



**ANNUAL REPORT
FOR
FISCAL YEAR 2016**

**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

January 30, 2017

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 2016, covering the period October 1, 2015 through September 30, 2016.

Total collections for the Circuit Court, Family Court, and Administration/Probate Court Sections (including credits for Community Service) for fiscal year 2016 were \$8,728,258. Expenditures for this unit were \$2,764,327 resulting in a collection/expense ratio of \$3.16 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 2016 are presented for your review.

Laurie VanPelt, CPFO
Director of Management & Budget

Lynn C. Sonkiss, Manager
Fiscal Services Division

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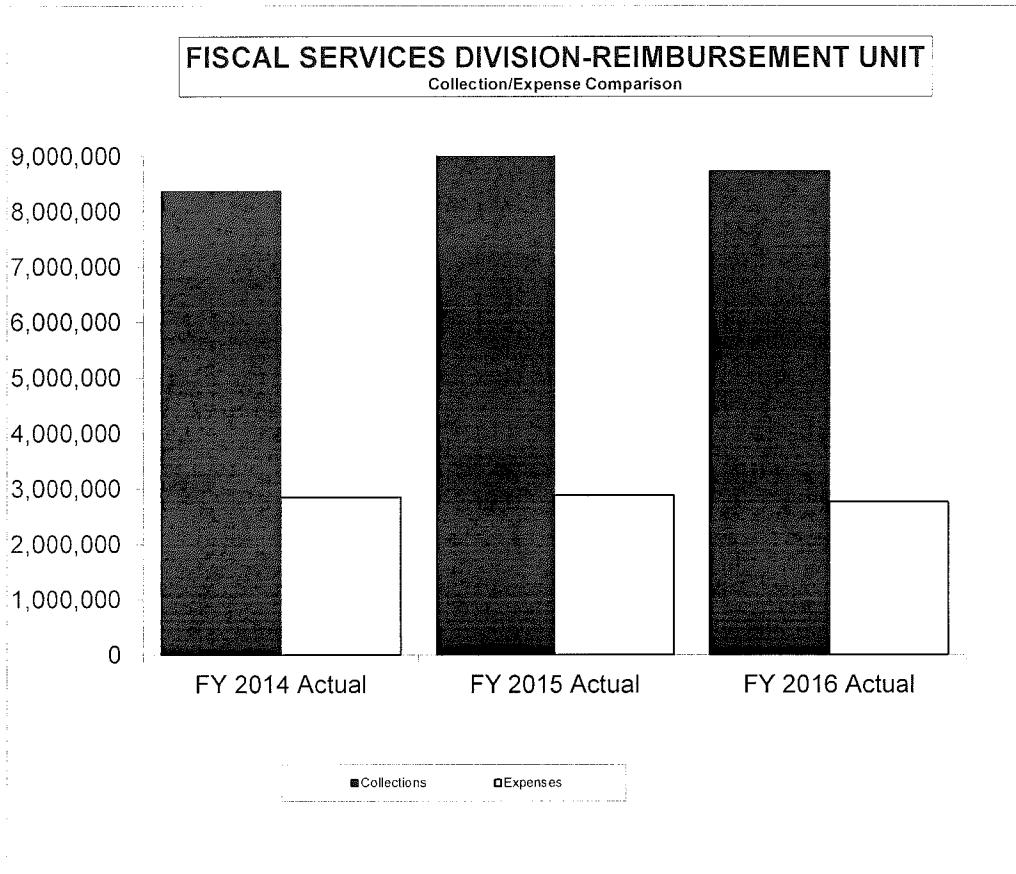
2016 FISCAL YEAR ANNUAL REPORT

TABLE OF CONTENTS

COLLECTIVE/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 2016 ANNUAL REPORT
COLLECTION / EXPENSE COMPARISON STATEMENT**

	<u>FY 2014 Actual</u>	<u>FY 2015 Actual</u>	<u>FY 2016 Actual</u>
Salaries & Fringes	\$ 2,226,518	\$ 2,274,884	\$ 2,158,002
Operating Expenses	622,326	606,924	606,325
Total Expenses	\$ 2,848,844	\$ 2,881,808	\$ 2,764,327
Total Collections	\$ 7,955,348	\$ 8,850,286	\$ 8,457,557
Community Service Credits	418,622	336,212	270,701
Total Collections & Credits	\$ 8,373,970	\$ 9,186,498	\$ 8,728,258
Collection/Expense Ratio	\$ 2.94	\$ 3.19	\$ 3.16



Three-Year Summary Comparison Statement - Collections vs Expenses

	Collections		
	FY 2016	FY 2015	FY 2014
Circuit Court-General Jurisdiction Division:			
Restitution**	\$ 3,357,979	\$ 3,784,098	\$ 2,684,155
Court Costs***	656,300	570,269	715,928
Attorney Fees****	936,952	992,416	926,737
Inmate Board and Care	681	508	1,730
Crime Victim's Rights Fees	396,904	404,907	383,864
Fines	248,059	298,596	293,418
Forensic Lab Fees/DNA*	23,994	7,220	4,365
Extradition Fees	1,864	470	2,293
Community Service Fees	-	-	25
State Minimum Costs*	334,839	333,701	318,602
Fingerprinting Fees	3,898	1,585	3,153
Late Penalty	139,084	141,246	141,047
Cost of Prosecution	4,507	1,796	2,050
Bond Forfeiture	13,497	12,681	8,460
Adult Treatment Court	6,170	3,275	5,242
Total	<u>\$ 6,124,728</u>	<u>\$ 6,552,768</u>	<u>\$ 5,491,069</u>
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	\$ 946,776	\$ 933,215	\$ 1,020,216
Collection Offset (Board and Care)	275,563	267,628	279,315
Governmental Benefits (Juvenile Maintenance)	190,971	214,018	221,463
Probation Service Fees	115,838	106,805	121,135
Attorney Fees	270,944	258,314	278,856
State Juvenile Maintenance	100,848	113,722	110,428
Restitution	80,901	45,781	67,521
Clinical Evaluations	31,298	36,167	39,808
Court Costs	23,009	22,588	21,464
Traffic Service Fees	5,770	5,210	5,662
Crime Victim's Rights Fees	7,152	3,922	4,703
State Minimum Costs*	21,076	15,314	17,515
Forensic Lab Fees/DNA*	180	-	-
Children's Village Aftercare	270	538	387
Youth Assistance Fees	7,085	6,880	9,155
Jail Tour Fees	8,504	5,155	5,184
Chemical Dependence Inventory Fees	3,283	2,573	2,457
Diversion Fees	1,465	1,410	3,682
Family Court-Other	1,332	90	1,303
Total	<u>\$ 2,092,265</u>	<u>\$ 2,039,330</u>	<u>\$ 2,210,254</u>
Administration/Probate Court:			
Clerk Fees	\$ 70,363	\$ 78,508	\$ 80,304
Domestic Evaluations	2,430	2,175	4,822
Domestic Guardian Ad Litem	2,838	5,440	1,687
Mental Health Attorney Fees	48,111	61,267	49,306
Total	<u>\$ 123,742</u>	<u>\$ 147,390</u>	<u>\$ 136,119</u>
Miscellaneous:			
Tax Intercept Fees	\$ 91,214	\$ 89,617	\$ 100,724
Witness and Mileage Fees/Service Fees	16,899	13,194	10,851
Recovery Fees for Returned Checks	1,052	1,275	1,171
Filing Fees	5,143	5,503	3,974
Miscellaneous	1,340	27	247
Reimbursement of Postage Expense	1,174	1,182	939
Total	<u>\$ 116,822</u>	<u>\$ 110,798</u>	<u>\$ 117,906</u>
TOTAL COLLECTIONS	<u>\$ 8,457,557</u>	<u>\$ 8,850,286</u>	<u>\$ 7,955,348</u>
Community Service Credits	\$ 270,701	\$ 336,212	\$ 418,622
GRAND TOTAL	<u>\$ 8,728,258</u>	<u>\$ 9,186,498</u>	<u>\$ 8,373,970</u>
Reimbursement Unit Expenses:	\$ 2,764,327	\$ 2,881,808	\$ 2,848,844
Collection/Expense Ratio:	\$ 3.16	\$ 3.19	\$ 2.94

*DNA and Forensic Lab Fees were replaced with State Minimum Costs effective October 1, 2003 (2003 Public Act 70-79, 95-102, 138).

2014 Public Act 458 requires DNA to be ordered for any conviction/plea/adjudication meeting specified criteria effective July 1, 2015.

**FY 2015 & FY 2016 include \$1,049,409 & \$847,224, respectively, restitution received from the State Attorney General/State of Michigan.

***Court costs ceased to be ordered after a June 2014 State Supreme Court ruling. A new statute was enacted October 2014 allowing court costs to be ordered which was fully implemented March 2015.

****It was determined in July 2015 by the SCAO that appellate court-appointed attorney fees could no longer be ordered or collected.

REPORT OF TRANSACTION ACTIVITY

	Transactions		
	FY 2016	FY 2015	FY 2014
Circuit Court-General Jurisdiction Division:			
Restitution	16,045	16,583	15,902
Court Costs	6,658	5,938	6,999
Attorney Fees	15,887	16,946	15,634
Inmate Board and Care	3	1	4
Crime Victim's Rights Fees	15,620	15,746	14,435
Fines	1,773	1,779	1,839
Forensic Lab Fees/DNA	1,500	498	447
Extradition Fees	10	15	22
Community Service Fees	-	-	1
State Minimum Costs	10,735	10,824	10,114
Fingerprinting Fees	71	49	92
Late Penalty	2,088	1,988	1,903
Cost of Prosecution	3	13	20
Bond Forfeiture	65	95	34
Adult Treatment Court	72	53	63
Total	<u>70,530</u>	<u>70,528</u>	<u>67,509</u>
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	18,375	18,167	17,351
Collection Offset (Board and Care)	11,198	10,981	10,773
Governmental Benefits (Juvenile Maintenance)	786	791	813
Probation Service Fees	1,566	1,600	1,872
Attorney Fees	3,803	3,856	4,066
State Juvenile Maintenance	2,039	1,912	1,475
Restitution	788	715	873
Clinical Evaluations	483	513	521
Court Costs	806	803	688
Traffic Service Fees	68	92	68
Crime Victim's Rights Fees	320	202	263
State Minimum Costs	405	320	390
Forensic Lab Fees/DNA	12	-	-
Children's Village Aftercare	7	15	5
Youth Assistance Fees	307	286	377
Jail Tour Fees	192	113	120
Chemical Dependence Inventory Fees	324	241	261
Diversion Fees	27	27	66
Family Court-Other	2	4	15
Total	<u>41,508</u>	<u>40,638</u>	<u>39,997</u>
Administration/Probate Court:			
Clerk Fees	976	1,084	1,079
Domestic Evaluations	54	46	67
Domestic Guardian Ad Litem	51	75	26
Mental Health Attorney Fees	821	1,128	912
Total	<u>1,902</u>	<u>2,333</u>	<u>2,084</u>
Miscellaneous:			
Tax Intercept Fees	2,063	2,073	2,387
Witness and Mileage Fees/Service Fees	677	718	574
Recovery Fees for Returned Checks	61	49	57
Filing Fees	640	693	519
Miscellaneous	13	2	4
Reimbursement of Postage Expense	133	147	106
Total	<u>3,587</u>	<u>3,682</u>	<u>3,647</u>
GRAND TOTAL	<u><u>117,527</u></u>	<u><u>117,181</u></u>	<u><u>113,237</u></u>

CIRCUIT COURT ACCOUNTS

STATEMENT OF RECEIPTS

	FY 2016	FY 2015	FY 2014
Accounts:			
Court Costs	\$ 656,300	\$ 570,269	\$ 715,928
Attorney Fees	936,952	992,416	926,737
Inmate Board and Care	681	508	1,730
Extradition Fees	1,864	470	2,293
Community Service Fees	-	-	25
Forensic Lab Fees-County Share	166	206	131
Forensic Lab Fees-Prosecutor	166	206	131
DNA-Court Share	2,067	310	174
Fingerprinting Fees	3,898	1,585	3,153
Late Penalty	139,084	141,246	141,047
Cost of Prosecution	4,507	1,796	2,050
Bond Forfeiture	13,497	12,681	8,460
Adult Treatment Court	6,170	3,275	5,242
Total	\$ 1,765,352	\$ 1,724,968	\$ 1,807,101
Trust Accounts:			
Restitution	\$ 3,357,979	\$ 3,784,098	\$ 2,684,155
Crime Victim's Rights Fees	396,904	404,907	383,864
State Minimum Costs	334,839	333,701	318,602
DNA-State Share	13,435	2,020	1,131
DNA-Municipalities Share	5,167	777	435
Forensic Lab Fees-State Share	2,993	3,701	2,363
Fines	248,059	298,596	293,418
Total	\$ 4,359,376	\$ 4,827,800	\$ 3,683,968
TOTAL FUNDS RECOVERED	\$ 6,124,728	\$ 6,552,768	\$ 5,491,069

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 2016 there were 7,325 restitution payments made to the victims of crime for a total of \$3,690,425.15.

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

*A program requiring a defendant's bond to be applied toward costs assessed by the Court resulted in the recovery of \$138,677.70. 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 \$504,018.07 was collected under these programs in fiscal year 2016.

CIRCUIT COURT ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	FY 2016	FY 2015	FY 2014
Cost to Oakland County:			
Regular Cases	\$ 2,252,219	\$ 1,915,031	\$ 2,099,984
Appellate Cases	203,941	216,183	249,804
Total	\$ 2,456,160	\$ 2,131,214	\$ 2,349,788
TOTAL FUNDS RECOVERED	\$ 936,952	\$ 992,416	\$ 926,737
Percent Recovered	38.1%	46.6%	39.4%

Defendants represented by a court-appointed attorney are ordered to repay the County for services provided. It was determined by the SCAO in July 2015 that appellate court-appointed attorney fees could no longer be ordered or collected.

COURT COMMUNITY SERVICE PROGRAM

	FY 2016	FY 2015	FY 2014
Community Service Credits:			
Attorney Fees	\$ 152,568	\$ 190,956	\$ 228,223
Court Costs	118,133	145,256	190,399
Total Credits	\$ 270,701	\$ 336,212	\$ 418,622
Community Service Fees Collected	\$ -	\$ -	\$ 25
TOTAL CREDITS AND FEES	\$ 270,701	\$ 336,212	\$ 418,647

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 2016	FY 2015	FY 2014
Accounts:			
Board and Care (Juvenile Maintenance)	\$ 946,776	\$ 933,215	\$ 1,020,216
Collection Offset (Board and Care)	275,563	267,628	279,315
Governmental Benefits (Juvenile Maintenance)	190,971	214,018	221,463
Probation Service Fees	115,838	106,805	121,135
Attorney Fees	270,944	258,314	278,856
Clinical Evaluations	31,298	36,167	39,808
Court Costs	23,009	22,588	21,464
Traffic Service Fees-County Share	5,500	4,730	5,302
Ordinance Violations-County Share	-	60	-
Children's Village Aftercare	270	538	387
DNA-County Share	18	-	-
Youth Assistance Fees	7,085	6,880	9,155
Jail Tour Fees	8,504	5,155	5,184
Chemical Dependence Inventory Fees	3,283	2,573	2,457
Diversion Fees	1,465	1,410	3,682
Family Reunification	13	-	403
Total	\$ 1,880,537	\$ 1,860,081	\$ 2,008,827
Trust Accounts:			
State Juvenile Maintenance	\$ 100,848	\$ 113,722	\$ 110,428
Restitution	80,901	45,781	67,521
Crime Victim's Rights Fees	7,152	3,922	4,703
State Minimum Costs	21,076	15,314	17,515
Ordinance Violations-Municipalities Share	-	30	-
Traffic Service Fees-State Share	270	480	360
DNA-State Share	117	-	-
DNA-Municipalities Share	45	-	-
Fines	-	-	900
Total	\$ 210,409	\$ 179,249	\$ 201,427
TOTAL FUNDS RECOVERED	\$ 2,090,946 *	\$ 2,039,330	\$ 2,210,254

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 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 2016, there were 308 restitution payments made to the victims of crime for a total of \$74,316.26.

*A program which requires that a child's bond be applied toward costs assessed by the Court resulted in the recovery of \$450.00 of the above funds.

FAMILY COURT ACCOUNTS

BOARD AND CARE COLLECTIONS

	<u>FY 2016</u>	<u>FY 2015</u>	<u>FY 2014</u>
Juvenile Maintenance	\$ 1,413,310	\$ 1,414,861	\$ 1,520,994
State Juvenile Maintenance	100,848 *	113,722	110,428
TOTAL FUNDS RECOVERED	\$ 1,514,158	\$ 1,528,583	\$ 1,631,422

*This amount includes \$20,381 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 2016</u>	<u>FY 2015</u>	<u>FY 2014</u>
Cost to Oakland County	\$ 1,205,986	\$ 1,160,453	\$ 1,100,009
TOTAL FUNDS RECOVERED	\$ 270,944	\$ 258,314	\$ 278,856
Percent Recovered	22.5%	22.3%	25.4%

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

PROBATE COURT-MENTAL HEALTH ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2016</u>	<u>FY 2015</u>	<u>FY 2014</u>
Cost to Oakland County	\$ 352,576	\$ 326,795	\$ 324,554
TOTAL FUNDS RECOVERED	\$ 48,111	\$ 61,267	\$ 49,306
Percent Recovered	13.6%	18.7%	15.2%

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