



**ANNUAL REPORT
FOR
FISCAL YEAR 2023**

Fiscal Services Division/Reimbursement Unit
Department of Management and Budget



OAKLAND COUNTY MICHIGAN

OAKLAND COUNTY EXECUTIVE DAVID COULTER

MANAGEMENT & BUDGET

FISCAL SERVICES DIVISION
REIMBURSEMENT UNIT

REIMBURSEMENT SECTIONS:

CIRCUIT COURT	248-858-0506
PROBATE/FAMILY COURT	248-858-1130

February 16, 2024

Honorable David Coulter
County Executive
2100 Pontiac Lake Road
Executive Office Building, Department 409
Waterford, MI 48328

Dear Mr. Coulter:

Submitted herewith is the Fiscal Services Division-Reimbursement Unit Annual Report for Fiscal Year 2023, covering the period October 1, 2022 through September 30, 2023.

Total collections for the Circuit Court, Family Court, and Administration/Probate Court Sections (including credits for Community Service) for fiscal year 2023 were \$4,840,015. Expenditures for this unit were \$2,930,590 resulting in a collection/expense ratio of \$1.65 collected for every dollar expended. Prior year's information for comparison purposes is included in this report.

This unit will continue to review polices, improve procedures in an effort to increase collections and investigate new areas of collections for the future. The activities of the Fiscal Services Division- Reimbursement Unit for fiscal year 2023 are presented for your review.

Sheryl H. Johnson, Interim Deputy Chief Financial Officer
Department of Management & Budget

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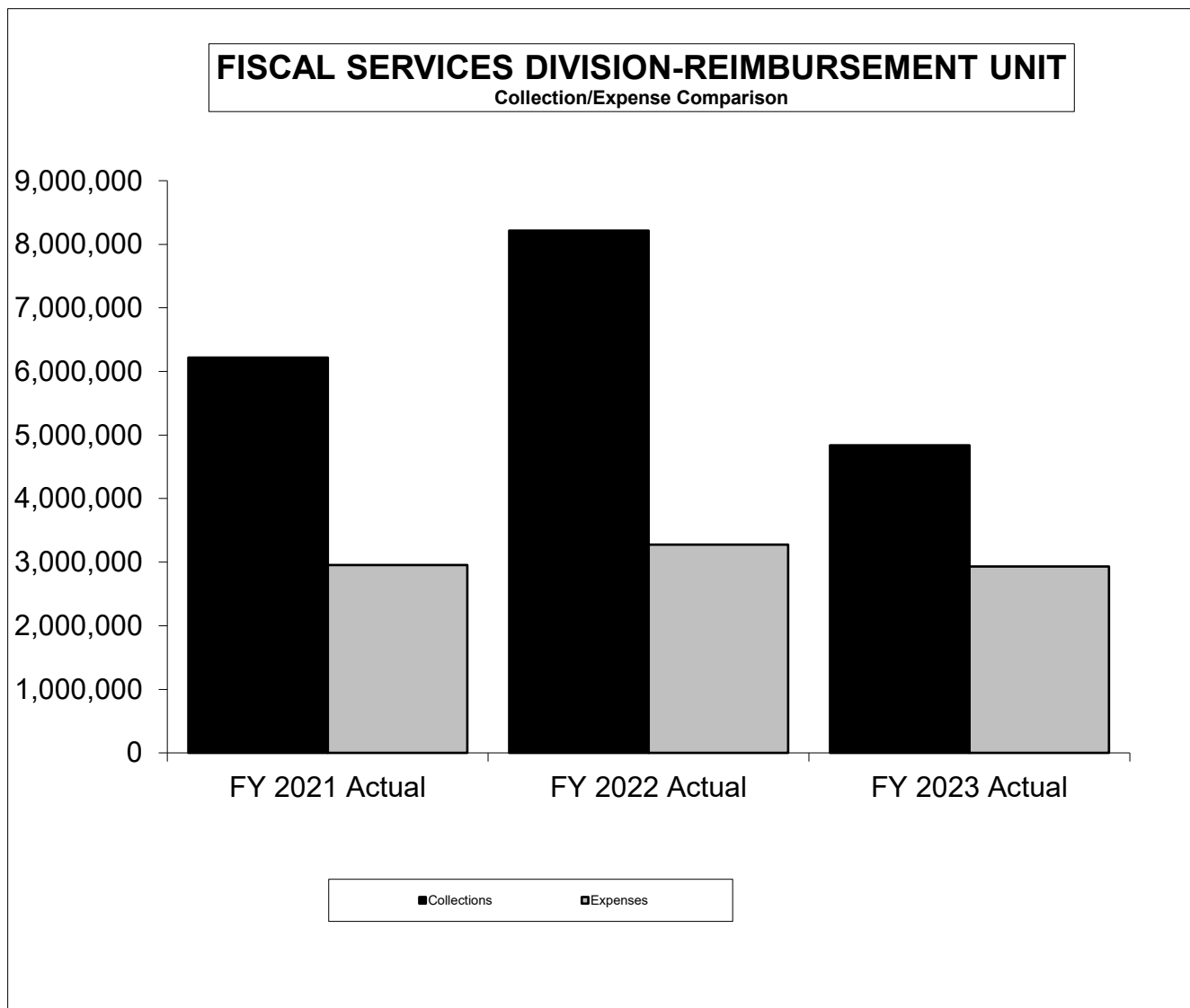
2023 FISCAL YEAR ANNUAL REPORT

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**FISCAL SERVICES DIVISION-REIMBURSEMENT UNIT
FISCAL YEAR 2022 ANNUAL REPORT
COLLECTION / EXPENSE COMPARISON STATEMENT**

	<u>FY 2021 Actual</u>	<u>FY 2022 Actual</u>	<u>FY 2023 Actual</u>
Salaries & Fringes	\$ 2,340,201	\$ 2,555,498	\$ 2,357,945
Operating Expenses	<u>612,562</u>	<u>718,652</u>	<u>572,645</u>
Total Expenses	\$ 2,952,763	\$ 3,274,150	\$ 2,930,590
Total Collections	\$ 6,137,938	\$ 8,209,805	\$ 4,840,015
Community Service Credits	<u>80,440</u>	<u>2,617</u>	<u>-</u>
Total Collections & Credits	<u>\$ 6,218,378</u>	<u>\$ 8,212,422</u>	<u>\$ 4,840,015</u>
Collection/Expense Ratio	\$ 2.11	\$ 2.51	\$ 1.65



Three-Year Summary Comparison Statement - Collections vs Expenses

	Collections		
	FY 2023	FY 2022	FY 2021
Circuit Court-General Jurisdiction Division:			
Restitution	\$ 3,096,047	\$ 3,629,099	\$ 2,153,716
Court Costs	312,449	279,877	237,703
Attorney Fees (includes appeal attorney fees)	172,543	1,715,014	1,097,241
Crime Victim's Rights Fees	321,869	329,370	300,710
Fines	219,357	189,816	182,379
Forensic Lab Fees/DNA*	41,736	35,739	31,952
Extradition Fees	1,383	2,047	458
Community Service Fees	287	75	-
State Minimum Costs*	273,617	301,298	263,111
Fingerprinting Fees	1,237	1,154	1,892
Late Penalty	152,290	154,878	116,263
Cost of Prosecution	210	500	100
Bond Forfeiture	29,425	17,372	26,067
Adult Treatment Court	10,853	8,174	3,576
Total	<u>\$ 4,633,303</u>	<u>\$ 6,664,413</u>	<u>\$ 4,415,168</u>
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	\$ 11,142	\$ 678,339	\$ 709,373
Collection Offset (Board and Care)	3,383	214,257	210,623
Governmental Benefits (Juvenile Maintenance)	8,315	60,247	74,354
Probation Service Fees	1,425	62,002	73,844
Attorney Fees	5,402	224,548	219,338
State Juvenile Maintenance	907	36,790	125,459
Restitution	59,415	42,600	63,803
Clinical Evaluations	1,027	22,454	22,553
Court Costs	1,732	9,607	10,593
Traffic Service Fees	3,604	3,700	3,050
Crime Victim's Rights Fees	4,481	4,103	4,248
State Minimum Costs*	14,584	9,864	9,916
Forensic Lab Fees/DNA*	1,635	504	720
Children's Village Aftercare	-	-	100
Youth Assistance Fees	-	3,100	1,745
Jail Tour Fees	49	499	682
Chemical Dependence Inventory Fees	10	1,312	739
Diversion Fees	60	1,699	930
Family Court-Other	10,640	3,808	49
Total	<u>\$ 127,811</u>	<u>\$ 1,379,433</u>	<u>\$ 1,532,119</u>
Administration/Probate Court:			
Clerk Fees	\$ 32,930	\$ 41,965	\$ 53,125
Domestic Evaluations	-	100	452
Domestic Guardian Ad Litem	4,062	1,100	118
Mental Health Attorney Fees	-	26,277	29,343
Total	<u>\$ 36,992</u>	<u>\$ 69,442</u>	<u>\$ 83,038</u>
Miscellaneous:			
Tax Intercept Fees	\$ 22,140	\$ 68,708	\$ 81,765
Mileage Fees/Service Fees	1,397	5,640	7,243
Recovery Fees for Returned Checks	310	408	623
Filing Fees	12,465	16,225	12,441
Miscellaneous	3,811	4,030	4,303
Reimbursement of Postage Expense	1,787	1,506	1,238
Total	<u>\$ 41,910</u>	<u>\$ 96,517</u>	<u>\$ 107,613</u>
TOTAL COLLECTIONS			
	<u>\$ 4,840,015</u>	<u>\$ 8,209,805</u>	<u>\$ 6,137,938</u>
Community Service Credits	\$ -	\$ 2,617	\$ 80,440
GRAND TOTAL			
	<u>\$ 4,840,015</u>	<u>\$ 8,212,422</u>	<u>\$ 6,218,378</u>
Reimbursement Unit Expenses:	\$ 2,930,589	\$ 3,274,150	\$ 2,952,763
Collection/Expense Ratio:	\$ 1.65	\$ 2.51	\$ 2.11

*DNA and Forensic Lab Fees were replaced with State Minimum Costs effective October 1, 2003 (2003 Public Act 70-79, 95-102, 138). 2014 Public Act 458 requires DNA to be ordered for any conviction/plea/adjudication meeting specified criteria effective July 1, 2015.

See attached County Executive Administration policies for Family Court and Circuit Court effective 10/01/22 resulting in a reduction in revenue for both units.

REPORT OF TRANSACTION ACTIVITY

	Transactions		
	FY 2023	FY 2022	FY 2021
Circuit Court-General Jurisdiction Division:			
Restitution	12,058	14,555	14,822
Court Costs	3,362	2,723	2,703
Attorney Fees	1,925	14,936	13,199
Attorney Fees-Appeal	2	84	7
Crime Victim's Rights Fees	9,232	10,598	11,571
Fines	1,293	1,199	1,315
Forensic Lab Fees/DNA	2,976	2,550	2,106
Extradition Fees	17	21	11
Community Service Fees	4	1	-
State Minimum Costs	6,154	6,915	7,787
Fingerprinting Fees	34	36	43
Late Penalty	3,190	2,139	1,543
Cost of Prosecution	4	10	3
Bond Forfeiture	149	154	231
Adult Treatment Court	137	91	42
Total	<u>40,537</u>	<u>56,012</u>	<u>55,383</u>
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	445	14,057	16,126
Collection Offset (Board and Care)	181	7,927	8,571
Governmental Benefits (Juvenile Maintenance)	10	384	385
Probation Service Fees	12	748	924
Attorney Fees	47	1,779	2,242
State Juvenile Maintenance	34	1,151	1,422
Restitution	374	424	428
Clinical Evaluations	5	259	201
Court Costs	29	276	265
Traffic Service Fees	43	35	54
Crime Victim's Rights Fees	153	129	133
State Minimum Costs	221	171	164
Forensic Lab Fees/DNA	99	33	36
Children's Village Aftercare	-	-	4
Youth Assistance Fees	-	116	72
Jail Tour Fees	3	14	15
Chemical Dependence Inventory Fees	1	82	67
Diversions Fees	1	16	10
Family Court-Other	173	69	6
Total	<u>1,831</u>	<u>27,670</u>	<u>31,125</u>
Administration/Probate Court:			
Clerk Fees	335	426	592
Domestic Evaluations	-	1	5
Domestic Guardian Ad Litem	5	5	2
Mental Health Attorney Fees	-	419	441
Total	<u>340</u>	<u>851</u>	<u>1,040</u>
Miscellaneous:			
Tax Intercept Fees	357	1,234	1,355
Mileage Fees/Service Fees	84	262	345
Recovery Fees for Returned Checks	20	24	29
Filing Fees	1,366	1,876	1,507
Miscellaneous	12	11	20
Reimbursement of Postage Expense	217	175	141
Total	<u>2,056</u>	<u>3,582</u>	<u>3,397</u>
GRAND TOTAL	<u><u>44,764</u></u>	<u><u>88,115</u></u>	<u><u>90,945</u></u>

CIRCUIT COURT ACCOUNTS

STATEMENT OF RECEIPTS

	FY 2023	FY 2022	FY 2021
Accounts:			
Court Costs	\$ 312,449	\$ 279,877	\$ 237,703
Attorney Fees *	172,448	1,701,907	1,093,399
Attorney Fees-Appeal *	94	13,107	3,842
Extradition Fees	1,383	2,047	458
Community Service Fees	287	75	-
Forensic Lab Fees-County Share	270	437	180
Forensic Lab Fees-Prosecutor	270	437	180
DNA-Court Share	3,633	2,699	2,835
Fingerprinting Fees	1,237	1,154	1,892
Late Penalty	152,290	154,878	116,263
Cost of Prosecution	210	500	100
Bond Forfeiture	29,425	17,372	26,067
Adult Treatment Court	10,853	8,174	3,576
Total	\$ 684,849	\$ 2,182,664	\$ 1,486,495
Trust Accounts:			
Restitution	\$ 3,096,047	\$ 3,629,099	\$ 2,153,716
Crime Victim's Rights Fees	321,869	329,370	300,710
State Minimum Costs	273,617	301,298	263,111
DNA-State Share	23,617	17,549	18,426
DNA-Municipalities Share	9,083	6,749	7,087
Forensic Lab Fees-State Share	4,864	7,868	3,245
Fines	219,357	189,816	182,379
Total	\$ 3,948,453	\$ 4,481,749	\$ 2,928,674
TOTAL FUNDS RECOVERED *	\$ 4,633,303	\$ 6,664,413	\$ 4,415,169

The Circuit Court Section of the Fiscal Services Division-Reimbursement Unit is responsible for collection of all funds ordered by the Circuit Court.

For fiscal year 2023 there were 5309 restitution payments made to the victims of crime for a total of \$3,582,340.46.

On October 30, 1989, Public Act 196 became effective requiring each defendant to pay a fee for the Crime Victim's Rights Fund. These funds are collected on behalf of the State; the County is authorized to retain an administrative fee. The County retains 10% of the amount collected for administrative costs.

A program requiring a defendant's bond to be applied toward costs assessed by the Court resulted in the recovery of \$156,025.52. The County started, in 2005, to submit Orders to Remit Prisoner Funds to the state prisons as allowed under MCL 791.220h. The Oakland County Sheriff's Office, under House Bill 4588, started remitting prisoner funds for restitution in January 2006. A total of \$510,816.35 was collected under these programs in fiscal year 2023.

*10/01/22-Attorney fee revenue reduced due to County Executive Administrative policy.

CIRCUIT COURT ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	FY 2023	FY 2022	FY 2021
Cost to Oakland County:			
Regular Cases	\$ -	\$ 3,389,963	\$ 2,915,076
Appellate Cases	-	106,848	198,895
Total	\$ -	\$ 3,496,811	\$ 3,113,971
Regular Attorney Fees	\$ 172,448	\$ 1,701,907	\$ 1,093,399
Appellate Attorney Fees*	\$ 94	\$ 13,107	\$ 3,842
Combined Attorney Fees	\$ 172,543	\$ 1,715,014	\$ 1,097,241
TOTAL FUNDS RECOVERED	\$ 172,543	\$ 1,715,014	\$ 1,097,241
Percent Recovered **	0.0%	49.0%	35.2%

Defendants represented by a court-appointed attorney are ordered to repay the County for services provided. It was determined by the SCAO in July 2015 that appellate court-appointed attorney fees could no longer be ordered or collected. Effective August 2017, the Court implemented a new order making defendants responsible for appellate attorney fees on some cases.

***Beginning 10/26/20, separation of regular attorney fees and appellate fees ordered for MIDC reporting.**

****Effective 10/01/22-County Executive Administration Policy-Reimbursement will no longer pursue collections on attorney fees. Current attorney fee balances on accounts will be administratively waived. Collections reported were collected prior to, but recorded after 10/01/22.**

COURT COMMUNITY SERVICE PROGRAM

	FY 2023	FY 2022	FY 2021
Community Service Credits:			
Attorney Fees	\$ -	\$ 2,417	\$ 66,495
Court Costs	-	200	13,944
Total Credits	\$ -	\$ 2,617	\$ 80,439
Community Service Fees Collected	\$ 287	\$ 75	\$ -
TOTAL CREDITS AND FEES	\$ 287	\$ 2,692	\$ 80,439

The Court Community Service Program has provided the courts with an alternative means of enforcing monetary orders against indigent defendants rather than imposing costly jail sentences. Defendants provide labor hours and receive credits which reduce court-ordered fees. These credits have significantly decreased during the Pandemic, as many organizations are not accepting defendants to do community service. They have also decreased due to the new Executive Policy, as attorney fees are no longer being collected.

In 1996, a community service fee was authorized to be assessed for individuals involved in the program to supplement state and county funding. This fee was no longer charged when the Probation Department took back operation of the program in approximately 2005.

FAMILY COURT ACCOUNTS

STATEMENT OF RECEIPTS

	FY 2023	FY 2022	FY 2021
Accounts:			
Board and Care (Juvenile Maintenance)	\$ 11,142	\$ 678,339	\$ 709,373
Collection Offset (Board and Care)	3,383	214,257	210,623
Governmental Benefits (Juvenile Maintenance)	8,315	60,247	74,354
Probation Service Fees	1,425	62,002	73,844
Attorney Fees	5,402	224,548	219,338
Clinical Evaluations	1,027	22,454	22,553
Court Costs	1,732	9,607	10,549
Traffic Service Fees-County Share	3,604	3,670	2,790
Children's Village Aftercare	-	-	100
DNA-County Share	164	50	72
Youth Assistance Fees	-	3,100	1,745
Jail Tour Fees	49	499	682
Chemical Dependence Inventory Fees	10	1,312	739
Diversion Fees	60	1,699	930
Family Reunification	-	13	49
Total	\$ 36,312	\$ 1,281,797	\$ 1,327,741
Trust Accounts:			
State Juvenile Maintenance	\$ 907	\$ 119,092	\$ 125,459
Restitution	59,415	42,600	63,803
Crime Victim's Rights Fees	4,481	4,103	4,248
State Minimum Costs	14,584	9,864	9,916
Traffic Service Fees-State Share	-	15	130
DNA-State Share	1,063	328	468
DNA-Municipalities Share	409	126	180
Total	\$ 80,859	\$ 176,128	\$ 204,204
TOTAL FUNDS RECOVERED *	\$ 117,171	\$ 1,457,925	\$ 1,531,945

The Family Court Section of the Fiscal Services Division-Reimbursement Unit is responsible for collection for services provided to children and/or families and any other costs ordered by the Family Court. A financial statement is taken and an order is entered based on the parents' ability to pay according to the State Court Administrator's guidelines (no longer collected as of 10/01/22).

The Juvenile Code provides for a 25% administrative fee (Collection Offset) to cover the cost of collecting funds as the result of an order for board and care (no longer collected as of 10/01/22).

Family Court assesses the parents of juveniles charged with delinquent acts a monthly service fee when the child is placed on probation or under supervision in the home (no longer collected as of 10/01/22).

Effective May 1, 1994, MCLA 780.901 required the courts to order juveniles to pay an assessment to the Crime Victim's Rights Fund for orders of disposition on juvenile offenses. The Michigan Department of Treasury receives 90% of this fee and the County is entitled to retain 10% of collections.

This unit acts as the collection agent for monies ordered by Family Court for restitution. For fiscal year 2023, there were 172 restitution payments made to the victims of crime for a total of \$59,471.75.

A program which requires that a child's bond be applied toward costs assessed by the Court resulted in the recovery of \$73 of the above funds for 2023.

05/31/19-Per Courts direction, parent has to sign waiver to be billed for costs incurred. Reimbursement may no longer request service. May cause decrease in collections.

***10/01/22-Revenue reduced due to County Executive Administrative policy.**

FAMILY COURT ACCOUNTS

BOARD AND CARE COLLECTIONS

	<u>FY 2023</u>	<u>FY 2022</u>	<u>FY 2021</u>
Juvenile Maintenance	\$ 22,840	\$ 952,842	\$ 994,350
State Juvenile Maintenance *	907	119,092	125,459
TOTAL FUNDS RECOVERED	\$ 23,747	\$ 1,071,934	\$ 1,119,809

***For Fiscal year 2022, this includes \$40,769.52 Child Support Credits from the State of Michigan and \$41,532.95 which represents one half of the governmental benefits collected by the Michigan Department of Human Services and credited to the County for children placed in state facilities.**

Effective 10/01/22-Reimbursement is no longer tracking or reporting Child Support credits or Governmental benefits.

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2023</u>	<u>FY 2022</u>	<u>FY 2021</u>
Cost to Oakland County	\$ -	\$ 795,235	\$ 698,398
TOTAL FUNDS RECOVERED	\$ 5,402	\$ 224,548	\$ 219,338
Percent Recovered *	0.0%	28.2%	31.4%

If the Family Court appoints an attorney to represent a child, parent, guardian or custodian, an order is entered requiring the responsible individual to repay the funds in accordance with ability to pay.

***Effective 10/01/22-County Executive Administration Policy-Reimbursement will no longer pursue collections on attorney fees. Current attorney fee balances on accounts will be administratively waived. Collections reported were collected prior to, but recorded after 10/01/22.**

PROBATE COURT-MENTAL HEALTH ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2023</u>	<u>FY 2022</u>	<u>FY 2021</u>
Cost to Oakland County	\$ -	\$ 334,305	\$ 333,473
TOTAL FUNDS RECOVERED	\$ -	\$ 26,277	\$ 29,343
Percent Recovered	0.0%	7.9%	8.8%

Every individual who is the subject of a petition for involuntary hospitalization is required to be represented by legal counsel.

Effective 09/01/22, Reimbursement is no longer collecting attorney fees on Mental Health Accounts for Probate Court.

Kyle I. Jen, Director
Department of Management and Budget
(248) 452-8653 • jenk@oakgov.com

TO: Shawn Monk, Chief, Reimbursement Unit
FROM: Kyle I. Jen, Director, Management and Budget
RE: Circuit Court Collections Policy
DATE: September 30, 2022

This memorandum establishes County Executive Administration policy regarding Circuit Court collections by the Fiscal Services Reimbursement Unit.

- Effective October 1, 2022, the Reimbursement Unit will no longer pursue collections on attorney fees. Current attorney fee balances on accounts will be administratively waived.
- These policies will apply to accounts with the following suffixes: DM, DP, PP, PH, PO, FH, PJ, FY, VP, FC, DU, CZ, and AR.
- The Reimbursement Unit will stop collections for defense attorney services, including but not limited to: arraignments, retained out, bench warrant, show cause, violation of probation, trial, sentencing, withdrawal, and appeal attorney fees.
- The Reimbursement Unit will be administratively waiving any late penalties and/or service fees associated with the attorney fees being waived.

Please reach out with any questions you and your staff may have as you implement the policy above.



Kyle I. Jen, Director

cc: Kevin Oeffner, Circuit Court Administrator
Hilarie Chambers, Chief Deputy County Executive
Solon Phillips, Corporation Counsel
Pete Menna, Chief Attorney - Indigent Defense
Sheryl Johnson, Fiscal Services Officer

Kyle I. Jen, Director
Department of Management and Budget
(248) 452-8653 • jenk@oakgov.com

TO: Shawn Monk, Chief, Fiscal Services Reimbursement Unit
FROM: Kyle I. Jen, Director, Management and Budget
RE: Family Court Collections Policy
DATE: September 30, 2022

This memorandum establishes County Executive Administration policy regarding Family Court collections by the Fiscal Services Reimbursement Unit, all effective October 1, 2022, except where stated otherwise.

- The Reimbursement Unit will no longer collect any Family Court assessment for cost of care (placement) for neglect or juvenile accounts. This includes the following:
 - Assessments for children in State facilities for which 37.5% of what was collected went to the State Department or ADCF due the State.
 - Governmental Benefits due to the county or the State while child was in placement.
 - Governmental benefits for mandatory waiver cases.
 - Probate Support and Probate Support Governmental Benefits.
 - Adoption subsidy due to the county while child is in placement.
 - Friend of the Court funds due to the county while the child is in placement.
 - Children's Village aftercare.
 - Juvenile Drug Court board and care.
- The Reimbursement Unit will no longer collect any Family Court attorney fees for neglect, delinquent, protection, or adoption.
- Effective September 1, 2022, the Reimbursement Unit will no longer collect any attorney fees for Probate on Mental Health cases.
- Additionally, the following fees will not be collected by the Reimbursement Unit:
 - Probation Service fees
 - Re-entry fees
 - Clinical Evaluation fees

- Youth Assistance fees
- Diversion fees
- Cost of Prosecution fee
- Witness fee
- Drug Court test fees
- Adolescent Chemical Dependency Inventory ACDI and Risk Needs Assessment fees
- Jail tour and diversion jail tour fees
- Interpreter fee
- Tether fees
- Transcript fees
- Lien Interest fees
- As required by state law, the Reimbursement Unit will continue to collect funds on all cases in Family Court or Juvenile Court for Restitution and Restitution interest, Crime Victim Rights, State minimum cost, DNA, and Court fine on accounts.
- The Reimbursement Unit will continue to collect funds for accounts as directed by Friend of the Court for all fees previously collecting: Domestic relations evaluations, child support-special handling, filing fee, birth record out of Michigan, birth record in Michigan, Guardian Ad Litem, name change, psychological testing & evaluations, Early Intervention Conference (sanction fee for nonappearance/FOC).
- The following funds will also continue to be collected by the Reimbursement Unit:
 - Forensic Lab fee on old cases. (MCL 12.206,12.207)
 - Juvenile Court Costs for cases with statutory fees
 - Mileage and service fees on cases with statutory fees
 - Administrative fees including filing fees, tax intercept fees on cases with statutory fees
 - Fingerprint fees
 - Local and State Ordinance Violations
 - All fees on Traffic Cases: Failure to Appear and Failure to Comply with Judgement

Please reach out with any questions you and your staff may have as you implement the policy above.



Kyle I. Jen, Director

cc: Kevin Oeffner, Circuit Court Administrator
Ed Hutton, Probate Court Administrator
Hilarie Chambers, Chief Deputy Director
Solon Phillips, Corporation Counsel
Pete Menna, Chief Attorney - Indigent Defense
Sheryl Johnson, Fiscal Services Officer