



**ANNUAL REPORT
FOR
FISCAL YEAR 2012**

**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 6, 2013

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 2012, covering the period October 1, 2011 through September 30, 2012.

Total collections for the Circuit Court, Family Court, and Administration/Probate Court Sections (including credits for Community Service) for fiscal year 2012 were \$8,527,496. Expenditures for this unit were \$2,876,726 resulting in a collection/expense ratio of \$2.96 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 2012 are presented for your review.

Laurie VanPelt, CPFO
Director of Management & Budget

Timothy J. Soave, CPFO, Manager
Fiscal Services Division

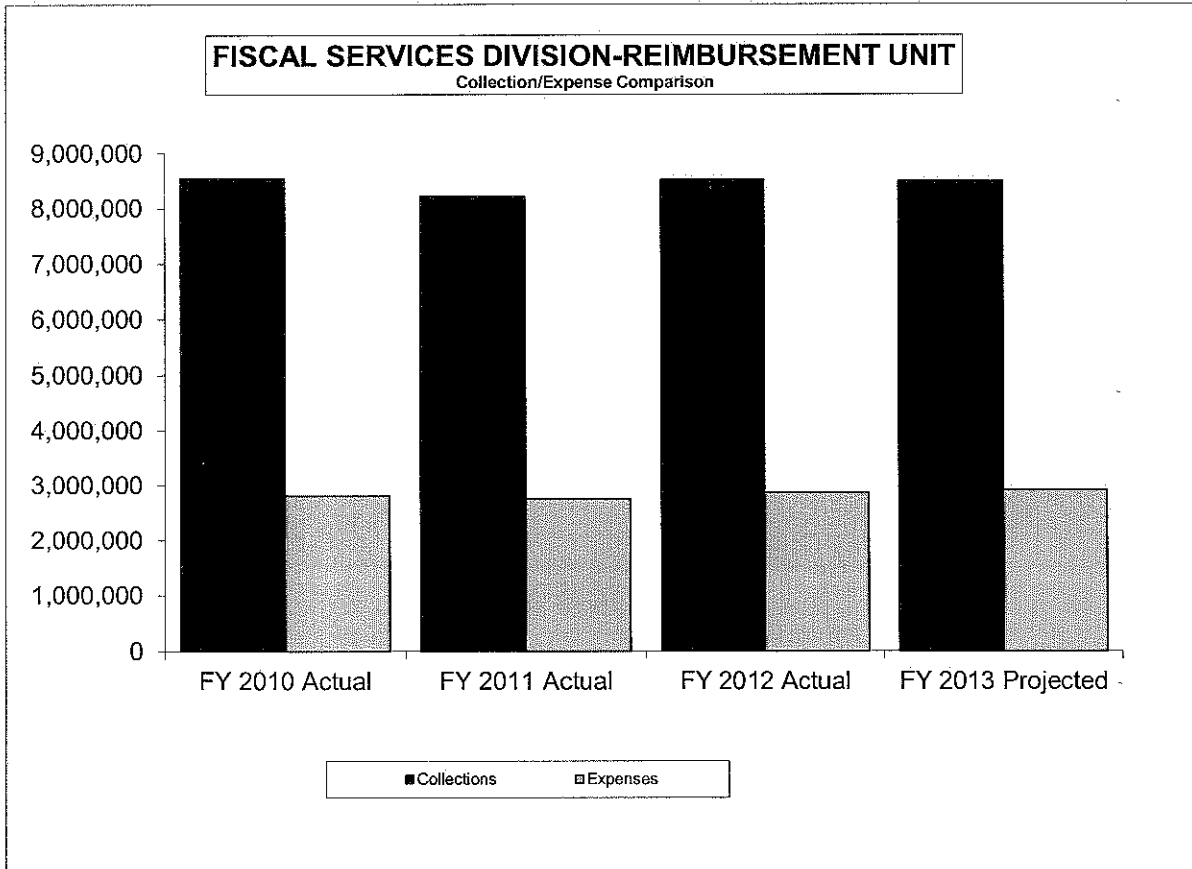
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**2012 FISCAL YEAR ANNUAL REPORT
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**FISCAL SERVICES DIVISION-REIMBURSEMENT UNIT
FISCAL YEAR 2013 PROJECTED BUDGET
COLLECTION / EXPENSE COMPARISON STATEMENT**

	<u>FY 2010 Actual</u>	<u>FY 2011 Actual</u>	<u>FY 2012 Actual</u>	<u>FY 2013 Projected</u>
Salaries & Fringes	\$ 2,141,611	\$ 2,139,941	\$ 2,288,406	\$ 2,300,000
Operating Expenses	671,530	617,778	588,320	637,552
Total Expenses	\$ 2,813,141	\$ 2,757,719	\$ 2,876,726	\$ 2,937,552
Total Collections	\$ 7,865,627	\$ 7,679,012	\$ 7,954,116	\$ 7,900,000
Community Service Credits	685,791	546,539	573,380	600,000
Total Collections & Credits	\$ 8,551,418	\$ 8,225,551	\$ 8,527,496	\$ 8,500,000
Collection/Expense Ratio	\$ 3.04	\$ 2.98	\$ 2.96	\$ 2.89



**Three-Year Summary Comparison Statement
FY 2010 - 2012
Collections vs. Expenses**

	Collections		
	FY 2012	FY 2011	FY 2010
Circuit Court-General Jurisdiction Division:			
Restitution	\$ 2,337,668	\$ 2,279,105	\$ 2,298,740
Court Costs	751,105	770,785	837,141
Attorney Fees	939,382	882,338	939,710
Inmate Board and Care*	1,355	3,910	5,894
Crime Victim's Rights Fees	316,834	276,023	263,386
Fines	328,102	275,399	270,959
Forensic Lab Fees/DNA**	6,569	10,407	16,080
Extradition Fees	3,415	8,066	6,233
Community Service Fees	203	44	86
State Minimum Costs**	326,316	341,269	366,138
Fingerprinting Fees	800	1,465	2,225
Late Penalty	158,109	109,110	97,736
Cost of Prosecution	11,760	16,524	14,081
Adult Treatment Court	2,382	3,092	1,127
Total	<u>\$ 5,184,000</u>	<u>\$ 4,977,537</u>	<u>\$ 5,119,536</u>
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	\$ 1,074,611	\$ 971,332	\$ 984,557
Collection Offset (Board and Care)	311,130	269,469	268,608
Governmental Benefits (Juvenile Maintenance)	212,394	201,574	229,994
Probation Service Fees	176,554	192,432	180,684
Attorney Fees	384,399	426,770	447,997
State Juvenile Maintenance	102,468	113,590	119,112
Restitution	89,600	85,688	98,115
Clinical Evaluations	46,825	54,087	41,213
Court Costs	23,953	26,250	34,003
Traffic Service Fees	10,823	8,040	14,165
Crime Victim's Rights Fees	5,584	5,565	5,768
State Minimum Costs**	22,079	22,544	24,174
Ordinance Violations	1,917	1,210	1,615
Forensic Lab Fees/DNA**	-	30	45
Children's Village Aftercare	610	206	483
Youth Assistance Fees	9,788	11,818	12,295
Jail Tour Fees	6,259	5,661	6,120
Chemical Dependence Inventory Fees	2,654	2,193	2,245
Diversion Fees	7,940	9,150	7,670
Family Court-Other	1,300	323	1,706
Total	<u>\$ 2,490,888</u>	<u>\$ 2,407,932</u>	<u>\$ 2,480,569</u>
Administration/Probate Court:			
Clerk Fees	\$ 79,727	\$ 97,957	\$ 83,017
Domestic Evaluations	3,912	7,563	9,067
Domestic Guardian Ad Litem	4,409	4,102	4,259
Mental Health Attorney Fees***	62,086	50,865	49,182
Mental Health Psychological Evaluations	-	600	-
Total	<u>\$ 150,134</u>	<u>\$ 161,087</u>	<u>\$ 145,525</u>
Miscellaneous:			
Tax Intercept Fees	\$ 106,594	\$ 108,953	\$ 99,128
Witness and Mileage Fees/Service Fees	13,734	11,622	13,098
Recovery Fees for Returned Checks	1,213	1,254	2,101
Filing Fees	4,023	3,624	3,130
Miscellaneous	2,043	5,736	1,452
Reimbursement of Postage Expense	1,487	1,267	1,088
Total	<u>\$ 129,094</u>	<u>\$ 132,456</u>	<u>\$ 119,997</u>
TOTAL COLLECTIONS			
	<u>\$ 7,954,116</u>	<u>\$ 7,679,012</u>	<u>\$ 7,865,627</u>
Community Service Credits	\$ 573,380	\$ 546,539	\$ 685,791
GRAND TOTAL			
	<u>\$ 8,527,496</u>	<u>\$ 8,225,551</u>	<u>\$ 8,551,418</u>
Reimbursement Unit Expenses:	\$ 2,876,726	\$ 2,757,719	\$ 2,813,141
Collection/Expense Ratio:	\$ 2.96	\$ 2.98	\$ 3.04

*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).

***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 2012	FY 2011	FY 2010
Circuit Court-General Jurisdiction Division:			
Restitution	15,079	14,823	14,775
Court Costs	7,145	7,468	7,861
Attorney Fees	14,021	12,958	13,301
Inmate Board and Care*	6	15	117
Crime Victim's Rights Fees	12,288	11,419	12,032
Fines	1,888	1,852	1,875
Forensic Lab Fees/DNA**	600	666	987
Extradition Fees	39	49	22
Community Service Fees	6	1	3
State Minimum Costs**	9,279	8,854	9,221
Fingerprinting Fees	17	43	49
Late Penalty	2,123	1,593	1,476
Cost of Prosecution	154	257	177
Adult Treatment Court	32	34	15
Total	62,677	60,032	61,911
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	15,188	14,574	14,674
Collection Offset (Board and Care)	9,954	9,185	9,222
Governmental Benefits (Juvenile Maintenance)	661	721	778
Probation Service Fees	2,297	2,378	2,224
Attorney Fees	4,587	4,519	5,149
State Juvenile Maintenance	1,578	1,623	1,517
Restitution	964	855	825
Clinical Evaluations	570	535	487
Court Costs	783	676	713
Traffic Service Fees	136	151	246
Crime Victim's Rights Fees	314	309	356
State Minimum Costs**	475	463	491
Ordinance Violations	64	42	56
Forensic Lab Fees/DNA**	-	3	18
Children's Village Aftercare	11	9	9
Youth Assistance Fees	427	480	508
Jail Tour Fees	149	124	129
Chemical Dependence Inventory Fees	264	214	223
Diversion Fees	144	163	139
Family Court-Other	24	2	5
Total	38,590	37,026	37,769
Administration/Probate Court:			
Clerk Fees	1,083	1,158	1,051
Domestic Evaluations	81	124	128
Domestic Guardian Ad Litem	57	65	71
Mental Health Attorney Fees***	1,147	1,101	1,060
Mental Health Psychological Evaluations	-	4	-
Total	2,368	2,452	2,310
Miscellaneous:			
Tax Intercept Fees	2,254	2,149	1,915
Witness and Mileage Fees/Service Fees	801	645	745
Recovery Fees for Returned Checks	68	58	104
Filing Fees	555	534	486
Miscellaneous	17	17	14
Reimbursement of Postage Expense	181	154	146
Total	3,876	3,557	3,410
GRAND TOTAL	107,511	103,067	105,400

*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).

***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 2012	FY 2011	FY 2010
Accounts:			
Court Costs	\$ 751,105	\$ 770,785	\$ 837,141
Attorney Fees	939,382	882,338	939,710
Inmate Board and Care *	1,355	3,910	5,894
Extradition Fees	3,415	8,066	6,233
Community Service Fees	203	44	86
Forensic Lab Fees-County Share	244	375	614
Forensic Lab Fees-Prosecutor	244	375	614
DNA-Court Share	168	290	380
Fingerprinting Fees	800	1,465	2,225
Late Penalty	158,109	109,110	97,736
Cost of Prosecution	11,760	16,524	14,081
Adult Treatment Court	2,382	3,092	1,127
Total	\$ 1,869,167	\$ 1,796,374	\$ 1,905,841
Trust Accounts:			
Restitution	\$ 2,337,668	\$ 2,279,105	\$ 2,298,740
Crime Victim's Rights Fees	316,834	276,023	263,386
State Minimum Costs	326,316	341,269	366,138
DNA-State Share	1,094	1,890	2,472
DNA-Municipalities Share	421	726	950
Forensic Lab Fees-State Share	4,398	6,751	11,050
Fines	328,102	275,399	270,959
Total	\$ 3,314,833	\$ 3,181,163	\$ 3,213,695
TOTAL FUNDS RECOVERED	\$ 5,184,000	\$ 4,977,537	\$ 5,119,536

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 2012 there were 6,980 restitution payments made to the victims of crime for a total of \$2,359,174.52.

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 \$177,905.30. 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 \$314,791.90 was collected under these programs in fiscal year 2012.

CIRCUIT COURT ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	FY 2012	FY 2011	FY 2010
Cost to Oakland County:			
Regular Cases	\$ 2,408,464	\$ 2,542,003	\$ 2,907,162
Appellate Cases	344,384	320,217	288,585
Total	\$ 2,752,848	\$ 2,862,220	\$ 3,195,747
TOTAL FUNDS RECOVERED	\$ 939,382	\$ 882,338	\$ 939,710
Percent Recovered	34.1%	30.8%	29.4%

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

COURT COMMUNITY SERVICE PROGRAM

	FY 2012	FY 2011	FY 2010
Community Service Credits:			
Attorney Fees	\$ 305,925	\$ 276,473	\$ 329,266
Court Costs	267,077	269,566	356,025
Court Fines	378	500	500
Total Credits	\$ 573,380	\$ 546,539	\$ 685,791
Community Service Fees Collected	\$ 203	\$ 44	\$ 86
TOTAL CREDITS AND FEES	\$ 573,583	\$ 546,583	\$ 685,877

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 2012	FY 2011	FY 2010
Accounts:			
Board and Care (Juvenile Maintenance)	\$ 1,074,611	\$ 971,332	\$ 984,557
Collection Offset (Board and Care)	311,130	269,469	268,608
Governmental Benefits (Juvenile Maintenance)	212,394	201,574	229,994
Probation Service Fees	176,554	192,432	180,684
Attorney Fees	384,399	426,770	447,997
Clinical Evaluations	46,825	54,087	41,213
Court Costs	23,953	26,250	34,003
Traffic Service Fees-County Share	9,803	7,073	12,905
Ordinance Violations-County Share	1,278	807	1,077
Children's Village Aftercare	610	206	483
DNA-County Share	-	-	-
Forensic Lab Fees-County Share	-	2	2
Forensic Lab Fees-Prosecutor	-	2	2
Youth Assistance Fees	9,788	11,818	12,295
Jail Tour Fees	6,259	5,661	6,120
Chemical Dependence Inventory Fees	2,654	2,193	2,245
Diversion Fees	7,940	9,150	7,670
Drug Testing	50	23	15
Family Reunification	1,250	-	-
Cost of Prosecution	-	\$ -	100
Total	\$ 2,269,498	\$ 2,178,849	\$ 2,229,970
Trust Accounts:			
State Juvenile Maintenance	\$ 102,468	\$ 113,590	\$ 119,112
Restitution	89,600	85,688	98,115
Crime Victim's Rights Fees	5,584	5,565	5,768
State Minimum Costs	22,079	22,544	24,174
Forensic Lab Fees-State Share	-	26	41
Ordinance Violations-Municipalities Share	639	403	538
Traffic Service Fees-State Share	1,020	967	1,260
DNA-State Share	-	-	-
DNA-Municipalities Share	-	-	-
Public Library Fund	-	300	200
State of Michigan-Aid to Dependent Children	-	-	1,391
Total	\$ 221,390	\$ 229,083	\$ 250,599
TOTAL FUNDS RECOVERED	\$ 2,490,888 *	\$ 2,407,932	\$ 2,480,569

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 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 2012, there were 451 restitution payments made to the victims of crime for a total of \$94,132.94.

*A program which requires that a child's bond be applied toward costs assessed by the Court resulted in the recovery of \$1,614.00 of the above funds.

FAMILY COURT ACCOUNTS

BOARD AND CARE COLLECTIONS

	<u>FY 2012</u>	<u>FY 2011</u>	<u>FY 2010</u>
Juvenile Maintenance	\$ 1,385,741	\$ 1,240,801	\$ 1,253,165
State Juvenile Maintenance	102,468 *	113,590	119,112
TOTAL FUNDS RECOVERED	\$ 1,488,209	\$ 1,354,391	\$ 1,372,277

*This amount includes \$42,157 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.

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2012</u>	<u>FY 2011</u>	<u>FY 2010</u>
Cost to Oakland County	\$ 1,012,689	\$ 1,077,159	\$ 1,140,012
TOTAL FUNDS RECOVERED	\$ 384,399	\$ 426,770	\$ 447,997
Percent Recovered	38.0%	39.6%	39.3%

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 2012</u>	<u>FY 2011</u>	<u>FY 2010</u>
Cost to Oakland County	\$ 294,084 **	\$ 302,510	\$ 269,608
TOTAL FUNDS RECOVERED	\$ 62,086	\$ 50,865	\$ 49,182
Percent Recovered	21.1%	16.8%	18.2%

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.