

WAYNE COUNTY MUNICIPAL COURT

JUDGES

Hon. Timothy R. VanSickle
Hon. Michael W. Rickett

RE: House Bill 607

November 21, 2018

Chairman Manning, Ranking Member Celebrezze, and members of the House Criminal Justice Committee:

Thank you for providing me with the opportunity to present sponsor testimony on House Bill 607. This legislation will eliminate the requirement that one of the judges of the Wayne County Municipal Court sit within the municipal corporation of Orrville.

I want you to know that this legislation is completely appropriate and necessary. I fully support removing the statutory requirement to maintain the Orrville branch. I truly believe that the proposed legislation is in the best interests of the vast majority of Wayne County residents, include its citizens, the Court and its staff, the Clerk of Courts and the various law enforcement agencies – including the Wayne County Prosecutor’s Office, as well as, the Public Defender’s Office. Furthermore, this change is appropriate for the safe, efficient, and effective administration of the Court.

As the newest Municipal Court Judge, (having been on the bench for nearly a year now), I have now had an opportunity to oversee the operations of the Orrville branch as a jurist. Additionally, having previously served as the Chief Criminal Assistant Prosecuting Attorney here in Wayne County and having a father that previously served as a Wayne County Municipal Court Judge, I have seen and experienced first-hand some of the inefficiencies and staffing concerns related to maintaining two Municipal Court locations.

First of all, looking at Wayne County from a purely *geographical* perspective, Wooster (the location of the Wayne County Municipal Court Building) is already centrally located within the County and able to serve all of its residents. I understand that part of the original rationale of having a branch in Orrville was to better serve the residents in the “eastern part” of the County including: Dalton, Marshallville, Rittman, Orrville, Creston, and Mount Eaton. However, the burden of providing adequate security, staffing, and facilities in Orrville greatly outweighs the benefit of saving select individuals an additional 10 to 20 minutes of travel time to attend court. Furthermore, the Wayne County Common Pleas Court that handles felony, civil and domestic relations cases, as well as, juvenile and probate matters is also located in downtown Wooster. The three Common Pleas Court Judges and their respective courts *do not* offer or provide satellite locations from which to conduct court business.

Secondly, from a *security* standpoint, the Orrville Branch of the Municipal Court is an inadequate facility. In addition to the issues which Judge Vansickle has noted in his letter (no buffer zone or holding cells), the bailiff who is tasked with helping to ensure that the courtroom

operations run safely and smoothly (in Orrville) is also required to facilitate all security screening. The security screening occurs right outside of the courtroom (City Council chamber) doors. The screening scenario in Orrville is vastly different than what occurs in Wooster, which has a dedicated security screening staff /check-point upon entering the building –as any secured facility and courthouse should. In short, the single bailiff helping to monitor courtroom business cannot also be stationed outside to screen incoming persons. As a consequence, anyone who arrives to Court late, could simply walk around the unmonitored metal detector and in to the Courtroom. It is unfortunate that we live in a day and age when security is such a vital concern, however, ignoring these obvious inadequacies that currently exist in Orrville are unwise and unnecessary.

Thirdly, the staffing issues make continuing the Orrville branch difficult to sustain. Running two court locations with current staffing levels is not practical or efficient. Municipal Court is the busiest Court in Wayne County. Wayne County has two Municipal Court Judges and one Magistrate. When Court is in session in Orrville, one of the Judges or the Magistrate, as well as a bailiff, and an assistant prosecutor are needed to conduct hearings at that location. As a result, spreading out staff across two locations makes coverage issues and scheduling more difficult. I knew this to be true when I served as a prosecutor, as our office would routinely need coverage on a case (in Wooster) and the only available prosecutor was in Orrville (often times between cases or on an extended break between hearings). Had a prosecutor been in Wooster between hearings, they would be in their office in the Municipal Court Building, which the same location where the Criminal Division of the Prosecutor's Office is located. The prosecutor then could have assisted in coverage on other matters. Furthermore, the case docket in Orrville routinely lasts half a day, requiring staff to return to the Wooster location to complete the remainder of the work day. Additionally, any person that is arrested or placed on probation during a hearing (in Orrville) would need to be transported by a law enforcement officer to the Wayne County Jail or would be ordered to report to the Probation Department – both of which are in or attached to the Wayne County Municipal Court *in Wooster*.

Although I believe that the original legislation [that requires a Municipal Court location in Orrville] may have been well-intentioned and in some instances well-founded, the inevitable changes that have occurred over the years - including the building of a newer Municipal Courthouse in Wooster, the availability of e-filing, the increased volume and complexity of cases, programs and sanctions, current staffing levels, obvious security risks, the need for modifications and upgrades (in Orrville) and a number of other factors, make continuing the legislative requirement of operating a Municipal Court in Orrville unnecessary, unproductive and ultimately unsafe.

Please feel free to contact me should you have any additional questions.

Thank you again for your effort to assist us in maintaining the effective administration of justice.

Sincerely,



Michael W. Rickett

Judge, Wayne County Municipal Court