



**ANNUAL REPORT
FOR
FISCAL YEAR 2013**

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



L. BROOKS PATTERSON, OAKLAND COUNTY EXECUTIVE

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

March 26, 2014

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 2013, covering the period October 1, 2012 through September 30, 2013.

Total collections for the Circuit Court, Family Court, and Administration/Probate Court Sections (including credits for Community Service) for fiscal year 2013 were \$7,895,055. Expenditures for this unit were \$2,943,454 resulting in a collection/expense ratio of \$2.68 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 2013 are presented for your review.

Laurie VanPelt, CPFO
Director of Management & Budget

Timothy J. Soave, CPFO, Manager
Fiscal Services Division

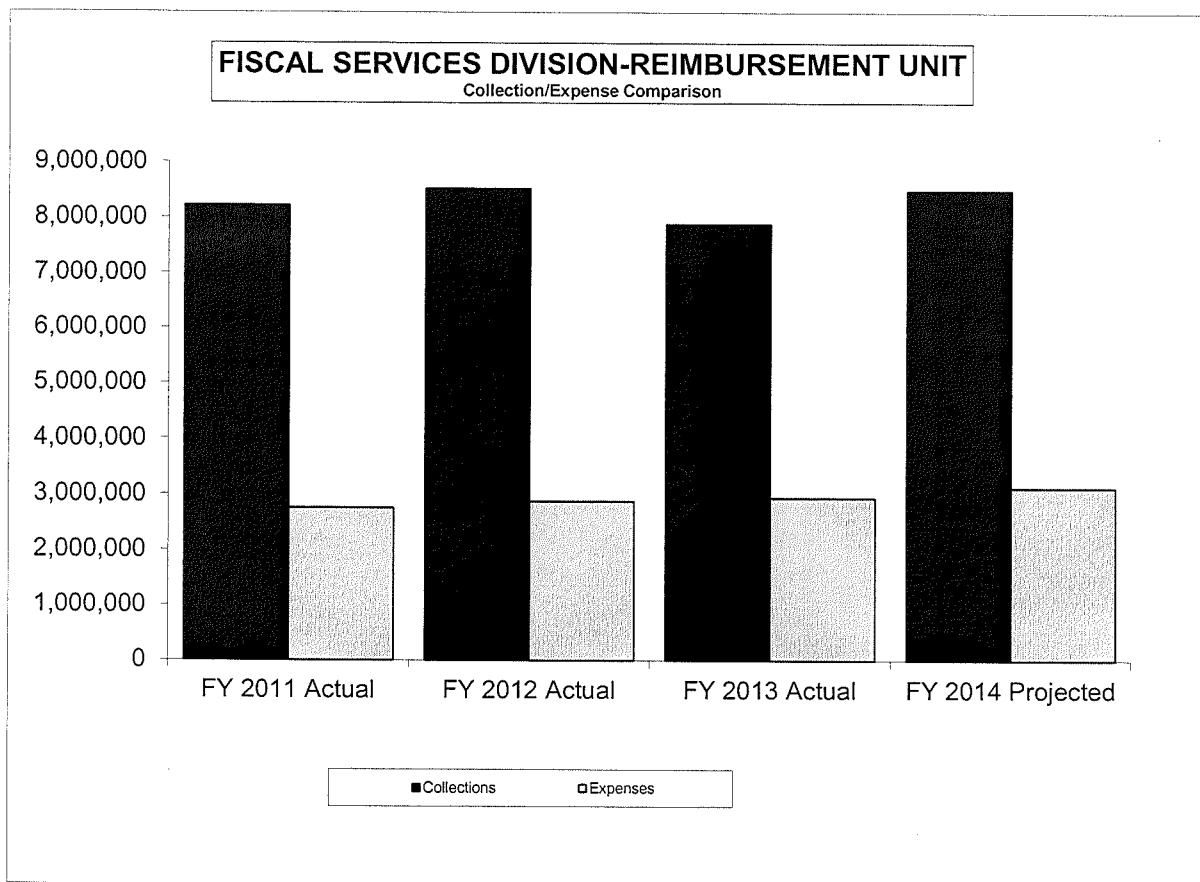
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**2013 FISCAL YEAR ANNUAL REPORT
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**FISCAL SERVICES DIVISION-REIMBURSEMENT UNIT
FISCAL YEAR 2014 PROJECTED BUDGET
COLLECTION / EXPENSE COMPARISON STATEMENT**

	<u>FY 2011 Actual</u>	<u>FY 2012 Actual</u>	<u>FY 2013 Actual</u>	<u>FY 2014 Projected</u>
Salaries & Fringes	\$ 2,139,941	\$ 2,288,406	\$ 2,298,717	\$ 2,471,548
Operating Expenses	617,778	588,320	644,737	647,681
Total Expenses	\$ 2,757,719	\$ 2,876,726	\$ 2,943,454	\$ 3,119,229
Total Collections	\$ 7,679,012	\$ 7,954,116	\$ 7,389,547	\$ 7,900,000
Community Service Credits	546,539	573,380	505,508	600,000
Total Collections & Credits	\$ 8,225,551	\$ 8,527,496	\$ 7,895,055	\$ 8,500,000
Collection/Expense Ratio	\$ 2.98	\$ 2.96	\$ 2.68	\$ 2.73



**Three-Year Summary Comparison Statement
FY 2011 - 2013
Collections vs. Expenses**

	Collections		
	FY 2013	FY 2012	FY 2011
Circuit Court-General Jurisdiction Division:			
Restitution	\$ 2,006,679	\$ 2,337,668	\$ 2,279,105
Court Costs	690,206	751,105	770,785
Attorney Fees	963,655	939,382	882,338
Inmate Board and Care*	1,113	1,355	3,910
Crime Victim's Rights Fees	350,385	316,834	276,023
Fines	304,969	328,102	275,399
Forensic Lab Fees/DNA**	7,448	6,569	10,407
Extradition Fees	1,450	3,415	8,066
Community Service Fees	168	203	44
State Minimum Costs**	324,338	326,316	341,269
Fingerprinting Fees	2,550	800	1,465
Late Penalty	146,782	158,109	109,110
Cost of Prosecution	4,089	11,760	16,524
Bond Forfeiture	817	-	-
Adult Treatment Court	4,702	2,382	3,092
Total	<u>\$ 4,809,351</u>	<u>\$ 5,184,000</u>	<u>\$ 4,977,537</u>
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	\$ 1,032,721	\$ 1,074,611	\$ 971,332
Collection Offset (Board and Care)	284,618	311,130	269,469
Governmental Benefits (Juvenile Maintenance)	207,442	212,394	201,574
Probation Service Fees	141,752	176,554	192,432
Attorney Fees	316,013	384,399	426,770
State Juvenile Maintenance	141,507	102,468	113,590
Restitution	75,012	89,600	85,688
Clinical Evaluations	41,886	46,825	54,087
Court Costs	22,739	23,953	26,250
Traffic Service Fees	11,651	10,823	8,040
Crime Victim's Rights Fees	5,390	5,584	5,565
State Minimum Costs**	19,762	22,079	22,544
Ordinance Violations	230	1,917	1,210
Forensic Lab Fees/DNA**	60	-	30
Children's Village Aftercare	200	610	206
Youth Assistance Fees	8,900	9,788	11,818
Jail Tour Fees	7,968	6,259	5,661
Chemical Dependence Inventory Fees	2,378	2,654	2,193
Diversion Fees	4,005	7,940	9,150
Family Court-Other	1,027	1,300	323
Total	<u>\$ 2,325,261</u>	<u>\$ 2,490,888</u>	<u>\$ 2,407,932</u>
Administration/Probate Court:			
Clerk Fees	\$ 76,263	\$ 79,727	\$ 97,957
Domestic Evaluations	3,658	3,912	7,563
Domestic Guardian Ad Litem	2,887	4,409	4,102
Mental Health Attorney Fees	59,213	62,086	50,865
Mental Health Psychological Evaluations	-	-	600
Total	<u>\$ 142,021</u>	<u>\$ 150,134</u>	<u>\$ 161,087</u>
Miscellaneous:			
Tax Intercept Fees	\$ 91,265	\$ 106,594	\$ 108,953
Witness and Mileage Fees/Service Fees	13,764	13,734	11,622
Recovery Fees for Returned Checks	940	1,213	1,254
Filing Fees	5,260	4,023	3,624
Miscellaneous	364	2,043	5,736
Reimbursement of Postage Expense	1,321	1,487	1,267
Total	<u>\$ 112,914</u>	<u>\$ 129,094</u>	<u>\$ 132,456</u>
TOTAL COLLECTIONS			
	<u>\$ 7,389,547</u>	<u>\$ 7,954,116</u>	<u>\$ 7,679,012</u>
Community Service Credits	\$ 505,508	\$ 573,380	\$ 546,539
GRAND TOTAL			
	<u>\$ 7,895,055</u>	<u>\$ 8,527,496</u>	<u>\$ 8,225,551</u>
Reimbursement Unit Expenses:	\$ 2,943,454	\$ 2,876,726	\$ 2,757,719
Collection/Expense Ratio:	\$ 2.68	\$ 2.96	\$ 2.98

*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).

REPORT OF TRANSACTION ACTIVITY

	Transactions		
	FY 2013	FY 2012	FY 2011
Circuit Court-General Jurisdiction Division:			
Restitution	15,527	15,079	14,823
Court Costs	6,574	7,145	7,468
Attorney Fees	15,314	14,021	12,958
Inmate Board and Care*	3	6	15
Crime Victim's Rights Fees	13,015	12,288	11,419
Fines	1,709	1,888	1,852
Forensic Lab Fees/DNA**	456	600	666
Extradition Fees	24	39	49
Community Service Fees	5	6	1
State Minimum Costs**	9,467	9,279	8,854
Fingerprinting Fees	57	17	43
Late Penalty	2,186	2,123	1,593
Cost of Prosecution	60	154	257
Bond Forfeiture	14	-	-
Adult Treatment Court	66	32	34
Total	64,477	62,677	60,032
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	16,038	15,188	14,574
Collection Offset (Board and Care)	10,407	9,954	9,185
Governmental Benefits (Juvenile Maintenance)	705	661	721
Probation Service Fees	2,116	2,297	2,378
Attorney Fees	4,381	4,587	4,519
State Juvenile Maintenance	1,503	1,578	1,623
Restitution	1,029	964	855
Clinical Evaluations	541	570	535
Court Costs	806	783	676
Traffic Service Fees	114	136	151
Crime Victim's Rights Fees	285	314	309
State Minimum Costs**	403	475	463
Ordinance Violations	6	64	42
Forensic Lab Fees/DNA**	3	-	3
Children's Village Aftercare	3	11	9
Youth Assistance Fees	374	427	480
Jail Tour Fees	181	149	124
Chemical Dependence Inventory Fees	243	264	214
Diversion Fees	73	144	163
Family Court-Other	28	24	2
Total	39,239	38,590	37,026
Administration/Probate Court:			
Clerk Fees	1,053	1,083	1,158
Domestic Evaluations	62	81	124
Domestic Guardian Ad Litem	54	57	65
Mental Health Attorney Fees	1,105	1,147	1,101
Mental Health Psychological Evaluations	-	-	4
Total	2,274	2,368	2,452
Miscellaneous:			
Tax Intercept Fees	2,218	2,254	2,149
Witness and Mileage Fees/Service Fees	711	801	645
Recovery Fees for Returned Checks	42	68	58
Filing Fees	701	555	534
Miscellaneous	3	17	17
Reimbursement of Postage Expense	149	181	154
Total	3,824	3,876	3,557
GRAND TOTAL	109,814	107,511	103,067

*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).

CIRCUIT COURT ACCOUNTS

STATEMENT OF RECEIPTS

	FY 2013	FY 2012	FY 2011
Accounts:			
Court Costs	\$ 690,206	\$ 751,105	\$ 770,785
Attorney Fees	963,655	939,382	882,338
Inmate Board and Care *	1,113	1,355	3,910
Extradition Fees	1,450	3,415	8,066
Community Service Fees	168	203	44
Forensic Lab Fees-County Share	269	244	375
Forensic Lab Fees-Prosecutor	269	244	375
DNA-Court Share	206	168	290
Fingerprinting Fees	2,550	800	1,465
Late Penalty	146,782	158,109	109,110
Cost of Prosecution	4,089	11,760	16,524
Bond Forfeiture	817	-	-
Adult Treatment Court	4,702	2,382	3,092
Total	\$ 1,816,276	\$ 1,869,167	\$ 1,796,374
Trust Accounts:			
Restitution	\$ 2,006,679	\$ 2,337,668	\$ 2,279,105
Crime Victim's Rights Fees	350,385	316,834	276,023
State Minimum Costs	324,338	326,316	341,269
DNA-State Share	1,339	1,094	1,890
DNA-Municipalities Share	515	421	726
Forensic Lab Fees-State Share	4,850	4,398	6,751
Fines	304,969	328,102	275,399
Total	\$ 2,993,075	\$ 3,314,833	\$ 3,181,163
TOTAL FUNDS RECOVERED	\$ 4,809,351	\$ 5,184,000	\$ 4,977,537

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 2013 there were 6,824 restitution payments made to the victims of crime for a total of \$1,980,740.13.

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 \$154,915.62. 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 \$409,237.81 was collected under these programs in fiscal year 2013.

CIRCUIT COURT ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	FY 2013	FY 2012	FY 2011
Cost to Oakland County:			
Regular Cases	\$ 2,260,605	\$ 2,408,464	\$ 2,542,003
Appellate Cases	244,922	344,384	320,217
Total	\$ 2,505,527	\$ 2,752,848	\$ 2,862,220
TOTAL FUNDS RECOVERED	\$ 963,655	\$ 939,382	\$ 882,338
Percent Recovered	38.5%	34.1%	30.8%

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

COURT COMMUNITY SERVICE PROGRAM

	FY 2013	FY 2012	FY 2011
Community Service Credits:			
Attorney Fees	\$ 277,803	\$ 305,925	\$ 276,473
Court Costs	227,705	267,077	269,566
Court Fines	-	378	500
Total Credits	\$ 505,508	\$ 573,380	\$ 546,539
Community Service Fees Collected	\$ 168	\$ 203	\$ 44
TOTAL CREDITS AND FEES	\$ 505,676	\$ 573,583	\$ 546,583

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 2013	FY 2012	FY 2011
Accounts:			
Board and Care (Juvenile Maintenance)	\$ 1,032,721	\$ 1,074,611	\$ 971,332
Collection Offset (Board and Care)	284,618	311,130	269,469
Governmental Benefits (Juvenile Maintenance)	207,442	212,394	201,574
Probation Service Fees	141,752	176,554	192,432
Attorney Fees	316,013	384,399	426,770
Clinical Evaluations	41,886	46,825	54,087
Court Costs	22,739	23,953	26,250
Traffic Service Fees-County Share	11,141	9,803	7,073
Ordinance Violations-County Share	153	1,278	807
Children's Village Aftercare	200	610	206
DNA-County Share	6	-	-
Forensic Lab Fees-County Share	-	-	2
Forensic Lab Fees-Prosecutor	-	-	2
Youth Assistance Fees	8,900	9,788	11,818
Jail Tour Fees	7,968	6,259	5,661
Chemical Dependence Inventory Fees	2,378	2,654	2,193
Diversion Fees	4,005	7,940	9,150
Drug Testing	-	50	23
Family Reunification	1,027	1,250	-
Total	\$ 2,082,949	\$ 2,269,498	\$ 2,178,849
Trust Accounts:			
State Juvenile Maintenance	\$ 141,507	\$ 102,468	\$ 113,590
Restitution	75,012	89,600	85,688
Crime Victim's Rights Fees	5,390	5,584	5,565
State Minimum Costs	19,762	22,079	22,544
Forensic Lab Fees-State Share	-	-	26
Ordinance Violations-Municipalities Share	77	639	403
Traffic Service Fees-State Share	510	1,020	967
DNA-State Share	39	-	-
DNA-Municipalities Share	15	-	-
Public Library Fund	-	-	300
Total	\$ 242,312	\$ 221,390	\$ 229,083
TOTAL FUNDS RECOVERED	\$ 2,325,261 *	\$ 2,490,888	\$ 2,407,932

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 2013, there were 377 restitution payments made to the victims of crime for a total of \$76,048.67.

*A program which requires that a child's bond be applied toward costs assessed by the Court resulted in the recovery of \$2,135.50 of the above funds.

FAMILY COURT ACCOUNTS

BOARD AND CARE COLLECTIONS

	<u>FY 2013</u>	<u>FY 2012</u>	<u>FY 2011</u>
Juvenile Maintenance	\$ 1,524,781	\$ 1,598,135	\$ 1,442,375
State Juvenile Maintenance	141,507 *	102,468	113,590
TOTAL FUNDS RECOVERED	\$ 1,666,288	\$ 1,700,603	\$ 1,555,965

*This amount includes \$54,660 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 2013</u>	<u>FY 2012</u>	<u>FY 2011</u>
Cost to Oakland County	\$ 1,008,149	\$ 1,012,689	\$ 1,077,159
TOTAL FUNDS RECOVERED	\$ 316,013	\$ 384,399	\$ 426,770
Percent Recovered	31.3%	38.0%	39.6%

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 2013</u>	<u>FY 2012</u>	<u>FY 2011</u>
Cost to Oakland County	\$ 305,532	\$ 294,084	\$ 302,510
TOTAL FUNDS RECOVERED	\$ 59,213	\$ 62,086	\$ 50,865
Percent Recovered	19.4%	21.1%	16.8%

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