

Press Release
May 16, 2008

Lake County Juvenile Court Reveals Budget Manipulations By Lake County Commissioners

False emergency created by Commissioners results in unneeded extra work and unnecessary distress to employees of Juvenile Court

Judge William Weaver publishes Commissioners Resolutions which removed \$2.2 million from the approved Court salary budget, <http://www.lakecountvohio.gov/juvenile>

Painesville - May 16 2008 - In response to statements made to local newspapers by County Commissioners and their representatives, Judge William Weaver today published on the Court website two Resolutions which were passed unanimously by the Lake County Board of County Commissioners revealing their creation of a false budget emergency and their self proclaimed rescue of the Juvenile Court.

The true facts are that on Thursday, May 8, 2008, 1 1/2 working days before payroll was due, the Commissioners, without notice to the Court, passed Resolution number BC03 which removed \$2.2 million from the Court's salary account. This huge, unprecedented decrease, immediately and intentionally created a deficit in the Court's payroll account, which the Commissioners thought would render the Court incapable of meeting its payroll with the minimal balance remaining after their purge. They were wrong. Working late into the evening, the Judge and financial staff were able to restructure the payroll to come within \$14.12 of meeting the obligation. This small shortage would have been remedied by transferring \$14.12 from another account. Not knowing that the Court could meet its payroll, in spite of their Resolution, the Commissioners on Monday, May 12, 2008, two hours before payroll was due, passed a second Resolution returning \$7,550.83 to the Court's payroll account and proclaimed that they had saved the day and insured that the employees would be paid. What they forgot to tell the news media was that they had intentionally created the deficit.

Prior to this action by the Commissioners, the Court had sufficient funds in salary accounts to meet payroll through the end of the year. This artificial manipulation by the Commissioners created a flurry of unneeded additional work for the County Auditors Office, Juvenile Court Finance staff and caused a great deal of distress to Juvenile Court employees who wondered all weekend whether they would receive a paycheck. The Commissioners granted a budget, rescinded the budget and are now manipulating the budget on a bi-weekly basis. The Court now has no idea of the amount the Commissioners will allocate every other week until they pass a Resolution some few days prior to payroll if they do allocate any amount. It is hoped that there is no week when two Commissioners are ill, or out-of-town, and unable to appropriate payroll funds for these employees.

The article printed in the News Herald on May 13, 2008 quoted County Budget Director Matas that "the budget dispute continues in the Ohio Supreme Court, and unless the raises are rescinded, Commissioners will need to make about \$3500 in additional appropriations every two weeks to ensure employees continue to get their paychecks." Commissioner Sines also was quoted as stating "providing the funding could come at the expense of the budget. This puts our budget in chaos going into next year it will put us in an uncomfortable position next year where we will have to cut some services". This illusion of an emergency was perpetrated despite the fact that at a meeting on May 8, 2008 immediately following the Commissioners Resolution draining the juvenile Court salary accounts, Judge Weaver advised two county administrators and the budget director that not one dollar was used for raises that was not already appropriated by

the Commissioners. The funds that were utilized for the raises were funds which the Commissioners had already provided for raises for 25 employees and a 3% countywide raise also allocated by the Commissioners. The funds utilized by the Judge to provide raises for the rest of the employees had already been allocated for the salary of an employee who recently retired. The Court had been advised by the budget director that these funds were available to be used for raises. In the seventeen years of Judge Weaver's term the Juvenile Court has never exceeded its salary budget and will not do so this year. Thus, no crises exists and no funds will have to be transferred.

The news article also contained a quote stating that Judge Weaver granted raises of "almost 15%". In fact, the Commissioners granted raises of \$1.00 per hour which is approximately a 10% increase and then provided a 3% raise to all county employees. This totals 13% granted by the Commissioners. The Judge was able to add any additional \$.25 per hour increase which approximated 2.5% of the total 15%. Then the Commissioner's representative, in an attempt to discredit the Judge by inferring that he is a spendthrift, imputed the entire raise to him. In fact, the Judge is delighted that his employees did receive at least a portion of the amount needed to bring their salaries closer to other comparable salaries within the county.

Separation of powers

In an attempt by the County Commissioners, who represent the executive branch of government to control the judiciary, the Commissioners called a "special" meeting on May 12, 2008 to add \$7,550.00 to the juvenile Court salary accounts. The small amount that was replaced following the removal of \$2.2 million dollars in the May 8th action was only sufficient to cover what the Commissioners feel are adequate salaries for juvenile Court employees. These artificial manipulations by the Commissioners subvert the judicial authority to set Court salaries and graphically demonstrate the need for a Judge to control his Court's budget as provided by Ohio law. All of these actions and statements are misleading, unconscionable and intolerable.

Please refer to the Court website, <http://www.lakecountvohio.gov/iuvenile>, for full documentation.