



Fw: Ottawa County Concurrent Jurisdiction Plan

Kevin Bowling

to:

Sandi Metcalf, Jennell Challa, Kelly Aylsworth

11/13/2013 02:23 PM

Cc:

"Heather Blodgett"

Hide Details

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FYI

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----- Forwarded by Kevin Bowling/County of Ottawa on 11/13/2013 02:22 PM -----

From: "Region5 Info" <region5-info@courts.mi.gov>

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Cc: "Region5 Info" <Region5-Info@courts.mi.gov>

Date: 11/13/2013 02:15 PM

Subject: Ottawa County Concurrent Jurisdiction Plan

Ottawa County Concurrent Jurisdiction Plan

C20 2013-08J

D58 2013-04J

P70 2013-02J

Your plan for concurrent jurisdiction, approved by the Michigan Supreme Court to be effective November 6, 2013, has been given the above local administrative order numbers. Future revisions of the plan may be approved by the SCAO Regional Administrator provided that those revisions do not substantially alter the plan or change the participating courts. The revised plan must be submitted as an LAO and rescind the current LAO.

Jill Booth

Region V Administrator

Michigan State Court Administrative Office

P.O. Box 30048

Lansing, MI 48909

517-373-8679

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EDWARD R. POST  
CHIEF CIRCUIT JUDGE – TRIAL DIVISION

JON HULSING  
CIRCUIT JUDGE – TRIAL DIVISION

JON A. VAN ALLSBURG  
CIRCUIT JUDGE – FAMILY DIVISION

KENT D. ENGLE  
CIRCUIT JUDGE – FAMILY DIVISION

MARK A. FEYEN  
CHIEF PROBATE JUDGE – FAMILY DIVISION

STATE OF MICHIGAN



TWENTIETH JUDICIAL CIRCUIT COURT  
OTTAWA COUNTY

KEVIN J. BOWLING, JD  
CIRCUIT COURT ADMINISTRATOR

Local Administrative Order  
20<sup>th</sup> Circuit Court 2013- 08 J  
58<sup>th</sup> District Court 2013- 04 J  
Ottawa County Probate Court 2013- 02 J

CONCURRENT JURISDICTION PLAN

**IT IS ORDERED:**

This local administrative order is issued in accordance with Public Act 338 of 2012 (MCL 600.401 *et seq.*). It establishes a Concurrent Jurisdiction Plan for the 20<sup>th</sup> Circuit, 58<sup>th</sup> District, and Ottawa County Probate Courts, for the purposes outlined in MCL 600.401(3, 4). This LAO and the attached Concurrent Jurisdiction Plan are intended to take effect on July 1, 2013 or as soon thereafter as the Plan is approved by the Michigan Supreme Court.

**1. Concurrent Jurisdiction Plan Description:**

MCL 600.401(3) states, “A plan of concurrent jurisdiction shall provide for the transfer or assignment of cases between the trial courts affected by the plan and to individual judges of those courts as necessary to implement the plan and to fairly distribute the workload among the judges.” Section 401(4) further states, “A plan of concurrent jurisdiction under this section may include agreements as to other matters involving the operation of the trial courts participating in the plan, as approved by the Supreme Court.”

**2. Concurrent Jurisdiction Plan Goals:**

- Equitable assignment of judicial resources, based on need and workload.
- Improved cooperation and teamwork; reduced competition for resources.
- Maximum utilization of staff, facilities and capital resources.
- Improved integration of case management systems.

Effective Date: July 1, 2013

Date:

Aug 5, 2013

8/7/13

8-6-13

Chief Judge Signatures:

Hon. Edward R. Post, 20<sup>th</sup> Circuit Court

Hon. Bradley S. Knoll, 58<sup>th</sup> District Court

Hon. Mark A. Feyen, Probate Court

## CONCURRENT JURISDICTION PLAN

**20<sup>th</sup> Circuit Court**  
**58<sup>th</sup> District Court**  
**Ottawa County Probate Court**



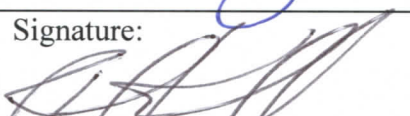
**Ottawa County, Michigan**



# Ottawa County Courts – Concurrent Jurisdiction Plan

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## A. APPLICANT SUMMARY

1. Applicant: 20 <sup>th</sup> Circuit, 58 <sup>th</sup> District and Ottawa County Probate Courts		
Address: 414 Washington St, Grand Haven (C20, D58); 12120 Fillmore St, West Olive (C20, Probate); 85 West 8 <sup>th</sup> St, Holland (D58); 3100 Port Sheldon Rd, Hudsonville (D58)		
City: Grand Haven	State: MI	Zip: 49417
2. Contact Persons: Kevin J. Bowling (C20, P70); Lori J. Catalino (D58)		
3. Title: Court Administrator		
Address 12120 Fillmore Street, West Olive, MI 49460		
Phone: KJB - 616-786-4123; LJC - 616-846-8037		
Fax: 616-786-4154		
E-Mail: <a href="mailto:kbowling@miottawa.org">kbowling@miottawa.org</a> ; <a href="mailto:lcatalino@miottawa.org">lcatalino@miottawa.org</a>		
4. Concurrent Jurisdiction Type		
<input checked="" type="checkbox"/> Circuit, Probate, and District Court Jurisdictions		
<input type="checkbox"/> Circuit and Probate Court Jurisdictions		
<input type="checkbox"/> Circuit and District Court Jurisdictions		
<input type="checkbox"/> District and Probate Court Jurisdictions		
Chief Circuit Court Judge Hon. Edward R. Post	Signature: 	Date: 8-5-13
Chief Probate Court Judge Hon. Mark A. Feyen	Signature: 	Date: 8-6-13
Chief District Court Judge Hon. Bradley Knoll	Signature: 	Date: 8/7/13



# Ottawa County Courts – Concurrent Jurisdiction Plan

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## **B. PLAN DESCRIPTION**

MCL 600.401(3) states, “A plan of concurrent jurisdiction shall provide for the transfer or assignment of cases between the trial courts affected by the plan and to individual judges of those courts as necessary to implement the plan and to fairly distribute the workload among the judges.” Section 401(4) further states, “A plan of concurrent jurisdiction under this section may include agreements as to other matters involving the operation of the trial courts participating in the plan, as approved by the Supreme Court.”

Subject to approval by the Michigan Supreme Court and pursuant to the requirements of Public Act 338 of 2012 (MCL 600.401) this plan of concurrent jurisdiction has been adopted by consensus of all Ottawa County Judges. Following receipt of SCAO Memoranda regarding concurrent jurisdiction plans on October 25, 2012 and December 12, 2012, the Ottawa County Judges discussed this issue at a regularly scheduled Quarterly Judges Meeting on December 14, 2012 and agreed to the following:

### **1. CONCURRENT JURISDICTION PLAN GOALS**

Judicial Resources.

GOAL – Equitable assignment of judicial resources, based on need and workload.

The Courts intend to make the best possible use of available judicial resources, including judges, referees and magistrates. To ensure this goal is met, all judges are cross assigned into each of the three trial courts, referees are cross trained to handle both domestic relations and child protective proceedings, and magistrates are specifically included in the Plan for Judicial Availability.

Governance and Decision Making.

GOAL – Improved cooperation and teamwork; reduced competition for resources.

Collaborative governance is a hallmark of the “Ottawa County Way”. Regular communication among the Courts is achieved through Quarterly Judges Meetings, to which the court administrators are also invited. Regular communication among the Chief Judges also ensures appropriate levels of coordination among the courts. Formal communication with the funding unit is maintained through the court administrators’ participation in regular county management meetings and individual meetings with the county administrator.



## Ottawa County Courts – Concurrent Jurisdiction Plan

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Administration and Fiscal Control.

GOAL – Maximum utilization of staff, facilities and capital resources.

Administration of the Circuit and Probate Courts has been effectively merged for the past ten years, under the direction of the chief circuit and probate judges. District Court administration remains independent under the direction of the chief district judge. The circuit/probate court leadership team and the district court administrative team work collaboratively within their respective courts to ensure maximum utilization of staff, facilities and capital resources.

Information Systems.

GOAL – Improved integration of case management systems.

Effective concurrent jurisdiction is supported by the use of a common case management system, judicial calendaring system, and electronic content management system (including established workflows to allow the electronic transfer of case information among courts).

### **2. JUDICIAL RESOURCES**

Judicial Resources Report (2013) published by the Michigan Supreme Court indicates the current level of resources is appropriate for the caseload being handled in Ottawa County. As required by Michigan Court Rule and the Ottawa County Caseflow Management Plan, cases are assigned within each trial court on a random basis. Local venue rules also assist the District Court in balancing the caseload distribution among three court locations, where each of the District judges handles all case types. In addition, the two District judges located in Holland manage active sobriety court dockets. In the circuit court, judicial workloads are divided between the Trial Division (primarily criminal and civil caseloads) and the Family Division (primarily domestic relations and child protective proceedings). The Probate judge handles all probate court filings and assists the Circuit Court by handling a portion of the child protective proceedings, the adult drug treatment court and the juvenile drug treatment court. Additionally, the Probate Judge is designated as the presiding judge of the Circuit Court Family Division. To further balance the circuit court workload, the Trial Division judges handle all PPO applications and related hearings.

As noted above (Concurrent Jurisdiction Plan Goals; Judicial Resources) all Ottawa County judges are cross assigned to provide maximum docket coverage. This allows judges to regularly cover for each other and assist the public achieve the timely disposition of cases. In addition, the regular use of cross assigned judges has had a positive fiscal impact by limiting the need for visiting judges. Nothing in this plan or through approved cross assignments is intended to include a delegation of statutory authority certain judges may have to make appointments to public office. Also, the



## Ottawa County Courts – Concurrent Jurisdiction Plan

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circuit court retains exclusive jurisdiction over appeals from the district court and administrative agencies.

Additional details regarding the flexible use of judicial resources may be found in the following local administrative orders:

- Family Court Plan
- Plan for Judicial Availability
- Caseflow Management Plan

### **3. COURT GOVERNANCE AND ADMINISTRATION**

MCR 8.110, Chief Judge Rule, clearly places the responsibility for court governance and administration with the individual chief judges of the circuit, district and probate courts. This rule also anticipates and allows for the delegation of many administrative duties to the trial court administrator.

In Ottawa County the chief judges manage court specific issues internally (e.g., personnel matters, including collective bargaining with employee associations), while seeking opportunities to collaborate when it makes sense to do so, (e.g., developing court security policies in conjunction with the Sheriff, working with the County on courthouse construction or renovation projects, participating with development and implementation of major technology projects, etc.).

To ensure regular collaboration regarding issues of mutual concern, all judges meet on a quarterly basis and at other times as directed by the chief judges. For a specific example of topics discussed at quarterly judges meetings, see Plan for Appointment of Counsel for Indigent Parties. This Plan requires the regular evaluation of court appointed counsel and the review of new candidates for the appointment roster. The Quarterly Judicial Meetings are chaired by the chief judge of the Circuit Court.

### **4. HUMAN RESOURCES**

The only staffing change proposed as part of the FY 2014 budget, which may have an impact on this Plan, is a 20<sup>th</sup> Circuit Court request for an additional 20 hours per week of compensated Attorney Referee time. This request is based upon a growing demand for referee hearings and the need to adequately cover leave requests, continuing education requests and on-call demands for existing referees. It is anticipated this staffing change will also provide some relief for the Family Division judges, considering the steady growth in domestic filings and hearing requests.



# Ottawa County Courts – Concurrent Jurisdiction Plan

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## 5. BUDGET AND FISCAL MANAGEMENT

The Ottawa County budgeting process is approved by the Board of Commissioners and implemented by the County Fiscal Services Department. This process provides an orderly manner for submission of all necessary budget requests, requires outcome based performance measures to demonstrate the effective use of public funds, and allows for sufficient dialog during the budget process to explain financial requests.

Although the courts have distinct budgets, the County fiscal process allows for reallocation of resources on an “as needed” basis. For instance, when attorney referee workloads have required internal caseload adjustments, funding may be transferred among Trial Division, FOC and Juvenile Services budgets to ensure the appropriate budget is covering the cost of services provided. Similar budgetary reallocations have been made between Probate and Juvenile Services budgets to properly account for the installation and maintenance of courtroom technology.

As a responsible partner in the County budget process, the courts have renewed efforts to enforce court ordered financial obligations. Depending upon the relative success of collection efforts, new collection methods and tools have been freely shared among the courts. These collection efforts have been recognized by the funding unit as providing a welcomed influx of new revenue and the Board of Commissioners have authorized additional collection clerks where the new revenue has supported the position costs.

No additional budgetary impacts are anticipated from the implementation of this Concurrent Jurisdiction Plan.

## 6. FUNDING UNIT

The contents of this Concurrent Jurisdiction Plan have been discussed with the County Administrator and there is general agreement that implementation of the Plan will not create additional financial burdens for the funding unit.

## 7. RECORDS MANAGEMENT

Current records management operations are sufficient to cover all legal requirements for new and pending cases. The Probate and District Courts efficiently handle all case records internally and the Circuit Court has established an excellent working relationship with the County Clerk’s Office for the management of circuit pleadings. Support from the Michigan Supreme Court and the State Court Administrative Office for legislative change, recognizing digital records for long term retention purposes, would be helpful with records management planning.





## Ottawa County Courts – Concurrent Jurisdiction Plan

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### 8. INFORMATION SYSTEMS

The Ottawa County Courts are currently using several information systems to process cases and share information. The primary systems include those listed below; however, there are additional systems which staff is periodically required to access.

- AS/400 – a legacy case management system used by the Circuit and District courts, as well as the Sheriff’s department, Prosecutor’s office, and County Clerk. A replacement system is currently being developed.
- MICA (Many Integrated County Applications) – a locally developed system currently being used for payroll and leave management, jail management, and judicial scheduling. Completion of the circuit and district court case management modules is scheduled for December 2015.
- DCCMIS (Drug Court Case Management Information System) – required by SCAO for all drug courts.
- OnBase (Hyland Software Company) – an electronic content management system allowing for the establishment of electronic workflows to seamlessly move case related documents among the courts and related departments. This system also allows for electronic filing of court pleadings, electronic signing of court orders, etc.
- CourtStream (BizStream Company) – a juvenile specific case management system, including court, probation, treatment and detention modules to assist with the comprehensive treatment of juveniles and their families while under court jurisdiction.
- JIS (Judicial Information System) – this SCAO developed case management system is leased from the state and used to manage probate cases.
- ERP/Munis (Enterprise Resource Project) – a financial management system developed by Tyler Technologies and purchased by Ottawa County to consolidate and track all financial management functions. When fully implemented, this system will also automate the county budget process.
- LotusNotes – a county electronic mail and calendaring system used by most employees to share information and schedule events. This system also includes an IM (instant messaging) feature that allows for rapid communication between courtrooms and the clerk’s office.
- MiCSES (Michigan Child Support Enforcement System) – a client tracking and child support system mandated by the state for use in all FOC offices.
- LEIN (Law Enforcement Information System) – a Michigan State Police system used to provide court disposition information and conduct criminal history checks.



## Ottawa County Courts – Concurrent Jurisdiction Plan

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- [www.miottawa.org](http://www.miottawa.org) – the county website is often used for court payments, checking jail lodging lists, reviewing job applicants, responding to citizen questions, etc.
- BIS (Business Information Systems) – this vendor was selected to provide the audio and video recording systems for all courtrooms in Ottawa County. Consequently, select staff members are required to learn the system for daily operations and troubleshooting, as needed.

### 9. FACILITIES AND INFRASTRUCTURE

The Ottawa County Board of Commissioners has historically done an excellent job of building, renovating and maintaining court facilities. Current facilities in Grand Haven, Holland and Hudsonville are relatively new or recently renovated. The Probate Court and Juvenile Services facilities at the Ottawa County Fillmore Complex are dated and will need new construction within the next ten years, however, the County Facilities Department works closely with the courts to make the existing structure as functional as possible. Courtrooms are well equipped with necessary technology, including new video conferencing equipment provided by the Michigan Supreme Court.

Courtroom security is well managed by the Ottawa County Sheriff's Department, including regular security details, effective jail transport, and direct connections with Central Dispatch.

### 10. JURY MANAGEMENT

Jury management has been consolidated for many years through the County Clerk's Office. This office solicits information from each court regarding the projected need for jurors, coordinates with the State of Michigan to obtain potential juror lists, works with the local Jury Board to determine who will receive juror questionnaires, and notifies potential jurors when/where they must report for service.

Court and county staff involved with the jury process have been meeting regularly to review current operations and determine how the system may be streamlined.

### 11. EXTERNAL RELATIONS AND ACCESS TO JUSTICE

As part of the courts continuous improvement efforts, the NCSC CourTools have been used to survey court users, attorneys and staff, soliciting ideas for better court operations, improving procedural fairness and ensuring timely access to the courts. The judges and court administration



## Ottawa County Courts – Concurrent Jurisdiction Plan

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review the survey results and determine how best to implement timely and cost effective improvements. In addition to survey responses, the judges participate in an annual Bench/Bar conference (as well as other Bar sponsored activities) to foster and maintain positive working relationships with local attorneys. Similar efforts are made with a variety of community partners, including DHS, law enforcement, Community Corrections Advisory Board, Lakeshore Alliance Against Sexual and Domestic Violence, Mediation Services, etc. Any court policy or procedural changes impacting these community partners are typically communicated through court participation in regular meetings, email exchanges, and website notices.

In addition to maintaining positive external relations, the courts have demonstrated a strong commitment to access to justice by creating a Legal Self Help Center, which is available to all court users and has served thousands of patrons who are seeking help to navigate the court system.

### **12. TRAINING**

No additional training needs are created by this Plan. Currently the courts are active learning organizations, encouraging staff to participate in local training opportunities offered by Ottawa County, state opportunities offered by MJJ and various court related associations, and some national training opportunities offered through NADCP, NACM, ICM and others.

### **C. AMENDMENTS TO THE PLAN**

Future revisions of the plan will be discussed and approved at a regularly scheduled Quarterly Judges Meeting, prior to submission to the SCAO. Formal Amendments to the Plan must be signed by the Chief Judge of the 20<sup>th</sup> Circuit, 58<sup>th</sup> District and Ottawa County Probate Courts. The revised plan must be submitted as a local administrative order.

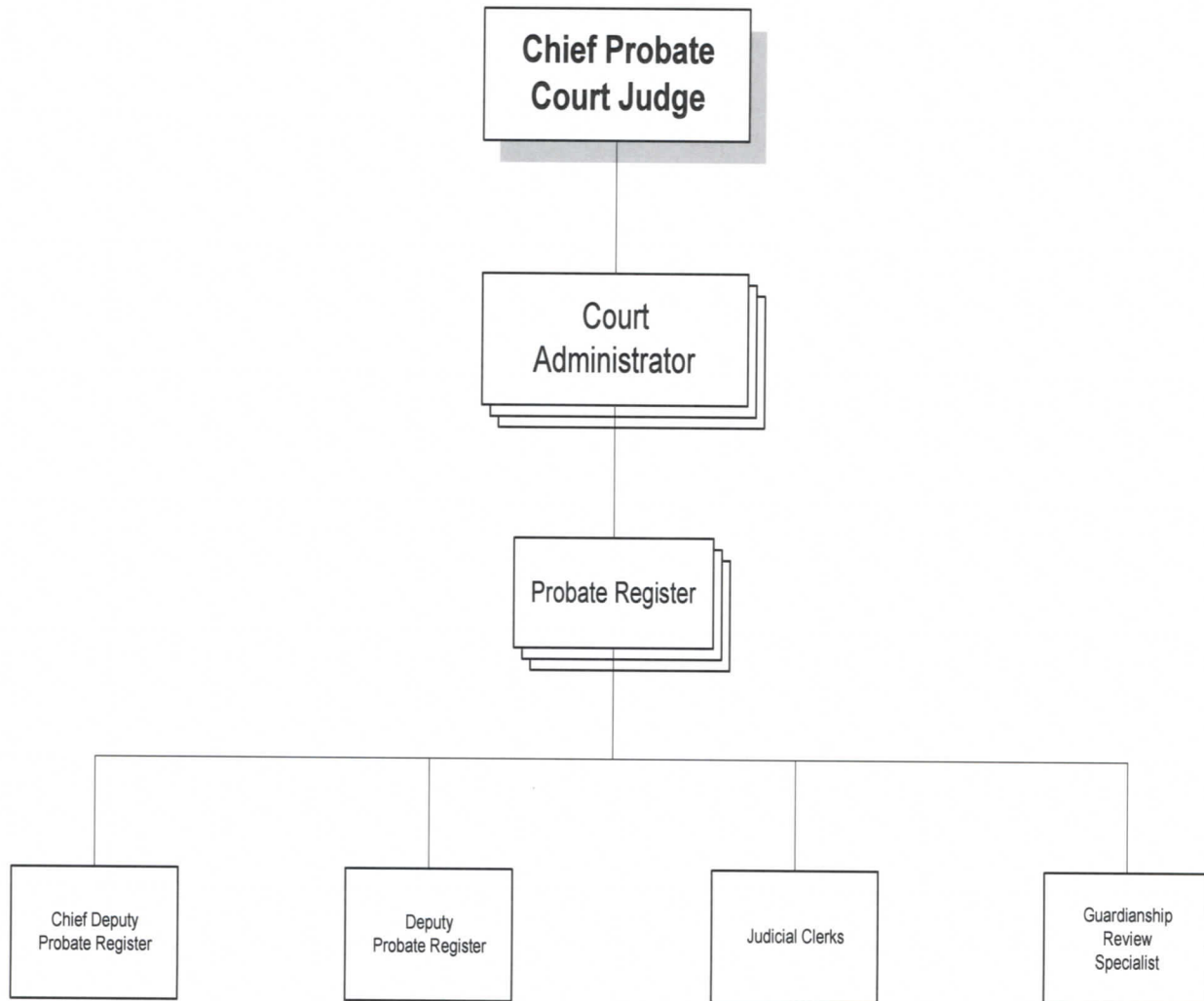
### **D. CERTIFICATION OF PLAN APPROVAL**

The signatures of the Chief Judges, Section A. above, indicate the consensus of the Ottawa County judges to this Concurrent Jurisdiction Plan. This consensus was reached after discussion during a regularly scheduled Quarterly Judges Meeting, conducted on December 14, 2012 at the 58<sup>th</sup> District Court in Holland, Michigan.

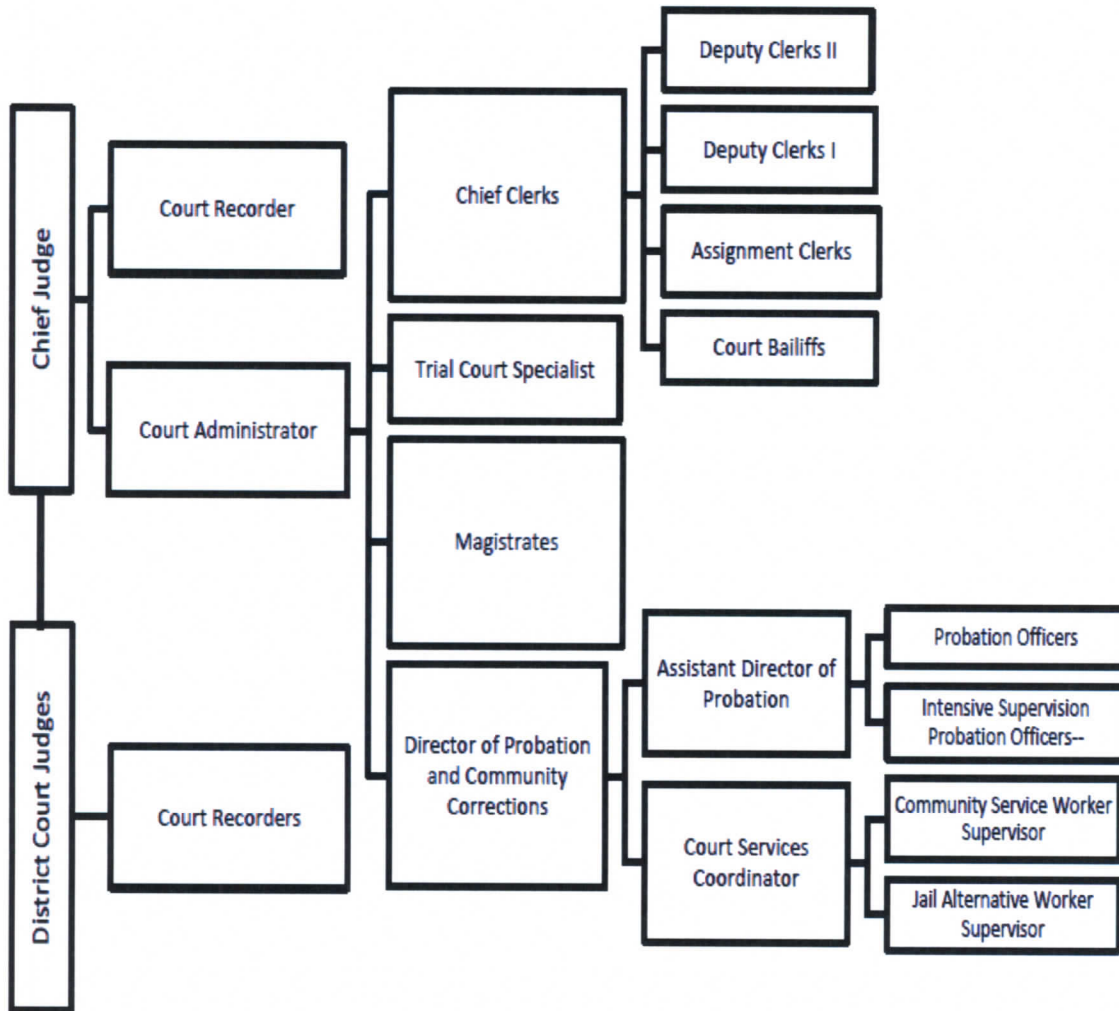




**OTTAWA COUNTY PROBATE COURT**



**58<sup>th</sup> District Court  
Organizational Chart**



**CONCURRENT JURISDICTION PLAN**



## Ottawa County Courts – Concurrent Jurisdiction Plan

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### SUBMISSION CHECKLIST

- A. Applicant Summary Page with Authorized Signatures
- B. Concurrent Jurisdiction Plan Application
- C. Proposed Concurrent Jurisdiction Local Administrative Orders
- D. Organizational Chart(s)

**Please send your completed plan by e-mail, including the above items, to the SCAO --  
One copy to the Regional Administrator and one copy to Trial Court Services:**

#### Region V

Jill Booth, Region V Administrator  
E-mail: [region5-info@courts.mi.gov](mailto:region5-info@courts.mi.gov)

SENT – July 1, 2013

Revised and Resent – August \_\_, 2013

#### Trial Court Services

Jennifer Warner, Director  
E-mail: [tcs-info@courts.mi.gov](mailto:tcs-info@courts.mi.gov)

SENT – July 1, 2013

Revised and Resent – August \_\_, 2013

