

Friend of the Court  
Annual Grievance  
Report to the Legislature  
Calendar Year 2013

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

March 2014

## EXECUTIVE SUMMARY

This is the 30<sup>th</sup> 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 2013 calendar year, 377 grievances were filed with FOC offices, 7 fewer than in 2012.

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 2013, 14 grievances were acknowledged in full, 50 were acknowledged in part, 250 were denied, 64 were deemed nongrievable, and 7 remained pending as of December 31, 2013. (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 377 grievances that were filed with FOC offices raised a total of 570 discrete and grievable issues. Of those issues, 60 percent (339) were complaints about some aspect of FOC office operations, while 40 percent (231) were issues related to an FOC employee's performance.

In the "office operations" category, 54 percent (183) raised a child support issue, 16 percent (55) focused on parenting time, 4 percent (15) involved custody, and 5 percent (18) alleged gender biases. The remaining 20 percent (68) 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 12 instances and took personnel actions in 28.

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	2013 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	3	1	0	0	0	4	1	3	1	1	0	0	0	2	1	0	1	0	1
ALGER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALLEGAN	15	0	0	0	0	15	8	3	1	1	3	1	0	12	2	0	0	2	13
ALPENA/ MONTMORENCY	1	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	1	0
ANTRIM/ GRAND TRAVERSE/LEELANAU	4	0	0	0	0	3	1	0	0	0	0	0	0	4	0	0	0	0	4
BARRY	1	1	0	0	0	1	0	1	0	0	0	0	0	1	0	0	0	0	1
BAY	1	0	0	0	0	1	0	0	1	0	0	0	1	0	0	0	0	0	1
BENZIE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BERRIEN	4	0	0	0	0	0	0	1	0	1	0	0	0	1	0	3	0	0	1
BRANCH	1	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	1
CALHOUN	11	2	0	0	0	6	3	1	2	0	2	0	0	6	5	0	0	1	10
CASS	4	0	0	0	0	1	2	1	0	0	2	1	0	1	2	0	0	1	3
CHARLEVOIX	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CHEBOYGAN	2	0	0	0	0	1	2	0	0	0	1	0	0	0	2	0	0	0	2
CHIPPEWA	2	0	0	0	0	1	0	0	0	0	1	0	0	2	0	0	0	0	2
CLARE	2	0	0	0	0	2	0	0	0	1	2	0	0	0	2	0	0	0	2
CLINTON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DELTA	2	1	0	0	0	1	2	0	0	0	0	0	0	2	0	0	0	0	2
DICKINSON	2	0	0	0	0	0	0	0	0	0	2	0	0	1	1	0	0	0	2
EATON	13	8	0	0	0	10	7	6	3	2	0	0	3	9	1	0	0	0	13
EMMET	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GENESEE	23	5	0	0	3	14	15	2	0	0	23	1	0	22	4	1	1	1	18
GLADWIN	1	0	0	0	0	2	1	0	0	0	0	0	0	1	1	0	0	0	1
GOGEBIC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GRATIOT	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
HILLSDALE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HOUGHTON/BARAGA/ KEWEENAW	4	0	0	0	4	4	1	1	0	1	1	0	0	4	0	0	0	0	4
HURON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INGHAM	10	0	0	0	0	7	4	0	2	0	0	0	3	5	2	0	0	3	7

County	2013 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	1	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1
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	6	1	0	0	0	5	2	1	0	0	0	0	4	2	0	0	1	3	3
KALAMAZOO	10	0	0	0	0	4	4	2	0	1	4	1	0	7	2	0	0	1	9
KENT	11	1	0	0	0	7	6	2	0	1	0	0	2	8	1	0	0	1	10
LAKE	1	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1	0
LAPEER	9	1	0	0	0	6	4	2	0	0	2	0	2	4	3	0	2	0	7
LENAWEE	6	0	0	0	0	6	3	3	0	0	2	0	1	4	1	0	0	0	6
LIVINGSTON	7	2	0	0	1	7	3	4	1	0	2	0	2	5	0	0	1	1	5
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	19	2	0	0	0	13	4	2	0	2	5	0	0	19	0	0	0	0	19
MANISTEE	1	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	1
MARQUETTE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MASON	1	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	1
MECOSTA	2	0	0	0	0	0	2	0	0	0	0	0	0	1	1	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	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MONROE	3	0	0	0	0	2	2	0	0	0	3	0	3	0	0	0	2	1	0
MONTCALM	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
MUSKEGON	7	0	0	0	2	5	2	1	1	0	0	0	0	7	0	0	0	0	7
NEWAYGO	6	0	0	0	0	2	3	2	0	0	1	0	1	3	3	0	1	0	5
OAKLAND	65	1	2	1	1	51	30	6	0	3	1	1	6	46	12	0	2	1	62
OCEANA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OGEMAW	2	0	0	0	0	2	1	0	0	0	0	0	2	0	0	0	0	0	2
ONTONAGON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OSCEOLA	2	0	0	0	0	0	1	1	0	0	0	0	0	2	0	0	0	0	2
OTSEGO/CRAWFORD /KALKASKA	6	0	0	0	0	2	5	1	0	0	2	0	3	2	1	1	1	1	3
OTTAWA	12	0	0	0	0	11	7	2	0	0	2	3	2	4	2	0	0	5	6
PRESQUE	2	0	0	0	0	0	2	0	0	0	0	0	0	0	2	0	0	0	2
ROSCOMMON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SAGINAW	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
ST. CLAIR	3	0	1	0	1	3	1	3	2	0	0	0	0	3	3	0	0	0	3

County	2013 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	3	0	0	0	0	3	2	1	0	0	0	0	0	3	0	0	0	0	3
SANILAC	1	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	1
SCHOOLCRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SHIAWASSEE	5	1	0	0	0	4	1	1	1	1	1	0	3	1	0	0	0	3	2
TUSCOLA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VANBUREN	3	2	0	0	0	1	0	0	0	0	2	0	0	3	0	0	0	0	3
WASHTENAW	10	0	0	0	0	1	6	2	0	0	1	0	2	7	0	0	0	0	9
WAYNE	62	8	1	0	1	19	37	0	0	2	2	5	7	40	8	2	0	0	60
WEXFORD/MISSAUKEE	1	0	0	0	0	1	1	0	0	1	0	0	1	0	0	0	0	1	0
<b>TOTAL</b>	<b>377</b>	<b>37</b>	<b>4</b>	<b>1</b>	<b>13</b>	<b>231</b>	<b>183</b>	<b>55</b>	<b>15</b>	<b>18</b>	<b>68</b>	<b>14</b>	<b>50</b>	<b>250</b>	<b>64</b>	<b>7</b>	<b>12</b>	<b>28</b>	<b>326</b>

## **2013 Friend of the Court Citizen Advisory Committee Supplement**

### **State Court Administrative Office (SCAO) Friend of the Court Bureau (FOCB) 2013 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 December 2013, 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 and Oakland.

#### **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.

Two grievances were filed directly with the committee. One grievance raised an issue considered "other." The Kent County FOC CAC partially found merit with one grievance and found no merit with the other grievance.

In addition to reviewing grievances filed directly with the committee, the CAC also received and reviewed 1 out of every 2 grievances (16 total) filed with the Kent County FOC. Six of the grievances were randomly selected and reviewed and 10 were reviewed because gender-based issues were alleged. The 16 grievances contained 1 custody issue, 4 parenting time issues, 7 support issues, and 5 issues considered "other." The CAC agreed with all 16 FOC responses.

The CAC listed no problems that impeded the committee's functions and activities for 2013.

#### **Oakland County CAC**

The Oakland County CAC met 10 times in 2013. There were 6 informal and 17 formal hearings held in 2013.

The CAC had six grievances filed directly with the committee. One party filed two separate grievances. Those 6 grievances raised 3 support issues, 4 gender-based decision issues, and 1 issue considered "other." The committee found no merit with all of the grievances.

The CAC reviewed 11 grievances that were filed initially with the FOC office. Those 11 grievances raised 9 gender-based issues, 6 child support issues, 1 custody issue, 3 parenting time issues, and 1 issue considered "other." The CAC fully agreed with the FOC for all 11 grievance responses.

## **2013 Friend of the Court Citizen Advisory Committee Supplement**

The CAC listed no problems that impeded the committee's functions and activities for 2013. The Oakland County FOC CAC did provide the following additional information: 2 of the 10 monthly meetings were held in the evening to accommodate the public. In 2013, 10 citizens attended CAC meetings. Several CAC members attended the Midwest Father's Conference (Partnership for Dads) in February 2013. The FOC provided monthly updates on new policies, procedures, legislation, and programs that affect families with FOC cases.

### **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.