

57th District Court - Allegan County State of Michigan

113 Chestnut Street, Allegan County Building, Allegan, MI 49010 Contact us: phone - (269) 673-0400 • fax - (269) 673-0490 • email - district court@allegan.county.org



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-Edson, 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, ACSD

57th District Court 2019 ANNUAL REPORT

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A Message from the Chief Judge

The year 2019 started out in an unprecedented way for the court! Court staff were sent home at noon on January 28 and the court was then totally closed on January 29, 30, and 31 as the County closed all buildings due to the snow and the extreme low temperatures of the "polar vortex" that was over Michigan. During the days the court was closed, vital functions such as the issuance of arrest and search warrants and the setting of bail was done by the on-call judge from his home utilizing telephone, fax, and e-mail contact with local police agencies and the Allegan County jail.

Once things warmed up and everything was back to normal, a lot of changes came to the court in 2019, mainly having to do with new technology. All of our court dockets are now on the Allegan County website in an easy to use fashion.



Joseph S. Skocelas Chief District Court Judge

In addition, beginning in 2019, parties now have the option to also sign up for court Text Messaging Alerts to remind them of their next court dates or payment plan due dates. In the fall of 2019, ZOOM conference calling technology was also implemented in all courtrooms utilizing existing polycom monitors provided by the Michigan Supreme Court. The Allegan County Commissioners also approved the purchase and implementation of e-tickets in 2020 for the Allegan County Sheriff's Department. This has been in place for some time for the Michigan State Police and allows direct, electronic filing of traffic tickets by road patrol officers.

The last major change in 2019 was the implementation of a Public Defender system for Allegan County. We are now part of a multi-county Public Defender Office with Van Buren County which provides criminal defense attorneys for citizens who cannot afford one for all felony and misdemeanor cases. They are now present for all court proceedings including the first court appearance at arraignment, both in court or from the jail on our polycom video conferencing system.

Many more changes are coming in the very near future from the state level to make courts more accessible and user and technology friendly, with less expense to the public. The staff here at the 57th District Court will continue to implement those changes to provide the best possible services to you, the citizens of Allegan County.

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 \$6,000. 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-Edson,
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 videoconferencing and/or video telephones between the jail and the courtrooms/conference rooms.

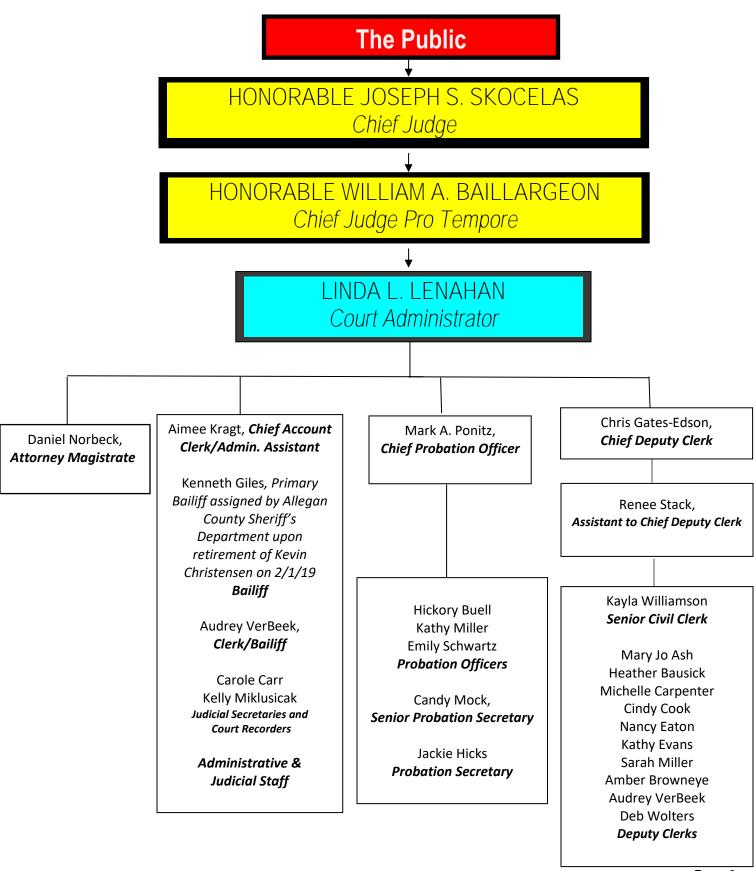
The District Court Administrator is appointed by the Chief Judge, and together they create an executive leadership team necessary to manage the operation of the District Court. The District Court Administrator oversees all aspects of Court operations and administration including, but not limited to,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

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 and 2014 for full 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 full 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.

KEVIN M. CHRISTENSEN, Bailiff/Magistrate for the 57th District Court, provides assistance and ensures the safety of all courtroom participants in District Court. Kevin had been with the District Court since June 4, 2007. Kevin retired with the District Court on February 1, 2019. Kevin's position was replaced with bailiffs provided by the Allegan County Sheriffs Department (Courthouse Security). The primary bailiff assigned 3 days a week is Kenneth Giles.

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.

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.

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-EDSON, 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.

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.

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.

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.

JURISDICTION

DIVISIONS	JURISDICTION	FACTS TO KNOW
CIVIL	 Civil suits up to \$25,000 Small claim suits up to \$6,000 Landlord tenant disputes, garnishments, and land contract summary proceedings 	 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	 Michigan statute violations City/village/township ordinances 	 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	 Michigan statute violations City/village/township ordinances 	 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

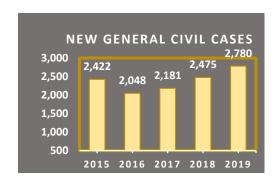
NEW CASES FILED

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.

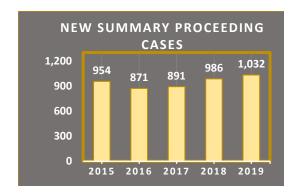
The bar chart reflects the five-year trend in general civil filings. Case filings over the five-year trend increased 358 cases from 2015 to 2019. New case filings increased 305 cases from 2018 to 2019.



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 increased 78 cases from 2015 to 2019. New case filings increased 46 cases from 2018 to 2019.



The *Small Claims Division* processes cases with recoverable maximum monies up to \$6,000.00. 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 158 cases from 2015 to 2019. New case filings increased 127 cases from 2018 to 2019.



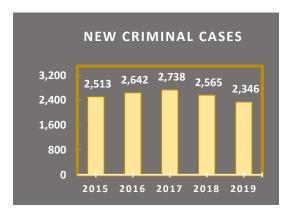
NEW CASES FILED

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 2019, twenty (20) felony pleas were accepted by District Court Judges.

In 2019, the criminal division processed 2,346 new case filings. The Court conducted felony preliminary exam hearings and waiver hearings and bound over 1,009 cases to the Circuit Court. This number includes traffic division bind overs, as well. The criminal division disposed of 3,666 cases.



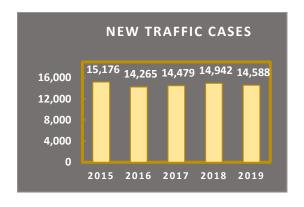
The bar chart reflects the five-year trend in criminal division filings. Case filings over the five-year trend decreased by 167 cases from 2015 to 2019. New case filings decreased 219 cases from 2018 to 2019.

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 2019, the traffic division accepted 14,588 new case filings. The traffic division disposed of 15,719 cases through various dispositions, i.e., guilty plea, admission of responsibility, default, dismissal, warrant, and trial/hearing verdict. In 2019, the Judges disposed of 12 cases by jury verdict and 289 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 588 cases from 2015 to 2019. New case filings decreased 354 cases from 2018 to 2019.



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.

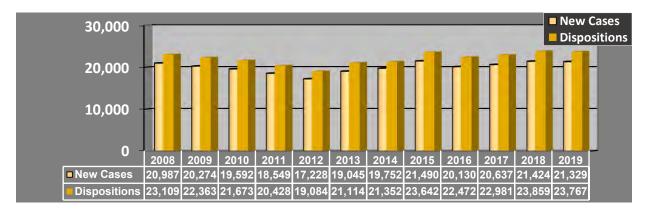
In 2002, the State Court Administrative Office significantly changed the methodology of counting cases in the District Court. The Court went from tracking 16 different case type classifications to 21 different classifications.

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 <u>one</u> Complaint and Warrant and the Court counts that as <u>one</u> 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	14,588
Criminal cases filed	2,346
Civil cases filed	<u>4,395</u>
Total new cases filed	21,329

A comparison of total new case filings and dispositions from 2008 through 2019 are reflected in the graph below. The twelve-year bar graph reflects that the Court experienced a increase of 342 new cases filings from 2008 through 2019. The one-year trend reflects that the Court experienced a decrease of 95 new case filings from 2018 to 2019.



STATISTICAL ANALYSIS





Total dispositions for all divisions from 2009 through 2019 are reflected

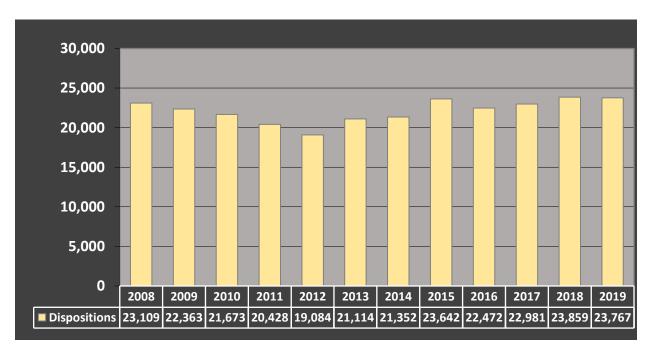
TOTAL DISPOSITIONS

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

Total dispositions	<u>4,382</u> 23,767
Criminal cases Civil cases	3,666 4,382
Criminal cases	2 666
Traffic cases	15,719

in the graph below. The twelve-year bar graph reflects that the Court experienced an increase of 658 case dispositions from 2008 through 2019. The one-year trend reflects that the Court experienced a decrease of 92 case dispositions from 2018 to 2019.



STATISTICAL ANALYSIS



TOTAL RE-OPENED CASES

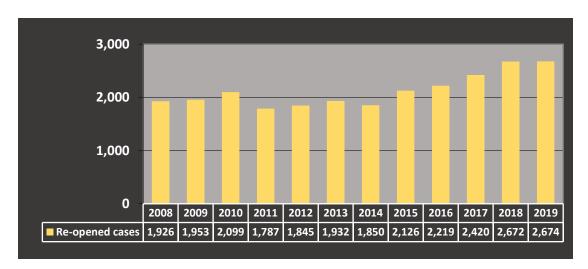
Cases are counted as re-opened when a defendant is arrested and arraigned on a warrant, a new trial is ordered by an appellate court, or a plea or judgment is set aside. The Court uploads these numbers to the State Court Administrative Office's web site. The number of re-opened cases was not tracked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



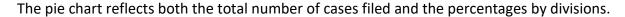
TOTAL RE-OPENED CASES FILED

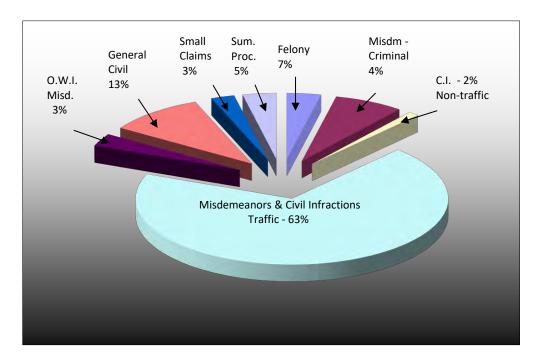
Traffic cases re-opened	1,254
Criminal cases re-opened	1,373
Civil cases filed re-opened	47
Total cases re-opened	2,674

Total re-opened cases for all divisions from 2008 through 2019 are reflected in the graph below. The twelve-year bar graph reflects that the Court experienced an increase of 748 re-opened cases from 2008 through 2019. The one-year trend reflects that the Court experienced an increase of 2 cases from 2018 to 2019.



CASELOAD MIX



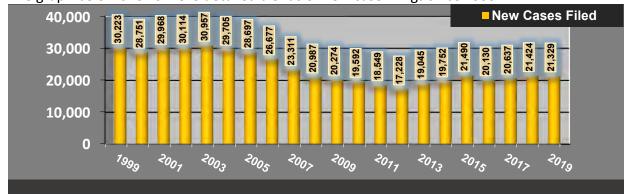


Clearance RateRatio of Dispositions to New Case Filing

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

New Case Filings and Reopened Cases	24,003
Dispositions	23,767
Ratio	99%

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 2018 comparing the 57th District Court to the Statewide District Court Average.

CASE AGE TRENDS – PERCENTAGE DISPOSED

Felonies – Disposed within 28 Days

Statewide Court Average 57th District Court

2012	2013	2014	2015	2016	2017	2018
75%	76%	77%	76%	74%	72%	70%
72%	76%	77%	85%	85%	82%	84%

Misdemeanors - Disposed within 126 Days

Statewide Court Average 57th District Court

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
96%	95%	95%	95%	96%	96%	97%	97%	97%	96%	96%
99%	98%	99%	99%	99%	100%	100%	100%	100%	99%	99%

Civil Infractions - Disposed within 84 Days

Statewide Court Average 57th District Court

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
96%	95%	95%	95%	96%	96%	97%	97%	97%	98%	98%
99%	98%	99%	99%	99%	100%	100%	100%	100%	100%	99%

General Civil – Disposed within 455 Days

Statewide Court Average 57th District Court

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
97%	97%	98%	98%	99%	99%	98%	99%	99%	99%	99%
100%	100%	99%	100%	100%	100%	100%	100%	100%	100%	100%

Summary Civil without Jury Demand – Disposed within 126 Days

Statewide Court Average 57th District Court

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
94%	93%	94%	94%	95%	95%	95%	95%	95%	96%	96%
97%	97%	97%	98%	97%	96%	98%	96%	97%	97%	96%

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 2019 was 631. The total number of probationers being supervised by the Probation Officers for the period ending December 31, 2019 was 706 including diversion programs.

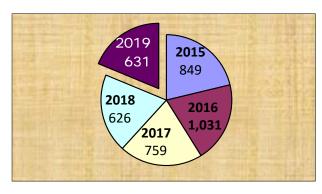
The difference between the total number placed on probation (631) and supervised (706) reflects the number of probationers who completed their terms and conditions of probation and were released. The time span of probation can generally range from a minimum of 30 days to a maximum of two years. Consequently, 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	22	30	22	30	33	26	32	27	30	29	21	28	330
BAILLARGEON	20	26	31	17	31	26	36	15	28	33	14	24	301
NORBECK	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	42	56	53	47	64	52	68	42	58	62	35	52	631

The pie chart reflects the total number of cases or individuals that were placed on probation from 2015 through 2019. For the period of 2015 through 2019, the caseload decreased 218 cases. Caseload increased by 5 cases between 2018 and 2019.



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	9	12	17	11	18	7	24	13	13	19	9	18	170
Intoxicated													
Operate while	2	1	3	2	2	4	1	1	3	0	0	1	20
Intoxicated – 2 nd													
Impaired Driving	15	27	18	20	25	19	34	19	26	25	16	21	265
Assault & Battery	3	1	1	0	1	2	0	3	0	2	1	1	15
Domestic Violence	6	8	7	0	5	7	2	1	8	3	5	5	57
Larceny	0	0	1	0	0	0	1	0	1	0	0	0	3
Malicious	0	0	1	0	1	1	0	0	0	1	1	0	5
Destruction of													
Property													
Drug Offenses	1	0	1	3	1	1	0	1	3	2	0	0	13
Stalking	0	1	0	1	0	1	2	0	0	1	1	0	7
CSC – Attempted 4 th	0	0	0	0	0	0	0	0	0	0	0	0	0
Degree/													
Accosting													
All Other Charges	6	6	4	10	11	10	4	4	4	9	2	6	76
TOTAL	42	56	53	47	64	52	68	42	58	62	35	52	631

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.

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).

730.01(2), (3) 01 (2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
	-			-	-	-				-		-	-	-	-
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
New DV <u>charges</u> filed	393	404	423	446	489	473	500	505	462	432	387	513	486	445	433
DV <u>charges</u> adjudicated	395	429	427	472	485	467	508	475	541	489	446	558	593	573	517
Pled under program	115	88	112	124	135	128	140	148	156	105	128	117	147	120	120
Successfully completing program	102	77	68	74	80	108	106	108	109	121	87	110	87	120	80
Not completing program	31	32	24	40	46	52	39	26	30	24	32	11	28	37	30
Pled guilty to DV but not under program	122	116	128	133	132	101	111	84	78	114	119	129	123	116	96
Dismissed or nolle prosequi	97	114	94	96	102	97	41	90	141	116	96	110	122	149	135
Bound over to Circuit Court	20	29	32	28	35	24	12	12	27	24	34	41	68	41	56
Reduced DV III to miscellaneous charges	1	1	3	3	2	5	3	5	0	1	0	0	0	0	0
Reduced from DV III to DV II	8	0	3	4	8	17	7	14	13	19	10	31	8	10	7
Reduced from DV II to DV I	14	17	11	6	7	38	19	20	17	28	21	24	28	20	11
DV-Aggravated to DV Program	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Reduced from DV to Disorderly	26	17	15	12	40	38	7	19	15	36	36	39	30	26	20
Reduced from DV to Assault & Battery	6	14	22	23	15	8	3	15	9	19	17	27	19	24	29
Reduced to misc. charges not included above	4	4	8	4	1	8	3	1	0	0	4	0	1	0	0
Guilty as charged after bench trial	1	0	1	6	0	0	0	0	1	0	0	2	1	0	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	1	0	1	0	1	0	1	0	0	0	1	5	0
Not guilty after bench trial	3	1	0	3	2	0	0	0	0	0	0	1	1	0	0
Not guilty after jury trial	2	3	3	3	5	4	2	0	2	2	1	0	4	2	2
Mental Health Court	-	-	-	-	-	6	5	4	5	3	6	2	7	10	9
Recharged after successful completion of the program	15	8	16	9	12	13	15	7	16	16	23	36	18	19	18*

^{*}Of the 18 new domestic violence charges filed on defendants who successfully completed the program in the past, seven (7) pled guilty to the new DV charges, four (4) were dismissed by the Prosecutor, three (3) were bound over to Circuit Court, two (2) pled guilty to assault and battery, one (1) pled guilty to disturbing the peace and one (1) is still pending.

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 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	1	0	0	0	0	0	0	0	0	1
BAILLARGEON	0	1	0	0	0	0	0	2	1	0	0	0	4
TOTAL	0	1	0	1	0	0	0	2	1	0	0	0	5

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 offense of Minor in Possession of Alcohol as allowed by statute, however, the number of participants has dropped to zero in 2019. In 2019, thirty-two (32) civil infraction MIP tickets were filed with the Court.

2019	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

ALCOHOL ASSESSMENTS

On April 15, 1996, the Probation Officers began conducting alcohol assessments. A total of 398 assessments were completed during 2019. The assessment fee is \$90.00. The assessments will generate total revenues of \$35,820.00. Revenues collected for 2019 were \$38,108.34.

2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
TOTAL	24	38	33	29	37	28	47	28	33	42	22	37	398

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 2019 were \$217,629.27.

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 2019, 120 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.

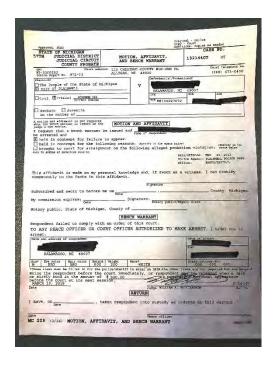
Judge	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
SKOCELAS	3	6	6	1	2	3	5	5	5	3	3	5	47
BAILLARGEON	2	8	8	2	3	5	7	1	5	4	2	6	53
TOTAL	5	14	14	3	5	8	12	6	10	7	5	11	100

LEIN ENTRIES

The District Court implemented LEIN warrant entry in late June 2002. Since its implementation, the Clerk's Office has entered approximately 57,032 new warrants and cancelled another 46,738 warrants. In 2019 alone 4,072 warrants were entered and 4,163 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, 2019, the Court has entered 57,726 criminal history transactions (3,636 in 2019). 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 ACSD 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, 427 defendants have been referred to the program. Of those 427, 244 were rejected and 183 were accepted into the program. Of the 183 who were accepted, 111 have successfully graduated, and 19 are currently in the program – nine (9) in Phase I and ten (10) in Phase II. Fifty-four (54) were discharged unsuccessfully from the program after acceptance – 46 for cause and 8 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.

WEST MICHIGAN REGIONAL VETERANS' TREATMENT COURT

The West Michigan Regional Veterans' Treatment Court began operation on February 7, 2014, and is 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 11 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 27 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 agent, Troy McCabe who performs the remote supervision and oversees substance abuse testing.

As required by statute, this court achieved certification in 2019 from the State Court Administrative Office.

WEST MICHIGAN REGIONAL VETERANS' TREATMENT COURT

Fourteenth Graduation Ceremony – June 10, 2019

On June 10th, 2019, the West Michigan Regional Veterans' Treatment Court celebrated its 14th graduation honoring two veterans who completed the rigorous 18 month program. Ottawa District Court Judge Craig Bunce joined with Michigan Supreme Court Chief Justice Bridget McCormack to preside over the special graduation ceremony held in the court rooms of the 58th District Court in Holland Michigan. Chief Justice McCormack spoke about all specialty courts before assisting with this graduation.



Left to right, first row: Judge Margaret Zurich-Bakker, Chief Allegan Circuit Court Judge; Hector Vargas, participant; Christopher Schoonhoven, participant; Andrew Sager, participant; State Representative Mary Whiteford, 80th District; Ken Johnson, program alumni; **Left to right, second row:** Judge William A. Baillargeon, West Michigan Regional Veterans' Treatment Court Judge;

Fifteenth Graduation Ceremony – August 30, 2019

On August 30, 2019, U.S. Congressman Fred Upton joined us for our 15th Graduation, presided over by Judge Margaret Bakker. Two more veterans graduated on that date.

Judge William Baillargeon presides over this court that demands rigorous honesty, community service, random drug and alcohol testing as well as full compliance with care plan set out and provided by VA medical professionals.

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 thirty (30) current participants both male and female. To date, we have graduated ten (35) participants and helped thirty-two (49) 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 57th District and 48th Circuit Court Probation Department. Chief Probation Officer Mark Ponitz assumes the probation supervision of participants.

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, twelve (12) in 2018, and nine (9) in 2019, totaling seventy-eight (78) participants since inception. The cumulative total over the past eight years is thirty-seven (37) participants successfully completing the drug court. There are currently fifteen (15) active participants.

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	\$3,050.45
Drunk Driving Reimbursement Fund	29,052.59
Court Costs	1,199,291.47
Court Appointed Attorney Fees	156,469.27
Bond Costs	330.00
Crime Victims' Rights Fund	20,779.65
Civil Filing Fees	195,208.00
Miscellaneous Fees	13,916.75
Driver's License Reinstatement Fees	35,126.60
Motion Fees	10,850.00
NSF Fees	300.00
Bond Forfeitures	127,492.00
Ordinance Fine and Costs	103,887.46
Jury Reimbursement	4,645.40
Insurance Fee	6,561.00
Probation Alcohol Assessments	38,108.34
Probation Oversight Costs	217,629.27
Cities, Townships, Villages	49,110.09
DNA fee – Sheriff's Department	333.63
State Treasury – Trust and Agencies	991,812.16
Libraries	692,726.93
Veterans' Court Participant Fees	6,247.00
Mental Health Court Participant Fees	1,760.00
Sobriety Court Participant Fees	25,364.50
48 th Circuit Court Drug Court Participant Fees	5,965.00
Interest Earned	615.79
Cash Over/Short	(-6.00)
Credit Card Fees	(-8,379.27)

EXPENSES

EXPENDITURE	DISTRICT COURT	PROBATION DEPT.	
Salary and wages	\$963,930.56	\$346,316.61	
Employee benefits	401,058.68	145,352.13	
Office supplies	9,202.88	3,481.77	
Printing and binding	12,793.00	213.73	
Books and maps	1,048.00	0	
Consultants	0	0	
Probation Assessment Fees	0	3,380.00	
Jury	11,561.67	0	
Witnesses	0	0	
Interpreter fees	21,300.07	0	
Court appointed attorney fees	0	0	
Memberships and subscriptions	3,729.00	0	
Other Contractual Services	1,983.27	0	
Telephone	0	0	
Travel Expense – routine	827.74	0	
Education – miscellaneous	602.68	127.00	
Education – travel	1,396.29	103.70	
Education – registration	0	88.54	
Travel – visiting judge	0	0	
Repairs and maintenance	9,106.47	0	
Software lease	34,291.68	0	
Equipment	667.05	0	
TOTAL	\$1,473,499.04	\$499,063.48	

CUMULATIVE TOTALS

REVENUES

General fund	\$2,158,386.48
Jury Reimbursement	4,645.40
Interest	615.79
Credit Card Fees/Cash over/short	(8,385.27)
Trust and Agencies	1,040,922.25
Libraries	692,726.93
Grant Specialty Courts	39,336.50
Restitution Payable	75,288.41
Bonds Payable	902,458.54

TOTAL

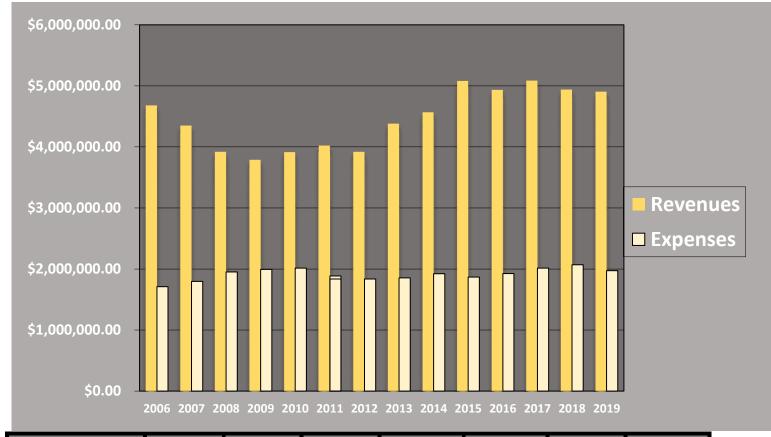
\$4,905,995.03

EXPENDITURES

Court \$ 1,473,499.04 Probation 499,063.48

TOTAL \$1,972,562.52

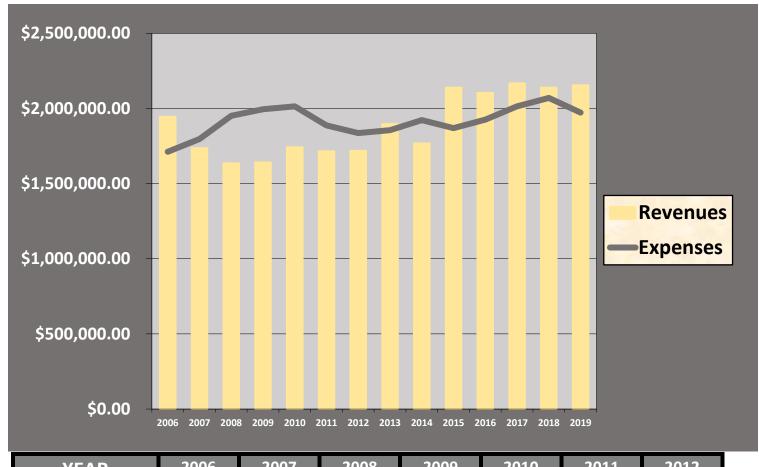
HISTORICAL REVIEW TOTAL REVENUES AND EXPENSES



YEAR	2006	2007	2008	2009	2010	2011	2012
REVENUES	\$4,818,825	\$4,350,209	\$3,920,655	\$3,790,152	\$3,915,994	\$4,023,172	\$3,921,085
EXPENDITURES	\$1,711,667	\$1,796,847	\$1,950,950	\$1,994,908	\$2,013,918	\$1,887,212	\$1,835,615

YEAR	2013	2014	2015	2016	2017	2018	2019
REVENUES	\$4,382,490	\$4,567,811	\$5,080,615	\$4,935.447	\$5,085,965	\$4,939,267	\$4,905,995
EXPENDITURES	\$1,855,130	\$1,922,152	\$1,868,794	\$1,925,358	\$2,013,421	\$2,069,860	\$1,972,562

HISTORICAL REVIEW GENERAL FUND REVENUES & EXPENSES



YEAR	2006	2007	2008	2009	2010	2011	2012
REVENUES	\$1,945,736	\$1,737,558	\$1,636,257	\$1,642,388	\$1,742,456	\$1,716,273	\$1,718,525
EXPENDITURES	\$1,711,667	\$1,796,847	\$1,950,950	\$1,994,908	\$2,013,918	\$1,887,212	\$1,835,615

YEAR	2013	2014	2015	2016	2017	2018	2019
REVENUES	\$1,896,170	\$1,767,422	\$2,139,375	\$2,104,122	\$2,168,337	\$2,139,909	\$2,155,262
EXPENDITURES	\$1,855,130	\$1,922,152	\$1,868,795	\$1,925,358	\$2,013,421	\$2,069,860	\$1,972,562

OUTSTANDING RECEIVABLES

Outstanding Receivables as of December 31, 2019

Probation	Non-Probation	TOTAL
\$687,033.07	\$7,416,423.89	\$8,103,456.96

AGE	Probation	Non-Probation	TOTAL
1-15 days	\$2,470.00	\$28,439.00	\$30,909.00
16-30 days	4,600.00	52,671.00	57,271.00
31-60 days	47,845.00	128,400.53	176,245.53
61-90 days	40,219.78	127,887.02	168,106.80
91-180 days	107,008.24	330,263.39	437,271.63
181-360 days	126,086.22	899,505.13	1,025,591.35
361-540 days	37,571.00	521,192.54	558,763.54
541-720 days	34,707.48	530,203.59	564,911.07
Over 720 days	286,525.35	4,797,861.69	5,084,387.04
COURT TOTALS	\$687,033.07	\$7,416,423.89	\$8,103,456.96

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 2019, the District Court received reimbursement funds in the amount of \$29,052.59.

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 \$3,050.45.

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 2019, the Allegan County Funding Unit received a total of \$438,578.00. Trends in this funding for Allegan County 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
\$468,647	\$442,188	\$421,968	\$398,795	\$411,353	\$403,095	\$427,380	\$427,229	\$434,003	\$429,872	\$438,578

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 <u>first day</u> (\$15.00 for a half day) of jury service and \$45.00 for each <u>subsequent day</u> (\$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 2010 / 2011 10/1/10-	FY 2011 / 2012 10/1/11-	FY 2012 / 2013 10/1/12 -	FY2013 / 2014 10/1/13 –	FY2014 / 2015 10/1/14 –	FY2015 / 2016 10/1/15 –	FY2016 / 2017 10/1/16 –	FY2017 / 2018 10/1/17 –	FY2018 / 2019 10/1/18 -
	9/30/11	9/30/12	9/30/13	9/30/14	9/30/15	9/30/16	9/30/17	9/30/18	9/30/19
Ī	\$4,272.50	\$2,437.50	\$4,017.50	\$3,067.50	\$1,125.00	\$1,025.00	\$4,072.50	\$2,891.60	\$4,645.40

COLLECTIONS



Pursuant to MCR 1.110 adopted January 1, 2002, fines, costs and financial obligations other imposed by the Court must be paid at the time of assessment, except when the Court allows otherwise, for good cause shown. 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.

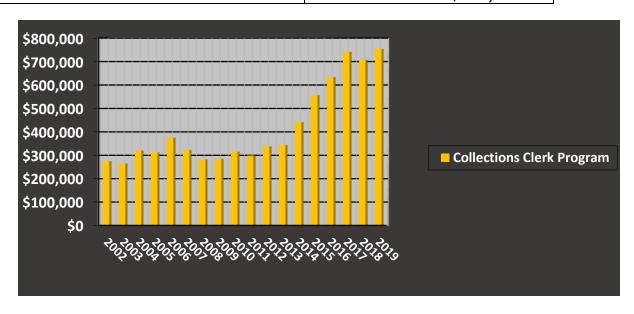
In 1997, the District Court purchased a software package that works in conjunction with the primary court case management software (supplied by the Supreme Court) to assist in tracking outstanding receivables at the District Court. The package was only fully implemented in September 2001. Since its implementation, the Court has been successful in bringing in revenues of \$7,635,579.37. In 2019 alone, the collections program was responsible for \$753,911.11 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, 2019, outstanding receivables amounted to \$8,103,456.96. Of that amount, \$2,519,788.13 is less than 2-years old while \$4,554,939.09 is between 2 – 7 years old. Of the total outstanding receivables, over 1.85 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		

COLLECTIONS TOTAL FOR 2019

YEAR END TOTAL:	\$753,911.11
DECEMBER	57,266.73
NOVEMBER	41,816.73
OCTOBER	56,938.79
SEPTEMBER	55,515.21
AUGUST	61,112.67
JULY	54,525.83
JUNE	66,644.86
MAY	61,327.47
APRIL	61,113.56
MARCH	93,589.35
FEBRUARY	87,467.04
JANUARY	\$56,592.87



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.

For the first quarter of 2019, the 57th District Court utilized a contract method of appointing attorneys in criminal misdemeanor cases. Heidi L. Wolf and Matthew Antkoviak were the attorneys appointed to represent indigent defendants on misdemeanor cases. On January 1, 2019, Jessica Winsemius replaced Matthew Antkoviak as a misdemeanor court appointed attorney. The 48th Circuit Court contracts with attorneys appointed for indigent defendants on felony cases. James Mikel McEwen, Robert Champion, Paul Klein, Matthew Antkoviak and Fred Jensen were the attorneys appointed to represent Felony Tier 1 cases. In addition to the current Tier 1 attorneys, Emily Green, Chris Burnett weree appointed as Felony Tier 2 attorneys.

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 initial 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 collarborating 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 as well as Minor in Possession deferred sentences. The panel resulted from a dedicated effort between Mothers Against Drunk Driving and District Courts, and originated in the northwestern United States several years ago. Victim Impact Panels are intended to be mutually beneficial to the panelists as well as the offenders. Victim Impact Panel meetings are held by MADD at 7 p.m. on the third Thursday of every other month at the Griswold Auditorium. In 2019, 169 defendants attended the Victim Impact session in Allegan. Due to the infrequency of the Allegan meetings, defendants can satisfy this attendance requirement in many locations such as Holland, Grand Rapids and Kalamazoo areas.

MARRIAGES

The Magistrates perform marriage ceremonies every Friday. In 2019, 130 happy couples were united. The marriages are performed in one of the available courtrooms or the hearing room.

2019 YEARS OF SERVICE AWARD RECIPIENTS



Staff Recognized for Years of Service in 2019

Left to right, first row: Heather Bausick (5 years), Judge Joseph Skocelas, Judge William A. Baillargeon (10 years) and Kayla Williamson (5 years); Left to right, back row: Kelly Miklusicak (15 years), Linda Lenahan, Hickory Buell (20 years), Deb Wolters (15 years) and Cindy Cook (15 years); Not pictured: Kathy Evans (20 years)

Digital photos by Retired Detective Craig Gardiner, ACSD

HIGHLIGHTS



HIGHLIGHTS OF CHANGES - PRIOR YEARS

1995 – 2005 highlights can be located in the 2013 Annual Report 2006 – 2012 highlights can be located in the 2015 Annual Report 2013 – 2016 highlights can be located in the 2016 Annual Report

2017 Highlights

- 2017 Vocational Technical Criminal Justice Class (VoTech) provides the District Court Clerk's Office five interns throughout 2017 for educational work experience. Interns included: Tegan McNees, Ryan Hoeksema, Nick Agy, Trinity Deridder and Aaron Maule.
- February 2017 Completed a physical inventory of open case files in the Clerk's Office and Probation Department.
- February 14, 2017 LEIN audit conducted by Trevor Carlsen of Michigan State Police.
- March 22nd Annual Report for the year 2016 completed and distributed.
- March 1, 2017 District Court begins using Calendar Integration and internet calendars for Scheduling Court events through Judicial Information Systems (JIS).
- March 2017 Courts begin review of court recording systems reviewed BIS and JAVs for future capital purchase in 2018 and 2019. In August, court review team selects BIS for updated equipment and software.
- March 7, 2017 meet with Thermo Fisher Scientific to review viability of drug testing lab in Allegan County Courthouse.
- March 30, 2017 David Handsor, the court liaison from SOS visits District and Circuit Court.
- April 12, 2017 District Court hosts MSP and SOS regional training in the Zimmerman Room.
- April 13, 2017 Judge Baillargeon and Linda Lenahan made annual "State of the Court" presentation to Board of Commissioners.
- Spring 2017 Completed records retention and disposal of Michigan trial court records pursuant to Schedule 16.
- April 21, 2017 May 12, 2017; 8th graders from Plainwell Public Schools visit and learn about the District Court, the Prosecutors Office, and the Allegan County Jail.
- May 2017 57th District Court honored by Michigan Secretary of State's Office for 100% compliance in record accuracy and timeliness for the 2016 calendar year.
- May 3, 2017 Allegan County visits Ottawa County (Holland and Grand Haven) Courts to see their drug testing facilities.
- May 9 and May 11, 2017 Linda Lenahan and Renee Stack provide training to the Jail Booking Staff.
- Spring/Summer/Fall 2017 Court applies for and is awarded grant funds for the C48 Adult Drug Court, Mental Health Court, Regional Veterans' Treatment Court and a Sobriety Court.
- Summer/Fall Integrated Court Calendar Monitors (Phase I) installed on the main floor for all courts.
- August 7, 2017 Kent County Circuit Court visits the Mental Health Court and team.
- October 12, 2017 Court in School conducted at Fennville High School by Judge Baillargeon.
- Fall 2017 begin planning conversion from Allegan County AS400 JIS Cloud.
- October 27, 2017 Active Shooter Drill conducted the entire afternoon. Building is closed during drill.
- October 13, 2017 November 17, 2017; 8th graders from Plainwell Public Schools visit and learn about the District Court, the Prosecutors Office, and the Allegan County Jail.
- December 8, 2017 Employee Recognition Luncheon held.
- December 15, 2017 Vocational Technical (VoTech) criminal justice class visits the District Courtrooms.

2018 Highlights

- 2018 Vocational Technical Criminal Justice Class (VoTech) provides the District Court Clerk's Office five interns throughout 2018 for educational work experience. Interns included: Ryan Hoeksema 11/27/17 − 1/19/18, Jazmyn Ream 1/22/18 − 3/09/18, Tegan McNees 3/12/18 − 5/25/18, Keagan Augustine 9/04/18 − 10/19/18, Esther Tyrrell 10/22/18 − 11/30/18 and Marcasha Marvin 12/03/18 − 1/25/19.
- 2018 Clerks attend Clerk Certification Training in Kalamazoo and Lansing throughout the year.
- January 2018 Completed a physical inventory of open case files in the Clerk's Office and Probation Department.
- March 23rd Annual Report for the year 2017 completed and distributed.
- March 19, 2018 Court in School conducted at Wayland High School by Judge Baillargeon.
- March 2018 three large monitors installed outside the District Court Clerk's office displaying court schedules for the current day for the three courtrooms.
- April 11, 2018 David Handsor, the court liaison from SOS visits District and Circuit Court.
- April 12, 2018 Judge Baillargeon and Linda Lenahan made annual "State of the Court" presentation to Board of Commissioners.
- April 23 May 18, 2018 All Michigan Courts participate in a time study for judicial activities determining future judicial resource recommendations.
- April 27, 2018 public access to District Court calendars added to our District Court website.
- Spring 2018 Completed records retention and disposal pursuant STATE OF MICHIGAN RETENTION AND DISPOSAL SCHEDULE - GENERAL SCHEDULE #13 - DISTRICT COURTS.
- May 2018 57th District Court honored by Michigan Secretary of State's Office for 100% compliance in record accuracy and timeliness for the 2017 calendar year.
- May 18, 2018 Alicia Nevenzel transfers from District Court to a new position in the Circuit Court Family Division.
- May 25, 2018 Barry County court recorders visit court for demonstration of BIS court recording system.
- June 1, 2018 installed and began using new credit card machine from Michigan Retailers Association for onsite credit card payments. Service fees were reduced significantly from previous vendor Chemical Bank.
- June 6, 2018 Courts receive a demo of the new BIS software for court recording systems.
- June 12, 2018 new BIS software and complete equipment replacement occurs in Circuit Courtroom A Judge Bakker for a pilot period.
- June 19, 2018 SCAO auditor at court to review our Collections Policies and Procedures.
- June 22, 2018 new process implemented with Allegan County Jail to begin scanning documents to the jail instead of faxing. Also part of the process includes printing court orders directly in the jail arraignment room saving the court officers traveling back and forth from the jail to the courthouse.
- July 25, 2018 new polycoms installed by the Michigan Supreme Court in every Judge's Courtroom.
- Spring/Summer/Fall 2018 Court applies for and is awarded grant funds for the C48 Adult Drug Court, Mental Health Court, Regional Veterans' Treatment Court and a Sobriety Court.
- August 13, 2018 Heather Bausick transfers from Facilities Management into the District Court Clerk's Office – civil division.
- September 28, 2018 name and case search applications added to District Court website.
- October 1 -5, 2018 All Allegan Courts distribute and collect Public Satisfaction surveys.
- October 12, 2018 November 2, 2018; 8th graders from Plainwell Public Schools visit and learn about the District Court, the Prosecutors Office and the Allegan County Jail.
- December 7, 2018 Employee Recognition Luncheon held.
- December 12, 2018 Recognized staff for years of service (anyone have 5, 10, 15, 20, 25, 30, 35, 40 etc. years of service).
- December 31, 2018 District Court Recorders outsource their transcripts to a roster of certified transcriptionists.

2019 Highlights

- 2019 Vocational Technical Criminal Justice Class (VoTech) provides the District Court Clerk's Office six interns throughout 2019 for educational work experience. Interns included: Marcasha Marvin (12/03/18 1/25/19), Olivia Crandall (1/21/19 3/1/19), Travis Morris (3/4/19 4/19/19), Ambreanna Powell (4/22/19 5/31/19), Maverick Benn (10/14/19 11/22/19) and Sekia Madarik (12/2/19 1/24/20).
- January 28, 2019 court closed at 12 noon county declares snow emergency.
- January 29, 30 and 31, 2019 court closed county declares unprecedented snow emergency.
- January 2019 Completed a physical inventory of open case files in the Clerk's Office and Probation.
- February 1, 2019 Kevin Christensen retires after over 11 years with the District Court.
- March 24th Annual Report for the year 2018 completed and distributed.
- March 18, 2019 Sobriety Court begins certification process with the State Court Administrative Office receiving formal certification later in the year.
- April 1, 2019 100th participant graduates from Mental Health Court. The Court begins certification process with the State Court Administrative Office receiving formal certification later in the year.
- April 8, 2019 Veterans' Court begins certification process with the State Court Administrative Office receiving formal certification later in the year.
- April 11, 2019 Judge Baillargeon and Linda Lenahan made annual "State of the Court" presentation to Board of Commissioners.
- April 16, 2019 David Handsor, the court liaison from SOS visits District and Circuit Court for training.
- Spring 2019 Completed records retention and disposal pursuant STATE OF MICHIGAN RETENTION AND DISPOSAL SCHEDULE - GENERAL SCHEDULE #13 - DISTRICT COURTS.
- April 18, 2019 Linda Lenahan provides a training session on penal fines for all Allegan County libraries in Leighton Township Library.
- May 2019 57th District Court honored by Michigan Secretary of State's Office for 100% compliance in record accuracy and timeliness for the 2018 calendar year.
- May 15, 2019 Chris Gates-Edson is re-certified as a Terminal Area Coordinator (TAC) for LEIN.
- May 28, 2019 50 second graders visit the Court from North Ward Elementary School in Allegan.
- Spring/Summer 2019 County hires Public Defender for Allegan and VanBuren County.
- Summer 2019 all three District Courtrooms have their BIS court recording hardware replaced and software updated.
- Spring/Summer/Fall 2019 Court applies for and is awarded grant funds for the C48 Adult Drug Court, Mental Health Court, Regional Veterans' Treatment Court and the Sobriety Court.
- August 13, 2019 Allegan Circuit, Probate and District Court Judges and Administrators meet with our SCAO Regional Administrator to conduct a secondary analysis of our rising caseload.
- September 12, 2019 Ottawa District Court leaders visit our court to see the JIS case management system.
- September 18, 2019 Linda Lenahan selected as a mentor court administrator by State Court Administrative Office and undergoes training.
- October 8, 2019 Recognized staff for years of service (anyone have 5, 10, 15, 20, etc. years of service).
- Fall 2019 court begins using Text Messaging Alerts to notify parties of next court dates and payment due dates.
- October 3, 2019 Provided a tour of the Court for high school freshman new program started through AESA under a partnership with STEM (Science, Technology, Engineering and Math).
- October 2019 All courtrooms implement ZOOM technology so parties can appear in court via video conference. The licensing for this was paid for by the Michigan Supreme Court.
- October 23, 2019 Kent County District Court staff visit to review our financial practices.
- November 20, 2019 Public Defender begins appearing at all jail arraignments.
- December 13, 2019 Employee Recognition Luncheon held.
- December 18, 2019 Allegan Vocational Tech Criminal Justice students visit the Courtrooms.
- Fall/Winter 2019 County approves the purchase and implementation of e-tickets for the Sheriff.