

# Budget Update

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*Probate Court Administrator*



**A**s you are no doubt aware, the Oakland County Board of Commissioners has asked all county departments, as well as the county-funded courts, to take cost-cutting measures in an effort to address a projected budget deficit. Even with one-time fund transfers to help mitigate the situation, the county is preparing for a \$19 million shortfall in the 2010 budget year. Further shortfalls are currently projected for 2011 and beyond.

In order to prepare for these shortfalls, the Board of Commissioners assigned each department and county-funded court a specific “budget task” amount to be pared from the FY2008, FY2009, and FY2010 budgets. As part of the countywide efforts, a retirement incentive was offered to employees who were already eligible for retirement but had not yet retired in order to create openings within departments. Each department and court was asked to review their basic business functions and seek new ways to provide services based on reduced resources.

The Probate judges and administration spent many hours reviewing the budget issues. Emphasis was placed on continuing to provide excellent service and access to the court. As a result, we will be making some changes in the way we fulfill our obligations to review guardianships and other internal changes. In addition, we will be introducing a redesigned system of appointing counsel for mental health respondents. While the new system does address budgetary issues, we believe that the changes to the appointment system will also result in greater efficiencies for appointed counsel and a more efficiently run mental health docket.

The essential components of the new appointment system are:

- Appointments will be on a weekly rotation system. Three attorneys will be appointed to cover all mental health commitment petitions for a particular week. Each will receive approximately one-third of the docket for that week. We anticipate that each attorney typically will get about 15-20 cases total for the week. (This total includes cases that will become deferrals, voluntary admissions, or discharges.)
- Assignment calendars will be created one or two months in advance so that attorneys can sign up for a particular week.
- Every effort will be made to limit the number of hospitals each attorney has to visit in order to provide greater time economy for the attorneys.
- Substitution of attorneys will only be allowed with advance permission of the judge.

- Payment for the assigned week will be the flat-rate sum of \$920. This will include all deferral meetings for the assigned cases, commitment hearings and adjournments, as well as any cases on which the respondent agrees to voluntary treatment.
- Jury trials will be paid at the current rate of \$300.
- Payment for Developmentally Disabled Person petitions will be \$200 per assigned case.
- The new appointments and payment system will begin as of October 6, 2008.
- Vouchers will continue to be submitted to the Business Office. Information on the payment procedure will be provided at the time of appointment.
- In order to receive appointments, attorneys must agree to have a fax number on file with the court at which they can receive faxes at any time (in lieu of “packets.”)
- All other current requirements of the appointment system will remain. Attorneys who are not currently on the appointment roster will need to complete an application. Appointments will continue to be on a rotational basis.

Prior to beginning this system, our plan is to meet with the local hospitals that provide mental health treatment to introduce the changes to them and assist in working out any details that will aid in a smooth transition. We also will be working internally within the court to revise our processing procedures. We anticipate that having pre-appointed attorneys for each week will greatly simplify the processing of petitions, and allow us to provide appointed counsel with case information quickly and in an organized fashion.

We recognize that this is a substantial change from what we are all used to. However, the new system provides opportunities to improve in an area that has seen the largest growth in new petitions in the last few years. In Oakland County, we have attorneys who provide excellent and compassionate representation to the respondents in mental health petitions. We look forward to working with those attorneys as we put the new system into place.

If you are currently taking mental health appointments and have questions about the new system, or if you would be interested in taking appointments, please contact me at 248-858-5603, or Probate Register Jill Koney Daly at 248-858-0282.