



57th District Court – Allegan County State of Michigan

113 Chestnut Street, Allegan County Building, Allegan, MI 49010

Contact us: phone - (269) 673-0400 • fax - (269) 673-0490 • email - districtcourt@allegancounty.org

Website: <http://cms.allegancounty.org/sites/Office/DC>



District Court Clerk's Office, Judicial Staff and Probation

Pictured from left to right

First row: Judge Joseph S. Skocelas, Linda Lenahan, Judge William A. Baillargeon and Magistrate Daniel W. Norbeck

Second row: Kelly Miklusicak, Carole Carr, Audrey VerBeek, Amber Browneye, Chris Gates-Edson, Jackie Hicks, Candy Mock, Renee Stack, Michelle Carpenter, Sarah Miller, Kathy Miller and Alicia Nevenzal;

Third row: Kevin Christensen; Mary Jo Ash, Tegan McNees (intern), Kathy Evans, Hickory Buell, Emily Schwartz, Nancy Eaton, Kayla Schafer, Mark Ponitz and Aimee Kragt

Not pictured: Deb Wolters and Cindy Cook

Digital photos by Detective Craig Gardiner, ACSD

57th District Court 2017 ANNUAL REPORT

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A Message from the Chief Judge

I am honored to be serving my third term as the Chief Judge of the 57th District Court in Allegan County. I want to take this opportunity to highlight the successes we have achieved and to discuss some of the innovations we are implementing to make our court even more efficient and responsive to the needs of the public. Judge Joseph Skocelas and I, as your district court judges, will continue to work daily to make the 57th District Court more accessible, more efficient and more user friendly to the daily needs of the public.



William A. Baillargeon
Chief District Court Judge

Often referred to as “the People’s Court,” the 57th District Court is **dedicated to the service of justice** for all that come before it. The court is a hardworking team that is a model and an example to other courts. The team that creates this success is made up of clerks, probation officers, supervisors, and court personnel, all working together to assist the judges and magistrate to efficiently hear all matters before the court. Working together we are able to excel in providing efficient and effective service. This team is also courteous and helps people understand what happened in their case. Linda Lenahan, the Court Administrator deserves much of the credit for the court’s success.

The successes of the court are recognized by The State Court Administrator’s Office who has consistently recognized our court in their timeliness reports. The 57th District Court is always at the very top of their rankings for all of the services that they measure. The greatest accolade, however, is from those we serve. The Supreme Court mandated that satisfaction surveys be performed upon the public and parties before the court. Those surveys confirmed that the **public is extremely satisfied with the service provided** by this court and its staff.

Our clerks provide professional service with a genuine smile and are willing to explain terms and procedures to people who may be coming to the court for the very first time. Our largest department, the Clerks are supervised by Chris Gates-Edson. The 57th District Court probation officers, directed by Chief Probation Officer Mark Ponitz are compassionate and patient, but firm in requiring defendants comply with court orders and sentences. As the 57th District Court continues to enhance its service to the public, it also is continuing to participate in and integrate its service with the Circuit and Probate Courts under the concurrent jurisdiction plan. **This plan allows the courts to assist one another with matters such as disqualifications, judicial absence, and other matters. This plan promotes timely hearings and financial responsibility by eliminating nearly all needs for delay and costs associated with referring matters to a visiting judge from another county.** For example, under this plan, Magistrate Daniel Norbeck continues to assist the Circuit Court by reviewing uncontested judgments of divorce for cases with no minor children.

Striving to make the court even more effective in addressing recurrent issues within Allegan County, we continue to foster the use of specialty courts. Specialty courts are focused on addressing specific challenges within the criminal justice system. The 57th District Court has been innovative and responsive to these challenges. The **Mental Health Treatment Court** has evolved under the guidance

A Message from the Chief Judge

and leadership of Judge Skocelas to address felony level offenses, as well as misdemeanors. **The Drug Treatment Court**, developed and presided over by myself, is a felony drug court, currently operating at capacity. Also under my direction, the **West Michigan Regional Veterans' Treatment Court (WMRVTC)** was established in the 57th District Court. This was the first such regional court in the State, bringing together the Circuit and District Courts from Van Buren, Allegan and Ottawa Counties to address justice involved veterans. This court is a shining example of cooperation with various courts, offices of prosecution, probation departments, and county administration from all three of these counties.

In 2017 we launched the newest specialty court - Sobriety Court. This Court, which I preside over, addresses substance abuse issues associated with driving. Sobriety Court enables those successfully complying with requirements to receive a restricted driver's license. Such a license allows participants to continue to **maintain employment and thereby provide for their families. It also allows them to travel to and from counseling and support meetings as required by the court.** These sobriety and other specialty courts have been found to be extraordinarily successful in addressing the issues that bring people into the justice system, and they dramatically reduce recidivism.

It is the pledge of the 57th District Court to continue to innovate to meet the evolving needs of the people it serves. We will continue to seek ways to make the courts more accessible to all, to provide assistance to those in need, and to make the service of justice our guiding principle in all we do.



William A. Baillargeon
Chief Judge
57th District Court of Allegan County



HISTORY, LOCATION AND OVERVIEW

The 57th District Court is located in the County Building at 113 Chestnut Street, Allegan, Michigan. The geographic jurisdiction of the Court includes all of the County of Allegan, except that part of the City of Holland lying within Allegan County.

The District Court was established by the Michigan Legislature in 1968 pursuant to a constitutional mandate. Citizens have more contact with the district court than any other court in the state. District Court has exclusive jurisdiction of all civil litigation up to \$25,000 and handles garnishments, eviction proceedings, landlord-tenant and land contract summary proceedings. In the criminal area, the district court handles all misdemeanors where punishment does not exceed one year and relevant proceedings including arraignment, setting and acceptance of bail, trial, and sentencing. It also conducts preliminary examinations in felony cases. In 2015, jurisdiction was expanded to allow District Court Judges to accept felony pleas.

The district court includes a small claims division for civil cases up to \$5,500. On January 1, 2018, the jurisdiction was increased to recovery of money up to \$6,000.00. In these cases, litigants agree to waive their right to a trial by jury. They also agree to waive rules of evidence, representation by a lawyer, and the right to appeal from the district judge's decision. If either party objects to processing as a small claims case, the case will be heard in the general civil division of the district court.

By statute, the district judges have authority to appoint magistrates. Magistrates may 1) set bail and accept bond in criminal matters, 2) accept guilty pleas, and 3) sentence for traffic, motor carrier, snowmobile, dog, game, and marine law violations. The magistrate may also issue arrest and search warrants authorized by the prosecutor or local municipal attorney. Attorney magistrates may conduct small claims hearings. Magistrates may, at the direction of the chief judge, perform other duties allowed by statute.

District judges are elected for six-year terms on nonpartisan ballots, under the same requirements as circuit judges. The Legislature sets the salary for district judges.

Administration Overview



District Court Administrative Team

Left to right, first row: William A. Baillargeon, Chief District Court Judge;
Linda L. Lenahan, Court Administrator; Joseph S. Skocelas, District Court Judge;
Left to right, back row: Daniel W. Norbeck, Attorney Magistrate; Chris Gates-Edson,
Chief Deputy District Court Clerk; Mark Ponitz, Chief Probation Officer;
Digital photos by Detective Craig Gardiner, ACSD

The 57th District Court has two Judges elected to six-year terms of office. The Chief Judge acts as director of administration of the Court. Each Judge is assisted by a Court Recorder/Judicial Secretary who is responsible to record proceedings, prepare verbatim transcripts as required by law or by request of parties, and perform secretarial duties. The Judges are also assisted by a Bailiff/Magistrate who is responsible for courtroom decorum, providing courtroom security, assisting the public and jurors, and performing marriages. Since moving into the new jail in October 2014, 99% of prisoner movement has been eliminated in favor of appearing on Polycom videoconferencing and/or video telephones between the jail and the courtrooms/conference rooms.

The District Court Administrator is appointed by the Chief Judge, and together they create an executive leadership team necessary to manage the operation of the District Court. The District Court Administrator oversees all aspects of Court operations and administration including, but not limited to, case flow management, jury utilization, human resource management, fiscal and grant administration, intergovernmental liaison, and technology management, and is authorized to perform magisterial duties.

The Attorney Magistrate is appointed by the Chief Judge and performs certain quasi-judicial functions impacting litigants and the Court. Some of the responsibilities include, but are not limited to, informal hearings, authorizing search and arrest warrants, conducting arraignments, performing legal research, accepting guilty pleas and sentencing, establishing bonds, resolving small claims matters, and performing weddings. As a cross-assigned Circuit Court Referee under the Concurrent Jurisdiction Plan, the Attorney Magistrate reviews uncontested judgments of divorce on cases with no minor children.

The Chief Probation Officer, under the supervision of the District Court Administrator, performs a variety of duties in supervising the activities and daily operations of probation officers and support staff as well as performing the duties of a probation officer on a regular basis. In September 2016, the chief probation officer turned over most of the administration and case management of the Regional Veterans' Treatment Court to the Attorney Magistrate which will allow him an opportunity to be involved in the new Sobriety Court in Allegan County.

The Chief Deputy Clerk, under the supervision of the District Court Administrator, serves as a team leader supervising, training and assisting staff; monitoring workloads; and overseeing daily operations in the Clerk's Office.

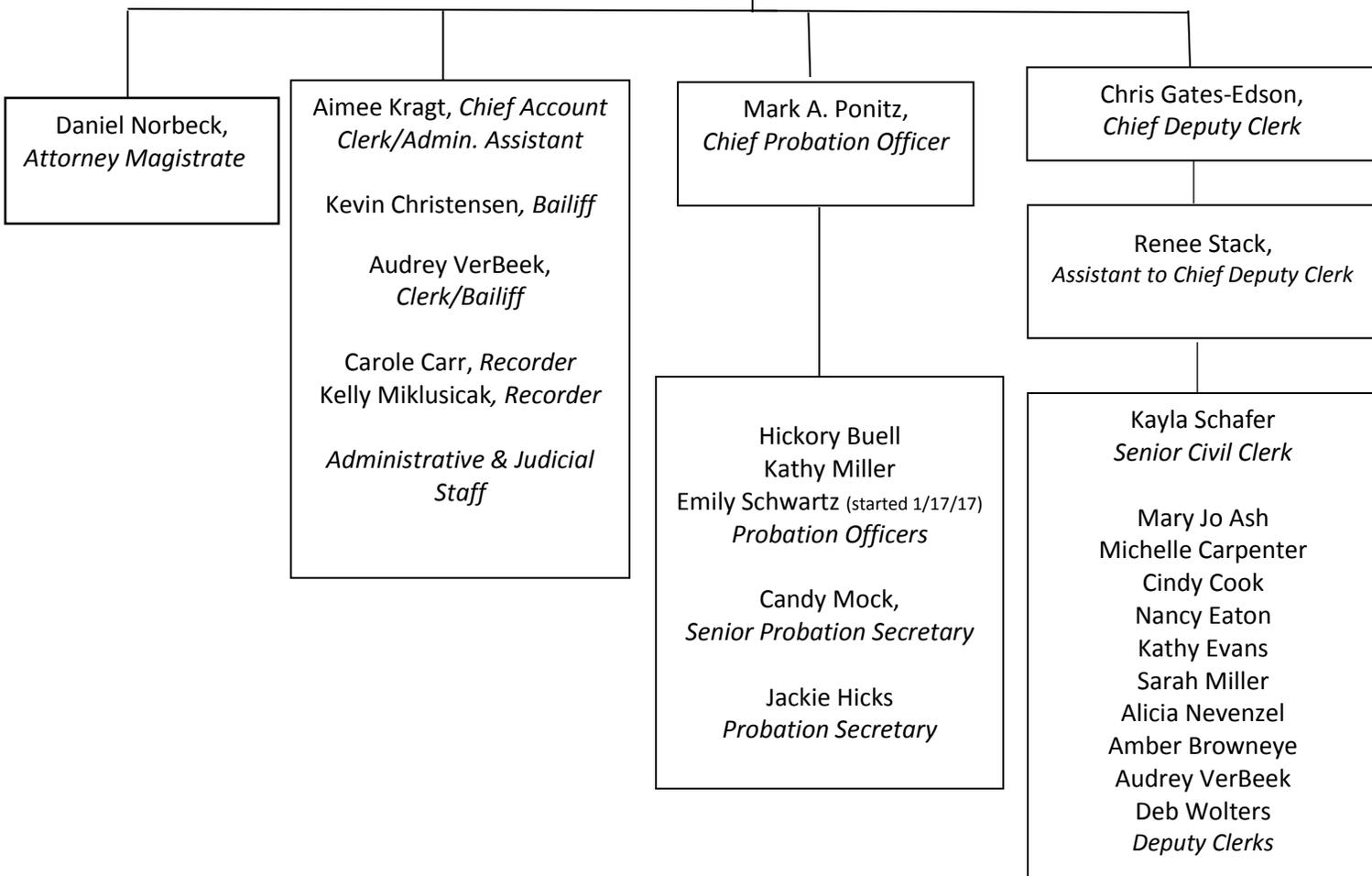
Organizational Chart

The Public

HONORABLE WILLIAM A. BAILLARGEON
Chief Judge

HONORABLE JOSEPH S. SKOCELAS
Chief Judge Pro Tempore

LINDA L. LENAHAN
Court Administrator



Judicial Staff



District Court Judicial Staff

Left to right, first row: Judge William A. Baillargeon, Linda Lenahan, and Judge Joseph S. Skocelas;

*Left to right, back row: Kevin Christensen, Kelly Miklusicak, Carole Carr,
Magistrate Daniel W. Norbeck, Audrey Verbeek, and Aimee Kragt;*

Digital photos by Detective Craig Gardiner, ACSD

HONORABLE JOSEPH S. SKOCELAS, District Court Judge, was appointed by Governor Jennifer Granholm on April 26, 2006 to fill the vacancy left by the retirement of the Honorable Gary Stewart. Judge Skocelas was subsequently elected in November 2006 to complete Judge Stewart's term through 2008, then again in November of 2008 and 2014 for full six-year terms.

HONORABLE WILLIAM A. BAILLARGEON, Chief District Court Judge, was appointed by Governor Jennifer Granholm on March 5, 2009 to fill the vacancy left by the retirement of the Honorable Stephen Sheridan. Prior to this appointment, Judge Baillargeon served as Circuit Judge for Allegan County's 48th Circuit Court from 2007-2009. Judge Baillargeon was elected in November 2010 to complete Judge Sheridan's term through 2012, then re-elected again in November of 2012 for a full six-year term.

LINDA L. LENAHAN, District Court Administrator, was appointed in February 2002. Prior to her appointment, Linda worked for the State Court Administrative Office of the Michigan Supreme Court for 20 years.

DANIEL W. NORBECK, Attorney Magistrate, was hired on September 6, 2016. Prior to joining the District Court, Daniel was an Assistant Prosecutor in the Allegan County Prosecutor's Office.

CAROLE A. CARR, Court Recorder/Judicial Secretary for the Honorable William A. Baillargeon, has been with the District Court since April 1991.

KEVIN M. CHRISTENSEN, Bailiff/Magistrate for the 57th District Court, provides assistance and ensures the safety of all courtroom participants in District Court. Kevin has been with the District Court since June 4, 2007. In January 2018 Kevin began working part-time 32 hours per week. Courthouse Security provides coverage when Kevin is unavailable.

AIMEE L. KRAGT, Chief Account Clerk/Administrative Assistant, has been with the District Court since January 1988.

KELLY MIKLUSICAK, Court Recorder/Judicial Secretary for the Honorable Joseph Skocelas, has been with the District Court since February 2004. On January 1, 2012 Kelly was promoted from Deputy District Court Clerk to Judge Skocelas' secretary and court recorder.

AUDREY VERBEEK, Deputy District Court Clerk, transferred from the Friend of the Court on February 24, 2014 to work part-time as a court clerk/bailiff in the courtrooms. Audrey splits her time between the Judicial Wing and the District Court Clerk's Office.

Clerk's Office Staff



District Court Clerk's Office

Left to right, first row: Sarah Miller, Chris Gates-Edson, Renee Stack and Kayla Schafer;

Left to right, back row: Kathy Evans, Tegan McNees (intern), Amber Browneye, Alicia Nevenzel, Mary Jo Ash, Nancy Eaton, and Michelle Carpenter;

Not Pictured: Deb Wolters and Cindy Cook;

Digital photos by Detective Craig Gardiner, ACSD

MARY JO ASH, Deputy Court Clerk in the Collections Division, has been employed with the District Court since March 25, 2013.

AMBER BROWNEYE, Deputy Court Clerk, transferred from the Youth Home (Detention) on December 15, 2014 to the Traffic/Criminal Division.

MICHELLE CARPENTER, Deputy Court Clerk in the Traffic/Criminal Division, has been employed with the District Court since January 1998.

CINDY COOK, Deputy Court Clerk in the Civil Division, transferred from the Friend of the Court to District Court on June 6, 2016.

NANCY EATON, Deputy Court Clerk in the Civil Division, was hired by the District Court on November 16, 2015.

KATHLEEN EVANS, Deputy Court Clerk in the Traffic/Criminal Division, has been employed with the District Court since January 1999.

CHRISTINE GATES-EDSON, Chief Deputy Court Clerk, has been employed with the District Court since September 1998. In September 2010, Christine was promoted to Chief Deputy District Court Clerk.

SARAH MILLER, Deputy Court Clerk in the Traffic/Criminal Division, has been employed with the District Court since October 1998.

ALICIA NEVENZEL, Deputy Court Clerk in the Traffic/Criminal Division, was hired by the District Court on November 16, 2015.

KAYLA SCHAFER, Senior Civil Clerk, has been employed with the District Court since May 19, 2014. She was promoted from Deputy Court Clerk to Senior Civil Clerk on June 6, 2016.

RENEE STACK, Assistant to the Chief Deputy Court Clerk, transferred from the Circuit Court Clerk's Office on April 9, 2007. She was promoted from a Deputy Court Clerk to the Assistant to the Chief Deputy Court Clerk position on September 28, 2015.

AUDREY VERBEEK, Deputy Court Clerk, transferred from the Friend of the Court on February 24, 2014 to work part-time as a court clerk/bailiff in the courtrooms.

DEBORAH WOLTERS, Deputy Court Clerk in the Traffic/Criminal Division, has been employed with the District Court since April 2004.

Probation Department Staff



District Court Probation Staff

*Left to right, first row: Emily Schwartz, Hickory Buell and Jackie Hicks;
Left to right, second row: Candy Mock, Mark Ponitz and Kathy Miller;
Digital photos by Detective Craig Gardiner, ACSD*

MARK PONITZ, Chief Probation Officer, has been employed with the District Court since May 2006. Mark was named *Interim* Chief Probation Officer in August 2012 and then appointed Chief Probation Officer January 1, 2013.

HICKORY BUELL, Probation Officer, has been employed with the District Court since January 28, 2013. Prior to District Court, Hickory worked as an Enforcement Officer with the Friend of the Court.

JACQUELINE HICKS, Secretary, has been employed with the District Court since February 2004. In 2012, she split her day between the Probation Department and the Clerk's Office. In 2013, Jackie returned to the Probation Department full-time.

KATHLEEN MILLER, Probation Officer, has been employed with the District Court since January 2000.

CANDICE MOCK, Senior Probation Secretary, has been employed with the District Court since January 1995.

EMILY SCHWARTZ, Probation Officer, has been employed with the District Court since January 16, 2017. Prior to District Court, Emily worked as an Conciliator-Investigator with the Friend of the Court.

Jurisdiction

DIVISIONS	JURISDICTION	FACTS TO KNOW
CIVIL	<ul style="list-style-type: none"> • Civil suits up to \$25,000 • Small claim suits up to \$6,000 (1/1/18) • Landlord tenant disputes, garnishments, and land contract summary proceedings 	<ul style="list-style-type: none"> • Civil suits can be filed by either an individual or a business • Corporations must have attorney representation outside of small claims • Parties must represent themselves in small claims cases – attorneys may not be involved
CRIMINAL	<ul style="list-style-type: none"> • Michigan statute violations • City/village/township ordinances 	<ul style="list-style-type: none"> • All felony cases such as murder and criminal sexual conduct are heard by a district judge through the preliminary exam stage only • Domestic violence, retail fraud, disturbing the peace are examples of misdemeanor violations
TRAFFIC	<ul style="list-style-type: none"> • Michigan statute violations • City/village/township ordinances 	<ul style="list-style-type: none"> • Operating while intoxicated, reckless driving, expired operator’s license are examples of misdemeanor traffic offenses • Speeding, careless driving, no safety belt are examples of civil infraction violations

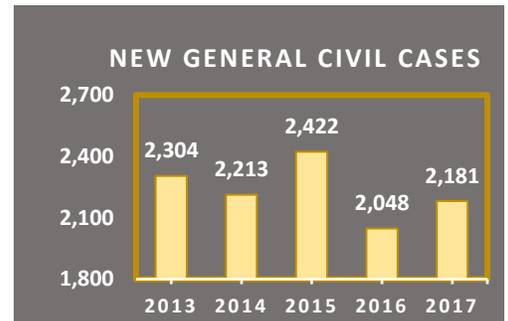
Court Divisions

CIVIL DIVISION

The **Civil Division** consists of the following sub-divisions:

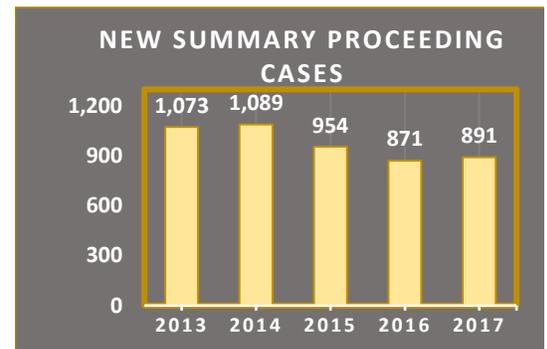
The **General Civil Division** processes all civil cases under the \$25,000 jurisdictional limit; limited claim and delivery civil actions; limited writ of attachment and garnishment; and forfeiture or seizure of certain property.

The pie chart reflects the five-year trend in general civil filings. Case filings over the five-year trend decreased 123 cases from 2013 to 2017. New case filings increased 133 cases from 2016 to 2017.



The **Summary Proceeding Division** processes cases generally brought by a landlord to recover possession of a dwelling when a tenant fails to pay the rent or when the landlord or owner wishes to regain possession of his/her property. Summary proceedings include land contract forfeitures arising when a purchaser does not pay the amount agreed upon in a contract. A landlord may obtain an Order of Eviction to evict a tenant, or land contract vendee.

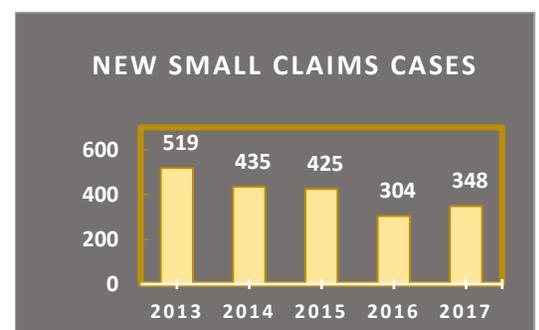
The pie chart reflects the five-year trend in summary proceeding filings. New filings over the five-year trend decreased 182 cases from 2013 to 2017. New case filings increased 20 cases from 2016 to 2017.



The **Small Claims Division** processes cases with recoverable maximum monies up to \$5,500 (increasing to \$6,000 on January 1, 2018). Small claims litigants have the right to remove a case to the General Civil Division or to remove a case from magisterial jurisdiction. Actions are filed in the county in which the cause of action arose, or in which the defendant is established or resides or is employed. Small claims litigants waive their right to a jury trial and cannot be represented by an attorney.

Small claims cases are heard by the Attorney Magistrate.

The pie chart reflects the five-year year trend in small claim filings. Case filings over the five-year trend decreased 171 cases from 2013 to 2017. New case filings increased 44 cases from 2016 to 2017.



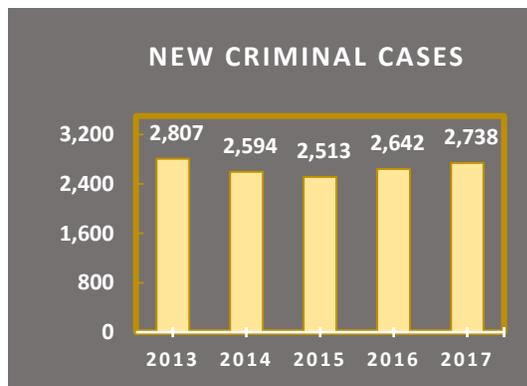
New Cases Filed

CRIMINAL DIVISION

The **Criminal Division (including Felony Traffic violations)** adjudicates cases involving violations of Michigan statute as well as violations of local ordinance. The Prosecuting Attorney's Office, Michigan Attorney General's Office, local police agencies, and ordinance city/township/village attorneys file felony and misdemeanor cases with the Court. District Court Judges preside over felony cases through the preliminary examination hearing stages only. Effective January 1, 2015, District Court Judges are now able to accept guilty pleas on felony charges. In 2017, twenty-two (22) felony pleas were accepted by District Court Judges.

In 2017, the criminal division processed 2,738 new case filings. The Court conducted felony preliminary exam hearings and waiver hearings and bound over 792 cases to the Circuit Court. This number includes traffic division bind overs, as well. The criminal division disposed of 4,117 cases.

The pie chart reflects the five-year trend in criminal division filings. Case filings over the five-year trend decreased by 69 cases (2.5%) from 2013 to 2017. New case filings increased 96 cases from 2016 to 2017.

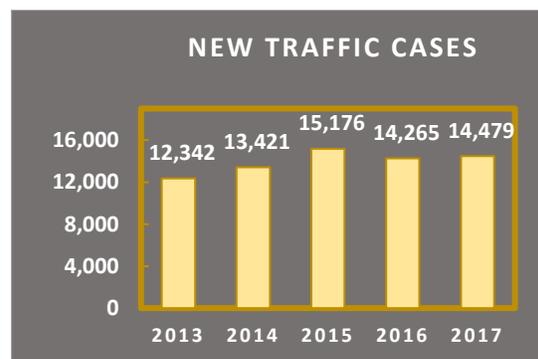


TRAFFIC DIVISION

The **Traffic Division (including non-traffic civil infractions)** adjudicates cases involving Michigan statute violations, the motor vehicle code and local ordinances.

In 2017, the traffic division handled 14,479 new case filings. The traffic division disposed of 15,504 cases through various dispositions, i.e., guilty plea, admission of responsibility, default, dismissal, warrant, and trial/hearing verdict. In 2017, the Judges disposed of 17 cases by jury verdict and 271 cases by bench trial, formal or informal hearing for all case types.

The pie chart reflects the five-year trend in traffic division filings. Case filings increased by 2,137 cases (17%) from 2013 to 2017. New case filings increased 214 cases from 2016 to 2017.



Total New Cases Filed



TOTAL NEW CASE FILINGS

Each year, the District Court prepares and files with the State Court Administrative Office, a caseload report of all new cases filed, re-opened cases, warrants, and dispositions in categories of Traffic, Criminal and Civil cases. The Court uploads these numbers to the State Court Administrative Office's web site.

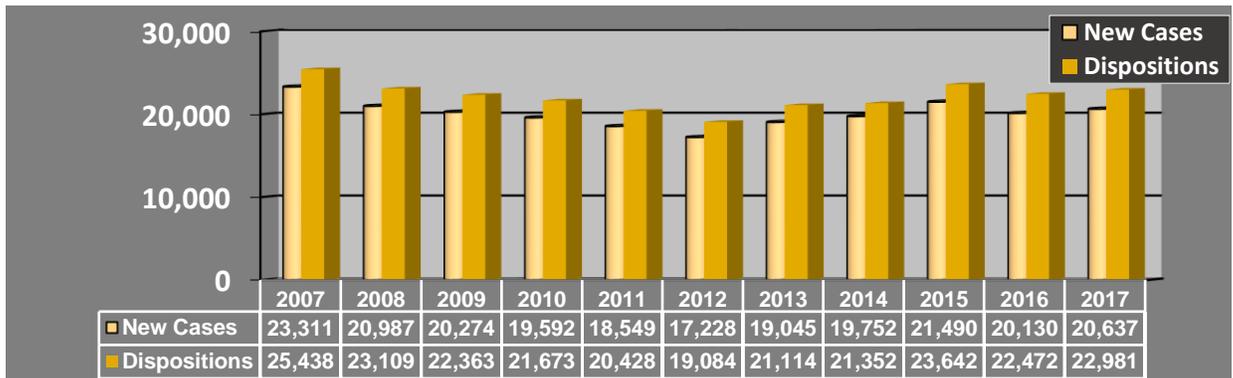
In 2002, the State Court Administrative Office significantly changed the methodology of counting cases in the District Court. The Court went from tracking 16 different case type classifications to 21 different classifications.

Previously, a multi-count criminal case was given a separate case file for each charge filed. Now, the Prosecutor's Office is placing multiple counts on **one** Complaint and Warrant and the Court counts that as **one** case filed. This revised method of counting will cause the number of cases filed to appear to decline when other factors remain constant.

TOTAL NEW CASES FILED

Traffic cases filed	14,479
Criminal cases filed	2,738
Civil cases filed	<u>3,420</u>
Total new cases filed	20,637

A comparison of total new case filings and dispositions from 2007 through 2017 are reflected in the graph below. The eleven-year bar graph reflects that the Court experienced a decrease of 2,674 new cases filings from 2007 through 2017. The one-year trend reflects that the Court experienced a increase of 507 new case filings from 2016 to 2017.



Statistical Analysis



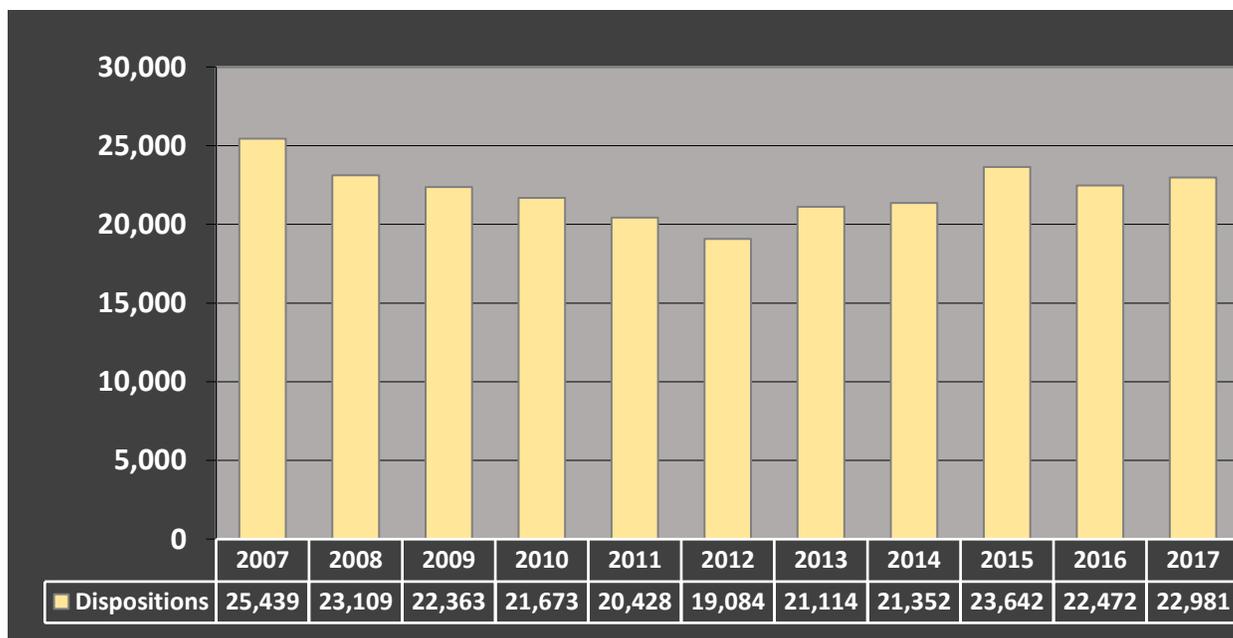
TOTAL DISPOSITIONS

The District Court submits the number of dispositions annually to the State Court Administrative Office. Dispositions include Jury Verdicts, Bench Verdicts, Pleas, Dismissals, Defaults, Warrants Issued, and Circuit Court Felony Bindovers, etc. The Court uploads these totals into the State Court Administrative Office's web site.

TOTAL DISPOSITIONS

Traffic cases	15,504
Criminal cases	4,117
Civil cases	<u>3,360</u>
Total dispositions	22,981

Total dispositions for all divisions from 2007 through 2017 are reflected in the graph below. The eleven-year bar graph reflects that the Court experienced a decrease of 2,458 (10.5%) case dispositions from 2007 through 2017. The one-year trend reflects that the Court experienced an increase of 509 (2%) case dispositions from 2016 to 2017.



Statistical Analysis



TOTAL RE-OPENED CASES

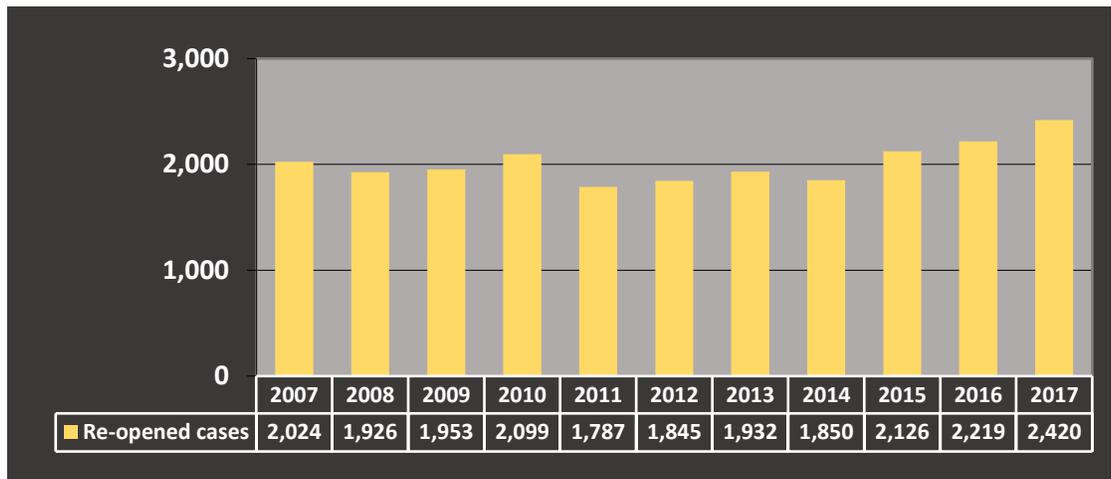
Cases are counted as re-opened when a defendant is arrested and arraigned on a warrant, a new trial is ordered by an appellate court, or a plea or judgment is set aside. The Court uploads these numbers to the State Court Administrative Office's web site. The number of re-opened cases was not tracked prior to 2002 by the State or the Court.



TOTAL RE-OPENED CASES FILED

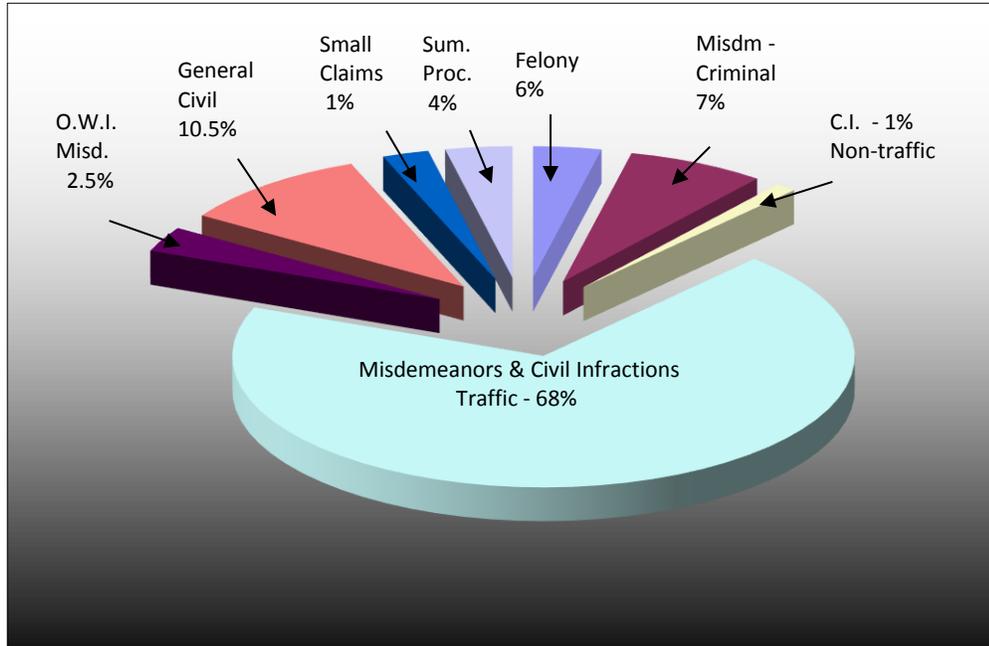
Traffic cases re-opened	1,019
Criminal cases re-opened	1,360
Civil cases filed re-opened	<u>41</u>
Total cases re-opened	2,420

Total re-opened cases for all divisions from 2007 through 2017 are reflected in the graph below. The eleven-year bar graph reflects that the Court experienced an increase of 396 re-opened cases from 2007 through 2017. The one-year trend reflects that the Court experienced an increase of 201 cases from 2016 to 2017.



Caseload Mix

The pie chart reflects both the total number of cases filed and the percentages by divisions.

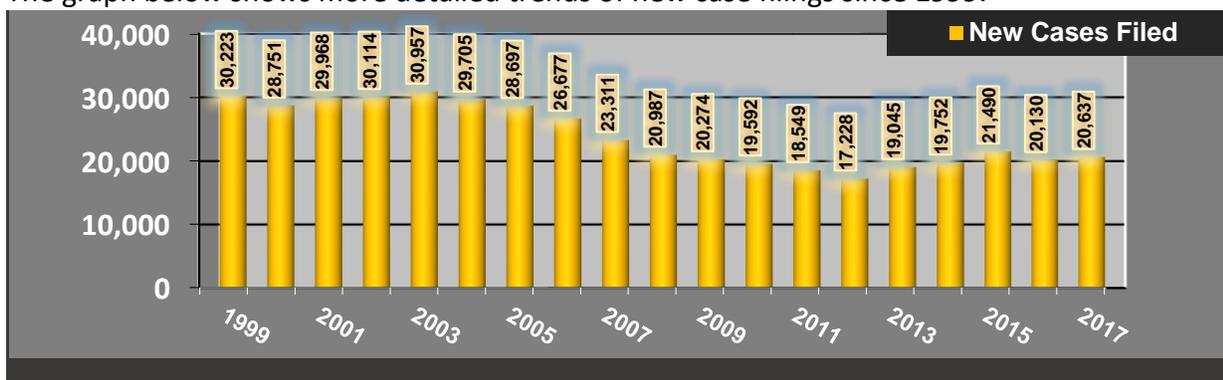


Clearance Rate Ratio of Dispositions to New Case Filing

The ratio of dispositions to new case filings are reflected below.

New Case Filings	20,637
Dispositions	22,981
Ratio	111%

The graph below shows more detailed trends of new case filings since 1999.



Caseage Trends Caseflow Management

Supreme Court Administrative Order No. 2013-12 states: “The management of the flow of cases in the trial court is the responsibility of the judiciary. In carrying out that responsibility, the judiciary must balance the rights and interests of individual litigants, the limited resources of the judicial branch and other participants in the justice system, and the interests of the citizens of this state in having an effective, fair, and efficient system of justice.” The courts shall implement caseflow management plans that incorporate meeting established case processing time guidelines. Courts shall collect and report case age details to the Michigan Supreme Court annually. Below is information reported in 2016 comparing the 57th District Court to the Statewide District Court Average.

CASE AGE TRENDS – PERCENTAGE DISPOSED

Felonies – Disposed within 28 Days

	2012	2013	2014	2015	2016
Statewide Court Average	75%	76%	77%	76%	74%
57th District Court	72%	76%	77%	85%	85%

Misdemeanors – Disposed within 126 Days

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Statewide Court Average	96%	96%	96%	95%	95%	95%	96%	96%	97%	97%	97%
57th District Court	98%	98%	99%	98%	99%	99%	99%	100%	100%	100%	100%

Civil Infractions – Disposed within 84 Days

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Statewide Court Average	96%	96%	96%	96%	96%	97%	97%	97%	97%	98%	98%
57th District Court	99%	99%	100%	99%	100%	99%	99%	99%	99%	100%	100%

General Civil – Disposed within 455 Days

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Statewide Court Average	97%	97%	97%	97%	98%	98%	99%	99%	98%	99%	99%
57th District Court	100%	100%	100%	100%	99%	100%	100%	100%	100%	100%	100%

Summary Civil without Jury Demand – Disposed within 126 Days

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Statewide Court Average	93%	93%	94%	93%	94%	94%	95%	95%	95%	95%	95%
57th District Court	94%	95%	97%	97%	97%	98%	97%	96%	98%	96%	97%

Probation

The functions of the **Probation Department** are to assist the Judges in determining an appropriate sentence and to supervise probationers ensuring that they comply with the terms and conditions of the orders of the Court. Probation Officers are responsible to refer probationers to qualified treatment personnel and to introduce them to vocational or educational resources.

The total number of defendants placed on probation during 2017 was 759. The total number of probationers being supervised by the Probation Officers for the period ending December 31, 2017 was 909 including diversion programs.

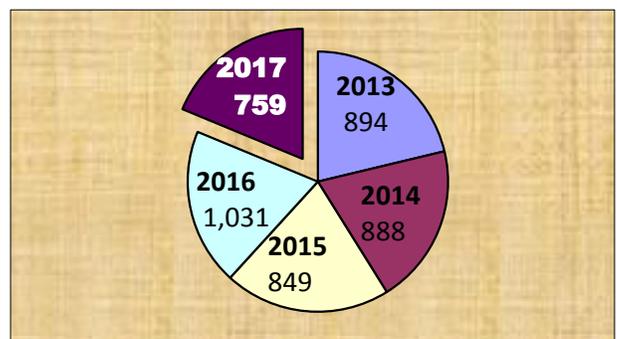
The difference between the total number placed on probation (759) and supervised (909) reflects the number of probationers who completed their terms and conditions of probation and were released. The time span of probation can generally range from a minimum of 30 days to a maximum of two years. Consequently, probationers are continually being released and new probationers added.

The table below reflects the number of probationers placed on probation during the year.

DEFENDANTS PLACED ON PROBATION

Judge	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTALS
SKOCELAS	23	33	30	22	32	41	23	41	23	43	34	18	363
BAILLARGEON	49	24	41	31	18	37	34	51	35	30	20	23	393
NORBECK	0	0	0	0	1	0	0	2	0	0	0	0	3
TOTAL	72	57	71	53	51	78	57	94	58	73	54	41	759

The pie chart reflects the total number of cases or individuals that were placed on probation from 2013 through 2017. For the period of 2013 through 2017, the caseload decreased 135 cases. Caseload decreased by 272 cases between 2016 and 2017.



Probation

PROBATION OFFENSE CHARGE STATISTICS

The table below reflects statistics on non deferral offenses handled by the probation department.

OFFENSE REPORT

OFFENSES	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
Operate while Intoxicated	12	10	24	10	9	19	16	24	13	14	12	11	174
Operate while Intoxicated – 2 nd	5	1	2	2	4	3	3	7	2	1	2	1	33
Impaired Driving	20	19	19	19	19	24	19	29	23	34	15	11	251
Assault & Battery	2	2	3	0	4	4	1	3	2	4	2	1	28
Domestic Violence	4	11	10	9	4	14	6	11	5	5	6	3	88
Malicious Destruction of Property	0	0	0	1	0	0	0	0	1	1	1	0	4
Larceny	1	2	1	3	0	1	1	1	0	0	1	0	11
Drug Offenses	5	2	2	2	1	3	2	2	3	3	3	5	33
Stalking	1	1	0	1	0	0	0	1	0	0	0	0	4
CSC – Attempted 4 th Degree/ Accosting	0	1	0	0	0	0	0	0	0	0	0	0	1
All Other Charges	22	8	10	6	10	10	9	16	9	11	12	9	132
TOTAL	72	57	71	53	51	78	57	94	58	73	54	41	759

Probation

DOMESTIC VIOLENCE DIVERSION PROGRAM

The Domestic Violence Diversion Program was implemented in September 1998 by the 57th District Court in cooperation with, and with the support of, the Allegan County Coordinating Council on Domestic Violence, the Allegan County Prosecutor's Office, and the Allegan County Board of Commissioners.

FUNDING

In April of 1998, the Board of Commissioners approved funding for this program. A fourth probation officer was hired in June of 1998. Assessing the probationer a supervision/oversight cost generates funding for the program. On July 9, 2014, the supervision cost was increased to \$625.00.

PURPOSES AND ADVANTAGES OF THE DIVERSION PROGRAM

This program offers a defendant the opportunity to avoid a criminal record upon successful completion of probation with the goal to provide the defendant with treatment, protect the victim and reduce recidivism. It eliminates the adversarial relationship between the defendant and family member victim and/or between the victim and the court, the prosecutor, and the police. These programs emphasize counseling, treatment, and behavior modification over punitive measures. The program reduces court, prosecutor, and police time by avoiding unnecessary trials and allows cases to be adjudicated more quickly.

The program is designed for qualified first time offenders charged with domestic violence. It allows a defendant to plead guilty and be placed on voluntary probation status for a period of 9 - 12 months, provided the victim consents. During this time, the defendant is required to attend Domestic Violence counseling sessions scheduled over a period of 26 weeks. If the defendant successfully completes the probation and required counseling, he/she is discharged from probation and the original charge of Domestic Violence is dismissed under MCL 769.4a. If a defendant fails to complete the counseling, or for any other reason violates the probation, he/she is required to immediately appear in Court and is sentenced.

COUNSELING

The Court meets with various counselors and counseling agencies to review the techniques used in their programs. The effectiveness of the programs depends on the quality and content of the counseling services offered. The programs must be appropriate and consistent with accepted national standards.

Each defendant who successfully completes the program is required to complete a brief questionnaire that evaluates their counseling services.

Probation

COMPLIANCE

If the Court finds that all supervision/oversight costs have been paid and all counseling has been completed, the defendant is discharged from probation without a hearing.

STATISTICS

The following statistics reflect fifteen years of the Domestic Violence Diversion Program under MCL 769.4a. Statistics are gathered, compiled and reported for the period of September 1st through August 31st of each calendar year. The statistics include all domestic violence cases charged under MCLA 750.81(2), (3), or (4).

	2002 -	2003 -	2004 -	2005 -	2006 -	2007 -	2008 -	2009 -	2010 -	2011 -	2012 -	2013 -	2014 -	2015 -	2016 -
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
New DV charges filed	511	411	393	404	423	446	489	473	500	505	462	432	387	513	486
DV charges adjudicated	514	421	395	429	427	472	485	467	508	475	541	489	446	558	593
Pled under program	130	134	115	88	112	124	135	128	140	148	156	105	128	117	147
Successfully completing program	112	92	102	77	68	74	80	108	106	108	109	121	87	110	87
Not completing program	29	27	31	32	24	40	46	52	39	26	30	24	32	11	28
Pled guilty to DV but not under program	132	97	122	116	128	133	132	101	111	84	78	114	119	129	123
Dismissed or nolle prosequi	118	110	97	114	94	96	102	97	41	90	141	116	96	110	122
Bound over to Circuit Court	19	34	20	29	32	28	35	24	12	12	27	24	34	41	68
Reduced DV III to miscellaneous charges	3	1	1	1	3	3	2	5	3	5	0	1	0	0	0
Reduced from DV III to DV II	9	3	8	0	3	4	8	17	7	14	13	19	10	31	8
Reduced from DV II to DV I	14	5	14	17	11	6	7	38	19	20	17	28	21	24	28
DV-Aggravated to DV Program	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reduced from DV to Disorderly	17	15	26	17	15	12	40	38	7	19	15	36	36	39	30
Reduced from DV to Assault & Battery	14	11	6	14	22	23	15	8	3	15	9	19	17	27	19
Reduced to misc. charges not included above	3	3	4	4	8	4	1	8	3	1	0	0	4	0	1
Guilty as charged after bench trial	4	0	1	0	1	6	0	0	0	0	1	0	0	2	1
Guilty of other offense after bench trial	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Guilty as charged after jury trial	0	2	1	1	1	0	1	0	1	0	1	0	0	0	1
Not guilty after bench trial	2	1	3	1	0	3	2	0	0	0	0	0	0	1	1
Not guilty after jury trial	2	0	2	3	3	3	5	4	2	0	2	2	1	0	4
Mental Health Court	-	-	-	-	-	-	-	6	5	4	5	3	6	2	7
Recharged after successful completion of the program	14	8	15	8	16	9	12	13	15	7	16	16	23	36	18*

*Of the 18 new domestic violence charges filed on defendants who successfully completed the program in the past, six (6) pled guilty to the new DV charges, six (6) were dismissed by the Prosecutor or Judge, two (2) were found not guilty by jury, two (2) were bound over to Circuit Court, one (1) pled guilty to malicious destruction of property and one (1) is still pending.

Probation

7411 DIVERSION PROGRAM FIRST TIME DRUG OFFENDERS

On October 12, 2006, the Court began imposing a sentencing alternative to first time drug offenders under MCL 333.7411. This statute allows the Court to order a deferral of judgment for first time drug offenders. When an individual has not previously been convicted of a drug offense or participated in a prior 7411 diversion, with the consent of the accused, the Judge may defer further proceedings and place the individual on probation. A nonpublic record will be created for this arrest at the time of the deferral. If the person fulfills the terms and conditions of probation, they will be discharged from probation and the matter will be dismissed and the case remains nonpublic. Individuals may only use this deferral once in their lifetime. If an individual violates probation, the court will remove them from the deferral program and enter a conviction in its place. The case will become public and the Department of State is then notified of the conviction and licensing sanctions are ordered.

Currently, each probationer is placed on diversion for 6 months through probation. A \$500 supervision/oversight cost must be paid prior to discharge from probation.

Judge	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
SKOCELAS	5	8	6	6	6	6	9	6	5	6	3	4	70
BAILLARGEON	8	6	10	7	3	10	12	10	5	9	8	6	94
TOTAL	13	14	16	13	9	16	21	16	10	15	11	10	164

MINOR IN POSSESSION OF ALCOHOL DEFERRAL PROGRAM FOR FIRST TIME OFFENDERS

Effective September 1, 2004, Public Act 63 allows the Court to order a deferral of judgment for first time offenders of Minor in Possession of Alcohol under MCL 436.1703. When an individual has not previously been convicted of Minor in Possession or participated in a prior MIP diversion, the Court, with the consent of the accused, may defer further proceedings and place the individual on probation. While proceedings are deferred and the individual is on probation, the court shall maintain a nonpublic record of the matter. The Court abstracts the deferred status to the Department of State (DOS) which keeps the record nonpublic. If the person fulfills the terms and conditions of probation, they are discharged from probation and the matter is dismissed. A nonpublic record will be retained for this arrest. Individuals may only use this deferral once in their lifetime. If an individual violates probation, the court will remove them from the deferral program and enter a conviction in its place. The case becomes public and Department of State is notified of the conviction.

Currently, each probationer is placed on diversion for 6 months. A \$450 supervision/oversight cost must be paid and the probationer must attend a Victim Impact Panel meeting as ordered.

2017	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
TOTAL	2	3	5	0	1	19	42	12	3	9	4	2	102

Probation

ALCOHOL ASSESSMENTS

On April 15, 1996, the Probation Officers began conducting alcohol assessments. A total of 583 assessments were completed during 2017. The assessment fee is \$90.00. The assessments will generate total revenues of \$52,470.00. Revenues collected for 2017 were \$52,905.38.

2017	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
TOTAL	57	40	40	54	54	57	49	72	45	56	33	26	583

PROBATION SUPERVISION AND OVERSIGHT COSTS

On May 4, 1998, the Court began assessing supervision and oversight costs to all defendants placed on probation. In 2014, the Court audited the expenditures for probation services and came up with a new assessment schedule: probation terms of 3-6 months - \$200.00; 6-12 months - \$400.00; and 18-24 months \$600.00. Revenues collected in 2017 were \$332,521.78.

ELECTRONIC HOME MONITORING PROGRAM

On June 1, 1996, the department implemented the use of the Electronic Home Monitoring Program provided by Midstate Security Company. This program, which is an alternative to physical incarceration, provides a visual contact and positive visual identification of the probationer, and allows for breath alcohol level testing for probationers with alcohol-related problems. During 2017, 134 probationers utilized this program. In 2011, the Court began using **SCRAM** alcohol monitoring systems, a state of the art system. **SOBERLINK**, a portable mobile breathalyzer with a high resolution camera, allows for a less expensive solution for the probationer, while still requiring several random breath samples per day. While less expensive, it has the ability to monitor only alcohol.

Judge	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
SKOCELAS	4	1	5	1	5	5	4	5	3	8	8	6	55
BAILLARGEON	10	3	9	3	7	6	5	16	4	7	5	4	79
TOTAL	14	4	14	4	12	11	9	21	7	15	13	10	134

LEIN Entry

The District Court implemented warrant entry in late June 2002. Since its implementation, the Clerk's Office has entered approximately 48,806 new warrants and cancelled another 48,575 warrants. In 2017 alone 3,812 warrants were entered and 3,457 were cancelled. Prior to going paperless, all warrant transactions were entered by staff at Allegan County Central Dispatch and various Michigan State Police Posts.

In December 2002, the District Court Clerk's Office and District Court Probation Department began entering dispositions online to Michigan State Police Criminal Records Division. This allows for immediate entry and modification of a defendant's criminal history record. As of December 31, 2017, the Court has entered 50,158 criminal history transactions (3,818 in 2017). All criminal justice agencies currently are required to report electronically.

In early 2008, the Court began a collaborative effort with the Allegan County Sheriff's Department enforcing District Court arrest and bench warrants immediately upon entry into LEIN. Upon request, the Court provides the ACSO with a list of all warrants issued the prior month(s) for Allegan County residents. The report is separated by zip code to conduct efficient enforcement of these orders. Furthermore, if the warrant is for failing to pay fine and costs, the deputy is authorized to cancel the bench warrant after collecting the full payment on the road without transporting and lodging the defendant. The Court's order is enforced swiftly sending a message to all defendants that judicial orders are promptly enforced in Allegan County.

Approved: 5/10 Original - Follow
Court Case No.
57th JUDICIAL DISTRICT MOTION, AFFIDAVIT, AND BENCH WARRANT 1321440T OT
COUNTY PROBATE
MI 49022 COURT ADDRESS 113 CHESTNUT-COUNTY BLDG-2ND FL. COURT TELEPHONE IN- ALLEGAN, MI 49810 (269) 673-0400
Michigan Report No. 972-13
Plaintiff
 The People of the State of Michigan
 CITY OF FRANKLIN
 Juvenile
 Probate
 Juvenile
In the matter of
A notice and affidavit is not required when the warrant is issued on the basis of a bench warrant.
I request that a bench warrant be issued and [redacted] be arrested and
 held in contempt for failure to appear. Identify in the space below.
 brought to court for arraignment on the following alleged probation violation: Identify in the space below.
This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this affidavit.
Subscribed and sworn to before me on [redacted] [redacted] County, Michigan.
My commission expires: [redacted] Date Signature: [redacted] Notary Public/Notary Clerk
Notary public, State of Michigan, County of [redacted]
Respondent failed to comply with an order of this court.
TO ANY PEACE OFFICER OR COURT OFFICER AUTHORIZED TO MAKE ARREST, I order you to arrest:
Name and address of respondent: [redacted] State of Michigan: [redacted]
Sex: [redacted] Race: [redacted] Hair: [redacted] Eyes: [redacted] Height: [redacted] Weight: [redacted] Birthdate: [redacted]
These items must be filled in for the police/sheriff to enter on LEIN; the other items are not required but are helpful during the respondent before the court immediately, or respondent may be released when a cash or surety bond in the amount of \$ 500.00 is posted for personal appearance before the court on the next session.
MARCH 15, 2018
Judge William A. Santolucito
I have, on [redacted] Date, taken respondent into custody as ordered by this warrant.
MC 229 (3/16) MOTION, AFFIDAVIT, AND BENCH WARRANT

Court in School

FENVILLE HIGH SCHOOL – OCTOBER 12, 2017

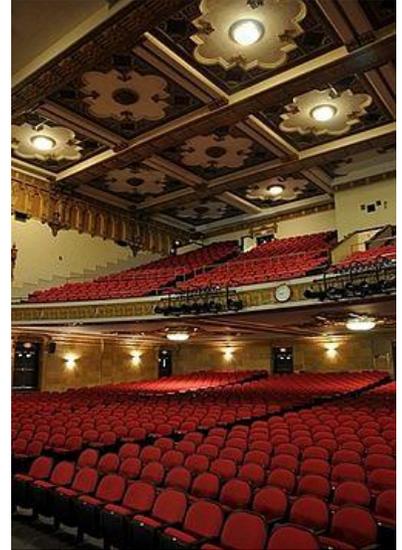
During 2017, one high school was visited by a District Court Judge to conduct live criminal sentence hearings in their school's auditorium. On October 12, 2017, Judge Baillargeon conducted proceedings at Fennville High School. The *Court in Schools* program, which was approved by the Michigan Supreme Court, was spearheaded in 2007 by Judge Skocelas to educate students about the court system.

Holding *Court in the Schools* is a proactive approach to solving several of the more serious problems facing teenagers in our community: drinking and driving, underage drinking, drug use, shoplifting and other crimes committed by young people. The students have the opportunity to see first hand that there are serious consequences when you break the law.

The defendants, who have already pled guilty at the District Court in Allegan, agree to have their sentence hearings conducted at the high school. The hearing held did not include any student or graduate of each individual high school.

This program has representatives from the Prosecutor's Office, local defense attorneys, probation officers, school security, law enforcement and Judge's staff. At the conclusion of the court proceeding, a video involving teenage drinking is played followed by a question and answer session with students. With the State's approval of these local administrative orders, the school auditoriums become, legally, the 57th District Court of Allegan County. Court hearings must, by law, be open to the public. A court bailiff and/or a school or local law enforcement officer provide security.

Judge Baillargeon was accompanied by his court recorder Carole Carr. Due to the success of this program, additional "*Court in School*" locations are scheduled for 2018 in area high schools.



Community Service

In 2008, the 57th District Court began offering an alternative to paying fine and costs to the Court – community service. Many courts in Michigan have implemented a community service program managed through their Court for indigent defendants. The Court carries an insurance policy to cover accidental injury while volunteers perform community service.

Each volunteer will be responsible for contacting a non-profit agency, traveling to and from work sites, and following the directions of that organization. With the financial cut-backs to the non-profit agencies, it is a beneficial situation for everyone involved.

PURPOSE

The purpose of the program is to offer an alternative sentence for defendants who are unable to pay their court ordered fine and costs. While state fees and restitution cannot be waived, the court fine and costs can be worked off with community service.

RULES

The program will be monitored by the Probation Department. The Probation Department will provide defendants with a listing of pre-approved community service non-profit agencies in Allegan County. Any non-profit agency may be used to perform community service – although agencies not on the listing must be pre-approved by the Probation Department prior to scheduling the work.

Each defendant must make the initial contact with the non-profit agency, have them complete various forms and keep the probation department abreast of each person's progress.

Community service may be performed for fine and costs only. Restitution, Driver License Reinstatement Fee, Crime Victim Fee and State Costs may not be worked off through community service. One (1) hour of community service will work off \$10.00 of fine and costs.

MENTAL HEALTH TREATMENT COURT



Mental Health Court Graduate
Michael Milburn and Judge Skocelas

On September 14, 2009, Judge Skocelas and the 57th District Court, teamed with representatives of the Allegan County Sheriff's Department, Allegan City Police, Allegan County Prosecutor's Office, Allegan County Community Mental Health, Michigan State Police, local defense attorneys, and local substance abuse providers (OAR) to create a Mental Health Treatment Court in Allegan County. This treatment court is currently funded with grant monies awarded by the State Court Administrative Office.

Since its inception, 355 defendants have been referred to the program. Of those 355, 206 were rejected and 149 were accepted into the program. Of the 149 who were accepted, 88 have successfully graduated, and 14 are currently in the program – ten (10) in Phase I and four (4) in Phase II. Forty-seven (47) were discharged unsuccessfully from the program after acceptance – 41 for cause and 6 for other reasons. The program accepts both felony and misdemeanor cases.

Mental Health Treatment Court is a two-phase program designed for adult offenders charged with one or more criminal offenses and who are having difficulty with mental health issues, are developmentally disabled, or mentally ill defendants with co-occurring disorders (mental health/substance abuse). It involves frequent court appearances and active participation by the participant towards their recovery. It may also include random drug/alcohol screens if necessary. The court may provide incentives for progress and sanctions for negative behaviors. If the participant fails to follow certain rules, they may be required to report more often to the Court, spend time in jail, or face serious sanctions such as termination from the Mental Health Treatment Court. This court is voluntary; the defendant must consent to participation before he/she can be placed into the court program. The mental health courts share the objective of preventing the jailing of the mentally ill and/or of securing their release from jail to appropriate services and support in the community. In addition, each court gives a high priority to concerns for public safety when arranging for the care of mentally ill offenders.

WEST MICHIGAN REGIONAL VETERANS' TREATMENT COURT

The West Michigan Regional Veterans' Treatment Court began operation on February 7, 2014, and is the first fully regionalized Veteran Treatment Court in the State of Michigan. The jurisdiction of the Veterans' Treatment Court is that of both the district and circuit courts of Allegan, Van Buren and Ottawa counties but it also accepts veterans from surrounding counties. It was developed and organized by Judge Baillargeon and the treatment court team to help veteran participants address underlying service related issues that bring them in contact with the criminal justice system. The court currently has 13 veterans participating with new applicants being reviewed by the team for admission as they arise. The court makes sure that veterans are provided proper mental and physical health care and follows up to ensure that they maintain their treatment protocol as well as a complete abstinence from drugs and/or alcohol. Common issues addressed by the treatment court include Post Traumatic Brain Injury, Post-Traumatic Stress Injury and issues related to substance abuse. The goal of the court is to divert veterans from prison or jail, to help them have a more satisfying productive law-abiding life by



addressing the underlying conditions impacting them and thereby assisting them to restore their sense of honor and integrity. The court has participants from Van Buren County, Kent County, Ottawa County, and Allegan County. We are proud to report that our regional court has already recognized 19 veterans for successfully completing the treatment court program. Many of these veterans continue to visit and support the efforts of their fellow veterans that continue to make up our veteran participant corps.

Partnering with the court from all three counties are county commissioners, judges, prosecutors, probation, law enforcement, mentors, community supervision providers, treatment providers, the Veterans Health Administration, Veterans Benefit Administration, veteran employment representatives and veterans service organizations service officers. Attorney Magistrate Daniel W. Norbeck is the Administrator/Case Manager for the Veterans Treatment Court. Magistrate Norbeck directs two field agents, Nicholas Hogue (South) and Troy McCabe (North) who perform the remote supervision and substance abuse testing.

SOBRIETY TREATMENT COURT

In late April of 2017, the 57th District Court officially launched its latest specialty court, the Sobriety Treatment Court. The mission of the 57th District Court Sobriety Treatment Program is to promote community safety and reduce alcohol and drug abuse through a coordinated program involving intensive supervision, judicial interaction, treatment, incentives, sanctions and accountability.

This court will enable those successfully complying with requirements to receive a restricted driver's license. Such a license allows participants to continue to maintain employment and thereby provide financially for their families. It also allows them to travel to and from counseling and support meetings as required by the court.



These sobriety and the other specialty courts have been found to be extraordinarily successful in addressing the issues that bring people into the justice system, and they dramatically reduce recidivism.

The Sobriety Court represents a collaborative effort from Judge Baillargeon and the 57th District Court, the Allegan County Prosecutor's Office, District Court Probation, local defense attorneys, and local treatment providers. Due to the establishment of our new Sobriety Court, Allegan County now has a Substance Abuse Treatment Provider, The Next Step Psychological Services, based right here in our County.

Sobriety Court currently has 19 participants, 15 of which have reclaimed restricted driving privileges. We are on track to have our first graduations from the program late this summer.

ADULT DRUG TREATMENT COURT

MCL 600.1060(c) defines drug treatment courts as ". . . a court supervised treatment program for individuals who abuse or are dependent upon any controlled substance or alcohol." These courts are specially designed to reduce recidivism and substance abuse among nonviolent substance-abusing offenders and to increase the offenders' likelihood of successful habilitation through early, continuous, and intense judicial supervised treatment, mandatory periodic drug testing, and use of appropriate sanctions, incentives, and rehabilitation services.

Drug treatment courts evolved to address the revolving-door cycle in which drug and alcohol offenders moved in and out of the justice system. Drug treatment courts treat addiction as a complex disease and provide a comprehensive, sustained continuum of therapeutic interventions, treatment, and other services to increase a participant's periods of abstinence and reduce the rate of relapse, re-arrest, and incarceration. Michigan has been a pioneer in the drug treatment court movement.

The Allegan drug treatment court is a minimum 18 month program (up to 60 months) for non-violent felony substance abuse offenders including probation violations. The participant must be a resident of Allegan County. The program is comprised of five phases:

- Phase 1 – 60 day minimum (mandatory jail incarceration)
- Phase 2 – 4 month minimum (initial release from incarceration)
- Phase 3 – 4 month minimum (stabilization)
- Phase 4 – 4 month minimum (maintenance)
- Phase 5 – 4 month minimum (pre-graduate)



The drug court's first participant was admitted on June 30, 2011. Since then, six (6) additional participants were admitted in 2011, three (3) in 2012, thirteen (13) in 2013, seven (7) in 2014, six (6) in 2015, twelve (12) in 2016, and ten (10) in 2017 totaling fifty-seven (57) participants since inception.

The cumulative total over the past seven years is twenty-seven (27) participants successfully completing the drug court. There are currently ten (10) active participants.

While the Adult drug treatment court is made up of cases of the 48th Circuit Court, it was developed and presided over by Judge Baillargeon. The administration of the court is carried out by 57th District Court Administrator Linda Lenahan and Attorney Magistrate Dan Norbeck.

REVENUES & EXPENSES

Revenue is generated as a by-product of the fines, costs, and fees imposed by the Judges and Attorney Magistrate. State Constitution and statutes determine how the money is distributed.

The Court maintains and monitors two expense and revenue budgets: the District Court budget and the District Court Probation Department budget. Revenues collected from the District Court Probation Department for alcohol assessments and supervision/oversight costs are combined with the District Court's general fund revenues that are deposited on a monthly basis with the County Treasurer.

REVENUES

AGENCY OR FUND	AMOUNT
Drug Case Reimbursement Fund	\$2,424.19
Drunk Driving Reimbursement Fund	39,082.02
Court Costs	1,213,893.66
Court Appointed Attorney Fees	138,590.09
Bond Costs	284.00
Crime Victims' Rights Fund	25,971.55
Civil Filing Fees	165,272.00
Miscellaneous Fees	12,925.00
Driver's License Reinstatement Fees	24,987.69
Motion Fees	8,410.00
NSF Fees	525.00
Bond Forfeitures	48,733.00
Ordinance Fine and Costs	97,830.55
DNA Assessment Fee (ACSD)	11,035.00
Jury Reimbursement	4,072.50
Insurance Fee	11,035.00
Probation Alcohol Assessments	52,905.38
Probation Oversight Costs	332,521.78
Cities, Townships, Villages	43,621.92
DNA fee – Sheriff's Department	282.50
State Treasury – Trust and Agencies	1,011,797.93
Libraries	754,327.67
Interest Earned	172.86
Cash Over/Short	(-16.00)
Credit Card Fees	(-11,581.45)

EXPENSES

EXPENDITURE	DISTRICT COURT	PROBATION DEPT.
Salary and wages	\$937,593.10	\$313,794.63
Employee benefits	410,965.92	143,976.48
Office supplies	9537.21	1,790.09
Printing and binding	10,758.09	547.44
Books and maps	1040.00	0
Consultants	0	0
Probation Assessment Fees	0	4,900.00
Jury	9,178.10	0
Witnesses	0	0
Interpreter fees	18,439.22	0
Court appointed attorney fees	100,399.84	0
Memberships and subscriptions	3,309.50	50.00
Other Contractual Services	0	0
Telephone	0	0
Travel Expense – routine	1,009.55	28.36
Education – miscellaneous	500.87	799.11
Education – travel	1,128.42	449.94
Education – registration	459.00	200.00
Travel – visiting judge	0	0
Repairs and maintenance	8,626.95	0
Software lease	30,982.96	0
Equipment	2,956.36	0
TOTAL	\$1,546,885.09	\$466,536.05

CUMULATIVE TOTALS

REVENUES

General fund	\$2,175,673.41
Jury Reimbursement	4,072.50
Interest	172.86
Credit Card Fees/Cash over/short	(11,581.45)
Trust and Agencies	1,011,797.93
Libraries	754,327.67
Restitution Payable	131,257.25
Bonds Payable	<u>1,020,244.61</u>

TOTAL **\$5,085,964.78**

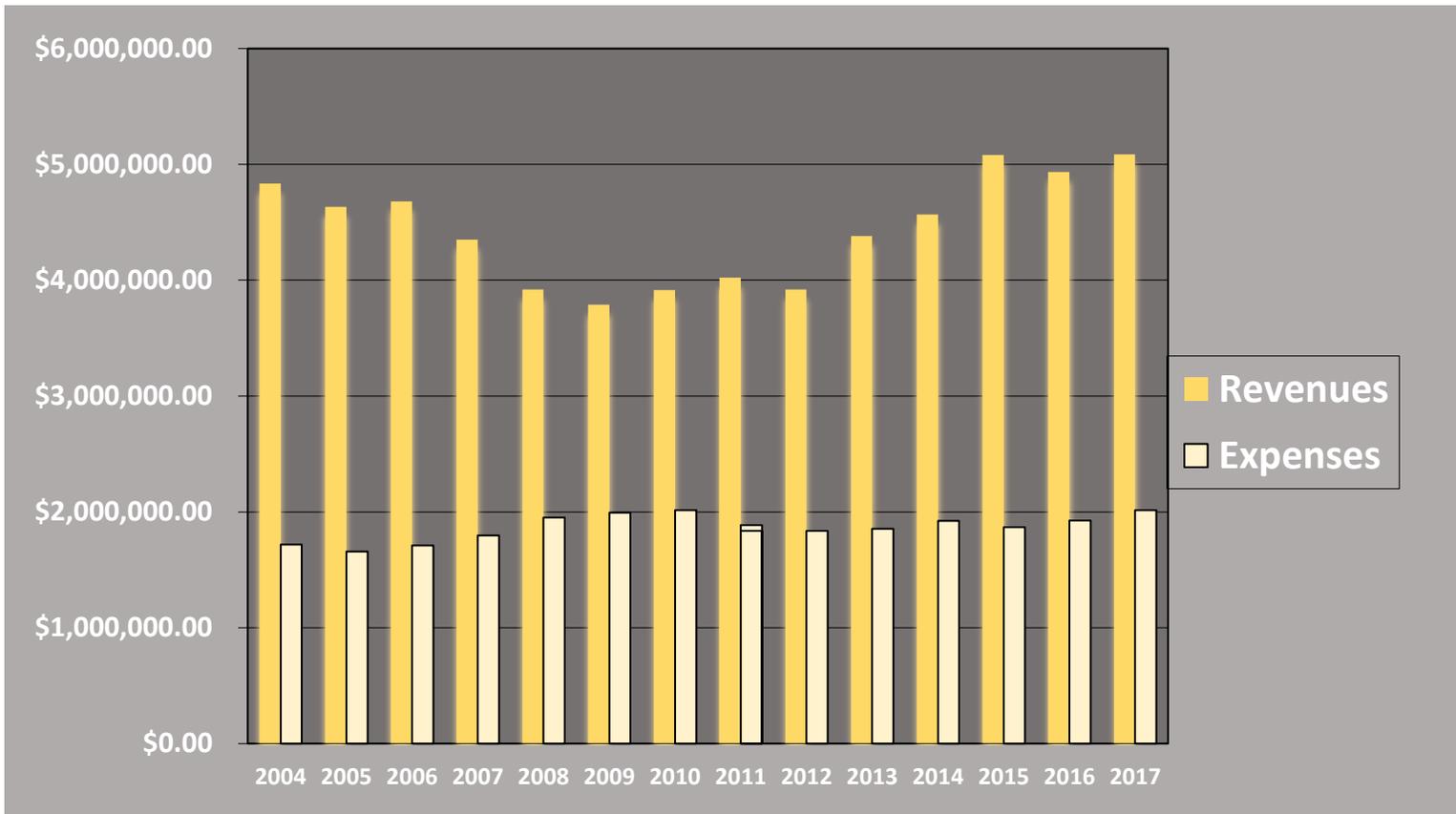
EXPENDITURES

Court	\$ 1,546,885.09
Probation	<u>466,536.05</u>

TOTAL **\$2,013,421.15**

HISTORICAL REVIEW

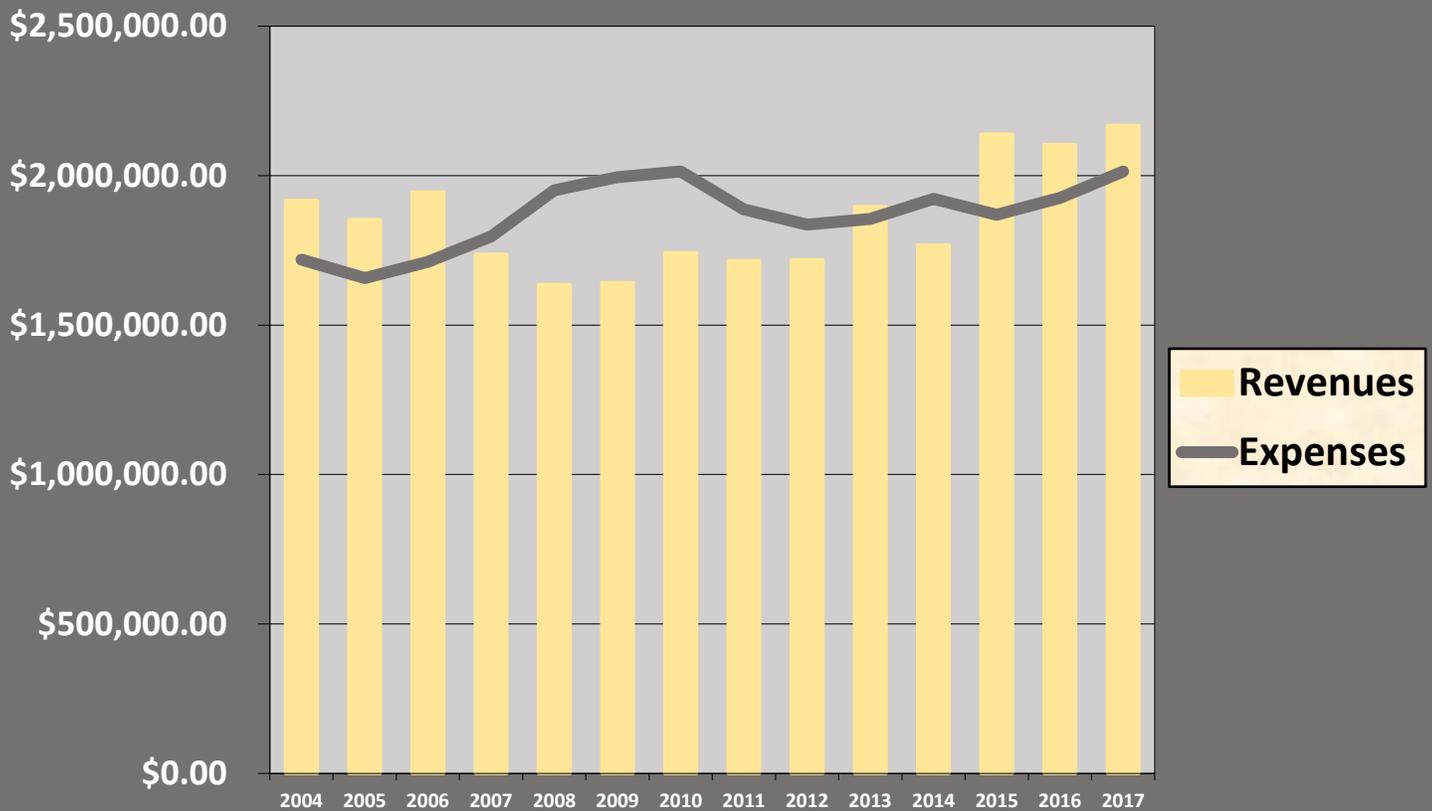
TOTAL REVENUES AND EXPENSES



YEAR	2004	2005	2006	2007	2008	2009	2010
REVENUES	\$4,835,797	\$4,631,724	\$4,818,825	\$4,350,209	\$3,920,655	\$3,790,152	\$3,915,994
EXPENDITURES	\$1,719,009	\$1,657,204	\$1,711,667	\$1,796,847	\$1,950,950	\$1,994,908	\$2,013,918

YEAR	2011	2012	2013	2014	2015	2016	2017
REVENUES	\$4,023,172	\$3,921,085	\$4,382,490	\$4,567,811	\$5,080,615	\$4,935.447	\$5,085,965
EXPENDITURES	\$1,887,212	\$1,835,615	\$1,855,130	\$1,922,152	\$1,868,794	\$1,925,358	\$2,013,421

HISTORICAL REVIEW GENERAL FUND REVENUES & EXPENSES



YEAR	2004	2005	2006	2007	2008	2009	2010
REVENUES	\$1,917,322	\$1,853,541	\$1,945,736	\$1,737,558	\$1,636,257	\$1,642,388	\$1,742,456
EXPENDITURES	\$1,719,009	\$1,657,204	\$1,711,667	\$1,796,847	\$1,950,950	\$1,994,908	\$2,013,918

YEAR	2011	2012	2013	2014	2015	2016	2017
REVENUES	\$1,716,273	\$1,718,525	\$1,896,170	\$1,767,422	\$2,139,375	\$2,104,122	\$2,168,337
EXPENDITURES	\$1,887,212	\$1,835,615	\$1,855,130	\$1,922,152	\$1,868,795	\$1,925,358	\$2,013,421

OUTSTANDING RECEIVABLES

Outstanding Receivables as of December 31, 2017

Probation	Non-Probation	TOTAL
\$782,152.13	\$5,735,382.70	\$6,517,534.83

AGE	Probation	Non-Probation	TOTAL
1-15 days	\$1,075.00	\$11,060.00	\$12,135.00
16-30 days	325.00	11,608.00	11,933.00
31-60 days	8,830.00	49,944.40	58,774.40
61-90 days	64,426.77	97,971.31	162,398.08
91-180 days	173,428.46	367,520.87	540,949.33
181-360 days	170,459.80	708,268.38	878,728.18
361-540 days	60,444.95	517,814.54	578,259.49
541-720 days	47,462.00	538,035.23	585,497.23
Over 720 days	255,700.15	3,433,159.97	3,688,860.12
COURT TOTALS	\$782,152.13	\$5,735,382.70	\$6,517,534.83

STATE REIMBURSED FUNDS

DRUNK DRIVING FUNDS

1991 PA 98 (MCL 257.625h) created the drunk driving case flow assistance fund for the express purpose of defraying costs associated with the processing of drunk driving cases charged as violations under MCL 257.625 or 257.625m, 324.80176, 324.81134, 324.81135, or 324.82127 or substantially corresponding local ordinances. This Act requires the State Court Administrative Office to distribute a portion of these funds to every District Court. The funds are not intended for any other general fund purpose and are not intended to supplant any portion of the District Court's current appropriation. For the year 2017, the District Court received reimbursement funds in the amount of \$39,082.02.

DRUG CASE INFORMATION MANAGEMENT FUND

The Drug Case Information Management Fund [MCL 257.323d; MSA 9.2023(4)] was created to promote the timely disposition and reporting of cases in which the defendant is charged with a violation of 333.7401 through 333.7461, and 333.17766a of the Michigan Compiled Laws, or a local ordinance substantially corresponding to those sections. The State Court Administrative Office is responsible for disbursement of the funds collected under this Act. For the year 2017, the District Court received reimbursement funds in the amount of \$2,424.19.

COURT EQUITY FUNDS

The Court Equity Fund, established by 1996 PA 374, MCL 600.151b, is a state fund created to provide funding to trial court funding units. The fund creation was effective with the state fiscal year beginning October 1, 1996, and funds are distributed to county trial court funding units. The formula for distribution is primarily based on caseload, but includes a county's portion of statewide judgeships as a factor. For the state fiscal year 2017, the Allegan County Funding Unit received a total of \$434,003.00. Trends in this funding for Allegan County are listed below.

FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
\$542,717	\$512,357	\$468,647	\$442,188	\$421,968	\$398,795	\$411,353	\$403,095	\$427,380	\$427,229	\$434,003

JURY REIMBURSEMENT FUNDS

The Jury Reimbursement Fund, [MCL 600.151e] was established to reimburse the funding unit the added expense of the October 1, 2003 implementation of MCL 600.1344 which increased juror fees. With this new legislation, jurors are now compensated \$25.00 for their first day (\$12.50 for a half day) of jury service and \$40 for each subsequent day (\$20 for a half day) of jury service. The reimbursement is semi-annual covering the periods October 1 – March 31 and April 1 – September 30. The first year also included an extra 14% reimbursement for the expenses incurred with implementation costs.

FY 2008 / 2009	FY 2009 / 2010	FY 2010 / 2011	FY 2011 / 2012	FY 2012 / 2013	FY 2013 / 2014	FY 2014 / 2015	FY 2015 / 2016	FY 2016 / 2017
10/1/08-9/30/09	10/1/09-9/30/10	10/1/10-9/30/11	10/1/11-9/30/12	10/1/12-9/30/13	10/1/13-9/30/14	10/1/14-9/30/15	10/1/15-9/30/16	10/1/16-9/30/17
\$5,822.50	\$5,530	\$4,272.50	\$2,437.50	\$4,017.50	\$3,067.50	\$1,125.00	\$1,025.00	\$4,072.50

COLLECTIONS



Pursuant to MCR 1.110 adopted January 1, 2002, fines, costs and other financial obligations imposed by the Court must be paid at the time of assessment, except when the Court allows otherwise, for good cause shown. The implementation of this court rule along with a desire to collect the Court's outstanding receivables helped the 57th District Court implement a Collections Policy. Under the Court's policy, notices of non-payment, bench warrants, and orders to show cause will be promptly generated by the Collections Clerk in cases where fines remain past due for more than 60 days.

In hardship cases, upon showing of good cause, the Collections Clerk may arrange a payment schedule with the defendant. The need for additional time, however, will have to be documented with proof of employment and financial records provided to the Clerk. The Court now spends a significant amount of time updating current addresses, verifying financial records, and tracking down defendants who are delinquent in their payments.

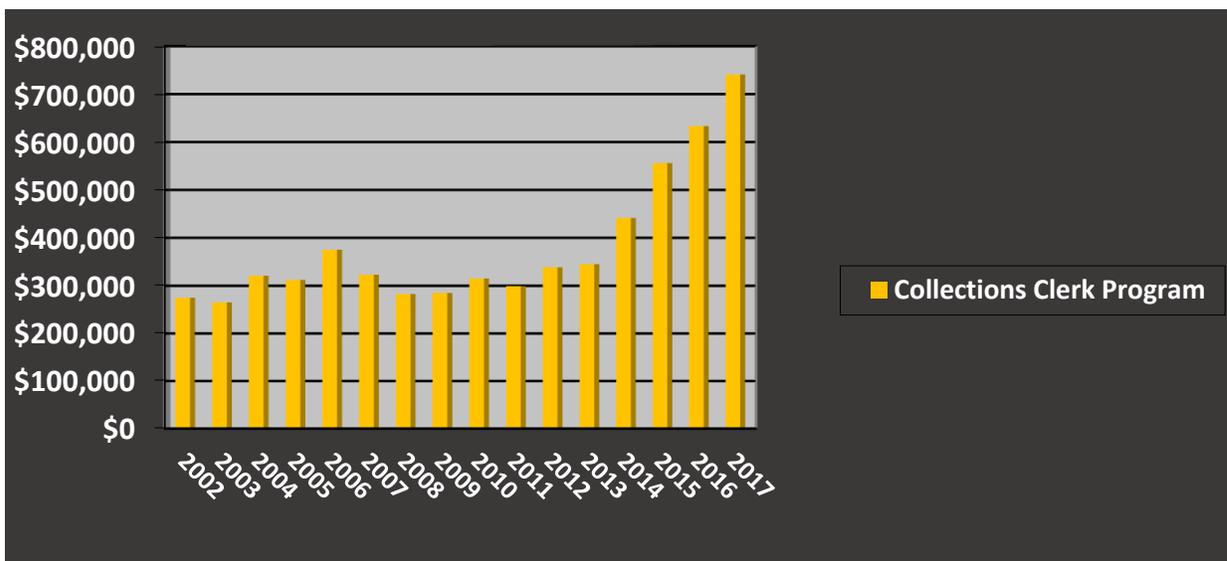
In 1997, the District Court purchased a software package that works in conjunction with the primary court case management software (supplied by the Supreme Court) to assist in tracking outstanding receivables at the District Court. The package was only fully implemented in September 2001. Since its implementation, the Court has been successful in bringing in revenues of \$6,174,712.12. In 2017 alone, the collections program was responsible for \$741,162.01 of the District Court revenues. Our Collections Clerk is assigned the responsibility of monitoring outstanding receivables and payment plans within the Court. Initially, the monthly results were very lucrative to the Court. Collections have maintained a steady pace at the Court. As of December 31, 2017, outstanding receivables amounted to \$6,517,534.83. Of that amount, \$2,601,002.03 is less than 2-years old while \$3,147,388.82 is between 2 – 7 years old. Over 1.5 million dollars is due for criminal restitution.

PAST YEARS' COLLECTIONS HISTORY

2001	\$66,049.12		2009	\$284,906.20
2002	275,013.02		2010	315,308.17
2003	265,121.93		2011	299,194.54
2004	321,049.15		2012	338,331.35
2005	312,206.41		2013	344,857.23
2006	375,230.98		2014	441,423.06
2007	322,899.69		2015	555,905.75
2008	282,599.76		2016	633,453.78

COLLECTIONS TOTAL FOR 2017

JANUARY	\$54,577.75
FEBRUARY	75,790.82
MARCH	81,968.82
APRIL	59,172.76
MAY	73,891.00
JUNE	55,932.10
JULY	51,698.81
AUGUST	53,650.56
SEPTEMBER	61,403.76
OCTOBER	54,398.96
NOVEMBER	73,180.20
DECEMBER	45,496.47
YEAR END TOTAL:	\$741,162.01



Programs and Panels

COURT APPOINTED ATTORNEYS

The right to assistance of counsel to any person charged with a crime is a fundamental right made applicable to State Court proceedings by the Sixth Amendment of the Constitution. At the time of arraignment on the warrant or complaint, the Court advises the defendant of entitlement to an attorney's assistance at all subsequent Court proceedings. The Court will appoint an attorney at public expense after completion of a written financial statement completed by the defendant indicating that the defendant is financially unable to retain an attorney.

The 57th District Court utilizes a contract method of appointing attorneys in criminal misdemeanor cases. Heidi L. Wolf and Matthew Antkoviak are the attorneys appointed to represent indigent defendants on misdemeanor cases. The 48th Circuit Court contracts with attorneys appointed for indigent defendants on felony cases. James Mikel McEwen, Robert Champion, Paul Klein, Matthew Antkoviak and Fred Jensen are the attorneys appointed to represent Felony Tier 1 cases. In addition to the current Tier 1 attorneys, Emily Green, Chris Burnett are appointed as Felony Tier 2 attorneys.

VICTIM IMPACT PANEL

Allegan County's first Victim Impact Panel Meeting held in April of 1992, was a coordinated effort by Mothers Against Drunk Driving (MADD), the Allegan County Prosecutor's Office, and the Judges of the 57th District Court. The Victim Impact Panel is a creative sentencing option available to Judges for persons convicted of alcohol/drug driving offenses as well as MIP deferred sentences. The panel resulted from a dedicated effort between Mothers Against Drunk Driving and District Courts, and originated in the northwestern United States several years ago. Victim Impact Panels are intended to be mutually beneficial to the panelists as well as the offenders. Victim Impact Panel meetings are held by MADD at 7 p.m. on the third Thursday of every other month at the Griswold Auditorium. In 2017, 126 defendants attended the Victim Impact session at the Allegan location.

MARRIAGES

The Magistrates perform marriage ceremonies every Friday. In 2017, 129 happy couples were united. The marriages are performed in one of the available courtrooms or the hearing room.

Highlights

BREAKING NEWS

HIGHLIGHTS OF CHANGES - PRIOR YEARS

1995 – 2005 highlights can be located in the 2013 Annual Report

2006 – 2012 highlights can be located in the 2015 Annual Report

2013 – 2016 highlights can be located in the 2016 Annual Report

2017 Highlights

- 2017 – Vocational Technical Criminal Justice Class (VoTech) provides the District Court Clerk's Office five interns throughout 2017 for educational work experience. Interns included: Tegan McNees, Ryan Hoeksema, Nick Agy, Trinity Deridder and Aaron Maule.
- February 2017 – Completed a physical inventory of open case files in the Clerk's Office and Probation Department.
- February 14, 2017 – LEIN audit conducted by Trevor Carlsen of Michigan State Police.
- March – 22nd Annual Report for the year 2016 completed and distributed.
- March 1, 2017 – District Court begins using Calendar Integration and internet calendars for Scheduling Court events through Judicial Information Systems (JIS).
- March 2017 – Courts begin review of court recording systems – reviewed BIS and JAVs for future capital purchase in 2018 and 2019. In August, court review team selects BIS for updated equipment and software.
- March 7, 2017 – meet with Thermo Fisher Scientific to review viability of drug testing lab in Allegan County Courthouse.
- March 30, 2017– David Handsor, the court liaison from SOS visits District and Circuit Court.
- April 12, 2017 – District Court hosts MSP and SOS regional training in the Zimmerman Room.
- April 13, 2017 – Judge Baillargeon and Linda Lenahan made annual "State of the Court" presentation to Board of Commissioners.
- Spring 2017 - Completed records retention and disposal of Michigan trial court records pursuant to Schedule 16.
- April 21, 2017 – May 12, 2017; 8th graders from Plainwell Public Schools visit and learn about the District Court, the Prosecutors Office, and the Allegan County Jail.
- May 2017 – 57th District Court honored by Michigan Secretary of State's Office for 100% compliance in record accuracy and timeliness for the 2016 calendar year.
- May 3, 2017 – Allegan County visits Ottawa County (Holland and Grand Haven) Courts to see their drug testing facilities.
- May 9 and May 11, 2017 – Linda Lenahan and Renee Stack provide training to the Jail Booking Staff.
- Spring/Summer/Fall 2017 – Court applies for and is awarded grant funds for the C48 Adult Drug Court, Mental Health Court, Regional Veterans' Treatment Court and a Sobriety Court.
- Summer/Fall – Integrated Court Calendar Monitors (Phase I) installed on the main floor for all courts.
- August 7, 2017 – Kent County Circuit Court visits the Mental Health Court and team.
- October 12, 2017 – Court in School conducted at Fennville High School by Judge Baillargeon.
- Fall 2017 – begin planning conversion from Allegan County AS400 – JIS Cloud.
- October 27, 2017 – Active Shooter Drill conducted the entire afternoon. Building is closed during drill.
- October 13, 2017 – November 17, 2017; 8th graders from Plainwell Public Schools visit and learn about the District Court, the Prosecutors Office, and the Allegan County Jail.
- December 8, 2017 – Employee Recognition Luncheon held.
- December 15, 2017 – Vocational Technical (VoTech) criminal justice class visits the District Courtrooms.