



JI-OH-002-002

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JONATHAN HANNA, et al.	)	CASE NO. C78-1506
	)	
Plaintiffs	)	JUDGE SAM H. BELL
	)	
-vs-	)	<u>FINAL CONSENT ORDER</u>
	)	
HONORABLE JOHN J. TONER, et al.	)	
	)	
Defendants	)	

Plaintiffs and defendants hereby consent to the following orders as a resolution of all of the claims asserted in this suit. This final consent order replaces the interim consent order filed on June 4, 1984, which shall have no further force or effect.

A. Definitions.

1. Defendants. For purposes of this order, "defendants" refers to the Superintendent of the Cuyahoga County Juvenile Detention Home, the Cuyahoga County Juvenile Court Administrator, and the Administrative Judge of the Cuyahoga County Juvenile Court, and their successors.

B. Organizational Changes.

1. Supervisory Staff and Table of Organization. Defendants shall implement their policies, attached hereto as Exhs. A and B, creating an intermediate supervisory staff and establishing a new table of organization.

13.2, 13.4

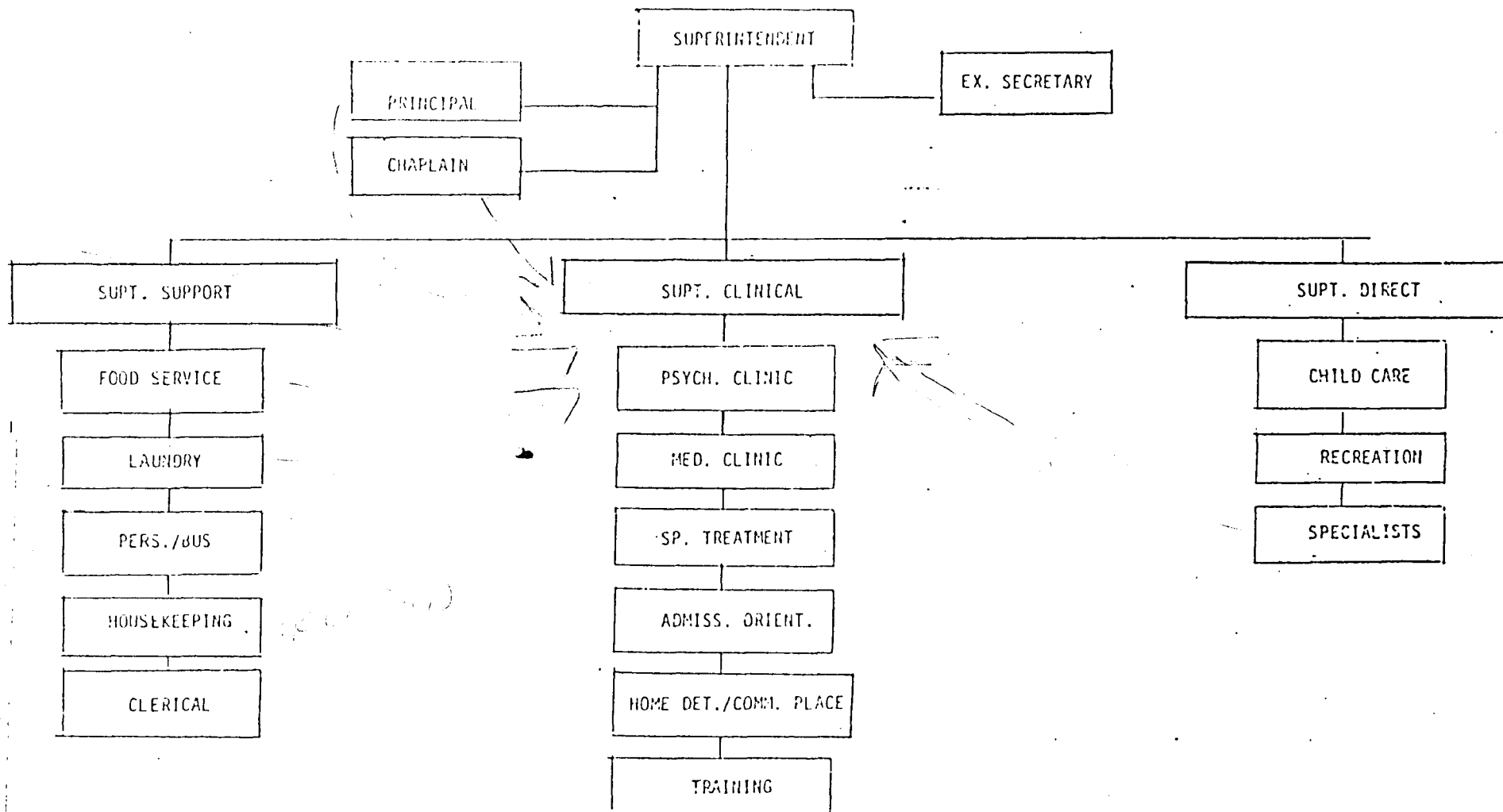


Exhibit A

TO: ALL STAFF

FROM: Mr. J. Thomas Mullen
Court Administrator

DATE: October 3, 1984

After months of work we are able to present you with a tentative wage and salary system that will place the Court as a forerunner in the public sector. The high points of this system include:

1. A clearly defined merit system, separate from any cost of living raise issued by the County, based on an employee's annual performance evaluation;
2. A clearly designed career ladder system in the professional, para-professional, and management areas;
3. A salary scale that reflects a 5% increase across the board;
4. An additional increment at the end of the scale to increase all maximums;
5. An increase by 100% in the merit steps from the existing salary grade increments;
6. A significant reduction in the number of job titles, creating more flexibility for lateral and promotional opportunities for appropriate and qualified candidates.

There will be some questions and possible concerns as this system relates to you as an individual employee, and you may have some suggestions regarding the system as a whole. The following should provide answers to most questions.

1. All employees have received a 5% salary increase based on their current salary. This increase is viewed as a cost of living increase and took effect October 1, 1984. The increase will be reflected in your October 19th paycheck.
2. No employee will lose money as a result of this classification review and new salary and wage system.

3. The current salary schedule contains twenty (20) job groups within 18 steps in each group. Under the proposed system, there will be seventeen (17) groups, with ten (10) steps in each group.
4. Under the current system, in theory, an employee who receives a satisfactory evaluation is supposed to receive on his/her anniversary date a two-step increase. One step represents a merit increase while the other is a cost of living adjustment. Under the proposed system, the satisfactory employee would receive a one-step increase on his/her anniversary date, representing a merit raise. The salary schedule does not include any cost of living increases. When cost of living adjustments are provided by the County Commissioners, the entire salary schedule will be raised by the percentage of the adjustment, and all employees will receive this percentage increase at the same time.
5. Under the existing system the salaries of most employees fall somewhere between steps of that employee's salary grade or job group. We will be changing this by setting all salaries at an exact step. This process will be accomplished by raising all salaries to the next highest step of the salary grade on each employee's anniversary date. We will commence with this process on January 1, 1985, and it will be viewed as the first merit increase. Thus, by the end of 1985 every employee will be on a correct merit step and have received a full or partial merit increase.
6. If an employee's job group is not changed as a result of the reclassification, the employee will receive:
 - a. A 5% increase over his/her present salary effective October 1, 1984;
 - b. A full/partial merit increase on his/her anniversary date based on a satisfactory evaluation beginning January 1, 1985.
7. If an employee's job group is raised as a result of the reclassification, the employee will receive:
 - a. A 5% increase over his/her present salary effective October 1, 1984;

- b. A move to the higher job group at a step which represents the next highest dollar amount, on December 1, 1984;
 - c. A full merit increase on his/her anniversary date based on a satisfactory evaluation beginning January 1, 1985, within the new job group (salary grade).
8. If an employee's job group is lowered as a result of the reclassification, the employee will receive:
- a. A 5% increase over his/her present salary on October 1, 1984;
 - b. A move to the newly defined job group at a step which represents the same or next highest dollar amount, on December 1, 1984;
 - c. A full merit increase on his/her anniversary date based on a satisfactory evaluation beginning January 1, 1985, within the new job group (salary grade).
9. Once an employee's salary reaches the last step in a job group, the employee will no longer receive merit increases. The employee will only receive cost of living adjustments which are given by the County Commissioners.
10. If an employee currently exceeds the maximum step of his/her job group (salary grade) they will remain at the current salary (plus 5%) until the cost of living raise factors bring the salary under the maximum.

The following are some additional policy guidelines effecting the filling of positions, promotions, etc., which will take effect as this total system is implemented.

- 1. Open recruitment appointments from outside the Court in salary grade I thru Mgr. III will be made at the entry level of the particular job classification. The only exception would be if a minimum of five (5) qualified candidates could not be recruited at the entry level salary. Then at the request of a Department Head the Court Administrator will set a grade level within the classification that will attract qualified candidates.
- 2. Lateral transfers within the Court will reflect changes in job title only and NO change in salary.

3. Promotions within the Court will be to the new job classification level at the increment step which represents the first step higher than the old salary.
4. Demotions will be to the new job classification level at the increment step which is nearest to the old salary.
5. Anniversary dates for the purposes of performance evaluations and subsequent merit raises will be defined as the date when a person is placed in their current position at the Court. Anniversary dates will not change as a result of this revised salary and wage system.
6. Director series positions will be recruited for filling, both internally and externally. All appointments to these positions will be made within the salary range on an exact step. The appointment and step for compensation will be determined by the Administrative Judge and Court Administrator.

This, I believe, has answered most questions. If you have further questions or suggestions concerning policy or the system please share them with your Supervisor and Department Head prior to November 1, 1984. In this way Judge Corrigan and I can review and make modifications if appropriate prior to implementation.

If you desire to appeal your individual job group (salary grade) you may do so by requesting such, in writing, on a job classification request for review form. These will be available through your Supervisor, and will be forwarded to your Department Head and myself for review. All such appeals must be made by November 1, 1984. We will review and respond to such appeals by December 1, 1984.

I can assure you that Judge Corrigan and I, with your suggestions and the suggestions of the other Judges of the Court, will implement a wage and salary system, coupled with a performance and merit system, that ensures all employees an opportunity for progressive and continued development.

JOB CLASSIFICATION SYSTEM
OCTOBER 1984

The Job Classification System Matrix is designed according to job categories. There are four job categories, i.e. Supportive, Clerical, Professional and Professional/Technical. The job categories go across departments and fall within grades.

The matrix also portrays the career ladder to the right of the page. The career ladder begins with the job occupants position and moves upward. A list of job type series is also attached which illustrates the progression of jobs within each series and their career ladder. Job incumbents may go across job series during the course of their career depending upon their knowledge, skills and abilities.

JOB TYPE SERIES

MAINTENANCE SERIES

Maintenance I
Maintenance II
Building Maintenance I

CLERICAL SERIES

Clerk Typist I
Clerk Typist II
Clerk Typist III
Secretary I
Senior Clerk I
Clerk Typist IV
Clerical Supervisor I
Secretary II
Clerical Supervisor II
Senior Clerk II
Secretary III
Clerical Supervisor III
Chief Clerk I

DATA PROCESSING SERIES

Data Processing I
Data Processing II
Data Processing III
Data Processing IV

PARAPROFESISONAL SERIES

Paraprofessional I
Paraprofessional II
Paraprofessional III

FOOD SERVICES SERIES

Food Services I
Food Services II

CLERK SERIES

General Clerk I
Supportive Clerk I
General Clerk II
General Clerk III
Supportive Clerk II
Senior Clerk II

TRANSPORTATION SERIES

Transportation Clerk I
Transportation Worker II
Transportation Supervisor I

FISCAL CLERK SERIES

Fiscal Clerk I
Fiscal Clerk II
Fiscal Clerk III
Fiscal Clerk IV
Fiscal Clerk V
Fiscal Clerk Supervisor I

INSTITUTIONAL SERIES

Institutional Worker I
Institutional Worker II
Institutional Worker III
Institutional Worker IV

PROBATION OFFICER/COUNSELOR SERIES

Probation Officer I
Counselor I
Probation Officer II
Counselor II
Probation Officer III
Counselor III

PROGRAM PLANNING SERIES

Program Planning I
Program Planning II
Program Planning III

INTAKE SERVICES SERIES

Intake Service I
Intake Service II
Intake Service III
:

PROBATION/COUNSELOR SUPERVISOR SERIES

Supervisor I
Supervisor II (Professional)
Supervisor II (Professional/Techni
Supervisor III

MEDICAL SERVICES SERIES

Medical Services I
Medical Services Manager

CUYAHOGA COUNTY COURT OF COMMON PLEAS - JUVENILE DIVISION
JOB CLASSIFICATION SYSTEM
OCTOBER 1984

C A R E E R L A D D E R

CLASSIFICATION	SUPPORTIVE
GRADE I	MAINTENANCE - I
	Cleaning Person Housekeeper Laundry Worker Seamstress
\$8,889-\$15,353	FOOD SERVICE - I
	Dining Room Attend. Kitchen Attendant Kitchen Atten. Pers.

MAINTENANCE SERIES

GRADE	
I	MAINTENANCE I
VI	MAINTENANCE II Bldg. MAINTENANCE I

FOOD SERVICE SERIES

GRADE	
I	FOOD SERVICE I
VI	FOOD SERVICE II

CLASSIFICATION	SUPPORTIVE	CLERICAL
GRADE II		CLERK TYPIST - I
		Admitting Clerk Ass't Medical Sec'y Classif. & Assign. Assignment Custody Review Detention Home Ediphone-Protection Fiscal Review Steno I Child Support Clinic
\$9,300-\$15,997	SUPPORTIVE CLERK I	GENERAL CLERK - I
	Copy Machine Opera. Receptionist Relief Receptionist Telephone Operator General Clerk C.S.	Custody Reunifica- tion Clerk Docket/Motion/File Clerk Release Clerk Service Clerk Assignment Record Room

CLERICAL SERIES

GRADE	
II	CLERK TYPIST I
III	CLERK TYPIST II
IV	CLERK TYPIST III
V	SECRETARY I SENIOR CLERK I
VI	CLERK TYPIST IV CLERICAL SUPERVISOR I
VII	SECRETARY II CLERICAL SUPERVISOR II
VIII	SENIOR CLERK II
IX	SECRETARY III
X	CLERICAL SUPERVISOR III
MANAGER I	CHIEF CLERK I

CLERK SERIES

GRADE	
II	GENERAL CLERK I SUPPORTIVE CLERK I
III	GENERAL CLERK II
IV	GENERAL CLERK III
V	SUPPORTIVE CLERK II
VIII	SENIOR CLERK II

CUYAHOGA COUNTY COURT OF COMMON PLEAS - JUVENILE DIVISION
JOB CLASSIFICATION SYSTEM
OCTOBER 1984

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CLASSIFICATION	SUPPORTIVE	CLERICAL
GRADE III \$9,728-\$16,747	FISCAL CLERK - I Accounting Clerk - I	CLERK TYPIST - II Bail Bonds Branch Office Probation Court Diversion Intake Referee Volunteer Coordinator Traffic Intake Mediator Sec'y (Suburban Branch) GENERAL CLERK II Expungement Referee Docket Clerk Statistics
GRADE IV \$10,178-\$17,586	DATA PROCESSING - I Sorter FISCAL CLERK - II Accounting Clerk II Billing Clerk-Budget	CLERK TYPIST - III Journal Placement Program Management Transcript Appeals GENERAL CLERK - III Attendance/Benefits Attendance Clerk Docket Clerk Intake Mediator Clerk Intake Assignment Specialist Revolving Secretary

C A R E E R L A D D E R

FISCAL CLERK SERIES

GRADE	
III	FISCAL CLERK I
IV	FISCAL CLERK II
V	FISCAL CLERK III
VI	FISCAL CLERK IV
VIII	FISCAL CLERK V
IX	FISCAL CLERK SUPERVISOR I

DATA PROCESSING SERIES

GRADE	
IV	DATA PROCESSING I
V	DATA PROCESSING II
VI	DATA PROCESSING III
X	DATA PROCESSING IV

CUYAHOGA COUNTY COURT OF COMMON PLEAS - JUVENILE DIVISION
JOB CLASSIFICATION SYSTEM
OCTOBER 1984

CLASSIFICATION	SUPPORTIVE	CLERICAL	PROFESSIONAL
GRADE V \$10,646-\$18,376	DATA PROCESSING II CRT Operator III Data Entry Operator FISCAL CLERK III Billing Clerk III Scheduling Clerk III Teller Teller/Payment Proc. SUPPORTIVE CLERK II Micro Film Operator TRANSPORTATION CLERK I Process Server	SECRETARY - I Community Relations Enforcement Deputy Director Medical Personnel Systems Analyst Steno II Child Support Referee Clerk Traffic SENIOR CLERK I Assigned Counsel Record Room, Ass't Stenographic, Ass't	PARA-PROFESSIONAL - I PO Classif & Assign't PO Custody Review VOCATIONAL WORKER - I Investigator - Victim Aid
GRADE VI \$11,136-\$19,225	MAINTENANCE - II Custodial Supervisor Laundry Supervisor FOOD SERVICE - II Cook Relief Cook Storeroom Supervisor BUILDING MAINTENANCE -I Bldg. Services Coord. FISCAL CLERK IV Account Analyst	CLERICAL SUPERVISOR -I Ass't Supervisor Clerk's Office Expangement Superv. CLERK TYPIST IV Document Clerk I	INSTITUTIONAL WORKER-I Child Care Trainee (6 Months)

C A R E E R L A D D E R

PARAPROFESSIONAL SERIES

GRADE

V PARAPROFESSIONAL I
IX PARAPROFESSIONAL II
X PARAPROFESSIONAL III

TRANSPORTATION SERIES

GRADE

VI TRANSPORTATION CLERK I
VIII TRANSPORTATION WORKER I
TRANSPORTATION SUP. I

INSTITUTIONAL SERIES

GRADE

VI INSTITUTIONAL WORKER I
VII INSTITUTIONAL WORKER II
IX INSTITUTIONAL WORKER III
X INSTITUTIONAL WORKER IV

CUYAHOGA COUNTY COURT OF COMMON PLEAS - JUVENILE DIVISION
JOB CLASSIFICATION SYSTEM
OCTOBER 1984

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CLASSIFICATION	SUPPORTIVE	CLERICAL		
GRADE VII	DATA PROCESSING III Ass't Data Entry Supervisor - C.S.	SECRETARY - II Child Support Dir. Secretary Legal Director's Secretary Deputy Dir. Legal- Child Support CLERICAL SUPERVISOR-II Bail Bond Clerical Supervisor Clinic Clerical Supervisor SENIOR CLERK - II Chief Docket Clerk- Assignment		
\$11,650-\$20,117			PROFESSIONAL	PROFESSIONAL/TECHNICAL
GRADE VIII	FISCAL CLERK V Administrative Spec. Payroll Clerk TRANSPORTATION WORKER II Driver Courier TRANSPORTATION SUP. I Sup. Process Services COURTROOM WORKER Baliff I, C.S. Courtroom Deputy	CLERICAL SUPERVISOR III Personnel Clerical Supervisor Stenographic Services Child Support Traffic Clerical Supervisor Record Room Superv. SENIOR CLERK III Document Clerk II	INSTITUTIONAL WORKER II Child Care Worker Recreation Worker	MEDICAL SERVICES I Licensed Practical Nurse
\$12,187-\$21,033				

C A R E E R L A D D E R

MEDICAL SERVICE SERIES

GRADE
VIII MEDICAL SERVICES I

MANAGER
I MEDICAL SERVICES MANAGER

CUYAHOGA COUNTY COURT OF COMMON PLEAS - JUVENILE DIVISION
JOB CLASSIFICATION SYSTEM
OCTOBER 1984

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CLASSIFICATION	SUPPORTIVE	CLERICAL	PROFESSIONAL
GRADE IX \$13,229-\$22,849	FISCAL CLERK SUPERV. I Accounting Clerk III	SECRETARY III Judge's Clerk Sec'y to Court Administrator	PROBATION OFFICER I Probation Officer Trainee (6 Months) COUNSELOR I Counselor Trainee C.S. (6 Months) Social Worker Trainee (6 Months) INSTITUTION WORKER III Senior Child Care Worker Recreation Director, Assistant (Phys. Educ. Director) PARAPROFESSIONAL II Home Detention Worker
GRADE X \$14,360-\$24,793	FOOD SERVICE III Food Services Manager TRANSPORTATION SUP. II Supervisor Warrants & Transportation DATA PROCESSING IV Data Entry Supervisor Data Management Sup.	CLERICAL SUPERVISOR IV Clerk's Office Sup. Mtl Office Manager Stenographic Ser- vices Supervisor Supervisor of Record Processing	PROBATION OFFICER II Court Liaison Offl. Probation Officer Supervisor Referrals COUNSELOR II Clinical Social Wrk. Counselor I Court Diversion Wrk. Family Counselor Social Worker INSTITUTION WORKER IV Recreation Director (Activities Dir.)

PROFESSIONAL/TECHNICAL
VOCATIONAL WORKER I Job Developer SUPERVISOR I Custody Review Superv. PROGRAM PLANNING I Planner

C A R E E R L A D D E R

PROBATION OFFICER/COUNSELOR SERIES

GRADE IX	PROBATION OFFICER I COUNSELOR I
X	PROBATION OFFICER II COUNSELOR II
XI	PROBATION OFFICER III COUNSELOR III

PROBATION/COUNSELOR SUPERVISOR SERIES

GRADE X	SUPERVISOR I
MANAGER I	SUPERVISOR II (PROFESSIONAL) SUPERVISOR II (PROFESSIONAL/TECHNICAL)
II	SUPERVISOR III

PROGRAM PLANNING SERIES

GRADE X	PROGRAM PLANNING I
MANAGER I	PROGRAM PLANNING II
DIRECTOR I	PROGRAM PLANNING III

CUYAHOGA COUNTY COURT OF COMMON PLEAS - JUVENILE DIVISION
JOB CLASSIFICATION SYSTEM
OCTOBER 1984

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CLASSIFICATION	PROFESSIONAL	PROFESSIONAL/TECHNICAL
GRADE XI \$15,832-\$27,323	PROBATION OFFICER III Senior Probation Social Worker COUNSELOR III Senior Counselor Social Worker	INTAKE SERVICES I Intake Mediator (Downtown & Clevel. Branch) PLACEMENT BUDGET ANALYST Fiscal Review Officer
MANAGER I \$17,453-\$30,116	SUPERVISOR II Counseling Supervisor Child Support Court Diversion Home Detention Family Counseling Probation	SUPERVISOR II Classif. & Assign. Dir. Custody Review Victim Aid Services Intake Admissions (Intake Referee) MEDICAL SERVICES MAN. Supervisor Nursing PROGRAM PLANNING II Special Grants & Subsidy Planner INTAKE SERVICES II Senior Intake Med. (Suburban Branch) COURT COMMUNITY COR. I Volunteer Coord.

C A R E E R L A D D E R

INTAKE SERVICE SERIES

GRADE XI	INTAKE SERVICE I
MANAGER I	INTAKE SERVICE II
III	INTAKE SERVICE III

CUYAHOGA COUNTY COURT OF COMMON PLEAS - JUVENILE DIVISION
JOB CLASSIFICATION SYSTEM
OCTOBER 1984

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CLASSIFICATION	PROFESSIONAL	PROFESSIONAL/TECHNICAL
MANAGER II \$19,239-\$33,206	SUPERVISOR III Placement INSTITUTIONAL SUP. I Shift Superintendents	CHIEF OF BUDGET Budget & Fiscal Man. CHIEF OF OPERATIONS Operations Manager Administrative Sec. INFOR. & RESEARCH I Statistician Systems Analyst
MANAGER III \$21,209-\$36,594	SUPERVISOR V Enforcement, Child Support Probation Division	FISCAL OFFICER Chief Cashier INSTITUTION SUP. II Detention Oper. Mgr. COURT ROOM MANAGER Assignment Supervisor COURT COMM. COOR. II Comm. Relations Dir. INTAKE SERVICES III Intake Manager
DIRECTOR I \$23,381-\$40,354	DEPUTY DIRECTOR I Child Support Opera. Detention Program Legal Operations Personnel Director	CHIEF DATA PROCESSING Infor. & Research Director CHIEF PROGRAM PLANNING Program Planning & Development

CLASSIFICATION	PROFESSIONAL	PROFESSIONAL/TECHNICAL
DIRECTOR II \$25,775-\$44,486	DEPUTY DIRECTOR II Child Support Detention Home-Clinic Legal Probation Training Director	
DIRECTOR III \$28,415-\$49,036	DIRECTORS Administrat. Services Child Support Detention Home Legal Probation	

CUYAHOGA COUNTY COURT OF COMMON PLEAS - JUVENILE DIVISION

JOB CLASSIFICATION SYSTEM

PAY SCHEDULE

SALARY GRADE	ANNUAL MERIT INCREMENT	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
I.	\$ 718	8,889	9,607	10,325	11,043	11,761	12,479	13,197	13,915	14,633	15,353
II.	749	9,300	10,049	10,798	11,547	12,296	13,045	13,794	14,543	15,292	15,997
III.	785	9,728	10,513	11,298	12,083	12,868	13,653	14,438	15,223	16,008	16,747
IV.	823	10,178	11,001	11,824	12,647	13,470	14,293	15,116	15,939	16,762	17,586
V.	858	10,646	11,504	12,362	13,220	14,078	14,936	15,794	16,652	17,510	18,376
VI.	898	11,136	12,034	12,932	13,830	14,728	15,626	16,524	17,422	18,320	19,225
VII.	940	11,650	12,590	13,530	14,470	15,410	16,350	17,290	18,230	19,170	20,117
VIII.	982	12,187	13,169	14,151	15,133	16,115	17,097	18,079	19,061	20,043	21,033
IX.	1,068	13,229	14,297	15,365	16,433	17,501	18,569	19,637	20,705	21,773	22,849
X.	1,159	14,360	15,519	16,678	17,837	18,996	20,155	21,314	22,473	23,632	24,793
XI.	1,276	15,832	17,108	18,384	19,660	20,936	22,212	23,488	24,764	26,040	27,323
Mgr. I	1,407	17,453	18,860	20,267	21,674	23,081	24,488	25,895	27,302	28,709	30,116
Mgr. II	1,551	19,239	20,790	22,341	23,892	25,443	26,994	28,545	30,096	31,647	33,206
Mgr. III	1,709	21,209	22,918	24,627	26,336	28,045	29,754	31,463	33,172	34,881	36,594
Dir. I	1,885	23,381	25,266	27,151	29,036	30,921	32,806	34,691	36,576	38,461	40,354
Dir. II	2,079	25,775	27,854	29,933	32,012	34,091	36,170	38,249	40,328	42,407	44,486
Dir. III	2,291	28,415	30,706	32,997	35,288	37,579	39,870	42,161	44,452	46,743	49,036

2. Team Approach and Care Plans. The Detention Home shall, within a month after the renovations to the areas that will house the special treatment and admission/orientation unit are complete, implement a system for the preparation of an individual care plan for each child within 3 days of the child's admission. The care plans shall be developed by a unit team consisting of the unit social worker, the unit's senior child care worker or a designated child care worker, and a member of the staff of the Detention Home school, under the supervision of the clinical director and using the data prepared by the assessment team. This unit team shall also make referrals to the Assessment Unit when appropriate, and shall meet weekly to review each child's progress and revise the care plan. As an intermediate step, by January 1, 1986, the Detention Home shall hire and train the necessary staff and form the unit teams.

3. Special Treatment Unit. Within a month after the renovations to the area that will house the special treatment unit are complete, the Detention Home shall establish a special treatment unit. Its objectives shall be: 1) to provide a supportive, protective environment for youngsters whose emotional state demands special treatment, but who can be maintained in placement at the Detention Home, as determined by the Assessment Unit Team; and 2) to provide resource information to the regular units regarding the re-integration of special needs youths. It shall be staffed by specially trained child care workers who are able to provide diagnostic and prescriptive services under the guidance of the Assessment Team. Criteria for admission to this unit will be developed so that a clear discrimination is made between acting out, aggressive youngsters and the borderline mentally ill youth. No acting out youth will be placed in this unit.

4. Assessment Team. By January 1, 1986, the Detention Home will hire staff and develop policies for an assessment team, to be in operation by the time the renovations to the areas that will house the admission/orientation and special treatment units are complete. The team shall consist of at least one psychologist, a social worker, a member of the staff of the Detention Home school, and a physician. The team's objectives shall be:

a. To provide assessment information, e.g. psychological, educational and social testing data.

b. To provide diagnoses and short-term and long-term recommendations to Detention Home staff and legal decision-makers.

c. To provide information for the development of care plans.

d. To serve as a referral source for re-assessment of youngsters experiencing problems during their stay at the Detention Home.

e. To provide resources and services to the special treatment unit.

f. To make direct referrals to local Mental Health Units.

Each child admitted to the Detention Home shall be seen by the Assessment Team in the Admission/Orientation Unit. The Assessment Team will provide relevant information to the child's social worker, if any, and probation officer. A member of the Assessment Team will provide information to the unit team for use in preparation of the child's care plan.

5. Admission/Orientation Unit. Within a month after the renovations to the area that is to house the admission/orientation unit are complete, the Detention Home shall establish an admission/orientation unit. Its objectives shall be:

5. Pelvic Examinations. The memorandum to Janet Estadt dated August 7, 1981, from the Pediatric Attending Staff of St. Vincent Charity Hospital, sets out procedures that satisfactorily resolve plaintiffs' claims regarding pelvic examinations. Defendants shall continue to follow said procedures.

6. Education. The current education program in the Detention Home is a satisfactory resolution of plaintiffs' claims regarding education. Defendants agree to continue to cooperate with the Cleveland Board of Education in improving said program.

7. Medical Care. The current medical care system for children in the Detention Home is a satisfactory resolution of plaintiffs' claims regarding medical care, provided that the policies for an assessment team and a special treatment unit are implemented. Defendants shall periodically monitor the provision of medical care to determine whether children who need medical care are given access to the nurse or physician.

8. Nutrition. The current nutritional program in the Detention Home is a satisfactory resolution of plaintiffs' claims regarding the nutritional adequacy of meals in the Detention Home.

9. Recording of Information. Defendants shall continue their policy regarding the recording of information about children on unit assignment sheets, and shall require the information so recorded to consist of factual descriptions of behavior, including both the child's positive and negative behavior, free from personal characterizations.

10. Clothing. The current policy of the Detention Home, pursuant to which children are issued jogging pants and polo shirts by the Detention Home, is a satisfactory resolution of plaintiffs' claims regarding clothing.

friends of the child who receive the prior approval of the Detention Home staff according to written standards; and provides privacy for the child and the visitor(s) during visitation, subject to the limitations of the physical structure the volume of visitors, and supervision necessary because of rule violations.

13. Chemical restraints. It shall be the policy of the Detention Home that chemical restraining agents will not be used within the facility as a form of behavior management. Only under two very circumscribed conditions may a youngster receive a psycho-active medication: 1) when ordered by a licensed physician as part of an ongoing therapeutic regimen; 2) when ordered by a physician who has personally evaluated the crisis (acting out) situation as it relates directly to the need to safely transport a youngster to a more appropriate setting. The drug must be administered not more than two hours prior to the youngster's release. In this situation the youngster will be under constant visual supervision.

14. Mechanical/Psychiatric Restraints. It shall be the policy of the Detention Home that no mechanical/psychiatric restraints will be present within the Detention Home and their use is prohibited except when a licensed physician has personally evaluated an individual and has determined that the use of mechanical/psychiatric restraints will serve a therapeutic role as preparations are made to remove the youngster to a more appropriate setting. When this occurs the youngster must be visually monitored continuously, and the restraints must be removed as soon as the child regains control. This paragraph shall not be construed to restrict the use of handcuffs or similar restraints by non-Detention Home law enforcement officers for the purpose of transporting a child.

15. Isolation.

a. The immediate policy shall be that isolation shall not be used as punishment.

b. By June 1, 1985, defendants shall issue and implement a written policy that includes the following elements:

1) Criteria for use. Isolation will be used only in cases of the most serious resident misbehavior and only for the purpose of insuring that bodily injury does not occur. The policy shall define serious misbehavior as no less than an attempted, actual, or imminent incident of physical violence toward a person. Isolation will only be used after all other lesser forms of intervention have failed and a child continues to behave in an aggressive and agitated manner. Suicidal children will not be isolated.

2) Duration. A child will be isolated only the amount of time necessary for him/her to be released calmly from the room. If a child's isolation lasts 3 hours, a review team consisting of a social worker, a child care worker, and clinical director shall be convened immediately to develop a release plan or refer the child to the assessment team.

3) Visual monitoring. A staff member shall remain in visual contact with the child throughout the time the child is isolated.

4) The superintendent or his designee must review and sign all isolation reports before or within 15 minutes after the child is isolated, and a copy of the report must be given to the clinical director immediately after the child is isolated.

c. Beginning no later than January 1, 1986, defendants shall regularly prepare the statistical record of isolation described in Par. F(4)(b) of this order.

d. For purposes of this order, temporary segregation of a child in a location other than a locked or unlocked room shall not be considered isolation and is not subject to the restrictions upon isolation.

16. Strip Searches. Strip searches shall not be a routine procedure in the Detention Home.

a. A strip search may occur when an individual youngster is suspected of having an illegal or life threatening substance or object based on visual observation of the suspected object or precise information from a reliable source.

b. The strip search must be approved by the shift superintendent prior to its occurrence.

c. The search must occur in a private area that is typically considered appropriate for dressing, i.e., a sleeping room.

d. The youngster shall not be touched or any body cavity investigated. The resident must not be asked to move or act in a manner not routinely associated with dressing or undressing.

e. Only staff of the same sex shall be present.

f. The staff member or supervisor must prepare a report to the Clinical Director that documents the steps that were taken by staff to attempt to avoid the need for the strip search. The report must also include a description of the findings from the search and any discipline imposed upon the child. Each report must also include a description of any break-down in supervision that necessitated the search, and any action to be taken to correct the supervision problem.

17. Use of Holding Rooms.

a. Intake and release. The holding rooms (the three unfurnished isolation rooms in the admissions area on the ground floor of the Detention Home) may be used as a brief receiving and releasing area until the renovations to the entrance area are complete. "Brief" shall mean until admission processing is completed for the child, and in any event no longer than 2 hours. Once the renovations

to the entrance area are complete, children will not be placed in holding rooms as a part of admission or release. The standard practice will be for children to wait in a secure waiting room during admission and release. Children who require isolation shall be isolated pursuant to the isolation policy.

b. Isolation. It is agreed that the holding rooms are not an appropriate setting for isolating a child. At the present time, however, only two of the regular isolation rooms (single rooms) are safe. The Detention Home is in the process of contracting for the repair of additional single rooms. Until the repairs to a third single room have been completed, there may be an extremely rare need to use a holding room to isolate a child. If a child is isolated in a holding room, the Detention Home will, within 5 days after the isolation, send plaintiffs' counsel the report described in Par. F(4)(e) of this order. No child shall be isolated in a holding room after the repairs to a third single room have been completed or after June 1, 1985, whichever is earlier.

18. Physical Restraint Policy. The parties agree that defendants' policy on physical restraint, dated September 10, 1984 and attached hereto as Exh. F, is acceptable and shall be followed.

E. Admission of Children.

1. Less Restrictive Alternatives. Defendants shall, by June 1, 1985, prepare a plan for the provision of less restrictive detention alternatives for children.

2. Non-delinquents. If defendants confine children in the Detention Home who are neither alleged nor adjudicated to be delinquent by reason of violating a law, ordinance, or regulation, a violation of which would be a crime if committed by an adult, defendants shall keep a daily record of the number of days each said child has been in the Detention Home. Defendants shall notify plaintiffs' counsel in writing of the name of each such child who is held in the Detention Home longer than five days. Plaintiffs' counsel shall be so notified weekly.

F. Monitoring.

1. Copies. Defendants shall send plaintiffs' counsel draft copies of the orientation materials for children and the statement of childrens' rights referred to in ¶D (3) of this order. Defendants shall also send plaintiffs' copies of the new policies and procedures required by this order. Defendants shall retain copies of all policies and procedures at the Detention Home and allow plaintiff's counsel to inspect and/or copy them during visits under Par. F(3) of this order.

2. Expert Tours. Defendants shall allow experts retained by plaintiffs to tour the Detention Home six months after the date of this order and once per year thereafter. Said tours shall involve no more than two experts, shall last no more than 3 days, shall be preceded by at least 3 days notice, and shall be conducted under the same conditions as were set out in the consent order dated November 16, 1983.

3. Visits. Defendants shall allow plaintiffs' counsel to visit the Detention Home and observe the programs and operations there on two days' advance notice.

4. Documentation. The Detention Home administration shall maintain at least the following records in order for it to monitor and assess the operation and success of the policies and programs set out in this consent order:

a. A written record of all telephone contacts by Detention Home residents, including the date of each call.

b. A statistical record of instances of isolation that includes:

- 1) a description of the incident precipitating the isolation;
- 2) the time the child was placed in, and the time the child was released from isolation;
- 3) the location of the isolation.

c. A record of each strip search that includes all of the elements described in Par. (D) (16) (f) of this order.

d. A record of each child's visitors by date.

e. A record of any and every occurrence of the use of a holding room for purposes of isolation, including: documentation that two single rooms were occupied during the time the child was isolated in the holding room; a description of the behavior that resulted in the isolation; the time in and the time out of isolation; and a record of the visual observation of the child while in isolation.

f. A record of any and every instance of use of chemical or mechanical psychiatric restraints, including: the child's behavior that necessitated the restraint; the physician's report; the type of restraint used; the duration of the restraint; and the date and time the child was transferred to another facility and the identity of the facility.

g. A daily statistical record of the points earned by children in the behavior management program, including: the percentage of the total number of possible points earned by each resident and by unit; the number, magnitude and nature of fines levied for misbehavior; the incidence and duration of segregation; and the number of children who earned off grounds privileges.

h. A record of the daily population in the special treatment unit with the reasons for each child's admission to the unit.

i. A record of the number of children transferred to mental health facilities from the Detention Home.

j. Copies of the individual care plans prepared pursuant to Par. B(2) of this order.

k. The daily computer record of children in the Detention Home that shows the charges, length of stay, and date of admission.

1. Copies of the results of defendants' internal monitoring of compliance with the policies mentioned in this order as well as copies of reports of monitoring or evaluations by independent entities.

5. Mailing and Retention of Documents. Copies of the records of the use of holding rooms for isolation and the detention of non-delinquents shall be mailed to plaintiffs' counsel within the time limits set by Pars. D(17)(b) and E(2) of this order. The other documents referred to in F(4) of this order shall be retained for three years and made available to plaintiff's counsel or the experts retained by them pursuant to Par. F(2) of this Order.

6. Termination. The monitoring provisions of this order shall terminate 6 years after the date of this order, except that the Court may reopen or extend the monitoring period upon a showing by plaintiffs that defendants are not in compliance with portions of the order or that further monitoring is necessary. The Court may terminate the monitoring period at an earlier date if the parties certify to the Court they are satisfied that compliance is complete.

7. Non-compliance. In the event of alleged noncompliance by defendants with any provisions of this order, plaintiffs will give defendants written notice of the alleged noncompliance and will attempt, over a reasonable period of time, to negotiate a resolution of the alleged noncompliance, before filing any motion to show cause or similar motion regarding the alleged noncompliance.

G. Class Certification.

The parties agree that the requirements of Rules 23(a) and 23(b)(2) Fed. R. Civ. P. have been met with respect to the claims for declaratory and injunctive relief and that a class may be certified consisting of all children who have been or will be confined in the Cuyahoga County Juvenile Detention Home. Defendants will pay the cost of any notice of this order required by the Court.

H. Unresolved Issues.

The signing of this consent decree is not, and in no way shall be construed as, an agreement that plaintiffs are or are not prevailing parties for purposes of the awarding of attorney's fees pursuant 42 U.S.C. §1989. Nor shall the approval of this consent decree by the court be, in and of itself, construed as a determination that plaintiffs are or are not prevailing parties for said purposes. All issues relating to costs and attorney's fees are reserved for future negotiation and/or submission to the court once the merits of this suit have been fully resolved.

IT IS SO ORDERED.

SPM H. BELL
United States District Judge

Consented to by:

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Attorneys for Defendants

POLICY: TRAINING REQUIREMENTS FOR EMPLOYEES

NO:

DEPARTMENT: DETENTION CENTER

PAGE: 1 of 3

APPROVED BY: RONALD L. STEPANIK,
SUPERINTENDENT

DATE: October 12, 1984

REVISED:

ANALYST:

POLICY:

The Detention Center shall provide on-going training to all employees as an integral part of maintaining high job performance and providing effective services to resident's according to the "Summary of Job Catagories and Minimum Training Hours".

DEFINITIONS:

1. Training shall be defined as: An organized, planned and evaluated activity designed to achieve specific learning objectives. Training may occur on-site, at an institution of higher learning, through contract service, at professional meetings or through on-the-job training.
2. The Assistant Superintendent shall annually review and evaluate the training activities, and provide the Superintendent with a written report. The report shall include:
 - a. Administrative assistance and support for implementing this policy.
 - b. Fiscal planning necessary to meet training requirements of employees.
 - c. Assistance in providing opportunities for employees to meet their required training hours.
3. Each Supervisor has the responsibility to ensure that employees under his/her supervision meet the training requirements as outlined in this policy. Each Supervisor shall:
 - a. In conjunction with each employee develop an individual training plan for that employee.

POLICY: TRAINING REQUIREMENTS FOR EMPLOYEES

NO:

DEPARTMENT: DETENTION CENTER

PAGE: 2 of 3

APPROVED BY: RONALD L. STEPANIK,
SUPERINTENDENT

DATE: October 12, 1984

REVISED:

ANALYST:

DEFINITIONS:

continued.....

- b. Incorporate the individual training plan within the context of each employee's annual performance evaluation.
 - c. Provide opportunities for employees to meet required training hours.
- 4. Each Detention Center employee has the responsibility to take advantage of training opportunities presented to them.
- 5. Methods of fulfilling training requirements include:
 - a. Completing a training program provided by the training component of the Juvenile Court.
 - b. Completing a training program conducted by the Detention Center.
 - c. Completing a job-related course at an institution of higher learning.
 - d. Completing an on-the-job training program provided by an immediate supervisor.
 - e. Meetings and training programs sponsored by professional associations.
- 6. For College coursework to apply in meeting training requirements the course shall be related to the employee's specific job and/or individualized training plan, and the employee shall have received a passing grade in the course. A conversion formula for translating college credit hours to training hours shall be on a ratio of 8:1. For every credit hour completed the employee shall receive eight (8) training hours. For example, a five

POLICY: TRAINING REQUIREMENTS FOR EMPLOYEES

NO:

DEPARTMENT: DETENTION CENTER

PAGE: 3 of 3

APPROVED BY: RONALD L. STEPANIK,
SUPERINTENDENT

DATE: October 12, 1984

REVISED:

ANALYST:

DEFINITIONS:

continued.....

credit hour course will equal forty
(40) training hours.

7. To insure, that each employee is meeting the requirements of this policy, the following documentation and records shall be maintained.
 - a. An Employee Training Record (see attached) shall be established by each employee's supervisor, and updated at least quarterly based upon receipt of Training Update (see attached) completed by each employee and received by the supervisor within 60 days of the completion of qualified training.
 - b. A Training Plan (see attached) for each employee shall be developed mutually by each employee and the employee's supervisor annually at the employee's review of his/her personnel evaluation with the supervisor. The employee and supervisor shall mutually agree upon the employee's training needs for the next year, and a tentative plan as to how these training needs may be met. A copy of the training plan shall be provided to the employee. The supervisor shall review the training plans for all employees under his/her supervision and develop a report to annually be submitted to the Assistant Supt. The Assistant Supt. shall endeavor to insure that in-service training for employees address the concerns found in supervisors reports.

ORIENTATION AND MINIMUM TRAINING HOURS

The following description of general job categories should be used in determining minimum training requirements for full time employees. Part time employees should receive training prorated on the hours worked.

<u>JOB CATEGORY</u>	<u>TYPICAL POSITION TITLES</u>	<u>ORIENTATION TO JOB</u>	<u>FIRST YEAR ON THE JOB</u>	<u>EACH YEAR THEREAFTER</u>
Clerical/Support	Secretaries, clerks, typists office staff, all staff who do not fall into another category	40	16	16
Professional Specialists	Counselors, Social Workers, Teachers, Nurses, Chaplain	40	40	40
Child Care Staff	Total Institutional Worker Series	40	80	40
Supervisor/ Administrative	Department Heads, All Supervisors, all Administrative Staff	40	40	40

CUYAHOGA COUNTY JUVENILE COURT

DETENTION CENTER

REGULATIONS AND VISITING GUIDELINES

WHY DETENTION?

Youth are here for various reasons but generally they are here to await a court hearing or to wait for release or placement after a hearing. They are not here to serve a sentence or to be punished, but to assure their custody until a final decision is made by the court or detention officials.

HOW LONG?

It depends on the seriousness of the charge, the number of times the child has been in trouble before and whether or not the child will go to court. Some youth only spend one night in detention and others spend several days.

WHAT IS GOING TO HAPPEN?

Within 24 hours after your child is admitted to the Detention Center, you will be requested to attend a Detention Hearing with an appointed Referee. Your child will be present and your attorney is welcome should you have one.

If your child remains in detention after the hearing most of your questions can be answered by the Referee, Detention Social Worker or the child's Probation Officer. You should make an appointment to meet with the Probation Officer as soon as possible.

VISITING

Parents, Grandparents, Step-Parents or Legal Guardians may visit. Others eighteen years old or older may visit if you justify the benefit of seeing your child prior to the visit and their name is logged as an acceptable visitor.

VISITING TIMES

THE TOUR TIMES ARE:

Weekdays and Sundays

1st Tour	1:30 P.M. - 2:00 P.M.
2nd Tour	2:00 P.M. - 2:30 P.M.
3rd Tour	2:30 P.M. - 3:00 P.M.
4th Tour	3:00 P.M. - 3:30 P.M.

Wednesday Night

1st Tour	6:30 P.M. - 7:00 P.M.
2nd Tour	7:00 P.M. - 7:30 P.M.
3rd Tour	7:30 P.M. - 8:00 P.M.

Sunday Night

1st Tour	6:30 P.M. - 7:00 P.M.
2nd Tour	7:00 P.M. - 7:30 P.M.
3rd Tour	7:30 P.M. - 8:00 P.M.

THE VISITING PERIOD WILL BE TWENTY (20) MINUTES. —

Exhibit E

Page 2

Ten (10) minutes of each tour will be taken up with transporting children and adults to and from the visiting hall.

Those wishing to visit during a particular time must be here by the start of the tour, otherwise, they must wait for the next visiting tour. Those coming after 3:00 P.M. on weekdays and Sundays or after 7:30 P.M. on Wednesdays/Sundays will not be able to visit.

WHAT CAN VISITORS GIVE YOUTH?

Visitors may only give youth books, magazines, or reading materials.

Everything else required is provided e.g., clothing, cosmetics, and three meals a day, plus a evening snack.

NO SMOKING BY YOUTH IN DETENTION.

VISITORS GIVING YOUTH ANYTHING OTHER THAN READING MATERIALS WILL LOSE THEIR VISITING PRIVILEGES.

MINISTERS, PRIESTS, OR RABBIS may only visit if parents justify their visit in advance by calling us.

ATTORNEYS AND PROBATION OFFICERS may visit at any time (with proper identification) during any 24 hour period. However, because of school hours, schedules and programs it is preferred that visits are planned for:

8:30 A.M. to 11:45 A.M.
1:30 P.M. to 3:40 P.M.
5:45 P.M. to 7:00 P.M.

ALL VISITORS MUST SIGN IN AND ATTORNEY'S MUST SIGN "ATTORNEY OF RECORD FORM".

CHILD'S BELONGINGS

When a child enters detention a list is made of his/her personal belongings, they are listed on a card signed by the child and placed in a locker. All money and other valuables are placed in a safe and returned upon release.

PHONE CALLS/LETTERS

At the time of admission a child will be required to call his/her parents. For specific reasons, they may place additional calls. They will be permitted to receive calls only with prior approval and for very specific treatment reasons. Youth can both write and receive letters.

DETENTION PROGRAM

All of our staff will work to help your child, understand their concerns, and make them feel as comfortable as possible. All youth who are in detention for more than a day or two will be tested educationally, will attend school full time, participate in recreation, go to activities, watch T.V., etc.

PAGE 3

MEDICAL SERVICES

All youth receive quality medical attention. They receive a complete physical, we have our own Doctor and twenty-four hour nursing coverage.

If you have any questions concerning the above or your child in particular, please call one of our Social Workers. They are on duty 8:00 A.M. to 9:00 P.M. daily. - 443-3300 - .

POLICY: USE OF PHYSICAL RESTRAINT NO:

DEPARTMENT: DETENTION

PAGE: 1 of 3

DIVISION: CHILD CARE

DATE: September 10, 1984

APPROVED BY: Mr. Ronald L. Stepanik,
Superintendent

REVISED:

ANALYST:

PURPOSE:

It shall be the policy of the Detention Center to provide a means to physically restrain youth while at the same time protecting the rights of youth and employees. The very least amount of physical contact, restraint or force will be used to resolve the issue/incident at hand.

DEFINITION:

A. To touch a resident physically by grasping or holding the resident whose actions are judged harmful to himself, to others or to move a child from one place to another in critical situations.

B. Pressure holds, grabbing the hair, holds against the normal bending of the joints are not allowed.

C. Justification For Restraint:

- 1. To protect the child from hurting himself.
2. To protect the child from hurting another resident.
3. To protect the employee from injury.
4. To prohibit the child from destroying property.
5. To keep a child in an area
6. To remove a child from an area.
7. To prevent an escape or apprehend an escaped youth.

D. Prevention:

1. Always try to deal with a situation before physical force is used?
 - a. Separate the child from the group.
 - b. Talk to the child.
 - c. Behavior Reinforcement Program.
 - d. Short disciplinary tasks.
 - e. Give the child some "time and space".

POLICY: USE OF PHYSICAL RESTRAINT NO:
DEPARTMENT: DETENTION PAGE: 2 of 3
DIVISION: CHILD CARE DATE: September 10, 1984
APPROVED BY: Mr. Ronald L. Stepanik, SUPERINTENDENT
REVISOR:
ANALYST:

DEFINITION:

2. Gain assistance of co-workers.
3. Set "Alert" signal.
4. Never restrain a youth alone unless there is no other alternative.

E. Use of Force:

1. If possible give youth alternatives to avoid physical contact. ("D" above)
2. Try to remain as calm as possible.
3. Section D, numbers 1, 2, 3, and 4 above.
4. If possible hold youth by clothing rather than body.
5. Instruct residents to leave area.
6. Never move the youth until help arrives.
7. Except where immediate action is essential, request authorization to place a resident in single room prior to restraining or asserting any physical force. If this is not possible the Shift Superintendent should be called after this step is taken to inform him of the situation and authorize use of single room confinement.
8. The Shift Superintendent will review the situation and release the resident from single room confinement as soon as he regains control or the problem is solved.

F. Medical Attention†

Any child being physically restrained will automatically be seen by the medical department and any injury or the lack thereof will be recorded by the medical department.

Should a staff member report an injury, the supervisor will refer them to the

POLICY: USE OF PHYSICAL RESTRAINT

NO:

DEPARTMENT: DETENTION

PAGE: 3 of 3

DIVISION: CHILD CARE

DATE: SEPTEMBER 10, 1984

APPROVED BY: Mr. Ronald L. Stepanik
Superintendent

REVISED:

ANALYST:

DEFINITION:

Continued....

Medical Department and should it be determined that treatment is necessary relieve them of duty to carry out any recommendations made by the Medical Department as far as obtaining treatment. Provide an accident report form and a workman's comp application if appropriate.

Forms and Reports

In all cases where physical force is used, staff involved must submit a written incident report to the Shift Superintendent before leaving the building. In a situation where an injury makes that impossible, a verbal report should be made as soon as possible and the incident report submitted when the staff returns to work.

G. Discipline/Punishment

The use of physical force/restraint is only a last resort and must be within the guidelines of this policy and accepted Child Care practices. Under no circumstances will any employee ever slap, hit, punch, push, kick, pinch a child without being subject to formal discipline up to and including removal.