



Annual Report 2020

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

www.miottawa.org/Courts



April 13, 2021

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

Dear Chairperson Bergman and Commissioners:

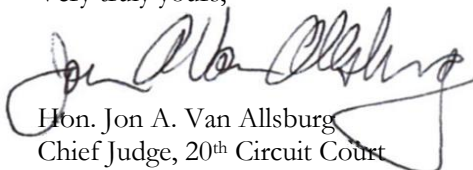
As Chief Judges for the 20th Circuit Court and the Ottawa County Probate Court, it is our pleasure to present the 2020 Annual Report. This document provides insight regarding the important work of the judicial branch of government. The judges of the Circuit and Probate Courts strive to be faithful stewards 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.

The year 2020 began as expected, with the fanfare associated with a new decade and with our judges and court employees recommitting themselves to a new year of administering justice and providing outstanding customer service. Many exciting initiatives were underway as we explored new case management systems, expanded our use of online dispute resolution (ODR), updated security measures, collaborated on the County DEI initiatives, looked forward to a new Family Justice Center, and much more. All of that suddenly and unexpectedly came to a halt in March with news of the COVID-19 pandemic.

Throughout the remainder of 2020 the Courts, along with the rest of the county, state, and nation, learned to struggle with the unprecedented state of emergency brought on by a worldwide pandemic. Our Courts quickly pivoted to virtual hearings, limited public attendance in our courthouses, relocating many employees to work from home, providing additional online services and more – all while maintaining current dockets and achieving compliance with most case processing time guidelines. The Court's early involvement in work-from-home alternatives and ODR has paid significant dividends and will assist the Courts 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 possible public service. 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 many 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 our judges and court employees in 2020. 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



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The 20th Judicial Circuit and Ottawa County Probate Courts 2020 Annual Report

“Be Prepared” The Year of the COVID-19 Pandemic

Each year the Annual Report for the Circuit and Probate courts focuses on a theme selected by the Courts’ Strategic Planning Oversight Team. In 2020, however, the unexpected worldwide spread of the novel coronavirus disease refocused our attention to a very different theme - one of preparedness. “Be Prepared” is the long-standing motto of the Boy Scouts of America (Scouting BSA), regularly recited by Scouts since the organization was established in 1910. Borrowing from their experience, our nations trial courts have long held preparedness as an important value that is exhibited in a variety of strategic plans, continuity of operations plans (COOP),¹ disaster recovery plans, emergency site plans, and more. We have all experienced some type of emergency training, whether it be fire drills, weather emergency planning, active shooter training, utility disruptions, boil water alerts, etc. and yet we seem to be convinced the emergency “will never happen to us.” This year was fundamentally different because none of us were spared from the pandemic.

In March 2020, the development of COVID-19 preparation and response plans became ubiquitous. The county and the courts immediately established COVID response teams and began work on operational plans to ensure the safety of the public and our employees. In addition, the courts developed several Local Administrative Orders to leverage CDC and local Health Department guidance, while keeping the courts fully operational. Court operations certainly looked different – with virtual hearings, staff working remotely, physical access to the courthouses significantly limited, and more online services, however, flexibility and resiliency was exhibited by judges and court employees alike. Everyone worked together to maintain case processing, court hearings, collections, provision of treatment services, great public service, and much needed support for co-workers. Collectively we may be experiencing significant COVID fatigue, but the rule of law has been safeguarded in Ottawa County and the effective administration of justice continues.



In the Courts’ 2019 Annual Report² there was much discussion about public trust and confidence in the judicial branch of government. Interestingly, there is evidence to suggest that throughout the pandemic state courts maintained a high level of the public’s confidence³. A public survey commissioned by the National Center for State Courts to collect and analyze this data also indicated “the public harbors significant concerns about the courts’ ability to safely and effectively provide justice in a society where coronavirus remains a very real and present threat.” Furthermore, the public “have high expectations for the steps courts must take to maximize the safety of all those entering courthouses, and while they are open to a range of technological

¹ <https://nacmcore.org/competency/operations-management/>

² https://www.miottawa.org/Courts/20thCircuit/pdf/reports/2019_Annual_Report.pdf

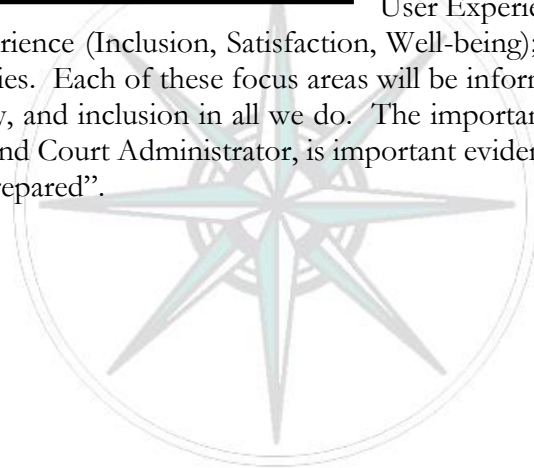
³ https://www.ncsc.org/_data/assets/pdf_file/0006/41001/NCSC-Juries-Post-Pandemic-World-Survey-Analysis.pdf

solutions to minimize the need for in-person appearances, they also have doubts about how ‘remote’ justice would work and whether it could deliver the same fair, impartial process they expect from in-person proceedings.” These are important findings for our local courts to consider as we plan for the future in a post-pandemic environment.



Currently, the Circuit and Probate Court Strategic Planning Team has accepted this challenge of planning for a post-pandemic environment. Team members have considered several future scenarios and are using the many lessons learned during the pandemic, together with updated trends analysis and stakeholder survey data to revitalize the Courts’ Strategic Plan. Due to be released in April 2021, the Strategic Plan will provide new inspiration and guidance as the Courts’ continue the important work of “doing justice – one case at a time”. Specific strategic focus areas will include: Improving the Court User Experience (Access, Services, Programs);

Improving the Employee Experience (Inclusion, Satisfaction, Well-being); Efficient Court Operations; and Funding, Resources, and Facilities. Each of these focus areas will be informed by the Courts’ values and the commitment to diversity, equity, and inclusion in all we do. The important work of this Strategic Planning Team, led by the Chief Judges and Court Administrator, is important evidence of how serious the Courts’ are about the admonition to “Be Prepared”.



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*

In a recent publication of the American Bar Association, Division for Public Education⁴, an article regarding “How Courts Work” includes a brief, yet insightful description of the important civic responsibility handled by our elected judges and judicial officers. The role of judges is described in the following terms.

“What does a judge do? Maybe it's best to start with what he or she doesn't do. Even though he or she works for the state, a judge is not a law enforcement officer. A judge is not a prosecutor. Judges don't arrest people or try to prove them guilty.

Judges are like umpires in baseball or referees in football or basketball. Their role is to see that the rules of court procedures are followed by both sides. Like the ump, they call 'em as they see 'em, according to the facts and law—without regard to which side is popular (no home field advantage), without regard to who is "favored," without regard for what the spectators want, and without regard to whether the judge agrees with the law.”

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 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 legal and proper. 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 law 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.



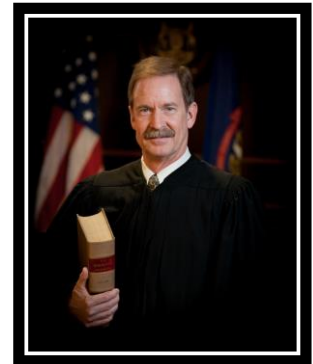
20th Circuit Court Judges – (left to right) Hon. Jon A. Van Allsburg, Hon. Kent D. Engle, Hon. Jon H. Hulsing, and Hon. Karen J. Miedema

⁴ See https://www.americanbar.org/groups/public_education/resources/law_related_education_network/how_courts_work/judge_role/
20th Judicial Circuit and Probate Courts, Ottawa County – Annual Report 2020

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 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. He is also the immediate past president of the Michigan Judges Association and is an officer of 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 all of Michigan's circuit court judges to be a representative on the Judicial Tenure Commission which investigates allegations of judicial misconduct. He now serves as the Commission's Vice-Chairperson.



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 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 Twentieth 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, once the COVID pandemic hit in March 2020, regulations restricting courthouse access and “stay at home” protective orders resulted in a significant reduction in the overall 2020 caseload for both Circuit and Probate Courts.

TABLE 1: CIRCUIT COURT CASELOAD TRENDS⁵

TRIAL DIVISION	2016	2017	2018	2019	2020	% Change ⁶ (2019-2020)
Appeals	63	49	55	43	50	-14.0%
Criminal	908	1,115	1,132	969	750	-22.6%
Civil	364	391	372	386	301	-22.0%
Total Trial Division Filings	1,335	1,555	1,559	1,398	1,101	-21.2%

FAMILY DIVISION (Includes FOC and Juvenile Court)	2016	2017	2018	2019	2020	% Change ⁶ (2019-2020)
Divorce	1,031	1,029	1,039	1,030	851	-17.4%
Other Domestic Relations	740	670	609	602	511	-15.1%
Personal Protection Orders	625	688	697	665	661	-0.01%
Delinquency (does not include Probation Violations)	864	952	788	740	655	-11.5%
Juvenile Traffic	23	15	17	32	49	+53.1%
Child Protective	83	74	78	88	71	-19.3%
Adoptions	143	108	148	120	100	-16.7%
Misc. Family	90	88	103	125	102	-18.4%
Total Family Division Filings	3,599	3,624	3,479	3,402	3,000	-11.8%
Grand Total Filings and Reopened Cases	4,934	5,179	5,038	4,800	4,101	-14.6%

TABLE 2: PROBATE COURT CASELOAD TRENDS

OTTAWA COUNTY PROBATE COURT CASELOAD TRENDS	2016	2017	2018	2019	2020	% Change ⁶ (2019-2020)
Estates, Trusts	405	396	460	414	344	-16.9%
Civil, Other	19	11	17	17	12	-29.4%
Guardians	202	214	261	232	177	-23.7%
Conservators	59	55	54	45	47	+4.4%
Civil Commitments	354	336	406	405	457	+12.8%
Grand Total Filings and Reopened Cases	1,039	1,012	1,198	1,113	1,037	-6.8%

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

⁶ Reduction in case totals primarily caused by COVID-19 pandemic and resulting limitations on in-person proceedings.

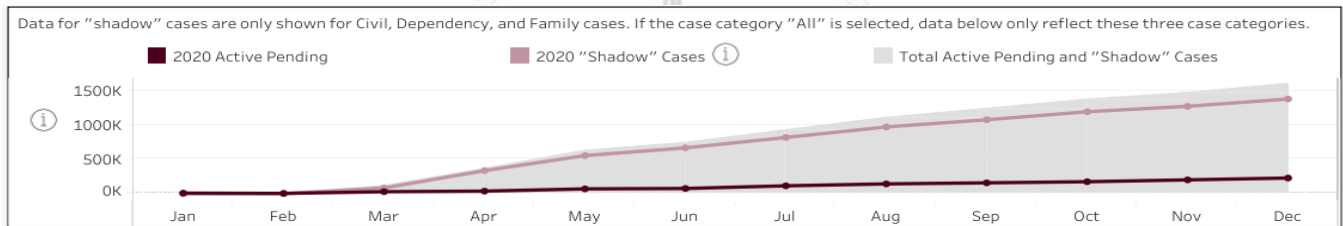
Learning what these caseload trends mean in the context of a pandemic, has been the focus of researchers at the National Center for State Courts (NCSC), Williamsburg, Virginia. In a recent NCSC website posting on trends topics⁷, researchers Diane Robinson and Sarah Gibson described their findings on potential “surge” and “shadow” cases based on data from twelve states.

State court caseloads during and after the pandemic: what we know now from 12 states - March 24, 2021

A year after the COVID-19 pandemic began to severely impact the United States, the National Center for State Courts (NCSC) is starting to get data on precisely how much of an impact it has had on court case filings. Trending Topics looked at this in May 2020 based on research done by NCSC's Court Statistics Project. A report released March 22 by Court Statistics Project researchers Diane Robinson and Sarah Gibson found (based on filings and dispositions in 12 states) the impact of COVID varies from case type to case type.

No surge likely, but possible delay: *It is unlikely courts will see a surge in criminal, traffic, or juvenile delinquency cases. This is due in large part to a decline in criminal incidents, traffic incidents, and arrests beginning with the onset of the pandemic. There may be delays in trials for such proceedings as indicated by significant growth in the number of pending cases in criminal and traffic. No surge is expected in probate because new case filings have not dropped significantly.*

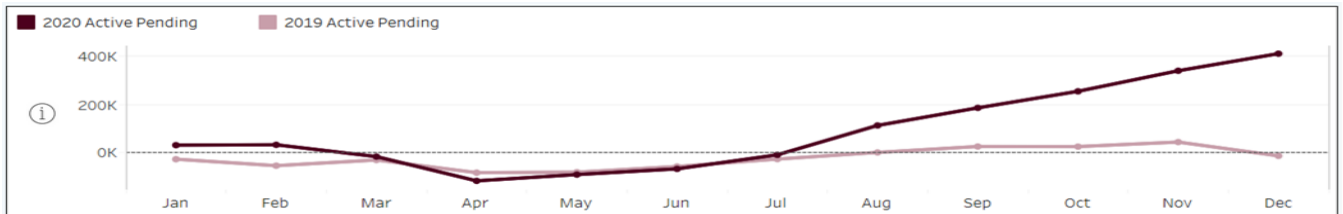
Likely surge and "shadow" cases: *Civil cases, juvenile dependency, and domestic relations cases are likely to surge for a variety of reasons, such as people being unclear that they even could file a case in the last year. Robinson and Gibson projected what 2020 filings would have looked like if they had equaled filings in 2019. The difference of nearly 1.1 million cases are what they refer to as “shadow” cases and could swamp a civil justice system already struggling before 2020 and COVID. Similar "shadow" caseloads are expected in domestic relations (around 250,000), in particular orders of protection once those being abused have more options in terms of leaving their abuser.*



Twelve states responded to the request for data. However, not all states provided data in each subject area. For a more detailed discussion of the information presented here, please see *Pandemic Caseload Highlights: Court filings and dispositions, 2019-2020*.



Active pending cases and backlogs: *Additionally, the report examines trends in all five major case categories in the area of active pending cases which is defined as the number of cases filed minus the number of cases disposed. Given that courts already had thousands of cases on their dockets before 2020, cases that often were not disposed of during the last year, the backlog for courts has correspondingly grown. In the 12 states examined, there were nearly 400,000 more active criminal cases at the end of 2020 than were pending at the beginning of 2020. This presents a particular challenge for courts as criminal cases typically have speedy trial deadlines.*



It is yet to be determined how these trends regarding “surge” and “shadow” cases will impact the Circuit and Probate Court dockets in Ottawa County, however, the judges and staff will monitoring any changes in court case filings and will be prepared to deploy the necessary staff and resources to ensure cases are handled appropriately and disposed of in a timely fashion.

⁷ <https://www.ncsc.org/information-and-resources/trending-topics/trending-topics-landing-pg/state-court-caseloads-during-and-after-the-pandemic-what-we-know-now>

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 J. 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 D. 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 a variety of Circuit Court Family Division cases.

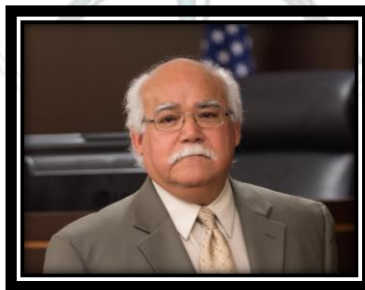
Overall, from 2019 to 2020, Referee hearings decreased nearly 26% with a total of 2,377 hearings conducted. Domestic relations and civil proceedings decreased 22% with 1,224 hearings conducted, including 296 child support, 255 parenting time, 129 uncontested divorce, and 544 other hearings (including review and paternity establishment) conducted at the Ottawa County Courthouse in Grand Haven. At the Fillmore Complex in West Olive, there was a nearly 30% decrease in Juvenile Court Referee activity, decreasing from 1,639 hearings in 2019 to 1,153 hearings in 2020. Anecdotally, it appears these unexpected caseload decreases were prompted by the pandemic.

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 weekly hearings. The Court contracts with an experienced Attorney to serve as a substitute referee, as well as using the Senior Law Clerk and Court Administrator serve as substitute referees to provide docket coverage when needed.

As Judicial Officers, the Attorney Referees were required to follow the COVID guidance issued by the Michigan Supreme Court and State Court Administrative Office throughout 2020. Among other changes, referee hearings were moved from in-person to on-line Zoom hearings and the referees became responsible for live streaming hearings on specified YouTube channels to ensure public access to court proceedings.



Patricia J. Gelderloos
Attorney Referee



David V. Macias
Attorney Referee



Erin M. Magley
Attorney Referee



Jennell L. Challa
Substitute Referee



C. Richard Parks
Substitute Referee



Joseph P. Kozakiewicz
Substitute Referee



Kevin J. Bowling
Substitute Referee

Family Division (Grand Haven)

TABLE 3: REFEREE HEARINGS IN GRAND HAVEN

DOMESTIC/CIVIL PROCEEDINGS	2016	2017	2018	2019	2020	% Change⁸ (2019-2020)
Support Hearings	979	803	668	480	296	-38.3%
Parenting Time Hearings	504	541	405	369	255	-30.9%
<i>Pro Confesso</i> Divorce Hearings	238	167	156	108	129	+19.4%
Paternity Arraignment/Support Hearings	557	796	496	613	544	-11.3%
Total Family Division Domestic/Civil Referee Hearings	2,278	2,307	1,725	1,570	1,224	-22.0%

Family Division/Juvenile Court (West Olive)

TABLE 4: REFEREE HEARINGS IN WEST OLIVE

DELINQUENCY PROCEEDINGS	2016	2017	2018	2019	2020	% Change⁸ (2019-2020)
Preliminary Hearings	163	151	138	192	172	-10.4%
Pre-Trial Conferences	573	630	569	580	464	-20.0%
Pleas of Admission/No Contest Hearings	108	109	61	75	58	-22.7%
Original Disposition Hearings	296	320	252	201	222	+9.5%
Dispositional Review Hearings	29	15	312	307	426	+27.9%
Consents/Holds/Other	264	272	131	109	80	-26.6%
Saturday Preliminary Hearings	21	17	10	14	13	-7.1%
CHILD PROTECTIVE PROCEEDINGS	2016	2017	2018	2019	2020	% Change⁸ (2019-2020)
Preliminary Hearings	126	99	70	80	83	+3.6%
Adoption Release/Consent/Emancipation/ Emergency Removal/Other	69	69	50	81	56	-30.9%
Total Family Division/Juvenile Court Referee Hearings	1,649	1,682	1,593	1,639	1,574	-4.0%

TABLE 5: TOTAL ATTORNEY REFEREE HEARINGS

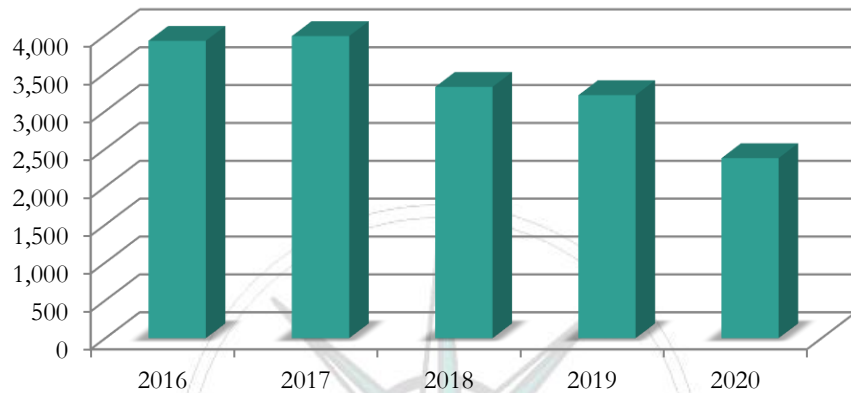
ATTORNEY REFEREE HEARINGS	2016	2017	2018	2019	2020	% Change⁸ (2019-2020)
Grand Total	3,927	3,989	3,318	3,209	2,798	-12.8%

⁸ Reduction in proceedings totals primarily caused by COVID-19 pandemic and resulting limitations on in-person proceedings.

Generally, Attorney Referees conduct 3,000-4,000 judicial hearings every year, playing 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

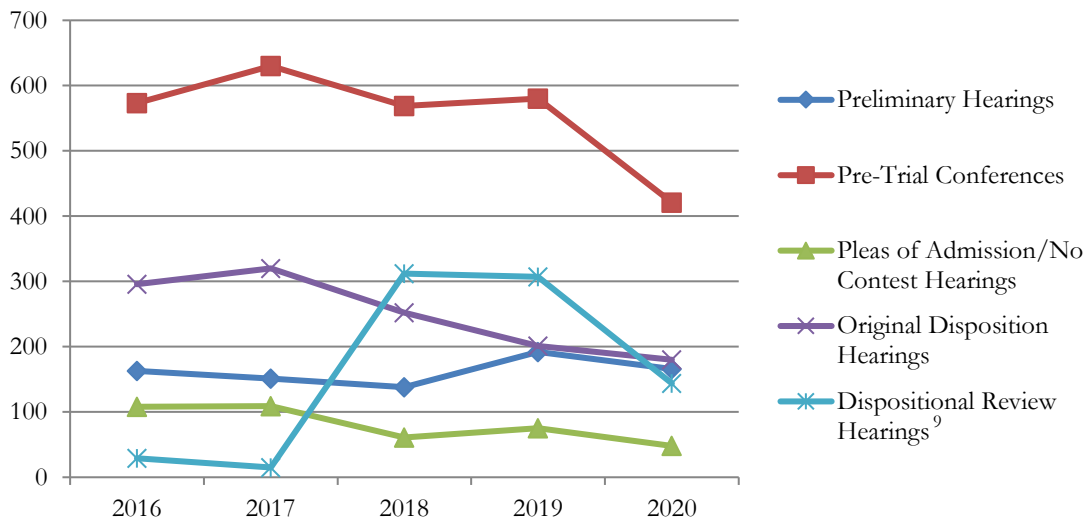
Referee Hearings 5-Year Trend - Total



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

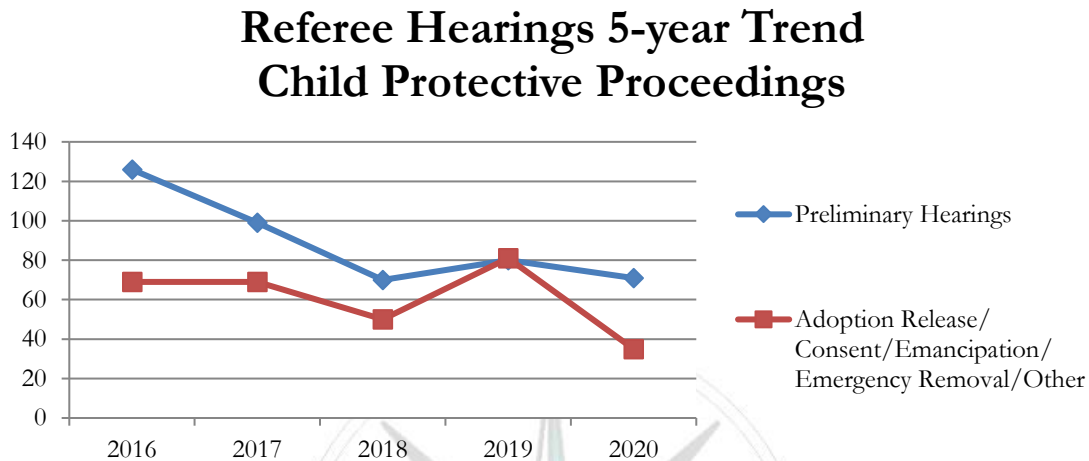
Referee Hearings 5-year Trend Delinquency Proceedings



⁹ Due to changes in data tracking, Dispositional Review Hearings appear to increase significantly in 2018.

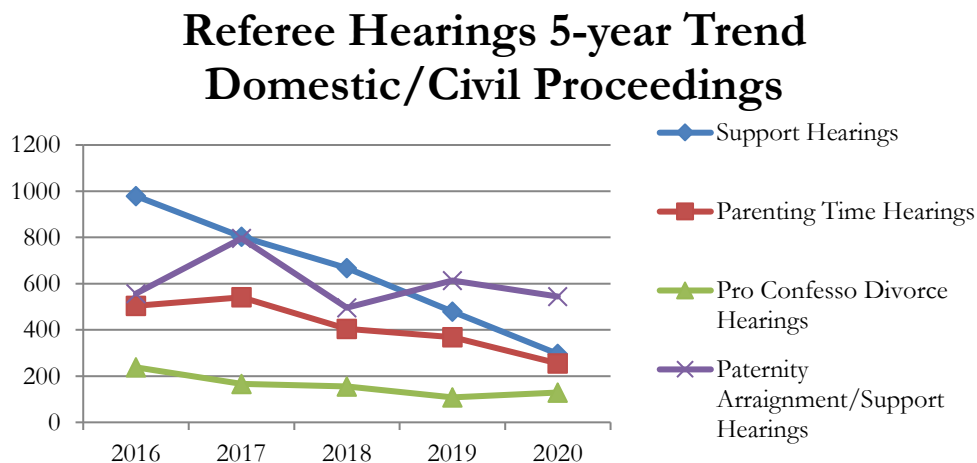
The following blue trend line demonstrates a slight decrease in child protective proceedings being filed with the Court and requiring preliminary hearings. These initial hearings, which can result in children being removed from their home based on allegations of abuse or neglect, are conducted by Attorney Referees and their recommendations are moved forward to the judges in subsequent hearings. The red trend line shows a decrease 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, along with the CARES Act (Coronavirus Aid, Relief, and Economic Security Act) funding to assist families during the pandemic, 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 seemed to have leveled off after experiencing a sharp increase in 2019. 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."¹⁰ 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



Thom A. Lattig, MS
Juvenile Court Director



Jennell L. Challa, JD
Friend of the Court



Susan M. Franklin, JD, MPA
Trial Division Director



Johanna Wallace, AA
Probate Register

¹⁰ 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

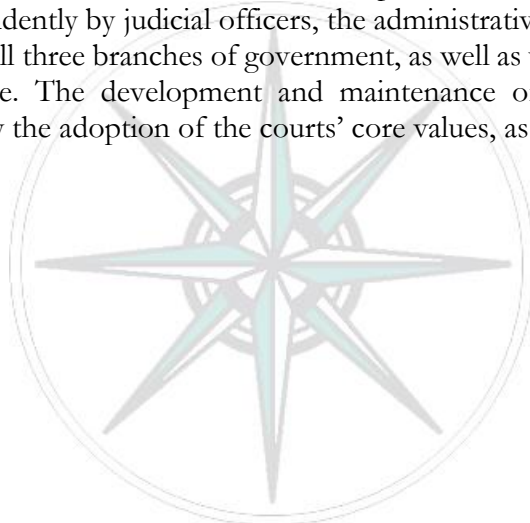
As a leader among Courts, we exemplify high standards for justice and public service.

To reach this Vision of the Courts, the Circuit and Probate courts are committed to providing leadership in the following manner.

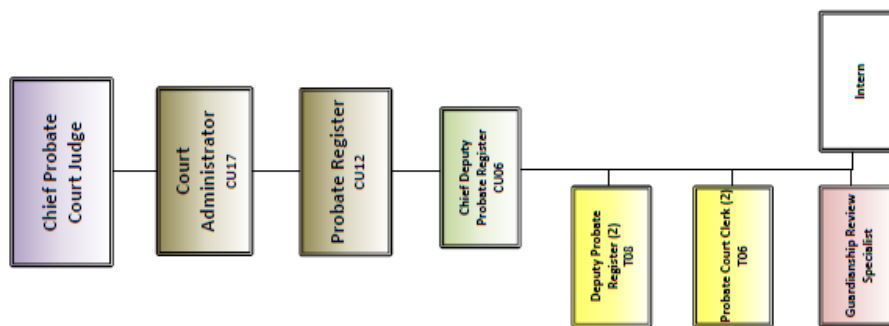
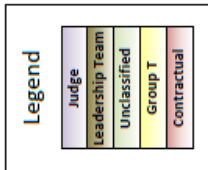
- ❖ Providing justice and equal access to all.
- ❖ Processing and resolving legal matters quickly, fairly, and efficiently.
- ❖ Being nimble and embracing change; responding quickly and effectively to emerging needs and circumstances.
- ❖ Providing easy physical and electronic access to services at all 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.
- ❖ 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.



Ottawa County Probate Court Organizational Chart



Revised 12.7.2020

Court Wide Initiatives

Strategic Planning – Maintaining the Strategic Plan¹¹, periodically updating and revising goals, objectives, and priority projects, is an important function of court administration. In 2020, the Strategic Planning Team began the extensive process of reviewing and revising 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 updated trends analysis, SWOT analysis, surveys of court employees and external stakeholders, revising the Strategic Focus Areas which will drive innovation during the next three years.

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. In the Fall of 2020 significant time was devoted to reviewing bid documents and interviewing several technology vendors. The extensive review process should be completed with the selection of a vendor in the first quarter of 2021.

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 2020 Ottawa County conducted extensive contract negotiations with the architects of DLZ and Granger Construction, intending to implement the IPD (Integrated Project Delivery) method of building. Although the pandemic slowed the process, it is anticipated the building design phase will begin in early 2021.



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 2020, 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.¹² In fact,

¹¹ <https://www.miottawa.org/Courts/20thcircuit/pdf/reports/2018-2020-Strategic-Plan.PDF>

¹² <https://mifile.courts.michigan.gov/>

the first major test of this technology was during the COVID pandemic when e-filing became a primary access point for the courts. Since the project was already underway, the Circuit and Probate Courts were able to remain open and continue operations, while many other trial courts in Michigan were forced to temporarily close to the public.

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

During 2020 the Courts continued to participate in security improvements (including the installation of new security cameras) 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 the first quarter of 2020 (prior to the pandemic shutdown) for example, 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.

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.¹³



¹³ <https://www.miottawa.org/Courts/20thcircuit/default.htm>

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.

Establishing a Court Social Media Presence – Based on preliminary discussions within the Strategic Planning Oversight Team (SPOT), a Court Social Media Committee was established to develop a comprehensive social media policy that would fully comply with SCAO social media standards. In 2020 the policy was developed and adopted by the Circuit and Probate Courts. Subsequently, court related social media platforms were developed on Facebook, LinkedIn, Instagram, YouTube, and Twitter. The purpose of this effort is to increase public education and awareness of court operations.



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, considers 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.

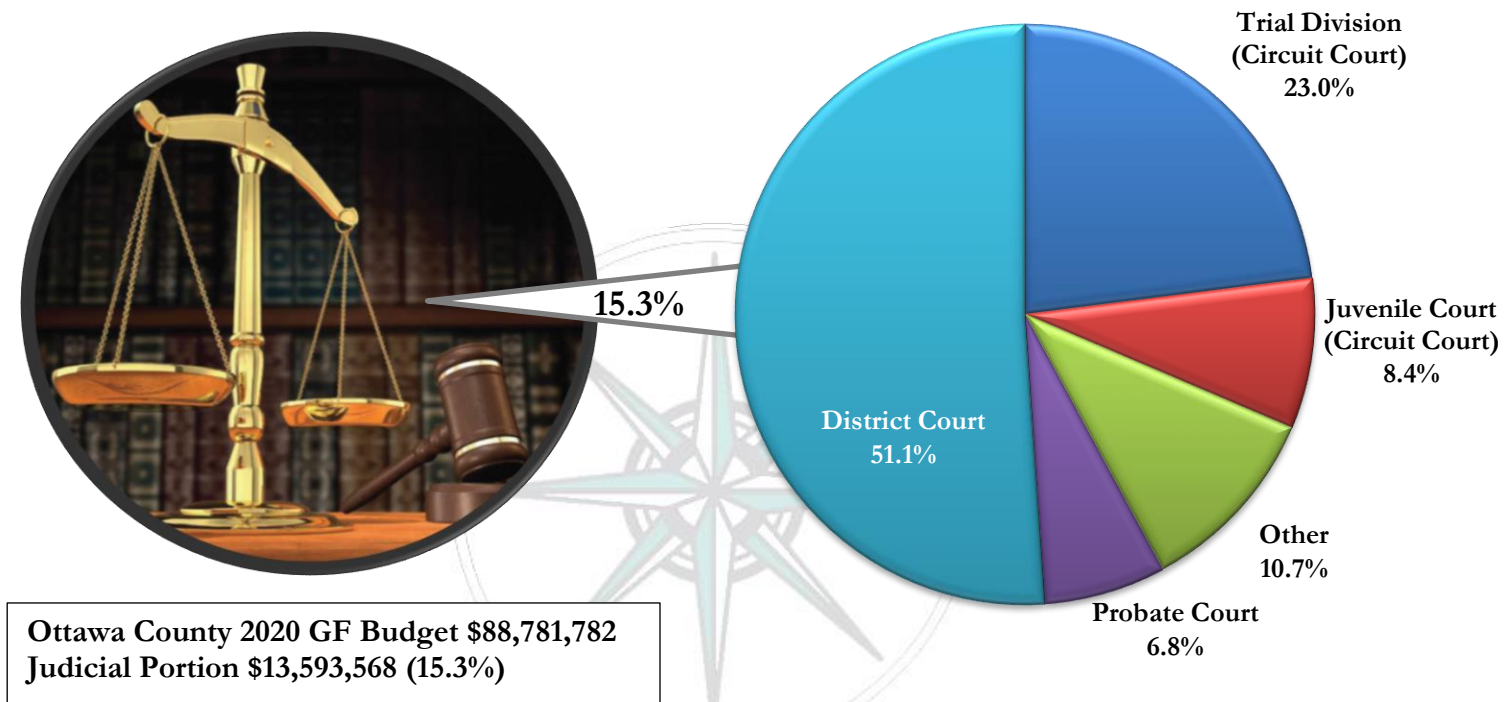
Other Court expenses are paid in part by federal Title IV-D funds (Family Division – FOC child support collection); the Michigan Child Care Fund, Title IV-E and Title I funds (Family Division – Juvenile Court programming); state reimbursement for the County Juvenile Officers, and various state and federal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



Ottawa County 2020 General Fund Allocation

In FY 2020, the County general fund (Fund 1010) expenditure budget was \$88,781,782¹⁴; the judicial portion was \$13,593,658 or 15.3% of the GF budget. Of the 15.3% expenditure, the Circuit Court Trial Division (Fund 1310) was allocated \$3,131,426 (23%); Juvenile Court (Fund 1490) was allotted \$1,137,936 (8.4%); Probate Court (Fund 1480) received \$920,183 (6.8%) and the District Court (Fund 1360) received \$6,942,970 (51.1%) . The remaining \$1,461,143 (10.7%) was allocated to “adult probation and other”.

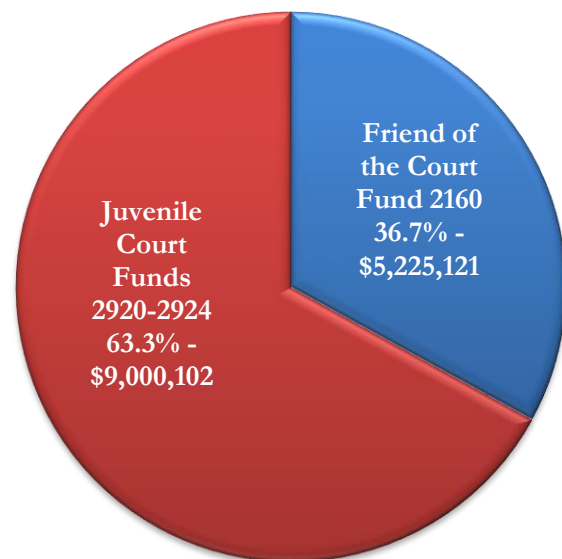
FIGURE 5: OTTAWA COUNTY 2020 GENERAL FUND ALLOCATION – JUDICIAL PORTION



Ottawa County 2020 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 FY 2020, the 20th Circuit received special revenue fund expenditure budgets amounting to \$14,225,223. These allocations were divided as follows: FOC received a revenue operating transfer of \$5,225,121; and the Juvenile Court received funding for child care programs of \$9,000,102.

FIGURE 6: OTTAWA COUNTY 2020 SPECIAL REVENUE FUNDS TRANSFER



¹⁴ Ottawa County Adopted 2020 Budget, <https://www.miottawa.org/Departments/FiscalServices/pdf/2020Budget/2020-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 and staff provide outstanding customer service and treat everyone with compassion and respect.

In 2020, the LSHC logged 1,696.5¹⁵ hours of service and navigated more than 3,156 requests for assistance¹⁶. On March 13, 2020, the LSHC closed for in-person service and the volunteer program was suspended. The LSHC Director and Administrative Assistant continued providing services remotely via phone and the LSHC website. Before the LSHC volunteer program was suspended, volunteers had provided the courts and Ottawa County with over \$5,276.80 worth of services¹⁷.

Last year, self-represented litigants in Ottawa County filed 400 new divorce cases¹⁸, or approximately 50% of all new divorce filings¹⁹. Almost half of these self-represented filers utilized materials and assistance obtained from the Legal Self-Help Center²⁰.

Due to COVID-19 restrictions, the LSHC did not recruit or train any new volunteers in 2020. However, one volunteer was hired into a full-time position with the county. Volunteers are learning skills and gaining experience that make them prime candidates for future employment by the court and Ottawa County²¹.



¹⁵ 194 hours provided by volunteers; 1,502.5 hours provided by paid staff.

¹⁶ In-person = 693; Phone = 1604; Email = 193; Orders = 666

¹⁷ In 2020, 1 volunteer hour was worth \$27.20 according to independentsector.org/value-of-volunteer-time-2020.

¹⁸ 203 divorce without children (DO) and 197 divorce with children (DM).

¹⁹ Actual percentages are 52% of new DO cases and 44% of new DM cases.

²⁰ 45% of filers utilized LSHC paperwork.

²¹ To date, the LSHC has trained 11 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, Michela Ringquist, Shannon Rogers, Ken Schreur, and Kelli Wyse.

The Legal Self-Help Center Helps Eliminate Barriers to Court Access During the Pandemic

The Legal Self-Help Center (LSHC) in Ottawa County normally operates at an on-site location within the Ottawa County Courthouse in Grand Haven. The LSHC Director, Administrative Assistant and many volunteers answer questions and assist self-represented litigants in filing paperwork with the court. Prior to the pandemic, this work was performed mostly in-person. When the courthouse closed to the public in March 2020, the LSHC quickly researched ways to continue to provide self-represented litigants access to justice through remote services. The LSHC created an on-line store which allowed the public to order LSHC form packets. The LSHC eliminated barriers to court access by temporarily waiving packet costs and associated mailing fees. The LSHC also provided packets for pick-up at the entrance to the courthouse for those litigants who could not wait for mail delivery. The LSHC incorporated an appointment scheduler on their website to allow the public to schedule remote appointments with LSHC staff. Even though the LSHC utilized remote services to continue to provide access to the courts, the pandemic resulted in the loss of the entire LSHC volunteer staff, many of whom were considered “high risk” for COVID or did not have appropriate technology available at home to allow them to continue to serve as volunteers. Even short-staffed without their regular volunteers, the LSHC has continued to serve self-represented litigants and focused on eliminating barriers to access.



Ottawa County Circuit & Probate Court Administrator Nationally Recognized

On July 15, 2020, 20th Judicial Circuit Court and Ottawa County Probate Court Administrator, Kevin J. Bowling, JD, MSJA, CCE, was recognized by his peers in the National Association for Court Management (NACM) as deserving the Award of Merit, their highest individual honor.

The Award of Merit is usually presented each year at the NACM Annual Conference to recognize distinguished service and outstanding contributions to the profession of court administration. Due to the COVID-19 pandemic, however, the in-person conference slated for New Orleans was cancelled, so Mr. Bowling “received” the award in a virtual meeting. In actuality, Mr. Bowling was surprised when NACM Vice President Kathy Griffin made a special stop at the Grand Haven Courthouse to deliver the award in-person on July 14.



NACM’s President, Will Simmons, said, “I’ve known Kevin professionally for nearly 15 years. He is passionate about court management and progressing the courts forward. Kevin has tirelessly given of himself to advance the profession and NACM. He is a leader, a trend setter, mentor, scholar, gentleman, and friend. He is very deserving of this high honor. Congratulations, Kevin!”

Since the beginning of his career with the judiciary over forty years ago, Mr. Bowling has worked with relentless dedication to improve the administration of justice and the knowledge, skills, and abilities of judges, court leaders, and staff. For the first 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. Mr. Bowling 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.”

During his 17-year tenure with the Ottawa County Circuit and Probate Courts, Mr. Bowling has led the way through several improvements in the Courts. He shepherded the Court through the construction of the Grand Haven Courthouse in 2009 and is integral to the planning of the new Family Justice Center coming to West Olive. He has also been on the forefront and the proponent of leveraging technological advances to provide additional services to the public, including e-filing and the use of online dispute resolution for child support and parenting time issues.



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 2020, 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 2019 to 2020, the appellate caseload increased by 14% and the criminal caseload (new filings and reopened cases) decreased by 22.6%, while the civil caseload decreased by 22.0%. It is important to note that although the total number of domestic relations case filings in the Family Division is down, 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 21.2% decrease in new filings and reopened cases from 2019 to 2020.

FIGURE 7: 5-YEAR CASELOAD TRENDS, CIRCUIT COURT

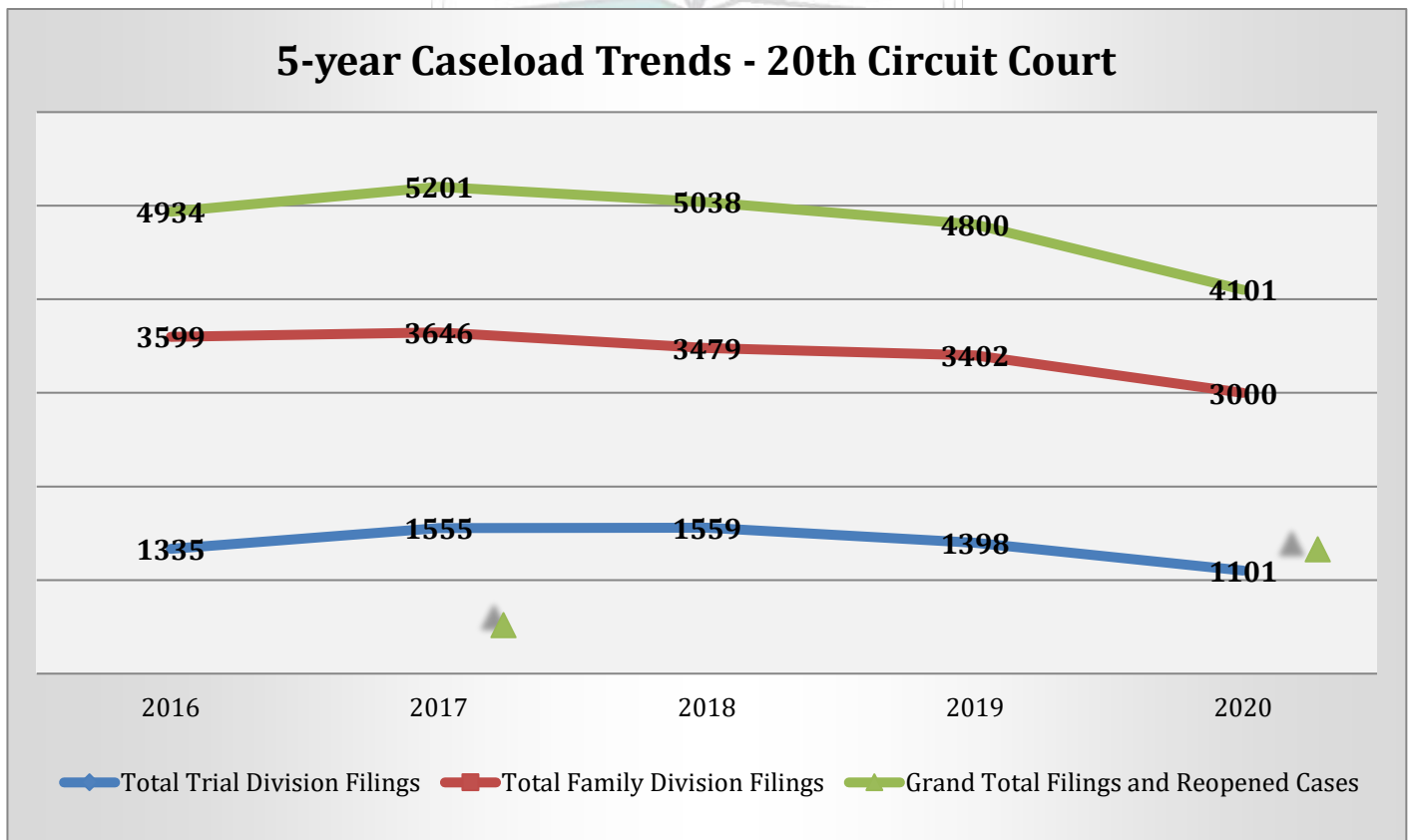
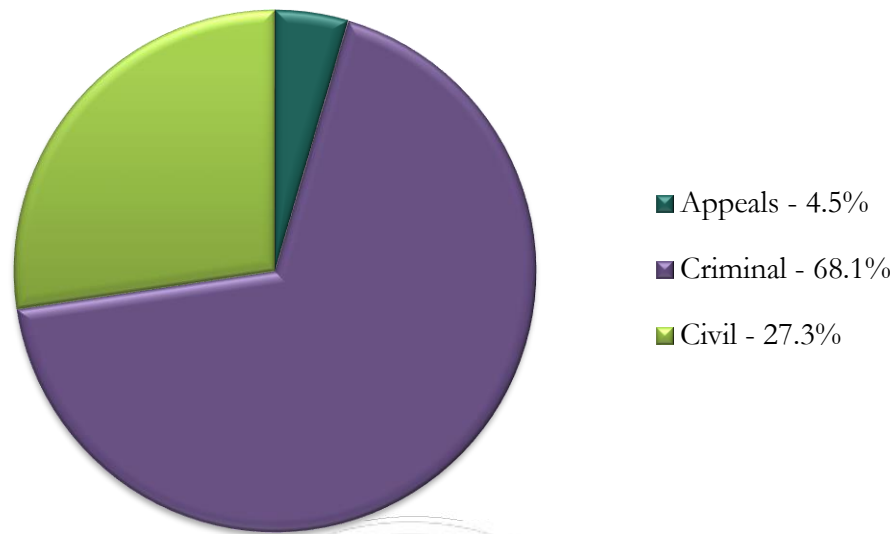


FIGURE 8: 2020 TRIAL DIVISION CASELOAD

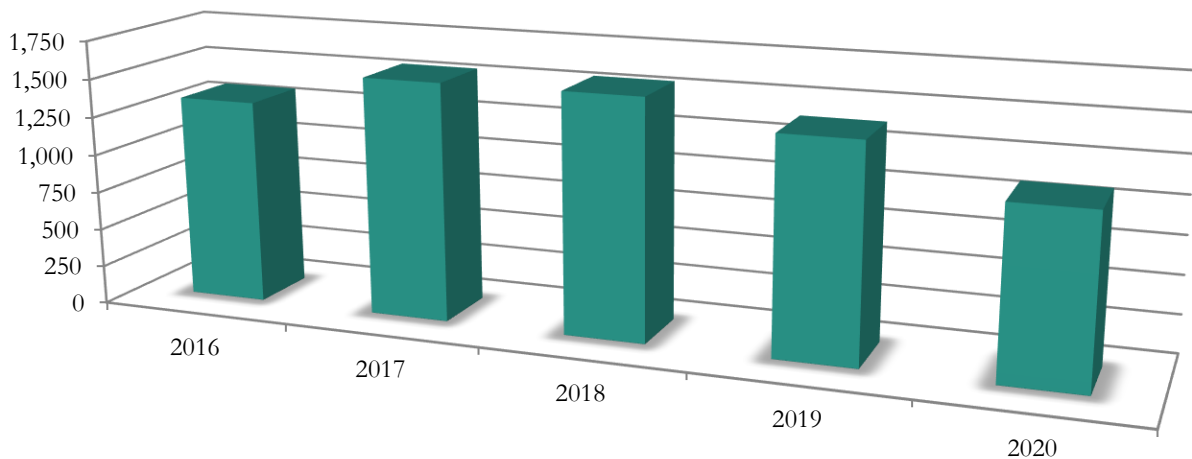
2020 Trial Division Caseload



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 workload 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



Pandemic Jury Trials – A Whole New World

On March 10, 2020, when Governor Whitmer first declared a state of emergency due to COVID-19, Judge Karen Miedema was holding a jury trial in Courtroom 3B. That case, *People of the State of Michigan v Jaime Gonzalez*, would be the last jury trial held by the Circuit Court for quite a while – until August 11, five months later. And when that first August jury trial did take place, the courtroom looked significantly different.



A lot of discussion was had as the Court worked its way back to conducting jury trials as safely as possible. Circuit and Probate Court Administrator Kevin Bowling had frequent meetings with Ottawa County Public Health, and arranged rapid COVID tests for seated jurors, if necessary. The judges met virtually with stakeholders in the Ottawa County Prosecutor’s Office, the Public Defender’s Office and the local bar to discuss the logistics of jury trials to ensure they could be safely conducted during a pandemic, while still guaranteeing the constitutional rights of criminal defendants.

The Trial Division staff also worked closely with the Facilities Department, the Clerk/Register of Deeds Office, IT, and the Sheriff’s Office. Each office provided valuable assistance and the Court would not have been able to safely conduct jury trials without them.

Grand Haven Courtroom 3B, at roughly 38 feet wide and 70 feet long, is the largest courtroom in any of the Ottawa County Courthouses. Early in the considerations of whether the Court could safely hold jury trials again, it was determined that trials seating 12 or more jurors would have to be held in Courtroom 3B. None of the other courtrooms had sufficient square footage to make a socially distanced jury trial possible. To provide further safeguards for the jurors and litigants, the Facilities Department fabricated Plexiglas and clear vinyl barriers throughout the courtroom.



The Court also realized that its current jury deliberation rooms were not large enough for social distancing among 12 or more jurors. Courtroom 3A had to be used for jury breaks and deliberations, as its size made it more appropriate for maintaining a safe environment for the jurors. Requiring the use of two courtrooms to conduct each jury trial led to some logistical challenges for staff, who rose to the occasion.

Ultimately, the Court was able to hold five (5) jury trials in the period between August 10 and September 18, when the Supreme Court set new standards for when jury trials could be held. Four (4) of the jury trials were adult criminal cases, while one (1) was a juvenile delinquency matter. After each two-week jury term, the Court sent a Qualtrics survey to the jurors to gauge their reactions to the pandemic safety measures employed by the Court. The results were generally positive – some jurors thought the precautions were unnecessary, some suggested we add thermal temperature checks and automatic flush toilets, and others thought we had done “an awesome job keeping [them] safe.”

Collecting Court-Ordered Obligations During COVID-19

The Covid-19 pandemic imposed many challenges for the Trial Division's Felony Collections team. The initial challenges included many defendants losing their jobs and subsequent unemployment income delays. Additionally, wage assignments previously established with defendants' employers stopped due to lay-offs. The Felony Collections team anticipates the return from state income tax garnishments to be lower this year due to defendants being off work for several months. Decreased incomes due to the pandemic led to many defendants being subject to show cause hearings. It has been a challenge to schedule these show cause hearings throughout the pandemic as the SCAO guidelines advise courts to limit the number of in-person hearings. The Felony Collections Clerks resorted to handling show cause hearings by telephone and via Zoom, which required show cause affidavits to be edited to include Zoom instructions.

Additionally, there was confusion among defendants because collections protocols vary from county to county, specifically regarding bench warrants and show cause hearings. The Felony Collections Clerks quickly discovered that adaptability would be essential to get them through the pandemic, as recommendations would change day to day, unemployment is hard to verify, and work-ordered quarantines are difficult to prove. The team found that maintaining regular communication with defendants and encouraging partial payments have been beneficial for collections. Many defendants were accustomed to making payments in-person, so encouraging defendants to pay online also imposed some challenges. Ottawa County's action in waiving the convenience fee to pay online increased defendants' willingness to make payments online. Although changing the show cause process was challenging it has proven to be just as successful as when our show cause hearings were scheduled in-person. Due to these adaptations, the Felony Collections team was able to collect \$922,041.29 in fines, costs, and restitution in 2020.

Current collections processes are working well and although the team does not know what to anticipate in 2021, they will be ready to face any additional challenges that may appear.

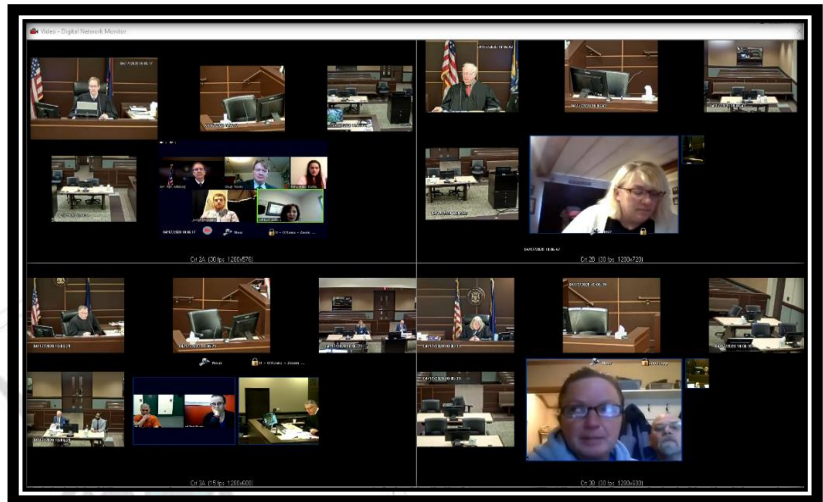


Zooming into Remote Hearings

Our court system is not built for long delays, particularly in criminal cases in which a person's liberty may be at stake. Our traditional face to face operations are not well suited to a pandemic. On March 18, 2020, to help maintain public safety and the safety of judges and court employees, the Michigan Supreme Court issued an administrative order (AO No. 2020-2) limiting all Michigan Courts to only "essential functions" in-person, and that all other matters were required to be held "remotely using two-way interactive video technology or other remote participation tools." In 2019, the Michigan Supreme Court had the foresight to provide each judge with a Zoom enterprise account. By March of 2020, we learned how to use this virtual technology.

Many courts around the state adjourned matters, hoping to re-open soon. The 20th Circuit Court in Ottawa County focused on providing as many remote services as possible and less than a month later, all four judges were conducting hearings via Zoom.

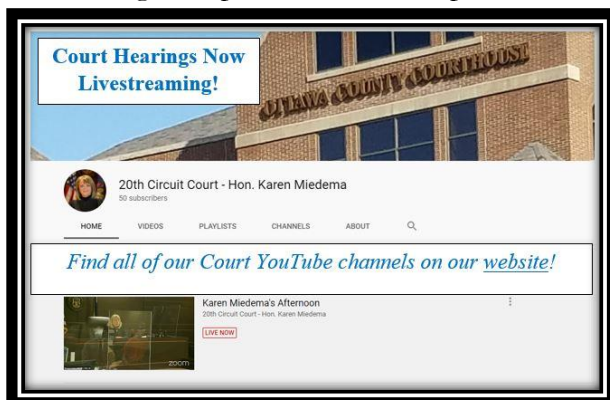
We were not the only court in Michigan to do so, but it was remarked that, while other courts that adjourned matters were likely to soon face a backlog of civil and family cases, the 20th Circuit Court would not.



Conducting a remote hearing by Zoom adds significant complexity compared with in-person hearings in which all participants are required to appear at the Courthouse and present their case in-person. On the front end, the Court must send out additional instructions on how to connect to Zoom and how to submit evidence. During the hearing, court employees host the Zoom hearing, making sure to only admit necessary parties. Additional time is often necessary to trouble-shoot connection issues, requiring judges and attorney referees to spend more time on each scheduled event.

The Michigan Supreme Court also provided trial courts with guidance on how to provide public access to

court hearings, without actually allowing the public in the building. The options were to provide members of the public with a copy of the proceeding free of charge after the hearing, or to livestream the Zoom hearings on YouTube. As there could be a considerable expense involved in the time, labor, and materials needed to provide copies of court recordings, the Court created a YouTube channel for each judge and attorney referee. Members of the public can access the Internet and use YouTube to watch any hearing in which they are interested.



By utilizing tools such as Zoom and YouTube to continue providing justice, even in the midst of a pandemic, the Court has confidently forged ahead with its mission, "To administer justice and restore wholeness in a manner that inspires public trust."

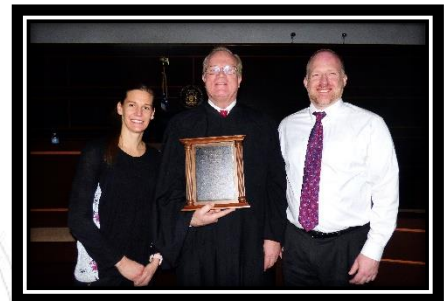
Ottawa County Recovery Court (OCRC)

2020 Summary

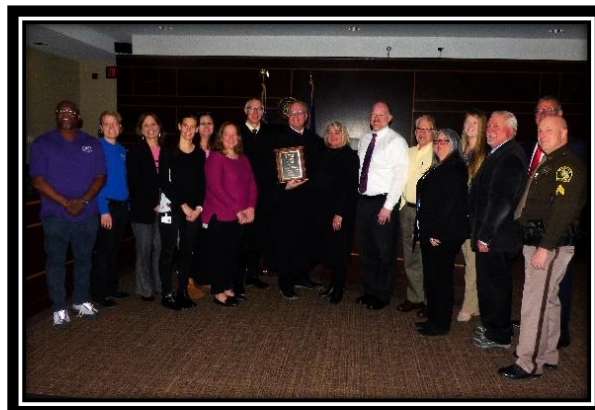
This was a year of unprecedented challenges for the OCRC as we adapted to the ever-changing realities of life during a pandemic (challenges faced by all persons, programs, and organizations in our country). Despite the great uncertainty OCRC has been experiencing, the Court has been able to sustain continuous services while leveraging technology to adapt how our services are delivered. OCRC is grateful for the incredible flexibility and adaptability of our Recovery Court Judge, Team members, staff, and participants.

Despite the challenges of 2020, OCRC had many unique successes:

- ❖ 2020 marked our 16th year of operation. OCRC has remained funded solely through state and federal grants since starting in 2005.
- ❖ During 2020 OCRC was honored to be re-selected for a 2nd consecutive 3-year term as a national mentor court by the National Association of Drug Court Professionals and the Bureau of Justice Assistance. The OCRC was selected as 1 of 8 programs from over 3,000 in the country.
- ❖ OCRC hosted three virtual site-visits for court programs across the United States.
- ❖ OCRC was selected for two technical assistance projects focused on Diversity, Equity, and Inclusion and the use of Medication Assisted Treatment in jail populations, by the Substance Abuse and Mental Health Services Administration (SAMHSA). For each project, we were 1 of 3 programs selected in the United States.
- ❖ OCRC hosted one virtual recovery court academy (our 9th academy) attended by over 20 people.
- ❖ Preliminary results of a rigorous quasi-experimental recidivism study show that OCRC participants committed 52% fewer new offenses (misdemeanor and felony) while in the OCRC than an identical group of persons who were placed on regular felony probation.



OCRC is proud of the many accomplishments in 2020 and welcome the challenges and opportunities that lie ahead in 2021.



Friend of the Court (FOC)

Caseload Facts

Throughout 2020, Friend of the Court staff handled a Title IV-D caseload (child support) of 10,872 cases, representing a 2.4% decrease from 2019. During the same time period, there was a 17.6% decrease in new divorce and other domestic relations filings. To enforce court orders on these cases, 1,353 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), 265 bench warrants were issued, and over \$42 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 1,253 clients in the office or remotely, both on appointment and walk-in basis. To help ensure child support orders are updated to reflect significant changes in circumstances, staff conducted 2,475 case reviews and recommended modification where appropriate (representing a 4% increase from 2019). 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.

In addition to the child support enforcement efforts of the Friend of the Court, there were 151 cases in 2020 in which the 20th Circuit Court received a petition for a special assessment regarding child custody or parenting time issues. In 48% of these cases, FOC staff conducted an extensive investigation and provided the Court with recommendations. Diversion conferences conducted by FOC staff, resolved 16% 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

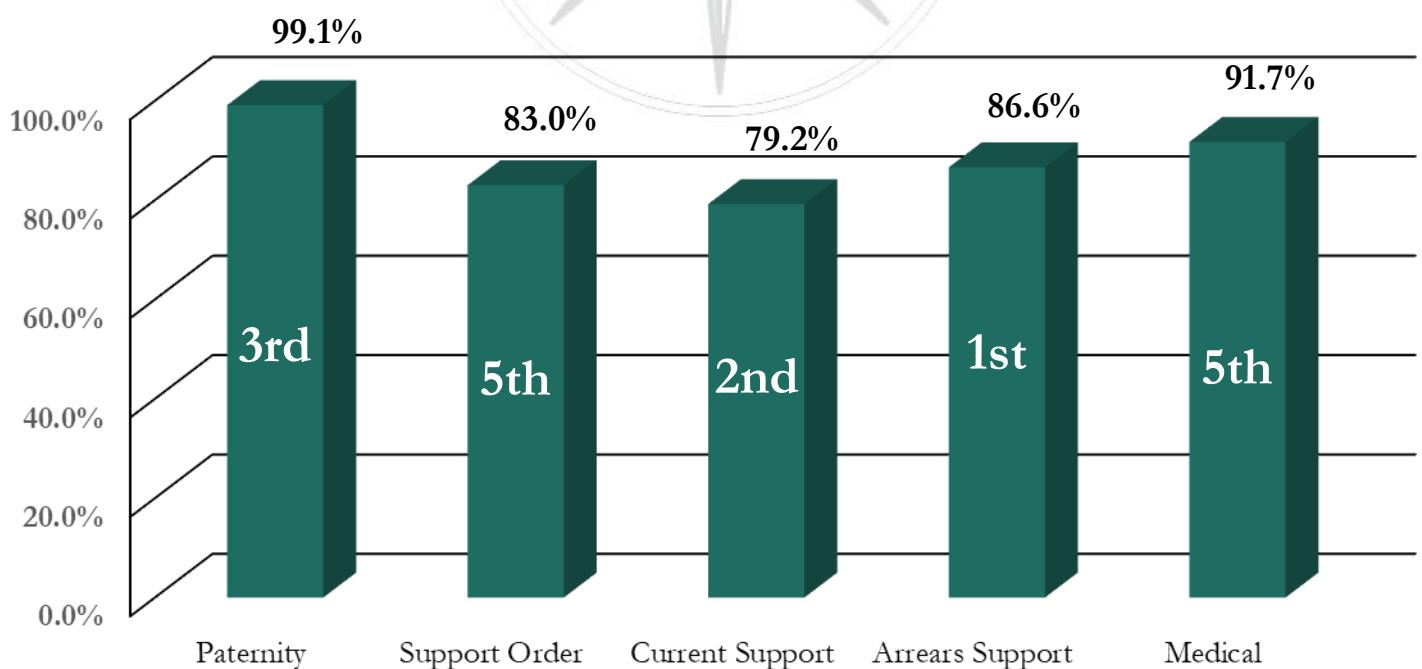
Child support collection falls under Title IV-D of the Social Security Act. The Friend of the Court office operates as a IV-D agency and a large part of the expense of operating the office (approximately 66%) is reimbursed by Federal funds through a State Cooperative Reimbursement Contract. **For 2020, the FOC received reimbursement of \$2,971,513.96** (federal reimbursement of \$2,695,732.96 and state reimbursement of \$275,781.00) to help defray operating costs.

The Friend of the Court office also offsets operating costs by earning incentive dollars based on performance. As set forth in the 1998 Child Support Performance and Incentive Act, the performance of each IV-D agency is measured in five key areas. State child support enforcement programs across the country are measured in Paternity Establishment, Support Order Establishment, Collections on Current Support, Collections on Arrears, and Cost Effectiveness. Medical support establishment/enforcement is also measured and incentives are earned on this factor alone at a rate of 15% of medical support collections.

When the Friend of the Court office in Ottawa County measures itself 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 2020, the total Federal incentive dollars earned was \$417,850 plus an additional medical incentive of \$57,562 (**\$475,412 incentives earned overall**).

FIGURE 10: OTTAWA COUNTY 4TH QUARTER COMPARISON TO 14 LARGEST COUNTIES' 2020 PERFORMANCE LEVELS

Ottawa County 4th Quarter Comparison to 14 Largest Counties' 2020 Performance Levels



FOC Achievements

FOC Remote Working Solutions

In July 2017, the FOC was approved by the State of Michigan Office of Child Support to pilot an “Alternative Work Location” (AWL) program. At that time, the FOC in Ottawa County was the only local FOC office approved for remote work by FOC staff in a home office environment. FOC supervisors worked hard to draft AWL guidelines, an application process, and job responsibility matrixes necessary to manage productivity for each FOC position classification. Implementation of the AWL program also required approval from the FOC employee association and extensive planning with IT regarding equipment and software solutions that would allow FOC employees to work from home without violating confidentiality and security requirements associated with the Title IV-D program. The FOC developed a plan with IT to swap out all FOC computers with laptops as they became eligible for replacement. The FOC researched and purchased second factor authentication licenses (DUO) to gain secure access to the county server which would then allow for access to each employee’s individual desktop virtually. Staff was then granted remote access from home to all the



various software programs used by FOC staff in the course of their daily work including: OnBase Imaging, Munis, MICA, AS400, JusticeSuite and the Michigan Child Support Enforcement System (MiCSES). When the county transitioned to a Cisco/Jabber phone and instant messaging system, the FOC used this new technology to allow staff to use their laptops as a “soft phone” to answer, transfer and return phone calls using their work station at home.

The implementation of the AWL program initially provided eligible FOC employees an opportunity to work from home 1-2 days per week. However, all of planning for the AWL program allowed the FOC to quickly transition to fulltime remote working when COVID pandemic restrictions were initiated and the Ottawa County Courthouse in Grand Haven was closed to the public on March 18, 2020.

FOC staff have many daily in-person contacts with the public and co-workers as they perform FOC functions and duties. Quickly transitioning FOC staff to remote work allowed for appropriate social distancing among employees and the public. The various remote technologies utilized allowed FOC staff to continue serving the public, thereby minimizing access to justice concerns. The FOC began conducting all FOC conferences and pre-hearings by Zoom. The FOC also incorporated an on-line appointment scheduling platform called “Setmore” to allow the public walk-in appointments conducted remotely and to schedule cash payments at the FOC office.



Immediately following the issuance of COVID restrictions, the FOC in Ottawa County became a sought-after “remote working” resource to other county departments and court divisions, as well as, FOC offices statewide. Many FOC offices throughout the State of Michigan severely cut services because they were unprepared to provide them remotely. The few counties who could afford to purchase the appropriate technology found it to be in short supply because so many other businesses and services were competing for the same tools.

The FOC was not only able to continue to provide valuable court services during a pandemic, it was able to keep employees separate and safe from each other and gave employees who were quarantined, but otherwise healthy, the ability to continue to work while quarantined at home.

While the pandemic created operational and technological changes for the FOC as staff transitioned to remote working, it also significantly impacted the actual work performed as a Title IV-D child support enforcement agency. Significant increases in unemployment payments caused an increase in staff workload as payers and payees of child support requested immediate modifications to their child support obligations due to loss of employment. The FOC developed a “fast track child support review process” and removed the barrier of requiring parties to file a motion to modify child support if their loss of employment was due to COVID. FOC investigators quickly gathered information about a party’s loss of employment and efficiently recalculated child support to determine if an adjustment was appropriate.

While Federal and State agencies broadened unemployment qualification criteria, that also increased work for FOC staff as they researched receipted monies and appropriately distributed child support payments withheld from unemployment payments. **Total FOC collections for 2020 were \$42,236,650.19 which is the highest amount of child support collected historically and over 2 million more dollars collected than in 2019.** Some of the high collections resulted from intercepts of COVID stimulus payments and Pandemic Unemployment Relief. The FOC also continued to manage and regularly update a list of employment opportunities, low income housing opportunities, food banks and other public services available locally.

The FOC performs IV-D work (child support enforcement) and non-IV-D work (parenting time and custody establishment and enforcement). The pandemic wreaked havoc in the areas of parenting time and custody as parents flooded the FOC with questions about the exercise of parenting time during the pandemic. “Should children travel between households for parenting time? If one parent is employed in a field with high COVID exposure, should they lose their parenting time? Does parenting time take place if a member of the other parent’s household is in quarantine? What if parents with joint legal custody disagree on whether the child should attend school virtually or in-person? Should children travel outside of the state for parenting time over holiday breaks?” These types of questions were fielded daily by FOC staff. The FOC quickly updated their website to include “Frequently Asked Questions” about parenting time and custody and provided links to COVID resources that might assist parents in resolving these questions.

Online Dispute Resolution Platform Expanded to Incorporate Parenting Time Issues

In 2020, the FOC expanded upon the use of online dispute resolution (ODR) with the Matterhorn software platform, by Court Innovations Inc. This platform has been modified to incorporate parenting time dispute resolution services. The FOC had been utilizing the Matterhorn technology to provide text notifications to payers of child support who were noncompliant with their court order. The text notification served as an outreach tool to inform the payer of noncompliance and encourage contact with the FOC to work toward eliminating barriers to payment. This effective method of resolving non-payment issues resulted in a 24% reduction of show cause hearings scheduled with judges.



This year, the FOC assisted Court Innovations programmers with developing an online component that allows parties to successfully resolve parenting time disputes. The platform provides a guided online forum for parties to get information about possible parenting time plan options, with the assistance of FOC investigators who are knowledgeable in domestic relations law and trained in dispute resolution techniques. The goal is to inform and empower parties to resolve parenting time disputes cooperatively without requiring a court hearing. Parties who reach agreement themselves are more likely to follow the resulting court orders, thus reducing future court hearings. The Matterhorn software allows parties to access the platform on their own time and does not require them to miss work or secure childcare to participate. If the parties reach agreement, FOC staff will assist them in crafting a proposed order that reflects their agreement, then secure their signatures electronically and forward the order to the judge for signature and entry. If the parties are unable to reach agreement, the FOC will inform the parties of their options which may include referral for formal mediation, filing a motion, requesting the FOC show cause a party for a parenting time violation, or choosing to leave the issue unresolved. The FOC is working with Pew Charitable Trust to evaluate this online dispute resolution tool and improve the software to provide enhanced services to the public.

Total Court Services Tether Program as a Jail Alternative

In 2020, the FOC implemented a tether program using GPS monitoring offered by Total Court Services. The FOC purchased 6 electronic tether devices and trained staff from the FOC bench warrant team, including two Ottawa County Sheriff's Deputies assigned to the FOC, to secure and monitor tether equipment. This program was especially timely during the pandemic, since tethers are a preferable alternative to lodging individuals in the county jail, possibly spreading the COVID virus to other inmates and jail employees. The FOC scheduled a reduced number of show cause hearings during the pandemic, thereby reducing the overall number of individuals that might be eligible for tether. However, even with the limited number of show cause hearings held, judges took advantage of electronic monitoring as a safe and effective jail alternative. Data collected by Total Court Services shows twelve individuals participated in the tether program and 282 days of monitoring occurred in 2020. Eighty-two percent of participants were compliant with the program and the average number of days monitored per individual was sixteen. Most participants were able to be released from tether upon making a court ordered payment on their child support obligation. The FOC will continue to use tether as a jail alternative and will collect data to determine if tether encourages future and continuing compliance with court orders.

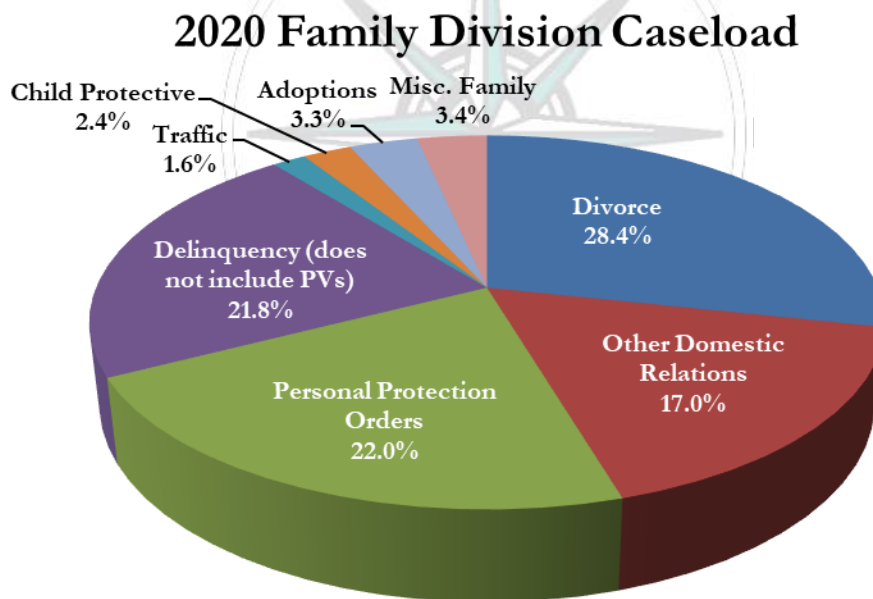


Juvenile Court and Juvenile Detention Center

Caseload Facts

Court personnel, like most community leaders, understand children represent the future. As a result, when 655 new and reopened juvenile petitions and 49 traffic cases arrived at Juvenile Court throughout 2020, 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 8,709²² contacts with juveniles and parents, as well as ancillary contacts with schools, counselors, etc. Though the overall number of delinquency cases decreased from 2019 to 2020 (-11.5%), 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: 2020 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 2020, the Juvenile Court provided educational services through the Juvenile Justice Institute to seventeen youth, of whom two received their high school diploma. Two juveniles were placed in out-of-home residential treatment during 2020 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 eleven youth.

²² Contacts include face-to-face, video meetings with juveniles, consent/intake, surveillance and probation, telephone contact and video meetings. Attempted contacts, telephone contacts, e-mail and notes with no contact types were not included.

During 2020, there were 242 admissions to secure detention in the Ottawa County Juvenile Detention Center, representing 7,523 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 \$1,210,551 of new revenue in 2020. 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 each 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: JUVENILE COURT COMMUNITY REPORT CARD

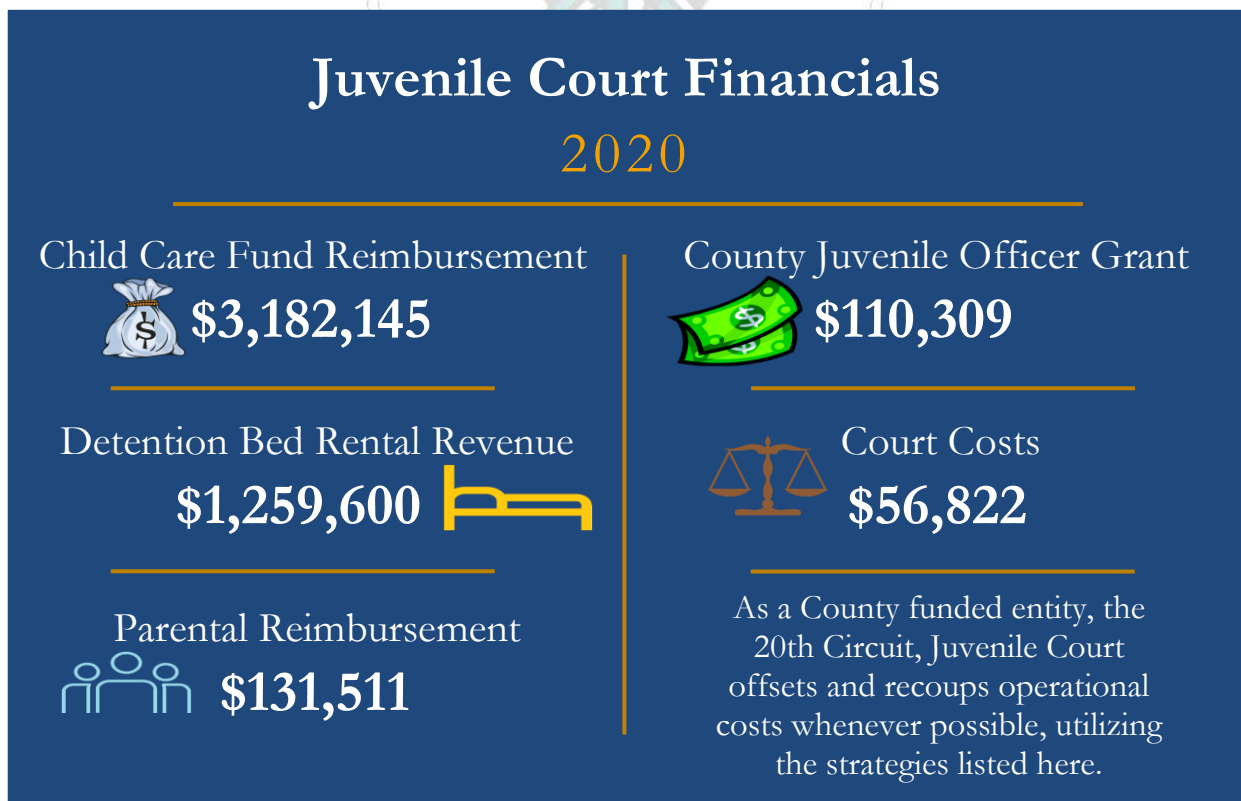
COMMUNITY REPORT CARD	2018	2019	2020
Separate juveniles petitioned to the juvenile court	572	523	510
Number of cases closed	431	340	434
Juveniles placed on probation	102	73	78
Juveniles placed on Consent Calendar	253	244	306
Percentage of juveniles who had no adjudications or convictions for offenses that occurred while under supervision (Consent Calendar and Probation)	91%	87%	91%
Number of community service hours completed (Consent Calendar and Probation)	3,996	2,775	3,348
Percentage of victims financially restored	74%	76%	67%
Percentage of juveniles enrolled in school, graduated/obtained a GED or employed at the time of closure of the case (Consent Calendar and Probation)	93%	96%	98%
Percentage of juveniles who were discharged from probation after successfully completing the terms of probation	88%	95%	93%
Percentage of juveniles who successfully completed the terms of their consent calendar	97%	98%	96%

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 state eligible 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. Thus, in 2020, 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. The parents of court-involved youth are billed to recoup certain 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 - FY2020



Adapting to the Pandemic: Ensuring Juvenile Court Programs & Services Meet Client Needs

Michigan Supreme Court Chief Justice Bridget M. McCormack set the tone for Michigan courts in 2020 by noting “the pandemic was not the disruption we asked for but it just might be the disruption we needed.” Through a series of Administrative Orders, the Michigan Supreme Court adapted court rules to allow local jurisdictions the flexibility required to provide continuous access to justice throughout the pandemic. Early in the pandemic the 20th Circuit, Juvenile Court committed to taking advantage of this flexibility by continuing to provide high quality court services to the youth and families of Ottawa County.

Ottawa County’s substantial investment in technology positioned the Juvenile Court particularly well to transition court business from a world heavily dependent on paper and in-person activities, to a virtual platform. Key changes included:

- ❖ **Zoom** - The introduction of Zoom court hearings allowed the Court to maintain its core purpose of administering justice. Often, this occurs through hearings with youth, parents, court staff, and a judicial officer. To further streamline this effort, staff were able to utilize new and existing technology to provide electronic notice for hearings (when possible), thereby reducing the need for staff to mail paper documents. As an added benefit, the presence of virtual court hearings resolved a long-standing issue for Ottawa County’s court-involved youth and families – the lack of public transportation to the Fillmore Street Complex.
- ❖ **E-Signatures** - The Court offered opportunities for clients to electronically sign court documents, again, reducing the need for paper and mail.
- ❖ **Enhanced Communications** - Several systems improved the Court’s ability to allow staff to work from home. Utilizing OnBase, the Court’s electronic content management system, staff modified workflows to bring more work online. In addition, the County’s recent transition to a new phone system significantly expanded staff ability to take calls from any location. The Jabber instant messaging software increased staff ability to quickly communicate with one another to efficiently meet client needs.
- ❖ **Professional Development of Staff** - Through various video meeting platforms and training sites, like the County’s Topyx educational program, staff were able to maintain important professional training and networking opportunities. This is critically important to maintain competency among staff, especially when many professional, in-person, conferences and trainings were canceled due to COVID related restrictions. In response, many organizations began to offer webinars and trainings, often free or at a reduced cost, thereby increasing accessibility. Virtual meetings allowed Juvenile Court professionals to engage regularly with colleagues around the state, which enhanced efforts to collaborate and problem solve Juvenile Court specific process and service delivery issues created by the pandemic.



In addition to ensuring youth and families were able to conduct their court business in a largely virtual world, court-involved youth and families were provided virtual options for accessing critical programs and services. To maintain a high quality of service, the Juvenile Court focused on the following:

- ❖ **Weekly Client Contacts** - When safe to do so, Juvenile Court Officers, Treatment Specialists and Group Leaders conducted weekly contacts with youth in the community (following public health precautions for social distancing and sanitizing). When necessary, those contacts were completed virtually.
- ❖ **Collaborative Programming** - Prime for Life and Tobacco/Vape classes, facilitated in partnership with the Ottawa County Public Health Department, transitioned to an online format allowing youth an opportunity to participate remotely in these prevention focused groups.
- ❖ **Educational Opportunities** - The Juvenile Justice Institute (JJI), an educational program for court-involved youth operated in cooperation with the Ottawa Area Intermediate School District (OAISD), adapted quickly to a virtual program when the State mandated virtual school. As those mandates fluctuated, the program remained in-person as much as possible to maximize educational opportunities for youth enrolled in the program.
- ❖ **Treatment Services** - The Start Program, for youth with sexually abusive behaviors, also fluctuated between an in-person and online format; this allowed youth to receive continuous treatment.
- ❖ **Specialty Classes** - In early Fall, the Court worked with two service providers to create an evening program for boys at high risk to reoffend, and their parents. Cole Williams, of ColeSpeaks, ran intermittent in-person and virtual “Evolution Youth Project” and “Parenting in the 21st Century” groups. Peter and Katie Webster, of Catalyst Restaurant Consulting, incorporated culinary and life skills lessons on those evenings when the program occurred in-person. Though these programs operated for just a few short months in 2020, initial feedback garnered positive results from youth and parents alike.
- ❖ **Promoting Adoptions** - The Juvenile Court confirmed the adoptions of five children during its first virtual Adoption Day celebration, attended by over 390 viewers. Throughout the year, 100 adoptions were confirmed by the Court, creating a “forever home” for each of these children.

While 2020 presented many challenges, it also created many opportunities. Opportunities to consider new and more efficient ways of providing access to justice in a fast-tracked virtual world. Opportunities for staff to explore the benefits of working from home. Above all else, opportunities for the Court to overcome barriers placed by the pandemic with a singular goal in mind, to meet the needs of Ottawa County youth and families.



Staff from the Juvenile Justice Institute celebrate the students who graduated while maintaining COVID-19 safety protocols.

Ottawa County Juvenile Detention Center Employee Recognition

The 20th Circuit, Juvenile Court and Juvenile Detention Center (JDC) are fortunate to have a well-trained, professional, and dedicated group of employees. The success of the Juvenile Court lies on the shoulders of staff who administer court programs and operate the detention center. In March 2020, the normalcy experienced within the court and detention services changed. All training and dedication would be put to the test during this rare pandemic.

The Juvenile Detention Center Administration Team, supervisors and staff rose to the challenge. At the onset of COVID, all departments and agencies were forced to look at the new normal, but none was more challenging than the JDC, who had to continue full operations to safely protect the youth detained in the facility from multiple jurisdictions across the state of Michigan and adjust to the onslaught of requirements coming from the CDC, State of Michigan, State Court Administrative Office, and Ottawa County Public Health Department, as well as voluminous questions from kids and their parents. Along with new worries, adjustments came by way of a new manner of doing detention tasks: more cleaning, quarantined residents, employee and resident health screenings, mask wearing, social distancing, scheduling many events via Zoom, including: hearings, visitation, counseling sessions, attorney/court interviews, mentor sessions, meetings, and teacher instruction.



JDC staff not only continued to work with youth experiencing trauma, abuse and exhibiting delinquent behaviors, they also had to personally understand the pandemic and how it impacted the youth for whom they were responsible. Initially everyone hoped the pandemic would last only a few weeks, but as the months stretched on and the level of stress grew, the unknowns of the pandemic began to create new challenges for the youth and staff. Due to their commitment, professionalism, and training, however, the staff of the Juvenile Detention Center grew stronger, bonded more tightly, and committed to continuing the mission of the court and the facility.

COVID-19 will be remembered as one of the most challenging experiences in recent years and without essential, frontline workers there would have been greater loss and suffering. The employees of the JDC are amazing people who continue providing the excellent care that is needed and deserved by the youth entering the facility. COVID presented unforeseen challenges (and still does), but because JDC employees are the “best of the best”, kids are returning home safely, healthy, and hopefully in a better place than when they came into the facility.

Thank you, JDC Employees. Your dedication, passion and perseverance are very much appreciated!

Juvenile Court Director Transition

Although COVID-19 pandemic issues seemed to capture the spotlight in 2020, a more significant spotlight was covering the Juvenile Court when long time court employee Sandra K. Metcalf retired from her position as Juvenile Court Director in January. Sandi was well known throughout Michigan as a juvenile justice subject matter expert with a passion for improving the lives of the youth and families with whom she worked. She was also a strong advocate for all Juvenile Court and Juvenile Detention Center employees, deeply caring about them, both professionally and personally. Even in her retirement, Sandi continues in her role as President of Juvenile Justice Vision 20/20, a statewide grassroots organization committed to the professional development of juvenile justice professionals. Fortunately, prior to retiring, Sandi had the foresight to invest her time and talent in other court management staff, preparing them for future responsibilities. Notably Thom Lattig, then serving as Assistant Juvenile Court Director, was one of these talented individuals who worked closely with Sandi for many years and was primed to advance when the opportunity presented itself.



Thom Lattig served the 20th Circuit, Juvenile Court for more than 10 years after developing significant juvenile expertise with the Ingham County Juvenile Court and a private sector residential juvenile program. His supervisory and leadership skills were challenged when he participated in a competitive Juvenile Director recruitment process in 2020 and clearly emerged as the best candidate for the open position of Juvenile Court Director for the 20th Circuit. Accepting this position during a pandemic was also a challenge. Thom rose to the occasion working deftly with Juvenile Detention Center leadership to ensure a safe environment for residents and staff. It was also important for Thom to reimagine how juvenile court officers and court support staff could work remotely to maintain a safe environment for all. Despite the many pandemic restrictions, Thom has effectively managed the court's workload and developed many of the critical professional relationships with external stakeholders who are essential to the Juvenile Court continuum of services in Ottawa County. In addition to providing juvenile court leadership at the local level, Thom was

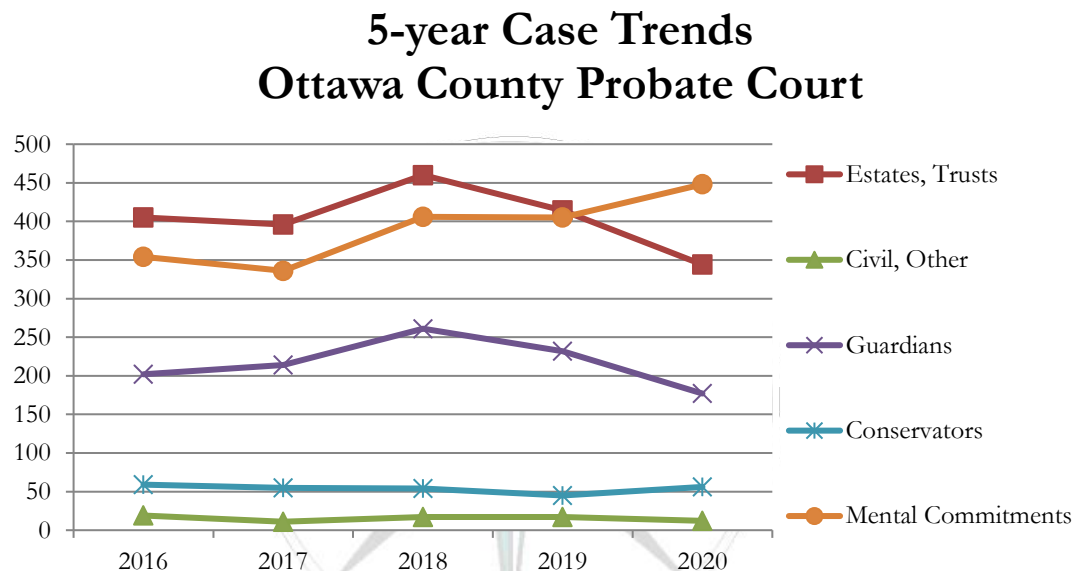
elected by his juvenile court administration peers to serve as President of the Michigan Association of Family Court Administration (MAFCA). The Juvenile Court is excited about Thom's promotion to the position of Juvenile Court Director and is looking forward to his leadership for many years.

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 continues to enhance its effectiveness using mediation, virtual hearing technology, e-filing (MiFile), document imaging, remote payment capability, and digital case management. These initiatives, managed by the professional and well-trained Probate Court employees, help ensure excellent customer service and a positive experience by court users.

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



During 2020, the Probate Court experienced a stable five-year trend with more than 1,000 new case filings. Among the new and reopened cases, most categories remained stable with some decreases in filings due to the pandemic restrictions caused by the COVID-19 virus, including estates and trusts (-17%), guardianship appointments (-24%) and civil and other filings (-29%). Sixty-six percent of the Probate caseload involves individuals needing the protection of the Court in guardianship, conservatorship, and mentally ill cases. At the close of 2020, there were 717 adults and minors with guardians appointed by the Court. In cases where individuals need assistance managing financial assets, there were 248 adults and minors with Court appointed conservators. In addition to the regularly appointed guardians, there were 763 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 nearly 14,000 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, <http://www.miottawa.org/CourtsLE/Probate/>, where individuals can locate forms and instructions to guide them through a variety of Probate proceedings.

The 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 33% of the Court’s overall case filings 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 (sometime involuntary) of individuals in need of mental health treatment. These cases represent 44% of the Court’s new cases 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 case reviews are conducted to provide accountability. The second chart emphasizes the significant number of cases for which one judge and six employees are responsible. At the end of 2020, the Probate Court had 13,709 open cases.

FIGURE 14: 2020 PROBATE COURT CASELOAD

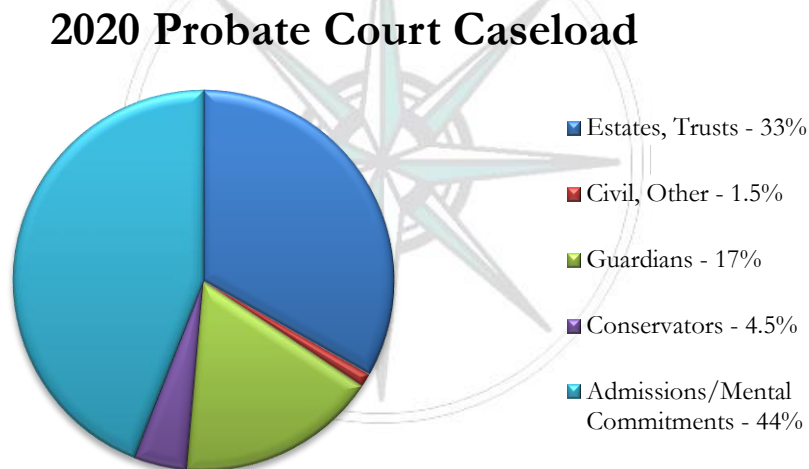
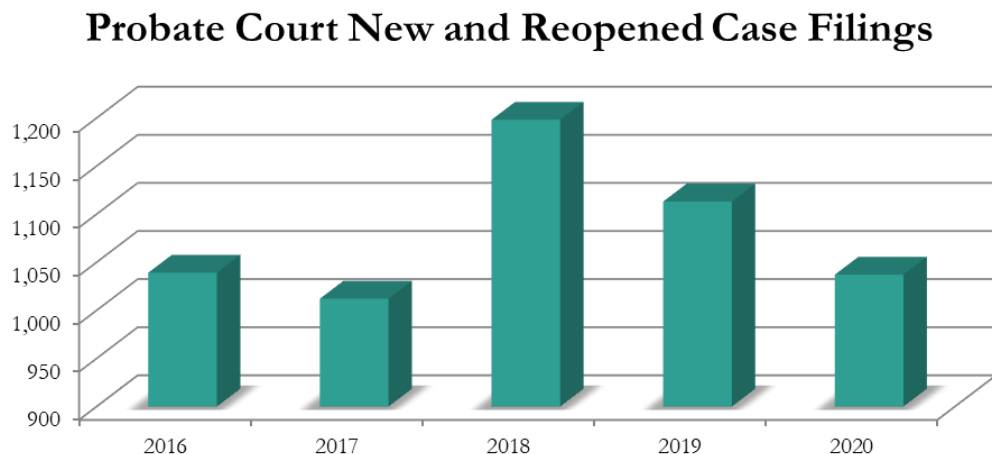


FIGURE 15: PROBATE COURT NEW AND REOPENED CASE FILINGS

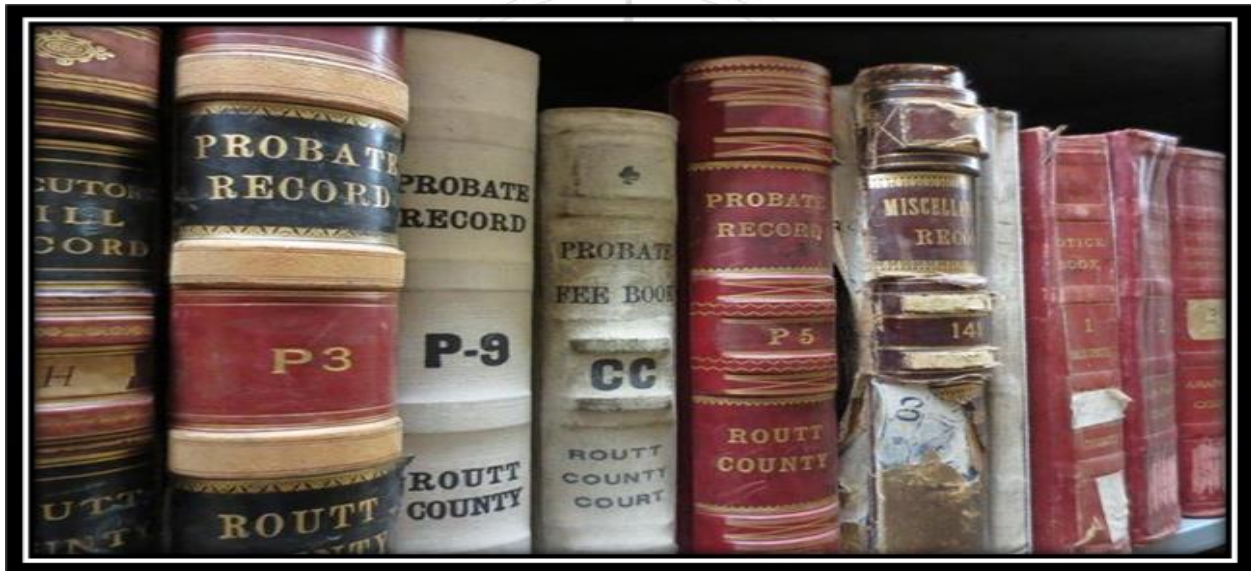


Probate Court Initiatives

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 have been testing all aspects of this new technology and have 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 like paging through a paper file manually...only better!



Probate Register Transition



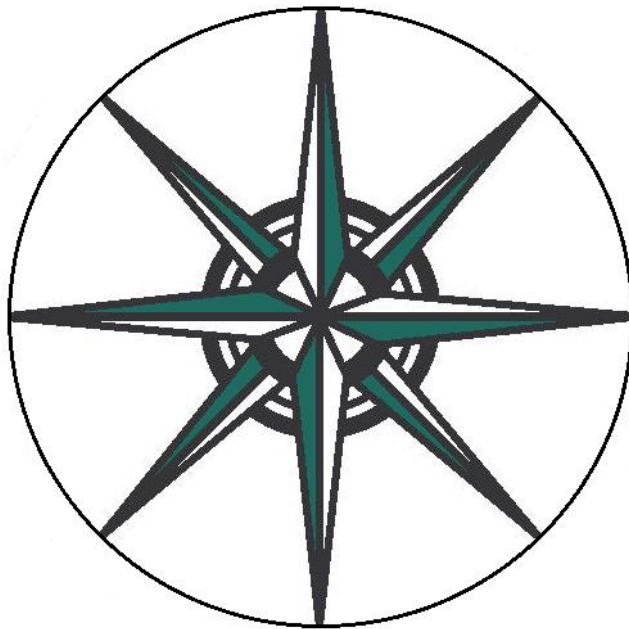
Near the close of 2019 long time Probate Register, Penni DeWitt, retired from public service and Chief Deputy Probate Register, Johanna Wallace stepped into the Probate Register position on an interim basis. During the first six months of 2020, Johanna excelled in this position making a seamless transition during a pandemic that required a quick pivot to deal with virtual hearings, employee attrition, major technology projects, immersion into the Circuit/Probate Leadership Team and more. Based on her outstanding performance in the interim capacity and nearly 25 years of experience in the Probate Court, Johanna was promoted to Ottawa County Probate Register in June 2020.

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.

By actively developing a culture of strategic thinking, strategic planning, and strategic execution, the 20th Judicial Circuit and Ottawa County Probate Courts are determining the best path to their destination. This 2020 Annual Report is a reminder of why the plan and destination are important.

The judges and court employees are in the business of administering justice – one case at a time. By upholding the rule of law and expertly managing the legal cases entrusted to us, 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 our own potential and to the rule of law on which our nation was built.



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
114	Full Time Staff
8	Part Time Staff (includes JDC relief)
4	Temporary Staff (includes Bailiffs)
4	Grant Supported Staff
2	Ottawa County Sheriff Deputies
10	Ottawa Area Intermediate School District

146 Total

Ottawa County Probate Court

1	Probate Court Judge
6	Full Time Staff

7 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