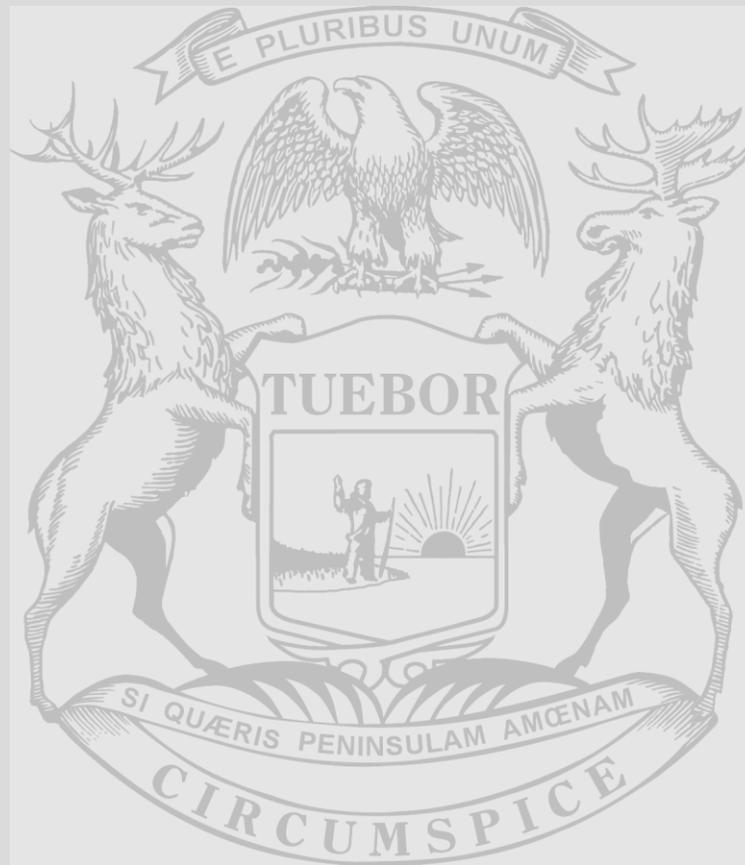


58th District Court



2018 Annual Report

<http://miottawa.org/Courts/58thDistrict>

Honorable Bradley S. Knoll, Chief Judge

Honorable Susan A. Jonas

Honorable Craig E. Bunce

Honorable Judy K. Mulder

A Note from the Chief Judge

2018 was, once again, a year of consistently high performance by the 58th District Court. The various measures used to gauge court performance all showed the court meeting or exceeding state-wide guidelines for the district court. Perhaps the most important measure involves the annual survey of randomly selected court users. These litigants, attorneys or other users gave the court consistently high grades for courtesy, timeliness and overall helpfulness. Those grades are similar to those achieved by the 58th District Court in prior years. The remarkable consistency of the high scores for both the objective measures of performance imposed by the State of Michigan and the more subjective user surveys is proof of the attention and concern shown by management and staff in meeting the needs of the community.

The biggest news of the past year involved the decision by the Ottawa County Board to fund the creation of the Ottawa County Public Defender Office. We at the 58th District Court endorse this decision.

Since the US Supreme Court's holding in *Gideon v. Wainwright* in 1963 that states must provide counsel to indigent defendants in criminal cases, Ottawa County has complied with that requirement by maintaining a list of qualified attorneys in private practice from which appointments were made. In the 1960's and 70's, Circuit Judges Miles, Smith, Ray and Townsend determined that indigent defendants should be represented by the best available attorneys. As a result, Ottawa County appointed attorneys were paid higher hourly fees without fee caps so that experienced rather than novice attorneys sought appointment as court-appointed counsel. Many excellent attorneys have served in this capacity. By this early commitment to excellence, Ottawa County courts have dealt with relatively few costly appeals and have maintained the lowest prison commitment rate in the state.

As the county has grown and with the on-going implementation of the required Michigan Indigent Defense Standards, it became apparent that a dedicated defender office could more efficiently and effectively provide representation than the use of court-appointed attorneys. These new standards will require the judges to retreat from the oversight of defender activities to avoid the appearance of judicial pressure affecting the decisions of counsel. The goal of this court will be to provide consultation and assistance to the Ottawa County Public Defender, but not supervision as the defender office is a separate county department.

The coming year will likely also produce both legislation and judicial opinions relating to the court's revenue collection activities. Every 58th District Court Judge recognizes the need to provide for county revenue and offender accountability through the imposition of financial penalties including fines, court costs and restitution. This obligation is however, balanced by the need to be cognizant of the difficult

economic realities facing many of the people in the criminal justice system. The so-called “pay or stay” sentence is not imposed by 58th District Court judges because it allows more affluent people to pay their way out of jail while the indigent must stay in jail. Our court will continue to maintain its successful effort to balance these competing interests in arriving at just results on a case by case basis.

Respectfully submitted,

Bradley S. Knoll

Chief Judge 58th District Court



The Judges of the 58th District Court



**Honorable Bradley S. Knoll,
Chief Judge, Holland District Court**



**Honorable Susan A. Jonas
Holland District Court**



**Honorable Craig E. Bunce
Grand Haven District Court**



**Honorable Judy K. Mulder
Hudsonville District Court**

58th District Court

OUR VISION

Be sensitive and responsive to the needs of a diverse community.

Develop and maintain the highest level of services to the public and legal community to effectively and efficiently use public resources.

Utilize technology that will assist court personnel to increase citizen access and convenience to the court.

Promote a safe community, identify areas where intervention is necessary, network with other departments and agencies to persuade behavior change.

Recruit and maintain the highest quality staff, provide training, resources and support to meet the needs of internal and external customers.

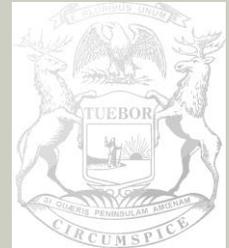
Insure that court procedures and structures best facilitate the expedient and economical resolution of matters before the court.

Share important management information with staff through quality communication.

Refine procedures and facilities that provide a secure environment for public and staff.

Promote innovative ways of resolving problematic issues facing the courts service to the public.

Continue to promote and investigate therapeutic and problem solving techniques for defendants and litigants.



Our Mission

The mission of the 58th District Court is to interpret and apply the law with fairness, equality and integrity and promote public accountability for improved quality of life in Ottawa County.

[OUR COURT IN 2018]

The 58th District Court Judges and staff are committed to and take pride in serving Ottawa County justly and with sincerity. The District Court is equally committed to continuous improvement through organizational and process review and implementation of innovative ideas. This mission is accomplished through regularly scheduled Judges meetings, staff meetings and leadership team meetings.

Each of our three court locations is staffed by a Chief Clerk, Court Recorders and staff assigned to one of four divisions: Criminal, Traffic, Civil and Probation. Court staff is responsible for daily tasks including processing documents, receipting for and disbursing payments, scheduling hearings, responding

Judge Mulder established a new Sobriety Treatment Program at the Hudsonville District Court making this program available now at all three 58th District Court locations.

to public inquiries and managing every case filed in the Court from beginning to end. District Court also employs one attorney magistrate and two part time magistrates. The magistrates are appointed by the Chief Judge and are authorized under statute to conduct informal hearings on traffic tickets, issue search and arrest warrants, conduct arraignments, set bonds, accept some criminal pleas and conduct small claims hearings. Along with all four Judges, the

2018 Legislative Initiatives and Changes

- ◆ *Passage of the Michigan Regulation and Taxation of Marijuana Act*
- ◆ *Revisions to Minor in Possession laws*
- ◆ *Shifting of public defense delivery from the Courts to the newly established Ottawa County Public Defender's Office*

magistrates also serve nights and weekends on a rotating basis to authorize after hour search or arrest warrants and perform marriages.

Over 34,000 hours of Court ordered community service hours were performed in Ottawa County at a value of \$320.373 in 2018.

Court staff opened and processed nearly 50,000 cases, entered over 46,000 dispositions and receipted for over \$6.8 million dollars.

The Court would like to express gratitude and appreciation to all of the District Court staff for their dedication and hard work. Without them, the Court would not be able to provide exceptional service to our community.

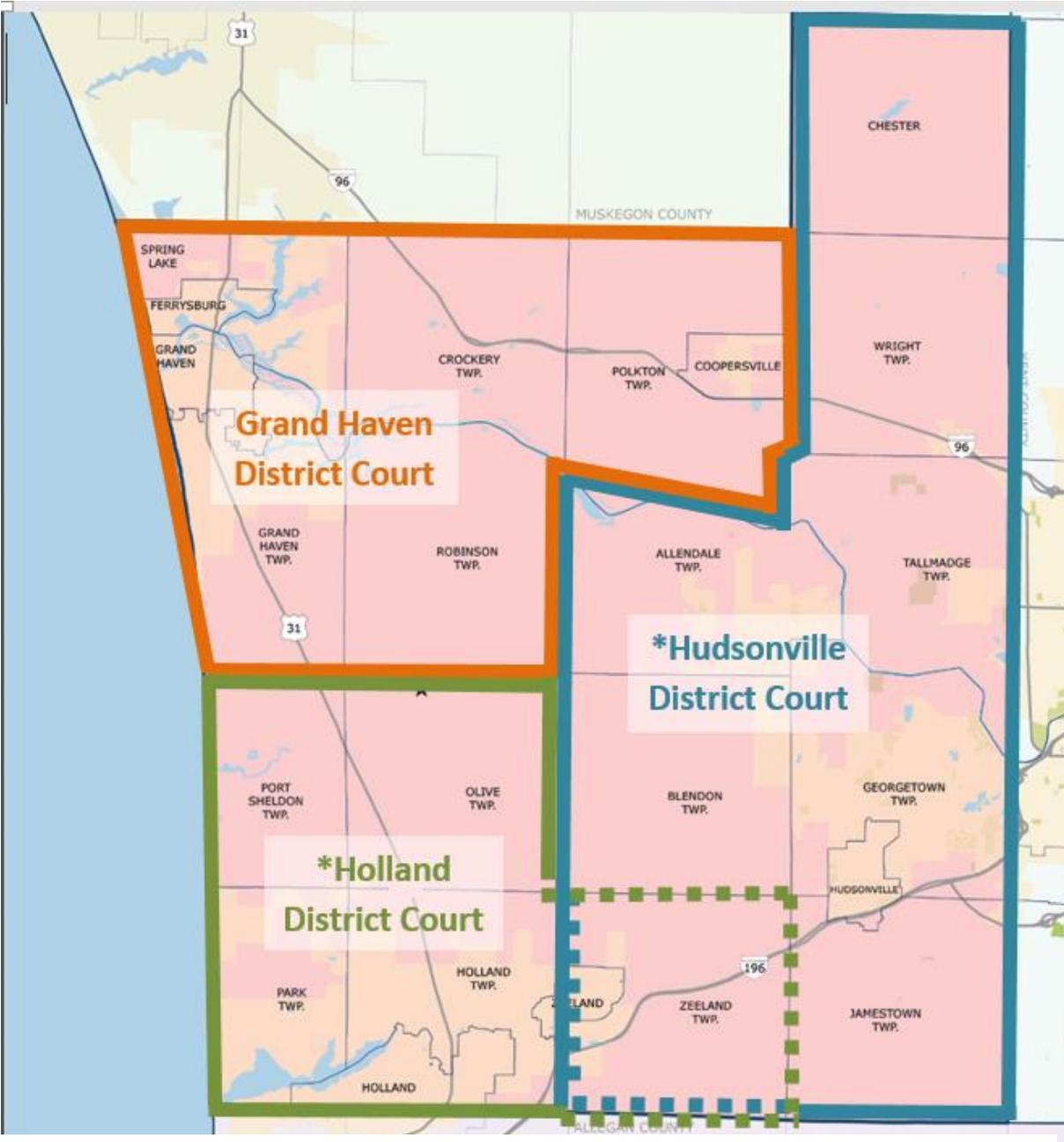
Our Judges and staff are extremely proud and honored to serve the citizens of Ottawa County in a manner that inspires trust and confidence in the judiciary.

58th District Court Organizational Chart



District Court Venues

The three locations of the 58th District Court operate under a Local Administrative Order (LAO) approved by the State Court Administrative Office. Pursuant to that LAO, cases arising in Ottawa County are filed either in Grand Haven, Holland or Hudsonville based on the city, village or township where the incident occurred or cause of action arose.



OTTAWA COUNTY, MI

*Holland District Court’s venue includes the portion of Holland City located in Allegan County as well. Hudsonville District Court’s venue includes criminal cases from Zeeland Township while Holland District Court’s venue includes civil cases and civil infraction citations issued in Zeeland Township.

“When looking back over my 35 years with the District Court, what I’ve appreciated most is having the awesome opportunity to be in service to others. There is no greater reward!”
 – Cindy Driver, District Court Administrator’s Office

[SERVICE AND LEADERSHIP]

Bench-Bar Forums

In June 2018, the four District Court Judges hosted a lunch and learn series with the Ottawa County Bar Association to help facilitate access to the courts by answering questions and addressing various issues raised by attorneys in a town hall style meeting.

The District Court Judges also participate in a similar forum in November of each year along with the Ottawa County Circuit Judges and Ottawa Probate Judge.



Outstanding Customer Service Awards

The Ottawa County Board of Commissioners recognized Amy Brown, Deputy Clerk II, and Kara Bostrom-Young, Holland Chief Clerk, for their outstanding customer service to our community.

Amy and Kara provided remarkable customer service by taking extra care to ensure they listened to and went above and beyond to offer resources to a citizen in need. Thank you Kara and Amy for exemplifying excellence in our court!



“My substance abuse impacted not only my life, but the lives of others. . . . I came very close to losing my cherished relationship with my family. I could have lost my life or taken the life of another due to my alcohol consumption. There were times I didn’t even like myself. Even contemplated taking my own life. I still can’t fathom how my family always loved me. It was by God’s grace that I was saved, that I am here today . . . I am beyond grateful for this life saving program. It has given me the structure and tools I need to believe in myself and be successful in my committed recovery.”

- Grand Haven Sobriety Court Graduate Speech

10th Graduation Ceremony

from the

West Michigan Regional Veterans Treatment Court

On May 4, 2018, the West Michigan Regional Veterans’

Treatment Court celebrated its 10th graduation by honoring David Haner and Jeremy Jones, both United States Navy veterans. Allegan County District Court Judge William Baillargeon presides over the West Michigan Regional Veterans Court that serves veterans from Allegan, Ottawa and Van Buren counties.



58th District Chief Judge Bradley Knoll, Ottawa Circuit Court Judge Jon Hulsing, Van Buren Circuit Court Judge Kathleen Brickley and Michigan Supreme Court Justice Elizabeth Clement also presided over this graduation ceremony. A special guest speaker was Medal of Honor recipient Jim McCloughan, of South Haven.





Governor Rick Snyder appoints Honorable Bradley S. Knoll to the Michigan Community Corrections Board

On Thursday, April 19, 2018, Governor Snyder announced the appointment of 58th District Court Judge Knoll to the Michigan Community Corrections Board.

The 13-member state Community Corrections Board serves in an advisory capacity to the director of the Michigan Department of Corrections and is charged with making suggestions to improve many aspects of community corrections programs throughout the state.

“I was honored to be appointed by Governor Snyder to the Michigan State Community Corrections Board. I look forward to serving the citizens of our state and community as a member of this board,” said Judge Knoll.

*“I thank Judge Knoll for his
commitment to improving
community corrections programs
in Michigan.”*

– Governor Rick Snyder

Judge Knoll was elected to the 58th District Court in 2002 and currently serves as the Court’s Chief Judge. Judge Knoll is an adjunct professor of criminology and political science at Grand Rapids Community College and a faculty member of the Michigan Judicial Institute. Judge Knoll holds a bachelor’s degree in political science from the University of Michigan and a law degree from the Detroit College of Law (Michigan State University).

Judge Knoll represents district court judges on the Board and filled a vacancy created by the resignation of Judge Beth Gibson from the 92nd District Court. He will serve the remainder of a four-year term expiring March 31, 2021.

Educational Outreach:

People of the State of Michigan v. Mr. Wolf

On Friday, May 25, 2018, over 30 Grand Haven 5th grade students participated in a criminal mock trial at the Grand Haven District Court. The students spent the entire morning at the courthouse learning about Michigan's Judicial Branch of government and presenting their case, People versus Mr. Big Bad Wolf. Mr. Wolf was charged with malicious destruction of a building; Mr. Hewey Pig's straw home and Mr. Dewey Pig's stick home.

Prosecutor Juanita Bocanegra served as the mentor for the student prosecutors and Defense Attorney Chad Catalino served as the mentor for the student defense attorneys. Judge Bunce served as the mentor Judge and educated all of the students on criminal law/procedure and the roles of court staff, witnesses, the jury and judge during a trial. Each student played an active role in the case, including serving as the judge, attorneys, witnesses, police officers, court recorders, jurors and bailiffs. The trial was presented in an authentic manner requiring the students to review a police report and evidence, prepare witnesses for testimony, write and deliver opening statements, closing arguments, direct and cross examination questions and complete jury forms.



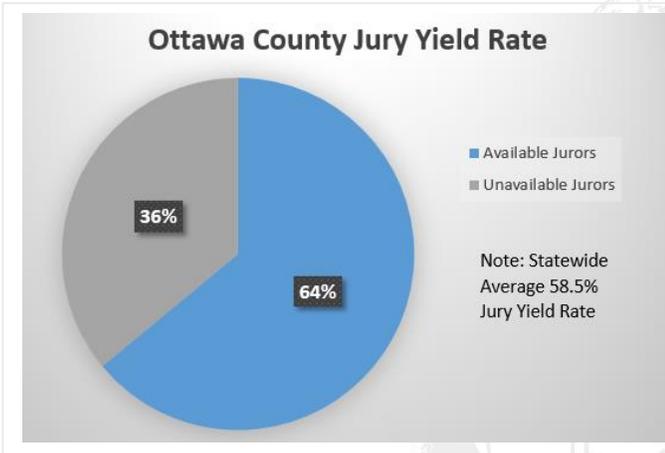
“Education is not the learning of facts, but the training of the mind to think.”
– Albert Einstein



Jury Yield and Utilization

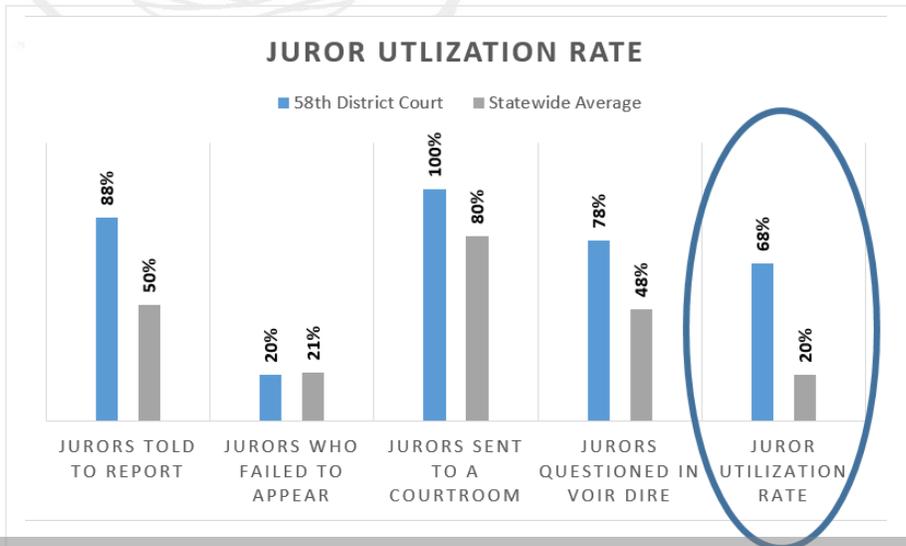
Tracking and evaluating Jury Yield and Juror Utilization Rates are critical performance metrics for trial courts to help minimize over summoning citizens for jury service. Juror Yield Rate tracks the number of citizens selected for jury service in all county courts who are qualified and available to serve and is expressed as a percentage of the total number of available jurors. Juror Utilization Rate has three components: the number of jurors summoned to report for jury duty, the number of jurors who were considered for selection and the number of jury panels actually used. Jury Utilization Rate tracks individual trial court's usage jurors separately.

Tracking and evaluating these rates are critical to ensure trial courts appropriately balance the constitutional right to a jury trial with minimizing the burden and disruption to those citizens summoned for jury service.



The objective of tracking Jury Yield and Juror Utilization Rates is to provide trial courts with information to evaluate to minimize the amount of effort expended to summon and qualify prospective jurors while also minimizing the disruption to citizens summoned for jury service. Specifically, examining these key performance metrics provides great benchmarks for the court to review and evaluate annually to determine whether changes should be made to the court's jury selection process and procedures. For example, these metrics

may provide insight to the court's pretrial management of cases to help ensure trials proceed as scheduled so jurors are not told to report unnecessarily thereby saving taxpayer dollars and reducing the inconvenience to citizens called to serve. These metrics may indicate the court should consider implementing procedures that reduce the burden of jury service like shortening the terms of jury service. Conversely, these rates may indicate that a court has a large number of potential jurors failing to appear so implementing stricter summons enforcement may be necessary to ensure constitutional access for all citizens coming before the court.

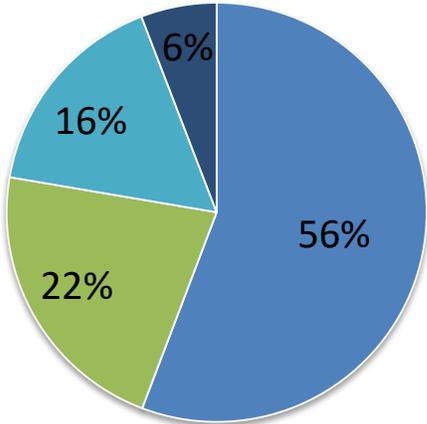


The 58th District Court's Jury Utilization Rate greatly exceeds the statewide average ensuring efficient and effective jury management procedures.

Expenses

FY18 District Court Operating Costs

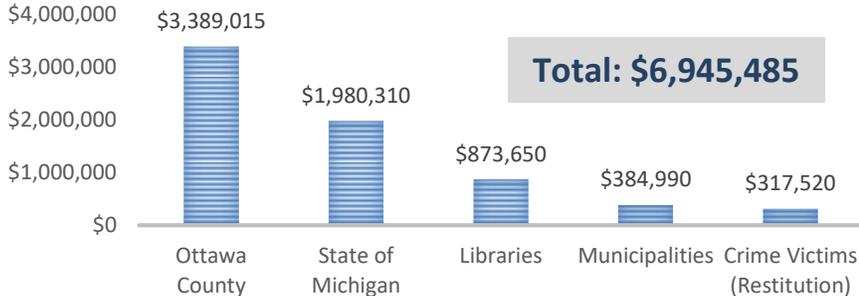
Total: \$7,409,808



- Personnel (includes benefits)
- County Administration
- Court Appointed Attorneys/ Interpreters/Transcripts/Jury
- Operational/Office Supplies/Equipment

Revenue

DISTRIBUTION OF REVENUE

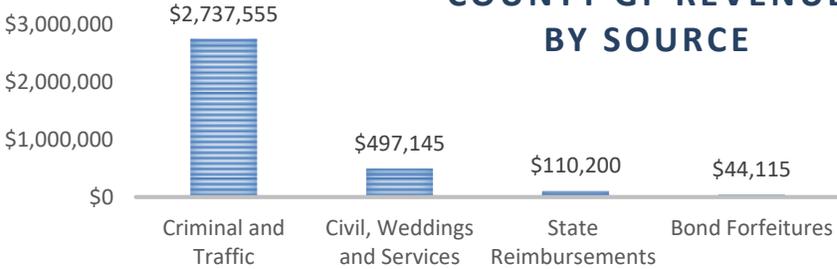


In FY18, the District Court collected over \$6.9 million dollars in revenue. The graphs breakdown how the District Court's revenue was distributed and the originating source of the County General Fund (GF) revenue.

Additional County GF revenue based on the operation of Courts

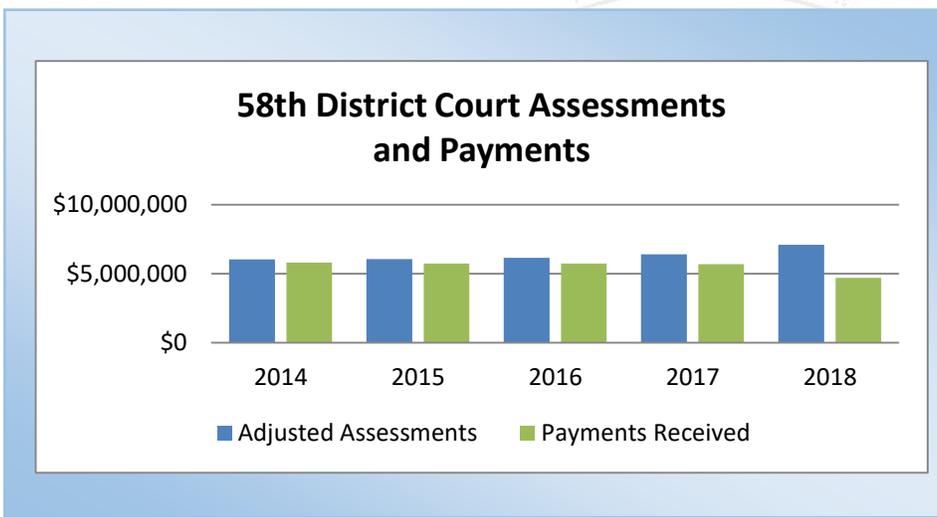


COUNTY GF REVENUE BY SOURCE



Assessments and Collections

The 58th District Court takes pride in our efforts to collect assessed fines, costs and restitution and continues to be among the leaders in the state in trial court collection rates. Diligently enforcing the financial sanctions imposed by the Court is vital to maintaining the Court’s integrity and credibility by insuring appropriate compliance with the Court’s orders. Moreover, successful collection efforts increase County revenue while also providing restorative justice to victims and increasing citizens’ sense of security and public trust in County services and the entire judicial process.



The 58th District Court collections program is closely monitored by the State Court Administrative Office to ensure all the Court’s collection efforts are in compliance with all requirements outlined in the court rules, statutes and published performance metrics. The 58th District Court is consistently deemed to be in compliance as a result of its comprehensive collection program.

The overall collection rate and outstanding receivables for sanctions imposed in 2018 was 70% as of December 31, 2018. This rate is lower than collection rates from previous years because the debt assessed by the Court in late 2018 will be adjusted and collected within the first few months of 2019. The Court anticipates the 2018 collection rate will be comparable to previous years’ rates by mid-2018. The Court is required to report our outstanding receivables by revenue code, age of debt and by case type to the State Court Administrative Office for the time period of July 1 through June 30 each year.

Sanctions Assessed	Sanctions Collected as of December 31, 2018
2013	97%
2014	96%
2015	95%
2016	93%
2017	95%

Caseload Trends

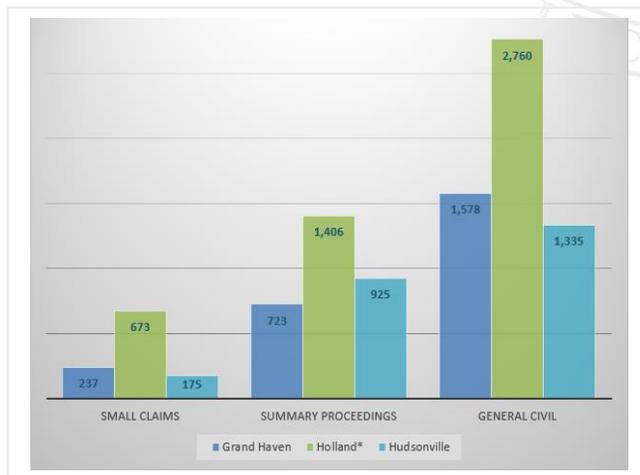
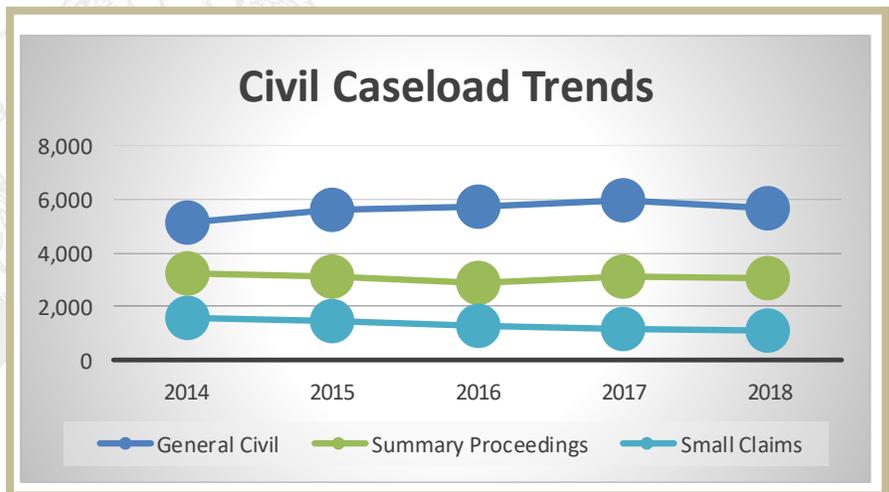
CIVIL CASES IN THE 58TH DISTRICT COURT

The District Court’s general civil jurisdiction covers disputes where money judgments are sought in an amount not exceeding \$25,000 for conduct alleged to be tortious, in breach of contract or otherwise in violation of civil law. Parties may also file claim and delivery actions in the District Court seeking to recover personal property.

The District Court’s jurisdiction includes cases brought under the Summary Proceedings Act. These special proceedings provide for the prompt resolution of disputes between landlords and tenants relating to the payment of rent or other terms of the rental agreement. Parties seeking the repossession of real property following mortgage foreclosure or forfeiture of land contracts will also normally employ the expedited procedures set forth in the summary proceedings statutes. The District Court exercises both legal and equitable powers in adjudicating and enforcing the rights of parties to these actions.

Small claims proceedings also fall within the District Court’s exclusive jurisdiction. In civil actions where money judgments are sought for no more than \$6,000 (\$6,500 beginning January 1, 2021 and \$7,000 beginning January 1, 2024), the parties may agree to the more informal procedures under the Small Claims Act. Small claims trials made be held before the judge or magistrate. There is no right to a trial by jury, representation by an

attorney or appeal of a judgment entered by the judge. A party sued in small claims court may elect to remove the case to the general civil docket to preserve those rights. A trial in small claims court is a more informal procedure with relaxed rules of pleading and evidence. The goal of the judge or magistrate is to arrive at a prompt decision that provides “substantial justice” for the litigants.



In many civil cases brought in the District Court, one or more parties are not represented by an attorney. The District Court staff is well trained to provide courteous procedural assistance to these unrepresented litigants without giving legal advice. Additionally, small claims and summary proceedings actions require a higher degree of staff time in preparing and processing, summons, arranging for service of process and preparation of judgments than in cases brought in the regular civil docket where more of the responsibilities fall on the parties or their attorneys.

*There are two judges who preside at the Holland Court, one judge who presides at the Grand Haven Court and one judge who presides at the Hudsonville Court.

Criminal Cases in the District Court

Search and Arrest Warrants:

All criminal cases originate in the district court in Michigan. Moreover, the district court is often involved early in the criminal investigation process since all search warrants are issued by district court magistrates or judges. Search warrants are commonly issued after business hours to obtain a blood sample from a person suspected of operating under the influence of alcohol or drugs who have refused to voluntarily submit to a chemical test. Thus, assigned judges and magistrates are available on a 24/7 basis, 365 days a year to receive and rule on search warrant requests. All judges and magistrates are equipped to review and issue search warrants electronically from various locations in the county. This procedure avoids the delay and inconvenience of requiring law enforcement personnel to travel to the judge's or magistrate's home to obtain an afterhours warrant. Search warrants are also issued to assist law enforcement in the investigation of drug, sex and other offenses by authorizing the search of homes, vehicles, computers and mobile electronic devices.

Arrest warrants are issued by district court judges and magistrates if authorized by the prosecuting official and upon sworn testimony establishing probable cause. Such warrants may be issued prior to an arrest or following a warrantless arrest by police where the prosecution authorizes the complaint. When issuing an arrest warrant, the judge or magistrate may allow a defendant to post bond and be released prior to his or her first court date. Alternatively, the judge may require that no release take place prior to the initial court appearance.

Arraignment:

Following a warrantless arrest, a criminal complaint must be filed with the district court after being sworn to by law enforcement and authorized by the prosecutor. The defendant will then be arraigned before a district court judge or magistrate or bond will be set within 24 hours of the arrest. If a warrant is authorized prior to arrest, arraignment is required in the district court following the defendant being taken into custody. In most misdemeanor cases, a criminal charge can also be initiated by law enforcement without a sworn complaint by issuance of a citation to the defendant with instructions to appear in court on the next regularly scheduled arraignment day. In any of these situations, defendants appear in the district court in person or by video for purposes of arraignment where they are notified of the nature of the charges and possible penalty along with their constitutional trial rights. The defendant is also advised of the right to counsel including, where appropriate, the right to a court appointed attorney.

The court will also consider whether a defendant qualifies for pre-trial release and what type of bond or bond conditions may apply. In felony or domestic violence misdemeanor cases, the courts' probation department completes a bond screen for the judges' review before arraignment. The bond screen process provides the court with a detailed history of the defendant including past criminal behavior, employment and family information, mental health and substance abuse history. The judge uses this information to balance the general right of an incarcerated defendant to be free on bail with the risk of flight or risk to public safety if released on bail.

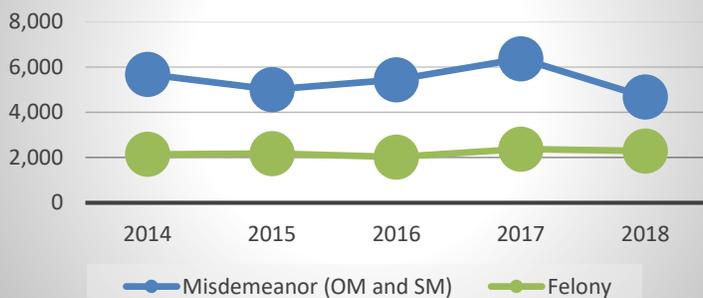
Misdemeanor Cases:

Misdemeanor cases will then proceed to trial or sentencing in the district court following entry of a plea by the defendant. Defendants convicted of misdemeanor charges following trial or guilty plea may be sentenced immediately. However, in many cases constitutionally guaranteed victims’ rights will require an adjournment so that the victim will have an opportunity to appear and make a statement at sentence. The court must order restitution to a victim as part of its sentence. Sentencing options include the imposition of jail, fines, court costs, restitution, substance abuse or mental health counseling, community service, vehicle immobilization, driver’s license suspension, deferred sentencing and/or participation in a treatment court.

Felony Cases:

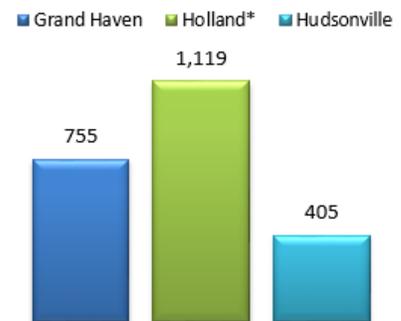
The ultimate disposition of any offense that carries a maximum incarceration of more than one year in jail occurs in the circuit court. Prior to such a case being transferred or “bound over” to the circuit court, however, arraignment and preliminary examination are scheduled in the district court. At a preliminary examination the prosecutor is required to submit evidence that convinces a district court judge that “probable cause” exists to believe the defendant has committed a felony before the case will be sent to the circuit court for trial. Changes enacted by the Michigan Legislature in 2014 added a requirement of a “probable cause conference” prior to the preliminary examination and also broadened the authority of a district court judge to accept felony pleas of guilty before a case is sent to circuit court for sentencing. Both of these procedures were already in place in the 58th District Court but are now mandated on a state basis.

Felony and Misdemeanor Caseload Trends



*There are two judges who preside at the Holland Court, one judge who presides at the Grand Haven Court and one judge who presides at the Hudsonville Court.

Felony



Misdemeanor



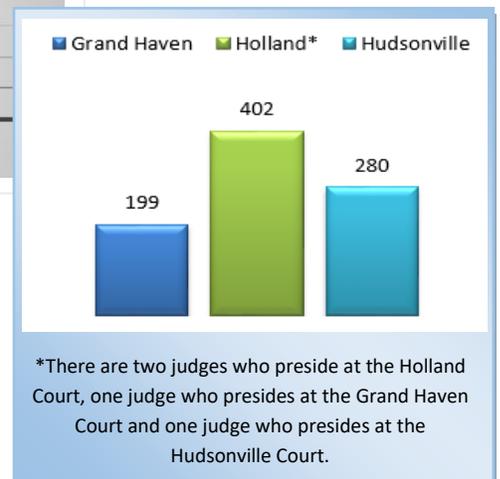
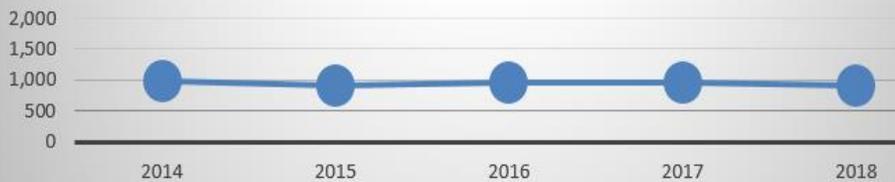
Operating While Intoxicated

Operating while intoxicated offenses involve a broad range of offenses brought under state statutes or municipal ordinances. Traditional charges of “drunk driving” involve allegations that a person has operated a motor vehicle while under the influence of alcohol or while visibly impaired by alcohol. Operating while intoxicated offenses now include charges of operating with an unlawful blood alcohol (.08%), operating with a high blood alcohol level (.17%) or a minor operating with an unlawful blood alcohol level (.02-.07%). The statutes also prohibit operation of a motor vehicle under the influence of a controlled substance, operating while impaired by a controlled substance or operation of a motor vehicle with any level of an illegal (schedule 1 and marijuana) controlled substance in a person’s body. Operating while intoxicated charges may involve aggravating circumstances which include operating with a minor passenger, offenses charged as a second or third offense, or operating while intoxicated causing death or serious injury. Some of these aggravating circumstances may elevate the offense from a misdemeanor to a felony level offense.

Despite the expansion of offenses chargeable as operating while intoxicated, the court has seen a general downward trend in charged offenses over the past three years.

Given the danger to the community posed by persons who operate while intoxicated, the court and probation department diligently monitor these people through various levels of intervention including the Sobriety Treatment Court, Intensive Supervised Probation and use of alcohol detection technology. This technology includes the use of automobile interlock devices, 24 hour alcohol monitoring devices which are used to monitor abstinence along with the traditional techniques involving random home checks and mandatory drug and alcohol testing at the court. The court also oversees referral to substance abuse therapy including 12 step programs. Violations of court mandated abstinence or therapy will result in probation violation complaints with the violator facing jail time and potential revocation of probation.

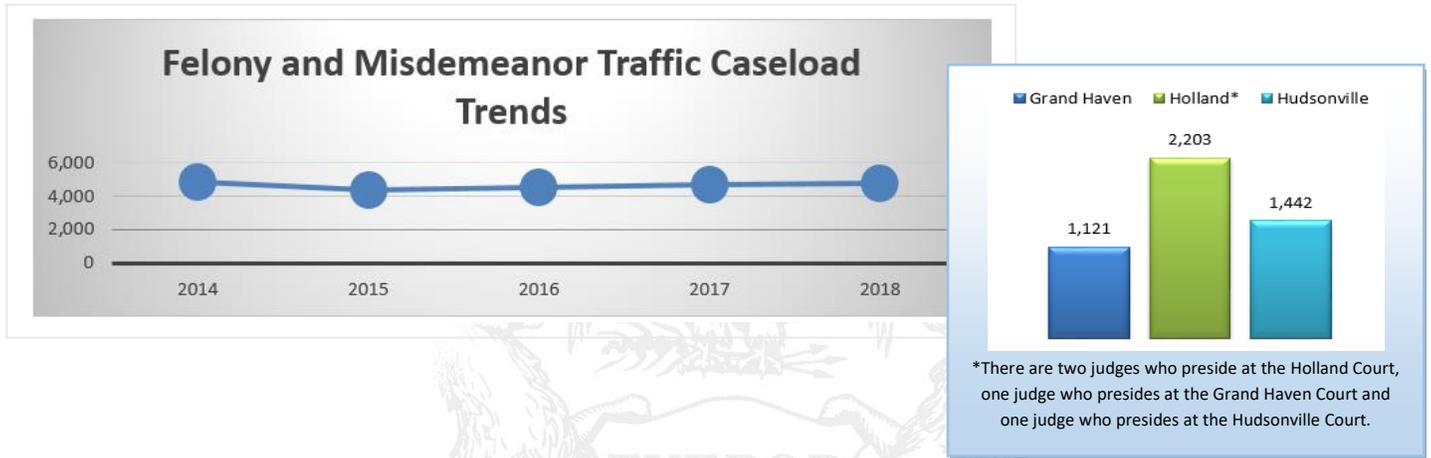
OWI/OWVI Caseload Trends



Criminal Traffic Docket

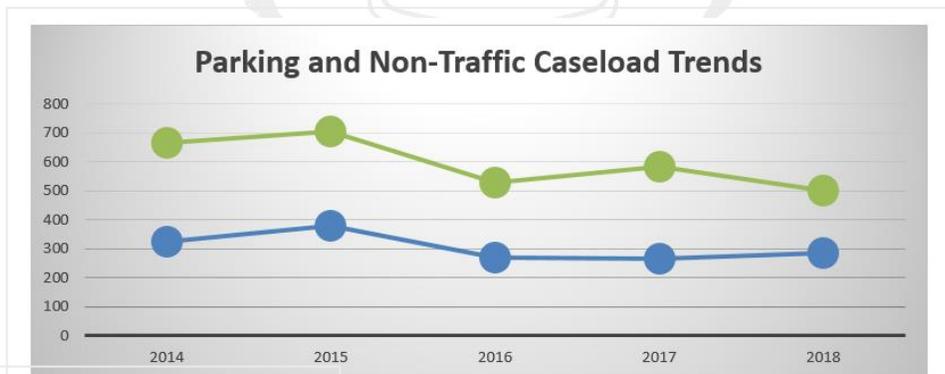
FELONY AND MISDEMEANOR TRAFFIC

Criminal traffic offenses include such offenses as reckless driving, open intoxicants in a motor vehicle, driving while your license is suspended, no insurance, expired plates and failing to stop after involvement in a motor vehicle accident.

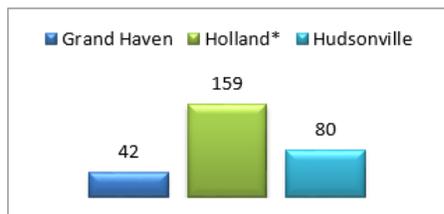


NON TRAFFIC CIVIL INFRACTIONS AND PARKING VIOLATIONS

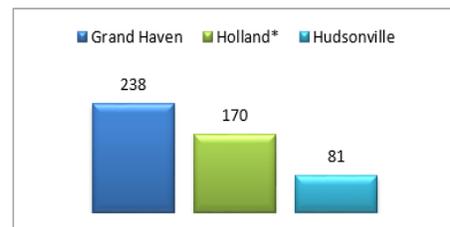
District Court also processes and receipts for payments on many parking violations and other non-traffic offenses. Some of the most common non-traffic offenses include barking dog, dog at large, property code violations, noise/nuisance violations, watercraft offenses and state park offenses.



Parking

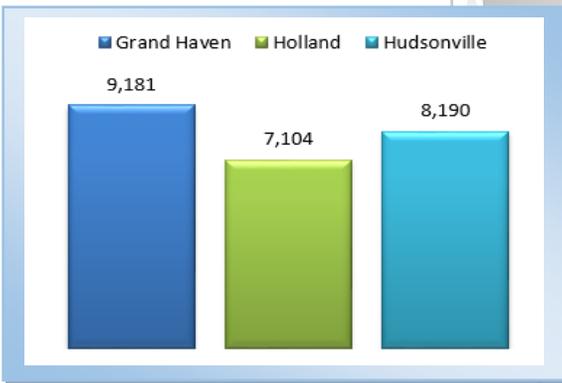
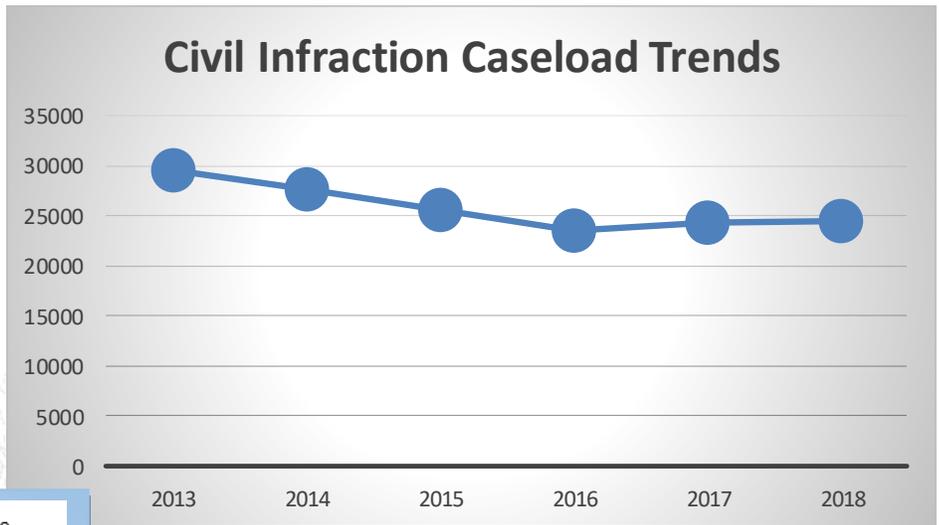


Non-Traffic



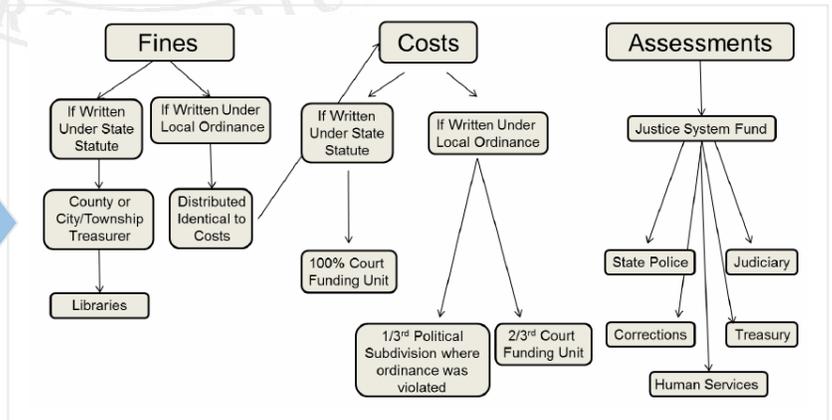
Civil Infraction Violations

Most violations of the Michigan Vehicle Code are civil infractions which generally do not carry a jail penalty, the most commonly cited offense being speeding. A civil infraction can be charged under state statute or a local ordinance by a municipality. A person charged with a civil infraction can admit responsibility for the infraction, pay their fine online or mail their fine to the District Court. A person may request an informal or a formal hearing if they deny responsibility for the infraction. At an informal hearing the evidence is presented to a magistrate



without a prosecuting attorney present. At a formal hearing, the evidence is presented by a prosecuting attorney to a district court judge. The defendant may be represented by an attorney to present the defendant's case. A defendant may appeal their case to a formal hearing if they are found responsible at an informal hearing.

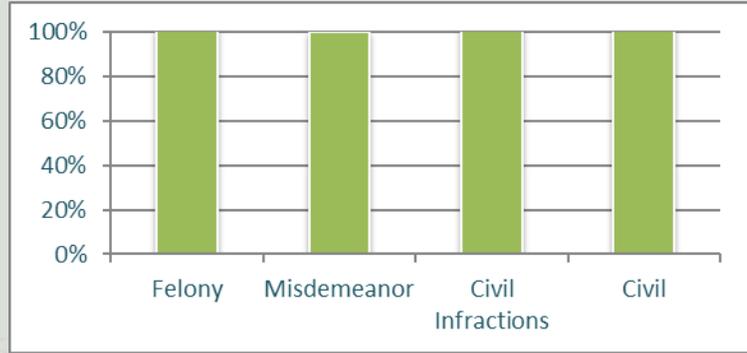
How does revenue from traffic related civil infractions get distributed?



Case Clearance Rates and Case Age

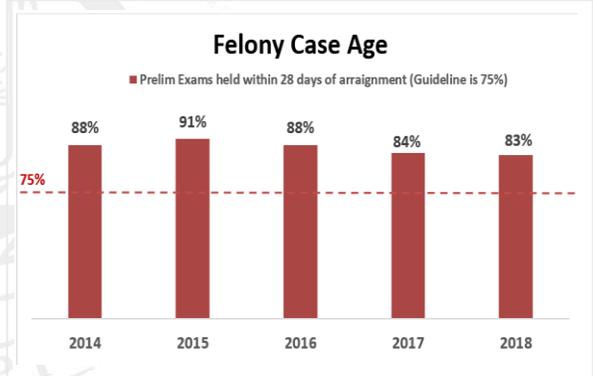
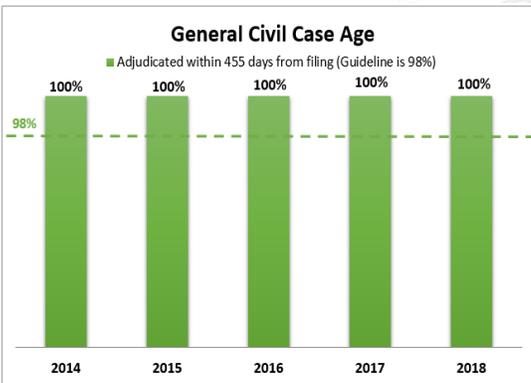
Clearance Rates

Clearance rates compare the number of dispositions and the number of cases filed. Clearance rates naturally fluctuate above and below 100% and represent a key performance measure to gauge whether the Court is keeping up with its caseload. In 2018, the 58th District Court continued leading District Courts in the state for consistently maintaining 100% clearance rates across all case types.

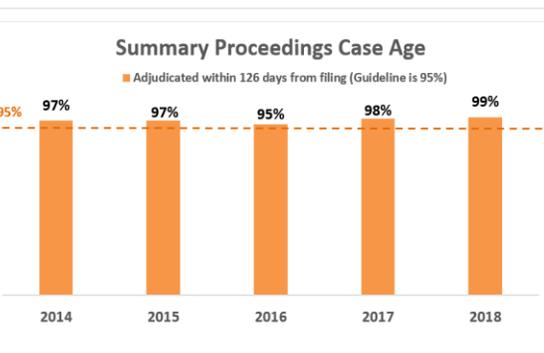
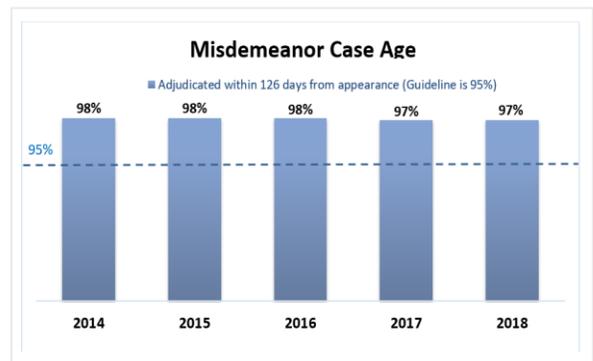


Age of Caseload

Measuring the age of active pending and disposed cases is fundamental to promote access to justice by ensuring the Court is processing and disposing of cases in a timely manner. The 58th District Court continues to meet or exceed the case age guidelines set by the Michigan Supreme Court for each case type category. Our judges, management team and clerks continue to engage in process improvement to help insure these guidelines are met while also giving appropriate consideration necessary to provide procedural and substantive due process in each individual case.



Case age is a critical performance metric to ensure all cases are scheduled and resolved in a timely manner thereby promoting fundamental access to the Court and ensuring due process.



The mission of the 58th District Court Probation and Community Corrections Department is to enhance public safety by enforcing court orders while holding offenders accountable by utilizing services and resources.

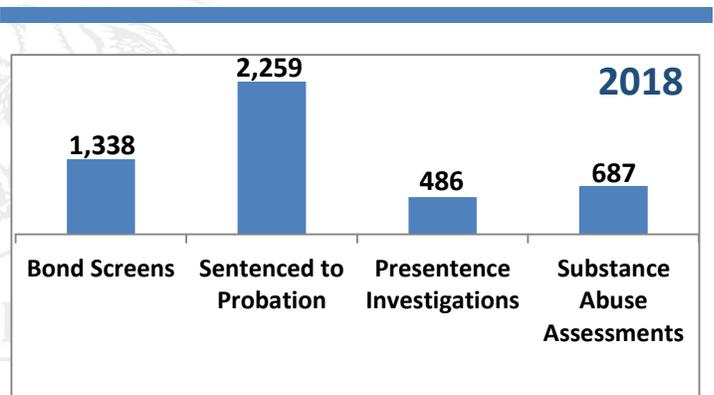


Reports, Screens and Assessments:

Bond screens are conducted in order to assist the Court in setting bond at the initial court appearance for an offender. This screening provides information to the judge on factors such as the defendant's criminal and substance abuse history, mental health, record of court appearances, the seriousness of the offense and ties to the community. The bond screen is then considered by the judge to determine the defendant's threat to the community if released as well as their likelihood of returning to Court for future proceedings. The bond screen also provides information to assist this Court in setting bond conditions including whether no contact with the victim should be ordered and/or drug and alcohol monitoring is needed.

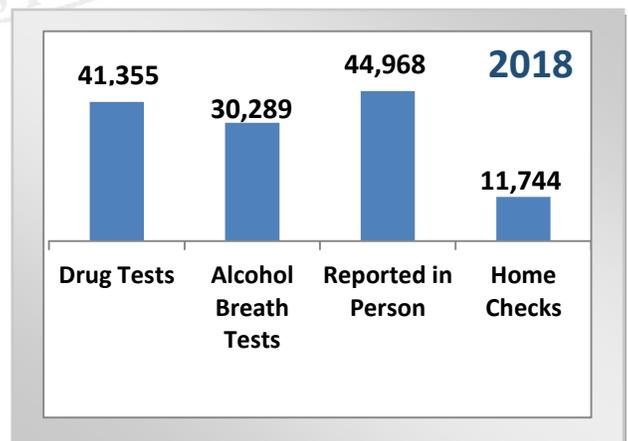
Following conviction, the judge may order a pre-sentence investigation. These are face-to-face interviews that a probation officer conducts with the offender, in order to gain background information. Pre-sentence investigations address the severity of the offense, prior criminal history, the possibility of drug or alcohol abuse, mental health issues and the offender's attitude. Additionally, victims of the offense will be contacted and advised of their right to speak at sentence and to have the Court determine proper restitution. The probation officer provides a written pre-sentence report to the Judge and defendant prior to sentencing.

A substance abuse assessment is a normal component of a presentence report. Completed by a trained probation officer or treatment specialist, it helps to determine the offender's suitability for substance abuse treatment and placement into a specific treatment modality/setting. This evaluation includes gathering information on current and past use/abuse of drugs, criminal history, treatment history, and familial and educational histories.



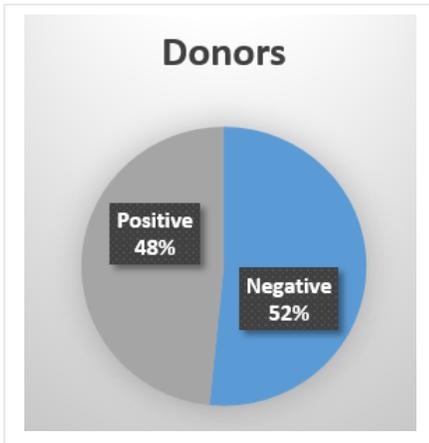
Testing and Supervision:

Probation supervision involves either the probationer reporting to their probation officer at the office for a regularly scheduled meeting or submitting to a random drug or alcohol test. Field supervision officers will, however, often visit a probationer's residence to determine if the offender is abiding by their probation order, following curfew and to monitor their home environment. The officer may request that the offender submit to a preliminary breath test to check for alcohol, a search of their person or a search of their residence.

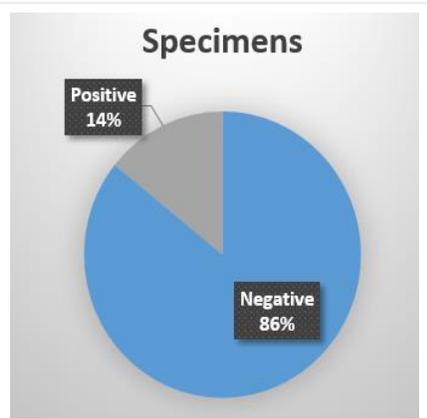


[INNOVATIVE DRUG TESTING

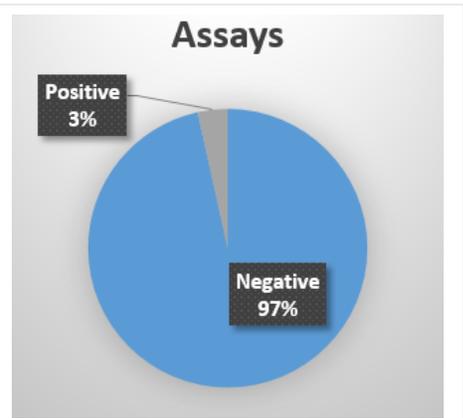
In February 2015, the Probation & Community Corrections Department initiated a new drug testing system in each court location. The automated analyzers eliminated the previous practice of using pre-determined 4-panel drug “dip cards”. Staff subjectively interpreted dip card results in determining drug use and/or sample adulteration and the 4 panel dip cards did not allow for customized drug testing for the probationer nor did they allow for alcohol testing. In the past, the submission of urine samples to an outside source for EtG testing had been a time consuming and expensive procedure with substantial delays in receipt of the results of those tests. The system in place now allows for immediate and accurate results for several drugs while also allowing for EtG (alcohol use) testing on site.



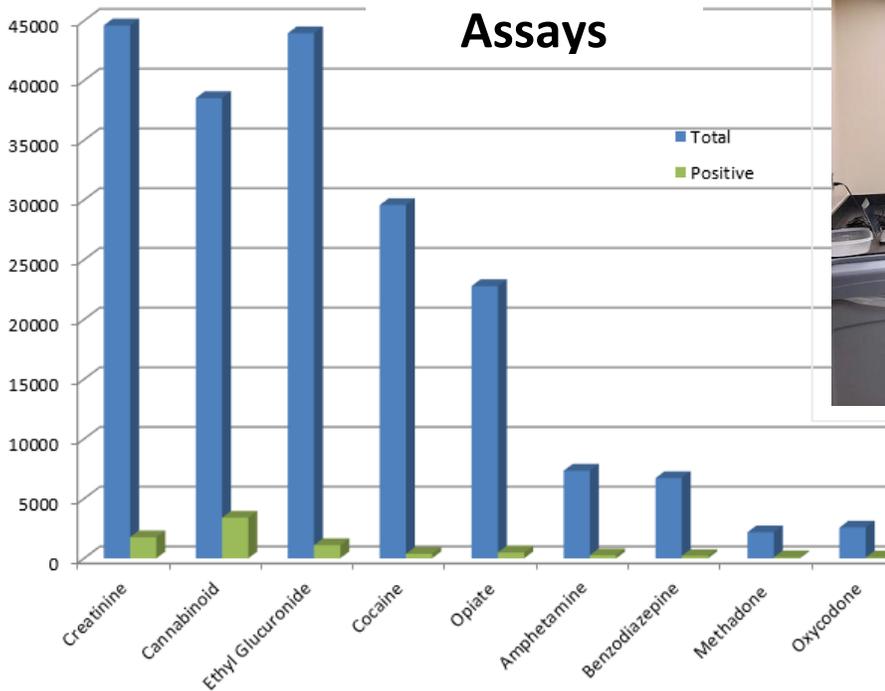
57% of the donors had at least one positive test



14% of the specimens tested positive for at least one assay



3.4% of the assays were positive



10% of the marijuana tests were positive
2% of the ETG (alcohol) tests were positive
1% of the opiate tests were positive
1.1% of the cocaine tests were positive

SERVING OUR COMMUNITY

"Sobriety Court has completely changed my life. I am indebted to Judge Jonas, Judge Bunce and the 58th District Court team for helping me to overcome my addiction and reclaim my family." – STP Graduate

Sobriety Treatment Programs

In May of 2018, the 58th District Court Sobriety Treatment Program in Holland celebrated 15 years of successful operation in changing lives and reuniting families. In 2014, Judge Bunce started a Sobriety Treatment Program in Grand Haven to serve the



number of northern Ottawa County residents who were not able to travel to the Holland Sobriety Treatment Program. Both Holland's and Grand Haven's Sobriety Treatment Courts have had numerous successes throughout the years. These successes include supporting and helping participants receive treatment to maintain a drug and alcohol free life, seeing hundreds of participants successfully complete the program and obtain employment while significantly reducing recidivism rates. The Holland program was also designated as a National Academy Court for three years by the National Center for DWI Courts, in conjunction with the National Highway Traffic Safety Administration.

In October 2018, Judge Mulder started a Sobriety Treatment Program in Hudsonville to serve the number of Ottawa County residents who were not able to travel to the Grand Haven or Holland Sobriety Treatment Programs.

"As a new Judge, I decided to start a Sobriety Court. During my short time on the bench, I was surprised by the number of repeat Operating While Intoxicated cases that were presented in my Court. I am passionate about helping those repeat offenders by assisting them to make positive life changes through best practices and thereby making our community safer. Prior to becoming a Judge, I was exposed to Drug/Sobriety Courts as a representative of the team on the 20th Circuit Court. I have personally heard the testimony of many successful participants and their family members of how the program has helped change their lives. Through this experience, I became convinced that these Courts work and already have begun to see the progress in my Sobriety Court participants." – Honorable Judy Mulder



Mental Health Treatment Court

On July 1, 2014, the 58th District Court established a Mental Health Treatment Court (MHTC) with grant funds. The goal of this treatment court is to balance criminal justice goals, due process rights of the offender and mental health treatment and services. This balance is achieved through the use of court and community resources to connect participants with the appropriate and individualized treatment options while maintaining accountability for the crime committed and improving the overall community and public safety.

"Making friends and actually bonding with people in the program is a huge part of it. We are all each other's support group." - STP Participant

Section 1090 (Mental Health) Treatment Court

The Mental Health Treatment Court facilitates participant engagement in individualized treatment to culminate in positive legal outcomes while promoting public safety, wellness and recovery through collaboration in a highly structured specialty court setting.

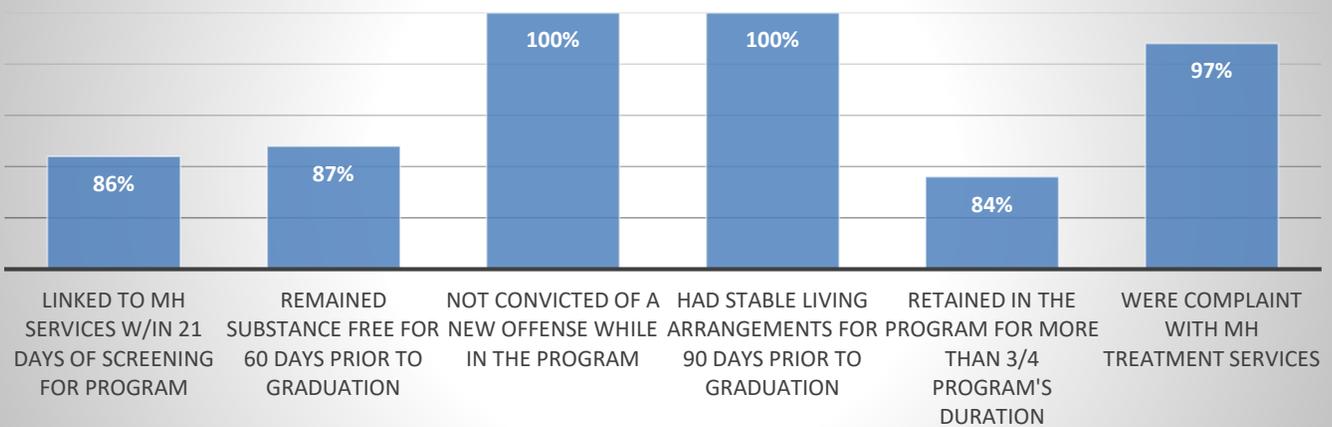
One of the primary reasons for having the MHTC is to offer more collaborative services and effective alternatives to individuals with mental health needs charged with crime. Without a MHTC, these individuals face many challenges in the criminal justice system such as having to remain in jail, potentially unable to post even minimal bail while their mental health issues go untreated. Participants who are accepted into the MHTC have a serious mental illness, serious emotional disturbance or a developmental disability which significantly impacts their ability to function independently, are over age 17 and are charged

with a non-violent offense. Once admitted into the program, participants are connected to comprehensive and individualized treatment support and services. Participant progress is closely monitored through active and engaged case management in order to maximize the benefits of being involved in the program. MHTC also involves frequent court appearances and support groups as well as awarding various individualized incentives for compliant behaviors and sanctions when appropriate.

Holland Section 1090 Court Team Members

Hon. Bradley Knoll, Presiding Judge
 Kelly Boeve, Case Manager
 Kelly Chapman, Peer Support Specialist
 Vanessa Werle, CMH
 Kevin Rahn, Probation Officer
 Jake Jenison, Prosecutor
 Jane Patterson, Defense Attorney
 Matt VanderHyde, Counselor

Participant Successes in 2018



Sobriety Treatment Programs

Program Statistics

<i>New enrollments in 2018</i>	55
<i>Successful Discharges</i>	65
<i>Unsuccessful Discharges</i>	6
<i>Hours of community service performed</i>	863
<i>Gender of Participants</i>	69% Male 31% Female
<i>Drug of Choice</i>	88% Alcohol 12% Marihuana

The Sobriety Treatment Program (STP) is a four phase intervention program for adults who have pled guilty to more than one alcohol offense and who are having difficult staying clean and sober. It is a collaborative effort between the District Court, the Prosecutor's Office, the participant's attorney, community and police agencies, case management and treatment programs. By working together, the team seeks to provide a variety of programs and consistent supervision geared toward supporting and helping the participant maintain a drug and alcohol free life.

Program alumni serve as peer-to-peer mentors by meeting with new participants for the first few weeks in the program to ensure they feel welcome and encouraged as they work towards program goals and achieving sobriety.

The STP involves frequent court appearances, random drug and alcohol testing as well as group and individual counseling. The Court awards incentives for compliant behaviors and imposes sanctions for negative behavior.

Participants who do not comply with the rules may be placed in short-term custody, have phase advancement delayed or face a variety of other sanctions. The STP Team consists of a defense attorney to protect the rights of the participant, a prosecuting attorney who assists in reviewing the cases for legal eligibility, a case manager who provides direct supervision to the participant, a treatment provider who is responsible for educating and helping the participant and a surveillance officer who conducts home visits.



Grand Haven STP Team Members

Hon. Craig Bunce, Presiding Judge
 Kendra Sheffield, Case Manager
 Alicia Jett, Surveillance Officer
 John Scheuerle, Prosecutor
 Phil Sielski, Defense Attorney
 Jon Stevens, Counselor
 Lt. Christopher Wright, Grand Haven Public Safety

Hudsonville STP Team Members

Hon. Judy Mulder, Presiding Judge
 Tracey Lehnen, Case Manager
 Terry McAlary, Surveillance Officer
 Jay Tubergen, Prosecutor
 Bob Hamilton, Defense Attorney
 Si Marsh, New Life Counseling
 Sgt. Jeff Steigenga, Sheriff's Department

Holland STP Team Members

Hon. Susan Jonas, Presiding Judge
 Alma Valenzuela, Program Director
 Leticia Gonzalez-Ortiz, Case Manager
 Kevin Rahn, Case Manager
 Jessica Dozeman, Surveillance Officer
 Chad Roberts, Surveillance Officer
 Lee Fisher, Prosecutor
 Robert Hamilton, Defense Attorney
 Susan Littlejohn, Counselor
 Jon Stevens, Counselor
 Clara Mascorro, Pathways
 Sgt Dan Kender, Holland Public Safety
 Donald Hann, Public Representative

Mission

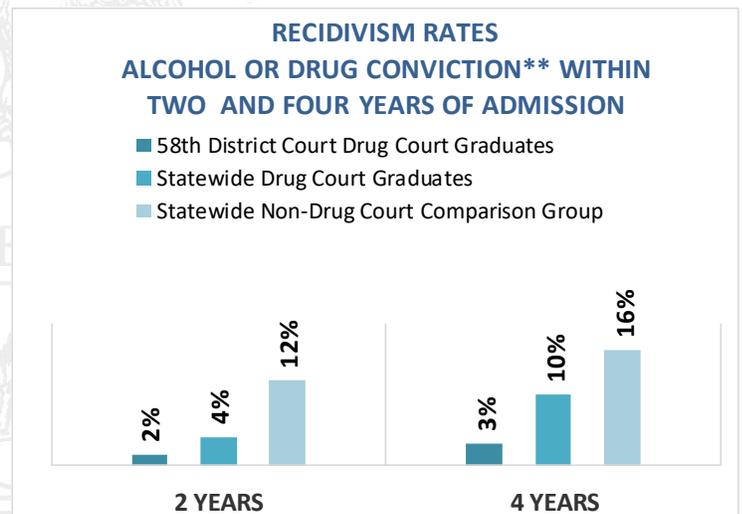
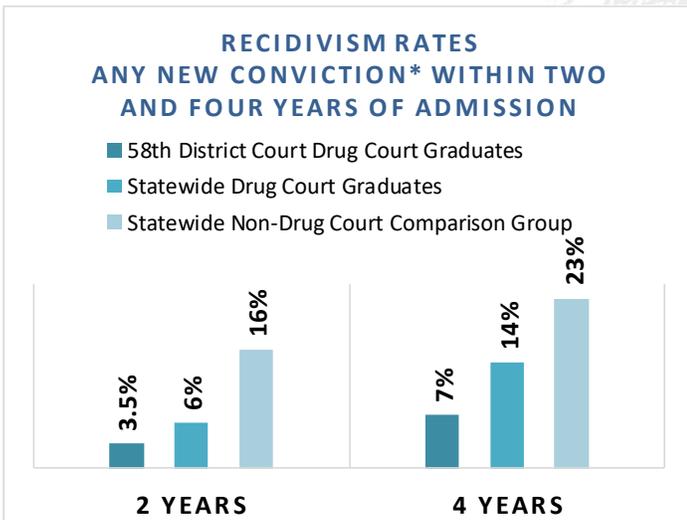
The mission of the 58th District Court Sobriety Treatment Program is to promote community safety and reduce alcohol and drug abuse through a coordinated program involving intensive supervision, judicial interaction, treatment, incentives, sanctions and accountability.

Sobriety Court Recidivism Rates

In the fall of 2017, the State Court Administrative Office (SCAO), a division of the Michigan Supreme Court, provided 2016 recidivism rates on the 58th District Court Sobriety Treatment Program. Successful graduates of Michigan drug court programs were identified using the Drug Court Case Management Information System (DCCMIS). Comparison members were selected by SCAO using the Judicial Data Warehouse (JDW) and were matched to drug court graduates on all of the following criteria: 1) the criminal offense type that brought the person into drug court; 2) the number of cases in the two years prior to the matching offense; 3) age at the time of the matching offense; 4) gender; 5) county of offense; 6) court of offense; and 7) the year range of the matching offense. To determine recidivism rates, SCAO looked at a two year and four year time frame from when the participant was admitted into the drug court program and defined participant as an individual who was admitted and successfully completed drug court program requirements.

SCAO breaks recidivism into two components:

- 1) Any new conviction* or
- 2) A new drug or alcohol conviction**



“I’ve had the privilege of seeing a lot of amazing changes in people through our Sobriety Treatment and Intensive Supervision Probation programs. When an old probationer comes back into the probation department to say hi or you see they are sponsoring a new person in the program, you know that is a good sign that the work we are doing here is meaningful. To see people that went from living such chaotic lives, to living healthy, happy lives, you can really see the impact our programs are having on the community. I love that the programs we offer are giving people that extra accountability and treatment they need to make those changes and that it is improving their health, family life, careers, and overall quality of life, which is directly impacting the community.” – Kendra Sheffield, Grand Haven District Court

*Any new conviction measures recidivism within the categories of violent offenses, controlled substance use or possession, controlled substance manufacturing or distribution, other drug offenses driving under the influence of drugs or alcohol first offense, driving under the influence of drugs or alcohol second offense, driving under the influence of drugs or alcohol third offense, other alcohol offenses, property offenses, breaking and entering or home invasion, nonviolent sex offenses, juvenile status offenses of incorrigible, runaway, truancy, or curfew violations, neglect and abuse civil, and neglect and abuse criminal. This definition excludes traffic offenses and offenses that fall outside the above categories.

** A new drug or alcohol conviction measures recidivism within the categories of controlled substance use or possession, controlled substance manufacturing or distribution, other drug offenses, driving under the influence of drugs or alcohol first offense, driving under the influence of drugs or alcohol second offense, driving under the influence of drugs or alcohol third offense, and other alcohol offenses.

Ottawa County Community Corrections Advisory Board

The Michigan Community Corrections Act, Public Act 511 (PA 511) was established in 1988 to ease jail and prison overcrowding by improving and increasing rehabilitative

services available to non-violent, adult offenders. Pursuant to PA 511, counties must establish local Community Corrections Advisory Boards (CCABs) to develop and oversee comprehensive corrections plans. These local plans identify and establish local policy framework and practices aimed at initiating and maintaining programs and services that will help achieve measurable goals envisioned by PA 511. This includes identifying linkages with

Michigan Works! agencies, local criminal justice officials, substance abuse coordinating agencies, community health departments and other agencies to help provide cost-effective and non-duplicated services to offenders to reduce recidivism and prison commitment rates. In Ottawa County, the 58th District Court assists the Ottawa County CCAB by overseeing the programs and applying for state grant funding.

Most of the offenders enrolled in treatment-type programs are sentenced felons. Offenders with higher sentencing guideline scores, probation violators and those who have convictions for driving under the influence of drugs or alcohol account for increasing proportions of new enrollees in residential programs. Misdemeanants account for the majority of enrollments in community service programs.

By supporting appropriate use of non-prison sanctions for offenders who might otherwise be committed to prison, local CCABs have helped reduce the state prison commitment rate. The Department of Corrections Statistical Report reflects that the State's prison

2018 OTTAWA COUNTY CCAB MEMBERS

Ottawa County Communication Corrections Program

Director: Alma Valenzuela

Ottawa County CCAB Members:

County Commissioner	Matthew Fenske
County Prosecutor	Ronald Frantz
County Sheriff	Steve Kempker
Chief of Police	Captain Keith Mulder for Chief Matt Messer
District Court Judge	Honorable Susan Jonas
Probate Court Judge	Honorable Mark Feyen
Circuit Court Judge	Honorable Jon Hulsing
Circuit Court Administrator	Kevin Bowling
Employment & Training	Angie Barksdale
Criminal Defense Bar	Nichole Derks
Circuit/District Probation	Heath White
Business Community	Doug Kamphuis
Mental Health	Kelly Boeve
Substance Abuse	MaryAnne Kowalski

commitment rate was 34.7% in 1989, decreased to 25% in the mid 1990's and remained relatively stable since the early 2000's. During 2003, the Department placed a renewed emphasis on the use of community-based sanctions/services for straddle cell offenders, probation violators, and parole violators to control the State's prison growth.

Ottawa County is recognized as a leader in the state with meeting and addressing the goals set forth by PA 511. With appropriate offenders, Ottawa County places an emphasis on treatment and alternative sanctions/sentences, utilizing collaboration of multiple agencies to manage offenders locally. A solid representation of agencies and members of the community prefer to support diverting appropriate offenders from prison and jail. This effort promotes accountability, reduction in criminal/delinquent behavior and supports an environment for change.

The hard work support, and collaboration of the Ottawa County CCAB and community partners establish Ottawa County as a great place to reside. It is a safer community with healthier families.

Community Correction Programs

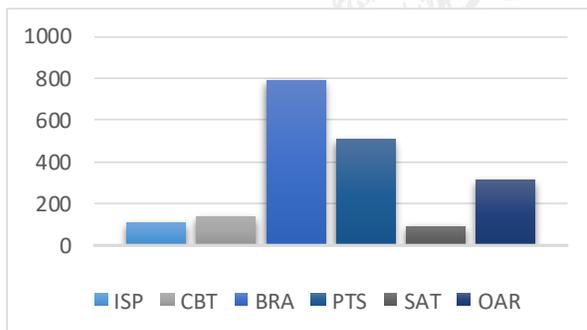
Ottawa County Community Corrections has a comprehensive plan designed to improve jail utilization, reduce admissions to prison, and improve the local criminal justice system. Programs include the following:

Intensive Supervision Probation (ISP) Probation Officers and Field Supervision Officers make regular and random home checks and administer PBTs and check curfew times. The offender adheres to a curfew, which will take into consideration the offender’s hours of employment, treatment, support groups and educational needs.

Cognitive Behavioral Therapy (CBT) Moral Reconciliation Therapy (MRT) is a cognitive-behavioral counseling program that combines education, group and individual counseling, and structured exercises designed to foster moral development in treatment-resistant clients.

Bond Risk Assessment (BRA) This program includes an evidence based risk assessment of offenders who are incarcerated and charged with a new felony offense. The assessment helps determine appropriate level of bond and pretrial supervision.

2018 Program Enrollment



Pre-Trial Supervision (PTS) This program is a way to monitor the activities and behaviors of offenders released to the community pending trial. It involves reminding offenders of court dates, supporting their compliance with any bond conditions the court may have imposed and helps monitor abstinence.

Substance Abuse Testing (SAT) This program is for felons on pretrial and post adjudication supervision where a risk assessment suggests a substance use disorder.

Offender Assessment and Referral (OAR) This program provides a thorough assessment of incarcerated probation violators and felony offenders awaiting sentencing. The results are used to develop treatment plans and recommendations for available services.

	Ottawa County	State of Michigan
Prison Commitment Rate	12.9% or 112 dispositions	19.8% or 9,059 dispositions
Operating While Intoxicated 3rd	18.8% or 21 dispositions	17.2% or 485 dispositions
Straddle Cell*	19.7% or 36 dispositions	27.3% or 3,046 dispositions

* The sentence guidelines allow the Judge to sentence either to prison or jail

Court Services Division

The Community Service Work (CSW) and the Jail Alternative Work Services (JAWS) programs are utilized by the 20th Circuit Court and 58th District Court as an alternative to incarceration for non-violent felons and misdemeanants, resulting in more effective use of the County jail space. Both programs may also be utilized for the following situations:

- As a sanction to a probation violation of the court order or administrative sanction
- When the Judge feels that offenders should be giving something back to the community
- It is mandatory sentencing for Drunk Driving 3rd Offense, i.e. 360 hours or 60 days
- As an alternative to paying court fines and costs
- As motivation for offenders to find a job
- For Drug and Sobriety Court participant sanctions.

In 2018, there were a total of 1,573 offenders enrolled in JAWS and CSW programs who completed over 34,000 hours in community service for a value of \$320,373.

Jail Alternative Work Services (JAWS) 2018 Program Highlights:

New Enrollees	603
JAWS Crew Worked	102
Saturdays Worked	52
Average Offenders per Crew	8
Hours Provided	7,735
Value of Service (based on minimum wage of \$9.25/hour)	\$71,548
Success Rate (hours ordered versus hours actually worked)	82%

Community Service Work (CSW) 2018 Program Highlights:

New Enrollees	970
Worksites	62
Completed Hours	26,900
Full Time Employee Equivalent	14
Value of Service (based on minimum wage of \$8.90/hour)	\$248,825
Success Rate (hours ordered versus hours actually worked)	85%



Agencies Receiving Community Services

General NonProfit Organizations	32%
Church/Religious Institutions	27%
Environmental Agencies (Conservation, Parks, Cemeteries etc.)	19%
Culture/Arts Facilities	13%
Schools, Education and Libraries	9%

Northern/Western Ottawa County

American Legion ♦ Chamber of Commerce ♦ City of Grand Haven ♦ Coast Guard Office ♦ Conservation District ♦ Covenant Life Church ♦ Family Promise of the Lakeshore ♦ Grand Haven Church of God ♦ Grand Haven Department of Public Works ♦ Grand Haven Township Fire Department ♦ Grand Haven State Park ♦ Harbor Humane Society ♦ Hope Reformed ♦ International Aid ♦ Love In Action ♦ Loutit Library ♦ Ottawa County Facilities/Maintenance ♦ Ottawa County Parks and Recreation ♦ Spring Lake Cemetery ♦ Spring Lake Library ♦ Spring Lake Presbyterian ♦ Spring Lake Wesleyan ♦ St. Mary's Church ♦ St. Patrick's Catholic Church ♦ United Methodist Church of the Dunes ♦ YMCA

Eastern Ottawa County

Allendale Fire Department ♦ Allendale Goodwill ♦ Allendale Township Library ♦ Barnabas Ministries ♦ Berlin Fair ♦ Blendon Township ♦ Blessing Resale ♦ Chester Township ♦ City of Hudsonville ♦ City on a Hill ♦ Coopersville DPW ♦ Coopersville Library ♦ Coopersville VFW ♦ Corpus Christi Catholic Church ♦ Fishers of Men ♦ Georgetown UMC ♦ Grace Bible Fellowship ♦ Jamestown Township ♦ Jenison Goodwill ♦ Indian Trails ♦ Laurels ♦ Love, INC. ♦ Marne Cemetery ♦ Mel Trotter Ministries ♦ Patmos Library ♦ Polkton Township ♦ Sheldon Meadows ♦ St. Vincent de Paul (Formerly Knights of Columbus) ♦ WCET-TB ♦ WTLJ Allendale

Ottawa County Community Service Worksites

Southern/Western Ottawa County

70X7 Life Recovery ♦ Africa's Child ♦ Boys and Girls Club ♦ Building Men for Life ♦ Casa del Rey ♦ Central Wesleyan Church ♦ City of Holland ♦ Community Action House ♦ Community Action House Store ♦ Cornerstone Tabernacle ♦ Eight Day Farm ♦ Evergreen Commons Adult Day Care ♦ Fellowship Reformed Church ♦ First Assembly of God ♦ Fulfilling Life Ministries ♦ Harbor House ♦ Harderwyk Church ♦ Holland Alano Club ♦ Holland City Hall ♦ Holland Civic Center ♦ Holland Community Center ♦ Holland Community Kitchen ♦ Holland Mission ♦ Holland Museum ♦ Holland Recreation Department ♦ Holland State Park ♦ Holland VFW ♦ HOME Roller Rink ♦ Lakeshore Disability Network ♦ Lakeshore Habitat Restore ♦ Laketown Township ♦ Macatawa Resource Center ♦ Maple Avenue ♦ Moran Park ♦ Northpoint Assembly of God ♦ Ottawa County Fairgrounds ♦ Ottawa County Parks ♦ Paradise Bound ♦ Parkview Home ♦ Restoration Center ♦ Ridgepoint Community Church ♦ Rock ♦ Shelby's Place ♦ Shekinah Revival Ministries ♦ St. Francis de Sales ♦ The Bridge (The Mission for Women) ♦ The Critter Barn ♦ The Outdoors Discovery Center ♦ The Rock Escape Ministries ♦

Special Events

Civil War Re-Enactment (Holland Museum) ♦ Coast Guard Festival ♦ Grand Haven Art Festival ♦ Holiday Open House ♦ Holland Postal Food Drive ♦ Olive Township Trash Day ♦ Parade of Lights ♦ Recovery Fest ♦ Salsa Showdown ♦ Tulip Time Festival



58th District Court
85 West 8th Street
Holland, Michigan 49423
616.392-6991

58th District Court Contact Information

<http://miottawa.org/Courts/58thDistrict>



58th District Court
414 Washington Avenue
Grand Haven, Michigan 49417
616.846-8280



58th District Court
100 Port Sheldon Road
sonville, Michigan 49426
616.662.3100



"Equal Justice Under Law"