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Oakland County Courthouse



MESSAGE FROM CHIEF JUDGE



Dear Reader:

It is my pleasure to present the 1998 Annual Report for the Oakland County Probate Court. Our award-winning report details the services, programs, and faces of the Probate Court and its 250 employees.

The year 1998 was one of great change and transition. After months of intensive efforts by the Probate and Circuit Court Judges and administrations, the Family Division of Circuit Court began operations. The Joint Operating Agreement created by both Courts and signed by Chief Circuit Judge Edward Sosnick and myself, as Chief Judge of Probate, has proven to not only be an effective plan for the creation of the Family Division in Oakland County, but serves as a national model for family courts. Initially, there certainly were monumental issues to address. The reassignment of thousands of cases by both the Probate and Circuit Courts, the development of the new Family Division docket, and the merging of administrative functions took hundreds of hours of employee and administrative time. It is with a sense of pride that we can now look back on this effort and applaud all those who spent those long hours in the development and transitional periods of this plan.

The Family Division Judges, including Chief Circuit Judge Edward Sosnick, Judge Joan Young, Judge John McDonald, Judge Gene Schnelz, Judge Linda Hallmark, Judge Sandra Silver, and myself were assigned a Family Division docket. The docket consists of juvenile, domestic relations, and mental health cases, as well as minor guardianship cases. The remaining Probate Court docket is shared between Judge Barry M. Grant and Judge Sandra G. Silver. As Chief Judge of the Probate Court, I have always recognized that our success is based on the continuing services and programs the Court offers to children, families, and Oakland County citizens, and the excellence our staff strives for in providing these services. We are blessed with over 1,000 dedicated volunteers, as well as continued support from the County Executive L. Brooks Patterson, the Oakland County Board of Commissioners, the Citizens Alliance, the Oakland County Bar, and the many other County Departments which we rely on for our daily operations.

The year 1999 will certainly bring more changes within the Probate Court, and with an eye toward the future, we hope for a continued merger of operations for a more unified Court system that will be less expensive to operate and better serve the public.

Thank you for your continued support and interest in the Oakland County Probate Court and its services to the public. We appreciate any ideas you may have in how we can better serve the citizens of Oakland County.

Very truly yours,

A handwritten signature in cursive script that reads "Eugene Arthur Moore".

Eugene Arthur Moore
Chief Probate Judge

OVERVIEW OF THE OAKLAND COUNTY PROBATE COURT

The year 1998 was a year characterized by ongoing challenges and considerable accomplishments. As the 1998 Annual Report details how we met many of these challenges and other accomplishments, it is important to reflect and pay tribute to the Oakland County Probate Court's evolution and history since its inception in 1821.

It has been 175 years since the first session of the Oakland County Probate Court was held. Judge William Thompson presided over the irregularly scheduled sessions at that time. As the number of legal matters grew, it was ordered that regular sessions be held each month. Since that first judicial appointment, the citizens of Oakland County have been served by 33 probate judges. It was not until 1961 that the court had more than one judge. Today the Probate Court is represented by four judges who are assisted by eight referees in juvenile proceedings.

The Probate Court found its home on Telegraph Road in the Courthouse Tower in 1962, the Juvenile Court being the first to move to the Oakland County Service Center. Prior to that, the courthouse was located at West Huron and Saginaw Streets, in the City of Pontiac. The first Probate Court operated in the Village of Pontiac beginning in 1821. "Lady Justice" has faithfully followed the court from her original home in 1904 at West Huron and Saginaw Streets, to where she stands today in the middle at the southern end of the courtyard.

Included among the services the Probate Court developed and promoted are the *Youth Assistance Program* of the Juvenile Court created by Judge Arthur E. Moore and Wilfred Webb in 1953; *Children's Village*, also in the 1950's, through the efforts of Judge Arthur E. Moore, James W. Hunt (Juvenile Court Director), and Judge Donald E. Adams; and *Camp Oakland* in Oxford was designed and supported by Judge Arthur E. Moore, James Hunt, and Walter Gehrke, a Detroit businessman. The Oakland County Probate Court also operates its own *Psychological Clinic*, established in the mid-1950s, providing psychological evaluations of children and parents to the court.

In reviewing the early statistics of the Probate Court, it becomes clear how the number of cases opened and processed has grown with the population of the county. Since the Probate Court first held hearings on estates matters in 1823, mental health matters in 1825, and juvenile matters in 1907, many significant milestones have been reached over the years. In 1998, staff processed their 66,410th juvenile file, 266,576th estate file, 28,495th adoption file, and 35,091th mental health file.

In order to meet the needs of the citizens of this county, dedication, skill, and supportive leadership are needed. The court continues to meet the increased demands through the demonstration of these qualities in each of its employees. In 1984, Probate Court was honored with the talents of Barbara A. Consilio, its first Court Administrator. In 1994, this court welcomed Robert L. Bingham to continue the advancements of this arm of the judicial system.

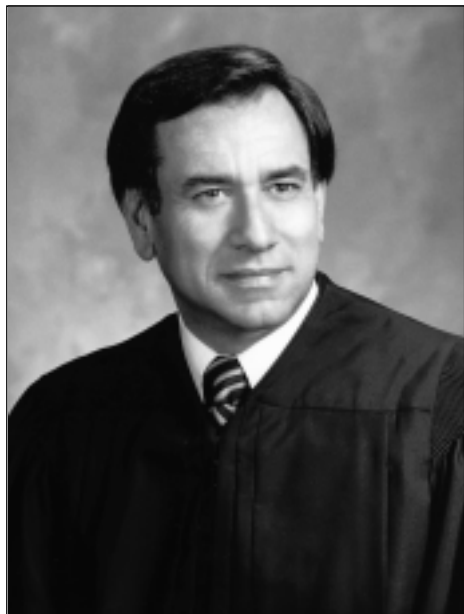
In 1998, the Family Division legislation brought forth a new administrative structure which welcomed Lisa Symula as the new Probate Register, and Robert L. Bingham as our first Family Division Administrator.

Recognition and appreciation are extended to all employees as they strive daily to fulfill the multiple and diverse mandates and service requirements of the Probate Court. The Court's talented and committed staff strive to provide services in a prompt, caring, and efficient manner. The outstanding reputation of the Oakland County Probate Court is a reflection of this philosophy.

Judges of the Oakland County Probate Court

1821-1823	Dr. William Thompson
1823-1826	Nathaniel Millerd
1826-1827	Smith Weeks
1827-1828	Gideon O. Whittemore
1828	William F. Mosely
1828-1832	Ogden Clarke
1832-1844	Stephen Reeves
1845-1848	M. Lamont Bagg
1849-1856	Michael E. Crofoot
1857-1861	Oscar F. North
1861-1863	Harry C. Andrews
1863-1868	Z. B. Knight
1869-1872	Alfred Crawford
1872-1873	Junius Ten Eyck
1873-1876	Joseph C. Powell
1877-1880	James A. Jacokes
1881-1884	Joseph C. Powell
1885-1900	Thomas L. Patterson
1901-1909	Joseph S. Stockwell
1909-1918	Kleber P. Rockwell
1919-1928	Ross Stockwell
1928-1937	Dan A. McGaffey
1937-1938	James H. Lynch
1938-1963	Arthur E. Moore
1960-1977	Donald E. Adams
1963-1988	Norman R. Barnard
1967-Present	Eugene Arthur Moore
1975-1988	John J. O'Brien
1977-Present	Barry M. Grant
1988-Present	Sandra G. Silver
1989-1997	Joan E. Young
1997-1998	Wendy Potts
1998-Present	Linda S. Hallmark

JUDGES OF THE PROBATE COURT



Barry M. Grant has been a Probate Judge since 1977. At the present time he is the Chief Judge Pro Tem of the Probate Court. Judge Grant received his degree from Wayne State University with post-graduate work at Northwestern University and Harvard Law Schools. He is presently the secretary of the Michigan Judicial Tenure Commission. In the past, Judge Grant has served as the Chief Probate Judge. He is the past president of the National College of Probate Judges and he has also served as President of the Michigan Probate Judges Association. In addition, Judge Grant served as Chairperson of the Michigan Judicial Tenure Commission and he was the first President of the Oakland County Judges Association. He served as the editor-in-chief of the National Publication for Probate Judges, as well as, secretary and treasurer of that organization. He was formerly an Assistant Prosecuting Attorney and Clerk for the Probate Court. He served on the State Strategic Planning Committee for Mental Health. Judge Grant is a Trustee of Beaumont Hospital and former Chairman of the Hospital's Research Institute. He wrote a weekly column for *The Detroit News* and *The Detroit Free Press*. Judge Grant is married and has three adult children.



Linda S. Hallmark was appointed to the Probate bench by Governor John Engler in December 1997. Judge Hallmark, of Bloomfield Hills, received her Bachelor of Science degree from Michigan State University in 1973 and her Juris Doctor degree from Wayne State University Law School in 1977. Upon receiving her law degree, Judge Hallmark joined the firm of May & May, P.C. In 1980 Judge Hallmark was employed by the Oakland County Circuit Court as a Referee for the Friend of the Court. Judge Hallmark is a member of the State Bar of Michigan, the Federal Bar Association, the Oakland County Bar Association, and the U.S. Supreme Court Bar. She is a past Chair of the State Bar Family Law Section Council, Oakland County Family Law Committee, and past president of the Referees Association of Michigan. Since 1993, she has served on the Governor's Task Force for Children's Justice. She is an Executive Board member of the Arab American & Chaldean Council and a Governor's appointee to the Arab-American Advisory Board. She is also a member of the Oakland County Inn of Court, State Bar Representative Assembly, and State Bar Association Fellows, as well as a member of the Franklin Village Community Association, and various other community volunteer organizations. Judge Hallmark is married to attorney Robert Hallmark and has two daughters.

JUDGES OF THE PROBATE COURT

Eugene Arthur Moore was first elected Probate Judge in 1966. He served as Chief Judge from 1989 to 1992 and is presently serving as Chief Judge. He is currently a Family Division Judge of the Oakland County Circuit Court. He received his B.A. and law degree from the University of Michigan and is the author of numerous articles on juvenile delinquency and the co-author of several legal texts. He is the past President of the National Council of Juvenile and Family Court Judges and taught Juvenile and Probate law at the Detroit College of Law for over 20 years. He has taught Juvenile law at the National College for Juvenile Court Judges in Reno, Nevada, and the Michigan Judicial Institute. He is a member of the Executive Committee of the Judicial Conference of Michigan and is past President of the Michigan Probate Judges' Association. He is a past trustee of Camp Oakland and STARR Commonwealth. He is Governor of Cranbrook Schools, and trustee of Kingsbury School. He presently serves on the Governor's Task Force on Child Abuse and Neglect. He is a past Vice Chair of the Michigan Trial Court Assessment Commission. He is a member of the Board of Fellows of the National Center for Juvenile Justice in Pittsburgh, Pennsylvania. Judge Moore is married and has two adult children.



Sandra G. Silver was appointed by Governor James Blanchard to the Probate bench in June 1988. She was elected to fill the vacancy in November 1988. Judge Silver received her B.A. from the University of Michigan, and her Juris Doctor Cum Laude from the Detroit College of Law. She served as a County Public Administrator for ten years prior to her appointment, as well as a labor arbitrator. Judge Silver has served on the State Officers Compensation Commission and as investigator and member of a discipline panel for the Attorney Grievance Commission. She has served as a Trustee for the North Oakland YWCA and on the Board of Directors of the Orchards. Judge Silver has previously served as Director of Children's Charter for the Courts of Michigan. She presently serves on both the Probate Committee and Mental Health Committee of the Michigan Probate Judges' Association, and has assumed the duties of sole Mental Health Judge in Oakland County. Judge Silver is married and has three children and seven grandchildren.



PROBATE COURT



Lisa Symula
Probate Register

"EPIC"

In 1978 the current Revised Probate Court Code (RPC) was enacted. For the past ten years, there has been an ongoing effort spearheaded by the Michigan State Bar Probate and Estate Planning Council to redraft the RPC. As a result, the Estates and Protected Individuals Code (E.P.I.C.) was passed and will become effective on April 1, 2000.

E.P.I.C. consists of eight "articles" combining features of the uniform Probate Code and the current Michigan law.

Highlights include the compilation of all general provisions, definitions, and jurisdiction of the court in one Article I. Article II sets forth changes to the interstate share of a surviving spouse and the definition of "right of representation." Perhaps the most significant changes are found in Article III. Presently, Michigan has two procedures which include independent administration and supervised. Under E.P.I.C., the proceedings will include "informal procedure," "formal procedure," and "supervised administration." At a minimum, the changes will necessitate a complete overhaul of our intake procedures, form usage, etc.

Article VII dealing with Trust Administration, revises the rules concerning finality of trust accountings and sets forth a procedure to identify and settle claims against revocable trusts (claim liability being secondary to the probate assets).

We are already beginning the training process to prepare our staff for these important changes. The Court looks forward to working with the various state and local bar Association, and State Court Administrator's Office, for the implementation of the new legislation.

MESSAGE FROM THE PROBATE REGISTER

It seems like all we have been talking about in our Annual Reports, monthly articles, newspaper articles, and presentations, has been the creation, formation, and implementation of the Family Division within the Circuit Court. The reason for this is obvious. The change which took effect January 1, 1998, was monumental. For most of the administration, virtually all of 1997 was consumed with the task of implementing Senate Bill 1052 and creating the new Family Division. The Family Division Docket consists of all juvenile cases, all domestic relation cases, and minor guardianships. All staff dedicated to the Juvenile Division of Probate Court were assigned to the Family Division of Circuit Court. The remaining Probate Court docket consists of all Mental Health, Decedents Estates, Adult/Minor Guardianships and Conservatorships (although minor guardianships are heard by Family Division Judges), and several miscellaneous case types.

The astonishing aspect of this task is that while we were undertaking this massive project, we were also charged with carrying on our normal day-to-day operations without interrupting services to our many users, including attorneys and the Oakland County citizenry. It is said, "that which does not kill you will make you stronger," and after having been in the midst of many difficulties that came with this undertaking, our Judges, supervisors, and staff are stronger because of the efforts we undertook starting in 1996.

Instead of emphasizing the difficulties, I would like to point out some of the positive aspects. Certainly it has been a pleasure to work with the Circuit Court Judges under the leadership of Judge Edward Sosnick, including Judge Young (although she was a familiar face to us!), Judge McDonald, and Judge Schnelz. It has also been a pleasure to work with Circuit Court Administrator Judy Cunningham and her most able staff.

I also believe that each Court brought to the table their own strengths to share. One example would be the Duty Judge concept which Probate Court has had in existence for several years. This is a Judge assigned on a weekly basis that hears certain emergency matters, mental health matters, and helps cover for Judges that are unavailable. Many ideas from both the Circuit and Probate Courts were embraced by Family Division Judges and have certainly proved effective.

While this past year has brought many challenges personally with respect to additional responsibilities, it has also allowed me to work closely with Chief Probate Judge Eugene Arthur Moore who has proven to be a most effective leader during this transitional time. Many of our successes are attributed to his hard work and commitment to family issues. Finally, I would note that the future still holds many changes for the Probate Court. The ultimate goal of unifying all of the Courts into one trial court is still a goal that many of us will embrace in the future. I look forward to continued merger of operations with Circuit Court, while always striving to provide the best services to our Oakland County families, children, and attorneys.

We hope when you read through this Annual Report you can see the level of dedication each unit has. On behalf of our Administration, employees, and volunteers, we thank you for your continued support of our Court.

Very Truly Yours,

A handwritten signature in cursive script that reads "Lisa Symula".

Lisa Symula
Probate Register

CIRCUIT COURT – FAMILY DIVISION

MESSAGE FROM THE FAMILY DIVISION ADMINISTRATOR

Resultant of Senate Bill 1052 and related legislation passed in September 1996, the Family Division of Oakland County Circuit Court initiated operation on January 1, 1998. The creation of the new Family Division required an exhaustive restructuring of the Probate and Circuit Courts. Commencing in the Fall 1996, Chief Circuit Judge Edward Sosnick and Chief Probate Judge Eugene Arthur Moore skillfully directed and nurtured a comprehensive planning effort which impacted hundreds of Probate Court and Circuit Court employees as an interim operational plan was devised.

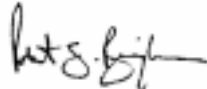
This interim plan called for the creation of a Family Division bench which would include assigned Judges from both the Probate and Circuit Courts. The assigned judges are pictured below.

Judge Sosnick agreed to serve as Presiding Judge of the Family Division, while retaining his role as Chief Judge of the Circuit Court. Judge Moore also continued his role as Chief Judge of the Probate Court. Due to judicial caseload projections, Judge Silver agreed to a joint assignment of Family Division and Probate Court cases.

Other functional areas demanding analysis and planning included organizational structure and reporting mechanisms; judicial assignments; utilization of referees, docketing and case reassignments; coordination of services; file location, control, and maintenance; confidentiality; automation; budget coordination; forms and orders; Court rules and local administrative orders; publications and media relations; relations with other county departments and state agencies; and training.

To administer and operate the Family Division model in Oakland County, over 190 Probate Court employees were assigned to the Family Division under the administrative purview of Chief Circuit Court Judge Sosnick. As provided by law, the hiring, disciplining, and discharging of all Probate Court employees remained the responsibility of Chief Probate Judge Moore. Remaining Probate Court personnel continued to administer Probate Estates and Mental Health cases under the direct supervision of the Probate Register, Lisa Symula.

While 1998 was a challenging transition year, it was also a rewarding one based on the spirited cooperation, hard work, and commitment to service demonstrated by Probate Court and Circuit Court staffs.



Robert L. Bingham
Family Division Administrator



Robert L. Bingham
Family Division Administrator

"JUVENILE ORIENTATION VIDEO"

In 1996 an initiative evolved out of the Probate Court's Citizen's Alliance to produce an orientation video for youth and families entering the Juvenile Court system. The intent of the video was to orient, educate, and lessen anxiety of youth and parents while explaining the Court process and Court-related programs by making the process simpler, more understandable, and less intimidating.

Through a significant fund-raising effort, monies were raised from a variety of private and corporate sources in the amount of \$47,500. Principle donors included Alvin Wasserman, the Michigan State Bar Association, the Oakland County Bar Association Adams-Pratt Foundation, the Hess Trust, NBD, Lula C. Wilson Trust, and an anonymous donor. Actual video taping began in 1998 by Palackdharry Productions with the video's release and distribution set for April 1999.

Additional funds were raised, specifically to distribute hundreds of copies of the video to Oakland County schools and other organizations for educational purposes. The National Council of Juvenile and Family Court Judges remains interested in considering a national distribution of the video upon the production's release.

We are confident that a well done and widely distributed educational video will go along way in helping all citizens, especially young citizens, to be better informed about the legal process and what happens to youth coming before the Juvenile Court and the responsibilities of Judges, Court staff, parents, and the juvenile themselves.



Pictured (left to right): Judge Gene Schnelz, Judge Eugene Arthur Moore, Judge Linda S. Hallmark, Judge Edward Sosnick, Judge Joan E. Young, and Judge John J. McDonald. (Not pictured: Judge Sandra G. Silver).

ESTATES AND MENTAL HEALTH

ESTATES PROCEEDINGS

Probate Court performs one of the most important functions of courts in society – they make a formal record of the legal status of property. Probate Court supervises both the “probating” of wills and the administration of estates and trusts of deceased persons by personal representatives. It is the court’s task to interpret last wills in the event of uncertainty or conflict over the will’s meaning or to determine rights to an estate (where the deceased person has dies “intestate,” or without a will). Staff of this unit are responsible for processing all documents relating to decedent estates, guardianships, and conservatorship of adults and minors, inter vivos and testamentary trusts, change of names, inheritance tax matters, and acknowledgments of paternity. The division also provides for the safekeeping of wills. A probate file room houses all files related to this division’s work. As probate information is a matter of public record, file room staff are responsible for filing, retrieving, and maintaining these records accurately and promptly.

MENTAL HEALTH PROCEEDINGS

Probate Court holds Mental Health hearings as prescribed within the Mental Health Code pertaining to commitment for hospital care of alleged mentally ill persons, mentally handicapped, and addicted persons. Staff of this unit are responsible for the processing of petitions for the judicial admission of mentally ill persons to psychiatric facilities. The unit is also responsible for reporting procedures relative to developmentally disabled persons.

HIGHLIGHTS

- ❑ Continued to work through various issues resulting from the creation of the Family Division, including the reassignment of cases.
- ❑ Continued training of judicial staff regarding Mental Health matters for the Circuit Court Judges that have become Family Division Judges.
- ❑ Increased emphasis on resolving Orders to Show Cause as these are being handled by the Probate Register. A second Deputy Register has been added to this work area to assist with the review. More files are being closed administratively as a result.
- ❑ Automated most forms used in Mental Health so that they can now be computer generated.
- ❑ Streamlined procedures for Developmentally Disabled Person (DDP) which included the elimination of several forms. The forms that remain were revised to make them more user friendly to the public. Proofs of Service were eliminated where possible, and information was added to the bottom of the forms. This was also done for Mental Health Proceedings. Two Proofs of Service were eliminated and forms made more “user friendly.” An extra half staff has been added to this unit and trained in Mental Health procedures.
- ❑ Continued creating macros on the computer so that orders and letters are prepared ahead of time, which has resulted in the ability to handle customers more expeditiously on Court mornings.
- ❑ Participated with Information Technology with respect to the Y2K compliance project.
- ❑ Streamlined procedures in the filerom so that filings are kept current and overall efficiency increased.
- ❑ Completed a review of all 216 probate court forms which resulted in the elimination of outdated and unused forms and developed a reference guide for all staff. (see photo at right)



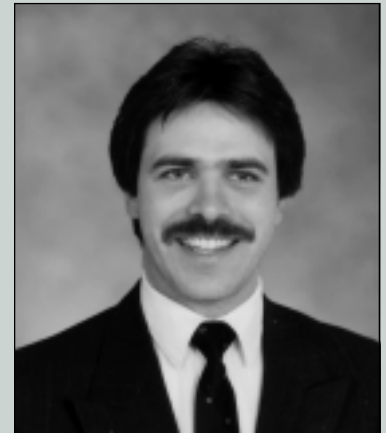
Mary Batchelor and Kim Guerrieri received Certificates of Appreciation for the completion of the Estates and Mental Health Forms Project. The project involved revising/reviewing over 216 forms as well as creating a user-friendly reference guide for staff.

ADMINISTRATIVE SUPPORT RESPONSIBILITIES

This work unit is responsible for the development and delivery of administrative support services for the Probate Court and Family Division of Circuit Court. Administrative support services include the development and monitoring of the Court's \$21.7 million budget, preparing and monitoring the \$20 million child care fund budget, processing and monitoring charges for youth committed to the Family Independence Agency per Public Acts 150 and 220, processing payments including all court appointed attorney payments, personnel management, facilities management, information management, public relations, advancing Court automation and technology improvements, providing legal services, and providing data entry and word processing support which includes the typing of Court documents necessary for the functioning of the Court (i.e., court reports, psychological reports, referee reports).

ACCOMPLISHMENTS

- ❑ Directed and coordinated the installation of 33 new personal computers within each of the Youth Assistance local communities, with the help of Information Technology. Each local office now has the ability to communicate with the central office via remote dial-up capabilities.
- ❑ Participated in planning for the implementation of our pilot imaging project scheduled for Spring 1999. We are piggy-backing on the replacement of the current imaging system within Friend of the Court and the County Clerk. Participation is currently confined to juvenile operations based upon our Family Division relationship.
- ❑ Helped Information Technology complete the Year 2000 Compliance Project.
- ❑ Participated in the process to select a consultant, develop RFP, and choose a vendor in an effort to create an integrated judicial information management system (JIMS). Proceeding with Information Technology's proposal to meet the Court's needs set forth in the RFP Needs Assessment document.
- ❑ Completed Phase III (Judge Hallmark's new courtroom and chambers), Phase IV (Judge Silver's new courtroom and chambers), Phase V (modifications to Judge Grant's and Judge Moore's courtrooms), and Phase VI (new Mental Health office, detention area, and lobby/waiting area), of the Probate Court, East Wing Renovation Project.
- ❑ Completed 13 legal research projects, legislative analysis and various presentations on the Binsfeld Legislation, 14 new contracts for consultants working with the Psychological Clinic, and conducted 471 Personal Protective Order review hearings within our legal services unit.
- ❑ Produced 26,355 pages of Court documents in our Word Processing Center. Over 10,000 dictations were received on our computerized digital dictation system.
- ❑ Processed over 6,500 payments to Court appointed attorneys/Guardians ad Litem representing almost \$1.1 million. Also, modified the Court Appointed Attorney Juvenile Fee Schedule to increase fees effective October 1, 1998.
- ❑ Generated \$59,825 in alternative funds to support Court programs.
- ❑ Coordinated and presented the "Removing the Mysteries of Probate Court" seminar for Oakland County citizens at seven different locations: West Bloomfield, Birmingham, Oak Park, Farmington, Rochester, Clarkston, and Holly. This free seminar provides information and answers for issues related to wills, estates, trusts, guardianship, an conservatorships.
- ❑ Comprehensive monitoring of juveniles committed to the State of Michigan FIA produced over \$140,000 in credit adjustments.



John L. Cooperrider
Deputy Court Administrator

"THE CAP IS LIFTED"

On September 1, 1988, Oakland County filed a complaint in the Court of Claims against the State of Michigan seeking declaratory and monetary relief under the Headlee Amendment for the costs of foster care.

Historically, the State and counties shared the responsibility of funding foster care services 50/50. However, in 1980 the Social Welfare Act was amended so that the state could limit its reimbursement costs to a fixed amount. This was known as the Child Care Fund "CAP." The Headlee Amendment prevents the State from reducing the state-financed proportion of necessary costs of an existing activity or service required of units of local government by state law at the time the Amendment was enacted.

Nine years later, on July 31, 1997, the Michigan Supreme Court finally handed down their decision which held that the Child Care Fund "CAP" was a violation of the Headlee Amendment. Only declaratory relief was awarded.

This meant that for the first time in almost twenty years the State would have to reimburse counties for 50 percent of all eligible child care expenditures. For Oakland County, this meant an additional \$3.5 million in reimbursement from the State of Michigan for child care expenditures in FY1998.

This decision has also given counties added incentive to develop innovative in-home care programs to keep children in-home and out of expensive institutional placements. It is for this reason, Oakland County added its newest in-home care program (six in total) within the Psychological Clinic this past year, which is projected to generate an additional \$250,000 in reimbursement from the State.

FAMILY DIVISION



William P. Bartlam
Deputy Court Administrator

**"ADAPTING TO LIFE IN
THE FAMILY DIVISION"**

While we planned and prepared for more than one year, our transition to operate as the Family Division of the Circuit Court has presented us with many challenges in this first year of operation. We had to forge new working relationships with Circuit Court Administration, the County Clerk, the Circuit Court Judges and judicial staffs in this division, and redefined our working relationship with our colleagues remaining in Probate Court. Many of our procedures and practices were re-examined and modified, while still others had to be developed as a result of our new responsibilities.

One of the first challenges was absorbing nearly 4,000 Personal Protection Order cases into our present workload. The handling of these matters was coordinated by our PPO Clerk and our Referee staff. Their efforts are separately described on the next page. None of their other work disappeared — these cases were "in addition to" everything our staff had been doing before these cases were consolidated here.

The challenge of launching this new operation was greater because other laws and rules were also changing our ways of work. In April we began to incorporate the changes required by the "Binsfeld Legislation," a group of laws which impact services for children and the manner by which the courts handle children's cases. In the autumn, a group of laws known as "Binsfeld II" also took effect. At the end of the year the legislature passed 41 new laws that impact our work and it will take additional effort to implement these changes in our legal requirements.

JUDICIAL SUPPORT RESPONSIBILITIES

This work unit supports the "judicial" functions of the Probate Judges and Family Division judges through scheduling, file preparation, record maintenance, and order production services. Support staff receive, maintain, and act upon documents which are presented to the court each day and update the computer records on all cases within each Court's jurisdiction. Referees assist the judges by conducting many of the Juvenile Court hearings and recommending decisions to the judges in these cases. Court Reporters create records of courtroom proceedings and produce transcripts. Court Service Officers deliver summons, subpoenas, writs, and orders. The Assignment Clerk coordinates judge and referee assignments to all new matters, changes of venue, visiting judge requests and judge disqualification as well as the scheduling of many hearings. Staff within this unit also handle hundreds of incoming calls each day. Staff also assist the large number of users who are present for hearings or utilizing our counter services for filing documents or inspecting records.

Judicial Support functions cover subject areas within Circuit Court's Family Division as well as Probate Court jurisdiction.

ACCOMPLISHMENTS

- ❑ Participated in the collaborative efforts of the Personal Protection Order (PPO) Steering Committee, designing forms, procedures, relocation of the PPO advocates office, interviewing of petitioners, and recommendations to Judges. We also participated in the "PPO summit" in November, where representatives from all organizations participating in this process in this county came together to address mutual concerns with which we struggled.
- ❑ Recruited and selected ten attorney contractors to assist the Referees in PPO petitioner interviews. This program commenced operation in January 1999.
- ❑ Performed record checking and Judge assignment on all new matters entering the Family Division through Juvenile Intake. This helps make the "one family, one judge" concept much more a reality as we identify all the cases which any family may have in the court system, and attempt to consolidate them to a single jurist.
- ❑ Worked collaboratively with County Clerk staff newly involved in the keeping of the public records of the Family Division, including the movement of files throughout the Courthouse and assuring that documents are promptly routed to our work centers.
- ❑ Performed an extensive internal review of our Adoption Unit practices and procedures, including our requirements for filing, case processing, and case management.
- ❑ Created the "Family Division Information Center" at our Juvenile Court reception desk, with pamphlets, information sheets, and directions to various points in the Courthouse for the hundreds of hearings scheduled each day.
- ❑ Continued work in implementing the provisions of Juvenile Justice Reform, laws which took effect in 1997, and permitted criminal proceedings for juveniles in the Family Division.
- ❑ Continued educating our stakeholders, our customers, and ourselves in our changed responsibilities and ways of doing business.

JUVENILE/ADOPTION SUPPORT RESPONSIBILITIES

This work unit is composed of six sub-units responsible for the delivery of judicial support services in the juvenile and adoption jurisdictional arenas. The *Intake* sub-unit receives, processes, and reviews the complaints at the front-end of the system. The *Deputy Register* sub-unit processes the delinquency and child protective proceeding files as they move through the system and are authorized for formal court. The *Traffic* sub-unit processes complaints of juveniles committing violations of the Motor Vehicle Code that are criminal violations. The *Victim's Rights* sub-unit provides a valuable service to the community by providing the necessary link between victims of juvenile crimes and the court. The *Adoptions* sub-unit is responsible for processing inter-family, direct consent, and agency adoption petitions. Finally, the *Court Service Officers* are responsible for service delivery of court legal documents according to court rules, i.e., summonses, subpoenas, bench warrants, etc.

Each work area is responsible for reviewing and processing all complaints and petitions for completeness and accuracy of information. Referees guided by statute, court rules, and court policies determine the level of court intervention necessary to handle each complaint. Each work area supports the judicial process by performing record checks on juveniles, entering pertinent information into the computer database, responding to inquires from police or the public, performing file preparation and record maintenance, and producing court orders.

HIGHLIGHTS

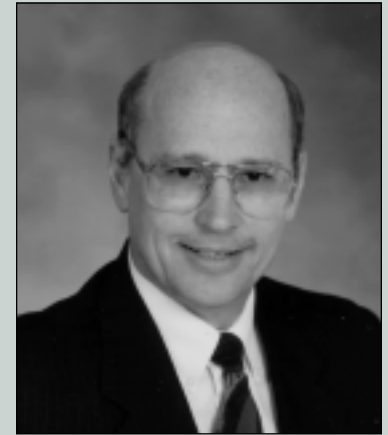
- ❑ Received 7,270 complaints in Intake, processed 648 traffic citations, accepted 451 adoption petitions, and 1,782 original dispositions were entered.
- ❑ Created a PPO clerical position to attend to the needs of these PPO victims and assist the Referees in handling the review of these petitions.
- ❑ Added two clerical positions to the Intake support staff to increase the depth of our record checking.
- ❑ Reorganized our Adoption support staff to increase efficiency and obtain a more immediate response to petitioners.
- ❑ Handled the greater demand placed on our File Room with the additional role of the County Clerk in maintaining Court files and the increase of Judges, while maintaining the current staffing level.

REFEREE HIGHLIGHTS

- ❑ Interviewed over 3,400 PPO petitioners to review circumstances surrounding each case and make recommendations to the Family Division Judges. Petitioners are usually seeking protection from family violence or stalking behavior.
- ❑ Implemented both substantive and procedural changes resulting from the new "Binsfeld Legislation." These new laws changed the way we do business with respect to child protective proceedings.
- ❑ Finally, changes in the manner in which we try juveniles as adults, and how we impose restitution have likewise been ascribed.



Martin B. Alvin
Senior Referee



Charles A. Ludwig
Chief of Juvenile/Adoption Support

"NUMBERS DON'T TELL THE STORY"

Knowing how many petitions we handled last year or how many hearings we held, is not the only indicator of the efforts of Adoptions/Juvenile Support. An equally important indicator is how we respond to our consumers, usually people in crisis.

The Intake staff are often the first Court employee the public contacts to request help that involve children. "How does staff respond to their needs? How do I get my incorrigible son into Children's Village? My daughter received a ticket for smoking, what happens next? My Son and his wife are neglecting my grandchildren, what do I do to protect them? How do I arrange for my runaway daughter in Florida to come home? I am a victim, will I receive restitution for my loss?" Staff respond by sensitive listening and knowing where to direct them next.

Our Court Desk staff assist the public arriving for Court hearings. "Am I in the right place? What do I do next? Is my attorney here? How long will I have to wait?" Their positive response often calms the most stressed person and re-enforces the feeling that "we care."

The Deputy Probate Registers and Order Clerks make sure parties are given proper notice to appear at Court or receive the Court orders in a timely manner. Our File Room staff make sure reports are properly filed. Each knows that if they do not complete their tasks, it could effect the Court's ability to hold a hearing, a child's availability for adoption, and the County's ability to collect reimbursement.

Is the child available for adoption? Will the family meet the child's best interest? Will we be ready to address an adult adoptee's desire to know who they are when the time comes? The Adoption staff are driven with the desire that the final order of adoption is a celebration for all.

We care, because we know we affect people, and numbers don't necessarily tell that story.

FAMILY DIVISION



Pamela S. Howitt, Ph.D.
Deputy Court Administrator

"IF MONEY WERE NO OBJECT...
WHERE DO WE GO FROM HERE?"

When we consider the array of services available to children and families through our Court, we must acknowledge the outstanding support of our County Executive, Board of Commissioners, and local citizens. Over the years, we have been able to initiate innovative programs that place us at the cutting edge of juvenile and family services.

But, in the fast pace of today's society, children and families are confronted daily with new problems that challenge their ability to succeed and become responsible citizens and parents. In turn, we must respond with greater flexibility in service delivery.

As we close in on the next millennium, "collaboration" is the buzz word to describe the way we must do business. The Court already has developed a number of solid partnerships with the Family Independence Agency, Community Mental Health, law enforcement, schools, local universities, and others. The pressing need for crisis services for emotionally disturbed kids, who also are in trouble with the law, may be addressed through such a cooperative effort in the near future.

Additionally, research tells us that youth released from treatment programs are more likely to stay out of trouble if they receive intensive follow up or "aftercare" services, and we are exploring such a program. For youth violating probation, we need to impose immediate consequences so that additional problems are deterred. Certainly the problem of juvenile alcohol and other drug use is a growing concern, and grant funding may be available to support development of more interventions. New programs for children experiencing difficulties related to family separation or divorce are on the "wish list," and the ideas go on and on.

The advent of the Family Division has given us the ability to communicate among all the "players," to better understand the problems faced by families that come to us. It has also generated renewed interest among service providers, to develop programs that will address the emergence of a changing population. We will have to be creative, finding more ways to involve volunteers and para-professionals, seeking foundation support for new dollars, and collaborating across systems to maximize the efficient use of existing resources. The children and families the Court is charged to serve, deserve no less.

COURT SERVICES RESPONSIBILITIES

This work unit is comprised of Casework Services (Juvenile Probation), Psychological Clinic Services, and Youth Assistance. The staff are responsible for providing direct client services, case management, research and program development, community resource development through volunteer coordination, and education and public awareness programming. Services include individual and family assessment, prevention programming, status offender services, juvenile probation, group therapy for adjudicated youth, parent guidance, and adoption casework.

ACCOMPLISHMENTS

Family Division Activities

- Assisted with coordinating the efforts of the "Friend of the Court/Coordination of Services" committee to implement the Family Division plan, and participated in judicial retreat December 1998.
- Designed, developed, edited, coordinated, and published the first Oakland County Family Division public information brochure.
- Coordinated a half-day training for Friend of the Court Referees and Family Counselors on Court juvenile services.
- Facilitated a pilot project utilizing the "Family Assessment Tool" to help families identify potential problems for themselves/their children in the divorce process.

Staff Safety

- Completed pepper spray training and distributed equipment to all Court Services division staff.
- Issued Staff Safety Manual and provided orientation to staff regarding safety policies.

Program Development

- Participated in discussions with representatives from Family Independence Agency and Community Mental Health to develop short-term residential and respite programs targeting youth with complex individual and family needs.
- Worked in coordination with Administrative Support Division and Family Independence Agency to obtain Child Care Fund dollars as offset to Psychological Clinic staff costs.
- Facilitated division participation in successful Child Care Fund audit of In-Home Programs.

Community Relations

- Served as faculty at state-wide MJI training on juvenile services and programs.
- Presented a paper on the effectiveness of prevention programming at the winter meeting of the American Parole and Probation Association in Florida, January 1998.
- Deputy Court Administrator, YA Unit Chief, and Family Division Administrator participated in a half-day seminar showcasing Youth Assistance program at the National Council on Juvenile Justice annual meeting, March 1998.