



**ANNUAL REPORT
FOR
FISCAL YEAR 2010**

**Fiscal Services Division/Reimbursement Unit
Department of Management and Budget**



C O U N T Y M I C H I G A N

DEPARTMENT OF MANAGEMENT AND BUDGET
FISCAL SERVICES DIVISION
REIMBURSEMENT UNIT

REIMBURSEMENT

SECTIONS:

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

February 8, 2011


Honorable L. Brooks Patterson
County Executive
2100 Pontiac Lake Road
Executive Office Building, Department 409
Waterford, MI 48328

Dear Mr. Patterson:

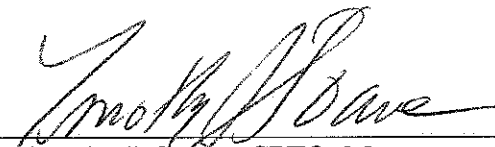
Submitted herewith is the Fiscal Services Division-Reimbursement Unit Annual Report for Fiscal Year 2010, covering the period October 1, 2009 through September 30, 2010.

Total collections for the Circuit Court, Family Court, and Administration/Probate Court Sections (including credits for Community Service) for fiscal year 2010 were \$8,551,418. Expenditures for this unit were \$2,813,141 resulting in a collection/expense ratio of \$3.04 collected for every dollar expended. Prior year's information for comparison purposes is included in this report.

This unit will continue to review policies, 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 2010 are presented for your review.



Laurie VanPelt, CPFO
Director of Management & Budget



Timothy J. Soave, CPFO, Manager
Fiscal Services Division

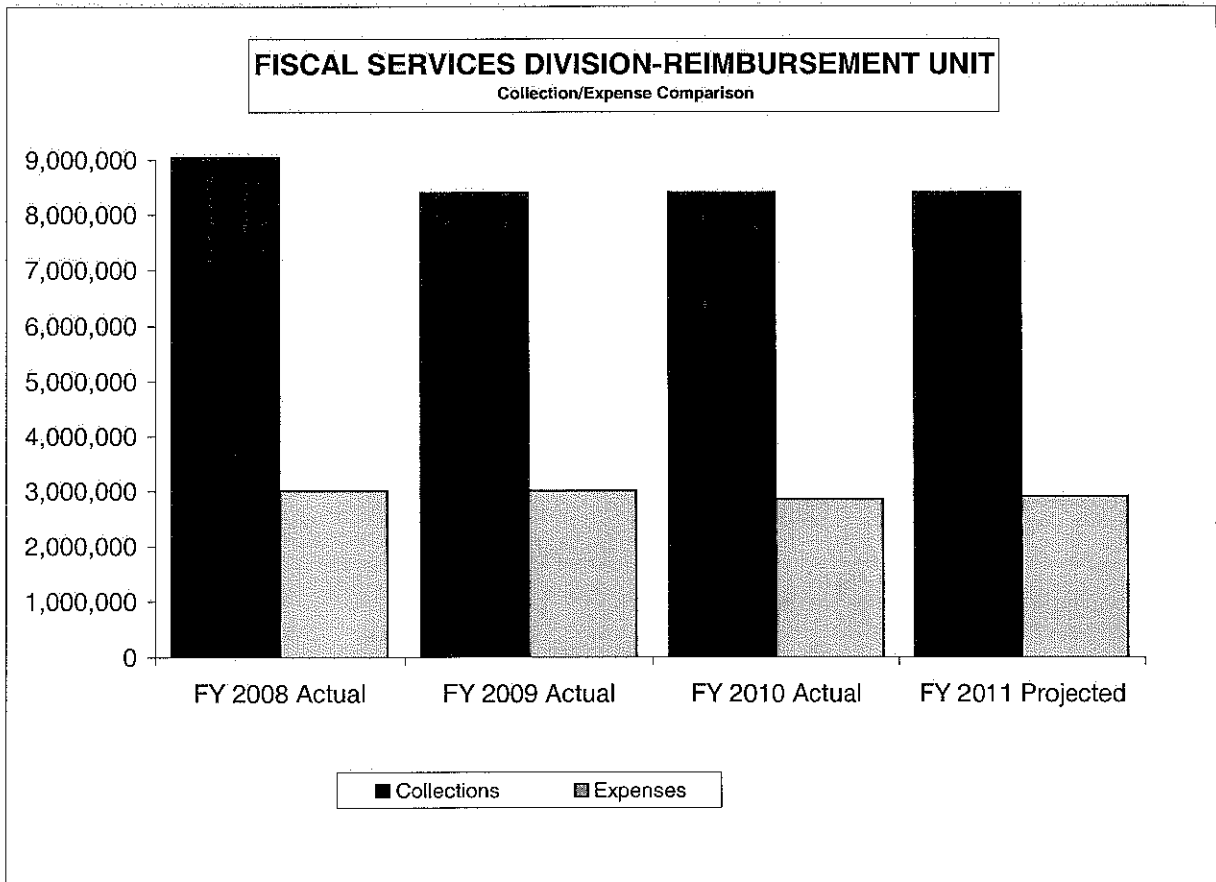
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**2010 FISCAL YEAR ANNUAL REPORT
TABLE OF CONTENTS**

COLLECTION/EXPENSE COMPARISON STATEMENT AND GRAPH.....	1
THREE-YEAR SUMMARY – COLLECTIONS VS. EXPENSES.....	2
REPORT OF TRANSACTION ACTIVITY	3
CIRCUIT COURT ACCOUNTS:	
STATEMENT OF RECEIPTS.....	4
REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS.....	5
COURT COMMUNITY SERVICE PROGRAM.....	5
FAMILY COURT ACCOUNTS:	
STATEMENT OF RECEIPTS.....	6
BOARD AND CARE COLLECTIONS.....	7
REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS.....	7
PROBATE COURT – MENTAL HEALTH ACCOUNTS:	
REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS.....	7

**FISCAL SERVICES DIVISION-REIMBURSEMENT UNIT
FISCAL YEAR 2011 PROJECTED BUDGET
COLLECTION / EXPENSE COMPARISON STATEMENT**

	<u>FY 2008 Actual</u>	<u>FY 2009 Actual</u>	<u>FY 2010 Actual</u>	<u>FY 2011 Projected</u>
Salaries & Fringes	\$ 2,252,912	\$ 2,102,433	\$ 2,141,611	\$ 2,248,282
Operating Expenses	764,733	758,856	671,530	550,296
Total Expenses	\$ 3,017,645	\$ 2,861,289	\$ 2,813,141	\$ 2,798,578
Total Collections	\$ 9,243,224	\$ 7,796,841	\$ 7,865,627	\$ 7,800,000
Community Service Credits	471,019	610,590	685,791	650,000
Total Collections & Credits	\$ 9,714,243	\$ 8,407,431	\$ 8,551,418	\$ 8,450,000
Collection/Expense Ratio	\$ 3.22	\$ 2.94	\$ 3.04	\$ 3.02



Three-Year Summary Comparison Statement
FY 2008 - 2010
Collections vs. Expenses

	Collections		
	FY 2010	FY 2009	FY 2008
Circuit Court-General Jurisdiction Division:			
Restitution	\$ 2,298,740	\$ 2,223,077	\$ 2,699,657
Court Costs	837,141	912,266	1,088,814
Attorney Fees	939,710	914,702	1,002,299
Inmate Board and Care*	5,894	101,088	550,908
Crime Victim's Rights Fees	263,386	266,383	306,779
Fines	270,959	248,013	264,626
Forensic Lab Fees/DNA**	16,080	17,336	26,608
Extradition Fees	6,233	5,555	4,353
Community Service Fees	86	119	332
State Minimum Costs**	366,138	357,780	396,861
Fingerprinting Fees	2,225	750	800
Late Penalty	97,736	94,229	117,258
Cost of Prosecution***	14,081	600	-
Adult Treatment Court	1,127	1,351	1,852
Total	\$ 5,119,536	\$ 5,143,249	\$ 6,461,147
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	\$ 984,557	\$ 976,287	\$ 901,950
Collection Offset (Board and Care)	268,608	262,899	287,994
Governmental Benefits (Juvenile Maintenance)	229,994	191,346	267,390
Probation Service Fees	180,684	176,752	153,770
Attorney Fees	447,997	365,270	371,200
State Juvenile Maintenance	119,112	166,621	201,382
Restitution	98,115	105,822	160,870
Clinical Evaluations	41,213	55,261	47,038
Court Costs	34,003	18,825	18,315
Traffic Service Fees	14,165	9,837	9,810
Crime Victim's Rights Fees	5,768	7,931	8,678
State Minimum Costs**	24,174	30,953	33,358
Ordinance Violations	1,615	2,865	3,350
Forensic Lab Fees/DNA**	45	22	60
Children's Village Aftercare	483	612	613
Youth Assistance Fees***	12,295	-	-
Jail Tour Fees***	6,120	150	-
Chemical Dependence Inventory Fees***	2,245	90	-
Diversion Fees***	7,670	1,920	-
Family Court-Other	1,706	250	655
Total	\$ 2,480,569	\$ 2,373,713	\$ 2,466,433
Administration/Probate Court:			
Clerk Fees	\$ 83,017	\$ 79,718	\$ 61,215
Domestic Evaluations	9,067	20,371	37,701
Domestic Guardian Ad Litem	4,259	4,853	5,945
Mental Health Attorney Fees****	49,182	63,254	100,349
Total	\$ 145,525	\$ 168,196	\$ 205,210
Miscellaneous:			
Tax Intercept Fees	\$ 99,128	\$ 83,013	\$ 70,164
Witness and Mileage Fees/Service Fees	13,098	15,226	27,775
Recovery Fees for Returned Checks	2,101	2,968	3,043
Filing Fees	3,130	4,170	6,031
Miscellaneous	1,452	5,317	2,573
Reimbursement of Postage Expense	1,088	989	848
Total	\$ 119,997	\$ 111,683	\$ 110,434
TOTAL COLLECTIONS			
	\$ 7,865,627	\$ 7,796,841	\$ 9,243,224
Community Service Credits	\$ 685,791	\$ 610,590	\$ 471,019
GRAND TOTAL			
	\$ 8,551,418	\$ 8,407,431	\$ 9,714,243
Reimbursement Unit Expenses:	\$ 2,813,141	\$ 2,861,289	\$ 3,017,645
Collection/Expense Ratio:	\$ 3.04	\$ 2.94	\$ 3.22

*Inmate Board & Care was outsourced to RDK Collection Services as of 10/1/08.

**DNA and Forensic Lab Fees were replaced, by statute, with State Minimum Costs effective 10/01/03 (2003 Public Act 70-79, 95-102, and 138).

***New fee charged as of mid FY 2009.

****LAO 2008-01 replaced the system of appointing and compensating court-appointed attorneys for mental health cases to reduce costs.

REPORT OF TRANSACTION ACTIVITY

	Transactions		
	FY 2010	FY 2009	FY 2008
Circuit Court-General Jurisdiction Division:			
Restitution	14,775	13,408	15,247
Court Costs	7,861	8,870	9,811
Attorney Fees	13,301	13,544	14,386
Inmate Board and Care*	117	1,880	6,664
Crime Victim's Rights Fees	12,032	11,625	13,441
Fines	1,875	1,647	1,690
Forensic Lab Fees/DNA**	987	1,206	1,659
Extradition Fees	22	50	81
Community Service Fees	3	2	7
State Minimum Costs**	9,221	8,721	9,680
Fingerprinting Fees	49	17	16
Late Penalty	1,476	1,306	1,351
Cost of Prosecution***	177	5	-
Adult Treatment Court	15	29	29
Total	61,911	62,310	74,062
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	14,674	14,628	14,134
Collection Offset (Board and Care)	9,222	9,334	11,757
Governmental Benefits (Juvenile Maintenance)	778	725	785
Probation Service Fees	2,224	2,152	1,988
Attorney Fees	5,149	4,895	5,129
State Juvenile Maintenance	1,517	1,543	1,505
Restitution	825	857	866
Clinical Evaluations	487	571	458
Court Costs	713	584	498
Traffic Service Fees	246	289	311
Crime Victim's Rights Fees	356	486	533
State Minimum Costs**	491	711	782
Ordinance Violations	56	122	150
Forensic Lab Fees/DNA**	18	6	3
Children's Village Aftercare	9	23	10
Youth Assistance Fees***	508	-	-
Jail Tour Fees***	129	3	-
Chemical Dependence Inventory Fees***	223	11	-
Diversion Fees***	139	35	-
Family Court-Other	5	1	7
Total	37,769	36,976	38,916
Administration/Probate Court:			
Clerk Fees	1,051	1,084	732
Domestic Evaluations	128	213	411
Domestic Guardian Ad Litem	71	79	112
Mental Health Attorney Fees****	1,060	1,056	1,038
Total	2,310	2,432	2,293
Miscellaneous:			
Tax Intercept Fees	1,915	1,523	1,422
Witness and Mileage Fees/Service Fees	745	614	1,671
Recovery Fees for Returned Checks	104	136	139
Filing Fees	486	590	863
Miscellaneous	14	24	22
Reimbursement of Postage Expense	146	144	152
Total	3,410	3,031	4,269
GRAND TOTAL	105,400	104,749	119,540

*Inmate Board & Care was outsourced to RDK Collection Services as of 10/1/08.

**DNA and Forensic Lab Fees were replaced, by statute, with State Minimum Costs effective 10/01/03 (2003 Public Act 70-79, 95-102, and 138).

***New fee charged as of mid FY 2009.

****LAO 2008-01 replaced the system of appointing and compensating court-appointed attorneys for mental health cases to reduce costs.

CIRCUIT COURT ACCOUNTS

STATEMENT OF RECEIPTS

	FY 2010	FY 2009	FY 2008
Accounts:			
Court Costs	\$ 837,141	\$ 912,266	\$ 1,088,814
Attorney Fees	939,710	914,702	1,002,299
Inmate Board and Care *	5,894	101,088	550,908
Extradition Fees	6,233	5,555	4,353
Community Service Fees	86	119	332
Forensic Lab Fees-County Share	614	578	897
Forensic Lab Fees-Prosecutor	614	578	897
DNA-Court Share	380	577	865
Fingerprinting Fees	2,225	750	800
Late Penalty	97,736	94,229	117,258
Cost of Prosecution	14,081	600	-
Adult Treatment Court	1,127	1,351	1,852
Total	\$ 1,905,841	\$ 2,032,393	\$ 2,769,275
Trust Accounts:			
Restitution	\$ 2,298,740	\$ 2,223,077	\$ 2,699,657
Crime Victim's Rights Fees	263,386	266,383	306,779
State Minimum Costs	366,138	357,780	396,861
DNA-State Share	2,472	3,752	5,624
DNA-Municipalities Share	950	1,443	2,163
Forensic Lab Fees-State Share	11,050	10,408	16,162
Fines	270,959	248,013	264,626
Total	\$ 3,213,695	\$ 3,110,856	\$ 3,691,872
TOTAL FUNDS RECOVERED	\$ 5,119,536	\$ 5,143,249 **	\$ 6,461,147

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 2010, there were 6,265 restitution payments made to the victims of crime for a total of \$2,244,216.52.

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.

*MCLA 801.83 allows the County to seek reimbursement for board and care from inmates. In May 1995, the County began billing inmates for time served in the Oakland County Jail. This function was outsourced for new cases October 1, 2008 and existing cases December 28, 2008.

**A program requiring a defendant's bond to be applied toward costs assessed by the Court resulted in the recovery of \$191,162.00. In addition, \$4,015.00 of the above funds was collected from defendants on the Work Release Program with the assistance of the Oakland County Sheriff's Office. The Work Release Program was discontinued as of March 15, 2010. 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 \$432,748.63 was collected under these programs in fiscal year 2010.

CIRCUIT COURT ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	FY 2010	FY 2009	FY 2008
Cost to Oakland County:			
Regular Cases	\$ 2,907,162	\$ 2,791,324	\$ 2,960,802
Appellate Cases	288,585	313,526	420,072
Total	\$ 3,195,747	\$ 3,104,850	\$ 3,380,874
TOTAL FUNDS RECOVERED	\$ 939,710	\$ 914,702	\$ 1,002,299
Percent Recovered	29.4%	29.5%	29.6%

Defendants represented by a court-appointed attorney are ordered to repay the County for services provided.

COURT COMMUNITY SERVICE PROGRAM

	FY 2010	FY 2009	FY 2008
Community Service Credits:			
Attorney Fees	\$ 329,266	\$ 288,989	\$ 246,543
Court Costs	356,025	319,601	224,231
Court Fines	500	2,000	-
Miscellaneous	-	-	245
Total Credits	\$ 685,791	\$ 610,590	\$ 471,019
Community Service Fees Collected	\$ 86	\$ 119	\$ 332
TOTAL CREDITS AND FEES	\$ 685,877	\$ 610,709	\$ 471,351

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.

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 2010	FY 2009	FY 2008
Accounts:			
Board and Care (Juvenile Maintenance)	\$ 984,557	\$ 976,287	\$ 901,950
Collection Offset (Board and Care)	268,608	262,899	287,994
Governmental Benefits (Juvenile Maintenance)	229,994	191,346	267,390
Probation Service Fees	180,684	176,752	153,770
Attorney Fees	447,997	365,270	371,200
Clinical Evaluations	41,213	55,261	47,038
Court Costs	34,003	18,825	18,315
Traffic Service Fees	12,905	8,757	8,370
Ordinance Violations-County Share	1,077	1,910	2,300
Children's Village Aftercare	483	612	613
DNA-County Share	-	-	6
Forensic Lab Fees-County Share	2	1	-
Forensic Lab Fees-Prosecutor	2	1	-
Youth Assistance Fees	12,295	-	-
Jail Tour Fees	6,120	150	-
Chemical Dependence Inventory Fees	2,245	90	-
Diversion Fees	7,670	1,920	-
Drug Testing	15	-	55
Cost of Prosecution	100	-	-
Total	\$ 2,229,970	\$ 2,060,081	\$ 2,059,001
Trust Accounts:			
State Juvenile Maintenance	\$ 119,112	\$ 166,621	\$ 201,382
Restitution	98,115	105,822	160,870
Crime Victim's Rights Fees	5,768	7,931	8,678
State Minimum Costs	24,174	30,953	33,358
Forensic Lab Fees-State Share	41	20	-
Ordinance Violations-Municipalities Share	538	955	1,050
Traffic Service Fees-State Share	1,260	1,080	1,440
DNA-State Share	-	-	39
DNA-Municipalities Share	-	-	15
Public Library Fund	200	250	600
State of Michigan-Aid to Dependent Children	1,391	-	-
Total	\$ 250,599	\$ 313,632	\$ 407,432
TOTAL FUNDS RECOVERED	\$ 2,480,569 *	\$ 2,373,713	\$ 2,466,433

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.

The Family Division of Circuit Court (Family Court) was established January 1, 1998, in an effort to consolidate the handling of domestic relations and juvenile cases to better serve families.

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.

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.

Effective May 1, 1994, MCLA 780.901 required the courts to order juveniles to pay a \$20 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 2010, there were 426 restitution payments made to the victims of crime for a total of \$93,153.64.

*A program which requires that a child's bond be applied toward costs assessed by the Court resulted in the recovery of \$3,859.82 of the above funds.

FAMILY COURT ACCOUNTS

BOARD AND CARE COLLECTIONS

	<u>FY 2010</u>	<u>FY 2009</u>	<u>FY 2008</u>
Juvenile Maintenance	\$ 1,253,165	\$ 1,239,186	\$ 1,189,944
State Juvenile Maintenance	<u>119,112 *</u>	<u>166,621</u>	<u>201,382</u>
TOTAL FUNDS RECOVERED	<u>\$ 1,372,277</u>	<u>\$ 1,405,807</u>	<u>\$ 1,391,326</u>

***This amount includes \$48,767 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. The chargeback report for September 2010 has not been received from the State of Michigan as of January 24, 2011 and only partial February 2010 has been received.**

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2010</u>	<u>FY 2009</u>	<u>FY 2008</u>
Cost to Oakland County	\$ 1,140,012	\$ 1,459,382	\$ 1,503,104
TOTAL FUNDS RECOVERED	<u>\$ 447,997</u>	<u>\$ 365,270</u>	<u>\$ 371,200</u>
Percent Recovered	39.3%	25.0%	24.7%

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.

PROBATE COURT-MENTAL HEALTH ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2010</u>	<u>FY 2009</u>	<u>FY 2008</u>
Cost to Oakland County	\$ 269,608 **	\$ 265,481	\$ 438,438
TOTAL FUNDS RECOVERED	<u>\$ 49,182</u>	<u>\$ 63,254</u>	<u>\$ 100,349</u>
Percent Recovered	18.2%	23.8%	22.9%

Every individual who is the subject of a petition for involuntary hospitalization is required to be represented by legal counsel.
****LAO 2008-01 replaced the system of appointing and compensating court-appointed attorneys for mental health cases to reduce costs.**