



**ANNUAL REPORT
FOR
FISCAL YEAR 2017**

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



OAKLAND COUNTY EXECUTIVE L. BROOKS PATTERSON

MANAGEMENT & BUDGET

FISCAL SERVICES DIVISION
REIMBURSEMENT UNIT

REIMBURSEMENT SECTIONS

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

January 19, 2018

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 2017, covering the period October 1, 2016 through September 30, 2017.

Total collections for the Circuit Court, Family Court, and Administration/Probate Court Sections (including credits for Community Service) for fiscal year 2017 were \$7,377,739. Expenditures for this unit were \$2,812,923 resulting in a collection/expense ratio of \$2.62 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 2017 are presented for your review.

Laurie VanPelt, CPFO
Director of Management & Budget

Lynn C. Sonkiss, Manager
Fiscal Services Division

/jl

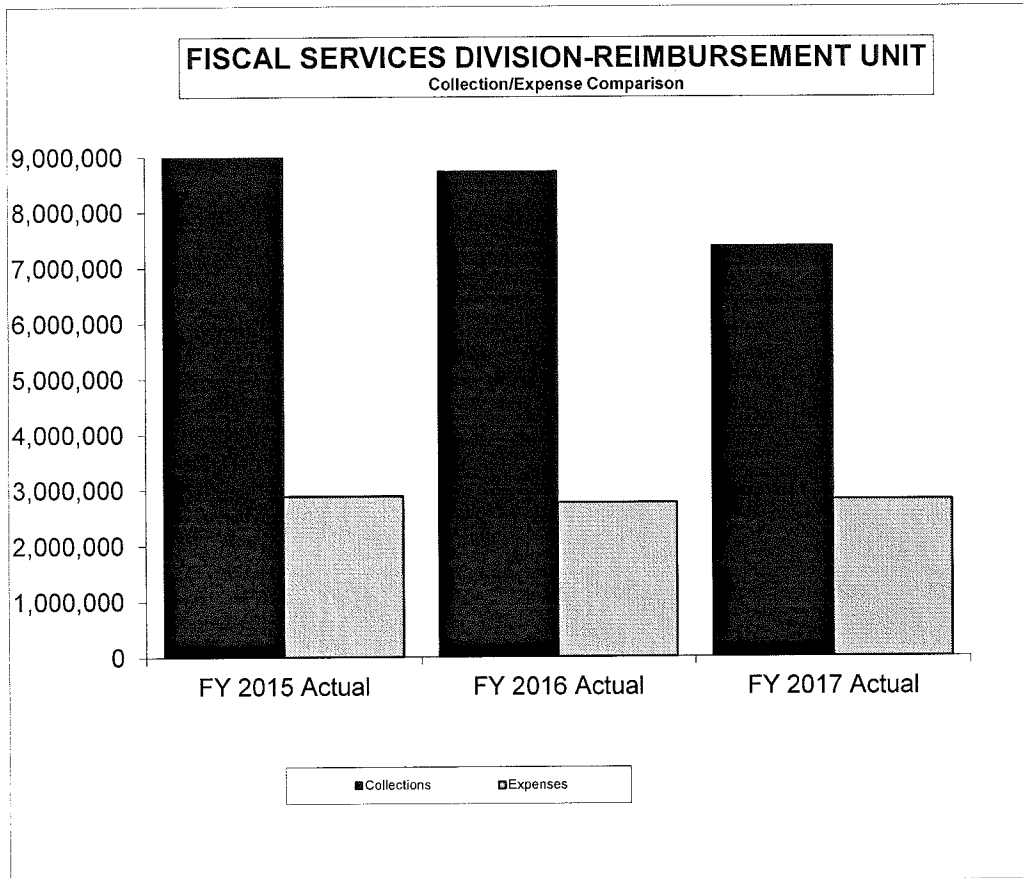
2017 FISCAL YEAR ANNUAL REPORT

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 2017 ANNUAL REPORT
COLLECTION / EXPENSE COMPARISON STATEMENT**

	<u>FY 2015 Actual</u>	<u>FY 2016 Actual</u>	<u>FY 2017 Actual</u>
Salaries & Fringes	\$ 2,274,884	\$ 2,158,002	\$ 2,196,255
Operating Expenses	606,924	606,325	616,668
Total Expenses	\$ 2,881,808	\$ 2,764,327	\$ 2,812,923
Total Collections	\$ 8,850,286	\$ 8,457,557	\$ 7,134,725
Community Service Credits	336,212	270,701	243,014
Total Collections & Credits	\$ 9,186,498	\$ 8,728,258	\$ 7,377,739
Collection/Expense Ratio	\$ 3.19	\$ 3.16	\$ 2.62



Three-Year Summary Comparison Statement - Collections vs Expenses

	Collections		
	FY 2017	FY 2016	FY 2015
Circuit Court-General Jurisdiction Division:			
Restitution**	\$ 2,045,798	\$ 3,357,979	\$ 3,784,098
Court Costs***	688,996	656,300	570,269
Attorney Fees	900,020	936,952	992,416
Inmate Board and Care	1,534	681	508
Crime Victim's Rights Fees	384,559	396,904	404,907
Fines	236,825	248,059	298,596
Forensic Lab Fees/DNA*	38,509	23,994	7,220
Extradition Fees	1,237	1,864	470
Community Service Fees	10	-	-
State Minimum Costs*	336,562	334,839	333,701
Fingerprinting Fees	2,631	3,898	1,585
Late Penalty	123,033	139,084	141,246
Cost of Prosecution	1,415	4,507	1,796
Bond Forfeiture	17,388	13,497	12,681
Adult Treatment Court	5,048	6,170	3,275
Total	\$ 4,783,565	\$ 6,124,728	\$ 6,552,768
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	\$ 990,679	\$ 946,776	\$ 933,215
Collection Offset (Board and Care)	277,949	275,563	267,628
Governmental Benefits (Juvenile Maintenance)	198,145	190,971	214,018
Probation Service Fees	108,697	115,838	106,805
Attorney Fees	264,374	270,944	258,314
State Juvenile Maintenance	105,065	100,848	113,722
Restitution	63,947	80,901	45,781
Clinical Evaluations	28,934	31,298	36,167
Court Costs	24,072	23,009	22,588
Traffic Service Fees	4,710	5,770	5,210
Crime Victim's Rights Fees	6,810	7,152	3,922
State Minimum Costs*	20,803	21,076	15,314
Forensic Lab Fees/DNA*	293	180	-
Children's Village Aftercare	103	270	538
Youth Assistance Fees	6,365	7,085	6,880
Jail Tour Fees	8,305	8,504	5,155
Chemical Dependence Inventory Fees	3,317	3,283	2,573
Diversion Fees	610	1,465	1,410
Family Court-Other	313	1,332	90
Total	\$ 2,113,491	\$ 2,092,265	\$ 2,039,330
Administration/Probate Court:			
Clerk Fees	\$ 74,018	\$ 70,363	\$ 78,508
Domestic Evaluations	1,487	2,430	2,175
Domestic Guardian Ad Litem	3,928	2,838	5,440
Mental Health Attorney Fees	38,550	48,111	61,267
Total	\$ 117,983	\$ 123,742	\$ 147,390
Miscellaneous:			
Tax Intercept Fees	\$ 93,614	\$ 91,214	\$ 89,617
Witness and Mileage Fees/Service Fees	13,011	16,899	13,194
Recovery Fees for Returned Checks	956	1,052	1,275
Filing Fees	5,918	5,143	5,503
Miscellaneous	4,919	1,340	27
Reimbursement of Postage Expense	1,268	1,174	1,182
Total	\$ 119,686	\$ 116,822	\$ 110,798
TOTAL COLLECTIONS	\$ 7,134,725	\$ 8,457,557	\$ 8,850,286
Community Service Credits	\$ 243,014	\$ 270,701	\$ 336,212
GRAND TOTAL	\$ 7,377,739	\$ 8,728,258	\$ 9,186,498
Reimbursement Unit Expenses:	\$ 2,812,923	\$ 2,764,327	\$ 2,881,808
Collection/Expense Ratio:	\$ 2.62	\$ 3.16	\$ 3.19

*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.

REPORT OF TRANSACTION ACTIVITY

	Transactions		
	FY 2017	FY 2016	FY 2015
Circuit Court-General Jurisdiction Division:			
Restitution	14,949	16,045	16,583
Court Costs	7,067	6,658	5,938
Attorney Fees	15,550	15,887	16,946
Inmate Board and Care	2	3	1
Crime Victim's Rights Fees	14,345	15,620	15,746
Fines	1,551	1,773	1,779
Forensic Lab Fees/DNA	2,430	1,500	498
Extradition Fees	11	10	15
Community Service Fees	1	-	-
State Minimum Costs	10,300	10,735	10,824
Fingerprinting Fees	57	71	49
Late Penalty	1,808	2,088	1,988
Cost of Prosecution	9	3	13
Bond Forfeiture	58	65	95
Adult Treatment Court	57	72	53
Total	68,195	70,530	70,528
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	17,899	18,375	18,167
Collection Offset (Board and Care)	10,768	11,198	10,981
Governmental Benefits (Juvenile Maintenance)	691	786	791
Probation Service Fees	1,495	1,566	1,600
Attorney Fees	3,714	3,803	3,856
State Juvenile Maintenance	1,941	2,039	1,912
Restitution	769	788	715
Clinical Evaluations	306	483	513
Court Costs	861	806	803
Traffic Service Fees	67	68	92
Crime Victim's Rights Fees	332	320	202
State Minimum Costs	438	405	320
Forensic Lab Fees/DNA	24	12	-
Children's Village Aftercare	3	7	15
Youth Assistance Fees	267	307	286
Jail Tour Fees	195	192	113
Chemical Dependence Inventory Fees	342	324	241
Diversion Fees	9	27	27
Family Court-Other	15	2	4
Total	40,136	41,508	40,638
Administration/Probate Court:			
Clerk Fees	1,033	976	1,084
Domestic Evaluations	33	54	46
Domestic Guardian Ad Litem	17	51	75
Mental Health Attorney Fees	686	821	1,128
Total	1,769	1,902	2,333
Miscellaneous:			
Tax Intercept Fees	2,080	2,063	2,073
Witness and Mileage Fees/Service Fees	694	677	718
Recovery Fees for Returned Checks	44	61	49
Filing Fees	616	640	693
Miscellaneous	22	13	2
Reimbursement of Postage Expense	136	133	147
Total	3,592	3,587	3,682
GRAND TOTAL	113,692	117,527	117,181

CIRCUIT COURT ACCOUNTS

STATEMENT OF RECEIPTS

	<u>FY 2017</u>	<u>FY 2016</u>	<u>FY 2015</u>
Accounts:			
Court Costs	\$ 688,996	\$ 656,300	\$ 570,269
Attorney Fees	900,020	936,952	992,416
Inmate Board and Care	1,534	681	508
Extradition Fees	1,237	1,864	470
Community Service Fees	10	-	-
Forensic Lab Fees-County Share	111	166	206
Forensic Lab Fees-Prosecutor	111	166	206
DNA-Court Share	3,628	2,067	310
Fingerprinting Fees	2,631	3,898	1,585
Late Penalty	123,033	139,084	141,246
Cost of Prosecution	1,415	4,507	1,796
Bond Forfeiture	17,388	13,497	12,681
Adult Treatment Court	5,048	6,170	3,275
Total	<u>\$ 1,745,162</u>	<u>\$ 1,765,352</u>	<u>\$ 1,724,968</u>
Trust Accounts:			
Restitution	\$ 2,045,798	\$ 3,357,979	\$ 3,784,098
Crime Victim's Rights Fees	384,559	396,904	404,907
State Minimum Costs	336,562	334,839	333,701
DNA-State Share	23,589	13,435	2,020
DNA-Municipalities Share	9,072	5,167	777
Forensic Lab Fees-State Share	1,998	2,993	3,701
Fines	236,825	248,059	298,596
Total	<u>\$ 3,038,403</u>	<u>\$ 4,359,376</u>	<u>\$ 4,827,800</u>
TOTAL FUNDS RECOVERED	<u>\$ 4,783,565</u> *	<u>\$ 6,124,728</u>	<u>\$ 6,552,768</u>

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 2017 there were 5,974 restitution payments made to the victims of crime for a total of \$2,342,021.57.

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 \$143,418.10. 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 \$490,967.01 was collected under these programs in fiscal year 2017.

CIRCUIT COURT ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	FY 2017	FY 2016	FY 2015
Cost to Oakland County:			
Regular Cases	\$ 2,346,448	\$ 2,252,219	\$ 1,915,031
Appellate Cases	194,331	203,941	216,183
Total	\$ 2,540,779	\$ 2,456,160	\$ 2,131,214
TOTAL FUNDS RECOVERED	\$ 900,020	\$ 936,952	\$ 992,416
Percent Recovered	35.4%	38.1%	46.6%

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. Effective August 2017, the Court implemented a new order making defendants responsible for appellate attorney fees on some cases.

COURT COMMUNITY SERVICE PROGRAM

	FY 2017	FY 2016	FY 2015
Community Service Credits:			
Attorney Fees	\$ 139,877	\$ 152,568	\$ 190,956
Court Costs	103,137	118,133	145,256
Total Credits	\$ 243,014	\$ 270,701	\$ 336,212
Community Service Fees Collected	\$ 10	\$ -	\$ -
TOTAL CREDITS AND FEES	\$ 243,024	\$ 270,701	\$ 336,212

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

	<u>FY 2017</u>	<u>FY 2016</u>	<u>FY 2015</u>
Accounts:			
Board and Care (Juvenile Maintenance)	\$ 990,679	\$ 946,776	\$ 933,215
Collection Offset (Board and Care)	277,949	275,563	267,628
Governmental Benefits (Juvenile Maintenance)	198,145	190,971	214,018
Probation Service Fees	108,697	115,838	106,805
Attorney Fees	264,374	270,944	258,314
Clinical Evaluations	28,934	31,298	36,167
Court Costs	24,072	23,009	22,588
Traffic Service Fees-County Share	4,410	5,500	4,730
Ordinance Violations-County Share	-	-	60
Children's Village Aftercare	103	270	538
DNA-County Share	25	18	-
Forensic Lab Fees-County Share	2	-	-
Forensic Lab Fees-Prosecutor	2	-	-
Youth Assistance Fees	6,365	7,085	6,880
Jail Tour Fees	8,305	8,504	5,155
Chemical Dependence Inventory Fees	3,317	3,283	2,573
Diversion Fees	610	1,465	1,410
Family Reunification	313	13	-
Total	<u>\$ 1,916,302</u>	<u>\$ 1,880,537</u>	<u>\$ 1,860,081</u>
Trust Accounts:			
State Juvenile Maintenance	\$ 105,065	\$ 100,848	\$ 113,722
Restitution	63,947	80,901	45,781
Crime Victim's Rights Fees	6,810	7,152	3,922
State Minimum Costs	20,803	21,076	15,314
Forensic Lab Fees-State Share	36	-	-
Ordinance Violations-Municipalities Share	-	-	30
Traffic Service Fees-State Share	300	270	480
DNA-State Share	164	117	-
DNA-Municipalities Share	63	45	-
Fines	-	-	-
Total	<u>\$ 197,188</u>	<u>\$ 210,409</u>	<u>\$ 179,249</u>
TOTAL FUNDS RECOVERED	<u>\$ 2,113,490 *</u>	<u>\$ 2,090,946</u>	<u>\$ 2,039,330</u>

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 2017, there were 294 restitution payments made to the victims of crime for a total of \$65,782.00.

*A program which requires that a child's bond be applied toward costs assessed by the Court resulted in the recovery of \$2,609.00 of the above funds.

FAMILY COURT ACCOUNTS

BOARD AND CARE COLLECTIONS

	<u>FY 2017</u>	<u>FY 2016</u>	<u>FY 2015</u>
Juvenile Maintenance	\$ 1,466,773	\$ 1,413,310	\$ 1,414,861
State Juvenile Maintenance	105,065 *	100,848	113,722
TOTAL FUNDS RECOVERED	\$ 1,571,838	\$ 1,514,158	\$ 1,528,583

***This amount includes \$6,765 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 2017</u>	<u>FY 2016</u>	<u>FY 2015</u>
Cost to Oakland County	\$ 1,226,487	\$ 1,205,986	\$ 1,160,453
TOTAL FUNDS RECOVERED	\$ 264,374	\$ 270,944	\$ 258,314
Percent Recovered	21.6%	22.5%	22.3%

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 2017</u>	<u>FY 2016</u>	<u>FY 2015</u>
Cost to Oakland County	\$ 328,380	\$ 352,576	\$ 326,795
TOTAL FUNDS RECOVERED	\$ 38,550	\$ 48,111	\$ 61,267
Percent Recovered	11.7%	13.6%	18.7%

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