



**ANNUAL REPORT  
FOR  
FISCAL YEAR 2019**

Fiscal Services Division/Reimbursement Unit  
Department of Management and Budget



OAKLAND COUNTY EXECUTIVE DAVID COULTER

MANAGEMENT & BUDGET

FISCAL SERVICES DIVISION  
REIMBURSEMENT UNIT

REIMBURSEMENT SECTIONS:

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

January 30, 2020

Honorable David Coulter  
County Executive  
2100 Pontiac Lake Road  
Executive Office Building, Department 409  
Waterford, MI 48328

Dear Mr. Coulter:

Submitted herewith is the Fiscal Services Division-Reimbursement Unit Annual Report for Fiscal Year 2019, covering the period October 1, 2018 through September 30, 2019.

Total collections for the Circuit Court, Family Court, and Administration/Probate Court Sections (including credits for Community Service) for fiscal year 2019 were \$7,782,076. Expenditures for this unit were \$2,931,213 resulting in a collection/expense ratio of \$2.65 collected for every dollar expended. Prior year's information for comparison purposes is included in this report.

This unit will continue to review polices, 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 2019 are presented for your review.

Sean Carlson  
Deputy County Executive

Lynn C. Sonkiss, Manager  
Fiscal Services Division

/sm

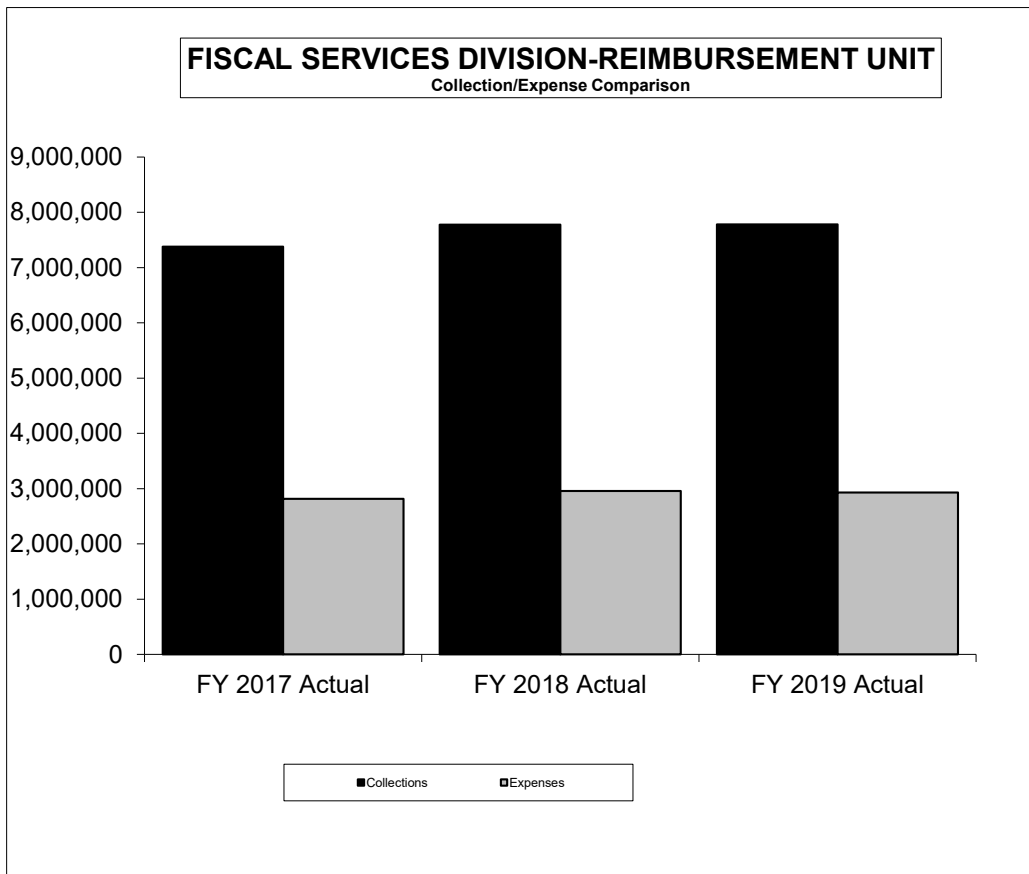
# 2019 FISCAL YEAR ANNUAL REPORT

## 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 2019 ANNUAL REPORT  
COLLECTION / EXPENSE COMPARISON STATEMENT**

	<u>FY 2017 Actual</u>	<u>FY 2018 Actual</u>	<u>FY 2019 Actual</u>
Salaries & Fringes	\$ 2,196,255	\$ 2,328,565	\$ 2,303,986
Operating Expenses	<u>616,668</u>	<u>630,172</u>	<u>627,227</u>
Total Expenses	\$ 2,812,923	\$ 2,958,737	\$ 2,931,213
Total Collections	\$ 7,134,725	\$ 7,503,279	\$ 7,535,103
Community Service Credits	<u>243,014</u>	<u>273,631</u>	<u>246,973</u>
Total Collections & Credits	<u>\$ 7,377,739</u>	<u>\$ 7,776,910</u>	<u>\$ 7,782,076</u>
Collection/Expense Ratio	\$ 2.62	\$ 2.63	\$ 2.65



### Three-Year Summary Comparison Statement - Collections vs Expenses

	Collections		
	FY 2019	FY 2018	FY 2017
<b>Circuit Court-General Jurisdiction Division:</b>			
Restitution**	\$ 2,827,916	\$ 2,586,209	\$ 2,045,798
Court Costs***	568,620	694,221	688,996
Attorney Fees	931,312	872,690	900,020
Inmate Board and Care		112	1,534
Crime Victim's Rights Fees	352,040	348,626	384,559
Fines	238,485	241,185	236,825
Forensic Lab Fees/DNA*	40,254	44,099	38,509
Extradition Fees	295	761	1,237
Community Service Fees		25	10
State Minimum Costs*	303,054	330,197	336,562
Fingerprinting Fees	2,980	2,377	2,631
Late Penalty	127,199	137,772	123,033
Cost of Prosecution	175	4,029	1,415
Bond Forfeiture	17,472	18,587	17,388
Adult Treatment Court	6,623	6,321	5,048
Total	\$ 5,416,425	\$ 5,287,211	\$ 4,783,565
<b>Circuit Court-Family Division:</b>			
Board and Care (Juvenile Maintenance)	\$ 884,535	\$ 955,747	\$ 990,679
Collection Offset (Board and Care)	244,445	251,465	277,949
Governmental Benefits (Juvenile Maintenance)	191,023	199,247	198,145
Probation Service Fees	96,507	87,798	108,697
Attorney Fees	238,708	247,594	264,374
State Juvenile Maintenance	103,578	111,896	105,065
Restitution	97,201	72,062	63,947
Clinical Evaluations	29,527	22,576	28,934
Court Costs	26,627	23,787	24,072
Traffic Service Fees	870	2,355	4,710
Crime Victim's Rights Fees	4,260	5,831	6,810
State Minimum Costs*	11,486	15,901	20,803
Forensic Lab Fees/DNA*	300	360	293
Children's Village Aftercare	1	767	103
Youth Assistance Fees	6,320	6,090	6,365
Jail Tour Fees	3,643	3,602	8,305
Chemical Dependence Inventory Fees	694	1,643	3,317
Diversion Fees	430	730	610
Family Court-Other	162	238	313
Total	\$ 1,940,317	\$ 2,009,689	\$ 2,113,491
<b>Administration/Probate Court:</b>			
Clerk Fees	\$ 57,025	\$ 65,571	\$ 74,018
Domestic Evaluations	1,968	714	1,487
Domestic Guardian Ad Litem	164	95	3,928
Mental Health Attorney Fees	34,596	33,742	38,550
Total	\$ 93,753	\$ 100,122	\$ 117,983
<b>Miscellaneous:</b>			
Tax Intercept Fees	\$ 58,542	\$ 83,250	\$ 93,614
Witness and Mileage Fees/Service Fees	12,479	12,363	13,011
Recovery Fees for Returned Checks	1,135	1,064	956
Filing Fees	8,390	7,178	5,918
Miscellaneous	2,504	667	4,919
Reimbursement of Postage Expense	1,558	1,735	1,268
Total	\$ 84,608	\$ 106,257	\$ 119,686
<b>TOTAL COLLECTIONS</b>			
	\$ 7,535,103	\$ 7,503,279	\$ 7,134,725
Community Service Credits	\$ 246,973	\$ 273,631	\$ 243,014
<b>GRAND TOTAL</b>			
	\$ 7,782,076	\$ 7,776,910	\$ 7,377,739
Reimbursement Unit Expenses:	\$ 2,931,213	\$ 2,958,737	\$ 2,812,923
Collection/Expense Ratio:	\$ 2.65	\$ 2.63	\$ 2.62

\*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 2019 includes three large restitution payments totaling \$610,441.13.

\*\*\*Recent decisions and general direction of the Michigan appellate courts is causing a decrease in the amount of court costs assessed/collected.

## REPORT OF TRANSACTION ACTIVITY

	Transactions		
	FY 2019	FY 2018	FY 2017
<b>Circuit Court-General Jurisdiction Division:</b>			
Restitution	15,934	15,139	14,949
Court Costs	6,181	6,990	7,067
Attorney Fees	15,847	14,491	15,550
Inmate Board and Care	-	1	2
Crime Victim's Rights Fees	14,139	13,926	14,345
Fines	1,735	1,732	1,551
Forensic Lab Fees/DNA	2,673	2,889	2,430
Extradition Fees	12	19	11
Community Service Fees	-	3	1
State Minimum Costs	9,249	9,996	10,300
Fingerprinting Fees	65	72	57
Late Penalty	1,935	2,179	1,808
Cost of Prosecution	2	5	9
Bond Forfeiture	104	81	58
Adult Treatment Court	68	97	57
Total	<u>67,944</u>	<u>67,620</u>	<u>68,195</u>
<b>Circuit Court-Family Division:</b>			
Board and Care (Juvenile Maintenance)	17,170	18,585	17,899
Collection Offset (Board and Care)	10,265	10,575	10,768
Governmental Benefits (Juvenile Maintenance)	668	814	691
Probation Service Fees	1,408	1,268	1,495
Attorney Fees	3,738	3,528	3,714
State Juvenile Maintenance	1,712	1,799	1,941
Restitution	604	806	769
Clinical Evaluations	378	260	306
Court Costs	825	734	861
Traffic Service Fees	17	38	67
Crime Victim's Rights Fees	169	266	332
State Minimum Costs	205	319	438
Forensic Lab Fees/DNA	15	21	24
Children's Village Aftercare	1	15	3
Youth Assistance Fees	252	247	267
Jail Tour Fees	77	83	195
Chemical Dependence Inventory Fees	69	150	342
Diversion Fees	9	13	9
Family Court-Other	4	6	15
Total	<u>37,586</u>	<u>39,527</u>	<u>40,136</u>
<b>Administration/Probate Court:</b>			
Clerk Fees	736	815	1,033
Domestic Evaluations	11	13	33
Domestic Guardian Ad Litem	4	2	17
Mental Health Attorney Fees	622	608	686
Total	<u>1,373</u>	<u>1,438</u>	<u>1,769</u>
<b>Miscellaneous:</b>			
Tax Intercept Fees	1,447	1,868	2,080
Witness and Mileage Fees/Service Fees	599	651	694
Recovery Fees for Returned Checks	70	60	44
Filing Fees	844	753	616
Miscellaneous	18	9	22
Reimbursement of Postage Expense	173	216	136
Total	<u>3,151</u>	<u>3,557</u>	<u>3,592</u>
<b>GRAND TOTAL</b>	<u><u>110,054</u></u>	<u><u>112,142</u></u>	<u><u>113,692</u></u>

## CIRCUIT COURT ACCOUNTS

### STATEMENT OF RECEIPTS

	FY 2019	FY 2018	FY 2017
<b>Accounts:</b>			
Court Costs	\$ 568,620	\$ 694,221	\$ 688,996
Attorney Fees	931,312	872,690	900,020
Inmate Board and Care	-	112	1,534
Extradition Fees	295	761	1,237
Community Service Fees	-	25	10
Forensic Lab Fees-County Share	83	127	111
Forensic Lab Fees-Prosecutor	83	127	111
DNA-Court Share	3,859	4,156	3,628
Fingerprinting Fees	2,980	2,377	2,631
Late Penalty	127,199	137,772	123,033
Cost of Prosecution	175	4,029	1,415
Bond Forfeiture	17,472	18,587	17,388
Adult Treatment Court	6,623	6,321	5,048
Total	\$ 1,658,701	\$ 1,741,305	\$ 1,745,162
<b>Trust Accounts:</b>			
Restitution	\$ 2,827,916	\$ 2,586,209	\$ 2,045,798
Crime Victim's Rights Fees	352,040	348,626	384,559
State Minimum Costs	303,054	330,197	336,562
DNA-State Share	25,088	27,018	23,589
DNA-Municipalities Share	9,648	10,391	9,072
Forensic Lab Fees-State Share	1,492	2,280	1,998
Fines	238,485	241,185	236,825
Total	\$ 3,757,723	\$ 3,545,906	\$ 3,038,403
<b>TOTAL FUNDS RECOVERED</b>	\$ 5,416,424	\$ 5,287,211	\$ 4,783,565

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 2019 there were 4,520 restitution payments made to the victims of crime for a total of \$2,048,406.80.

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 \$154,939.51. 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 \$74,042.37 was collected under these programs in fiscal year 2019.

## CIRCUIT COURT ACCOUNTS

### REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2019</u>	<u>FY 2018</u>	<u>FY 2017</u>
Cost to Oakland County:			
Regular Cases	\$ 2,633,617	\$ 2,283,583	\$ 2,346,448
Appellate Cases	240,314	218,707	194,331
Total	<u>\$ 2,873,931</u>	<u>\$ 2,502,290</u>	<u>\$ 2,540,779</u>
<b>TOTAL FUNDS RECOVERED</b>	<u>\$ 931,312</u>	<u>\$ 872,690</u>	<u>\$ 900,020</u>
Percent Recovered	32.4%	34.9%	35.4%

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

### COURT COMMUNITY SERVICE PROGRAM

	<u>FY 2019</u>	<u>FY 2018</u>	<u>FY 2017</u>
Community Service Credits:			
Attorney Fees	\$ 148,524	\$ 151,853	\$ 139,877
Court Costs	98,449	121,777	103,137
Total Credits	<u>\$ 246,973</u>	<u>\$ 273,630</u>	<u>\$ 243,014</u>
Community Service Fees Collected	\$ -	\$ 25	\$ 10
<b>TOTAL CREDITS AND FEES</b>	<u>\$ 246,973</u>	<u>\$ 273,655</u>	<u>\$ 243,024</u>

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 2019	FY 2018	FY 2017
<b>Accounts:</b>			
Board and Care (Juvenile Maintenance)	\$ 884,535	\$ 955,747	\$ 990,679
Collection Offset (Board and Care)	244,445	251,465	277,949
Governmental Benefits (Juvenile Maintenance)	191,023	199,247	198,145
Probation Service Fees	96,507	87,798	108,697
Attorney Fees	238,708	247,594	264,374
Clinical Evaluations	29,527	22,576	28,934
Court Costs	26,627	23,787	24,072
Traffic Service Fees-County Share	2,152	2,152	4,410
Children's Village Aftercare	1	767	103
DNA-County Share	30	36	25
Forensic Lab Fees-County Share	-	-	2
Forensic Lab Fees-Prosecutor	-	-	2
Youth Assistance Fees	6,320	6,090	6,365
Jail Tour Fees	3,643	3,602	8,305
Chemical Dependence Inventory Fees	694	1,643	3,317
Diversion Fees	430	730	610
Family Reunification	62	238	313
<b>Total</b>	<b>\$ 1,724,704</b>	<b>\$ 1,803,472</b>	<b>\$ 1,916,302</b>
<b>Trust Accounts:</b>			
State Juvenile Maintenance	\$ 103,578	\$ 111,896	\$ 105,065
Restitution	97,201	72,062	63,947
Crime Victim's Rights Fees	4,260	5,831	6,810
State Minimum Costs	11,486	15,901	20,803
Forensic Lab Fees-State Share	-	-	36
Traffic Service Fees-State Share	60	203	300
DNA-State Share	195	234	164
DNA-Municipalities Share	75	90	63
<b>Total</b>	<b>\$ 216,855</b>	<b>\$ 206,217</b>	<b>\$ 197,188</b>
<b>TOTAL FUNDS RECOVERED</b>	<b>\$ 1,941,559 *</b>	<b>\$ 2,009,689</b>	<b>\$ 2,113,490</b>

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 2019, there were 191 restitution payments made to the victims of crime for a total of \$67,273.40.

\*A program which requires that a child's bond be applied toward costs assessed by the Court resulted in the recovery of \$900.00 of the above funds.

## FAMILY COURT ACCOUNTS

### BOARD AND CARE COLLECTIONS

	<u>FY 2019</u>	<u>FY 2018</u>	<u>FY 2017</u>
Juvenile Maintenance	\$ 1,320,003	\$ 1,406,459	\$ 1,466,773
State Juvenile Maintenance	103,578 *	111,896	105,065
<b>TOTAL FUNDS RECOVERED</b>	<b>\$ 1,423,581</b>	<b>\$ 1,518,355</b>	<b>\$ 1,571,838</b>

**\*For Fiscal Year 2019, this does not include any 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 2019</u>	<u>FY 2018</u>	<u>FY 2017</u>
Cost to Oakland County	\$ 1,288,877	\$ 1,287,073	\$ 1,226,487
<b>TOTAL FUNDS RECOVERED</b>	<b>\$ 238,708</b>	<b>\$ 247,594</b>	<b>\$ 264,374</b>
Percent Recovered	18.5%	19.2%	21.6%

**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 2019</u>	<u>FY 2018</u>	<u>FY 2017</u>
Cost to Oakland County	\$ 353,961	\$ 320,813	\$ 328,380
<b>TOTAL FUNDS RECOVERED</b>	<b>\$ 34,596</b>	<b>\$ 33,742</b>	<b>\$ 38,550</b>
Percent Recovered	9.8%	10.5%	11.7%

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