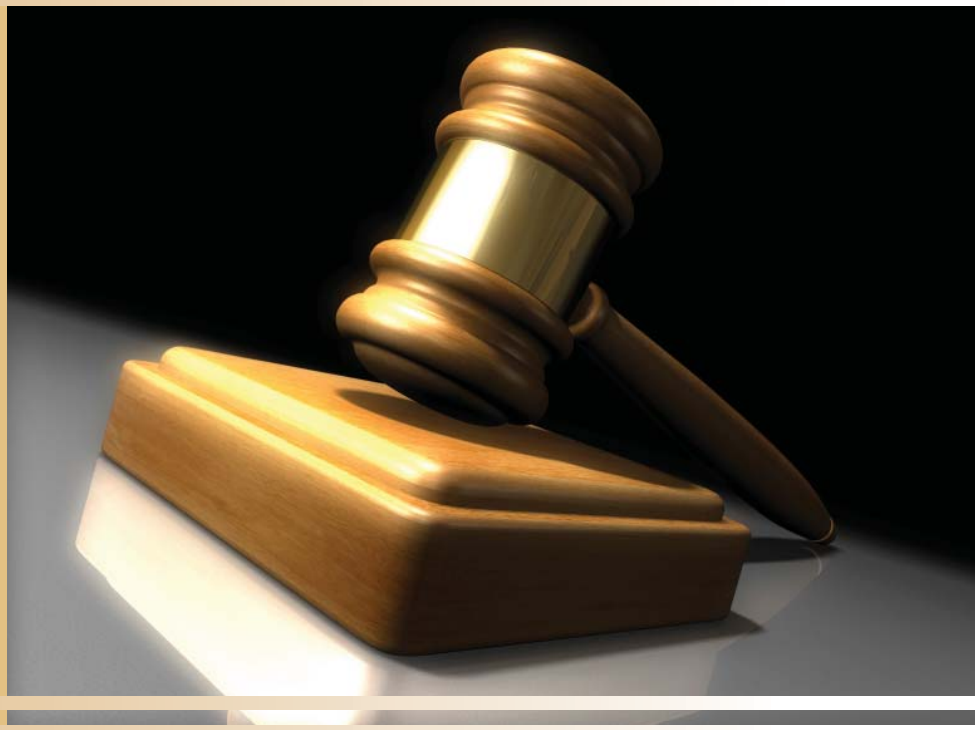
Oakland County



2007 Annual Report

Sixth Judicial Circuit Court
Oakland County Probate Court

2007 Annual Report

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Acknowledgements

The Circuit Court and Probate Court would like to thank the following persons and organizations for their role in the preparation of this annual report:

Marcia Travis for managing the project and her work with layout, design, and formatting.

Photographers Beth Sayles, *Sayles Studio Inc.*, John Meiu, *Oakland County Legal News*, and Phill DeBarr, Business Division Data Tech Unit, for their pictorial contributions.

Letter from the Court Administrators

Elected Officials and Citizens of Oakland County:

The pages that follow will provide you with general information about the Courts, programs, projects, and accomplishments, as well as statistical information on caseload volume and trends. We hope you will find it both informative and useful to your understanding of the judicial system. We welcome your comments and invite you to make suggestions regarding other information you would like to see available here.

The year 2007 was a productive year for the Circuit and Probate Courts. The judges and employees of the Courts deserve recognition for the accomplishments of the year. The dedication, ingenuity, and hard work that led to last year's achievements will enable the Circuit and Probate Courts to meet the challenges that lay ahead with poise and professionalism.

Very truly yours,

Kevin M. Oeffner
Circuit Court Administrator

Rebecca A. Schnelz
Probate Court Administrator

Kevin M. Oeffner
Circuit Court Administrator

Rebecca A. Schnelz
Probate Court Administrator

View of the west wing extension of the Oakland County Courthouse, Pontiac, Michigan

Judges of the Circuit Court

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

Judges of the Probate Court

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

Message from the Chief Judges

We are pleased to present the 2007 Annual Report of the Circuit and Probate Courts. The report contains descriptive information about the Courts and their divisions, the functions they perform, and their major achievements in 2007. We hope the information is helpful and informative.

The Circuit and Probate Courts, in cooperation with the Michigan Supreme Court, participated in the 4th Annual Adoption Day event in which the building of families through adoption was celebrated. This event is noteworthy as it showcases the need for stable, supportive, and loving environments for children in Michigan's foster care system. Of the 450 adoptions last year, 23 were finalized on Adoption Day.

Perhaps the crowning achievement from the Circuit Court's perspective was the adoption of Public Act 40 in November. This statute changed the manner in which counties may deal with jail overcrowding; a chronic problem that has plagued jails throughout Michigan. Oakland County led the effort to amend the Jail Overcrowding State of Emergency Act, so counties could preemptively deal with burgeoning jail populations rather than react to formal jail overcrowding emergencies. We believe that Public Act 40 will enable counties to better manage jail populations and protect the welfare and safety of their citizens.

The Probate Court continued to assist guardians and conservators in managing their duties and improving fiduciary compliance with statutory requirements. In cooperation with the Citizens Alliance for the Oakland County Probate and Circuit Courts, the Probate Court introduced "Basic Training for Guardians." This free monthly training provides attendees with basic information on how to fulfill their duties as guardian as well as the opportunity to ask questions of the presenter, who is a local Public Administrator. The class is an excellent resource for new and established guardians, as well as anyone who is considering petitioning for a guardianship.

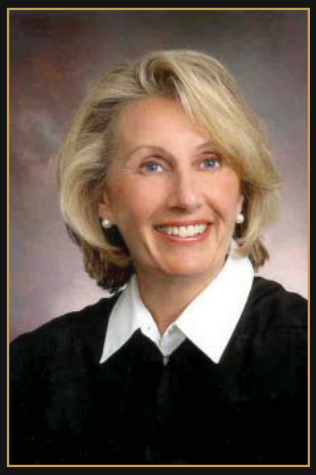
The Circuit Court also launched an effort to heighten enforcement of its orders in regard to the payment of fees, fines, and costs in criminal matters. As elected officials, judges and our employees are stewards of the financial resources entrusted to the Court by the citizens of Oakland County. In the wake of increasing budget challenges and precarious economic climates, the Court is committed to the assurance that criminal offenders pay their court-ordered assessments timely and in full.

We are proud of our accomplishments, but our highest calling is to uphold the rule of law and to promote the fair and impartial administration of justice. We are able to fulfill our mission thanks to the professionalism and dedication of our judges and employees. We hope that this report conveys our commitment to excellence and to our mission.

Very truly yours,

Wendy Potts
Chief Circuit Judge

Elizabeth Pezzetti
Chief Probate Judge

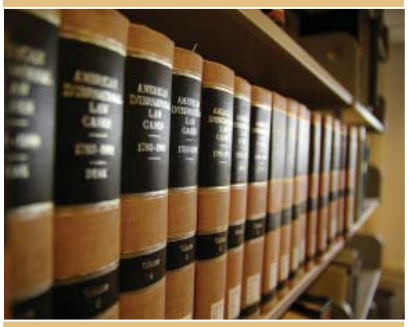


Wendy Potts
Chief Circuit Judge

Elizabeth Pezzetti
Chief Probate Judge

Circuit Court - Civil/Criminal Division

The Civil/Criminal Division of the Circuit Court is composed of fourteen judges, who are elected for six year terms in nonpartisan elections. They hear civil cases over $25,000 and criminal cases involving felonies. In addition, Civil/Criminal judges preside over district court and some Probate Court appeals, as well as appeals from administrative agencies. Assisting the judges within this division are sixty judicial staff. They include judicial staff attorneys, judicial secretaries, court clerks, and court reporters. Support is also provided by the following departments:



Administrative Support Staff – Recognizing the need for additional resources, the Court reorganized the support staff for the Civil/Criminal Division. Richard Lynch serves as Manager Civil/Criminal Division and supervises the division's legal support staff. Under his direction, Gwynne Starkey, Chief Civil/Criminal Division, manages the criminal case support and clerk support staff. Ms. Starkey also oversees case management and jury operations for the Court. Additions to the division include: Porferia Mellado, Program Evaluation Analyst; Lisa Czyz, Supervisor Criminal Case Support and efiling liaison; Laura Hutson, Supervisor Clerk Support; Angela Cummins, Court Clerk Coordinator; and Michelle Glover, Jury Clerk.

"The first duty of society is justice."

Alexander Hamilton
Secretary of the U.S. Treasury

Case Management Office – This office schedules and tracks cases from initiation through disposition. It also coordinates alternative dispute resolution (ADR) programs for the Circuit and Probate Courts. Diane Kratz serves as the Caseflow/ADR Supervisor. She is assisted by Andrea Bayer, Caseflow Coordinator, and eleven additional staff.

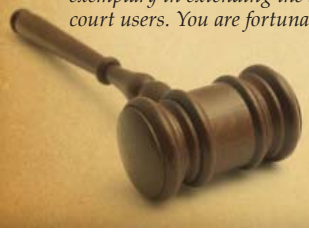
Jury Office – The Jury Office coordinates jury operations and obtains jurors for the Circuit and Probate Courts. Rebecca Young serves as the Supervisor and is assisted by Deborah Fahr, Office Leader, and five additional staff.

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. Judge Joan Young presides over the male participants in the program. Judge Colleen O'Brien presides over the female participants. John Cooperrider serves as the Program Manager and Ellen Zehnder serves as the Court Coordinator.

Sherry Robinson
Paralegal
Court Administrator's Office

"Your paralegal, Sherry, was an enormous help to me last week when I had occasion to call on behalf of a prisoner. I am a lawyer, but retired, and inactive, so I was calling simply as a citizen. Moreover, I was a Deputy Clerk for the Michigan Supreme Court . . . and have great appreciation for the demands on Sherry's time and expertise.

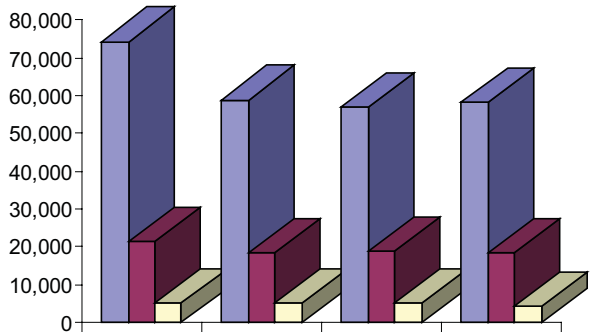
She was thorough, professional, knowledgeable, and personable - a credit to the court and to her profession. Sherry is exceptional and exemplary in extending the same courteous and willing service to all court users. You are fortunate to have her representing your office."



Thank You!

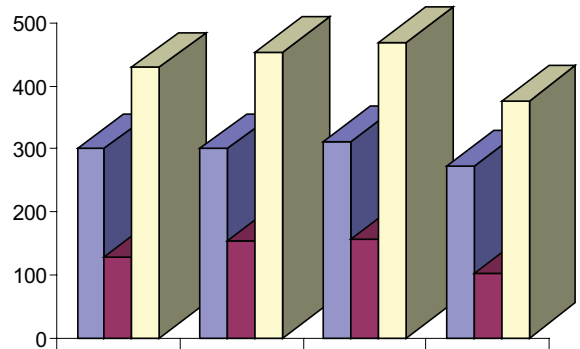
Jury Office

CITIZEN INVOLVEMENT



	2004	2005	2006	2007
Summoned	74,314	58,915	57,025	58,226
Reported	21,311	18,335	18,815	18,272
Empanelled	4,948	4,973	5,005	4,233

JURIES SELECTED



	2004	2005	2006	2007
Criminal	300	300	311	273
Civil	129	154	158	103
Total	429	454	469	376

The Jury Office is responsible for obtaining jurors for the Circuit and Probate Courts in Oakland County. Jurors are mailed a summons/questionnaire that schedules them for jury selection. In accordance with the one day/one trial jury system, jurors must be available for selection for one day. If selected to serve as a juror, a juror's 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, have been convicted of a felony, or are not conversant in the English language. 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 the juror orientation, which welcomes the jurors and explains courtroom procedures.

Accomplishments

- Processed all jury functions and provided jurors to courts for 103 civil trials, with an average trial duration of 3.28 days.
- Processed all jury functions and provided jurors to courts for 273 criminal trials with an average trial duration of 2.21 days. Of those trials, 70 were capital offenses.
- Summoned 58,226 citizens for jury duty. That number was reduced after excusals for legal exemptions. After determining the number needed to accommodate the daily requirements of the courts, 18,272 jurors were required to report for jury service.

Case Management Office

The Case Management Office is comprised of the Caseflow unit and Alternative Dispute Resolution (ADR) unit. This office schedules court dates, monitors cases, and analyzes trends of civil and criminal court dockets. It also reviews and distributes weekly docket sheets and monthly pending caseload reports for the circuit judges.

The Caseflow unit tracks cases from the initial filing of the lawsuit through final disposition of the case. Within that function cases are scheduled for pretrial hearings, motion calls, Civil Early Intervention Conferences, settlement conferences, trials, and sentencings.

Civil Early Intervention Conferences were introduced by the Caseflow office in late 2004 as a way to encourage early communication among the parties. Specific civil cases that were at least 120 days post-filing were selected for the program. Volunteer facilitators work with the parties and discuss different types of ADR processes in an effort to resolve the dispute early in the process.

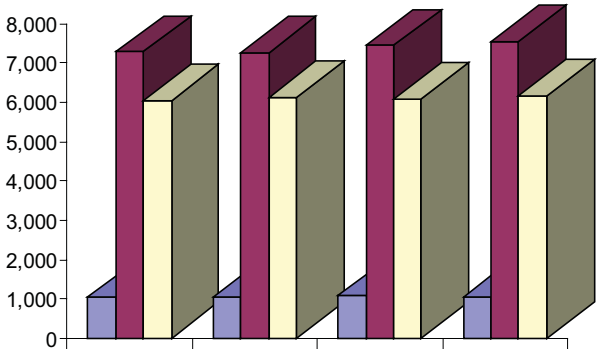
The ADR unit is responsible for case evaluations and mediations, methods used to settle disputes at different time periods prior to the case proceeding to trial.

With the addition of a new technology tool called Workspace, staff are able to predetermine which filed documents are relevant to perform their tasks. These documents, such as case evaluation adjournments, case evaluation dismissals, and domestic relations mediation, are then electronically routed to the user to process. This streamlines the time between an order and the corresponding action.

Case evaluation is used as a method of settling disputes shortly before trial. During case evaluation, a panel of three attorneys reviews case summaries, discusses the merits of the case with the attorneys, and places a dollar value on the case. The parties have 28 days to accept the case evaluation award. If the award is not accepted by all parties, the case proceeds to trial.

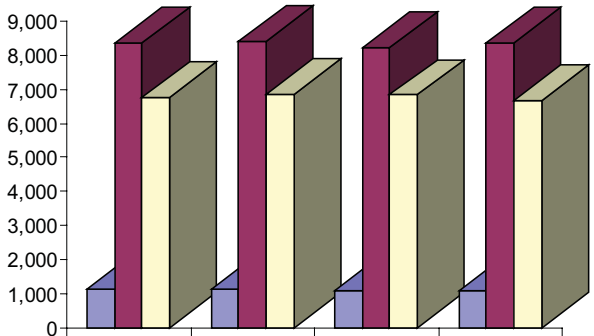
Mediation is another form of settling cases. Upon a case being selected for mediation, the parties and their attorneys meet with independent mediators to discuss their conflicts. With the assistance of the mediator and the attorneys, the parties work to fashion a possible settlement to the dispute.

NEW FILINGS



	2004	2005	2006	2007
Appeals	1,039	1,069	1,089	1,059
Civil	7,274	7,260	7,445	7,544
Criminal	6,050	6,119	6,096	6,159

DISPOSITIONS



	2004	2005	2006	2007
Appeals	1,128	1,135	1,098	1,088
Civil	8,343	8,416	8,206	8,350
Criminal	6,773	6,863	6,828	6,670

Accomplishments

- Settled 61% of the 346 cases submitted to the civil mediation program. All civil case parties mailed a scheduling order receive information on civil mediation. As of December 31, 2007, 195 mediators have been approved to be appointed to conduct Oakland County civil mediations.
- Settled 96% of the 1,441 cases submitted to the domestic relations mediation program. All divorce with minor children (DM) cases receive mediation information when the case is filed. This allows parties to be prepared with the selection of a mediator when they meet with the judge and the scheduling order is prepared.
- Settled 80% of the 448 cases submitted to the mediation program for those evaluated for $25,000 or less and rejected. This pilot program orders the case to mediation at the Oakland Mediation Center (OMC) allowing for a 14-day objection period. OMC's trained mediators facilitate conversations in an effort to allow parties to resolve issues.
- Settled 32.4% of the 748 cases submitted to the Civil Early Intervention Conference pilot program. CH, CK, and CZ case types are submitted to this early program. Parties meet with a volunteer attorney to identify key issues and determine the most appropriate method of alternative dispute resolution for their case.
- Distributed $140,850 to the Law Library from late fees assessed to case evaluation.

Spotlight on the Civil/Criminal Division . . .

E-filing Comes to the Sixth Circuit Court

In a move that could ultimately change the way courts do business, the Sixth Judicial Circuit Court, in conjunction with the Oakland County Clerk's Office, began an e-filing pilot program for Circuit Court cases under the supervision of the Michigan Supreme Court. Supreme Court Administrative Order (AO 2007-6) that governs the program provides a mechanism for attorneys and litigants to electronically file documents into court files using an Internet connection. On August 1, 2007, with Judge Michael Warren as our pilot judge, the program went live with mandatory e-filing on all C and N-type cases, constituting 85-90% of his civil docket. All documents in cases assigned to Judge Warren are submitted through a website provided by our chosen vendor, Wiznet, Inc. The documents are accepted and indexed into the court file electronically, eliminating the need for a paper file.

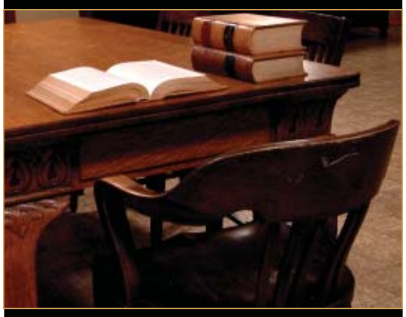
The savings realized as a result of e-filing are tremendous. For the attorneys, there is a reduction in paper and staff time in creating the documents and postage and/or courier fees in getting their documents to the courthouse. Electronic service of these documents is also available through the system, greatly reducing service costs. The reductions for the Court are palpable as well. In eliminating the paper file, storage space is saved. There have been reductions in traffic within the courthouse, as well as in the amount of mail delivered. As the program expands, greater savings are anticipated.

E-filing is the wave of the future. The program, by and large, has been very positively received. Plans are underway to expand the project in January 2008 to include Chief Judge Wendy Potts, Judge Fred Mester, and Judge Colleen O'Brien. The Sixth Circuit Court is looking forward to the e-adventures that technology can provide!

Circuit Court - Family Division

The Circuit Court Family Division includes the Judicial Support unit, the Court Services unit, and the Friend of the Court operation.

Friend of the Court – Administered by the 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 litigants in the management and enforcement of complex family law matters.



Court Services – Lead by Pamela Davis, Manager – Court Services, this 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 up by William Bartlam, Manager – Judicial Support/Judicial Assistant, and consists of the 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.

Family-Focused Juvenile Drug Court – Also known as OPTIONS (Owning the Problem - Trusting In Our New Skills), this court integrates drug treatment services with the justice system case processing by including treatment providers on the drug court team. The prosecutor and defense counsel work together using a non-adversarial approach. In 2007, the juvenile drug court was awarded approximately $290,000 in grant funding, which was used to serve a total 47 youth and their families.

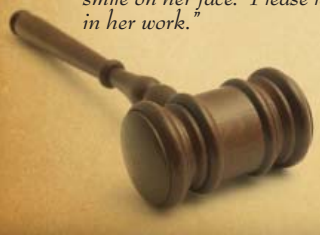
"Injustice anywhere is a threat to justice everywhere."

Martin Luther King, Jr.
American Civil Rights Leader

Sarah Myers
Office Assistant II
Friend of the Court

"I want to compliment one of your employees, Sarah, who works at the front counter. I came in one time with questions about custody and support and she was very knowledgeable and helpful. Sarah doesn't just answer the question, but instead, tries to understand the situation and does research or whatever it takes to give the best answer.

Sarah has always been very helpful as well as very pleasant by having a smile on her face. Please let her know that her positive attitude shows in her work."



Thank You!

Friend of the Court

The Friend of the Court (FOC) is responsible for assisting in domestic relations cases by investigating and enforcing issues involving custody, support and parenting time. Forms to assist parties in making requests of the Friend of the Court are available on our website at www.oakgov.com/foc.

The FOC uses a statewide computer program. Cash payments on site; however, the Michigan State Disbursement Unit is responsible for the receipting and disbursement of all support payments. Payers of support may make online payments at www.misdu.com. Support recipients may chose between having support delivered electronically to a bank account or to a debit card, which may be used like any other debit card.

FOC referees hold hearings to enforce and modify Family Division orders regarding child support, custody and parenting time. Early Intervention Conferences conducted by FOC referees offer divorcing clients an opportunity to meet with the referee assigned to their case early in the divorce process. This service is unique to the county.

The FOC undertook a restructuring effort in 2007 to reallocate resources in light of increasing demands in the area of medical support enforcement. Additionally, a department was created to assist the office in locating parties to domestic relations cases when the whereabouts of either parent become unknown.

Accomplishments

- Resolved 1,373 medical support issues, including the enforcement of health care expenses and health insurance requirements and the review of whether insurance available to families is available at a reasonable cost. Provided 2,612 custodial parents with State of Michigan insurance information.
- Resolved 25,347 requests for the enforcement of support, custody and parenting time; 24,262 of which were resolved with referee hearings. Held 8,900 evidentiary hearings by FOC referees.
- Reviewed 1,590 support obligations for modification of the support obligation and enforced 170 support obligations through the use of the license suspension remedy.

Referee Dave Hoffman conducts referee hearings at the Friend of the Court.

- Held 2,427 Early Intervention Conferences (EIC) with parties who filed for divorce in 2007. These conferences allow parties to a divorce access to a FOC referee early in the divorce process. The referee uses the EIC to assist in the settlement process and provide information to parties about services available at the Friend of the Court.
- Interviewed 1,942 non-custodial parents for Job Placement/Work First referrals. Job placement services are available to all non-custodial parents who are ordered to pay support and who are unemployed or underemployed.
- Assisted in registering 105 out-of-state orders for enforcement or modification in Michigan, in addition to 75 Michigan orders registered in another state.
- Addressed 25,460 custody and parenting time concerns through FOC family counselors, who provided information and services to parents involved in a domestic relations case. Services included mediation, negotiation of make-up parenting time agreements, scheduling contempt-of-court hearings, and preparation of consent orders to modify parenting time.
- Created the FOC "Cheer Squad" to boost employee morale. As an exercise in strategic planning, FOC employees plan fundraisers to pay for events, such as the "FOC at the Fridge" to recognize employees for the great work they do in providing service to the children of Oakland County.

Court Services

The Court Services operation is comprised of the Casework Services Unit (Juvenile Probation), Psychological Clinic, Youth Assistance, and the Family-Focused Juvenile Drug Court Program. Over 100 employees are responsible for providing direct services to clients, performing case management, conducting research and program development, providing education, developing community resources through volunteer coordination, and promoting public awareness.

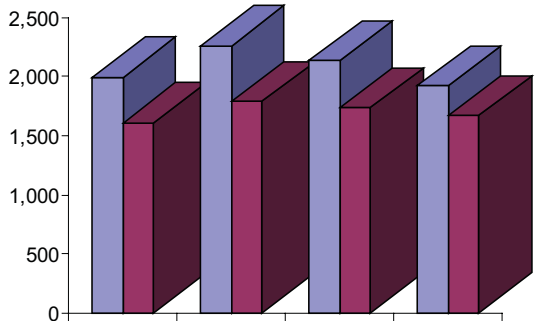
Casework Services – The Casework Services Unit is responsible for all delinquency cases authorized for the court by the Intake Department and assists cases through the adjudication process when necessary. Upon adjudication, the Casework Unit is responsible for making recommendations regarding disposition. During post-disposition, it assists in implementing court orders, including the monitoring of probation, restitution, community service, restorative justice, parent education, and counseling.

Psychological Clinic – The Clinical Services Unit, also known as the Psychological Clinic, is responsible for aiding Jurists in making informed decisions by providing forensic evaluations of children and families who are involved with the Court. The clinic offers specialized treatment services to clients, and clinicians are available for case consultation with Court staff and others. It also conducts and coordinates training and research, including program evaluations and staff development.

Youth Assistance – As the prevention arm of the Court's continuum of services, Youth Assistance uses a two pronged approach to strengthen youth and families. Professional staff placed in 26 field offices throughout the county provide family focused casework to at-risk youth referred by the police, schools, and the intake unit of the Court. Staff also works with a volunteer board of directors in each community that identify needs and plan and implement primary prevention programs. Youth Assistance has a unique tri-sponsorship structure where staff is hired by the court, but each local program is also sponsored by the school district and municipalities.

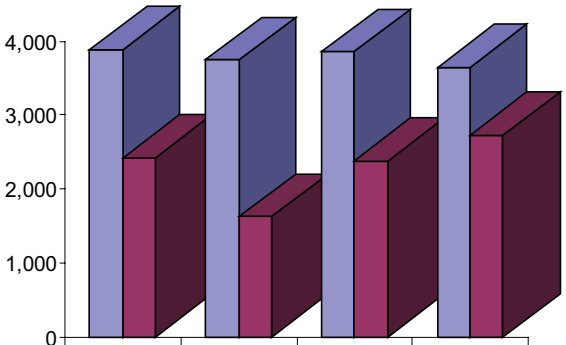
Family-Focused Juvenile Drug Court Program The Family-Focused Juvenile Drug Court program is also known as OPTIONS, an acronym for Owning the Problem, Trusting In Our New Skills. The program's mission is to "promote public safety and reduce juvenile drug crime rates by helping substance abusing juvenile offenders and their families achieve drug-free lifestyles and healthy family relationships." The OPTIONS program is a joint effort between the justice and public health treatment systems and is comprised of three phases of intensive court supervision, substance abuse and mental health treatment, and other ancillary services, followed by aftercare of six to twelve weeks. Various incentives and sanctions (penalties) and frequent random drug screening are utilized to ensure compliance with program guidelines.

PSYCHOLOGICAL CLINIC



	2004	2005	2006	2007
Referrals Received	1,997	2,262	2,135	1,920
Evaluations Done	1,606	1,790	1,738	1,667

YOUTH ASSISTANCE



	2004	2005	2006	2007
New Referrals	3,887	3,744	3,848	3,650
Consultations	2,420	1,632	2,381	2,734

Accomplishments

- The Casework Unit successfully developed a mechanism to track recidivism. The scheduled implementation date is January 1, 2008. In addition, the Casework Unit developed and implemented a formalized orientation program for new unit employees.

- The Psychological Clinic coordinated a one-day symposium titled "Juveniles' Competence to Stand Trial: Legal and Clinical Issues." The symposium was presented by Thomas Grisso, Ph.D., who is internationally renowned for his research about court-ordered evaluations of adolescent mental conditions.

- The Psychological Clinic Intake Coordinator was on the planning committee for the State Court Administrative Office, Family Services - Child Welfare Conference. The conference was presented by a court clincical psychologist.

- The Juvenile Drug Court held a second "Learning to Focus" exhibit and sale in December in the Oakland County courthouse north lobby. Frames and matting were donated by an area business. The profits from the sale were to fund the art therapy program in 2008.

- The Juvenile Drug Court held an abbreviated graduation ceremony during a regularly scheduled Oakland County Board of Commissioners meeting. The graduating youth and parent, each of whom delivered a succinct and heartfelt speech, received a standing ovation.

Photography taken by a Juvenile Drug Court participant for the court's 2007 "Art Through Photography" program.

Spotlight on the Family Division . . .

Art Exhibition Pays Tribute to Talents of Juvenile Drug Court Participants

Titled "OPTIONS – The Power to Choose," the Oakland County Juvenile Drug Court program began with five participants in June of 2001 and has served over 154 youth and families to date. During the graduated steps of the program, participants undergo intensive drug treatment, regular probationary counseling, frequent random drug testing, supports for securing and maintaining employment and/or remaining in school, and weekly to monthly appearances before the Honorable Edward Sosnick, the program's presiding judge. A key program component is involvement of the parents who must also attend treatment sessions, parent education, and participation in court hearings along with their children. The program OPTIONS offers is tough. It has to be. But there is no doubt that the majority of more than 71 youth and families, who have successfully completed the program, will testify that it was worth the effort.

During the summer of 2007, seven participants in the Oakland County Family-Focused Juvenile Drug Court (JDC) participated in a 10-week "Art Through Photography" program sponsored by the JDC and led by an art therapy masters candidate from Wayne State University. The youth, chosen because they had expressed an interest in art or photography, were given disposable cameras and specific weekly assignments designed to promote various artistic and photographic skills as well as social skills. The program culminated in an art exhibit and sales titled "Learning to Focus" at the Susanne Hilberry Gallery in Ferndale on November 5, 2007. The youth selected the photographs that were exhibited. Over 150 people attended the exhibit and all the framed photographs were sold. The response from the youth, family members, and the community has been very exciting and rewarding. It is hoped the program can continue and be expanded, as many of the youth who did not participate in the original photography program have asked if they could take part in the next session.

Judicial Support Services

The Judicial Support staff assists 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 documents, maintain both public and confidential records, serve summons and other process, and distribute court orders and other materials.

Juvenile referees assist judges by conducting hearings and recommending decisions in these actions. 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.

The attorney appointment specialist maintains a database of attorneys qualified by education and experience for representing indigent parties. The specialist matches eligible attorneys to requests for appointed counsel in Family Division and Probate cases and then processes all pertinent documents relating to the appointment. In 2007, 5,183 attorney contacts were made resulting in 4,995 appointments.

SUMMARY OF FAMILY DIVISION ACTIVITY

New Filing Activity

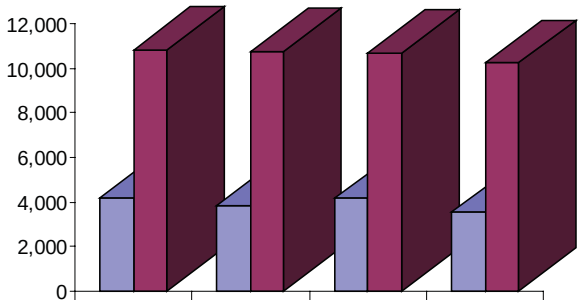
	2004	2005	2006	2007
Juvenile/Adoptions				
Delinquency	3,891	3,918	3,660	3,636
Child Protective Proceedings	517	603	546	490
Juvenile Traffic Tickets	394	320	374	348
Adoption Petitions	424	413	425	444
Subtotal	**5,226**	**5,254**	**5,005**	**4,918**
Domestic Relations				
No Children	2,595	2,496	2,629	2,515
With Children	2,520	2,570	2,402	2,371
Paternity	825	938	1,002	1,007
URESA	379	372	315	284
Support	1,056	1,127	1,112	1,583
Other	272	236	239	269
Subtotal	**7,647**	**7,739**	**7,699**	**8,029**
Personal Protection Orders				
Domestic	2,366	2,119	2,058	1,875
Non Domestic	1,279	1,015	999	896
Juvenile	107	77	71	57
Subtotal	**3,752**	**3,211**	**3,128**	**2,828**
Miscellaneous Family				
Name Change	452	409	454	437
Other	78	75	33	47
Subtotal	**530**	**484**	**487**	**484**
Total New Filings	**17,155**	**16,688**	**16,319**	**16,259**

Accomplishments

- Restructured the Juvenile Records function to ensure that files are maintained consistent with Case File Management standards, records are timely distributed to judicial chambers, and closed records are properly destroyed. Established the office leader position and selected Ms. Susan Morse to lead the file room staff and oversee records maintenance and destruction activities.

- Promoted Ms. Carmen Janik as the new supervisor. Carmen is a long time Juvenile Traffic office assistant who also has a Bachelor of Arts degree in human resources.

JUVENILE HEARINGS vs PRELIMINARY INQUIRIES HELD



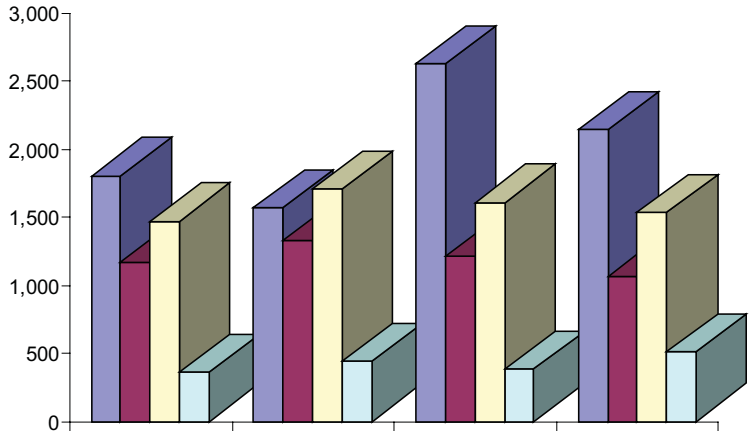
	2004	2005	2006	2007
Preliminary Inquiries	4,187	3,832	4,146	3,516
Juvenile Hearings	10,850	10,733	10,681	10,231

- Provided principal support to Michigan Adoption Day in November, when 23 adoptions were finalized. The Court celebrated the event, including the taking of family portraits, with all of the families involved. The Adoption Unit (Chief Lauran Howard, Supervisor Palmer Sesti, Julie Berz, Marilyn McAllister, Gabrielle Osooli, Debby Anthony, Brenda Kelley, and Laura Roman Christman) was recognized as recipient of the third annual Arthur Eugene Moore Champion of Children Award.

- Instituted a court orientation program for newly-hired Children's Protective Service and Children's Foster Care caseworkers of the Department of Human Services (DHS). Due to the sizeable number of new employees, this orientation program is scheduled multiple times throughout the year. The DHS court liaison, Audrey Makokha, and court staff members Robert Fachnie, Cynthia Duggan, Twila Leigh, David Bilson, and Lauran Howard contributed to the development and implementation of the orientation program.

- Conducted, together with representatives from the State Court Administrative Office and DHS, an intensive review of child neglect cases selected for scrutiny by federal auditors.

CHILDREN IN THE JUDICIAL SYSTEM



	2004	2005	2006	2007
Informally Resolved Cases	1,806	1,572	2,623	2,145
Delinquents (Court/DHS)	1,172	1,328	1,215	1,071
Neglects (Temporary/Permanent)	1,471	1,709	1,607	1,534
Cases in Progress	365	445	385	515

Probate Court

The Oakland County Probate Court maintains jurisdiction over estates, which includes the probating of wills and the administration of testate estates (with a will) and intestate estates (without a will) by personal representatives. The Court interprets wills and trusts in the event of uncertainty or conflict and determines the heirs in intestate estates. The Court also handles trusts, guardianships, conservatorships, mental health proceedings, and civil matters related to estates.

In 2007, the Probate Bench included: The Honorable Barry M. Grant, Chief Judge; the Honorable Elizabeth Pezzetti, Chief Judge Pro Tem; the Honorable Linda S. Hallmark, Presiding Judge of the Estates Division; and the Honorable Eugene Arthur Moore.

The Probate Estates counter is a bustling center of activity as staff process paperwork, set court hearings as necessary, and direct files into court for hearings. Besides decedent estate and trust matters, the Probate Court 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 Probate Court are a matter of public record and are available for review by the general public.

Another important function performed by the Probate Court is the handling of proceedings under the Mental Health Code, including involuntary hospitalization of mentally ill persons and petitions for assisted outpatient treatment (also known as "Kevin's Law"). The Mental Health Division also handles cases involving minors in need of substance abuse treatment and rehabilitation services. Staff is frequently called upon to assist petitioners requesting emergency court orders for immediate transport of an individual to a preadmission screening unit for examination and possible hospitalization for mental health treatment.

The Oakland County Probate Court is the second largest Probate Court in the state of Michigan, staffed by Probate Court Administrator Rebecca Schnelz, Probate Register Jill Koney Daly, and fifty-five employees.

"The virtue of justice consists in moderation, as regulated by wisdom."

Aristotle
Philosopher

Chris Cook
Deputy Probate Register II
Probate Court

"I want to bring to your attention one of the brightest and outstanding stars in your office — Chris Cook. I actually came away enjoying, yes, enjoying the time worked with him.

He was very knowledgeable, patient, and anxious to assist. I watched him also cheerfully assist his co-workers and others who appeared at the Probate Counter. He was conscientious, efficient, and articulate. Mr. Cook represents you and your office well before the general public and Michigan lawyers. Thank you for the opportunity to work with this fine young man."

Thank You!

Accomplishments

- Instituted, in conjunction with the Citizens Alliance for the Oakland County Probate and Circuit Courts, basic training classes for guardians. The classes provide an opportunity for individuals who have been appointed as guardian to learn about their basic statutory responsibilities and ask questions about issues they will face. The class is taught by a volunteer public administrator.

- Completed training for 16 new volunteers from Children's Advocates on matters of court procedures, guardianship law, and the appointment process. Children's Advocates is a volunteer program of the National Council of Jewish Women. These volunteers assist the Probate Court by investigating and making recommendations to the Court relative to petitions for minor guardianships and issues that arise during a guardianship.

NEW FILES OPENED

	2004	2005	2006	2007
Small Estates	692	611	610	660
Supervised Estates	32	36	32	33
Unsupervised Estates	1,909	1,886	1,821	1,766
Trust-Intervivos	195	185	206	200
Adult Guardianships	755	773	791	830
Minor Guardianships	657	693	724	687
Adult Conservatorships	363	378	377	387
Minor Conservatorships	161	177	177	155
Mentally Ill	1,457	1,709	2,389	2,569
Guardianships (Developmentally Disabled)	230	270	236	213
Reopened Estates and Trusts	167	168	191	211
Protective Orders	43	47	44	46
Civil and Other	100	65	108	88
Total	**6,761**	**6,998**	**7,706**	**7,845**

ACTIVE CASES (as of December 31) *

	2005	2006	2007
Estate and Trust Cases	3,439	3,992	3,959
Adult Guardianships	3,128	3,276	3,350
Adult Conservatorships	1,370	1,590	1,641
Minor Guardianships	2,775	3,248	2,923
Minor Conservatorships	1,428	1,730	1,538
Developmentally Disabled Guardianships	1,699	1,653	1,673
Civil and Other Matters	61	79	68
Total	**13,900**	**15,568**	**15,152**

*In 2005, a computer data conversion took place when the Probate Court moved to a new computer system. In conjunction with that conversion, data regarding the active cases previous to 2005 is not directly comparable with 2005 and later.

- Developed, in cooperation with the Citizens Alliance, an information folder for new conservators. In addition to general information, the folder contains contact information for the Court, tips on how to manage the conservatorship, and a set of sample forms which have been completed so that the conservator may see the proper way to fill them out.

Spotlight on the Probate Court . . .

Adult and Minor Guardianships

The Oakland County Probate Court maintains jurisdiction over guardianships for both minors and adults. Under the Estates and Protected Individuals Code (EPIC), a guardian may only be appointed if specific criteria have been met. There are different criteria for adults and minors. Once appointed, the guardian is responsible for the care and custody of the protected individual. In fulfilling their duties, guardians perform a vital service for vulnerable individuals in our society who need protection and assistance.

The duties and powers of a guardian are set forth within EPIC. One of the duties is a requirement that the guardian file an annual report with the court on the condition of the ward. This applies to both adult and minor guardianships. The guardian must report on the general well being of the ward, the appropriateness of the current living situation, the ward's social activities, and health care the ward received. Guardians of minors must also include information on the ward's educational progress and any parenting time, where applicable. At the current time, there are over 6,000 total minors and adults who are under a guardianship through the Oakland County Probate Court. The Probate Court is charged with the task of monitoring the guardians' compliance with the requirement to report annually. In addition, the Probate Court is responsible for conducting reviews of the guardianships, including an annual review for minors up to age six, and within the first year of an appointment for an adult followed by a review no later than every three years.

Business Division of the Courts

The Business Division, managed by John Cooperrider, is responsible for the development and delivery of business and administrative support services for both the Circuit and Probate Courts. This division is divided into two primary units of operation in order to effectively manage its diverse and complex responsibilities.

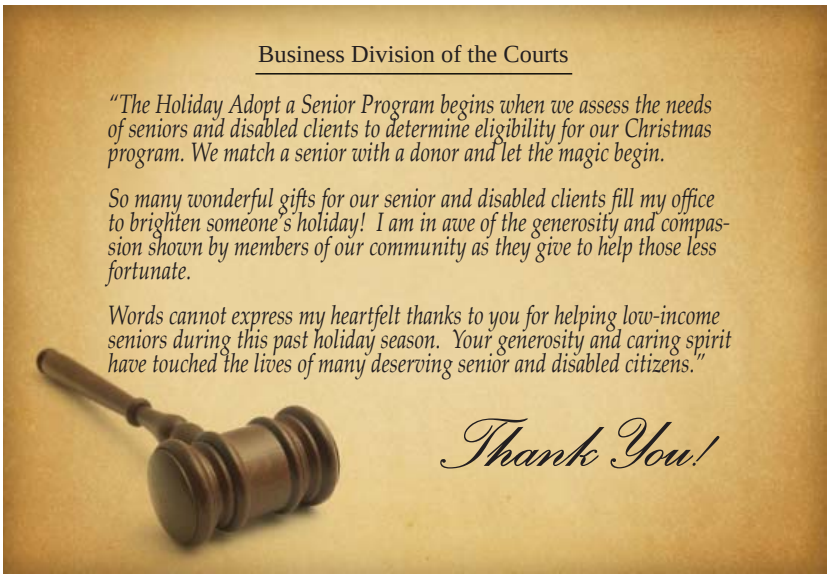
The Administrative/Financial unit, under the supervision of Tina Sobocinski, is responsible for developing and monitoring the Courts' $70 million budget, processing payments for services, such as court appointed attorney payments and personnel transactions, recording attendance and mileage, managing courthouse and satellite office facilities, handling capital improvement and special project requests, and managing the equipment needs of the courts.

Chris Bujak oversees the Data/Technology unit. The responsibilities of this unit include the advancement of court automation, handling day-to-day computer and network issues, managing each of the 16 video courtrooms and 4 video referee hearing rooms, 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, it provides court reporter services for the Court's juvenile referees, creating records of courtroom proceedings, and producing transcripts.

The last area of general responsibility in this division are that of the Court Resource and Program Specialist. Marcia Travis directs the Courts' efforts in this regard. Her responsibilities are coordinating special projects and events, public information management, grant writing, and improvement studies on all aspects of court operations to find alternative ways to perform court functions more efficiently and effectively.

"The only real security that a man will have in this world is a reserve of knowledge, experience, and ability."

Henry Ford
Inventor of mass production



Accomplishments

- Acquired and implemented two new video systems in January in Judge Schnelz and Judge Colleen O'Brien's courtrooms and one new portable video system in December in the new Family Division visiting judge courtroom.

- Created a new visiting judge courtroom in the west wing extension building (2nd floor – previous Large Conference Room). This will be for a Family Division visiting judge, who will hear mostly personal protection order matters.

- Implemented a new e-filing pilot program in August and a new e-praecipe program in November.

- Purchased and developed kiosk information terminals for installation at the three public entrances in the courthouse. It is anticipated these will be operational in early 2008.

Kiosk Information Terminal

- Prepared and submitted the FY2008 budget, which included a 1% increase for court appointed attorneys and an allocation for a new Family Division visiting judge.

- Created new offices for the staff of the Data Technology Unit. Also developed job specifications for its new Audio Video Technician position, which received approval from the Department of Human Resources and the Board of Commissioners.

Spotlight on the Business Division . . .

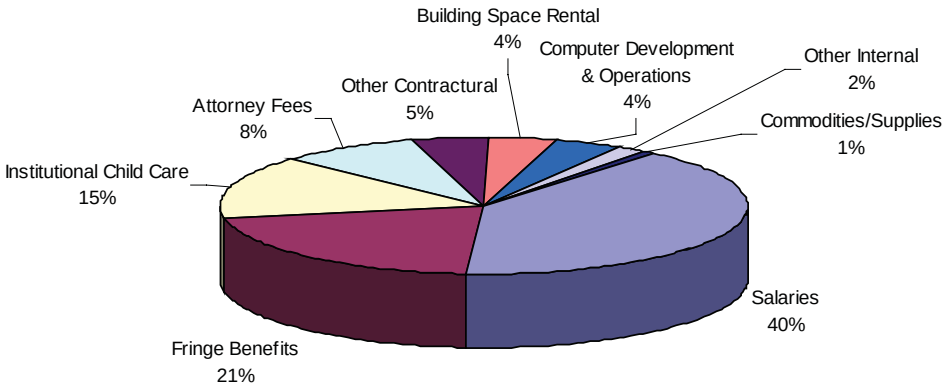
Courtroom Technology Initiatives

To aid litigants in the presentation of evidence, several initiatives are underway in Oakland County. Already in place in Judge Kumar's and Judge Colleen O'Brien's courtrooms is the ability for litigants to bring in a DVD or VHS tape and present on the 42" widescreen LCD monitor. No additional equipment needs to be brought by the presenter to do this. As always in all video courtrooms, except 1A, a VHS tape may be brought in and played in a similar manner on the standard video monitor.

In the courtrooms of Judge Sosnick and Judge Nanci Grant, a litigant has the ability to bring in a computer and from either counsel table connect to a 42" widescreen LCD monitor in the courtroom for evidence presentation. In addition, flush mounted power supplies have been installed at the counsel tables. In Judge Nanci Grant's courtroom, a DVD or VHS tape may also be played on the monitor. This same functionality will soon be available in Judge Alexander's courtroom with a 47" widescreen LCD.

Judge Andrews courtroom now has a ceiling mounted projector that litigants can use by connecting to inputs at the counsel tables for presentation of evidence. In addition, there is a DVD/VHS player connected to the projector that can be operated by the court clerk. Flush mount floor outlets are also in place at the counsel tables. Judge Goldsmith's courtroom will soon have the same ability. As always in our video courtrooms, litigants can bring in their own VHS tapes and the court clerk can make a copy of the proceeding at no additional cost. A litigant can request a DVD copy of proceedings for a $20 fee or, if time allows, the judicial staff can check out the archival copy with a laptop for parties to view in chambers. Soon videos should be available via a secure portal for court reporting agencies to retrieve. This should help expedite the transcription process.

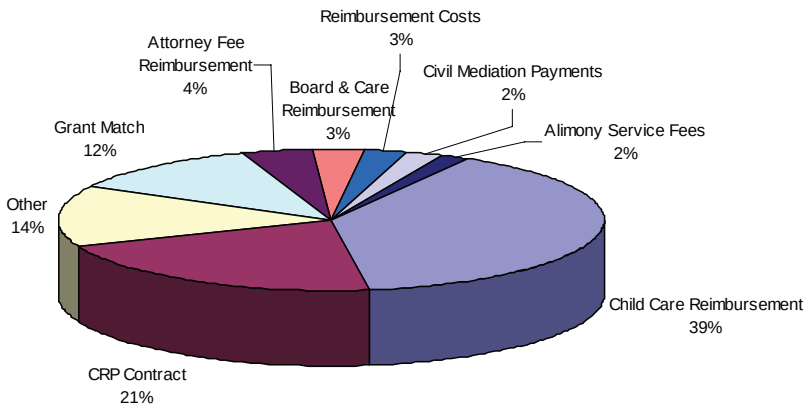
Circuit Court and Probate Court Financial Report



2007 Expenditures: $69,305,494

Expenditures	2005	2006	2007	2006-07 % Chg
Salaries	$26,350,042	$26,828,173	$27,349,740	1.9%
Fringe Benefits	$12,656,264	$13,526,374	$14,610,742	8.0%
Institutional Child Care	$8,337,027	$8,943,362	$10,085,425	12.8%
Attorney Fees	$5,371,712	$5,880,959	$5,794,253	-1.5%
Building Space Rental	$3,076,692	$2,960,391	$2,935,157	-0.9%
Computer Development & Operations	$2,913,072	$2,930,940	$2,793,950	-4.7%
Indirect Costs	$1,149,509	$651,888	$773,986	18.7%
Professional Services	$747,445	$571,260	$758,815	32.8%
Jury Fees & Mileage	$724,791	$843,265	$645,860	-23.4%
Mediator Fees	$654,250	$606,550	$560,350	-7.6%
Other	$204,876	$290,501	$462,501	59.2%
Telephone Communications	$533,192	$546,760	$379,697	-30.6%
Transcripts	$222,777	$248,079	$268,248	8.1%
Commodities/Supplies	$226,153	$250,658	$248,801	-0.7%
Printing	$174,773	$184,636	$204,947	11.0%
Postage/Mailroom	$219,945	$217,386	$203,596	-6.3%
Furniture/Equipment Purchase	$112,585	$81,140	$172,585	112.7%
Library Materials	$119,319	$110,592	$125,899	13.8%
Mileage/Leased Vehicles	$144,966	$148,646	$123,093	-17.2%
Visiting Judges	$84,631	$118,083	$119,205	0.9%
Insurance	$81,186	$127,646	$115,619	-9.4%
Maintenance Charges	$92,105	$66,365	$110,650	66.7%
Interpreter Services	$86,781	$98,721	$102,635	4.0%
Equipment Rental	$107,659	$87,955	$101,227	15.1%
Computer Legal Research	$52,952	$57,344	$74,210	29.4%
Copiers	$74,947	$73,654	$68,957	-6.4%
Overtime	$51,305	$66,196	$44,696	-32.5%
Operating Transfer/Adjust Prior Years	$34,845	$0	$34,025	0.0%
Micrographics/Reproductions	$11,004	$16,932	$21,552	27.3%
Court Reporter Services	$27,160	$21,281	$14,950	-29.7%
Software Rental/Lease	$375	$0	$125	0.0%
Grant Match	$3,823,830	$4,252,106	$0	0.0%
Total	**$68,468,170**	**$70,807,843**	**$69,305,494**	**-2.1%**

Circuit Court and Probate Court Financial Report



2007 Revenues: $33,190,435

Revenues/Sources of Funds	2005	2006	2007	2006-07 % Chg
Child Care Reimbursement	$11,601,880	$12,762,800	$13,081,481	2.5%
CRP Contract	$6,286,565	$7,431,990	$6,995,732	-5.9%
Grant Match (Transfer In)	$3,760,525	$4,269,967	$3,958,154	-7.3%
Federal Incentive Payment	$2,164,488	$1,511,273	$2,440,565	61.5%
Attorney Fee Reimbursement	$1,061,511	$1,221,609	$1,388,590	13.7%
Board & Care Reimbursement	$1,036,098	$1,088,673	$1,043,967	-4.1%
Costs	$1,183,198	$1,158,248	$872,489	-24.7%
Civil Mediation Payments	$763,500	$736,550	$708,550	-3.8%
Alimony Service Fees	$457,348	$520,569	$543,143	4.3%
Jury Fees	$405,992	$410,455	$350,520	-14.6%
Probate Estate Fees	$250,403	$305,705	$280,342	-8.3%
FOC Judgment Fees	$301,800	$287,500	$271,590	-5.5%
Family Counseling Fees	$110,535	$0	$210,600	0.0%
Reimbursement State County Agent	$225,666	$180,533	$180,533	0.0%
Probate Certified Copies	$125,391	$136,221	$130,324	-4.3%
Probation Service Fees	$178,178	$181,303	$124,084	-31.6%
Other	$150,999	$137,935	$122,114	-11.5%
Mediation Fines	$171,375	$125,212	$116,300	-7.1%
CRP State Supplement	$211,372	$115,688	$113,152	-2.2%
Psychological Clinical Evaluation Fees	$98,710	$90,635	$97,155	7.2%
Other Probate Filing Fees	$76,445	$73,647	$75,115	2.0%
Processing Fees	$57,237	$64,725	$71,436	10.4%
Probate Will Deposits	$16,500	$17,125	$14,500	-15.3%
Reimbursement - Salaries	$1,861	$0	$0	0.0%
Prior Years Revenue	$61,987	$0	$0	0.0%
Total	**$30,759,564**	**$32,828,363**	**$33,190,435**	**1.1%**

Awards and Honors

2007 Employees of the Year

Employee of the Year awards for 2007 were presented in December to representatives from various areas of court operations acknowledging their contributions to the Circuit Court and Probate Court. Those recognized are (front row, left to right): Libby Blanchard, Friend of the Court Referee; Christina Bujak, Supervisor - Court Business Operations; Cass Morgan, Office Assistant II; Deborah Goltz, Judicial Secretary; and Deborah Lindsey, Youth Assistance Caseworker II. Congratulating them are (back row, left to right): Chief Circuit Judge Wendy Potts, Circuit Judge Cheryl Matthews, Probate Judge Eugene Arthur Moore, Circuit Judge Shalina Kumar, Chief Probate Judge Barry Grant, and Presiding Judge of the Civil/Criminal Division Steven Andrews.

2007 Employee of the Year Nominees

Employee of the Year nominees also recognized for their service and dedication to the Court were (left to right): Marcia Travis, Dave Dunsmore, Jennifer Reubach, Nikki Cain, Cheryl Sturtz, Mary Kaye Newmann, Cima Riza, Gina Flavin, Vicki Shelton, Sue Frieidl, Mary Stewart, Jennifer Edens, Joy Delauter, Amy Skewes, Linda Renda, Bill Hamilton, Karyn Willis, Greg Prokopp, Janet Chiappelli, Nicole Bain, and Joe Racey. Those also receiving nominations but not pictured were: Jill Adkins, Pam Hamway, David Mester, Mike Amshay, and Karen Donohue.

Judicial Retirements

The Honorable Deborah G. Tyner

Judge Tyner resigned on January 1, 2007 after serving on the Circuit Court bench for 16 years. She was a judge who kept her docket current and settled matters quickly.

Judge Tyner was a graduate of Wayne State University Law School, with honors, and the National Judicial College. Prior to taking the bench, she worked as a Wayne County Assistant Prosecuting Attorney and was a partner in private practice specializing in commercial litigation.

During her tenure, Judge Tyner was Member of the Michigan Judges Association Executive and Legislative Committee, State Bar of Michigan, and Oakland County Bar Association; Fellow of the Adams-Pratt Foundation and Michigan Bar Foundation; and former Co-Chair of the Criminal Appointment Committee and Bench/Bar Conference.

Deborah G. Tyner
Resigned Circuit Judge

The Honorable Gene Schnelz

After completing 32 years on the bench, Judge Gene Schnelz retired on July 7, 2007 from the Circuit Court. His judicial career began with four years at the Oakland County 52nd District Court, where he also served as chief judge.

Judge Schnelz was the recipient of many honors, such as the State Bar of Michigan's two highest awards for service to public and profession, Oakland County Bar Association's Frances R. Avadenka Memorial Award for public service, Women's Bar Association Award for outstanding contributions, Jewish Association for Residential Care Civil Rights Award, Joint Resolution of Michigan Legislature for public service, Jewish Association for Special Children Civil Rights Award, and was voted as one of Michigan's Most Respected Judges by a *Michigan Lawyers Weekly* poll.

Formerly a practicing attorney for Walled Lake, Wixom, Wolverine Lake, Milford, Milford Township and Walled Lake School District, Judge Schnelz plans to join the law firm of Schnelz Wells PC, where he will work in mediation and arbitration matters.

Gene Schnelz
Retired Circuit Judge

A Year in Review

"2007"

"Constitution Day" was celebrated on September 17. Nearly 300 high school students from Waterford Alternative High School and 44 lawyers from the community visited the Court to participate in the program. Shown are Judges Edward Sosnick, Linda Hallmark, Michael Warren, and Fred Mester with speaker Rene' Lichtman, a Holocaust survivor.

"Take Your Child To Work Day" in April was a success with 64 children in attendance. One of the many courthouse activities for the day included a fingerprinting demonstration with OCSD Deputy Dan Casey.

On March 28, the Honorable Leo Bowman was sworn in as Oakland County's newest circuit judge. County Executive L. Brooks Patterson presented Judge Bowman with the county flag at the investiture ceremony.

Also in April, Chief Probate Judge Barry Grant swore in veteran John Bushart, Executive Director of the "Lest They Be Forgotten" memorial program, to serve on Oakland County's Soldiers Relief Commission. The Commission educates and advocates for veterans and their families.

In August, Judge Fred Mester and Circuit Court Records Clerk Denise Hatter joined the Courts in saying good-bye to Jenny Clark, Supervisor of Court Clerks. Jenny was employed by the county for 15 years, the last five of which were served in the Court Administration Office.

A Year in Review

"New Lawyers Admission" ceremonies were held for 80 law school graduates in the Board of Commissioners Auditorium in May and November of this year. After the ceremony, the new lawyers met with Clerk's Office staff to complete paperwork.

In October, judicial staff Kelli Brady, Erin O'Brien, Janet Chiappelli, and Keela Johnson joined with others to celebrate the birthday of Judge Joan Young (center).

Family Division judges, attorneys, and advocates worked together in November to finalize 23 adoptions on Michigan Adoption Day. Probate Chief Judge Pro Tem Elizabeth Pezzetti finalized the adoption of the Ashba family.

Family Division Judges Linda Hallmark and James Alexander along with Bill Bartlam, Manager of Judicial Support Services, said their good-byes to Patty Payton at her retirement party held on June 29. Patty retired from the Circuit Court after 35 years of service.

The Honorable Shalina Kumar was sworn in as circuit judge at an investiture ceremony that took place on October 25. Chief Judge Wendy Potts presided over the formal ceremony held in the Board of Commissioners Auditoirum.

To learn more about the Oakland County Circuit and Probate Courts, visit the website at http://www.oakgov.com