

DOMESTIC
RELATIONS
DIVISION



LUCAS
COUNTY
Court of
Common Pleas

ANNUAL REPORT '78

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TO: The Honorable James M. Holzemer, President
Honorable Max C. Reddish
Honorable Francis E. Szollosi

The following pages constitute the 1978 Annual Report of the Court of Common Pleas, Division of Domestic Relations of Lucas County, Ohio. The report reflects statistical and programmatic highlights of the various departments that together compose the Court, and provides general data about the cases that came before the Court during this calendar year.

Respectfully submitted,

June Rose Galvin, Judge
Robert Dorrell, Judge

DOMESTIC RELATIONS ASSIGNMENT COMMISSIONER'S REPORT

The office of the Assignment Commissioner is responsible for monthly and annual statistical reporting as is required by the Ohio Supreme Court Rules of Superintendance. The data compiled is used as part of a state-wide survey of Domestic Court Activity. We have presented the current years records as they best compare to the two immediately preceding years.

Notably, the Domestic Relations Division ended calendar year 1978 with a net reduction in pending cases over the preceding year. This is due in part to the continued trend toward reduced case filings in the divorce and dissolution dockets. In 1978, there were 2% fewer cases filed overall than in 1977.

In addition, there was an increased number of divorce cases granted. In 1978, there were 13.7% more divorces granted than in 1977.

Donna L. Earnhart
Assignment Commissioner

DOMESTIC RELATIONS - SUMMARY OF LEGAL ACTIONS

	1976	1977	1978
Total number of actions pending before the court January 1.....	1989	2019	1944
Divorce, alimony and annulment complaints filed.	2845	2751	2750
Dissolution petitions filed.....	1477	1437	1363
Total number of cases before the court during the year.....	6311	6207	6057
Total number of cases disposed of.....	4292	4409	4627
Dissolutions terminated by hearing.....	1302	1445	1392
Uncontested cases terminated by hearing....	776	819	837
Contested cases terminated by hearing.....	804	726	911
Cases dismissed.....	1410	1417	1487
Total number of divorces pending before the court December 31.....	1694	1627	1413
Total number of dissolutions pending before the court December 31.....	325	317	288

NOTE:

1. Number of hearings on motions during 1978

By Judges (includes pretrials).....	846
By referees.....	4887
	<u>5733</u> TOTAL

There were 246 fewer cases on January 1, 1979 than on January 1, 1978.

DOMESTIC RELATIONS DIVISION REPORT

	1976	1977	1978
Cases pending before the court January 1....	1989	2019	1944
Divorce, alimony, and annulment actions filed.....	2845	2751	2750
Dissolutions filed.....	1477	1437	1363
Divorces, alimony, and annulment actions terminated.....	2861	2818	2967
Divorces terminated by dismissal.....	1281	1271	1219
Dissolutions terminated.....	1431	1299	1124
Dissolutions terminated by dismissal.....	129	146	268
Uncontested cases terminated.....	776	819	837
Median age.....	6 mos.	6 mos.	4 mos.
Contested cases terminated.....	804	728	911
Median age.....	9 mos.	10 mos.	9 mos.
Other hearings conducted:			
a.) By Judges.....	178	312	846
b.) By referees.....	7652	7847	4887
Gain (+) or loss (-) in cases pending at the end of the year.....	+30	-75	-246

DOMESTIC RELATIONS RECORD OF DISPOSITION
OF LEGAL ACTIONS

	1976	1977	1978
Divorce, alimony, and annulment actions granted.	1580	1537	1748
Dissolutions granted.....	1302	1298	1124
Divorce, alimony and annulment actions dismissed	1281	1271	1219
Dissolutions dismissed.....	129	146	268
Total number of cases disposed of by the court..	4292	4263	4359

DOMESTIC RELATIONS - A CONCISE RECORD SHOWING
THE NUMBER OF CASES FILED AND TERMINATED FOR THE YEAR

	COMPLAINTS FILED	DISSOLUTIONS FILED	COMPLAINTS GRANTED	COMPLAINTS DISMISSED	DISSOLUTIONS GRANTED	DISSOLUTIONS DISMISSED
1976	2845	1477	1580*	1281**	1302	129
1977	2751	1437	1547	1271	1299	146
1978	2750	1363	1748*	1219**	1124	268

1976 * Includes 6 annulments granted
** Includes 4 divorces denied

1978 * Includes 11 annulments granted
** Includes 2 divorces granted

COUNSELING SERVICES
of
DOMESTIC RELATIONS COURT

Under Ohio Statutory Law and the Rules of the Court of Common Pleas, Domestic Relations Division, of Lucas County, the Court Counselors provide necessary information to the Court about families who are terminating marriage and who have children under fourteen (14) years of age or who continue to have Court involvement concerning their children after marriage termination. In addition to social evaluation, this staff provides counseling and referral to assist the parties and their children in adjusting through a difficult period of time to a new life situation.

1. FAMILY EVALUATION

The Domestic Relations Court of Lucas County has exercised its option of providing for an evaluation in marriage termination cases that include children since it was authorized by law to do so in 1938. The statutes provide for an investigation as to the character, family relations, past conduct, earning ability and financial worth of the parties to the action. The focus of the assessment in all of these areas is the best interests of the children.

A. Dissolution Cases

In dissolution cases, a separation agreement signed by both parties is submitted to the Court at the time of filing. This document is reviewed with the parties to determine their understanding of the provisions in the agreement that relate to custody, visitation and support.

B. Divorce Cases

In most divorces, only the person who files the action schedules an interview. The other party is encouraged to come in to make their feelings and wishes known in reference to the ongoing care of their children. Visitation is discussed in much detail, as this seems to be the most bitter area of contention after the divorce.

C. Contested Custody Cases

In divorce cases where custody is being contested, the counselor's evaluation is more extensive and the problems tend to be complex.

I. FAMILY EVALUATION (con't)

C. Contested Custody Cases (con't)

The needs of the child/ren and the ability of each parent to meet them are of the utmost concern.

Any of the above evaluations are also done for out-of-town Courts or in cases where there are no children under age 14, but there are special problems. The Court Counselors submit evaluation reports to the Court at the time of hearings on temporary motions and for final hearings. These reports are available in advance to the attorneys of record and to the parties of the action.

II. Post Divorce Change of Custody or Visitation Evaluations

Often in contested change of custody cases a full custody investigation is done. This evaluation is made at the request of either party or their counsel to disclose in the fullest possible way the parental capability and circumstances prior to a custody hearing.

In addition, the Court Counselors are occasionally assigned visitation and companionship cases for counseling, and do investigations as requested by out of town and out of state courts for their post-divorce matters.

III. Counseling

The focus of this part of the Court Counselors' job in a pre-divorce situation is to first evaluate the possibility of the parties reconciling. When this is an option, either counseling or counseling preparation and referral are provided.

In cases where reconciliation is not possible or desired by one or both parties, "divorce" adjustment counseling becomes part of the interview process. Because of the trauma divorce causes, and the lasting effects on the children that can result if the psychosocial issues of divorce are not resolved in a timely fashion, this counseling is an extremely important function. Again, counseling preparation and referral may be the method for providing these adjustment services.

In post-divorce cases, there is frequent need for ongoing counseling where there have been conflicts around visitation or custody. Referrals to other community agencies are made where appropriate. Usually the need is for sporadic intensive support, which is provided by the original Court Counselor.

Michele MacFarlane
Administrator

CASES ACTIVE IN COUNSELING SERVICES

FAMILY EVALUATION-TABLE 1

	1977	1978
Cases Assigned		
Divorce	1,669	1,589
Dissolution	754	625
Total	2,423	2,214
Cases Opened		
Divorce		1,480
Includes Out of Town Investigations and Special Divorce Investigations		
Dissolution		654
Total	Not Kept	2,134
Cases Closed		
Divorce	1,616	1,819
Dissolutions	699	707
Total	2,319	2,526
Office Conferences	4,984	5,005

POST DIVORCE-TABLE 2

	Cases Pending		Cases Assigned		Cases Terminated	
	1977	1978	1977	1978	1977	1978
Custody	40	45	53	64	48	59
Visitation- Companionship	13	15	8	10	6	8
Out of Town Investigation	1	2	3	4	2	4
Supervision	2	4	1	2	1	0
Counseling Only				130		130

COUNSELING-TABLE 3

	1977	1978
Cases Opened	4	116
Cases Closed	4	116

PREMARRIAGE COUNSELING

Following are the stipulations and legal ages for marriage in the State of Ohio:

<u>Legal Age</u>			
<u>Without Parental Consent</u>		<u>With Parental Consent</u>	
Male	Female	Male	Female
18	18	18	16

Stipulations

If the Bride is under 16 and pregnant, consent of the Family Court Judge is required. In all cases where parental consent must be obtained, the State requires that the Bride and Groom obtain counseling.

This counseling includes conferences with the Bride, Groom, and their parents. The purpose is to ascertain that the couple are not marrying solely because of pregnancy. The relationship between the 2 needs to be strong enough to last through difficult periods and the Groom needs to be able to provide financial support.

Year	<u>No. of Cases</u>
1977	30
1978	17

C.T. Grice
Court Counselor

CHILD AND FAMILY SUPPORT

The following reflects the work of the Domestic Relations referees on motions filed during pending marriage termination proceedings or after marriage termination in cases that have been certified to the Juvenile Division.

The Domestic Relations motions include child support; injunctions; temporary alimony; eviction of person from the home; temporary custody/visitation; and contempt. Motions in prior marriage termination cases certified to the Juvenile Division include child support; injunctions; contempt; lump sum judgements; increase, decrease, suspend or terminate child support; and visitation.

This department changed its method of operation from a "docket call" to an assigned hearing time docket system in mid-year. This eliminated considerable confusion in the motion hearing system, and has resulted in more personalized services to the public.

	1976	1977	1978
Domestic Relations Motions Scheduled *(system discontinued in June)	7,597	7,695	3,456*
Domestic Relations Motions Filed **(new system started in July)			1,205**
Domestic Relations Motions Heard and Settled	3,596	3,596	3,025
Certified Motions Scheduled	1,514	1,759	1,898
Certified Motions Heard and Settled	1,086	1,069	1,288
Certified Motions Continued (Heard in part)		690	610

Leon Frankel
Child Support
Referee

CUSTODY DEPARTMENT

The Custody Department regularly handles cases emanating from domestic relations actions. These Post Divorce Actions involve divorced parties seeking change of custody or visitation and companionship, or show cause/contempt motions.

In addition to the above, the Custody Department also hears motions to dissolve injunctions and motions by third parties (usually grandparents) for custody or visitation and companionship.

The table below compares the number of cases heard in 1978 with two prior representative years.

	1973	1975	1978
Custody	221	273	356
Visitation and Companionship	146	241	280
Other			113

DEPARTMENTAL STATUS	1973	1975	1978
Cases pending 1/1/79	192	164	238
Cases pending 12/31/79	182	270	312

Anthony Rudge

Custody Referee

COLLECTIONS FOR 1978

Support for Minor Children (Collected by Toledo Humane Society)	\$ 8,273,073.95
Alimony	233,778.48
Poundage for Alimony	2,328.92
Special Investigation Fee (Initiated 7/78)	18,325.00
Court Costs	77,635.99
	<hr/>
	\$ 8,605,139.00
	3.34
	<hr/>
	\$ 8,605,142.34

F. E. Landry
Business Manager

STAFF OF DOMESTIC RELATIONS DEPARTMENT

1978

June Rose Galvin, Judge
Robert Dorrell, Judge

Court Counselors

Michele MacFarlane, Administrator
Walter Bouck
Patrick Downing
Charlie T. Grice
Philip Halloran
Marcia LaBonte

Assignment Commissioners

Donna Earnhart
Frances Nicholas

Bailiffs

Edward Kurt, Jr.
Lisa Pizza

Court Reporters

Lynn Kolling
Martha Ann Ray

Special Assignment

John Neenan

Secretaries, Typists

Janet Comstock
Michelle Daly
Marilyn Draeger
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Leon Frankel
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FAMILY COURT CENTER

