

Belmont County Juvenile Court 2020 Annual Report



Honorable Albert E. Davies
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:

Reflecting back over my third year in office as the 10th Juvenile/Probate Court Judge of Belmont County, I am honored to continue to serve the youth and families of our county. As 2020 brought many challenges to all branches of government and governmental agencies, the Belmont County Common Pleas Court, Probate/Juvenile Division was incredibly proactive in looking for new methods to operate efficiently and without disruption. Despite the obstacles presented by the Covid19 pandemic, the foundation of the Belmont County Juvenile Court remains solid with staff and programming in place to support youth, families, schools, and agencies throughout the county.



Although case filings were down, the dedicated Juvenile Court staff remained busy and continued court operations to ensure fairness, timeliness, and success in the work of the Belmont County Juvenile Court. The Court recognized early in the pandemic the importance and need for more technology. Therefore, an application was submitted to the Ohio Supreme Court for a “Remote Technology Grant.” The grant was awarded by the Ohio Supreme Court in April, 2020, for \$9,000.00 and the funds were then utilized to update and enhance our current remote video technology. Soon probation officers and court staff were utilizing “Zoom” to hold meetings with each other, remote visits to youth on probation, and to conduct court hearings. Prior to the pandemic, video hearings had been in place with a direct connection to the Sargus Detention Center and had already proven to be effective and efficient. The grant allowed for an expansion of this technology thereby permitting the court to continue operations with little to no delay.

Programming is always a high priority for the Court and in 2020 it was able to be effectively continued and delivered to our youth and families. Staff worked to be creative in adjusting programming, staffing, and oversight. Probation officers worked from home to document notes/make phone calls and performed home visits while socially distancing on porches and sidewalks when visiting with youth and families, CCAP was operated over the summer with online classes three days a week, saliva drug tests were used to hold youth accountable, Parent Project classes were held virtually, and office schedules were adjusted to limit staff contact. Further, our staff has worked closely with school officials to continue operations of the Court’s Alternative School, track down truant youth, and to offer support and assistance for remote learners.

Ongoing fiscal restraint and responsibility by the Court is prudent in our operations. The Court’s general fund budget was cut a total of 14% over the last two years. With the resignation of a Juvenile Deputy



Clerk at the end of 2020, the Court has decided to move staff and not fill this position. The uncertainty of the economic future is of utmost importance in planning for the future operations of the Court but we are confident that we will prevail over this uncertainty so as to ensure quality of efficiency with our docket and programming.

The pandemic has exposed us to new ways of doing our work and we now look forward to continuing some of the changes we have implemented such as ongoing virtual hearings in some, but not all, cases and online training for staff so as to reduce costs for travel and time. We look forward to a pandemic free world but understand we can still have a positive impact. During the pandemic, our staff devoted time to talk through video chats and phone calls in order to offer comfort and support which could not have been provided in person due to Covid19 restrictions. Through consistent communication, genuine concern and support, we have learned sometimes simply assisting a family in need with a food basket or offering helpful solutions concerning their child's online schooling can be successful. Ultimately, we have learned to ask more how a child or family is doing and what can we do to help to make a difference.

I respectfully and humbly thank you for the opportunity to serve as the Judge of the Court of Common Pleas of Belmont County, Ohio, Probate/Juvenile Division and, with your continued support and confidence, I look forward to many years of service. Rest assured, I am committed to providing the best possible services from the Court predicated upon honesty, integrity, responsibility, faith in God and concern for all of the precious lives we serve.

Judge Albert E. Davies
Belmont County Court of Common Pleas

Juvenile Court Staff

The Honorable Albert E. Davies

Amy Basic
Jennifer Shunk
Jim Langford
Andrea Brueggemeier

Juvenile Judge

Magistrate
Court Administrator
Bailiff
Fiscal and IVE Officer

Clerks

Amy Tonkovich (Chief Deputy Clerk)
Michelle Lindsey

Linda Timko
Mary Lyle

Probation Officers

Kelly Carter (Chief Probation Officer)
Allison Powell

John Markus
Courtney Cook

Truant Officers

Dana Mistak

Jonell Tolzda

Alternative School/CCAP Program

Noah Atkinson (Program Coordinator)
Aaron Walker (Probation Officer)
Melanie Haswell (Teacher)

Jonell Tolzda (Probation Officer)
Francine Davenport (Teacher)

Substance Abuse Programs

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

Diversion Program/ Restitution & Community Service

Mary Lyle (Program Coordinator)

Assigned to Juvenile Court

Rhonda Greenwood (Assistant Prosecuting Attorney)
Frank Pierce (Public Defender)
Ted Tsoras (Asst. Public Defender)
Harry White (Mediator)



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Judge Albert E. Davies

The Honorable Albert E. Davies took the Oath of Office as the Court of Common Pleas, Probate and Juvenile Judge on August 6, 2018. He was appointed by Governor John R. Kasich. Judge Davies was elected to the bench on November 6, 2018 to complete the remainder of the unexpired term ending February 8, 2021. Judge Davies was honored again to be elected to a full-term beginning February 2021. Serving as judge for the Belmont County Court, Eastern Division, from January 1, 2015 until August 6, 2019, Judge Davies is honored to further his career in the judiciary as the Belmont County Juvenile and Probate Judge.

Receiving a bachelor of science degree from Miami University and a juris doctorate from the University of Toledo, during his career as a lawyer Judge Davies was admitted to practice in the state courts of Ohio, Pennsylvania, West Virginia and the Southern District of Ohio, Federal Court. Judge Davies was a partner in the law firm of Myser & Davies for over 25 years practicing in criminal law, family law, school law, municipal law, corporate law and personal injury. He has represented several school districts in Belmont County and served as the Law Director for the City of St. Clairsville.

Judge Davies is a member of the Ohio State Bar Association and the Belmont County Bar Association for which he previously served as president of the Belmont County Bar Association. He was a member of the St. Clairsville Chamber of Commerce and has served on the Board of Directors for Belco Works and the Belmont County Special Olympics. Judge Davies is currently the lead Judge for the Oakview Juvenile Rehabilitation Center and is on the Board of the Belmont Harrison Juvenile District.

Judge Davies resides in St. Clairsville with his wife, Lenora Davies, and their two 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 as well as 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 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 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 deputy 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.

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 2152.02 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) Who is abandoned by the child's parents, guardian or custodian.
- (B) Who lacks adequate parental care because of the faults or habits of the child's parents, guardian, or custodian.
- (C) Whose parents, guardian, or custodian neglects the child or refuses to provide proper or necessary subsistence, education, medical or surgical care or treatment, or other care necessary for the child's health, morals, or well being.
- (D) Whose parents, guardian, or custodian neglects or refuses to provide the special care made necessary by the child's mental condition.
- (E) Whose parents, legal guardian, or custodian have placed or attempted to place the child in violation of sections 5103.16 and 5103.17 of the Revised Code.
- (F) Who, because of the omission of the child's 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, available resources, 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 Commission in addition to other local funding sources.

PROBATION

The Probation Department is under the guidance of Chief Probation Officer Kelly Carter, 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 create a relationship with the youth and their families to encourage positive changes and offer assistance with areas of concern. Probation terms and case plans provide specific orders and goals for the juvenile to comply with such as curfew, drug screens, stay away orders, academic goals, objectives to improve behaviors and relationship goals with family members.

The probation department has trained staff in multiple evidence-based curriculum including Carey Guides, EPICS, and Motivational Interviewing. 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 and progress on case plans. They not only file violations of court orders, motions to impose, and request warrants be issued but also make referrals to agencies throughout the county and other court programs. In addition, the Probation Department meets regularly with juveniles under court orders and provides guidance and support to youth on their caseloads. 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). 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. Probation officers have been trained through OPOTA probation officer firearm training and qualify annually for firearm certification.

Drug and Alcohol Programs



Drug and alcohol programs are overseen by Dave Carter, a 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 \$525.00 in 2020 in program fees. A fee of \$75.00 is to be paid by the juvenile 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)



C-CAP Diversion (Intervention program)

- Diversion for first time offenders or those at risk of being incarcerated
- Short term monitoring
- May avoid formal record with Juvenile Court



C-CAP (Concentrated Conduct Adjustment Program)

- Alternative to incarceration
- Social skills and independent living skills
- Intensive monitoring



Alternative School

- Alternative solution for short term out of school suspension
- Support schools in discipline of students and prevent drop outs
- Virtual learning classroom and support for credit recovery and preparation for graduation

In its twenty fifth 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. Under Mr. Atkinson's 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 entails the following:

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, educational 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. In 2020, adjustments were made due to the COVID-19 pandemic with programming in the Summer completed via Zoom five days a week. During the school year CCAP held programming virtually three times per month on Tuesday evenings.

C-CAP Diversion Program

Youth are referred to the program through the Court/Probation. The amount of time youth will spend in the C-CAP Diversion Program is determined by the Court/Probation. The C-CAP Diversion Program gives the Court/Probation an alternative consequence for youth who are already court affiliated in lieu of charges being filed.

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; designed to further augment the school discipline plans and to replace out-of-school suspensions. The Virtual Learning Program (VLP) is for youth who are credit deficient, at risk or dropping out or 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 struggling in the traditional academic environment. A total of 44 youth participated in the VLP program during 2019-2020 school year. 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.
5. Schools may refer a student to complete online coursework in the Summer for credit recovery.

DIVERSION PROGRAM

In its twentieth year of operation, the Diversion Program is under the direction of Diversion Program Coordinator Mary Lyle, a graduate of West Liberty University with a degree in Criminal Justice. The program is an alternative method to efficiently yet effectively divert youth with a first offense from formal involvement in the juvenile justice system.

Referrals to the Diversion Program are received by the Belmont County Juvenile Court through the form of a Complaint from the Belmont County Prosecuting Attorney. Only youth who have committed a first offense (unrelated to a traffic violation and/or drug and alcohol usage) and are alleged to have committed a misdemeanor offense by the standards of the Ohio Revised Code are eligible to participate in the Diversion Program, at the discretion of the Court.

After the Complaint is reviewed, the youth and parent(s) are notified in writing by the Diversion Program Coordinator of the date and time of the scheduled conference. In order to participate in the program, the youth must admit the charges stated in the complaint are substantially true; a program fee of \$75.00 must be paid; and the youth and parent(s) must be willing to cooperate and abide by the terms of an Agreed Order. Through the Agreed Order, the Diversion Coordinator establishes appropriate consequences such as curfews, informal license suspensions, counseling, no-contact orders with co-defendants and victims, writing assignments and/or reports, verification of school attendance, community service, electronically monitored house arrest, and drug screening.

If the youth and parent(s) cooperate and abide by the program guidelines the Complaint will not be filed in the Belmont County Juvenile Court for formal action by the Judge, nor will the case result in a permanent juvenile record. The typical timeframe of involvement in the Diversion Program is ninety (90) days, however this varies dependent on the youth's compliance and progress.

Upon successful completion of the program, all Diversion files/records are sealed immediately resulting in no permanent record for the juvenile within the juvenile justice system. If the youth denies or disputes the charges, the scheduled conference is canceled, and the Complaint will then be filed for the youth to appear in Court before the Judge to respond to the charges.

Since its inception, the Diversion Program has proven to be beneficial in deterring youth from committing new offenses within the juvenile justice system. In 2020, 55 youth were referred to the program from the Belmont County Prosecuting Attorney. Of those youth, 45 chose to participate in the Diversion Program and 3 youth were dismissed due to failing to cooperate with the program guidelines. As a result, those cases were filed formally in Belmont County Juvenile Court for the youth to appear before the Judge.

In 2020, the Diversion Program collected a total of \$2,589.00 in program 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 the juvenile to

reimburse the victim to the original state of their out-of-pocket loss. In the case of 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 victims will receive reimbursement checks as payments are received. If a co-defendant is incarcerated, has 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's losses are verified by the Belmont County Juvenile Prosecutor. The Court orders restitution based on the recommendations and findings of the Prosecutor's office. 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. There are numerous acceptable community service sites available such as parks and recreation centers, schools, libraries, churches, and the Belmont County 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 2020, 45 youth were involved with the program accounting for approximately 1,208 hours of community service hours. A total of \$3,308.49 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 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 if referred through diversion 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 part of the program to educate teens on the risks of driving irresponsibly. 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 115 juveniles referred in 2020.

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 and family are being served. Periodic reviews are held to monitor the case as required under the statute.

As a Title IV-E court, \$62,640.55, was received in federal reimbursement funding for costs for the placement of youth in 2020. \$187,218.25 was received in title IVE administrative monies. In 2020 the Belmont County Juvenile Court had a total of 7 children in the custody of the Court.

GUARDIAN AD LITEM PROGRAM

The Belmont County Juvenile Court Guardian Ad Litem (G.A.L.) advocate for young people who are involved in the juvenile justice system. G.A.L. 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 hold discussions 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.

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 the college students as they embark on new careers.

PARENT PROJECT

The Parent Project was implemented in 2019 to provide support to parents of youth involved with the juvenile system. A nationally recognized program, Parent Project can assist parents in dealing with the destructive, negative behaviors of teens. CCAP Director Noah Atkinson, certified in the Parent Project curriculum, oversees the program. Parent Project classes in 2020, were held virtually via Zoom one evening weekly due to the COVID-19 pandemic. The curriculum consists of 10 weeks of courses for parents to achieve successful completion. Classes are held one day per week typically from 6:00-8:00pm. Parents are expected to attend all classes. As the focus is to offer support to parents in learning new skills in parenting through discussions and class work, children are not permitted to attend. Parent Project offers support in the everyday interactions between children and parents to improve the relationships within the family. Classes are offered twice per year. In 2020, the Spring classes were cancelled due to the pandemic, however, classes were held virtually in the fall with 11 parents successfully completing the program.

TRUANCY PROGRAM



The Truancy Program, created in 2009, works closely in partnership with school districts throughout Belmont County. Two truant officers, Dana Mistak and Jonell Tolzda, work diligently with school officials to improve the attendance of youth with the goal of utilizing diversion techniques to avoid court involvement.

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. In 2020, 220 new youth were referred to truancy diversion programming, 7 complaints were filed against parents for failure to send and 25 truant charges were filed against juveniles that had failed to comply with attempts to work with diversion programming. In total, 11 youth were adjudicated of the truant filings.

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 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 Davies and several probation officers, the Juvenile Prosecutor, Drug Court staff, Diversion staff and C-CAP 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 about the judicial branch and procedures. The program also provides an opportunity for the Court to educate youth as to the consequences they may face for poor decisions made in the future from vaping to inappropriate use of cell phones. 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.

SARGUS DETENTION CENTER (BELMONT HARRISON JUVENILE DISTRICT)

The Sargus Juvenile Center, located at 68131 Hammond Road, 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 DJ Watson.



The Sargus Juvenile Center has a maximum bed capacity of 30. During 2020, total admissions for Belmont County were 157 of which 68 were female and 89 were male. The total number of bed days utilized was 4,314 of which 3,170 were Belmont County or 73% of the total population. Belmont County average daily population was 9 youth per day of the 12.1 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 was expanded in 2005 to a 24-bed facility. The facility is under the direction of John Rowan.

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 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 Albert E. Davies presiding as the lead Judge.

BELMONT COUNTY SCHOOLS STAYING CLEAN PROGRAM

The Juvenile Court is a proud supporter of the Belmont County Schools Staying Clean (BCSSC) program, a non-profit program to promote drug free lifestyles for students in middle school and high school. The Juvenile Court works in cooperation as a partner to support the program with Chief McFarland of the Martins Ferry Police Department. Positive relationships have been established with businesses and community members to offer the program in schools throughout Belmont County. BCSSC completes random drug testing to youth in middle and high schools that join the program. The goals are to promote abstinence, provide education on substance abuse, and promote healthy lifestyles. Through support of student activities in the community and school setting, with scheduled events for members such as picnics, discounts to local businesses with membership cards, and extra school events such as taco bars and pizza parties, the program has proven to be highly effective with over 1,000 Belmont County school students participating. Tax deductible donations may be sent to BCCSC, c/o Friends of Juvenile Court, 114 S. Butler Street, St. Clairsville, Ohio 43950.

STATISTICS



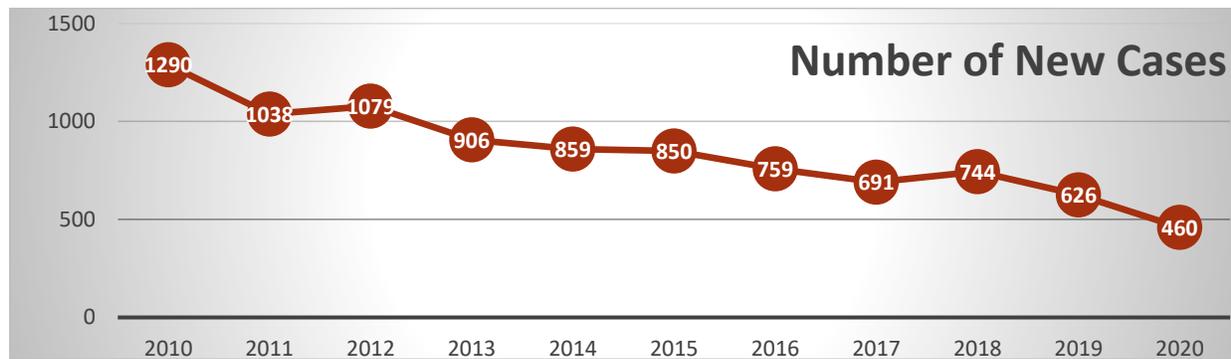
“It is not what you do for your children, but what you have taught them to do for themselves that will make them successful human beings.”

~ Ann Landers

The Juvenile Court New Case filings.....

*Delinquent filings continued to decline decreasing 34% from 2019 and 78% in ten years.

*Overall cases filings are 64% lower than ten years ago.



Cases Heard by Case Type

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Delinquent	581	482	465	369	298	279	279	235	236	193	127
Dependency, Neglect, Abuse	60	48	34	51	45	59	54	31	66	66	25
Parentage	94	7	6	6	5	9	15	9	1	9	7
Support	180	136	209	159	136	189	139	129	108	38	34
Custody, Visitation	110	125	137	122	162	128	100	123	100	89	95
Traffic	158	154	152	122	148	120	124	108	141	143	113
Unruly	75	42	35	25	174	29	18	27	69	72	50
Adult Cases	10	25	29	38	46	27	21	23	19	13	4
Contributing	22	19	7	8	4	7	2	4	4	2	3
URESAs	0	0	5	4	1	3	7	2	0	1	2
Total New Cases	1290	1038	1079	906	859	850	759	691	744	626	460

New Admissions into Programs

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

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Restitution & Community Service	155	112	166	121	55	58	53	43	73	106	45
Alternative School/VLP	595	565	474	281	266	267	285	275	241	309	239
CCAP	21	20	25	23	12	14	17	9	19	21	6
Carteens	152	186	143	126	150	124	111	67	135	115	115
Family Dependency Treatment Court	6	13	7	4	7	8	10	5	8	7	4
Diversion Program	130	131	126	95	90	99	96	70	73	50	45
Probation	72	76	88	105	73	84	76	79	95	95	73
Court Custody	29	31	13	22	19	7	9	8	9	8	7
Truancy Diversion Program	717	1013	1134	852	503	475	486	312	208	199	220
ISP (Intensive Substance Probation)	22	29	16	14	7	5	13	5	12	12	13
SAID (Substance Abuse Intervention Docket)	22	32	15	24	24	16	5	11	11	9	6



**For more information about the Belmont County Juvenile
Court go to www.BelmontCountyJuvenileCourt.com or call
(740)699-2141**