

Friend of the Court  
Annual Grievance  
Report to the Legislature  
Calendar Year 2012

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

April 2013

## EXECUTIVE SUMMARY

This is the 29th Annual Grievance Report by the Friend of the Court Bureau (FOCB) to the Michigan Legislature.

The FOCB is part of the State Court Administrative Office. The FOCB 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 FOCB to collect data on the operations of 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 FOCB 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 2012 calendar year, 384 grievances were filed with FOC offices, 87 fewer than in 2011.

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. In 2012, 24 grievances were acknowledged in full, 50 were acknowledged in part, 291 were denied, 30 were deemed nongrievable, and 2 remained pending as of December 31, 2012. [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 384 grievances that were filed with FOC offices raised a total of 611 discrete and grievable issues. Of those issues, 61 percent (371) were complaints about some aspect of FOC office operations, while 39 percent (240) were issues related to an FOC employee's performance.

In the "office operations" category, 57 percent (213) raised a child support issue, 12 percent (46) focused on parenting time, 5 percent (19) involved custody, and 4 percent (14) alleged gender bias. The remaining 21 percent (79) 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 26.

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 two counties that have committees.

**LINKS TO ADDITIONAL INFORMATION:**

**Grievance Report Links**

[SCAO Grievance Forms](#)

[Statute Describing Grievance Process](#)

Attachments

## GLOSSARY OF TERMS USED IN THE DATA CHARTS

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 statutorily required time period of 30 days. [MCL 552.526.]
Duplicate Grievance (DG)	Same party filed a grievance on the same issue.
Same Grievance Filed With the Citizen Advisory Committee. (CA)	The same grievance filed with the FOC and a 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:

Employee (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)	Merit in grievance.
Acknowledged in Part (AP)	Merit in part of grievance.

Denied (D)	No merit in grievance.
Nongrievable (NG)	Issue does not come under the grievance procedure.
Pending Response (PR)	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)      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      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.

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., support, parenting time, custody, gender, or “other.”) may exceed the total number of grievances filed. Also, one FOC response may address multiple concerns.

County	2012 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	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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	0	3	9	3	2	0	0	0	1	10	1	0	0	0	12
ALPENA/ MONTMORENCY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ANTRIM/ GRAND TRAVERSE/LEELANAU	2	0	0	0	0	1	1	0	0	0	0	0	0	1	1	0	0	0	2
BARRY	2	0	0	0	0	2	1	1	1	0	0	0	0	2	0	0	0	0	2
BAY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BENZIE	2	0	0	0	0	1	1	1	0	1	0	0	0	2	0	0	0	0	2
BERRIEN	2	0	0	0	0	2	1	1	1	0	2	0	0	2	0	0	0	0	2
BRANCH	3	0	0	0	0	1	2	1	0	0	0	0	1	2	0	0	0	1	2
CALHOUN	6	0	0	0	0	3	3	1	0	0	0	0	0	5	1	0	0	0	6
CASS	1	0	0	0	0	1	0	0	0	0	1	0	0	1	0	0	0	0	1
CHARLEVOIX	4	0	0	0	0	1	2	2	1	0	0	0	0	3	1	0	0	0	4
CHEBOYGAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CHIPPEWA	2	0	0	0	1	2	1	1	0	0	1	0	0	2	0	0	0	0	2
CLARE	1	0	1	0	0	2	1	0	0	0	0	1	0	0	0	0	1	0	0
CLINTON	1	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	1	0
DELTA	1	1	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
DICKINSON	4	0	0	0	0	0	0	0	0	0	4	0	0	4	0	0	0	0	4
EATON	3	2	0	0	0	3	1	2	0	0	0	0	0	3	0	0	1	0	2
EMMET	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GENESEE	21	3	1	0	2	15	10	5	1	0	19	4	1	15	1	0	1	2	18
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	4	0	0	0	0	1	3	0	0	1	1	0	0	4	0	0	0	0	4
HILLSDALE	1	0	0	0	0	1	1	0	0	0	0	0	0	1	0	0	0	0	1
HOUGHTON/BARAGA/ KEWEENAW	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HURON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INGHAM	13	0	0	0	0	10	5	0	2	1	2	0	3	10	1	0	0	3	10

County	2012 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	4	0	0	2	0	4	1	0	1	0	2	0	0	4	0	0	0	0	4
IRON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ISABELLA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
JACKSON	10	0	0	0	0	3	4	2	0	0	1	1	2	7	0	0	2	2	6
KALAMAZOO	5	1	0	0	0	3	2	1	0	0	2	1	0	3	1	0	0	1	4
KENT	22	0	0	0	2	13	5	2	0	3	11	0	8	14	0	0	0	0	22
LAKE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LAPEER	3	0	0	0	0	1	2	0	0	0	1	0	0	3	0	0	0	0	3
LENAWEE	5	0	0	0	0	4	4	0	0	0	1	0	2	4	0	0	0	0	5
LIVINGSTON	2	0	0	0	0	2	2	0	0	0	1	0	2	0	0	0	1	1	0
LUCE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MACKINAC	1	0	0	0	0	1	0	1	0	0	0	0	0	1	0	0	0	0	1
MACOMB	27	9	0	0	0	14	8	0	0	3	4	0	0	25	2	0	0	0	27
MANISTEE	4	0	0	0	0	3	1	0	0	0	1	0	1	3	0	0	0	1	3
MARQUETTE	2	0	0	0	0	2	0	2	1	0	0	0	2	0	0	0	0	0	2
MASON	1	0	0	0	0	1	1	0	0	0	0	0	0	1	0	0	0	0	1
MECOSTA	3	1	0	0	0	1	0	2	0	0	0	0	0	3	0	0	0	0	3
MENOMINEE	1	1	0	0	0	1	1	0	0	0	0	1	0	0	0	0	1	0	0
MIDLAND	2	0	0	0	0	2	2	0	0	0	0	0	1	1	0	0	0	0	0
MONROE	3	0	0	0	0	3	1	2	1	0	1	1	0	2	0	0	1	1	2
MONTCALM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MUSKEGON	5	3	0	0	1	2	4	1	0	0	0	0	0	5	0	0	0	0	5
NEWAYGO	2	0	0	0	0	1	1	0	0	0	1	0	2	0	0	0	2	0	0
OAKLAND	61	0	2	2	0	79	46	4	1	2	1	1	8	46	7	0	1	2	58
OCEANA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OGEMAW	3	0	0	0	0	1	2	0	0	0	0	0	1	2	0	0	1	0	2
ONTONAGON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OSCEOLA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OTSEGO/CRAWFORD /KALKASKA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OTTAWA	11	0	1	0	2	11	8	0	1	0	3	2	2	8	0	0	0	3	8
PRESQUE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ROSCOMMON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SAGINAW	8	0	0	0	0	3	6	1	3	0	2	0	0	8	1	0	0	0	8
ST. CLAIR	10	0	2	0	3	5	7	3	2	1	2	0	0	8	7	0	0	0	10

County	2012 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	1	0	0	0	2	1	0	0	0	0	0	0	2	0	0	0	0	2
SANILAC	2	0	0	0	0	0	2	0	0	0	0	0	0	2	1	0	0	0	2
SCHOOLCRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SHIAWASSEE	1	0	0	0	0	0	1	0	0	0	0	1	0	1	0	0	0	0	1
TUSCOLA	3	0	1	0	0	3	2	1	0	0	1	0	0	3	0	0	0	0	3
VANBUREN	8	4	0	0	0	5	2	3	0	1	2	2	0	6	0	0	1	1	6
WASHTENAW	4	0	1	0	0	2	0	2	1	0	1	0	0	4	0	0	0	0	4
WAYNE	83	12	0	0	2	19	53	0	0	0	10	9	11	56	5	2	0	7	75
WEXFORD/MISSAUKEE	1	0	0	0	1	0	0	1	0	1	1	0	1	1	0	0	0	0	1
<b>TOTAL</b>	<b>384</b>	<b>38</b>	<b>9</b>	<b>4</b>	<b>14</b>	<b>240</b>	<b>213</b>	<b>46</b>	<b>19</b>	<b>14</b>	<b>79</b>	<b>24</b>	<b>50</b>	<b>291</b>	<b>30</b>	<b>2</b>	<b>13</b>	<b>26</b>	<b>343</b>

## **2012 Friend of the Court Citizen Advisory Committee Supplement**

### **State Court Administrative Office (SCAO) Friend of the Court Bureau (FOCB) 2012 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 CACs can be found in the [SCAO's 2004 Annual Grievance Report to the Legislature](#).

In November 2012, the SCAO/FOCB contacted all Friend of the Court (FOC) 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.

#### **Kent County CAC**

The Kent County CAC met six times (bimonthly) and submitted minutes after each CAC meeting to the county board of commissioners. A subcommittee was formed to review grievances. CAC members attended contempt hearings scheduled by the FOC at the family court and solicited feedback from circuit court family court staff. The Honorable Patricia Gardner, Presiding Family Division Judge, 17th Circuit Court, attended the May CAC meeting.

One grievance was filed directly with the committee. That one grievance raised one gender-based issue and one issue considered "other." Because the grievant failed to respond to the committee's request for additional information, the CAC was unable to investigate the grievance.

In addition to reviewing grievances filed directly with the committee, the CAC also received and reviewed 1 out of every 3 grievances (15 total) filed with the Kent County FOC. Twelve of the grievances were randomly selected and reviewed, three were reviewed because gender-based issues were alleged. Three of the fifteen grievance reviewed were submitted by the same party. The 15 grievances contained, 2 parenting time issues, and 14 issues considered "other." The CAC agreed with the FOC's responses 12 times, partially disagreed with 2 responses, and completely disagreed with the FOC 1 time. The FOCB reviewed the three 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. The Kent County CAC stated that there were no problems that impeded the committee's functions and activities for 2012.

#### **Oakland County CAC**

The Oakland County CAC met seven to twelve times in 2012. There were 14 informal and 19 formal hearings held in 2012.

The CAC had eight grievances filed directly with the committee. Those eight grievances raised three support issues, one parenting time issue, three gender-based decision issues, and two issues considered "other." The committee partially agreed with the grievant two times, disagreed with the grievant five times, and did not evaluate one grievance.

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The CAC listed no problems that impeded the committee's functions and activities for 2012.

The CAC reviewed 11 grievances that were filed initially with the FOC office. One of the grievances was filed by the same party. Those 11 grievances raised 11 gender-based issues, 4 child support issues, 5 parenting time issues, and 4 issues considered "other." The CAC fully agreed with the FOC for all 11 grievance responses.

### **Summary**

Only two counties (Kent and Oakland counties) have active CACs. Both CACs provided reports to the SCAO. The SCAO will continue to provide assistance to FOCs regarding CAC duties and responsibilities.