86th District Court
Annual Report
2015

Leelanau County
8527 E. Government Center Dr.
Suttons Bay MI 49682

Grand Traverse County
280 Washington Street
Traverse City MI 49684

Antrim County
205 E. Cayuga
Bellaire MI 49615

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Foreward

By Michael S. Stepka, Chief Judge

We have recently completed another year of serving the three counties that comprise the 86th District Court which include Grand Traverse, Leelanau and Antrim Counties. We continue to strive to serve the public in the most efficient and cost effective way possible. The 2014 Satisfaction Survey of court users sponsored by the State Court Administrator's Office determined that 82% of court users either agree or strongly agree that they were treated with courtesy and respect by the magistrates or judges, while 91% felt that they had been treated with courtesy and respect by the court staff. Seventy-two percent of the respondents agree or strongly agree that their case was handled fairly.

We continue to use the PolyCom video equipment which allows us to arraign individuals in our local jails, jails in other counties, and Michigan prisons. The technology also has allowed witnesses who reside great distances from the Court to testify by video at trials or other hearings saving them time and the county the cost of their travel to the court to testify. Conducting arraignments, bond hearings and other matters by video reduces the cost of inmate transportation and reduces security risks. This technology is in all three counties. A Michigan Supreme Court publication reported the state saved five million dollars in the last two years in transportation costs of inmates to courts around the state.

The Court's Eviction Diversion Program continues to succeed in keeping tenants in their residences and allows landlords to collect rent in many cases without the need to evict tenants. The program works well for the landlord because rent is received and the tenant is allowed to remain in their home. The Eviction Diversion Program works in conjunction with the Department of Human Services, Northwest Community Action Agency, the Father Fred Foundation, Salvation Army, Goodwill Industries, Northern Lakes Community Mental Health, Legal Services of Northern Michigan, Foundation for Health, Women's Resource Center, HelpLink and Love, Inc., among others. All entities contribute assistance to appropriate cases of funds, other needs of tenants, advice on budgeting and other needed resources. The Eviction Diversion Program operates in Grand Traverse on every civil Friday.

The year 2015 was a year of significant changes and challenges. A State recommendation to reduce trial judgeships in Michigan conducted in 2012 recommended to the State Legislature that 40-60 trial judgeships statewide be eliminated by attrition over the next several years as a cost-cutting and efficiency decision. For the 86th District Court, the study resulted in the legislative elimination of Judge Haley's seat effective February 1, 2015. The elimination of a district judge had nothing to do with our caseload. The caseload in criminal, traffic, and civil cases continues to increase dramatically. With the hard work of our staff in all three counties, cooperation of the attorneys and litigants in our court, we have been able to meet the

challenges of the reduction of one judge without compromising service to our customers or compromising public safety.

As I enter my third year as Chief Judge, the court administration will continue to make decisions about court policy and the governing of court policy by consensus. I have good fortune of having the benefit of experience and wisdom of my bench mate, Judge Thomas Phillips, Court Administrator Carol Stocking and Chief Magistrate Tammi Rodgers, and all staff members in the three counties. As judges, we could not do our daily jobs without the hard work of the staff.

The 86th District Court's Recovery Court program continues to successfully treat individuals who have at least two operating while intoxicated convictions. It is an intensive treatment court that treat the person's individual issues with alcohol counseling, drug and alcohol testing, 12-step and AA meetings weekly, and routine appearances before the court at a review hearing to address and monitor performance.

The court works very efficiently within our budget.

Judges

Judge Thomas J. Phillips was elected in 2000 and reelected in 2006 and 2012 to serve Antrim, Leelanau and Grand Traverse. Prior to election, Judge Phillips was the managing partner for Running, Wise, Ford and Phillips. He joined the firm in 1975 and

became a partner in 1977. Judge Phillips grew up in the Detroit area and graduated from the University of Detroit High School. After graduating cum laude from the University of Notre Dame with a Bachelors in Business Administration, he went on to complete his law degree at the University of Michigan Law School. After law school, Judge Phillips served in the Naval Judge Advocate's General Corps as a lieutenant during the Vietnam War. While a Navy Jag, he was awarded the Freedom Award from the NAACP for his work with black sailors. Judge Phillips has four children: Ann, Meghan, Katie and Tom. The children have undergraduate degrees from University of Michigan and Notre Dame and graduate degrees from Wayne State, DePaul, Western Michigan and University of Michigan.

Judge Michael J. Haley was first elected to the District Court in 1996. Judge Haley graduated from the University of Detroit High School and then Wayne State University before completing his law degree requirements at Loyola University School of Law in

Chicago in 1974. He served as a law clerk for the Michigan Court of Appeals, assistant public defender in Kent County, and assistant Grand Traverse County prosecutor before maintaining a private law practice from 1980 until his election to the bench. Judge Haley and his wife, Mary, a retired schoolteacher, have three children: Michael, Kathleen and Colleen.

Judge Michael S. Stepka was elected to the 86th District Court in November 2010. He grew up in Traverse City and graduated from Traverse City Central High School, Northwestern Michigan College, Central Michigan University, Cum Laude, and the University of Detroit School of Law. After graduating from law school, Judge Stepka returned to Traverse City to practice law until being elected to the bench. He also served as a Grand Traverse County Commissioner from 2009-2010, served on the Board of the Women's Resource Center, and the Third Level Legal Aid volunteer clinic for many years. He also served as the Grand Traverse, Leelanau and Antrim County Bar Association President, and was the Annual Law Day Chair for many years. Judge Stepka currently presides over the 86th District Court Mental Health Court. His interests include road and mountain biking, running and downhill skiing. Judge Stepka has two children, Michael and Betsie.

Carol Stocking

Court Administrator

Major changes in 2015 began with the retirement of Judge Michael J. Haley. The Supreme Court eliminated a judicial seat in our district, therefore we were forced to continue the same work with one less judge. Here are some of the major changes as a result:

- In order to process cases efficiently in each county, we reduced court days in Antrim County from twice a week to once per week.
- Judge Nelson agreed to do the District Court docket in Leelanau County once per week.
- Small claims cases in both Antrim and Grand Traverse Counties are now heard by attorney Magistrates.
- Due to limited judge time, we decided to eliminate Mental Health Court.
- We implemented the use of status conferences for those cases that are set for jury selection to encourage pleas before jurors arrive.
- Probable cause conferences for felony cases were added by statute to review bond, identify the number of witnesses for the preliminary hearing and determine whether the preliminary exam would be waived or held. This added time to an already busy judicial docket.
- We hired Ashely Justice as a part-time attorney Magistrate in Antrim County.
- We implemented the use of debit cards to pay jurors. This system was abolished after a few short months due to the complications jurors were having in getting their funds.

Due to the financial situation with Grand Traverse County, we were forced to cut our 2016 budget requests by 4.25%. In those cuts, we eliminated our contract with Westlaw leaving the judges with no on-line research capabilities. We eliminated overtime, reduced conference and training funds, reduced printing and binding, transcripts, visiting judge and shredding line items.

In addition to Judge Haley's retirement, we also lost Sheila Hale to retirement. Sheila started with the court as the General Civil Clerk and retired after serving as Court Recorder for both Judge Phillips and Judge Stepka.

Each year employees are allowed to wear denim on payroll Fridays. The money is then donated to a cause decided on by the staff. Our 2015 Denim Friday money was donated to the family of Laura Laisure who lost her family home to a house fire in early 2016. Laura is one of our own Grand Traverse County family members. She is employed as a nurse at the Health Department.

General Overview

The 86th District Court is part of the judicial branch of government as provided for by the Michigan Constitution in 1963 and created by the Michigan Legislature in Public Act 154 of 1968. The purpose of the District Court is to provide a system of justice for the citizens of Grand Traverse, Antrim and Leelanau Counties. The District Court has jurisdiction over all civil cases where the amount in controversy is $25,000 or less, all criminal misdemeanors and arraignments and preliminary examinations in felony matters.

Judges hold court in Traverse City five days per week. Court is held in Antrim County on Wednesday and every Tuesday in Leelanau County. Judges travel to Antrim on a rotating schedule.

Our Court office is divided into three divisions: criminal/traffic, civil and probation. The criminal/traffic division handles violations of the State's Criminal Code and local ordinance violations. It is responsible for scheduling all matters, opening and closing cases, communicating with the jail regarding sentenced inmates and notifying the Department of State Police Records Division of case dispositions. In addition, they are responsible for entering traffic tickets into the computer system, taking payments for both traffic and criminal cases, receiving and disbursing bonds and notifying the Secretary of State of case dispositions. This division also handles weddings that are performed by the court.

The civil division processes all general civil, small claims and summary proceeding (landlord-tenant) cases. It schedules civil hearings and trials, processes civil writs, garnishments and receives filing fees for cases filings.

The probation department performs two functions: (1) meeting with criminal defendants and preparing pre-sentence reports for the judges for use at sentencing, and (2) supervising probationers.

Our staffing level in 2015 included 32 full-time employees and seven (8) part-time employees.

86th District Court Staff

Court Administrator - Carol Stocking

Grand Traverse County Staff
Tammi Rodgers – Chief Magistrate
Tina Lehn – Office Coordinator
Pam Blue – Chief Probation Officer

Criminal/Traffic Division/Cashiers
Sara Deschler
Sue Schaub
Kendra Wise
Andrea Cooper

Civil Division
Ella Dreves
Tammie McLain
Claudette Tarr
Joel Mann*

Recorders
Mary Wenger-Townsend
Coleen Rocker
Tammy Odom

Probation Clerks
Ashley Wheeler
Beth Lajko*
Suzy Barsheff**

Collections
Suzy Barsheff*/**
Dawn Rector*

Accounting
Marissa Switalski

Community Corrections
Sherise Shively - Manager
Pat Prevo
Margaret Drury
Damon Herman
Lynn Hildebrand*

Probation Officers
Dawn Wagoner
Becky Morris
Heidi Gilde*
Bob Brown
Todd Bredin
Trisha Moore*

Leelanau County Staff
Norene Kastys – Magistrate/Office Coordinator
Cindy Schaub – Traffic/Civil Clerk
Mike Cochran – Probation Officer

Antrim County Staff
Shirley Dewitt –Office Coordinator
Jerri White – Traffic Clerk
Cindy Visnaw – Civil Clerk
Shannon Johnson – Probation Clerk
Elizabeth Stanichuk – Probation Officer
Ashley Justice – Magistrate*

* Part-time employee
** Split position

Magistrate Activity

The 86th District Court employs one full-time magistrate in Grand Traverse County and one half time magistrate in each of the other two counties. Magistrates conduct informal hearings on traffic tickets, perform weddings, issue arrest warrants, conduct arraignments and probable cause conferences, set bonds and accept pleas for misdemeanors that have a maximum penalty of 93 days in jail. All magistrates are appointed by the Chief Judge.

Grand Traverse County Magistrate Activity – Tammi Rodgers

	2012	2013	2014	2015
Informal Hearings	310	341	297	301
Search Warrants	77	121	131	154
Marriages	102	121	128	101

Leelanau County Magistrate Activity – Norene Kastys

	2012	2013	2014	2015
Informal Hearings	39	33	22	36
Search Warrants	41	12	27	44
Marriages	19	9	20	19

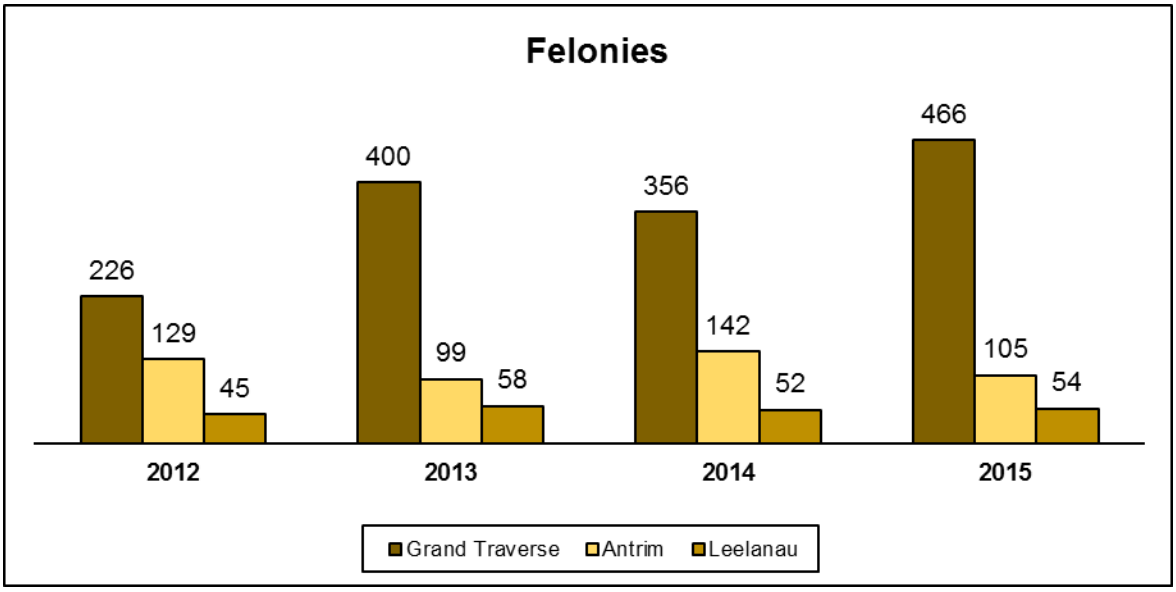
Antrim County Magistrate Activity – Ashley Justice

	2012	2013	2014	2015
Informal Hearings	140	86	47	54
Search Warrants	21	25		84
Marriages	33	25	18	21

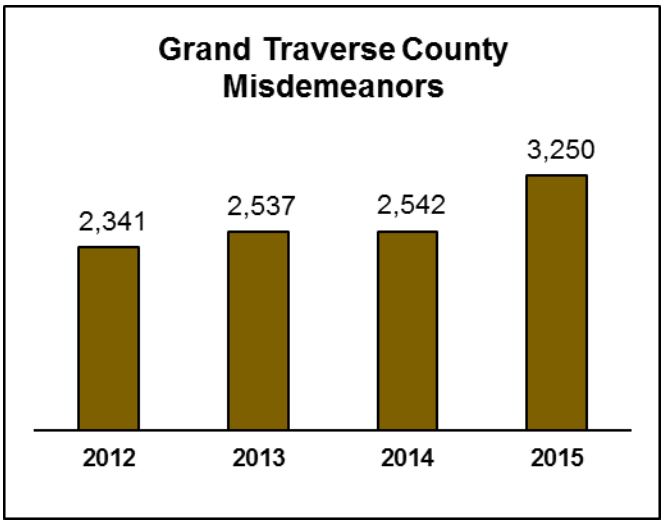
Criminal Division

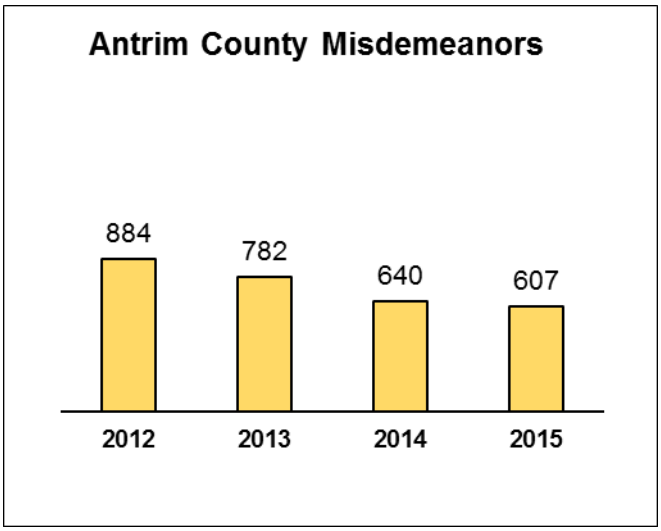
In Grand Traverse County four full time court clerks and the office coordinator share the work in the criminal and traffic divisions. In Antrim and Leelanau the criminal case load is processed mainly by the half time office coordinator. Their tasks involve tracking from beginning to end, every criminal case filed in the District Court. This job requires a thorough understanding of the court system, knowledge of hundreds of codes, and requires data entry, accuracy and attention to detail. Customer service is a big part of these positions as they have constant interaction with defendants, attorneys, law enforcement and the public, both face-to-face and on the telephone. Our court is proud of the fact that we consistently meet the required time guidelines for case disposition.

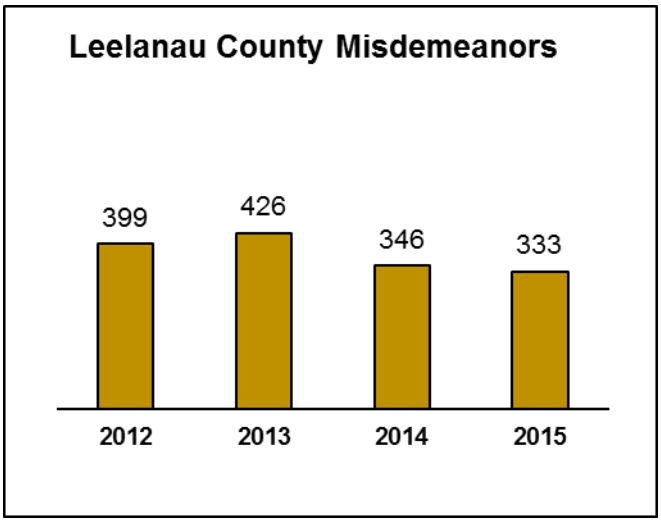
Felonies - The first court appearance for each defendant charged with a felony is the District Court arraignment. The preliminary exam that follows must be held within 14 days after the arraignment. If probable cause is established then the defendant is bound over for further proceedings in the Circuit Court.



Misdemeanors - The District Court has jurisdiction over all crimes that are punishable by not more than one year in jail. The following statistics include all misdemeanor offenses; traffic and criminal, including Operating While Intoxicated. Indigent defendants are entitled to a court appointed attorney if their crime could result in a jail sentence. The following graphs demonstrate the trend in each county as it pertains to these assignments.


Grand Traverse County Misdemeanors
2,341
2,537
2,542
3,250
2012
2013
2014
2015


Antrim County Misdemeanors
884
782
640
607
2012
2013
2014
2015


Leelanau County Misdemeanors
399
426
346
333
2012
2013
2014
2015

Recovery Court – In December 2001, the 86th District Court started what was known as a Drug Court. The main focus of the program was and still is drunk drivers. The program name was changed to Sobriety Court and in 2015 changed again to Recovery Court. Over 60% of the cases in Recovery Court at any given time are felony 3d offense drunk drivers, the remaining cases are misdemeanor 2nd offense drunk drivers. This docket follows a nationally developed model of Drug Treatment Courts and is designed to provide treatment alternatives to repeat drunk drivers in order to promote rehabilitation and recovery in lieu of jail. With intensive supervision by a case manager and judicial monitoring throughout probation, these chemically dependent offenders may avoid incarceration by pleading guilty and successfully completing probation. The felons must complete a 30-36 month probation, while the misdemeanants complete a 24 month probation.

One of the many successes of Recovery Court can be shown in the recidivism rates.

Any New Conviction

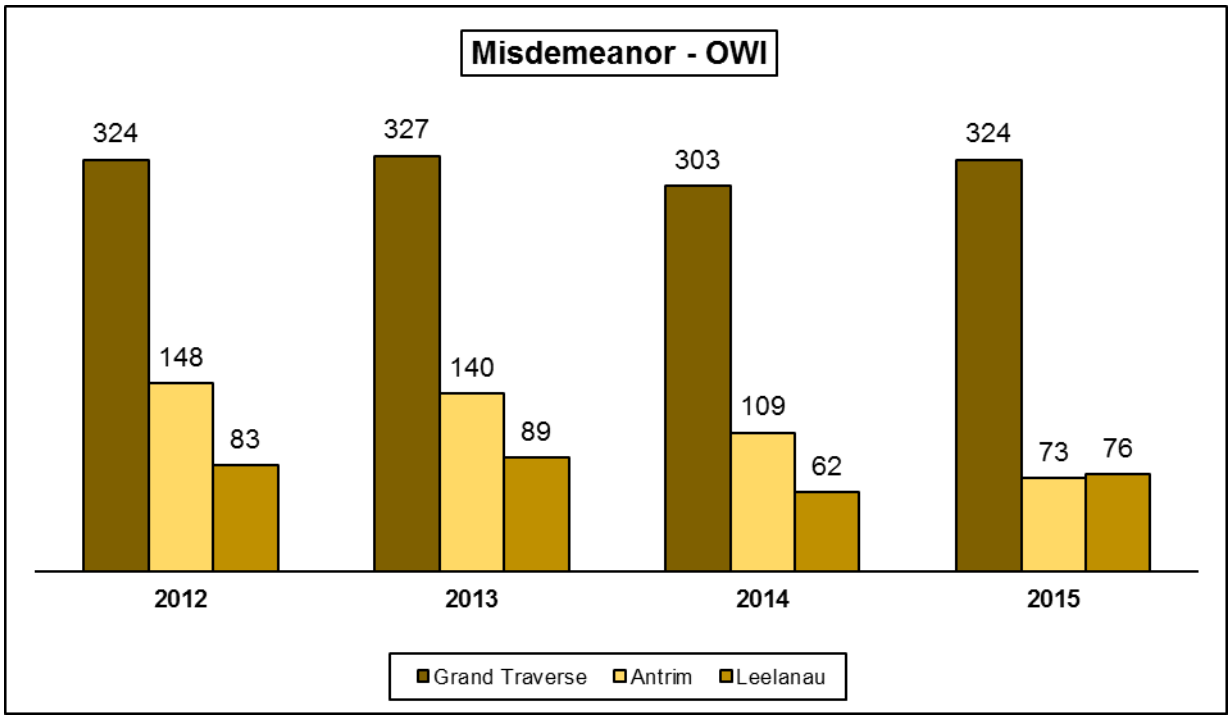
	Two Years		**Four Years**	
	Recidivism Rate	Successful Discharges	Recidivism Rate	Successful Discharges
86th District Court	4.8%	333	9.0%	333
Statewide Average	4%	NA	10%	NA

Alcohol or Drug Conviction

	Two Years		**Four Years**	
	Recidivism Rate	Successful Discharges	Recidivism Rate	Successful Discharges
86th District Court	3%	333	5.7%	333
Statewide Average	3%	NA	8%	NA

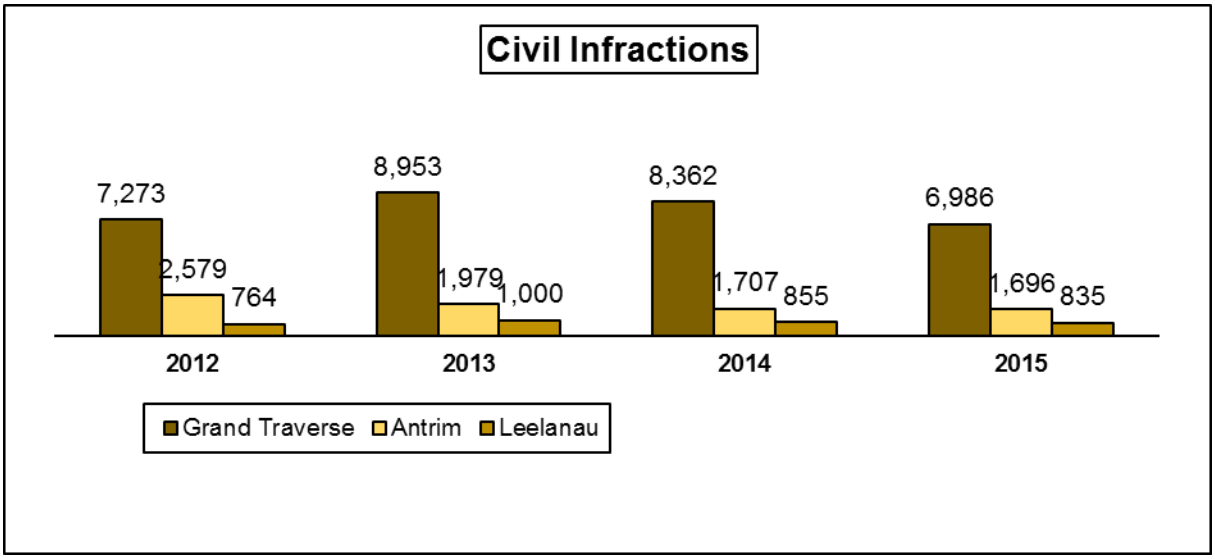
On the Supreme Court website under Problem Solving Courts, an annual report is available with details about all Problem Solving Courts. This report about Michigan's problem-solving courts tells stories of judges, court staff, prosecutors, law enforcement personnel and treatment professionals working together, case by case, to make a positive difference in the lives of participants. It also includes a technical analysis that focuses on court performance and outcomes from October 1, 2013 to September 30, 2015.

http://courts.mi.gov/Administration/admin/op/problem-solving-courts/Documents/PSC%202015%20Report%20FINAL_4-7-16.pdf


Misdemeanor - OWI
324
148
83
327
140
89
303
109
62
324
73
76
2012
2013
2014
2015
Grand Traverse
Antrim
Leelanau

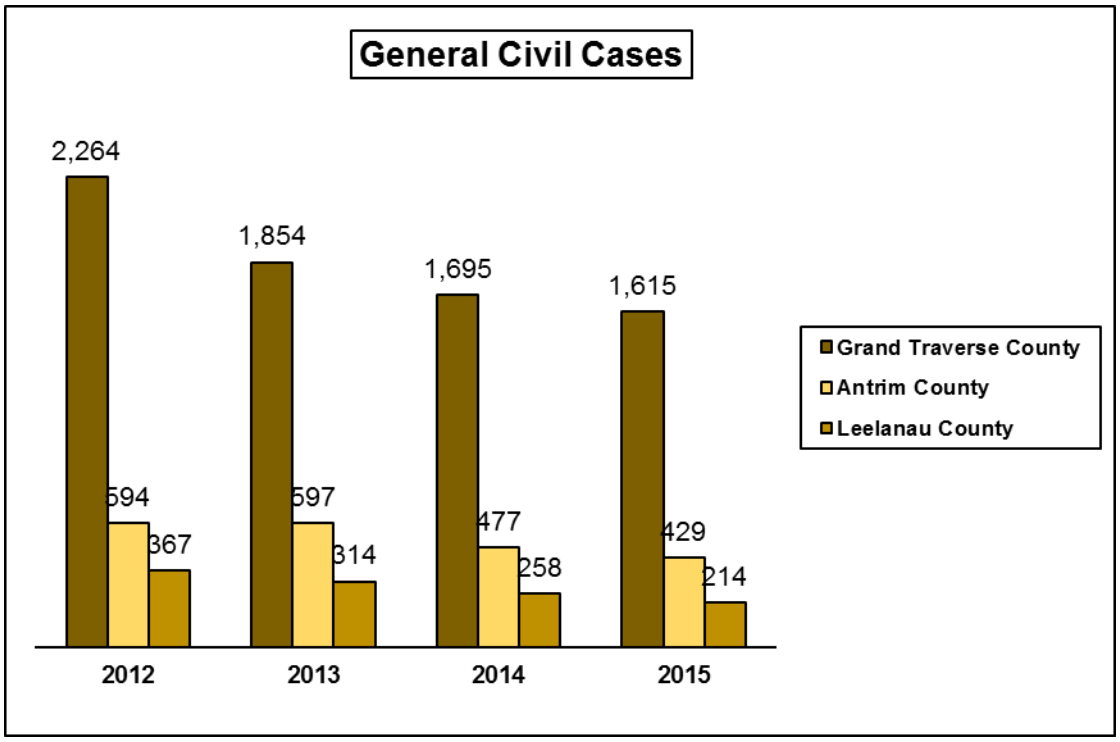
Traffic Division

Traffic - Civil Infractions - Most violations of the Michigan Vehicle Code are civil infractions. Probably the most common civil infraction is the speeding ticket. An informal hearing before a magistrate is scheduled if a person denies responsibility for a civil infraction. The decision of the magistrate may be appealed to the District Judge.

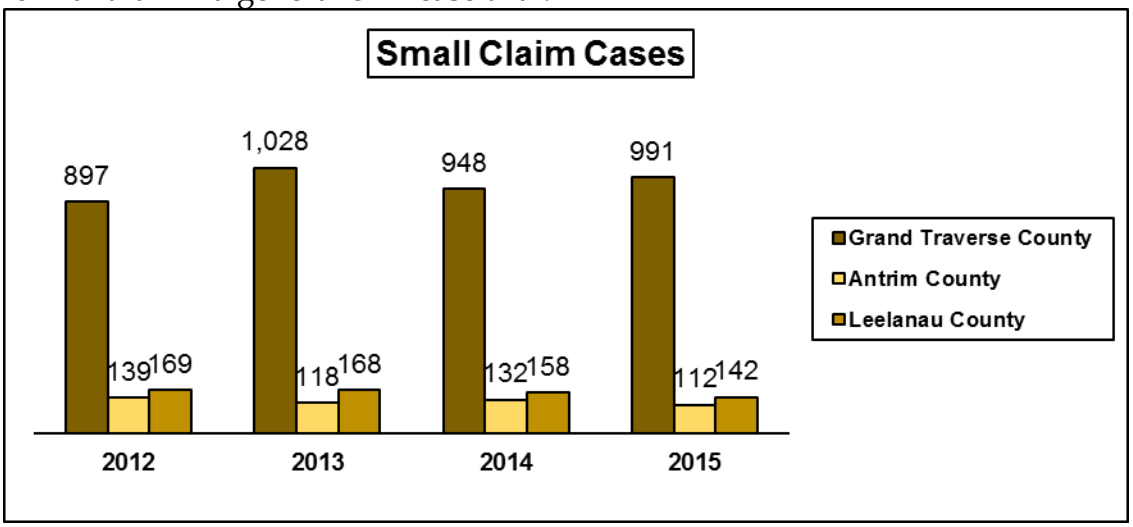


Civil Division

General Civil - The District Court has jurisdiction over disputes involving individuals and businesses where the amount in controversy is $25,000 or less.

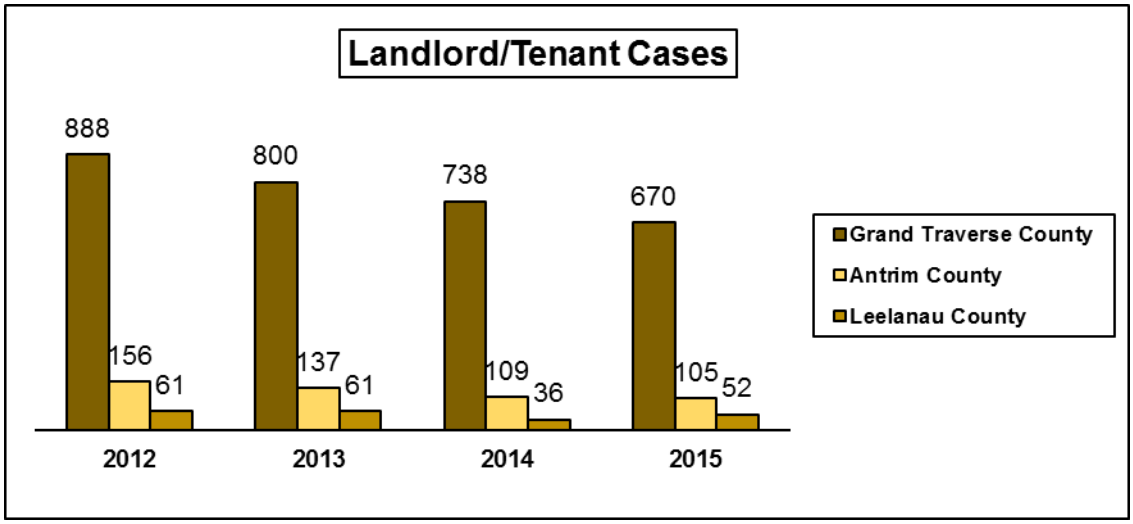


Small Claims - The plaintiff in a case that has an amount in controversy of not more than $5,000 can elect to file in small claims. Lawyers cannot represent either party in a small claims case and the rules of evidence during a small claims trial are much less formal than in a general civil case trial.

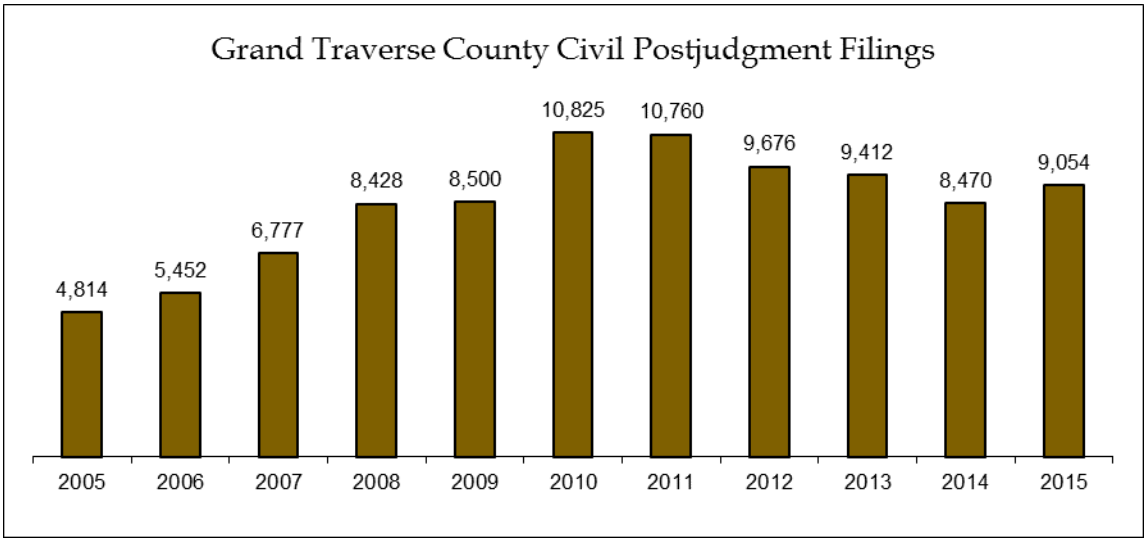


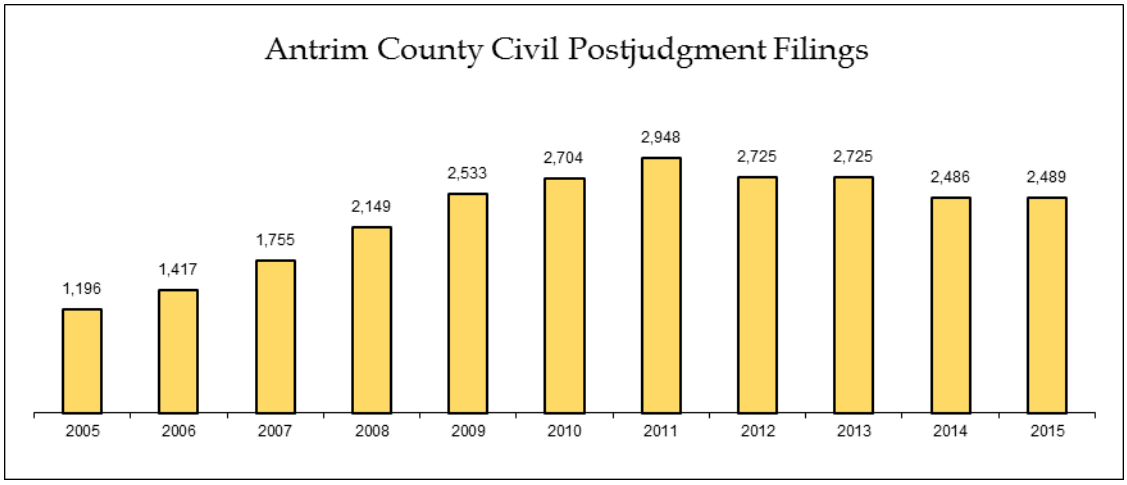
Landlord/Tenant (Summary Proceedings) - Landlord/Tenant cases were created to

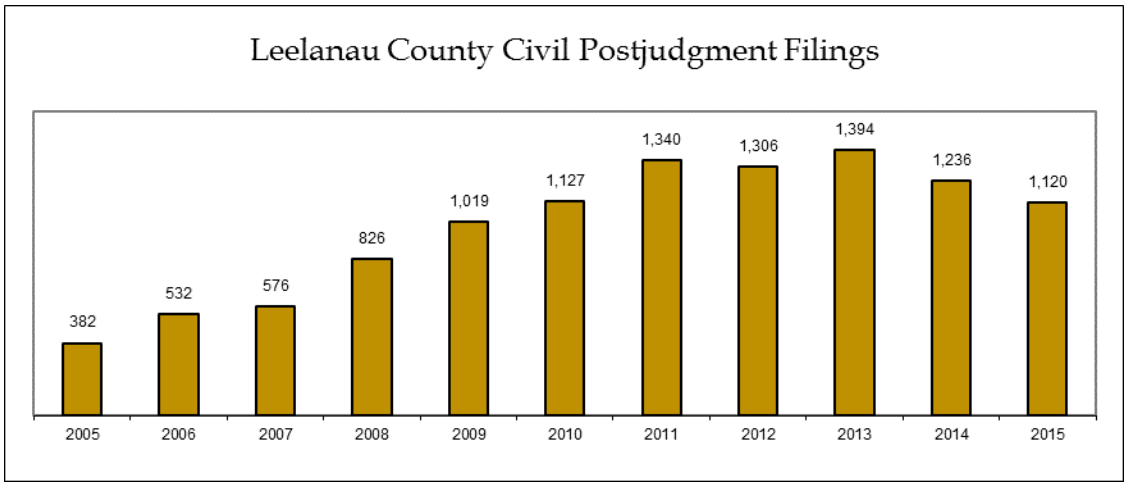
provide real property owners a quick method to recover their property from a tenant or land contract vendee that is not complying with the terms of the lease or contract. These cases are usually originated by apartment owners, land contract holders, mobile home park operators and even boat slip owners.



Post Judgment Filings – These filings mean that plaintiffs are filing garnishments, motions, writs of execution or writs of restitution in cases after obtaining a judgment in an effort to collect what is due to them. All of these filings require a fee be paid, a portion which stays local and a portion that goes to the state.







** Post judgment data in the 2011 Annual Report was inaccurate. The graph numbers included new case filings and post judgment filings in error.

Probation Department

The mission of the 86th District Court Probation Department is to provide quality services to judges, victims, probationers and the communities of Grand Traverse, Antrim and Leelanau counties. These services include pretrial release programs, pre-sentence investigations, probationer supervision and therapeutic programs. These services are necessary to restore victims and communities, protect the public, promote probationer accountability and create a climate for probationer behavioral change.

Probation Caseload	2012	2013	2014	2015
Grand Traverse	847	889	978	1044
Antrim	264	262	249	220
Leelanau	196	211	186	182

PSI Totals	2012	2013	2014	2015
All Three Counties	Not Available	1251	1120	990

Bob Brown, Todd Bredin, Pam Blue, Trisha Moore

Heidi Gilde, Beth Lajko, Dawn Wagoner

Mike Cochran, Ashley Wheeler, Becky Morris

13th Circuit Court Community Corrections

The Office of Community Corrections (OCC) within Field Operations Administration of the MDOC administers Public Act 511passed in 1988. The goal of the Act is to reduce prison commitments through a State grant programs for community-based sanctions and services.
OCC works in cooperation with local governments to reduce admissions to prison, improve local jail utilization, improve rehabilitative services to offenders and strengthen offender accountability.

Damon Herman, Pat Prevo, Sherise Shively, Margaret Drury
Missing –Lynn Hildebrand

Local governments apply for grants by establishing community corrections advisory boards (CCAB's) which develop comprehensive corrections plans. The plans identify local policies and practices, as well as programs and services which will help achieve their goals. OCC requires each CCAB to identify linkages with Michigan Works! agencies, the local Substance Abuse Coordinating Agency, the local community health departments, local school districts and other agencies to help provide cost-effective and non-duplicated services to offenders.
Grants are awarded to help support services such as substance-abuse treatment, and provide residential programs for certain types of offenders. Cognitive restructuring is often a part of treatment in the community.
Most of the offenders enrolled in treatment-type programs are sentenced felons. Offenders with higher sentencing guideline scores, probation violators and those who have convictions for driving under the influence of drugs or alcohol account for increasing proportions of new enrollees in residential programs. Misdemeanants account for the majority of enrollments in Community Service Work and House Arrest Programs. By supporting appropriate use of non-prison sanctions for felony offenders who might otherwise come to prison, the department has helped reduce the state prison commitment rate.

The 13th Circuit Court Community Corrections Department has served Antrim, Grand Traverse and Leelanau counties since 1991. Services are provided to both the Circuit Court and District Court offenders. The Community Corrections Department is a recognized leader in providing valuable information to Judges, Probation Agents and Offenders of available programming to assist the offender in addressing their problems that bring them into the Criminal Justice environment. The available programs and

services they provide enable the offender to become a healthy and productive member of society.

Programs offered by 13th Circuit Court Community Corrections include the following:

Pre-Trial Services- The process has three primary functions: to collect and analyze defendant information for use in determining risk, to make recommendations to the court concerning conditions of release, and to supervise defendants who are released from secure custody during the pretrial phase.
Probation Residential Services- Comprehensive chemical dependency treatment services offered in a structured treatment environment. Services often include individual and group counseling, structured physical activities, vocational training, relapse prevention support, social skills training, educational services and 12-step recovery programs.
Recovery Home Supervision: Recovery homes (sometimes known as transition houses or T-houses) offer individuals with substance abuse issues a safe and sober living environment and provide a structured opportunity to work toward positive change in their lives. The recovery homes are supervised by Case Managers who offer residents educational, employment and life skills assistance to guide them on their path to getting and staying clean.
House Arrest Services: 24/7 GPS monitoring of offenders in lieu of jail. They must participate in outpatient counseling, drug/alcohol testing when required, 12 step recovery meetings, employed full time and provide proof of their whereabouts at all times.
Community Service Work- In lieu of a jail sentence, offenders are ordered and agree to complete community service work at area non-profit agencies. This provides valuable work to the community, relieves jail overcrowding and allows an offender to give back to the community in which they committed their crime.
In Home Breathalyzer- Rental of portable breathalyzer units allow an offender the option to test at home or work in lieu of traveling to an agency to test. This reduces their need to miss work in order to test, and relieves the cost of travel and time associated with getting to testing.

ANNUAL STATISTICS

2014-15	Grand Traverse	Antrim	Leelanau
Jail Alternative programs			
Assessed	197	27	14
Approved & Enrolled	191	21	13
Positive Completion	159	27	14
Failed and returned to jail	54	5	2
Successful Completion %	78.4	87.5	87.6
Average Daily Jail beds saved	46	14	4.78
Jail Bed Days saved annually	14,971	2493	1176

Community Service Work			
Enrolled	346	263	72
Successful	470 (includes carryovers from 2013-14)	211	83
Failures	45	4	6
Jail Bed Days Saved Annually	3,320	2,147	598
Hours of work provided to nonprofit agencies annually	9,853	6,725	3,391

Court Recorders

Court Recorders have the responsibility of making a permanent record of court proceedings and providing a transcript of these proceedings upon request. Along with the efforts of other clerical staff and a court officer, they assist the judge in providing efficient docket movement. They are also responsible for filling out court disposition sheets as each case is heard, which indicates what transpires during a case from time of arraignment to final conclusion.

With the installation of video recording equipment in Antrim County in 2010, all three counties are now equipped with advanced technology allowing for all court proceedings to be captured on video. In addition, each courtroom can do video arraignments, which means that defendants do not have to be physically transported from the jail to the courthouse making this process more efficient and safe.

Each judge has a recorder that is certified by the State of Michigan. The recorders also act as judicial secretary to the judge they serve.

Mary Wenger-Townsend, Tammy Odom and Coleen Rocker

Collections

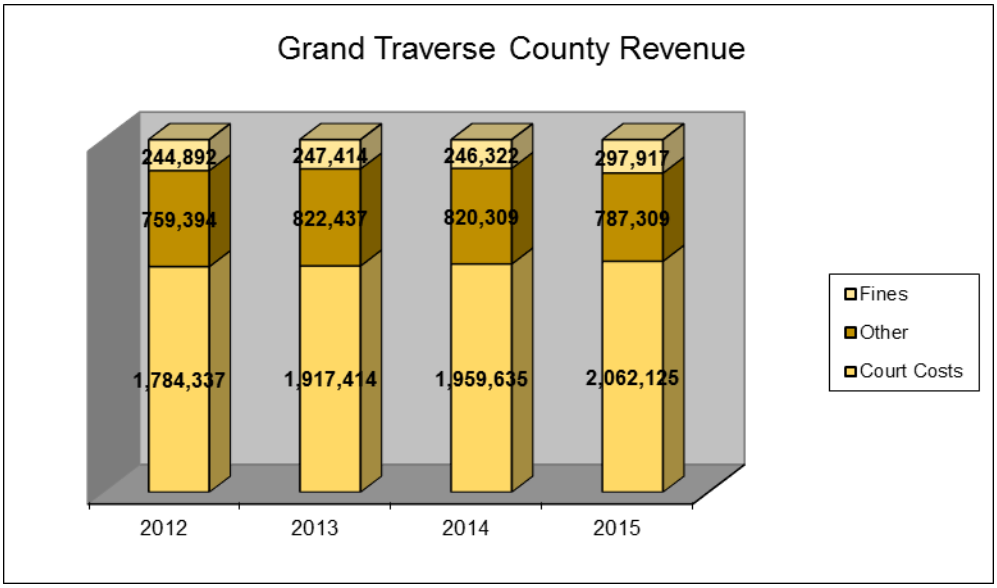
The court has a formal Collections Policy and collection efforts have been implemented in every county. Staff members actively work to set up payment agreements, time is spent working delinquent cases and probation officers have a more active role in collecting with active probationers.

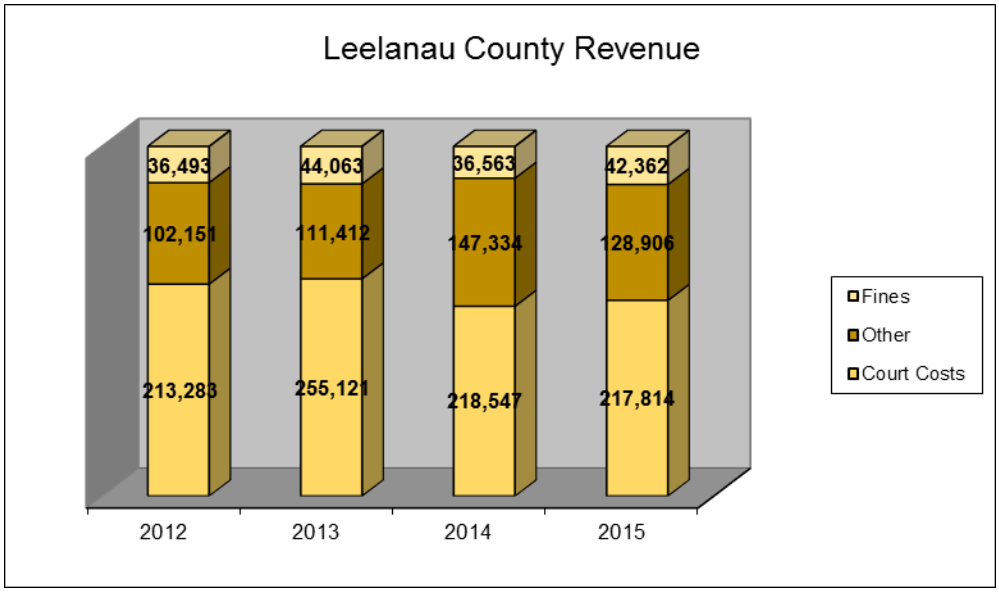
Suzy Barsheff and Dawn Rector

Between 100-150 show cause hearings are set each month on cases with money past due. Additionally, Grand Traverse County alone issued approximately 434 State Income Tax Garnishments. These methods have proven to be very effective.

All money collected is deposited with the County Treasurer and dispersed monthly according to state guidelines. Some money stays with the local county, fines collected go to the local libraries, and other monies are distributed to the State of Michigan, local townships, and victims.

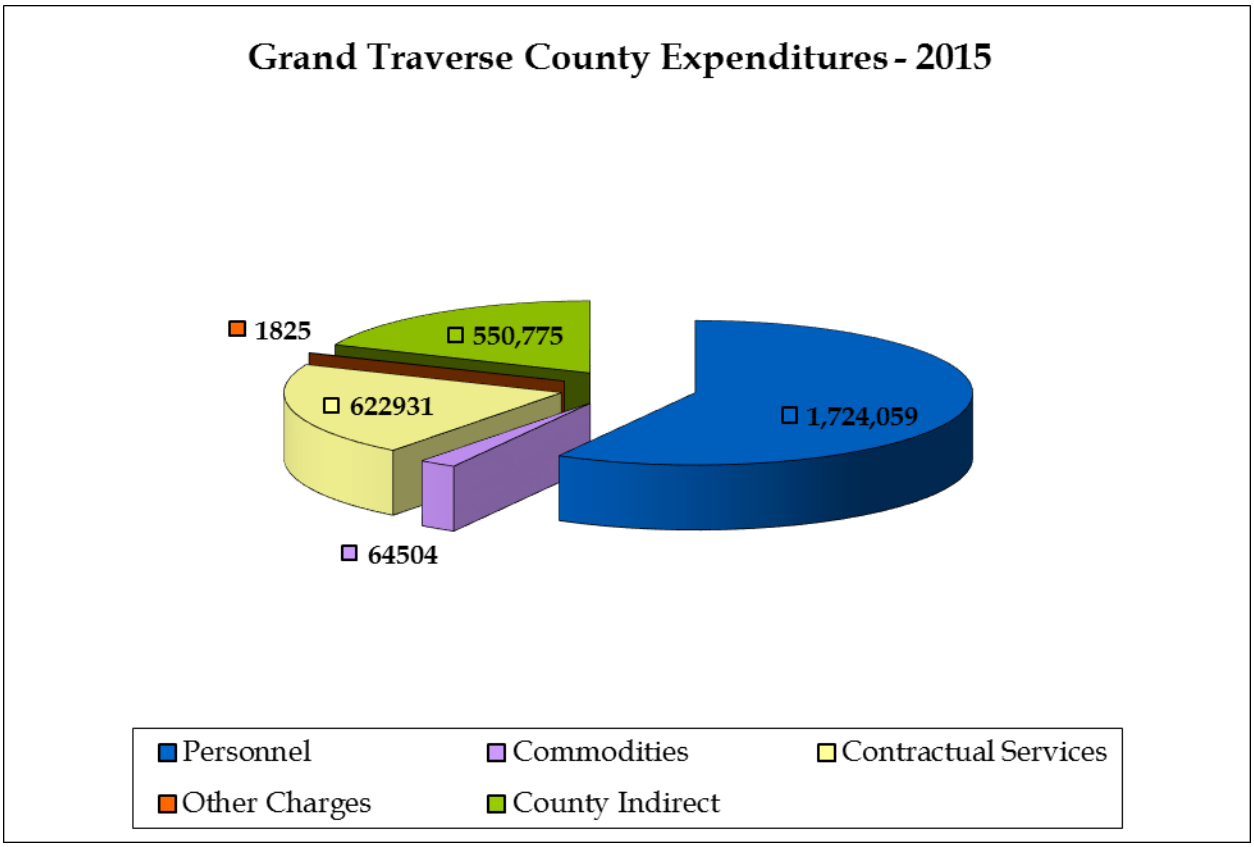
Revenues have remained steady in all three counties, even in this poor economy.



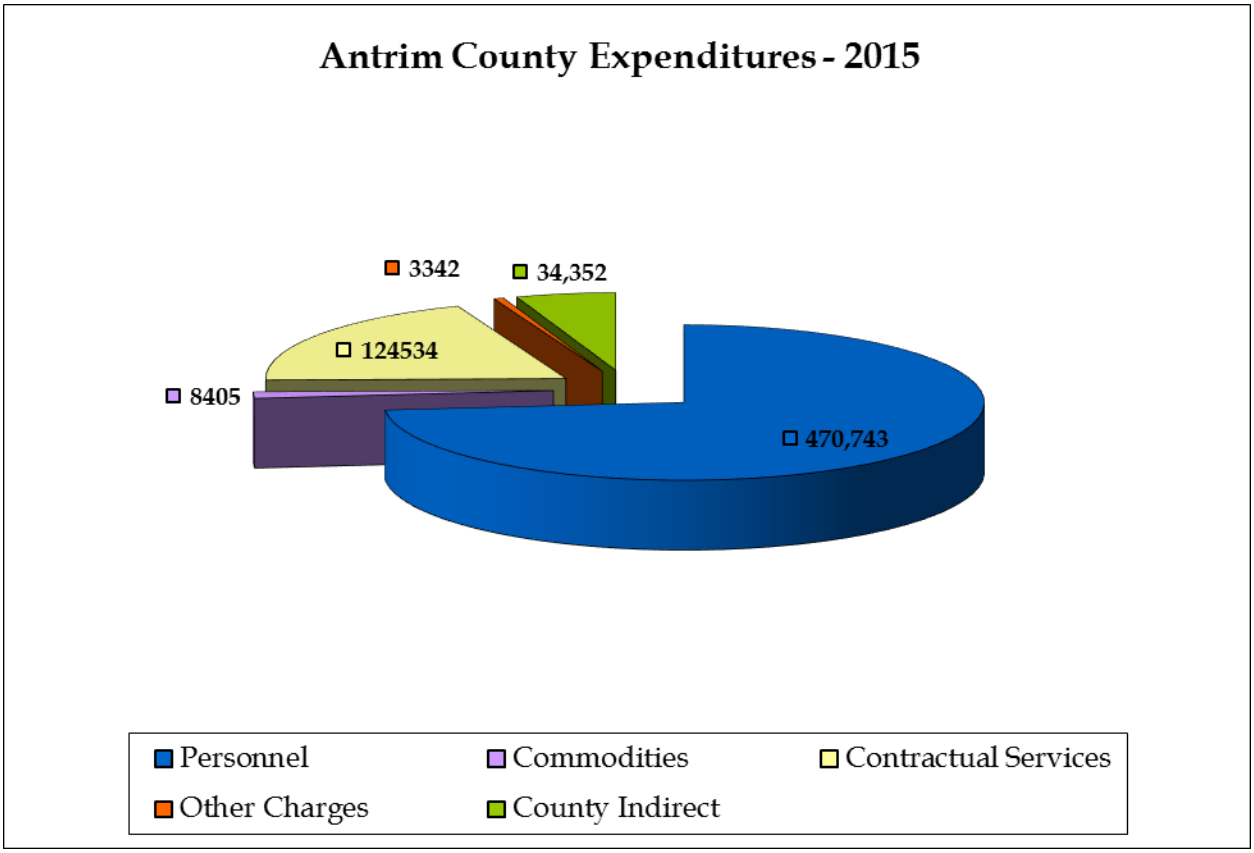

Leelanau County Revenue
36,493
102,151
213,283
44,063
111,412
255,121
36,563
147,334
218,547
42,362
128,906
217,814
2012
2013
2014
2015
Fines
Other
Court Costs

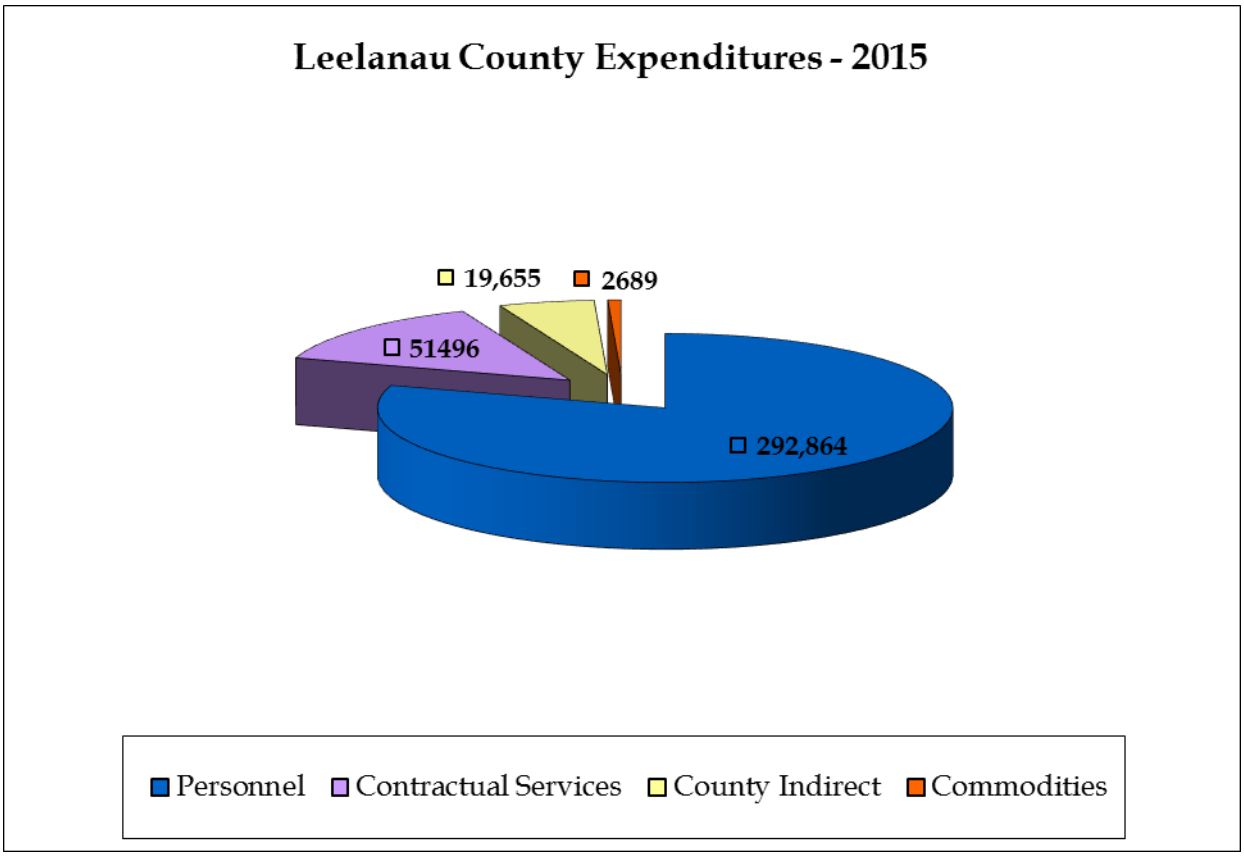
Finances

Grand Traverse County is the fiscal agent for the 86th District Court. Grand Traverse County is responsible for the processing, audit, verification, and payment of all operating expenses. The District Court maintains three separate budgets for each of the counties and one shared-cost budget. Separate budgets are also created for the Mental Health Court and Community Corrections.



Commodities include office supplies, printing, postage and similar expenses
Contract Services include transcript fees, jury and witness fees, court appointed attorney, interpreter, IT expenses
Other Charges include office equipment repair and maintenance, books, tuition reimbursement and employee training
County Indirect is the amount charged by Grand Traverse County for indirect costs such as space, heat, electric, facilities maintenance, etc.


Antrim County Expenditures - 2015
3342
34,352
124534
8405
470,743
Personnel
Commodities
Contractual Services
Other Charges
County Indirect


Leelanau County Expenditures - 2015
19,655
2689
51496
292,864
Personnel
Contractual Services
County Indirect
Commodities

Staff Photos

Grand Traverse Civil Division
Tammie McLain, Ella Dreves,, Joel Mann
Not pictured: Claudette Tarr

Leelanau Staff
Norene Katsys and Cindy Schaub

Antrim Staff
Shannon Johnson, Elizabeth Stanichuk
Jerri White, Shirley Dewitt, Cindy Visnaw

Grand Traverse Criminal/Traffic Division
Andrea Cooper, Sue Schaub, Kendra Wise, Sara Deschler

Marissa Switalski, Accounting Technician
Tina Lehn, Office Coordinator