



# Annual Report 2010

20th Judicial Circuit and  
Ottawa County Probate Courts  
Ottawa County, Michigan

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# The 20th Judicial Circuit and Ottawa County Probate Courts 2010 Annual Report

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## *Re-thinking the Courts...*

What if we took the time to re-think things? Forcing ourselves to look at how things are and imagine what they could be... Not waiting for change, but being the catalyst...

In 2010, the Courts experienced significant change through new legislation and mandates as well as the impact of the challenging economic situation. Such influences forced the Courts' administration and staff to step-back and take time to reflect, imagine and "re-think" areas of the Courts that touch the lives of the citizens in Ottawa County to identify overall improvement, managed growth and potential areas of change.

Re-thinking the Courts is...

- Treating customers like people, doing the right thing and being deliberately transparent;
- Services made easy – accessibility to supportive services and offices throughout the County;
- Efficiency and effectiveness driven by performance measures;
- Being responsive and restorative to the needs of all who enter the Courts' doors;
- Responsibility, implementing fiscal strategies that uphold the value of stewardship through fiscal prudence;
- A "greener" approach to daily functions;
- Proactive succession planning through the Courts' "Building Bench Strength" initiative to make certain the right people with the right skills are in the right place at the right time.

Bottom line...Re-thinking allows the Courts to become high performance trial courts and to more fully implement their mission statement – "To administer justice and restore wholeness in a manner that inspires public trust."



**EDWARD R. POST**  
CHIEF CIRCUIT JUDGE – TRIAL DIVISION

**CALVIN L. BOSMAN**  
CIRCUIT JUDGE – TRIAL DIVISION

**JON A. VAN ALLSBURG**  
CIRCUIT JUDGE – FAMILY DIVISION

**JON H. HULSING**  
CIRCUIT JUDGE – FAMILY DIVISION

**MARK A. FEYEN**  
CHIEF PROBATE JUDGE – FAMILY DIVISION

STATE OF MICHIGAN



TWENTIETH JUDICIAL CIRCUIT COURT  
OTTAWA COUNTY

**KEVIN J. BOWLING, J**  
CIRCUIT COURT ADMINISTRATOR

March 18, 2011

Ottawa County Board of Commissioners  
12220 Fillmore Street  
West Olive, MI 49460

Dear Commissioners:

During challenging economic times, it is imperative the Courts are diligent about good governance and stewardship of the taxpayers' dollars in tandem with the ability to anticipate the future demands. In 2010, the 20<sup>th</sup> Circuit and Ottawa County Probate Courts successfully implemented several fiscal strategies, creating additional revenue streams and implementing fiscally prudent practices while building on cost-efficient programs. In addition, the Courts have sought to reflect on potential areas for reengineering, otherwise identified as "Re-thinking the Courts" - to prepare for future demands.

Re-thinking the Courts means many things - from re-thinking how the Courts conduct their daily business, to the efficiency of the overall organizational structure, to the common practices of conservation and to the development or modification of cost-effective programs. It is a necessary process for the Courts to maintain clarity of vision, anticipate necessary changes and effectively prepare the Courts for the future. Recognition that the Courts are faced with potentially significant attrition issues due to an aging workforce – emphasized by the retirement of Judge Calvin L. Bosman – is forcing the Courts to truly re-think the community's needs, efficiencies and practices in order to continue to serve the public with excellence.

It is our pleasure to present the 2010 Annual Report of the 20<sup>th</sup> Circuit and Ottawa County Probate Courts. Through the cooperative efforts of the Ottawa County elected officials, the courts and county departments, the Circuit and Probate Courts are honored to offer a snapshot of the past year representing best practices, fiscal initiatives and new hope.

Sincerely,

*Edward R. Post*

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

*Mark A. Feyen*

Hon. Mark A. Feyen  
Chief Judge, Ottawa County Probate Court

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# 20th Judicial Circuit and Ottawa County Probate Court Judges



From left to right: Hon. Edward R. Post - Chief Circuit Judge, Hon. Jon A. Van Allsburg - Circuit Judge, Hon. Jon Hulsing - Circuit Judge, Hon. Calvin L. Bosman - Circuit Judge, and Hon. Mark A. Feyen - Chief Probate Judge

The Circuit Court has four (4) elected judges who preside over the courtrooms, trials and a variety of civil and criminal hearings. The Probate Court has one (1) elected judge who handles all Probate matters and assists in the Family Division of the Circuit Court. The Chief Judges are selected by the Supreme Court for two years terms.



Kevin J. Bowling, JD  
Court Administrator

## Circuit and Probate Court Administrator

The Court Administrator provides a clear vision and leadership for the Court. He is also responsible for all administrative functions, strategic planning initiatives, caseload compliance, personnel and financial management of the Courts and is directly accountable to the Chief Judges of the Circuit and Probate Courts.

## *Honoring a legend... Judge Calvin L. Bosman*

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December 31, 2010 marked the end of a remarkable 36 year judicial career for 20th Circuit Judge Calvin Bosman. The number of decisions he made and lives he touched during those years on the bench are too numerous to count.

Certain qualities marked his tenure as judge. Everyone recognized Judge Bosman as a principled and fair man. He was slow to anger and never acted vindictively or out of emotion. To the contrary, his stoic demeanor on the bench confounded the efforts of attorneys and litigants to get an early read on their cases. When it came time to announce a decision, Judge Bosman displayed a gift for rendering thoughtful and well supported decisions.

In addition to trying a number of high profile cases over the years, Judge Bosman handled everything from divorce to malpractice to murder cases. He also served by assignment on the Michigan Court of Appeals.

As his term in office drew to a close, the accolades from peers, colleagues, and members of the public poured in. All recognized that the values Judge Bosman learned growing up on a farm, like dependability and hard work, were evident in his professional life. Those who knew Judge Bosman personally also heralded his sense of humor as one of his outstanding qualities.

Judge Bosman will be missed, but we are richer for the mark he has left on the cause of justice in Ottawa County.

## *The 20th Circuit Court Welcomes Judge Kent D. Engle...*



On December 22, 2010, Kent Engle was installed as the newest judge in the 20th Circuit Court. During the ceremony, the Hon. Edward R. Post offered introductions and remarks; later in the ceremony, the Hon. Calvin L. Bosman administered the oath.

Judge Engle joins the Court having more than twenty-two years of experience in the Prosecutor's Office and eight years in private practice. He has worked extensively with the courts, focusing on matters including Family Division cases so he is very familiar with the Court's operations.

Judge Engle is married to Whitney and is the proud father of three sons. Thus, he has a passion for kids and commitment to the community. The Court staff is honored to have such an experienced and gifted man providing leadership within the 20th Circuit Court and look forward to sharing his vision as the Court moves forward.

## *Planning for the Future: Building Bench Strength*

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In 2003, the 20th Circuit and Ottawa Probate Courts embarked on an aggressive strategic planning process. After several years of successful strategic planning and training of approximately 35 staff in the National Center for State Courts' Institute for Court Management's (NCSC), Court Management Program, it was noted the Courts' workforce is aging, yet there was no transition plan to prepare staff and preserve the extensive institutional knowledge, skills and abilities of employees eligible for retirement, many of whom hold leadership positions. A succession planning initiative - Building Bench Strength (to depict a sense of team and common ground) - was the next, logical step to secure continued, effective and efficient management of the Courts.

The Circuit and Probate Courts' Leadership Team explored with other state courts whether they had done anything to prepare for the retirement of the "baby boomers" working within their respective courts. Although administrators acknowledged a plethora of "baby boomers" working within their courts, few of the courts in the state had a strategic plan and none had completed a succession plan. Thus, there was no model for the Courts to follow or consider.



In early 2010, three of the Courts' Leadership Team members enrolled in the NCSC's Court Executive Development Program with a purpose in mind – the development of a succession planning model for the Courts. As the course required a major court research project to be completed, the Team members focused on the development of the Building Bench Strength (BBS) model. The development included three phases: 1. Discovery (Organizational Readiness), 2. Design (Workforce Analysis) and 3. Development (Assessing Staff Competencies and Implementation). Through the model development, it was affirmed not only do the Courts have a significant number of potential retirees, but also, focus must be on the retention of young, high-performing staff who have been in an entry level position for a long period of time; both of these groups present potential loss to the organization.

Implementation of the BBS model will make certain the right people with the right skills are in the right place at the right time. Using identified key positions within the Courts, BBS will provide Court staff with the ability to develop their skills while preserving the functional integrity of the Courts for years to come.

## *“To administer justice...”*

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### *Ottawa County Courthouse Dedication Ushers In A New Era and Is Put to the Test*

On May 6, 2010, Ottawa County and the Courts officially dedicated the new Ottawa County Courthouse in Grand Haven. The historic ceremony was held on the front steps of the Courthouse on a breezy, cool and sunny day. It was a day filled with excitement for the future and affirmed the solidarity of the Ottawa County government, the courts and the community.

Chief Judge Edward R. Post moved the audience with his remarks emphasizing “the building forms the cornerstone of the 20th Circuit and Ottawa County Probate Courts’ mission statement – To administer justice and restore wholeness in a manner that inspires public trust”. He commented on the building creating “new possibilities” and reflecting the “spirit of cooperation and synergy that marks this community”. Further, he noted that the building “stands as a monument to what can be accomplished by properly functioning government”, reflecting on the building process as one of cooperation – from County leadership to internal departments to external suppliers and vendors.



The dedication ceremony exemplifies unity, trust and appreciation among the courts, County government and the community. Although those who occupy the building are only temporary caretakers, “in the meantime, we pledge to use this building as an instrument to achieve justice”, Judge Post said. The 20th Circuit Court is humbled by its beauty and values the increased abilities it offers to serve the public more effectively. The grand opening ceremony offered everyone in the Court the opportunity to recommit to the diligent administration of justice for decades to come.

Later in 2010, the new Court facilities were put to the test when the 20th Circuit Court handled the largest civil case in the history of Ottawa County. *Magna Donnelly Corporation v. Guardian Industries* was a multi-million dollar case requiring an enormous number of pleadings and exhibits to be filed with the Court. Law firms representing both parties were sophisticated users of technology and were able to make full use of the new courtroom technology to seamlessly educate a lay jury about the complex trade secret claims. Courtroom space for especially large exhibits also allowed the Court to properly conduct a trial in a manner not possible in the previous courthouse. In short, the wise public investment made by Ottawa County to provide an appropriate venue for 21st century court proceedings has been put to the test and proven successful.

## 2010 Major Initiatives Report

Every year, the Courts submit a “Major Initiatives Report” to County administration that identifies some of the most important areas of focus during the year. Below is a listing of major initiatives in which the Circuit and Probate Court were involved during 2010. The list of initiatives is intended to be a representative sample of numerous projects designed and implemented by dedicated judges and court staff. Although many other projects have also been generated, these examples demonstrate how the judges and court staff earnestly serve the community and seek to be responsible partners with the County of Ottawa.

<i>Performance Measures</i>	<i>Improved to measure activity and effectiveness</i>
Ottawa County Courthouse	Assisted in the planning and dedication ceremonies; developed educational displays
Legal Self-Help Center	Acquired grant funding to assist self represented litigants. Assisted more than 2,500 citizens in 2010
Grant Revenue	Received seven (7) grants to fund Court programs = \$322,306
Friend of the Court (FOC) – “Booting” Project	Designed project to collect past due child support by immobilizing (“booting”) motor vehicles of payers who fail to comply
FOC Bench Warrant Project	Pursued 1,855 warrants; collected \$584,813
Child Care Fund Revenue	Maximized State reimbursements and offset County costs by moving all but four staff into the Child Care Fund through modifying programs to be in compliance with the Child Care Fund and offsetting costs = \$4,599,533
County Juvenile Officer Revenue	Obtained revenue for four County Juvenile Officer positions offsetting costs of current employees = \$103,848
Detention Bed Rental Revenue	Increased the number of out-of-county bed rental contracts = \$378,655
Lighthouse – Residential Program for Girls	Created a new female-specific residential treatment program. Program generates revenue while meeting the needs of girls.
Trial Division Collections Revenue	Initiated state income tax intercept program to improve collections; total annual collections for the Division = \$891,407
Juvenile Reimbursement Program	Updated policies and implemented new collections protocol resulting in significantly increased collections.
The Challenge Ropes Course	Updated and re-certified the Court’s ropes course for increased programming and public use to generate revenue and offset costs.
Collaborations/Partnerships	Increased collaborations/partnerships through shared training and joint meetings
Hosting International Delegation	Hosted a judicial delegation sent by the Supreme Court of Korea
Staff Development	Talent development/talent management program which includes succession planning initiative for the Courts
Strategic Plan	Revised the Courts’ Strategic Plan to provide clear direction for Court operations ( <i>Mission: “To administer justice and restore wholeness in a manner that inspires public trust”</i> )



## *The Legal Self-Help Center First Year - A Reflection of Great Partnerships*

The Legal Self-Help Center is an innovative way to provide quality public service to the increasingly more common court user... the self-represented litigant. It also enhances the 20th Circuit and Ottawa County Probate Courts' ability to provide prompt and equal access to all through effective case management.

The first year of the Legal Self-Help Center (LSHC) was an extraordinary year. Reflecting the Courts' commitment to excellent customer service, over 2,500 patrons were served. One of the goals of the LSHC was to not only provide a valuable service to the community, but also, assist the low income and underserved populations of the County. The LSHC achieved their goal in that 52% of the patrons reported incomes under \$20,000 and 16% earned between \$20,000 and \$30,000.

In addition, the LSHC supported the Courts' abilities to meet the state's performance standards for the resolution of cases through reducing the number of adjournments due to lack of preparation or clients being confused about the court process. This has saved significant time and money for the Courts by ensuring litigants have the correct forms, and the forms are completed properly, to achieve the appropriate outcome.

The success of the LSHC's first year could not have been realized without the generosity of many. Funding has been graciously provided by the Families in Crisis Fund and the Marion A. and Ruth K. Sherwood Fund of the Grand Haven Area Community Foundation, the General Endowment Fund of the Holland/Zeland Community Foundations and the General Fund of the Michigan State Bar Foundation. The commitment of a trained, volunteer staff of attorneys, paralegals, college and law students along with expertise provided by a part-time coordinator is also greatly appreciated.



## *Alternative Dispute Resolution/Civil Case Evaluation*



Civil case evaluation is an efficient process which helps attorneys and their clients settle civil cases prior to trial. Attorneys are provided an opportunity to briefly argue the key points of their case before a panel of three lawyers who determine the economic worth of the case. Case evaluation is governed by Michigan Court Rule 2.403 and allows each side to assess the relative strengths of their case and often provides the information necessary to reach a reasonable settlement.

During 2010, a total of 242 cases were scheduled for evaluation, 78 cases were evaluated and only 15 cases required a full trial. The success of the process is demonstrated by the settlement or dismissal of 227 cases.

Courts are required to manage significant caseloads in a timely and efficient manner. Civil case evaluation is one of the many tools used to accomplish this goal.

## *Felony Collections: The Trial Division Gets Results*

The goal of felony collection efforts in the 20th Circuit Court Trial Division is to enforce the Court's orders and to aggressively pursue those who are assessed monetary sanctions as a result of their felony conviction.

In 2010, the Circuit Court Trial Division collected \$891,407 in assessed fines, costs and restitution. Of that amount, \$453,947 or 51% represents restitution paid directly to crime victims and another 5% is paid to the State of Michigan Victim's Right fund. The remaining 44%, representing fines and costs, includes partial reimbursement to the County for the cost of Court appointed counsel.



Several new methods of tracking delinquent defendants and facilitating collections have been implemented, including state income tax refund intercepts and the application of Accurant, a location and research tool. Full results of the 2010 tax intercepts will not be realized for several months. Those results will be studied to determine if a more extensive effort will be utilized in 2011.

## *2010 Friend of the Court “Booting” Project*

In October 2010, the Friend of the Court (FOC) office implemented a project designed to collect past due child support by seeking out and immobilizing (i.e. “booting”) motor vehicles of payers who fail to comply with Circuit Court orders for child support.

The authority to immobilize a non-compliant parent’s motor vehicle was added to the Support and Parenting Time Enforcement Act and became effective in January 2010. The FOC “boot” project and the purchase of four (4) immobilization devices from a fund designated for bench warrant enforcement, was approved by the judges, Ottawa County and the State of Michigan’s Office of Child Support, thereby eliminating the need for Ottawa County general fund dollars to support the project’s implementation.

On October 1, 2010, Ottawa County Sheriff’s Deputy Matthew VanLiere, began locating vehicles owned by payers who had civil bench warrants for failing to appear in court. In the first month of the project’s operation, Deputy VanLiere made four attempts to “boot” the vehicle of individuals with active warrants. In each instance, the individual with a warrant came out of the house, apartment or business to pay their required bond to prevent their vehicle from being immobilized.



On November 9, 2010, the first vehicle immobilization device was applied. By close of business that day, the individual with a warrant had contacted the deputy and paid a bond of \$500.00 to resolve the warrant. Since the initial immobilization, Deputy VanLiere has booted seven vehicles. All seven individuals paid their bond amount within one week, and child support in the amount of \$6,700 has been distributed to children and families in 2010 as a result of the booting project.

In 2010, the FOC office issued 1,803 new civil warrants and effective enforcement efforts resulted in the discharge of 1,855 warrants. Additionally, the bench warrant team collected \$584,812.98. This amount is the most child support collected in one year on civil warrants in the history of the 20th Circuit Court. While the Friend of the Court employs a number of enforcement tools, from income withholding notices to driver/hunting/professional license suspensions, the “boot” appears to be another effective tool for use in bench warrant enforcement.

## *...and restore wholeness...*

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### *Interested in Challenging Yourself and Your Team?*

Experiential learning is one of the most flexible and exciting ways to build personal and team confidence. That is why ropes courses have been so popular throughout the United States for the past 25 years. Programs can be designed to meet a number of educational, developmental and recreational goals. They offer groups and individuals opportunity to learn about risk-taking, perceived personal limits, performance under pressure and how one gives/receives support from others. In addition, such courses can assist a person in learning how to work collaboratively with others and achieve more than they imagined.

The Juvenile Services' Division of the 20th Circuit Court has operated and maintained the Challenge Ropes Course since 1995. The Course is annually inspected and certified for safety by Experiential Systems, Inc. in accordance with the Association for Challenge Course Technology, the Association for Experiential Education and the Climbing Wall Association. Again in 2010, Juvenile Services' staff were trained and certified in proper procedures, debriefing of groups and maintenance of the equipment used at the course.

The Challenge Ropes Course is comprised of high and low elements and is located in a wooded area behind the Ottawa County Administration Building at the Fillmore Street Complex. Personal achievement and confrontation of personal fears are addressed on the high rope elements while developing mastery of technical skills. The low ropes course elements or group initiatives are designed to explore group interaction, problem-solving and leadership skills.

Some of the observed outcomes include the enhancement of: cooperation, decision-making, self-confidence, positive risk taking, trust, leadership, goal setting, and teamwork.

Ropes course programs may be used with children, teens or adults. Each program can be tailored to the needs of the group. For more information and to schedule your group, please contact: 616 -786-4100.



## *Horse Painting Is Great Therapy!*

*“There is something about the outside of a horse that is good for the inside of a man”*  
~ Winston Churchill

Lighthouse, Juvenile Services’ female-specific program in the Juvenile Detention Center, always strives to access creative methods by which the staff can assist the girls in working through their memories of trauma and injury. This year, they participated in a particularly creative intervention at Horseplay Equestrian in Hudsonville – Paint A Horse. Through the volunteer efforts of Barnabas Ministries and the owners of the horse farm, Curt and Tami Klinger, the girls who are court-ordered into the Court’s Lighthouse program, were asked to paint red marks on a horse that represented their hurt and were then given the opportunity to turn the marks into beautiful art while talking about their specific hurts or trauma. This process illustrates to the girls that bad things can be turned around for good in their lives. It also provides an opportunity for the girls to be inspired, build confidence, leadership and relationship skills because the horses accept them, unconditionally – something they have seldom, if ever, experienced in their lives.

What started to be a cautious relationship between the girls and their horses resulted in some girls growing in ways no one ever expected. Such experiences help break down walls and barriers that have been developed over the years. An example of this was reflected in the case of Molly. Initially, Molly was very fearful of the horses and was extremely emotional about the activity. However, she was significantly impacted through this activity in the end as she was able to talk about her father’s abuse while her horse kept “checking in on her”



to make certain she was okay. The scar on the back hip area of the horse received from previous maltreatment represents the scar Molly has on her own hip from being abused by her father.

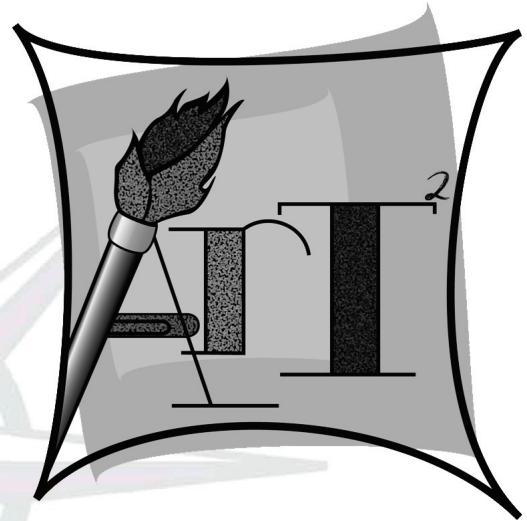
Such work is powerful and effective. The Lighthouse staff and the Court are grateful for the generosity of the Klingers and Barnabas Ministries which has added to their “tools” to help girls recover from their long histories of trauma.

## *A.R.T.<sup>2</sup> (Art Renewing Teens and Treasures)*

### *The many talents and expressions of youth...*

A.R.T.<sup>2</sup> is a project of the Ottawa County Juvenile Detention Center operated by the 20th Circuit Court, Juvenile Services' Division. It was spawned by an outstanding art teacher from the Ottawa Area Intermediate School District– Angie Johnson – who teaches at the Center's school and her students, who were residents in the Center. Many of the youth in the Center seek opportunities to appropriately express themselves and are very artistic. In fact, the logo for this program was designed by one of the young women in the Center.

The idea of painting wooden chairs, tables and other objects started with the youths' desire to create a gift for the retiring Detention Superintendent. The kids became so excited with the idea and their design, many of them started to draft their own designs for additional chairs. Thus, starting with a business plan developed by the youth, the “cottage business” – A.R.T.<sup>2</sup> – was launched as a way to continually support the art program within the Center and acknowledge the expression of thoughts and emotions of the youth. Although the girls in the Lighthouse Program have taken the lead on this project, many of the residents are active in the creations in one way or another.



In partnership with the youth, the Detention Center uses these expressive forms to not only help financially support the art program within the Center, but also, develop a sense of belonging to the community through donating a portion of the proceeds to a non-profit organization within the community. The youth are actively involved in choosing where the proceeds are donated and learn about many of the fine, local non-profit agencies and their services.

Each chair or other art form represents thoughts, ideas, favorite themes, memories, history, peaceful places or just about anything that resonates with the youth. Their contribution of time, talent and commitment is illustrated in each item.

The 20th Circuit Court, Juvenile Services and the Ottawa County Juvenile Detention Center are proud to present the works of art to the community of Ottawa County, and we are very proud to share the talents and passion of the youth involved in their creation. Many hands participate in their development – teachers, Center staff, Court administration, volunteers and most importantly, the Lighthouse girls and other residents of the Center. For more information, please call 616.786.4100.

# ...in a manner that inspires public trust.”

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## 2010 Community Report Card

In 2010, the Court utilized the Community Report Card to measure what services are being used with youth; assess juveniles’ response to supervision; and provide a tool for Court administration to evaluate programs and community-based interventions. Following are the major findings for the calendar year 2010:

<b>20th Judicial Circuit Court, Family Division, Juvenile Services 2010 Community Report Card Outcome for Selected Benchmark Measures - 793 Cases Closed</b>
<p><b><u>Community Protection</u></b></p> <p>91% of juveniles had no adjudications or convictions for offenses that occurred while under supervision.</p> <p>89% of juveniles had no positive drug tests while under supervision.</p>
<p><b><u>Accountability</u></b></p> <p>5,175 hours of community service ordered.</p> <p>5,202 hours of community services completed (completion rate: 100.5%).*</p> <p>\$90,228.26 of restitution collected for victims.</p> <p>74% of restitution ordered was paid in full.</p>
<p><b><u>Competency Development</u></b></p> <p>584 juveniles participated in at least one competency development activity.</p> <p>92% of juveniles successfully completed the competency development activity.</p> <p>96% of juveniles were enrolled in school at time of closure.</p>
<p><b><u>Overall</u></b></p> <p>95% of juveniles were discharged from supervision as “successful.”</p>

*\*Some juveniles voluntarily completed more community service than ordered.*

## *Best Practices In Juvenile Services Benefits Kids and the Community*

For the past decade, the Juvenile Services Division has developed a community-based, continuum-of-services designed to be effective in the treatment of delinquent youth while being cost-efficient. Juvenile Services' staff have served the youth, their families and the community, well. The continuum of care and many of the programs within are considered to be a "best practice" – meaning, programs that work! A few of the programs are identified as follows:

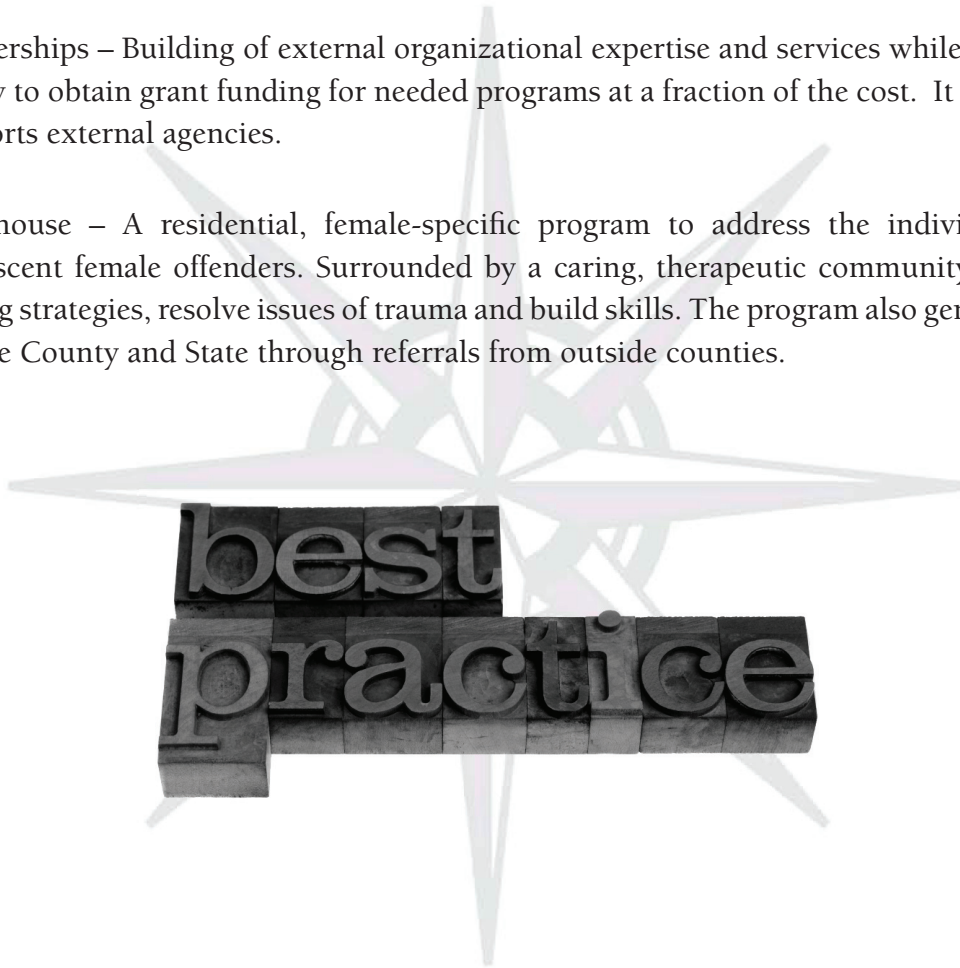
- Juvenile Community Justice (JCJ) Program – A residential treatment diversion program. This program has been instrumental in decreasing the number of placements made by Juvenile Services thus improving services and reducing placement costs; placements have been reduced from 62 in 2003 to as low as zero during 2010. The first year, it saved the County/Courts and the State approximately \$1.5 million.



- Juvenile Justice Institute (JJI) – A year around school that reflects a long-standing, successful partnership with the Ottawa Area Intermediate School District (OAISD). The strong partnership with the OAISD allows for cost efficiency in that it maximizes state educational funding and various types of federal educational grants. Such creative options of funding offer the community/taxpayer a greater educational opportunity for a wider juvenile population and improves public safety by keeping kids who would otherwise be on the streets during the day, in school rather than committing crimes.
- Challenge Ropes Course – An experiential learning ropes course operated by the Court since 1994. In 2010, the Court received authorization to open the Course to external organizations. The external parties pay a fee for the services, which help defray the costs of the facility.
- Alternatives to Detention Programming – Community-based programs to address antisocial behavior issues rather than lock-up kids. Juveniles spend an average of 3,500 hours, annually, participating in supervised community service, sex offender treatment groups, psycho-educational groups and several other community-based programs. Programming is also offered to neighboring counties in need of detention or treatment beds at a cost. The revenue generated assists in offsetting local and State operating costs.



- Reimbursement Schedules – Recent review/updating of reimbursement schedules and collection efforts resulting in a significant increase in overall collections making certain there is a balanced process for those experiencing financial hardship. Annual review and updating of such schedules is an effective way to increase revenue while holding parents and juveniles accountable to at least pay a portion of the costs for services received.
- Reallocation/Realignment of Staff – Reallocating staff to address current needs/trends is an effective tool and provides an opportunity for staff development while increasing accountability of youth and effective case planning.
- Partnerships – Building of external organizational expertise and services while enhancing the ability to obtain grant funding for needed programs at a fraction of the cost. It also financially supports external agencies.
- Lighthouse – A residential, female-specific program to address the individual needs of adolescent female offenders. Surrounded by a caring, therapeutic community, girls develop coping strategies, resolve issues of trauma and build skills. The program also generates revenue for the County and State through referrals from outside counties.



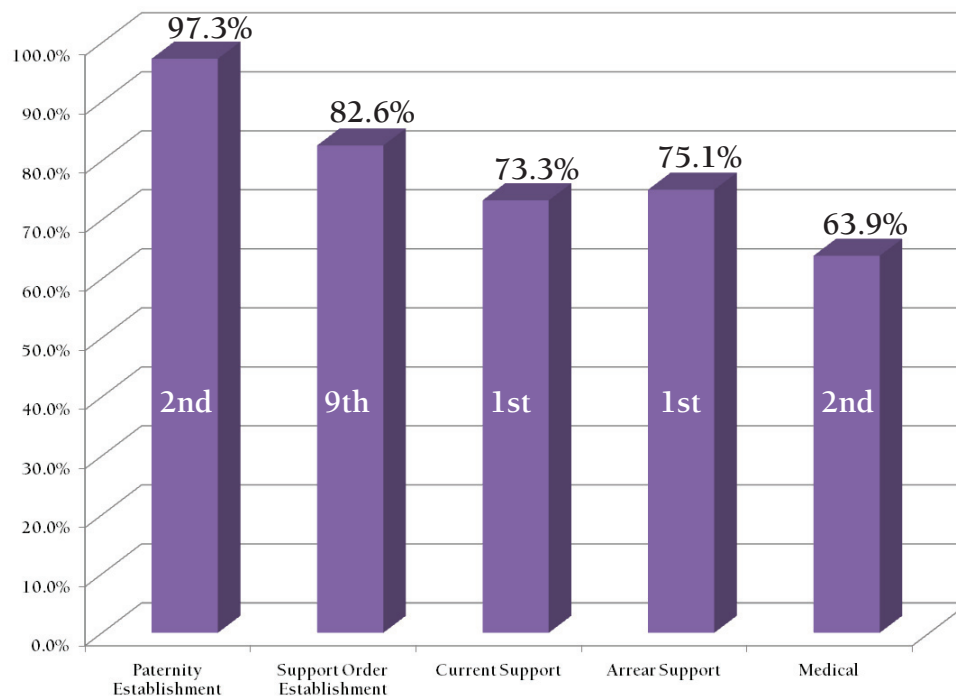
## Friend Of The Court – Performance Measures to Assist Children & Families

Child support collection falls under Title IV-D of the Social Security Act. The Friend of the Court office operates as a IV-D agency and a large part of the expense of operating the office (approximately 66%) is reimbursed by Federal funds through a State Cooperative Reimbursement Contract.

The Friend of the Court office also defrays operating costs by earning incentive dollars based on performance. As set forth in the 1998 Child Support Performance and Incentive Act, the performance of each IV-D agency is measured in five key areas. State child support enforcement programs across the country are measured in Paternity Establishment, Support Order Establishment, Collections on Current Support, Collections on Arrears, and Cost Effectiveness. Medical support establishment/enforcement is also measured, although it is not currently a factor that results in earned incentives. It is expected to be included as a performance factor in the future.

When the Friend of the Court office in Ottawa County is measured against the sixteen (16) largest counties in Michigan, its performance is notable in all areas. This high performance not only helps secure child support for families and children in Ottawa County, but results in earned incentive dollars that reduce the amount of Ottawa County general fund dollars needed to fund the program. In 2010 the total Federal incentive dollars earned exceeded \$300,000. Additionally, the Friend of the Court was ranked as one of the top two large counties in Michigan in respect to cost effectiveness, collecting more than \$11.00 for every dollar spent.

### Ottawa County Comparison to Large County 2010 Performance Levels



## Caseload Trends...Circuit Court

TRIAL DIVISION	2006	2007	2008	2009	2010	% Change (2009-10)
Appeals	64	51	45	48	51	+6.2
Criminal	1169	1218	1127	1090	1048	-3.9
Civil	512	567	630	600	554	-7.7
Total Trial Division Filings	1745	1836	1802	1738	1653	-4.9
FAMILY DIVISION (Includes FOC & Juvenile Services)	2006	2007	2008	2009	2010	% Change (2009-10)
Divorce	987	975	993	1057	1039	-1.7
Other Domestic Relations	652	590	625	517	476	-7.9
Personal Protection Orders	661	645	695	836	738	-11.7
Delinquency (per SCAO 2008 - 2010; does not include Probation Violations)	2197	2285	1500	1674	1421	-15.1
Traffic	48	38	27	31	31	0
Child Protective	109	74	101	79	93	+17.7
Adoptions	193	170	163	149	149	0
Misc. Family	66	73	65	50	72	+44
Total Family Division Filings	4913	4850	4169	4393	4019	-8.5
<b>Grand Total Filings &amp; Reopend Cases</b>	<b>6658</b>	<b>6686</b>	<b>5971</b>	<b>6131</b>	<b>5672</b>	<b>-7.5</b>

For additional caseload information see:

<http://courts.michigan.gov/scao/resources/publications/reports/summaries.htm>

### Caseload Facts – Trial Division

The Trial Division (Grand Haven) caseload includes appeals, criminal and civil cases. In addition, the Trial Division handles the domestic relations portion of the Family Division docket.

Throughout 2010, Judge Bosman and Chief Judge Post presided over all criminal cases and 80% of the civil cases. Judge Van Allsburg handled 20% of the civil docket, all appellate cases and 50% of the domestic relations case assignments. Judge Hulsing was assigned 50% of the domestic relations

cases and he shared the personal protection order petitions (adult and juvenile) with Judge Van Allsburg. In addition, Judge Hulsing conducted court two days per week at the Fillmore Complex with a mixed docket of juvenile and child protective proceedings.

From 2009 to 2010 the appeals, criminal and civil caseload (new filings and reopened cases) declined slightly by 4.9 %. Individually, the appeals from administrative agencies, District and Probate Courts increased by 6.2%, while the criminal and civil filings decreased by 3.9% and 7.7% respectively. Petitions for personal protection orders represented the single largest change, decreasing by 11.7% after a dramatic increase of 20.3% during 2009.

In addition to managing a diverse and relatively stable docket, the Trial Division is responsible for the public and judicial law libraries (including new acquisitions and maintenance). The Trial Division also manages an active collections program with defendants who are ordered to pay restitution, court costs, fines, fees, etc. The outcome of the collections program in 2010 was payment of \$891,407 to the Court. This represents a 1% increase in collections from 2009, which was more than anticipated due to the severe national financial crisis. Approximately 51% of these payments (\$453,947) were returned to victims of crime as restitution. Other payments cover statutorily mandated fees and partially reimburse the County for funds expended in the daily operation of the Court.

### *Caseload Facts – Family Division/Friend of the Court (FOC)*

During 2010, Friend of the Court staff handled a Title IV-D (child support) caseload of 11,632 cases, representing a slight increase from 2009. There was also a slight decrease of 1.7% in new divorce filings during 2010. To enforce court orders on these cases, approximately 8,300 hearings were conducted; 1,800 bench warrants were issued; and an estimated \$31 million in child support payments were collected and disbursed to families in need. In addition to these enforcement efforts, staff directly assisted clients by scheduling 5,160 appointments and meeting with 1,430 walk-in clients, representing a 32% increase in direct client contact from 2009 to 2010. To help ensure child support orders were updated to reflect significant changes in circumstances, staff conducted 2,009 case reviews and recommended modification where appropriate. Based on federal child support performance measures, the 20th Circuit FOC is one of the most effective operations in Michigan, collecting more than \$11.00 for every dollar spent.

Besides the child support enforcement efforts of the Friend of the Court, there were 266 cases in 2010 (an increase of 6.4% from 2009 to 2010) where the 20th Circuit Court ordered a special assessment regarding child custody or parenting time issues. In each of these cases, FOC staff conducted an extensive investigation and provided the Court with recommendations. Often, custody investigators were required to appear in court and testify regarding the investigation/ recommendations.

## *Caseload Facts – Family Division/Juvenile Services*

Court personnel, like most community leaders, understand children represent the future. As a result, when more than 1400 juvenile petitions were filed with Juvenile Services throughout 2010, a concerted effort was made to ensure appropriate programming was available for delinquent youth, family, caregivers and related agencies. To professionally assess and manage these new and reopened delinquency and traffic cases, Juvenile Services staff provided a variety of services within the community. Although delinquency and traffic cases increased in 2009 (+11.6% and +14.8% respectively), Ottawa County was fortunate in 2010 to have juvenile traffic offenses remain stable and have an overall 15% reduction in new delinquency petitions. In spite of this reduction, the relative workload remained challenging due to the increased complexity and serious nature of the incoming cases.

The relative proportions of the juvenile caseload, however, remained stable with drugs and alcohol continuing to be the largest segment of new juvenile law violations (404 charges). Still the 11% decrease from 2009 represents a positive trend in the community. The next highest number of new charges was in larceny cases and this category also decreased from 2009 to 2010. The filing of 346 larceny petitions resulted in a 17% downward trend. In addition, breaking and entering charges (-35%) and malicious destruction of property charges (-11%) decreased in 2010. Unfortunately, several other new law violation categories, including 442 cases, remained at 2009 levels or increased in 2010. These categories include weapons (status quo), assaults (+4%), criminal sexual conduct (+32%), arson (+17%), and miscellaneous (+28%). The gender breakdown of the juveniles petitioned to court is 68.2% male and 31.8% female, representing a 2.6% increase in delinquent activity by males and a corresponding decrease in delinquent activity by females. It is important to note the State Court Administrative Office statistics no longer include Probation Violations in the category of new or reopened petitions. In 2010 Juvenile Services staff handled 400 Probation Violations, requiring additional investigation, specialized programming and court hearings.

When court-involved youth are on probation or otherwise ordered to receive treatment, there is a continuum of programs designed to assist the youth and families in the remediation of offending behaviors. Programs include community-based treatment, community service, anger management, habitual offender group, sex offender program, intensive supervision, an experiential ropes course, gender-specific groups, individual/group/family counseling and more. In 2010, the Juvenile Services treatment program (Choice) made nearly 1,600 client contacts, providing counseling to 225 youth and their families. The court also provided educational services through the Juvenile Justice Institute to 39 youth; residential placement alternative community support and supervision through the Juvenile Community Justice to 31 youth; and substance abuse treatment through the Juvenile Drug Treatment Court to 25 youth and families.

During 2010, there were 610 detention admissions to secure detention in the Ottawa County Juve-

nile Detention Center, representing 9,049 days of service. Most secure detention beds are occupied by Ottawa County youth; however, beds are also rented to a variety of jurisdictions which have no local, secure placement options. Bed rental agreements accounted for \$378,655 of new revenue in 2010. In addition, the Court developed a female-specific residential program to address the needs of the court-involved, female population. This “Lighthouse Program” has attracted the attention of several counties and has generated additional revenue throughout 2010. The Court continues to explore methods of increasing revenue through contract and service arrangements with other counties.

## *2010 Attorney Referee Activity*

The Circuit Court Attorney Referees are independent hearing officers who are cross-trained to conduct both juvenile and domestic relations hearings in the Court’s Family Division. Based on the assigned docket a Referee may hear testimony and recommend orders in cases involving juvenile delinquency, abuse/neglect, adoption, child support, parenting time, paternity and more. Overall, in 2010 the Referees conducted 5,221 hearings to assist the judges in caseload management. This represents a 9% decrease in 2010 after experiencing an 18% increase in 2009.

In the domestic relations area (with most hearings conducted in the Ottawa County Courthouse in Grand Haven), child support hearings decreased 9% while parenting time hearings increased 17%. The decrease in child support hearings may be temporary, due in part to the depressed economic climate. Likewise, the increase in parenting time hearings may be due to efforts by non-custodial parents to reduce child support obligations by obtaining more parenting time credit.



At the Fillmore Complex in West Olive, the overall decrease in Referee activity was 11% with 3,387 hearings held in 2009 and 3,024 hearings held in 2010. Delinquency and Child Protective petitions (+17.7% from 2009 to 2010) are scheduled shortly after filing. Domestic Relations hearings are typically scheduled within two to five weeks after filing. In 2010, the Court’s three Attorney Referees were assisted by three staff attorneys who volunteered to handle cases as needed. This was done to

prevent case delays and provide more convenient service for litigants and attorneys.

## 2010 Attorney Referee Activity

### Family Division/Juvenile Services (Fillmore Complex)

DELINQUENCY PROCEEDINGS	2006	2007	2008	2009	2010	% Change (2009-10)
Preliminary Inquiries	562	1190	938	983	776	-21
Preliminary Hearings*	188	202	154	167	169	+1
Pre-Trial Conferences	544	536	422	462	516	+12
Pleas of Admission/No Contest Hearings	134	177	145	587	533	-9
Original Disposition Hearings	95	54	37	211	180	-15
Dispositional Review Hearings	66	58	56	70	103	+47
Supplemental Dispositional Hearings	446	504	494	300	169	-44
Consents/Holds/Other	205	164	128	501	444	-11

CHILD PROTECTIVE PROCEEDINGS	2006	2007	2008	2009	2010	% Change (2009-10)
Preliminary Inquiries	9	5	16	12	29	+142
Preliminary Hearings	78	44	44	28	50	+80
Release/Consent/Emancipation/ Emergency Removal/Other	99	83	63	66	55	-17
Pleas of Admission/No Contest Hearings	10	0	0	0	0	0
Total Fillmore Complex Hearings (*Includes 20 DL and 2 NA Saturday Hearings)	2439	3019	2494	3387	3024	-11

For additional caseload information see:

<http://courts.michigan.gov/scao/resources/publications/reports/summaries.htm>

## 2010 Attorney Referee Activity

### Family Division (Grand Haven)

DOMESTIC/CIVIL PROCEEDINGS	2006	2007	2008	2009	2010	% Change (2009-10)
Support Hearings	1232	1103	1037	1282	1167	-9
Parenting Time Hearings	407	361	336	400	468	+17
<i>Pro Confesso</i> Divorce Hearings	474	292	348	105	3	-97
Paternity Arraignments	743	681	677	583	559	-4
Total Grand Haven Hearings	2585	2437	2398	2370	2197	-7

ATTORNEY REFEREE HEARINGS	2006	2007	2008	2009	2010	% Change (2009-10)
Grand Total	5024	5456	4892	5757	5221	-9



## Caseload Trends... Probate Court

OTTAWA COUNTY PROBATE COURT CASELOAD TRENDS	2006	2007	2008	2009	2010	% Change (2009-10)
Estates, Trusts	332	399	386	366	385	+5
Civil, Other	19	9	17	13	14	+8
Guardians	180	221	186	205	203	-1
Conservators	65	58	58	80	53	-34
Admissions/Mental Commitments	270	300	273	242	278	+15
Grand Total Filings and Reopened Cases	866	987	920	906	933	+3

For additional caseload information see:

<http://courts.michigan.gov/scao/resources/publications/reports/summaries.htm>

### Caseload Facts – Probate Court

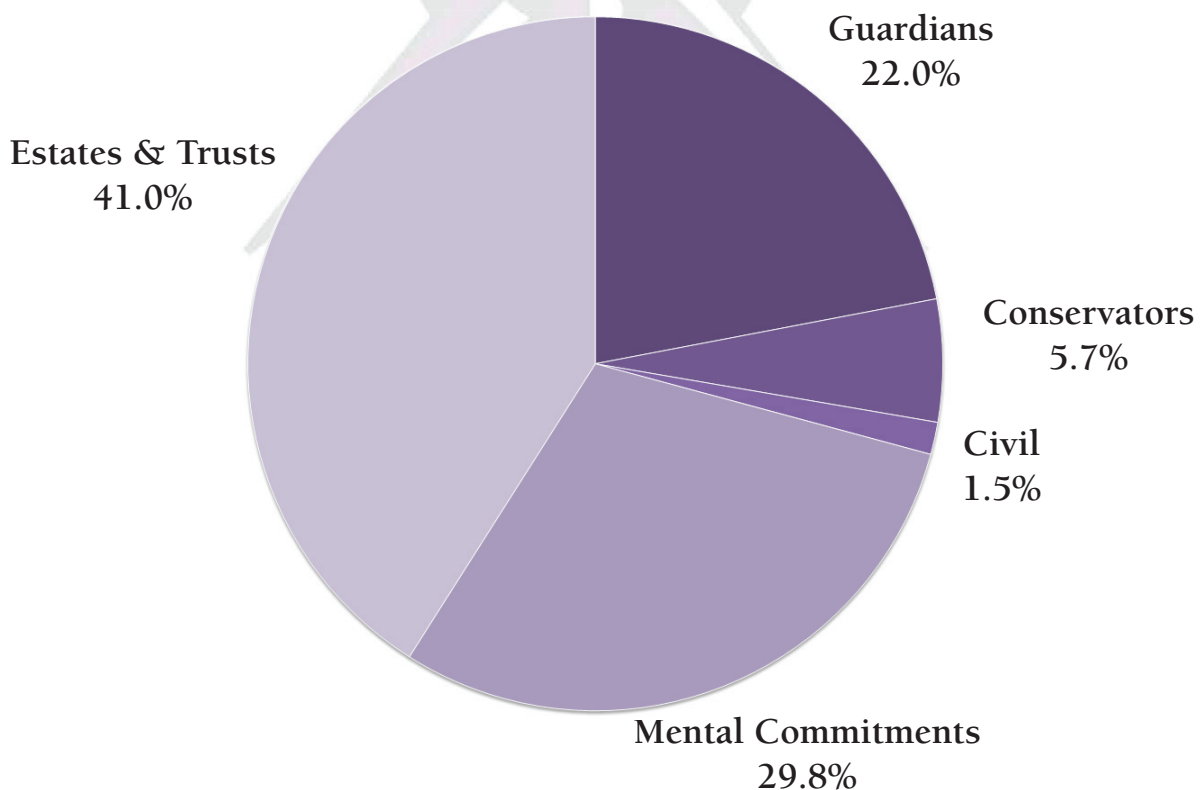
Ottawa County Probate Court provides services to many who need special consideration including the mentally ill, adults and minors in need of guardians or conservators and families of deceased individuals. The Probate Court has enhanced the Court's effectiveness by the use of mediation, interactive video technology (IVT), document imaging, video court recording, credit card payment capability and on-line case management.

During 2010 the Probate Court continued to experience a relatively stable caseload with 933 new and reopened cases (+3%). With this influx of new cases, the overall number of open cases increased by 19% from approximately 6,000 files in 2009 to 7,419 in 2010. Among the new and reopened cases, estates, civil and mental commitments represented the three growth areas (+5%, +8%, and +15% respectively). Almost fifty-eight percent of the Probate caseload involves individuals needing the protection of the Court in guardianship, conservatorship and mentally ill cases. At the close of 2010, there were 314 adults and 363 minors with guardians appointed by the Court. In cases where individuals need assistance managing financial assets, there were 151 adults and 156 minors with Court appointed conservators. In addition to the regularly appointed guardians, there were an additional 465 developmentally disabled individuals with guardians supervised by the Court.

The ability of the Probate staff to cope with the increasing number of new cases is aided by a document imaging system. Immediate electronic access to all 7,419 Probate files has allowed staff to become more efficient in processing cases. The imaging system also allows for more timely and effective public service for interested parties who are seeking case information. The Court made excellent use of a temporary employee who was able to assist with mandatory records retention requirements. Unfortunately, budget restrictions did not allow for temporary staff in FY 2011; however, the Court continues to implement new technology where possible to assist with the case processing workload. Currently, the potential for an e-filing pilot project is being explored. In addition to these case processing efficiencies, the Probate Court strives to be more accessible to the public through its website, <http://www.miottawa.org/CourtsLE/Probate/>, where individuals can locate forms and instructions to guide them through a variety of Probate proceedings.

Ottawa County Probate Judge, Hon. Mark A. Feyen, handles all required Probate matters and assists the 20th Circuit Court by serving as Presiding Judge of the Family Division. He also is the assigned judge for the Adult and Juvenile Drug Treatment Courts.

### *Probate Court – Caseload Distribution*



# *Financial Information*

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The Courts are acutely aware of the current financial crisis, understanding the need to work collaboratively with all branches of government to achieve solutions while preserving the independent role of the judiciary in the appropriate administration of justice. Although an independent branch of government, the Courts have no independent source of revenue and are therefore reliant on the state and county to provide the necessary operational resources. To a limited degree, the Courts are able to generate revenue but cannot operate like a for-profit business, especially since only fees authorized by law may be assessed and these same fees must often be waived when parties are indigent. As a result, the Courts rely on the Michigan Supreme Court to pay for judicial salaries through a legislative appropriation and partially reimburse the County for Court-specific operating expenses through the Court Equity Fund.

The Court Equity Fund, (MCL 600.151b), was established in October 1996 to provide limited funding for trial court operations. The fund is disbursed quarterly within the state fiscal year to county governments, based on a statutory formula that establishes each county's share. The formula includes two factors: the caseload activity of the circuit and probate courts and the number of judgeships in each county. The first factor, caseload, takes into account new cases filed for the most recent three years in the circuit and probate courts in the county and compares the county's proportion of these filings for the three years to the total filings for the state for the three years. The second factor compares the number of judgeships within the county to total judgeships for the entire state.

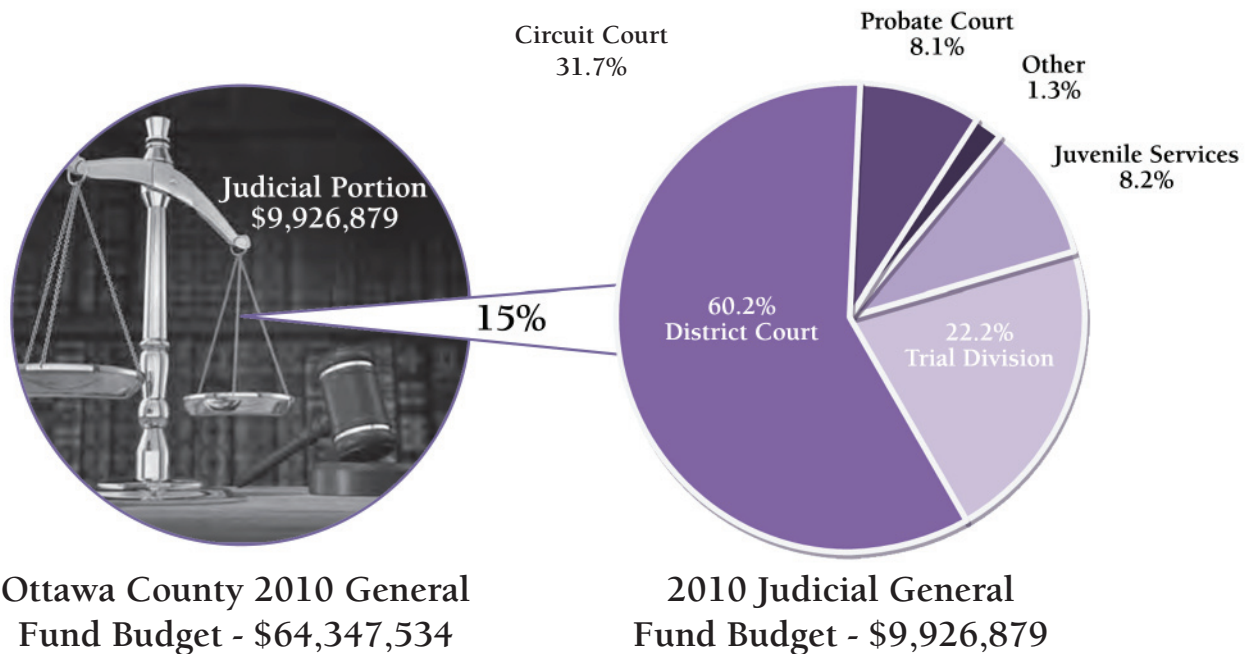
The revenue sources to the Court Equity Fund include state general fund appropriations and multiple sources of restricted revenue that originate from local trial court fees, costs and assessments. Each payment from the fund within the state fiscal year reflects the revenue deposits to the Court Equity Fund for the preceding quarter. Therefore, quarterly payments will vary, reflecting fluctuations in court revenues received. During the past several years, the Court Equity Fund disbursements to Ottawa County averaged more than \$1.1 million per year.

The Juror Compensation Reimbursement Fund was created January 1, 2003 to provide a source of reimbursement to trial courts for legislated increases in juror attendance compensation. Beginning October 1, 2003, jurors were compensated at higher rates (see MCL 600.1344) and trial court funding units could claim reimbursement biannually from the fund for the increased expense. The average annual reimbursement to Ottawa County is approximately \$44,000 from this Fund.

Other Court expenses are paid in part by federal Title IV-D funds (for child support collection); the State's Child Care Fund (Family Division – Juvenile Services programming); and various state and federal grants (e.g., Drug Treatment Court funding). The balance of Court operational expenses are paid through an appropriation from the Ottawa County general fund.

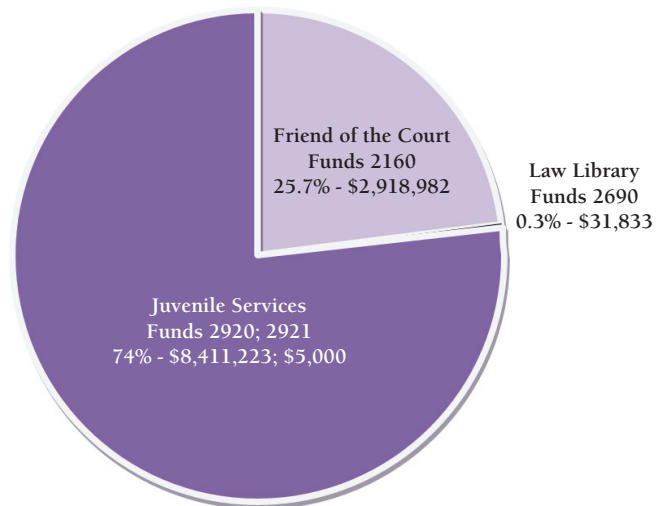
## Ottawa County 2010 General Fund Allocation

In FY 2010, the County general fund expenditure budget as adopted was \$64,347,534; the judicial portion was \$9,926,879 (15%). Of the 15% expenditure, the Circuit Court Trial Division was allocated 22.2%; Juvenile Services was allotted 8.2%; and Probate Court received 8.1%. The remaining 60.2% went to District Court, with a small 1.3% allocation to “other”.



## Ottawa County 2010 Special Revenue Funds Transfer

Due to other funding streams, the Friend of the Court (FOC), Law Library and Child Care portion of the Juvenile Services budget are not reflected in the general fund budget allocations. For FY 2010, the 20th Circuit received special revenue funds amounting to \$11,367,038; representing a 3.2% reduction from FY 2009. These allocations were divided as follows: FOC received a revenue operating transfer of \$2,918,982; the law library received funding in the amount of \$31,833 and the Family Division – Juvenile Services received funding for child care programs of \$8,411,223, plus a \$5000 allocation to the Ottawa County Department of Human Services.



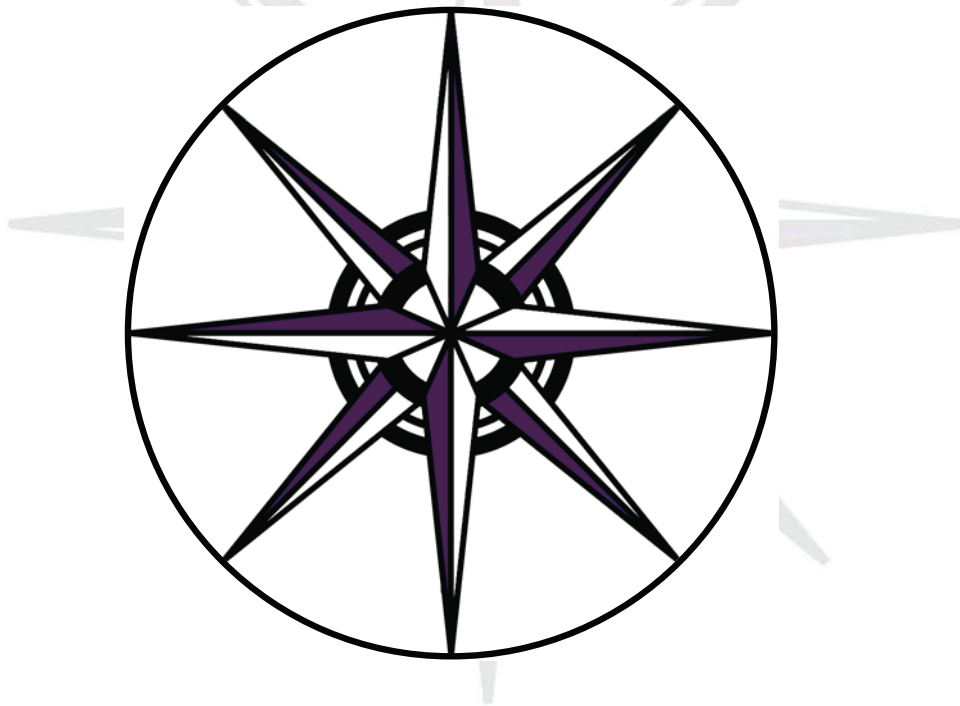
## *About the Cover.. The Compass Rose*

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The Compass Rose has been guiding sailors for centuries. Regardless of whether we are seafarers, we still ask, “Where are we going?” We need a clear plan to guide us to our destination.

Through strategic planning, the 20th Circuit and Ottawa County Probate Courts are determining the best path to their destination. The 2010 Annual Report is a reminder of why the plan and destination are important.

The judges and courts’ staff are in the business of pursuing justice - one case at a time. By doing so, we make life better for our community, state, nation and world. Perhaps these are lofty goals, but to do less would be a disservice to the rule of law on which our nation was built and to our own potential.



# Quick Guide to the Courts

For Directions to the Courts:  
[www.miottawa.org/Courts](http://www.miottawa.org/Courts)

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For General Information:  
Call any office listed on this page

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- Make payments online at [www.miottawa.org](http://www.miottawa.org)
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- 

## CIRCUIT COURT

### Trial Division

414 Washington Ave., Room 300  
Grand Haven, MI 49417  
Phone: 616.846.8320  
Fax: 616.846.8179

### Friend of the Court

414 Washington Ave., Room 225  
Grand Haven, MI 49417  
Phone: 616.846.8210  
Fax: 616.846.8128

### Juvenile Services Division

12120 Fillmore Street  
West Olive, MI 49460  
Phone: 616.786.4100  
Fax: 616.786.4154

### Holland Satellite Office

12185 James St., Suite 170  
Holland, MI 49424

## PROBATE COURT

12120 Fillmore Street  
West Olive, MI 49460  
Phone: 616.786.4110  
Fax: 616.738.4624

## Staff Facts

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### *20th Judicial Circuit Court*

4 Circuit Court Judges  
113 Full Time Staff  
5 Part Time Staff  
16 Temporary Staff  
4.5 Ottawa County Sheriff Deputies  
10 Ottawa Area Intermediate School District

**152.5 Total**

### *Ottawa County Probate Court*

1 Probate Court Judge  
5 Full Time Staff  
1 Temporary Staff

**7 Total**