

# Belmont County Juvenile Court 2017 Annual Report



Honorable J. Mark Costine  
Court of Common Pleas  
Juvenile and Probate  
Division Courthouse  
101 W. Main Street  
St. Clairsville, Ohio 43950

## From the Judge

To the Citizens of Belmont County:

In accordance with chapter 2151.18 of the Ohio Revised Code and as a service to the citizens of Belmont County, I present the 2017 Annual Report of the Belmont County Common Pleas Court, Juvenile Division.

The administration of justice within the Juvenile Court system is founded upon concepts of fairness and individualized treatment to all who become participants in the judicial system; real justice neither excuses nor condones offensive acts, but rather is recognition that the general public should be protected and the offender held responsible for acts of misconduct. Juvenile justice has evolved through research and scientific study to better understand the developmental impact on youth involved with the judiciary. Belmont County Juvenile Court continues to work diligently to keep staff and programming up to date in current recommended practices to ensure we are serving the needs of youth for the best chance of reducing criminal behaviors.

Ongoing collaboration in 2017 with the Juvenile Court, local schools, law enforcement agencies, Wheeling Hospital, and donations from many throughout the county to maintain and grow the “Belmont County Schools Staying Clean” program has been effective in educating and supporting our youth for a drug free lifestyle. A car show sponsored by the Classy Chassis Car Club was a huge success and tremendous support to the Belmont County Schools Staying Clean program. The program works with local high school students choosing to participate in their high school’s chapter. Random drug testing and incentives are provided to youth participating to promote a clean, healthy lifestyle providing students an option to say “no” in regards to substance abuse usage.

Financial stability and responsibility have been a priority for the Juvenile Court. Working to keep programs intact to provide the best possible treatment, dispositional options, and diversionary tools have proven effective in the court’s operations. The general fund contributed \$874,900.00 to the operations of the Juvenile Court in 2017. A total of \$26,968.67 in court costs was collected. Additionally, the court received various grants such as state funding from the Department of Youth Services in the amount of \$260,312.61 and Title IVE federal reimbursement monies of \$164,030.14 for 2017. Grant funding was obtained from the Ohio Department of Mental Health and Addiction Services for \$30,000.00 in support of Drug Court programming. Collaboration, support, and partnerships with various agencies has enabled for programming and training to ensure staff are working diligently to keep up to date on trends and programming criteria, research based treatment options, and use of sentencing tools beyond incarceration for youth and families served.

J. Mark Costine  
Belmont County Juvenile

Judge



# Juvenile Court Staff

## *The Honorable J. Mark Costine*

Amy Basic  
Jennifer Shunk  
Jim Langford

## *Juvenile Judge*

Magistrate  
Court Administrator  
Bailiff

## **Clerks**

Rebecca Gibson (Chief Deputy Clerk)  
Linda Timko  
Cheri Westlake

Jonell Tolzda  
Barbara Gillespie  
Amber Sikora

## **IVE and Fiscal Officer**

Andrea Ketter

## **Probation Officers**

Kelly Carter (Chief Probation Officer)  
Allison Powell

John Markus  
Courtney Cook

## **Truant Officers**

Dana Mistak

Jonell Tolzda

## **Alternative School/C-CAP Program**

Noah Atkinson (Program Coordinator)  
Aaron Walker (Probation Officer)  
Scott Watkins (Teacher)

Tamara Tyler (Probation Officer)  
Francine Davenport (Teacher)

## **Substance Abuse Programs**

Dave Carter (Coordinator/Probation Officer)  
Diane Elerick (Assist. Coor. /Probation Officer)  
Kara Mowery (Probation Officer)

## **Intake and Diversion Program/ Restitution and Community Service**

Mary Lyle (Program Coordinator)

## **Assigned to Juvenile Court**

Rhonda Greenwood (Assistant Prosecuting Attorney)  
Frank Pierce (Public Defender)  
Harry White (Mediator)

Ted Tsoras (Asst. Public Defender)



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## Judge J. Mark Costine

The Honorable J. Mark Costine graduated from St. Clairsville High School and attended Wake Forrest University. He received his Juris Doctorate Degree in 1979 from Ohio Northern University.

The Honorable J. Mark Costine began his term as the Court of Common Pleas, Probate and Juvenile judge on December 24, 1998. Judge Costine was a practicing attorney in The Costine Law Firm from 1979-1998, and was a Belmont County Assistant Public Defender from 1979-1998.

As a student, Judge Costine was a National Finalist in the Reader's Digest Public Speaking Contest. He traveled to Russia to study Russian history and to Jamaica to study world religions. As an Eagle Scout he participated in various Boy Scout events including the 1971 World Jamboree in Japan and various high adventure excursions.

Judge Costine is active in the following community and social organizations: Past President of St. Clairsville Rotary, Past President of the St. Clairsville Jaycees, Former Chairman of the Administrative Board of Thoburn United Methodist Church, Former Chairman of St. Clairsville Board of Zoning Appeals, Former Chairman of the St. Clairsville Civil Service Commission, Former Hearing Officer for the Belmont County Fair Housing Commission, Past President of Belmont Hills Country Club, and Past President of Belmont County Bar Association.

Judge Costine has also been very active with the youth in the community. He was a Boy Scout Leader and member of the Executive Committee for the Ohio River Valley Council of the Boy Scouts of America. He was a coach for the world finalist youth team for Olympics of the Mind for two years.

Judge Costine is currently the lead Judge for the Oakview Juvenile Rehabilitation Center and is on the Board of the Belmont Harrison Juvenile District. He is a member of the National Council of Juvenile and Family Court Judges.

Judge Costine is married to the former Brenda Edler and together they have three children.





## Mission and Purpose of the Juvenile Court

Juvenile Court is a division of the Court of Common Pleas. The Common Pleas has three divisions with each division having specific jurisdiction: Probate, Juvenile and General.

The Belmont County Juvenile Court is mandated to handle cases of children who are delinquent, unruly, neglected, dependent or abused. The Court also has the authority to take appropriate action deemed to be in the best interests of said children, while considering what is necessary for the protection of the community. Juvenile Courts have jurisdiction in juvenile traffic cases, adult cases involving paternity, custody and/or child support, contributing to the delinquency of minors and failure to send children to school.

The mission of the Juvenile Court is stated in Section 2151 and 2152 of the Ohio Revised Code and the Rules of Juvenile procedure as promulgated by the Supreme Court of Ohio. The guidelines are as follows:

- To Provide for the care, protection, mental and physical development of the children subject to the Ohio Revised Code.
- To protect the public interest in removing the consequences of criminal behavior and the tarnish of criminality from children committing delinquent acts and to substitute therefore a program of supervision, care, and rehabilitation.
- To achieve the foregoing purposes, whenever possible, in a family environment, separating the child from his/her parents only when necessary for the welfare of the child or in the interests of public safety.
- To provide judicial procedure through which the parties are assured a fair hearing and where their constitutional and other legal rights are recognized and enforced.
- To (1) protect the public interest and safety, (2) hold offenders accountable, (3) to restore victims, (4) rehabilitate offenders, (5) provide for the care, protection, and mental and physical development of children. These purposes are to be achieved through a system of graduated sanctions and services.



# CASE PROCEDURES

## 1. COMPLAINT

The complainant must go to the Prosecutor's Office and fill out a statement of facts pertaining to the case. A complaint may be filed by the police, probation officer, school officials, parents, victims, or any adult who has knowledge of an offense. The Intake Clerk at the Prosecutor's Office then obtains approval of the Assistant Prosecuting Attorney assigned to Juvenile Court as to the proper charge to be filed. The complaint is typed by the clerk, signed by the complainant, and sent to the Juvenile Court's Chief Deputy Clerk. The complaint is then filed with the Court and scheduled for a plea hearing. (In some cases of first time offenders, the complaint may be passed on to the Diversion Program Coordinators for unofficial handling.) The complaint file is then processed and a clerk issues proper notices to the parties.

## 2. PLEA HEARING

The initial court appearance is the plea hearing. During this hearing, an individual is apprised of their right to counsel, other constitutional and procedural rights, and is made aware of the allegations regarding the charge. If an individual denies the charge, the matter is set for pretrial. If a person admits the charge or the juvenile denies and is subsequently found to be delinquent or unruly, the matter may then be continued for disposition or the Court may immediately follow with the adjudicatory and dispositional hearings.

## 3. PRETRIAL

A pretrial is held in cases when a denial has been entered. The prosecutor and the defendant along with any representative the defendant may have discuss the case informally. During this process, the participants in the case gain information to formulate planning for further proceedings. The case is discussed off the record with all parties involved. If an agreement can be reached the case is presented to the Judge.

## 4. ADJUDICATORY HEARING

This hearing is to determine whether a child is a juvenile traffic offender, delinquent, unruly, abused, neglected or dependent child, or otherwise within the jurisdiction of the Court upon a finding or admission of guilt.

## 5. DISPOSITIONAL HEARING

The dispositional hearing determines what action shall be taken or sentence given. The Court considers many factors such as previous record, relationship with family members, employment, counseling reports, school reports, and/or mental and physical development. Considerations are given for victims, protection of the community and to the rehabilitation of the individual while ensuring accountability for unruly and criminal actions.



## DISPOSITIONS

Disposition in Belmont County Juvenile Court can be any one or more of the following depending on case type in addition to any other orders the Judge chooses to impose:

- Detention
- Fines/Court Costs
- Curfew
- Restitution
- Community Service
- Probation
- Driver's License Suspension
- Dismissal
- Custody with Children Services
- Custody to the Court for placement out of the home
- CCAP (Concentrated Conduct Adjustment Program)
- House Arrest/GPS Monitoring
- Referrals to outside agency services
- Family/Individual Counseling
- Family Dependency Treatment Court
- Referrals to Court programs
- Residential Treatment
- Parenting Classes
- Commitment to the Department of Youth Services
- Drug Screening

## LEGAL DEFINITIONS

### **DELINQUENT CHILD** (Section 2152.02 Ohio Revised Code)

A person under the age of eighteen years:

(A) Who violates any law of this state, the United States, or any ordinance or regulation of a political subdivision of the state, that would be an offense if committed by an adult, except a juvenile traffic offender.

(B) Who violates any lawful order of the Court made under Chapter 2151 or 2152 of the Ohio Revised Code other than an order issued under section 2151.87.

(C) Who violates division (A) of section 2923.211 of the Ohio Revised Code.

(D) Who is a habitual truant and who previously has been adjudicated an unruly child for being a habitual truant.

### **UNRULY CHILD** (Section 2151.022 Ohio Revised Code)

A person under the age of eighteen years:

(A) Who does not submit to the reasonable control of the child's parents, teachers, guardians, or custodian, by reason of being wayward or habitually disobedient.

(B) Who is a habitual truant from school.

(C) Who behaves in a manner as to injure or endanger the child's own health or morals or the health or morals of others.

(D) Who has violated a law, other than division (C) of section 2907.39, division (A) of section 2923.211, division (C)(1) or (D) of section 2925.55, or section 2151.87 of the Revised Code, that is applicable only to a child.

### **JUVENILE TRAFFIC OFFENDER** (Section 2151.02.2 Ohio Revised Code)

A person under the age of eighteen years who violates any traffic law, traffic ordinance, or any traffic regulation of this state, the United States, or any political subdivision of this state.

### **DEPENDENT CHILD** (Section 2151.04 Ohio Revised Code)

(A) Who is homeless or destitute without adequate parental care, through no fault of the child's parents, guardian, or custodian;

(B) Who lacks adequate parental care by reason of the mental or physical condition of the child's parents, guardian, or custodian;

(C) Whose condition or environment is such as to warrant the state, in the interests of the child, in assuming the child's guardianship;

(D) To Whom both of the following apply:

(1)The child is residing in a household in which a parent, guardian, custodian, or other member of the household committed an act that was the basis for an adjudication that a sibling of the child or any other child who resides in the household is an abused, neglected, or dependent child.

(2)Because of the circumstances surrounding the abuse, neglect, or dependency of the sibling or other child and the other conditions in the household of the child, the child is in danger of being abused or neglected by that parent, guardian, custodian, or member of the household.

**NEGLECTED CHILD** (Section 2151.03 Ohio Revised Code)

A person under the age of eighteen years:

- (A) Who is abandoned by his/her parents, guardian or custodian.
- (B) Who lacks adequate parental care because of the faults or habits of his/her parents, guardian, or custodian.
- (C) Whose parents, guardian, or custodian neglects or refuses to provide him/her with proper or necessary subsistence, education, medical or surgical care or treatment, or other care necessary for his/her health, morals, or wellbeing.
- (D) Whose parents, guardian, or custodian neglects or refuses to provide him/her with the special care made necessary by his/her mental condition.
- (E) Whose parents, legal guardian, or custodian have placed or attempted to place him/her in violation of sections 5103.16 and 5103.17 of the Revised Code.
- (F) Who, because of the omission of his parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child's health or welfare.
- (G) Who is subjected to out-of-home care child neglect.

**ABUSED CHILD** (Section 2151.031 Ohio Revised Code)

A person under the age of eighteen years:

- (A) Who is a victim of "sexual activity" as defined under chapter 2907 of the Ohio Revised Code, where such activity would constitute an offense under that chapter, except that the Court need not find that any person has been convicted of the offense in order to find that the child is an abused child.
- (B) In endangered as defined in section 2919.22 of the Ohio Revised Code, except that the court need not find that any person has been convicted under that section in order to find that the child is abused child.
- (C) Exhibits evidence of any physical or mental injury or death, inflicted other than by accidental means, or an injury or death which is at variance with the history given of it.
- (D) Because of acts of his parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child's health or welfare.
- (E) Is subjected to out-of-home care child abuse.

## COURT PROGRAMS

The Belmont County Juvenile Court utilizes an array of treatment services and programming to provide rehabilitation and alternatives to incarceration. Through assessments, one-on-one work with youth, and collaboration with other county agencies and facilities, each youth's case is reviewed when recommending sentencing and case planning options.

Continuing to provide programming in step with current national trends and research, the Court believes our ever changing world must be considered. With the use of technology, social media, and acknowledgement of changes in family dynamics, the court diligently considers the impacts of society on the youth we serve to ensure all aspects of an individual's lifestyle are being examined in providing the best possible case evaluation and processing to deter further court involvement.

Court employees attend various trainings throughout the year to learn up to date treatment methods, resources available, changes to state statutes, and trends in Juvenile Justice. Training and ongoing monitoring of changes in the Juvenile Justice system both within Ohio and nationally are an integral part of the operation of the Belmont County Juvenile Court as staff continuously look for ways to improve and expand the services we offer and consider types of programming, length of treatment, and behavioral modification techniques.

Funding for programs comes from various sources including contracts and grants with the Ohio Department of Youth Services, the Ohio Department of Job and Family Services, and the Federal Government. The Court works closely with the Belmont County Commissioners in addition to other local funding sources.

## PROBATION

The Probation Department is under the guidance of Chief Probation Officer Kelly Carter, an employee with the court since 1994 and a graduate of West Liberty University with a degree in Criminal Justice. The Court has a total of four probation officers, three CCAP intensive probation officers, three substance abuse probation officers and one bailiff.

Each probation officer has a caseload in which they actively monitor juveniles through face-to-face contact with unannounced home and school visits. During these regular visits, the probation officer is able to understand the needs of the youth and their families involved with the court system. Probation terms and case plans provide specific orders and goals for the juvenile to comply with, such as curfew, drug screens, stay away orders, and objectives to improve behaviors and relationships with family members.

Probation Officers have the ability to do random drug testing and have arrest powers. The probation officer reports to the Juvenile Court the ongoing activities of the youth. They not only file violations of court orders for youth for non-compliance and request warrants be issued but also make referrals to



agencies throughout the county and other court programs. In addition, the Probation Department meets with juveniles under court orders and those at risk for entering the judicial system. Probation officers speak publicly and maintain regular contact with local schools and police departments.

All Probation officers have been trained through the Ohio Department of Youth Services web-based assessment tool, OYAS (Ohio Youth Assessment System). All youth on probation have a case plan and assessment updated minimally every six months to assess risk level and to ensure the best possible service is being provided by the Court to meet the needs of the juvenile. Additionally, probation officers have been trained through OPOTA probation officer firearm training and qualify annually for firearm certification.

## Drug and Alcohol Programs

The infographic consists of three rounded rectangular boxes arranged horizontally. The first box is red and features a circular image of a hand dropping pills. The second box is dark blue and features a circular image of a urine test strip. The third box is brown and features a circular image of a green field. Each box contains the name of a program and a list of its features.

Program Name	Key Features
SAID (Substance Abuse Intervention program)	<ul style="list-style-type: none"><li>• Diversion for first time drug and alcohol related offense</li><li>• Education and short term monitoring</li><li>• No formal record with the Court</li></ul>
ISP (Intense Substance Abuse Probation)	<ul style="list-style-type: none"><li>• Probation monitoring</li><li>• Increased drug and alcohol testing</li><li>• Counseling/Substance Abuse Treatment</li></ul>
Family Dependency Treatment Court	<ul style="list-style-type: none"><li>• Intensive case management by Juvenile Court and Children Services</li><li>• Work to keep family unit intact</li><li>• Intensive outpatient substance abuse</li></ul>

Drug and alcohol programs are overseen by Dave Carter, a 1994 graduate of West Liberty University with a degree in Criminal Justice. The Court maintains various levels of drug and alcohol specific programming to best accommodate the needs of juveniles and families in regards to substance abuse treatment.

All youth under the Court's supervision may be drug tested. The Court utilizes both urine screens and saliva swabs to make use of the most up to date testing materials available. The Court additionally partners with various law enforcement agencies, community programs and treatment partners to provide drug and alcohol services.

## SUBSTANCE ABUSE INTERVENTION DOCKET

Established in 2009, the Substance Abuse Intervention Docket (SAID) operated by the Drug Court Program staff is on average a ninety day diversion program designated to provide education and increase awareness of alcohol and other drug prevention treatment. With early, effective intervention measures to reduce drug and alcohol use, general discipline problems, criminal activity, absenteeism, and truancy, the SAID program is a key to preventing further involvement by a youth in the legal system.

Only juveniles with a first offense related to drug and or alcohol usage that is considered a misdemeanor by the standards of the Ohio Revised Code are eligible to participate in the Belmont County Juvenile Court Substance Abuse Intervention Docket. In order to participate in the program, youth must admit the charges stated in the complaint are substantially true and the minor and their parent(s) must be willing to cooperate and abide by the terms and conditions of an Agreed Order.



If the minor and family choose to participate in the Substance Abuse Intervention Docket and abide by the terms and conditions of the Agreed Order, then the respective case will not be filed in the Belmont County Juvenile Court, nor will it result in a juvenile record. Although involvement in SAID is approximately ninety (90) days, time in the program may be extended if necessary and is dependent on a child's progress and compliance with the specific directives.

If during the time of court supervision, the juvenile or parent(s) fail to abide by the terms and conditions, or the juvenile is charged with an additional unruly or delinquent offense, or fails or refuses drug and alcohol testing, shows no or minimal effort to succeed in the program, or voluntarily withdraws, then the case will be filed in the Belmont County Juvenile Court. The program collected a total of \$300.00 in 2017 in program fees. \$75.00 must be paid by each participant to participate in the diversion program.

## INTENSE SUBSTANCE PROBATION

The Intense Substance Probation program (ISP) was created as an extension of the probation department enabling drug court staff/probation officers to monitor closely youth on probation with drug and alcohol related issues. These probation officers are trained to deal with youth and families facing drug and alcohol addiction issues. Any youth on formal probation and found to have a drug and or alcohol addiction either through their own admission, failed drug screens, and/or drug and alcohol related charges may be placed into the ISP program for probation monitoring directly related to their drug and/or alcohol usage issues.

## FAMILY DEPENDENCY TREATMENT COURT

The Family Dependency Treatment Court began in January 2005 through the cooperative efforts of the Juvenile Court and the Department of Job and Family Services. The Court is proud to have been one of the first Specialized Dockets in Ohio to be certified by the Supreme Court of Ohio. The program is designed to address cases involving adjudications of abuse, neglect, and/or dependency, with the primary issue being alcohol and/or drug problems. The Family Dependency Treatment court team consists of not only court staff but



also representatives from the Belmont County Department of Job & Family Services-Children Services and local drug and alcohol and mental health treatment provider, Brite Futures through the Village Network.

The Family Dependency Treatment Court attempts to break the cycle of substance abuse in families by treating drug and alcohol addicted families who face the loss or restriction of their parental rights. The primary goal of this program is to foster family reunification through intensive treatment along with the structured court program of frequent contact, close supervision, drug screening, alcohol ankle bracelet monitoring and bi-weekly court meetings along with the constant relay of information among the treatment team. These requirements greatly contribute to the expeditious reunification and permanency placing of the involved children.

## C-CAP (CONCENTRATED CONDUCT ADJUSTMENT PROGRAM)



In its twenty second year of operation, C-CAP (Concentrated Conduct Adjustment Program) is under the direction of Noah Atkinson. A graduate of Muskingum University with a degree in business and West Liberty University with an education certification, Mr. Atkinson has been employed with the Court since 2011. Under his guidance, the C-CAP program continues to provide dedicated service to youth under supervision with the Court.



Through the years, C-CAP has been successful in making a difference in the lives of

youth by providing an alternative to incarceration with an educational and social skills building approach in working with youth. With smaller caseloads, more school and home visits, and regular program attendance, probation officers are able to become involved in the daily problems and struggles of youth. Juveniles referred to this program participate in group sessions, community service projects, educational work, and independent living skills. Transportation is provided when possible for youth throughout the county to attend.



The C-CAP program consists of two components:

#### 1. C-CAP Court Ordered Program

Juveniles have charges filed against them and appear in Court. The Judge sentences the juvenile to the C-CAP Program. Placement in the program often results in an average length of stay from 6 months to over a year. The juvenile must graduate through a level system in order to successfully complete the C-CAP program. Youth attend the program on Saturday during the school year and through the week during the summer. Physical exercise activities, team building exercises, computer classroom work, and counseling are part of the routine. Youth are drug tested regularly, perform community service hours, and abide by strict curfews. Home and school visits by staff with juveniles and families occur frequently.

#### 2. C-CAP Diversion Program

Youth are referred to the program through the local school districts or sent by the Court. They are required to be in the C-CAP program for three (3) weeks for school referrals or longer as ordered by the Court. The goals for the C-CAP Diversion Program are to aid schools in controlling truancy problems, in handling “unruly” students, to give schools an alternative to out-of-school suspension, and to deter students from future behaviors that could involve court proceedings.

## ALTERNATIVE SCHOOL/VIRTUAL LEARNING PROGRAM

The Alternative School is composed of two programs offering differing classroom experiences serving students from fifth through twelfth grades. All school districts in Belmont County provide financial support participating in the Alternative school programming.

The Alternative School Classroom is for short-term placement of youth suspended from their home school districts while the Virtual Learning Program (VLP) is for youth at risk of dropping out of school. The Alternative School Classroom program was designed to further augment the school discipline plans and to replace out-of-school suspensions. The VLP was created for students at risk of dropping out of school and in need of a non-traditional school environment to succeed.

The VLP, created in 2011 as an addition to the Alternative school curriculum, assists youth on home schooling curriculums having difficulty completing online assignments in their home environments. Schools can refer students for credit recovery and for those the traditional academic environment. A total of 41 youth participated in the VLP program during 2017. Youth may be referred by the Court or school personal to attend the Alternative school so that they may gain assistance in completing online school assignments. By motivating, encouraging and assisting these youth, they are able to regain valuable time lost in their education.

The goals of the Alternative School are to provide a structured setting for out of school suspensions, help support the school districts in combating non-compliance in the schools, help students obtain a better understanding of their school issues and academic needs, offer an alternative to the traditional school setting, and to decrease the drop-out rate by allowing students to maintain their current classroom level.

### *School Guidelines:*

1. Students suspended from school will be required to attend the C-CAP Alternative School for the period of their suspension as referred from their home school district.
2. If a student is suspended three (3) times, the Alternative School will request the home school district file charges on the student to be handled by the Belmont County Juvenile Court.
3. The home school district will send the student's class assignments. The student will complete their assignments with the assistance of the teacher. The **student** is then responsible for returning all assignments to their home school teachers. A student who refuses or incorrectly completes assignments will not receive academic credit from their home school.
4. Various counseling agencies and guest speakers are brought into the classrooms to make educational presentations.

## INTAKE AND DIVERSION PROGRAM

In its seventeenth year of operation, the Intake and Diversion Program is under the direction of Intake and Diversion Officer Mary Lyle, a 1993 graduate of West Liberty with a degree in criminal justice. The program is an informal process of diverting juveniles from further involvement in the juvenile system to an alternative, non-judicial method of dealing with the youth. Only first time offenders, youth who have no prior official or unofficial records, who are alleged to have committed a misdemeanor offence, are eligible to participate in the program at the discretion of the Court and approval from the prosecuting attorney. The goals of the program are to quickly and efficiently deal with first-time offenders and swiftly administer justice, to allow the youth to acknowledge responsibility for their actions with appropriate consequences while also addressing the needs of victims, to provide the youth and family with needed resources, and to prevent further involvement with the juvenile justice system.

Upon receiving the complaint, the Intake and Diversion Program Coordinator will notify the youth and their parents in writing of the date and time of the scheduled Intake and Diversion conference to be scheduled within ten days of receipt of the complaint. In order to participate in the program, the juvenile must admit the charges stated in the complaint are substantially true and pay \$75.00 in program fees. If the youth denies or disputes the charges, the scheduled conference is cancelled and the complaint will then be filed for the youth to respond to the charge in Court.

The Intake Coordinator establishes appropriate goals, consequences, and expectations for participants to successfully complete the program such as curfews, informal license suspensions, counseling, no-contact orders, writing assignments/reports, verification of school attendance, community service, electronically monitored house arrest, and drug screening. Upon successful completion of the program, all Intake and Diversion files/records are sealed immediately resulting in no record for the juvenile within the juvenile justice system. The program served 70 youth in 2017 of which 6 were unsuccessful due to 5 failing to cooperate with program guidelines and 1 committing a second offense while participating in the program with all 6 resulting in their cases filed formally to be heard by the Judge. The Intake and Diversion Program has proven to be beneficial to deterring youth from committing new offenses. The program collected a total of \$5,515.00 in 2017 in fees.

## RESTITUTION AND COMMUNITY SERVICE PROGRAM

The Restitution and Community Service Program, overseen by Mary Lyle, is a two part program serving not only victims of crime but also holding youth accountable for their negative actions. The Restitution portion of the program allows youth to compensate victims for their financial loss. The Court may order juvenile to reimburse the victim to the original state of their out pocket loss. In the case of a co-defendant (s), the restitution is divided by the number of juveniles involved. Each juvenile is required to make monthly payments to the Court and upon completion of the restitution having been paid in full the victim will receive a reimbursement check. If a co-defendant is incarcerated, has



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absconded from the area or otherwise is not capable of paying their portion of restitution, the other juvenile(s) involved in the case is required to fulfill the prorated share of the restitution allowing the victim to be reimbursed to their full loss amount.

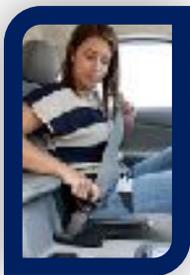
The victim is required to fill out a “Verification of Loss” form and attach any insurance information, estimates for repairs, and/or receipts. After determination of the dollar amount is approved and verified, the juvenile will be made aware of the total restitution payment. If a juvenile fails to make their restitution payments in a timely manner, a “review hearing” may be set. Once the juvenile has satisfied the requirements of the Court, a completion form is sent to the juvenile and the victim will receive compensation for their loss.

The second part of the program, the Community Service Program, allows youth to perform Court ordered community service hours. Most of these cases involve minor infractions such as curfew violations, underage consumption, and probation violations. Many juveniles are placed in the community in which their offense took place. There are numerous sites available such as parks and recreation centers, schools, libraries, churches, and the animal shelter. The program coordinator works with the site staff to monitor the child and track the hours successfully completed.

Youth may be involved with both the Restitution and Community Service portions of this program. In 2016, 43 youth were involved with the program accounting for approximately 590 hours of community service hours. A total of \$2,689.84 was collected in restitution for victims.

## CARTEENS

In 1999, the Court began the Carteens program in cooperation with the Ohio State University Extension Office. “Car” stands for “caution and responsibility” while “teens” stands for teenagers who help prepare and present the program under the OSU Extension Office.



Carteens is a diversion program in which the Belmont County Juvenile Court refers first time traffic offenders for moving violations such as speeding (if under 21 miles per hour over the limit), stop sign violations and failure to control without injury. The Court determines which cases are to be diverted to the Carteens Program.

By attending this three hour diversion program with a parent, custodian, or guardian, the juvenile is able to avoid having their offense reported to the Ohio Bureau of Motor Vehicles. Classes are held approximately twice per month at the Ohio State Extension office. A \$75.00 fee is required to be paid at the time of attendance. All monies collected are retained by the Ohio State Extension office to operate the program. Successful attendance and cooperation with the program will result in dismissal of the juvenile traffic case. For traffic offenses not eligible for diversion the Judge has the ability to refer youth to Carteens as part of the sentencing for educational purposes.



The Ohio Highway Patrol and local law enforcement are supportive of this program and often provide speakers. Films, pictures, and night vision goggles are all part of the program to educate teens on the risks of driving irresponsibly. Local teens also volunteer to assist in the operation of the program. The Carteens goal is to reduce the number of repeat traffic offenders by increasing the awareness of traffic safety issues. This program is self-funded with 67 juveniles attending in 2017.

## COURT CUSTODY

The Belmont County Juvenile Court may take custody of youth in delinquent and unruly cases for out of home placement for children in need of residential treatment, foster care, or group home placement due to the inability of parents to effectively parent a child or ongoing behavioral and/or mental health problems of the child. The Court often takes into consideration not only court staff recommendations for a child but also the recommendations of counselors, schools, the local Cluster Board, Children Services, and families when placing a child.

When a child is placed into the custody of the Court, a case manager/probation officer is assigned to monitor the case. A case plan is implemented and approved by the Court to ensure the interests of the child are being served. Periodic reviews are held to monitor the case as required under the statute.

As a Title IV-E court, \$263,379.42 was received in federal reimbursement funding for costs for the placement of youth in 2017. \$164,030.14 was received in title IVE administrative monies. In 2017 the Belmont County Juvenile Court had a total of 9 children in the custody of the Court.

## GUARDIAN AD LITEM PROGRAM

The Belmont County Juvenile Court Guardian Ad Litem's (G.A.L.'s) advocate for young people who are involved in the juvenile justice system. G.A.L.'s are court appointed volunteers who do not act as an attorney, but serve as an advisor to the Court regarding the child's best interests. The Chief Deputy Clerk is appointed to maintain and oversee this program ensuring appropriate training is received by all volunteers. G.A.L.'s speak with the child and other interested parties relevant to the case and prepare a written report for the Court. The responsibility of the G.A.L. continues until completion of the case. A G.A.L. may be appointed for any youth involved with the juvenile court who are delinquent, dependent, neglected, or abused children. Training programs are required annually for court appointed G.A.L.'s.

## INTERNSHIP PROGRAM

Local college students are assigned to the various court programs as interns through an agreement between the Court, the educational institution and the student. The students experience the everyday operations of the Court and programs through a "hands on approach" gaining valuable experience and insight into the juvenile justice system. Through this program, the student is able to observe firsthand the operation of the Court, Probation



Department, and programs. The Court employees look forward to assisting these college students as they embark on new careers.

## TRUANCY PROGRAM

The Truancy Program, created in 2009, in cooperation with Belmont County Student Services, was initially funded through the River Schools Initiative Grant, a federal grant received by Student Services. This program has continued as a partnership between local school districts and the Juvenile Court. Two truant officers, Dana Mistak, who attended Ohio University Eastern, and Jonell Tolzda, a 2009 graduate of Kent State University, work diligently with school officials to improve the attendance of youth.



The Truancy Program is designed to prevent and eliminate truancy or unexcused absences among the students of Belmont County. The Truant Officer works directly with schools for early intervention with students who have attendance problems. Officers also work with families to help resolve any obstacles that can lead to truancy. Parent Intervention Meetings (PIM) are held by the truant officers as a diversion to truancy charges being filed. Students and parents must both attend this one time meeting. Students and parents failing to participate or cooperate with the truant officers and/or

continuing to not follow the school's attendance policies will face sanctions and sentencing through the Belmont County Juvenile Court as described in the Ohio Revised Code regarding truancy.

## MOCK TRIAL PROGRAM

The Belmont County Juvenile Court travels throughout the county presenting “mock” proceedings in cooperation with all public and private schools. The mock hearings are a dramatization of actual court cases previously heard by the Court. Juvenile Drug Court participants and probationers agree to participate in the mock trials and provide valuable insight from their experiences in an open discussion forum following the mock presentation. The juveniles are able to tell their “stories” and make a connection to their peers.

The program involves multiple court staff, including Judge Costine and several probation officers, Drug Court staff and CCAP staff. Case discussions are held and rulings presented the same as would be in the courtroom setting. Educating children as to the workings of the judiciary, the role the Juvenile Court plays in the lives of Belmont County's youth, promoting abstinence from drug and alcohol usage, and working closely with schools is important to the operation and function of the Court.

The Mock Trial Program offers an opportunity for middle school aged youth to learn more about the judicial branch and procedures. The program also provides an opportunity for the Court to educate youth as to consequences they may face for poor decisions made in the future. It is the Court's goal that educators and parents build upon this experience to communicate with our youth in the important role of the judiciary.



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## SARGUS DETENTION CENTER (BELMONT HARRISON JUVENILE DISTRICT)

The Sargus Juvenile Center, located at 210 Fox -Shannon Place, in St. Clairsville is one of several detention facilities in Ohio and provides detention space to both Belmont and Harrison Counties. The center is operated by a seven member board, three members from Harrison County and four from Belmont County. Sargus Detention Center was established in 1973 and was named after Judge Edmund A. Sargus, a former Juvenile Court Judge for Belmont County. The detention facility is under the operation of Director Dawn Barack

The Sargus Juvenile Center has a maximum bed capacity of 30. During 2017, total admissions for Belmont County were 239 of which 74 were female and 165 were male. The total number



of bed days utilized was 7,020 of which 5,113 were Belmont County or 73% of the total population. Belmont County average daily population was 13 youth per day of the 21 total daily youth average. The Sargus Juvenile Center is an invaluable tool for the Court. Not only does Sargus provide protections for the citizens of the county, it allows for youth to receive consequences immediately for their actions and provides a stable, structured

environment.

Through a dedicated internet connection, Video Court hearings are transmitted allowing for a live feed between the Juvenile Courtroom and the detention center. This feature provides a significant time and cost savings to the county. No detainees are transported from the detention center to the Court for detention hearings, thus avoiding transportation costs for not only the usage of a Sheriff's Department vehicle but also freeing up transport deputies to be utilized in other ways by the Sheriff. Transportation security issues have been eliminated and cases are processed more quickly as parents report directly to the detention center for participation in the video hearings with their children.

## OAKVIEW JUVENILE RESIDENTIAL CENTER

The Oakview Juvenile Residential Center, located at 67701 Oakview Road in St. Clairsville, is one of the Ohio Department of Youth Services' (DYS) community corrections facilities (CCF). The program began in 1994 as a ten bed group home and expanded in 2005 to a 24 bed facility. The facility is under direction of John Rowan.



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The program serves adjudicated male juvenile felony offenders from Ohio's 88 counties. Offenders may be placed at Oakview, in lieu of commitment to the Ohio Department of Youth Services (Ohio's Juvenile Penitentiary System), to complete a comprehensive behavioral modification program.

The Oakview program has been a positive alternative for Belmont County youth in lieu of the juvenile penitentiary system by enabling youth to remain in their local community and maintain regular contact with family members. The program is overseen by a six member board of Juvenile Judges from Guernsey, Jefferson, Harrison, Monroe, Noble, and Belmont with Judge J. Mark Costine presiding as the lead Judge.



# STATISTICS



“To me there is no picture so beautiful as smiling, bright-eyed, happy children; no music so sweet as their clear and ringing laughter.” *P.T. Barnum*

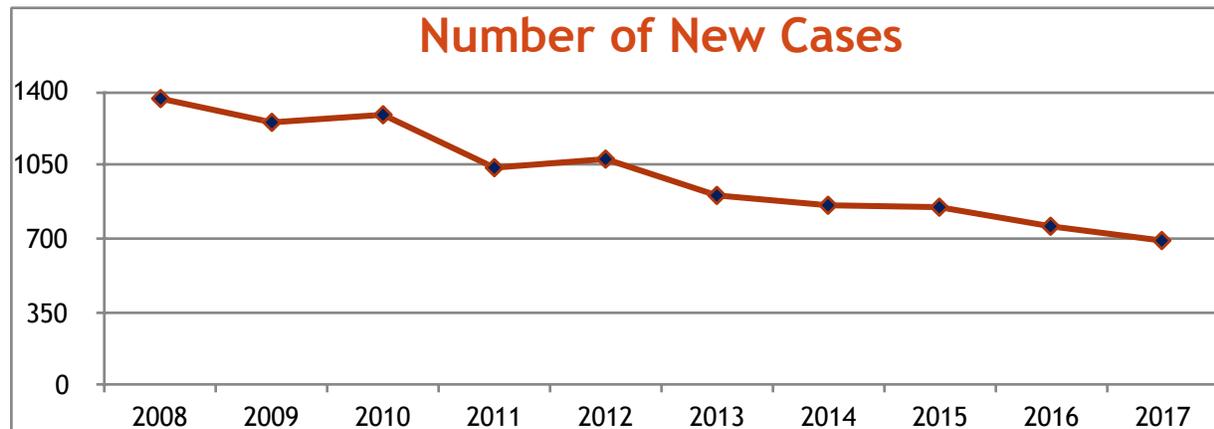
## The Juvenile Court continues to experience decreases in case filings.

\*Total number of new cases filed has dropped 50% in the ten years and 9% over the last year.

\*Delinquent filings have decreased 14% in the last year.

\*Dependency, Neglect, and Abuse filings decreased 43% over the last year.

\*Juvenile traffic case filings decreased 13% over the last year.



## Cases Heard by Case Type

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Delinquent	491	636	592	581	482	465	369	298	279	279	235
Dependency, Neglect, Abuse	98	89	57	60	48	34	51	45	59	54	31
Parentage	16	18	5	94	7	6	6	5	9	15	9
Support	159	199	222	180	136	209	159	136	189	139	129
Custody, Visitation	99	123	111	110	125	137	122	162	128	100	123
Traffic	155	171	166	158	154	152	122	148	120	124	108
Unruly	116	97	72	75	42	35	25	174	29	18	27
Adult Cases	15	10	10	10	25	29	38	46	27	21	23
Contributing	17	23	19	22	19	7	8	4	7	2	4

URES A	-	4	0	0	0	5	4	1	3	7	2
Total New Cases	1167	1367	1254	1290	1038	1079	906	859	850	759	691

## New Admissions into Programs

*Note: Numbers do not reflect the actual number of youth in programs but only new referrals.*

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Restitution & Community Service	169	235	130	155	112	166	121	55	58	53	43
Alternative School	519	545	596	595	565	474	281	266	267	285	275
CCAP	18	20	19	21	20	25	23	12	14	17	9
Carteens	177	176	179	152	186	143	126	150	124	111	67
Family Dependency Treatment Court	7	3	6	6	13	7	4	7	8	10	5
Intake and Diversion	190	229	208	130	131	126	95	90	99	96	70
Probation	107	124	104	72	76	88	105	73	84	76	79
Court Custody	16	22	13	29	31	13	22	19	7	9	8
Truancy Diversion Program	-	-	166	717	1013	1134	852	503	475	486	312
ISP (Intensive Substance Probation)	-	-	7	22	29	16	14	7	5	13	5
SAID (Substance Abuse Intervention Docket)	-	-	6	22	32	15	24	24	16	5	11



For more information about the Belmont County  
Juvenile Court go to  
[www.BelmontCountyJuvenileCourt.com](http://www.BelmontCountyJuvenileCourt.com) or call  
(740)699-2141