



**ANNUAL REPORT
FOR
FISCAL YEAR 2021**

Fiscal Services Division/Reimbursement Unit
Department of Management and Budget



COUNTY MICHIGAN

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 28, 2022

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 2021, covering the period October 1, 2020 through September 30, 2021.

Total collections for the Circuit Court, Family Court, and Administration/Probate Court Sections (including credits for Community Service) for fiscal year 2021 were \$6,218,378. Expenditures for this unit were \$2,952,763 resulting in a collection/expense ratio of \$2.11 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 2021 are presented for your review.

Kyle Jen-Director
Department of Management & Budget

Lynn Sonkiss-Fiscal Services Officer
Fiscal Services Division

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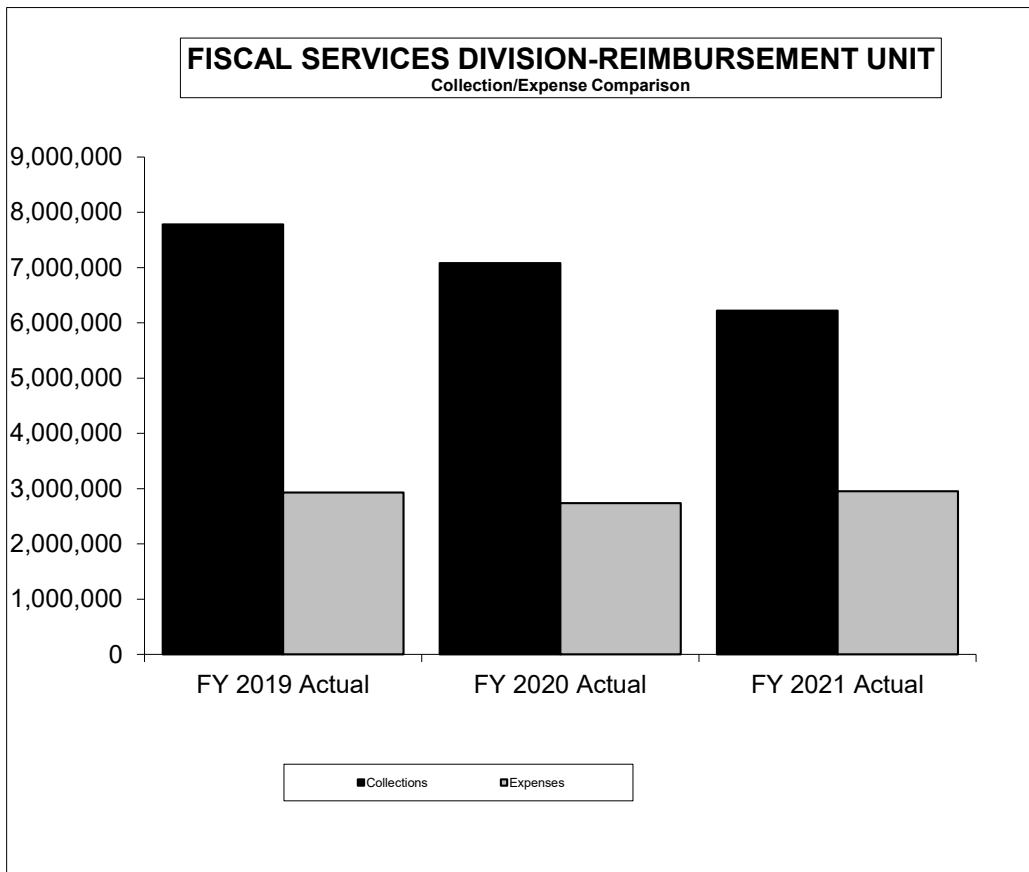
2021 FISCAL YEAR ANNUAL REPORT

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**FISCAL SERVICES DIVISION-REIMBURSEMENT UNIT
FISCAL YEAR 2021 ANNUAL REPORT
COLLECTION / EXPENSE COMPARISON STATEMENT**

	<u>FY 2019 Actual</u>	<u>FY 2020 Actual</u>	<u>FY 2021 Actual</u>
Salaries & Fringes	\$ 2,303,986	\$ 2,116,422	\$ 2,340,201
Operating Expenses	<u>627,227</u>	<u>619,835</u>	<u>612,562</u>
Total Expenses	\$ 2,931,213	\$ 2,736,257	\$ 2,952,763
Total Collections	\$ 7,535,103	\$ 6,885,718	\$ 6,137,938
Community Service Credits	<u>246,973</u>	<u>194,381</u>	<u>80,440</u>
Total Collections & Credits	<u>\$ 7,782,076</u>	<u>\$ 7,080,099</u>	<u>\$ 6,218,378</u>
Collection/Expense Ratio	\$ 2.65	\$ 2.59	\$ 2.11



Three-Year Summary Comparison Statement - Collections vs Expenses

	Collections		
	FY 2021	FY 2020	FY 2019
Circuit Court-General Jurisdiction Division:			
Restitution**	\$ 2,153,716	\$ 2,173,531	\$ 2,827,916
Court Costs***	237,703	400,833	568,620
Attorney Fees (includes appeal attorney fees)	1,097,241	1,115,569	931,312
Inmate Board and Care	-		
Crime Victim's Rights Fees	300,710	306,233	352,040
Fines	182,379	239,132	238,485
Forensic Lab Fees/DNA*	31,952	45,088	40,254
Extradition Fees	458	4,779	295
Community Service Fees	-	-	-
State Minimum Costs*	263,111	282,301	303,054
Fingerprinting Fees	1,892	2,459	2,980
Late Penalty	116,263	156,953	127,199
Cost of Prosecution	100	104	175
Bond Forfeiture	26,067	35,420	17,472
Adult Treatment Court	3,576	4,949	6,623
Total	\$ 4,415,168	\$ 4,767,351	\$ 5,416,425
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	\$ 709,373	\$ 840,756	\$ 884,535
Collection Offset (Board and Care)	210,623	240,509	244,445
Governmental Benefits (Juvenile Maintenance)	74,354	122,726	191,023
Probation Service Fees	73,844	94,904	96,507
Attorney Fees	219,338	306,534	238,708
State Juvenile Maintenance	125,459	116,004	103,578
Restitution**	63,803	91,195	97,201
Clinical Evaluations	22,553	23,347	29,527
Court Costs	10,593	22,529	26,627
Traffic Service Fees	3,050	1,555	870
Crime Victim's Rights Fees	4,248	5,121	4,260
State Minimum Costs*	9,916	17,793	11,486
Forensic Lab Fees/DNA*	720	1,095	300
Children's Village Aftercare	100	499	1
Youth Assistance Fees	1,745	2,775	6,320
Jail Tour Fees	682	2,217	3,643
Chemical Dependence Inventory Fees	739	1,682	694
Diversions Fees	930	3,380	430
Family Court-Other	49	436	162
Total	\$ 1,532,119	\$ 1,895,057	\$ 1,940,317
Administration/Probate Court:			
Clerk Fees	\$ 53,125	\$ 56,323	\$ 57,025
Domestic Evaluations	452	1,580	1,968
Domestic Guardian Ad Litem	118	778	164
Mental Health Attorney Fees	29,343	25,112	34,596
Total	\$ 83,038	\$ 83,793	\$ 93,753
Miscellaneous:			
Tax Intercept Fees	\$ 81,765	\$ 107,211	\$ 58,542
Witness and Mileage Fees/Service Fees	7,243	12,868	12,479
Recovery Fees for Returned Checks	623	811	1,135
Filing Fees	12,441	12,817	8,390
Miscellaneous	4,303	4,385	2,504
Reimbursement of Postage Expense	1,238	1,425	1,558
Total	\$ 107,613	\$ 139,517	\$ 84,608
TOTAL COLLECTIONS	\$ 6,137,938	\$ 6,885,718	\$ 7,535,103
Community Service Credits	\$ 80,440	\$ 194,381	\$ 246,973
GRAND TOTAL	\$ 6,218,378	\$ 7,080,099	\$ 7,782,076
Reimbursement Unit Expenses:	\$ 2,952,763	\$ 2,736,257	\$ 2,931,213
Collection/Expense Ratio:	\$ 2.11	\$ 2.59	\$ 2.65

*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 2020 includes three large restitution payments totaling \$106,481.60 for Circuit and \$15,000 for Family Court.

FY 2020 also includes additional 8 payments of \$1200 per child, \$9,600 in Economic Impact Payments also received.

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

COVID Pandemic begins-March 2020

REPORT OF TRANSACTION ACTIVITY

	Transactions		
	FY 2021	FY 2020	FY 2019
Circuit Court-General Jurisdiction Division:			
Restitution	14,822	14,637	15,934
Court Costs	2,703	4,154	6,181
Attorney Fees	13,199	13,985	15,847
Attorney Fees-Appeal	7	-	-
Inmate Board and Care	-	-	-
Crime Victim's Rights Fees	11,571	11,501	14,139
Fines	1,315	1,637	1,735
Forensic Lab Fees/DNA	2,106	2,883	2,673
Extradition Fees	11	12	12
Community Service Fees	-	-	-
State Minimum Costs	7,787	7,568	9,249
Fingerprinting Fees	43	50	65
Late Penalty	1,543	2,229	1,935
Cost of Prosecution	3	2	2
Bond Forfeiture	231	181	104
Adult Treatment Court	42	65	68
Total	<u>55,383</u>	<u>58,904</u>	<u>67,944</u>
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	16,126	17,288	17,170
Collection Offset (Board and Care)	8,571	9,889	10,265
Governmental Benefits (Juvenile Maintenance)	385	479	668
Probation Service Fees	924	1,198	1,408
Attorney Fees	2,242	3,184	3,738
State Juvenile Maintenance	1,422	1,537	1,712
Restitution	428	612	604
Clinical Evaluations	201	296	378
Court Costs	265	595	825
Traffic Service Fees	54	26	17
Crime Victim's Rights Fees	133	192	169
State Minimum Costs	164	238	205
Forensic Lab Fees/DNA	36	60	15
Children's Village Aftercare	4	10	1
Youth Assistance Fees	72	110	252
Jail Tour Fees	15	50	77
Chemical Dependence Inventory Fees	67	103	69
Diversions Fees	10	34	9
Family Court-Other	6	8	4
Total	<u>31,125</u>	<u>35,909</u>	<u>37,586</u>
Administration/Probate Court:			
Clerk Fees	592	641	736
Domestic Evaluations	5	14	11
Domestic Guardian Ad Litem	2	12	4
Mental Health Attorney Fees	441	386	622
Total	<u>1,040</u>	<u>1,053</u>	<u>1,373</u>
Miscellaneous:			
Tax Intercept Fees	1,355	1,807	1,447
Witness and Mileage Fees/Service Fees	345	624	599
Recovery Fees for Returned Checks	29	38	70
Filing Fees	1,507	1,622	844
Miscellaneous	20	15	18
Reimbursement of Postage Expense	141	164	173
Total	<u>3,397</u>	<u>4,270</u>	<u>3,151</u>
GRAND TOTAL	<u><u>90,945</u></u>	<u><u>100,136</u></u>	<u><u>110,054</u></u>

CIRCUIT COURT ACCOUNTS

STATEMENT OF RECEIPTS

	FY 2021	FY 2020	FY 2019
Accounts:			
Court Costs	\$ 237,703	\$ 400,833	\$ 568,620
Attorney Fees	1,093,399	1,115,569	931,312
Attorney Fees-Appeal	3,842	-	-
Inmate Board and Care	-	-	-
Extradition Fees	458	4,779	295
Community Service Fees	-	-	-
Forensic Lab Fees-County Share	180	123	83
Forensic Lab Fees-Prosecutor	180	123	83
DNA-Court Share	2,835	4,263	3,859
Fingerprinting Fees	1,892	2,459	2,980
Late Penalty	116,263	156,953	127,199
Cost of Prosecution	100	104	175
Bond Forfeiture	26,067	35,420	17,472
Adult Treatment Court	3,576	4,949	6,623
Total	\$ 1,486,495	\$ 1,725,575	\$ 1,658,701
Trust Accounts:			
Restitution	\$ 2,153,716	\$ 2,173,531	\$ 2,827,916
Crime Victim's Rights Fees	300,710	306,233	352,040
State Minimum Costs	263,111	282,301	303,054
DNA-State Share	18,426	27,712	25,088
DNA-Municipalities Share	7,087	10,658	9,648
Forensic Lab Fees-State Share	3,245	2,211	1,492
Fines	182,379	239,132	238,485
Total	\$ 2,928,674	\$ 3,041,778	\$ 3,757,723
TOTAL FUNDS RECOVERED	\$ 4,415,169	\$ 4,767,353	\$ 5,416,424

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 2021 there were 5,763 restitution payments made to the victims of crime for a total of \$2,028,066.99.

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 \$128,210.29. 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 \$543,885.20 was collected under these programs in fiscal year 2021.**

CIRCUIT COURT ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2021</u>	<u>FY 2020</u>	<u>FY 2019</u>
Cost to Oakland County:			
Regular Cases	\$ 2,915,076	\$ 2,147,307	\$ 2,633,617
Appellate Cases	198,895	164,417	240,314
Total	<u>\$ 3,113,971</u>	<u>\$ 2,311,724</u>	<u>\$ 2,873,931</u>
Regular Attorney Fees**	\$ 1,093,399	\$ -	\$ -
Appellate Attorney Fees**	3,842	-	-
Combined Attorney Fees	-	<u>1,115,569</u>	<u>931,312</u>
TOTAL FUNDS RECOVERED	<u>\$ 1,097,241</u>	<u>\$ 1,115,569</u>	<u>\$ 931,312</u>
Percent Recovered *	35.2%	48.3%	32.4%

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 proceedings reduced due to COVID Pandemic, but collections on existing cases continued.**

****Beginning 10/26/20, separation of regular attorney fees and appellate fees ordered for MIDC reporting.**

COURT COMMUNITY SERVICE PROGRAM

	<u>FY 2021</u>	<u>FY 2020</u>	<u>FY 2019</u>
Community Service Credits:			
Attorney Fees	\$ 66,495	\$ 132,257	\$ 148,524
Court Costs	13,944	62,124	98,449
Total Credits	<u>\$ 80,439</u>	<u>\$ 194,381</u>	<u>\$ 246,973</u>
Community Service Fees Collected	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
TOTAL CREDITS AND FEES	<u>\$ 80,439</u>	<u>\$ 194,381</u>	<u>\$ 246,973</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. These credits have significantly decreased during the Pandemic, as many organizations are not accepting defendants to do community service.

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 2021	FY 2020	FY 2019
Accounts:			
Board and Care (Juvenile Maintenance)	\$ 709,373	\$ 840,756	\$ 884,535
Collection Offset (Board and Care)	210,623	240,509	244,445
Governmental Benefits (Juvenile Maintenance)	74,354	122,726	191,023
Probation Service Fees	73,844	94,904	96,507
Attorney Fees	219,338	306,534	238,708
Clinical Evaluations	22,553	23,347	29,527
Court Costs	10,549	22,529	26,627
Traffic Service Fees-County Share	2,790	1,555	2,152
Children's Village Aftercare	100	499	1
DNA-County Share	72	110	30
Forensic Lab Fees-County Share	-	-	-
Forensic Lab Fees-Prosecutor	-	-	-
Youth Assistance Fees	1,745	2,775	6,320
Jail Tour Fees	682	2,217	3,643
Chemical Dependence Inventory Fees	739	1,682	694
Diversion Fees	930	3,380	430
Family Reunification	49	36	62
Total	\$ 1,327,741	\$ 1,663,559	\$ 1,724,704
Trust Accounts:			
State Juvenile Maintenance	\$ 125,459	\$ 116,004	\$ 103,578
Restitution	63,803	91,195	97,201
Crime Victim's Rights Fees	4,248	5,121	4,260
State Minimum Costs	9,916	17,793	11,486
Forensic Lab Fees-State Share	-	-	-
Traffic Service Fees-State Share	130	120	60
DNA-State Share	468	712	195
DNA-Municipalities Share	180	274	75
Total	\$ 204,204	\$ 231,219	\$ 216,855
TOTAL FUNDS RECOVERED	\$ 1,531,945	\$ 1,894,778	\$ 1,941,559

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 2021, there were 206 restitution payments made to the victims of crime for a total of \$85,177.17.

***A program which requires that a child's bond be applied toward costs assessed by the Court resulted in the recovery of \$0 of the above funds for 2021.**

05/31/19-Per Courts direction, parent has to sign waiver to be billed for costs incurred. Reimbursement may no longer request service. May cause decrease in collections.

FAMILY COURT ACCOUNTS

BOARD AND CARE COLLECTIONS

	FY 2021	FY 2020	FY 2019
Juvenile Maintenance	\$ 994,350	\$ 1,203,991	\$ 1,320,003
State Juvenile Maintenance	125,459 *	116,004	103,578
TOTAL FUNDS RECOVERED	\$ 1,119,809	\$ 1,319,995	\$ 1,423,581

***For Fiscal year 2021, this includes \$35,454.60 Child Support Credits from the State of Michigan and \$36,180.98 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

	FY 2021	FY 2020	FY 2019
Cost to Oakland County	\$ 698,398	\$ 840,936	\$ 1,288,877
TOTAL FUNDS RECOVERED	\$ 219,338	\$ 306,534	\$ 238,708
Percent Recovered *	31.4%	36.5%	18.5%

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.
***Court proceedings reduced due to COVID Pandemic, but collections on existing cases continued.**

PROBATE COURT-MENTAL HEALTH ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	FY 2021	FY 2020	FY 2019
Cost to Oakland County	\$ 333,473	\$ 325,436	\$ 353,961
TOTAL FUNDS RECOVERED	\$ 29,343	\$ 25,112	\$ 34,596
Percent Recovered	8.8%	7.7%	9.8%

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