

Friend of the Court Grievances  
Annual Report to the Legislature  
Calendar Year 2006

MICHIGAN SUPREME COURT  
State Court Administrative Office  
Friend of the Court Bureau

April 2007

## EXECUTIVE SUMMARY

This is the Friend of the Court Bureau's 23rd Annual Grievance Report to the Michigan Legislature.

The Friend of the Court Bureau ("the Bureau") is part of the State Court Administrative Office. The Bureau was created by the Friend of the Court Act, 1982 PA 294; MCL 552.501 et seq. ("the Act"). Among other duties, the Act requires the Bureau to collect data on the operations of county friend of the court ("FOC") offices. That includes data on all grievances filed with county FOCs, and the FOCs' responses to those grievances.

One section of the Act, MCL 552.519(3)(d), requires the Bureau to prepare an annual FOC grievance report to the Michigan Legislature. That report must summarize the grievances that were filed with FOCs during the preceding year, detail how the grievances were resolved, and state the number of grievances that remained pending at the end of the year.

During the 2006 calendar year, 632 grievances were filed with county FOC offices. That represented a 10 percent decrease from 2005. For 2006, the ratio of open FOC cases to grievances filed was 1,216:1. The comparable ratio in 2005 was 1,175:1.

Grievances sometimes raise issues that the Act does not recognize as "grievable." Examples of nongrievable issues include: complaints about the substance of a court's ruling; complaints about the substance of an FOC's recommendation to a court; and issues that must be addressed by some agency other than the FOC. The FOCs accept these grievances and respond to them, but the response may simply inform the grievant that the issue is not grievable under the Act. A grievance also occasionally raises multiple issues. The FOC then will respond substantively only to those issues that are grievable.

In this annual report, FOC responses to grievances are grouped into four categories: (1) acknowledged in full; (2) acknowledged in part; (3) denied; and (4) deemed to be nongrievable. During the past year, 46 grievances were acknowledged in full; 82 were acknowledged in part; 422 were denied; 101 were deemed nongrievable; and 11 remained pending as of December 31, 2006.

The 632 grievances that were filed with county FOC offices raised a total of 955 discrete and grievable issues. Of those issues, 66 percent were complaints about some aspect of FOC office operations, while 34 percent were criticisms of an individual FOC employee's performance.

Looking only at the "office operations" category, 56 percent raised a "child support" issue, 16 percent focused on "parenting time," 4 percent involved "custody," and another 3 percent alleged "gender bias." The remaining 20 percent were classified as "other" because the issues that they raised were unique or nearly so, and did not fit into the categories listed above.

In response to those grievances that county FOCs acknowledged -- either in full or in part -- the FOCs changed their office procedures in 28 instances and took personnel actions involving 32 individual employees.

The attachments that follow provide more detailed data and some Web links to additional information about the FOC grievance process. Also attached is a separate summary of grievance processing by FOC "citizen advisory committees" in the three counties that have such committees.

## ATTACHMENT TO 2006 ANNUAL GRIEVANCE REPORT TO THE LEGISLATURE

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### GLOSSARY OF TERMS

**TOTAL FILED:** Number of grievances filed in each office during the reporting year of January 1 through December 31.

**PENDING:** Number of grievances not resolved during the reporting year.

#### **POSSIBLE GRIEVANCE RESPONSES:**

**A/F:** Acknowledged in full - merit in grievance.

**A/P:** Acknowledged in part - merit in part of grievance.

**D:** Denied - no merit in grievance.

**NG:** Nongrievable - issue does not come under the grievance procedure.

**PR:** Pending response - number of grievances not resolved at the time the grievance report was submitted to the State Court Administrative Office.

**Dupl:** Duplicate - same party filed a grievance on the same issue.

**Same Party/  
New Grievance:** Same party filed a prior grievance dealing with items not addressed in current grievance.

#### **GRIEVANCE ISSUE CATEGORIES:**

**Employee:** Number of grievances filed that included an employee problem.

**Office Operations:** This broad category includes grievances regarding support, parenting time, custody, gender, or "other."

**Support:** Number of grievances in which support-related concerns were at issue.

**Parenting Time:** Number of grievances in which parenting time concerns were at issue.

**Custody:** Number of grievances in which custody concerns were at issue.

**Gender:** Number of grievances in which gender concerns were at issue.

**Other:** Number of grievances in which other concerns not related to support, parenting time, custody, or gender were at issue.

**ATTACHMENT TO 2006 ANNUAL GRIEVANCE REPORT TO THE LEGISLATURE**

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**GRIEVANCE RESULTS:**

Chg. Policy/Ops.: Change in Office Operation - grievances resulted in change in office operation.

Personnel Action: Grievances resulted in personnel or employee action.

Footnotes: A grievance may involve both an employee and office operations. Therefore, total grievances filed does not equal the total number of employee-related grievances plus the total number of office operation-related grievances.

A grievance may involve multiple concerns that require a friend of the court response. One response may address multiple concerns. Therefore, the total number of grievance concerns (e. g., custody, parenting time, support, gender, and other) will not equal the total number of grievances filed.

Please Note: The 2006 Friend of the Court Grievances Annual Report to the Legislature Calendar Year 2006 was originally posted to the State Court Administrative Office's (SCAO) Webpage on April 19, 2007. Subsequent to the posted of the report, updated information was received by SCAO. The report was updated and reposted to the webpage on April 23, 2007.

| County                           | Grievance Comparisons and Totals |                  |                  |                             |                     | Grievance Responses   |     |     |    |    |
|----------------------------------|----------------------------------|------------------|------------------|-----------------------------|---------------------|-----------------------|-----|-----|----|----|
|                                  | 2006 Caseload                    | 2006 Total Filed | 2005 Total Filed | Percentage Change from 2005 | 2006 Ratio to Cases | Response over 30 days | A/F | A/P | D  | NG |
| ALCONA/ ARENAC/ IOSCO/ OSCODA    | 4,104                            | 5                | 2                | 150%                        | 1 : 821             | 0                     | 0   | 1   | 4  | 0  |
| ALGER                            | 442                              | 0                | *FTR             | 0%                          | 0 : 442             | 0                     | 0   | 0   | 0  | 0  |
| ALLEGAN                          | 5,656                            | 13               | 15               | -13%                        | 1 : 435             | 0                     | 0   | 4   | 9  | 0  |
| ALPENA/ MONTMORENCY              | 2,571                            | 0                | 5                | -100%                       | 0 : 2,571           | 0                     | 0   | 0   | 0  | 0  |
| ANTRIM/ GRAND TRAVERSE/ LEELANAU | 6,899                            | 7                | 14               | -50%                        | 1 : 986             | 0                     | 0   | 0   | 4  | 3  |
| BARRY                            | 4,037                            | 18               | *FTR             | 0%                          | 1 : 224             | 0                     | 2   | 3   | 12 | 1  |
| BAY                              | 8,296                            | 5                | 2                | 150%                        | 1 : 1,659           | 1                     | 0   | 1   | 2  | 3  |
| BENZIE                           | 1,015                            | *FTR             | *FTR             | 0%                          | 0 : 1,015           | 0                     | 0   | 0   | 0  | 0  |
| BERRIEN                          | 17,734                           | 1                | 1                | 0%                          | 1 : 17,734          | 0                     | 0   | 0   | 1  | 1  |
| BRANCH                           | 3,280                            | 3                | 0                | 300%                        | 1 : 1,093           | 0                     | 0   | 1   | 1  | 1  |
| CALHOUN                          | 17,960                           | 25               | 21               | 19%                         | 1 : 718             | 2                     | 0   | 3   | 16 | 1  |
| CASS                             | 4,052                            | 1                | 1                | 0%                          | 1 : 4,052           | 0                     | 0   | 1   | 0  | 0  |
| CHARLEVOIX                       | 1,657                            | 0                | *FTR             | 0%                          | 0 : 1,657           | 0                     | 0   | 0   | 0  | 0  |
| CHEBOYGAN/PRESEQUE ISLE          | 2,147                            | 2                | 0                | 0%                          | 0 : 2,147           | 0                     | 2   | 0   | 1  | 0  |
| CHIPPEWA                         | 2,051                            | 1                | 1                | 0%                          | 1 : 2,051           | 0                     | 0   | 0   | 1  | 0  |
| CLARE                            | 2,133                            | *FTR             | *FTR             | 0%                          | 0 : 2,133           | 0                     | 0   | 0   | 0  | 0  |
| CLINTON                          | 3,039                            | 3                | 13               | -77%                        | 1 : 1,013           | 0                     | 0   | 0   | 2  | 1  |
| DELTA                            | 2,220                            | 3                | 0                | 300%                        | 1 : 740             | 2                     | 3   | 4   | 3  | 3  |
| DICKINSON                        | 1,459                            | 1                | 5                | -80%                        | 1 : 1,459           | 1                     | 0   | 0   | 1  | 0  |
| EATON                            | 6,906                            | *FTR             | *FTR             | 0%                          | 0 : 6,906           | 0                     | 0   | 0   | 0  | 0  |
| EMMET                            | 1,587                            | 3                | *FTR             | 0%                          | 1 : 1,587           | 0                     | 0   | 0   | 3  | 0  |
| GENESEE                          | 54,468                           | 43               | 81               | -47%                        | 1 : 1,267           | 1                     | 2   | 4   | 37 | 0  |
| GLADWIN                          | 1,403                            | 1                | *FTR             | 0%                          | 1 : 1,403           | 0                     | 0   | 0   | 1  | 1  |
| GOGEBIC                          | 729                              | *FTR             | 3                | 0%                          | 0 : 729             | 0                     | 0   | 0   | 0  | 0  |
| GRATIOT                          | 2,689                            | 2                | 2                | 0%                          | 1 : 1,345           | 0                     | 0   | 0   | 2  | 0  |
| HILLSDALE                        | 3,610                            | 0                | 0                | 0%                          | 0 : 3,610           | 0                     | 0   | 0   | 0  | 0  |
| HOUGHTON/ BARAGA/ KEWEENAW       | 1,984                            | 0                | 0                | 0%                          | 0 : 1,984           | 0                     | 0   | 0   | 0  | 0  |
| HURON                            | 1,584                            | 2                | 0                | 200%                        | 1 : 792             | 1                     | 0   | 0   | 2  | 0  |
| INGHAM                           | 24,380                           | 36               | 36               | 0%                          | 1 : 677             | 0                     | 5   | 1   | 30 | 0  |

| County                        | Grievance Comparisons and Totals |                  |                  |                             |                     | Grievance Responses   |     |     |    |    |
|-------------------------------|----------------------------------|------------------|------------------|-----------------------------|---------------------|-----------------------|-----|-----|----|----|
|                               | 2006 Caseload                    | 2006 Total Filed | 2005 Total Filed | Percentage Change from 2005 | 2006 Ratio to Cases | Response over 30 days | A/F | A/P | D  | NG |
| IONIA                         | 4,781                            | 2                | 5                | -60%                        | 1 : 2,391           | 1                     | 0   | 0   | 2  | 0  |
| IRON                          | 540                              | *FTR             | 2                |                             | 0 : 540             | 0                     | 0   | 0   | 0  | 0  |
| ISABELLA                      | 2,601                            | 2                | 1                | 100%                        | 1 : 1,301           | 0                     | 0   | 0   | 2  | 1  |
| JACKSON                       | 14,822                           | 5                | 12               | -58%                        | 1 : 2,964           | 0                     | 0   | 1   | 4  | 0  |
| KALAMAZOO                     | 19,538                           | 7                | 17               | -59%                        | 1 : 2,791           | 0                     | 0   | 4   | 0  | 4  |
| KENT                          | 36,140                           | 50               | 32               | 56%                         | 1 : 723             | 3                     | 2   | 12  | 31 | 3  |
| LAKE                          | 892                              | *FTR             | *FTR             | 0%                          | 0 : 892             | 0                     | 0   | 0   | 0  | 0  |
| LAPEER                        | 5,862                            | 13               | 17               | -24%                        | 1 : 451             | 0                     | 0   | 0   | 12 | 1  |
| LENAWEE                       | 7,408                            | 5                | 6                | -17%                        | 1 : 1,482           | 0                     | 0   | 1   | 2  | 3  |
| LIVINGSTON                    | 6,165                            | 11               | 9                | 22%                         | 1 : 560             | 0                     | 0   | 4   | 6  | 1  |
| LUCE/MACKINAC                 | 924                              | *FTR             | 4                |                             | 0 : 324             | 0                     | 0   | 0   | 0  | 0  |
| MACOMB                        | 37,237                           | 23               | 43               | -47%                        | 1 : 1,619           | 0                     | 0   | 1   | 21 | 4  |
| MANISTEE                      | 1,454                            | 8                | 2                | 300%                        | 1 : 182             | 2                     | 2   | 0   | 4  | 0  |
| MARQUETTE                     | 2,436                            | 2                | 1                | 100%                        | 1 : 1,218           | 0                     | 0   | 0   | 0  | 2  |
| MASON                         | 1,520                            | 0                | *FTR             | 0%                          | 0 : 1,520           | 0                     | 0   | 0   | 0  | 0  |
| MECOSTA                       | 2,642                            | 3                | 9                | -67%                        | 1 : 881             | 0                     | 0   | 0   | 3  | 0  |
| MENOMINEE                     | 1,653                            | *FTR             | *FTR             | 0%                          | 0 : 1,653           | 0                     | 0   | 0   | 0  | 0  |
| MIDLAND                       | 4,215                            | 2                | 3                | -33%                        | 1 : 2,108           | 1                     | 0   | 1   | 2  | 1  |
| MONROE                        | 10,018                           | 5                | 1                | 400%                        | 1 : 2,004           | 0                     | 1   | 0   | 4  | 0  |
| MONTCALM                      | 5,676                            | 0                | 1                | -100%                       | 0 : 5,676           | 0                     | 0   | 0   | 0  | 0  |
| MUSKEGON                      | 24,310                           | 16               | 13               | 23%                         | 1 : 1,519           | 6                     | 1   | 1   | 9  | 2  |
| NEWAYGO                       | 3,757                            | 9                | 15               | -40%                        | 1 : 417             | 7                     | 0   | 2   | 7  | 3  |
| OAKLAND                       | 51,184                           | 76               | 87               | -13%                        | 1 : 673             | 0                     | 1   | 4   | 65 | 6  |
| OCEANA                        | 1,295                            | 2                | 0                | 200%                        | 1 : 648             |                       | 1   | 1   | 1  | 0  |
| ONTONAGON                     | 361                              | 0                | 0                | 0%                          | 0 : 361             | 0                     | 0   | 0   | 0  | 0  |
| OSCEOLA                       | 1,806                            | 0                | 3                | -100%                       | 0 : 1,806           | 0                     | 0   | 0   | 0  | 0  |
| OTSEGO/ CRAWFORD/<br>KALKASKA | 3,838                            | 9                | 7                | 29%                         | 1 : 426             | 0                     | 1   | 4   | 4  | 0  |
| OTTAWA                        | 11,623                           | 13               | 10               | 30%                         | 1 : 894             | 1                     | 0   | 0   | 12 | 0  |
| ROSCOMMON/OGEMAW              | 2,936                            | 12               | 30               | -60%                        | 1 : 245             | 1                     | 0   | 0   | 9  | 9  |
| SAGINAW                       | 23,136                           | 21               | 8                | 163%                        | 1 : 1,102           | 0                     | 0   | 1   | 20 | 0  |
| ST. CLAIR                     | 11,392                           | 2                | 7                | -71%                        | 1 : 5,696           | 0                     | 0   | 0   | 1  | 1  |

| County             | Grievance Comparisons and Totals |                  |                  |                             |                     | Grievance Responses   |     |     |     |     |
|--------------------|----------------------------------|------------------|------------------|-----------------------------|---------------------|-----------------------|-----|-----|-----|-----|
|                    | 2006 Caseload                    | 2006 Total Filed | 2005 Total Filed | Percentage Change from 2005 | 2006 Ratio to Cases | Response over 30 days | A/F | A/P | D   | NG  |
| ST. JOSEPH         | 4,586                            | 0                | 3                | -100%                       | 0 : 4,586           | 0                     | 0   | 0   | 0   | 0   |
| SANILAC            | 2,539                            | 1                | 1                | 0%                          | 1 : 2,539           | 0                     | 0   | 0   | 1   | 0   |
| SCHOOLCRAFT        | 616                              | *FTR             | 1                |                             | 0 : 616             | 0                     | 0   | 0   | 0   | 0   |
| SHIAWASSEE         | 4,921                            | *FTR             | 0                | 0%                          | 1 : #VALUE!         | 0                     | 0   | 0   | 0   | 0   |
| TUSCOLA            | 3,337                            | 4                | 4                | 0%                          | 1 : 834             | 0                     | 0   | 1   | 3   | 1   |
| VANBUREN           | 6,126                            | 10               | 10               | 0%                          | 1 : 613             | 0                     | 0   | 0   | 0   | 10  |
| WASHTENAW          | 17,990                           | 16               | 23               | -30%                        | 1 : 1,124           | 1                     | 2   | 2   | 12  | 0   |
| WAYNE              | 232,857                          | 121              | 113              | 7%                          | 1 : 1,924           | 0                     | 21  | 19  | 46  | 34  |
| WEXFORD/ MISSAUKEE | 3,504                            | 7                | 3                | 133%                        | 1 : 501             | 0                     | 0   | 0   | 7   | 0   |
| <b>TOTAL</b>       | 768,730                          | 632              | 705              | -10%                        | 1 : 1,216           | 31                    | 46  | 82  | 422 | 101 |

\* FTR stands for failed to report.

| County                           | Multiple Grievances  |       |                          | Grievance Issue Category |       |           |       |             |       | Grievance Results |              |           |
|----------------------------------|----------------------|-------|--------------------------|--------------------------|-------|-----------|-------|-------------|-------|-------------------|--------------|-----------|
|                                  | Number Pending 12/31 | Dupl. | Same Party New Grievance | Empl.                    | Supp. | Par. Time | Cust. | Gend. Based | Other | Chg. Policy /Ops. | Pers. Action | No Action |
| ALCONA/ ARENAC/ IOSCO/ OSCODA    | 0                    | 0     | 0                        | 0                        | 4     | 2         | 1     | 0           | 0     | 0                 | 1            | 4         |
| ALGER                            | 0                    | 0     | 0                        | 0                        | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| ALLEGAN                          | 0                    | 0     | 0                        | 11                       | 6     | 2         | 0     | 0           | 0     | 0                 | 3            | 10        |
| ALPENA/ MONTMORENCY              | 0                    | 0     | 0                        | 0                        | 0     | 0         | 0     | 4           | 0     | 0                 | 0            | 0         |
| ANTRIM/ GRAND TRAVERSE/ LEELANAU | 0                    | 0     | 1                        | 3                        | 5     | 0         | 0     | 1           | 0     | 0                 | 1            | 6         |
| BARRY                            | 0                    | 0     | 12                       | 13                       | 4     | 0         | 0     | 0           | 13    | 5                 | 2            | 13        |
| BAY                              | 0                    | 0     | 1                        | 2                        | 4     | 0         | 1     | 0           | 0     | 5                 | 0            | 0         |
| BENZIE                           | 0                    | 0     | 0                        | 0                        | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| BERRIEN                          | 0                    | 0     | 0                        | 1                        | 0     | 1         | 0     | 0           | 0     | 0                 | 0            | 1         |
| BRANCH                           | 0                    | 0     | 0                        | 5                        | 0     | 0         | 0     | 0           | 2     | 1                 | 0            | 2         |
| CALHOUN                          | 1                    | 0     | 1                        | 8                        | 18    | 1         | 1     | 0           | 0     | 2                 | 2            | 19        |
| CASS                             | 1                    | 0     | 0                        | 1                        | 0     | 0         | 0     | 0           | 1     | 0                 | 0            | 1         |
| CHARLEVOIX                       | 0                    | 0     | 0                        | 0                        | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| CHEBOYGAN/PRESEQUE ISLE          | 1                    | 0     | 0                        | 2                        | 2     | 2         | 0     | 0           | 0     | 2                 | 0            | 2         |
| CHIPPEWA                         | 0                    | 0     | 0                        | 1                        | 1     | 0         | 0     | 0           | 0     | 0                 | 0            | 1         |
| CLARE                            | 0                    | 0     | 0                        | 0                        | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| CLINTON                          | 0                    | 0     | 0                        | 2                        | 1     | 0         | 0     | 0           | 0     | 0                 | 0            | 3         |
| DELTA                            | 0                    | 4     | 3                        | 7                        | 4     | 4         | 4     | 3           | 4     | 2                 | 2            | 4         |
| DICKINSON                        |                      |       |                          | 0                        |       |           |       |             |       |                   |              |           |
| EATON                            | 0                    | 0     | 0                        | 0                        | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| EMMET                            | 0                    | 0     | 0                        | 2                        | 2     | 0         | 0     | 0           | 0     | 0                 | 0            | 3         |
| GENESEE                          | 0                    | 3     | 10                       | 28                       | 24    | 25        | 3     | 0           | 39    | 0                 | 0            | 43        |
| GLADWIN                          | 0                    | 0     | 0                        | 1                        | 0     | 0         | 0     | 0           | 1     | 0                 | 0            | 1         |
| GOGEBIC                          | 0                    | 0     | 0                        | 0                        | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| GRATIOT                          | 0                    | 0     | 0                        | 0                        | 2     | 0         | 0     | 0           | 2     | 0                 | 0            | 2         |
| HILLSDALE                        | 0                    | 0     | 0                        | 0                        | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| HOUGHTON/ BARAGA/ KEWEENAW       | 0                    | 0     | 0                        | 0                        | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| HURON                            | 0                    | 0     | 0                        | 1                        | 0     | 1         | 0     | 0           | 0     | 0                 | 2            | 0         |
| INGHAM                           | 0                    | 0     | 0                        | 1                        | 29    | 6         | 1     | 0           | 2     | 0                 | 0            | 36        |



| County             | Number Pending 12/31 | Multiple Grievances |                          | Grievance Type Category |       |           |       |             |       | Grievance Results |              |           |
|--------------------|----------------------|---------------------|--------------------------|-------------------------|-------|-----------|-------|-------------|-------|-------------------|--------------|-----------|
|                    |                      | Dupl.               | Same Party New Grievance | Empl.                   | Supp. | Par. Time | Cust. | Gend. Based | Other | Chg. Policy /Ops. | Pers. Action | No Action |
| ST. JOSEPH         | 0                    | 0                   | 0                        | 0                       | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| SANILAC            | 0                    | 0                   | 0                        | 0                       | 0     | 1         | 0     | 0           | 0     | 0                 | 0            | 1         |
| SCHOOLCRAFT        | 0                    | 0                   | 0                        | 0                       | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| SHIAWASSEE         | 0                    | 0                   | 0                        | 0                       | 0     | 0         | 0     | 0           | 0     | 0                 | 0            | 0         |
| TUSCOLA            | 0                    | 0                   | 1                        | 3                       | 2     | 3         | 0     | 0           | 1     | 0                 | 1            | 3         |
| VANBUREN           | 0                    | 0                   | 0                        | 7                       | 5     | 0         | 0     | 0           | 0     | 0                 | 0            | 10        |
| WASHTENAW          | 0                    | 5                   | 0                        | 6                       | 12    | 9         | 0     | 0           | 0     | 0                 | 1            | 15        |
| WAYNE              | 1                    | 4                   | 2                        | 20                      | 88    | 1         | 0     | 0           | 16    | 0                 | 0            | 0         |
| WEXFORD/ MISSAUKEE | 0                    | 0                   | 0                        | 6                       | 5     | 2         | 0     | 0           | 0     | 0                 | 0            | 7         |
| <b>TOTAL</b>       | 11                   | 38                  | 59                       | 321                     | 356   | 103       | 27    | 22          | 126   | 28                | 32           | 441       |

\* FTR stands for failed to report.

## **ATTACHMENT TO 2006 ANNUAL GRIEVANCE REPORT TO THE LEGISLATURE**

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### Links to Additional Information

#### **Grievance Report Links**

SCAO Grievance Forms:

<http://courts.michigan.gov/scao/courtforms/domesticrelations/focgeneral/foc1a.pdf>

Statute describing grievance process:

[http://www.legislature.mi.gov/\(qadqm1nshwju4rymkvim41eb\)/mileg.aspx?page=getObject&objectName=mcl-552-526](http://www.legislature.mi.gov/(qadqm1nshwju4rymkvim41eb)/mileg.aspx?page=getObject&objectName=mcl-552-526)

#### **Friend of the Court Citizen Advisory Committee Supplement Links**

Citizen Advisory Committee Reporting Forms (can be found in Attachment C of the 2004 Grievance Report): <http://courts.michigan.gov/scao/resources/publications/reports/focb/grievrpt2004.pdf>

1998 PA 551 (can be found in Attachment D of the 2004 Grievance Report)

<http://courts.michigan.gov/scao/resources/publications/reports/focb/grievrpt2004.pdf>.

Michigan Court Rule 3.218:

<http://courtofappeals.mijud.net/rules/documents/1Chapter3SpecialProceedingsandActions.pdf>

2004 PA 210 (can be found in Attachment F of the 2004 Grievance Report):

<http://www.legislature.mi.gov/documents/2003-2004/publicact/pdf/2004-PA-0210.pdf>

Recommendation for random selection of grievances (can be found in Attachment G of the 2004 Grievance Report):

<http://courts.michigan.gov/scao/resources/publications/reports/focb/grievrpt2004.pdf>

**ATTACHMENT TO 2006 ANNUAL GRIEVANCE REPORT TO THE LEGISLATURE**

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2006 Friend of the Court Citizen Advisory Committee Supplement

**State Court Administrative Office (SCAO)  
Friend of the Court Bureau (FOCB)  
2006 Citizen Advisory Committee Report to the Legislature**

This report summarizes the current status of the friend of the court citizen advisory committees (CAC). A brief history of the CACs can be found in the State Court Administrative Office's 2004 Annual Grievance Report to the Legislature, available at:  
<http://courts.michigan.gov/scao/resources/publications/reports/focb/grievrpt2004.pdf>

**Evaluative Summary**

The FOCB was created within SCAO by the Friend of the Court Act in 1982. Later, the 1996 CAC legislation expanded SCAO/FOCB's duties by requiring that it prepare and submit to the Michigan Legislature an annual evaluative summary of the activities and functions of each CAC, the aggregate activities of all CACs, and any problems that impede the ability of CACs to satisfy the users of CAC services (MCL 552.519[D][iii]).

The summary is divided into five sections: (A) the number of meetings with and the advice given to the county board and the court; (B) the investigation of grievances; (C) other services provided; (D) problems encountered by the CACs; and (E) summary and conclusions.

The SCAO/FOCB mailed out the 2006 annual reporting forms to each county and all existing CACs in December 2006. This year's responses continue the trend of recent years that the majority of counties either have never formed a committee or have allowed their committee to become inactive. The following bulleted list shows the current status of CACs in Michigan. The data came from written reports, correspondence, and other contacts with the counties.

Counties that have formed CACs:

- 30 counties formed CACs since 1997 (when the CAC legislation took effect), but 27 of those were not active in 2006 or failed to submit a 2006 report.
- 3 CACs reported 2006 activities to the SCAO/FOCB.

As noted above, many counties have never established a CAC. In other counties, the CACs no longer are active. Written comments provided by the counties indicate that lack of funding as the principal reason why a committee was not established or maintained.

Only the CACs for Kent, Livingston, and Macomb filed 2006 reports. The following information is drawn from these reports.

- A. MCL 552.504a(1) provides that a CAC must meet a minimum of six times each year and submit its meeting minutes to the county board.**

1. Number of times each CAC met and offered advice to county board.
  - Kent County CAC met six times and submitted its minutes to the county board after each meeting.
  - Livingston County CAC met fewer than six times and submitted its minutes to the county board after each meeting, submitted one advisory letter to the board, and met once with its county friend of the court.
  - Macomb County CAC met fewer than six times (only “as needed”) and submitted its minutes together with its annual report to the county board at the end of the year.

**B. MCL 552.526(3) provides that a party to a domestic relations matter who has a grievance concerning friend of the court office operations may file the grievance with the county CAC at any time during the proceedings. MCL 552.526 provides that the CAC shall establish a procedure for randomly selecting grievances submitted directly to the office of the friend of the court. MCL 552.526 also provides that the committee shall examine grievances filed with the friend of the court that allege a decision was made based on gender rather than the best interests of the child. The citizen advisory committee shall review the response of the office to these grievances and report its findings to the circuit court and the county board, either immediately or in the committee's annual report.**

1. Number of grievances directly submitted to CACs.
  - Kent County CAC received three grievances. They raised two support issues, one parenting time issue, one gender-based issue, and one issue considered “other.” The committee partially agreed with one grievance, disagreed with one grievance, and is in the process of reviewing the other grievance.
  - Livingston County CAC received one grievance. It raised issues about parenting time and gender-based decisions. The grievance addressed a parenting time issue. The committee held one formal and one informal hearing to address the grievance. The committee found that the grievance was valid, and recommended changes to local policy.
  - Macomb County CAC received two grievances. Those grievances addressed two support issues and one issue that alleged a gender-based decision. Both grievances were denied because the CAC did not consider them related to “office operations,” a statutory term that limits the jurisdiction of CACs.

In summary of this section, there were six grievances filed directly with CACs. Those six grievances addressed four child support issues, three gender-based decision issues, two parenting time issues, and one issue considered “other.”

2. (A) Number of grievances filed initially with the friend of the court, and later randomly selected for review by CACs; and (B) grievances initially filed with the friend of the court that alleged gender-based decisions.

(A) Random Selection Review:

- Kent County CAC randomly selected 16 grievances to review. Of those 16 grievances, three were duplicates. The grievances contained eight support issues, one parenting time issue, two custody issues, and ten issues considered “other.” The CAC fully agreed with the county friend of the court’s responses on all 16 issues.
- Macomb County CAC randomly selected nine grievances. Those nine grievances raised seven support issues, three parenting time issues, two custody issues, and five issues considered “other.” The CAC fully agreed with the county friend of the court’s responses to all nine grievances.

In summary, only two CACs randomly selected and reviewed grievances that were initially filed with their local friend of the court. The 25 grievances selected included 15 support issues, 4 parenting time issues, 4 custody issues, and 15 issues considered “other.” The CACs fully agreed with the FOC’s response all 25 times.

(B) Review of Gender Based Grievances:

- Livingston County CAC reviewed one grievance that alleged a gender-based decision. The grievance addressed a parenting time issue. The committee disagreed with the county friend of the court’s response.
- Macomb County CAC reviewed two grievances that alleged a gender-based decision. Those two grievances contained two parenting time issues, and one custody issue. The CAC fully agreed with the county friend of the court’s responses.

In summary, two CACs reviewed a total of three grievances that alleged gender-based decisions. Those three grievances raised three parenting time issues and one custody issue. The CACs disagreed with the county friend of the court on one response and fully agreed with the other two responses.

### **C. Other services provided by CACs.**

Two of the reporting CACs provided additional services in 2006. The Livingston CAC served as an outlet and conduit for a grievant. The committee’s actions resulted in an improved Livingston County FOC policy. The Macomb CAC responded to calls from the public.

**D. MCL 552.519 (3)(d)(iii) requires “an identification of problems that impede the efficiency of the activities and functioning of the citizen advisory committees and the satisfaction of the users of the committees’ services.”**

All CACs were asked to identify problems that have impeded their efficiency, activities, and ability to satisfy users. Only the Livingston and Macomb CACs provided responses.

- **Livingston:** The Livingston County CAC said: “MCL 552.526 needs amending. Section 3 allows grievances concerning office operations. Section 7 excludes decisions regarding a specific case. Mostly all people who file a grievance are complaining about a specific action, or decision, made in their case. The wording of Section 7 is not realistic in addressing the concerns of the public. The language is too restrictive. If a person believes an office employee is biased but the committee can’t review those decisions because they are not proper subjects for a grievance, the committee is in effect rendered powerless to review much of anything.”
- **Macomb:** The Macomb County CAC reported: “Lack of knowledge of existence of FOCCAC, by the public, lack of knowledge of the scope of the FOCCAC review by the public, lack of ability of FOCCAC to effect change, as with MISDU [Michigan State Disbursement Unit] problems.

**E. Summary and Conclusions**

On December 20, 2006, the FOCB sent the annual CAC reporting form and an explanatory cover memo to all chairpersons of citizen advisory committees, chairpersons of county boards of commissioners, and county executives. The memo requested that the county report on its CAC activities, or contact SCAO to report that a CAC was ever formed or was formed but is no longer active. The majority of the counties responded that their CAC is not active or was never formed. Three counties provided annual reports.

Based on the reports submitted to SCAO, only three CACs (Kent, Livingston, and Macomb) are actively meeting. The Kent County CAC meets six times per year. The Livingston and Macomb CAC meet fewer than six times per year. It should be noted that Oceana CAC did submit a report. However, the Oceana committee only meets when a grievance is filed, and none were filed in 2006.

Three CACs had a total of six grievances filed directly with them. Of grievances initially filed with county friends of the court, two CACs reviewed 25 randomly selected grievances and another three grievances that alleged gender-based decision making.

In comparison to 2005:

- Two fewer CACs reported in 2006 (three, versus five in 2005).
- There was one more reported grievance filed directly with the CACs in 2006 (six versus five in 2005).
- Fewer grievances that were filed with the friend of the court were later randomly selected for review by CACs (28 versus 50 in 2005).

The State Court Administrative Office will continue to provide assistance to friends of the court regarding CAC duties and responsibilities.