

# 2018 ANNUAL REPORT



# ALLEGHEN COUNTY PROBATE COURT



*Hon. Michael L. Buck*  
*Chief Probate Judge*

*Avery D. Rose*  
*Probate Court Register/Administrator*

## **Probate Court Authority**

Article VI Section 15 of the Michigan Constitution provides that “the jurisdiction, powers and duties of the probate court and of the judges thereof shall be provided by law.” Through the promulgation of the Estates and Protected Individuals Code (EPIC), the Mental Health Code, and other Acts, the legislature has conferred jurisdiction to the Probate Court over:

- Decedent Estate Proceedings
- Civil Actions
- Trust Proceedings
- Minor Guardianship Proceedings
- Guardianships of Incapacitated Individuals
- Protective Orders
- Conservatorships
- Guardianships of Individuals with Developmental Disabilities
- Involuntary Commitments of Mentally Ill Persons
- Drain Appeals

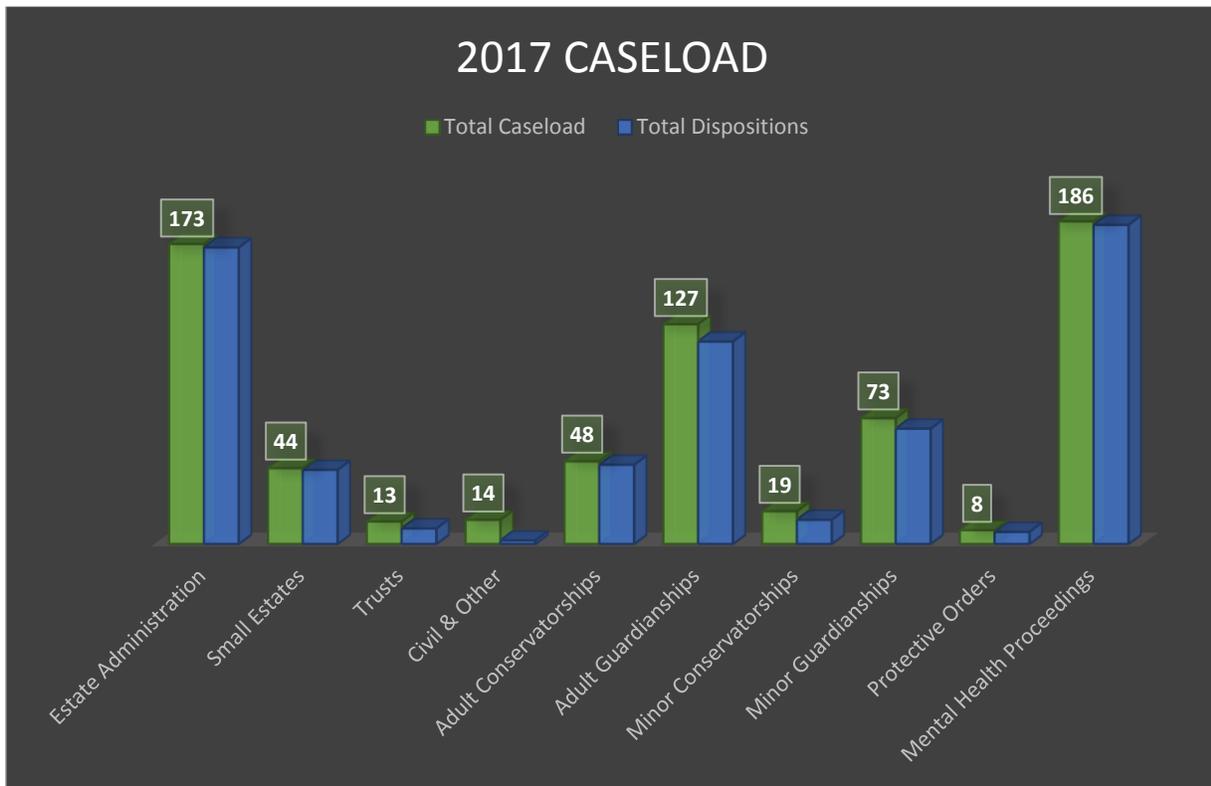
## **Mission Statement**

The mission of the Allegan County Probate Court is to administer justice with fairness, equality, and integrity, to resolve matters before the court in a timely manner, and to provide courteous and prompt service in a manner that inspires trust and confidence.

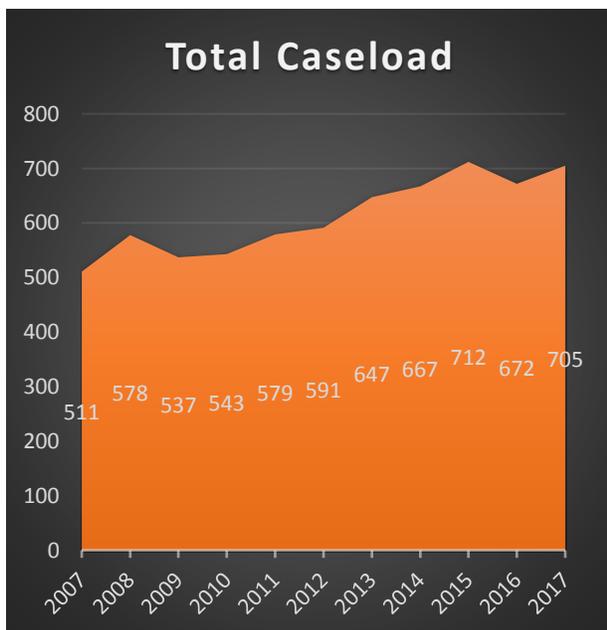
## **Goals**

- To process all matters within the time guidelines set by the State Court Administrator’s Office
- To ensure the compliance of Court-appointed fiduciaries with statutes and courts rules, in order to safeguard protected individuals and their property
- To efficiently process and adjudicate all matters before the Court
- To provide excellent customer service to all those with business before the Court

# Probate Court Caseload



In 2017 there were a total of 705 new and pending cases handled by the Probate Court, the majority of which were comprised of decedents' estates (173), mental health proceedings (186), adult guardianships (127) and minor guardianships (73).

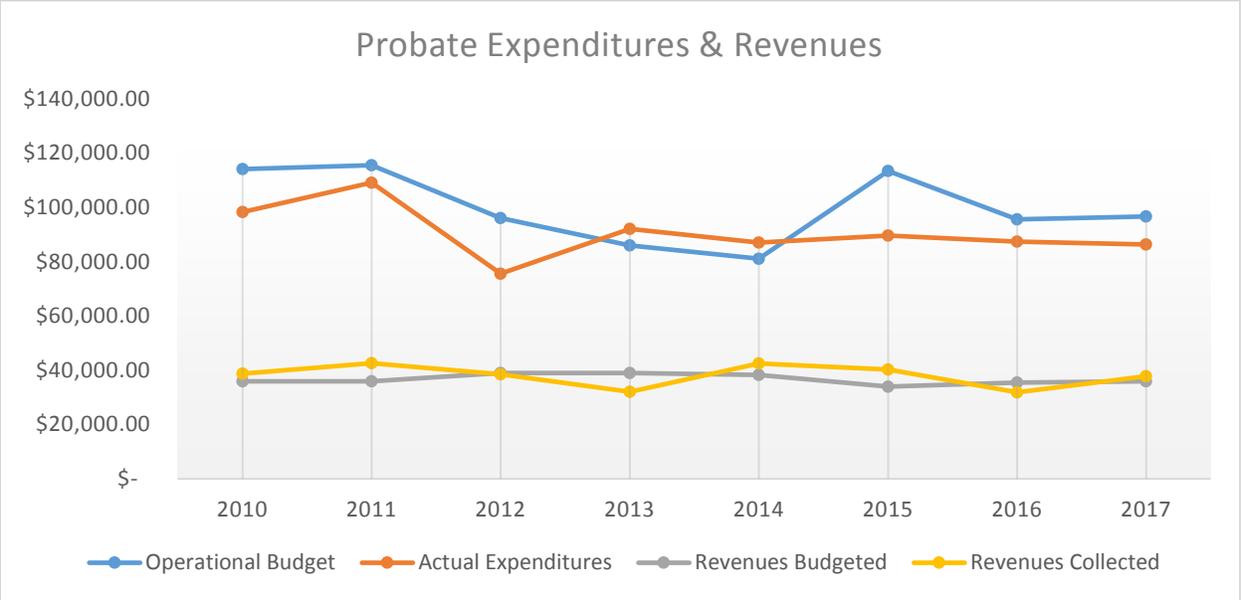


## Caseload Trends

Notwithstanding the slight decrease in overall caseload in 2016, the Probate Court typically observes an increase in the number of new filings it receives each year. There were 511 new and pending cases handled by the Court in 2007 and 705 in 2017. Most notably, since 2011, the number of adult guardianship cases handled by the Court has increased by 45%, and new mental health filings have increased by 33%. Overall, there has been an 8.2% increase in new filings over the past five years. During that same period, the Court has maintained an outstanding average disposition rate of 96.6%.

# Expenditures

Below is a chart showing the allocated operational budget for the Probate Court, actual expenditures, revenues budgeted and the actual revenues collected from 2010 to 2017. Over the past five years, an average operational budget of \$94,567.00 was allocated to the Court. During that same period, the Court spent an average of \$88,528.32 per year.



# Revenues

Although most of the Probate Court’s revenues are dependent on the filings and requests for copies it receives from the public, during the past seven years the Court has collected an average of \$38,049.35 per year, and exceeded the average amount it has budgeted for revenue collection over that period of time, which was \$36,718.75.

PROBATE REVENUES							
Year	Misc Fees	Probate Court Fees	Gdnshp Fee	Petition Fee	Certified Copies	Budgeted	Amount Collected
2010	5,024.07	23,163.37	-	5,500.00	5,083.00	36,000.00	38,770.44
2011	4,335.29	27,996.60	-	5,357.40	4,924.00	36,000.00	42,613.29
2012	5,657.72	22,858.40	-	5,198.80	4,760.40	39,000.00	38,475.32
2013	708.52	21,061.18	-	4,916.04	5,419.60	39,000.00	32,105.34
2014	5,131.04	25,608.96	-	5,800.99	5,985.38	38,250.00	42,526.37
2015	1,438.00	28,021.11	-	5,910.60	4,864.35	34,000.00	40,234.06
2016	811.45	22,853.84	-	4,638.22	3,587.00	35,500.00	31,890.51
2017	338.18	27,412.05	-	5,195.45	4,833.75	36,000.00	37,779.43
<b>Average</b>	<b>2,930.53</b>	<b>24,871.94</b>	<b>-</b>	<b>5,314.69</b>	<b>4,932.19</b>	<b>36,718.75</b>	<b>38,049.35</b>

## Revenues (Continued)

Starting in 2018, the Court began utilizing a free financial tool, geared toward small businesses, called **Wave**. This website has assisted the Court in generating and tracking invoices for reimbursement of the attorney fees it pays in connection with mental health proceedings. Using this service, the Court has obtained \$1,764.25 thus far in 2018.

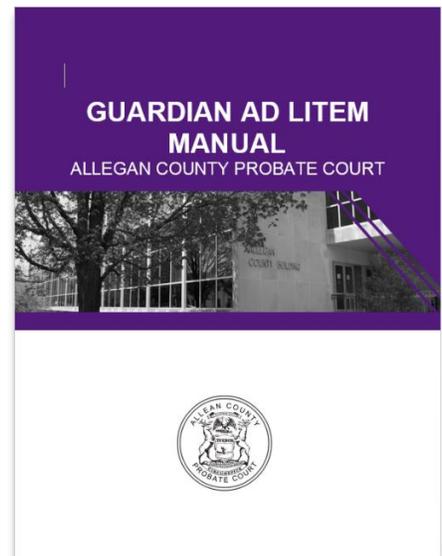


### Docket Display

In a coordinated effort with the Circuit and District Courts, new hallway monitors were installed in the Courthouse this year. The Garden Level monitor, which displays Probate matters, as well as Family Court and Friend of the Court proceedings, was installed with the assistance of Information Services and Facilities, and has greatly assisted litigants in determining where their cases are being heard, and by whom. In particular the Probate Court would like to thank Mike Day, Linda Lenahan and Chris Dulac, who were all instrumental to the installation of the Garden Level monitor.

## Guardian Ad Litem Training & Manual

This year the Probate Court provided a training to its guardians ad litem (GALs), who conduct investigations in guardianship matters pertaining to legally incapacitated adults. The GALs are instrumental to ensuring that a respondent's rights are protected, and provide valuable recommendations to the Court regarding the individual's best interests. Often GALs have the unenviable task of balancing and considering the demands of family, fiduciaries, and other interested parties in providing a recommendation to the Court. Probate Court staff worked diligently to produce a GAL Manual containing necessary laws governing guardianships, policies, procedures, court forms and FAQs to assist the GALs in future proceedings.





## Current Information and Key Contacts

### **Allegan County Probate Court**

113 Chestnut Street  
Allegan, MI 49010  
Phone: (269) 673-0250  
Fax: (269) 686-5157  
<http://cms.allegancounty.org/sites/Office/Probate>

### **Hon. Michael L. Buck**

Chief Probate Judge  
mbuck@allegancounty.org  
(269) 673-0532

### **Amy Cornell**

Judicial Secretary/Court Recorder  
acornell@allegancounty.org  
(269) 673-0532

### **Avery D. Rose**

Probate Register/Court Administrator  
arose@allegancounty.org  
(269) 686-4633

### **Jennifer Callaway**

Deputy Probate Register  
jcallaway@allegancounty.org  
(269) 686-4624

### **Jennifer White**

Deputy Probate Register  
jwhite@allegancounty.org  
(269) 673-0250

