



57th District Court – Allegan County State of Michigan

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

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Website: www.allegancounty.org/districtcourt



District Court Clerk's Office, Judicial Staff and Probation

Pictured from left to right

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

Second row: Aimee Kragt, Linda Lenahan, Carole Carr (hidden), Jackie Hicks,
Sarah Miller, Chris Gates, Heather Bausick and Renee Stack;

Third row: Mark Ponitz, Nancy Eaton, Candy Mock, Cindy Cook, Deb Wolters, Michelle Carpenter,
Amber Browneye, Kayla Williamson, Hickory Buell, Mary Jo Ash and Kelly Miklusicak;

Not pictured: Kathy Evans, Kathy Miller, Emily Schwartz, Audrey VerBeek and Ken Giles;

Digital photos by Retired Detective Craig Gardiner, ACSO

57th District Court 2020 ANNUAL REPORT

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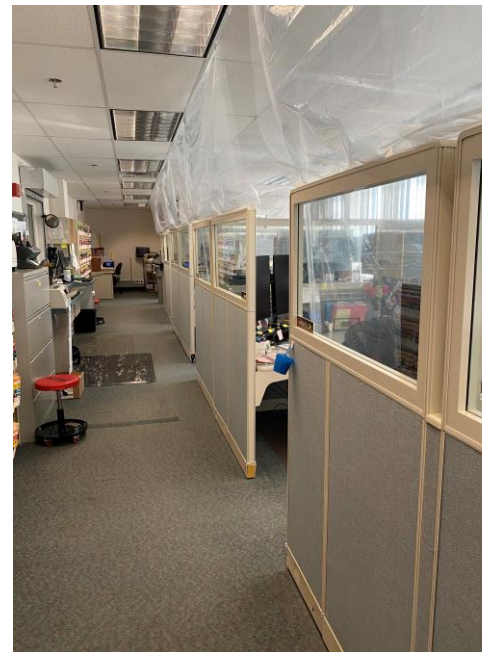
COVID-19 PANDEMIC

2020 was an extremely unusual year due to the COVID-19 pandemic which is reflected in this year's annual report. With emergency orders, operational adjustments, remote work, and seemingly constant change, the Allegan Judiciary remained steadfast in its approach to serving the people of the Allegan County. Looking at the District Court through a lens outside of COVID-19 seems almost impossible, but many accomplishments in 2020 deserve equal attention in this report.

When the COVID-19 pandemic arrived in Michigan and specifically Allegan County, daily routines drastically changed with schools, businesses, and some government agencies closing their physical doors to the public. Recognizing that courts must remain open, the Michigan Supreme Court responded to the crisis. Over the months that followed, the Michigan Supreme Court issued orders and provided resources on adjusting operations while still allowing public access to the court system.

The safety and security of all who work for and at the Allegan Courts, and all court visitors, is our top priority. The County worked hand in hand with the Courts to keep the buildings as safe as possible. The County established enhanced cleaning and disinfecting protocols in the courthouse. We require everyone in the court building to wear face coverings. People will receive a mask if they come to the court building without a face covering. Temperature checks are taken before a person can enter the courthouse. Hand sanitizers are throughout the building along with plexiglass barriers at all public counters and areas where people come into contact with other people. Signage is throughout the building reminding people of social distancing and six-foot markings are on the floor at service windows.

Appendix A at the end of this report provides a detailed historic look at the actions taken by the State (Governor, the Michigan Supreme Court and the State Court Administrative Office), the County (Administration, Health Department and other county officials) and the Court itself. It provides us a picture of how fast things were changing daily causing us to adjust our operations.



A Message from the Chief Judge

The year 2019 started with the court being shutdown for a few days due to the extremely cold temperatures of the “Polar Vortex”. The year 2020 resulted in a partial shutdown for most of the year, due to the COVID-19 virus.

When the Governor issued the Declaration of Emergency due to COVID-19 in March of 2020, the Michigan Supreme Court then issued Orders concerning court operations. Pursuant to those, I first issued Orders to assist the jail in releasing non-violent offenders and also to stop new arrests except for felony offenses, or public safety misdemeanor offenses.

Court proceedings were also restricted, but operations never ceased. Arrest and Search Warrants continued to be reviewed, but rather than police officers coming to the courthouse, they were done electronically. Cases that were heard were also done remotely with the use of Zoom video conferencing technology.

Court staff began rotating working remotely from home. Many creative ways began being utilized to make sure the phones were being answered, mail was being opened, court payments were being deposited and to insure other basic court operations continued.

Over the course of the year, very slowly the court began resuming additional scheduling as we were able to do so given the constraints of the virus. Criminal cases resumed first, then civil cases. Currently, over 90% of the cases being heard are still being done remotely via Zoom. The only court proceedings that have not yet been resumed are jury trials, which we hope to start in the near future if the virus cooperates.

I believe that some of the things we began to do in the emergency situation because of the virus may well become the norm in the future. Police officers will continue to save time and resources by obtaining arrest and search warrants electronically. Parties, attorneys and witnesses will still want to utilize the convenience of Zoom remote hearings to handle their court cases. I also expect more changes in the law to facilitate some of these changes becoming permanent.

Like many other governmental services, court operations were considered “essential functions” when the COVID-19 pandemic shut down the state early in 2020. Our court employees came to work when others were staying home. I think you should be proud, as I am, of how our court employees did that to provide essential court services during the pandemic to the citizens of Allegan County.



Joseph S. Skocelas
Chief District Court Judge

A handwritten signature in black ink, appearing to read "Joseph S. Skocelas". The signature is fluid and cursive.

Joseph S. Skocelas
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 also allow District Court Judges to accept felony pleas.

The district court includes a small claims division for civil cases up to \$6,500 (increased on 1/1/21). 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



District Court Administrative Team

Left to right, first row: Joseph S. Skocelas, Chief District Court Judge; Linda L. Lenahan, Court Administrator, William A. Baillargeon, District Court Judge;

Left to right, back row: Daniel W. Norbeck, Attorney Magistrate; Chris Gates, Chief Deputy District Court Clerk; Mark Ponitz, Chief Probation Officer;

Digital photos by Retired 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, assign transcript preparation and perform secretarial duties. The Judges are also assisted by Courthouse Security who act as courtroom bailiffs assigned to prisoner movement, provide courtroom decorum, courtroom security and assist the public and jurors. Since moving into the new jail in October 2014, 99% of prisoner movement has been eliminated in favor of appearing on Polycom/Zoom videoconferencing and/or video telephones between the jail and the courtrooms/conference rooms.

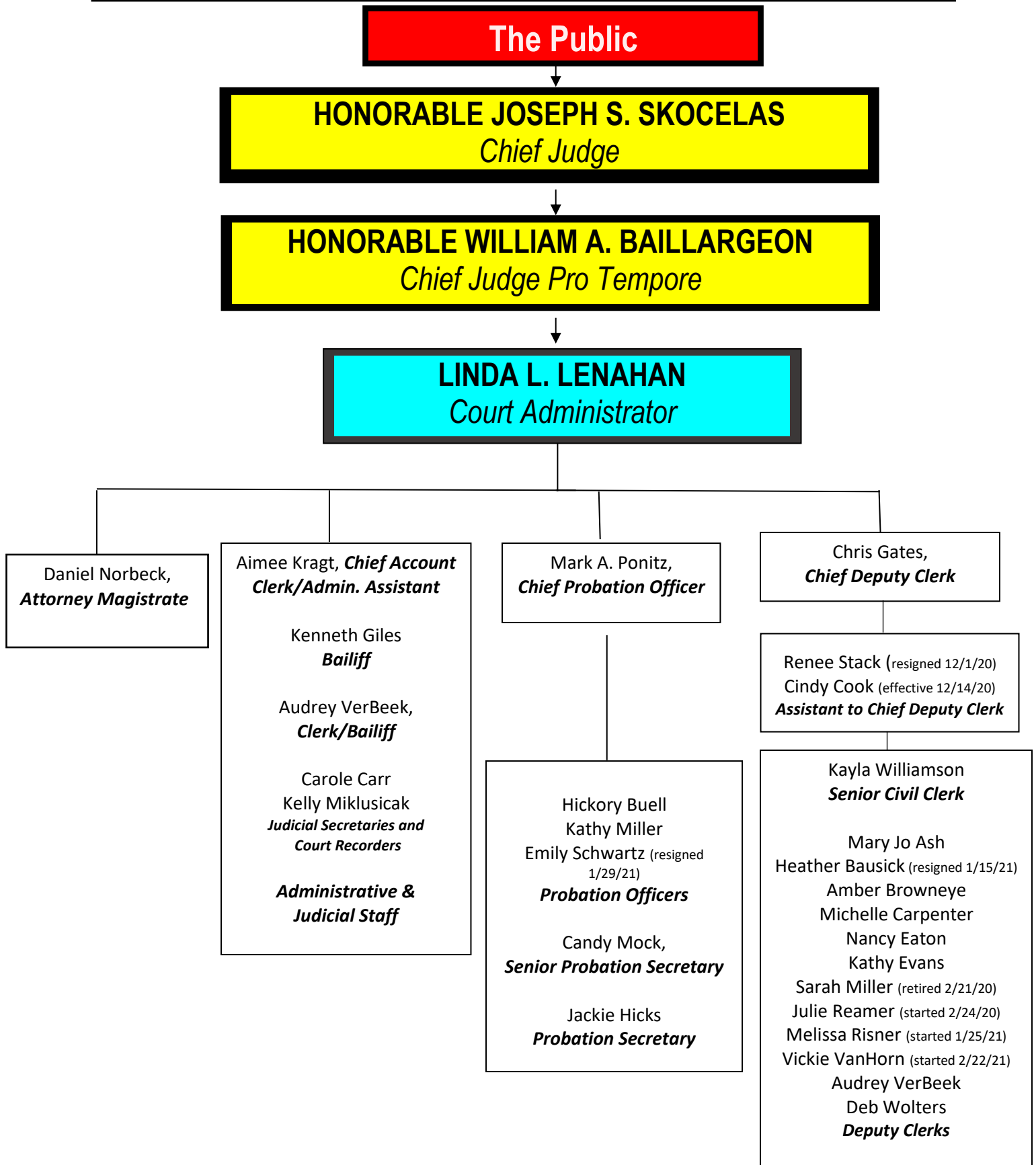
The District Court Administrator is appointed by the Chief Judge, and together they create an executive leadership team necessary to manage the operation of the District Court. The District Court Administrator oversees all aspects of Court operations and administration including, but not limited to, 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.

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. The Chief Deputy Clerk also acts as a magistrate issuing misdemeanor complaint and warrants.

ORGANIZATIONAL CHART



JUDICIAL STAFF



District Court Judicial Staff

*Left to right, first row: Judge Joseph S. Skocelas, Linda Lenahan and Judge William A. Baillargeon;
Left to right, back row: Kelly Miklusicak, Magistrate Daniel Norbeck, Aimee Kragt and Carole Carr;*

Not pictured: Ken Giles and Audrey VerBeek

Digital photos by Retired Detective Craig Gardiner, ACSO

HONORABLE JOSEPH S. SKOCELAS, Chief 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, 2014 and 2020 for six-year terms.

HONORABLE WILLIAM A. BAILLARGEON, 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 and 2018 for six-year terms.

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.

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: Amber Browneye, Renee Stack, Chris Gates-Edson and Kayla Williamson;

Left to right, back row: Nancy Eaton, Heather Bausick, Michelle Carpenter, Mary Jo Ash, Deb Wolters, Cindy Cook and Sarah Miller;

Not pictured: Audrey VerBeek and Kathy Evans

Digital photos by Retired 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.

HEATHER BAUSICK, Deputy Court Clerk in the Civil Division, transferred from Facilities Management on August 13, 2018. Heather resigned from District Court effective 1/15/21 and transferred to Allegan County Parks and Recreation Department.

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 Traffic/Criminal Division, transferred from the Friend of the Court to District Court on June 6, 2016. After transfer, Cindy worked for nearly four years in the Civil Division and then transferred into the Traffic/Criminal Division on February 24, 2020. On December 14, 2020 Cindy was promoted to the Assistant to the Deputy District Court Clerk to fill the vacancy.

NANCY EATON, Deputy Court Clerk in the Traffic/Criminal 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, 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, had been employed with the District Court since October 1998. Sarah retired from the District Court with over 21 years of service on February 21, 2020.

JULIE REAMER, Deputy Court Clerk in the Civil Division, transferred from Facilities Management on February 24, 2020.

MELISSA RISNER, Deputy Court Clerk in the Traffic/Criminal Division, transferred from the Friend of the Court to District Court on January 25, 2021.

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. Renee has also been appointed as a Magistrate to issue misdemeanor complaint and warrants. Renee resigned on December 1, 2020 and transferred to the Allegan/VanBuren County Public Defender's Office.

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.

KAYLA WILLIAMSON, 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.

VICKIE VANHORN, Deputy Court Clerk in the Civil Division, transferred from the Treasurer's Office to District Court on February 22, 2021.

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: Candy Mock, Hickory Buell, Mark Ponitz and Jackie Hicks;

Not pictured: Kathy Miller and Emily Schwartz

Digital photos by Retired 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. Emily re-signed from District Court Probation effective 1/29/2021.

JURISDICTION

DIVISIONS	JURISDICTION	FACTS TO KNOW
CIVIL	<ul style="list-style-type: none"> • Civil suits up to \$25,000 • Small claim suits up to \$6,500 (effective 1/1/21) • 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

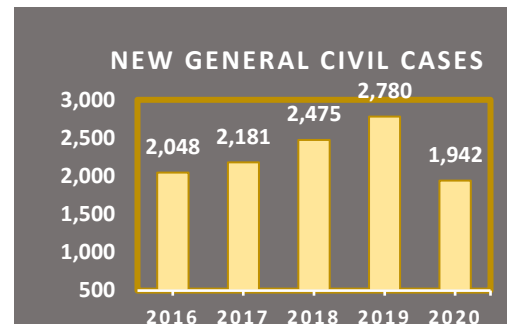
NEW CASES FILED

CIVIL DIVISION

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

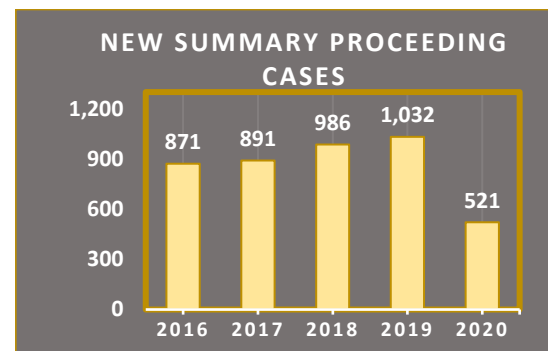
The **General Civil Division** processes all civil cases under the \$25,000 jurisdictional limit; limited claim and delivery civil actions; limited writ of attachment and garnishment; and forfeiture or seizure of certain property.

The bar chart reflects the five-year trend in general civil filings. Case filings over the five-year trend decreased 106 cases from 2016 to 2020. New case filings decreased 838 cases from 2019 to 2020.



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.

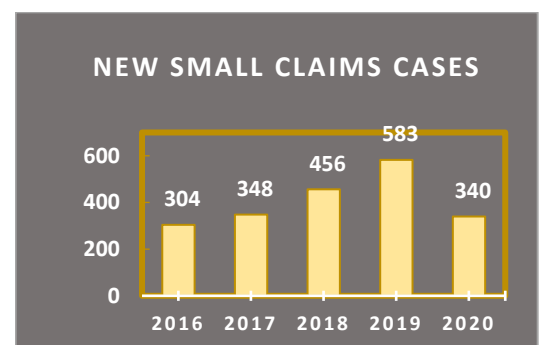
The bar chart reflects the five-year trend in summary proceeding filings. New filings over the five-year trend decreased 350 cases from 2016 to 2020. New case filings decreased 511 cases from 2019 to 2020.



The **Small Claims Division** processes cases with recoverable maximum monies up to \$6,500.00 (increased from \$6,000 to \$6,500 on 1/1/21). 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 bar chart reflects the five-year year trend in small claim filings. Case filings over the five-year trend increased 36 cases from 2016 to 2020. New case filings decreased 243 cases from 2019 to 2020.

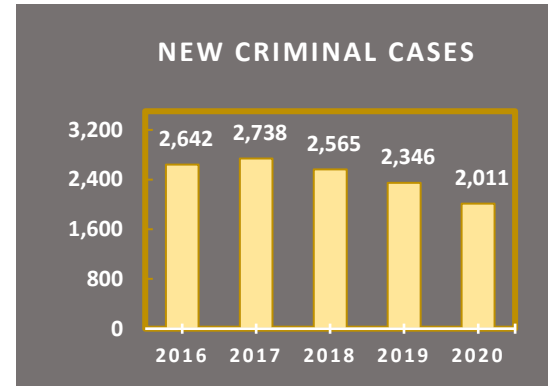


NEW CASES FILED

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 2020, ten (10) felony pleas were accepted by District Court Judges.

In 2020, the criminal division processed 2,011 new case filings. The Court conducted felony preliminary exam hearings and waiver hearings and bound over 673 cases to the Circuit Court. This number includes traffic division bind overs, as well. The criminal division disposed of 2,839 cases.



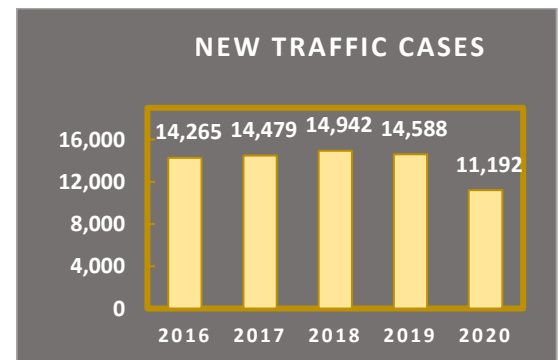
The bar chart reflects the five-year trend in criminal division filings. Case filings over the five-year trend decreased by 631 cases from 2016 to 2020. New case filings decreased 335 cases from 2019 to 2020.

TRAFFIC DIVISION

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

In 2020, the traffic division accepted 11,192 new case filings. The traffic division disposed of 11,720 cases through various dispositions, i.e., guilty plea, admission of responsibility, default, dismissal, warrant, and trial/hearing verdict. In 2020, the Judges disposed of 4 cases by jury verdict and 177 cases by bench trial, formal or informal hearing for all case types.

The bar chart reflects the five-year trend in traffic division filings. Case filings decreased by 3,073 cases from 2016 to 2020. New case filings decreased 3,396 cases from 2019 to 2020.



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.

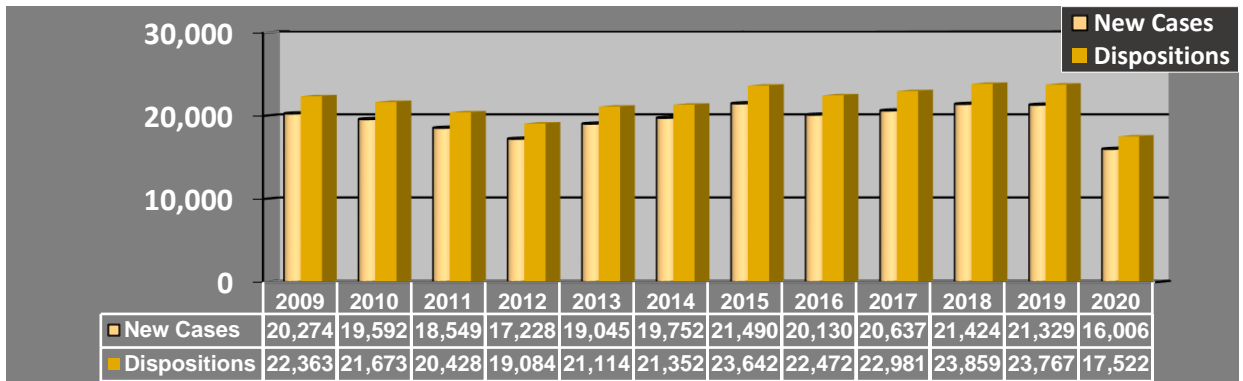
In 2002, the State Court Administrative Office significantly changed the methodology of counting cases in the District Court. The Court went from tracking 16 different case type classifications to 21 different classifications.

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	11,192
Criminal cases filed	2,011
Civil cases filed	<u>2,803</u>
Total new cases filed	16,006

A comparison of total new case filings and dispositions from 2009 through 2020 are reflected in the graph below. The twelve-year bar graph reflects that the Court experienced a decrease of 4,268 new cases filings from 2009 through 2020. The one-year trend reflects that the Court experienced a decrease of 5,323 new case filings from 2019 to 2020.



STATISTICAL ANALYSIS



TOTAL DISPOSITIONS

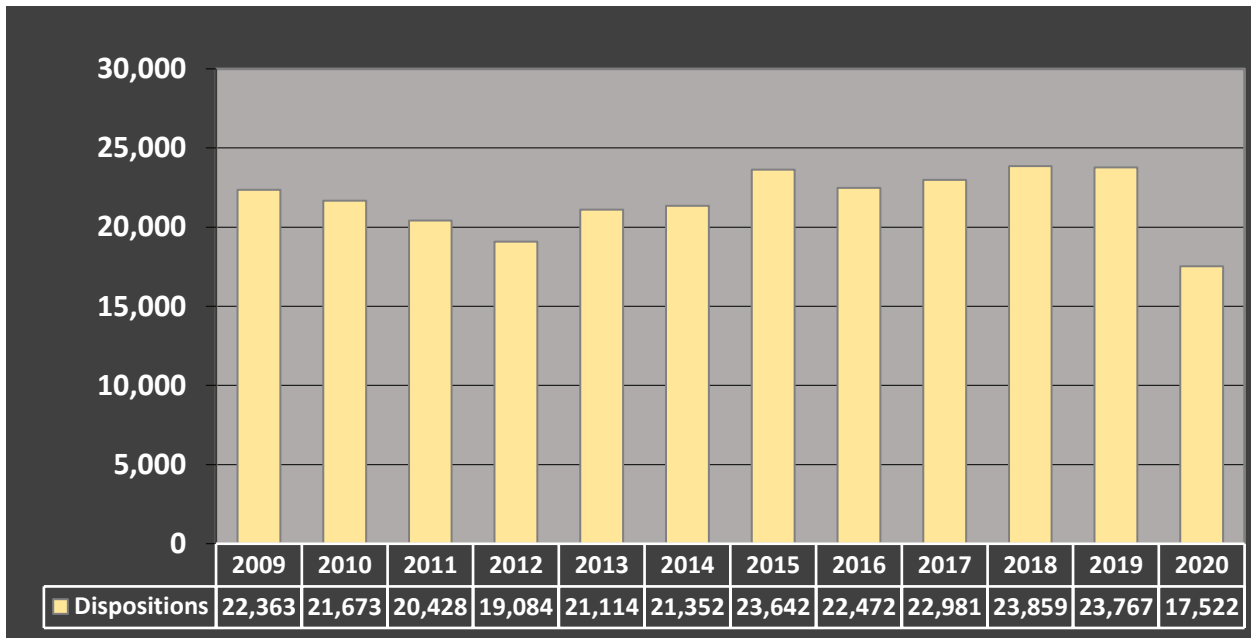
The District Court submits the number of dispositions annually to the State Court Administrative Office. Dispositions include Jury Verdicts, Bench Verdicts, Pleas, Dismissals, Defaults, Warrants Issued, and Circuit Court Felony Bindovers, etc. The Court uploads these totals into the State Court Administrative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



TOTAL DISPOSITIONS

Traffic cases	11,720
Criminal cases	2,839
Civil cases	<u>2,963</u>
Total dispositions	17,522

Total dispositions for all divisions from 2009 through 2020 are reflected in the graph below. The twelve-year bar graph reflects that the Court experienced a decrease of 4,841 case dispositions from 2009 through 2020. The one-year trend reflects that the Court experienced a decrease of 6,245 case dispositions from 2019 to 2020.



STATISTICAL ANALYSIS



TOTAL RE-OPENED CASES

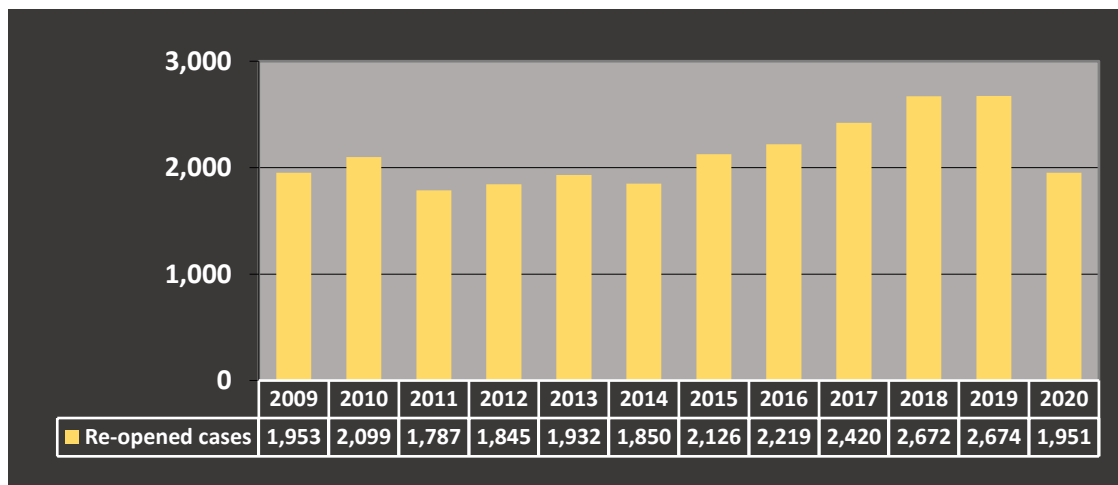
Cases are counted as re-opened when a defendant is arrested and arraigned on a warrant, a new trial is ordered by an appellate court, or a plea or judgment is set aside. The Court uploads these numbers to the State Court Administrative Office’s web site. The number of re-opened cases was not tracked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



TOTAL RE-OPENED CASES FILED

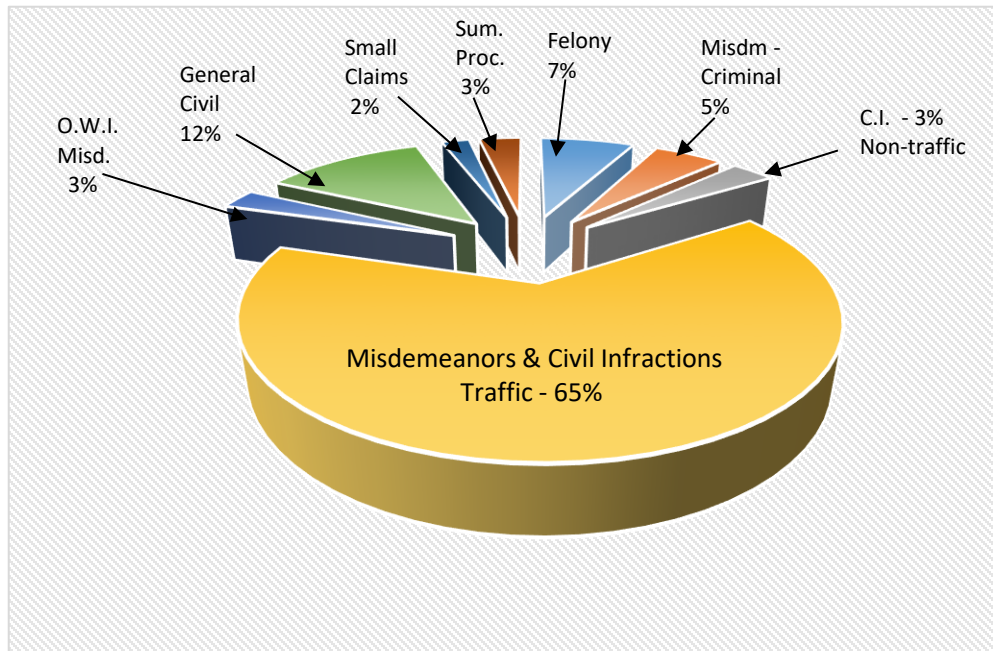
Traffic cases re-opened	807
Criminal cases re-opened	1,096
Civil cases filed re-opened	<u>48</u>
Total cases re-opened	1,951

Total re-opened cases for all divisions from 2009 through 2020 are reflected in the graph below. The twelve-year bar graph reflects that the Court experienced an decrease of 2 re-opened cases from 2009 through 2020. The one-year trend reflects that the Court experienced an decrease of 723 cases from 2019 to 2020.



CASELOAD MIX

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

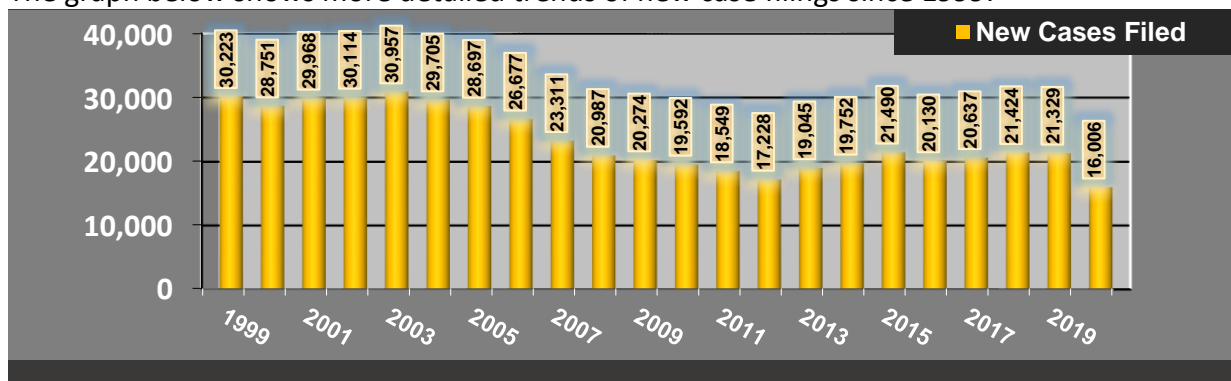


Clearance Rate Ratio of Dispositions to New Case Filing

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

New Case Filings and Reopened Cases	17,957
Dispositions	17,522
Ratio	98%

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



CASEAGE TRENDS AND CASELOAD 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 2019 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	2017	2018	2019
Statewide Court Average	75%	76%	77%	76%	74%	72%	70%	70%
57 th District Court	72%	76%	77%	85%	85%	82%	84%	82%

Misdemeanors – Disposed within 126 Days

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Statewide Court Average	95%	95%	95%	96%	96%	97%	97%	97%	96%	96%	96%
57 th District Court	98%	99%	99%	99%	100%	100%	100%	100%	99%	99%	99%

Civil Infractions – Disposed within 84 Days

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Statewide Court Average	95%	95%	95%	96%	96%	97%	97%	97%	98%	98%	98%
57 th District Court	98%	99%	99%	99%	100%	100%	100%	100%	100%	99%	99%

General Civil – Disposed within 455 Days

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Statewide Court Average	97%	98%	98%	99%	99%	98%	99%	99%	99%	99%	94%
57 th District Court	100%	99%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Summary Civil without Jury Demand – Disposed within 126 Days

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Statewide Court Average	93%	94%	94%	95%	95%	95%	95%	95%	96%	96%	96%
57 th District Court	97%	97%	98%	97%	96%	98%	96%	97%	97%	96%	94%

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 2020 was 415. The total number of probationers being supervised by the Probation Officers for the period ending December 31, 2020 was 568 including diversion programs.

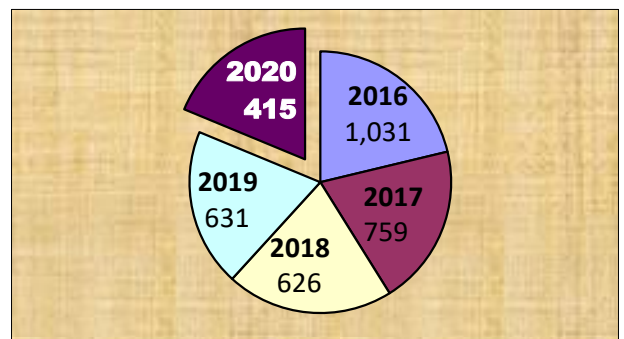
The difference between the total number placed on probation (415) and supervised (568) reflects the number of probationers who completed their terms and conditions of probation and were released. The time span of probation can generally range from a minimum of 30 days to a maximum of two years. Consequently, 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	19	33	8	0	17	14	20	17	12	31	16	5	192
BAILLARGEON	33	30	11	0	34	13	14	22	18	19	17	12	223
NORBECK	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	52	63	19	0	51	27	34	39	30	50	33	17	415

The pie chart reflects the total number of cases or individuals that were placed on probation from 2016 through 2020. For the period of 2016 through 2020, the caseload decreased 616 cases. Caseload decreased by 216 cases between 2019 and 2020.



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	15	19	3	0	13	8	13	5	11	23	19	4	133
Operate while Intoxicated – 2 nd	4	2	1	0	0	0	1	3	0	1	0	3	15
Impaired Driving	19	24	9	0	28	15	15	14	7	15	6	6	158
Assault & Battery	1	1	0	0	0	1	0	1	3	0	0	0	7
Domestic Violence	4	9	1	0	4	2	1	2	5	8	2	1	39
Larceny	1	0	0	0	0	1	0	1	0	0	1	0	4
Malicious Destruction of Property	1	0	0	0	0	0	0	1	0	0	1	0	3
Drug Offenses	1	2	0	0	1	0	0	4	0	0	2	1	11
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0
CSC – Attempted 4 th Degree/ Accosting	0	0	0	0	1	0	0	0	0	0	0	0	1
All Other Charges	6	6	5	0	4	0	4	8	4	3	2	2	44
TOTAL	52	63	19	0	51	27	34	39	30	50	33	17	415

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.

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.

PROBATION

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).

	2005 -	2006 -	2007 -	2008 -	2009 -	2010 -	2011 -	2012 -	2013 -	2014 -	2015 -	2016 -	2017 -	2018 -	2019 -
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
New DV charges filed	404	423	446	489	473	500	505	462	432	387	513	486	445	433	494
DV charges adjudicated	429	427	472	485	467	508	475	541	489	446	558	593	573	517	438
Pled under program	88	112	124	135	128	140	148	156	105	128	117	147	120	120	56
Successfully completing program	77	68	74	80	108	106	108	109	121	87	110	87	120	80	79
Not completing program	32	24	40	46	52	39	26	30	24	32	11	28	37	30	18
Pled guilty to DV but not under program	116	128	133	132	101	111	84	78	114	119	129	123	116	96	77
Dismissed or nolle prosequi	114	94	96	102	97	41	90	141	116	96	110	122	149	135	129
Bound over to Circuit Court	29	32	28	35	24	12	12	27	24	34	41	68	41	56	64
Reduced DV III to miscellaneous charges	1	3	3	2	5	3	5	0	1	0	0	0	0	0	0
Reduced from DV III to DV II	0	3	4	8	17	7	14	13	19	10	31	8	10	7	7
Reduced from DV II to DV I	17	11	6	7	38	19	20	17	28	21	24	28	20	11	8
DV-Aggravated to DV Program	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Reduced from DV to Disorderly	17	15	12	40	38	7	19	15	36	36	39	30	26	20	24
Reduced from DV to Assault & Battery	14	22	23	15	8	3	15	9	19	17	27	19	24	29	11
Reduced to misc. charges not included above	4	8	4	1	8	3	1	0	0	4	0	1	0	0	0
Guilty as charged after bench trial	0	1	6	0	0	0	0	1	0	0	2	1	0	1	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	1	1	0	1	0	1	0	1	0	0	0	1	5	0	2
Not guilty after bench trial	1	0	3	2	0	0	0	0	0	0	1	1	0	0	0
Not guilty after jury trial	3	3	3	5	4	2	0	2	2	1	0	4	2	2	2
Mental Health Court	-	-	-	-	6	5	4	5	3	6	2	7	10	9	5
Recharged after successful completion of the program	8	16	9	12	13	15	7	16	16	23	36	18	19	18	*30

*Of the 30 new domestic violence charges filed on defendants who successfully completed the program in the past, six (6) pled guilty to the new DV charges, twelve (12) were dismissed by the Prosecutor, three (3) were bound over to Circuit Court, one (1) pled guilty to assault and battery and eight (8) are 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 drug 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.

In November of 2018, Michigan voters approved a ballot proposal that legalized the possession and use of small amounts of marijuana for recreational purposes for adults 21 and over. Prior to this change, the majority of 7411 Diversion cases involved Possession of Marijuana. The court has seen a significant drop in program participation due to marijuana's legalization.

Judge	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
SKOCELAS	0	0	0	0	0	0	0	0	0	3	0	0	3
BAILLARGEON	0	0	0	0	0	0	0	1	0	4	0	0	5
TOTAL	0	0	0	0	0	0	0	1	0	7	0	0	8

MINOR IN POSSESSION OF ALCOHOL

DEFERRAL PROGRAM FOR FIRST TIME MISDEMEANOR OFFENDER

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 or found responsible for 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 Meeting as ordered.

MCL 436.1703 was amended effective January 1, 2018 making Minor in Possession of Alcohol (first offense) a civil infraction. Second and subsequent offenses continue to be misdemeanors. Our deferral program continues to be available for the first MISDEMEANOR offenses of Minor in Possession of Alcohol as allowed by statute, however, the number of participants has dropped to zero again in 2020. In 2020, twenty-eight (28) civil infraction MIP tickets were filed with the Court and two (2) misdemeanors.

2020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0

PROBATION

ALCOHOL ASSESSMENTS

On April 15, 1996, the Probation Officers began conducting alcohol assessments. A total of 239 assessments were completed during 2020. The assessment fee is \$90.00. The assessments will generate total revenues of \$21,510.00. Revenues collected for 2020 were \$28,086.59.

2020	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
TOTAL	31	39	10	0	34	17	21	18	12	26	22	9	239

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 2020 were \$157,647.12.

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 2020, 74 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	3	2	0	3	3	4	5	2	5	4	2	37
BAILLARGEON	8	6	3	0	0	0	2	4	3	7	4	0	37
TOTAL	12	9	5	0	3	3	6	9	5	12	8	2	74

LEIN ENTRIES

The District Court implemented LEIN warrant entry in late June 2002. Since its implementation, the Clerk’s Office has entered approximately 60,011 new warrants and cancelled another 49,324 warrants. In 2020 alone 2,979 warrants were entered and 2,586 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, 2020, the Court has entered 57,726 criminal history transactions (2,092 in 2020). 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.

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



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 to create a Mental Health Treatment Court in Allegan County. This treatment court is funded with grant monies awarded by the State Court Administrative Office and is fully certified as a Mental Health Treatment Court in Michigan.

Since its inception, 450 defendants have been referred to the program. Of those, 194 were accepted into the program and 256 were rejected. Of the 194 who were accepted, 124 have successfully graduated, and 11 are currently in the program – six (6) in Phase I and five (5) in Phase II. After acceptance into the program, fifty-nine (59) were discharged unsuccessfully – forty-nine (49) for cause and ten (10) 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.

During the pandemic in 2020 and 2021, the Mental Health Court Treatment Team continued to conduct virtual or telephone review hearings to check in with all of our participants every other week. Very few new cases were referred to the program during the year as the vast majority of new criminal cases stopped coming into the court system for a substantial period of time.

WEST MICHIGAN REGIONAL VETERANS' TREATMENT COURT

The West Michigan Regional Veterans' Treatment Court began operation on February 7, 2014, and was 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 4 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 36 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 our field agents, Troy McCabe, who performs the remote supervision and substance abuse testing.

As required by statute, this court achieved certification in 2019 from the State Court Administrative Office. COVID-19 has prevented us from having the formal, well attended graduations of the past, but we are moving forward nonetheless.

SOBRIETY TREATMENT COURT

In May of 2017, the 57th District Court created a new treatment court specifically designed to address Operate while Intoxicated (OWI)- 2nd offenses. The goals of this new treatment court are to:

- Goal One: Divert offenders from jail.
- Goal Two: Eliminate substance use among substance abusers.
- Goal Three: Reduce OWI Recidivism.

The target population criteria includes:

1. Allegan County resident or residing within the Court's jurisdiction.
2. No history of serious violent behavior or felony weapon charges.
3. Alcohol and/or drug addicted or serious substance abuse pattern.
4. Repeat OWI offender.



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.

The program is now at full capacity with twenty-five (25) current participants both male and female. To date, we have graduated forty-five (45) participants and helped fifty-eight (58) participants gain a restricted driver's license. As required by statute, this court achieved certification in 2019 from the State Court Administrative Office.

The program was developed and presided over by Judge Baillargeon. Attorney Magistrate Daniel W. Norbeck is the Administrator/Case Manager for the Sobriety Court and the probation for the participants is overseen by both the 57th District and 48th Circuit Court Probation Department.

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, ten (10) in 2017, and twelve (12) in 2018, nine (9) in 2019, and two (2) in 2020 totaling eighty (80) participants since inception.

The cumulative total over the past ten years is forty-seven (47) participants successfully completing the drug court. There are currently fifteen (5) 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 Attorney Magistrate Daniel 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	\$2,485.48
Drunk Driving Reimbursement Fund	33,713.76
Court Costs	971,690.96
Court Appointed Attorney Fees	87,446.06
Bond Costs	10.00
Crime Victims' Rights Fund	16,010.09
Civil Filing Fees	147,317.00
Miscellaneous Fees	8,272.00
Driver's License Reinstatement Fees	36,127.41
Motion Fees	7,460.00
NSF Fees	125.00
Bond Forfeitures	-7,520.00
Ordinance Fine and Costs	89,813.91
Jury Reimbursement	2,872.70
Insurance Fee	3,626.00
Probation Alcohol Assessments	28,086.59
Probation Oversight Costs	157,647.12
Cities, Townships, Villages	38,336.97
DNA fee – Sheriff's Department	331.50
State Treasury – Trust and Agencies	784,650.49
Libraries	518,881.10
Veterans' Court Participant Fees	2,991.00
Mental Health Court Participant Fees	831.00
Sobriety Court Participant Fees	22,114.50
48 th Circuit Court Drug Court Participant Fees	7,049.00
Interest Earned	277.79
Cash Over/Short	100.00
Credit Card Fees	(-3,422.56)

EXPENSES

EXPENDITURE	DISTRICT COURT	PROBATION DEPT.
Salary and wages	\$992,229.80	\$365,165.17
Employee benefits	394,764.62	145,164.19
Office supplies	7,205.61	985.59
Printing and binding	12,123.10	0
Books and maps	909.50	0
Probation Assessment Fees	0	1,228.00
Jury	4,144.26	0
Witnesses	0	0
Interpreter fees	4,179.99	0
Court appointed attorney fees	0	0
Memberships and subscriptions	3,707.00	0
Other Contractual Services	2,520.85	0
Travel Expense – routine	0	0
Education – miscellaneous	0	343.95
Education – travel	0	0
Education – registration	0	0
Travel – visiting judge	0	0
Repairs and maintenance	7,599.43	0
Software lease	35,166.28	0
Equipment	2,775.45	0
TOTAL	\$1,467,325.89	\$512,886.90

CUMULATIVE TOTALS

REVENUES

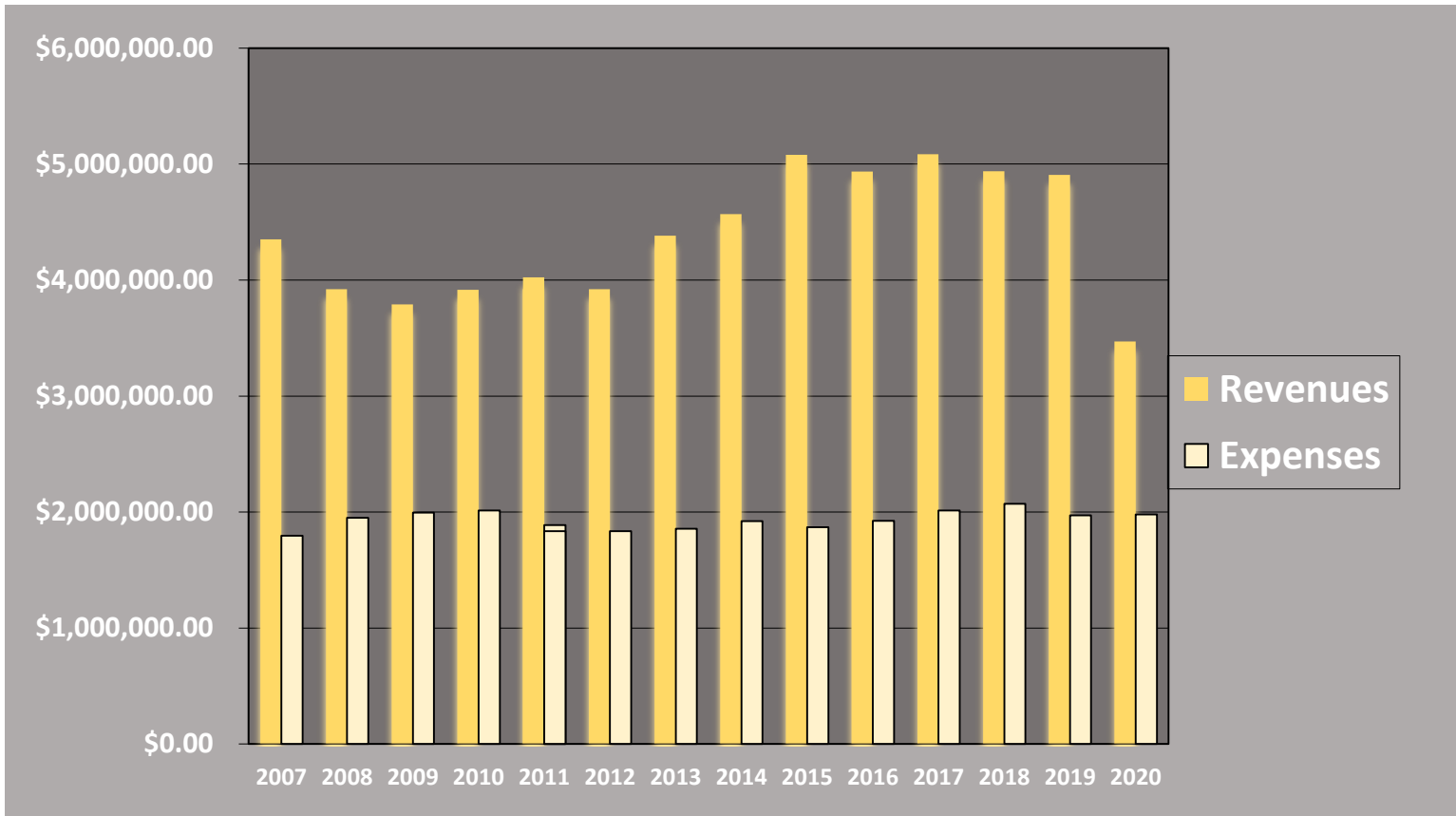
General fund	\$1,620,979.85
Jury Reimbursement	2,872.70
Interest	277.79
Credit Card Fees/Cash over/short	(3,044.77)
Trust and Agencies	784,650.49
Libraries	518,881.10
Grant Specialty Courts	32,985.50
Problem Solving Court Transfer to Another Court	3,425.00
Restitution Payable	82,274.91
Bonds Payable	427,776.30
TOTAL	\$3,471,078.87

EXPENDITURES

Court	\$ 1,467,325.89
Probation	512,886.90
TOTAL	\$1,980,212.79

HISTORICAL REVIEW

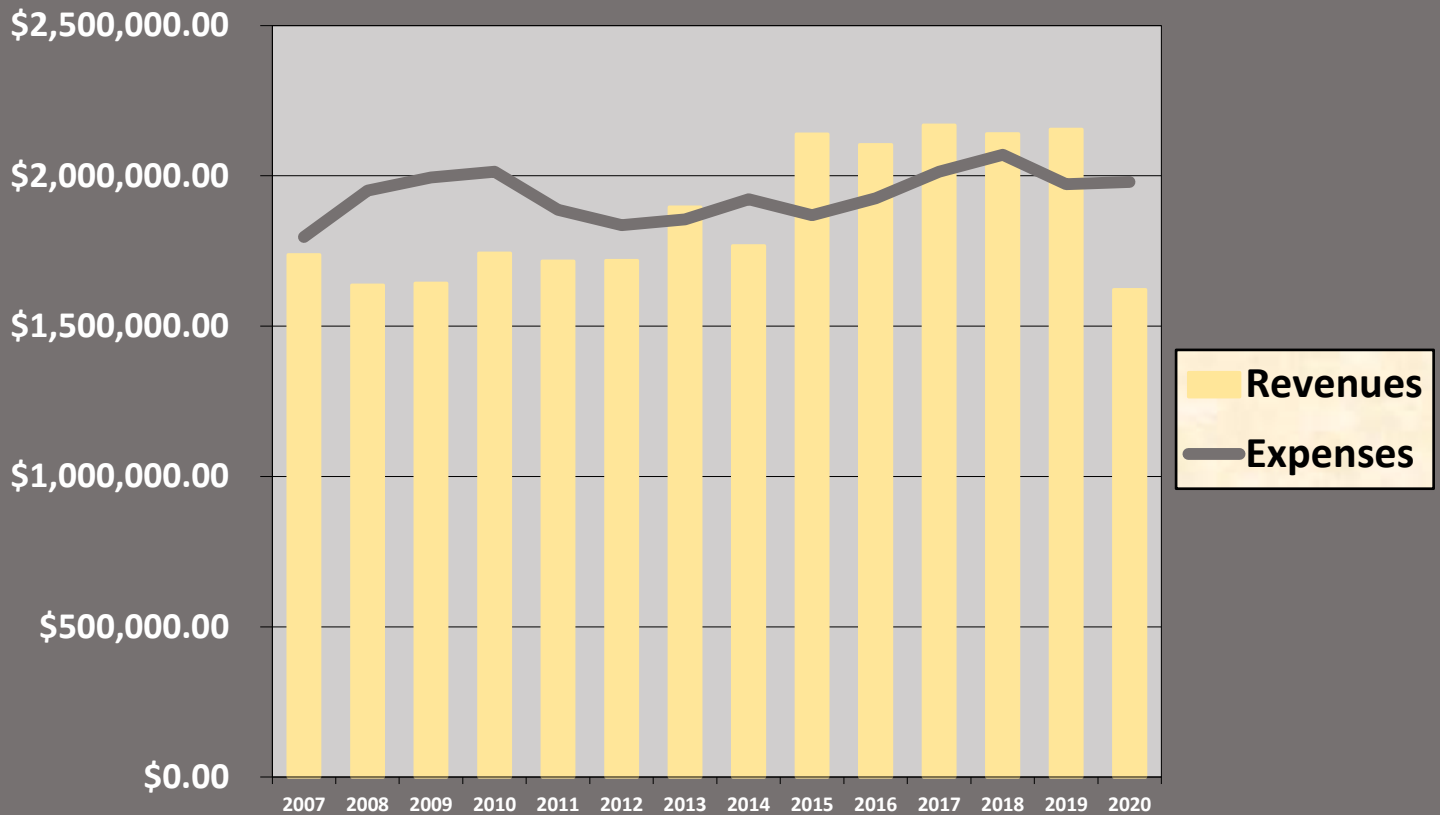
TOTAL REVENUES AND EXPENSES



YEAR	2007	2008	2009	2010	2011	2012	2013
REVENUES	\$4,350,209	\$3,920,655	\$3,790,152	\$3,915,994	\$4,023,172	\$3,921,085	\$4,382,490
EXPENDITURES	\$1,796,847	\$1,950,950	\$1,994,908	\$2,013,918	\$1,887,212	\$1,835,615	\$1,855,130

YEAR	2014	2015	2016	2017	2018	2019	2020
REVENUES	\$4,567,811	\$5,080,615	\$4,935,447	\$5,085,965	\$4,939,267	\$4,905,995	\$3,471,079
EXPENDITURES	\$1,922,152	\$1,868,794	\$1,925,358	\$2,013,421	\$2,069,860	\$1,972,562	\$1,980,213

HISTORICAL REVIEW GENERAL FUND REVENUES & EXPENSES



YEAR	2007	2008	2009	2010	2011	2012	2013
REVENUES	\$1,737,558	\$1,636,257	\$1,642,388	\$1,742,456	\$1,716,273	\$1,718,525	\$1,896,170
EXPENDITURES	\$1,796,847	\$1,950,950	\$1,994,908	\$2,013,918	\$1,887,212	\$1,835,615	\$1,855,130

YEAR	2014	2015	2016	2017	2018	2019	2020
REVENUES	\$1,767,422	\$2,139,375	\$2,104,122	\$2,168,337	\$2,139,909	\$2,155,262	\$1,621,086
EXPENDITURES	\$1,922,152	\$1,868,795	\$1,925,358	\$2,013,421	\$2,069,860	\$1,972,562	\$1,980,213

OUTSTANDING RECEIVABLES

Outstanding Receivables as of December 31, 2020

Probation	Non-Probation	TOTAL
\$586,395.23	\$7,446,274.56	\$8,032,669.79

AGE	Probation	Non-Probation	TOTAL
1-15 days	\$2,679.00	\$33,225.00	\$35,904.00
16-30 days	1,544.00	50,164.00	51,708.00
31-60 days	6,075.00	40,142.00	46,217.00
61-90 days	30,221.37	105,294.38	135,515.75
91-180 days	95,590.65	262,015.86	357,606.51
181-360 days	85,656.26	328,083.94	413,740.20
361-540 days	45,197.00	535,860.42	581,057.42
541-720 days	22,686.60	800,897.30	823,583.90
Over 720 days	296,745.35	5,290,591.66	5,587,337.01
COURT TOTALS	\$586,395.23	\$7,446,274.56	\$8,032,669.79

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 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 2020, the District Court received reimbursement funds in the amount of \$33,713.76.

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 333.7417 and 333.7453 through 333.7455 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 2019, the District Court received reimbursement funds in the amount of \$2,485.48.

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 2020, the Allegan County Funding Unit received a total of \$388,800 (amended on 7/1/20 from \$466,513 due to COVID-19). Funding trends are listed below.

FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY2020
\$468,647	\$442,188	\$421,968	\$398,795	\$411,353	\$403,095	\$427,380	\$427,229	\$434,003	\$429,872	\$438,578	\$388,800

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. Fees were increased again April 1, 2018 by 2017 PA 51. The public act also increased juror mileage reimbursement from 10 cents per mile to 20 cents per mile. Jurors are now compensated \$30.00 for their first day (\$15.00 for a half day) of jury service and \$45.00 for each subsequent day (\$22.50 for a half day) of jury service. The reimbursement is semi-annual covering the periods October 1 – March 31 and April 1 – September 30.

FY 2011 / 2012	FY 2012 / 2013	FY2013 / 2014	FY2014 / 2015	FY2015 / 2016	FY2016 / 2017	FY2017 / 2018	FY2018 / 2019	FY2019 / 2020
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	10/1/17 – 9/30/18	10/1/18 – 9/30/19	10/1/19 – 9/30/20
\$2,437.50	\$4,017.50	\$3,067.50	\$1,125.00	\$1,025.00	\$4,072.50	\$2,891.60	\$4,645.40	\$2,872.70

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.

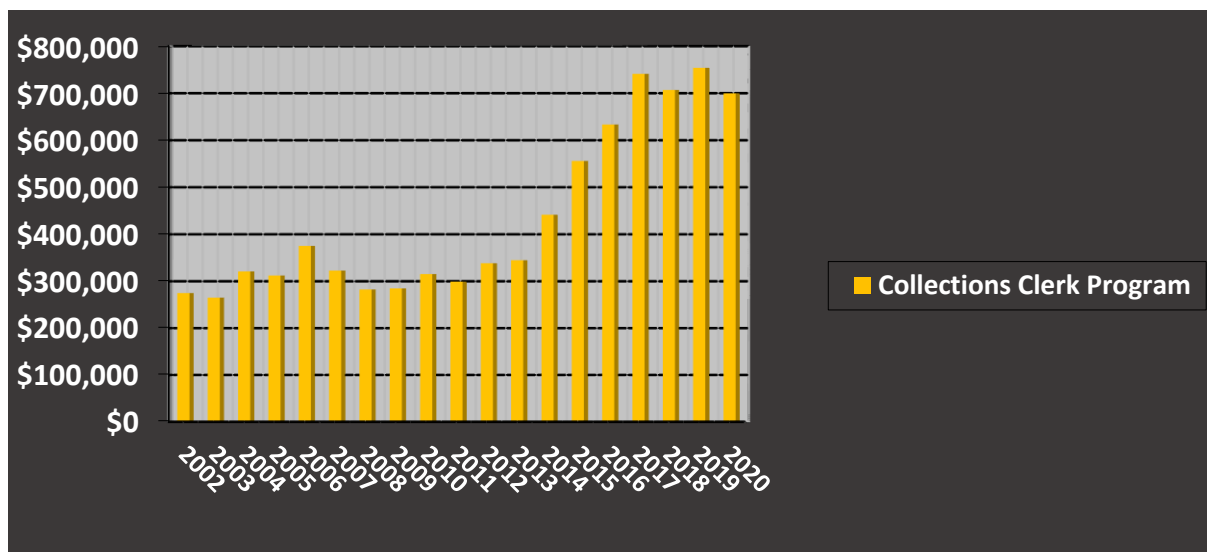
In 1997, the District Court purchased a software package that works in conjunction with the primary court case management software (supplied by the Supreme Court) to assist in tracking outstanding receivables at the District Court. The package was only fully implemented in September 2001. Since its implementation, the Court has been successful in bringing in revenues of \$8,335,384.28. In 2020 alone, the collections program was responsible for \$699,804.91 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, 2020, outstanding receivables amounted to \$8,032,669.79. Of that amount, \$1,672,920.48 is less than 2-years old while \$5,073,821.58 is between 2 – 7 years old. Of the total outstanding receivables, over 2 million dollars is due for criminal restitution.

PAST YEARS' COLLECTIONS HISTORY

2002	275,013.02		2011	299,194.54
2003	265,121.93		2012	338,331.35
2004	321,049.15		2013	344,857.23
2005	312,206.41		2014	441,423.06
2006	375,230.98		2015	555,905.75
2007	322,899.69		2016	633,453.78
2008	282,599.76		2017	741,162.01
2009	284,906.20		2018	706,956.14
2010	315,308.17		2019	753,911.11

COLLECTIONS TOTAL FOR 2020

JANUARY	\$59,358.22
FEBRUARY	90,029.87
MARCH	86,716.22
APRIL	51,099.52
MAY	72,616.89
JUNE	69,136.00
JULY	60,013.28
AUGUST	49,366.27
SEPTEMBER	46,283.44
OCTOBER	46,281.05
NOVEMBER	30,925.88
DECEMBER	37,978.27
YEAR END TOTAL:	\$699,804.91



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.

MICHIGAN INDIGENT DEFENSE COMMISSION

The commission was created as a result of efforts to improve legal representation for indigent criminal defendants. In October 2011, Governor Snyder issued Executive Order 2011-12, establishing the Indigent Defense Advisory Commission, which was responsible for recommending improvements to the state's legal system. These recommendations served as the basis for legislation to address this need and called for the creation of a 15-member Indigent Defense Commission that the governor signed into law in July 2013.

The Michigan Indigent Defense Commission is charged with developing and overseeing the implementation, enforcement, and modification of minimum standards, rules, and procedures to ensure that indigent criminal defense services providing effective assistance of counsel are delivered to all indigent adults in this state consistent with the safeguards of the United States constitution, the state constitution of 1963, and with the Michigan Indigent Defense Commission Act. They will identify and encourage best practices for delivering the effective assistance of counsel to indigent defendants charged with crimes. They will collect data, support compliance and administer grants to achieve these goals. They will accomplish their mission through collaboration, transparency and accessibility to all partners in the criminal justice community.

Grant funding is available to court funding units to assist in reimbursing for the costs of implementing these standards. Allegan and Van Buren County are collaborating in a regional effort to provide legal representation to indigent criminal defendants in both counties. The Regional Office will employ a hybrid solution utilizing both staff attorney(s) and contractual attorneys to provide representation. In mid-2019, the Public Defender began accepting cases in Allegan County replacing our prior system.

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. In 2020, due to the COVID-19 pandemic, no Victim Impact sessions were held in-person in Allegan. Defendants satisfied this requirement primarily attending virtual sessions.

MARRIAGES

In March 2020, all in-person wedding ceremonies were suspended due to COVID-19. From January 1, 2020 – March 10, 2020, twenty-one (21) couples were united in marriage.



2020/2021 COVID-19 PANDEMIC TIMELINE AND ITS IMPACT ON THE 57TH DISTRICT COURT

APPENDIX A



ACTION BY	DATE	DESCRIPTION
STATE-SCAO ¹	1/1/2020	MCR 6.101(B) was amended to eliminate the requirement to swear to a criminal complaint under oath. The complaint must instead be signed and verified under MCR 1.109(D) (3).
COURT	2/1/2020	Court begins scheduling Monday-Thursday walk-in arraignments at 8:15 a.m. instead of 8:30 a.m. to allow the Public Defender an opportunity to meet with defendants prior to arraignment.
COUNTY HEALTH	2/20/2020	First flyer from the County Health Department notifying us of the Novel Coronavirus (COVID-19); flyer includes no recommendation for wearing face coverings unless you are ill.
SUPREME CT/SCAO	3/10/2020	Recommendations from the Chief Justice in preparation for a possible Declaration of Emergency by Governor – no COVID-19 yet reported in Michigan.
GOVERNOR	3/10/2020	First two presumptive positive cases of COVID-19 reported in Michigan.
GOVERNOR	3/11/2020	Governor Whitmer declares State of Emergency – COVID-19.
COURT	3/11/2020	D57 memo issued in response to the State of Emergency Declaration and suggested response from Chief Justice McCormick. At this time, the three Allegan Courts agree to allow adjournments freely for COVID-19, but will continue to issue bench warrants and defaults if the defendants have not had any contact or made a request to the court.
COURT	3/12/2020	Two staff meetings conducted to answer questions on COVID-19.
COUNTY	3/13/2020	Public Defender discontinues their practice to meet with each lodged defendant in-person at the jail. Video phone calls will occur prior to arraignment, then both the jail and Public Defender will zoom into the courtroom for arraignment.
SCAO	3/13/2020	SCAO notifies Courts that the time guidelines will not be adjusted in 2020 for COVID-19, however there will be a footnote added to the report.
COURT	3/13/2020	Court begins adjourning most matters 30 days upon request of party.
COURT	3/13/2020	Received an email from MADD that Victim Impact Panel meetings are suspended beginning March 2020.
COURT	3/16/2020	Court released a press release that beginning 3/17/20 all civil hearings are adjourned until 5/4/20. All traffic/criminal hearings (unless the defendant is in-custody) will be adjourned until 5/4/20. Service window shuts down for in-person assistance. Continue to service customers via telephone, email, US mail and the cash lock box. Probation staff continues to reach out to probationers by telephone, zoom, and email. On-line probation reporting forms established on the website. All staff begin cancelling and re-scheduling hearings until May 4, 2020. Judges/Magistrate begin reviewing the cases where the defendant is in jail to consider lowering bond or reduce sentence (similar to jail overcrowding procedure). Handout given to everyone entering the courthouse with court contact information.
COURT	3/16/2020	To limit the spread of COVID-19, Chief Judge issues order regarding arrests on 57 th District Court warrants. Only arrest on: <ul style="list-style-type: none"> • Felony arrest or bench warrants for failure to appear • Misdemeanor arrest warrants for any assaultive offenses, stalking offenses, or operating/intoxicated offenses or bench warrants for failure to appear on those offenses. • Probation violations only if the allegation involves new criminal activity, assaultive behavior or violations of no contact orders. • Conditional bond violations on domestic violence cases. • All other warrants that do not meet the criteria above should not have arrests made until the state of emergency has ended.
COURT	3/17/2020	Casual attire including blue jeans and tennis shoes allowed during STATE of EMERGENCY (unless you work in the courtroom).

¹ SCAO - State Court Administrative Office

COUNTY	3/17/2020	County deploys remote work for non-essential workforce. County Buildings remain open to the public even though many services are shut-down to in-person service. Courts continue to work onsite as essential workers.
STATE	3/18/2020	All MDOC probation/parole offices close to the public. Staff are working remotely during COVID-19.
SUPREME CT	3/18/2020	Michigan Supreme Court Administrative Order 2020-2 issued requiring courtrooms and court spaces have no more than 10 people in the same area, practice social distancing and limit court activity to only essential functions. Staff began spreading out throughout judicial, probation and the clerk's office to limit staff in each space to less than ten.
COURT	3/20/2020	Law enforcement and the Prosecutor were notified that AO 2020-2 also directed courts only review and issue arrest warrants "for crimes that present a danger to public safety." Pursuant to that Order, effective immediately, we will only be reviewing and issuing such warrant requests.
SCAO	3/20/2020	SCAO begins training on Zoom. Every Judge in the State was provided a paid license back in November of 2019. SCAO begins webinar training efforts across the State using Zoom over the next several months.
COUNTY	3/21/2020	County announces first positive case of COVID-19.
COURT	3/23/2020	District Court staff reduced on-site. Half of the staff working remotely each day and half of the staff working on-site. Various Michigan Judicial Institute training opportunities offered to staff working from home. Borrowed laptops from Information Services were provided to staff without home computers. Staff without Wi-Fi worked onsite or used their telephone hotspot.
SUPREME CT	3/23/2020	Supreme Court Administrative Order 2020-3 entered. Order is intended to extend deadlines on civil and probate case initiation and responsive pleadings.
COUNTY	3/12/2020	Cash lock box installed outside main entrance – collaboration of Treasurer, District and Circuit Court. Box will be used for payments and filings during COVID-19.
COUNTY	3/23/2020	Allegan Health Department begins conducting weekly updates on COVID-19 with leaders and stakeholders across the County.
STATE	3/24/2020	Executive Order 2020-21 issued by Governor Whitmer that was referred to as the "Stay at Home Order" - temporary requirement to suspend activities that are not necessary to sustain or protect life.
COURT	3/24/2020	On-site staffing in both the District Court Clerk's, Probation and Judicial Wing is closer to 25 - 30%. Only essential services are being conducted. The rest of the staff is working remotely through May 1, 2020.
COURT	3/24/2020	Stopped doing Daily Date Generated Notices – started again 5/4/20. These create abstracts, FACs, all late notices for failing to appear or pay fine and costs. Defendants were getting 30 days to answer a citation instead of the normal 10 days.
SUPREME CT/SCAO	3/27/2020	Michigan Supreme Court Administrative Order 2020-5 issued extending AO 2020-1 and AO 2020-2 until at least April 14, 2020.
COUNTY	3/28/2020	Second positive COVID-19 case reported in Allegan County.
COUNTY	3/30/2020	Jail requests assistance to mitigate the spread of COVID-19 in correctional facilities across the State under Executive Order 2020-29. Early releases candidates are reviewed by all the Judges.
COUNTY	3/30/2020	Public Defender moves from the Courthouse to the Allegan County Human Services Building.
COURT	3/30/2020	Discontinued issuing Small Claims and Landlord Tenant cases as most process servers were part of the Stay at Home Order.
COURT	3/31/2020	No jurors will be summoned for May 2020.
COURT	3/31/2020	Rescheduled all payment plans and time to pay payments another 60 days.
COUNTY	4/1/2020	County distributes information on Families First Coronavirus Response Act (CARES ACT) that creates new leave available: Emergency Paid Sick Leave and Public Health Emergency FMLA Leave. All available from 4/1/20 - 12/31/20.
COURT	4/3/2020	Court discontinues enforcement of surety bond forfeiture show cause hearings and judgments.

SUPREME CT/SCAO	4/3/2020	SCAO reaches out to provide free Zoom licenses for all Magistrates/Referees upon request. Acquired one license for Attorney Magistrate.
COURT	4/6/2020	Linda Lenahan orders 30 cloth masks made for each staff person (made by employee Nancy Eaton). This is in anticipation of the CDC making a recommendation that all people wear face masks. This is not mandated at this time, but all staff want to wear one at this time.
COURT	4/6/2020	All spring, summer, fall and winter conferences cancelled over the coming months – Probation Officer, Court Administrator, Judge and Magistrates.
COURT	4/6/2020	Clerks accidentally run Daily Date Generated Notices. All notices were destroyed and cases re-set for another notice in early May.
SUPREME CT/SCAO	4/7/2020	Michigan Trial Courts Virtual Courtroom Standards and Guidelines distributed.
COUNTY	4/8/2020	Paper COVID-19 screening forms now required for staff working on-site.
COURT	4/8/2020	MDOC prisons agree to utilize Zoom on their Polycom equipment to allow court proceedings to move forward.
SUPREME CT/SCAO	4/8/2020	SCAO announces deadlines extended for various mandatory reports, e.g. Drunk/Drug annual reporting.
STATE	4/8/2020	Governor issues EO 2020-41 allowing for remote notarization.
COURT	4/9/2020	First notification of Zoom bombing reported at Kalamazoo City Council meeting. Courts implement the use of waiting rooms to limit the chances of bombing.
COURT	4/9/2020	Presentation to the Board of Commissioners for 2020 cancelled this year.
COUNTY	4/14/2020	Board of Commissioners and County Administration purchases lunches for all staff working on-site as an essential worker during the week.
COURT	4/14/2020	Courts begin to livestream court hearings via Zoom on YouTube. Court website set up to direct the public to each court's livestream.
COURT	4/15/2020	Some staff begin taking home used laptops to help view the training materials.
COURT	4/16/2020	Hickory Buell (District Court Probation Officer) works with Information Services to develop online probation reporting forms.
COURT	4/16/2020	Hickory Buell works with Information Services to add the Collections request for a payment plan form online on the website.
SUPREME CT	4/16/2020	Administrative Order 2020-8 requires additional verification filed on every landlord tenant case indicating the property is exempt from the moratorium in the CARES Act that prevents any L/T case from being filed from 4/16 – 7/25/20 for non-payment of rent.
SUPREME CT/SCAO	4/23/2020	Administrative Order 2020-10 suspends all state jury trials until June 22, 2020 or later.
STATE	4/24/2020	EO 2020-59 requires cloth masks to be worn and employer is required to provide a mask to all employees working on-site. Masks shall be worn if employees are in shared work areas. County delivers two masks for disbursement to all staff.
COURT	5/4/2020	Court begins conducting non-emergency matters including arraignments (limited), pre-trials, motions, pleas, sentencings, probable cause conferences, informal hearings, small claims hearings and settlement conferences. We will conduct hearings five days per week, but limiting the number of cases in each time slot as they take longer with Zoom. Jury trials, bench trials, and in-person preliminary hearings and all civil hearings will continue to be suspended. All arraignments will begin by Zoom on 5/18/20. Court is still not allowed to enter default judgments or bench warrants for failure to appear under AO 2020-2. All proceedings will be live-streamed and the public will not have access to the District Court for in-person activity. Pro cons will be returned to the Circuit Court judicial officers. Bailiffs return to District Court. Staffing increased from 25% to 50% in the clerk's office and probation.
COUNTY	5/4/2020	Facilities visits all locations of District Court (and courtrooms) and begins planning for Plexiglass separators and shower curtains for social distancing. Glass partition separators ordered for walls between clerks.
COURT	5/6/2020	SCAO confirms not to issue default judgments (even on civil infractions) or bench warrants under AO 2020-2.

SUPREME CT/SCAO	5/6/2020	SCAO cancels 2020 performance measure visits and Public Satisfaction with Courts Surveys
COURT	5/6/2020	Created additional scheduling policies for the last two weeks of May going forward: all weddings cancelled, cancel walk-in arraignments except on domestic violence and cases with attorneys (until late June), reschedule bench trials until late July/or August, reschedule show cause hearings until August 2020, suspend landlord tenant hearings, move civil hearings (except small claims) to August, begin entering small claims cases after the stay at home order is lifted.
COURT	5/6/2020	Set up generic email for DC Probation districtcourtprobation@allegancounty.org and DC Jury districtcourtjury@allegancounty.org to supplement the existing email already available for District Court districtcourt@allegancounty.org
SUPREME CT/SCAO	5/6/2020	Administrative Order 2020-14 continued status quo court operations and required courts to file administrative orders when they were ready to expand in-person proceedings. Courts are required to go through a four-phased approach to expanding court operations in-person via approved Local Administrative Orders and gating criteria approved by the local Health Officer. Courts are unable to move into Phase I any sooner than May 29, 2020 as all orders restricting movement or requiring shelter in place must be lifted.
COURT	5/15/2020	Small claims cases begin again with certified mail service requests. Personal service cases will resume 5/29/20 once the stay at home order is lifted.
COUNTY	5/20/2020	Revised County COVID-19 screening form released – reporting in paper format.
COURT	5/29/2020	Return to Full Capacity Planning Committee established with all three Courts, the SCAO Region V Administrator, the Health Officer, Facilities, Information Services, County Administration and the Allegan County Sheriff's Department participating.
COURT	6/1/2020	In June, Court begins doing arraignments, bench trials, formal hearings and any other proceedings able to be done via Zoom. Plans put in place to continue doing Zoom proceedings through June and July and possibly going to some in-person proceedings in August. Fingerprints resume at the front door through Courthouse Security.
COURT	6/1/2020	Public Defender meets with every unrepresented probationer prior to their probation violation arraignment.
STATE	6/5/2020	Court was notified MDOC has stopped doing physical transports of prisoners for in-person court hearings unless the hearing is an emergency. Each emergency request is reviewed by MDOC legal department for approval.
COURT	6/8/2020	Civil summons' expiration dates were suspended on 3/24/2020. The number of days that were left on the summons on 3/24/2020 will be credited back to the case effective 6/12/2020 (80 days). Landlord tenant cases cannot be served until after June 11, 2020. Small Claims cases that request personal service can now be entered and issued.
COURT	6/8/2020	Jail begins arresting on all warrants in LEIN again.
COURT	6/9/2020	Local Administrative Order D57 2020-02J issued and approved moving us from <u>Pre-Phase I</u> into Phase I Return to Full Capacity approved and effective today.
COURT	6/11/2020	With over 200 arrest warrants waiting to be issued from the pandemic, the Court is piloting a process in collaboration with the Prosecutor's Office, Public Defender's Office and Allegan County Sheriff's Department to issue 25-30 cases with a summons instead of a warrant into LEIN under MCR 6.103. This process hopes to eliminate arresting people on crimes occurring during the pandemic and having them appear on their own using a summons. After evaluating the success of this program, the Court deemed it unsuccessful with about 25-30% showing up at Court. The remaining 200 warrants will be issued beginning June 30, 2020 with approximately 20-30 per day.
STATE	6/12/2020	Eviction moratorium extended from 6/11/20 through 6/30/20 for residential dwellings.

COUNTY	6/15/2020	Various forms added to the Court's website to facilitate the arraignments that started by Zoom on 6/1/2020, e.g. Advice of Rights (Misdemeanor and Felony) and Request for Court Appointed Attorney.
COURT	6/18/2020	Local Administrative Order D57 2020-03J moving us into Phase II Return to Full Capacity approved and effective today.
COURT	6/22/2020	Clerk's Office goes from 50% to 80% on-site while engaging in social distancing and mitigation efforts. District Court service windows continue to be closed to in-person service.
COURT	6/23/2020	All four probation officers have their desktops replaced with laptops to facilitate remote work.
SUPREME CT	6/24/2020	Supreme Court issues an amendment to AO 2020-17 which details the process and procedures for initiating new landlord tenant cases when the eviction moratorium is lifted.
STATE GOVERNOR	6/26/2020	Executive Order 2020-134 issued extending the temporary suspension of evictions until July 15, 2020 and creating the Eviction Diversion Program.
SUPREME CT/SCAO	6/26/2020	Supreme Court Administrative Order 2020-2 is rescinded. It required very strict guidelines on emergency and essential hearings. It also removed restrictions for the issuance of arrest warrants for crimes that "present a danger to public safety." Default judgments and bench warrants may now issue.
COURT	7/1/2020	Staff begin sending screening forms electronically by email to Linda Lenahan.
SCAO/COURT	7/1/2020	Local Administrative Order D57 2020-03J is rescinded and D57 2020-04J is issued to allow more than 10 people in the courtroom(s) as long as everyone is social distancing, utilizing mitigation tools and wearing masks in the courtroom.
COUNTY	7/1/2020	Randy Rapp and Lisa Letts from the Health Department tour all courtrooms with Facilities Management leadership to determine if any additional changes should be made to the courtrooms to move forward with in-person proceedings.
COURT	7/7/2020	In-person preliminary hearings begin. Zoom preliminary hearings had been conducted prior to this. Courtrooms are limited to one preliminary hearing at a time with limited presence in the courtroom. Other scheduled cases will wait out in the public hallway until their case is called.
COURT	7/7/2020	New Probable Cause worksheet released that can distinguish whether preliminary hearing will be in-person versus by Zoom.
COURT	7/8/2020	Court discontinues using the overflow days and times as we have reduced most of the heavy backlog. Court returns to their normal scheduling dates/times.
COUNTY	7/23/2020	The Courts view the Waitwhile App to see if it could help with jurors coming in for future jury trials (when we are able to have them).
COURT	7/23/2020	Clerks complete the entry of the backlog of new criminal complaints that were authorized during the Stay at Home Order when the Court was limited to only issue charges that were a danger to public safety.
COURT	7/27/2020	Public Access Terminals open to the public by appointment only.
COURT	7/31/2020	Court begins phasing in landlord tenant hearings under the new Supreme Court Administrative Order 2020-17. The oldest cases must be scheduled first, followed by the more recent cases. A pretrial will now be required to provide the parties with their rights to counsel, availability of emergency services from MDHHS or Housing Assessment and Resource Agency (HARA) which is CMH in Allegan County.

COURT	7/31/2020	Began working with the Eviction Diversion Group made up of representatives of MDHHS, CMH, Housing Non-Profits, Legal Aid of West Michigan and the District Court.
STATE	Aug/July	Governor issues Executive Order not allowing MDOC prisoners to be transported for in-person court hearings EO 2020-146. Zoom proceedings can move forward with the facility unless they are in a mandatory quarantine. This order was extended through September 2020.
SCAO/COURT	8/5/2020	Local Administrative Order D57 2020-05J moving us into Phase III Return to Full Capacity approved and effective today.
COURT	8/11/2020	District Court Probation purchases an Adobe business license for the District Court Probation Department to facilitate signing of probation orders and other documents.
COURT	8/13/2020	For safety reasons, all pretrial, probable cause and settlement forms are scanned and emailed from the Prosecutor to the court recorder in lieu of bringing them in person.
COURT	8/20/2020	Court begins searching for an alternate location for jury selection so we can allow for safety measures including six-foot social distancing between jurors. Griswold Auditorium is selected as the desired location. The City of Allegan agrees to allow the Courts to use the auditorium for free.
COUNTY	8/21/2020	County provides loaner laptops and remote access via Duo Mobile and the AC-Landing terminal server. Some limited MiFi's were distributed for those staff not able to have internet Wi-Fi services. This will allow more availability to the AS400 when working remotely from home.
COURT	8/28/2020	Court begins experiencing delays with U.S. mail delivery. Any notice to appear at a hearing scheduled for the following week will be mailed in pre-stamped envelopes and taken/dropped off at the post office that same day (not using the county mail service).
COURT	8/31/2020	Court reacts to unforeseen backlog in arraignments by adding 5 days to the calendar where the Judges will conduct arraignments the entire day to reduce that backlog.
COURT	8/31/2020	Court announces jury trials to resume in October 2020 unless COVID-19 rates spikes again.
SCAO/COURT	8/31/2020	Court sends request to Region V Administrator requesting approval of a modification to our landlord tenant process under AO 2020-17. We have successfully eliminated all backlogs of landlord tenant matters. This was approved and court has been released from compliance with the extra pre-trial hearing added in AO 2020-17.
COURT	9/2/2020	Court increases the number of hearings they are able to conduct in each timeslot as we become more comfortable with the Zoom proceedings.
COURT/COUNTY	9/1/2020	As the new jury year (9/1/20 – 8/31/21) approaches, the three courts will go from a two-step jury summons process to a one-step process. The two-step process involved sending questionnaires to all jurors, followed by the jury board qualifying jurors by statute, followed by the Courts sending out summons for jury trial dates. The one-step process eliminates the jury board – now each court sends out questionnaires and summons at the same time and qualifies their own jurors.
SCAO/COURT	9/8/20	Local Administrative Order D57 2020-07J approved allowing us to conduct court proceedings in an alternate court location (the Griswold Auditorium). The order expires 12/31/2020. This is in anticipation of an October 1, 2020 jury start up in District Court.

COURT	9/9/2020	Tenant declaration form shared with the court. This declaration must be used and filed with the landlord when a tenant falls under the CDC temporary halt on evictions through 12/31/20. Judges will not sign eviction orders unless they are sure the tenant can be evicted.
COURT	9/15/2020	To resolve the issue of receiving completed Requests for Court Appointed Attorney in a timely fashion after arraignment, court staff begin calling these defendants immediately after arraignment to appoint an attorney immediately. Waiting for the defendant to mail/email a completed form to the court was causing multiple adjournments down the road.
COURT	9/15/2020	Announced first jury trial planned for October 6, 2020 where jury selection will be conducted at the Griswold Auditorium. Court purchased laptop and camera to run a Zoom session from the Griswold into the BIS hosted session in the courtrooms.
SCAO	9/23/2020	State Court Administrator requires a new local administrative order be issued that complies with metrics to conduct jury trials in addition to the existing metrics for Phase I, II and III operations.
COURT	10/1/2020	Public service windows (Traffic/Criminal, Civil, Probation and Collections) are back open for in-person service. Court strongly encourages patrons to continue to use email, U.S. mail, cash box, telephone, website, fax, etc. to conduct their business.
SUPREME CT	10/2/2020	Michigan Supreme Court held that "the executive orders issued by the Governor in response to the COVID-19 pandemic lack any basis under Michigan law."
SCAO/COURT	10/5/2020	SCAO approves Local Administrative Order D57 2020-08J which established parameters for in-person jury trial proceedings.
COURT	10/5/2020	First positive COVID-19 test result in the Allegan Courthouse.
COURT	10/6/2020	Court begins forfeiting cash bonds that have been on hold for six months. Show cause hearings resume with bail bond companies.
STATE	10/9/2020	New MDHSS Order(s) issued to replace the Governor's Orders on COVID-19.
COURT	10/13/2020	Probation staff returns to the office 60% onsite (3 days working onsite and 2 days remote).
COURT	10/13/2020	District Court Clerk's office receives the help of a temporary worker two days a week due to increases in work load due to COVID-19 and staffing shortages due to COVID FMLA leave. This expense is reimbursed to the County under the Byrne JAG Coronavirus Emergency Supplemental Funding grant.
COURT/COUNTY	10/14/2020	Notification of a positive COVID-19 litigant in one of the District Courtrooms. County Initiated procedures for notification of close contacts.
COURT	10/14/2020	Clerk's Office limits any county staffing/law enforcement from entry into their area except for emergency.
COURT	10/20/2020	Court suspends annual physical inventory of open case files/tickets.
SUPREME CT	10/22/2020	The Michigan Supreme Court issued amendments to AO 2020-17 resuming landlord tenant pretrial hearings; non-payment of rent cases may be filed and proceed to entry of judgment, however, evictions are halted until 12/31/2020. A plaintiff must now file a verification form indicating whether the tenant has filed a declaration order that they fall within the CDC's order protections.
COURT	10/27/2020	Court suspends jury trials this week due to increasing positivity rate. From 10/1/20 – 10/27/20, court never conducted a jury trial as most matters were resolved without the need for jury trial.

SCAO/COURT	10/28/2020	Courts return to Phase II under Local Administrative Order D57 2020-09J due to over 14 days of increasing positivity rate.
COURT	10/29/2020	Due to increasing positivity rates and cases, the District Court suspends jury trials until January 1, 2021.
COURT	11/2/2020	Clerk's Office staff return to 100% onsite work.
COUNTY	11/2/2020	Allegan County jail limits the types of cases they will lodge on due to increase in positivity rates in the County.
COURT	11/16/2020	In-person preliminary hearings on felonies suspended until January 5, 2021 due to rising COVID-19 positivity rates.
COURT	11/16/2020	Court staffing onsite returns to 50% in the Clerk's Office and Probation. The Judicial staff will work onsite daily and leave once the courtroom calendar is finished.
COURT	11/16/2020	Information Services rolls out new laptops for all the staff of the District Court and District Court Probation who did not have a laptop previously. Over 18 laptops were purchased using Byrne JAG Coronavirus Emergency Supplemental Funding grant. These laptops allow us to use CISCO Jabber answering phone calls remotely as well as more flexibility moving staff from workstation to another location.
SCAO/COURT	11/20/2020	Deteriorating conditions and rising positivity rates (over 15%) cause courts to Return to Phase I under Local Administrative Order D57 2020-10J .
COURT	11/24/2020	Court begins receiving e-tickets from the Allegan County Sheriff's department with 2 or 3 test officers.
COURT	12/1/2020	Renee Stack resigns from District Court Clerk's Office moving to the Public Defender's Office.
COURT	12/1/2020	Court suspends show cause hearings for failure to pay until conditions improve except on problematic cases. Magistrate begins issuing informal hearing and small claims judgments directly from JIS case management system in the courtroom.
COURT	12/7/2020	Court continues suspension of jury trials through January 31, 2021.
COURT	12/8/2020	Notification of COVID-19 positive employee in the Courthouse. District Court closes public service windows through December 18, 2020 and limits operations to essential hearings only. Staff begin working remotely from their home with the exception of about five who work 3-4 hours each day onsite.
COURT	12/21/2020	Public Service windows re-open and staff return to 50% capacity in the offices. The last two weeks of each year, the Court schedules less hearings due to the holidays.
COURT	12/28/2020	Local Administrative Order D57 2020-12J issued and approved allows Allegan Courts to move back into Phase II of Operations. District Court jury trials are suspended through February 28, 2021.
SCAO/COURT	12/30/2020	Supreme Court Administrative Order 2020-17 is updated to reflect recent federal action to extend the CDC moratorium on evictions. The order has also been revised to require each chief district court judge to hold a meeting with local stakeholders to assess the efficacy of the procedures in the order.
COURT	1/4/2021	Clerk's Office returns to 100% onsite staffing levels. Now that staff have laptops, they are sitting further than six feet apart; many are sitting in conference rooms, jury assembly room and in the judicial wing office areas.
COURT	1/5/2021	In-person preliminary hearings on felonies resume.

COURT	1/15/2021	Heather Bausick resigns from District Court to join the County Parks and Recreation Department.
COURT	1/4/2021	A few staff flew on an airplane over the holidays. To isolate them from other staff, we had them work remotely for a couple weeks.
COURT	Jan. & Feb.	Half of the District Court staff are given COVID-19 vaccines. The other half of the staff declined the vaccine at this time.
COURT	1/8/2021	Jury Trials suspended until April 13, 2021.
COURT	1/29/2021	Emily Schwartz resigns from District Court Probation Department.
SUPREME CT/SCAO	2/3/2021	AO 2020-17 processing for landlord tenant cases extended through 3/31/2021. The CDC eviction moratorium was extended through 3/31/21.
STATE/SCAO	2/12/2021	A lawsuit and settlement filed against the Secretary of State in 2020 required new language be added to the uniform traffic ticket and all court late notices to remind the defendant to contact the court for payment alternatives if they have a financial hardship.
COUNTY	2/19/2021	Jail captain announces the jail is open to lodging on all warrants again.
STATE/SCAO	2/19/2021	<i>MICHIGAN JOINT TASK FORCE ON JAIL AND PRETRIAL INCARCERATION LEGISLATIVE ANALYSIS</i> released to Courts. This package includes widespread changes to process in the Michigan District Courts in 2021.
STATE/SCAO	2/19/2021	<i>Clean Slate Legislative Changes and Analysis released to the courts.</i> These changes will cause additional challenges in the District Court.
SCAO/COURT	2/24/2021	Two local administrative orders approved and issued: 1) D57 2021-02J Plan to Return to Full Capacity Phase III Forward and 2) D57 2021-03J Establish Parameters for conducting in-person jury proceedings during the COVID-19 Pandemic. With these orders, all Allegan Courts now have permission to proceed with jury trials.
COURT	3/12/2021	Fennville Police Department begin issuing e-tickets.