

58th District Court Annual Report 2006

County of Ottawa



State of Michigan



58th District Court at Grand Haven

414 Washington Street
Grand Haven, MI 49417
(616) 846-8280

58th District Court at Holland

85 West 8th Street
Holland, MI 49423
(616) 392-6991

58th District Court at Hudsonville

3100 Port Sheldon Road
Hudsonville, MI 49426
(616) 662-3100

**58th District Court
2006 Annual Report**

MISSION

The Mission of the 58th District Court is to interpret and apply the law with fairness, equality and integrity, and promote public accountability for improved quality of life in Ottawa County.

VISION

- Be sensitive and responsive to the needs of a diverse community.
- Develop and maintain the highest level of services to the public and legal community to effectively and efficiently use public resources.
- Utilize technology that will assist court personnel to increase citizen access and convenience to the court.
- Promote a safe community; identify areas where intervention is necessary, network with other departments and agencies to persuade behavior change.
- Recruit and maintain the highest quality staff, provide training, resources and support to meet the needs of internal and external customers.
- Insure that court procedures and structures best facilitate the expedient and economical resolution of matters before the court.
- Share important management information with staff through quality communication.
- Refine procedures and facilities that provide a secure environment for public and staff.
- Promote innovative ways of resolving problematic issues facing the courts service to the public.
- Continue to promote and investigate therapeutic and problem solving techniques for defendants and litigants.

GENERAL OVERVIEW

The 58th District Court is part of the judicial branch of government as provided for by the Michigan Constitution and created by enactment of the Michigan Legislature. The purpose of the District Court is to provide a system of justice for the citizens of Ottawa County. The District Court has jurisdiction over all cases in controversy in amounts of twenty five thousand dollars or less. The District Court has jurisdiction over all criminal misdemeanors charged in Ottawa County and is the court of first appearance for anyone charged with a felony in Ottawa County.

There are three District Court locations in Ottawa County: Grand Haven, Holland and Hudsonville. Small claims cases, traffic informal hearings and probation meetings are also scheduled in Coopersville.

58th District Court
2006 Annual Report

Each Court is divided into four divisions: criminal, traffic, civil and probation. The criminal division handles state and ordinance criminal cases. It is responsible for scheduling all matters, opening and closing cases, accepting payments, receiving and disbursing bonds, communicating with the jail regarding sentenced inmates and notifying the Secretary of State and Department of State Police Records Division of case dispositions.

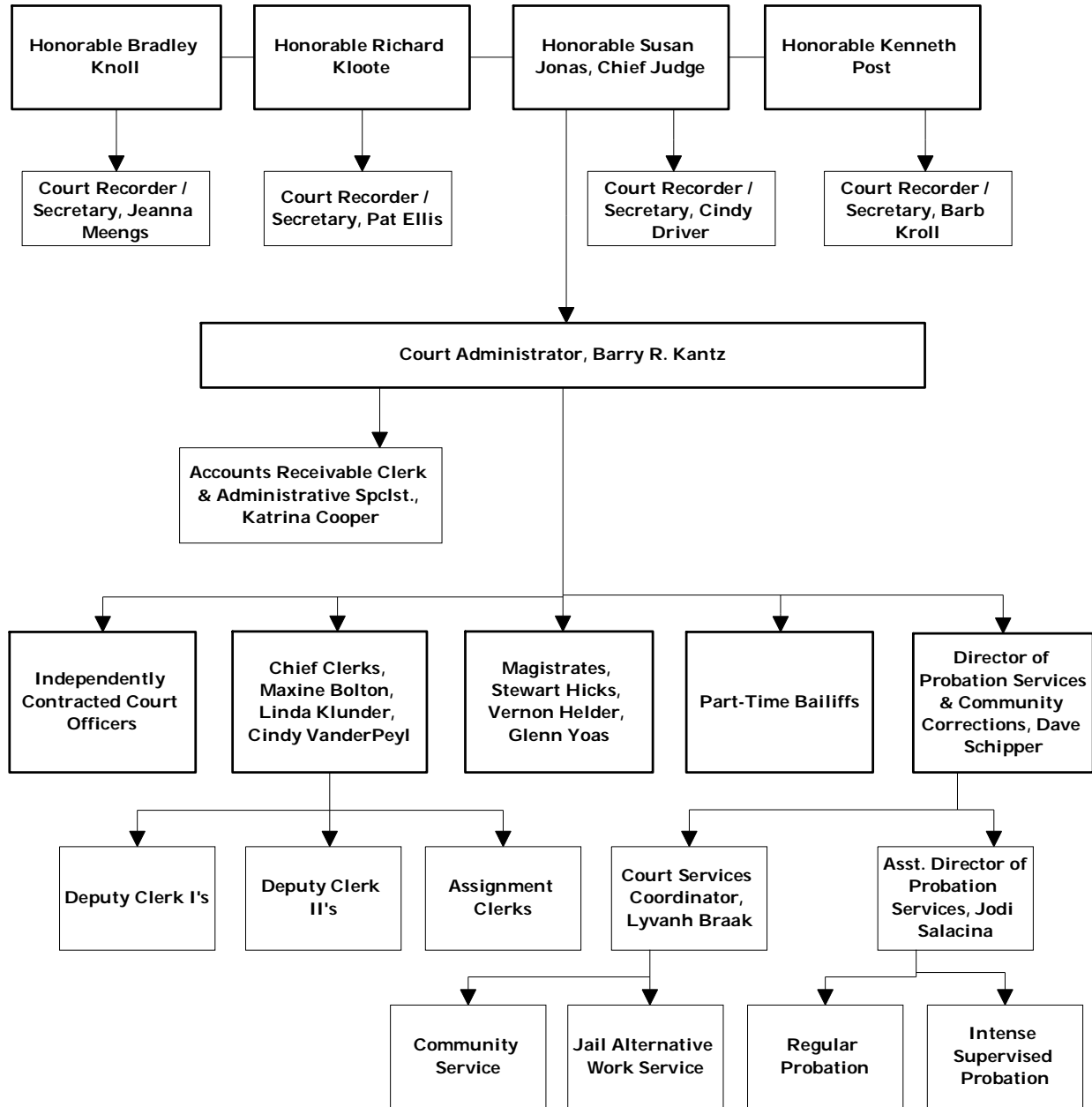
The traffic division is responsible for entering tickets into the computer system, taking payments for tickets, scheduling hearings for disputed tickets and notifying the Secretary of State of case dispositions.

The civil division processes all civil, small claims and summary proceeding cases. It schedules civil hearings and trials, processes civil writs, receives and disburses money. This division also handles weddings that are performed by the court.

The probation department supervises people that are placed on probation by the judges. They are responsible for monitoring the requirements that must be performed by the probationer as well as referring such persons to community rehabilitation and employment programs. In addition to their normal caseload, the probation officers perform pre-sentence investigations, bond screening, drug and alcohol testing, and substance abuse assessments for the court.

**58th District Court
2006 Annual Report**

**58th District Court
Administrative Organizational Chart**



**58th District Court
2006 Annual Report**

Holland Court Construction Project



This photo and the photos that follow were taken on May 5, 2006, about one month before the official move in date.



This picture gives you a glimpse of the old court building and the new court building. The old court building is on the far right side of the picture.

**58th District Court
2006 Annual Report**



The public queuing area under construction.

Video Hearings

Video arraignments represent a significant savings to the County. Defendants are brought before the judges and magistrates without the need to transport them from the jail to the court. This is accomplished by two-way video and audio connections between the jails and the courts. Without this system the Sheriff's Department would be required to transport the defendants to the courts and wait with them for the arraignment to take place. Transporting defendants to the courts also poses the risk of possible escape, injury to the deputy, and danger to the public. The video arraignment system has removed the security risk and saved the County tens of thousands of dollars in transportation and labor costs.

Video Hearings	2002	2003	2004	2005	2006
Grand Haven	406	468	518	465	679
Holland	N/A*	1,995	1,865	1,991	2,211
Hudsonville	435	438	433	429	625

* Note – the numbers above are for the four district court judges. The magistrates' use of the video equipment has not been tracked. The video hearing numbers for Holland were not available in 2002 as the result of an unexpected loss of a court recorder/secretary.

**58th District Court
2006 Annual Report**

Magistrate Activity

The 58th District Court employs one full-time magistrate and two part-time magistrates. One of the part-time magistrates works on an on call basis being available one week out of every six weeks to be available during weekends and after hours. The other part-time magistrate, who is an attorney, performs magistrate duties during regular business hours. The Chief Judge of the district court appoints the magistrates. Magistrates are allowed by statute to conduct informal hearings on traffic tickets, issue search warrants, issue arrest warrants, conduct arraignments, set bonds and accept pleas for misdemeanors that have a maximum penalty of 93 days in jail. Magistrates may also perform weddings. Magistrates that are attorneys may conduct small claims trials.

Magistrate Activity	2003	2004	2005	2006
Arraignments	1438	1560	1358	1,676
Informal Hearings	5390	3408	3410	3,881
Arrest Warrants	1386	951	914	853
Search Warrants	47	106	136	79
Marriages	337	339	446	404
Small Claims Cases Mediated	855	585	631	670
Small Claims Trials	182	423	514	539

Case Processing Staff

Each court location in the 58th District Court has court clerks who process cases in the criminal, traffic, and civil divisions of the court. Their tasks involve tracking from beginning to end of every case filed in the District Court. This work involves understanding the differences of various case types within each division, data input, processing various forms, ensuring that various timelines of each case are complied with, closing out the case and insuring that each case is stored and retained intact for several years. In addition to the above daily tasks, the case processors spend a great amount of time answering questions posed by the parties to the case and looking up information for those that have an interest in the case.

The 58th District Court is proud of its case processing staff. They have received several compliments about their service and responsiveness from attorneys and the law enforcement community.

The Court Administration monitors the workload of our case processing staff to ensure that the workload is evenly distributed among the three court locations. Our case processing staff's workload is also compared to the workload of many other district courts located in the southwest quarter of Michigan. What we find is that our staff are processing many more cases per case processor than other courts in our region. This means that Ottawa County employs fewer people as a result of our staff's strong work ethic and efficiency.

Ottawa County District Court disposed of 3,057 cases per case processor in 2006. This is **159%** of the median of West Michigan District Courts.

**58th District Court
2006 Annual Report**

**58th District Court Sobriety /Drug Treatment Program
Judge Susan A. Jonas & Judge Bradley S. Knoll
Brief Program Description**

Treatment Courts are special courts that handle cases involving alcohol and/or drug abusing offenders through comprehensive supervision, frequent alcohol and drug testing, treatment services, accountability and immediate sanctions and incentives. Treatment Courts ensure consistency in judicial decision-making through a team approach; which includes judges, prosecutors, defense counsel, treatment providers and probation officers. Treatment Courts are designed to rehabilitate the substance abuse offender and thereby prevent a return to the justice system.

The structure of Treatment Courts is designed at a local level to meet the needs of the community. The 58th District Court designed its program to target repeat drunk driving offenders and those with repeat drug related offenses. The main goals are to divert offenders from jail, eliminate substance use among substance abusers and to reduce recidivism.

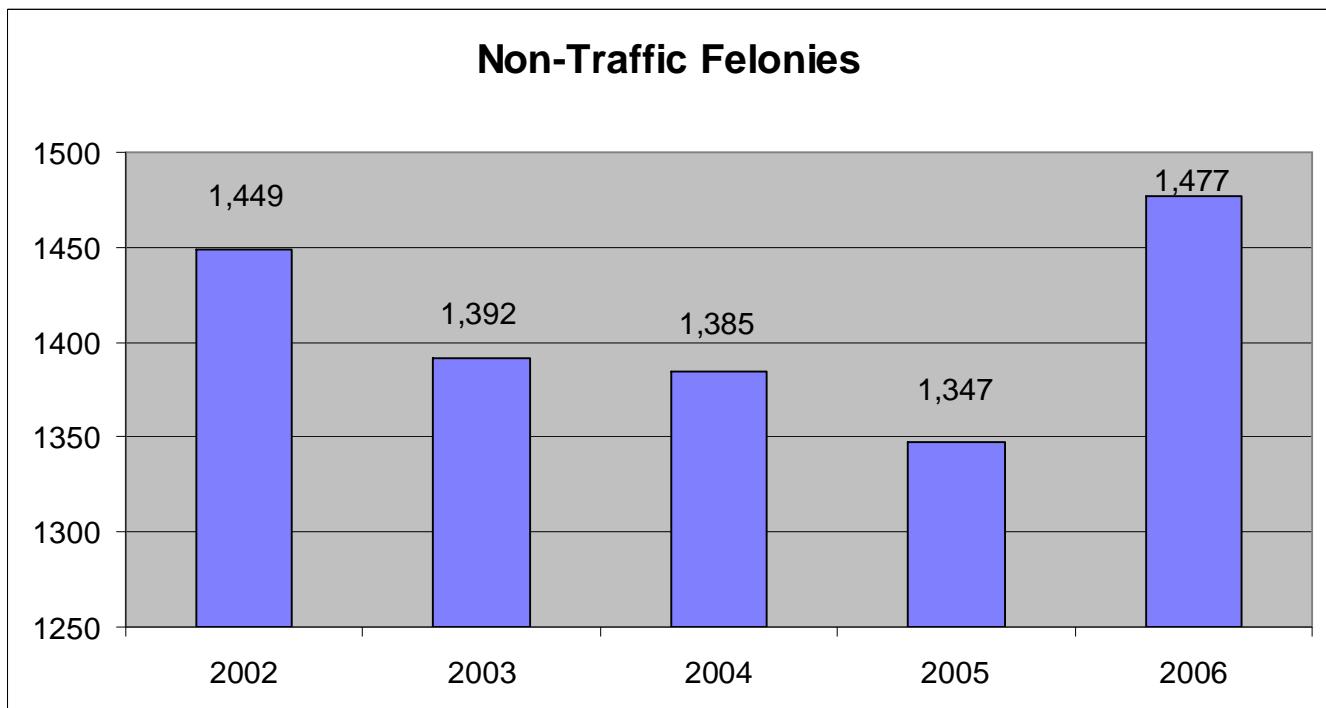
The 58th District Court Treatment Program is 16-24 months in length with four phases. Each phase has specific requirements and is 15-20 weeks in length. The length of time in the program is determined by the participant's successful completion of each phase. Through successful completion of this program, participants will make healthy, permanent lifestyle changes.

**58th District Court Sobriety/Drug Treatment Program
Program Statistics for 2006**

Active Participants in 2006	106
Total Graduates in 2006	38
Total Graduates to Date*	47
Total Terminations in 2006	11
Total Terminations to Date	27
*All participants must pay court fines, restitution and counseling fees in full before commencing from the program.	
Conviction Type:	
Operating Impaired-2 nd	0
Operating While Intoxicated	2
Operating While Intoxicated-2 nd	76
Use of Cocaine	6
Possession of Marihuana	14
Attempt Assault/Resist/ Obstruct Police Officer	1
Probation Violation (Poss. of Marihuana/Retail Fraud)	4
Domestic Violence-2 nd	2
Attempt Malicious Destruction of Property	1

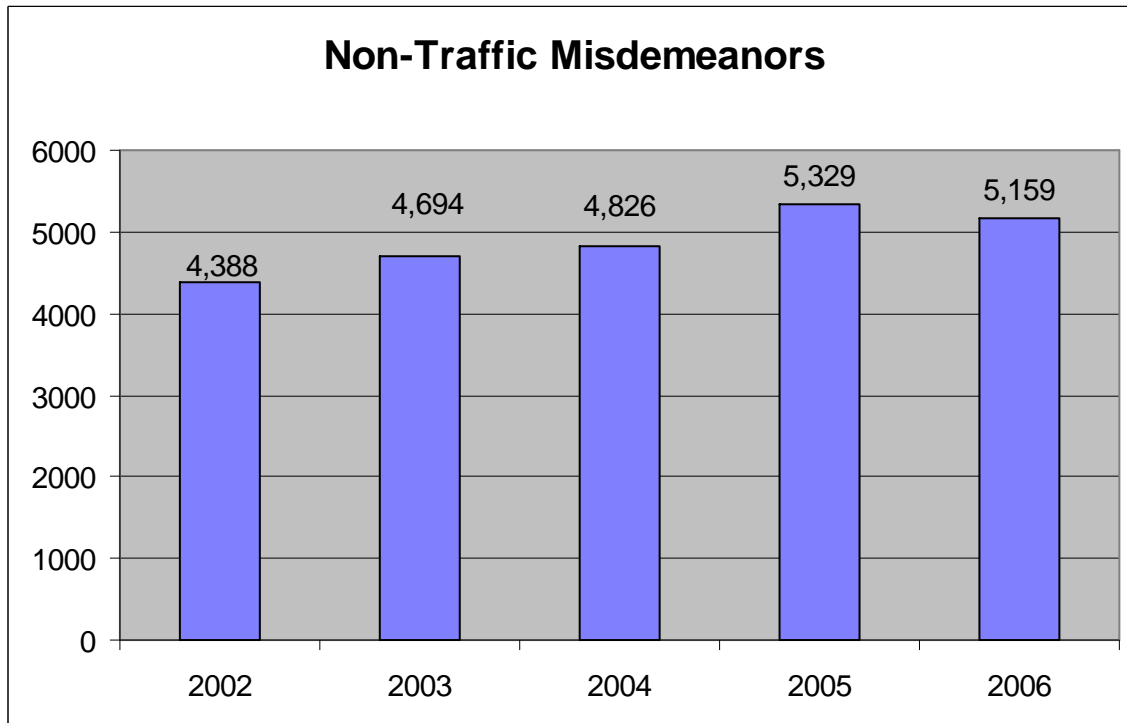
**58th District Court
2006 Annual Report**

FELONIES – If a defendant is charged with a felony then he must appear in District Court. The defendant is arraigned in District Court and a bond is set by a District Court Judge or by a Magistrate. Quite often, before a bond is set, the District Court Probation Department investigates the defendant's background. From this investigation a recommendation is made to the judge as to the amount of bond that should be posted before the defendant is released. The Probation Department's recommendation is based upon the risk that the defendant poses to the community and the likelihood that the defendant will appear for trial. After the defendant is arraigned and a bond is set, a preliminary exam is scheduled for the defendant. The preliminary exam is conducted in the District Court and must be scheduled within 14 days after the arraignment. At the preliminary exam the prosecutor must establish that there was sufficient probable cause to believe that a crime was committed and that the defendant committed the crime charged. If probable cause is established then the defendant is bound over for further proceedings in the Circuit Court.



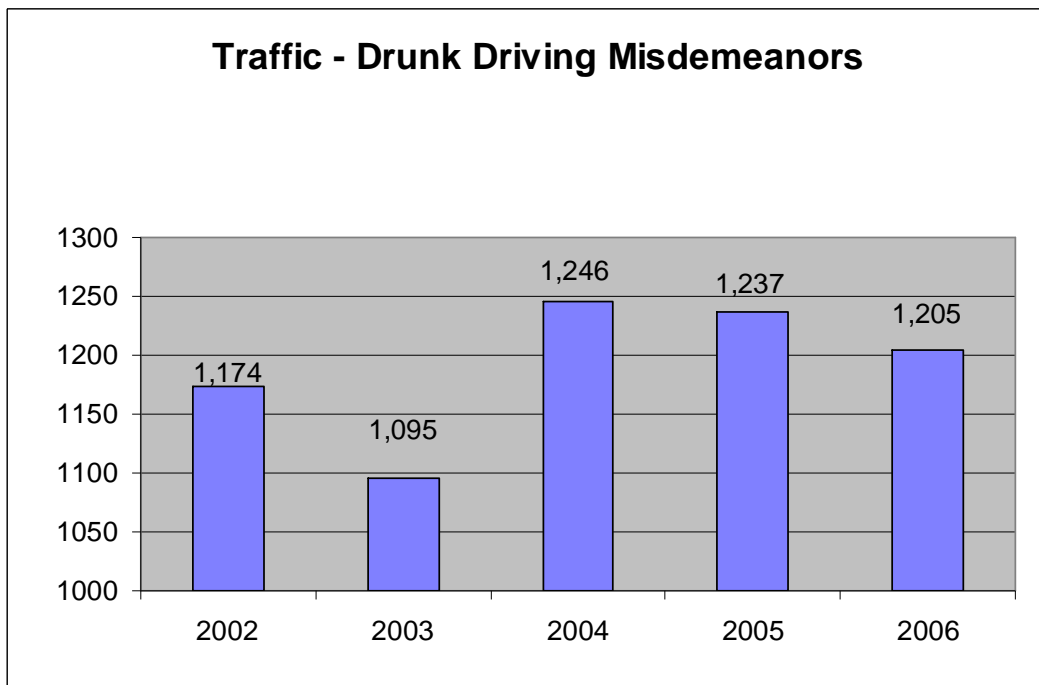
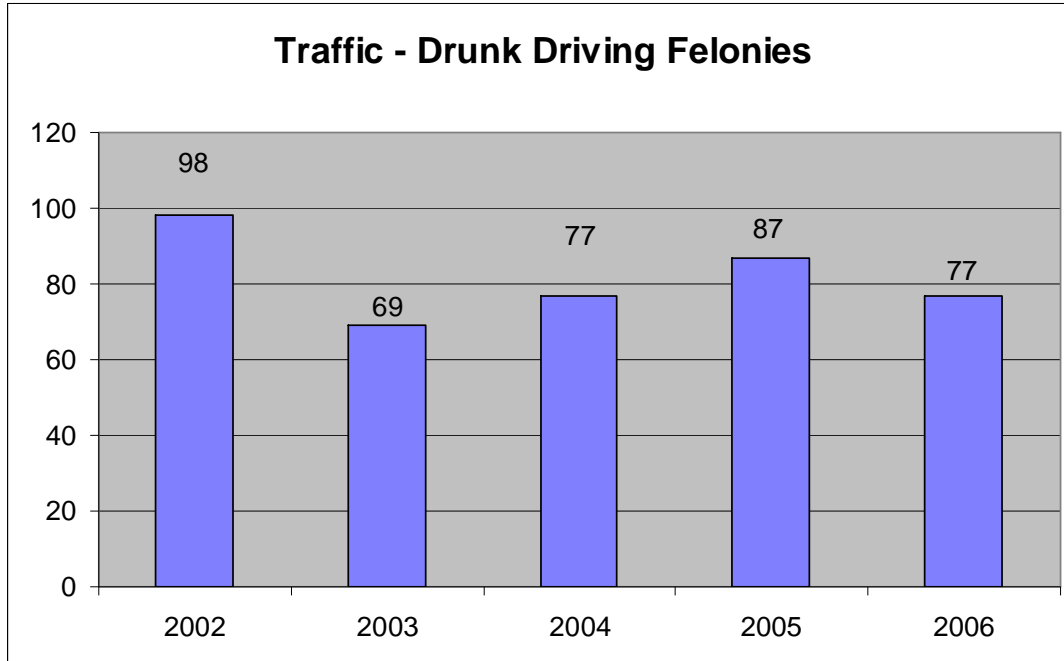
**58th District Court
2006 Annual Report**

MISDEMEANORS – The District Court has jurisdiction over all crimes that are punishable by not more than one year in jail. Indigent defendants are appointed an attorney if it is likely that the defendant will be sentenced to jail if found guilty. Most cases are resolved before a trial is conducted. This resolution usually occurs during the pre-trial process. In many cases before the judge sentences the defendant, The District Court Probation Department conducts an investigation into the defendant's background and into the circumstances of the crime. The Probation Department then makes a recommendation to the judge about the type of punitive and rehabilitative measures that may be the most appropriate for the defendant.



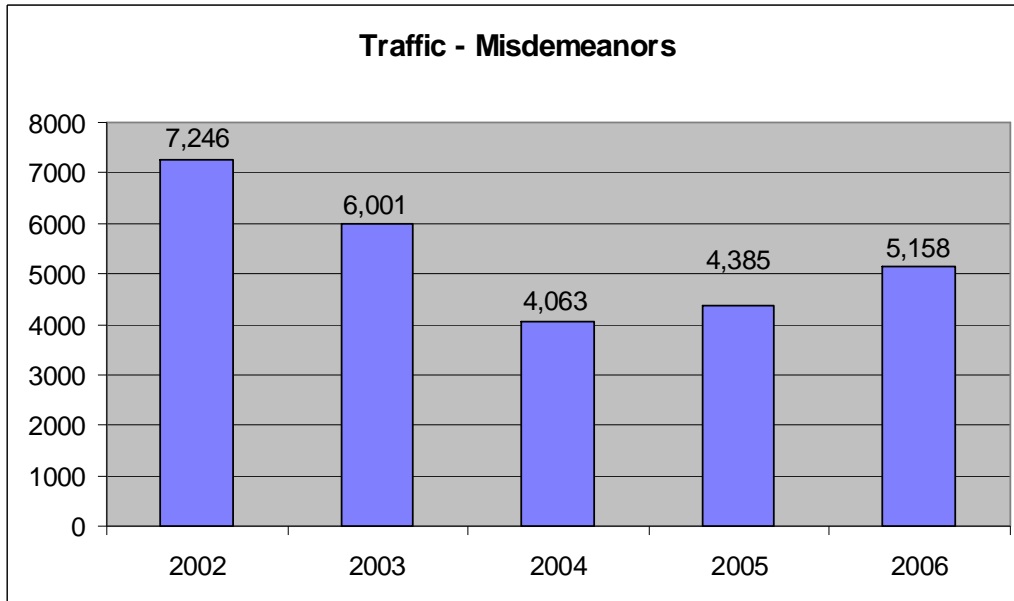
**58th District Court
2006 Annual Report**

DRUNK DRIVING – Drunk driving is a generic term for Operating a Motor Vehicle While Intoxicated (OWI) and for Operating a Motor Vehicle While Visibly Impaired (OWVI). A person is charged with OWI if he is operating a motor vehicle and his blood alcohol level is .08 grams of alcohol per 100 milliliters of blood or higher. If the driver of a motor vehicle shows evidence of being visibly impaired by alcohol or drugs then the driver can be charged with Operating a Motor Vehicle While Impaired. A repeat offender who has three or more prior convictions of OWI or OWVI within a ten-year period will be charged with felony drunk driving. In addition, repeat offenders may have their vehicle immobilized for several months or confiscated and sold.

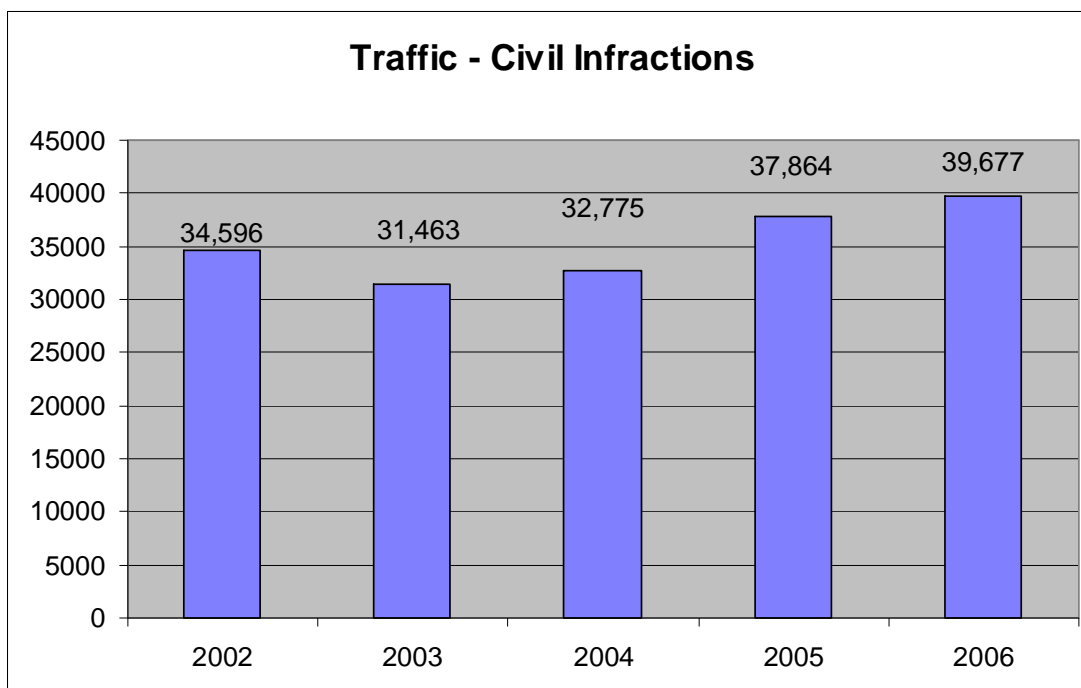


**58th District Court
2006 Annual Report**

TRAFFIC MISDEMEANORS – Traffic Misdemeanors include such offenses as reckless driving, open intoxicants in a motor vehicle, drag racing and failing to stop if you are involved in a motor vehicle accident.

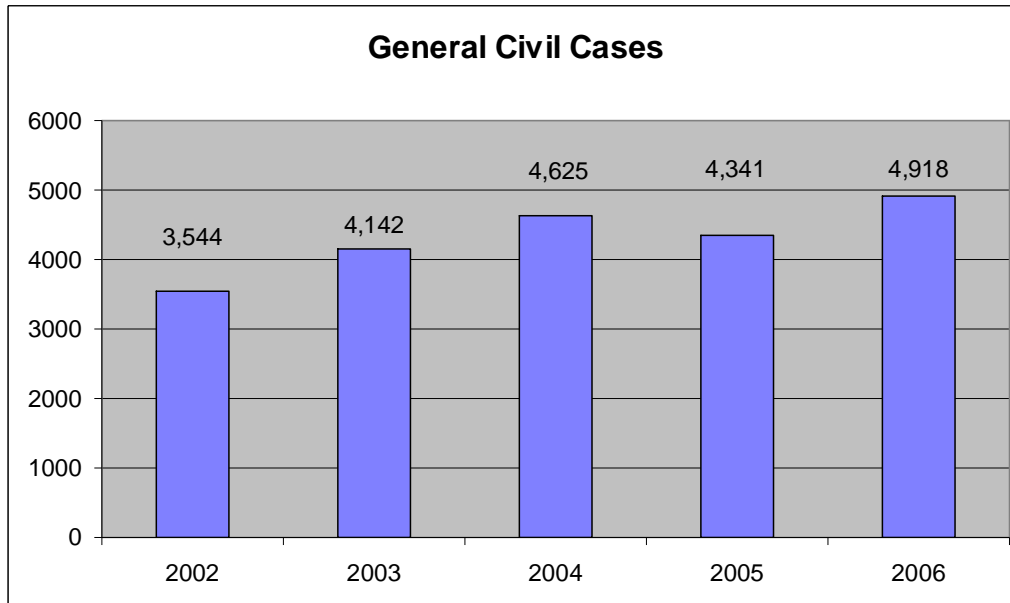


CIVIL INFRACTIONS – Most violations of the Michigan Vehicle Code are civil infractions. Probably the most common civil infraction is the speeding ticket. A person charged with a civil infraction can admit responsibility for the infraction and mail their fine to the District Court. An informal hearing before a magistrate is scheduled if a person denies responsibility for a civil infraction. The decision of the magistrate may be appealed to the District Judge.

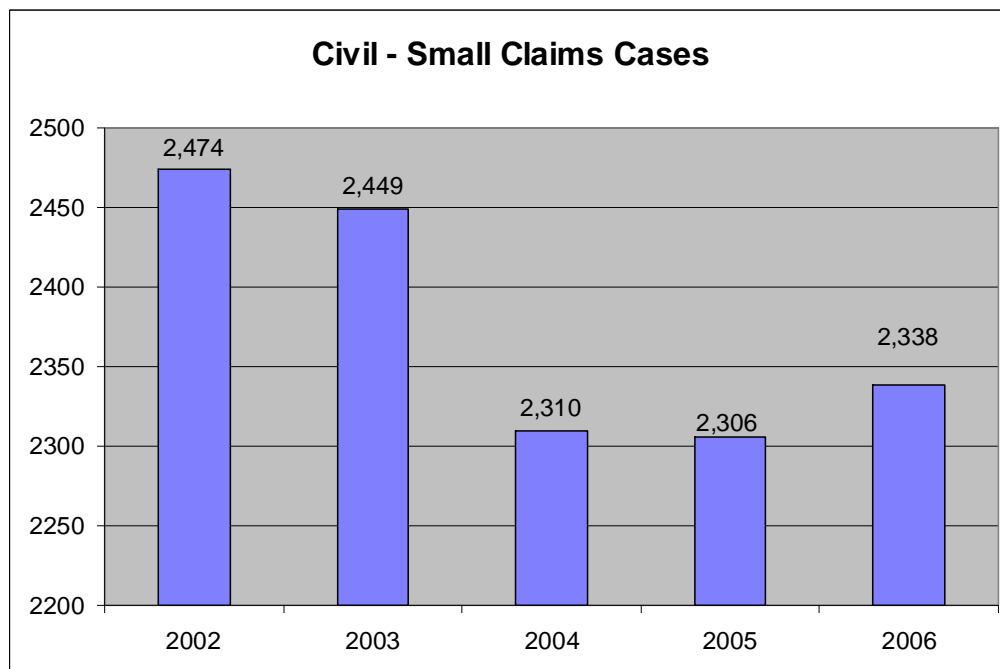


**58th District Court
2006 Annual Report**

GENERAL CIVIL – General civil cases arise out of disputes between individuals, businesses, organizations or any combination thereof. The amount in controversy must be \$25,000 or less for the District Court to have jurisdiction.

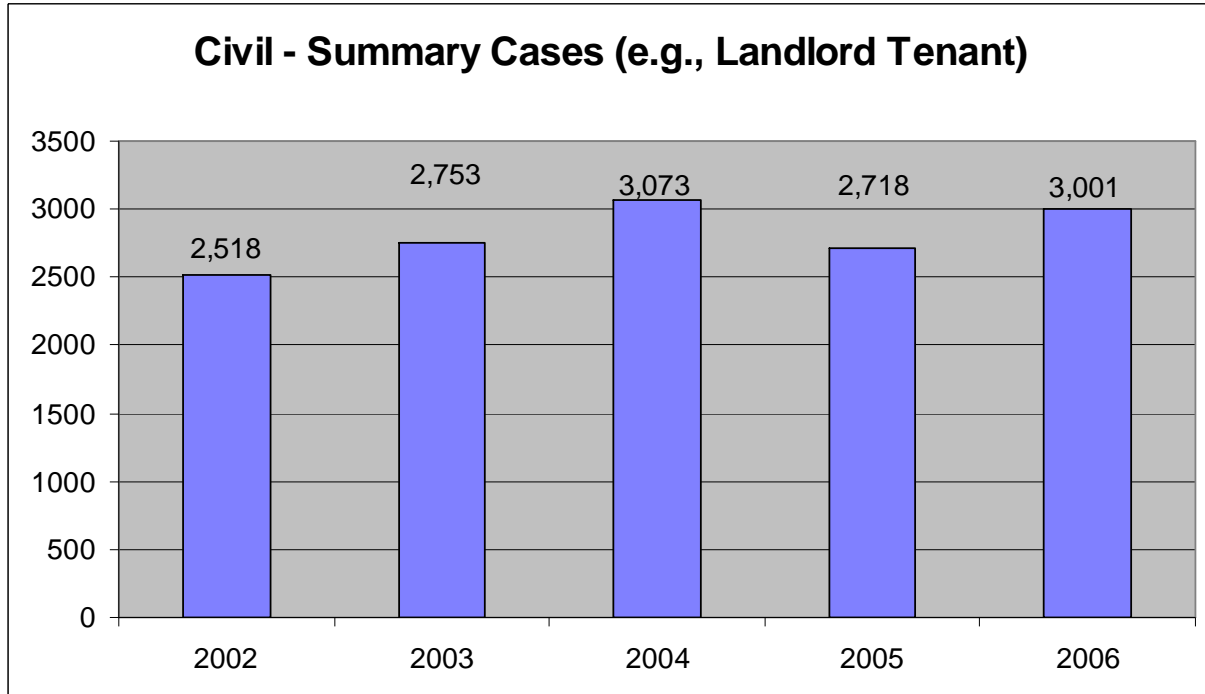


SMALL CLAIMS – The plaintiff in a case that has an amount in controversy of not more than \$3,000 can elect to file in small claims. Lawyers cannot represent either party in a small claims case and the rules of evidence used during a small claims trial are much less formal than in a general civil case trial. Most of the 58th District Court's small claims cases are mediated by the magistrate and settled before the parties appear before the judge.



**58th District Court
2006 Annual Report**

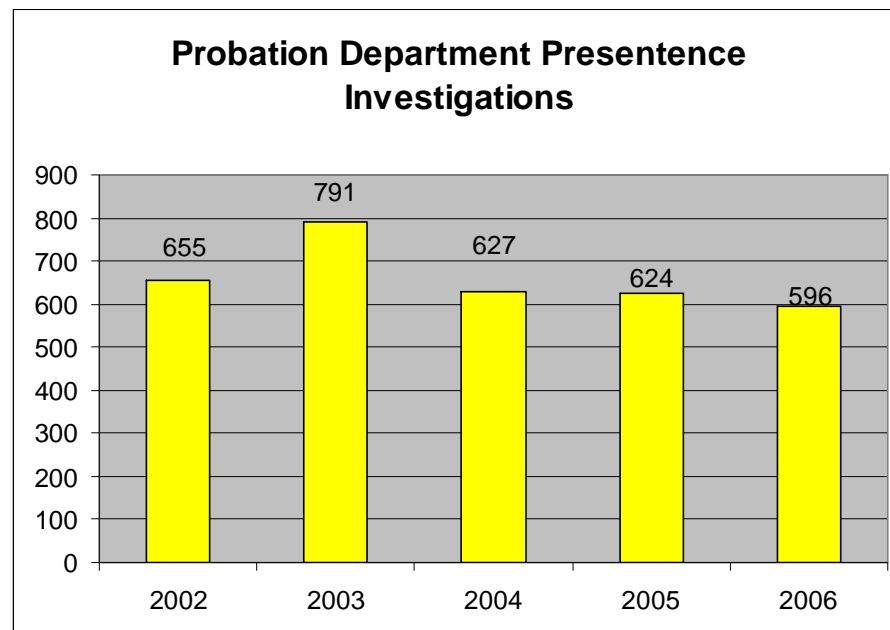
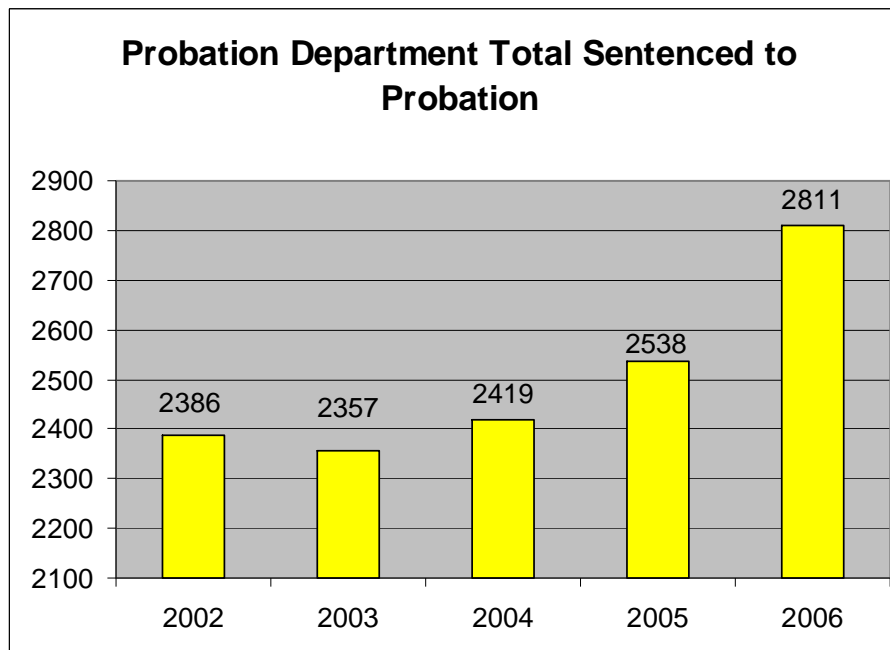
SUMMARY PROCEEDINGS – Summary proceedings were created to provide real property owners a quick method to recover their property from a tenant or land contract vendee that is not complying with the terms of the lease or contract. These cases are usually originated by apartment owners, land contract holders, mobile home park operators and even boat slip owners that lease their slips to boaters. The number of cases filed in the District Court will continue to rise as the population of Ottawa County increases. This increase in caseload will become particularly evident in areas where apartment complexes and multi-family housing are constructed.



**58th District Court
2006 Annual Report**

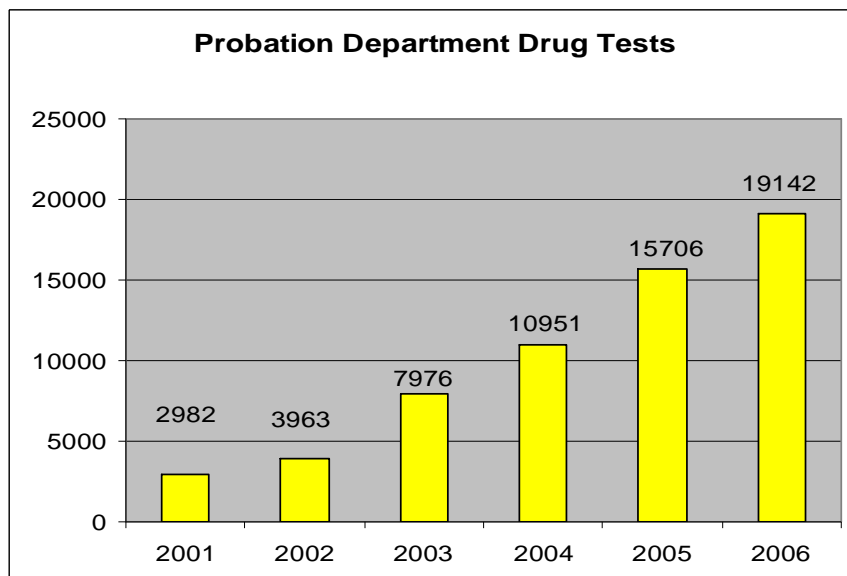
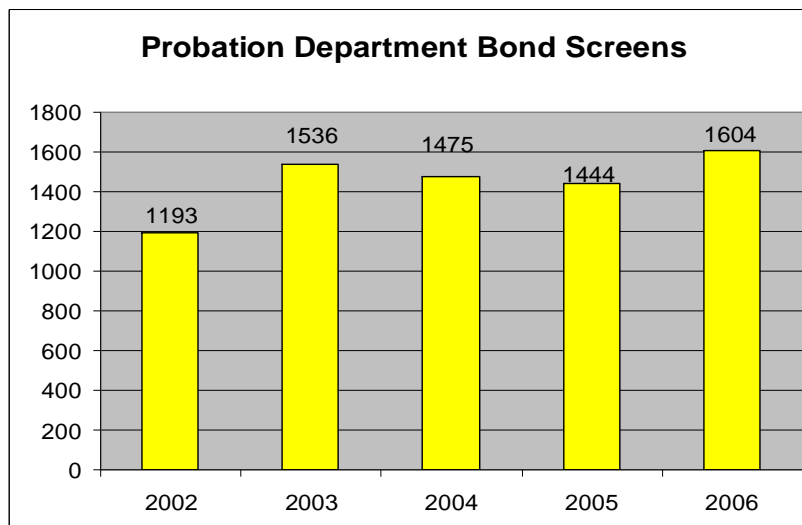
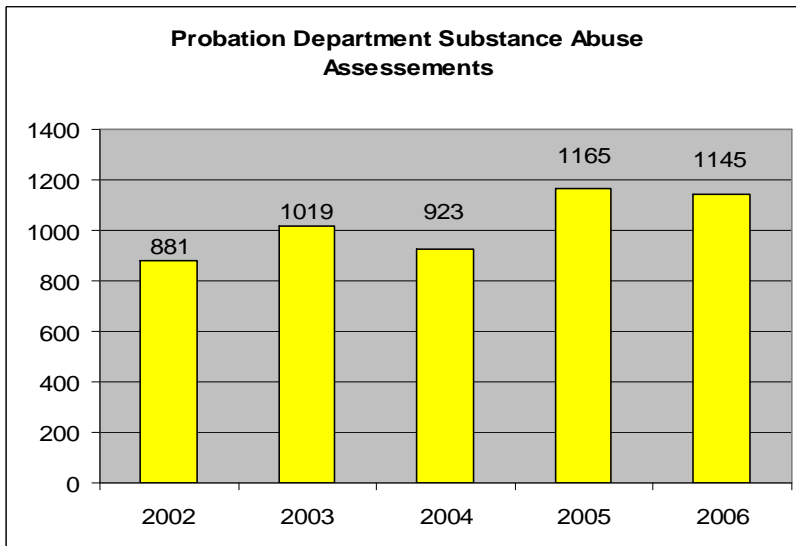
58th District Court Probation Department

The mission of the 58th District Court Probation Department is to provide quality services to judges, victims, probationers and the communities of Ottawa County. These services include pretrial release programs, pre-sentence investigations, probationer supervision and therapeutic programs. These services are necessary to restore victims and communities, protect the public, promote probationer accountability and create a climate for probationer behavioral change.



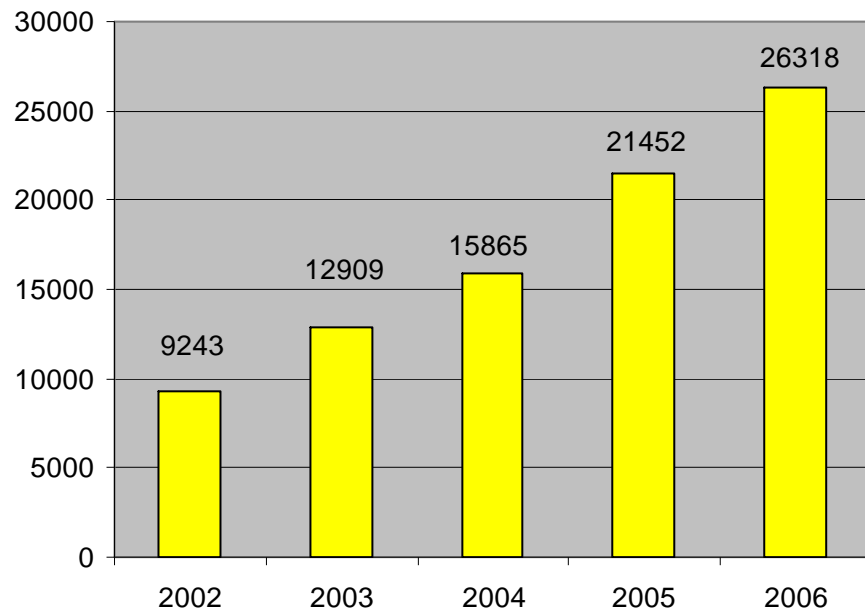
58th District Court Probation Department

**58th District Court
2006 Annual Report**

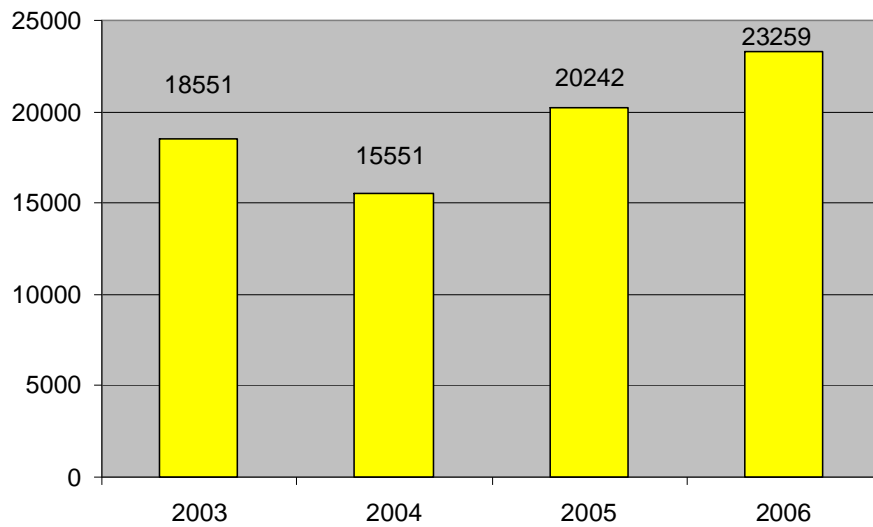


**58th District Court
2006 Annual Report**

Probation Department - People Reporting in Person



Probation Department Home Checks



**58th District Court
2006 Annual Report**

Community Corrections

Community Corrections had the following goals, objectives and results in 2006:

Goal #1

Maintain/Reduce the Overall Prison Commitment Rate (PCR)

Objectives

2006 Results

- | | |
|--|-------|
| 1. Reduce/maintain the overall prison commitment rate less than or equal to <u>12%</u> . | 10.1% |
| 2. Reduce/maintain the OWI 3 rd prison commitment rate less than or equal to <u>10%</u> . | 9.2% |
| 3. Reduce/maintain the straddle cell commitment rate less than or equal to <u>24%</u> . | 22.8% |
| 4. Reduce the probation violation commitment rate less than or equal to <u>7%</u> . | 3.0% |

Goal #2

Optimize program utilization rates.

Objectives

1. Maintain program utilization rate to 90%+ and completion rates to 70%+.

2006 Results

Program	Projected # of Enrollees	Actual # of Enrollees	% Utilization	Completion Rate
ISP	275	289	105%	75%
Community Service	900	893	99%	74%
Cognitive Therapy	80	137	171%	68%

**58th District Court
2006 Annual Report**

Notes: Jail Programs/Gatekeeper utilization rates are low because of the expectation that assessments would take a much shorter time to conduct and failed to take into consideration the time needed by the Jail Programs Coordinator to develop jail programming. The Jail Programs list begins on page 22 of this report.

Jail Utilization

Prior to 2004, Jail Rated Design Capacity = 366 beds.

Present Jail Rated Design Capacity = 462 beds.

	2003	2004	2005	2006
Average Daily Population	331	331	329	368
% Rated Design Capacity	90.4%	71.6%	71.2%	79.7%

**Jail Diversion Program Measures
Community Service, JAWS, ISP Programs**

	2002	2003	2004	2005	2006
# Total Enrollees	893	1011	1171	1224	1333
# Jail Days Saved	24,361	26,532	31,014	32,746	41,009
Savings to County*	\$730,830	\$768,960	\$1,163,025	\$1,227,975	\$1,237,838

*2000-2003 @ \$30.00 per day. 2004 @ \$37.50 per day which is based on a \$35-\$40 charge other jurisdictions would charge for housing our inmates.

**State Reimbursement to Ottawa County
for
Jailed Straddle Cell Sentencing Guideline Inmates**

CY 2003	CY 2004	CY 2005	CY 2006
\$257,476	\$252,779	\$182,961	\$187,659

**58th District Court
2006 Annual Report**

Ottawa County Jail Programs

Women

Coping with Confinement (Community Mental Health of Ottawa County)

Participants will learn coping skills to deal with the challenges of daily living including confinement. Coping with Confinement is an open entry group that runs year round.

A Time To Heal (Laurel von Dobschutz)

Participants will evaluate how the wounds of the past affect them today and learn how to move forward. A Time to Heal is an eight week group that is offered a few times a year.

Living Consciously (Community Action Agency of Ottawa County)

Living Consciously will teach women how to put the mental, emotional, physical and spiritual aspects of their life in balance. A 75 page workbook walks through a process of awareness, teaching principles, and putting into practice the new principles with the goal of building character, improved relationships, feeling more in control of one's life and feeling better. Living Consciously is a 5 session group that is being offered every other month.

Freedom for Women (Families Victorious)

Topics to include: 1. Captive Women: Incarceration 2. Trapped Women: Tempted to return to the old life 3. Hungry & Thirsty Women: satisfied a new way 4. Forgiven Women: Released from guilt and shame 5. Freedom for Women: A new identity

For residents of the Holland area, the Community Services program will offer resources to address areas of housing, transportation, employment, budgeting, clothing, food & meal planning, physical and mental well-being, personal and relational healing, and emotional support by way of mentoring and small groups. This group will be an open entry group offered year round.

Commitment to Change (Norm Williams, Community Corrections)

Commitment to Change is a cognitive behavioral therapy group designed to challenge thinking errors that lead to criminal behaviors. Participants will learn new ways of thinking. Commitment to Change is an 8 week open ended group offered year round.

Life Strategies (Core City Christian Community Development Association)

Topics include: personality and career assessment, resume development, budget development & financial literacy, job preparation skills such as punctuality & dress. This program is offered to inmates who are residents of the Holland area and has a mentoring component after an inmates' release from jail. Life Strategies is a 6 week course offered year round. After release from jail, individuals are encouraged to follow up in the community for Core City's one week employment academy which upon successful completion leads to employment.

Alcoholics Anonymous

58th District Court 2006 Annual Report

Men

Life Strategies (Core City Christian Community Development Association)

Topics to include: personality & career assessment, resume development, budget development & financial literacy, job preparation skills such as punctuality & dress. This program is offered to inmates who are residents of the Holland area and has a mentoring component after an inmates' release from jail. Life Strategies is a 6 week course offered year round. After release from jail, individuals are encouraged to follow up in the community for Core City's one week employment academy which upon successful completion leads to employment.

Commitment to Change (Norm Williams, Community Corrections)

Commitment to Change is a cognitive behavioral therapy group designed to challenge thinking errors that lead to irresponsible behaviors. Participants will learn new ways of thinking. Commitment to Change is an 8 week open ended group offered year round.

Anger Management, Faith Based (Dr. Martin)

Participants will learn about anger and solutions for dealing with anger from a Biblical perspective. This is a 6 session course that is available when two or more inmates are interested or on an individual basis for inmates who are ineligible for groups based on their housing unit or behavioral issues.

Substance Abuse (Families Victorious)

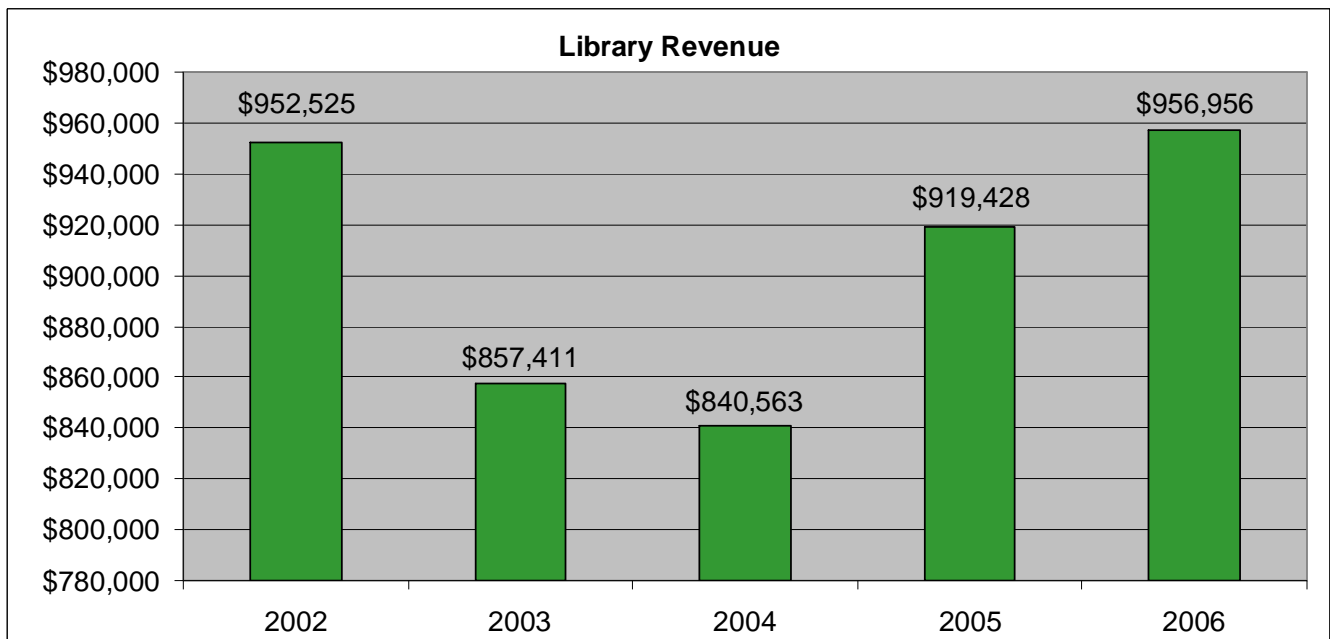
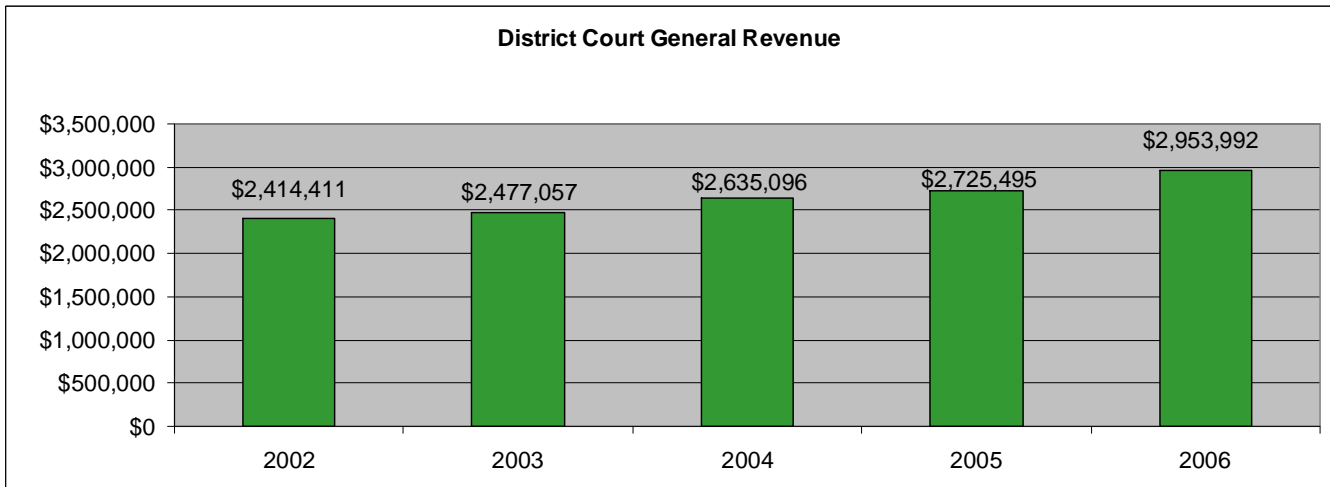
Biblical based material developed specifically for those who struggle with addictions, codependency and other life issues. Families Victorious has support groups located at Calvary Christian Reformed Church and Christ Memorial for those individual interested in continuing after their release from jail. Terry Burns of Lakeshore Counseling Services volunteers Tuesday afternoons to provide substance abuse counseling on an individual basis for inmates who are not eligible to attend groups.

Alcoholics Anonymous

Individual therapy, case management and psychiatric services are available to consumers of Ottawa County Community Mental Health on a limited basis.

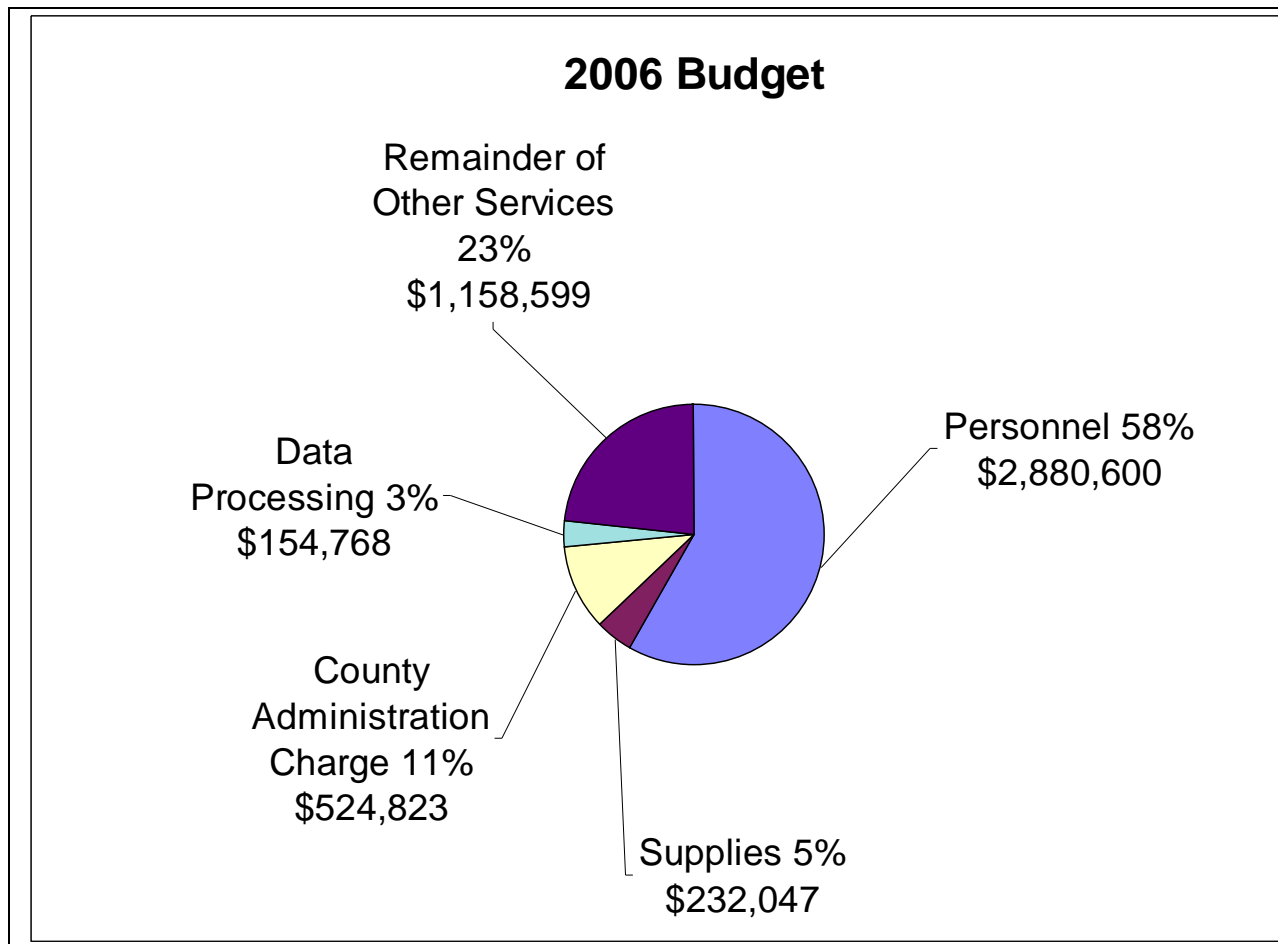
**58th District Court
2006 Annual Report**

58th District Court Budget



58th District Court
2006 Annual Report

58th District Court Budget



Departmental Goals and Objectives

Goal: Continue the planning process for the new court facility in Grand Haven

Objective: Work with Administrative Services, architects and general contractor on planning issues

Objective: Review plans as developed and offer suggestions

Goal: Improve communication between employees and between employees and judges and supervisors

Objective: Possibly develop a quarterly email newsletter

Objective: Increase the frequency of the Court Administrator's email updates

Goal: Work with Judges and Staff to develop performance measures and evaluations

Objective: Review the court's mission statement at staff meetings

Objective: Utilize State Court Administrative Office case aging reports to evaluate overall performance

Objective: Work with staff and develop understanding of how individual jobs fit into the court's vision and mission statement

Objective: Develop individual performance measures based upon the objectives above

58th District Court
2006 Annual Report

Goal: Review the Justice System for improvements or major revisions

Objective: Work with M.I.S. to weigh the benefits, costs and burdens of outsourcing the justice system to the State's J.I.S. system or to another vendor

Objective: Review processes and investigate ways to streamline data entry

Goal: Implement document imaging systems

Objective: Develop the workflow process within the imaging system

Objective: Begin the process of changing the court culture from paper to images

Goal: Review court security procedures and processes

Objective: Improve safety for public and staff

Objective: Install security x-ray equipment in all of the new court facilities

Goal: Insure staffing levels in each court so that case processing and service to the public remain at an effective level

Objective: Monitor caseload changes and changes in case complexity due to legislative and regulatory changes

Objective: Analyze caseload and workload distribution in the courts and recommend changes that maintain an equitable and efficient division of work

Goal: Investigate new technologies that will positively impact court operations

Objective: The Court Administrator to attend the Court Technology Conference in the fall of 2007, and bring information and ideas to the Justice Users' Group for discussion and possible implementation in 2008

Objective: Investigate web based court resource scheduling systems

Objective: Investigate the electronic filing of traffic tickets

Objective: Develop ability to pay traffic citations online

Probation Division

Goal: Increase effectiveness and efficiency of programs.

Objective: Review results from probation's strategic plan evaluation.

Objective: Implement changes based on the evaluation beginning with initiatives that would make the most immediate impact.

Objective: Develop caseload management priorities with staff.

Goal: Assure success (low recidivism, acceptable cost per participant) of Sobriety/Drug Court.

Objective: Supply the court with adequate and quality probation resources.

Objective: Review costs and adjust the program components to maximize efficiency.

Objective: Review and adjust treatment services to maximize effectiveness.

**58th District Court
2006 Annual Report**

Accomplishments

- Completed and moved into the new court facility in Holland.
- Continued planning of the new facility in Grand Haven.
- Contractor imaged over 1 million District Court Documents for the Imaging Project.
- District Court began imaging all of the new documents filed in District Court
- Installed several packages of FTR Log notes to improve communications between the courtrooms and staff
- Started major revisions to the civil infraction system in the Justice System computer
- Continued the process of developing several reports for the State Court Administrative Office including court appointed attorney reports, case age reports, delay in criminal matters report, drug and drunk driving reports.
- Developed a District Court Wiki where knowledge and procedures are stored on the internet for future reference by all District Court staff..