

# 1997 Annual Report of The Sixth Judicial Circuit Court

Oakland County, Michigan



... to the support of the Constitution and the laws  
let every American pledge his life, his property, and  
his sacred honor.

*Abraham Lincoln*

## **The Sixth Judicial Circuit Court**

The Circuit Court, a division of the state judiciary, is a trial court of general jurisdiction. Criminal and civil actions filed in Oakland County are handled by the Circuit Court. In addition, the court has sole and exclusive jurisdiction on certain matters involving the family. Finally, the Court hears appeals on matters arising from decisions in lower courts and administrative agencies.

Included within the Court's personnel roster are 17 county-wide elected judges. Three visiting judges, one dedicated to drug cases, and two presiding over civil cases, are funded through professional services monies. Administrative, professional, and clerical staff, within the Circuit Court proper and the Friend of the Court, account for the remaining 214 approved positions.

Total funding dedicated to the Court, including Friend of the Court, was nearly \$22.2 million in 1997. Expenditures were allocated as follows: about \$11.9 million for salaries and fringe benefits; more than \$6.5 million for controllable operating costs; and in excess of \$3.7 for non-controllable operating costs. The Circuit Court maintains one of the lowest ratios of personnel expenses to total budget of any elected officials' office or department in Oakland County.

The Court experienced 29,154 new case filings in 1997, which equates to 1,715 per judge. New case filings are segregated by case type as follows: domestic - 36.9%; civil - 33.2%; criminal - 24.3%; and appeals - 5.5%. Correspondingly, the total number of case dispositions during the year was 33,495, or 1,970 per judge. On a daily basis, each judge disposes of nearly 8 cases.



**The Circuit Court**  
for the Sixth Judicial Circuit Court  
1200 N TELEGRAPH RD DEPT. 404  
PONTIAC MI 48341-0404

JUDITH K. CUNNINGHAM, J.D.  
COURT ADMINISTRATOR/JUDICIAL ASSISTANT

TELEPHONE: (248) 858-0349

KEVIN M. OEFFNER  
DEPUTY COURT ADMINISTRATOR

May 1, 1998

Judges of the Sixth Judicial Circuit Court  
Oakland County Board of Commissioners  
Oakland County Executive  
Citizens of Oakland County

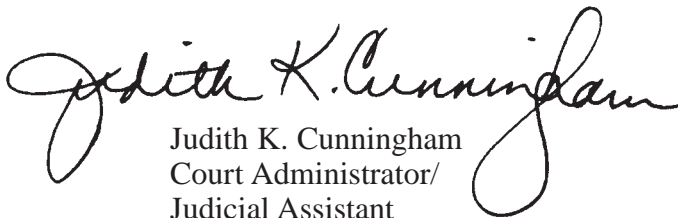
Nineteen ninety-seven was the most extraordinary year for the Circuit Court. And this year's annual report tells a story unlike any in our court's history. Our judges and staff spent countless hours in strategic meetings, planning sessions, and training as we created our new family division and, simultaneously, recreated our general jurisdiction programs for civil and felony cases. It was, in all respects, a renaissance year, a year of renewal.

By passage of Public Act 388 of 1996, the Michigan Legislature required all circuit courts in the state to form family divisions to consolidate the handling of domestic cases, previously heard in circuit courts, with juvenile matters, previously heard in probate courts. We viewed this legislative challenge as an opportunity for re-engineering — an occasion to make innovative improvements and to consider new ways of doing business in all areas of our jurisdiction.

We are fortunate to have a gifted and dedicated judiciary and so many talented, creative, enthusiastic, and energetic staff. These pages can only begin to describe what went on behind the scenes in 1997. I invite you to peruse this report and hope it gives you a sense of this dynamic court environment.



Very truly yours,

  
Judith K. Cunningham  
Court Administrator/  
Judicial Assistant

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### Acknowledgments

The Circuit Court thanks the following persons and organizations for their role in preparation of this Annual Report:

*The Legal Advertiser - Oakland County*, the *Oakland County Legal News*, and photographers Kathi Talley and John Meiu for providing the special events photographs.

Sanders Printing of Pontiac, Michigan, for their expertise in combining text, photos, and charts into the final product for printing; and for their production services.

The managers and supervisors of the offices highlighted in this report for their descriptive contributions with regard to office functions and accomplishments.

Judges and their staffs for contributions with regard to Judges' biographies.

Kevin Oeffner for managing this project, and developing text and charts used throughout the report.

## INTRODUCTION - CHIEF JUDGE



### **The Honorable Edward Sosnick**

The year just completed closed out my first two-year term as Chief Judge. When assuming this responsibility in 1996, I could not have imagined the sweeping changes that would occur to alter the court's way of doing business. Although change is rarely comfortable, our judges and staff were filled with an unmitigated resolve to restructure accordingly, and to position this institution to meet the challenges of the next millenium.

The theme of this year's Annual Report - *Renaissance, Renewal, and Re-engineering*, fittingly characterizes the Court's focus in 1997. As changes were fashioned in legislative halls and the Supreme Court, we promptly established leadership teams to evaluate the affects of those changes and to lay the foundation for assimilating them into our operations and structure.

No initiative imposed as dramatic a change on this Court as passage of the family division law. The statute called for the consolidation of cases relating to the family into one division. Cases relating to divorce, child custody, delinquency, abuse and neglect, adoptions, conservatorships and others, would now be heard in a singular forum rather than in separate circuit and probate venues.

The entire year was devoted to planning and preparing for the division's implementation. Teams were established to review functional areas such as administration, casflow management, services, and technology. The teams evaluated the division's impact on each area, and revamped operations, organizational structure, and processes accordingly. Our planning

efforts culminated in development of a family division plan which was approved by the Supreme Court mid year. The remaining months were spent making transitional arrangements to bring the plan to fruition.

The family divison's impact went beyond merely the creation of a new court division. General jurisdiction judges continuing to hear civil and criminal cases, their staffs, and the flow of those cases through the court, were appreciably affected. With assistance from the Honorable Barry Howard and the other judges of our bench, the same process developed for evaluation of the family division's impact was utilized to recreate the court's general jurisdiction programs regarding civil and criminal cases.

Although most of our attention was directed to matters involving the restructuring of our court, other noteworthy accomplishments were achieved during the year. The court rule on mediation was revised to require the formation of mediation panels by rotation through the Mediation Office. Our facilitative mediation program was expanded from a pilot project with four judges, to a fully functional alternative dispute resolution venue involving all 13 general jurisdiction judges.

Not only did changes in the law impact our way of doing business, so did technology. In an effort to increase the court's efficiency, and to keep pace with technology, the court began efforts to establish a Judicial Information Management System (JIMS). This project is expected to take two years to complete. When implemented, several courts, law enforcement agencies, and county offices, will be able to disseminate information to one another electronically.

The paragraphs above offer but a glimpse of the court's activities in 1997. They cannot begin, however, to justly describe the associated time and effort expended by so many dedicated and talented judges and staff. Those qualities ensure that the court will meet the challenges ahead as we close out this millenium and welcome the next.

**SENIORITY OF THE JUDGES  
OF THE SIXTH JUDICIAL CIRCUIT COURT**

The Honorable Richard D. Kuhn - Circuit Judge since 1973

The Honorable Steven N. Andrews - Circuit Judge since 1976

The Honorable Francis X. O'Brien - Circuit Judge since 1976

The Honorable Gene Schnelz - Circuit Judge since 1979

The Honorable Robert C. Anderson - Circuit Judge since 1981

The Honorable David F. Breck - Circuit Judge since 1982

The Honorable Fred M. Mester - Circuit Judge since 1982

The Honorable Jessica R. Cooper - Circuit Judge since 1986

The Honorable Edward Sosnick - Circuit Judge since 1988

The Honorable Barry R. Howard - Circuit Judge since 1989

The Honorable Deborah G. Tyner - Circuit Judge since 1991

The Honorable Rudy J. Nichols - Circuit Judge since 1991

The Honorable Denise Langford Morris - Circuit Judge since 1992

The Honorable John J. McDonald - Circuit Judge since 1993

The Honorable Alice L. Gilbert - Circuit Judge 1976-1992 and since 1995

The Honorable Nanci J. Grant - Circuit Judge since 1997

The Honorable Joan E. Young - Circuit Judge since 1997

# JUDGES OF THE SIXTH JUDICIAL CIRCUIT COURT

## Biographies



### **The Honorable Robert C. Anderson**

Juris Doctor, Detroit College of Law, 1952  
Judge of the 51st District Court, Waterford Township, eight years  
Past President, American Judges Association  
Past President, Oakland County Bar Association  
Vice Chairman, Michigan Judges Association Rules Committee  
Chairman, Oakland County Community Corrections Advisory Board  
Director Emeritus, Oakland Family Services  
Member, American Judges Association, Loan Range Planning Committee



### **The Honorable Steven N. Andrews**

Circuit Court Judge for 22 years, with three terms as Chief Judge and three terms as Chief Judge Pro Tempore  
Selected one of the Most Respected Judges of Michigan in lawyers poll in *Michigan Lawyers Weekly* and listed in Oxford's *Who's Who Among American Judges*  
Served as One Man Grand Juror and Presiding Judge for the Oakland County Citizen's Grand Jury  
Received an Honorary Juris Doctorate from the New England Law School in 1986  
Served on Adrian College's Board of Trustees and Providence Hospital's Advisory Board and currently serving as Trustee, Oakland County Library Board



### **The Honorable David F. Breck**

Voted one of the best judges in the tri-county area in a *Detroit Monthly* poll; rated "Outstanding" by the OCBA, their highest recommendation.  
Life member of NAACP and recipient of its Presidential Award for Judicial Service; received the Leon Hubbard award by the OCBA for "Fostering Awareness of Cultural Diversity and Enhancing the Quality of Life for all People."  
Director, Horizons Upward Bound, a program for underprivileged high school students to attend college.  
Past chairperson of Henry Ford Hospice; twice elected as Mayor of Birmingham Graduate of University of Michigan Law School, Michigan State University and Cranbrook School; Awarded Certificate of Achievement from American Academy of Judicial Education at Harvard.  
District Court Judge, 1977 to 1982; Circuit Court Judge since 1982.



**The Honorable Jessica R. Cooper**

Elected to the Circuit Bench in 1986  
Judge of the 46th District Court, Southfield - 1978-1986, two years as Chief Judge  
Founder, National Association of Women Judges - former national publication editor  
Member, National Task Force on Gender Bias in the Courts  
Adjunct Professor of Law, Detroit College of Law at Michigan State University  
Instructor, trial advocacy for National Institute for Trial Advocacy, National College of Trial Advocacy, and Institute of Continuing Legal Education  
Board member, Child Abuse and Neglect Council of Oakland County  
Board member, Forgotten Harvest



**The Honorable Alice L. Gilbert**

Circuit Judge for 20 years and served as Chief Judge Pro Tempore  
48th District Judge for eight years and served as Chief Judge  
Graduate, Northwestern University School of Law; Wellesley College; post graduate work at Harvard University, University of Michigan, Wayne State University School of Law, University of Detroit School of Law, and National Judicial College at the University of Nevada, Reno  
Director: Barbara Ann Karmanos Cancer Institute, Board of Trustees Vice Chair; National Crime Foundation; Lyric Chamber Ensemble; Trustee, United Health Organization  
Previously: State of Michigan's Board of Ethics; President, Michigan District Judges Association; Chairman, Oakland County Corrections Advisory Board, Chair, Providence Hospital Advisory Board; American Hospital Association Task Force  
Recipient of several honors and special recognitions



**The Honorable Nanci J. Grant**

Elected to the Oakland Circuit Court in 1996. Graduated from the University of Michigan, with honors, and Wayne State University Law School, director of honors program  
Private practice attorney, specializing in commercial litigation  
Former member, Michigan State Bar's Representative Assembly  
Michigan Judges Association rules committee member  
Recipient of "Merit Award" from Citizens Alliance for Oakland County Probate Court; selected by Crain's Detroit Business as one of "40 under 40"; Board member of Women's Survival Center; member of Oakland County Bar Association, American Bar Association, American Judges Association, and National Judges Association



**The Honorable Barry R. Howard**

Appointed to the Sixth Judicial Circuit Court, February, 1989  
Member, State Bar of Michigan; American Bar Association; Oakland County Bar Association  
Member, Executive Board, Michigan Judges Association, serving as Secretary in 1997  
Faculty member, Michigan Judicial Institute (the teaching arm of the Michigan Supreme Court) and member of its Advisory Committee  
Private practice attorney for 15 years with emphasis on Labor and Administrative Law, plus litigation before state and federal agencies and courts; counsel to Police Officers Association of Michigan and Special Assistant Attorney General  
Chief Judge Pro Tempore of the Oakland Circuit Court, 1996-1997.





**The Honorable Richard D. Kuhn**

Oakland County Circuit Judge since 1973  
Chief Judge in 1979 and for two subsequent two year terms  
Delegate, 1961 Constitutional Convention  
Past President, Detroit College of Law Alumni Association  
Graduate, Michigan State University and Detroit College of Law  
Member, State Bar of Michigan, Oakland County Bar Association, American Judges Association and the American Judicature Society



**The Honorable Denise Langford Morris**

Appointed to the Oakland County Circuit Court in August, 1992  
Private practice attorney with extensive civil and criminal experience  
Former Oakland County Assistant Prosecuting Attorney; Assistant United States Attorney  
Founding member, D. Augustus Straker Bar Association  
Director: Michigan Supreme Court Historical Society; Help Against Violent Encounters Now (HAVEN); Oakland Livingston Human Services Agency governing board  
Chair, Corrections Committee, Michigan Judges Association Director  
Member, Michigan Supreme Court Civil Jury Instructions Committee  
Member, Michigan Supreme Court Access to Justice Committee



**The Honorable John J. McDonald**

Oakland County Circuit Judge since 1993  
Former Oakland County Assistant Prosecuting Attorney  
Former Oakland County Commissioner, 14 years  
Liaison, Circuit Court Mediation, Selection Committee  
Member, American Judges Association, Michigan Judges Association, Oakland County Bar Association



**The Honorable Fred M. Mester**

Founder, Reading to Reduce Recidivism  
Recipient: Earl W. Kintner Award, Federal Bar Association, Washington D.C.; Michigan Corrections Association Judicial Award for extraordinary contributions to enhancement of the judicial system; John N. O'Brien Memorial Award for Distinguished Community Activities; Centennial Award, Central Michigan University; Honorary Doctor of Laws Degree, Central Michigan University; NAACP 1997 Humanitarian Award  
Adjunct professor: Oakland University; Madonna University; Oakland Community College  
Author of articles pertaining to the law, as well as topics ancillary to the law; i.e. *Guideposts*, October, 1996  
Military service, Captain, United States Army  
Former Chief of the Civil Division, United States Attorney's Office  
Former Assistant United States Attorney



**The Honorable Rudy J. Nichols**

Graduate, Michigan State University and Detroit College of Law  
General and municipal law practice for 9 years  
Former member: Michigan House of Representatives, 1 year; Michigan Senate, 7 years  
Former chair, Michigan Senate Judiciary Committee, 5 years  
Recipient of *Outstanding Legislator of the Year* by Michigan Judges Association  
Recognized as Legislator of the Year by the Police Officers Association of Michigan  
Author and co-author of articles published in professional journals, including “Overview of Michigan Rules of Evidence” and “Domestic Violence Law” appearing in the *State Bar Journal* and in *Laches*, the official publication of the Oakland County Bar Association



**The Honorable Francis X. O'Brien**

Oakland County Circuit Judge for 21 years with two years as Chief Judge  
44th District Court Judge for four years with two years as Chief Judge  
Chief Deputy Clerk for two years with Oakland County Clerk/Register of Deeds  
Member, American Judges Association including Board of Governors; Michigan Judges Association; Oakland County Judges Association; Oakland County Bar Association  
Also current member and past president of South Oakland Bar Association



**The Honorable Gene Schnelz**

Oakland Circuit Judge, 17 years; District Judge, 4 years, also serving as Chief Judge  
Graduate of Alma College, Detroit College of Law and National Judicial College  
Former attorney for Walled Lake, Wixom, Wolverine Lake, Milford, Milford Twp. and Walled Lake School District  
Recipient: Michigan State Bar’s Roberts P. Hudson Award for service to public and profession and Clarity Award for plain English writing; OCBA’s Frances R. Avadenka Memorial Award for contributions outside the practice of law; Joint Resolution of Michigan Legislature for public service; Jewish Association for Retarded Citizens’ Civil Rights Award; NAACP Presidential Award for Judicial Service; Alma College Distinguished Alumni Award  
Selected one of Most Respected Judges of Michigan in *Michigan Lawyers Weekly* poll



**The Honorable Edward Sosnick**

Named Chief Judge of the Oakland Circuit Court for the 1996-1997 term and the 1998-1999 term  
Recipient of the State Bar of Michigan’s Champion of Justice Award  
Recipient of the National Council of Juvenile and Family Court Judges Award for Meritorious Service to the Children of America  
Co-founder, Oakland County Circuit Court’s S.M.I.L.E. Program, and educational program for divorcing parents  
Recipient of Eleanor Roosevelt Humanities Award  
Twice voted one of Michigan’s Most Respected Judges by *Michigan Lawyers Weekly* poll  
Four-time honoree, Michigan State Police for Professional Excellence



**The Honorable Deborah G. Tyner**

Elected to a ten-year term on the Oakland Circuit Bench in 1990. Graduated from the University of Michigan and Wayne State University Law School, with honors  
Former Wayne County Assistant Prosecuting Attorney  
Former Partner, Private law firm specializing in commercial litigation  
Graduate of the National Judicial College  
Member, Michigan Judges Association executive and legislative committee; State Bar of Michigan; Oakland County Bar Association; Board of Trustees of MS Society  
Co-chair, joint bench/bar committee re: criminal attorney appointment system; 1997 Bench/Bar Conference  
Fellow, Adams Pratt Foundation  
Former member, State Bar Representative Assembly



**The Honorable Joan E. Young**

Appointed Circuit Judge, March 1997  
Probate Judge, January 1989 - March 1997; Chief Judge 3 years  
Chief Judge, 52nd District Court, 1996-1997  
Recipient, Oakland County Bar Association Distinguished Service Award; Women's Survival Center Wonder Woman Award; Honored by the Oakland County Women's Bar Association  
Member, Oakland County Bar Association; American Bar Association; National Council of Juvenile and Family Court Judges, Inns of Court, 1996-1997  
Michigan Opera Theatre Trustee; Advisory Board of Parents of Murdered Children, Inc., Metro Detroit Chapter; Board of Directors of Reading to Reduce Recidivism  
Frequent lecturer on legal issues affecting children and families  
Involved in the early development of the Family division of Circuit Court

## **THE COURT ADMINISTRATOR'S OFFICE**

### **Function**

The Court Administrator's Office handles all business operations of the Circuit Court, including personnel, education and training, caseload management, finance and budgeting, records management, press and media relations and information management. The office also advises on legal issues affecting court operations.

The Court Administrator serves as the chief executive officer for the Court and oversees the operations of the Friend of the Court, the Assignment Office and the Jury Office, and acts as the liaison to county and state government offices and departments, as well as other courts.

### **Major Accomplishments**

- Planned, developed, and implemented the family division of Circuit Court. Included within this endeavor was the reassignment of more than 300,000 cases, integrating and updating Circuit and Probate Court administrative orders, and cross training staff on domestic and juvenile law and corresponding case management.
- Expanded the facilitation pilot project to include all general jurisdiction judges, thereby making facilitative mediation available to many more civil litigants.
- Reviewed and restructured the personal protection order procedure, including the updating and training of staff on procedures and processes.
- Streamlined the initial processing of paternity cases in cooperation with the Prosecutor's family support division.
- Established category 4 for new and inexperienced attorneys participating in the

criminal assignment system. Processed in excess of 5,000 criminal assignments for nearly 300 court appointed attorneys.

- Expanded the Integrated Justice Data System for the electronic transmission of criminal case information between the circuit and district courts.
- Initiated preparation for the Judicial Information Management System to electronically link the courts and various law enforcement agencies for the transmission of case information.

## **COURT FINANCES - Revenue Summary**

**Circuit Court General Fund** — Court costs and fees; reimbursement for court-appointed attorneys; and mediation fines.

**Judicial Salaries** — State share of circuit judges salaries.

**Friend of the Court Fund** — Federal/state share of fees and 3% incentive payment on child support collections.

**Family Counseling Services** — Revenue from psychological testing and evaluations and the appointment of guardians ad litem.

**Friend of the Court General Fund** — Incentive payments for child support collections; service fees on active child support cases; Cooperative Reimbursement Program contract funding; court costs; and Family Counseling Services revenue generated by marriage licenses.

## **Expenditure Summary**

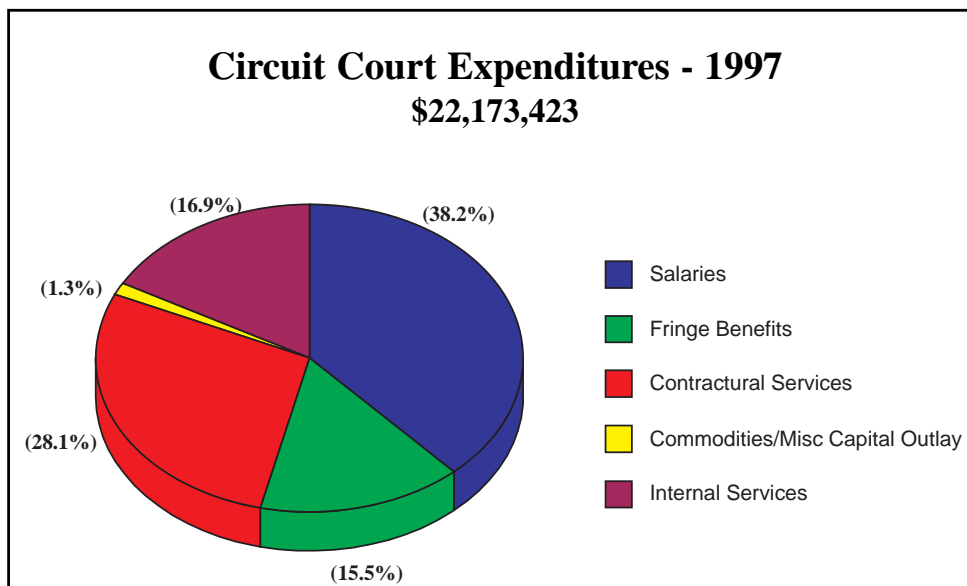
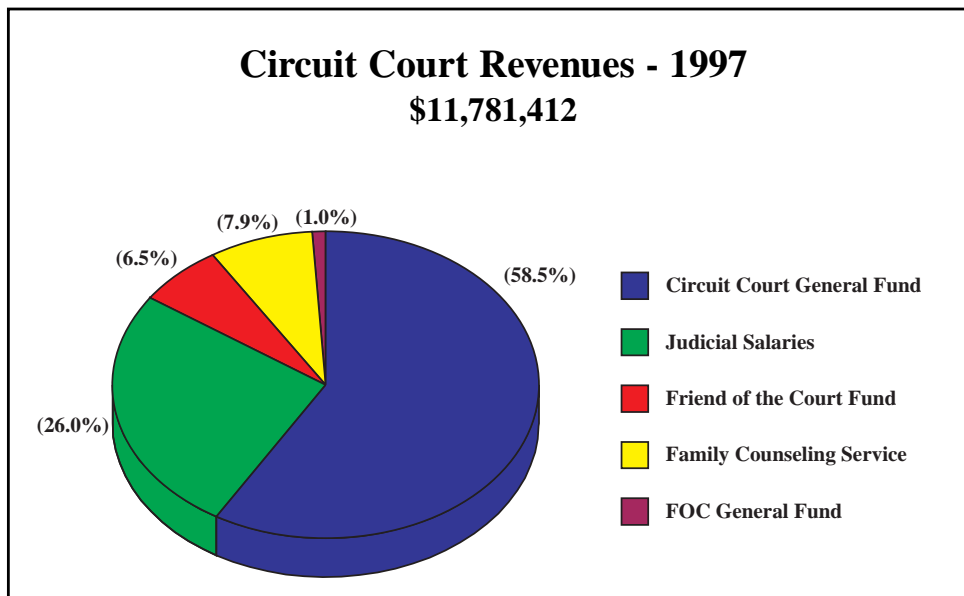
**Salaries** — Cost of salaries for judicial, administrative and Friend of the Court staff.

**Fringe Benefits** — Cost for fringes for judicial, administrative and Friend of the Court staff.

**Contractual Services** — Payments for defense attorneys and mediators, juror payments and mileage, equipment, furniture, travel, conferences, professional services, case-related payments, and other items central to administration and operation of the court.

**Commodities/Miscellaneous Capital Outlay** — Primarily postage and office supplies used by the court in the disposition of its responsibilities.

**Internal Services** — Non-controllable costs borne by the court for such items as office space rent, computer services, equipment rent, printing, utilities and liability insurance.



## **FRIEND OF THE COURT**

### **Function**

The Friend of the Court is an office of the Circuit Court with responsibility for assisting in domestic relations cases. The office investigates matters involving custody, support, and parenting time in contested cases. Once the court orders specific obligations, the Friend of the Court ensures the orders are upheld.

The Friend of the Court also offers free programs to persons involved in family law cases such as S.M.I.L.E., an educational workshop designed for divorcing parents, and family counseling programs aimed at reducing the stress of divorce. The office also provides speakers to local groups.

### **Major Accomplishments**

- Installed and implemented a new Image Receiving System to process support payments more efficiently and quickly.
- Planned, coordinated, and hosted a Divorce Settlement Week, targeting the oldest cases. More than 60% of the cases were resolved.
- Assisted in the implementation of the Family Division of Circuit Court.
- Developed two videos for use in a Paternity SMILE Program and a SMILE II Program.
- Worked with other Friend of the Court offices to create the Medical Support Enforcement System to improve and automate enforcement of medical support orders. Trained other Friend of the Court personnel statewide on the system.
- Collected nearly \$150 million in support payments, \$607,180 in service fees, and \$71,365 in court costs.

## **FAMILY COUNSELING SERVICES**

### **Function**

The office assists families in domestic relations matters through mediation, counseling and investigation of issues pertaining to custody and parenting time.

Family Counseling Services sponsors educational programs to promote understanding of the effects of separation and divorce on families. The goal is to help everyone make positive adjustments to dramatic changes in the family unit.

### **Major Accomplishments**

- Served on committees to formulate procedures and define resources for the family division of Circuit Court.
- Instituted mediation services for in pro per litigants in domestic relations matters to assist parties to voluntarily resolve custody and parenting time issues prior to a hearing on these matters.
- Implemented additional data collection procedures regarding domestic relations cases to comply with statutory changes.
- Provided presentations pertaining to divorce-related topics and services of the Friend of the Court to community agencies and the public.
- Assisted agencies in other states to develop and implement divorce education programs.
- Provided interventions regarding custody and parenting time for more than 5,000 families.

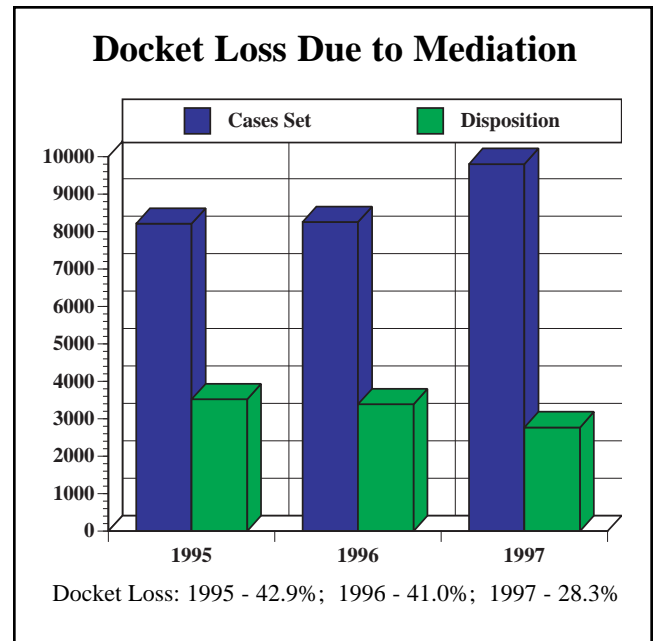
## ASSIGNMENT AND MEDIATION OFFICE

### Function

The Assignment Office tracks both civil and criminal cases from start to finish and sets dates for court appearances. The office also oversees the Court's mediation program, which is used as an alternative to trial. More than 28% docket loss was attributable to mediation in 1997.

### Major Accomplishments

- Implemented systemic and computer programming changes to accommodate the new mediation court rules which were legislated in 1997.
- Organized and managed a facilitation project to assist the court in disposing of cases mediated under \$10,000, resulting in a 63% disposition rate for those cases.
- Assisted in coordination of services to new family division of the Circuit Court.
- Installed intercom phones between mediation hearing rooms and mediation office.



NOTE: The percentage of docket loss attributable to mediation in 1997 is significantly less than in previous years. This is a direct result of legislation which precluded the Circuit Court's ability to remove cases to district court following a mediation award for an amount less than our jurisdictional limit. The legislation was effective on January 1, 1997.

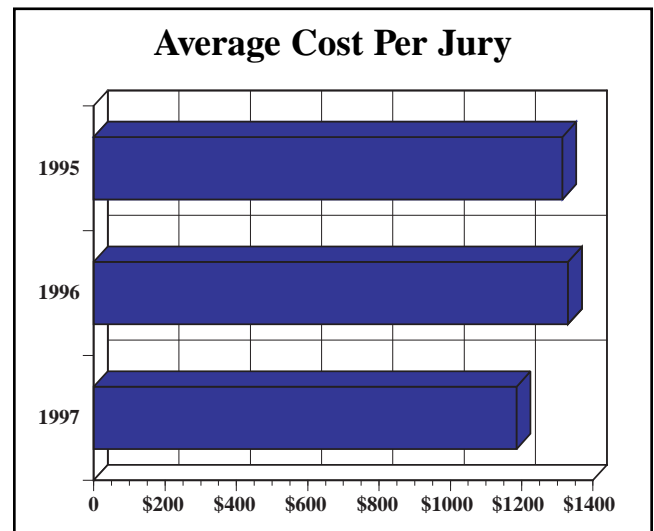
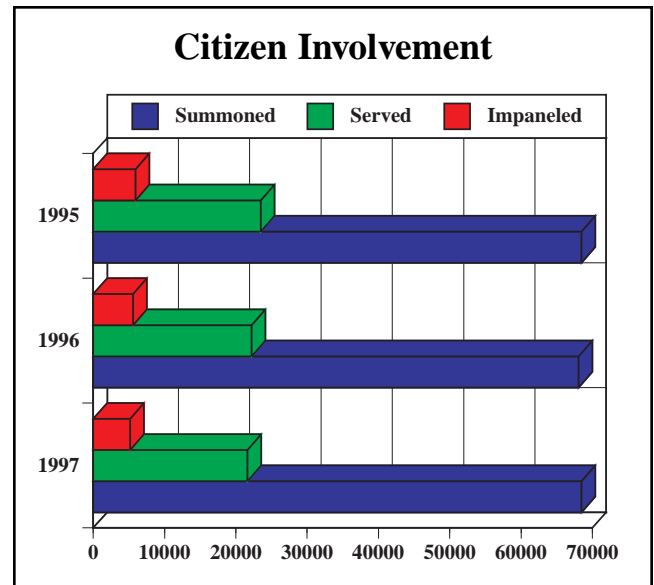
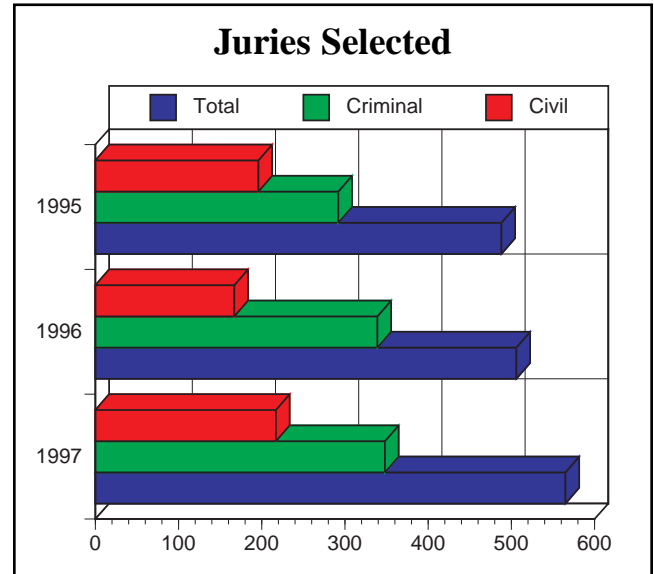
## JURY OFFICE

### Function

The Jury Office summons potential jurors for the Circuit and Probate Courts, as well as all district Courts throughout the county. Of the 68,472 citizens summoned during 1997, more than 23,474 served.

### Major Accomplishments

- Updated the mainframe personal computers in the office.
- Assisted in the coordination of a highly publicized murder case.
- Provided jurors for 217 civil trials, with an average trial duration of 3.9 days.
- Provided jurors for 348 criminal trials, with an average trial duration of 3.1 days.
- Served on the SCAO's Jury Standards Work Group which worked on draft standards for juror use and management.





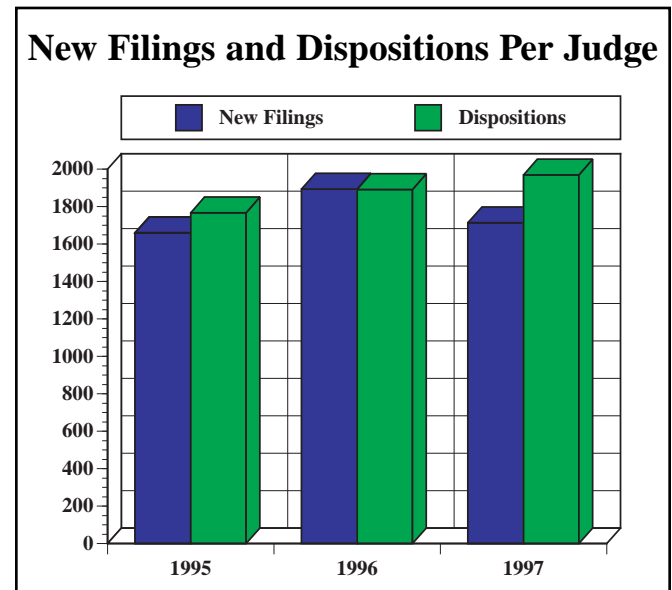
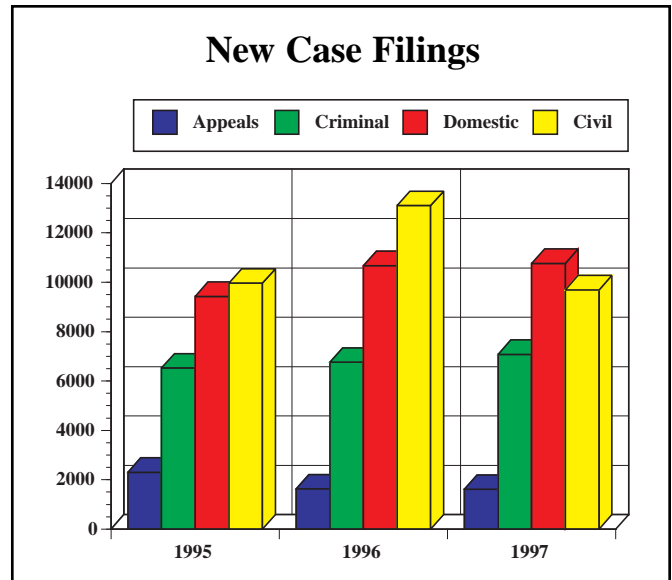
## CLERK/REGISTER'S LEGAL DIVISION

### Function

The Legal Division of the Oakland County Clerk/Register's Office maintains the records of all civil and felony criminal cases, as well as district appeals and transcript cases for the Oakland Circuit Court.

### Major Accomplishments

- Worked on implementation of the family division.
- Revised numbering system for family division, general jurisdiction, and criminal files.
- Created color coded files for family division, general jurisdiction, and criminal files.
- Welcomed the addition of three full time employees in the vault area and three full time employees in the Legal Records department.
- Corrected judgments of sentence errors on the Law Enforcement Information Network system to a turn-around time of 24 hours.



## REIMBURSEMENT DIVISION

### Function

This division, under the County Executive, is responsible for collecting all costs and fees ordered by the court and mandated by law.

### Major Accomplishments

- Developed accounts receivable report, as required by new legislation, and reported findings to the Circuit Court Administrator's Office.
- Developed collection plan, as required by new legislation, and reported findings to the Circuit Court Administrator's Office.
- Developed "Client Guidelines to Paying Circuit Court Fees through the Reimbursement Division" brochure which provides an overview of policies and procedures in the Reimbursement office for the benefit of clients.
- Implemented use of software program to chart collection processes in an effort to streamline account handling

- Improved cycle time of accounts under review for administrative show cause hearings.

## REVENUE COLLECTIONS

### Summary

**Restitutions** — Court-ordered monetary judgments against defendants to compensate for injuries suffered by crime victims.

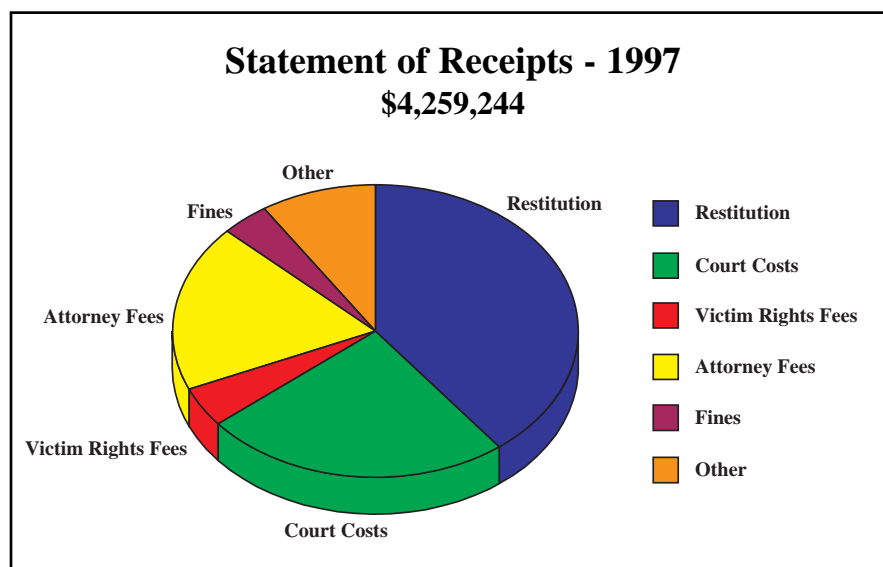
**Court Costs** — Court-ordered fines and fees assessed against litigants for court costs.

**Attorney Fees** — Fees collected from defendants for court- appointed attorneys.

**Fines** — Statutory fines assessed against litigants.

**Victim Rights Fees** — Statutory fees assessed against defendants in criminal matters.

**Other** — Fees for inmate board and care; forensic lab expenses; extradition expenses; paternity blood tests; and psychological testing.



## **ADAMS-PRATT LAW LIBRARY**

### **Function**

Under the auspices of the Oakland County Library Board, the Law Library serves the legal information needs of county and court personnel, attorneys, students and the general public.

In addition to maintaining its own comprehensive collection of federal and state legal materials in various formats, the Library orders and processes legal materials for the Circuit, Probate and some district courts, as well as the Prosecuting Attorney's Office and Corporation Counsel.

The Library operates a Jail Inmate Program, providing inmates with copies of case law and statutes - and maintains on site legal collections - as mandated by federal and state courts.

### **Major Accomplishments**

- Developed and refined library guides and pathfinders to help visitors answer their law related questions using the nearly 60,000 volumes within the Law Library's collection.
- Purchased two new microfiche reader/printers to improve access to older case law and other legal reference materials.
- Sponsored 23 training sessions for patrons wanting to learn computerized legal research using CD ROM products.
- Welcomed over 52,000 visitors to the Law Library in 1997.
- Conducted 19 tours at the request of paralegal and library tech program instructors. Provided on-going research assistance to paralegal students from four colleges and universities which now use the Law Library as a teaching aid.

## **COMMUNITY CORRECTIONS**

### **Function**

This office funds local programs that provide alternatives to jail that are community-based, protect the public, meet the needs of offenders, and are considerate of victim impact.

The office consists of: Administration, Pretrial Services; and Court Community Services.

### **Major Accomplishments**

- Received the National Association of Counties award for the low failure to appear rate of 6.6% and recidivism rate of 2.3%.
- Gained international attention for the Impact Weekend program for misdemeanor drunk driving offenders. Only 3.7% of the 1,298 participants have reoffended, compared to the state average of 33%. This award winning program was presented at the Fall 1997 International Community Corrections Association conference in Cleveland, Ohio. The program was duplicated in Traverse City and is being considered in Jamestown, New York. A similar program for felony drunk drivers, called PRICE, has also been created.
- Implemented WAM, Weekend Alternative for Misdemeanants program. WAM provides greater diversity in alternative sentencing for district court judges. It combines the punitive aspect of jail while "giving back" to the community through indoor and outdoor beautification projects. The program has saved county taxpayers \$147,000 and saved various organizations \$27,520 in labor costs!
- Expanded pretrial services to 52-3 District Court and continued to provide investigators in Waterford, Pontiac, Novi, Troy, Farmington and Southfield District Courts.

## **CIRCUIT COURT PROBATION**

### **Function**

This office is part of the Michigan Department of Corrections, Field Operations. The law requires probation agents to prepare a pre-sentence investigation on each felon awaiting sentence. When the court grants probation, correction agents also supervise these felony offenders.

In cooperation with other criminal justice agencies this unit ensures there is a range of sentence options, involving both economical and safe supervision, available to the court.

### **Major Accomplishments**

- Supervised more than 600 low risk offenders in residential inpatient programs or on electronic monitoring. The majority of these offenders would have otherwise been confined in much more costly jail facilities.
- Upheld high standards for monitoring offenders as indicated by an independent caseload compliance audit of 4,173 cases under supervision completed in October 1997. The audit revealed a 99.6% compliance rate in meeting our strict supervision standards
- Developed an Administrative Probation Violation Process for the Circuit Court to help alleviate overcrowded dockets and jail space. A 37% docket reduction in the number of violations coming to court was realized for 1997.
- Participated in the year long family division reorganization.
- Assisted in the arrest and arraignment of more than 800 probationers who had absconded.

- Monitored the completion of over 80,000 hours of community service by probationers for non-profit agencies in Oakland County as a condition of probation.
- Participated in an on-going pilot and facilitation of the “Reading to Reduce Recidivism” program.
- Prepared over 6,000 Presentence Investigations Reports in 1997 for the Circuit Court.
- Enforced as special condition of probation the collection of costs, attorney fees, fines, restitution and victim rights fund money

## 1997 RECOGNITIONS

### Employee of the Year

The Oakland Circuit Court has recognized outstanding service by its employees annually since 1984. Nominations of persons who have made a distinctive contribution to the court's work are sought from employees throughout the Court. Nominees have characteristically performed their jobs faultlessly and have demonstrated service that far exceeds their written job descriptions.

Two employees were recognized by their peers in 1997 as having attained the stature of distinguished public service to the court and the citizens of Oakland County.

### Mary Jane Rigonan, Assignment Clerk:

- A court employee for ten years, seven of them as Assignment Clerk.
- Assisted in implementing the Facilitative Mediation program.
- Played a key role in development of the family division and restructuring of the general jurisdiction division.
- Administers the civil mediation program.

### Kenneth Tolbert, Referee to Judge Richard D. Kuhn:

- Employed with Friend of the Court for 20 years.
- Member of the Family Law section of the State Bar of Michigan.
- Hard working and dedicated to clients and their children.



*At its annual awards ceremony in December, the Circuit Court recognized its co-employees of the year, assignment clerk Mary Jane Rigonan and Friend of the Court referee Kenneth Tolbert. Pictured with the employees of the year are Circuit Judge Barry Howard, Chief Judge Edward Sosnick, Circuit Judge Richard Kuhn, and Court Administrator Judith Cunningham.*

## **Special Awards**

The Court recognizes that people from other County offices make valuable contributions to the Court. Their efforts have earned them special respect and admiration. These people, many of whom attended the Court's annual awards ceremony in December, have spent many hours assisting the Court in matters related to facilities, budget and collections, personnel, information technology, courthouse security, case management and record keeping, legal assistance, and others. Their expertise, knowledge, and cooperation is greatly appreciated by the judges, administration, and staff of the Circuit Court.

## **Donations**

The Bench approved donations to two non-profit organizations that have worked for years to improve the lives of victims of domestic violence. These funds are available through the Circuit Court's Family Counseling Services Fund, comprised of designated monies generated by marriage license fees. These Pontiac-based groups were recognized with donations at the Court's Employees Award Ceremony:

**H.A.V.E.N.**, Oakland County's only shelter for battered women and children. Executive Director Hedy Nurial accepted the donation on behalf of H.A.V.E.N..

**Women's Survival Center**, dedicated to providing counseling for abused women. The donation was accepted by Gloria Dana-Brooks, Executive Director of the Women's Survival Center.

## Special Programs

### **Law Day 1997: *Celebrate Your Freedom***

The purpose of Law Day is to remind every citizen of the principles and the practice of American law and justice. Incumbent with this year's theme is our duty to reflect upon the freedoms for which we've been so richly blessed, the cost for which these freedoms were obtained, and our continuing obligation to advance the liberties bestowed upon us through the Constitution of this great land.

For the 15th consecutive year the Court attended to more than 300 students who spent the day learning about the justice system and how the court, and its officers, function. In addition, presentations were provided by the Sheriff's Office, the Clerk/Register/s Office and the public reference and law libraries.

### **Program Accomplishments**

- Conducted tours of the Oakland Circuit and Probate Courts which included discussions with judges and their staffs.
- Gave video presentations on topical issues involving law and the administration of justice.
- Arranged for guest speakers from the Oakland County Bar Association to lecture on juvenile law and the constitutional rights of juveniles.

### **New Lawyer Admissions Ceremony**

Twice each year, in May and November, the Circuit Court, in conjunction with the Oakland County Bar Association, conducts a formal New Lawyers Admission Ceremony. This session of Court is held in the Commissioners' Auditorium and is presided over by the Chief Judge. In 1997, Chief Judge Edward Sosnick presided over the admission of 156 new lawyers to the practice of law.



*New lawyers flood the Board of Commissioners Auditorium prior to taking their oaths. More than 160 new lawyers were admitted to the practice of law in 1997.*

## JUDGES IN TRANSITION

Judge Francis X. O'Brien retired as Circuit Court judge in October, after serving the citizens of Oakland County in that capacity for 21 years. Prior to his tenure as circuit judge, Judge O'Brien maintained a private law practice for five years beginning in 1967, and served as judge of the 44th District Court in Royal Oak from 1972 to 1976.

Judge O'Brien's career in the judiciary is filled with examples of his dedication and commitment to the legal profession, beyond merely his service as district and circuit judge. Judge O'Brien served as Chief Judge and Chief Judge Pro Tempore while a member of the circuit bench. He was also appointed to serve as visiting judge with the Michigan Court of Appeals on three occasions.

Furthermore, Judge O'Brien has continuously held membership in the Michigan Judges Association, where he served as the Executive Board's vice chairman of the Professional Responsibility Committee, chairman of the Corrections Committee, and as a member of the Legislative Committee. Judge O'Brien was appointed to the president's Task Force on Alternative Dispute Resolution and also served on the State Judicial Council by appointment from the Michigan Supreme Court.

Judge O'Brien's retirement was predicated upon his desire to spend more time with his wife Shirley, and to enjoy traveling together throughout the United States. Judge O'Brien will continue to serve the legal profession by virtue of his role as legal counsel in the newly established law firm of O'Brien and O'Brien. Judge O'Brien's colleagues and the court's administration and staff extend their sincere thanks to the judge for his outstanding service to the people of Oakland County, his professionalism and dedication to the judiciary, and his ambition to better the legal profession through his many contributions.



*Judge Francis X. O'Brien retired in October after 21 years as circuit judge. Prior to joining the bench in 1976, Judge O'Brien served four years as judge of the 44th District Court. In the photo above, Judge O'Brien is joined by friends at a dinner in honor of his longstanding service to the citizens of Oakland County.*



March 1997 was a homecoming of sorts for Judge Joan E. Young. Appointed to the Circuit bench by Governor Engler, Judge Young concluded her eight year career as Probate Judge to return to the Circuit Court, where she served as Deputy Court Administrator from 1979 to 1982, and Court Administrator from 1982 to 1988. Prior to her service with the Circuit Court, Judge Young was in private practice, specializing in juvenile, domestic relations, wills and trusts, and criminal litigation.

Noteworthy, as Judge Young's career has unfolded, is the aspect of leadership so often bestowed upon her. Judge Young was reappointed chief judge of the Probate Court for the 1996-97 term, after completing her first two-year term in that capacity. Additionally, in 1996, Judge Young was appointed chief judge of the 52nd District Court.

Judge Young also served as a member of the Lieutenant Governor's Special Commission on Adoption, and served as chair of the Legal Subcommittee. Until her appointment to the Circuit Court, she chaired the Michigan Probate Judges Association's Juvenile Law and Adoption & Juvenile Placement Committees.

During the Court's planning and preparation for the family division, Judge Young's knowledge of juvenile law was instrumental in shaping operational and procedural elements, particularly on matters affecting case processing and disposition. Her professionalism, sense of fairness, and legal knowledge are attributes that, in conjunction with those of her colleagues, will assist the court in meeting the needs of litigants and the public in the years ahead. The Court extends its welcome to Judge Young.



*Probate Court Chief Judge Joan E. Young was sworn in as an Oakland Circuit Court judge on Friday, March 21 in the Board of Commissioners' Auditorium. Judge Young was selected by Governor Engler to fill the vacancy created on the Circuit bench when Judge Hilda Gage was named to the Michigan Court of Appeals. Governor Engler stops to congratulate Judge Young on her appointment.*

In December, for the second time in nine months, Governor Engler drew from the judicial ranks of the Oakland County Probate Court by appointing Wendy Potts as Circuit Judge. Judge Potts' appointment was to fill the vacancy created by the retirement of Judge Francis X. O'Brien. Judge Potts was named as probate judge in February, 1997, remaining in that capacity until her appointment to the circuit bench later that year.

Prior to joining the probate bench, Judge Potts was in private practice, and was actively engaged in matters pertaining to family law with a special interest in children's rights. Judge Potts was appointed to the Governor's Domestic Violence Task Force and currently serves as a director of the Child Abuse and Neglect Council of Oakland County.

Judge Potts' interests transcend solely the legal profession, touching on a number of social and cultural issues. She is a trustee serving on the Michigan Supreme Court Historical Society and has served in the capacity of chairperson of the Natural Resources Trust Fund.

Through her many contributions, the State Bar of Michigan and the Oakland County Bar Association have benefitted much from the enthusiasm and hard work displayed by Judge Potts. These same qualities will continue to benefit the people of Oakland County as Judge Potts assumes her place on the circuit bench in early 1998. The Court extends its best wishes to Judge Potts in her new service as circuit judge.



*Probate Judge Wendy L. Potts was appointed by Governor Engler to the Oakland Circuit Court in December. Judge Potts was named to succeed retired Circuit Judge Francis X. O'Brien. Joining Judge Potts at her investiture is husband David, and daughters Kelly and Stephanie.*

*Let every American, every lover of liberty, every well-wisher to his posterity swear by the blood of the Revolution never to violate in the least particular the laws of the country, and never to tolerate their violation by others. As the patriots of seventy-six did to the support of the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, his property, and his sacred honor. Let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spellingbooks, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars.*

*Abraham Lincoln, Speech presented to the Young Men's Lyceum of Springfield, Illinois, January 27, 1837.*

The Sixth Judicial Circuit Court  
Oakland County, Michigan