

Friend of the Court  
Annual Grievance  
Report to the Legislature  
Calendar Year 2010

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

May 2011

## EXECUTIVE SUMMARY

This is the Friend of the Court Bureau's 27th 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, including data on all grievances filed with FOCs, and the FOCs' responses to those grievances.

Section 19 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 provide a summary of the types of grievances each office receives, and whether the grievances are resolved or outstanding.

During the 2010 calendar year, 549 grievances were filed with FOC offices, 30 fewer than in 2009.

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 might also raise multiple issues. The FOC then will respond substantively only to those issues that are grievable.

In this annual report, grievance responses are grouped into four categories: (1) grievances acknowledged in full; (2) grievances acknowledged in part; (3) grievances denied; and (4) grievances deemed to be nongrievable. During the past year, 31 grievances were acknowledged in full, 58 were acknowledged in part, 394 were denied, 78 were deemed nongrievable, and 5 remained pending as of December 31, 2010. [Note: A single grievance with multiple issues may result in more than one response. For example, a single grievance may contain one issue that is denied, while another issue in the same grievance may be acknowledged in part.]

The 549 grievances that were filed with FOC offices raised a total of 833 discrete and grievable issues. Of those issues, 58 percent (481) were complaints about some aspect of FOC office operations, while 42 percent (352) were issues related to an FOC employee's performance.

In the "office operations" category, 48 percent (233) raised a child support issue, 20 percent (95) focused on parenting time, 3 percent (16) involved custody, and 5 percent (22) alleged gender bias. The remaining 24 percent (115) were classified as "other" because the issues they raised were unique or nearly so, and did not fit into the categories listed above.

In response to the grievances of all types that FOCs acknowledged either in full or in part, the FOCs changed their office procedures in 13 instances and took personnel actions in 40.

The attachments that follow provide more detailed grievance data information about the FOC grievance process.

Also attached is a separate summary of grievance processing by FOC Citizen Advisory Committees in the one county that has such a committee.

**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)

## GLOSSARY OF TERMS USED IN THE DATA CHARTS THAT FOLLOW

Total Filed	Number of grievances filed in each office during the reporting year of January 1 through December 31.
Response Over 30 days	Number of grievances not responded to within the statutory required time period of 30 days. MCL 552.526.
Duplicate Grievance (DG)	Duplicate - same party filed a grievance on the same issue.
Same Grievance Filed With the Citizen Advisory Committee. (CA)	The same grievance filed with the friend of the court was filed with the Citizen Advisory Committee
Same Party/ New Grievance (SP)	Same party filed a prior grievance dealing with items not addressed in current grievance.

### GRIEVANCE ISSUE CATEGORIES:

Employer (Empl)	Number of grievances filed that concerned an employee.
Office Operations	This broad category (for which the charts do not show a cumulative number) includes grievances regarding support, parenting time, custody, gender, or “other.” The charts provide numbers for each of those “office operations” components.
Support (S)	Number of grievances in which support-related concerns were at issue.
Parenting Time (PT)	Number of grievances in which parenting time concerns were at issue.
Custody (C)	Number of grievances in which custody concerns were at issue.
Gender Based (GB)	Number of grievances in which gender concerns were at issue.
Other (O)	Number of grievances in which other concerns not related to support, parenting time, custody, or gender were at issue.

### POSSIBLE GRIEVANCE RESPONSES :

Acknowledged in full (AF)	Acknowledged in full - merit in grievance.
Acknowledged in part (AP)	Acknowledged in part - merit in part of grievance.

Denied (D)	Denied - no merit in grievance.
Nongrievable (NG)	Nongrievable - issue does not come under the grievance procedure.
Pending response (PR)	Pending response - number of grievances not resolved at the time the grievance report was submitted to the State Court Administrative Office.

**GRIEVANCE RESULTS:**

Change in Policy/ Operations (CO)	Change in Office Operations – grievance resulted in change in office operations.
Personal Action (PA)	Grievance resulted in personnel or employee action.
No Action (NA)	No change in policy or personnel action.
Notes	<p>A single grievance may involve both office operations and an employee. Therefore, the total number of grievances filed may be less than the sum of employee-related grievances plus office operations grievances.</p> <p>A grievance may involve multiple concerns that require an FOC response. One response may address multiple concerns. Therefore, the total number of grievance concerns reported here (e.g., custody, parenting time, support, gender, and other) may exceed the total number of grievances filed. Also, one FOC response may address multiple concerns.</p>

County	2010 total filed	Response over 30 days	Multiple Grievances			Types of Grievance Issues						Grievance Response Category					Grievance Result		
			DG	CA	SP	Empl.	S	PT	C	GB	O	A/F	A/P	D	NG	PR	CO	PA	NA
ALCONA/ ARENAC/ IOSCO/ OSCODA	5	1	0	0	0	5	1	1	1	0	0	0	0	1	4	0	0	0	5
ALGER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEGAN	12	0	0	0	2	8	4	2	0	0	0	0	0	11	1	0	0	0	12
ALPENA/ MONTMORENCY	2	0	0	0	1	1	2	0	0	0	0	0	1	1	0	0	0	1	1
ANTRIM/ GRAND TRAVERSE/ LEELANAU	7	0	1	0	0	4	1	1	0	1	0	0	2	4	4	0	0	2	5
BARRY	3	0	0	0	0	3	0	1	0	0	2	0	1	2	0	0	0	1	2
BAY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BENZIE	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
BERRIEN	2	0	0	0	0	1	1	1	0	0	1	0	0	2	0	0	0	0	2
BRANCH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CALHOUN	13	1	0	0	0	5	12	0	1	0	0	0	2	9	2	0	2	0	11
CASS	1	0	0	0	0	1	0	0	0	0	1	0	1	0	0	0	0	1	0
CHARLEVOIX	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CHEBOYGAN/PRESQUE ISLE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CHIPPEWA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CLARE	3	1	1	0	0	3	3	0	0	0	0	0	0	3	1	0	0	0	0
CLINTON	4	0	0	0	3	2	1	0	0	0	1	0	0	4	0	0	0	0	4
DELTA	5	0	0	0	1	3	2	0	0	0	0	0	1	3	1	0	1	0	4
DICKINSON	3	0	0	0	0	0	2	1	0	0	0	0	0	3	0	0	0	0	3
EATON	4	2	0	0	0	2	0	1	0	0	4	0	0	4	0	0	0	0	4
EMMET	3	0	1	0	0	1	2	1	0	0	0	0	0	3	0	0	0	0	3
GENESEE	38	19	0	0	9	30	22	14	0	0	38	1	3	34	1	0	0	1	37
GLADWIN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GOGEBIC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GRATIOT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HILLSDALE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HOUGHTON/ BARAGA/ KEWEENAW	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
HURON	11	1	0	0	9	7	0	3	0	0	2	0	0	11	0	0	0	0	0
INGHAM	24	0	0	0	0	17	6	2	0	0	9	5	3	12	4	0	1	9	14

County	2010 total filed	Response over 30 days	Multiple Grievances			Types of Grievance Issues						Grievance Response Category					Grievance Result		
			DG	CA	SP	Empl.	S	PT	C	GB	O	A/F	A/P	D	NG	PR	CO	PA	NA
IONIA	3	0	0	0	0	2	1	0	0	0	0	1	0	2	0	0	0	1	2
IRON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ISABELLA	3	1	1	0	1	1	3	0	0	0	3	0	1	0	1	2	1	0	0
JACKSON	9	0	0	0	0	8	1	2	1	0	3	2	0	7	0	0	2	1	7
KALAMAZOO	11	1	2	0	0	7	3	0	0	0	4	1	0	8	3	0	0	2	9
KENT	34	1	0	0	2	21	13	3	0	2	8	1	8	21	4	1	2	0	32
LAKE	2	0	0	0	0	2	0	0	0	0	2	0	0	1	1	0	0	1	1
LAPEER	8	1	0	0	0	5	5	1	0	0	5	0	1	4	2	1	0	0	7
LENAWEE	9	0	0	0	0	9	2	1	0	2	2	1	1	3	6	0	1	1	7
LIVINGSTON	7	0	0	0	0	4	3	3	1	0	2	0	0	4	3	0	0	1	6
LUCE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MACKINAC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MACOMB	28	3	1	0	0	22	5	3	1	1	5	0	1	27	0	0	0	1	27
MANISTEE	4	0	0	0	0	4	3	1	0	0	0	0	0	4	0	0	0	0	4
MARQUETTE	1	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	1
MASON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MECOSTA	2	0	0	0	0	1	1	0	0	0	0	0	0	2	0	0	0	0	2
MENOMINEE	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
MIDLAND	5	0	2	0	0	2	1	2	0	0	4	0	2	3	0	0	0	1	4
MONROE	9	1	0	1	3	9	0	0	0	0	1	0	0	4	6	0	0	0	9
MONTCALM	3	0	1	0	0	2	1	0	0	0	0	0	0	1	2	0	0	0	2
MUSKEGON	15	10	0	0	1	12	7	2	0	0	0	0	0	14	1	0	0	0	7
NEWAYGO	3	0	0	0	0	2	2	1	0	0	0	0	0	3	0	0	0	0	3
OAKLAND	88	0	0	6	12	70	30	12	4	11	1	3	9	71	5	0	1	7	80
OCEANA	1	0	0	0	0	1	1	0	0	0	0	0	0	1	1	0	0	0	1
ONTONAGON	1	0	0	0	0	1	0	0	0	0	1	0	0	1	0	0	0	0	1
OSCEOLA	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
OTSEGO/ CRAWFORD/ KALKASKA	5	0	0	0	0	5	3	3	1	0	2	0	2	3	2	0	0	0	5
OTTAWA	20	1	2	0	0	23	9	10	2	3	0	4	0	14	3	0	0	6	14
ROSCOMMON/OGEMAW	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SAGINAW	8	0	1	0	0	8	7	2	3	0	0	0	0	8	1	0	0	0	8
ST. CLAIR	4	0	1	0	0	0	2	2	1	1	2	0	0	3	3	0	0	0	4

County	2010 total filed	Response over 30 days	Multiple Grievances			Types of Grievance Issues						Grievance Response Category					Grievance Result			
			DG	CA	SP	Empl.	S	PT	C	GB	O	A/F	A/P	D	NG	PR	CO	PA	NA	
ST. JOSEPH	2	0	0	0	0	0	2	0	0	0	0	0	0	0	1	0	1	0	0	1
SANILAC	1	0	1	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	1
SCHOOLCRAFT	1	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	1
SHIAWASSEE	Failed to Report																			
TUSCOLA	3	0	0	0	0	1	2	0	0	0	0	0	0	0	2	0	0	0	0	2
VANBUREN	3	0	0	0	0	2	1	2	0	0	0	0	0	0	3	0	0	0	0	3
WASHTENAW	12	2	0	0	0	3	9	2	0	1	0	1	0	11	0	0	1	0	11	
WAYNE	95	0	2	0	1	25	52	15	0	0	8	11	18	50	16	0	0	3	92	
WEXFORD/MISSAUKEE	5	5	0	0	1	5	0	0	0	0	4	0	1	4	0	0	1	0	4	
<b>TOTAL</b>	<b>549</b>	<b>51</b>	17	7	46	352	233	95	16	22	115	31	58	394	78	5	13	40	469	

## **2010 Friend of the Court Citizen Advisory Committee Supplement**

### **State Court Administrative Office (SCAO) Friend of the Court Bureau (FOCB) 2010 Citizen Advisory Committee Report to the Legislature**

This report summarizes the current status of the Friend of the Court Citizen Advisory Committees (CACs). A brief history of the Citizen Advisory Committees 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>.

In February 2011, the SCAO/FOCB contacted all the Friend of the Court directors and asked if they had an active CAC in their county. Based on the responses from the directors, the two counties with active CACs were sent the annual CAC reporting forms. Those two counties were Kent County and Oakland County. Only Kent County returned the reporting form.

#### **Kent County CAC**

The Kent County CAC met less than 6 times and submitted its meeting minutes after each CAC meeting. A subcommittee was formed to review grievances. Three grievances were filed directly with the committee. Those 3 grievances raised 3 child support issues and two issues considered "other." The CAC partially agreed with 1 grievance, agreed fully with another, and disagreed with the third. As a result of the grievances filed directly with the CAC, the committee recommended 2 changes in local policies or operations.

In addition to reviewing grievances filed directly with the committee, the CAC also received and reviewed 1 out of every 3 grievances (11 total) filed with the Kent County Friend of the Court. Those 11 grievances contained 7 child support issues, 3 parenting time issues, and 3 issues considered "other." The CAC agreed with the Friend of the Court's responses 4 times, partially disagreed with 4 responses, completely disagreed with the Friend of the Court twice, and one grievance review was pending at the time the Kent County CAC submitted its annual report. The CAC later reversed its position with respect to one of the grievances with which it partially disagreed. The FOCB reviewed the remaining 5 grievances that the Kent County CAC partially disagreed or completely disagreed with the FOC. The FOCB examined the issues raised in the grievances and found the FOC's responses to be acceptable.

During 2010, members of the CAC also observed FOC hearings and helped implement policy changes to improve customer service at the FOC office.

#### **Summary**

In February 2011, the SCAO sent the annual CAC reporting forms to only two counties (Kent and Oakland Counties) that have active CACs. Only the Kent County CAC responded. The FOCB was contacted by members of the Oakland County CAC about submitting the reporting forms after the required information was gathered and organized. However, the Oakland County CAC did not submit the required reporting forms in time to have the information included in this annual report.

## **2010 Friend of the Court Citizen Advisory Committee Supplement**

The SCAO will continue to provide assistance to FOCs regarding CAC duties and responsibilities.