

# 2020 ANNUAL REPORT



# ALLEGAN COUNTY PROBATE COURT



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

## **Mission Statement**

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

## **Goals**

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

## **Probate Court Authority**

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

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

## Probate Staff

### Honorable Judge Michael Buck



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

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

## Probate Staff



**Jonathan K. Blair**  
Probate Administrator



**Jennifer Callaway**  
Deputy Probate Register



**Jennifer White**  
Deputy Probate Register

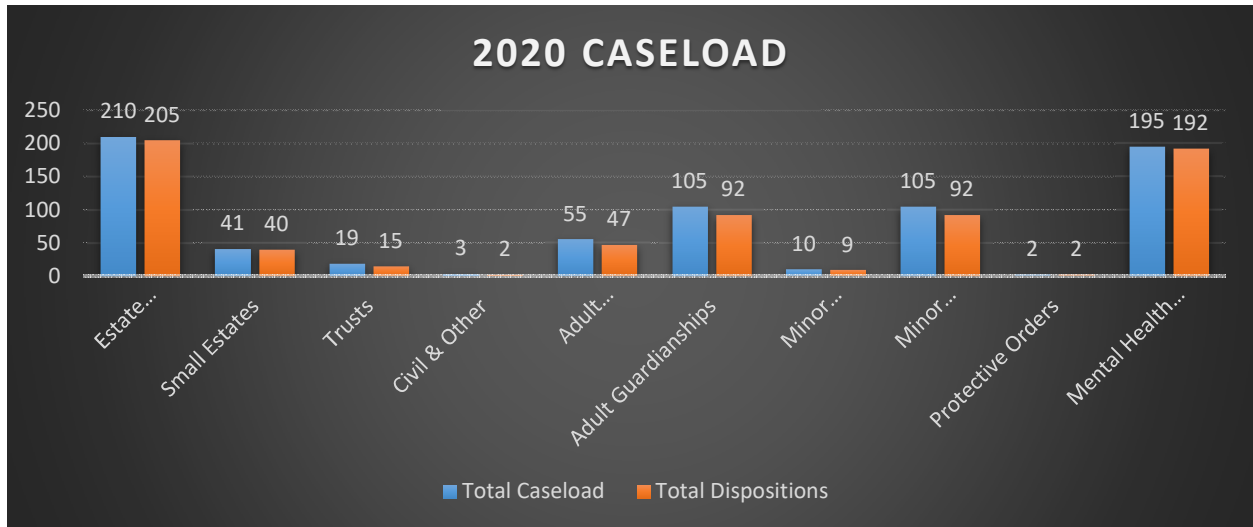
**And Welcome -- Alicia Blik, Judicial Secretary to Hon. Michael L. Buck**



Alicia joined the office in summer of 2020. She replaced Amy Cornell who took a position with the Youth Home. Alicia has been a wonderful addition to Probate Court and we are sincerely grateful to have her.

Alicia was recently married on June 4<sup>th</sup>, splitting her new husband's birthday of June 3<sup>rd</sup> and Alicia's of June 5<sup>th</sup>. Alicia has a wonderful new family with four step-children

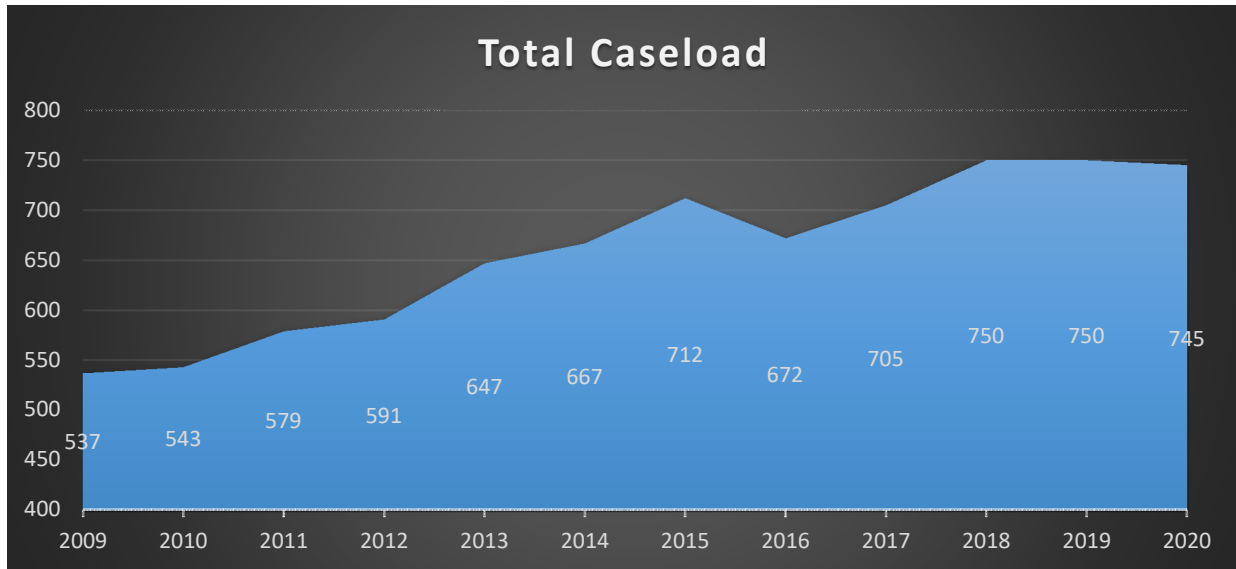
## Probate Court Caseload



In 2020 the Probate Court handled a total of 745 new filings. This has remained consistent as 2019 there were a total of 750 new and pending cases handled by the Probate Court, and 750 in 2018. The majority of these were comprised of decedents' estates (210, up from 181 in 2019), mental health proceedings (195), adult guardianships (105) and minor guardianships (105). Overall, the pandemic had only a minor effect on filings.

The orange represents the total dispositions, or resolutions for cases. The Probate Court disposition rate exceeds the SCAO recommended standards and is above average for the State.

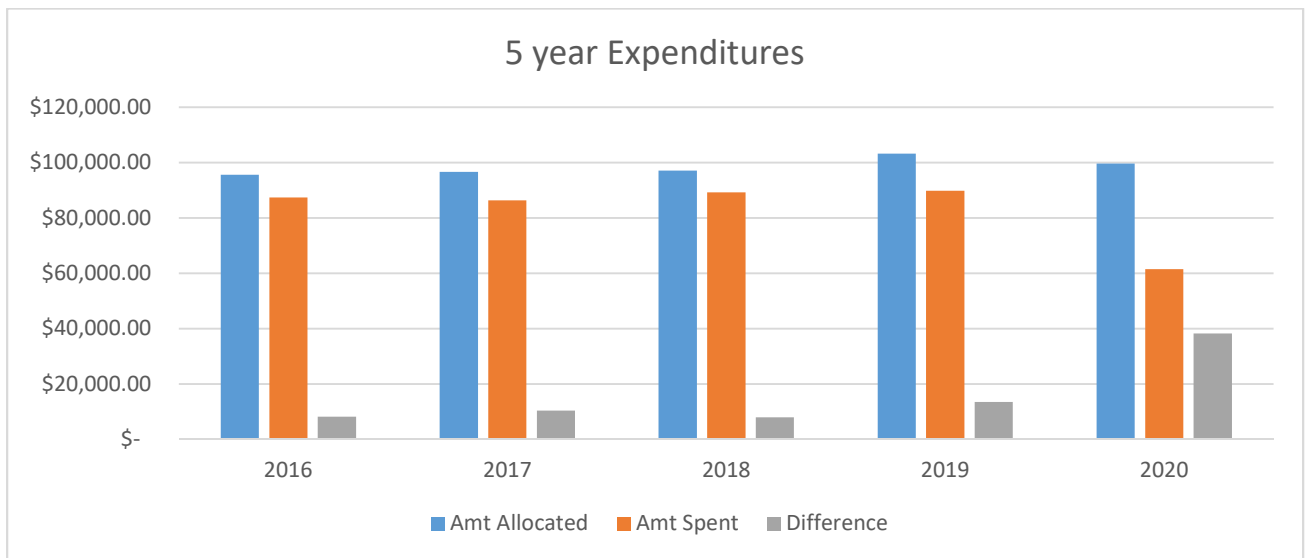
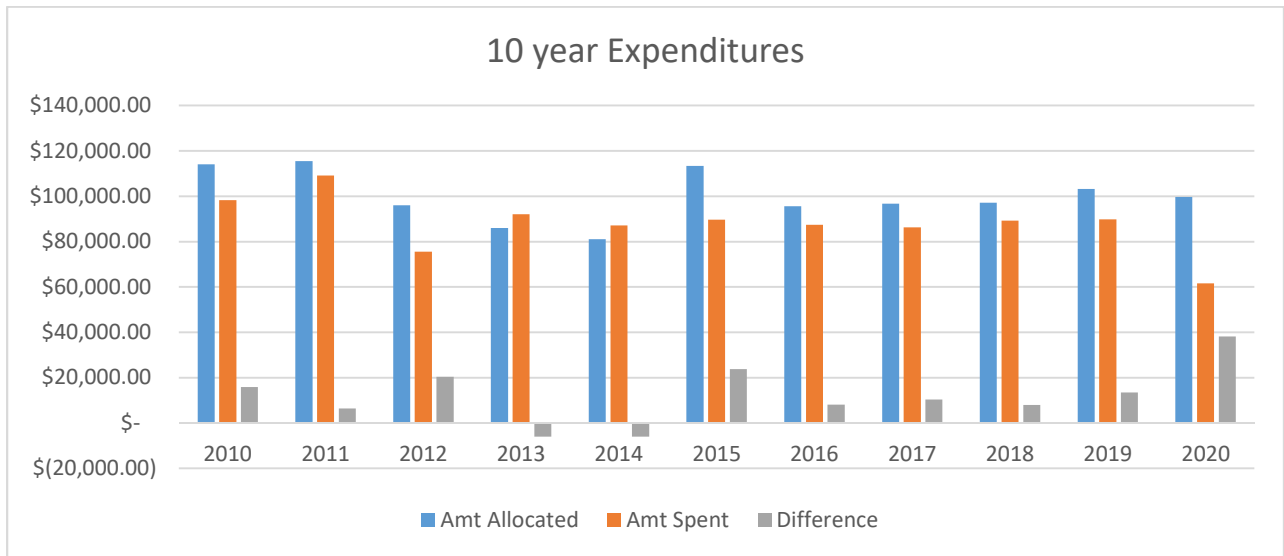
## Caseload Trends



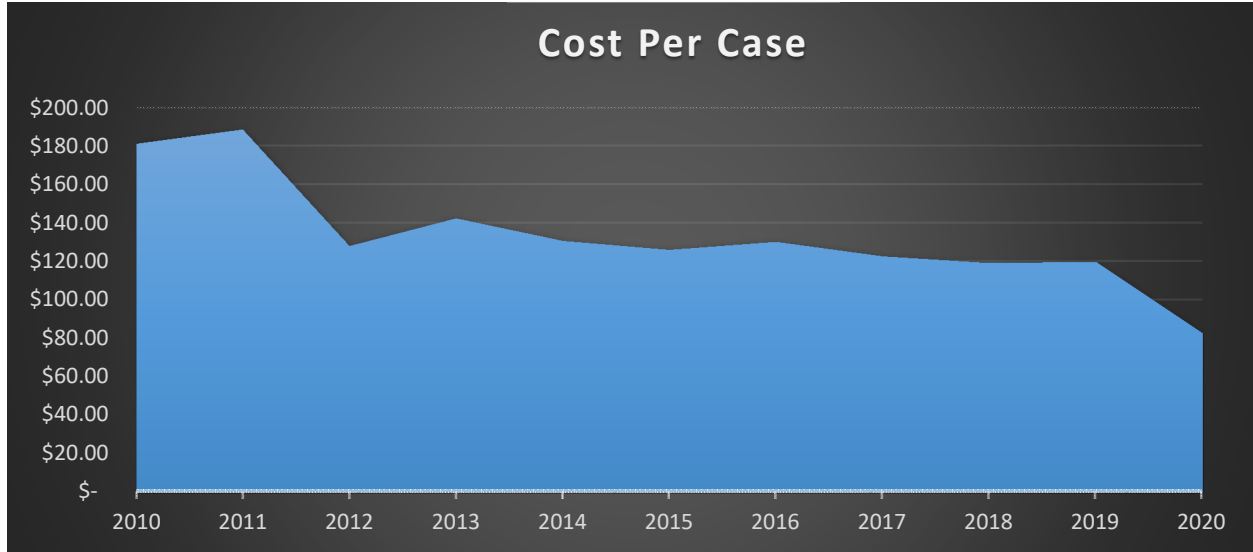
2020 saw a very minor reduction in cases. 2018 and 2019 had the same case load numbers. In prior years the caseload had been consistently rising (notwithstanding the decreases in overall caseload in 2009 and 2016). There were 578 new and pending cases handled by the Court in 2008 and 750 in 2018 and 2019, which represents a 30% increase in overall caseload. Most notably, since 2015 Deceased Estates have increased from 186 to 210, a 13% increase, Guardianships have increased 21%, and Minor Guardianship have increased 28% during the same time. These number will continue to increase as Allegan County population increases and ages.

# Expenditures

Below are charts showing the allocated operational budget for the Probate Court, actual expenditures, revenues budgeted, and the actual revenues collected from 2010 to 2020. Since 2010, the Court has been allocated an average operational budget of \$99,875.36. During that same period, the Court spent an average of \$87,841.18 per year.



## Cost Per Case



The 2020 cost per case saw a marked decrease from \$119.74 in 2019 to \$82 in 2020. This is a result of reduced operations during the pandemic. These costs are returning or already have returned and the 2019 amount of \$119.74 is a more accurate depiction of the cost per case.

## Attorney and GAL Fees



Attorney Fees continue to be the single largest expenditure for the Court. In 2010 the Court expended \$14,068 on Attorneys and GAL fees. In 2019 that cost was \$25,154

– a 79% increase. However, 2020's stats were lower, however this is a result of fewer in person hearings due to the pandemic. GALs were unable to make in person visits. The services provided by the GALs and attorneys are invaluable to the Court and public. The

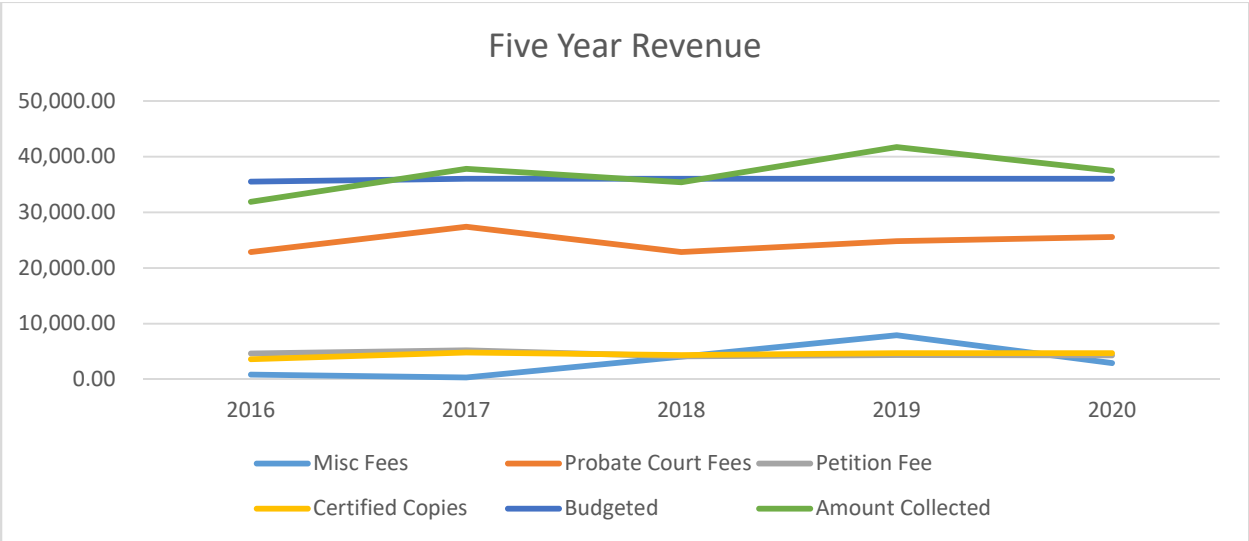
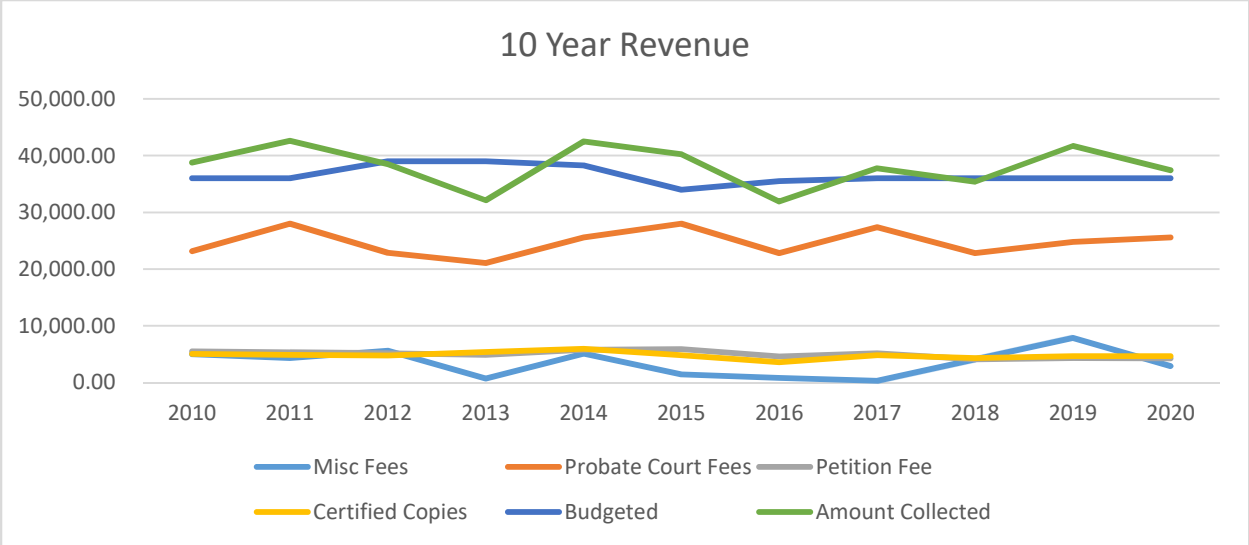


Court relies on the hard work from these individuals to provide necessary services. While the overall cost is high, the amount paid to individuals is relatively low. Our current fee structure is actually one of the lowest in the area. This makes finding replacement attorneys difficult and continues to put a strain on current providers.

## Revenues

Although most of the Probate Court's revenues are dependent on filing fees and requests for copies, during the past five years the Court has collected an average of \$38,087 per year, and exceeded the average amount it has budgeted for revenue collection over the past 10 years.

<b>PROBATE REVENUES</b>						
<b>Year</b>	<b>Misc Fees</b>	<b>Probate Court Fees</b>	<b>Petition Fee</b>	<b>Certified Copies</b>	<b>Budgeted</b>	<b>Amount Collected</b>
2010	5,024.07	23,163.37	5,500.00	5,083.00	36,000.00	38,770.44
2011	4,335.29	27,996.60	5,357.40	4,924.00	36,000.00	42,613.29
2012	5,657.72	22,858.40	5,198.80	4,760.40	39,000.00	38,475.32
2013	708.52	21,061.18	4,916.04	5,419.60	39,000.00	32,105.34
2014	5,131.04	25,608.96	5,800.99	5,985.38	38,250.00	42,526.37
2015	1,438.00	28,021.11	5,910.60	4,864.35	34,000.00	40,234.06
2016	811.45	22,853.84	4,638.22	3,587.00	35,500.00	31,890.51
2017	338.18	27,412.05	5,195.45	4,833.75	36,000.00	37,779.43
2018	4,085.49	22,832.18	4,122.00	4,351.00	36,000.00	35,390.67
2019	7,893.42	24,805.65	4,358.20	4,670.50	36,000.00	41,727.77
2020	2,929.30	25,573.68	4,284.24	4,663.00	36,000.00	37,450.22
<b>Average</b>	<b>3,486.59</b>	<b>24,744.27</b>	<b>5,025.63</b>	<b>4,831.09</b>	<b>36,522.73</b>	<b>38,087.58</b>



## Attorney Fee Recovery for Mental Health Proceedings

Last year the Court began utilizing a free online accounting tool geared toward small businesses called **Wave**. This website has assisted the Court in generating and tracking invoices for reimbursement of the attorney fees it pays in connection with mental health proceedings. Like most things the Pandemic decreased collections, but overall this recovery system has been beneficial for the Court.

## **Court's professional guardian reimbursement program**

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

## **Probate and the Pandemic**

During the Pandemic Probate Court was able to remain open and provide all services to the public. The Court's continued operation is due to the dedication and work ethic of its staff. Staff has rotated at-home work with necessary in-office work while limiting exposure to other staff and the public. Judge Buck and Alicia were in the building daily, while remaining staff rotated or worked from home depending on need. The pandemic was not easy for anyone, but thankfully services remained available and overall matters ran smoothly.

## 2018 Public Satisfaction Survey

***The court's 2020 survey was cancelled due to Covid concerns. Below are excerpts from the last survey.***

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



In the Court's last survey, 100% of court users agreed or strongly agreed that they were treated with courtesy and respect by court staff. Court users also overwhelmingly indicated that they

were able to get their business done in a reasonable amount of time and that their cases were handled fairly.

Below are a sample of comments the Court received from members of the public in the 2018 public satisfaction survey:

***“Very fast and efficient.”***

– Family/friend of party to case

***“Work well with Probate Judge & staff.”***

– Agency Worker

***“Fast and friendly.”***

– Personal Representative of an Estate

The results of the survey, notes from the public and other feedback indicate that the Probate Court continues to maintain high levels of public satisfaction. The Court had planned to administer another public satisfaction survey in 2020 the effects of the COVID-19 Pandemic have put these plans on hold.

## Current Information and Key Contacts

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