



Village of Watkins Glen Justice Court

Nicholas J. Dugo, Justice

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TO: The Mayor and Board of Trustees
Village of Watkins Glen

FROM: Nicholas J. Dugo, Village Justice

RE: The Report of the Watkins Glen Village Court for 2008

This is the annual report of the activities of the Watkins Glen Village Court for the year 2008. It summarizes the actions of the Village Court, including those detailed in the monthly reports to the New York State Comptroller which you receive a copy of.

The Village Court was busy in 2008, though the total number of tickets and cases handled, 1,504, was down from last year. Fines and fees transmitted to New York State were also down from the previous year. Restitution collected by the Court amounted to \$3,552.06. Additional restitution, primarily for bad checks, was collected through the Village Police Department, resulting in the matters being settled before being brought to Court. The work of the Court reflects the activities of the five police agencies which serve the Village in a very dedicated and professional manner—the Watkins Glen Police Department, Schuyler County Sheriff, NYS Police, NYS Park Police, and En Con Police. Chief of Police Tom Struble is a valuable addition to the Village Police Department.

Most of the cases handled by the Village Court are Vehicle and Traffic Violations, as well as Penal violations, which are charged within the Village limits. The Court also starts a few cases at arraignment for other Village and Town Courts, as well as the Schuyler County and Family Courts, which are then referred back to those Courts. The Court handles all cases which are brought to it, regardless of the time of day or night, The Acting Village Justice, or a nearby Town or Village Justice, handles those arraignments when I am not available.

Some defendants are not able to pay their fines in full at time of sentencing, so they make "partial" payments. That amounts to more bookwork for the Court, but does allow the defendants a reasonable means of payment. Those who do not pay their V&T fines have their licenses suspended (scofflawed). Warrants are issued in penal cases when payments are not made on time or in full by the designated date. The Court is still awaiting the system to allow for payment by credit card.

The State sharply increased the surcharge on each ticket in late summer, which will increase revenue to the State but not the village.

The following are summaries of the Village Court activities for 2008-----

FINANCIAL TRANSACTIONS:

BALANCE ON HAND, checking account, 1/1/08	\$ 1,409.50
Income received in 2008 (fines, fees, bail, restitution, etc.)	+ 133,271.03
TOTAL INCOME	<u>\$ 134,680.53</u>

--forwarded to NYS Comptroller/Village of Watkins Glen* for:

	2006	2007	2008
Fines	\$ 60,407.00	\$ 86,767.50	\$ 76,666.50
Fees & S/chg	<u>30,530.00</u>	<u>43,011.00</u>	<u>39,146.00</u>
Totals	\$ 90,937.00	\$ 129,778.50	\$ 115,812.50

-Restitution paid	- 115,812.50
-Bail forwarded or returned	- 3,216.21
-Excess fines and fees returned or forwarded	- 13,315.85
-Postage for certified mail	- 750.39
	<u>- 47.55</u>
BALANCE ON HAND, checking account, 12/31/08 (bail, partial restitution, postage)	\$ 1,538.03

VEHICLE AND TRAFFIC CASES:

V&T tickets completed (2007=745)	734	
(including DWI, total of 28 cases= 95 tickets)		
Tickets with fines due	21	
DWI tickets with fines and balances due (5 cases)	16	
Tickets scofflawed and outstanding	61	
Indicted, to County Court (9 DWI cases)	41	
Pending settlement:		
V&T tickets	3	
DWI (6 cases)	20	
"No show", pending scofflaw	35	
TOTAL V&T TICKETS HANDLED (2007=990)		931
TOTAL VILLAGE PARKING TICKETS completed by Court		368

PENAL LAW CASES:

Penal cases completed (2007=139)	128	
Penal cases pending	5	
Penal cases with fines due	19	
Transferred to AVJ McElligott	2	
Indicted cases, to Schuyler County Court	8	
Cases arraigned for other Courts	1	
TOTAL PENAL CASES HANDLED (2007=183)		163

CIVIL CASES:		
SMALL CLAIMS CASES		
Small Claims cases filed	9	
Pending 2007 cases	2	
Settled cases	9	
No show/default judgment	2	
CIVIL CASES		
Landlord-Tenant cases filed	13	
Pending 2007 cases	2	
Land-Tenant cases settled	14	
Default judgment	1	
Civil Cases filed	2	
Civil Cases settled	1	
Civil Cases dismissed/withdrawn	1	
TOTAL CIVIL CASES HANDLED (2007=18)		28
VILLAGE ORDINANCE CASES:		
Village Ordinance cases filed and settled	2	
TOTAL VILLAGE ORDINANCE CASES HANDLED (2007=1)		2
OTHER CASES:		
Parks cases settled	10	
Navigation cases settled	2	
TOTAL OTHER CASES HANDLED (2007=30)		<u>12</u>
TOTAL ALL TICKETS AND CASES HANDED (2007=1,680)		1,504
HEARINGS HELD:		
Small Claims hearings	9	
Civil case hearings	16	
Preliminary hearing	1	
Bench trial (settled before hearing)	1	
TOTAL HEARINGS HELD (2007=15)		27
NEW YORK STATE COURT SCHOOL sessions attended		2
SCHUYER-CHEMUNG MAGISTRATES meetings attended		5
WEDDINGS conducted		16

There were several changes in the operating procedures of the Court in 2008. The Court uses a recording system via a lap top computer at every session, as required and provided by the Office of Court Administration. In addition, beginning in late fall, monthly reports are now transmitted to the State Comptroller's Office electronically. As part of that system, monthly checks are no longer sent to the Comptroller, but directly to the Village*. The Village Clerk then receives a monthly "bill" for the amount due NYS. Thus, the Village has access to Court revenues almost immediately, rather than waiting for the quarterly distribution from the State.

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The State OCA has provided the Court with a new computer monitor. The Village also received a grant under the Justice Court Assistance Program of \$1,299.96 to provide for four new filing cabinets, two hand held metal detectors, and a calculator. Those items should be received soon. In addition, the Village received a tentative grant of \$7,716 for construction of the Court bench as part of the renovation project the Village will be undertaking.

Assigning a uniformed police officer when the Court is in regular session for security purposes brings the Court up to standard procedures and is greatly appreciated.

Sharon Cross, the Court Clerk, continues to be extremely valuable in assisting the Court with entering court cases on the computer, establishing the weekly Court docket, preparing and transmitting Court reports (including the monthly Comptroller's and DCJS dispositions), monthly cash book reports, and other regular paper/computer work. She is currently entering all of the outstanding (and scofflawed), pre-computer traffic tickets dating back to 1987. She does an excellent job and I appreciate her work very much.

The Village Clerk's office continues to accept payments of fines and fees, and the Police Department accepts payments for Village Parking Tickets, all of which are transmitted to the Court on a daily basis for disposition. That makes it much easier for defendants to resolve their cases.

The Village Court remains the busiest of the Courts in the County. The ADA, Josh Navone, is in this Court every other week has done an excellent job representing the people. The Public Defender is in Court at least once a month, and usually more often.

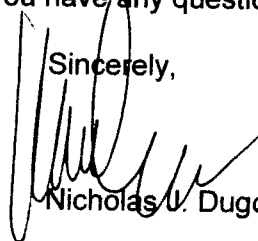
The Acting Village Justice David McElligott responds to the needs of the Court when I am not available, handling arraignments and accepting transfer of those few cases from which I must recuse myself. He keeps separate records and dockets of his activities as Acting Justice.

Sessions of the Watkins Glen Village Court are held on Saturday mornings in the Village Courtroom. Small claims hearings, landlord-tenant disputes, trials, and other matters are usually heard on Thursdays. Arraignments are held whenever required. All Court sessions are open to the public.

The Court records, dockets, books, etc., are available for your inspection at any time.

Please feel free to contact me if you have any questions.

Sincerely,



Nicholas U. Dugo, Village Justice