

Friend of the Court  
Annual Grievance  
Report to the Legislature  
Calendar Year 2015

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

April  
2016

## SUMMARY

The State Court Administrative Office Friend of the Court Bureau (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. MCL 552.519(3)(d) requires the FOCB to prepare an annual report that provides a summary of the types of grievances each office receives and indicates whether the grievances are resolved or outstanding. This report is the 32nd annual grievance report submitted to the Michigan Legislature.

During 2015, 387 grievances were filed with 50 FOC offices,<sup>1</sup> 6 fewer than in 2014. The grievances raised 727 discrete and grievable issues.<sup>2</sup> Of those issues, 59 percent (428) were complaints about some aspect of FOC office operations, while 41percent (299) were issues related to an FOC employee's performance.

In the "office operations" category, 47 percent (200) raised a child support issue, 19.4 percent (83) focused on parenting time, 4.9 percent (21) involved custody, and 4.7 percent (20) alleged gender bias. The remaining 24.3 percent (104) were classified as "other" because the issues they raised were unique or nearly so, and did not fit into the categories listed above.

In this annual report, grievance responses are grouped into four categories: (1) grievances acknowledged to have merit in full; (2) grievances acknowledged to have merit in part; (3) grievances denied; and (4) grievances deemed nongrievable. In 2015, 31 grievances were acknowledged to have merit in full, 35 were acknowledged to have merit in part, 309 were denied, 62 were nongrievable, and were pending as of December 31, 2015. [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.] In response to grievances acknowledged to have merit in full or in part, FOCs changed their office procedures in 22 instances and took personnel actions in 28 instances.<sup>3</sup>

The chart provides detailed grievance data information. 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:

[SCAO Grievance Forms](#)

[Statute Describing Grievance Process](#)

Attachments: Data Charts, CAC Supplement

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<sup>1</sup> Some of the 66 FOC offices did not have a grievance filed in 2015.

<sup>2</sup> Grievances sometimes raise issues that the Act does not recognize as "grievable." Examples include complaints about the substance of a court ruling, complaints about the substance of an FOC recommendation to a court, and issues that must be addressed by some agency other than the FOC (e.g., complaints about judges and referees who are subject to the Judicial Tenure Commission, complaints about prosecutors who do not charge a person with criminal nonsupport, and complaints about private attorneys who are subject to the Attorney Grievance Commission). 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.

<sup>3</sup> Not all grievances acknowledged in full or in part required a change in office procedures or personnel action. Some grievances merely required corrective action on the case. Even when a grievance is denied, a change in practices can result.

## **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.

Personnel 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.

**State Court Administrative Office (SCAO)  
Friend of the Court Bureau (FOCB)  
2015 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 January 2016, 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 (Kent County and Oakland County) were sent the annual CAC reporting forms.

**Kent County CAC**

The Kent County CAC met fewer than six times (bimonthly) and submitted minutes after each CAC meeting to the county board of commissioners. Written reports were submitted annually.

A subcommittee was formed to review grievances. There were no grievances filed directly with the committee. The CAC received and reviewed every grievance filed with the Kent County FOC. Those 10 grievances raised 1 parenting time issue, 8 support issues, and 1 issue considered "other." The CAC fully agreed with the FOC for all 10 grievances. It should be noted that the Kent County FOC, in its review of the grievances filed with the office, identified 7 support issues, 1 parenting time issue and 4 issues considered "other." The Kent County CAC stated that there were no problems that impeded the committee's functions and activities for 2014.

**Oakland County CAC**

The Oakland County CAC met monthly 7 to 12 times in 2015. Minutes were submitted to the county board after each CAC meeting. The CAC held two informal hearings to investigate grievances.

There were two grievances filed with the CAC. One grievance addressed support and was rejected by the CAC because it was not about office operations. The other grievance addressed parenting time and the CAC recommended the case be referred to mediation. The CAC reviewed 10 grievances that were filed with the FOC office. Those 10 grievances raised 10 gender-based issues, 4 child support issues, 1 custody issue, and 6 parenting time issues. The CAC fully agreed with the FOC regarding the 10 grievance responses. The Oakland County CAC stated that there were no problems that impeded the committee's functions and activities for 2015.