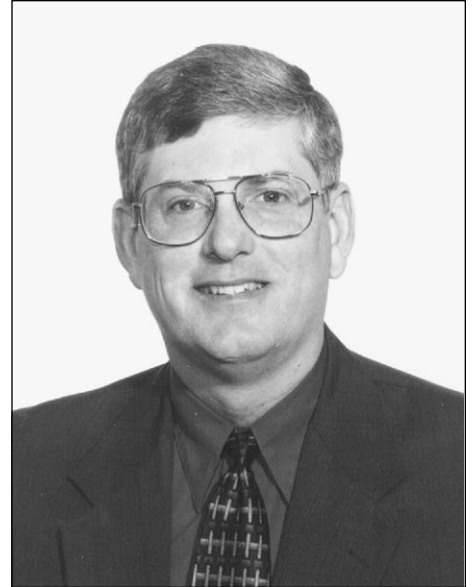


News, News and More News

by *Kevin M. Oeffner*
Circuit Court Administrator



This column is typically devoted to a single item each month, but for this edition we have news on a variety of topics. So without further delay, here's the latest on issues that you might find helpful.

Last December I wrote about a pilot program wherein felony pleas were being accepted by the Waterford District Court. This program has expanded considerably and now involves the district courts in Waterford, Troy, Rochester, Novi, Clarkston, Farmington, Bloomfield Hills, Pontiac and Royal Oak. We are presently working with the district courts in Ferndale, Hazel Park, Madison Heights and Oak Park, and expect that felony pleas will be accepted in those courts soon (perhaps even by the time this article is published).

The Oakland County Prosecutor's Office has a person on staff that prepares preliminary sentence guideline scores and makes them available to the assistant prosecutors and defense attorneys prior to the time of the preliminary exam. In a very recent development, the circuit judges agreed to a process by which the district court judges would make sentencing recommendations. If at the time of sentencing the circuit judge cannot abide by the recommendation, the defendant would be so informed on the record and afforded the opportunity to withdraw the plea.

I would like to take just a moment to thank the many district judges who have agreed to take felony pleas. This program comes at a crucial time as we continually combat jail overcrowding and endeavor to move cases in a timely manner. The spirit of cooperation and collaboration between the many district courts and Circuit Court has been exemplary.

The State Court Administrative Office (SCAO) recently announced that the Oakland County Circuit and Probate courts will participate in a weighted caseload study this coming September and October. Judges, referees, staff attorneys and other court personnel who are responsible for handling cases must record their time spent working on these cases both in and out of court. Several courts in Michigan have been selected to participate. The SCAO will use the data to develop case weights for calculating judicial resource needs in the trial courts.

Here's a bit of good news: The Circuit and Probate benches recently approved an exception for attorneys with respect to bringing camera-enabled cell phones into the courthouse and satellite court facilities. Since 2003, camera-enabled cell phones have been banned out of concern for the privacy and confidentiality of jurors, witnesses, victims and their families, and others. Those concerns were mitigated by the realization that technology is moving in the direction of camera-enabled cell phones and that cell phones are vital to attorneys who need to conduct business while waiting for their cases to be called. Attorneys may now bring camera-enabled cell phones to court, but the photographic capabilities must not be used while inside the courthouse.

This news may not be as good, but it's every bit as important. My staff has noticed an increasing trend toward presenting vouchers for payment on adult felony appointments months – sometimes years – after the cases were closed. About 20 years ago the Circuit Court adopted Local Court Rule 6.101. Section B of the rule requires that court-appointed attorneys submit their vouchers to the court administrator *no later* than one month after dismissal of the case or sentencing of the client.

Submitting vouchers months or even years after the case was disposed creates several problems for the court. More importantly, it runs contrary to the court's order in the form of the Local Court Rule referenced above. For budgeting and accounting purposes, we need to be more vigilant in making payment for court-appointed services in the period in which those services were rendered, to the extent practicable. In accord with the judges' wishes, we will make every effort to enforce the court rule. Beginning on August 1, vouchers will not be accepted if they exceed the one-month parameter as specified in the court rule. We will go to great lengths to notify court-appointed counsel so that no one is surprised by the change when it takes effect on August 1.

In March I introduced readers to new security measures that will be implemented soon in both the Circuit and

Probate courts. Big changes are in store that will affect attorneys, so let me take a moment to highlight them. Closed-circuit video cameras are being installed in all public areas throughout the courthouse. The video feed will be sent to a bank of monitors on the Oakland County campus that will be monitored 24/7. So when walking down the hall or waiting for the elevator, remember, someone will be watching you.

Please keep in mind the most important change: the private hallway doors leading to chambers and judicial staff offices will be locked. Video cameras will be placed at the doors on each end of the private hallways. You will need to press a buzzer for the judge with whom you want to visit. A monitor in each chambers will enable the clerk to see and speak with you. The clerk will be able to temporarily unlock the door to grant you access. The security and access system installed here will be similar to that used in the federal district court in Detroit. The new access system should be up and running this month.

For those who have cases transferred to the visiting judge's docket, Judge Charles Simon is here and is expected to serve

for the remainder of 2006. Judge Simon has been with us for several years, so many will already be acquainted with him. I would like to extend the court's appreciation to Judge Edward Avadenka and Judge Hilda Gage for so admirably serving as visiting judges for portions of January through April.

Several other newsworthy items were mentioned in recent editions of *Laches*. Here's a partial list of the most recent articles that you may want to read:

January – describes procedural changes in the filing of judgments or orders in domestic relations cases;

March – overview of the new security measures being implemented in the courthouse;

May – expansion of our pilot program providing for the referral of civil cases that evaluate for \$25,000 or less to the Oakland Mediation Center;

June – notice of the court's intent to continue eFiling.

The articles referenced above may be viewed on the Circuit Court's Web site. Please go to www.oakgov.com/circuit/info_pub/articles.html for a list of all *Laches* articles since January 2004.

Until next time...



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