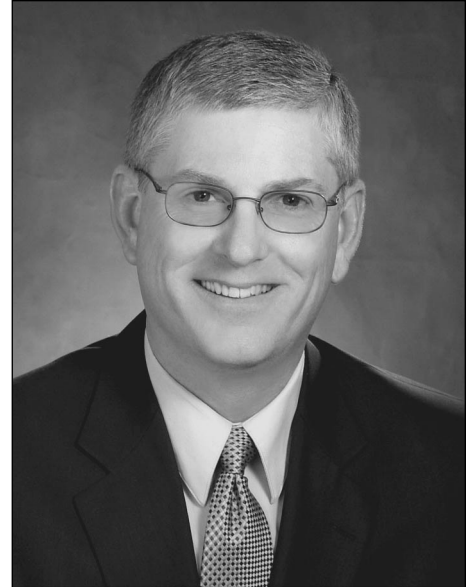


State of the Court

by **Kevin M. Oeffner**
Circuit Court Administrator



Chief Circuit Judge Wendy Potts delivered her annual State of the Court address at the commissioners' meeting on May 8. Those in attendance included the commissioners, other elected officials, employees, citizens and the press.

Her speech cannot be reprinted in its entirety here, so following are a few highlights regarding recent accomplishments and noteworthy issues currently facing the Circuit Court.

Judge Potts began by emphasizing that our calling is one of public service that requires attention to fulfilling our functions and duties efficiently and with fiscal responsibility. Three independent branches of government cannot operate in a vacuum but must work together to resolve issues to the betterment of our constituents' welfare and safety.

The issue of jail overcrowding may be something that we live with into the foreseeable future, but it was made a little easier to manage thanks to the adoption of Public Acts 139 and 140 last November. Public Act 140 will reduce the number and frequency of jail overcrowding releases by allowing counties to handle rising jail populations in a sensible and orderly fashion through limited, targeted and controlled releases of nonviolent offenders. Under the former statute, thousands of convicted and sentenced inmates have been released statewide over the past few years; many after serving as little as 40 or 50 percent of their sentences.

Perhaps the most noteworthy benefit of the new law is that it will allow Oakland County to forego a new jail, saving the taxpayers more than \$100 million in construction costs and \$20 million in yearly operating costs.

While there is some good to report regarding jail overcrowding, Judge Potts cautioned her audience that recent budget concerns have forced the closing of the Sheriff's Boot Camp and the Southfield detention facility. These actions will reduce jail capacity with no corresponding reduction in the number of incarcerated offenders.

Public Act 139 allows counties to develop jail population management plans in which strategies can be incorporated to control rising inmate populations. Judge Potts called upon stakeholders to meet in the spirit of cooperation and compromise to develop a plan for Oakland County.

Most local units of government are facing significant budget challenges and Oakland County is no exception. Survival of the Adult Treatment Program, operational since 2001, is an issue as grant revenue is declining and the prospect of county funding is not realistic.

The merits of this program have been demonstrated in ways that even hard-core naysayers could not dispute. We are presented with a 14 percent recidivism rate for those who successfully complete the program – a rate that is far less than normal recidivism rates for like offenders who are incarcerated with no therapeutic intervention.

Given the current and foreseeable economic climate, the court believes that private-sector funding is the only way to ensure long-term survival. To that end the court is working to create a 501(c)(3) non-profit organization through which funding from private donors can be generated. Judge Potts pointed out that it may be possible to create a funding umbrella that would cover the Adult Treatment Program and the 10 sobriety / drug courts in operation at the district courts in Oakland County.

Service is paramount, but in gloomy budget times the focus often turns to proactive thinking and determining whether longstanding practices can be done more efficiently and with less cost. It is these concerns that led the court to launch its eFiling pilot program last August and to expand it in January. Judge Potts mentioned that some 35,000 documents will be eFiled this year alone, saving paper and storage space. She mentioned that eFiling is the kind of technological initiative that is expected by our constituents as it reflects their attitudes about access and convenience.

Speaking of the budget, the court has been asked to make cuts of \$2.3 million to help Oakland County elimi-

nate a sizeable projected budget shortfall. This is on the heels of \$2.7 million in budget cuts from 2003 to 2007.

The court did step up, just as it always has, and approved a plan to reduce the budget. The one regret we have is that this time, as opposed to the cuts from 2003 to 2007, layoffs will be unavoidable.

While addressing the budget, Judge Potts pointed out that the court has been looking for new ways to generate revenue. To that end the court introduced a pilot program aimed at enforcing orders pertaining to the collection of fees, fines and costs. This program has proved successful, not only at generating revenue but by changing attitudes toward the enforcement of court orders with respect to assessments. So successful has been the pilot program that it was expanded to the entire bench.

An expression of thanks was given to the board for its approval of a lease agreement with the Oakland County

Bar Association for a Lawyers' Conference Room in the west wing extension to the courthouse. The space accommodates the OCBA File-by-Fax service, a kitchenette, a computer workstation with wireless Internet, a copier, and a conference area for attorneys. The Conference Room is for the exclusive use of OCBA members.

In closing, Judge Potts mentioned that the court is mindful of its duty to promote the safety and welfare of the citizens of Oakland County and to use their tax dollars responsibly. She pledged that the court will continue to be solutions-oriented, never lose sight of its duty to service, and continuously strive toward perfection in fulfilling its responsibilities.

You can read Judge Potts' State of the Court address in its entirety at www.oakgov.com/courts. Click on the link to her State of the Court address in the Court News box.

Until next time...



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