

2022 ANNUAL REPORT



ALLEGANY COUNTY PROBATE COURT



*Hon. Michael L. Buck
Alicia Blik
Jonathan K. Blair
Jennifer Callaway
Jennifer White
Thomas Moore*

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 Administrative Office
- To ensure the compliance of Court-appointed fiduciaries with statutes and court 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 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
- Secret Marriages
- Registration of Foreign Birth

Honorable Judge Michael Buck



Michael (Mike) Buck was elected Allegan County Probate Judge in 2000, upon the retirement of Hon. George Greig. Mike currently serves as Chief Probate Judge, Presiding Family Court Judge, and Chair of the Allegan County Judicial Council. Before becoming a judge, he served over 20 years as an Allegan County Assistant Prosecuting Attorney. In that time period, he successfully handled cases from drunk driving to first degree murder. He specialized in cases involving abuse of children, making his current responsibilities as Presiding Family Court Judge, a natural fit. In addition to presiding over cases involving neglect and abuse of children, Judge Buck's authority includes adoptions, name changes, juvenile delinquency, wills, trusts, guardianships, mentally ill proceedings, and the safekeeping of election results for delivery to the Allegan County Board of Canvassers.

Judge Buck was born and raised in Southwest Michigan. He has worked many different jobs on his career path to the bench. He caddied for golfers, cleaned offices and bathrooms as a janitor, worked all hours of the day and night as a security guard, pumped gas at a marina, cleaned animal pens at an amusement park, and labored at various factory jobs in the Benton Harbor area. He majored in Psychology and received his Teaching Certificate while attending the University of Michigan. He received his law degree from Cooley Law School, while working full time. His interest in Family Law began early, as his parents provided a home for foster children and successfully navigated the adoption process. Mike especially enjoys making each and every adoption hearing a real celebration.

Probate Staff



Jonathan K. Blair
Probate Administrator



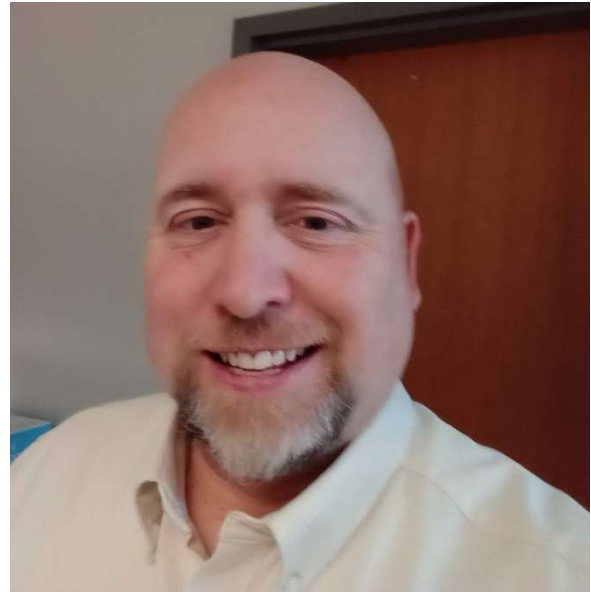
Jennifer Callaway
Deputy Probate Register



Jennifer White
Deputy Probate Register



Alicia Blik
Judicial Secretary
to Hon. Michael L. Buck



Thomas Moore
Court Specialist

New Position (2023)

During the 2022 calendar year we worked with the County to create a “Court Specialist position” to aid Probate with increased caseloads, and aid the other Court with staffing needs. This position began in 2023 and has been a great success.

Prior to accepting the Court Specialist position Mr. Moore worked for six years at the Allegan County Prosecutor’s Office as a Legal Assistant, and before that spent four years as a Paralegal for private practice attorneys. He has a wonderful wife and two amazing children. He regularly attends LifeChange Church and lives in a peaceful community near Burnips in Allegan County. Hobbies include reading, yard work, and LEGO. A graduate of Northern Michigan University he also spent four years as an engineer in the U. S. Army.

Mr. Moore has become proficient in probate procedures and cases, and has begun covering needs in both Circuit and Family Court. We look forward to further developing this position.

GALS

In order to conduct investigations, make findings, and make recommendations in adult and minor conservatorships, the Court uses independent contractors that as Guardian Ad Litem. This is a labor of love, there simply are not enough cases to provide full time work in this area, so the Court is exceptionally grateful for the time the following individuals dedicate to the Court:

Kevin Miller, formerly with Allegan County DHHS

Sue Horton, formerly with Allegan County DHHS

Ken Prins, formally with the Allegan Family Court

Ray Passkiewicz, formally a social worker

Linda Hays, former Allegan County Probate Register

Thankfully, during the 2023 budget preparation process this Board approved additional funds and the Court was able to increase GAL pay for the first time in over a decade.

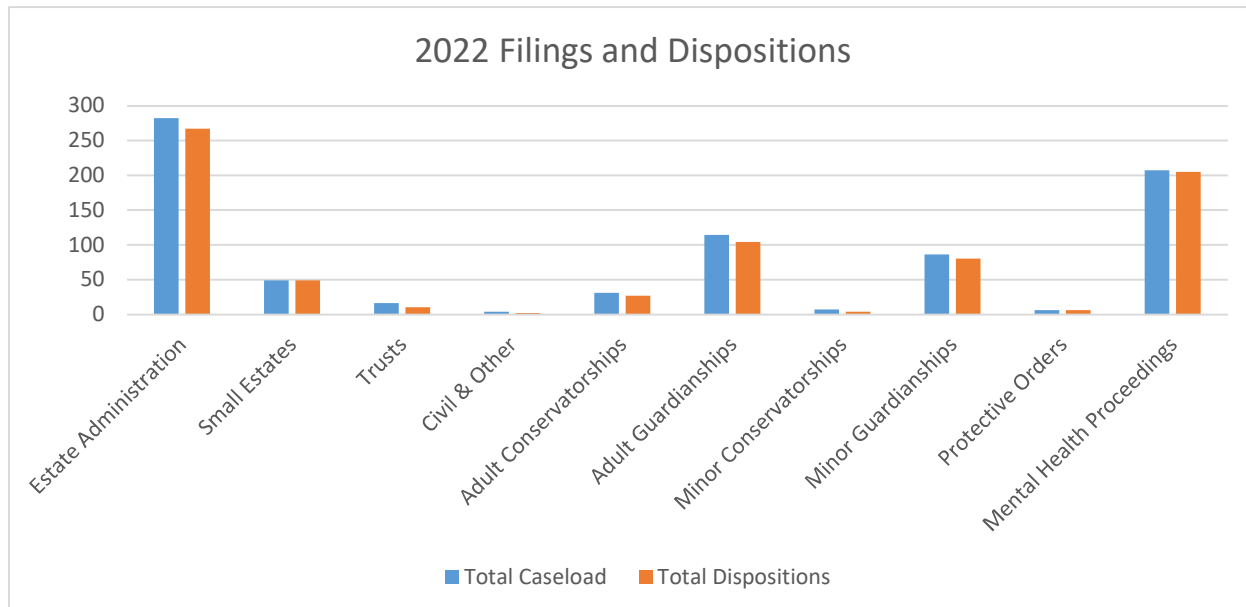
Volunteers

Given the increased caseloads, the archiving of files is a constant issue. Many Probate matters must be maintained for at least 100 years. We have been fortunate to have volunteers assist us in scanning old files and with other court duties.

Eshan Rajani: U of M Junior that spent the summer of 2022 with the Probate

Noah Festerling: Alma Junior, current working with Probate Staff.

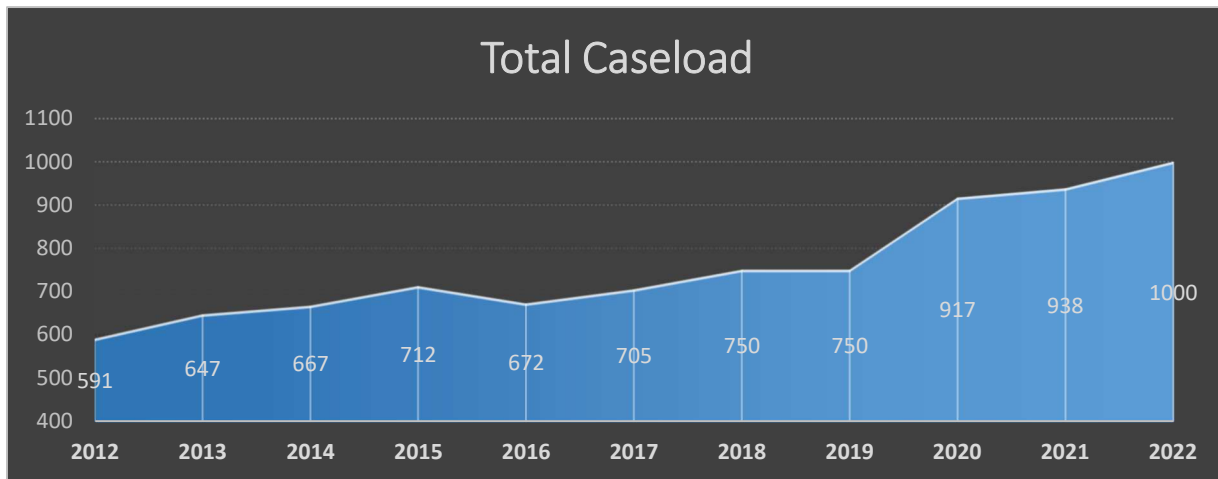
Probate Court Caseload



In 2022 the Probate Court handled a total of 1000 new filings. This represents a consistent increase since 2012 when the Court had 591. This is a 51% increase. The majority of these were comprised of decedents' estates (331, up from 287 in 2021), mental health proceedings (207); and adult guardianships remaining consistent at 122 in 2022 to 114 in 2021. There was a reduction in minor guardianships, which is concurrent with the decrease in neglect filings details previously by the Family Court.

The orange represents the total dispositions, or resolutions for cases. The Probate Court disposition rate exceeds the SCAO recommended standards and is above average for the State. Some cases will always be pending at reporting time, and some cases will always take longer than expected, but the Probate Court consistently clears in the 90's, while 2022 saw a 94% disposition rate.

Caseload Trends



2022 saw a large increase in the total caseload from 938 in 2021 to 1000 in 2022.

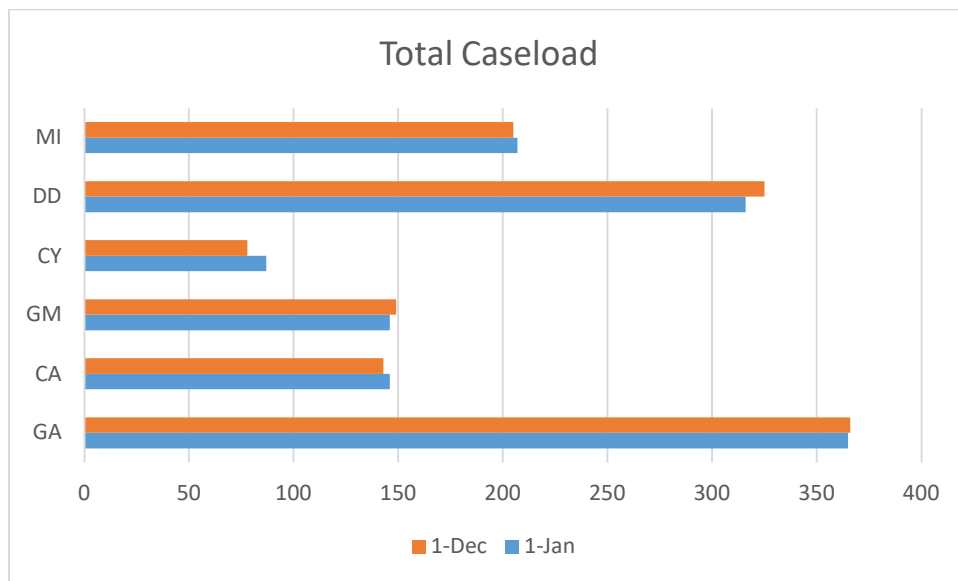
In prior years the caseload had been consistently rising (notwithstanding the decreases in overall caseload in 2009 and 2016). There were 591 new and pending cases handled by the Court in 2012 to 2022's 1000, which represents a **59%** increase in overall caseload.

Most notably, since 2012 Deceased Estates have increased from 242 to 331, a 31% increase, Guardianships have increased 21%, and Minor Guardianship have increased 28% during the same time. These number will continue to increase as the Allegan County population increases and ages.

Year	Total Caseload
2012	591
2013	647
2014	667
2015	712
2016	672
2017	705
2018	750
2019	750
2020	917
2021	938
2022	1000

These numbers only represent the NEW filings for 2022 – other cases are still pending:

Type	1-Jan	1-Dec
Estates and Trusts	626	751
GA	365	366
CA	146	143
GM	146	149
CY	87	78
DD	316	325
MI	207	205

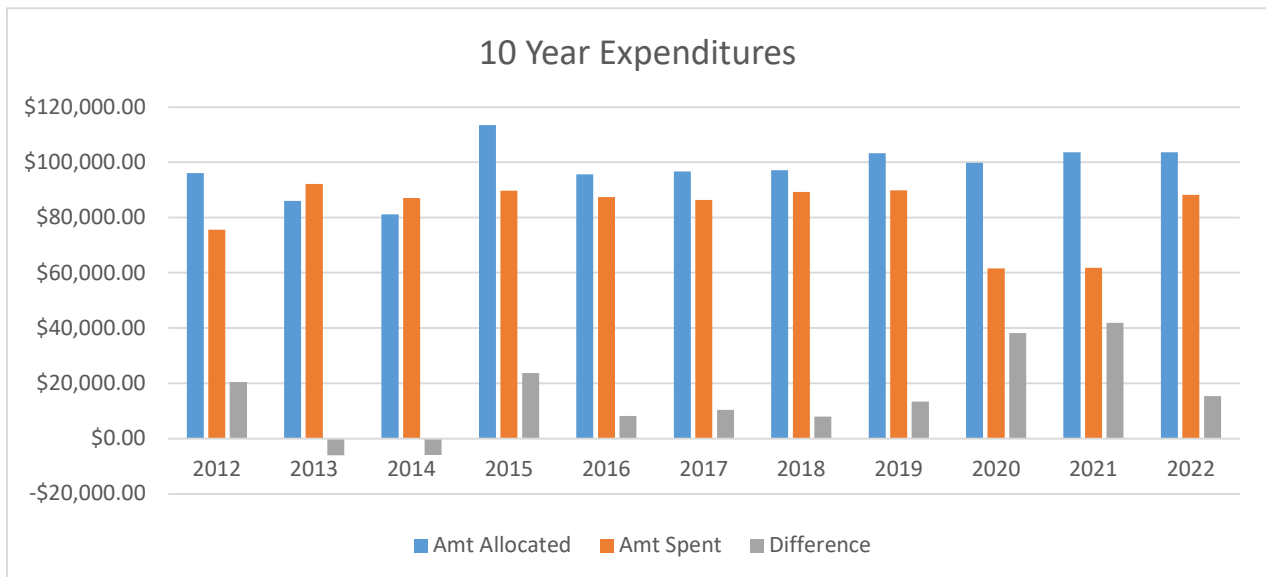


Therefore, at any given time the Probate Court has about **1,800** open and active cases.

Expenditures

Below are charts showing the allocated operational budget for the Probate Court, actual expenditures, revenues budgeted, and the actual revenues collected from 2012 to 2022.

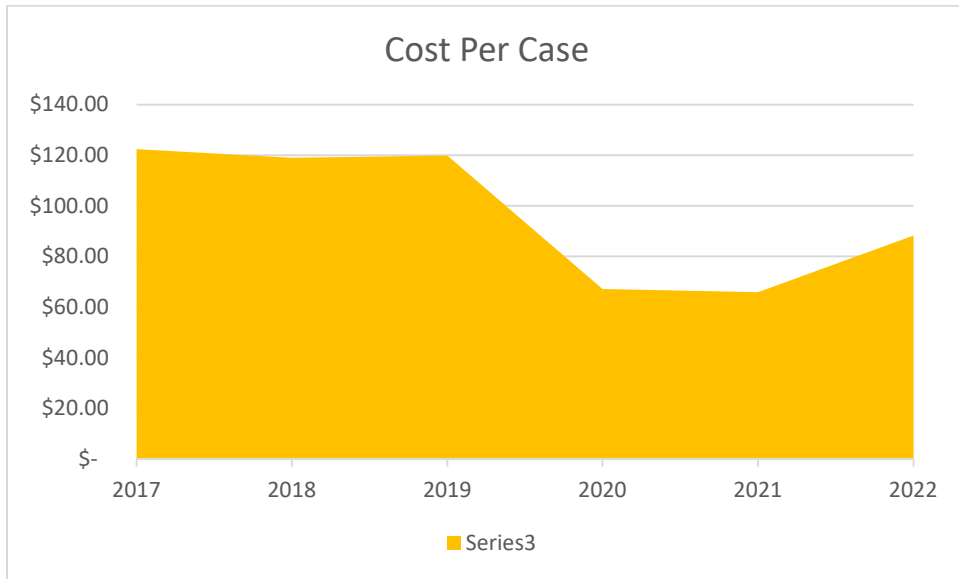
However, this chart is not a complete picture of expenditures. Through the grace of this Commission, the Probate Court has a \$43,500 fund to reimburse public guardians in cases in which the ward lacks funds for payment.



Year	Amt Allocated	Amt Spent	Difference
2012	\$96,040.00	\$75,612.56	\$20,427.44
2013	\$86,040.00	\$92,079.88	-\$6,039.88
2014	\$81,120.00	\$87,085.69	-\$5,965.69
2015	\$113,400.00	\$89,684.72	\$23,715.28
2016	\$95,600.00	\$87,433.18	\$8,166.82
2017	\$96,675.00	\$86,358.12	\$10,316.88
2018	\$97,150.00	\$89,225.26	\$7,924.74
2019	\$103,232.00	\$89,806.00	\$13,426.00
2020	\$99,732.00	\$61,539.00	\$38,193.00
2021	\$103,610.00	\$61,787.00	\$41,823.00
2022	\$103,610.00	\$88,235.16	\$15,374.84
5 Year Averages	\$100,668.17	\$79,491.76	\$21,176.41
Total Averages	\$97,837.18	\$82,622.42	\$15,214.77

Overall, expenditures were increased for Probate Courts. This is further addressed in the Attorney and Gal Fees section below.

Cost Per Case



Between 2021 and 2022 there was large change in the cost per case, \$64.87 v \$88.24. Part of this is economic situations. The Court's consumables (file folders, case stickers, etc.) have doubled in the past year.

Attorney and GAL Fees



As always, Attorney/GAL Fees continue to be the single largest expenditure for the Court. In 2012 the Court expended \$16,420 on Attorney and GAL fees. In 2022 that cost was about \$45,000 – a 93% increase. This directly relates to increase hearings due to the removal of a public guardian. All of the guardian wards were appointed attorneys to protect their rights, and the net result was that hundreds of extra hearings had to be conducted. GAL compensation alone represented \$7,122.36 in 2021.

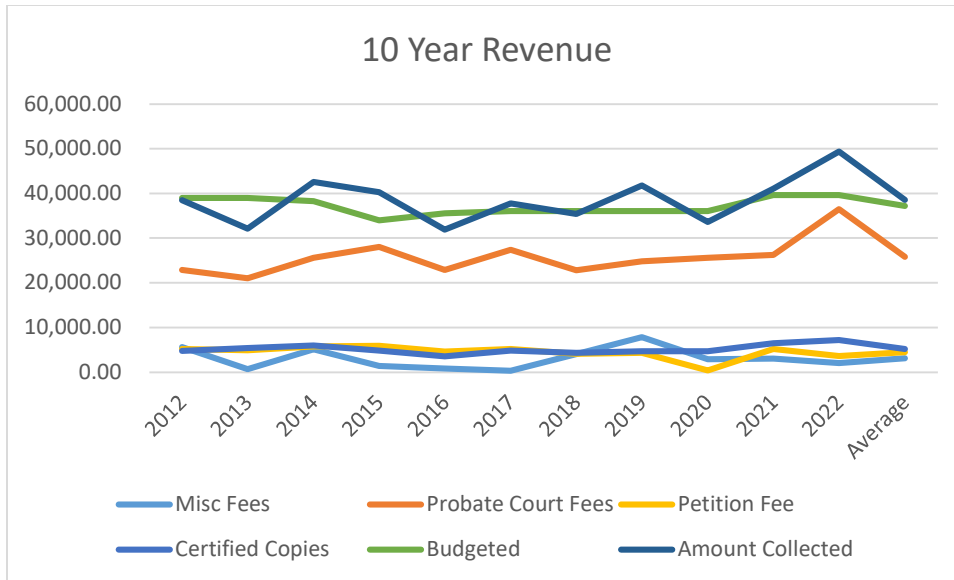
The Court relies on the hard work from these individuals to provide necessary services. While the overall cost is high, the amount paid to individuals is relatively low. Our current fee structure is actually one of the lowest in the area. This makes finding replacement attorneys difficult and continues to put a strain on current providers. It is one of the listed goals of Probate Court to increase the current rate for GALs and attorneys. This was done in 2023 for GALs, but the Court hopes to do the same for the attorney in 2024.

Revenues

Although most of the Probate Court's revenues are dependent on filing fees and requests for copies, during the past five years the Court has collected an average of \$38,555.02 per year, and exceeded the average amount it has budgeted for revenue collection over the past 10 years. The Court is hoping to add staff to allow further collections.

2022 saw a revenue reduction that was due to the Pandemic. Under temporary court rules the Court was allowed to accept digital copies and send the same, which led to a reduction transactional fees. However, 2022 saw a return to the prior increasing trend.

PROBATE REVENUES						
Year	Misc Fees	Probate Court Fees	Petition Fee	Certified Copies	Budgeted	Amount Collected
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
2018	4,085.49	22,832.18	4,122.00	4,351.00	36,000.00	35,390.67
2019	7,893.42	24,805.65	4,358.20	4,670.50	36,000.00	41,727.77
2020	2,929.30	25,573.68	428.24	4,663.00	36,000.00	33,594.22
2021	3,078.50	26,242.85	5,193.15	6,509.00	39,670.00	41,023.50
2022	2,047.00	36,467.00	3,586.00	7,258.00	39,670.00	49,358.00
Average	3,101.69	25,794.26	4,486.15	5,172.91	37,190.00	38,555.02



Attorney Fee Recovery for Mental Health Proceedings

Last year the Court began utilizing a free online accounting 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. Like most things the Pandemic decreased collections, but overall this recovery system has been beneficial for the Court.

Court’s professional guardian reimbursement program

Since 2017 the Court has greatly benefited from funding the County provided for its professional guardian reimbursement program. This allows guardians to be reimbursed up for \$60 per month per ward for services provided. Without this service professional guardians and thus any guardian would be unavailable for a number of wards. In 2019 six guardian services were able to use the program to provide for 42 wards. This has increased to 45 in 2020 and 51 in 2021. For 2022 the Court has received over 100 requests.

2021 Public Satisfaction Survey

Every two years the Probate Court distributes a public satisfaction survey to the public, in coordination with the Circuit and District Courts. The survey is developed by the State Court Administrative Office, and assists the Probate Court in identifying its strengths, providing positive feedback to employees, and targeting areas for improvement.



The 2021 survey was solely conducted online. This led to a substantial reduction of responses, however, the responses received were all positive.

In the Court's last survey, 100% of court users agreed or strongly agreed that they were treated with courtesy and respect by court staff. Court users also overwhelmingly indicated that they were able to get their business done in a reasonable amount of time and that their cases were handled fairly.

Below are a sample of comments the Court received from members of the public in the 2021 public satisfaction survey:

“I believe that remote hearings for some matters is beneficial to my clients who are on limited income because they can attend remotely which reduces missed time at work plus their attorney fees are lower due to the reduced amount of time billed for travel and waiting time at the court. It really has been beneficial in most cases such as the guardianship hearing attended today.”

The results of the survey, notes from the public and other feedback indicate that the Probate Court continues to maintain high levels of public satisfaction.

Goals of the Court

For the upcoming years the Court plans to

- Increase access to Court with a State provided e-filing system.
- Continue to update the website to make it easier for the public to obtain and file the documents they need for Probate Court.”
- Increase access to Court with a public kiosk for record searches
- Increase pay for independent contractors such as ~~GALs~~ and Court Appointed Attorneys
- Increase the number of available Public Guardians and oversight thereof.
 - In 2021 we lost 1, but added 3
- Increase collections on Court ordered fees and costs.
- Continue to Decrease operating costs with the use of remote 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

Jonathan K. Blair

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

Alicia Blik

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

Jennifer Callaway

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

Thomas Moore

Court Specialist
tmoore@allegancounty.org
269.673.0250

Jennifer White

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

