



Annual Report 2019

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

www.miottawa.org/Courts



April 14, 2020

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

Dear Chairperson Bergman and Commissioners:

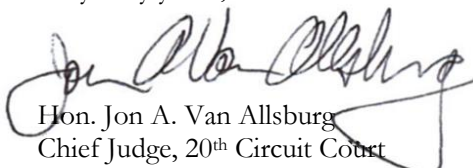
As Chief Judges for the 20th Circuit Court and the Ottawa County Probate Court, it is our pleasure to present the 2019 Annual Report. This document provides insight regarding the important work of the judicial branch of government. The judges of the Circuit and Probate courts strive to be faithful stewards of public resources, while fulfilling our constitutional duty to do justice in every case presented to the courts. We are also mindful of the generous support provided by the Board of Commissioners and the collaborative relationships we enjoy with elected officials, county administration, and the many county employees with whom the courts interact on a regular basis, without which the courts would be unable to provide excellent service to the citizens of Ottawa County.

Beginning with our Annual All Staff Meeting in 2019, where we explored the importance of public trust and confidence in the judicial branch, 2019 was a year of challenge and improvement. Caseloads remained steady, yet the complexity of legal issues presented to our courts increased, along with heightened concerns regarding the safety and security of citizens and court staff required to use public facilities. In addition, significant statewide changes required the attention of judges and court administration. The expansion of electronic filing of court cases by the Michigan Supreme Court, the implementation of new standards for court appointed counsel required by the Michigan Legislature through the Indigent Defense Commission, significant and costly changes to administrative rules governing the Child Care Fund by the Michigan Department of Health and Human Services, and new legislation to “Raise The Age” of juvenile offenders are just a few examples of these statewide changes that require trial courts to change current business processes.

We now find the courts in the midst of an unprecedented emergency in modern times, with a state of emergency brought on by a worldwide pandemic. While having to limit public attendance in our courthouses, the courts have significantly expanded the use of virtual conferences and hearings at the same time that many court employees have begun working from home. The court’s early involvement in work-from-home alternatives and online dispute resolution has begun paying dividends, and will assist the court in continuing the administration of justice and avoiding tremendous backlogs once the current emergency has passed.

Fortunately, the Circuit and Probate courts of Ottawa County have an outstanding judiciary, competent court administration, and dedicated employees who are focused on providing the best public service possible. As an organization, the courts are resourceful and nimble enough to successfully navigate change. This is due, in large part, to the strategic planning process the courts have used for seventeen years to clearly identify our mission and to collectively update goals, ensuring high performance in all aspects of court operations. As Chief Judges, we are proud of the exemplary work completed by judges and court staff in 2019. We are equally aware of the continual need to learn and improve. We pledge to be good stewards of the resources provided by the citizens of Ottawa County and to daily fulfill our mission “*to administer justice and restore wholeness in a manner that inspires public trust.*”

Very truly yours,


Hon. Jon A. Van Allsburg
Chief Judge, 20th Circuit Court


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



Table of Contents

Chief Judges Transmittal Letter.....	i
Table of Contents	iii
List of Tables and Figures	v
The 20 th Judicial Circuit and Ottawa County Probate Courts 2019 Annual Report.....	1
Judicial Officers	
The 20 th Judicial Circuit and Ottawa County Probate Courts Judges	3
Caseload Trends	6
Hon. Jon A. Van Allsburg Elected President of Michigan Judges Association.....	7
Historical Roster of Ottawa County Circuit Judges.....	8
Historical Roster of Ottawa County Probate Court Judges	8
Attorney Referee Activity	9
Court Administration	13
Strategic Planning and Strategic Execution.....	14
20 th Circuit Court Organizational Chart	16
Ottawa County Probate Court Organizational Chart.....	17
Court Wide Initiatives	18
Financial Overview	20
Ottawa County 2019 General Fund Allocation.....	21
Ottawa County 2019 Special Revenue Funds Transfer.....	21
Legal Self-Help Center	22
People are Very Satisfied with the 20 th Circuit and Ottawa County Probate Courts.....	23
Kevin Bowling to Receive National Center for State Courts 2019 Distinguished Service Award	24
Trial Division.....	25
Caseload Facts	25
Trial Division Accepts Warrant Entry and Recall Duties to Assist Ottawa County Sheriff's Office	27
High Profile Murder Cases Lead to Jury Trial Challenges.....	28
Jury Duty: Citizen Service in the Third Branch of Government.....	29
Ottawa County Recovery Court	31
Friend of the Court (FOC).....	33
Caseload Facts	33
FOC Performance Measures	34
FOC Achievements	35
Kathy Winston Named Outstanding Supervisor of the Year	37
Juvenile Court and Juvenile Detention Center.....	38
Caseload Facts	38
Community Report Card	39
Juvenile Court Funding.....	40
Juvenile Court Prepares for Raise the Age Legislation.....	41
Juvenile Court Teaching Kitchen	43
Juvenile Court P.A.C.K. Meeting.....	44
Civil Infractions.....	45
Juvenile Justice Institute (JJI) Graduation.....	46
Happy Holidays at the Juvenile Justice Institute (JJI).....	47
Parent Engagement and Education.....	48

Probate Court.....49
 Caseload Facts49
 Probate Court Initiatives.....51
 Probate Register Transition.....51
About the Cover... The Compass Rose.....52
Quick Guide to the Courts/Staff Facts.....53



List of Tables and Figures

Table 1: Circuit Court Caseload Trends.....	6
Table 2: Probate Court Caseload Trends.....	6
Table 3: Referee Hearings at the Fillmore Complex.....	10
Table 4: Referee Hearings in Grand Haven.....	10
Table 5: Total Attorney Referee Hearings.....	10
Figure 1: Referee Hearings – 5-Year Trend, Total.....	11
Figure 2: Referee Hearings – 5-Year Trend, Delinquency Proceedings.....	11
Figure 3: Referee Hearings – 5-Year Trend, Child Protective Proceedings.....	12
Figure 4: Referee Hearings – 5-Year Trend, Domestic/Civil Proceedings.....	12
Figure 5: Ottawa County 2019 General Fund Allocation – Judicial Portion.....	21
Figure 6: Ottawa County 2019 Special Revenue Funds Transfer.....	21
Figure 7: 5-Year Caseload Trends, Circuit Court.....	25
Figure 8: 2019 Trial Division Caseload.....	26
Figure 9: Trial Division New and Reopened Case Filings.....	26
Figure 10: Ottawa County 3 rd Quarter Comparison to 14 Largest Counties’ 2019 Performance Levels.....	34
Figure 11: 2019 Family Division Caseload.....	38
Table 6: Community Report Card.....	39
Figure 12: Juvenile Court Financials - FY2019.....	40
Figure 13: 5-Year Case Trends, Ottawa County Probate Court.....	49
Figure 14: 2019 Probate Court Caseload.....	50
Figure 15: Probate Court New and Reopened Case Filings.....	50

The 20th Judicial Circuit and Ottawa County Probate Courts 2019 Annual Report

Public Trust and Confidence

Each year the Annual Report for the Circuit and Probate courts focuses on a theme selected by the Courts' Strategic Planning Oversight Team. In 2017, it was determined the 2017-2019 Annual Reports would use the three components of the Courts' Mission Statement as a focal point to share important information about court performance, court culture, and court values. The mission simply states the purpose of the courts is **“to administer justice and restore wholeness in a manner that inspires public trust”**. Last year, the 2018 Annual Report focused on restoring wholeness by sharing significant information about the restorative justice philosophy exhibited throughout each court division and the extensive continuum of services the Circuit and Probate courts provide to the citizens of Ottawa County. This 2019 Annual Report considers the public trust and confidence necessary for our local courts to be successful in the administration of justice and supportive of the democratic institutions in today's society.



Public trust and confidence in the judicial branch of government has been highlighted by the Michigan Supreme Court in recent years through an annual Public Satisfaction Survey which is conducted by courts throughout the state of Michigan.¹ When describing this important performance measure for Michigan courts, the State Court Administrative Office (SCAO) indicates “Michigan courts take public service very seriously. By listening to those who use the courts, we can make good public service even better.”

Public satisfaction survey results, noting the public is “very satisfied.” are available online for all Michigan trial courts and are based on the responses of more than 125,000 court users. The SCAO Performance Measures webpage further states “the public satisfaction survey allows court users to rate the court's accessibility and its treatment of the public in terms of fairness, equality, and respect. Court users perceive the court based on how they are treated in court, and whether the court's decision-making process seems fair. As a public body, it is important for the trial courts to give users an opportunity to provide feedback. By acting on that feedback, courts can improve where needed and can also see where they are doing well. The survey results reveal the public's high level of satisfaction with their experiences in Michigan trial courts and will help these courts understand how to continue this excellent service to the public.”

¹ <https://courts.michigan.gov/Administration/admin/op/performance/Pages/Public-Satisfaction-Survey.aspx>
20th Judicial Circuit and Probate Courts, Ottawa County – Annual Report 2019

The National Association for Court Management also recognized the importance of public trust in the judicial branch when developing the core competencies for court managers nationwide. The NACM Core curriculum states “public trust and confidence in the courts is integral to the credibility of the judicial branch. To be effective at managing trust and confidence, court leaders must be able to maintain an organizational culture that fosters integrity, transparency and accountability for all court processes and proceedings.”²

Likewise, the National Center for State Courts highlighted issues with public trust and confidence in courts when reporting on the 2019 State of the State Courts national public survey.³ One of the key findings was that public confidence in the state court system dropped from 2018 to 2019, but at 65% it is still higher than the confidence reported in the state executive and legislative branches of government. The 2019 NCSC Survey Advisory Committee included Michigan’s Chief Justice Bridget Mary McCormack.

NATIONAL CENTER FOR STATE COURTS
2019 STATE OF THE STATE COURTS

// KEY FINDINGS

- Topline public trust figures for courts and other institutions are lower than last year, but numbers for many of the attributes underpinning public trust remain solid.**
- Voters are more concerned about the opioid epidemic** than in an earlier survey, and courts can draw on effective messages to advocate for greater federal funding to combat it.
- The public, and especially younger Americans, **rely heavily on online news and social media** as sources of information.
- Those who are older, and who have higher levels of education, are particularly concerned about **disinformation campaigns that target the justice system.** Winning this battle will require finely-tuned messaging.

² <https://nacmcore.org/competency/public-trust-and-confidence/>

³ <https://www.ncsc.org/Topics/Court-Community/Public-Trust-and-Confidence/Resource-Guide/2019-State-of-State-Courts-Survey.aspx>.

Judicial Officers

The 20th Judicial Circuit and Ottawa County Probate Courts Judges

*“Four things belong to a judge: to hear courteously, to answer wisely,
to consider soberly, and to decide impartially.” – Socrates*

Trends in State Courts, an annual publication of the National Center for State Courts, recently highlighted an article entitled “Judicial Roles for Modern Courts” and discussed the various functions of trial court judges as umpires, adjudicators, and problem solvers⁴. Fully understanding the complex role of the judicial branch of government and the judges who serve as primary decision makers is a difficult undertaking. Citizens of Ottawa County, however, have historically elected outstanding judges who undertake the position seriously and strive to provide fair and legally correct decisions in every case.

The classic image of judge as neutral arbiter has its roots in the adversary system. The very conception of courts, and the expectations we have of them, is derived from the adversary process, especially the criminal trial. Trials are just too slow and costly for resolving the vast volume of ordinary cases. They are, however, the last resort when all other efforts at reaching agreement have failed.



20th Circuit Court Judges – (left to right) Hon. Jon A. Van Allsburg, Hon. Kent D. Engle, Hon. Jon H. Hulsing, and Hon. Karen J. Miedema

Despite their relative scarcity, trials are still used for the “important” (high-stakes) cases and “notorious” cases—mostly criminal cases with a large enough public interest to be covered in the news and perhaps televised. And from these television reports, as well as movies, the public derives its conception of what a judge should be. Full-blown trials exist today, but for a very small percentage of cases. Yet this image of a judge in trial provides the standard for measuring all judges.

The role of the judge in the adversary process is to preside over the proceedings and maintain order. During a trial, the judge rules on

whether the evidence the parties want to use is illegal or improper. If the trial is before a jury, the judge gives instructions about the law that applies to the case; if the trial is before the court, the judge determines the facts and decides the case. In a criminal trial, the judge metes out the sentence to those convicted.

For courts to be impartial, judges must be free to decide cases based upon the laws and facts of the case uninfluenced by either external pressures or internal preferences. Impartiality is impossible unless judges are independent—free from external threats, intimidation, or fears of sanctions based upon their decisions.

⁴ See <https://www.ncsc.org/sitecore/content/microsites/future-trends-2013/home/Monthly-Trends-Articles/Judicial-Roles-for-Modern-Courts.aspx> for additional details.

The Circuit and Probate courts in Ottawa County are fortunate to have a learned and collegial group of elected judges. The 20th Circuit Court has four judges presiding over the courtrooms, handling a variety of criminal, civil, family, juvenile and appellate cases. The Probate Court has one judge who handles all probate cases and assists the Circuit Court with Family Division cases, as well as the Ottawa County Recovery Court. The Hon. Jon A. Van Allsburg and the Hon. Mark A. Feyen have been appointed by the Michigan Supreme Court to serve as Chief Judge of the Circuit Court and Probate Court, respectively. The Hon. Jon H. Hulsing serves as Chief Judge Pro Tempore of the Circuit Court.



Jon A. Van Allsburg, Chief Judge, 20th Circuit Court

Judge Van Allsburg graduated from West Ottawa High School and Central Michigan University. While in college, he took a semester off to backpack through Europe and North Africa. After college, he attended Detroit College of Law (now Michigan State University College of Law) and graduated with honors. He practiced law for two years in Oakland and Wayne counties, then moved back to Holland and joined what became Coupe, Van Allsburg & Pater, P.C. He practiced in the areas of family law, civil and criminal litigation, estate planning, real estate, and business law. In addition to practicing law, he taught business law for several years at both Hope College and Grand Valley State University.

In 2004, Van Allsburg ran for the newly created fourth seat in the 20th Circuit Court. He won the election, becoming the first judge in this judicial position. He handles both Family Division cases and civil matters, including business court matters, administrative appeals and appeals from the district court. In November 2016, Van Allsburg was appointed Chief Judge by the Michigan Supreme Court. Van Allsburg also serves as president of the Michigan Judges Association and on the State Bar of Michigan Judicial Council.



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

Judge Feyen is the Chief Judge of the Ottawa County Probate Court. In this capacity, he handles cases involving decedent estates, guardianships, conservatorships, and the mentally ill. He hears cases in the Family Division consisting of juvenile delinquency, abuse/neglect, adoptions, and name changes. He also presides over the Ottawa County Recovery Court.

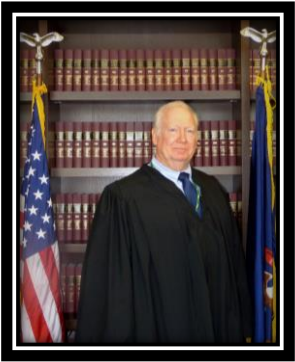
Feyen is a lifelong resident of West Michigan. He received his bachelor's degree from Calvin College and graduated from the College of Law at the University of Illinois in 1980. He then practiced law with the Grand Haven firm, Scholten Fant. Following private practice, he joined the Ottawa County Prosecutor's Office and specialized in child welfare cases. He was elected to the Probate bench in November, 1988.



Jon H. Hulsing, Chief Judge Pro Tempore, 20th Circuit Court

The Honorable Jon Hulsing has served as judge for the 20th Circuit Court in Ottawa County, Michigan since 2006. His docket consists of both criminal and civil cases. He has been the Chief Judge pro tempore since 2016. In 2019, he was elected by his statewide circuit court judicial colleagues to be a representative on the Judicial Tenure Commission which investigates allegations of judicial misconduct.

In addition to six years of private law practice, Judge Hulsing served as an Assistant and Senior Assistant Prosecutor in Ottawa County from 1995 to 2006. In 1983, he began his public service career as a deputy with the Ottawa County Sheriff's Office and then as a patrolman with the Wyoming Police Department. He previously served as a member and committee co-chair of the Michigan Judges Association. He graduated *summa cum laude* with a Juris Doctorate from Thomas M. Cooley Law School and has a Bachelor of Science degree from Grand Valley State University. In 2020, he became one of only 22 national commissioners with the Commission on Accreditation for Law Enforcement Agencies (CALEA) which establishes best practices for law enforcement agencies.



Kent D. Engle, Judge, 20th Circuit Court

Judge Engle graduated from Zeeland High School in 1972. He earned a Bachelor's degree in Political Science from Taylor University, graduating in 1976. In 1979, he received his Juris Doctorate upon graduation from the University of Detroit School of Law.

After graduation from law school, Engle returned to Zeeland and established a solo law practice. Engle served Ottawa County as an assistant prosecuting attorney from 1988 until 2010. He handled cases ranging from traffic citations to homicides. In November 2010, Engle was elected to the Circuit Court bench. He began serving as judge on January 1, 2011, with a diverse Family Division docket, including domestic relations, juvenile, and child welfare cases.



Karen J. Miedema, Judge, 20th Circuit Court

Judge Miedema was raised on a farm with her brothers in Borculo, Michigan. Miedema graduated from Holland Christian High School in 1975. She then earned her Bachelor's degree in Criminal Justice from Ferris State University. In 1982, Miedema received her Juris Doctorate from Wayne State University Law School.

After graduating from law school, Miedema began her career as an assistant prosecuting attorney in Oakland County, handling the criminal prosecutions of misdemeanor and felony cases. Then, Miedema moved back to west Michigan and worked as an associate attorney in civil litigation for Smith, Haughey, Rice and Roegge in Grand Rapids. In 1989, Miedema returned to work as an assistant prosecuting attorney, this time in Ottawa County. Miedema was elected to serve as Judge of the 20th Judicial Circuit Court by the Ottawa County voters after Judge Edward R. Post's retirement at the end of 2016. Miedema hears felony criminal cases, general civil cases, and divorce cases.

Caseload Trends

The following caseload trends provide some context for the daily activity of the Circuit and Probate judges. Additional statistical details are contained in the Trial Division, FOC, Juvenile Court and Probate Court sections of this Annual Report. Overall caseloads have been stable during the past five years; however, the judges have noted significant increases in case complexity due to mental health issues, substance abuse, and high conflict domestic relations matters.

TABLE 1: CIRCUIT COURT CASELOAD TRENDS⁵

TRIAL DIVISION	2015	2016	2017	2018	2019	% Change (2018-2019)
Appeals	60	63	49	55	43	-21.8%
Criminal	999	908	1,115	1,132	969	-14.4%
Civil	370	364	391	372	386	+3.6%
Total Trial Division Filings	1,429	1,335	1,555	1,559	1,398	-10.3%

FAMILY DIVISION (Includes FOC and Juvenile Court)	2015	2016	2017	2018	2019	% Change (2018-2019)
Divorce	1,037	1,031	1,029	1,039	1,030	-0.9%
Other Domestic Relations	587	740	670	609	602	-1.2%
Personal Protection Orders	578	625	688	697	665	-4.6%
Delinquency (does not include Probation Violations)	965	864	952	788	740	-6.1%
Juvenile Traffic	26	23	15	17	32	+53.1%
Child Protective	100	83	74	78	88	+11.4%
Adoptions	119	143	108	148	120	-18.9%
Misc. Family	81	90	88	103	125	+17.6%
Total Family Division Filings	3,493	3,599	3,624	3,479	3,402	-2.2%
Grand Total Filings and Reopened Cases	4,922	4,934	5,179	5,038	4,800	-4.7%

TABLE 2: PROBATE COURT CASELOAD TRENDS

OTTAWA COUNTY PROBATE COURT CASELOAD TRENDS	2015	2016	2017	2018	2019	% Change (2018-2019)
Estates, Trusts	434	405	396	460	414	-10.0%
Civil, Other	16	19	11	17	17	0.0%
Guardians	203	202	214	261	232	-11.1%
Conservators	59	59	55	54	45	-16.7%
Civil Commitments	368	354	336	406	405	-0.2%
Grand Total Filings and Reopened Cases	1,080	1,039	1,012	1,198	1,113	-7.1%

⁵ For additional caseload information, visit: <http://courts.mi.gov/education/stats/Caseload/Pages/default.aspx>.

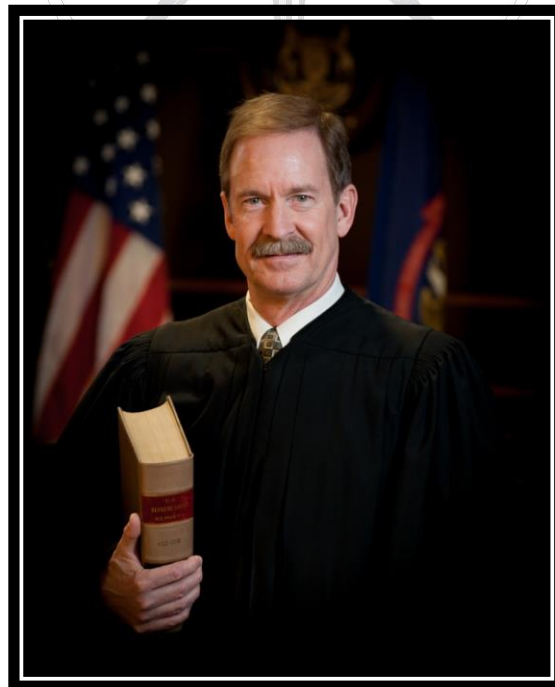
Hon. Jon A. Van Allsburg Elected President of Michigan Judges Association

In December 2019, Chief Judge Jon A. Van Allsburg succeeded Hon. Pamela L. Lightvoet of Kalamazoo County as the President of the Michigan Judges Association (MJA), representing the judges of the Circuit Court and the Court of Appeals in Michigan. The MJA has served the judiciary and the people of Michigan for over 90 years and will continue in this important role throughout 2020 under the leadership of Judge Van Allsburg.



Recent correspondence with MJA members reflected some of Judge Van Allsburg's priorities during his term as President, when he stated "I will work to promote collegiality and civility among the bench and bar – in an arena that's known for conflict, the ability to 'eat and drink as friends' is always a worthwhile effort. I will also be promoting judicial education, as we continue to strive for judicial excellence." He further indicated, "Significant legislation is pending in the coming year relevant to the courts and the administration of justice, and MJA will be actively involved in these important issues, including expungement reform, criminal justice reform and pretrial release, and legislative efforts to implement some of the recommendations of the Michigan Trial Court Funding Commission."

Being elevated to this critically important leadership position not only reflects well on the professionalism and talent of our Chief Judge, but also reflects positively on Ottawa County and the 20th Circuit Court for their robust participation in statewide initiatives which have a direct bearing on the administration of justice.



Historical Roster Ottawa County Circuit Court Judges

EPAPHRODITUS RANSOM	1836 – 1838	FRED T. MILES	1930 – 1947
CHARLES W. WHIPPLE	1839 – 1848	RAYMOND L. SMITH	1948 – 1972
EDWARD MUNDY	1848 – 1851	CHESTER A. RAY	1967 – 1970
GEORGE MARTIN	1851 – 1857	WENDELL A. MILES	1970 – 1974
LOUIS S. LOVELL	1858 – 1858	JAMES E. TOWNSEND	1973 – 1990
FLAVIUS LITTLEJOHN	1859 – 1867	GEORGE R. CORSIGLIA	1974 – 1974
MOSES B. HOPKINS	1868 – 1869	CALVIN L. BOSMAN	1975 – 2010
AUGUSTINE H. GIDDINGS	1869 – 1873	WESLEY J. NYKAMP	1991 – 2006
JOHN W. STONE	1874 – 1874	EDWARD R. POST	1993 – 2016
DAN J. ARNOLD	1874 – 1892	JON A. VAN ALLSBURG	2005 – present
HANNIBAL HART	1892 – 1892	JON H. HULSING	2006 – present
PHILIP PADGHAM	1893 – 1911	KENT ENGLE	2011 – present
ORIEN S. CROSS	1912 – 1929	KAREN J. MIEDEMA	2017 – present

Historical Roster Ottawa County Probate Court Judges

EDMUND H. BADGER	1838 – 1839	CHARLES E. SOULE	1885 – 1892
DR. TIMOTHY EASTMAN, II	1839 – 1843	JOHN VAN BUREN GOODRICH	1893 – 1901
WILLIAM HATHAWAY, JR	1844 – 1856	EDWARD P. KIRBY	1901 – 1916
AUGUSTUS W. TAYLOR	1857 – 1864	JAMES J. DANHOF	1917 – 1932
GEORGE B. PARKS	1865 – 1868	CORA VANDE WATER	1933 – 1948
EDWARD BOLTWOOD	1869 – 1870	FREDERICK T. MILES	1949 – 1976
EDWIN BAXTER	1870 – 1872	JACK A. VANDE BUNTE	1977 – 1988
SAMUEL L. TATE	1873 – 1884	MARK A. FEYEN	1989 – present

Attorney Referee Activity

The Circuit Court Attorney Referees are judicial hearing officers who are cross-trained to conduct hearings in the Family Division, including domestic relations hearings (Grand Haven and the Fillmore Complex) and juvenile delinquency and child protective proceedings (Fillmore Complex). Based on the assigned docket, Attorney Referees hear testimony and recommend orders in cases involving juvenile delinquency, abuse/neglect, adoption, child support, parenting time, paternity, uncontested divorce and more.

Overall, from 2018 to 2019, Referee hearings decreased 3.3% with a total of 3,209 hearings conducted. Domestic relations and civil proceedings decreased 9% with 1,570 hearings conducted, including 480 child support, 369 parenting time, 108 uncontested divorce, and 613 other hearings (including review and paternity establishment) conducted at the Ottawa County Courthouse in Grand Haven. At the Fillmore Complex in West Olive, there was a nearly 3% increase in Juvenile Court Referee activity, increasing from 1,593 hearings in 2018 to 1,639 hearings in 2019.

Delinquency and child protective petitions are scheduled for preliminary hearings shortly after filing. Domestic relations hearings are typically scheduled within three to four weeks after filing. The Court employs two full-time and one part-time Attorney Referees, in addition to the Friend of the Court who conducts hearings once a week. The Senior Law Clerk and Court Administrator serve as substitute referees to provide docket coverage when needed.



Patricia Gelderloos
Attorney Referee



David V. Macias
Attorney Referee



Erin Magley
Attorney Referee



Jennell L. Challa
Substitute Referee



C. Richard Parks
Substitute Referee



Kevin J. Bowling
Substitute Referee

Family Division/Juvenile Court (Fillmore Complex)

TABLE 3: REFEREE HEARINGS AT THE FILLMORE COMPLEX

DELINQUENCY PROCEEDINGS	2015	2016	2017	2018	2019	% Change (2018-2019)
Preliminary Hearings	167	163	151	138	192	+28.1%
Pre-Trial Conferences	531	573	630	569	580	+1.9%
Pleas of Admission/No Contest Hearings	141	108	109	61	75	+18.7%
Original Disposition Hearings	317	296	320	252	201	-20.2%
Dispositional Review Hearings	55	29	15	312	307	-1.6%
Consents/Holds/Other	289	264	272	131	109	-16.8%
Saturday Preliminary Hearings	25	21	17	10	14	+28.6%
CHILD PROTECTIVE PROCEEDINGS	2015	2016	2017	2018	2019	% Change (2018-2019)
Preliminary Hearings	130	126	99	70	80	+12.5%
Adoption Release/Consent/Emancipation/ Emergency Removal/Other	51	69	69	50	81	+38.3%
Total Family Division/Juvenile Court Referee Hearings	1,706	1,649	1,682	1,593	1,639	+2.8%

Family Division (Grand Haven)

TABLE 4: REFEREE HEARINGS IN GRAND HAVEN

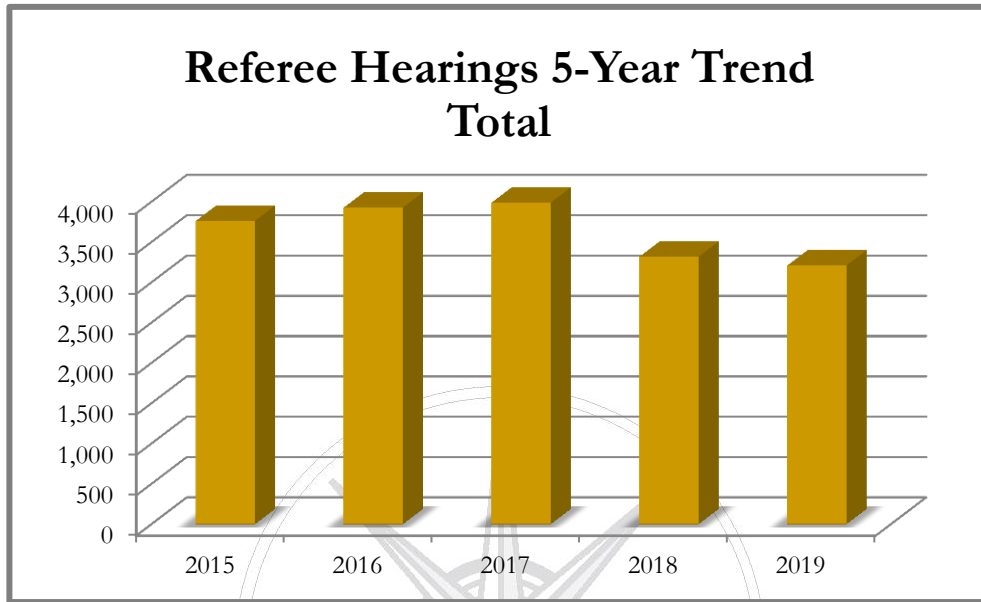
DOMESTIC/CIVIL PROCEEDINGS	2015	2016	2017	2018	2019	% Change (2018-2019)
Support Hearings	948	979	803	668	480	-28.1%
Parenting Time Hearings	536	504	541	405	369	-8.9%
<i>Pro Confesso</i> Divorce Hearings	235	238	167	156	108	-30.8%
Paternity Arraignment/Support Hearings	337	557	796	496	613	+19.1%
Total Family Division Domestic/Civil Referee Hearings	2,056	2,278	2,307	1,725	1,570	-9.0%

TABLE 5: TOTAL ATTORNEY REFEREE HEARINGS

ATTORNEY REFEREE HEARINGS	2015	2016	2017	2018	2019	% Change (2018-2019)
Grand Total	3,762	3,927	3,989	3,318	3,209	-3.3%

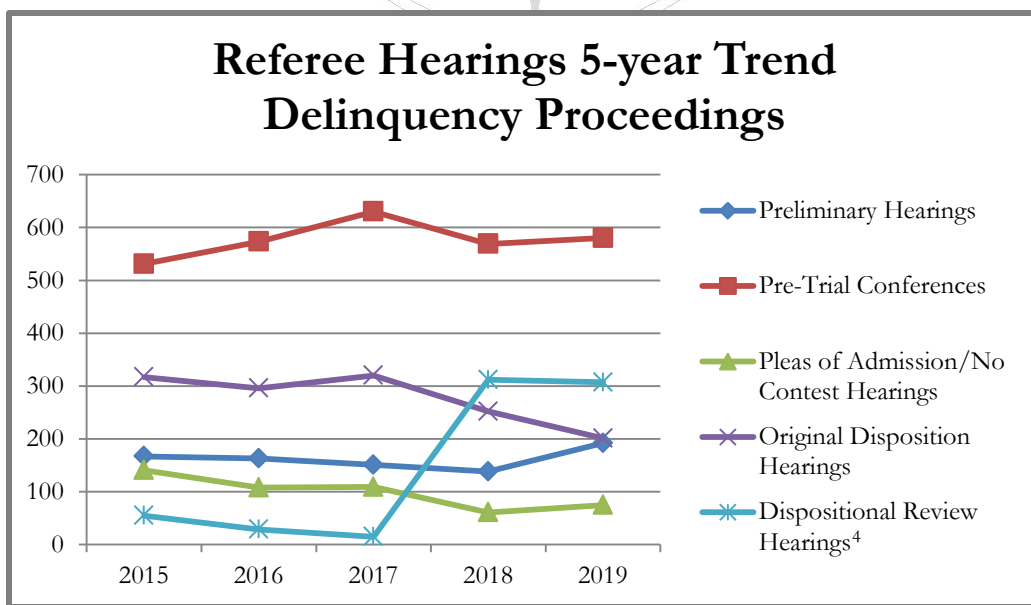
By conducting 3,000-4,000 judicial hearings every year, the Attorney Referees play a significant role in the 20th Circuit Court’s efforts to maintain excellent caseload management. Administering justice by ensuring all parties have their “day in court” and providing timely decisions on matters as important as child support, parenting time, appropriate consequences for delinquent behavior, and more is how the Court’s Attorney Referees provide direct service to the public and assist the elected judges with their caseloads.

FIGURE 1: REFEREE HEARINGS – 5-YEAR TREND, TOTAL



The five-year delinquency proceedings trend line shown below demonstrates the ability of the Court to resolve numerous juvenile cases through the effective use of pre-trial conferences. This requires well prepared prosecutors, defense counsel, juvenile court officers and the availability of evidence-based programs which are part of a substantial continuum of care in Ottawa County.

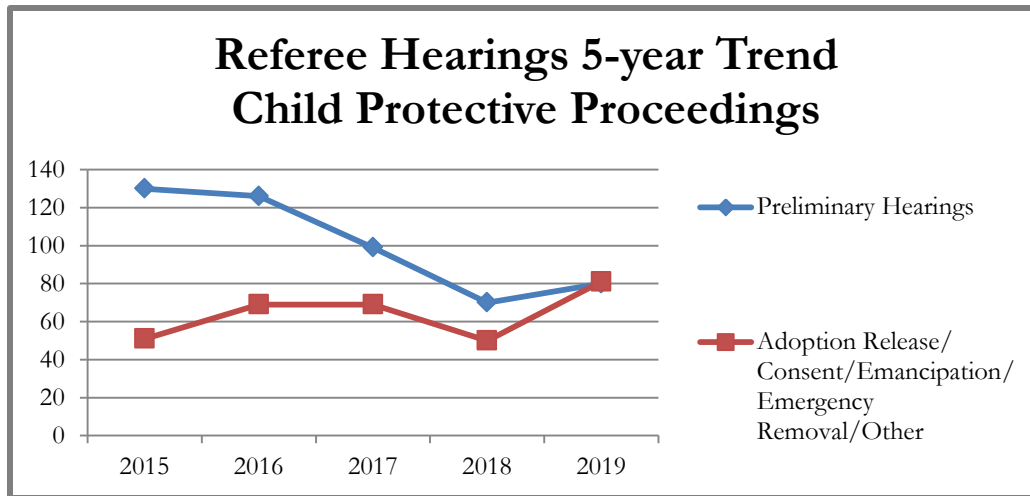
FIGURE 2: REFEREE HEARINGS – 5-YEAR TREND, DELINQUENCY PROCEEDINGS



⁴ Dispositional Review Hearing data was previously inaccurate, accounting for the significant increase in 2018.

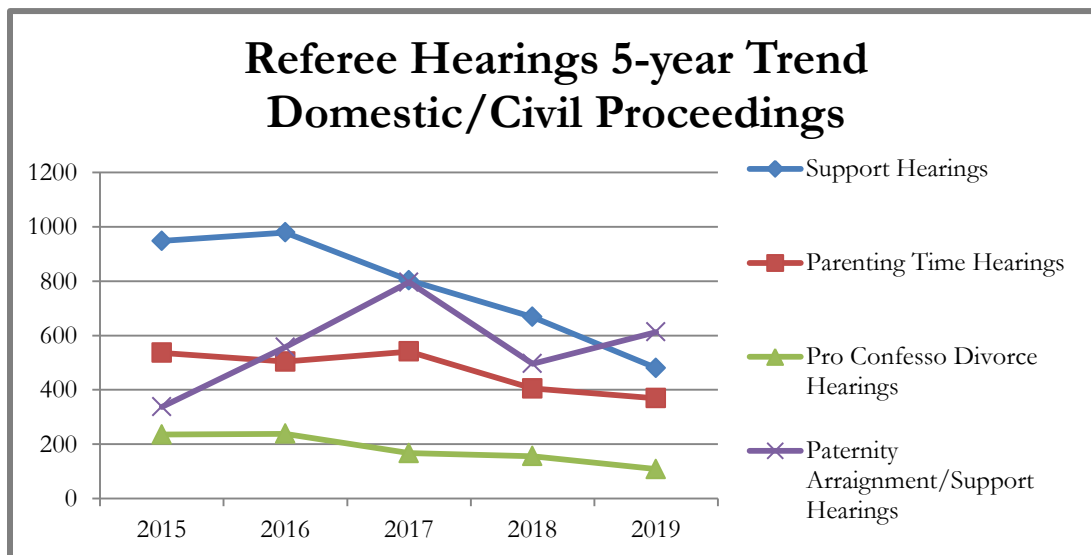
The following blue trend line demonstrates a slight increase in child protective proceedings being filed with the Court and requiring preliminary hearings. These initial hearings, which can result in children being removed from their home based on allegations of abuse or neglect, are conducted by Attorney Referees and their recommendations are moved forward to the judges in subsequent hearings. The red trend line shows an increase in adoption release hearings where the birth mother formally releases her child to make a legal adoption possible.

FIGURE 3: REFEREE HEARINGS – 5-YEAR TREND, CHILD PROTECTIVE PROCEEDINGS



The competing trends noted in Figure 4 below, show four major areas of Attorney Referee hearings which are primarily conducted in the Ottawa County Courthouse in Grand Haven. During the past five years there has been a notable decline in repeated child support hearings, which suggests existing court orders are being properly followed and there are fewer significant changes in circumstances requiring modification of existing support orders. There are many possible reasons for this trend; however, improvements in the general economy and the reduction in unemployment rates are likely contributing factors. The trend lines for hearings on parenting time disputes and uncontested divorces have been relatively stable during the past five years; however, the paternity hearings have experienced a sharp increase. This is due in part to more active management of paternity establishment cases by the Friend of the Court staff and their ability to conduct paternity DNA tests at the courthouse.

FIGURE 4: REFEREE HEARINGS – 5-YEAR TREND, DOMESTIC/CIVIL PROCEEDINGS



Court Administration

All judges, particularly the chief judge, are responsible for the administration of the court. In effect, the judges are a board of directors; the chief judge is the chairman of the board and the court administrator is the executive officer responsible for executing policies adopted by the board. Alternately stated, the chief judge (or judges) and the courts' administrator forms the courts' executive team for policy making and implementation.

In August 1969, soon after he became chief justice of the United States, Warren E. Burger observed, "The courts of this country need management, which busy overworked judges, with drastically increased caseloads, cannot give. We need a corps of trained administrators or managers to manage and direct the machinery so that judges can concentrate on their primary duty of judging. Such managers do not now exist, except for a handful who are almost entirely confined to state court systems. We must literally create a corps of court administrators or managers and do it at once."⁷ As a result of Chief Justice Burger's efforts and those of other leaders in the field, court administrators have become an important part of the federal, state and local judicial systems.

In the 20th Circuit and Ottawa County Probate Courts, the Court Administrator provides a clear vision and leadership for the courts. He is responsible for all administrative functions including strategic planning initiatives, caseload management, personnel and financial management, succession planning and more. There is direct accountability to the chief judges of the Circuit and Probate Courts. Daily operational management and oversight of the courts, including supervision of all court employees depicted on the following organizational charts, is conducted by the Courts' Leadership Team, including the Court Administrator, Juvenile Court Director, Friend of the Court, Trial Division Director and Probate Register. The Courts' mission, vision and values guide the Leadership Team.



Kevin J. Bowling, JD, MSJA, CCE
Court Administrator



Sandra K. Metcalf, MS, CCE
Juvenile Court Director



Jennell L. Challa, JD
Friend of the Court



Susan M. Franklin, JD, MPA
Trial Division Director



Penni A. DeWitt, DBA
Probate Register

⁷ The Court Administrator: A Guide and Manual, National Association for Court Management, 2011.

Strategic Planning and Strategic Execution

An important hallmark of high performance courts is a well-articulated strategic plan and the ability to effectively execute the plan using available resources. The plan for the Circuit and Probate courts in Ottawa County has evolved during the past seventeen years, yet the stability of the courts' mission, vision and core values is a testament to the critical and timeless nature of the guidance they provide. These guideposts have been identified by judges and court employees to demonstrate how the courts' high standards for justice and public service may be operationalized daily.

Mission of the Courts

To administer justice and restore wholeness in a manner that inspires public trust.

This mission statement intentionally embodies several of the purposes of courts. The competent administration of justice necessarily includes doing individual justice in individual cases, appearing to do justice, and providing a final resolution of legal disputes. In addition, the courts are dedicated to restoring wholeness to litigants through a variety of evidence-based programs including substance abuse treatment, family counseling, mentoring for youthful offenders, residential programming for girls, and much more. The courts also provide some relief to crime victims through the collection of court ordered restitution payments. Efforts to inspire public trust include the provision of high quality customer service, legal self-help options, and the responsible use of public resources to provide judicial services.

Vision of the Courts

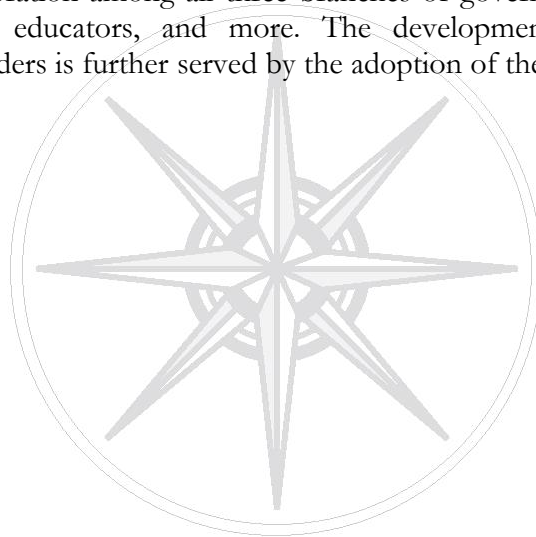
As a leader among Courts, we exemplify high standards for justice and public service.

To obtain the above vision, the courts are committed to:

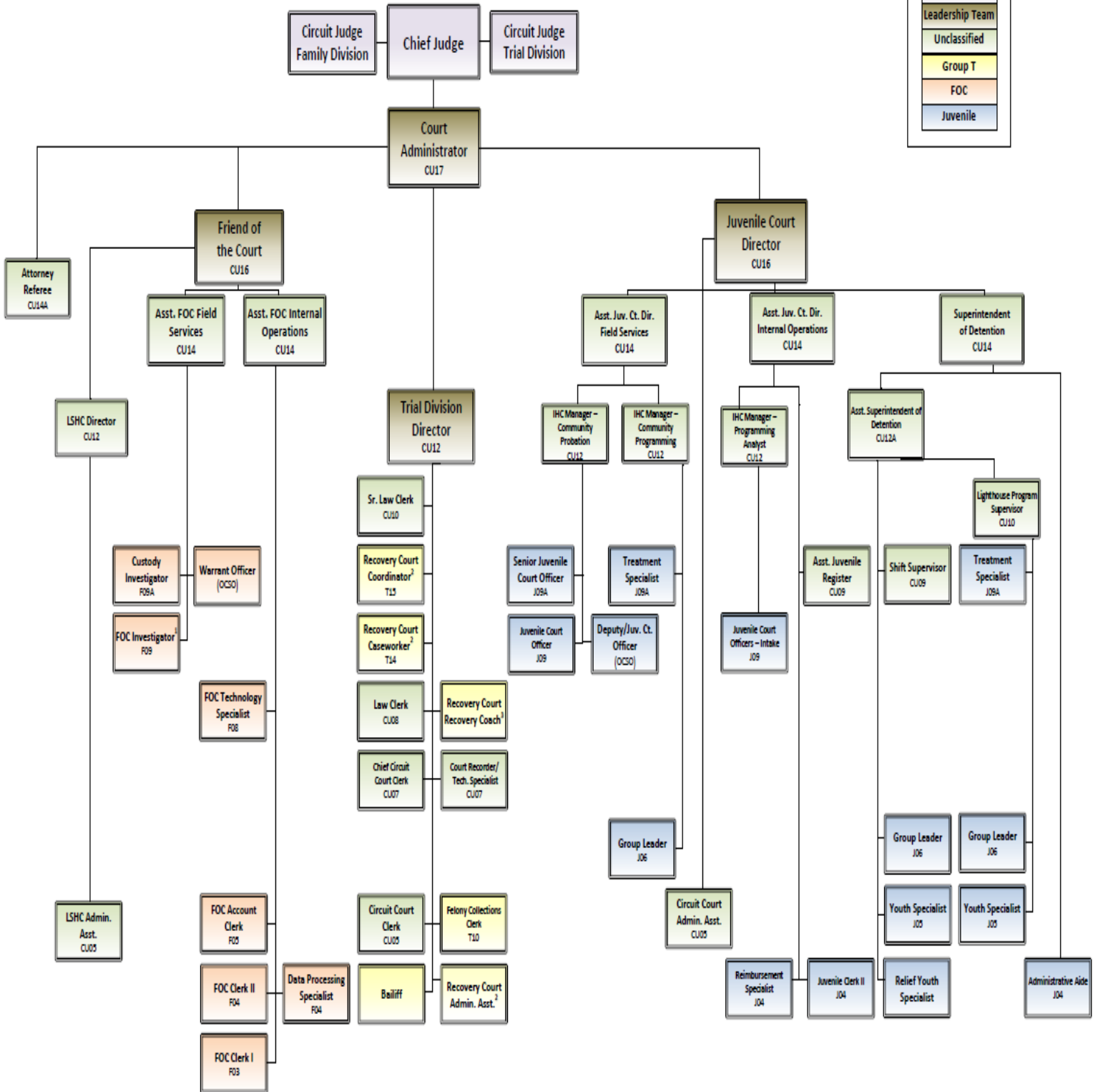
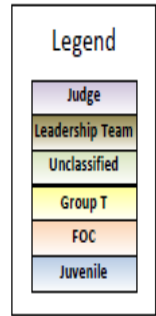
- ❖ Providing justice and equal access to all;
- ❖ Processing and resolving legal matters quickly, fairly, and efficiently;
- ❖ Being nimble and embracing change; responding quickly and effectively to emerging needs and circumstances;
- ❖ Providing easy physical and electronic access to services at all court locations; using proven technologies to enhance access, services, and operational efficiencies;
- ❖ Using evidence-based and promising practices to achieve effective case and justice outcomes;
- ❖ Seeking sufficient funding and resources to meet the needs of the community and court users;
- ❖ Developing positive community relations and collaborating effectively with justice system and community partners; and
- ❖ Being an “employer-of-choice” with a stellar reputation, attracting highly skilled applicants, and ensuring judicial officers and employees are well-trained, satisfied, and engaged.



All the efforts discussed above have been identified by judges and court employees to demonstrate how the courts' high standards for justice and public service may be operationalized daily. Clear identification of the courts' mission and vision was a critical first step toward achieving effective strategic execution. It became evident early in the strategic planning process that knowing the goal and what to do to achieve the goal are certainly important, but the goals must be understood and implemented in the relational environment of the courts. As the third branch of government, courts are both independent and inter-dependent. While individual case decisions are made independently by judicial officers, the administrative operations of the courts require extensive collaboration among all three branches of government, as well as with attorneys, litigants, treatment providers, educators, and more. The development and maintenance of strong partnerships among all stakeholders is further served by the adoption of the courts' core values, as identified above.



20th Circuit Court Ottawa County Organizational Chart



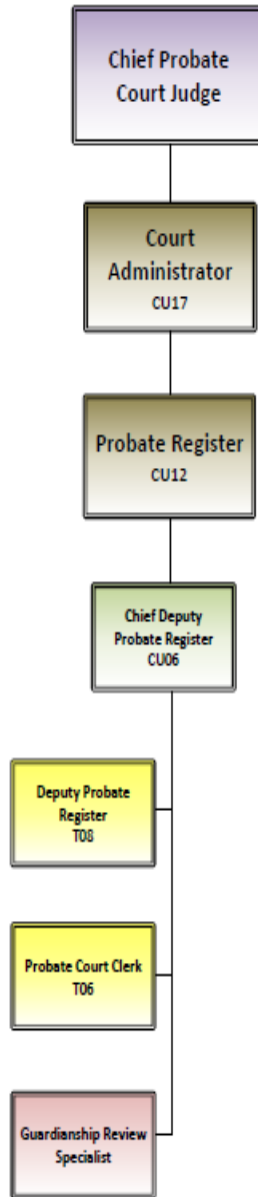
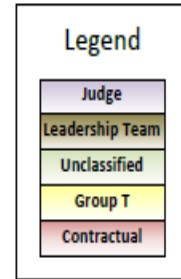
¹ FOC Investigators include alpha-split case workers, medical investigator, bench warrant investigators, establishment investigators, interstate investigator and coordination conference investigator.

² Grant funded position.

³ Services provided under contract.

Revised 4.6.2020

Ottawa County Probate Court Organizational Chart



Court Wide Initiatives

Family Justice Center – To provide better coordinated and centralized Family Division services to the citizens of Ottawa County, the Courts and County Administration have been discussing plans to build a Family Justice Center on the Fillmore campus. In time, this Center would support the legislatively mandated concept of “one judge – one family” by bringing together the judges, attorney referees and court staff who handle domestic relations cases, juvenile cases, and child welfare cases. Space limitations currently require these services to be divided between courthouses in Grand Haven and West Olive. The Center will also move frequently used court services closer to the population centers within Ottawa County. Phase I of the project includes a “family friendly” courthouse, Phase II will provide for an updated juvenile detention facility, and Phase III envisions educational and treatment space for the Juvenile Justice Institute. During 2019, a Request for Proposals (RFP) was released and following an extensive review and interview process, an architect and general contractor was identified to partner with the Court and County on this important project.



Case Management System Review – Court staff have been working with the County Innovation & Technology Department to identify and implement a web-based case management system, intended to replace the legacy AS/400 Justice System currently in use. Since this type of process innovation requires detailed requirements gathering, beta testing and project oversight, participating courts and county departments have committed significant resources to ensure the ultimate success of the project. It is anticipated a system vendor will be identified in FY2020.

Strategic Planning – Maintaining the Strategic Plan, periodically updating and revising goals, objectives, and priority projects, is an important function of court administration. In 2019, the Strategic Planning Oversight Team (SPOT) reviewed and revised the 20th Circuit and Ottawa County Probate Courts’ Strategic Plan to ensure court leadership and strategic planning action teams have consistent and reliable direction for court improvements. The most recent review included changing the Strategic Focus Areas to add a team designated to courthouse security and to provide a greater focus on court specific technology.⁸

Electronic Filing (efiling) of Court Documents – The Circuit Court and the Ottawa County Clerk/Register’s Office were early adopters of efile technology and subsequently were selected as one of five pilot counties for the Michigan Supreme Court efile project. Throughout 2019, court and clerk personnel continued to work with the State Court Administrative Office and ImageSoft, Inc. to establish a fully functional efile portal, providing attorneys and litigants with the opportunity to remotely file documents in established cases. Toward the end of 2018, the Ottawa County Probate Court was selected as the test site for the statewide probate court “standard solution.” The standard solution was subsequently launched for most Probate Court filings. As the acceptance of efile technology grows, this innovation will provide great access to the courts and increase public trust and confidence in the judicial branch of government.⁹



⁸ <https://www.miottawa.org/Courts/20thcircuit/pdf/reports/2018-2020-Strategic-Plan.PDF>

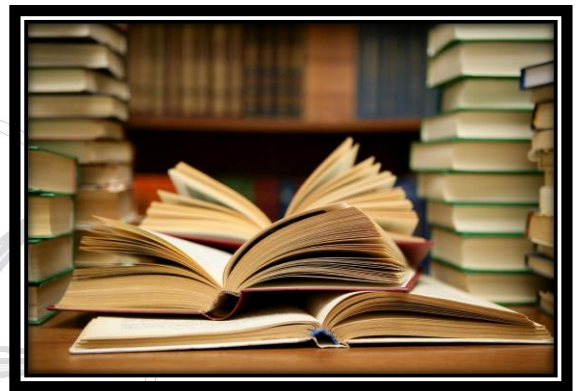
⁹ <https://mifile.courts.michigan.gov/>

Courthouse Security – At the Ottawa County Courthouse in Grand Haven and the Family Division/Probate courthouse in West Olive, two staff teams have been meeting on a regular basis to review and update Site Emergency Plans, discuss relevant courthouse security issues, and collaborate on viable solutions to defined problems. The team consists of representatives from the Courts, the Sheriff's Department, County Clerk/Register's office, and related offices. Since these security teams have been formed, they have achieved many accomplishments, including:

- ❖ Updating Site Emergency Plans and conducting several table-top exercises
- ❖ Coordinating emergency drills with the Sheriff's Department
- ❖ Reviewing key card access to the buildings
- ❖ Reviewing and revising the West Olive incident report procedures

The Courts continue to participate in security improvements through staff emergency planning teams and with the County CPTED (Crime Prevention Through Environmental Design) activities.

Public Education – Throughout each year, the courts are actively engaged in a variety of public education efforts. In 2019 for example, several school groups toured the courthouses and the Juvenile Detention Center where they learned about court process, observed judicial hearings, and were exposed to a variety of evidence-based programs. In addition, numerous presentations were prepared and delivered on the Juvenile Court, Recovery Court and related substance abuse issues, the role of courts in society, technology applications in the justice system, talent development/talent management, procedural fairness, strategic planning, child support collection strategies, the importance of the US and Michigan constitutions, and much more.



College Internship Program - This court-wide intern program was revised to better accommodate short-term internships and to maximize the use of volunteer resources and compliment staffing needs. Internships provide a practical learning experience within the justice system, which benefits the student, the school, and the courts.¹⁰

Website Updates - Court information on the County's website is regularly reviewed to update content and to ensure ease of use. Modifications were made to provide new content, increased accessibility and a user-friendly format.¹¹

Online Dispute Resolution (ODR) – The 20th Circuit Court began the use of online dispute resolution tools in child support collection matters in 2016, and the successes of that project have led the Court to expand the use of these tools into domestic relations matters. Some parenting time disputes will be handled through ODR beginning in 2020. The COVID-19 pandemic has also compelled the rapid growth of virtual hearings, and the courts expect that some of this training and virtual hearing capacity will continue beyond the end of the emergency, giving the court expanded ability to conduct hearings with remote participants.

¹⁰ <https://www.miottawa.org/Courts/20thCircuit/internships.htm>

¹¹ <https://www.miottawa.org/Courts/20thcircuit/default.htm>

Financial Overview

As an independent branch of government, the Courts generate limited revenue but do not operate like a for-profit business. Other than case filing fees established by the state legislature, the public is not charged for many court services and, in cases where there is no ability to pay, fees are typically waived. Instead, 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. In addition to state reimbursements, the Courts rely heavily on County general fund appropriations to cover the cost of most employees and daily operations.

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 and compares the county's proportion of these filings for the three years to the total state filings. The second factor compares the number of judgeships within the county to total judgeships for the entire state.

Revenue sources of 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.

The Juror Compensation Reimbursement Fund was created as of January 1, 2003 to provide a source of reimbursement funding 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 are allowed to claim reimbursement biannually from the fund for increased expenses.

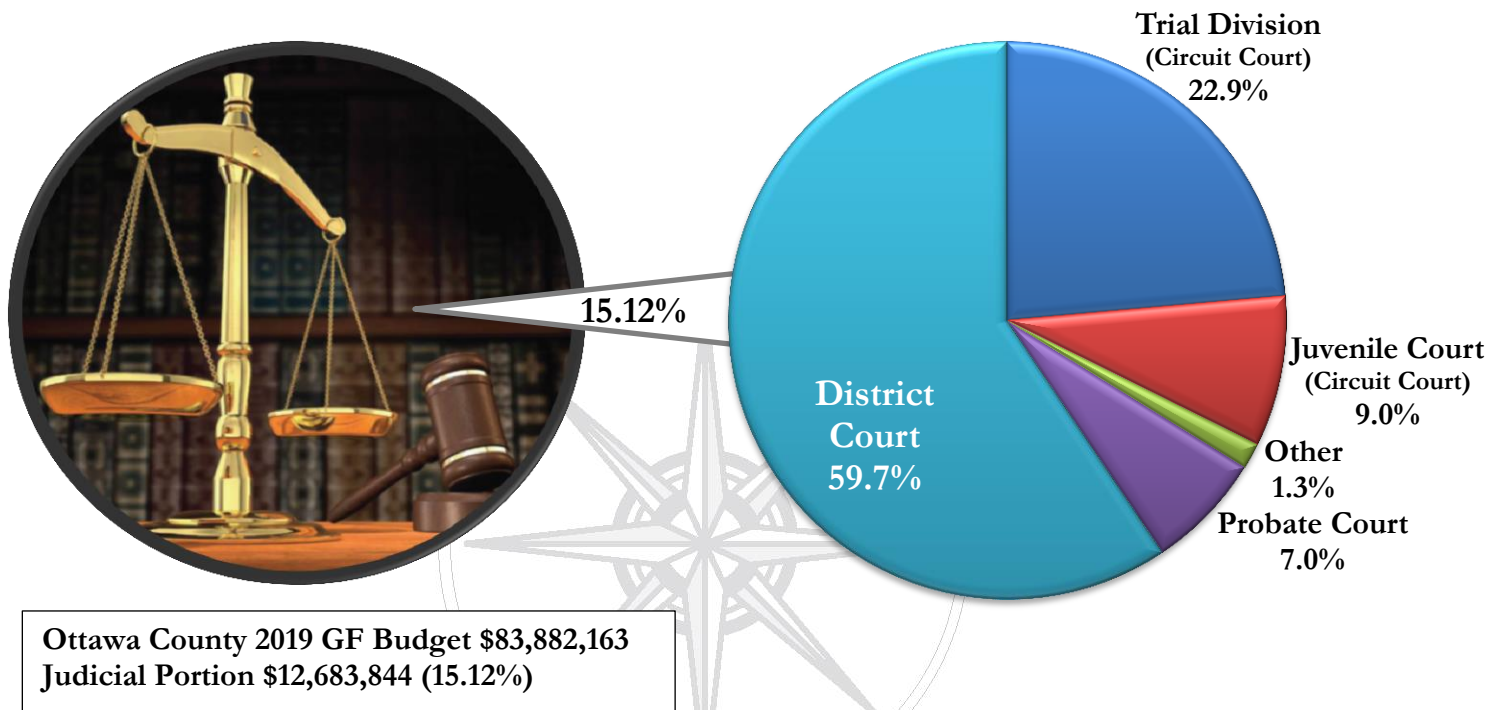


Other Court expenses are paid in part by federal Title IV-D funds (Family Division – FOC child support collection); the Michigan Child Care Fund, Title IV-E and Title I funds (Family Division – Juvenile Court programming); state reimbursement for the County Juvenile Officers, and various state and federal grants (e.g., partial Recovery Court funding). The substantial balance is paid through an appropriation from the Ottawa County general fund.

Ottawa County 2019 General Fund Allocation

In FY2019, the County general fund (Fund 1010) expenditure budget was \$83,882,163¹²; the judicial portion was \$12,683,844 or 15.12% of the GF budget. Of the 15.12% expenditure, the Circuit Court Trial Division (Fund 1310) was allocated \$2,907,271 (22.9%); Juvenile Court (Fund 1490) was allotted \$1,144,448 (9.0%); and Probate Court (Fund 1480) received \$888,061 (7.0%). The remaining \$7,572,308 (59.7%) went to District Court (Fund 1360), with a small 1.3% allocation to “adult probation and other”.

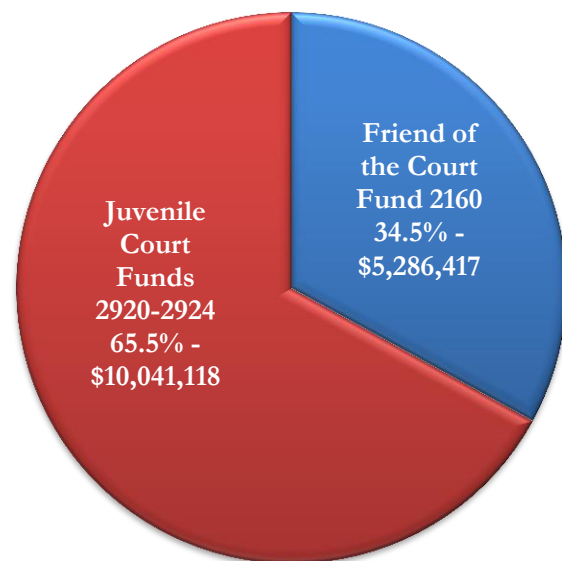
FIGURE 5: OTTAWA COUNTY 2019 GENERAL FUND ALLOCATION – JUDICIAL PORTION



Ottawa County 2019 Special Revenue Funds Transfer

Due to other funding streams, the Friend of the Court (FOC) and Child Care Fund portion of the Juvenile Court budget is not reflected in the general fund budget allocations. For FY2019, the 20th Circuit received special revenue fund expenditure budgets amounting to \$15,327,535. These allocations were divided as follows: FOC received a revenue operating transfer of \$5,286,417; and the Juvenile Court received funding for child care programs of \$10,041,118.

FIGURE 6: OTTAWA COUNTY 2019 SPECIAL REVENUE FUNDS TRANSFER



¹² Ottawa County Adopted 2019 Budget, <https://www.miottawa.org/Departments/FiscalServices/pdf/2019Budget/2019-Budget.pdf>

Legal Self-Help Center

The Legal Self-Help Center (LSHC) supports the work of the courts in Ottawa County by providing individuals with the forms and education necessary to access court services. Once individuals have accessed court services, the self-help center provides support in navigating court processes.

LSHC staff regularly interacts with individuals who are dealing with the court for the first time (e.g., divorce and custody cases) and those who have been involved with the court for many years (e.g., child support cases). These individuals are often stressed and dealing with major life changes. Volunteers are dedicated to providing outstanding customer service and treating each individual with compassion and respect.



In 2019, the LSHC logged 1,837¹³ hours of service and navigated more than 4,294 requests for assistance¹⁴. LSHC staff answered questions, distributed and organized forms, made copies and explained courtroom procedures. In total, LSHC volunteers provided the courts and Ottawa County with over \$28,939 worth of services¹⁵.

The LSHC distributed over 1,429 forms and 526 packets. Divorce and custody packets include a number of different forms required to start a court case. Last year, self-represented litigants in Ottawa County filed 513 new divorce cases¹⁶, or around 50% of all new divorce filings¹⁷. The majority of these self-represented filers utilized paperwork from the Legal Self-Help Center¹⁸.

Finally, the LSHC trained one new volunteer in 2019. Volunteers are learning skills and gaining experience that make them prime candidates for future employment by the court or Ottawa County¹⁹.

¹³ 1,138 hours provided by volunteers; 699 hours provided by paid staff.

¹⁴ In person = 3650; Online = 111; Phone = 533.

¹⁵ In 2019, one volunteer hour was worth \$25.43 according to independentsector.org/value-of-volunteer-time-2019.

¹⁶ 251 divorce without children (DO) and 281 divorce with children (DM).

¹⁷ Actual percentages are 54% of new DO cases and 50% of new DM cases.

¹⁸ 69% of filers without children and 76% of filers with children utilized LSHC paperwork.

¹⁹ To date, the LSHC has trained ten individuals who were subsequently hired by the court or Ottawa County. These individuals include: Kate Armstrong, Pete Armstrong, Susan Hoekema, Sheri Lankheet, Tiffany Mast, Karen Meyers, Keshonna Redmond, Shannon Rogers, Ken Schreur, and Kelli Wyse.

People are Very Satisfied with the 20th Circuit and Ottawa County Probate Courts

For several years, the 20th Circuit and Ottawa County Probate Courts have received high marks from the public regarding their experiences with the court. Using a survey that was administered in courts statewide, the local Circuit and Probate Courts asked court users questions about whether the Courts were accessible, timely, and fair, and if they were treated with courtesy and respect by judges and court staff.

“Our court serves the people, so their views are critically important in helping us make decisions on how to improve court operations,” said Chief Circuit Judge Jon A. Van Allsburg. Chief Probate Judge Mark A. Feyen also noted, “I am very proud of the hard work put in by our Probate Court employees, and we are committed to being even more efficient and focused on improving service to the public.”

Highlights from the most recent survey include:

- ❖ 92% of court users said they were treated with courtesy and respect by court staff.
- ❖ 88% of court users said the way the judge or attorney referee handled their case was fair.
- ❖ 84% of court users were able to get their business done in a reasonable amount of time.

“We use the data from this survey to make management decisions that help better serve the public,” said Court Administrator Kevin J. Bowling. “Our goal is for every person who comes through the courthouse doors to be satisfied and treated fairly.”

Developed with input from judges and court administrators statewide and tabulated by the State Court Administrative Office to insure accuracy, the survey enables courts to identify strengths, provide positive feedback to employees, and target areas for improvement. The survey was completed by a range of court users, including parties to cases, attorneys, jurors, and others.

The public satisfaction survey is part of a statewide initiative of the Michigan Supreme Court and the State Court Administrative Office to measure and report on court performance. From 2013 through 2019, nearly 127,000 surveys were completed in courts throughout Michigan. Visit www.courts.mi.gov for more information.



Kevin Bowling to Receive National Center for State Courts 2019 Distinguished Service Award

Kevin J. Bowling, JD, MSJA, Court Administrator for the 20th Circuit and Ottawa County Probate Courts, has been known for his passion for the courts and for court administration. Since the beginning of his career with the judiciary over forty years ago, he has worked with relentless dedication to improve the administration of justice and the knowledge, skills, and abilities of judges, court leaders, and staff. For over twenty years of his career, he served in a variety of positions with the Michigan Supreme Court including State Judicial Educator and Regional Court Administrator. His passion for quality leadership and administration of the courts is reflected in his contributions as adjunct faculty for the National Judicial College in Reno, Nevada; the National Center for State Courts, Institute for Court Management; and the Leadership Institute in Judicial Education. Kevin also served as Deputy Chief of Party for the Nigeria Justice Sector Assistance Project during his career. He is a well-respected court leader in Michigan and always brings his international, national, and statewide experiences and knowledge back to Ottawa County's 20th Circuit and Probate Courts in an effort to keep the courts true to their mission, "To administer justice and restore wholeness in a manner that inspire public trust".

On December 9, 2019, Kevin was informed he is the recipient of the 2019 National Center for State Courts' Distinguished Service Award. The letter informing him of this award states, "This award honors those who have made substantial contributions to the field of courts administration and to the work of the National Center. We are grateful for the contributions you have made to improve the operation of the courts nationally, and to enhance the work of the National Center for State Courts."

Kevin will receive this award at the 2020 National Association for Court Management annual conference in New Orleans.



Trial Division

Caseload Facts

The 20th Circuit Court 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 2019, Judge Miedema and Judge Hulsing presided over criminal, civil and personal protection order cases. Judge Miedema also handled 60% of divorces without children. Judge Van Allsburg heard appellate and business court cases, 50% of the domestic relations cases, and 20% of divorces without children. Judge Engle was assigned 50% of the domestic relations cases and 20% of divorces without children. In addition, Judge Engle conducted court two days per week at the Fillmore Complex with a mixed docket of juvenile delinquency cases and child protective proceedings.

From 2018 to 2019, the appellate caseload decreased by 21.8% and the criminal caseload (new filings and reopened cases) decreased by 14.4%, while the civil caseload increased slightly by 3.6%. It is important to note that although the total number of domestic relations case filings in the Family Division is down very slightly, the average complexity and time involved in these cases (particularly in those known as “high-conflict” cases) continues to increase. Overall, the Trial Division experienced a 10.3% decrease in new filings and reopened cases from 2018 to 2019.

FIGURE 7: 5-YEAR CASELOAD TRENDS, CIRCUIT COURT

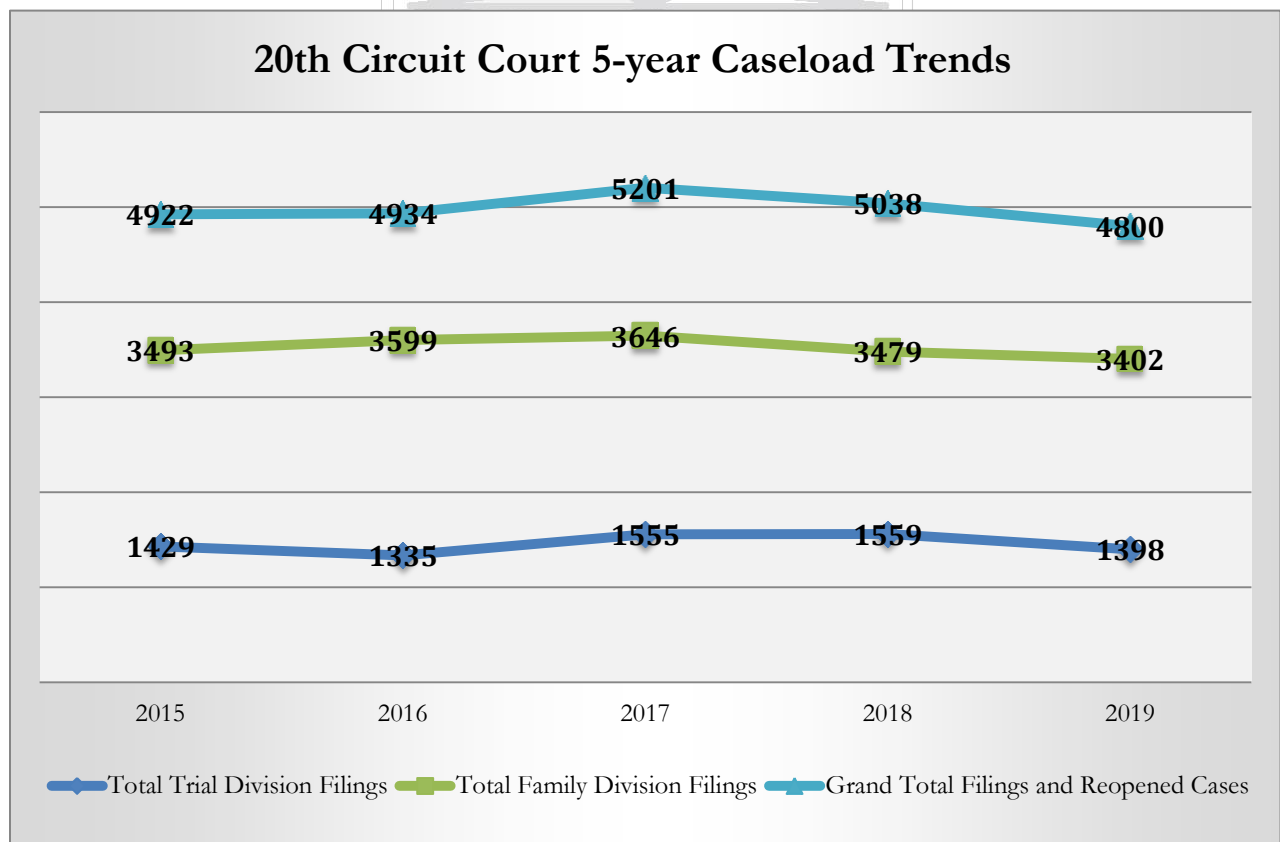
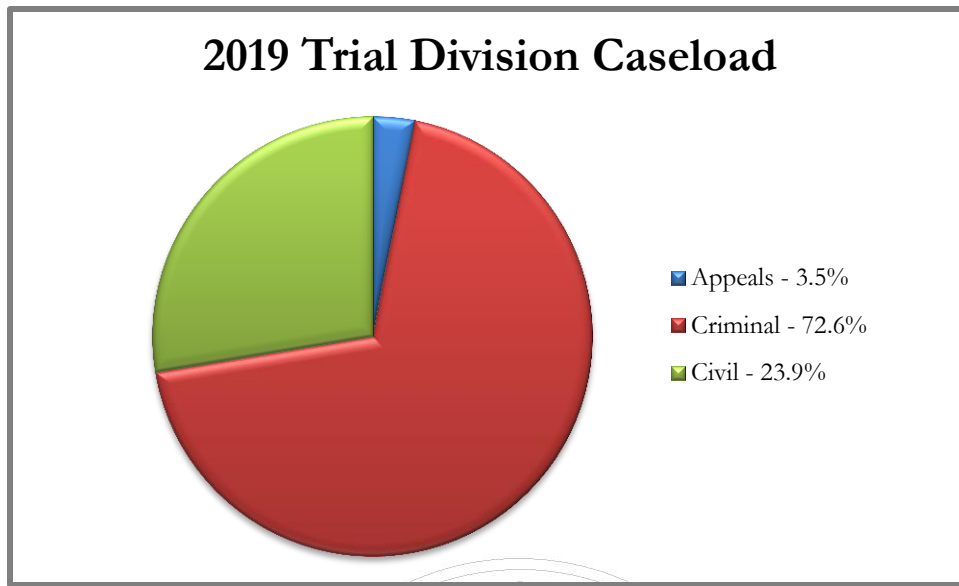


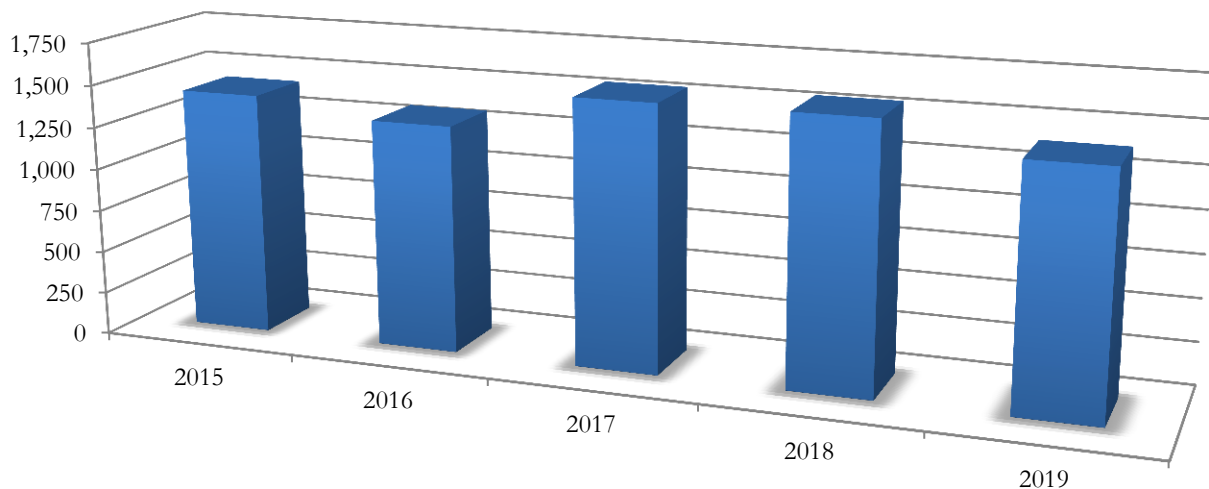
FIGURE 8: 2019 TRIAL DIVISION CASELOAD



Although the Trial Division caseload is distinct from the Family Division caseload, it is important to note that judges and court employees regularly assist with all aspects of the court’s important work, even if assigned to a specific court division. For instance, the primary criminal and civil judges, Judges Hulsing and Miedema, routinely handle most requests for adult or juvenile personal protection orders. Likewise, due to the current split of the Family Division between the Grand Haven and West Olive courthouses, Trial Division staff assists Family Division staff with the processing and scheduling of disparate cases types. This collaboration and sharing of workloads is a cultural norm in Ottawa County and is reflective of the courts’ core values noted above.

FIGURE 9: TRIAL DIVISION NEW AND REOPENED CASE FILINGS

New and Reopened Case Filings



Trial Division Accepts Warrant Entry and Recall Duties to Assist the Ottawa County Sheriff's Office

The Trial Division successfully added Law Enforcement Information Network (LEIN) warrant entry and recall duties to its operations in 2019. The Trial Division clerks undertook training and designed workflows to allow them to expediently enter court-ordered bench warrants for individuals who fail to appear for hearings, commit probation violations, pretrial bond violations, or who fail to pay their court-ordered fines and costs.

Circuit Court Clerks enter information regarding these warrants into LEIN during the requisite 72 hour time frame, which allows law enforcement agencies to see that a confirmed bench warrant for the arrest of those identified individuals is active and should be executed. Clerks must also verify the information input into LEIN within 48 hours. Additionally, court clerks complete monthly validations of the records entered into LEIN to keep the records current and complete. The Trial Division must comply with many strict rules promulgated by the State to have LEIN access, including keeping records in a secure, locked facility.



It was a multi-departmental effort for the Trial Division to take on these duties. The Sheriff's Office, the Clerk-Register of Deeds-Circuit Court Records Office, and Innovation and Technology all provided valuable assistance and advice, and continue to aid in these efforts. The Trial Division was granted an additional part-time Clerk position as part of its commitment to take on these duties, which allowed the Court to hire Michelle Munley from the Sheriff's Office. Michelle has been a fantastic addition to the Circuit Court team!

The Trial Division continues to work with Michigan State Police LEIN Field Services to convert all Circuit Court law enforcement entered warrants (warrants entered by the Sheriff's Office prior to Circuit Court beginning entry of warrants) to court entered warrants. This reduces the number of Circuit Court records for which the Sheriff's Office is responsible and places them with the court. These efforts ensure that once warrants are issued, they are entered into the LEIN system in a timely manner, which enables the court to hold defendants responsible and assists with officer safety by having active warrant information available much faster. This also allows for better case management as the court maintains control of the documents.

High Profile Murder Cases Lead to Jury Trial Challenges

While Tuesday, October 22, 2019 may have been a normal day of business for the rest of the County, it was an unusually busy day at the Ottawa County Circuit Court, requiring a high level of inter-departmental cooperation. On that day, Judge Karen Miedema began the murder trial of People v Juan Sandro Cabrera, as Judge Jon Hulsing simultaneously began the murder trial of People v Michael Scott McNeal. A week later, as those trials continued, Judge Van Allsburg began a civil jury trial.

To start and conduct two such high-profile murder trials next to each other required some logistical and tactical planning. The judges worked together, with Judge Hulsing orienting the entire jury pool in Judge Miedema's courtroom, before splitting the large group of potential jurors into two separate panels. The judges and attorneys questioned and excused jurors. Jurors excused from one courtroom then reported to the other courtroom for potential selection. The Trial Division and Circuit Court Records staff checked in and directed jurors and the media.

Michael Scott McNeal was charged with the murder of his wife Sherrilee McNeal, who was shot three times with a bolt-action rifle. McNeal then turned the rifle on himself in what appeared to be a botched suicide attempt. After several days of testimony and arguments, the jury found him guilty of second-degree murder, for which Judge Hulsing sentenced him to 45 to 75 years in prison.

Juan Sandro Cabrera was alleged to have murdered 14-year old Troy "TJ" Wells at the Hampton Inn in Holland. The trial raised issues of courthouse security, as Cabrera was alleged to have been a member of the Holland Latin Kings gang. As a result, Judge Miedema ordered a ban on cell phones in the courtroom, which staff achieved by containing phones in Yondr bags²⁰, which could be given back to the owner without that person being able to use the phone. The Sheriff's Office also provided extra security for both courtrooms. Cabrera was found guilty of first-degree murder, and Judge Miedema sentenced him to life in prison without possibility of parole.

In addition to these two murder trials; Judge Van Allsburg's civil trial required its jurors to serve past their normal, two-week term of jury service and to consider multiple contracts. Ultimately, the jury determined the plaintiff in that case had not met the required burden of proof.

Although running two murder trials, as well as a civil jury trial, required all hands on deck, the Court was able to succeed in its mission to administer justice. Subsequently, Chief Judge Van Allsburg published the following op-ed to help the Ottawa County community better understand the privilege and duty of jury service.



²⁰ <https://www.veryondr.com/>

Jury Duty: Citizen Service in the Third Branch of Government

Jury duty is one of the unique rights and obligations of citizenship. The Constitution's 6th Amendment guarantees a criminal defendant the right to "a speedy and public trial, by an impartial jury." The 7th Amendment guarantees the right to trial by jury in many civil cases. Jury service provides an opportunity for citizens to influence the decisions of the judicial branch of government, making it truly "of the people, by the people, and for the people."

Yet jury trials have been on the decline for decades. Although we've had a recent increase with 24 jury trials held in 2019, in 2018, only 11 jury trials were conducted in the 20th Circuit Court in Ottawa County. There are several reasons for this. One has been the development of science and technology. For example, it was once the province of the jury in a paternity case to view the alleged father and the newborn child in the courtroom, and then determine by sight and testimony whether he was the father. We now rely on genetic testing to aid the court in such matters.

The number of jury trials has also declined due to the significant increase in the court's use of ADR – alternative dispute resolution. Trial alternatives such as mediation and arbitration have improved and increased and are now used in almost all cases. Jury trials are still held, and the Circuit Court calls potential jurors to serve for two-week intervals. Jury duty is open to all citizens, age 18 and older, who are residents of the county, able to communicate in the English language, with no felony record, and who are physically and mentally



capable of jury service. A potential juror will be excused from jury service if the above qualifications are not met, or if the juror is over the age of 70 and asks to be exempted.

All others are presumed available for jury service, though the chief judge of the court, upon written request, may "defer" jury duty for a variety of reasons. These requests are mailed or emailed to the County Clerk's office and forwarded to the chief judge, who reviews them daily. The law mandates deferral for jurors who are still attending high school or college on a full-time basis (until the end of the school year). Deferrals will also be granted to nursing mothers (those who are pregnant or nursing are typically deferred, on written request, for a year). State law also permits deferral of jury service for anyone for whom jury duty "creates a hardship," who will be "materially injured by his or her attendance," or where "the health of the juror or a member of his or her family requires his or her absence from court."

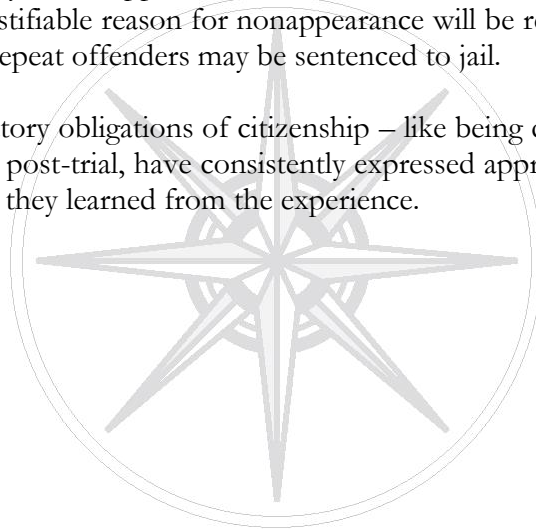
Jurors seeking to defer jury duty cite a variety of reasons why service would be a hardship. The most frequent reasons include conflicting healthcare treatment or appointments, health care professionals with scheduled patient appointments, self-employed persons or teachers with no backup staff, stay-at-home mothers with preschool children and no childcare or no transportation, and jurors who have already scheduled and paid for vacations or business travel.

Some jurors would prefer to work rather than receive \$25 per day as a juror, but this is not a basis for deferral unless the juror has near poverty-level income and jury service would constitute a hardship. Employers are prohibited by law from terminating or retaliating against an employee called for jury duty, and some employers continue to pay employees called for jury duty.

A juror who claims to be biased may be excused from hearing a particular case but will not be excused for that reason. Matters of potential bias are dealt with in the courtroom at the time of jury selection, and issues of bias or conflict-of-interest are determined by the trial judge.

Potential jurors are notified by mail and must fill out and return a juror questionnaire. Failure to return it or providing false answers is a contempt of court, as is failure to appear for service. Failure to appear will result in being notified of a mandatory court appearance, and failure to show up may cause the issuance of an arrest warrant. A juror with a justifiable reason for nonappearance will be rescheduled, and one who doesn't will be fined and rescheduled. Repeat offenders may be sentenced to jail.

Jury duty is one of those mandatory obligations of citizenship – like being drafted, except much safer. It has been our experience that jurors, post-trial, have consistently expressed appreciation for the opportunity, and been impressed with how much they learned from the experience.



Ottawa County Recovery Court

The adult felony drug court for the 20th Circuit Court in Ottawa County began in January, 2005. The 58th District Court started a sobriety court about six months prior to this and continues to operate an alcohol docket and a mental health docket. In addition, the Ottawa County courts participate in a regional Veterans Treatment Court with Allegan and Van Buren Counties. The drug court model used by the Circuit Court with adults has been highly effective. Research shows fidelity to the ten key components²¹ of drug court will ensure a program's success. Courts which improvise too much generally have poor results.

The Ottawa County Recovery Court program has received strong support from the Prosecutor's Office, the Sheriff's Office, several treatment agencies, and the community in general. There are church volunteers who provide rides to court for participants who have often lost driving privileges due to their addictions. Other volunteers provide snacks at "the gathering" which follows each court hearing so participants can get to know each other and staff on an informal basis. Volunteers employed by local banks provide budget counseling for participants. Current funding for the program is from grants through the State Court Administrative Office (SCAO) and the federal Substance Abuse and Mental Health Services Administration (SAMHSA). With these grants, positions are funded for two staff and two peer recovery coaches as well as for participant treatment.



Peer recovery coaches are an integral part of the program. These individuals are recovering addicts who have successfully completed intensive training to support other addicts in recovery. With generous grant funding, the Ottawa County Recovery Court has also sponsored several recovery coach trainings to extend a supportive network for the recovery community. A participant who is struggling will tell their recovery coach personal concerns they may not want to share with a probation officer or staff. Honesty is promoted as the first rule of recovery. A recovery coach who has "been there and done that" can often help a participant break down barriers of denial.

Recovery Court is a strict behavioral program. Every participant has a minimum number of AA or recovery support meetings to attend. Treatment always begins with a residential program or nine hours per week of intensive outpatient treatment. Treatment becomes less intensive thereafter, but will continue for as long as they are in the program (minimum 18 months, average 21 months, maximum 30 months). Participants must report weekly to their probation officer, submit to random, observed drug testing, complete writing assignments, appear for regular court review hearings, submit to home checks by night-time surveillance officers, and obey a curfew. Electronic monitoring of participants using a tether or SCRAM/alcohol monitoring system is also used when helpful to the recovery process. Every effort is made to keep participants busy with positive activities and leave little time for mischief.

All good drug/recovery courts employ a system of sanctions and incentives. The sanctions are identified for participants in advance so they clearly understand the consequences of violating the law or program rules. Most sanctions do not involve jail, but short periods of jail time are used when necessary. Incentives are equally important to program success. Participants may receive applause during the review hearings when

²¹ <https://www.ndci.org>

there is a positive report, sometimes gift cards are used, and occasionally program requirements are adjusted to recognize good performance. The Recovery Court uses a participant handbook and policy manual to provide details regarding program eligibility, the referral process and program requirements.²²

The Ottawa County Recovery Court program has made some recent changes. Program phases have been re-designed, the phase structure has changed from four phases to five and the overall program length was lengthened. Program size is another significant change, expanding from 30 participants to 60 participants. Adding participants also provided an opportunity to create two distinct dockets, one for alcohol cases and one for drug cases. Best practices suggest this docket split in part because drug offenders and alcohol offenders seem to prefer being segregated in this way. This is the primary reason why Alcoholics Anonymous and Narcotics Anonymous are two separate organizations. It also provides for greater efficiency when conducting court review hearings and helps comply with hearing standards set by the National Drug Court Institute.

Another recent change is the program name. The 20th Circuit Adult Drug Treatment Court was renamed the Ottawa County Recovery Court (OCRC). The new name emphasizes that the program promotes recovery, not drugs. It also fits better with the two docket structure.

Recently, the National Drug Court Institute designated the OCRC as a National Mentor Court. This allows the OCRC opportunities to host teams from drug courts in other communities who are about to start, or have recently started their own program. Teams from Michigan, Minnesota, Wisconsin, and Pennsylvania have already been hosted and more will come. Several years ago, the OCRC team visited a court in Philadelphia, Pennsylvania and were mentored by them. It was a helpful experience, not only to learn and view good practices, but also for observing some negative aspects of the program and ensuring the elimination of those practices from the OCRC. Being a mentor court has been a positive experience and has caused the court to reflect. It lessens the possibility that practices continue because “that’s what we’ve always done.”

Visitors are encouraged to observe the OCRC review hearings on alternating Thursdays, 9:00 AM and 11:00 AM, Courtroom 2B, Ottawa County Courthouse, Grand Haven.

²² <https://www.miottawa.org/Courts/20thCircuit/recoverycourt.htm>

Friend of the Court (FOC)

Caseload Facts

Throughout 2019, Friend of the Court staff handled a Title IV-D caseload (child support) of 11,141 cases, representing a 0.7% increase from 2018. During the same time period, there was a 0.7% decrease in new divorce and other domestic relations filings. To enforce court orders on these cases, 3,757 show cause hearings were conducted (where parties are ordered to “show cause” why they should not be held in contempt of court for failing to obey a valid court order), 1,224 bench warrants were issued, and over \$40 million in child support payments were collected and disbursed to families in need. In addition to these enforcement efforts, staff directly assisted clients by meeting with 2,719 in the office, both on an appointment and walk-in basis. To help ensure child support orders are updated to reflect significant changes in circumstances, staff conducted 2,377 case reviews and recommended modification where appropriate (representing a 5.7% increase from 2018). Based on federal child support performance measures, the 20th Circuit FOC is one of the most effective operations in Michigan, ranking at or near the top of the 14 largest counties and collecting \$8.85 for every dollar spent.

Besides the child support enforcement efforts of the Friend of the Court, there were 207 cases in 2019 in which the 20th Circuit Court received a petition for a special assessment regarding child custody or parenting time issues. In 35% of these cases, FOC staff conducted an extensive investigation and provided the Court with recommendations. Diversion conferences conducted by FOC staff resolved 61% of these cases, saving significant time and resources for all involved. Often, custody investigators are required to appear in court and testify regarding the investigation and their recommendations. In addition to these in-depth child custody assessments, the FOC further supports the Court by providing detailed psychological evaluations in select cases.



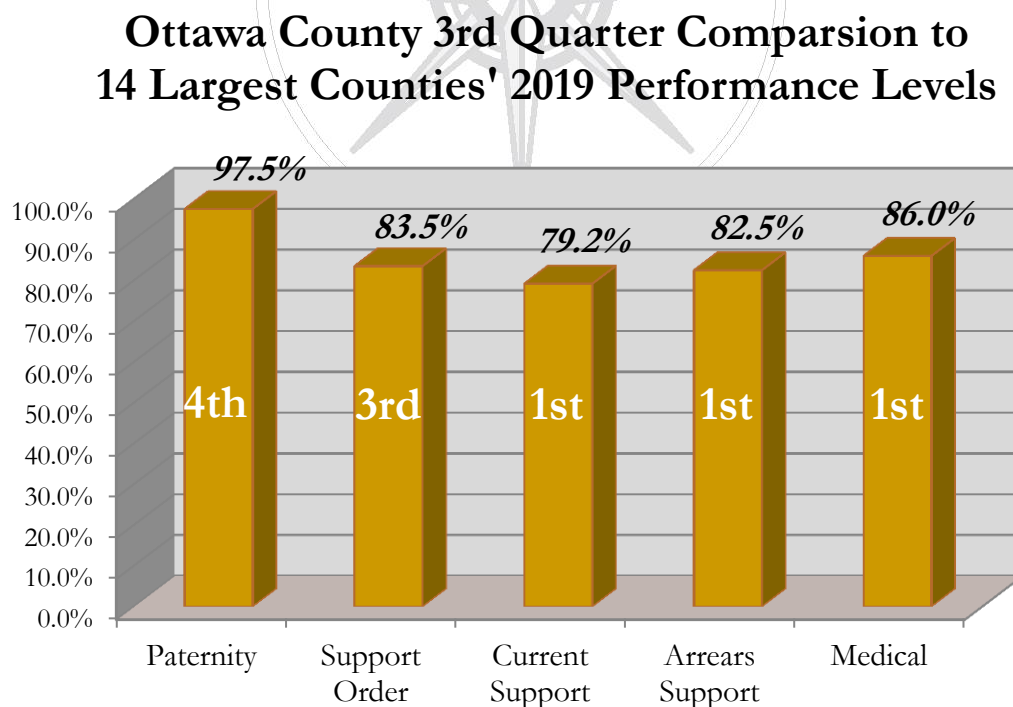
FOC Performance Measures

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 separately on this factor at a rate of 15% of medical support collections.

When the Friend of the Court office in Ottawa County is measured against the fourteen (14) 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 2019, the total of Federal incentive dollars earned was \$417,781 plus an additional medical incentive of \$54,831 (**\$472,612 overall, representing a 1.3% increase from 2018**).

FIGURE 10: OTTAWA COUNTY 3RD QUARTER COMPARISON TO 14 LARGEST COUNTIES' 2019 PERFORMANCE LEVELS



FOC Achievements

Child Support Collections - Total FOC collections for 2019 were \$40,003,193 which is the highest amount of child support collected historically by the FOC in Ottawa County (nearly \$400,000 more than in 2018).

Staff Training - The FOC has maintained high levels of education and training for staff with each FOC employee responsible for participating in 40 hours of training each year. Additionally, the majority of investigator staff are certified as SCAO trained mediators. This skill helps them successfully resolve family law disputes and allows them to give back to the local community by conducting mediations for Mediation Services as part of their continuing education and training.



Innovation Grant - The FOC applied for and successfully received an Ottawa County Innovation Grant in 2016 which allowed for the creation of a third Sheriff's Deputy position assigned to the FOC, as well as an additional FOC Account Specialist position. These additional positions helped to reduce the outstanding civil bench warrants and allowed the FOC to focus on meeting the required Federal Expiration Date for service of process in paternity and support cases. Unfortunately, funding for these two positions was discontinued mid-year 2019. This reduction in staff impacted the paternity establishment percentage for FY2019. The paternity establishment percentage for 2019 FYQ3 was 97.5% as compared to 99.4 % in 2018 FYQ4. Getting paternity established quickly allows the FOC to set child support earlier in the child's life and is a way to allow families to become more self-sufficient and less reliant on public assistance.

Online Dispute Resolution (ODR) - In late 2016, the FOC began using the Matterhorn "Online Dispute" software platform to assist with reducing the number of cases set for show cause hearing for non-payment of support. Matterhorn created a check-in system for use on the day of the court hearing which resulted in efficiencies for staff in conducting pre-hearings with non-paying parties to a child support case.



The system also helped create an accurate bench warrant list for use in contempt of court findings. The Matterhorn platform established a system for texting notifications to payers when their case fit the criteria for show cause and allowed FOC staff to negotiate settlement of the outstanding payment amount. Data collected from 2016-2019 shows that this method of resolving the non-payment issue resulted in a 29% reduction of show cause hearings scheduled with judges. Show cause hearings are now held two Fridays per month instead of every Friday per week. Use of the Matterhorn platform has also resulted in 35% fewer warrants issued in 2019 as compared to 2016 due to payers taking notice of text notifications alerting them to the show cause hearing rather than relying on postal notification which may use inaccurate mailing address information. The FOC has embarked upon utilizing the Matterhorn platform to resolve parenting time disputes in family law cases and believes it will be successful in providing online assistance to parties filing parenting time complaints and to parties who want to add specific parenting time language in their orders.

IRS Audit - Perhaps the biggest achievement for Friend of the Court in 2018 FYQ4 and continuing into 2019 FYQ1 was successful completion of an on-site federal audit by the IRS to determine if the FOC was in compliance with Federal law and regulations requiring the safeguarding of confidential data, including Federal Tax Information. The IRS conducts an audit of the Michigan Child Support Program every three years and chooses one county, of the 83 counties available, to visit on-site. Ottawa County was chosen and visited by the IRS for several days in September 2018. At that time, IRS auditors reviewed policies and procedures with management, independently interviewed staff and completed a visual walk through of the office space itself. At the conclusion of the visit, IRS auditors indicated that they found no compliance issues with regard to FOC operations and the physical office space it occupies. The IRS conducted a separate IT audit with regard to the safeguarding of information within the many operating systems used by the Courts and County Departments. Although there were some findings from the IT audit that needed corrective action, IT is currently addressing those issues and as a result, the County should be in a better position to successfully complete any future IT audits that may be conducted of the Courts or County Departments.



Kathy Winston Named Outstanding Supervisor of the Year

The 20th Circuit Court, Friend of the Court (FOC), which serves Ottawa County, has long been recognized as one of the highest performing in Michigan. At the recent annual State Child Support Conference, Assistant Friend of the Court Kathy Winston earned the honor of “Outstanding Supervisor of the Year,” given by the Michigan Family Support Council. This award is given to only one supervisor from the Michigan Child Support Program, which includes staff from the Michigan Office of Child Support, Friend of the Court offices and Prosecuting Attorney offices statewide.

Winston has served the people of Ottawa County for 32 years, first as a Data Processing Specialist then Friend of the Court Investigator and now as Assistant Friend of the Court. Drawing from her professional experience and personal knowledge, Winston has crafted creative solutions to improve efficiencies in operations, suggested relevant technologies and maintained a budget that is mindful of the needs of the office and local taxpayers. The FOC in Ottawa County is characterized as “high performing” based on both State and Federal performance measures, due to a dedicated staff who work to help families mediate cases, collect court ordered funds and settle disputes between parents involving minor children.

Since becoming Assistant Friend of the Court in 2012, Winston’s positive attitude has led the FOC to take on new challenges, including implementation of mandatory electronic filing and the Alternative Work Location program which allows staff to work remotely. She is committed to making the Child Support Program better for families and for employees working within the program. Says one of her staff, Winston is “approachable and willing to find the right solution even if she has to do the work herself. She has done almost every job in the office; she keeps up to date on trends in the field and moves our office forward. She also is exceptionally fair and does not take sides.”

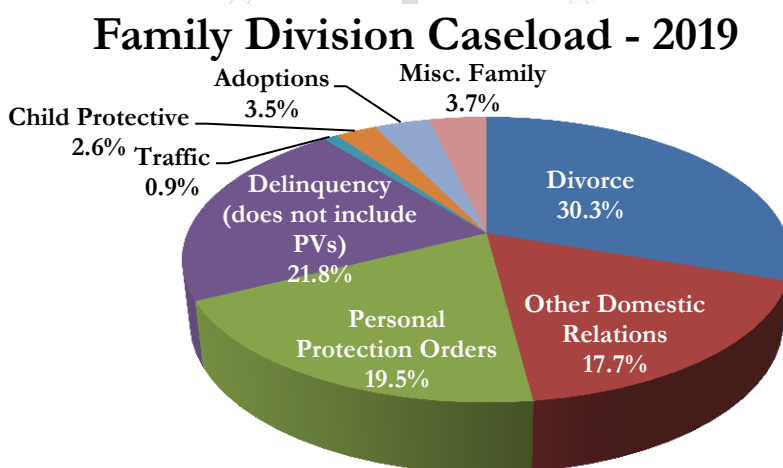


Juvenile Court and Juvenile Detention Center

Caseload Facts

Court personnel, like most community leaders, understand children represent the future. As a result, when 740 new and reopened juvenile petitions and 32 traffic cases arrived at Juvenile Court throughout 2019, a concerted effort was made to ensure appropriate programming was available for delinquent youth, family, caregivers and related agencies. To professionally assess and manage delinquency cases, Juvenile Court staff provided a variety of services within the community. These services included 10,429 contacts with juveniles and parents, as well as ancillary contacts with schools, counselors, etc. Though the overall number of delinquency cases decreased slightly from 2018 to 2019 (-6.1%), the complexity of many cases dramatically increased, exhibiting more mental health and substance abuse issues. This change in complexity required a customized approach to the provision of services and, in some cases, more costly residential treatment. As noted in the chart below, delinquency cases account for 21.8% of the family division caseload and Juvenile Court staff also assist with child protective proceedings and miscellaneous family cases which are handled at the West Olive Fillmore Complex.

FIGURE 11: 2019 FAMILY DIVISION CASELOAD



When court-involved youth are on probation or otherwise ordered to receive treatment, there is a continuum of available programs which are designed to assist youth and families in the remediation of offending behaviors. Programs include community-based treatment, supervised community service, anger management, sex offender program, intensive supervision, experiential ropes course, gender-specific groups, individual/group/family counseling, a community-based school and more. In 2019, the Juvenile Court provided educational services through the Juvenile Justice Institute to fifteen youth of which, seven received their high school diploma. Four juveniles were placed in out-of-home residential treatment during 2019 and two additional youth were placed in the Ottawa County Detention Center's Lighthouse Girls Treatment Program. The Juvenile Community Justice program provided alternative community support and supervision to fifteen youth.

During 2019, there were 415 admissions to secure detention in the Ottawa County Juvenile Detention Center, representing 11,392 days of service. Many secure detention beds are occupied by Ottawa County youth; however, beds are also rented to other jurisdictions which have no local, secure placement options. Bed rental agreements accounted for \$1,561,345 of new revenue in 2019. Several beds within the Lighthouse Program are rented to other counties, generating additional revenue.

Community Report Card

As a result of a 2008 consultation with the National Center for Juvenile Justice, the 20th Circuit, Juvenile Court implemented a “Community Report Card” as one method for evaluating probation outcomes. The Community Report Card focuses on the concept of Balanced and Restorative Justice, which encompasses:

- ❖ Community Protection
- ❖ Accountability
- ❖ Competency Development

For court staff, this instrument places into context the success of the youth they serve in a given year. For the community, it provides a holistic view of how court-involved youth are held accountable for their actions, restore wholeness to crime victims, and learn something positive from a negative action. The table below demonstrates the number of juveniles petitioned to the court and some of the outcomes achieved during their court involvement.

TABLE 6: COMMUNITY REPORT CARD

2019 Community Report Card	
523	Separate juveniles petitioned to the juvenile court
340	Number of cases closed
73	Juveniles placed on probation
244	Juveniles placed on Consent Calendar ²³
87.0%	Percentage of juveniles who had no adjudications or convictions for offenses that occurred while under supervision (Consent Calendar and Probation)
2,774.5	Number of community service hours competed (Consent Calendar and Probation)
76%	Percentage of victims financially restored in full in 2019 (19 out 25)
96%	Percentage of juveniles enrolled in school, graduated/obtained a GED or employed at the time of closure of the case (Consent Calendar and Probation)
95%	Percentage of juveniles who were discharged from probation after successfully completing the terms of probation
98%	Percentage of juveniles who successfully completed the terms of their consent calendar

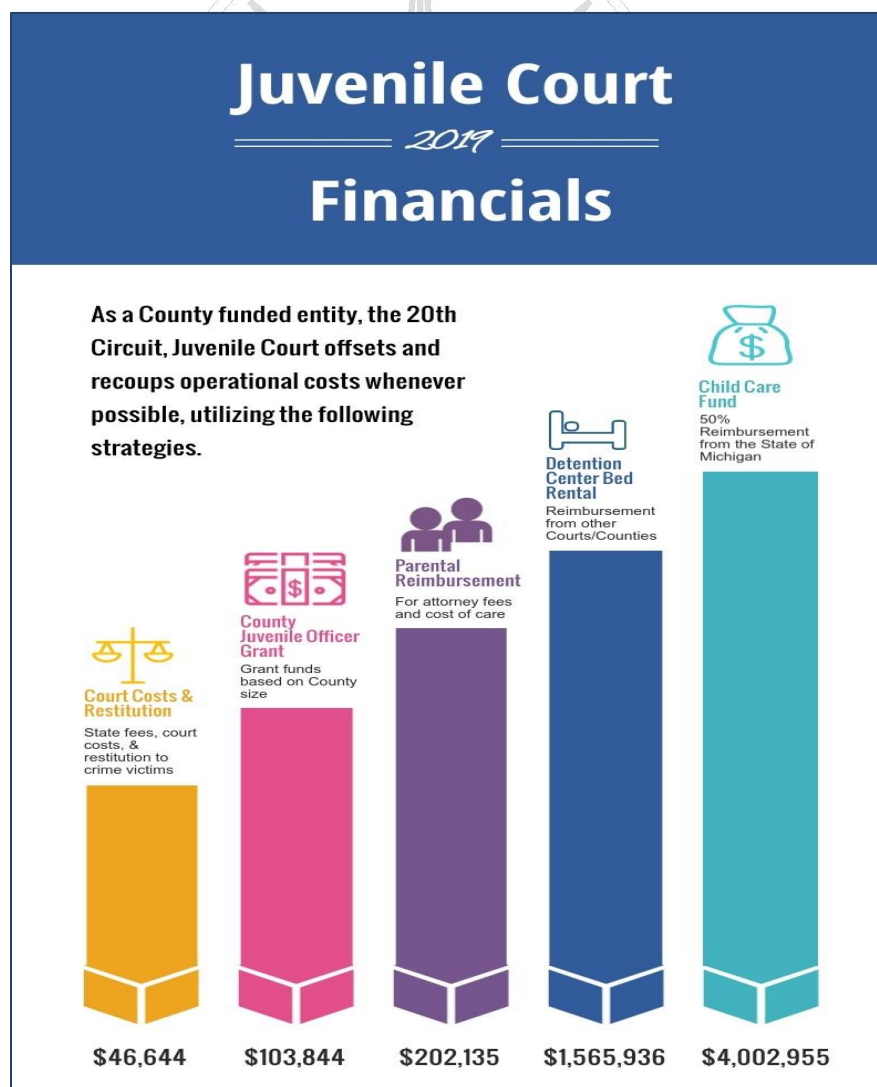
²³ Consent Calendar is an informal process in which a juvenile admits responsibility for a crime and, with his or her parents, enter into an agreement with the court. This agreement may require the youth to pay restitution, complete community service, etc. Upon successful completion of a Consent Calendar agreement, charges are dismissed and the juvenile’s record remains nonpublic.

Juvenile Court Funding

As a County funded entity, the 20th Circuit, Juvenile Court offsets and recoups operational costs whenever possible utilizing the following strategies:

- ❖ Michigan’s Child Care Fund provides 50% reimbursement for costs related to the direct care of and community-based programming for juveniles.
- ❖ The Ottawa County Juvenile Detention Center (JDC) generates revenue through renting beds to other counties in need of detention or programming for court-involved youth. The JDC has a great reputation among the juvenile courts in the state for providing quality care and treatment of their court-involved youth. In 2019, the Juvenile Court contracted with 30 counties for bed rental.
- ❖ Attorneys are appointed to children and parents in Delinquency and Neglect/Abuse cases when they are unable to afford legal representation. At times, it is necessary for a child to be placed outside the home of his or her parents. When appropriate, the parents of court-involved youth are billed to recoup some costs expended by the courts for attorneys and/or out-of-home placements.
- ❖ The County Juvenile Officer grant offsets the salaries of four Juvenile Court positions.
- ❖ The Court is required to assess various costs, including restitution to crime victims, which generates some revenue. In these cases, the fees assessed offset the cost of programs and services offered to court-involved youth.

FIGURE 12: JUVENILE COURT FINANCIALS - FY2019



Juvenile Court Prepares for Raise the Age Legislation

Raise the Age legislation was passed into law in 2019 with an implementation date of October 2021. This legislation is a complicated, multi-bill package that will require Michigan juvenile courts to provide services to 17-year olds rather than being referred to the district courts as has been historically true. Some of the reasoning behind the passage of this legislative package includes the following:

- ❖ In the mid-1990s, Michigan became part of a national trend to “get tough on youth crime.” Although crime rates were steadily declining, the state passed a series of harsh laws that funneled thousands of youth under 18 into the adult criminal justice system. Raise the Age is a step away from the outdated “tough on crime” models and a step toward “smart on crime”.



- ❖ Prosecuting youth as adults is harmful to children, threatens public safety, and can be expensive. Federal law prohibits placing minor youth in adult jails or facilities. However, on rare occasions, youth who have been waived to the adult system for prosecution of a crime can be and are placed in adult jails and prisons when deemed appropriate by court order. Research shows these youth incarcerated in adult facilities are more likely to be physically attacked, sexually assaulted and attempt suicide than young people in the juvenile justice system. Further, youth incarceration in adult facilities increases violent crime. National research found that youth exiting the adult system are 34% more likely to re-offend, re-offend sooner, and escalate to more violent offenses than their counterparts in the juvenile justice system.
- ❖ Raising the age allows 17-year-olds to access rehabilitative age-appropriate services. Juvenile courts offer highly effective diversion and community-based programs not accessible in the adult criminal justice system. Reportedly, most 17-year-olds have non-violent charges and they may respond well to community-based options designed to keep kids in school, address underlying treatment needs, and engage the whole family.
- ❖ Juvenile courts and facilities already serve some 17-year-olds. In certain cases, young people who enter the juvenile justice system before turning 17 can remain under juvenile court jurisdiction until age 21. As a result, most of Michigan’s juvenile court professionals and facility staff already have extensive experience working with older youth, although the number of 17-year olds in the system, currently, is a minority.

It is estimated approximately three hundred (300) 17-year-olds may enter the Juvenile Court in Ottawa County through the Raise the Age legislation. Fortunately, the Juvenile Court in Ottawa County has had a statewide reputation for being a leader in progressive and therapeutic interventions and has continued to develop effective programming to support youth referred to the Court. Through the development of an expansive “compendium of services”, upon the implementation of this legislation, just as the current court-referred youth receive services, 17-year-olds will also receive services as needed and appropriate, based on the results of an evidence-based Youth Level of Service risk/needs assessment and other assessment tools.

The evidence-based risk/needs assessment instrument will identify multiple domains in which a youth may be at-risk for re-offense. In response, the juvenile court staff will design an *individualized* treatment plan to address the vulnerable areas and will re-evaluate the youth's progress throughout the duration of court jurisdiction. The purpose of re-evaluation is to make certain the treatment approaches are reducing the re-offense risk in each domain. Services may range from, but are not limited to, parent engagement, diversion, community probation, electronic tether, the Court's community-based school (the Juvenile Justice Institute), counseling (individual, group, and/or family), and removal from the home and placement into a treatment program.

The Juvenile Court is very appreciative of the support shown by the Ottawa County administration and Board of Commissioners toward continual improvement of programming and resources. By addressing the needs of 17-year-olds, the Juvenile Court will continue to improve outcomes for at-risk youth through building resiliency, while protecting public safety.



Juvenile Court Teaching Kitchen

In FY2019, the Ottawa County Board of Commissioners approved the 20th Circuit, Juvenile Court's request to build a teaching kitchen. The project represents an opportunity for the Court to redesign existing kitchen space into a teaching kitchen at the Court offices on James Street, Holland. Utilizing this space, court-involved youth will learn how to cook basic meals, cultivate healthy eating habits and nutrition, develop life skills, and complete relevant certification(s) in ServSafe and the culinary arts.

The 20th Circuit, Juvenile Court offers a compendium of services available to address the unique needs of each youth entering the court system. Often, court-involved youth have not developed a healthy lifestyle, leaving them vulnerable to unhealthy eating habits and potential illnesses. By adding the teaching kitchen to its continuum of services, the Court can employ teaching methods that will assist in developing new behaviors, centered on the value of nutritional eating, and be equipped to share this information with their friends and families.

The curriculum has been designed in collaboration with Katie and Peter Webster, local entrepreneurs in the baking and restaurant industry. The Websters truly understand the population the Court serves as they have been foster parents and have adopted six children over the past several years. Katie and Peter are committed to building character through the process of teaching youth how to cook and will use their experiences in the culinary arts and baking industry to teach court-involved youth how to use math and science skills to cook; how to use relational skills to work in life and within a working restaurant environment; and perhaps most importantly, how to appreciate the value of eating and feeling healthy – eating to live, not living to eat.

The Juvenile Court's teaching kitchen is scheduled to be completed and ready to train the next generation of chefs by June 2020.



Juvenile Court P.A.C.K. Meeting

On October 2, 2019, the 20th Circuit, Juvenile Court hosted its annual P.A.C.K. (Professionals Advocating & Caring for Kids) Meeting. In existence for almost 30 years, the P.A.C.K. meeting serves to convene professionals from education, social service, court, faith-based, and law enforcement organizations to share information on current trends, resources and/or services offered, and other relevant issues, and to collaborate to problem-solve concerns impacting Ottawa County youth.

According to the Ottawa County Youth Assessment Survey, in 2017, 32% of Ottawa County teens reported having used electronic vapor products. In response to this alarming trend, the 2019 meeting focused on the impact of vaping on juveniles and responses across the juvenile justice community. The agenda focused on the varying perspectives for addressing this concerning trend. Presentations were offered by the Ottawa County Sheriff's Office, Ottawa County Public Health Department, and Wedgwood Christian Services. Informing community partners on warning signs, trends, actual vaping products, treatment opportunities, and education was essential to collaborating on strategies to better the lives of Ottawa County youth.



In addition, the Court utilized the meeting as an opportunity to inform community partners on the Court's response to, and treatment approach for, sexual offenses – an offense often misunderstood. The Juvenile Court's "Start" program staff are charged with assessing and treating youth petitioned to the court for sexually abusive behaviors. The team is comprised of a court treatment specialist (licensed therapist certified in sex-specific treatment) and two juvenile court officers. The program curriculum is derived from evidence-based work in the area of adolescent sexually abusive behavior. The curriculum includes thorough assessments utilizing evidence-based instruments, and provides psycho-educational classes, individual and group therapy, and family counseling. The program has been in existence for five years and has produced positive results for our youth, their families, and the Ottawa County community.

The 2020 P.A.C.K. Meeting is scheduled for September 30, 2020.

Civil Infractions

In recent years, changes in Michigan law forced many juvenile courts throughout the state to confront the issue of handling civil infractions for youth under the age of 17. Civil infractions are minor offenses typically handled by paying a fee. While fees levied may be one result of Juvenile Court cases, the desired focus should be on rehabilitating the behaviors which lead the youth to court involvement. This philosophy allows juveniles to learn alternatives to their unlawful actions, through therapeutic and psycho-educational interventions.



In 2018, the Michigan legislature enacted several laws, transitioning the possession of alcohol and marijuana from misdemeanors, to civil infractions, for persons under the age of 21. When this change occurred, an existing Local Administrative Order (LAO) directed these offenses to the 58th District Court. In 2019, the legislature also proposed, and eventually passed, legislation to create civil infractions for vaping. In response to these changes, a group of stakeholders from the Ottawa County Prosecutors Office, Ottawa County Sheriff's Office, 58th District Court and

the 20th Circuit, Juvenile Court convened to discuss the process and evaluate whether the interests of Ottawa County youth were best served by the existing LAO. Each stakeholder agreed, the assessment, psycho-educational, and treatment interventions offered by the Juvenile Court would provide better alternatives to addressing these behaviors for the youth and their parents.

In July 2019, Chief Circuit Court Judge, Hon. Jon A. Van Allsburg, and Chief District Court Judge, Hon. Bradley S. Knoll, signed a new LAO, waiving jurisdiction of civil infractions (alcohol, marijuana and vaping) committed by juveniles from District to Circuit Court. This agreement means improved consistency in handling juvenile delinquency matters and also, the traditional rehabilitative nature of the juvenile court programming will be offered to all youthful offenders in Ottawa County.

Currently, as part of the Court process, Juvenile Court staff meets with the referred youth and their parent(s) to assess the level of treatment and type of intervention needed in each case. To further the level of assistance to these youth, the Court developed a partnership with the Ottawa County Public Health Department to offer a broader set of intervention strategies, including Prime for Life, an evidenced-based motivational prevention, intervention, and pre-treatment program specifically designed for youth who may make high-risk choices.

Juvenile Justice Institute (JJI) Graduation

Since 2003, the 20th Circuit Court, Juvenile Court has implemented and managed a community-based school - the Juvenile Justice Institute (JJI) - for adjudicated youth under Court jurisdiction. In partnership with the Court, the Ottawa Area Intermediate School District (OAISD) facilitates a school which provides a path to a high school diploma for our youth who have struggled in a traditional high school setting, and who may not have thought it was possible to complete their high school education, otherwise. JJI graduation reflects the commitment of the OAISD, home school districts, and the Court to the educational success of court-involved youth. This partnership ensures all Ottawa County youth have an opportunity to enter adulthood with the education and resources necessary to become productive members of the community.

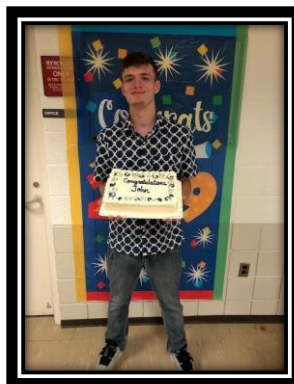
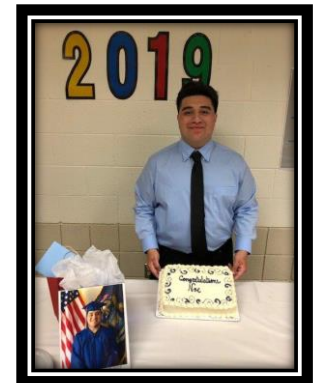
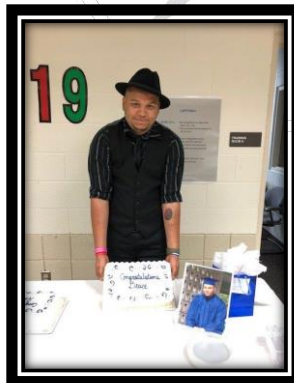
On June 5, 2019, the Court hosted its fourth high school graduation ceremony for seven graduates at the Juvenile Court Treatment Building in Holland. The gymnasium was filled to capacity with family, friends, county and school officials, along with Juvenile Court and OAISD staff who worked side-by-side with each graduate, to achieve this monumental accomplishment.

The ceremony commenced with the Ottawa County Sheriff's Office Honor Guard presenting the United States flag. *Pomp and Circumstance* and other melodies were played by the Holland High School Orchestra. Graduates were recognized by Juvenile Court Director, Sandi Metcalf and the OAISD Superintendent, Pete Haines. The Honorable Mark A. Feyen and Honorable Kent D. Engle offered congratulatory and encouraging comments throughout the ceremony.

The event concluded with the traditional turning of the tassels. Students and guests enjoyed cake and punch following the ceremony, with music offered by Clif Metcalf and Donyae Hamer (2019 graduate).

Good luck to all of the graduates and “*Thank You*” to everyone who made this event possible!

A video of the ceremony is available at: <https://www.miottawa.org/Courts/JuvenileSvcs/programs.htm>.



Happy Holidays at the Juvenile Justice Institute (JJI)!

Juvenile Court staff understands working with court-involved youth goes beyond their connections with only the youth who is under Court jurisdiction; it requires the involvement of their families and the community.

In December, the Juvenile Court and Ottawa Area Intermediate School District (OAISD) launched the “Adopt a JJI Student” and “Shopping for Family at JJI” holiday events. In the days leading up to the scheduled events, there were opportunities for Court and other county staff to adopt a JJI student and to donate unwrapped gifts for the holiday shopping event. To adopt a student, a Holiday Tree was posted at all Circuit Court locations, with the names and Christmas lists for each student. Drop boxes were also placed at multiple court locations for donations of unwrapped gifts for the family shopping event.

On December 18th, the Juvenile Justice Institute (JJI) held its second annual “shopping for family” event with the students. The shopping experience was developed to teach students life skills such as saving and budgeting money, along with the emotional and satisfying experience of giving a gift to someone in their life about whom they care.

Court staff at JJI felt an important lesson in life is not only understanding the value of earning, saving and spending a dollar, but also, how one can use it to benefit another person’s life in a meaningful way. Many students saved “JJI reward money” throughout the year to purchase gifts donated for their family. As part of the event, the cafeteria at the Juvenile Court Treatment Building in Holland was transformed into a mini-shopping mall, complete with personal shoppers, cashiers, and wrappers.

On December 20th, Santa Claus made a stop at JJI. Santa, with the help of some “elves”, spread a great deal of holiday cheer. In addition, each student received wrapped presents from Santa. The students enjoyed a catered breakfast by the Websters, soon-to-be Teaching Kitchen instructors. Breakfast included French toast, egg casserole, fresh fruit, breakfast meats and juice to build a sense of belonging among all the students and to conclude the holiday season at JJI.



A jolly good time was had by all this holiday season, and it would not have been possible if not for the kind and generous hearts of so many people. The event was a huge success and made for an amazing holiday filled with joy due to the generosity of staff from the 20th Circuit Court, Ottawa County Probate Court, Ottawa County Clerk/Register of Deeds Office, Community Mental Health, the OAISD and others who donated money, time and gifts. Thank you!

Parent Engagement and Education

Parent engagement is essential to changing the behavior that brings a youth into the juvenile justice system and reducing risk of re-offense. Often, youth and their parents are apprehensive and unsure about how to navigate through the juvenile justice system. So, creating a space of mutual respect is beneficial for working together. By involving the parent as a collaborative, engaged partner, the Juvenile Court has an increased chance of producing long term change in the youth's behavior at school, at home, and within the community.

The Juvenile Court uses a validated risk and needs assessment, the Youth Level of Service Inventory (YLS), to identify not only a youth's risk to reoffend, but also, to apply appropriate, individualized strategies for working with youth and their families to reduce that risk. Recent YLS data suggests many youth and their families do not participate in meaningful activities together, which can negatively impact a youth's risk of reoffending with delinquent behavior. As a result of this data, the Juvenile Court decided to take a two-prong approach to working with Ottawa County youth and families - educational and pro-social interventions.



As part of the continuum of services deployed to assist youth and their parents in the rehabilitative process, the 20th Circuit, Juvenile Court added a “Parent Series” in June 2019. The parent series is designed to educate parents and their child(ren) across different domains. Topics include:

- ❖ Internet Safety;
- ❖ Navigating the Mental Health System;
- ❖ Your child is in the Juvenile Court...now what?;
- ❖ Qualifying and Applying for a Set Aside.

The Court's goal is to provide parents and youth with the knowledge and tools to work together, better understand their role with the Juvenile Court, and how to change the behavior that initiated their court experience.

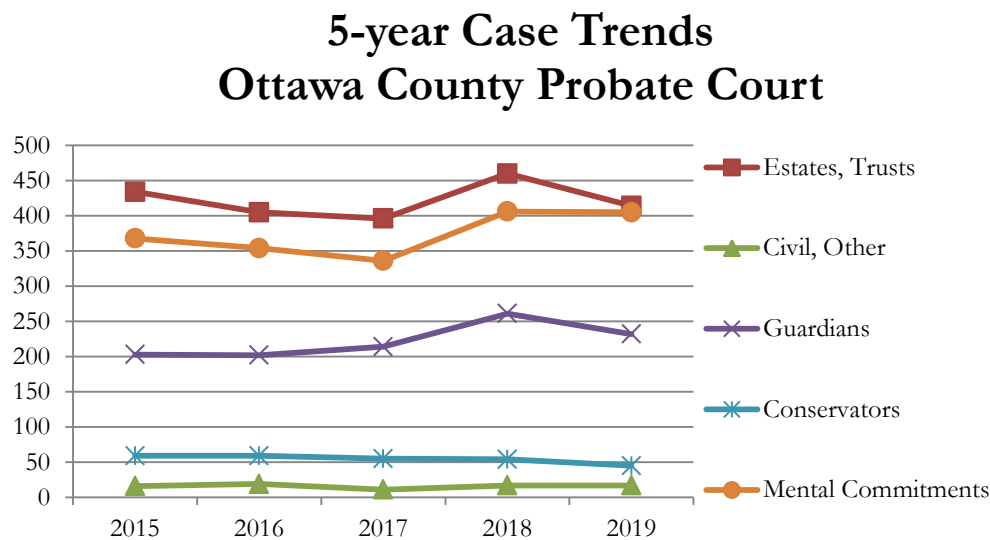
On October 30, 2019, the Juvenile Court hosted its 2nd Annual Fall Festival. The Fall Festival was established to promote an evening out for parents and their children. The Court staff and administration invited all youth under formal jurisdiction to spend an evening of food and fun with their parents and siblings at the Juvenile Court Treatment Building in Holland. The event included pumpkin painting, trick or treating, karaoke, games in the gym and dinner. There were eighty-six (86) youth, children, and parent attendees. The evening was made special through the offerings of community resources and active involvement from the Court's community partners, including the Ottawa County Community Mental Health, Ottawa County Sheriff's Office, Bethany Christian Services, Ottawa Area Intermediate School District, and Wedgwood Christian Services.

Probate Court

Caseload Facts

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.

FIGURE 13: 5-YEAR CASE TRENDS, OTTAWA COUNTY PROBATE COURT



During 2019, the Probate Court experienced a stable five-year trend with more than 1,100 new case filings. Among the new and reopened cases, most categories remained stable with some decreases in filings, including estates and trusts (-10%), guardianship appointments (-11%) and civil and other filings (no change). Sixty-one percent of the Probate caseload involves individuals needing the protection of the Court in guardianship, conservatorship and mentally ill cases. At the close of 2019, there were 327 adults and 328 minors with guardians appointed by the Court. In cases where individuals need assistance managing financial assets, there were 127 adults and 112 minors with Court appointed conservators. In addition to the regularly appointed guardians, there were an additional 732 developmentally disabled individuals with guardians supervised by the Court.

The ability of the Probate staff to cope with the influx of new cases is aided by the County supported OnBase document imaging system. Immediate electronic access to more than 13,000 open 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. In addition to these case processing efficiencies, the Probate Court strives to be more accessible to the public through its website, <https://www.miottawa.org/Courts/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 Fillmore Complex Family Division. He also is the assigned judge for the Ottawa County Recovery Court.

The pie chart below provides a descriptive view of various types of new cases being filed with the Probate Court. Although the Court has legal jurisdiction to handle twenty distinct types of cases, the cases are generally grouped in one of five categories: estates and trusts, civil, guardianships, conservatorships, and mental commitments. As demonstrated in this chart, estate work represents 37% of the Court's overall caseload and emphasizes the important community service role of the Court when assisting spouses and families to resolve sensitive issues related to the recent loss of a family member. Another sensitive issue the Court assists with is the hospitalization (sometimes involuntary) of individuals in need of mental health treatment. These cases represent 36% of the Court's caseload and require careful coordination with families, attorneys, hospitals, and mental health treatment providers. In situations where an individual is unable to take care of certain daily needs, due to physical or mental limitations, the Court is often asked to appoint a guardian to provide assistance. Likewise, if an individual needs help with managing their finances, a conservator may be appointed. In both instances, the Probate judge carefully reviews the situation and provides legal authorization for these "helpers" (guardians and conservators) to assist. Regular reviews are conducted to provide accountability. The second chart emphasizes the significant number of cases for which one judge and five employees are responsible. At the end of 2019, the Probate Court had 13,210 open cases.

FIGURE 14: 2019 PROBATE COURT CASELOAD

2019 Probate Court Caseload

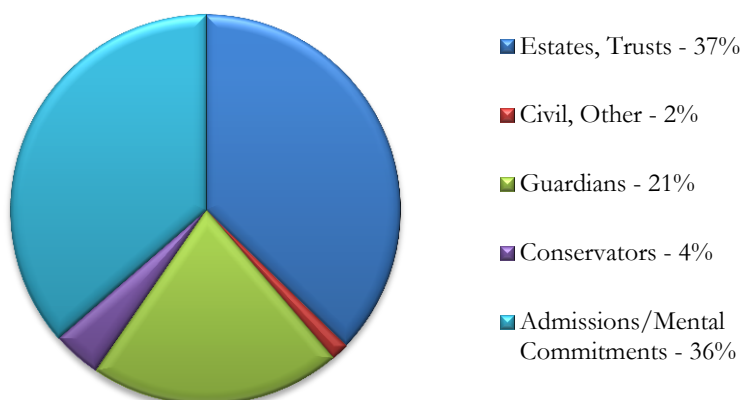
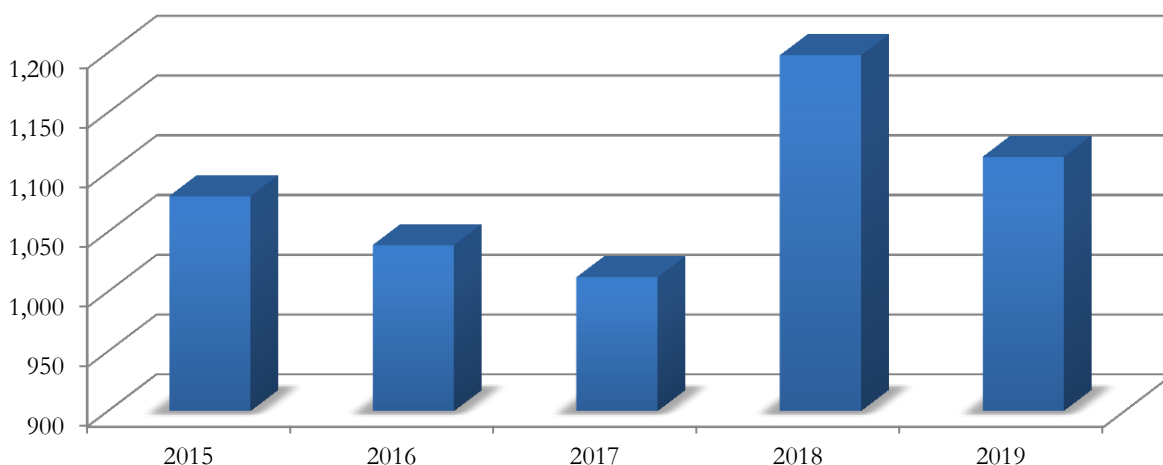


FIGURE 15: PROBATE COURT NEW AND REOPENED CASE FILINGS

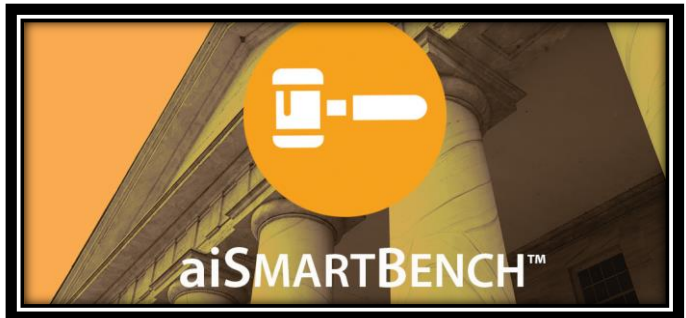
Probate Court New and Reopened Case Filings



Probate Court Initiatives

The Ottawa County Probate Court continues to work with the State Court Administrative Office and ImageSoft, Inc. as the first Probate Court in Michigan to launch the MiFile electronic case filing system. E-filing is now mandatory for attorneys and discretionary for self-represented litigants. Probate staff has been testing all aspects of this new technology and has been instrumental in helping the system developers identify and resolve issues with the technology.

In addition, Probate Court has begun working with Mentis Technology, ImageSoft, Inc., the SCAO and the County IT Department on the implementation of SmartBench technology. SmartBench is a software tool that judges can use to provide case summaries, full-text search capabilities, and extraction of critical data, all working with a touch screen similar to paging through a paper file manually...only better!



Probate Register Transition

Dr. Penni A. DeWitt, following a 35-year career with the Ottawa County Probate Court, retired from public service on November 15, 2019. Penni began her career with the Probate Court in 1984 as Deputy Probate Register and within two years was promoted to the position of Probate Register. Prior to working with the Court, Penni served as a legal assistant where she developed an excellent working knowledge of probate proceedings. In addition to completing a Judicial Administration Certificate with Michigan State University, she completed the Certified Court Executive program with the National Center for State Courts and was awarded her Doctor of Business Administration by Baker College in 2011.



During the current transition period, Chief Deputy Probate Register, Johanna Wallace, has been promoted to the position of Interim Probate Register. Johanna has served the citizens of Ottawa County for more than 23 years and in this Interim Probate Register position, her probate expertise is critical as we train new staff, modify position descriptions, update court procedures, and continue to implement the State of Michigan MiFile system. The Probate Register position will be reviewed and posted in FY2020.

About the Cover... The Compass Rose

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 Judicial Circuit and Ottawa County Probate Courts are determining the best path to their destination. The 2019 Annual Report is a reminder of why the plan and destination are important.

The judges and courts’ staff are in the business of administering justice – one case at a time. By doing so, we contribute to a better life within 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

For General Information:

Call any office listed on this page

For Payment Convenience:

- Make payments online at www.miottawa.org
 - Call any office to pay by credit card
 - Mail payments
 - Pay in person
-

Staff Facts

20th Judicial Circuit Court

4	Circuit Court Judges
110	Full Time Staff
17	Part Time Staff (includes JDC relief)
4	Temporary Staff (includes Bailiffs)
5	Grant Supported Staff
3	Ottawa County Sheriff Deputies
9	Ottawa Area Intermediate School District

152 Total

Ottawa County Probate Court

1	Probate Court Judge
5	Full Time Staff

6 Total

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 Court

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

Juvenile Court Services

12263 James Street
Holland, MI 49424
Phone: 616.393.4450
Fax: 616.393.4471

PROBATE COURT

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

LEGAL SELF-HELP CENTER

414 Washington Avenue, 2nd Floor
Grand Haven, MI 49417
Phone: 616.846.8141