

# 45TH CIRCUIT COURT 2014 ANNUAL REPORT

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Paul Stutesman

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## *MISSION STATEMENT*

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To serve the citizens of St. Joseph County by providing a friendly, accessible environment. To treat all individuals with dignity, respect, honesty and fairness while providing a timely and cost effective service.



# THE CIRCUIT COURT – TRIAL DIVISION

## Honorable Paul Stutesman

THE HONORABLE JUDGE STUTESMAN IS THE CHIEF JUDGE AND PRESIDING OFFICER OF THE 45<sup>TH</sup> CIRCUIT COURT. CASES HELD IN THE TRIAL DIVISION ARE:

- *Felony criminal matters*
- *Domestic relations matters*
- *Personal Protection orders*
- *General civil actions involving claims of \$25,000 or more*
- *Cases appealed from another court by an administrative agency*
- *Superintending control over other courts within the judicial circuit, subject to final superintending control of the Supreme Court*
- *Final decisions of the Circuit Court may be appealed to the Court of Appeals*

While the Circuit Court encompasses many areas, such as all Juvenile Proceedings and Friend of The Court actions, this report will be based on the trial division only.

The Staff of the 45<sup>th</sup> Circuit Court Trial Division consists of Kathryn Griffin, Court Administrator, and Anita Buscher, Judicial Secretary/Court Reporter.



## Technology.

As we move into the era of new technologies and processes, the 45<sup>th</sup> Circuit Court embraces the new direction.

2014 we continued the development of imaging and the movement towards e-filing. We have expanded the Image Soft beyond the Friend of the Court Office and started all civil filings as well. Deputy Friend of The Court Mary Herendeen, the IT Department and the County Clerk staff have been working diligently and thanks to Mary's knowledge the processes for civil filings were able to be created.

Judge Stutesman is currently on the State Court Administrative Office (SCAO) Technology Committee. In addition the previously established County Technology Committee is meeting again with goals of streamlining all technology processes.

The Circuit Court's vision for the future is for more technology to help the demands on the employees and make workflow more efficient, and to use what we have in place now more effectively.



## SSSPP Program

Through a grant from State Court Administrative Office (SCAO), the Swift and Sure Sanctions Probation Program (SSSPP) began its first full year of development in 2014. There were 30 probationers put into the program for the fiscal year. The grant was renewed for 2015 with additional money awarded which allowed the program to now have the capacity to serve 45 defendants. This intensive probation program is designed with the intent to defer defendants from prison through counseling, substance abuse treatment and other forms of rehabilitation. It involves a joint collaboration with staff of the Michigan Department of Corrections, Community Mental Health, Twin County Probation Center, Day Reporting Center and the St. Joseph County Sheriff's Department. The hope of the program is to give the individuals the tools they need to prevent recidivism. The following is the definition by SCAO:

“The swift and sure sanctions probation program (SSSPP) is an intensive probation supervision program that targets high-risk felony offenders with a history of probation violations or failures. Governed by MCL 771A.1 et seq., SSSPP is modeled on Hawaii's Opportunity Probation with Enforcement (HOPE) program, which studies have shown to be very successful in improving the rate of successful completion of probation among high-risk probationers.

SSSPP participants are closely monitored, including being subjected to frequent random testing for drug and alcohol use and being required to attend frequent meetings with probation and/or case management staff. SSSPP aims to improve probationer success by promptly imposing graduated sanctions, including small amounts of jail time, for probation violations. Judges in Michigan's SSSPP courts have reported a reduction in positive drug tests and failures to appear at scheduled meetings with probation officers among their SSSPP participant population.”

## Associations, Committees and Involvement

Judge Stutesman has been a member in the Michigan Judges Association (MJA) as an Executive Committee member and officer. In 2014, he was Secretary of the Association and was elected Vice President for 2015 at the August Annual Meeting. He was appointed to the SCAO "Ability to Pay" workgroup which was comprised of judges and administrators from across the State to develop suggested best practices for Courts to use in the collection of fines and costs from defendants. He was also at the end of 2014 by Governor Snyder to a three year term as a member of the newly established Criminal Justice Policy Commission representing the Circuit Court Judges of Michigan. He is actively involved with the Michigan Judicial Institute and has been a speaker and presenter at many of their educational seminars. These are just a few examples of his involvement with the State.

Ms. Griffin is a long standing member of the Michigan Association of Circuit Court Administrators (MACCA) and is currently serving her third two-year term as President of the Association. Through her involvement as President of MACCA she is invited to attend the leadership portion of the National Association for Court Management's Annual Conference. This one day leadership seminar is by invitation only to each State Association President. In addition she is currently on four forms committees with the State Court Administrative Office. These committees meet once a year to develop new SCAO approved court forms or change existing forms due to changes in legislation. She is also on the State Court Administrative Office Court Administrator Committee which meets quarterly with the State Court Administrator.

Both MJA and MACCA reviews and comments on legislation of importance to Michigan's judicial system, coordinates its efforts with the Michigan Supreme Court and works to promote adequate resources for the judicial branch of government.

St. Joseph County Court Council is a group comprised of all four judges, court administrators, directors, Friend of the Court and the County Clerk. This group meets monthly with the goal to have the courts become unified and establish best practices.

## Case Management

The 45<sup>th</sup> Circuit strictly adheres to the Michigan Court Rules time guidelines and SCAO Orders regarding caseload management.

### Caseload:

In civil cases (non-family), at the beginning of 2014 there were 60 cases pending. A total of 127 new filings and 7 reopened cases were filed. The Court disposed of 123 cases, leaving an ending caseload of 71 cases pending.

Divorce cases and other domestic relations began the year with a caseload of 125 open filings, 567 new cases were filed and 14 reopened, there were 545 dispositions entered by the court leaving an ending caseload of 161 cases pending.

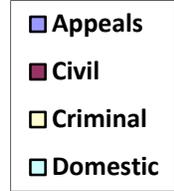
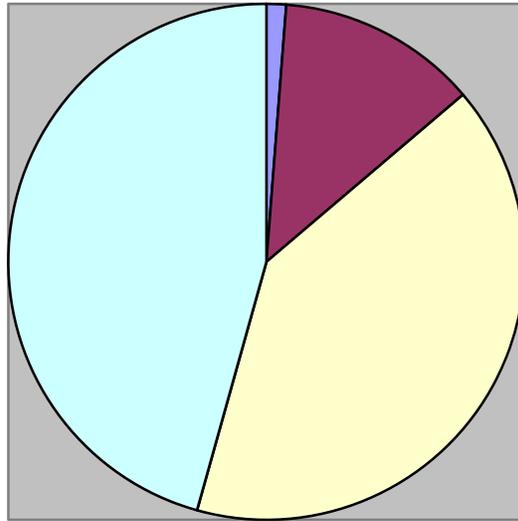
As you can see by the following attached graphs and statistics, the criminal caseload once again dominates the court's schedule. In 2014 we started with 117 cases, there were 465 felony cases filed along with 45 reopened, there were 494 dispositions leaving a pending caseload of 133 cases. Although this number of filings is still high it was a decrease of 57 filings from 2013.

The Appeals division of Circuit Court began the year with 5 pending cases, 14 new cases were filed, there were 14 dispositions leaving a total pending caseload of 5 cases pending.

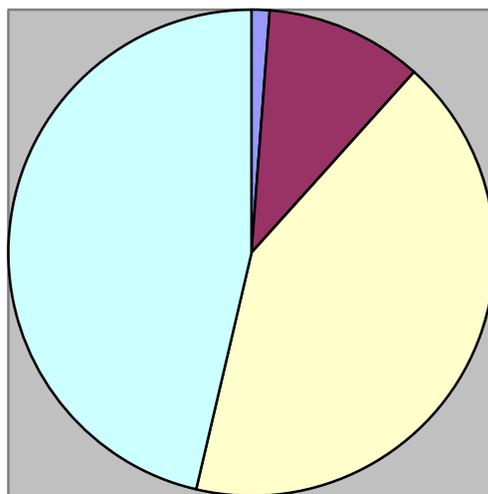
Attached to this report you will find a summary of our caseload reporting requirement that is sent to the State Court Administrative Office.

The following charts are a demonstration of the workflow within the trial division; the domestic category would only include divorce cases with no children involved.

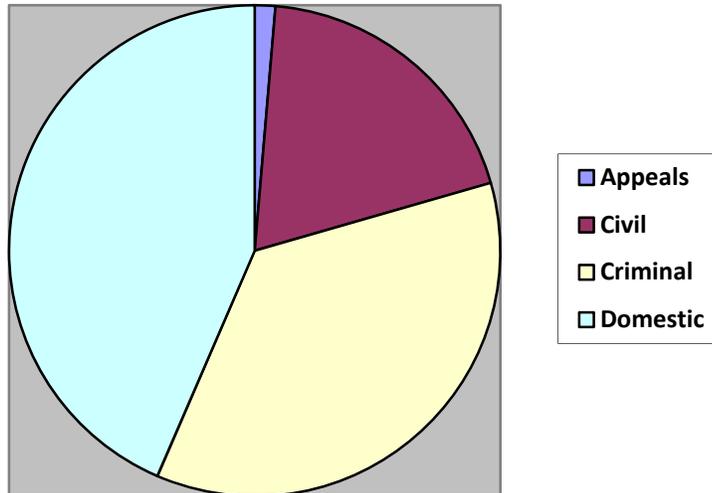
### TOTAL CASES FILED 2014



### DISPOSITIONS 2014



## PENDING AS OF 12/31/14



Further caseload data including the past three years can be viewed on the State Court Administrative Office's website at:

2013 Statistical Supplements can be found here:

<http://courts.mi.gov/education/stats/Caseload/Pages/2013-Statistical-Supplement.aspx>

Archived Statistical Supplements can be found here:

<http://courts.mi.gov/education/stats/Caseload/Pages/statistical-supplements-archive.aspx>

The 2014 information will be posted soon.

## Revenue

While all revenue sources are handled through the County Clerk's Office, the Circuit Court orders and enforces fines and costs in all criminal cases. Additional revenue comes from the State, from filing fees and court costs assessed by the County Clerk's Office.

Through the cooperation and diligence by County Clerk deputies, the Court has a collection process in place and Order to Show Cause Hearings are conducted weekly to enforce collection.

The collection statistics are attached. Please note this report is generated and reported to the State in June of each year, therefore the stats would be from June of 2013 to June of 2014. The Michigan Supreme Court issued a decision in 2014 that barred the imposition of local court costs and attorney's fees in cases that the statute did not specify they could be ordered. This required the Court to amend previous orders regarding those assessments. The Michigan legislature passed legislation allowing them to be ordered in all cases and it was signed in to law at the end of 2014.



Outstanding Receivables Aging Report - Summary  
 45th Circuit Court - St.

Joseph  
 As of 06/30/2014

Outstanding Days	Outstanding Civil	Outstanding Criminal	Amount	Percent
1 to 180 Days (6 Months)	\$0.00	\$1,277,860.04	\$1,277,860.04	17.3%
181 to 365 Days (12 Months)	\$0.00	\$147,580.65	\$147,580.65	2.0%
366 to 545 Days (18 Months)	\$0.00	\$436,273.38	\$436,273.38	5.9%
546 to 730 Days (2 Years)	\$0.00	\$242,032.65	\$242,032.65	3.2%
731 to 910 Days (2.5 Years)	\$0.00	\$256,927.40	\$256,927.40	3.4%
911 to 1095 Days (3 Years)	\$0.00	\$308,097.95	\$308,097.95	4.1%
1096 to 1275 Days (3.5 Years)	\$0.00	\$377,449.54	\$377,449.54	5.1%
1276 to 1460 Days (4 Years)	\$0.00	\$86,251.00	\$86,251.00	1.1%
1461 to 1640 Days (4.5 Years)	\$0.00	\$126,153.15	\$126,153.15	1.7%
1641 to 1825 Days (5 Years)	\$0.00	\$118,082.84	\$118,082.84	1.6%
1826 to 2005 Days (5.5 Years)	\$0.00	\$746,299.27	\$746,299.27	10.1%
2006 to 2190 Days (6 Years)	\$0.00	\$92,439.03	\$92,439.03	1.2%
2191 to 2370 Days (6.5 Years)	\$0.00	\$249,771.64	\$249,771.64	3.3%
2371 to 2555 Days (7 Years)	\$0.00	\$184,849.90	\$184,849.90	2.5%
More Than 7 Years	\$0.00	\$2,726,637.32	\$2,726,637.32	36.9%
<b>Total</b>	<b>\$0.00</b>	<b>\$7,376,705.76</b>	<b>\$7,376,705.76</b>	<b>100.0%</b>



## Public Satisfaction Survey

At the directions of the State Court Administrative Office, all Courts throughout the State were required to conduct a Public Satisfaction Survey. This survey rates the court's accessibility and public perception. The surveys were conducted over the course of one week. The results of the Circuit Court's survey can be found at:

<http://courts.mi.gov/education/stats/performance-measures/Documents/2014PSSResults/StJosephCounty.pdf>