OAKLAND COUNTY
MICHIGAN

2003 ANNUAL REPORT

THE SIXTH JUDICIAL CIRCUIT COURT
OAKLAND COUNTY PROBATE COURT

1200 NORTH TELEGRAPH ROAD PONTIAC, MICHIGAN 48341

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MESSAGE FROM THE COURT ADMINISTRATOR

Judges, Elected Officials, Court Staff, and Citizens of Oakland County:

It is my pleasure to present to you the 2003 Annual Report of the Sixth Circuit and Oakland County Probate Courts. The report will provide you with information about events that transpired, challenges that arose, and the resulting achievements and accomplishments. You will learn about new initiatives, expanded programs and services, and basic information about the Constitutional functions and statutory responsibilities of the Courts.

In addition to the printed copy, we offer an online version of the Annual Report. New and more descriptive information about the Courts is available by visiting our web site via the links offered throughout the Annual Report. By clicking on the optional tabs, you may access information about the calendar, forms and publications, maps, programs and services, volunteer opportunities, jury service, policies and local administrative orders, and helpful hints about how to get the most out of your online tour of our web site.

We invite you to view our Annual Report and web site and offer comments on how both might be enhanced to better meet your informational needs. We trust that the Annual Report will provide evidence of our commitment to further the administration of justice in Oakland County. We further trust that it will convey the pride in which we as judges and staff embrace our responsibilities to serve the citizens of Oakland County.

Very truly yours,

Kevin M. Oeffner
Circuit Court Administrator

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A MESSAGE FROM THE CHIEF JUDGES

Judges, Elected Officials, Court Staff, and Citizens of Oakland County:

To say that 2003 was a year characterized by tough challenges would be an understatement. The judges and employees of the Circuit and Probate Courts have never recoiled in apprehension or fear at the sight of a challenge. But the challenges seemed to never end and could have caused lesser people to grow weary and become disheartened.

We are pleased to report that just the opposite happened. Consider the challenges that arose in 2003. A burgeoning jail population resulted in near-jail overcrowding emergencies twice. The Friend of the Court was required to convert to the state's child support and enforcement computer system. A $20 million county shortfall, most of which was due to declining revenues from the state, had to be eliminated and was eliminated, thanks in part to budget cuts made by the Circuit and Probate Courts to the tune of $2 million.

The Courts were required to develop plans governing the equitable distribution of indigent defense appointments. A family court plan was mandated that details how the family division is operated and managed. A growing interest in the treatment-oriented approach to alcohol and substance abuse led to an expansion of the Adult Treatment Court docket and inclusion of eligible probation violators. These are but a few of the challenges that befell us.

We like to think of challenges as opportunities in disguise. Thomas Edison is credited with noting that "opportunity is missed by most people because it is dressed in overalls and looks like work." In Mr. Edison's defense, he never saw the judges and employees of the Circuit and Probate Courts in action. We rolled up our sleeves, met the challenges head on, and turned them into opportunities to better serve the constituents who have entrusted us with the noble calling of ensuring that justice is administered fairly and swiftly.

This annual report serves as a testament to the commitment embraced by judges and employees to that noble calling. In particular, we express our gratitude to the Honorable Joan E. Young and the Honorable Linda S. Hallmark, who for the last few years have so ably served as chief judges of the Circuit and Probate Courts, respectively. Turning the above-described challenges into opportunities was a team effort, and they deserve recognition as the "head coaches" who rallied the team to action.

You are invited to peruse this annual report. We take great pride in the achievements of our judges and employees. We hope that you will gain a better understanding of our accomplishments, the functions that we perform, and the dedication and pride that we take in serving the citizens of Oakland County.

Very truly yours,

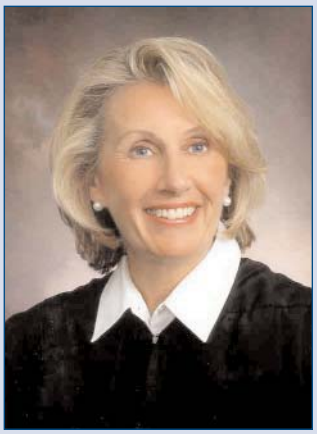
Wendy Potts

Honorable Wendy Potts
Circuit Court Chief Judge

Very truly yours,

Eugene Arthur Moore

Honorable Eugene Arthur Moore
Probate Court Chief Judge



Honorable Wendy Potts

Honorable Eugene Arthur Moore

JUDGES OF THE CIRCUIT COURT

(Front row, left to right): Judges Denise Langford Morris, Deborah G. Tyner, Fred M. Mester, Steven N. Andrews, Richard D. Kuhn, Gene Schnelz, Edward Sosnick, Rudy J. Nichols, and John J. McDonald. (Back row, left to right): Judges Martha D. Anderson, Colleen A. O'Brien, Joan E. Young, Michael Warren, James M. Alexander, Patrick J. Brennan, Daniel Patrick O'Brien, Wendy Potts, Nanci J. Grant, and Rae Lee Chabot.

JUDGES OF THE PROBATE COURT

(Front row, left to right): Judges Elizabeth Pezzetti and Eugene Arthur Moore.
(Back row, left to right): Judges Barry M. Grant and Linda S. Hallmark.

CIRCUIT COURT — GENERAL JURISDICTION DIVISION

The General Jurisdiction Division of the Circuit Court handles civil cases over $25,000 and criminal cases involving felonies and high misdemeanors. General Jurisdiction judges hear appeals from courts of lesser jurisdiction and administrative agencies. Within the General Jurisdiction Division are 14 judges who are elected for six-year terms in non-partisan elections.

Supporting the judges within this division are 60 judicial staff (staff attorneys, secretaries, clerks, and court reporters) as well as the following departments:

Administrative Support Staff – Richard Lynch serves as the Chief-Court Operations/Judicial Assistant. In this capacity, he manages the division's legal support and criminal support staff and advises the court on legal matters. He also oversees case management and jury operations for the Court.

Case Management Office – This office schedules and tracks cases through disposition and coordinates alternative dispute resolution (ADR) for the Circuit and Probate Courts. Diane Castle-Kratz serves as the Caseflow/ADR Supervisor and is assisted by Andrea Bayer, Caseflow Coordinator, Lisa Czyz, ADR Coordinator, as well as 10 additional full-time staff.

Jury Office – The Jury Office is responsible for coordinating jury operations and obtaining jurors for the Circuit and Probate Courts. Becky Young serves as the Supervisor and is assisted by Deborah Fahr, Office Leader, and three additional full-time staff.

Adult Treatment Court – This court offers alternative sentencing for non-violent adult felony offenders who have a history of drug and/or alcohol abuse or dependence. Chief Judge Joan Young and Judge Colleen O'Brien preside over the Adult Treatment Court. Elizabeth Smith serves as the program manager and Ellen Zehnder is the court coordinator. There were 7 graduates in 2003 and 53 participants were enrolled at the end of the year.

Elizabeth A. Smith
General Jurisdiction Administrator

JURY OFFICE

The Jury Office is responsible for obtaining jurors for the Circuit and Probate Courts in Oakland County. Jurors are mailed a summons/questionnaire scheduling them for jury selection. Jurors must be available for selection for one day. The courts have a one day/one trial jury system. If selected to serve as a juror on a trial, their jury service is finished when the trial is completed. Except for persons exempted from jury service by statute, the courts expect all persons, regardless of status or occupation, to serve when summoned. The only persons legally exempt from jury service are those who do not reside in Oakland County, are not a citizen of the U.S., have served as a juror within the past 12 months, are not physically able to serve, or have been convicted of a felony. Persons over the age of 70 are exempt upon request.

An orientation is conducted each morning for new jurors explaining what to expect throughout their stay. Several of the judges participate in juror orientation by saying a few words to welcome the jurors and explain courtroom procedures.

HIGHLIGHTS

- Initiated a one day/one trial jury system.
- Increased the compensation rate for jurors. For their first day of service, jurors are paid $12.50 for a half day and $25.00 for a full day. For additional days, jurors are paid $20.00 for a half day and $40.00 for a full day.
- Implemented a telephone-based Interactive Voice Response (IVR) System, which allows jurors to confirm their reporting dates, request postponements, and access general information about jury service.

SPOTLIGHT

In the past when you were called for jury duty in Oakland County, you'd have to make yourself available two or more days. However, that's changed. Now when you're called for jury duty there is a one day/one trial jury system. "What this means," says Becky Young, Jury Office Supervisor, "is that people only have to be available one day for jury selection. This makes it more convenient for people who are called for jury selection."

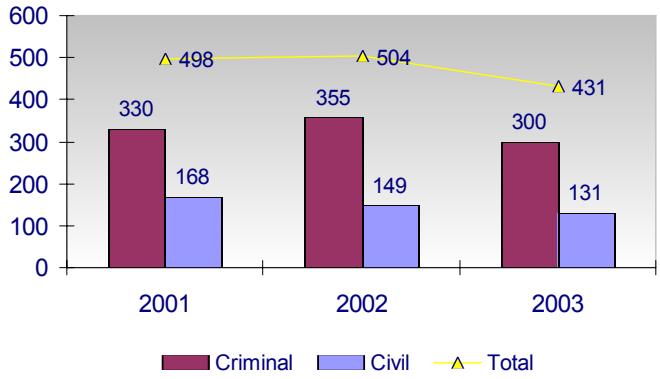
The Jury Office has also instituted other changes which make life easier for Oakland County citizens. "As of October 1st of last year," says Young, "we now pay jurors $12.50 for a half day and $25.00 for a full day. However, if they are serving on a jury, that amount goes up to $40.00 a day."

Also, there's a new telephone-based Interactive Voice Response (IVR) system in place. "It used to be that jurors had to call and talk to someone in the Jury Office," says Becky Young. "Now with IVR, they can use the automated system and postpone themselves from jury duty. They can choose a more convenient day to come in or they can check on their status to see if they have been excused."

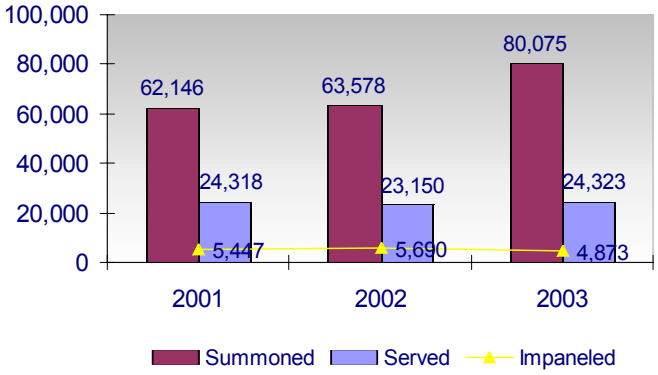
"Furthermore," Young added, "IVR provides other useful information, such as directions to the Courthouse and the Jury Assembly Room. Jurors also learn about the security procedures they will have to go through when coming to the Courthouse for jury duty. This saves the public time and anxiety and it saves valuable time for the staff."

Jury Office staff answer questions and process panels of jurors for jury selection.

JURIES SELECTED



CITIZEN INVOLVEMENT



Increase for those summoned between 2002 and 2003 is due to converting from a two day/one trial to a one day/one trial jury system.

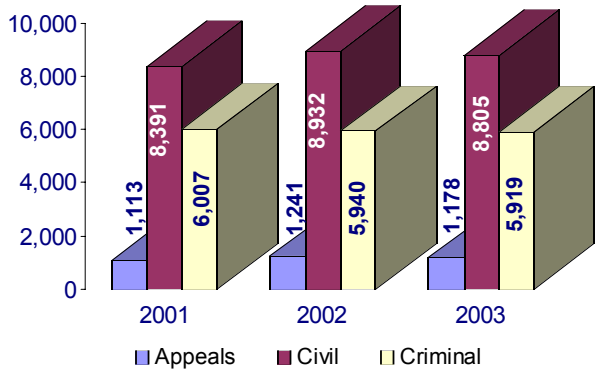
CASE MANAGEMENT OFFICE

The Case Management Office is responsible for scheduling and monitoring cases. The Caseflow Division tracks cases from initiation through completion. Within that function cases are scheduled for hearings, trials, and sentencings. The Caseflow Division also dockets miscellaneous motions. The Alternative Dispute Resolution (ADR) Division is responsible for case evaluations and mediation, both of which are used as methods of settling disputes before going to trial. During case evaluation, a panel of three attorneys reviews a case and determines the amount of money the case is worth. With mediation, the parties meet with a neutral mediator to discuss their conflict. With the help of the mediator and their attorneys, the parties fashion an acceptable solution to their dispute.

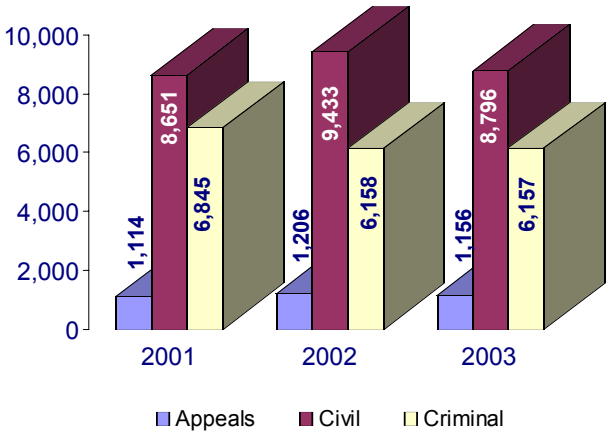
HIGHLIGHTS

- Processed 14,182 scheduling orders on civil cases.
- Monitored and scheduled 27,872 new cases, in addition to those existing previously on the docket.
- Settled 82% of the cases submitted to civil mediation and/or appeared for case evaluation.
- Distributed $169,350 to the Law Library from late fees assessed to case evaluation.
- Implemented "best practices" case management techniques, which helped reduce the criminal docket by 17.6%.

NEW FILINGS



DISPOSITIONS



SPOTLIGHT

The justice system in the United States is besieged with nearly 90 million civil, criminal, and traffic cases each year. If every one of these cases resulted in a trial, the justice system in this country would not only experience unnecessary backlogs and delays, but it would grind to a halt.

In Oakland County, the Case Management Office sees to it that the county court system runs smoothly and efficiently. By monitoring civil cases and encouraging parties of disputes to mediate their differences, the Alternate Dispute Resolution (ADR) Division sees to it that relatively few of the nearly 9,000 civil cases coming before the courts each year reach the trial stage through such programs as mediation and case evaluation.

"We schedule all appropriate civil cases and try to help the parties reach a mutually satisfactory agreement without a trial," says Lisa Czyz, Coordinator of the ADR Division.

Although civil cases may involve disputes over contracts, real estate, automobile accidents, and medical malpractice, Czyz's staff makes sure that all eligible cases, either voluntary or court-ordered, are processed and tracked through the mediation program. "It's to everyone's benefit to settle without a trial," says Czyz. "In a trial there's always a winner and a loser, but in mediation the focus is on an agreement that lets everyone walk away happy."

Among the ways the ADR Division can encourage a settlement is through a voluntary mediation program as well as court-ordered mediation. ADR maintains a list of attorneys who can serve as mediators to help resolve cases.

In Case Evaluation, a panel of three attorneys evaluates cases and places a dollar value on each case. The parties can accept the amount and dismiss the case, or reject the amount and proceed to a trial. Deadlines for filing are imposed through the Michigan Court Rules, and when either or both parties fail to meet these deadlines, fees are assessed. Czyz says that enough late fees were collected in 2003 so that her division could pass on almost $170,000 in fees they collected to the Oakland County Law Library. "However, less than three percent of all cases go to trial," says Czyz, "because most settle out of court."

Seated at the right side of the table, attorneys Ronald Gutman (back), John Demarco (middle), and Harvey Chayet (front) conduct a case evaluation hearing with parties of the case.

Administrative functions for the Family Division of the Circuit Court include the Judicial Support unit, Court Services unit, Friend of the Court operation, and the administration of the Probate Court.

Friend of the Court – Administered by our Friend of the Court, Suzanne Hollyer, this operation provides case management and enforcement services on domestic relations matters. Referees, family counselors, investigators, and mediators work in teams to assist the public in the management and enforcement of complex family law matters.

Court Services – The Court Services unit provides casework and intensive casework services, clinical services through the Psychological Clinic, and community diversion efforts through the Youth Assistance unit.

Judicial Support – This unit is headed by William Bartlam, Deputy Court Administrator and Judicial Assistant, and consists of Juvenile Referees, Juvenile Intake, and Juvenile Adoption areas. In Mr. Bartlam's role as Judicial Assistant, he is also the lead legal advisor for the Probate and Family Division areas.

Juvenile Drug Court – This court integrates drug treatment services with justice system case processing by including treatment providers on the drug court team. Prosecution and defense counsel work together using a non-adversarial approach. The drug court was awarded approximately $400,000 in renewed grant funding, which was used to serve a total of 165 youth and families.

Lisa Langton
Family Division Administrator
Probate/Juvenile Register

FRIEND OF THE COURT

The Friend of the Court is responsible for assisting in domestic relations cases by investigating and enforcing issues involving custody, support, and parenting time.

The Friend of the Court completed conversion to the latest version of the statewide child support computer system on July 1, 2003. After sending representatives from the Office of Child Support Enforcement to Oakland County and two other counties, the federal government certified that the Michigan Child Support Enforcement System meets the requirements of two federal laws - the Family Support Act of 1988 and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Fines exceeding $147 million dollars were avoided as a result of the state's certification.

The conversion resulted in a transfer of authority for receipting and disbursing support payments from the Friend of the Court to the Michigan State Disbursement Unit. Although the Friend of the Court continues to accept cash payments on site, all checks are forwarded to the Michigan State Disbursement Unit.

Through all the changes that resulted from the conversion to a statewide system, the Friend of the Court continued to provide services to parties involved in the domestic relations court system.

Friend of the Court referees hold hearings to enforce Family Division orders regarding child support, custody, and parenting time. Friend of the Court staff reviews complaints by parties and attorneys and initiates legal action as appropriate. The Friend of the Court referees conduct show cause hearings for violations of child support, custody, and parenting time orders. They assist the Family Division judges by making recommendations for resolution of sensitive family law disputes.

By an Order of Reference from the Family Division, referees act as the trier of fact in hearings involving complex legal issues arising in custody, parenting time, support, and interstate proceedings in pending and post-judgment actions. They refer many unemployed clients to the Job Placement/Work First Program and have conducted Early Intervention Conferences for every new divorce action filed with children since the inception of the Family Division of the Circuit Court.

SPOTLIGHT

When Carol and John, parents of four-year-old Samantha, met with their Friend of the Court counselor, Lori Klein-Shapiro, they were able to work out a parenting plan. Because there were concerns about the father's behavior with Samantha, it was agreed that the first four visits would take place in the home of John's mother.

Within three weeks, it was clear this plan wasn't working. "He said he wouldn't continue to see Samantha at his mother's house because he didn't want his mother involved," recalls Lori Klein-Shapiro. "I asked both parents to come back to my office to talk about it."

In the office, John was adamant about not wanting to follow the original plan. "What could we do to help you follow the Court Order?" Klein-Shapiro asked. John said he didn't want his mother involved, but that he did not object to seeing Samantha at some other location. "We then came up with an agreement for him to see Samantha at a community agency." By meeting with both parents, Klein-Shapiro was able to help them reach a new agreement and move on.

The Friend of the Court addressed 22,430 such complaints from divorced co-parents during 2003, with almost all of them related to custody and parenting time. Almost 19,000 of those complaints were successfully resolved with the help of a counselor.

"Most parents want to resolve their problems and move on," notes Klein-Shapiro, who is a Family Counselor Supervisor. "For the most part, we hear from people only once or twice in the post-divorce period when they're raising their children. Once parents get past the point of blaming each other," says Klein-Shapiro, who has been a Friend of the Court counselor for about 10 years, "they are quite willing to resolve their differences."

"Many issues can be resolved with a telephone call," Klein-Shapiro explains. "I find it most successful when I contact people directly." She adds that it's also valuable to help parents understand the perspective of the child. "When you can take the focus off their self-interest and their anger and help them focus on the child, parents can find reasonable resolutions even to complicated problems."

Friend of the Court counselor, Lori Klein-Shapiro, discusses parenting time with parties.

(The parties' names have been changed.)

HIGHLIGHTS

- Resolved 685 medical support issues.
- Reviewed 1,330 support obligations for modification.
- Enforced 183 support obligations through the use of the license suspension remedy.
- Resolved 18,891 complaints regarding enforcement of support, custody and parenting time.
- Held 7,431 evidentiary hearings by referees.
- Held 2,716 Early Intervention Conferences with parties who had filed for divorce.
- Interviewed 1,268 referrals for Job Placement/ Work First Program.
- Addressed 22,430 custody and parenting time concerns.

COURT SERVICES

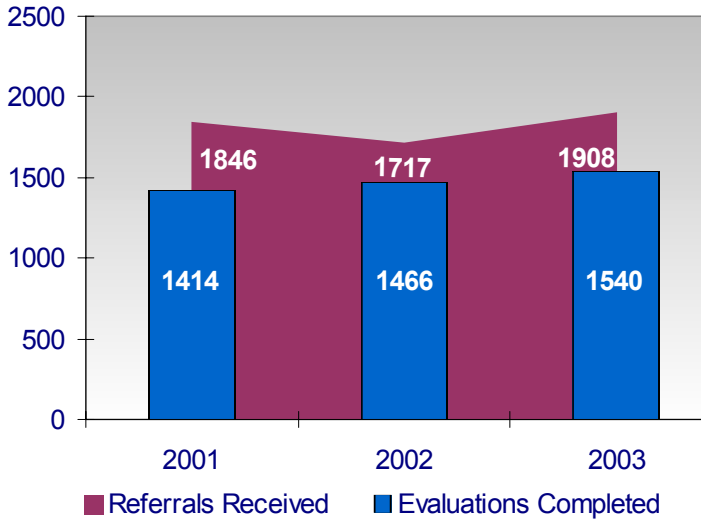
The Court Services operation is comprised of Casework Services (Juvenile Probation), Psychological Clinic, and Youth Assistance. The 108 staff are responsible for providing direct client services, case management, research and program development, community resource development through volunteer coordination, and education/public awareness. Services include individual and family assessment, prevention, status offender services, juvenile probation, group therapy for adjudicated youth, and parent guidance programs.

Casework Services – The Casework Services operation is responsible for all delinquency cases authorized for court by Intake. They assist the case through the adjudication process when necessary. Once a case has been adjudicated, they prepare a social history report, including corroborative information, that makes recommendations to the court regarding disposition and takes into account both the needs of the child and the protection of the community. During post-disposition, this operation assists in implementing court orders, including the monitoring of probation and restitution, community service, parental education, and counseling. They also monitor clients' compliance or noncompliance with court orders and report to the court on a regular basis, making further recommendations when necessary.

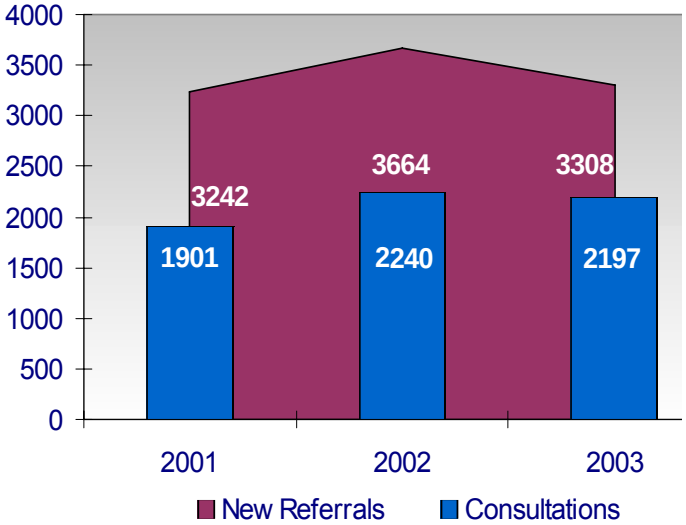
Clinical Services – The Clinical Services Unit, or Psychological Clinic, is responsible for aiding judges and referees in making informed dispositional decisions by providing clinic forensic evaluations of children and families who are involved with the Court. In addition, it provides specialized treatment services to clients. Staff are available for case consultations with hearing officers, case-workers, attorneys, Family Independence Agency, school personnel, and others. The Clinic also conducts and coordinates training and research, including program evaluations and staff development programs.

Youth Assistance – As the primary prevention segment of the Court's continuum of services, the mission is to strengthen youth and families and to prevent and to reduce delinquency, abuse, and neglect through volunteer involvement. Using a decentralized approach, staff work with a cadre of volunteers to identify and address each community's needs. Community-based programs include parenting and family education, skill and self-esteem building, mentoring, recreation programs, and youth recognition. Staff also provide family-focused casework services. Each of the 26 local programs is cosponsored by the school district, municipalities therein, and the Court.

PSYCHOLOGICAL CLINIC ACTIVITY



YOUTH ASSISTANCE ACTIVITY



Justin Taylor (a pseudonym to protect his identity) is just one of the approximately thirteen hundred young people the caseworkers and probation officers in the Court Services Division of the Family Court will work with this year.

Although we usually don't read these kinds of stories in the newspaper, and they certainly don't show up on the eleven o'clock TV news, Justin Taylor's story is a good story with a happy ending.

Justin Taylor was placed on probation by Referee Joe Racey in January 2004 because he got into a fight with his stepfather. "They were never home," Justin told Larry Clarfelt, who was his court-assigned probation officer, "and when they talked with me it was always about rules."

Three months later, after regular meetings with Clarfelt and after attending the STAR program which provides weekly group therapy sessions for teens on probation, Justin's mother was elated about the changes in her 16-year-old son. "I don't know what you've done with him," she said, "but everything has turned around."

"Mr. Clarfelt has always been nice to me and he was always there for me," Justin says. "He always focused on me and it always felt like I was the most important person to him - even though I know he has other kids on probation."

Justin says that he, like his mother, sees things in the family as being much improved. "The whole experience," he says, "has been a wake-up call for our family. We used to think we were normal, but we weren't. We were brought into the court system where they said the way we were living not only wasn't normal, it wasn't acceptable."

"Justin is not unusual," says Larry Clarfelt. "A majority of the teenagers I work with are dismissed from probation because they are successful in changing their lives."

HIGHLIGHTS

- Reorganized services and increased staff and supervisory workloads to accommodate significant reduction in workforce necessitated by budget crisis and retirements.
- Local municipalities and school districts contributed over $1 million in cash and in-kind as co-sponsors of Youth Assistance.
- Coordinated several community events to help celebrate 50 years of delinquency prevention programming through Youth Assistance.
- Expanded services by training private practitioners to conduct the ADEPT program in local communities.
- Developed dispositional check-off form to assist judges with determining the approximate cost of dispositional alternatives.
- Received 3,308 referrals for casework services from police, schools, and parents in its 26 Youth Assistance offices throughout Oakland County.
- Approximately 150 caseload youth participated in the “U-Turn Jail Tour” created by Youth Assistance in cooperation with the Sheriff’s Department.

JUDICIAL SUPPORT

The Judicial Support staff assists the judges of the Family Division in the following areas:

- Adoptions and confidential intermediary services;
- Child abuse and neglect cases;
- Juvenile delinquency and juvenile traffic cases;
- Juvenile Court intake;
- Personal Protection Orders;
- Safe delivery of newborns;
- Waiver of parental consent to abortion.

In these areas, support staff schedule cases, prepare files, create certain documents, maintain both public and confidential records, serve summons and other process, and distribute court orders and other materials.

Juvenile Referees assist the judges by conducting many of the hearings and recommending decisions to the judges in these actions. Personal Protection Order attorney-interviewers have face-to-face meetings with petitioners and then make confidential recommendations to judges.

Juvenile Court referees represent the Court 24 hours per day, 365 days per year. They authorize the detention of juveniles and removal of children due to risk of harm. Referees review all complaints and petitions referred to the Court. They evaluate each matter and make decisions involving diversions or authorizations of petitions. Referees act as the trier of fact in cases involving delinquency and those involving abuse and neglect of children. They recommend treatment plans for children and parents and monitor delinquents and children in foster care, which may include recommendations for the termination of parental rights.

HIGHLIGHTS

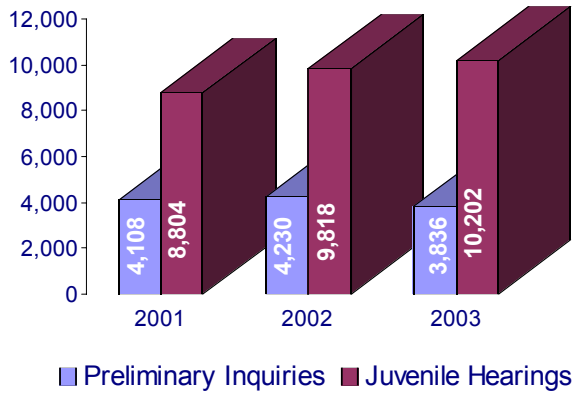
- Adopted the 2003 Supreme Court revisions to the Juvenile Court Rules, which required alterations to almost every court form used. The Judicial Support staff spent many hours training fellow employees, altering procedures, updating forms, and implementing necessary revisions.

- Developed new procedures and policies for handling certain juvenile matters regarding the Consent Calendar that significantly changed the way cases are handled and which required collaboration between the County Clerk, Information Technology, and the Reimbursement Division.

- November 25, 2003, was dedicated as "Adoption Day" by the Michigan Supreme Court and the Family Independence Agency. Sixteen adoptions were finalized by family division judges and a celebration topped off the day with refreshments and an opportunity to meet with judges, FIA administration, and the adoption staff.

- Streamlined procedures, forms, and methods to process contempt actions involving Personal Protection Order violations. Collaborated with Prosecutor's Office, Community Corrections, Sheriff's Department, County Clerk, Reimbursement Division, and judicial clerks to ensure that internal practices meet legal requirements and timely completion of the project, which will be fully implemented in early 2004.

JUVENILE HEARING vs. PRELIMINARY HEARINGS HELD



SPOTLIGHT

Jeffrey and Melissa Ewald couldn't have been more excited about adopting twin boys. "In fact, we were so excited about adopting the boys," recalls Melissa, "that when we left the courthouse, we drove off leaving their strollers in the parking lot!"

Melissa and her husband, Jeffrey, of Pleasant Ridge, were just one of 16 families who were able to finalize adoptions on November 25, 2003 - a day set aside by the Michigan Supreme Court and the Family Independence Agency (FIA) to celebrate adoptions.

The Ewalds arrived at the Oakland County Courthouse on November 25th at 8:59 a.m., and worried about being late, raced through the parking lot with the boys in strollers. They were pleasantly surprised that someone with a walkie-talkie was in the lobby to greet them and escort them to Judge Elizabeth Pezzetti's courtroom.

"It was an absolutely incredible day," says Melissa, who had just celebrated her eighth wedding anniversary to Jeffrey the day before adopting Benjamin and Christopher. "It was the culmination of a number of years to become a family."

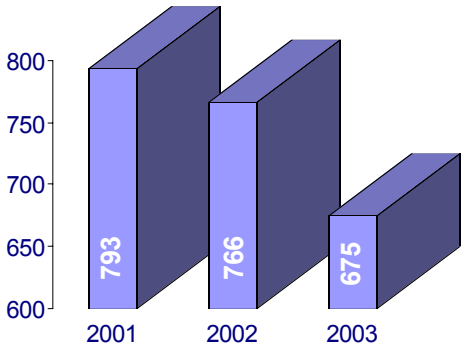
"When Judge Pezzetti told us the boys were finally ours," she says, "we were so overjoyed we laughed and cried at the same time."

To carry on the celebration on this state-wide Adoption Day - the first in Michigan's history -- the Family Division, along with FIA, threw a party in the Judicial Conference Room where all of the families and their new adopted children could meet with the family division judges, the FIA administration, and the adoptions staff.

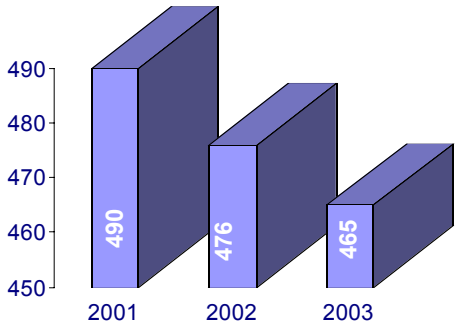
"Everything was very colorful, welcoming, and oriented around the children and their new families" says Pat Hays, Secretary in the Probate Court who helped decorate the room with balloons, giant cookies, and a lollipop tree. "It was a delightful and joyful experience to see the level of happiness these families were experiencing together. It was fun to be a part of it."

The Ewalds celebrate the adoption of their twin boys.

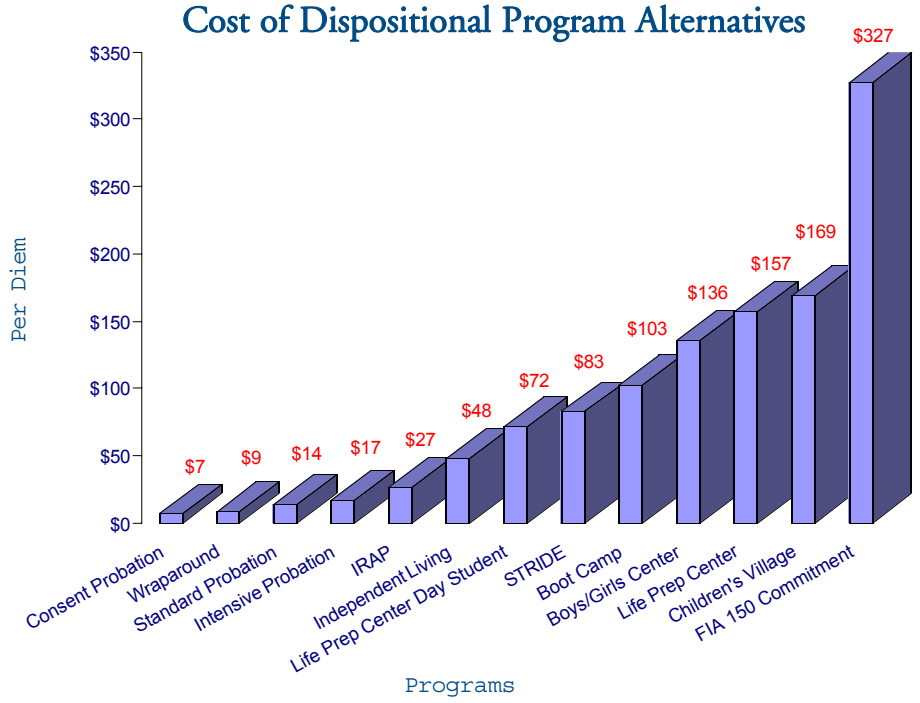
ADOPTION HEARINGS HELD



TRAFFIC HEARINGS HELD



CONTINUUM OF CARE
Cost of Dispositional Program Alternatives



SUMMARY OF FAMILY DIVISION ACTIVITY

NEW FILING ACTIVITY	2001	2002	2003
Juvenile/Adoptions			
Delinquency	3,881	3,465	3,526
Child Protective Proceedings	345	268	527
Juvenile Traffic Tickets	539	482	409
Adoption Petitions	477	504	436
Subtotal	**5,242**	**4,719**	**4,898**
Domestic Relations			
No Children	2,772	2,646	2,651
With Children	2,792	2,732	2,584
Paternity	851	830	531
URESA	411	275	272
Support	863	843	604
Other	187	274	273
Subtotal	**7,876**	**7,600**	**6,915**
Personal Protection Orders			
Domestic	2,753	2,599	2,561
Non Domestic	1,125	1,094	1,162
Juvenile	116	97	85
Subtotal	**3,994**	**3,790**	**3,808**
Miscellaneous Family			
Name Change	430	481	464
Other	N/A	153	140
Subtotal	**430**	**634**	**604**
TOTAL NEW FILINGS	**17,542**	**16,743**	**16,225**

CIRCUIT COURT — BUSINESS DIVISION

The Business Division is responsible for the development and delivery of business and administrative support services for both the Circuit and Probate Courts.

In order to effectively manage its diverse and complex responsibilities, this division is divided into two primary units of operation. The Administrative/ Financial Unit is supervised by Tina Sobocinski. Responsibilities of this unit include the development and monitoring of the Courts' $60 million budget, processing all payments for services, including court appointed attorney payments and personnel transactions, recording attendance and mileage, managing courthouse and satellite office facilities, managing capital improvement and special project requests, and managing the equipment needs of the courts.

The Data/Technology Unit is supervised by Mary Gohl. Responsibilities of this unit include the advancement of court automation, managing day-to-day computer and network issues, and implementing new court technology initiatives. This unit also provides word processing support, including the typing of court documents necessary for the functioning of the court (i.e., court, psychological, and referee reports). In addition, this unit provides court reporter services for the Court's juvenile referees, creating records of courtroom proceedings and producing transcripts.

The Business Division is also responsible for coordinating special projects and events, grant writing, and public information management. Karen MacKenzie directs the Court's efforts in this regard. Responsibilities include the development of the Court's web site, press releases and media relations, developing court brochures and other publications, supervising court tours, producing the Human Resource Directory, acquiring alternative sources of funds, and directing and coordinating other special projects and events.

Finally, a new position of Court Operations Analyst was created, which was filled by Marcia Travis. Following the recent budget problems, it was necessary to find ways to do things more efficiently and effectively. The primary role of this position is to conduct improvement studies within all Circuit and Probate Court divisions/units on all aspects of court operations.

John L. Cooperrider
Court Business Administrator

HIGHLIGHTS

- Continued improvements to the web site, making it more service oriented and interactive for the legal community and citizens of Oakland County. Continued implementation of new caseload reporting requirements mandated by the Michigan Supreme Court, including identifying and programming for new filings, dispositions, and event information.

- Established and monitored five grant contracts for the drug courts. Implemented new filing fee changes effective October 1, 2003.

- Assisted in resolving Oakland County's $14.4 million shortfall by recommending $2.056 million in budget reductions that were approved by the Bench. These efforts included the Early Retirement Program, which 34 employees took advantage of, four of whom had over 100 years of combined experience in the Business Division.

- Several positions and personnel in the Business Division were reclassified including: User Support Specialists, Julie Fabrizio and Terry Castiglione; Court Operations Analyst, Marcia Travis; Supervisor-Administrative Services, Tina Sobocinski; Circuit Court Accounts Coordinator, Tina Chaffee; and Circuit Court Accounts Coordinator, Debbie Thompson. The Business Operations Specialist position was filled by Phil DeBarr, and Mary Gohl and Chris Bujak now job share the position of Supervisor-Business Operations. A full-time court reporting position was deleted, previously held by Linda Hudson, and a part-time court reporting position was added. The Employee Records Specialist position and Account Clerk II position were also deleted.

SPOTLIGHT

With the help of Information Technology and through a grant obtained by the Oakland County Executive's Office, a new video arraignment pilot project began in late 2003 in the courtroom of Judge Joan Young.

"The way the system works," says Lieutenant Stephen Jacobs, the Commander of Court Services for the Oakland County Sheriff's Department, "is that there is both a camera and monitor in the judge's courtroom as well as in the video arraignment room at the Oakland County Jail."

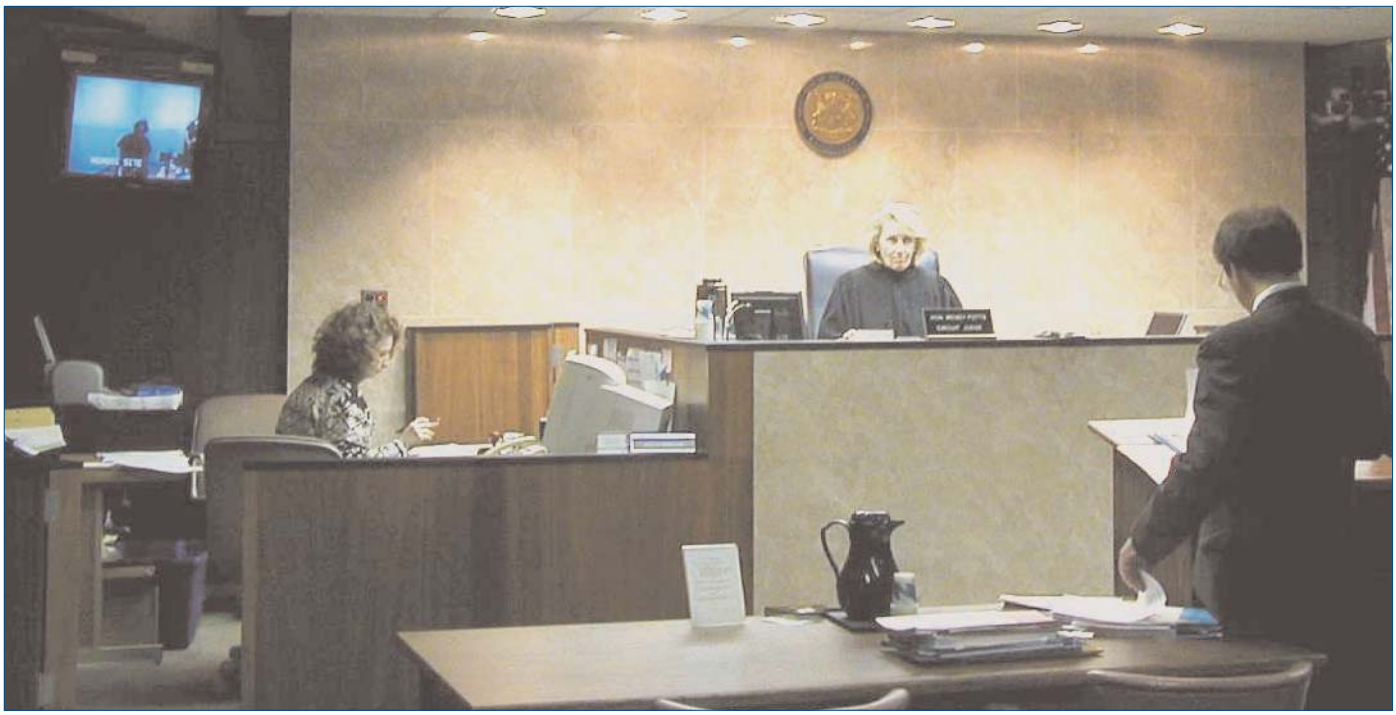
"The judge and the inmate can see each other and talk to each other," says Jacobs. "By being able to converse with each other, the prisoner does not have to be transported from the jail to the courthouse and that frees up Sheriff Department personnel for other duties."

"It is a tremendous time saver," says Judge Joan Young. "I didn't have to wait for an officer to bring the prisoner over, and we could do the arraignments at the same time every afternoon. The prosecuting attorneys also loved it because it was very efficient."

"It's only used for bench warrant arraignments at the present time," says Jacobs, "but it is working well and I can see it being extended in the future."

Jacobs says that as more judges become accustomed to the technology, it is likely to be used for other court proceedings in the future. For instance, he envisions it eventually as a state-wide system which would allow judges to conduct not only arraignments but pretrials, examinations, and bail hearings. "This would certainly save time if officers did not have to pick up a prisoner in another city and bring them in for a hearing," says Jacobs.

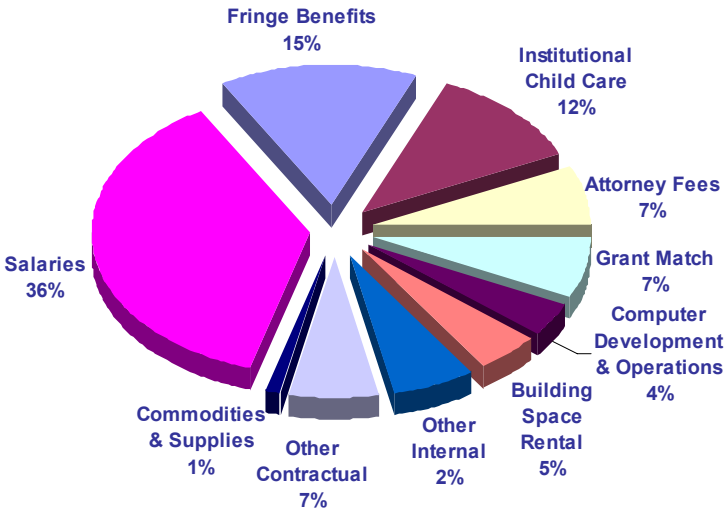
"I could see it also used with mental health hearings," adds Judge Young. "It would be less intrusive and less humiliating if patients did not have to be brought to the courthouse in shackles."



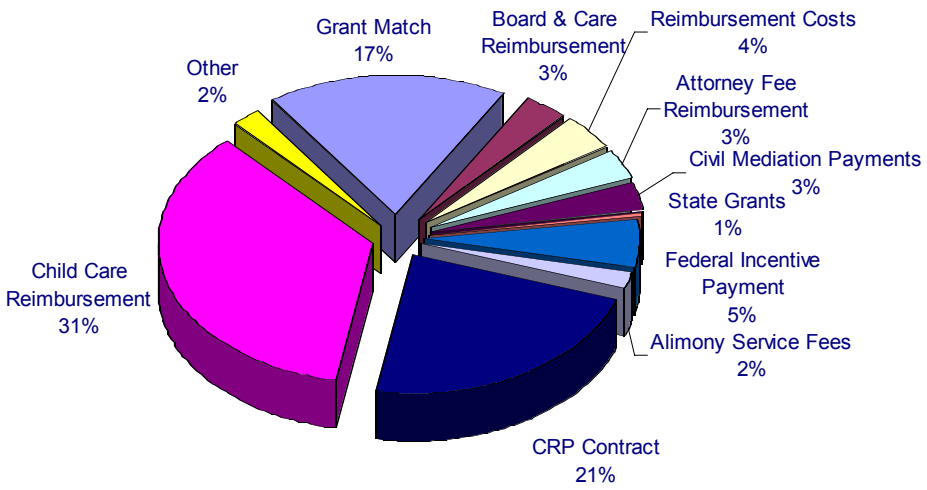
Bench warrant arraignments using video conferencing are also conducted by Judge Potts (shown here), Judge Alexander and Judge Kuhn.

CIRCUIT COURT AND PROBATE COURT FINANCIAL REPORT

Expenditures: $63,866,566



Expenditures	2001	2002	2003	2002-03 % Chg
Salaries	$21,483,370	$24,006,228	$24,150,153	0.6%
Fringe Benefits	$8,017,930	$9,237,517	$9,539,814	3.3%
Institutional Child Care	$7,009,340	$7,975,312	$7,966,648	-0.1%
Attorney Fees	$5,115,498	$4,363,856	$4,784,065	9.6%
Grant Match	$5,084,345	$4,336,621	$5,005,332	15.4%
Building Space Rental	$3,127,390	$3,092,415	$3,107,504	0.5%
Computer Development & Operations	$3,715,466	$2,961,680	$2,724,512	-8.0%
Indirect Costs	$1,075,838	$1,364,199	$914,632	-33.0%
Professional Services	$696,556	$777,173	$693,782	-10.7%
Mediator Fees	$690,625	$696,125	$707,000	1.6%
Jury Fees & Mileage	$645,788	$587,863	$588,945	0.2%
Other	$325,799	$469,708	$407,324	-13.3%
Postage	$280,686	$363,322	$358,554	-1.3%
Telephone Communications	$438,873	$312,117	$438,121	40.4%
Visiting Judges	$460,074	$279,645	$112,088	-59.9%
Overtime	$133,732	$265,318	$145,312	-45.2%
Commodities/Supplies	$203,639	$229,795	$204,621	-11.0%
Mileage/Leased Vehicles	$214,587	$223,582	$213,081	-4.7%
Transcripts	$220,351	$202,324	$189,528	-6.3%
Furniture/Equipment Purchase	$194,209	$161,818	$254,272	57.1%
Printing	$137,721	$158,627	$187,887	18.4%
Copiers	$111,236	$143,514	$93,574	-34.8%
Equipment Rental	$51,246	$106,472	$121,920	14.5%
Insurance	$129,811	$88,980	$56,785	-36.2%
Court Reporter Services	$104,665	$87,262	$75,825	-13.1%
Maintenance Charges	$78,192	$77,269	$38,679	-49.9%
Operating Transfer/Adjust Prior Yrs Rev	$558,500	$70,000	$651,123	830.2%
Interpreter Services	$46,409	$53,993	$65,234	20.8%
Micrographics/Reproductions	$48,180	$48,784	$21,351	-56.2%
Computer Legal Research	$42,434	$45,580	$48,900	6.8%
Software Rental/Lease	$0	$5,600	$0	0.0%
Total	**$60,442,490**	**$62,792,699**	**$63,866,566**	**1.7%**



CIRCUIT COURT AND PROBATE COURT FINANCIAL REPORT

Revenues: $29,604,645

Revenues/Sources of Funds	2001	2002	2003	2002-03 % Chg
Child Care Reimbursement	$8,952,720	$9,714,943	$9,228,533	-5.0%
CRP Contract	$5,831,064	$6,460,198	$6,301,803	-2.5%
Grant Match	$5,147,821	$4,336,621	$5,005,332	15.4%
Costs	$1,073,777	$1,181,697	$1,286,022	8.8%
Federal Incentive Payment	$484,544	$1,028,738	$1,522,260	48.0%
Board & Care Reimbursement	$1,116,262	$1,018,255	$912,147	-10.4%
Attorney Fee Reimbursement	$985,709	$1,003,633	$939,452	-6.4%
Civil Mediation Payments	$865,262	$815,045	$883,050	8.3%
State Grants	$561,552	$531,444	$145,039	-72.7%
Alimony Service Fees	$339,213	$487,171	$473,579	-2.8%
Transfer - In	N/A	$469,760	$609,193	29.7%
Grants - Federa	N/A	$456,250	$478,595	4.9%
CRP State Supplement	$422,549	$422,549	$383,863	-9.2%
Probate Estate Fees	$302,050	$279,707	$282,054	0.8%
Probation Service Fees	$161,485	$186,387	$163,314	-12.4%
Mediation Fines	$178,200	$185,345	$171,400	-7.5%
Reimb State County Agent	$183,157	$180,455	$180,533	0.0%
Reimb - Salaries	N/A	$166,924	$67,199	-59.7%
Family Counseling Fees	$121,755	$123,060	$0	0.0%
Psych Clinical Eval Fees	$88,013	$117,174	$133,570	14.0%
Other	$149,844	$101,272	$82,895	-18.1%
Probate Certified Copies	$99,799	$98,486	$84,505	-14.2%
ADC Incentive Payment	$141,494	$93,365	$0	0.0%
FOC Filing Fees	$89,820	$84,240	$93,870	11.4%
Other Probate Filing Fees	$71,426	$73,276	$70,504	-3.8%
Processing Fees	$35,813	$62,481	$57,753	-7.6%
FOC Judgement Fees	$29,360	$27,600	$28,880	4.6%
Probate Will Deposits	$19,400	$21,850	$17,925	-18.0%
Prior Years Revenue	$227,125	$0	$1,375	0.0%
Total	**$27,679,214**	**$29,727,926**	**$29,604,645**	**-0.4%**

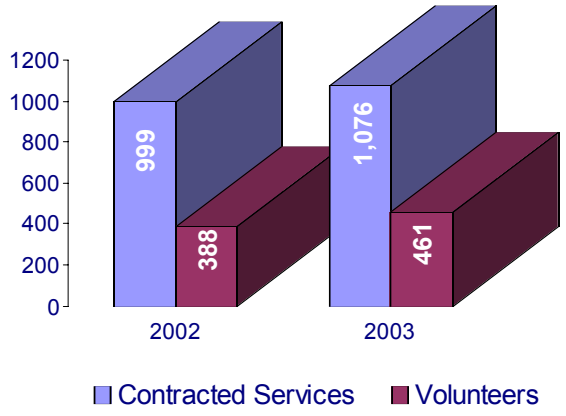
ESTATES AND MENTAL HEALTH

Although the administrative functions of the Probate Court have been merged with Circuit Court, and much of the Probate Court's jurisdiction has been shifted to the Circuit Court, the constitutionally-mandated Probate Court maintains jurisdiction over estates, trusts, guardianships, conservatorships, and mental health proceedings. In 2003, the Honorable Linda S. Hallmark presided as Chief Probate Judge and the Honorable Barry M. Grant was Chief Probate Judge Pro Tempore. The Probate bench also included the Honorable Eugene Arthur Moore and the Honorable Elizabeth Pezzetti.

The Oakland County Probate Court Estates Division has jurisdiction over decedent estates, which includes probating wills and the administration of testate estates (with a will) and intestate estates (without a will) by personal representatives. It is also the Court's task to interpret wills and trusts in the event of uncertainty or conflict and to determine the heirs in intestate estates. The Estates counter is a bustling center of activity as staff processes the necessary paperwork, sets court hearings as necessary, and directs files into court for motion call. There were 35,767 individuals served at the Probate Court in 2003. Besides decedent estate and trust matters, this unit also handles the paperwork and oversight of guardianships and conservatorships of adults and minors, manages the guardianship review process, and files wills for safekeeping. All legal records of the department are a matter of public record and are available for review by the general public.

Another important function performed by the Probate Court is to handle proceedings under the Mental Health Code, including involuntary hospitalization of mentally ill persons and the judicial admissions and guardianships of developmentally disabled persons. The Mental Health Division also handles cases involving minors in need of substance abuse treatment and rehabilitation services. Staff are called upon frequently to assist petitioners who are requesting emergency court orders for immediate transport of an individual to a preadmission screening unit for examination and possible hospitalization for mental health treatment.

GUARDIANSHIP REVIEW ACTIVITY



HIGHLIGHTS

- Responsible for monitoring the progress of legally incapacitated individuals and minors subject to guardianships. Adult guardianships are reviewed one year after the appointment of a guardian and every three years thereafter. Minor guardianships must be reviewed annually until the minor reaches age six. Court volunteers, volunteers from the National Council of Jewish Women, private contracts (attorneys and agencies), and court appointed attorneys have all helped with accomplishing this mandate.
- Carol Esher, Case Management Coordinator (with guidance from the Youth Assistance central office staff), accomplished the daunting task of recruiting, training, and delivering 24 new Probate Court volunteers. Volunteers went through a strict screening and record checking process. Upon completion, they were trained by Ms. Esher, Jill Koney Daly - Chief of Probate Estate and Mental Health, and experienced volunteers in an intense three-hour session. After training, they were ready to begin the task of checking on individuals who were subject to applicable court guardianships.

SPOTLIGHT

When an adult is incapacitated in some way, a guardian may be appointed by the Probate Court to make decisions regarding their medical care, housing, and personal matters. When the Court appoints a guardian to look after the welfare of a ward, the Probate Court expects that the guardian will treat their ward with kindness, respect, and dignity.

And that's where volunteers play a vital role. The Probate Court recruits, screens, trains, and monitors volunteers who review many of the more than 3,000 adult guardianships under the Court's supervision. But these facts don't tell about the human side of the story.

"Our volunteers do so much more than just check in on the wards," says Carol Esher, Case Management Coordinator in the Probate Court. "One of our volunteers helped start the process to end a guardianship of a man who no longer needed a guardian because it was apparent that he was capable of living independently." Another volunteer was visiting an elderly ward who had been a professional dancer. "She just wanted someone to dance with her," explains Esher. The volunteer obliged and the woman couldn't have been happier. Other volunteers have gotten tours of apple orchards and gifts of apple butter from appreciative wards. Most, however, come away with the satisfaction of knowing they are giving back to the community.

And that helps meet the needs of the Probate Court, which takes in over 1,000 new adult guardianships each year. "A law in Michigan took effect in 1990," says Jill Koney Daly, Chief of Probate Estate and Mental Health, "which said that a ward had to be visited one year after the appointment of a guardian and not later than every three years after that. However, there were no resources given with the law to allow us to do what we had to do."

But where there's a will to comply with the law, a way can be found. By cooperating with Youth Assistance, an Oakland County program with 50 years of experience in working with volunteers, that way was found. Youth Assistance agreed to lend its considerable expertise to assist the court with the recruitment and screening aspect of the project.

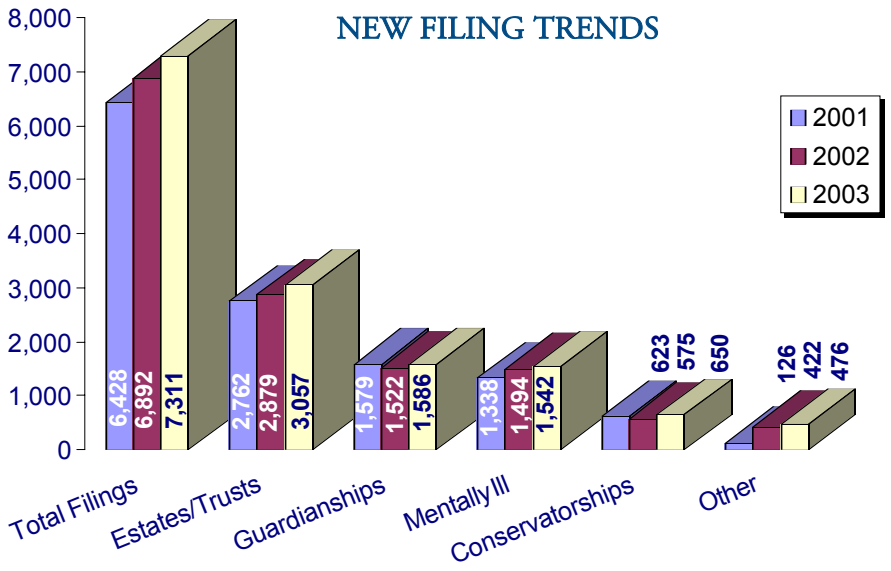
A volunteer appreciation event was held in May to thank those who have dedicated time to improving the quality of guardianships in Oakland County. Court staff Jill Koney Daly, Chief of Estates and Mental Health (left), and Carol Esher, Case Management Coordinator (center), celebrated with volunteers (left to right) Helen Clark, Barbara Meach, Sandra Zipser, Karen Ellison, Emily Krinsky, Joan Connelly and Alvin Iwrey.

"As a result," says Daly, "we probably have the largest court-sponsored volunteer corps of any probate court in the state to do guardianship reviews. And we do the whole thing - we recruit volunteers, train them, and monitor their work."

With 31 volunteers currently visiting wards, both Daly and Esher are proud of the results. "We've been enormously pleased with the caliber of the reports of the volunteers," says Daly. "It's very gratifying to have people out in the community being our eyes and ears. We're all part of a village trying to make this work."

The role of the volunteers is to make sure that wards are being treated well. "We ask our volunteers to ask this question," says Esther, "'If this ward was a member of my family, how would I want them to be treated?' Consequently, when volunteers see something they don't like or see something wrong, they call me or make a recommendation," says Esher.

There's a dual reward in having these dedicated eyes and ears out in the community checking in with wards. The Probate Court can be assured that wards have advocates who are making sure they're being treated well. "But it's also been an enlightening experience for us," says Daly. "We've met so many committed people who want to make a difference in the world."



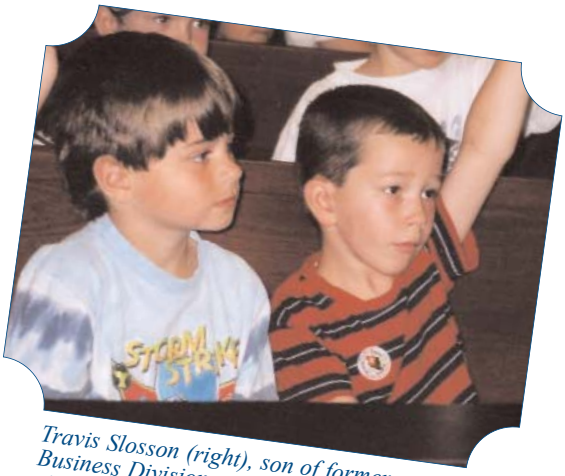
NEW FILES OPENED

	2001	2002	2003
Small Estates	676	678	671
EPIC-Supervised	79	53	53
EPIC-Unsupervised	1,877	1,942	2,028
Trust-Intervivos	130	185	193
Adult Guardianships	980	877	870
Minor Guardianships	599	645	716
Adult Conservatorships	409	399	444
Minor Conservatorships	214	176	206
Mentally Ill	1,338	1,494	1,542
Guardianship-Developmentally Disabled		155	258
Reopened Estates and Trusts		21	112
Protective Orders		38	30
Civil and Other	126	229	188
Total	**6,428**	**6,892**	**7,311**

ACTIVE CASES

	2001	2002	2003
Deceased-Supervised	8	1	5
Deceased-Independent	25	0	0
EPIC-Supervised	671	484	337
EPIC-Unsupervised	3,159	3,381	3,224
Adult Guardianships (LIP)	3,119	3,144	3,168
Adult Guardianships (DDP)	1,460	1,451	1,480
Minor Guardianships	2,681	2,723	2,793
Adult Conservatorships	1,538	1,559	1,514
Minor Conservatorships	1,664	1,626	1,567
Other	233	208	219
Total	**14,558**	**14,577**	**14,307**

General Jurisdiction staff know how to party! Holiday enthusiasts Libby Smith, Lisa Czyz, Pam Hamway, and Dave Dunsmore take a break between snacks.



Travis Slosson (right), son of former Business Division employee Kristy Slosson, visits court with his peers from Little Oaks.

The Citizen's Alliance for the Circuit and Probate Courts includes community members and court staff.

Sometimes being at work can be a day at the beach. This year's tropical theme got enthusiastic reviews from Casework staff and their Chief, Dallas Coleman.

New recruit Suzanne Hollyer (center) is the Friend of the Court and is greeted by Family Division Administrator Lisa Langton (left) and Judge Linda Hallmark (right) .

COURT EMPLOYEES MAKE A DIFFERENCE

The Court's talented and committed staff make every effort to provide service in a knowledgeable, efficient, and caring manner. The outstanding reputation of the Oakland County Circuit and Probate Courts is a reflection of this philosophy and the Courts' commitment to service. Throughout the year, unsolicited testimonials recognizing Court employees for service excellence were received from citizens and users of the Courts' services. What follows is a sampling of the recognition received:

Cheryl Macias
Office Assistant II
Business Division

"Thank you (Cheryl) for organizing our recent field trips to the Oakland County Courts. It was a great hands-on experience for the students. We appreciate the friendly and competent job Jessica always does. She helps contribute to a positive outing for all of us."

Gary Gasowski
Youth Assistance Caseworker II
Youth Assistance

" I am writing to inform you of the positive impact Mr. Gary Gaasowski has on our schools and community....This school year (he) has made Webster Elementary his home. I have witnessed first hand the tremendous responsibilities he juggles day in and day out....Most important I would like to bring to your attention the professionalism and respect (he) gives to everyone he comes into contact with. Needless to say, Mr. Gasowski has earned the trust, admiration, and respect of his clients and the people he works with."

Karen MacKenzie
Court Resource and
Program Specialist
Business Division

"In many ways, you haven't left. What you did and the excellence in which it was done still runs through the YA machine. I owe you much for what and how you handed things off to me. Thanks!"

Linda Russell
Circuit Court Records Clerk
Business Division

"On Tuesday, September 30, 2003, I was in trial before the Honorable Michael Warren. During the trial, the defendant ...lied about a plea...My first thought was to have the clerk obtain a video of that plea...but everyone was at lunch, and I needed the tape prior to 1:15 p.m. When I entered the Business Office at 12:15, I had little if any hope of obtaining the tape. Linda Russell not only allowed me to review the tape, which contained the plea, but also made me a copy that I picked up at 1:00 p.m. When I spoke with other Assistant Prosecutors about (her) assistance, they indicated that they had similar experiences...It is nice to know that there are County employees who will use their personal time to assist the public."

Robert Charters
Youth and Family
Caseworker II
Family Division

"I received a telephone message this morning from Referree Racey this a.m. He wanted me to know that Mr. Charters writes a good report as anybody that he has ever read. He felt that Mr. Charters was very thorough and there is a lot of background information provided."

Hazel Park Youth
Assistance Committee

"We would like to thank Hazel Park Youth Assistance for sponsoring the STEP-TEEN Program, and for giving us parents the chance to really learn a systematic way to raise our children and for giving us tools and techniques to help us cope with day-to-day family situations. This program has made a huge difference in our family's life. My husband, Kevin, and I are taking the class for the fourth time because we really believe in the validity of the method and we enjoy being part of the support group atmosphere. Please continue the good work."

Jill Daly
Chief, Probate Estates and Mental Health

and

Cheryl Macias
Office Assistant II
Business Division

"I would like to thank the Citizen's Alliance for the program presented to the residents and families of the Meer Jewish Apartments entitled "Removing the Mysteries of Probate Court." Specifically, Jill Daly...for her excellent presentation related to the estate planning, trusts, etc... and Sherry for her phone calls and organization of this event. She was very helpful and thorough. The packets were a wonderful resource."

2003 EMPLOYEES OF THE YEAR

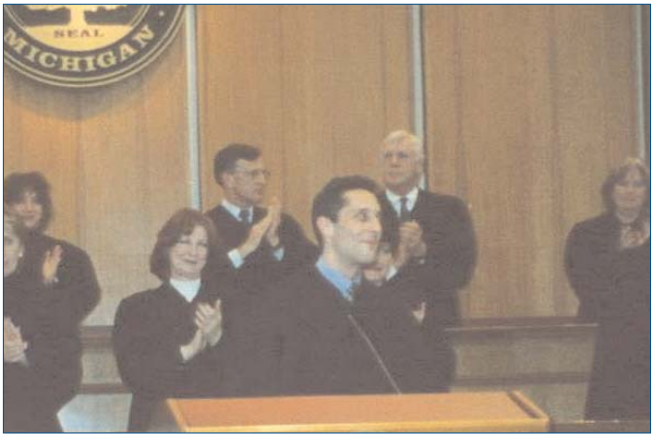
Employee of the Year awards were presented in December to representatives from various areas of court operations acknowledging their contributions to the Circuit and Probate Courts. Those recognized were:(standing, left to right) Sylvie Bourget, Court Services; Julie Fabrizio, Business Division; Vicki Spicer, Probate Court; Carmen Janik, Judicial Support; Carrie Guerrero, Friend of the Court; Angelina Sharon, General Jurisdiction Division; Courtney Marshall, Judicial Staff. (Sitting, left to right): The Honorable Linda Hallmark, Chief Judge of Probate Court, and the Honorable Joan E. Young, Chief Judge of Circuit Court.

2003 EMPLOYEE OF THE YEAR NOMINEES

Employee of the Year nominees also recognized for their service and dedication to the Court were: (back row, left to right) Michael Amshay, Richard Stasys, Patrick Breen, and Robert Charters. (Middle row, left to right): Valisa Carson, Sandra Grubbs, Jacqueline Howes-Evanson, Robin Brown Green, Dallas Coleman, Carol Lineberry, and Krista Isaacson. Front row, left to right: Pam Ferguson, Paula Jefferson, Mary Stewart, Diana Hagel, Karen Allen, Ruth Jordan, Michelle Kase, Tina Stenborg, and Tina Sobocinski. Not shown: Suzanne Bolton, Douglas Quinn, Colleen Bagazinski, Martin Alvin, Brianna Weir, Donna Riley, Marian Seltzer, Julie Adams, Pamela Hamway, and Jill Adkins.

2003 INVESTITURES

Chief Justice Maura Corrigan administers the oath to incoming Judge Michael Warren on March 7, 2003, at his investiture ceremony in the Commissioners Auditorium.



On January 23, 2003, Judge Daniel Patrick O'Brien is sworn in as an Oakland County Circuit Judge and is welcomed with the applause of his colleagues.

A humble Judge Martha Anderson adjusts to the limelight of the bench during her investiture ceremony held on January 24, 2003.

ACKNOWLEDGMENTS

The Circuit and Probate Courts thanks the following persons for their role in the preparation of this annual report:

Annual Report Committee members John Cooperrider, Karen Koshen, Karen MacKenzie, Marcia Travis, and Jim Windell.

Photographer John Meiu of the *Oakland County Legal News* for providing the special events photographs, and photographer Beth Sayles of Sayles Studio, Tom Thompson, and Phil DeBarr for the accompanying photographs used throughout the annual report.

In addition, a special thanks to Tom Nahas of Information Technology for the cover design.