

Changes

by Rebecca A. Schnelz
Probate Court Administrator



As we look forward to the coming months, the Oakland County Probate Court is gearing up for some changes.

The beginning of October marked the start of a new budget year for Oakland County and the time to implement cuts that were made as part of the budget reduction process. For the Probate Court, this means the reduction of staff positions. Due to the planning process, however, we were able to avoid laying off any full-time employees. Staff is committed to providing the best service possible and has continually been working on efforts to streamline the workflow wherever possible.

In the coming months, we will begin a test program of a “file free” motion call. Utilizing electronic document management within the court, the new system should help to reduce time in preparing files for the motion call. Legal files will eventually no longer be carted back and forth between the courtroom and the front counter, as the judges utilize scanned documents and an electronic disposition sheet for probate hearings.

In anticipation of this process, we are currently implementing new internal procedures to ensure that documents for hearings are posted to the computer and scanned to the document imaging system faster than ever.

You’ll also be seeing some familiar faces in different places when you visit the service counter. Our longtime cashier, Peggy Hoffmeyer, has retired and cashier duties will now be handled on a rotating basis by staff members. Some of our staff members have also switched to new service units.

The biggest change for the court, however, will come in January as we wish Judge Eugene Arthur Moore a wonderful retirement and welcome a new Probate Court judge to the Oakland County Probate Court. With all of these changes coming our way, it’s shaping up to be a busy fall.

Appointed Attorney for Developmentally Disabled Individuals

For those of you who take appointments to represent individuals with developmental disabilities, you will also see some changes in the attorney appointment system for these cases. The goals of the changes are to provide attorneys with more notice when their hearing dates are scheduled and to create a more efficient procedure for staff that is processing the petitions.

Attorneys who are on the DDI appointment list will be contacted by the attorney appointment specialist to be scheduled for a specific hearing date and time slot. As petitions are received by the court, they will be assigned to a scheduled attorney. The probate office will attempt to assign three cases per time slot. This may vary depending on the amount of petitions submitted at a given time. If there are no cases to be assigned to a scheduled time slot, the attorney will be contacted so that they may release the date on their schedule.

Once all cases for a hearing date are assigned, the individual attorneys will be faxed a copy of the petition, notice of hearing, and a general information sheet two to three weeks ahead of the hearing.

In DDI cases, it is important to know that the attorney is responsible for personally serving their client (and any facility if there is one). Petitioners will now be responsible for serving all other interested parties and filing the appropriate proof of service.

Please note that it is the appointed attorney’s duty to make sure that the person who prepared the report that accompanied the petition (as long as that person is a professional), or at least one of the persons who performed an evaluation, is present and gives testimony at the hearing. In addition, substitution of counsel is not allowed without prior court approval.

After the hearing, it is the attorney’s responsibility to go to the probate service counter to make sure that the guardian signs the *Acceptance of Appointment* and any other paperwork that may be necessary. After the hearing, it is also the attorney’s responsibility to serve their client with the *Notice of Right to Request Dismissal of Guardian or Modification of Guardianship Order*, and to file an original with the court with the proof of service completed at the bottom of the form. The attorney is responsible for serving the *Order Appointing Guardian* on all interested parties. The court will release the attorney only when the appropriate proofs of service for the *Notice of Rights* and guardianship order are filed.

We appreciate all of the local attorneys who take appointments for individuals with developmental disabilities, as well as for other probate cases. If you have any questions regarding these or other procedures, please do not hesitate to contact me at 248-858-5603, or Probate Register Jill Koney Daly at 248-858-0282.