipal Court, the budget is submitted for approval to the Middletown City Council.

JUDICIAL



James E. Sherron was elected Judge of the Middletown Municipal Court on November 7, 2017, and began serving on the Bench on December 19, 2017. Judge Sherron was admitted to law practice in November 1986 and opened his solo private practice in Middletown that same year. He maintained his office in Middletown for over thirty-one years until becoming Judge. During those years, he developed extensive civil and criminal case experience, representing thousands of clients in Middletown Municipal Court and the surrounding courts in Butler, Warren, and Preble Counties.

Married for over thirty years with three adult children and one grandchild, Judge Sherron, a third-generation Middletown native, graduated from Middletown High School in 1978. He graduated from Miami University in 1982 with a Bachelor of Arts degree. Judge Sherron received his law degree from the University of Dayton, College of Law 1986. While at U.D., he served as a legal intern for the Law Department at the City of Middletown. Before taking the Bench, he served on numerous boards and committees in the community.

Judge Sherron is a strong believer in increasing community awareness of the Court and its functions as well as being an active contributor to the wellbeing of the community. As such he regularly participates in various community events and speaking engagements such as the Concerned Armco Retired Employees meetings, the annual National Night Out events, church and seniors groups regarding issues such as avoiding scams and personal safety, Neighborhood Watch Meetings, Chamber of Commerce presentations, Middletown Community Foundation events, Rotary and Kiwanis Clubs events, Middletown Mental Health Roundtable meetings, Butler County Mental Health & Addiction Recovery Services Board and NAMI events.

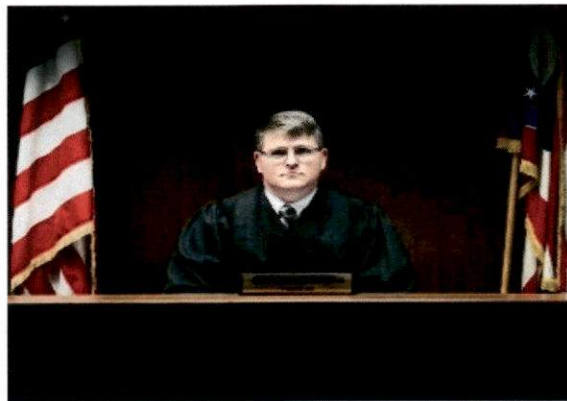
He is a member of the Ohio Judicial Conference and serves on its Criminal Law and Procedure Committee. He serves on the Butler County Criminal Justice Board, the Supports to Encourage Low Income Families Board and is a member of the Association of Municipal Court Judges of Ohio, the Butler County Bar Association, and the Mid-Miami Valley Bar Association.

With a compelling interest in educating children about the legal system, Judge Sherron regularly hosts visiting school groups during court sessions followed by Q and A discussions. He meets with classes from college to grade school at schools to further help educate children and young adults.

He is in the process of creating a "Court at School" program which will present an in person live court docket at high schools.

Marriages

Middletown Municipal Court is one of the few Courts that currently perform marriage ceremonies and sets aside Tuesdays at 4:00 p.m. for up to up to three (3) weddings each week. The Court typically averages about 60 wedding ceremonies each year. Judge Sherron has performed over 300 marriages since late 2017 and enjoys providing this service to each couple on their special day



Magistrate Geoffrey Modderman

Geoffrey Modderman is the magistrate for Middletown Municipal Court. He has worked in this position since May of 2020. He hears general civil cases, evictions, and small claims. In addition, he presides over traffic trials and a docket dedicated to driver's license related offenses.

He began his legal career focusing on criminal law. He spent seven years representing indigent defendants as a public defender in Butler County. He also represented the City of Hamilton and the State of Ohio for three years as a municipal court prosecutor. Immediately prior to becoming a magistrate, he worked as an attorney in a solo practitioner law firm with a civil practice focused on landlord/tenant issues. For the preceding five years, he represented landlords in courts in Hamilton, Butler, Clermont, and Warren counties in Ohio and Boone, Kenton, and Campbell counties in Kentucky.

He has an undergraduate degree in biology from the University of Kentucky in Lexington, Kentucky. He graduated from the University of Cincinnati College of Law in 2004. He is licensed to practice in Ohio and Kentucky. He is also admitted to practice in the Federal District Court for the Southern District of Ohio.

ACCESS TO JUSTICE

As mentioned above, the Middletown Municipal Court handles cases involving misdemeanor offenses, felony offenses through the preliminary hearing stage, and civil cases with monetary claims of \$15,000 or less. In all criminal cases, indigent defendants are entitled to court-appointed legal representation whenever a conviction could result in a jail sentence. The right to court-appointed counsel does not apply to civil matters. A substantial percentage of the community served by our court is low income and may not be able to afford to hire an attorney. In addition, due to the relatively low dollar amount at issue in these civil cases, many plaintiffs and defendants choose to represent themselves. In order to bridge this gap in available legal services, the Court seeks to assure access to justice for all parties.

By ensuring access to justice for all, our community will have trust and confidence in the fair and impartial administration of the law. Assuring fairness in matters of race, ethnicity, foreign origin, religion, gender, sexual orientation, disability, socio-economic status, or other relevant topics enhances public confidence in the judicial system and the perception of justice in Ohio.

The court provides several free resources. Deputy Clerks in the Civil Division provide information to self-represented litigants including plaintiffs and defendants regarding court procedures. Whenever possible, they will refer parties to the Legal Aid Society to assist with representation. The Court provides various forms, which can be obtained either online or at the Civil Division window on the third floor.

The court offers several services to further this goal including:

- E-filing – Civil Cases – this saves time by allowing individuals to file with the court remotely
- Telephone Pre-trials – many hearings can be conducted by telephone instead of in person
- Online docket access
- Civil Forms for filing complaints/answers/motions
- A FAQ list located on the Court's website explains how to file/answer a claim
- Credit Card Payment for filing fees
- Hybrid or remote hearings under certain circumstances saves on transportation costs
- Foreign Language/ASL interpretation is offered without cost to allow parties to understand and participate in their cases

COURT ADMINISTRATION

The Court Administration Office supervises court personnel. The Director of Court Services also plans and maintains an efficient court budget, administers payroll, evaluates personnel, and develops public relations and court procedures as new laws are enacted.

We currently employ one chief deputy clerk, eleven deputy clerks, one chief bailiff, three bailiffs, one chief probation officer, two probation officers, a magistrate, and a public defender. Our annual budget is approximately 1.8 million dollars. The Court also seeks to reduce the fiscal burden on the citizens through user fees. These are special funds created by the Ohio Legislature, such as probation fees, computerization fees, indigent treatment funds, and special project funds. The limitation is that use of these funds are narrow in scope by design and cannot be used for most daily operating costs.



Steven P. Longworth, Director of Court Services

Currently, the Director of Court Services also serves as the Clerk of Court. He supervises the payment and distribution of fiscal obligations. These include fines, costs, bonds, restitution, and civil judgments. The Court collected over 4.1 million dollars in 2023. A detailed auditor's report is included later in this report. The Clerk's office handled over 15,000 cases last year, including over 4,000 civil/small claims cases and over 11,000 criminal/traffic cases. Technology allows us to process these cases efficiently. Over the past few years, the court has changed case management software to allow for the expansion of services. We now have electronic filing in civil court. In fact, our civil court is now paperless! We are using e-ticket filing systems. We have upgraded our public online case lookup to be accurate within an hour of a courtroom action. We have a current case status monitor located in the lobby to assist those summoned to court. Our probation office is using text messaging for appointment reminders.

The Director of Court Services has the pleasure of serving in various roles in the community when the Judge is unavailable due to time constraints. He serves on the Butler County Criminal Justice Board, Butler County Bar Association Grievance Committee, Governor's Warrant Task Force, and the Ohio Association of Municipal/County Court Clerks Legislative Committee and Trustee. He also participates with many local organizations and issues, such as NAMI, the Chamber of Commerce, the housing and homelessness group, the Health in Partnership group, and the Middletown mental health workgroup.

MIDDLETOWN MUNICIPAL COURT			
JAMES E. SHERRON			STEVEN P. LONGWORTH
JUDGE			CLERK OF COURT

STEVEN P. LONGWORTH
CLERK OF COURT

AUDITOR'S REPORT

2023

	CRIMINAL	CIVIL	TOTAL
Undistributed Balance from 2022	\$ 68,201.72	\$ 30,820.74	\$ 99,022.46
2023 Collections	\$ 1,982,576.20	\$ 2,060,535.66	\$ 4,043,111.86
Total	\$ 2,050,777.92	\$ 2,091,356.40	\$ 4,142,134.32
Distributions:			
City of Middletown	\$ 1,085,096.57	\$ 525,688.43	\$ 1,610,785.00
Butler County	\$ 149,943.75		\$ 149,943.75
State of Ohio	\$ 249,755.94	\$ 81,195.74	\$ 330,951.68
Madison Township	\$ -		\$ -
Lemon Township	\$ -		\$ -
City of Trenton	\$ 1,424.00		\$ 1,424.00
Warren County	\$ -		\$ -
Bonds Paid Out	\$ 421,371.41	\$ 27,469.12	\$ 448,840.53
Restitution Paid Out	\$ 49,170.67		\$ 49,170.67
Non-Government Civil Distributions	\$ 354.90	\$ 1,386,985.23	\$ 1,387,340.13
Total	\$ 1,957,117.24	\$ 2,021,338.52	\$ 3,978,455.76
Balance	\$ 93,660.68	\$ 70,017.88	\$ 163,678.56
Undistributed Money to Agencies	\$ 89,827.21	\$ 46,931.30	\$ 136,758.51
Civil Undistributed Cash		\$ 55,050.85	\$ 55,050.85
Outstanding Checks	\$ 24,615.99	\$ 19,346.57	\$ 43,962.56
Outstanding Bonds	\$ 93,660.68	\$ 14,967.03	\$ 108,627.71
Outstanding Restitution	\$ -		
In Transit	\$ (1,343.00)	\$ (75.00)	\$ (1,418.00)
Adjustments (Positive)	\$ -		\$ -
Bank Balance	\$ 206,760.88	\$ 136,220.75	\$ 342,981.63

BAILIFFS

Established by Ohio Revised Code 1901.32, the Bailiffs Division of the Middletown Municipal Court is charged with the security of the courtroom and surrounding Court areas and organizing the flow of the day's hearings and proceedings in both Civil and Criminal Divisions of the Court. The presiding Judge appoints bailiffs of Middletown Municipal Court. The Bailiffs also serve upon parties a variety of legal documents for both the Civil and Criminal Divisions. The Chief Bailiff serves as the technology liaison with the Court's software providers and addresses the day-to-day issues the Court may experience regarding technology needs. Listed below are some of the 2023 bailiffs duties performed.

- Provided approximately 1200 Court Security Hours
- Manage Court Documents flowing in and out of Court Proceedings
- Served or attempted to serve approximately 3300 Civil/Small Claims case filings
- Supervised approximately 500 Forcible Entry and Detainer Actions
- Completed Mandatory and Professional Development Training
- Provided Transportation for Defendants to the VA for Veterans Special Docket



PROBATION DEPARTMENT

Probation (Community Control) is a sentencing option available to the Court where the offender's jail sentence is suspended on the condition that they remain law-abiding. Furthermore, offenders will be expected to comply with all laws and any special conditions set by the court. Those offered the privilege of probation will be ordered to meet regularly with a Probation Officer to ensure all conditions are being met.

Mission

The mission of the Middletown Municipal Court Probation Department is to aid in offender treatment/rehabilitation and to ensure public safety. This is accomplished by enforcing the Court's orders in an effective, professional manner and linking offenders with evidence-based treatment. The department networks with local, state, and national resources to maintain the highest standard for all levels of services.

Veterans Court

The Veterans Court is a specialized program that works within the framework of the existing Municipal Court. It is intended to serve a high-risk population and to accomplish specific criminal justice objectives. Other specialty dockets target probationers with similar behavior issues: Mental Health/Alcohol Abuse, Domestic Violence, etc. The Veterans Court, however, deals with probationers who potentially suffer from comorbidity. Moreover, what they have in common is not necessarily their behavior but their past military service. Middletown's Veterans Court has graduated over 240 veterans since its inception in 2011. That's a lot of lives changed for the better.

The Court recognizes that many veterans return to civilian life with serious trauma, both physical and mental, which may lead to involvement with the criminal justice system. With that recognition comes a responsibility to ensure that veterans receive the treatment they need. By providing a specialized docket, the Court can increase the veteran's chance of success in a collaborative environment. Enhancing access to various programs and treatments and fostering interaction with other veterans will help ensure that those who have served, in turn, receive the service they deserve.

Indigent Treatment Program (ITP)

Per the Ohio Revised Code, money collected from fines for Operating a Vehicle Impaired (OVI) is ultimately returned to the community to fund an Indigent Treatment Program (ITP). This helps individuals who have limited financial resources but may be ordered to an intensive level of outpatient chemical dependency treatment program. They are able to get this help in their own community.

The Probation Department also contracts with a local mental health treatment provider for education and therapy programs for domestic violence offenders. Probation Fees are utilized to fund the program, which focuses on issues of abuse, violence, control, and anger in intimate relationships.

License Intervention Program (LIP)/Limited Driving Privileges

The Middletown Municipal Court Probation Department has established a License Intervention Program (LIP) that assists members of the community in resolving issues that prevent them from obtaining a valid operator's license. This program checks the Ohio Bureau of Motor Vehicle (BMV) records for the individual and advises them on what steps they need to take to secure a valid driver's license. Members of the community can visit the Probation Department on Thursday mornings to meet with an officer. Additionally, the Probation Department will have information available at various community events including National Night Out. The court is in the developmental phase of expanding the program. In 2024, the Probation Department aims to meet with citizens at select locations in the community to help guide them toward obtaining a valid Ohio License.

Record Expungement/Sealing

The Middletown Probation Department is also responsible for processing applications for sealing records of people who have been convicted of criminal offenses and are requesting that their records of conviction be sealed. This process includes verification of their eligibility as well as determining the appropriate timeliness of the application. The court is in the development phase of expanding the program. In 2024, the Probation Department aims to meet with citizens at select locations in the community to aid them in determining eligibility.



PROFESSIONAL DEVELOPMENT

- **Judicial Officers** - To serve the public interest that mandates the competent performance of the duties of judicial office in Ohio, Judges and Magistrates are required to complete 40 hours of continuing legal education on a biannual basis. At least 10 of these hours must be obtained through attending courses offered by the Ohio Supreme Court Judicial College. In addition, at least three of these hours must focus on Judicial Ethics, Professionalism, Substance Abuse/Mental Health Issues, and Access to Justice and Fairness in the courts.
- **Director of Court Services/Clerk of Court** – Mr. Longworth has a Master of Public Administration Degree and earned an Ohio Court Management Certification from the National Center for State Courts. He is a member of The Ohio Association of Court Administrators. This organization holds two conferences each year with training in new laws and rules as well as current leadership topics. He also is a member of the Ohio Association of Municipal/County Court Clerks. This organization also holds two conferences each year with more pragmatic sessions directly related to the Clerk's Duties. Additionally, the Clerk of Court and Chief Bailiff attend an annual Technology Conference sponsored by the Ohio Judicial Conference to network with vendors to see and experience the latest technological advances in court security and software.
- **Chief Deputy Clerk of Court and Deputy Clerks** – Members of the Southwestern Ohio Municipal and County Court Clerks (SWOMCCC) attend quarterly meetings for legislative updates and educational and networking opportunities. Additionally, OAMCCC holds a spring and fall conference to provide more intensive opportunities for members to meet with peers from other courts and receive additional education. Likewise, the Supreme Court of Ohio Judicial College offers both in-person learning and webinars on topics such as "Legal Advice vs. Legal Information," "Ethics for Court Employees," "Records Retention," and many more. On average, the Chief Deputy Clerk and Deputy Clerks will obtain at least 30 hours of education on current topics per year.
- **Chief Bailiff and Bailiffs** – Bailiffs complete mandatory weapons training as outlined in the ORC. They also complete Ohio Judicial College courses relating to security, firearms, how to handle sovereign citizens and dealing with difficult people. Bailiffs receive opportunities for education and training through the Ohio Bailiffs and Court Officers Association via seminars and conferences.
- **Probation Officers** - The Middletown Municipal Court Probation Department has a tradition of supporting advanced education, specialized training, and professional development. This advanced training aids the department in working with specialized populations and those who suffer from mental health and use disorders. The Court's

Probation Officers have obtained graduate degrees, and some are licensed Chemical Dependency Counselors in the State of Ohio. Additionally, they have received extensive training in evidence-based practices. Probation Officer Jalessa Martin has been working on her graduate degree and will graduate with a Master of Science degree in 2024 with an emphasis in mental health counseling. Furthermore, Chief Probation Officer Kip Lang has been working on earning a Certified Court Manager (CCM) certificate through the Ohio Supreme Court Judicial College.

