



2016 ANNUAL REPORT
20TH CIRCUIT COURT
OTTAWA COUNTY PROBATE COURT

Fulfilling Our Mission

**Presented by Court Administrator Kevin J. Bowling, JD, MSJA.
April 11, 2017**

Good afternoon Commissioners and thank you for the opportunity to present the 2016 Annual Report for the 20th Circuit Court and the Ottawa County Probate Court. As Court Administrator I have the privilege of working with a remarkable group of dedicated public servants, including judges, a great leadership team, managers and frontline staff, as well as competent attorneys and collaborating agencies throughout the County. Together, we have provided another year of excellent service to the citizens of Ottawa County.

The County and State Court Administrative Office websites, provide significant details on budgets, statistics and performance measures (<http://www.miottawa.org/Courts/> and <http://courts.mi.gov/education/stats/pages/default.aspx>) – so in the short time available, I will focus on highlights and respond to any questions you may have. If there is insufficient time to respond to your questions today, I will certainly make myself available to meet at your convenience.

- ▶ Circuit Court
- ▶ Constitution of Michigan, 1963
- ▶ Article VI, Section 1, Judicial Power in court of justice; divisions.
 - ▶ "The judicial power of the state is vested exclusively in one court of justice which shall be divided into one supreme court, one court of appeals, one trial court of general jurisdiction known as the circuit court, one probate court and courts of limited jurisdiction that the legislature may establish..."
- ▶ Revised Judicature Act of 1961; Act 236 of 1961
 - ▶ MCL 600.521 Twentieth Judicial Circuit

"ONE COURT OF JUSTICE"

Fulfilling Our Mission



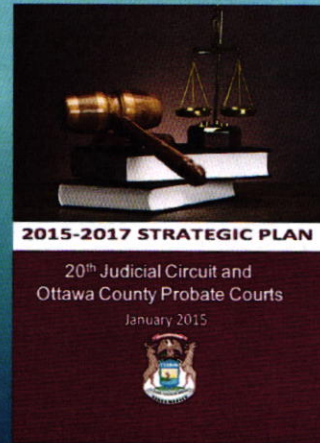
The authority for the 20th Circuit Court and the Probate Court to operate in Ottawa County can be found in the Michigan Constitution, Article VI, Section 1.

Five Strategic Focus Areas

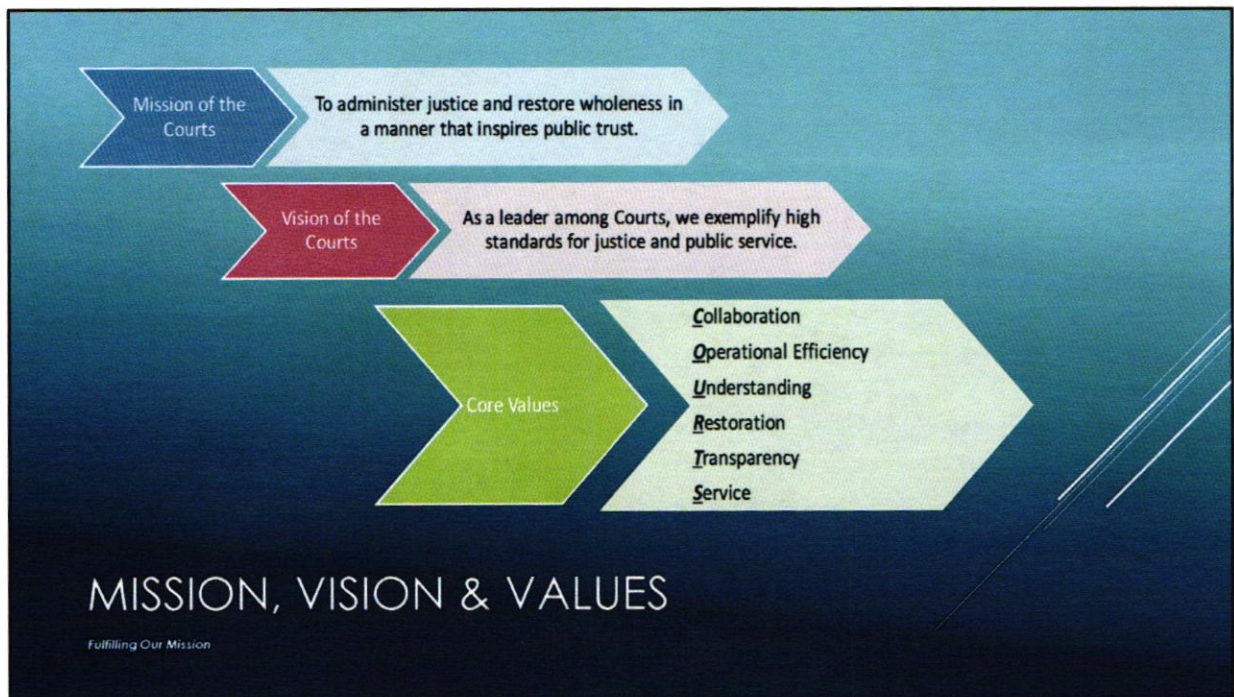
1. Resources and Infrastructure
2. Access, Services, and Programs
3. Timely Resolution and Efficient Operations
4. Community Relations and Collaboration with Partners
5. Employee Development and Innovative Work Culture

STRATEGIC PLAN






Fulfilling Our Mission



In addition to legal requirements for court operations contained in the Constitution, statutes, court rules and caselaw, we are also guided by the Courts' Strategic Plan (http://www.miottawa.org/Courts/20thcircuit/pdf/reports/2015-2017_Strategic_Plan.pdf), which targets performance improvements in five strategic focus areas including; 1. Resources and Infrastructure, 2. Access, Services, and Programs, 3. Timely Resolution and Efficient Operations, 4. Community Relations and Collaboration with Partners, and 5. Employee Development and Innovative Work Culture. The link is provided so you can review the Plan at your leisure.



Our Circuit and Probate Courts are recognized as high performing courts in Michigan and our daily efforts are guided by the Mission, Vision and Value statements which are embodied in the Courts' Strategic Plan.

				
Chief Circuit Judge Jon A. Van Allsburg	Circuit Judge Jon H. Hulsing	Circuit Judge Kent D. Engle	Circuit Judge Karen J. Miedema	Chief Probate Judge Mark A. Feyen
Family Division Business Court Appeals	Trial Division	Family Division	Trial Division Family Division	Probate Family Division Adult Drug Treatment Court

CIRCUIT & PROBATE COURT JUDGES

Fulfilling Our Mission

Of course, Courts can only provide optimal performance for the community when there is strong, inspirational leadership and this is exactly what our Chief Judges Jon Van Allsburg and Mark Feyen provide.

In addition to Chief Judge Van Allsburg, who handles appeals, business court and family division cases, and Chief Judge Feyen, who handles probate, juvenile, neglect/abuse, and drug court cases, we have an outstanding group of talented circuit judges who work extremely well together.

Jon Hulsing – handles a busy criminal and civil docket as well as personal protection orders;

Kent Engle – is our “roving judge” – spending 3 days per week in Grand Haven and 2 days per week in West Olive handling domestic, juvenile and neglect/abuse cases; and

Karen Miedema is our most recent addition to the Circuit Court , following the retirement of Judge Ed Post. She is handling a Trial Division docket of criminal and civil cases, along with a significant percentage of divorce cases without minor children.

GRAND HAVEN

- ▶ Domestic Relations
 - ▶ Paternity motions
 - ▶ Child Support motions
 - ▶ Parenting Time motions
 - ▶ Uncontested Divorce hearings



WEST OLIVE

- ▶ Juvenile Court
 - ▶ Preliminary examinations
 - ▶ Adjudication hearings
 - ▶ Disposition hearings
 - ▶ Detention hearings
- ▶ Child Welfare
 - ▶ Neglect/Abuse hearings
 - ▶ Adoption Release hearings

ATTORNEY REFEREES GRAND HAVEN & WEST OLIVE

Fulfilling Our Mission

With the growth of the Family Division caseload, it is necessary to effectively use Judicial Officers to assist the judges by conducting hearings and preparing recommended orders for the Court. The 20th Circuit has three primary referees and three “back-up” referees to manage a variety of case types, including domestic relations, juvenile delinquency and child welfare. The primary referees also share evening and weekend on-call duties to handle emergency removals of children, as well as neglect/abuse and delinquency preliminary hearings.



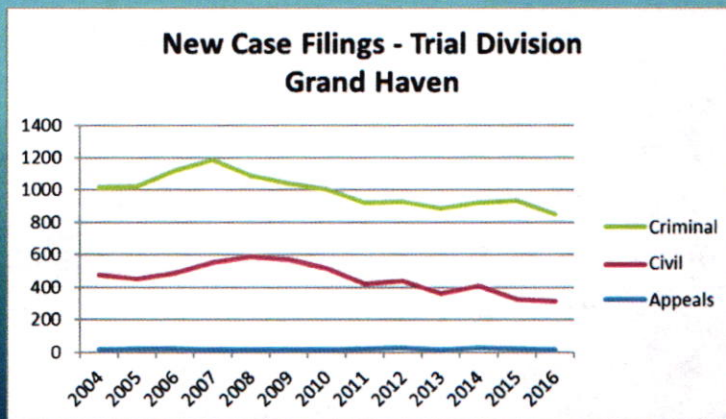
TRIAL DIVISION GRAND HAVEN

Fulfilling Our Mission

- ▶ Criminal
- ▶ Civil
- ▶ Appeals
- ▶ Personal Protection Orders
- ▶ Adult Drug Treatment Court
- ▶ Legal Research and Writing
- ▶ Court Recording/Transcripts
- ▶ Felony Collections
- ▶ Case Scheduling
- ▶ Statistical Reporting

The Trial Division staff in Grand Haven provide significant support services to the Judges and Attorney Referees, including case preparation, scheduling, legal research, coordination with the County Clerk/Register's Office, enforcement of financial orders, statistical reporting and much more.

- 2016 New and Reopened Cases
 - 63 Appeals
 - 908 Criminal
 - 364 Civil
 - 615 PPO
 - 1950 TOTAL



TRIAL DIVISION GRAND HAVEN

Fulfilling Our Mission

There are a broad range of case types handled by the Trial Division, including appeals, criminal, civil and PPOs. Staff also assist with the scheduling of most domestic relations hearings. In spite of the slight decline in overall case filings, the per judge caseloads in Ottawa County continue to exceed statewide averages.

- ▶ Jury Verdicts

- ▶ 7 Criminal

- ▶ 1 Civil

- ▶ Bench Verdicts

- ▶ 5 Criminal

- ▶ 3 Civil

- ▶ 7 Domestic Relations

- ▶ 29 Juvenile/Child Protective Proceedings



2016 TRIALS - 52

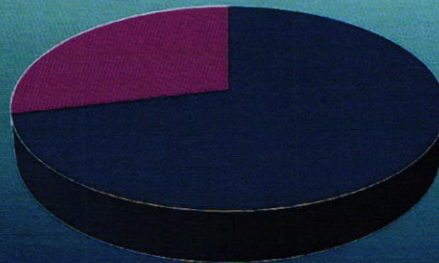
Although nearly 2000 case dispositions were handled by Trial Division judges in 2016, only a small percentage were the result of a jury trial or a bench trial. Interestingly, the increase in trials occurred in the Family Division with child neglect/abuse cases.



Mission: To promote recovery and reduce criminal activity.

Vision: As a leader among specialty courts, we provide evidence-based programming to all eligible individuals.

Participant Success



■ Graduated ■ Terminated ■

TRIAL DIVISION ADULT DRUG TREATMENT COURT

Fulfilling Our Mission

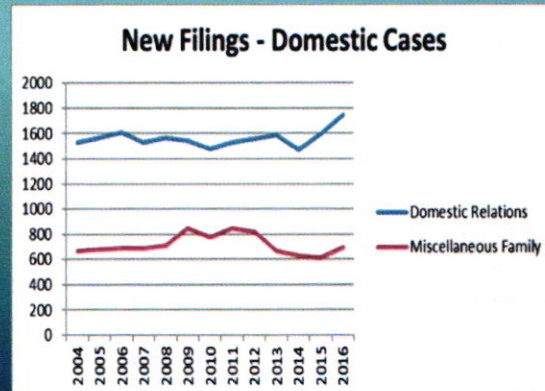
An important part of the Trial Division is the Adult Drug Treatment Court (ADTC). The need for an ADTC is demonstrated by the significant spike in opioid-related deaths in Ottawa County. According to the Ottawa County Department of Public Health, 26 individuals died from an opiate drug overdose in 2016, compared to 14 individuals in 2015. Among current ADTC participants, nearly 50% identify heroin or prescription opiates as their drug of choice. To assist with this community issue, the ADTC conducted Opiate Awareness Training in 2016.

- ▶ Met or Exceeded almost 100% of SCAO Performance Measures
- ▶ Felony Collections
 - ▶ Exceeded \$1M in collections for 5th Consecutive Year
 - ▶ Nearly 50% of Collections = Restitution Payments to Victims of Crime
- ▶ Participated in Review and Selection of new Jury System Vendor
 - ▶ Anticipated to improve Juror satisfaction, improve jury performance measures, and reduce juror related costs
- ▶ Obtained significant grant funding for the Adult Drug Treatment Court
- ▶ Continued to upgrade courtroom technology
- ▶ Participated with Active Shooter Training and Updated Emergency Site Plan

TRIAL DIVISION 2016 ACCOMPLISHMENTS

Fulfilling Our Mission

The Trial Division judges and staff perform a critical caseflow management function, which is measured by several State Court Administrative Office performance standards. Based on the required statistical reporting, the 20th Circuit once again met or exceeded almost all performance measures. In addition, for the fifth consecutive year, the Felony Collections staff exceeded \$1M in collections – with nearly 50% of the collections being returned to crime victims in Ottawa County.



FAMILY DIVISION GRAND HAVEN & WEST OLIVE

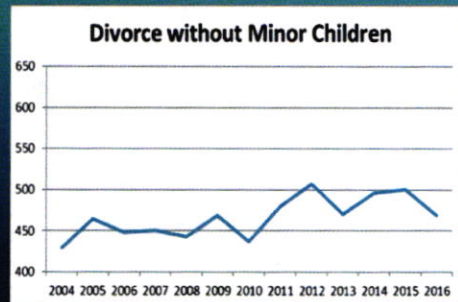
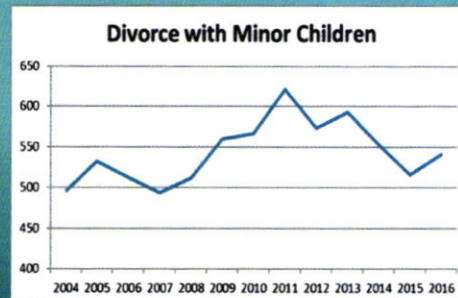
Fulfilling Our Mission

The Family Division of the 20th Circuit is co-located in Grand Haven and West Olive, with additional juvenile treatment services offered in Holland. Most domestic relations cases are handled in Grand Haven by Family Division Judges and Attorney Referees, with the assistance of Friend of the Court (FOC) staff. The juvenile and child welfare cases are primarily handled in West Olive, at the Ottawa County Fillmore Complex. New filings in domestic relations cases is one of the notable caseload increases in 2016.

- ▶ Child support collection
- ▶ Parenting time enforcement
- ▶ Child custody investigation
- ▶ Paternity Establishment

FRIEND OF THE COURT GRAND HAVEN

Fulfilling Our Mission



Perhaps the most notable function of the FOC is the enforcement of court orders related to child support. Child support collection falls under Title IV-D of the Social Security Act. The Friend of the Court office operates as a Title 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 and incentives are earned on this factor alone at a rate of 15% of medical support collections.

▶ Recognized in 2016 by Michigan Office of Child Support as "Top Performing Large Sized County in the State"

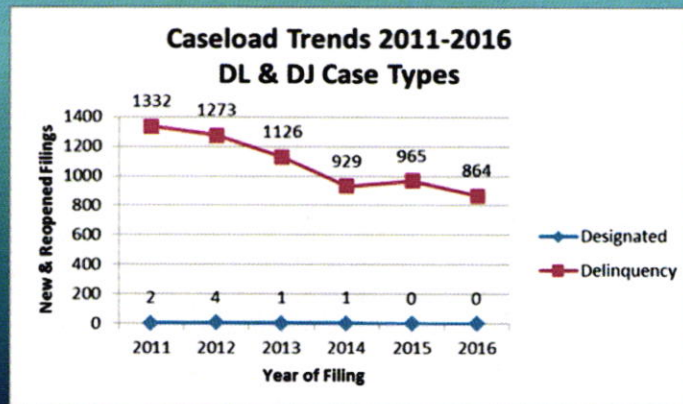
- ▶ Paternity Establishment
- ▶ Support Order Establishment
- ▶ Current Support Paid
- ▶ Cases with Arrears Paid

FRIEND OF THE COURT
GRAND HAVEN



Fulfilling Our Mission

When the Friend of the Court office in Ottawa County measures itself 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 (total support collected in 2016 = \$39,071,299), but results in earned incentive dollars that reduce the amount of Ottawa County general fund dollars needed to fund the program. In 2016, the total Federal incentive dollars earned was \$422,939 plus an additional medical incentive of \$104,919.94 (\$527,858.94 overall). In 2016, the 20th Circuit FOC office was recognized by the Michigan Office of Child Support as a top performer!



JUVENILE COURT WEST OLIVE & HOLLAND

Fulfilling Our Mission

The Family Division also encompasses the Juvenile Court which works directly with kids and families to resolve a variety of delinquency, truancy and other behavioral issues. Although the number of cases referred to the Juvenile Court have slowly declined over the past 5 years, the complexity of the cases has soared. The lack of a family and parent with whom to work is common; most youth coming into the Juvenile Detention Center are on an exhaustive list of psychotropic medications which have to be managed; the majority of youth with whom we work have at least one diagnosed mental health disorder and most have more; many have been long term suspended or expelled from school; and substance use is pervasive. All this and so much more results in an increase of not only delinquent behaviors but also, irrational, acting out behaviors as well as an inability to connect in relationships; have hope; and an inability to self regulate their emotions.

- ▶ Expanded Court Evidenced-Based Community Interventions
 - ART (Aggression Replacement Training)
 - T4C (Thinking for a Change)
 - FFT (Functional Family Therapy)
 - PMTO (Parent Management Therapy – Oregon)
 - EPICS (Effective Practices in Community Supervision)



JUVENILE COURT EVIDENCE BASED PROGRAMS

Fulfilling Our Mission

Along with the implementation of the evidence based (EVB) risk/needs assessment, the Court has also trained staff and implemented additional EVB programs to meet the specific needs of the juveniles served. They include cognitive behavioral programs such as Aggression Replacement Training (ART), Thinking for a Change (T4C), Functional Family Therapy (FFT) and Parent Management Therapy (PMTO). EPICS is a structured, goal-oriented approach to community supervision of juveniles; it holds the youth accountable and engages the juvenile in the continual establishment of realistic goals toward improving their life and preventing further criminal behavior. Overall, the implementation of EVB risk/needs assessment and the additional EVB programs have helped staff better identify and treat the needs of individual youth resulting in reduced recidivism and improved success in the community.

- ▶ Recidivism rate = 14.5%
- ▶ Probation violation detention = reduced 25% since 2013
- ▶ Residential placements = reduced 44% from 2012 to 2016
- ▶ 2016 – 86% of juveniles were successfully discharged from probation; 9% increase from 2012
- ▶ Probation violations reduced 10%
- ▶ Increased number of early discharges from probation.

JUVENILE COURT IMPROVED OUTCOMES

Fulfilling Our Mission



These are a few specific examples of improved outcomes resulting from an investment in professional development for Juvenile Court staff and a clear focus on employing evidence based treatment when working with at-risk youth.



Chief Probate Judge
Mark A. Feyen

- ▶ Constitution of Michigan, 1963
 - ▶ Article VI, Section 15
 - ▶ "In each county organized for judicial purposes there shall be a probate court."
- ▶ EPIC – Estates and Protected Individuals Code

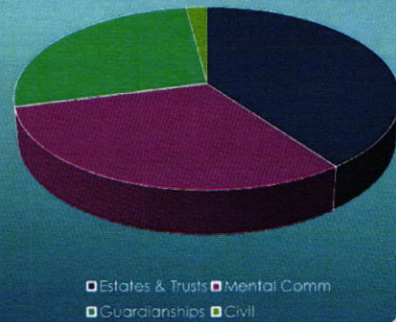
OTTAWA COUNTY PROBATE COURT WEST OLIVE

Fulfilling Our Mission

The Ottawa County Probate Court is located in West Olive on the County Fillmore campus. Similar to the 20th Circuit Court, the Probate Court is established in the Michigan Constitution and follows statutory, court rule and caselaw guidance in the handling of specific cases. The Court is served by Chief Judge Mark Feyen and five Probate Court employees. Court administration is shared between the Circuit and Probate courts.

- ▶ 10,000+ Open Cases
- ▶ Approximately 1,000 new cases filed each year
 - ▶ Estates & Trusts – 40%
 - ▶ Mental Commitments – 31%
 - ▶ Guardianships – 27%
 - ▶ Civil – 2%

Case Distribution



OTTAWA COUNTY PROBATE COURT WEST OLIVE

Fulfilling Our Mission

For a relatively small court, it is sometimes surprising to learn the judge and staff manage more than 10K open cases, with an additional 1K new cases being filed each year. Forty percent of the caseload are estates and trust, while the remaining cases focus on helping protected individuals who may need mental health services or assistance with an adult or minor guardian. Each year a few civil cases are also filed with the Probate Court.

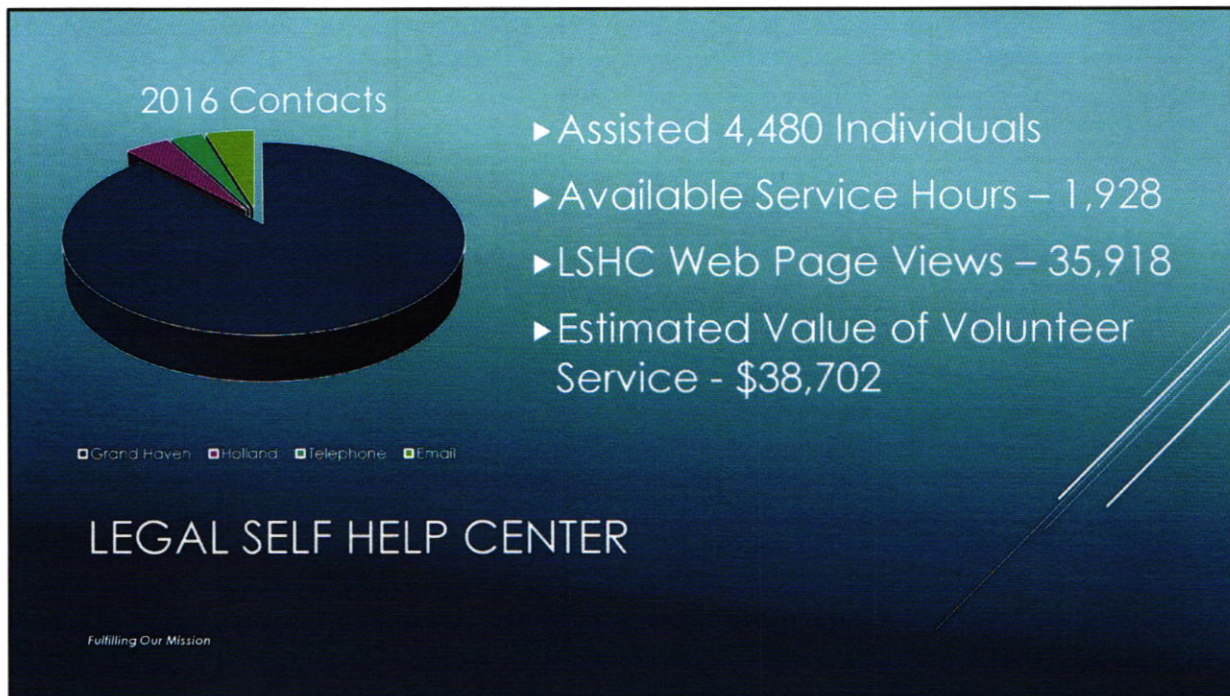


- ▶ Chief Judge Feyen
 - ▶ Probate Judge
 - ▶ Presiding Judge of Circuit Court Family Division (West Olive)
 - ▶ Adult Drug Treatment Court Judge

OTTAWA COUNTY PROBATE COURT WEST OLIVE

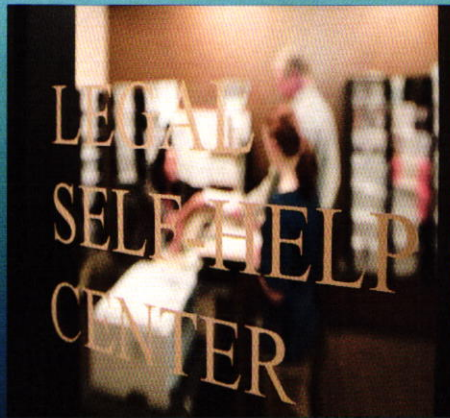
Fulfilling Our Mission

In accordance with the Circuit, District, and Probate Court Concurrent Jurisdiction Plan, which has been approved by the Michigan Supreme Court, all Ottawa County Judges are cross-assigned to cover for each other in the event of an emergency. In addition, Chief Judge Feyen has agreed to handle a regular part of the Family Division caseload (primarily juvenile and child welfare cases) and to serve as the Adult Drug Treatment Court judge. He has been the primary ADTC judge since the program commenced in 2005.



Among the thousands of new cases filed each year in Ottawa County courts, an increasing number of litigants are self-represented. Often the lack of representation is due to financial limitations, however, other individuals simply prefer to manage their own case. Regardless of why a litigant is not represented by legal counsel, when this occurs there are often difficulties due to the many legal and procedural complexities with litigation.

To provide the best customer service and to avoid the costly and inefficient delays caused by adjournments due to lack of proper preparation, the Legal Self Help Center (LSHC) assisted almost 4,500 individuals in 2016. Most of the services were provided in the Ottawa County Courthouse in Grand Haven, but an increasing number of patrons were served in Holland, by telephone, and via the LSHC webpage.



LEGAL SELF HELP CENTER

Fulfilling Our Mission

▶ Sample Comments

- ▶ Awesome service! I was filing out an unnecessary form on my own. This service saved my family time and money. So helpful!! Thank you!
- ▶ Staff really is helpful and kind!
- ▶ Very helpful, glad they are available.

▶ 2016 Accomplishments

- ▶ Launched digital check-in
- ▶ Expanded remote service delivery
- ▶ Trained new volunteers

Based on direct feedback from the citizens taking advantage of this important service, it is clear the Court is providing much needed assistance. Judges and Attorney Referees have also remarked about the importance of this service to avoid costly adjournments.

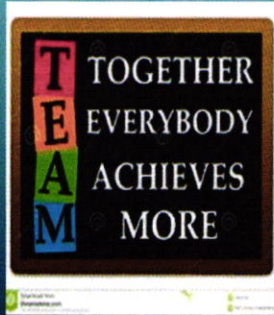
- ▶ Americans with Disabilities Act (ADA) Compliance
- ▶ Child Support Paid in Month Due Measure
- ▶ Clearance Rate
- ▶ Jury Management
- ▶ Public Satisfaction Survey
- ▶ Recidivism Rates for Sobriety and Drug Courts
- ▶ Timeliness Data
- ▶ (Case Age Disposition Rate and Caseload Pending Over Guideline)
- ▶ Trial Court Collections Program Status



PERFORMANCE MEASURES

Fulfilling Our Mission

In an ongoing effort to be efficient and accountable, the Courts focus much attention on performance measures as a powerful management tool. They can be used as a catalyst for change and are an effective way to recognize staff and keep the Judges and County administration informed of operational status. We need performance measures to tell our success stories, provide accountability, and achieve our shared vision of public service. Additional performance measures under consideration by the State Court Administrative Office include: data integrity; human resource program compliance; and internal controls system.



- ▶ Excellent working relationships throughout the County
- ▶ Specific legal relationship with County Clerk/Register
 - ▶ "Clerk of the Circuit Court" – Michigan Constitution, Article VI, Section 14
- ▶ Specialized law enforcement assistance from Sheriff's Department
 - ▶ Juvenile Officers/Truancy Officers
 - ▶ FOC Bench Warrant Team
 - ▶ Courthouse Security and Prisoner Transport Teams

COLLABORATION WITH COUNTY DEPARTMENTS

Fulfilling Our Mission

It was noted earlier the Ottawa County Courts are recognized throughout the state as being high performing courts. Like many successful organizations, the Courts cannot be high performers without the strong collaborative relationships established with many County departments. We especially want to recognize our close partnerships with the Clerk/Register of Deeds for his excellent work as the "Clerk of the Circuit Court" and the Sheriff for his ongoing support of the several deputies imbedded with court programs, as well as the daily efforts to maintain safe/secure courthouses.

- ▶ Apr - Volunteer Appreciation Day
- ▶ Apr - Clothesline Project – In support of victims of sexual and domestic violence
- ▶ Apr – Katty Shack 5K Run/Walk – In support of crime victims
- ▶ May – National Law Day Celebration
- ▶ Jun – Annual Domestic Law Summit
- ▶ Sep/Oct – Annual PACK Meeting (Professionals Caring and Advocating for Kids)
- ▶ Oct/Nov – Annual Bench/Bar Meeting
- ▶ Nov – Adoption Day Celebration



COMMUNITY OUTREACH

Fulfilling Our Mission



In addition to the Courts' focus on effective caseload management, we strive to be positive community leaders by actively participating in and sponsoring a variety of annual events. These activities help educate the community about the law and court operations, while building strong community relationships.



2016 MILESTONES MICHIGAN SUPREME COURT VISIT TO OTTAWA COUNTY

Fulfilling Our Mission

This Annual Report would not be complete without a brief mention of two important milestones we experienced in 2016. First, was the Michigan Supreme Court visit to Ottawa County in April. The Court conducted oral arguments in the Jenison Performing Arts building and hosted a luncheon for student and community leaders.



The Supreme Court visit was well attended by Ottawa County judges, as well as several jurists from surrounding counties.



MICHIGAN SUPREME COURT VISIT TO OTTAWA COUNTY

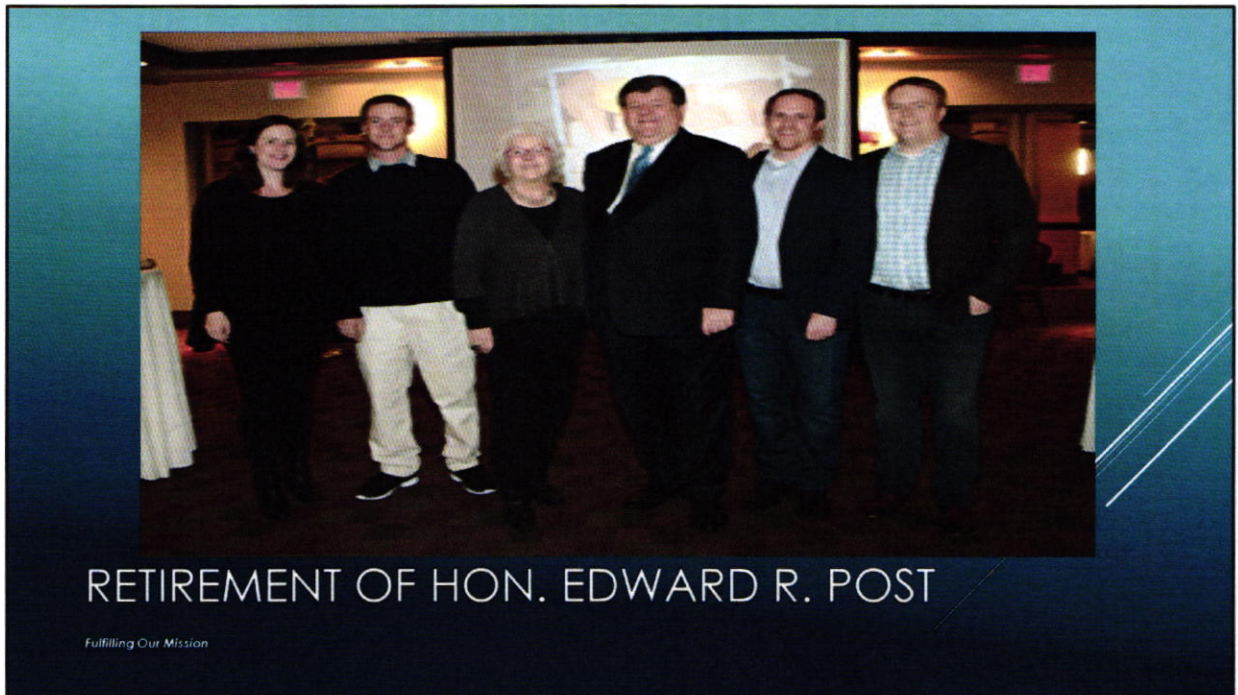
Fulfilling Our Mission

Most of all, the nearly 1300 students in attendance enjoyed learning about the judicial branch of government and witnessing democracy in action.



2016 MILESTONES
RETIREMENT OF HON. EDWARD R. POST

The second notable milestone occurred in December 2016, with the retirement of the Hon. Edward R. Post. Judge Post served the citizens of Ottawa County for 26 years and will long be remembered for his wisdom and sound judgment in the courtroom, as well as his quick wit and many shared smiles.



In retirement, Judge Post has returned to private practice with Varnum Law and is enjoying more time with his family.



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FOR FURTHER INFORMATION

Fulfilling Our Mission

The 20th Circuit and Ottawa County Probate Courts are proud of our strong tradition of excellent public service. We are also aware of the need for transparency, continuous improvement, and public accountability. The Courts appreciate the continuing support provided by the Board of Commissioners and we look forward to continuing our strong partnership in public service.

Michigan Judicial Branch Organizational Chart

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/other/OrgChart.pdf>

Michigan Supreme Court Judiciary Dashboard

<http://courts.mi.gov/education/stats/dashboards/pages/default.aspx>

Caseload Statistics

<http://courts.mi.gov/education/stats/Caseload/Pages/2015-Caseload-Reports.aspx>

Performance Measures Data

<http://courts.mi.gov/education/stats/performance-measures/Pages/default.aspx>

Michigan Trial Court Administration Reference Guide

[http://courts.mi.gov/Administration/SCAO/Resources/Documents/Publications/Manuals/carg/carg.pdf#search="courts reference guide"](http://courts.mi.gov/Administration/SCAO/Resources/Documents/Publications/Manuals/carg/carg.pdf#search=)

Purposes of Courts

<https://www.youtube.com/watch?v=saHb06PNadQ>

REFERENCE MATERIALS

Fulfilling Our Mission



Additional reference materials regarding Court operations.