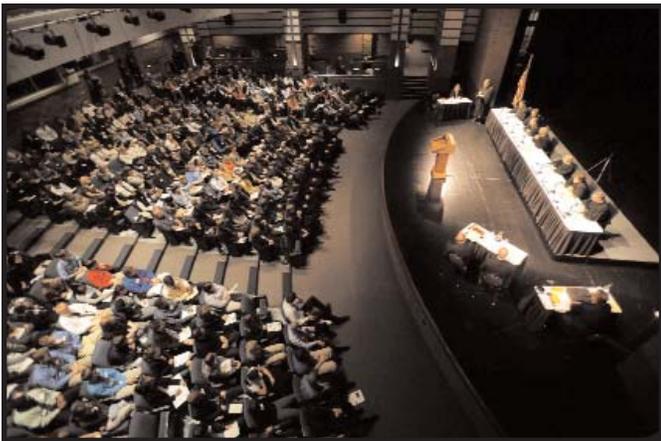


# ANNUAL REPORT

## *of the Michigan Supreme Court*

### 2008





Cover Photo 1

Michigan Supreme Court at  
Saginaw Valley State University  
Photo courtesy Tim Inman, SVSU

Cover Photo 2

Michigan Heart Gallery Display  
Hall of Justice First Floor Rotunda  
Photo Michigan Supreme Court  
Public Information Office

Cover  
Photo 3

Law Day visitor at the  
Hall of Justice Learning Center  
Photo Michigan Supreme Court  
Public Information Office

Cover Photo 4

Detroit Firefighter Cadets tour  
36th District Court  
Photo courtesy Darlene Conyers,  
36th District Court

Cover  
Photo 5

Learning Center Summer Program  
Photo Michigan Supreme Court  
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Learning Center Volunteer Recognition  
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Adoption Day Genesee County  
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## A MESSAGE FROM **CHIEF JUSTICE MARILYN KELLY**



As I write this, there is plenty of bad news to go around, both here in Michigan and across the country. From retirees whose savings were decimated in the stock market downturn, to homeowners struggling to make their mortgage payments, to state and local governments trying to maintain public services as revenues shrink, the recession has had far-reaching effects.

Yet this annual report is full of good news: the achievements of the state judicial branch in 2008. From child welfare to technology, Michigan's justice system continued to serve the public well, making improvements and innovations even in the face of budget cuts.

On the technology front, Judicial Information Systems, the State Court Administrative Office's information technology division, is moving forward with the creation of a statewide case management system. It has expanded an award-winning statewide "warehouse" of court data and made it possible for thousands of Michigan citizens to pay their traffic tickets online. Thanks to another JIS initiative, the Judicial Network Project, courts throughout Michigan have updated criminal dispositions electronically and sent them to a law enforcement database.

Michigan's judicial system has continued to make child welfare issues a high priority. The state ranked sixth in child support distributions in a national survey by the federal Office of Child Support Enforcement. It ranked third in the more-challenging mission of collecting and distributing past-due child support, with almost \$409 million in past-due child support going to custodial parents. SCAO's Child Welfare Services division worked with the Department of Human Services to prepare for federal audits that will determine the extent of federal funding for foster care in Michigan. And the Michigan Supreme Court co-sponsored the sixth annual Michigan Adoption Day, with courts in 30 counties completing over 200 adoptions.

Michigan's drug and sobriety courts, with 89 programs in 2008, continued to prove their worth. Studies on both the state and national levels indicate that such "therapeutic" courts reduce recidivism and save money that would otherwise be spent on incarcerating offenders. A new mental health court pilot program, with nine courts participating, got its start in 2008.

As we address the fiscal difficulties of 2009, the hard reality is that, after years of doing more with less, we in state government finally may have reached the point where we cannot do more. Funding for the mental health court pilot project, for example, is at risk in FY 2010. But, as in years past, the Michigan judicial branch will approach our challenges creatively. It is my hope that, when we look back on this time, we will not say, "How hard things were," but rather, "How much we accomplished!"

A handwritten signature in black ink that reads "Marilyn Kelly". The signature is written in a cursive, flowing style.

**Marilyn Kelly**  
Chief Justice, Michigan Supreme Court

# HIGHLIGHTS

## BUDGET ISSUES

Michigan's economy continued to struggle in 2008, reflecting the woes of the auto industry, the fallout from the collapse of the housing and financial sectors, and the highest unemployment rate in the nation.

Following the pattern of FY 2007 and 2008 budget reductions, the initial approved budget for the judicial branch for FY 2009 was essentially a continuation budget, with the addition of new funding for a pilot mental health court program. However, deteriorating financial conditions around the world and increased economic uncertainty make it possible that there will be significant cuts for FY 2010. Because so much of the judicial branch budget is related to personnel costs, these reductions are likely to result in layoffs, furlough days and unfilled positions as they become vacant. All of these cutbacks will challenge the judicial branch's ability to continue delivering mandated services to the public on a timely basis.



These budget reductions continue a multi-year downsizing trend for the judicial branch. From FY 2001 to FY 2009, the number of full-time equivalent judicial branch employees fell by 13.5 percent. In order to address structural deficits in the state budget, the State Budget Office has asked state agencies to develop plans to reduce their general fund budgets even more by FY 2013, which will further strain judicial branch operations.

The judicial branch will continue to address these challenges while striving to maintain the highest possible level of public service. The narratives that follow illustrate how the judicial branch continued to serve the public in 2008 despite serious budget setbacks.

## COURT TECHNOLOGY

### Statewide Trial Court Case Management System

Judicial Information Systems, SCAO's information technology division, assists state courts on all levels with technology issues. A case in point is the statewide case management system being developed by Judicial Information Systems in collaboration with Unisys, a technology consulting firm.

Case management is one of a trial court's most critical functions, keeping cases on track for timely disposition. In the past, each trial court selected a system that best met that court's needs within its financial limitations; resulting in a patchwork of many different case management systems deployed on different and decentralized servers. A number of factors—the need to upgrade applications, an increase in mandated electronic reporting requirements, costly conversion failures,

## HIGHLIGHTS

cutbacks in local funding, vendors' termination of support services—led courts to seek better alternatives to their current case management systems.

A team of trial court judges, court administrators, and technical staff, after investigating various options, selected Unisys to develop a new case management system. The analysis and planning phase of that project was completed in 2008, as Unisys worked with SCAO, Judicial Information Systems, and the two pilot project counties, Berrien and Washtenaw, to assess trial courts' current and future case management needs. In 2009, the project will move into Phase I, to develop core functions that are basic to all types of cases. Phase I will also include system functions that are specific to civil cases. Completion of Phase 1, which will culminate in the pilot courts' use of the case management system in civil cases, is slated for December 2009. Phases II, III, and IV of the project will develop criminal, juvenile, and probate case management systems respectively. The project plan calls for the criminal development phase to begin in June of 2009, with all phases to be implemented by January 2012.



Members of the JIS case management system team discuss screen shots of a computer program prototype. *Photo courtesy of the Michigan Judicial Institute.*

Funding for this project comes in part from user fees for those courts that use case management technology previously developed by Judicial Information Systems. Funding is also provided through the Judicial Technology Improvement Fund, an annual funding source in the Supreme Court's budget supported by court fees, and from contributions by the pilot counties. Funding provided by the pilot counties will be credited toward those courts' future user fees.

### **Traffic tickets paid online**

Thanks to another Judicial Information Systems project, thousands of Michigan citizens paid traffic tickets online in 2008. Four courts—62A District Court in Wyoming, 38th District Court in Eastpointe, 36th District Court in Detroit, and the 15th District Court in Ann Arbor—offered this service in 2008, with over 1,300 online ticket payments each month. In addition to being a convenience for ticket payers, the online payment system automatically posts transactions without involving court staff, a time savings that frees court employees for other duties.

In December 2008, the Internet payment application was installed on a kiosk in the Secretary of State Ann Arbor branch office, offering another method of payment for those who may not have Internet access.

In 2009, the ticket payment application will be updated to provide wider connectivity to the trial courts, allowing more courts to offer this service. These changes are scheduled to be available by spring 2009.

## Judicial Data Warehouse

With approximately 34 million case records, the Judicial Data Warehouse allows the judiciary and law enforcement to obtain information about pending and closed cases throughout Michigan. As of December 31, 2008, the Judicial Data Warehouse was implemented in 219 courts in 81 counties; the map on page 4 illustrates the project's status for 2008.

At the 2008 Digital Summit, sponsored by the Michigan Department of Information Technology and Government Technology, the Judicial Data Warehouse was recognized with the “Visionary

Award” for creating one statewide repository of court data, coupled with the ability to share this information with executive branch agencies.



Mark Dobek, director of SCAO's Judicial Information Systems Division, receives the “Visionary Award” at the state's 2008 Digital Summit. The award recognized Judicial Information Systems' creation of the Judicial Data Warehouse, a statewide repository of court data. FROM LEFT TO RIGHT: George Boersma, *Department of Information Technology*; Mark Dobek; Jack Mortimer, *Government Technology Magazine*. Photo courtesy of Jennyl Simon, *Department of Information Technology*.

In 2008, SCAO continued implementing the Judicial Data Warehouse, updating missing court dispositions in the Criminal History Records System, supported by a grant from the Michigan State Police Criminal History Records Division. Data-sharing initiatives planned for 2009 include a reporting system to help monitor children who are at risk for neglect and abuse. A joint project of SCAO and DHS, the reporting system will be based on the federal

Adoption and Foster Care Analysis and Reporting System and National Child Abuse and Neglect Data System. Funding will be provided by a federal grant. Another initiative in the planning stages will help drug courts track participants and measure their rate of recidivism.

Once the warehouse is fully implemented, SCAO will use it to generate additional statistical and trend information.



## Judicial Network Project

In 2008, law enforcement continued to benefit from the Judicial Network Project, an effort headed by SCAO's Judicial Information Systems division with assistance from the Michigan State Police, Michigan Department of Information Technology, SCAO's Trial Court Services division, county and municipal governments, and private contractors. The project allows Michigan trial courts to report felony and misdemeanor dispositions electronically to a state law enforcement database. As of December 2008, over 95 percent of all felony and misdemeanor dispositions were reported electronically from the courts to the Michigan State Police and Secretary of State. In 2008, Judicial Information Systems continued updating criminal disposition records that were submitted before the project made electronic transmission possible. This clean-up effort uses the Judicial Data Warehouse to electronically update the state's Criminal History Records System with data from dispositions that were previously submitted on paper.

## Video conferencing with the Michigan Department of Corrections

Video conferencing allows prisoners to participate in court hearings without the cost and public safety risk of transporting the prisoner to court. In 2008, the Michigan Department of Corrections upgraded its video conferencing equipment in all facilities, to eliminate prisoner transfers as provided by MCR 3.904, MCR 5.738a, and MCR 6.006. MDOC also simplified the connectivity process by using an outbound Internet connection from the court to a



video conferencing bridge located in Lansing; the connection is then routed from the bridge to the MDOC facility where the prisoner is being held. In 2008, hearings in Gogebic and Oakland counties were conducted by video conferencing, significantly reducing the cost of prisoner transfers and the risk to public safety.

## Imaging standards, guidelines, and best practices

Under state record retention policies, documents must be in a human-readable format—i.e., paper, microfiche, or microfilm. Document management systems use imaging to improve access to physical court files. Imaging also supplements a court's case management system by providing detailed information contained on orders and forms. In 2008, SCAO created a work group to develop standards, guidelines, and best practices for imaging. The committee is balancing the interests of trial courts, appellate courts, and the Department of History, Arts and Libraries, and will evaluate imaging as it pertains to active case file management, filing systems and storage, file retention and destruction, and records media.

## COURT COMMUNITY CONNECTIONS

Court Community Connections, an educational program of the Michigan Supreme Court, brings the Court to communities throughout Michigan, particularly high school students learning about the state's court system. Twice each year, the Court holds oral arguments in locations outside the capital, traveling to a different host county and courthouse each time. About three months before the hearing, Supreme Court staff begin working with the host county and local attorneys to organize the event. Local educators assemble a representative group of public, private, and home-schooled students from the host county. Supreme Court staff members provide study materials for students and teachers, including written summaries of the cases the Court will hear and a glossary of legal terms. Local attorneys work with each participating school group to explain the state's judicial system, review case materials, and analyze the roles of attorneys and justices. Following the oral argument, students debrief the case with local attorney-educators and with the lawyers who argued that case before the Court.

In 2008, the Supreme Court held two Court Community Connections programs, one in May at the historic Barry County courthouse and one in October at Saginaw Valley State University. The Saginaw event drew a crowd of 550 students, educators, and community members, the largest live audience ever to hear a Michigan Supreme Court oral argument.

The next program will be held in May 2009 in Centreville, St. Joseph County.

For more information, contact Court Relations Program Coordinator Barbara Browne at [BrowneB@courts.mi.gov](mailto:BrowneB@courts.mi.gov) or at 517-373-0714.



The Michigan Supreme Court prepares to hear oral argument at the Malcolm Field Theatre, Curtiss Hall, Saginaw Valley State University. *Photo courtesy of Tim Inman, Associate Director, Saginaw Valley State University Communications.*

## MICHIGAN SUPREME COURT LEARNING CENTER

The Michigan Supreme Court Learning Center, located on the first floor of the Michigan Hall of Justice, is a key part of the Michigan Supreme Court's educational mission. Founded in 2002, the Learning Center teaches visitors about basic principles of law and Michigan's judicial branch, including the judiciary's history, through a combination of hands-on exhibits and special programs. In 2008, the Learning Center began publishing *Justitia*, a free newsletter designed to help K–12 educators teach about the judicial branch of government. In addition to Learning Center information and a special events calendar, *Justitia* links educators to a wide variety of resources. Anyone may subscribe by sending an e-mail to [LearningCenter-eNews@courts.mi.gov](mailto:LearningCenter-eNews@courts.mi.gov).

In 2008, the Learning Center's over 12,000 visitors included students at all levels, as well as community organizations and the general public. While the Learning Center serves a largely Michigan audience, it also hosted travelers from across the United States and the world. International groups from the Middle East, the former Soviet Union, and Asia, toured the Learning Center as part of curricula about American democracy and government.

On May 1, the Learning Center celebrated Law Day 2008, following the national theme of "The Rule of Law: Foundation for Communities of Opportunity and Equity." Activities included themed tours of the Learning Center for groups of middle school students and senior citizens, with each group meeting with a justice, judge, or lawyer. Student posters about the judicial branch of government, submitted for a Law Day Poster contest sponsored by the Lansing Chapter of the National Association of Legal Secretaries, were displayed in the Learning Center Current Events display area.

In June and July, junior high and high school students interested in legal careers attended week-long programs, "Exploring Careers in the Law." In the high school program, students prepared and argued a moot court case; in the junior high program, students explored a variety of law-related careers. Both groups had the opportunity to meet with Michigan Supreme Court justices, judges, and other members of the legal community.

You are receiving this newsletter because you registered at [courts.mi.gov/plc/](http://courts.mi.gov/plc/) or participated in a Michigan Supreme Court Learning Center tour or program. We encourage you to share this publication with your colleagues. To subscribe, please e-mail [LearningCenter-eNews@courts.mi.gov](mailto:LearningCenter-eNews@courts.mi.gov).



### CALENDAR

Mar. 3–5 Oral Arguments\*  
Apr. 7–9 Oral Arguments\*  
May 1 Law Day at the Learning Center  
May 5–6 Oral Arguments\*  
May 13 Court Community Connections: Supreme Court Oral Arguments in St. Joseph County  
June 22–26 Exploring Careers in the Law, 10<sup>th</sup>–12<sup>th</sup> grades  
July 13–17 Exploring Careers in the Law, 7<sup>th</sup>–9<sup>th</sup> grades  
\*Michigan Supreme Court Oral Arguments, Motions on Application, Public Hearings, and Administrative Conferences are broadcast on Michigan Government Television (MGTV). See [www.mgvtv.org](http://www.mgvtv.org) for dates and times.



### Law Day 2009

#### A Legacy of Liberty: Celebrating Lincoln's Bicentennial

This year offers many opportunities to celebrate the bicentennial of Abraham Lincoln's birth. In addition to President's Day, the national celebration of Law Day (May 1) features a Lincoln theme. You will find a list of the best Lincoln resources, including web sites and suggested readings for grades k–6, grades 7–12, and adults, on our web site at: <http://courts.mi.gov/plc/resources/lawDay09/LincolnCurr.pdf>.



### Exploring Careers in the Law 2009

#### Summer Programs for 7th–9th and 10th–12 Grade Students

Do you know students interested in becoming a lawyer or judge? To learn all about the legal field, they can attend Exploring Careers in the Law at the Michigan Hall of Justice, Lansing.

- 7th–9th grade students explore a range of law-related careers through tours and activities. They meet with judges, lawyers, and other legal professionals, and observe proceedings at Lansing's District Court 54A. *July 13–17, 2009*
- 10th–12th grade students prepare and present a moot court, similar to arguments before the Michigan Supreme Court. They serve as attorneys, justices, and other major players. Participants meet with justices, lawyers, and other legal professionals to help them prepare the case. *June 22–26, 2009*

For more information, visit <http://courts.mi.gov/plc/resources/programs.htm> or contact Rachael L. Drenovsky at 517-373-5027 or [drenovsky@courts.mi.gov](mailto:drenovsky@courts.mi.gov).



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Constitution Day was celebrated September 16 with tours that highlighted the importance of the U.S. Constitution. Each group met with a justice or judge.

In September, the Learning Center joined a statewide event commemorating the 50th anniversary of the novel *Anatomy of a Murder*. A temporary exhibit about the author, Justice John D. Voelker, was displayed in the Learning Center gallery from September 26–December 31, 2008.

## **MICHIGAN JUDICIAL INSTITUTE**

The Michigan Judicial Institute is SCAO’s educational division, dedicated to providing quality, timely education for Michigan judges and judicial branch staff. In 2008, the Institute held 43 seminars, several of which were multi-day programs, that focused on substantive, procedural, and practical issues. In addition, the Michigan Judicial Institute collaborated with judicial and court professional associations to provide educational sessions during the associations’ annual conferences.

In 2008, the Michigan Judicial Institute continued to offer educational opportunities via the Internet. Court staff throughout Michigan participated in selected educational seminars through webcasts, viewed either while the seminar took place or later in an archived format. Nine seminars were simultaneously delivered as a live program and as a webcast; 226 participants “attended” the live sessions via the Internet. In



*A presentation at the Michigan Hall of Justice. Photo courtesy of the Michigan Judicial Institute.*

In 2008, over 1800 people viewed the webcasts archived on the Institute’s website. The Institute also updated an online learning resource, “Making Ethical Decisions.” This program can be accessed through “web-based training” on the Michigan Judicial Institute’s website at <http://courts.michigan.gov/mji>.

In April 2008, the Michigan Judicial Institute printed and distributed the Contempt of Court Benchbook to judges and other court personnel, and also posted an electronic version on the web, including hyperlinks to statutory law, court rules, and other Michigan Judicial Institute publications cited in the benchbook’s text, as well as direct links to the cross-references within the benchbook itself. Links to published Michigan case law will be added when the Institute finalizes access to approved versions of the electronic opinions.

In July, the Institute also updated and posted to the website an electronic version of the Sentencing Guidelines Manual. A printed version was produced in collaboration with West Publishing, which bore the entire cost of printing and distributing copies of the manuals.

Michigan Judicial Institute webcasts and publications, including quarterly publication updates, are available at <http://courts.mi.gov/mji>.

## CHILD WELFARE SERVICES DIVISION

In 2008, Child Welfare Services became a separate division of the State Court Administrative Office. Previously, Child Welfare Services was part of SCAO's Family Services division.

Child Welfare Services is the Michigan judiciary's coordinator for most child welfare programs. The division has two major units: the Foster Care Review Board and the Court Improvement Program. Both units help Michigan courts to administer an array of child welfare programs for which the federal government provides major funding under special provisions of the federal Social Security Act. Child Welfare Services receives only a very small percentage of the state's total child welfare funding, both state and federal; the Michigan Department of Human Services receives and distributes most federal funding. But to remain eligible for federal funding, the state must adhere to strict federal criteria, including requirements for how courts handle child welfare cases. By working with courts to meet those criteria, Child Welfare Services helps ensure that the state continues to receive Social Security funds.

### Foster Care Review Board

The Legislature created the Foster Care Review Board in 1981, and placed it in SCAO, to handle certain federally-mandated tasks that states must perform to qualify for matching funds under SSA Title IV-E. The legislation also created a statewide advisory board of child welfare advocates who oversee the board to ensure that it meets its statutory duties. Local five-member review boards, composed of trained volunteers, review randomly selected cases of abused or neglected children whom the courts and DHS have



placed in foster care. Local review boards also investigate appeals by foster parents who object to a child-placing agency's decision to remove foster children from a foster home. These volunteer boards bring an outside, objective perspective on whether the courts, DHS, and private child welfare agency contractors are ensuring safe and timely permanency for children in the foster care system.

In 2008, local boards conducted approximately 929 random case reviews and 75 foster parent appeals, while board staff reconciled an additional 47 foster parent appeals without hearings. Poor caseworker attendance at review hearings, plus continued difficulties in obtaining case files from DHS, drove down the number of cases that local boards were able to review in 2008 and 2007. The Foster Care Review Board revised the review process in 2008 to address this problem.

Through its monthly reviews of child welfare files, the Foster Care Review Board also continued to play a key role in ensuring Michigan's compliance with federal standards, including the Title IV-E requirements.

In addition to its local review boards, the Foster Care Review Board has a statewide advisory committee that studies Michigan's foster care programs and offers improvements. The board publishes an annual report that summarizes its activities and offers recommendations to the judicial, legislative, and executive branches of state government. The 2007 report, published in May 2008, advocated mandatory training for court personnel and heightened judicial involvement to help Michigan meet federal outcome requirements for child abuse and neglect cases.

Foster Care Review Board staff and volunteers continued their involvement in statewide efforts to improve foster care, playing a key role in crafting significant legislation to facilitate permanent placements for foster children. That bill package was signed into law by Governor Granholm in October 2008.

### **Court Improvement Program**

In child protection cases, the goals are either to reunite a child with the child's natural family or to find another permanent home for that child. If the courts do not handle these cases properly, children who have been abused or neglected in their parents' home will simply languish in the foster care system until they "age out." The Court Improvement Program, which receives federal grants under SSA Title IV-B, aims to improve Michigan courts' handling of cases that involve at-risk families with children.

Michigan receives three categories of federal court-improvement grant funds that the Child Welfare Services division administers: Main Grant, Data Collection and Analysis Grant, and Training Grant.

Examples of grant-funded activities include a child welfare data-sharing project between the courts and DHS, directed at helping the state meet its obligations under *Dwayne B v Granholm*, a federal lawsuit filed by the advocacy group Children's Rights, Inc. Training grant money, supplemented by funds from the Governor's Task Force on Children's Justice, supports educational sessions and publications for judges, court staff, attorneys, and field workers.

In 2008, Child Welfare Services developed and offered 39 training sessions, live and webcast, on various child welfare topics, including legal representation, substance abuse, domestic violence, non-respondent parent issues, and the Indian Child Welfare Act. Child Welfare Services also prepared judges and others for the state's upcoming Child and Family Services Federal Review, and provided training on permanency guidelines. Most training is video recorded and archived.

To see the complete list of 2008 training sessions, go to <http://courts.mi.gov/scao/servicesw/CWS/TrainingDevelopment/2008TrainingProvided.pdf>.



## Other activities

### Federal performance reviews

Auditors from the U.S. Department of Health and Human Services will come to Michigan in September 2009 to conduct a Child and Family Services Review. These reviews determine whether states are complying with the federal Adoption and Safe Families Act of 1997, a condition for continued federal funding of state public child welfare agencies. Michigan, along with all 49 other states, “failed” its initial review in 2002 and incurred financial penalties. But those penalties will be mitigated if the 2009 Child and Family Services Review shows that Michigan’s program improvement plan has achieved its objectives. Although the federal review will focus primarily on DHS, it also will examine state courts’ performance; therefore, Child Welfare Services worked in 2008, and will continue to work, to prepare Michigan’s courts for federal scrutiny. The Foster Care Review Board and Court Improvement Project have had and will continue to have a role in preparing for the federal review.

In 2010, other federal auditors will conduct a Title IV-E “primary” eligibility review. That review’s outcome will determine the extent of federal funding for foster care in Michigan. In 2004, Michigan failed its first primary review, but saved most of its funding by passing a “secondary” review in 2007. The 2010 primary review will pose a more difficult challenge because the federal regulations lower the permissible error rate with each successive review. With DHS, Child Welfare Services began in 2008 to prepare for the 2010 review.

### Michigan Adoption Day

Thanksgiving 2008 held special joy for Michigan families celebrating the addition of new family members on the state’s sixth annual Adoption Day. Co-sponsored by the Michigan Supreme Court, SCAO’s Child Welfare Services division, DHS, and the Michigan Adoption Resource Exchange, Michigan Adoption Day is held each year on the Tuesday before Thanksgiving. Courts open their adoption hearings—normally closed to the public—to emphasize the importance of permanent, loving homes for over 4,100 Michigan children awaiting adoption.

The November 25, 2008 event saw about 225 adoptions, with 30 counties participating. While most participating courts finalized adoptions and held parties for adoptive families, others held open houses with speakers and information about the adoption process.



Hon. Robert S. Sykes, Jr., chief judge of the Ionia County Probate Court, helps a young “judge” whose adoption is being finalized on Michigan Adoption Day. Judge Sykes provides a child-sized robe for children to wear during the adoption ceremony. *Photo courtesy of Hon. Robert S. Sykes, Jr.*

In addition to local court events, the Michigan Supreme Court hosted the “Heart Gallery,” a photographic exhibit of Michigan children waiting to be adopted, at the Michigan Hall of Justice from Nov. 12–25, 2008. The Heart Gallery is a project of the Michigan Adoption Resource Exchange.

### **Adoption Forums**

At the request of Michigan Supreme Court Justice Maura D. Corrigan, Child Welfare Services helped plan Michigan’s first “Adoption Forum,” designed to encourage collaboration on expediting adoptions. The first such conference, held March 20, 2008, targeted Michigan’s 13 largest counties according to the number of adoptable county children currently living in foster care. A judge from each county led a multi-agency “county team” that discussed innovative ways to expedite adoptions in that county. The counties reported on their progress at a second Adoption Forum on October 17; county teams discussed various approaches to “crashing the docket” and considered best practices that could be taught in statewide trainings.

### **Absent Without Legal Permission (AWOLP) Dockets**

Circuit courts throughout Michigan maintain special expedited dockets for foster children who are “absent without legal permission”—AWOLP—from their court-ordered placements. In 2008, 620 foster children were reported missing from their foster homes or other placements. Of that total, 99 were reported AWOLP twice, 20 went AWOLP three times, and one did so on four occasions. In 71.8 percent of all cases, the child has been located. Child Welfare Services provides AWOLP resource materials to the courts, and presents live and archived AWOLP “best practices” forums. In January 2008, Child Welfare Services collaborated with DHS and the FBI to present a statewide webcast: *Children Missing from Care: AWOLP—An Update*. Topics included, among others, DHS’s policies and procedures and the FBI’s *Innocence Lost National Initiative*. In 2009, Child Welfare Services will implement technology updates to make the AWOLP report forms more user-friendly for courts and DHS.



### **Absent Parent Protocol**

The failure to find and involve absent parents is a serious obstacle to timely, permanent placements of children caught up in the child welfare system. Early in 2008, Child Welfare Services collaborated with several other governmental and nonprofit child welfare stakeholders to publish an “Absent Parent Protocol” with information about the need for, and methods of, locating absent parents so that agencies and courts can consider all viable placement options.

## CHILD SUPPORT SERVICES: THE FRIEND OF THE COURT BUREAU

Much of the work of Michigan's family courts involves ordering and enforcing child support, parenting time, and child custody; Michigan's Friend of the Court offices assist the courts with those duties. The Friend of the Court Bureau, a SCAO division created by the Legislature in 1982, supports each county Friend of the Court office in various ways, including helping county offices meet requirements for federal funding.

### Federal funding continued

Almost two-thirds of the funding for Michigan's child support enforcement programs comes from the federal government through Title IV-D of the Social Security Act. To continue receiving IV-D funds, which match state funds on a two-for-one basis, the state must meet federal performance standards, most notably those related to collecting court-ordered child support payments. Much of the bureau's work involves staying abreast of the federal requirements and helping local Friend of the Court offices meet those requirements.

In 2007, the state faced the potential loss of about \$54 million in federal funding due to the federal Deficit Reduction Act of 2005, which reclassified federal appropriations in ways that restricted the state's ability to qualify for some two-for-one matching funds. Without an additional \$18 million in state general fund money for child support enforcement, the state would have failed to qualify for \$36 million in federal funding as of October 1, 2007. Fortunately, despite Michigan's FY 2007-2008 budget crisis, the Legislature and the Governor responded by appropriating the additional \$18 million, requalifying Michigan for the two-for-one federal match. For FY 2008-09, the Legislature and the Governor again appropriated money so that Michigan would continue to qualify for matching funds.

### Customer Service Unit

Another Friend of the Court Bureau function is the Customer Service Unit, staffed by Lansing-area law school students. Under supervision of bureau staff, these customer service clerks respond to inquiries from parents, Friend of the Court offices, and others; in 2008, these student clerks handled more than 2,500 phone calls and about 750 letters and e-mails. In addition, clerks assist Friend of the Court Bureau staff with special projects; they also research and write articles for a newsletter that goes to all Friend of the Court offices. The student interns, many of whom plan to pursue careers in family law, gain real-world experience as well as provide a valuable public service.



Lansing area law students staff the Friend of the Court Bureau's Customer Service Unit. *Photo courtesy of the Michigan Judicial Institute.*

## State continues to rank high in child support collections

In 2008, the federal Office of Child Support Enforcement, which monitors all states' child support collections, released preliminary reports that ranked Michigan sixth in the country for child support distribution in FY 2007. Michigan distributed \$1,415,729,990 in child support collections—support money that was paid out to custodial parents. Better yet, Michigan ranked third in the collection and distribution of harder-to-collect past-due child support, with \$408,856,878 in previously unpaid support going to custodial parents. In both rankings, only more populous states placed ahead of Michigan, and Michigan ranked ahead of some larger states.



In FY 2008, thanks to collaboration between the courts and DHS's Office of Child Support, the Financial Institution Data Match program collected over \$11 million in past-due support. The program uses a statewide computer system, known as the Michigan Child Support Enforcement System, to locate bank accounts of parents who have failed to pay support. The data match program not only helps custodial parents and children, but also increases Michigan's share of federal "incentive" funding, which is awarded on the basis of

a state's overall success in child support collections.

## Mediation in domestic relations cases

In 2008, the Michigan Supreme Court approved a pilot project aimed at fostering greater cooperation between divorcing parents, placing the emphasis on parenting and children's best interests. This cooperative parenting project was designed in 2007 by the Friend of the Court Bureau and Kent County Circuit Court. Parents in selected domestic relations cases will be required to use special parenting-time planning forms in court-ordered informal negotiations. In addition, the pilot project will require the use of special "nonadversarial" language in the parties' court documents and the courts' orders. This pilot project will begin in 2009.

The Supreme Court also approved, in concept, three additional projects slated for the Supreme Court's final approval in 2009:

- a domestic relations court to be patterned after small claims court, with informal rules of pleading and evidence.
- a hybrid complaint/settlement agreement to be used by parties with children who agree to divorce terms before filing; the parties could proceed to judgment immediately after completing the six-month statutory waiting period.
- written parenting plans that parties to a divorce would be required to file at the beginning of their case.

## THERAPEUTIC JUSTICE: PROBLEM-SOLVING COURTS

Also known as “specialty courts,” problem-solving courts have steadily gained acceptance as an alternative to imprisonment for nonviolent criminal offenders who abuse drugs or alcohol. Many repeat offenders have substance abuse disorders, that cause them to cycle in and out of the justice system. To break this cycle, problem-solving courts employ “therapeutic jurisprudence,” which emphasizes treatment, rehabilitation, intensive supervision, frequent judicial status hearings, and graduated incentives and sanctions.

Spurred in part by the problem of jail overcrowding, many Michigan courts have turned to the problem-solving approach. In fiscal year 2008, the number of problem-solving courts in Michigan increased from 81 to 89, including 35 adult drug treatment courts, 23 sobriety courts, 17 juvenile treatment courts, 11 family dependency treatment courts, and three tribal drug treatment courts.

### Drug treatment courts

Recognizing that repeat criminal offenders often have alcohol and substance use or abuse disorders, many judges, prosecutors, and city attorneys have implemented drug treatment courts in their jurisdictions. Michigan drug treatment courts receive both federal and state grant funding. The Office of Drug Control Policy administers federal funding made available through the Byrne Memorial Justice Assistance Grant program; in fiscal year 2008, approximately \$1.678 million was awarded to 12 courts through the federal grant program. To qualify, drug treatment courts were required to target priority populations consisting of prison-bound offenders, nonviolent felony offenders, and probation violators. State funding is administered by SCAO through the Michigan Drug Court Grant Program, with nearly \$2 million awarded to 39 drug treatment courts in fiscal year 2008.



A sobriety treatment court graduation in Oakland County. *Photo courtesy of Hon. Brian W. MacKenzie.*

### Sobriety or “DWI” treatment courts

Sobriety courts, also known as DWI treatment courts, target offenders who have been charged with driving while under the influence of drugs or alcohol. Each DWI treatment court contains key program components recommended by the Bureau of Justice Assistance. In addition to funding provided by the Office of Drug Control Policy and the Michigan Drug Court Grant Program, in FY 2008 SCAO received, for the second consecutive year, funding from the Office of Highway Safety Planning for DWI treatment courts. Four DWI treatment courts received a total of \$291,400 from this Highway Safety Planning grant.

Studies indicate that DWI treatment courts reduce recidivism. SCAO evaluations of three Michigan DWI courts revealed that DWI treatment court participants were five to 19 times less likely to be rearrested for another alcohol-related driving infraction within two years after entering the DWI program, compared to offenders who did not participate in a DWI court program.

### **Family dependency treatment courts**

Family dependency courts target parents or legal guardians who suffer from substance abuse and use disorders. In FY 2008, there were eight operational family dependency treatment courts and three in the planning stages. These courts help protect children in neglect and abuse cases, coordinating the efforts of child welfare services, the court system, and community treatment providers.

### **Juvenile treatment courts**

Juvenile treatment courts provide early treatment intervention, using the drug treatment court model of therapeutic jurisprudence, to help youth who struggle with alcohol and/or substance abuse. In fiscal year 2008, there were 16 operational juvenile treatment courts and one in the planning stage.



### **Problem-solving courts on the horizon in 2009**

In late 2008, SCAO and the Michigan Department of Community Health collaborated to establish the Michigan Mental Health Court Grant Program. This program provided approximately \$1.35 million in grant funding to nine pilot mental health courts for fiscal year 2009. Each court was required to collaborate with its local community mental health services program to plan and implement the pilot mental health court. To help collect the required minimum standard data needed to measure the performance of these courts, SCAO developed the Specialty Courts Case Management system.

A sobriety court graduate is recognized by Judge Brian W. MacKenzie, chief judge pro tempore of the 52<sup>nd</sup> District Court, for completing the intensive phase of the program. *Photo courtesy of Hon. Brian W. MacKenzie.*

### **Performance measurement**

Performance measurement and evaluation help problem-solving courts assess their effectiveness and recommend improvements. Common measures of success include recidivism rate, participant retention rate, successful program completion, number of jail bed days saved, and participants' improved quality of life as measured by a number of variables. In FY 2008, the average success rate for Michigan drug treatment courts was 52.9 percent, comparable to national figures ranging from 50 to 55 percent.

Performance evaluations measure strengths of individual court programs, program obstacles, and objective evidence of participants' success. Evaluations planned for 2009 include a cost-benefit analysis of drug courts, DWI treatment court studies, assessments of the Michigan Mental Health Court Grant Program, and procedural evaluations of the pilot mental health court program.

## MICHIGAN SUPREME COURT SECURITY DIVISION

With the safety of court personnel and the public at stake, courthouse security has never been a higher priority for Michigan state courts than it is today. In addition to providing security and emergency management for the state's appellate courts and SCAO's four regional offices, the Michigan Supreme Court Security Division counsels and supports Michigan's trial courts on security and emergency management issues.



Two members of the Hall of Justice security staff were honored by DK Security Headquarters of Grand Rapids for professionalism, outstanding effort, and dedication to excellence. LEFT, Marshall Morris, *HOJ Day Shift Supervisor*; RIGHT, James Burdick, *HOJ Security Supervisor*, with DK employee Sara Beintema. Photo courtesy of DK Security.

guidance on pre- and post-incident risk management.

The Security Division also provides training on security issues. Training sessions held in 2008 included “Disgruntled Litigant vs. Real Threat” for district and circuit court judges and “Safety and Security Considerations” for the annual conferences of the Friend of the Court Association and the Electronic Court Reporters Association. The division also presented “Emergency Management Training of Judges and Court Administrators” and “Court Security and Emergency Management” for the annual conferences of Michigan Court Managers and Michigan Emergency Management.

As a component of the Michigan Hall of Justice's Continuity of Operations Plan (COOP), in 2008 the Security Division created an Intranet-based Court Employee Directory for all employees of the Michigan Supreme Court and Michigan Court of Appeals. The user-maintained directory provides basic employee contact information, a photograph of each employee, and emergency contact information for human resources and office/division administrators. The directory database also provides a framework for organizing and assigning COOP operational and maintenance responsibilities to emergency team members.

In 2008, Hall of Justice lobby security received 27,219 visitors, including 15,725 persons in tour groups. Hall of Justice security personnel responded to 76 incidents, which involved larceny, damage to property, disorderly persons, employee injuries, and lost and found property. They also provided security for special events and hearings, such as the Supreme Court's “Court Community Connections” programs in Barry and Saginaw counties.

The trial court security specialist position, which had been vacant since May 2007, was filled in March 2008. The position provides specialized trial court security resources and support services for Michigan's 244 trial courts at approximately 191 locations. In 2008, the Security Division assessed security at a number of trial courts, and also provided

## JUDICIAL RESOURCES RECOMMENDATIONS

Every two years, SCAO issues its Judicial Resources Recommendations report, in which SCAO recommends the addition or elimination of state trial court judgeships. SCAO reviews trial courts' judicial needs to determine whether each court's workload supports the number of judges for that court. Where necessary, SCAO will recommend to the Legislature that judgeships be added or eliminated. A judgeship can be eliminated only by attrition, i.e., when a judge dies or leaves office. Only the Legislature and Governor can implement SCAO's recommendations.

SCAO's recommendations are based on a quantitative assessment, which applies a weighted caseload formula to case filing numbers that are provided by each trial court. Weights represent the average amount of time required to handle each case type; the weighted formula takes into account that different types of cases require varying amounts of a judge's time. The result is an estimate of the judicial resources each court needs.

In 2008, SCAO met with the Ad Hoc Judicial Resource Committee, comprised of members from the Michigan Judges Association, Michigan Probate Judges Association, and the Michigan District Judges Association. SCAO reviewed with the committee the methods used to estimate judicial need.

SCAO plans to release the 2009 Judicial Resources Recommendations report to the Legislature and Governor in late summer. The report will provide weighted caseload statistics for all state trial courts, in addition to recommending more or fewer judgeships as needed.

Additional information is available on the web at <http://courts.mi.gov/scao/resources/publications/reports/summaries.htm#judres>.

## COLLECTIONS

Court collections remained a high priority for Michigan's judicial branch in 2008. Court-ordered financial sanctions are like other court orders: failure to enforce them erodes respect for the courts. Moreover, under state statute, the fines, fees, and costs that courts collect support law enforcement, libraries, the Crime Victims Rights Fund, and local governments. Under a Supreme Court-approved plan, each state trial court will have a collections program in place by the end of 2009.

In 2008, SCAO continued to work with courts to improve collections. Projects included enhancing software to manage litigants' payment plans and generate mailings to litigants having outstanding balances. SCAO is developing similar software for juvenile cases; this software will generate monthly account statements and delinquency notices.

Also in 2008, SCAO provided collections training videos, which included demonstrations of successful practices as well as practices to avoid. SCAO also facilitated regional collections training, provided by experienced court staff, with practical and tested collections techniques.

In 2009, the Michigan Supreme Court's Collections Advisory Committee will finalize a plan to implement best practices and pilot programs statewide. A best practices manual will be included in the implementation plan which will also feature methodology for assessing how well courts enforce financial sanctions.

## ALTERNATIVE DISPUTE RESOLUTION/COMMUNITY DISPUTE RESOLUTION

SCAO's Office of Dispute Resolution funds and oversees the state's 20 Community Dispute Resolution Program centers, which provide alternative dispute resolution for parties wishing to avoid litigation. In 2008, the centers resolved 68 percent of cases in which all parties agreed to use a center's services. Of the cases disposed of by centers in 2008, 78.5 percent were referred by courts. Volunteer mediators, all of whom have completed a 40-hour SCAO-approved training program, provided 17,538 hours of service. This program's annual report is available at <http://courts.michigan.gov/scao/resources/publications/reports/summaries.htm#arss>.

### Family issues

Family issues continued to be an important part of the centers' work in 2008. Under a pilot project supported by a federal grant, 13 dispute resolution centers continued to accept Friend of the Court referrals to resolve disputes over parenting time and visitation. In 2008, centers disposed of 667 cases referred by the Friend of the Court. In 75 percent of the cases that were mediated, parties reached full or partial settlement of their issues.

Also in 2008, the Office of Dispute Resolution created a new marital dissolution mediation service for indigent couples going through divorce. Litigants who do not have their own lawyers, have low to no income, and have no issues involving children will be eligible for this service, which helps the parties reach settlement. Seven community dispute resolution centers began offering this service in 2008. A grant funded by the Michigan State Bar Foundation supported a 44-hour training program for up to 180 volunteers in 2008.

High-conflict divorces complicate the already challenging task of scheduling parenting time and visitation. Supported by Access and Visitation Program funds administered by SCAO, 27 Friend of the Court offices provided supervised parenting time and neutral sites for parents to pick up and drop off their children. In 2008, these Friend of the Court offices provided 7,384 supervised parenting time and neutral drop-off services.

### Rules update

The Dispute Resolution Rules Committee, convened in late 2007, issued a report in mid-2008 recommending a series of amendments to Michigan's court rules that pertain to case evaluation and mediation practice. At the Michigan Supreme Court's direction, these recommendations have been published for the public's review and comment at <http://courts.mi.gov/supremecourt/Resources/Administrative/2005-05&2006-20-11-25-08.pdf>. A successor committee was convened to focus on the confidentiality provisions of Michigan's mediation court rules. That committee met in late 2008 and is expected to issue a report in mid-2009.

More information about the Office of Dispute Resolution can be found at <http://courts.mi.gov/scao/dispute/>.



Mediators Jo Ellen Mogelgaard and David Cotter review access and visitation family issues with mediation trainer Matthew Balfe. *Photo courtesy of Michigan Supreme Court Public Information Office.*

## EXECUTIVE SUMMARY

- The Michigan Supreme Court is Michigan's court of last resort, with final authority over all state courts. In 2008, 2,402 cases were filed with the Supreme Court. Civil cases accounted for 29 percent of the filings and criminal cases accounted for 71 percent. The Court disposed of 2,422 cases. More Supreme Court information can be found on pages 21 and 22 of this report.
- The Court of Appeals is the intermediate appellate court between the trial courts and the Supreme Court. In 2008, 6,936 cases were filed with the Court of Appeals; the court disposed of 7,232 cases. Of those dispositions, 59.9 percent were by order and 40.1 percent were by opinion. More Court of Appeals information can be found on pages 23 through 25 of this report.
- The Circuit Court is the trial court of general jurisdiction in Michigan. Circuit courts have original jurisdiction in all civil cases involving more than \$25,000; in all criminal cases where the offense involves a felony or certain serious misdemeanors; and in all family cases and domestic relations cases, such as divorce, paternity actions, juvenile proceedings, and adoptions. In addition, circuit courts hear appeals from other courts and from administrative agencies. In 2008, 327,573 cases were filed in circuit court. More circuit court information can be found on pages 26 through 42 of this report.
- The Probate Court has jurisdiction over cases involving the admission of wills, administration of estates and trusts, guardianships, conservatorships, and the treatment of mentally ill and developmentally disabled persons. In 2008, 61,459 cases were filed in probate court. More probate court information can be found on pages 43 through 49 of this report.
- The District Court has jurisdiction over all civil litigation up to \$25,000, small claims, landlord-tenant disputes, civil infractions, most traffic violations, and a range of criminal cases. In 2008, 3.6 million cases, including parking cases, were filed in district court. More district court information can be found on pages 50 through 61 of this report.
- This report provides clearance rates, which measure whether courts are keeping up with incoming caseload. Clearance rates are calculated by dividing the number of outgoing cases (cases disposed of or made inactive) by the number of incoming cases (cases filed or reopened) during the year. Because of the passage of time between case filing and disposition, clearance rates naturally fluctuate to a small extent above and below 100 percent. A clearance rate over 100 percent indicates that more cases were disposed of than were filed or reopened during the year; similarly, a clearance rate under 100 percent shows that there were more incoming cases than outgoing cases.

## MICHIGAN SUPREME COURT

The Michigan Supreme Court, Michigan's court of last resort, consists of seven justices who are elected for eight-year terms. Candidates are nominated by political parties and are elected on a non-partisan ballot. Two justices are elected every two years (one in the eighth year) in the November election. Supreme Court candidates must be qualified electors, licensed to practice law in Michigan for at least five years, and under 70 years of age at the time of election. The justices' salaries are fixed by the State Officers Compensation Commission and paid by the state of Michigan. Vacancies are filled by appointment of the Governor until the next general election. Every two years, the justices elect a member of the Court as chief justice.

Each year, the Michigan Supreme Court receives over 2,000 new case filings. Most are applications for leave to appeal from Michigan Court of Appeals decisions, but the Court also hears cases involving charges of professional misconduct by attorneys and judges and a small number of matters as to which it has original jurisdiction. All cases are reviewed and considered by the entire Court. The justices are assisted by the Supreme Court commissioners, the Court's permanent research staff. The Court issues a decision by order or opinion in all cases filed. The Court may deny leave to appeal, enter a final order based upon the application, or hear oral argument before issuing an opinion or order. By court rule, all leave granted cases orally argued in a term (which begins August 1 and runs through July 31 of the following year) must be decided by the end of the term.

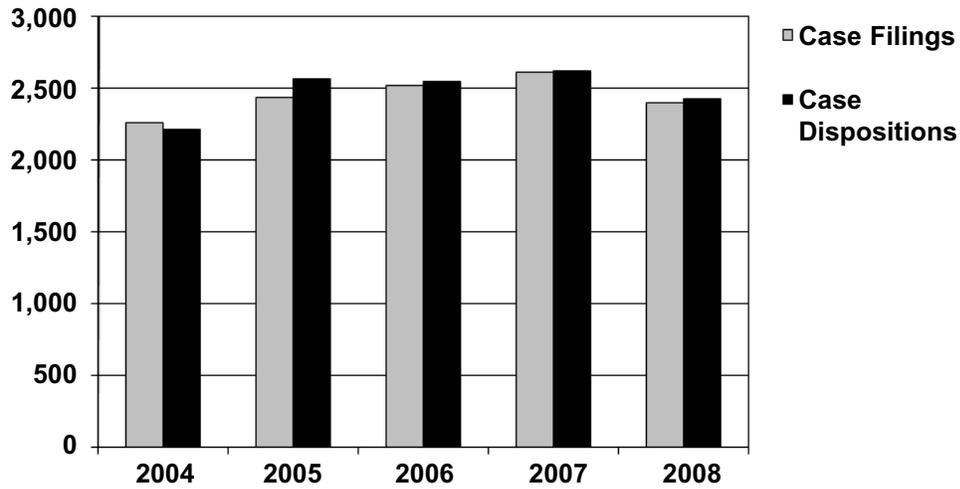
In 2008, 2,402 new cases were filed in the Michigan Supreme Court; the Court disposed of 2,422 cases. Of the 2,402 new filings, 29 percent were civil cases and 71 percent were criminal cases. As of December 31, 2008, the total number of cases pending was 864.



Justices of the Michigan Supreme Court. Seated, left to right: Justice Michael F. Cavanagh, Chief Justice Marilyn Kelly, Justice Elizabeth A. Weaver. Standing, left to right: Justice Stephen J. Markman, Justice Maura D. Corrigan, Justice Robert P. Young Jr., Justice Diane M. Hathaway. *Photo by Doug Elbinger, Elbinger Studios*

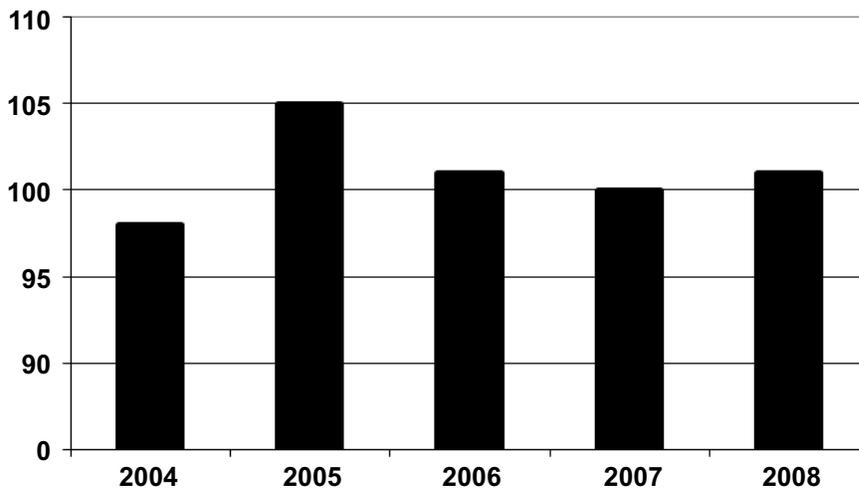
### Supreme Court Case Filings and Dispositions

	2004	2005	2006	2007	2008
Case Filings	2,255	2,437	2,517	2,612	2,402
Case Dispositions	2,215	2,564	2,543	2,625	2,422



### Supreme Court Clearance Rate

	2004	2005	2006	2007	2008
Clearance Rate	98	105	101	100	101



**Clearance Rate:** The number of outgoing cases as a percentage of the number of incoming cases

## COURT OF APPEALS

The Court of Appeals is the intermediate appellate court between the trial courts and the Michigan Supreme Court. While the Court of Appeals was created by the 1963 Michigan Constitution, its jurisdiction is established by statute. The Court of Appeals' practices and procedures are governed by the Michigan Court Rules, which are established by the Supreme Court. Court of Appeals judges' salaries are set by the Legislature. The Supreme Court chooses a chief judge for the Court of Appeals every two years.

Court of Appeals judges are elected for six-year terms in nonpartisan elections. A candidate for the Court of Appeals must be a lawyer admitted to practice for at least five years, under 70 years of age at the time of election, a qualified elector, and a resident of the district in which the candidate is running.

Judges are elected from four districts, which are drawn by the Legislature along county lines. The districts are, as nearly as possible, of equal population. The Legislature may change state law to alter the number of judges and the districts in which they are elected.

Each Court of Appeals panel is composed of three judges. Panels hear cases in Lansing, Detroit, Grand Rapids, and Marquette. Judges are rotated so that each judge sits with every other judge with equal frequency and panels are rotated geographically so that all judges hear cases in each of the Court's locations.

The Court of Appeals hears both civil and criminal cases. Persons convicted of a criminal offense other than by a guilty plea have an appeal by right under the state constitution.



The Court of Appeals bench in December 2008. Front row (L to R): Judge Richard A. Bandstra, Judge William B. Murphy, Chief Judge Pro Tem Christopher M. Murray, Chief Judge Henry William Saad, Judge David H. Sawyer, Judge Mark J. Cavanagh, Judge E. Thomas Fitzgerald. Second row (L to R): Judge Michael J. Talbot, Judge Peter D. O'Connell, Judge Brian K. Zahra, Judge Joel P. Hoekstra, Judge William C. Whitbeck, Judge Kurtis T. Wilder, Judge Patrick M. Meter, Judge Jane E. Markey. Third row (L to R) : Judge Elizabeth L. Gleicher, Judge Deborah A. Servitto, Judge Stephen L. Borrello, Judge Pat M. Donofrio, Judge Bill Schuette, Judge Alton T. Davis, Judge Jane M. Beckering. Not pictured: Judge Karen Fort Hood, Judge Kathleen Jansen, Judge Kirsten Frank Kelly, Judge Donald S. Owens, Judge Michael R. Smolenski, Judge Cynthia Diane Stephens. *Photo by Dave Trumpie, Trumpie Photography*

**COURT OF APPEALS JUDGES (AS OF 1/31/09)**

**DISTRICT I**

Hon. Karen Fort Hood  
 Hon. Kirsten Frank Kelly  
 Hon. Christopher M. Murray  
 Hon. Cynthia D. Stephens\*  
 (joined the court 12/30/08)  
 Hon. Michael J. Talbot  
 Hon. Helene N. White<sup>A</sup>  
 (left the court 8/11/08)  
 Hon. Kurtis T. Wilder  
 Hon. Brian K. Zahra

**DISTRICT II**

Hon. Mark J. Cavanagh  
 Hon. Pat M. Donofrio  
 Hon. E. Thomas Fitzgerald  
 Hon. Elizabeth L. Gleicher  
 Hon. Kathleen Jansen  
 Hon. Henry William Saad  
 Hon. Deborah A. Servitto

**DISTRICT III**

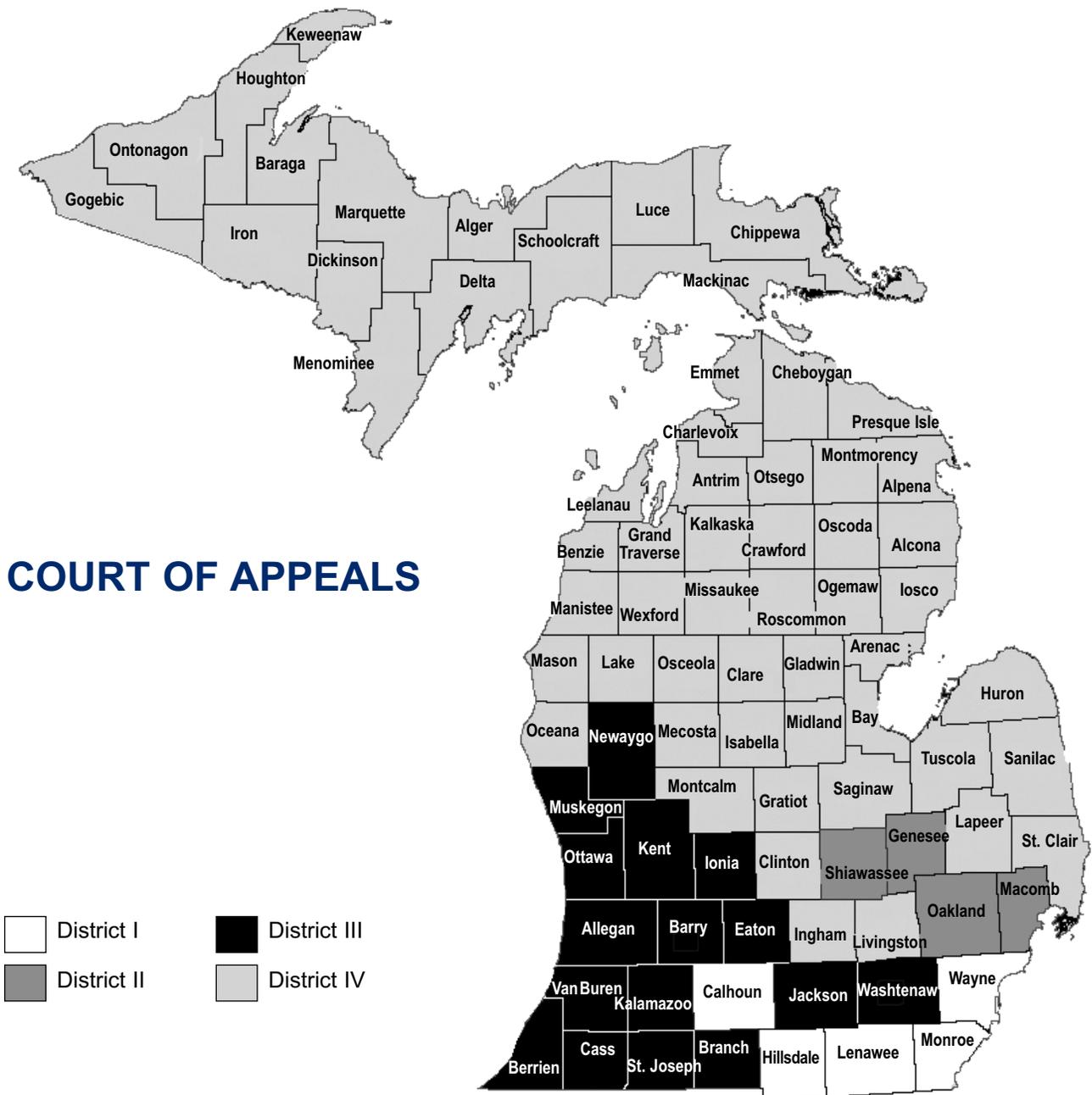
Hon. Richard A. Bandstra  
 Hon. Jane M. Beckering  
 Hon. Joel P. Hoekstra  
 Hon. Jane E. Markey  
 Hon. William B. Murphy  
 Hon. David H. Sawyer  
 Hon. Michael R. Smolenski<sup>R</sup>  
 (left the court 1/1/09)

**DISTRICT IV**

Hon. Stephen L. Borrello  
 Hon. Alton T. Davis  
 Hon. Michael J. Kelly<sup>E</sup>  
 (joined the court 1/1/09)  
 Hon. Patrick M. Meter  
 Hon. Peter D. O'Connell  
 Hon. Donald S. Owens  
 Hon. Bill Schuette<sup>R</sup>  
 (left the court 12/31/08)  
 Hon. William C. Whitbeck

**KEY**

\* Appointed to succeed another judge  
 E Newly elected to this court  
 A Appointed to another court  
 R Retired

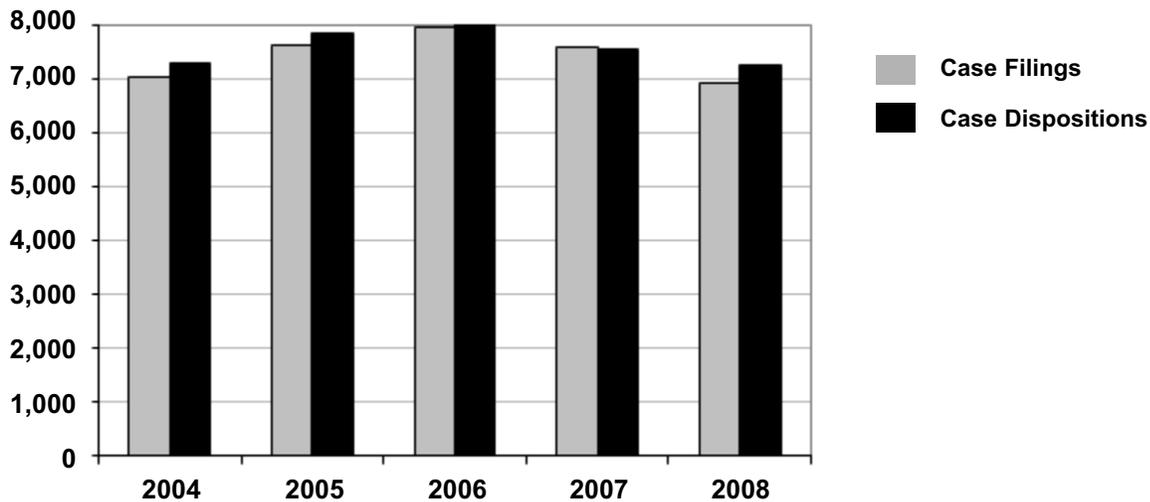


In 2008, 6,936 cases were filed with the Court of Appeals. This represents a decrease of 8.62 percent (654 cases) over the 7,590 cases filed in 2007.

In 2008, the Court of Appeals disposed of 7,232 cases, a decrease of 4.12 percent (311 cases) over the 7,543 cases disposed of in 2007. Of the dispositions, 4,329 (59.9 percent) were by order and 2,903 (40.1 percent) were by opinion.

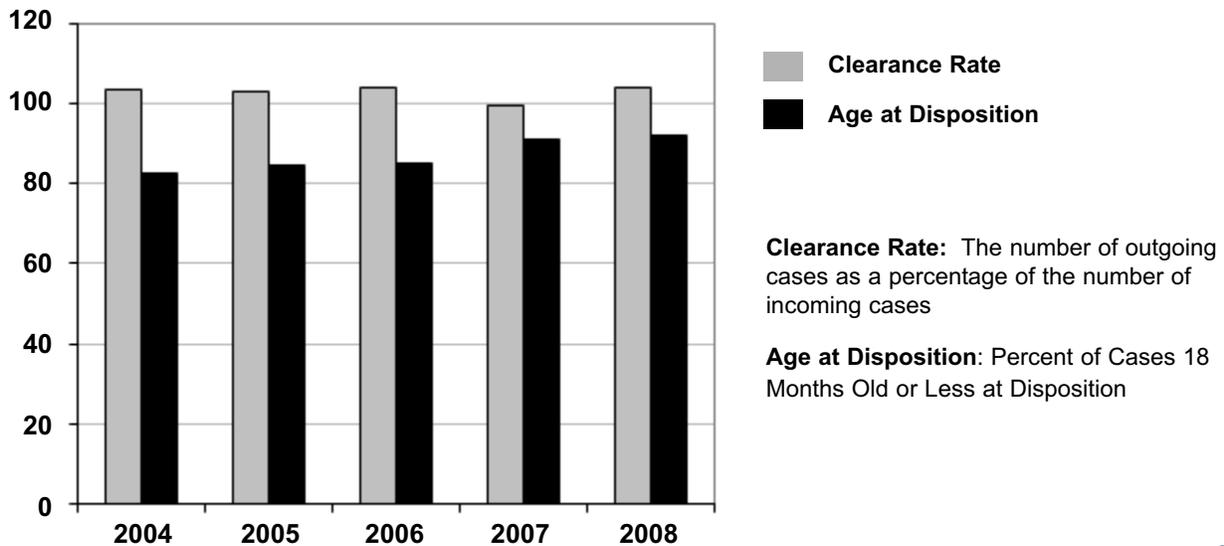
### Court of Appeals Case Filings and Dispositions

	2004	2005	2006	2007	2008
Case Filings	7,055	7,629	7,951	7,590	6,936
Case Dispositions	7,293	7,853	8,283	7,543	7,232



### Court of Appeals Clearance Rate

	2004	2005	2006	2007	2008
Clearance Rate	103	103	104	99	104
Age at Disposition	83	85	85	91	92

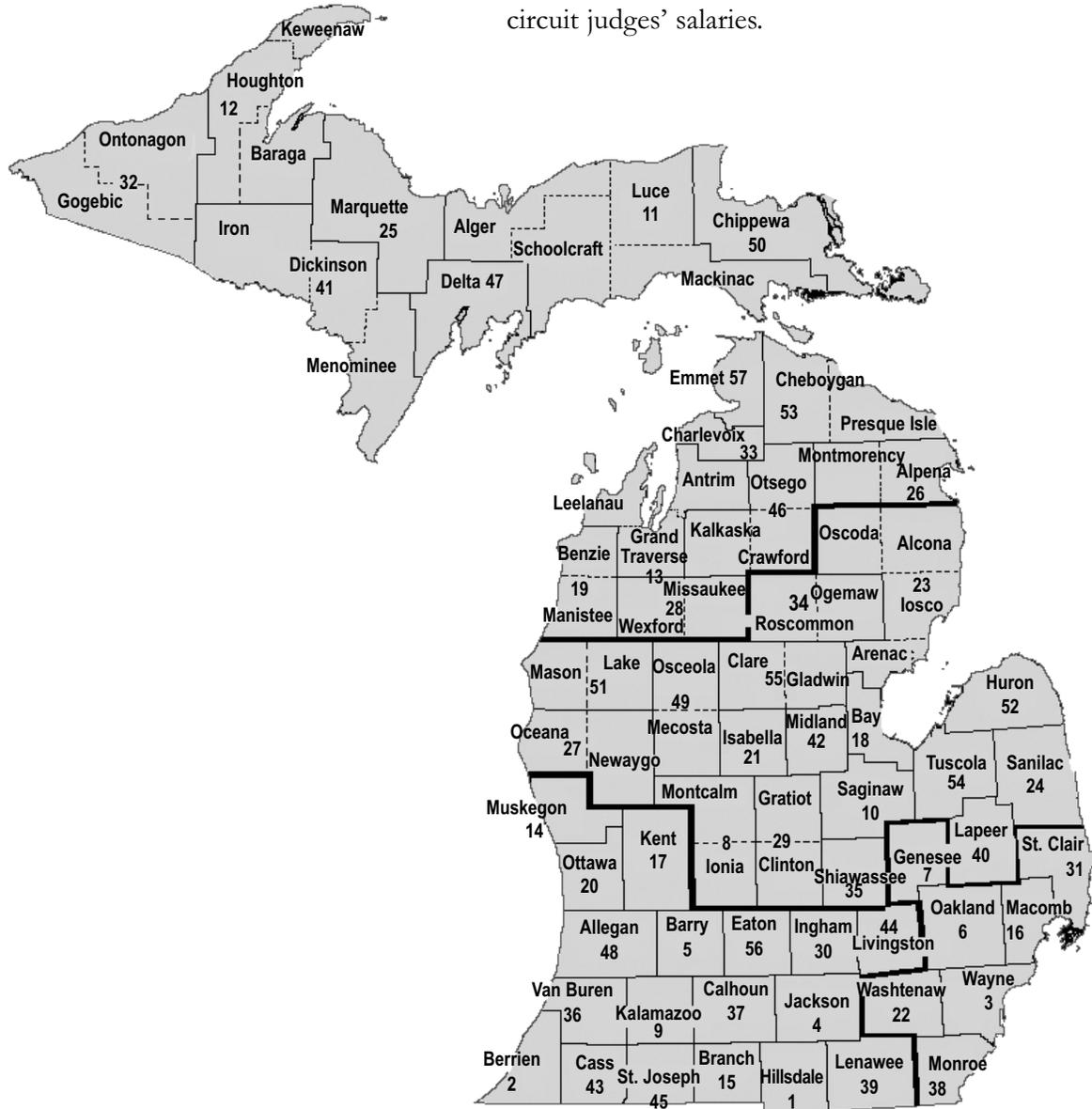


# CIRCUIT COURT

The circuit court is the trial court of general jurisdiction in Michigan, presiding in all actions except those given by state law to another court. The circuit court’s original jurisdiction over criminal cases includes felonies and certain serious misdemeanors, as well as civil cases where the amount in controversy is \$25,000 or more. The court also handles family division matters, cases where a party seeks an equitable remedy, and appeals from other courts and administrative agencies. In addition, the circuit court has superintending control over courts within the judicial circuit, subject to the Michigan Supreme Court’s final superintending control.

The state is divided into judicial circuits along county lines. The number of judges within a circuit is established by the Legislature to accommodate the circuit’s workload. In multicounty circuits, judges travel from one county to another to hold court sessions.

Circuit judges are elected to six-year terms in nonpartisan elections. A candidate must be a qualified elector, a resident of the judicial circuit, a lawyer admitted to practice for 5 years, and under 70 years of age at the time of election. The Legislature sets circuit judges’ salaries.



## CIRCUIT COURT JUDGES (AS OF 1/31/09)

**C01**

Hon. Michael R. Smith

**C02**

Hon. Alfred M. Butzbaugh

Hon. John E. Dewane\*

(joined the court 2/25/08)

Hon. John M. Donahue

Hon. Charles T. LaSata

**C03**

Hon. Deborah Ross Adams

Hon. David J. Allen

Hon. Wendy M. Baxter

Hon. Annette J. Berry

Hon. Gregory D. Bill

Hon. Susan D. Borman

Hon. Ulysses W. Boykin

Hon. Margie R. Braxton

Hon. Megan M. Brennan

Hon. Helen E. Brown<sup>R</sup>

(left the court 11/1/08)

Hon. Bill Callahan

Hon. James A. Callahan

Hon. Michael J. Callahan

Hon. Jerome C. Cavanagh

Hon. Eric W. Cholack\*

(joined the court 1/2/09)

Hon. James R. Chylinski

Hon. Robert J. Colombo, Jr.

Hon. Daphne Means Curtis

Hon. Christopher D. Dingell

Hon. Gershwin Allen Drain

Hon. Prentis Edwards

Hon. Charlene M. Elder

Hon. Vonda R. Evans

Hon. Edward Ewell, Jr.

Hon. Patricia Susan Fresard

Hon. Sheila Ann Gibson

Hon. John H. Gillis, Jr.

Hon. William J. Giovan<sup>R</sup>

(left the court 12/31/08)

Hon. David Alan Groner

Hon. Richard B. Halloran, Jr.

Hon. Amy Patricia Hathaway

Hon. Cynthia Gray Hathaway

Hon. Daniel A. Hathaway<sup>E</sup>

(joined the court 1/1/09)

Hon. Diane Marie Hathaway<sup>C</sup>

(left the court 12/31/08)

Hon. Michael M. Hathaway

Hon. Muriel D. Hughes

Hon. Thomas Edward Jackson

Hon. Vera Massey Jones

Hon. Connie M. Kelley<sup>E</sup>

(joined the court 1/1/09)

Hon. Mary Beth Kelly

Hon. Timothy Michael Kenny

Hon. Arthur J. Lombard

Hon. Kathleen I. Macdonald

Hon. Kathleen M. McCarthy

Hon. Wade H. McCree

Hon. Warfield Moore, Jr.<sup>R</sup>

(left the court 12/31/08)

**C03 continued**

Hon. Bruce U. Morrow

Hon. John A. Murphy

Hon. Maria L. Oxholm

Hon. Lynne A. Pierce<sup>E</sup>

(joined the court 1/1/09)

Hon. Linda V. Parker\*

(joined the court 1/26/09)

Hon. Lita Masini Popke

Hon. Daniel P. Ryan

Hon. Michael F. Sapala

Hon. Richard M. Skutt

Hon. Mark T. Slavens

Hon. Leslie Kim Smith

Hon. Virgil C. Smith

Hon. Jeanne Stempien

Hon. Cynthia Diane Stephens<sup>A</sup>

(left the court 12/31/08)

Hon. Craig S. Strong

Hon. Brian R. Sullivan

Hon. Deborah A. Thomas

Hon. Isidore B. Torres

Hon. Carole F. Youngblood

Hon. Robert L. Ziolkowski

**C04**

Hon. Susan E. Beebe\*

(joined the court 3/31/08)

Hon. John G. McBain, Jr.

Hon. Chad C. Schmucker

Hon. Thomas D. Wilson

**C05**

Hon. James H. Fisher

**C06**

Hon. James M. Alexander

Hon. Martha Anderson

Hon. Steven N. Andrews<sup>R</sup>

(left the court 12/31/08)

Hon. Leo Bowman

Hon. Mary Ellen Brennan<sup>E</sup>

(joined the court 1/1/09)

Hon. Rae Lee Chabot

Hon. Mark A. Goldsmith

Hon. Lisa Ortlieb Gorcyca<sup>E</sup>

(joined the court 1/1/09)

Hon. Nanci J. Grant

Hon. Shalina D. Kumar

Hon. Denise Langford-Morris

Hon. Cheryl A. Matthews

Hon. John James McDonald

Hon. Fred M. Mester<sup>R</sup>

(left the court 12/31/08)

Hon. Rudy J. Nichols

Hon. Colleen A. O'Brien

Hon. Daniel Patrick O'Brien

Hon. Wendy Lynn Potts

Hon. Edward Sosnick

Hon. Michael D. Warren, Jr.

Hon. Joan E. Young

**C07**

Hon. Duncan M. Beagle

Hon. Joseph J. Farah

Hon. Judith A. Fullerton

**C07 continued**

Hon. John A. Gadola

Hon. Archie L. Hayman

Hon. Geoffrey L. Neithercut

Hon. David J. Newblatt

Hon. Michael J. Theile

Hon. Richard B. Yuille

**C08**

Hon. David A. Hoort

Hon. Suzanne Kreeger<sup>E</sup>

(joined the court 1/1/09)

Hon. Charles H. Miel<sup>R</sup>

(left the court 12/31/08)

**C09**

Hon. Gary C. Giguere, Jr.

Hon. Stephen D. Gorsalitz

Hon. J. Richardson Johnson

Hon. Pamela L. Lightvoet

Hon. Alexander C. Lipsey

**C10**

Hon. Janet M. Boes\*

(joined the court 9/8/08)

Hon. Fred L. Borchard

Hon. William A. Crane

Hon. Lynda L. Heathscott<sup>R</sup>

(left the court 5/1/08)

Hon. Darnell Jackson

Hon. Robert L. Kaczmarek

**C11**Hon. William W. Carmody<sup>E</sup>

(joined the court 1/1/09)

Hon. Charles H. Stark<sup>R</sup>

(left the court 12/31/08)

**C12**Hon. Charles R. Goodman<sup>E</sup>

(joined the court 1/1/09)

Hon. Garfield W. Hood<sup>R</sup>

(left the court 9/30/08)

**C13**

Hon. Thomas G. Power

Hon. Philip E. Rodgers, Jr.

**C14**

Hon. James M. Graves, Jr.

Hon. Timothy G. Hicks

Hon. William C. Marietti

Hon. John C. Ruck

**C15**Hon. Michael H. Cherry<sup>R</sup>

(left the court 12/31/08)

**KEY**

*	Appointed to succeed another judge
A	Appointed to another court
C	Elected to another court
D	Defeated in election
E	Newly elected to this court
F	Deceased
R	Retired
V	Removed

**CIRCUIT COURT JUDGES (AS OF 1/31/09)**

**C15 continued**

Hon. Patrick W. O’Grady<sup>F</sup>  
(joined the court 1/1/09)

**C16**

Hon. James M. Biernat, Sr.  
Hon. Richard L. Caretti  
Hon. Mary A. Chrzanowski  
Hon. Diane M. Druzinski  
Hon. John C. Foster  
Hon. Peter J. Maceroni  
Hon. Donald G. Miller  
Hon. Edward A. Servitto, Jr.  
Hon. Mark S. Switalski  
Hon. Matthew S. Switalski  
Hon. Antonio P. Viviano  
Hon. David Viviano  
Hon. Tracey A. Yokich

**C17**

Hon. George S. Buth  
Hon. Kathleen A. Feeney  
Hon. Donald A. Johnston, III  
Hon. Dennis C. Kolenda<sup>R</sup>  
(left the court 3/31/08)  
Hon. Dennis B. Leiber  
Hon. Steven M. Pestka  
Hon. James Robert Redford  
Hon. Paul J. Sullivan  
Hon. Mark A. Trusock  
Hon. Christopher P. Yates\*  
(joined the court 4/22/08)  
Hon. Daniel V. Zemaitis

**C18**

Hon. William J. Caprathe  
Hon. Kenneth W. Schmidt  
Hon. Joseph K. Sheeran

**C19**

Hon. James M. Batzer

**C20**

Hon. Calvin L. Bosman  
Hon. Jon H. Hulsing  
Hon. Edward R. Post  
Hon. Jon Van Allsburg

**C21**

Hon. Paul H. Chamberlain  
Hon. Mark H. Duthie

**C22**

Hon. Archie Cameron Brown  
Hon. Timothy P. Connors  
Hon. Melinda Morris  
Hon. Donald E. Shelton  
Hon. David S. Swartz

**C23**

Hon. Ronald M. Bergeron  
Hon. William F. Myles

**C24**

Hon. Donald A. Teeple

**C25**

Hon. Jennifer Mazzuchi<sup>F</sup>  
(joined the court 1/1/09)  
Hon. Thomas L. Solka

**C25 continued**

Hon. John R. Weber<sup>R</sup>  
(left the court 12/31/08)

**C26**

Hon. John F. Kowalski<sup>R</sup>  
(left the court 12/31/08)  
Hon. Michael G. Mack<sup>F</sup>  
(joined the court 1/1/09)

**C27**

Hon. Anthony A. Monton  
Hon. Terrence R. Thomas

**C28**

Hon. William M. Fagerman

**C29**

Hon. Michelle M. Rick  
Hon. Randy L. Tahvonon

**C30**

Hon. Rosemarie E. Aquilina<sup>F</sup>  
(joined the court 1/1/09)  
Hon. Laura Baird  
Hon. William E. Collette  
Hon. Joyce Draganchuk  
Hon. James R. Giddings  
Hon. Janelle A. Lawless  
Hon. Paula J. M. Manderfield  
Hon. Beverley R. Nettles-Nickerson<sup>V</sup>  
(left the court 6/13/08)

**C31**

Hon. James P. Adair  
Hon. Peter E. Deegan  
Hon. Daniel J. Kelly

**C32**

Hon. Roy D. Gotham

**C33**

Hon. Richard M. Pajtas

**C34**

Hon. Michael J. Baumgartner

**C35**

Hon. Gerald D. Lostracco

**C36**

Hon. William C. Buhl  
Hon. Paul E. Hamre

**C37**

Hon. Allen L. Garbrecht  
Hon. James C. Kingsley  
Hon. Stephen B. Miller  
Hon. Conrad J. Sindt

**C38**

Hon. Joseph A. Costello, Jr.  
Hon. Michael W. LaBeau  
Hon. Michael A. Weipert

**C39**

Hon. Harvey A. Koselka<sup>R</sup>  
(left the court 12/31/08)  
Hon. Margaret Murray-Sholz Noe<sup>F</sup>  
(joined the court 1/1/09)

Hon. Timothy P. Pickard

**C40**

Hon. Michael P. Higgins  
Hon. Nick O. Holowka

**C41**

Hon. Mary Brouillette Barglind  
Hon. Richard J. Celello

**C42**

Hon. Michael J. Beale  
Hon. Jonathan E. Lauderbach

**C43**

Hon. Michael E. Dodge

**C44**

Hon. Stanley J. Latreille  
Hon. David Reader

**C45**

Hon. Paul E. Stutesman

**C46**

Hon. Janet M. Allen  
Hon. Dennis F. Murphy

**C47**

Hon. Stephen T. Davis

**C48**

Hon. William H. Baillargeon<sup>D</sup>  
(left the court 12/31/08)  
Hon. George R. Corsiglia  
Hon. Kevin W. Cronin<sup>F</sup>  
(joined the court 1/1/09)

**C49**

Hon. Scott P. Hill-Kennedy  
Hon. Ronald C. Nichols

**C50**

Hon. Nicholas J. Lambros

**C51**

Hon. Richard I. Cooper

**C52**

Hon. M. Richard Knoblock

**C53**

Hon. Scott Lee Pavlich

**C54**

Hon. Patrick Reed Joslyn

**C55**

Hon. Thomas R. Evans  
Hon. Roy G. Mienk

**C56**

Hon. Thomas S. Eveland  
Hon. Calvin E. Osterhaven

**C57**

Hon. Charles W. Johnson

**KEY**

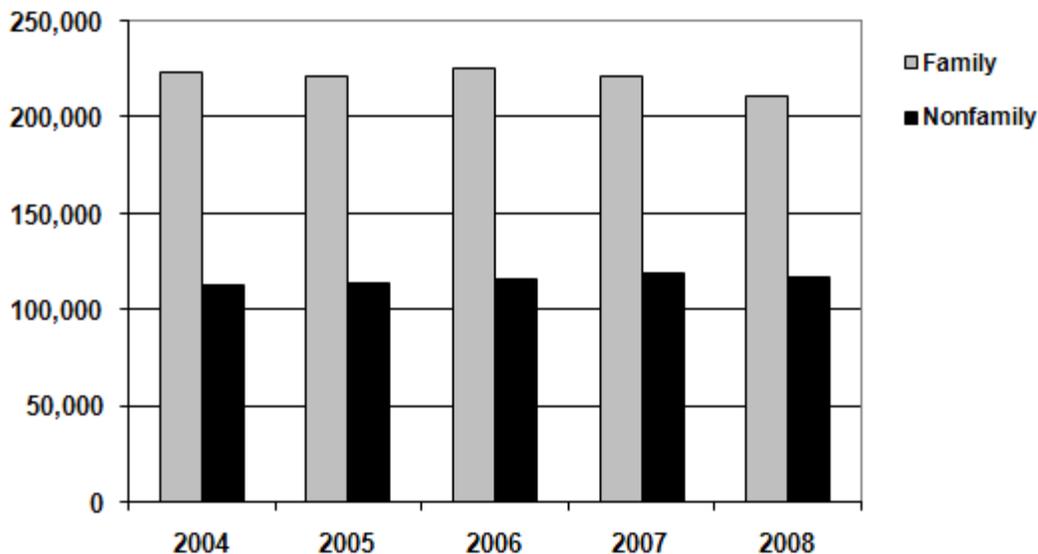
- \* Appointed to succeed another judge
- <sup>A</sup> Appointed to another court
- <sup>C</sup> Elected to another court
- <sup>D</sup> Defeated in election
- <sup>E</sup> Newly elected to this court
- <sup>F</sup> Deceased
- <sup>R</sup> Retired
- <sup>V</sup> Removed

## Circuit Court Filings by Division

	2004	2005	2006	2007	2008
<b>Family</b>					
Domestic Relations	89,117	89,150	92,664	91,941	88,105
Personal Protection*	45,995	43,543	41,779	39,163	38,266
Juvenile Code**	78,816	79,621	82,243	81,456	75,812
Adoption	5,804	5,504	4,874	5,066	5,057
Miscellaneous Family	3,767	3,456	3,788	3,272	3,350
<b>Total Family</b>	<b>223,499</b>	<b>221,274</b>	<b>225,348</b>	<b>220,898</b>	<b>210,590</b>
<b>Nonfamily</b>					
Civil	46,580	44,740	44,988	46,089	46,216
Criminal	61,171	63,575	65,532	67,123	65,416
Appeals, Administrative Review, Writs	5,029	5,150	4,988	5,065	5,198
Court of Claims	244	225	186	177	153
<b>Total Nonfamily</b>	<b>113,024</b>	<b>113,690</b>	<b>115,694</b>	<b>118,454</b>	<b>116,983</b>
<b>Total Filings</b>	<b>336,523</b>	<b>334,964</b>	<b>341,042</b>	<b>339,352</b>	<b>327,573</b>

\*Personal Protection Orders filed against a juvenile are included in Personal Protection filings, not Juvenile Code.

\*\*Waivers of parental consent are included in 2004, 2005, and 2006 totals.



In 2008, 327,573 cases were filed in the circuit court. Of that total, 210,590 cases, or 64.3 percent, were family division filings, which include domestic relations, personal protection, juvenile code proceedings, adoption code proceedings, and miscellaneous family proceedings. The remaining 116,983 cases, representing 35.7 percent of filings, include civil, criminal, appeals, administrative, and court of claims cases, in addition to extraordinary writs. These nonfamily division cases, followed by those in the family division, are described in more detail in this section.

## Circuit Court Civil Case Filings and Dispositions

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
General Civil	26,064	26,050	27,025	28,797	29,001
Auto Negligence	9,435	9,162	8,525	8,424	8,477
Nonauto Damage	8,789	7,436	7,006	6,134	5,967
Other Civil*	2,292	2,092	2,432	2,734	2,771
<b>Total Filings</b>	<b>46,580</b>	<b>44,740</b>	<b>44,988</b>	<b>46,089</b>	<b>46,216</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
General Civil	28,084	28,162	28,066	29,129	29,505
Auto Negligence	10,313	10,141	9,716	9,184	9,260
Nonauto Damage	11,059	9,184	8,012	7,625	7,143
Other Civil*	2,204	2,045	2,400	2,758	2,720
<b>Total Dispositions</b>	<b>51,660</b>	<b>49,532</b>	<b>48,194</b>	<b>48,696</b>	<b>48,628</b>

\*Other Civil includes proceedings to restore, establish, or correct records; claim and delivery; receivers in supplemental proceedings; supplemental proceedings; and miscellaneous proceedings.

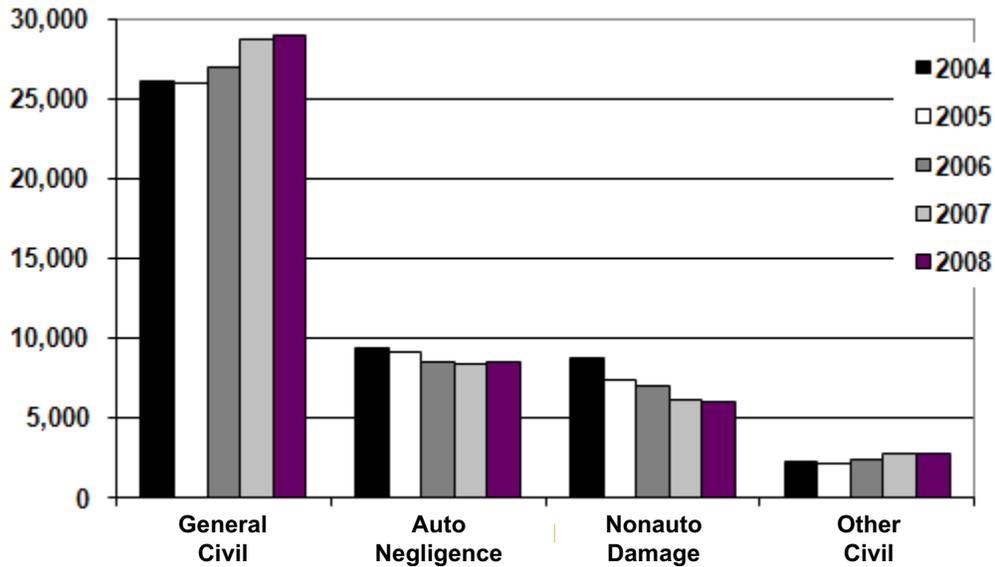
<b>Method of Disposition</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Jury Verdict	504	487	525	432	305
Bench Verdict	532	563	419	423	437
Uncontested, Default, Settled	18,866	19,022	19,466	20,501	20,272
Dismissal by Party	19,978	17,893	17,193	16,276	12,625
Dismissal by Court	9,809	9,779	9,005	9,368	9,160
Other Dispositions*	1,971	1,788	1,586	1,696	5,829
<b>Total Dispositions</b>	<b>51,660</b>	<b>49,532</b>	<b>48,194</b>	<b>48,696</b>	<b>48,628</b>

\*Other Dispositions includes cases transferred, cases that changed case type, and other dispositions not including cases made inactive.

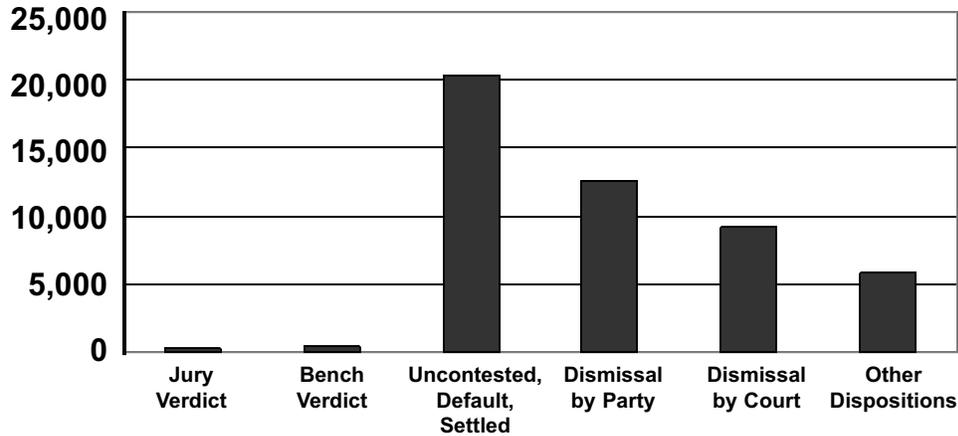
In 2008, 39.5 percent of the nonfamily division filings in circuit court were general civil, auto negligence, nonauto damage, and other civil cases. Nonauto damage cases continued to decline; 32.1 percent fewer cases were filed in 2008 than in 2004.

In 2008, the statewide clearance rate for civil cases was 101.2 percent. Nearly half (44.8 percent) of the civil cases were voluntarily dismissed by the plaintiff or dismissed by the court for various reasons, including lack of progress, failure of the plaintiff to appear, and payment of an award under MCR 2.403(M). Defaults, consent judgments, settlements, or summary dispositions accounted for 41.7 percent of dispositions. Less than 2 percent of civil cases were resolved by a jury verdict or bench verdict.

### Circuit Court Civil Case Filings



### 2008 Circuit Court Civil Case Dispositions by Disposition Method



### Circuit Court Criminal Case Filings and Dispositions

Filings	2004	2005	2006	2007	2008
Noncapital	57,524	59,656	61,275	62,866	61,625
Capital	3,549	3,818	4,160	4,158	3,675
Felony Juvenile	98	101	97	99	116
<b>Total Filings</b>	<b>61,171</b>	<b>63,575</b>	<b>65,532</b>	<b>67,123</b>	<b>65,416</b>

### Circuit Court Criminal Case Filings and Dispositions (continued)

Dispositions	2004	2005	2006	2007	2008
Noncapital	59,421	60,880	63,169	63,784	62,296
Capital	3,661	3,903	4,298	4,245	3,820
Felony Juvenile	99	91	125	82	116
<b>Total Dispositions</b>	<b>63,181</b>	<b>64,874</b>	<b>67,592</b>	<b>68,111</b>	<b>66,232</b>

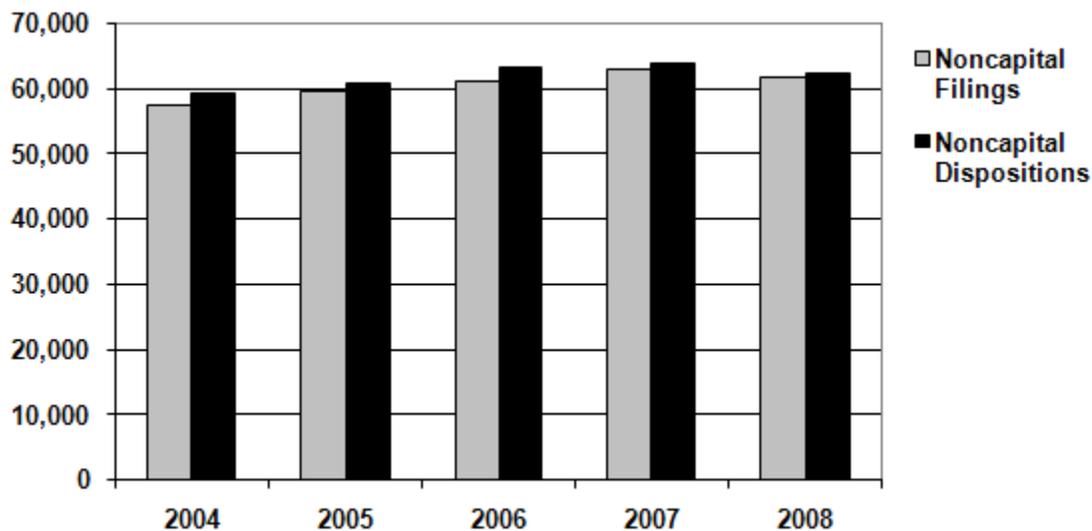
Method of Disposition	2004	2005	2006	2007	2008
Jury Verdict	1,763	1,858	1,830	1,814	1,588
Bench Verdict	885	862	1,075	904	728
Guilty Plea	50,497	52,498	55,758	56,838	55,111
Dismissal by Party	4,046	3,979	3,772	3,440	3,388
Dismissal by Court	2,475	2,076	2,205	2,228	2,480
Other Dispositions*	3,515	3,601	2,952	2,887	2,937
<b>Total Dispositions</b>	<b>63,181</b>	<b>64,874</b>	<b>67,592</b>	<b>68,111</b>	<b>66,232</b>

\*Other Dispositions includes cases transferred and cases that changed case type.

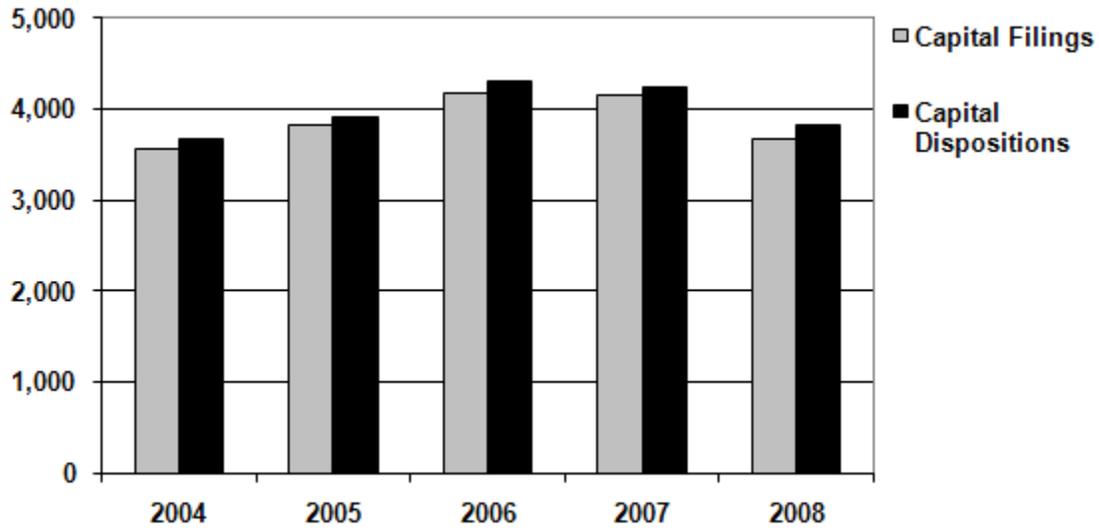
In 2008, 65,416 felony cases were filed in circuit court. Capital felony case filings decreased by 11.6 percent between 2007 and 2008. A total of 61,625 noncapital felony cases were filed in 2008.

The statewide clearance rate for felonies was 99.7 percent. Most felonies (83.2 percent) were disposed of by guilty plea. In 3.5 percent of dispositions, the case went to trial and a judge or jury returned a verdict.

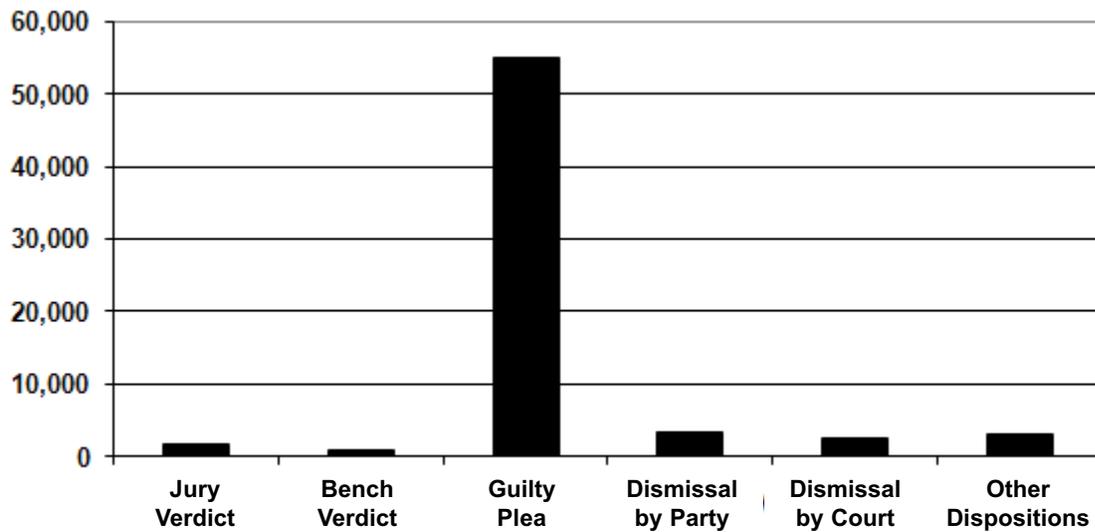
### Circuit Court Criminal Noncapital Case Filings and Dispositions



### Circuit Court Criminal Capital Case Filings and Dispositions



### 2008 Circuit Court Criminal Case Dispositions by Disposition Method



## Circuit Court Appeals, Administrative Review, and Extraordinary Writ Filings and Dispositions

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Criminal Appeals	411	464	378	369	379
Civil Appeals	765	740	798	847	913
Agency Appeals and Reviews	2,499	2,609	2,505	2,497	2,525
Other Civil Cases	1,354	1,337	1,307	1,352	1,381
<b>Total Filings</b>	<b>5,029</b>	<b>5,150</b>	<b>4,988</b>	<b>5,065</b>	<b>5,198</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Criminal Appeals	407	436	435	366	342
Civil Appeals	790	794	783	840	1,001
Agency Appeals and Reviews	2,624	2,513	2,577	2,507	2,563
Other Civil Cases	1,422	1,326	1,337	1,330	1,341
<b>Total Dispositions</b>	<b>5,243</b>	<b>5,069</b>	<b>5,132</b>	<b>5,043</b>	<b>5,247</b>

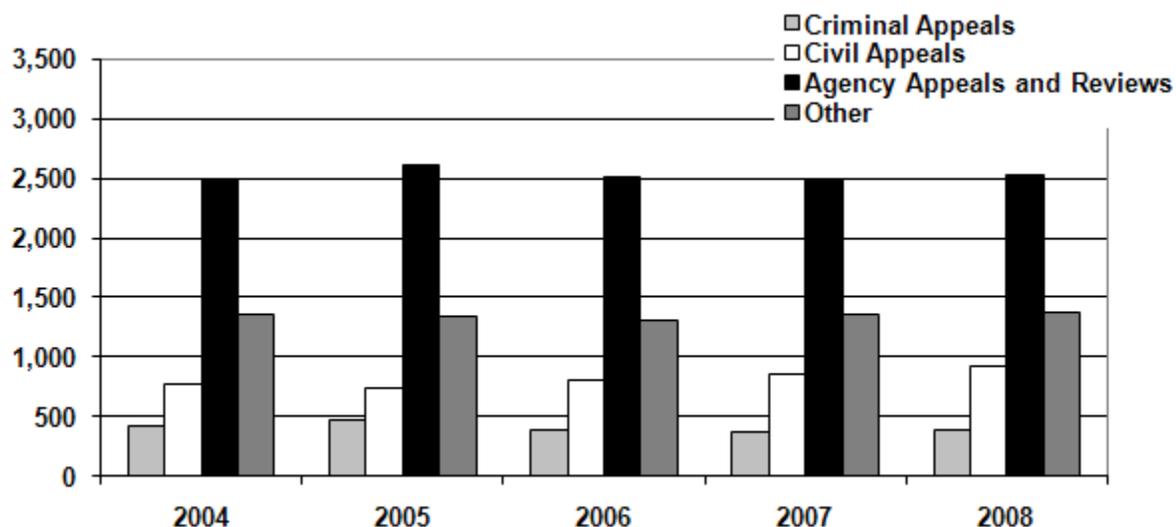
<b>Method of Disposition</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Order Entered	3,258	3,114	3,070	3,058	3,083
Dismissed/Denied	1,960	1,827	1,944	1,882	2,056
Other Dispositions*	25	128	118	103	108
<b>Total Dispositions</b>	<b>5,243</b>	<b>5,069</b>	<b>5,132</b>	<b>5,043</b>	<b>5,247</b>

\*Other Dispositions includes cases transferred and cases that changed case type.

Statewide filings of appeals, administrative cases, and extraordinary writs increased to 5,198 in 2008. Appeals in civil cases continued a four-year trend and increased by 7.8 percent between 2007 and 2008.

The statewide clearance rate for appellate and administrative cases was 98.6 percent. In most cases (58.8 percent), the court entered an order other than dismissal or denial; 39.2 percent were dismissed or denied by the court.

## Filings of Circuit Court Appellate Cases, Administrative Reviews, and Actions for Extraordinary Writs



## Circuit Court Domestic Relations Filings and Dispositions

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Divorce without Children	21,915	22,461	22,592	21,818	20,882
Divorce with Children	22,890	23,070	22,538	22,433	21,283
Paternity	17,458	17,541	19,960	19,603	19,149
Support	18,095	17,894	19,356	20,044	19,237
Other Domestic*	4,635	4,282	3,119	3,097	3,067
UIFSA*	4,124	3,888	5,099	4,946	4,487
<b>Total Filings</b>	<b>89,117</b>	<b>89,136</b>	<b>92,664</b>	<b>91,941</b>	<b>88,105</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Divorce without Children	22,621	23,126	23,296	22,730	21,958
Divorce with Children	24,632	24,264	24,002	23,559	22,975
Paternity	15,558	18,479	19,069	19,725	20,104
Support	16,316	19,201	18,961	19,622	19,707
Other Domestic*	4,629	4,461	3,158	3,071	3,050
UIFSA*	3,713	3,844	5,108	4,885	4,465
<b>Total Dispositions</b>	<b>87,469</b>	<b>93,375</b>	<b>93,594</b>	<b>93,592</b>	<b>92,259</b>

\*Assist with Discovery (UD) and UIFSA Establishment (UE) cases are included in the UIFSA category in 2002 and in the Other Domestic category beginning in 2003.

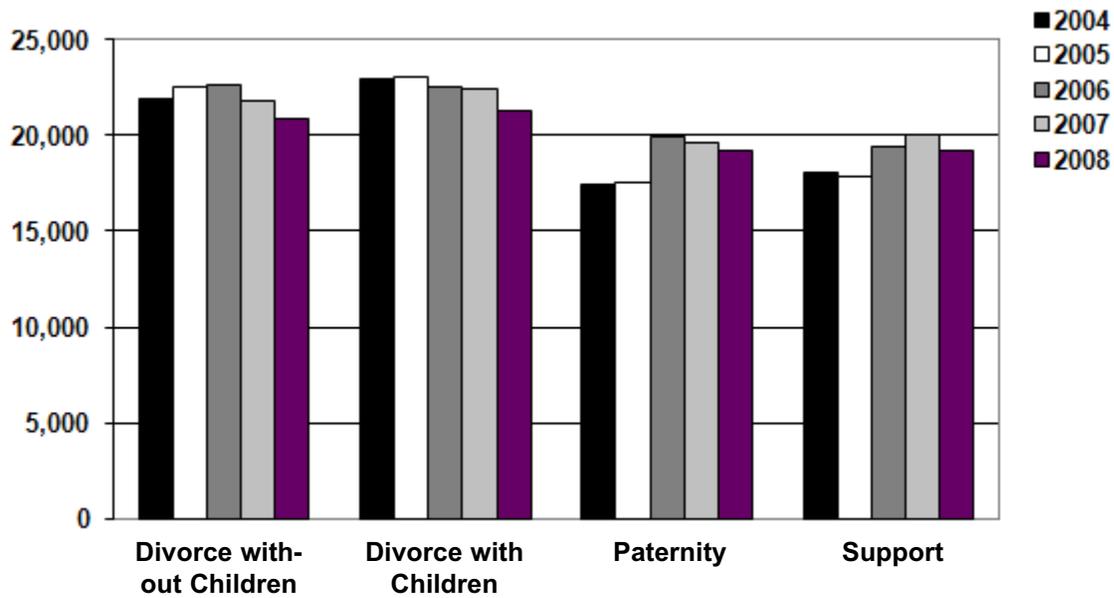
<b>Method of Disposition</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Bench Verdict	4,848	1,339	1,456	1,342	1,139
Uncontested, Default, Settled	56,317	64,372	65,700	66,508	65,972
Dismissal by Party	6,786	6,955	7,292	6,585	6,403
Dismissal by Court	15,361	16,443	15,101	15,238	15,254
Other Dispositions*	4,157	4,266	4,045	3,919	3,491
<b>Total Dispositions</b>	<b>87,469</b>	<b>93,375</b>	<b>93,594</b>	<b>93,592</b>	<b>92,259</b>

\*Other Dispositions includes cases transferred and cases that changed case type.

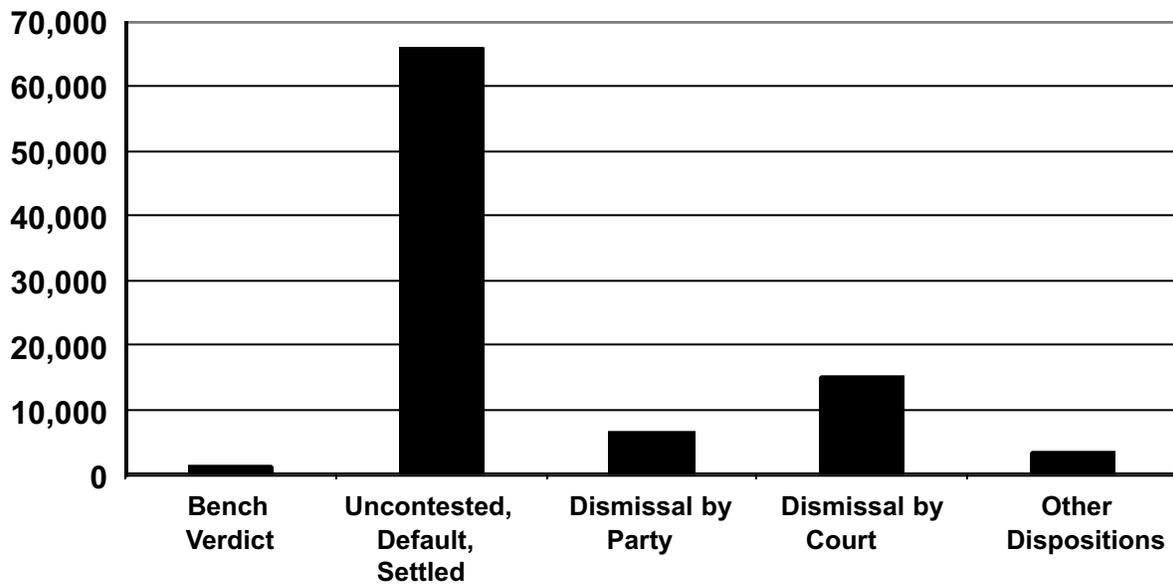
In 2008, 210,590 cases were filed in the family division of circuit court, representing 64.3 percent of all circuit court filings. There were fewer family division filings in 2008 than any year since 2004. Of the family division filings, 47.9 percent were divorce cases and 43.6 percent were paternity and support cases.

The statewide clearance rate for domestic relations cases was 102.6 percent. Most cases (71.5 percent) were disposed of by default, consent judgment, or settlement during trial; 1.2 percent were disposed of by a judge's verdict.

### Circuit Court Domestic Relations Case Filings



### 2008 Circuit Court Domestic Relations Case Dispositions by Disposition Method



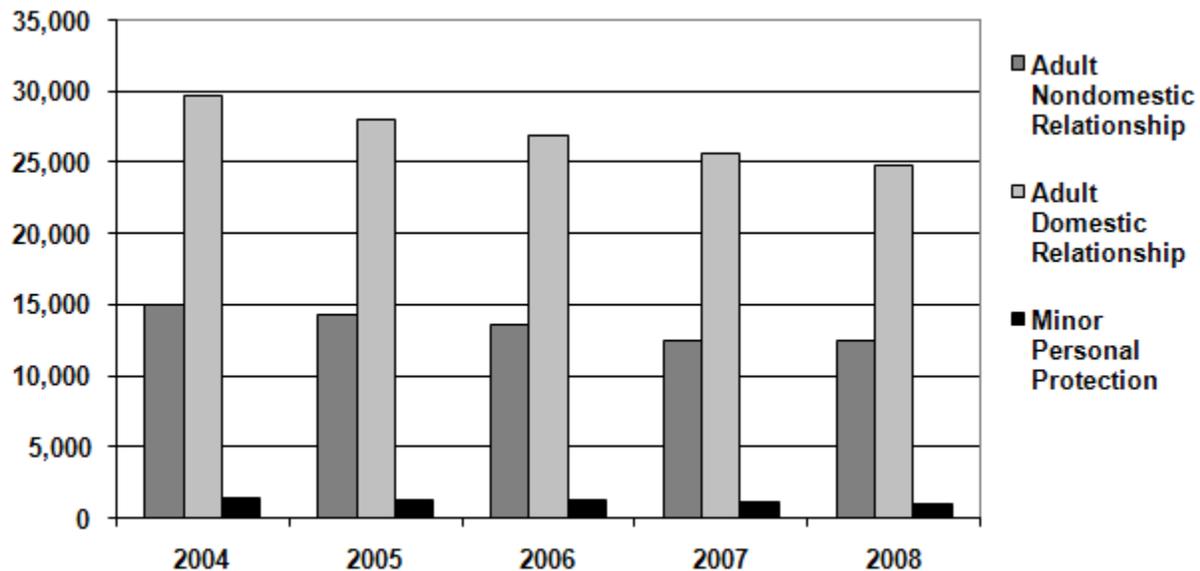
## Circuit Court Personal Protection Filings and Dispositions

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Adult Nondomestic Relationship	15,025	14,233	13,647	12,513	12,437
Adult Domestic Relationship	29,629	28,053	26,921	25,562	24,816
Minor Personal Protection	1,341	1,257	1,211	1,088	1,013
<b>Total Filings</b>	<b>45,995</b>	<b>43,543</b>	<b>41,779</b>	<b>39,163</b>	<b>38,266</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Adult Nondomestic Relationship	15,586	14,945	14,206	13,061	12,969
Adult Domestic Relationship	30,546	29,593	28,062	26,581	25,743
Minor Personal Protection	1,352	1,236	1,237	1,115	1,028
<b>Total Dispositions</b>	<b>47,484</b>	<b>45,774</b>	<b>43,505</b>	<b>40,757</b>	<b>39,740</b>

The number of personal protection petitions continued to decrease; there were 16.8 percent fewer filings in 2008 than in 2004. In 64.9 percent of new filings, the moving parties sought protection against adult domestic partners; the remaining 32.5 percent were filed for protection against stalking by other adults. The remaining 2.6 percent were filed to obtain protection against minors. Most cases (63.4 percent) were disposed of by a court order; 36.6 percent were dismissed by the court or the moving party, or were denied by the court.

## Circuit Court Personal Protection Petition Filings



## Circuit Court Filings and Dispositions Under Juvenile Code

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Delinquency	56,506	56,024	56,906	53,930	49,147
Traffic	13,629	15,121	16,869	19,380	18,636
Child Protective	8,490	8,323	8,306	7,988	7,824
Designated	191	153	162	158	205
<b>Total Filings</b>	<b>78,816</b>	<b>79,621</b>	<b>82,243</b>	<b>81,456</b>	<b>75,812</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Delinquency	56,264	56,226	56,911	55,735	51,569
Traffic	14,048	13,866	15,230	18,932	18,332
Child Protective	7,614	7,583	8,012	7,935	7,773
Designated	160	135	162	151	179
<b>Total Dispositions</b>	<b>78,086</b>	<b>77,810</b>	<b>80,315</b>	<b>82,753</b>	<b>77,853</b>

<b>Juveniles Under Supervision</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Supervised by the Court	13,246	12,986	13,172	12,799	12,475
Supervised by DCJ of Wayne Co.	2,283	2,632	3,193	3,050	2,890
Supervised by DHS	1,314	1,171	1,199	938	764
<b>Total Juveniles</b>	<b>16,843</b>	<b>16,789</b>	<b>17,564</b>	<b>16,787</b>	<b>16,129</b>

DCJ: Department of Community Justice.

DHS: Michigan Department of Human Services.

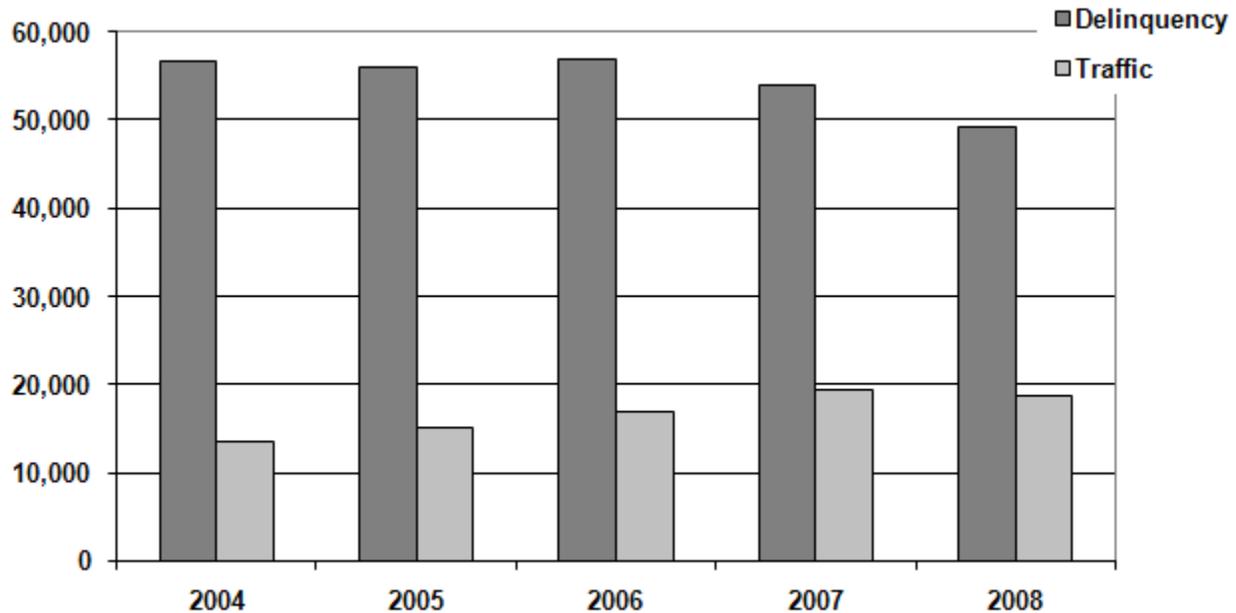
In 2008, 205 new juvenile offense cases were designated to be heard in the same manner as adult criminal cases, more than in any year since 2004. In 63.1 percent of dispositions, the court accepted the juvenile's plea. In 16 cases (8.9 percent), the case went to trial and a judge or jury returned a verdict. In 50 cases (27.9 percent), the case was dismissed by the prosecutor or court.

Delinquency case filings continued to decrease, with 13 percent fewer filings in 2008 than in 2004. In 35.1 percent of dispositions, the court accepted the juvenile's plea; in 2.5 percent, the case went to trial and a judge or jury returned a verdict. The statewide clearance rate for delinquency cases was 102.3 percent.

At the close of 2008, 16,129 juveniles were under court jurisdiction because of delinquency proceedings. Of those, 12,475 were supervised by the circuit court, 2,890 were supervised by the Wayne County Department of Community Justice, and 764 were supervised by the Department of Human Services. An additional 8,281 juveniles not already under court supervision were awaiting adjudication.

A total of 18,636 juvenile traffic tickets were filed in 2008. Over half (56.8 percent) were dismissed by the court.

## Circuit Court Petitions Filed Under Juvenile Code



## Circuit Court Child Abuse and Neglect Cases and Children Associated With New Filings

Filings	2004	2005	2006	2007	2008
Cases	8,490	8,323	8,306	7,988	7,824
Children	13,524	12,925	13,080	12,493	11,859

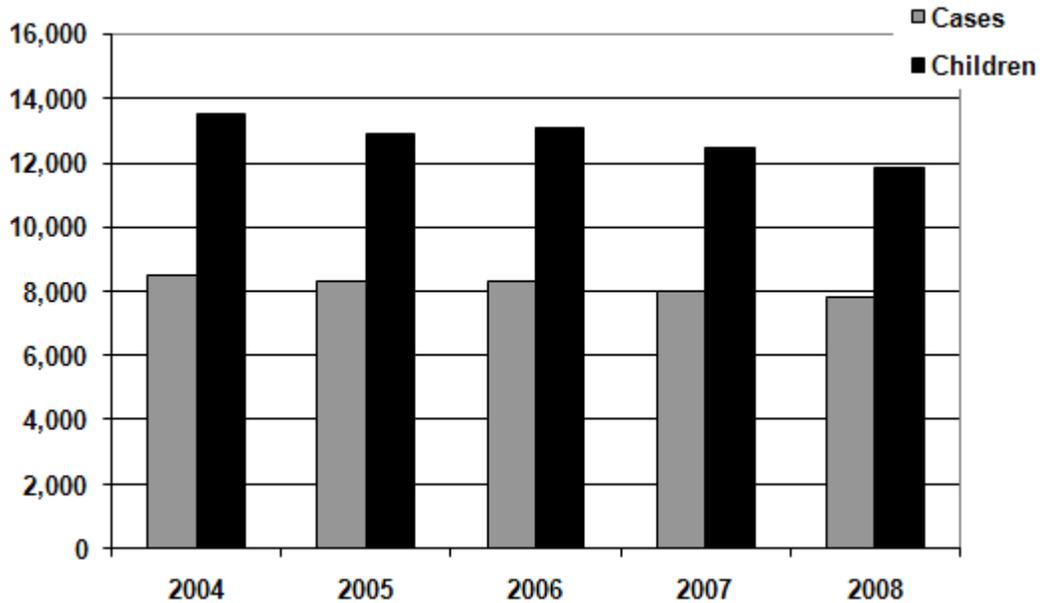
In 2008, 7,824 child abuse and neglect petitions were filed with the circuit court, fewer than in any year since 2004. In 59.1 percent of the dispositions, the court accepted a plea of admission. A relatively few cases (15.8 percent) went to trial and a judge or jury returned a verdict. An additional 17 percent were dismissed by the court or withdrawn by the petitioner. The statewide clearance rate for child protective petitions was 98.7 percent.

Of the 11,859 children associated with new child protective filings in 2008, 841 (7.1 percent) had previously been under court jurisdiction.

Termination of parental rights petitions totaled 2,447 and involved 4,143 children. Of these, 1,067 were filed as part of original or amended petitions and 1,380 were filed as supplemental petitions. There were an additional 829 supplemental petitions, involving 1,028 children, related to child protective cases; these petitions were filed for reasons other than termination.

At the close of 2008, the circuit court had jurisdiction over 18,177 children as a result of child protective proceedings. Of that number, 12,197 were temporary wards of the court, 5,913 were permanent wards of the court or the Michigan Children's Institute, and 67 were temporary wards who were ordered to the Michigan Children's Institute for observation. An additional 2,119 children were awaiting adjudication and were not yet under court jurisdiction.

### Circuit Court Child Protective Case Filings and Children Associated with New Cases

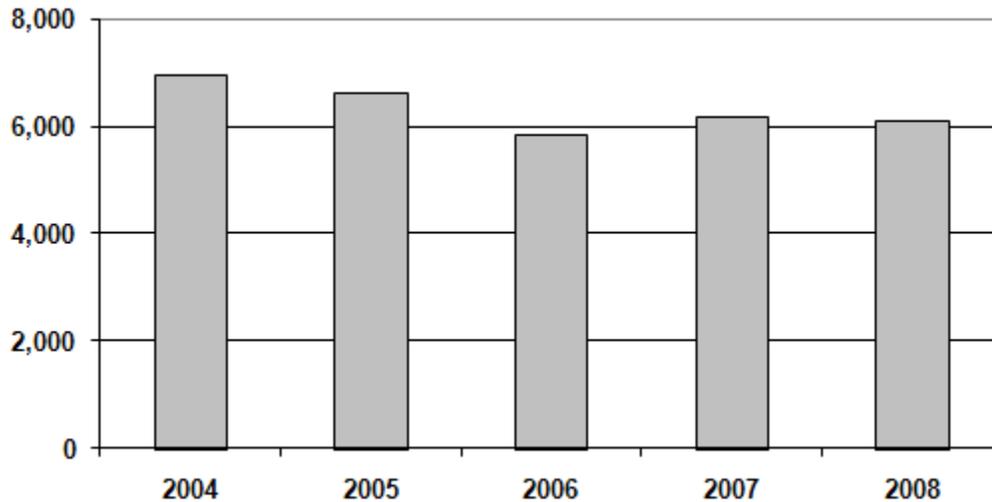


### Circuit Court Filings and Dispositions Under Adoption Code

	2004	2005	2006	2007	2008
Adoption Filings	5,804	5,504	4,874	5,066	5,057
Requests for Release of Adoption Information	843	773	734	853	780
Petitions for Appointment of Confidential Intermediary	283	329	226	234	240
Adoptions Finalized	5,474	5,383	4,595	4,632	4,806
Adoption Dispositions	5,839	5,777	4,937	4,982	5,129

In 2008, 5,057 petitions for adoption were filed and 4,806 were finalized. Circuit courts received 780 requests for the release of adoption information and 240 petitions for the appointment of a confidential intermediary. These requests and petitions are included in the bar graph on the next page.

### Circuit Court Petitions Filed Under Adoption Code



### Circuit Court Miscellaneous Family Case Filings

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Waiver of Parental Consent*	560	535	381		
Name Change	2,700	2,449	2,845	2,665	2,779
Emancipation of Minor	80	69	83	55	54
Infectious Disease	10	8	11	4	4
Safe Delivery of Newborns	5	7	7	13	12
Out-of-County Personal Protection Violations Orders	39	38	34	43	42
Ancillary	373	350	427	492	459
<b>Total Filings</b>	<b>3,767</b>	<b>3,456</b>	<b>3,788</b>	<b>3,272</b>	<b>3,350</b>

\*Waivers of parental consent are included in 2004, 2005, and 2006 totals.

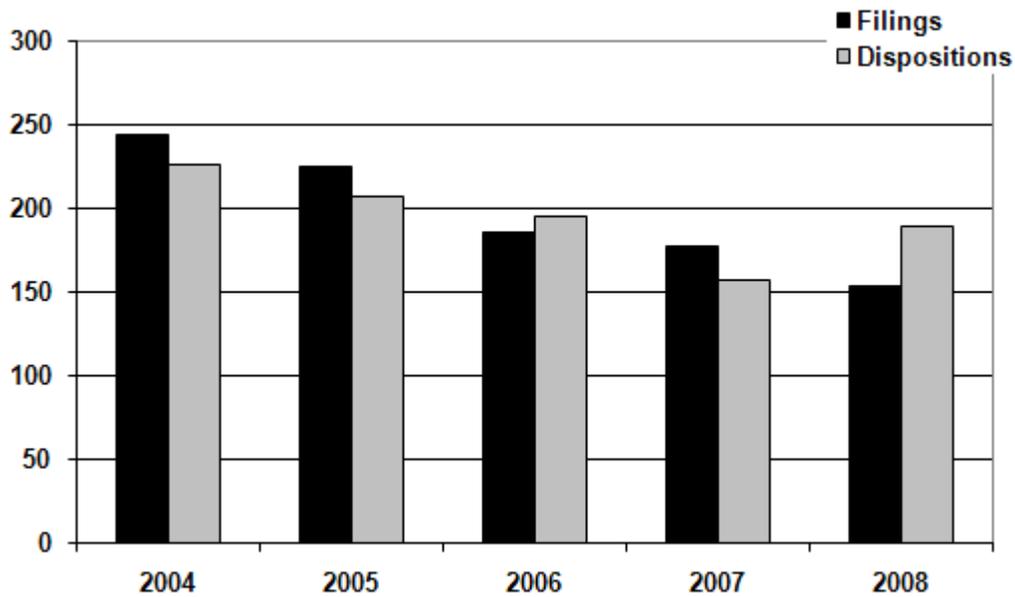
Miscellaneous family division filings include name change petitions, proceedings under the Minors and Emancipation Act, and proceedings under the Safe Delivery of Newborns Act. Also included are public health code proceedings for treating or testing for infectious diseases, and personal protection order violations heard by a court in a different county than the one that issued the order.

### Court of Claims Filings and Dispositions

	2004	2005	2006	2007	2008
Filings	244	225	186	177	153
Dispositions	226	207	195	157	189

The Court of Claims, a function of the 30th Circuit Court of Ingham County, has jurisdiction over claims against the state or any of its departments. In 2008, 153 cases were filed with the Court of Claims. Of these, 39.2 percent, or 60 cases, were related to state taxes. Highway defect, medical malpractice, contracts, constitutional claims, prisoner litigation, and other claims for damages are also heard by the Court of Claims.

### Court of Claims Case Filings and Dispositions





## PROBATE COURT JUDGES (AS OF 1/31/09)

<b>P01 Alcona County</b> Hon. Laura A. Frawley	<b>P25 Genesee County</b> Hon. Jennie E. Barkey Hon. Robert E. Weiss <sup>F</sup> (left the court 1/7/09)	(left the court 12/31/08)	Hon. Michael K. Cooper
<b>PD5 Alger &amp; Schoolcraft Counties</b> Hon. William W. Carmody <sup>C</sup> (left the court 12/31/08)	<b>P27 Gogebic County</b> Hon. Joel L. Massie	<b>P47 Livingston County</b> Hon. Carol Hackett Garagiola	<b>P70 Ottawa County</b> Hon. Mark A. Feyen
<b>P03 Allegan County</b> Hon. Michael L. Buck	<b>P28 Grand Traverse County</b> Hon. David L. Stowe	<b>PD6 Luce &amp; Mackinac Counties</b> Hon. W. Clayton Graham	<b>P71 Presque Isle County</b> Hon. Donald J. McLennan
<b>P04 Alpena County</b> Hon. Thomas J. LaCross	<b>P29 Gratiot County</b> Hon. Jack T. Arnold	<b>P50 Macomb County</b> Hon. Kathryn A. George Hon. Pamela Gilbert O'Sullivan	<b>P72 Roscommon County</b> Hon. Douglas C. Dossou
<b>P05 Antrim County</b> Hon. Norman R. Hayes	<b>P30 Hillsdale County</b> Hon. Michael E. Nye	<b>P51 Manistee County</b> Hon. Thomas N. Brunner	<b>P73 Saginaw County</b> Hon. Faye M. Harrison Hon. Patrick J. McGraw
<b>P06 Arenac County</b> Hon. Jack William Scully	<b>P31 Houghton County</b> Hon. Charles R. Goodman <sup>C</sup> (left the court 12/31/08)	<b>P52 Marquette County</b> Hon. Michael J. Anderegg	<b>P74 St. Clair County</b> Hon. Elwood L. Brown Hon. John Tomlinson
<b>P07 Baraga County</b> Hon. Timothy S. Brennan	<b>P32 Huron County</b> Hon. David L. Clabuesch	<b>P53 Mason County</b> Hon. Mark D. Raven	<b>P75 St. Joseph County</b> Hon. Thomas E. Shumaker
<b>P08 Barry County</b> Hon. William M. Doherty	<b>P33 Ingham County</b> Hon. R. George Economy Hon. Richard Joseph Garcia	<b>PD18 Mecosta &amp; Osceola Counties</b> Hon. LaVail E. Hull	<b>P76 Sanilac County</b> Hon. R. Terry Maltby
<b>P09 Bay County</b> Hon. Karen Tighe	<b>P34 Ionia County</b> Hon. Robert Sykes, Jr.	<b>P55 Menominee County</b> Hon. William A. Hupy	<b>P78 Shiawassee County</b> Hon. James R. Clatterbaugh
<b>P10 Benzie County</b> Hon. Nancy A. Kida	<b>P35 Iosco County</b> Hon. John D. Hamilton	<b>P56 Midland County</b> Hon. Dorene S. Allen	<b>P79 Tuscola County</b> Hon. W. Wallace Kent, Jr.
<b>P11 Berrien County</b> Hon. Mabel Johnson Mayfield Hon. Thomas E. Nelson	<b>P36 Iron County</b> Hon. C. Joseph Schwedler	<b>P57 Missaukee County</b> Hon. Charles R. Parsons	<b>P80 Van Buren County</b> Hon. Frank D. Willis
<b>P12 Branch County</b> Hon. Frederick L. Wood	<b>P37 Isabella County</b> Hon. William T. Ervin	<b>P58 Monroe County</b> Hon. John A. Hohman, Jr. Hon. Pamela A. Moskwa	<b>P81 Washtenaw County</b> Hon. Nancy Cornelia Francis Hon. Darlene A. O'Brien
<b>P13 Calhoun County</b> Hon. Phillip E. Harter Hon. Gary K. Reed	<b>P38 Jackson County</b> Hon. Diane M. Rappleye	<b>P59 Montcalm County</b> Hon. Charles W. Simon, III	<b>P82 Wayne County</b> Hon. June E. Blackwell- Hatcher Hon. Freddie G. Burton, Jr. Hon. Judy A. Hartsfield Hon. Milton L. Mack, Jr. Hon. Cathie B. Maher Hon. Martin T. Maher Hon. David J. Szymanski Hon. Frank S. Szymanski
<b>P14 Cass County</b> Hon. Susan L. Dobrich	<b>P39 Kalamazoo County</b> Hon. Curtis J. Bell Hon. Patricia N. Conlon Hon. Donald R. Halstead	<b>P60 Montmorency County</b> Hon. John E. Fitzgerald	<b>P83 Wexford County</b> Hon. Kenneth L. Tacoma
<b>PD7 Charlevoix &amp; Emmet Counties</b> Hon. Frederick R. Mulhauser	<b>P40 Kalkaska County</b> Hon. Lynne Marie Buday	<b>P61 Muskegon County</b> Hon. Neil G. Mullally Hon. Gregory C. Pittman	
<b>P16 Cheboygan County</b> Hon. Robert John Butts	<b>P41 Kent County</b> Hon. Nanaruth H. Carpenter Hon. Patricia D. Gardner Hon. G. Patrick Hillary Hon. David M. Murkowski	<b>P62 Newaygo County</b> Hon. Graydon W. Dimkoff	
<b>P17 Chippewa County</b> Hon. Lowell R. Ulrich	<b>P42 Keweenaw County</b> Hon. James G. Jaaskelainen	<b>P63 Oakland County</b> Hon. Barry M. Grant <sup>R</sup> (left the court 12/31/08) Hon. Linda S. Hallmark Hon. Eugene Arthur Moore Hon. Daniel A. O'Brien <sup>E</sup> (joined the court 1/1/09) Hon. Elizabeth M. Pezzetti	
<b>PD17 Clare &amp; Gladwin Counties</b> Hon. Thomas P. McLaughlin	<b>P43 Lake County</b> Hon. Mark S. Wickens	<b>P64 Oceana County</b> Hon. Bradley G. Lambrix	
<b>P19 Clinton County</b> Hon. Lisa Sullivan	<b>P44 Lapeer County</b> Hon. Justus C. Scott	<b>P65 Ogemaw County</b> Hon. Shana A. Lambourn	
<b>P20 Crawford County</b> Hon. Monte Burmeister	<b>P45 Leelanau County</b> Hon. Joseph E. Deegan	<b>P66 Ontonagon County</b> Hon. Joseph D. Zeleznik	
<b>P21 Delta County</b> Hon. Robert E. Goebel, Jr.	<b>P46 Lenawee County</b> Hon. Margaret Murray- Scholz Noe <sup>C</sup>	<b>P68 Oscoda County</b> Hon. Kathryn Joan Root	
<b>P22 Dickinson County</b> Hon. Thomas D. Slagle		<b>P69 Otsego County</b>	
<b>P23 Eaton County</b> Hon. Michael F. Skinner			

## KEY

*	Appointed to succeed another judge
A	Appointed to another court
C	Elected to another court
D	Defeated in election
E	Newly elected to this court
F	Deceased
R	Retired
V	Removed

## Probate Court Estate and Trust Filings and Dispositions

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Supervised Administration	641	661	535	610	432
Unsupervised Administration	17,728	17,417	16,687	16,287	16,370
Small Estates	6,828	6,371	6,048	5,942	6,061
Trusts Inter Vivos and Trusts Testamentary	991	1,008	1,098	1,034	1,078
Determination of Heirs	25	19	23	19	9
<b>Total Filings</b>	<b>26,213</b>	<b>25,476</b>	<b>24,391</b>	<b>23,892</b>	<b>23,950</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Supervised Administration	685	733	645	581	517
Unsupervised Administration	17,569	17,840	17,205	16,631	16,704
Small Estates	6,846	6,607	6,335	6,227	6,408
Trusts Inter Vivos and Trusts Testamentary	734	822	949	866	953
Determination of Heirs	17	16	18	20	5
<b>Total Dispositions</b>	<b>25,851</b>	<b>26,018</b>	<b>25,152</b>	<b>24,325</b>	<b>24,587</b>

<b>Method of Disposition</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Petition Granted	25,384	25,580	24,635	23,862	24,062
Petition Denied	107	58	71	66	84
Petition Withdrawn, Dismissed	283	324	393	344	394
Other Dispositions*	77	56	53	53	47
<b>Total Dispositions</b>	<b>25,851</b>	<b>26,018</b>	<b>25,152</b>	<b>24,325</b>	<b>24,587</b>

\*Includes orders determining testacy or heirs, cases transferred, and cases that changed case type.

The Estates and Protected Individuals Code became effective April 1, 2000. Since then, fewer decedent estates involve court-supervised administration. In 2008, courts were asked to supervise the administration of only 432 out of 16,802 new decedent estates.

Both new filings and active pending caseload are used to assess the probate courts' judicial and administrative workload. Probate courts supervised 2,674 of the 39,157 estates and trusts that were active at the end of 2008. Probate courts also conducted follow-up procedures associated with the administration of these open estates.

## Probate Court Trust Registrations and Wills

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Trust Registrations and Wills	12,543	11,457	10,777	11,350	10,205

In 2008, probate courts reported 10,034 wills filed for safekeeping and wills delivered after the testator's death that were filed before any estate case was opened. The courts also registered 171 trusts.

## Probate Court Guardianship, Conservatorship, and Protective Proceeding Filings and Dispositions

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Guardianships	16,322	16,624	16,730	16,434	16,559
Conservatorships	5,441	5,255	4,983	4,588	4,545
Protective Proceedings	427	478	430	506	489
<b>Total Filings</b>	<b>22,190</b>	<b>22,357</b>	<b>22,143</b>	<b>21,528</b>	<b>21,593</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Guardianships*	15,785	16,303	16,677	16,171	16,613
Conservatorships*	5,207	5,179	4,993	4,545	4,423
Protective Proceedings	374	434	391	483	456
<b>Total Dispositions</b>	<b>21,366</b>	<b>21,916</b>	<b>22,061</b>	<b>21,199</b>	<b>21,492</b>

\*Guardianships include both adult and minor guardianships. Conservatorships include both adult and minor conservatorships.

<b>Disposition Method</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Petition Granted	17,374	17,967	18,054	17,358	17,646
Petition Denied	275	270	304	311	346
Petition Withdrawn, Dismissed	3,300	3,366	3,527	3,400	3,388
Other Dispositions**	417	313	176	130	112
<b>Total Dispositions</b>	<b>21,366</b>	<b>21,916</b>	<b>22,061</b>	<b>21,199</b>	<b>21,492</b>

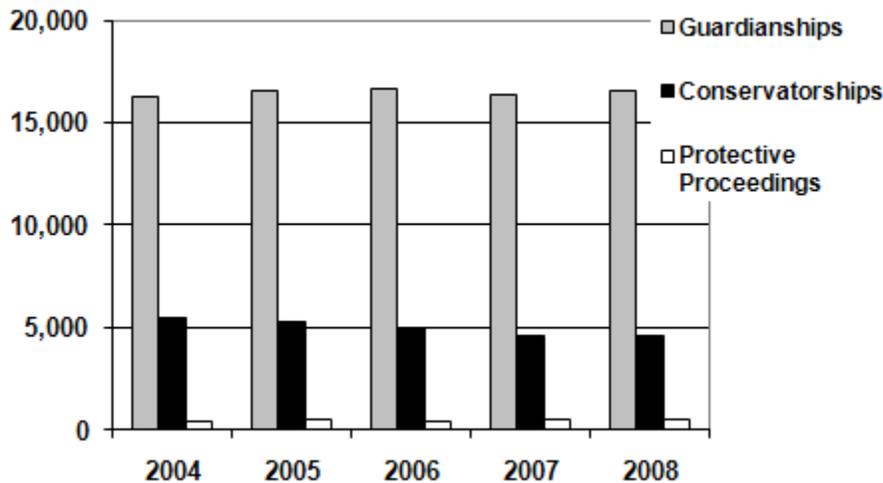
\*\*Other Dispositions includes cases transferred and cases that changed case type.

In 2008, 16,559 guardianship and 4,545 conservatorship petitions were filed. An additional 489 petitions for a protective order were filed separately from conservatorship petitions.

In 82.1 percent of dispositions, the probate court granted the petition. Sixteen percent were withdrawn by the petitioner or dismissed by the court. The statewide clearance rate for guardianship, conservatorship, and protective orders was 99.5 percent.

At the end of 2008, 25,967 minors and 21,207 developmentally disabled persons had guardians; there were an additional 28,218 adults with a full or limited guardian. As of the end of that year, there were 13,539 adults and 11,925 minors with conservators.

## Filings for Probate Court Guardianships, Conservatorships, and Protective Proceedings



## Probate Court Mental Health Proceedings Filings and Dispositions

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Mental Health	13,893	13,758	14,421	15,165	14,877
Judicial Admission	90	119	135	100	116
<b>Total Filings</b>	<b>13,983</b>	<b>13,877</b>	<b>14,556</b>	<b>15,265</b>	<b>14,993</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Mental Health	13,366	14,244	15,399	16,276	15,998
Judicial Admission	68	112	122	96	111
<b>Total Dispositions</b>	<b>13,434</b>	<b>14,356</b>	<b>15,521</b>	<b>16,372</b>	<b>16,109</b>

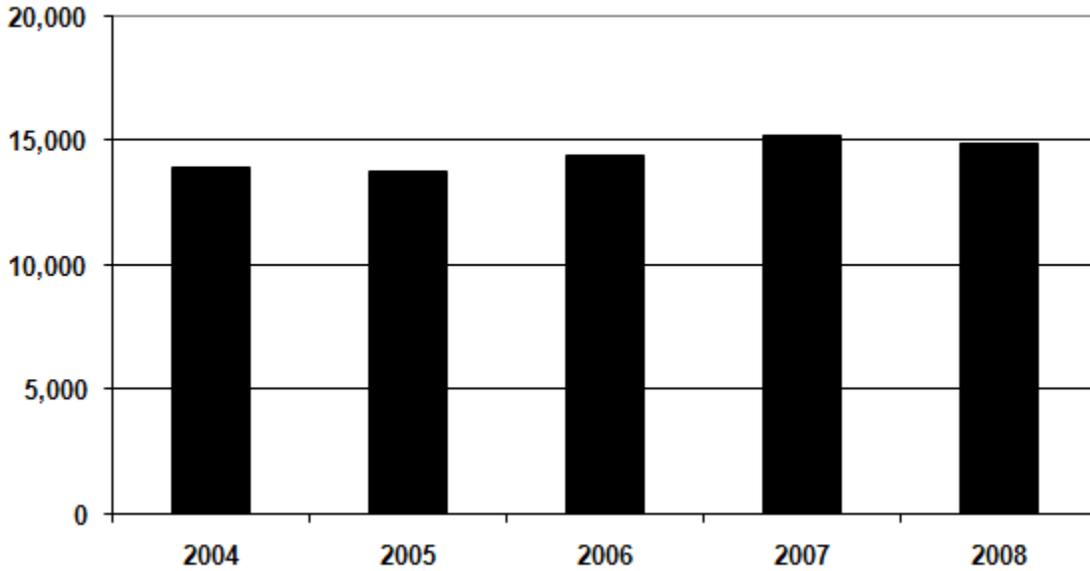
In 2008, 14,877 petitions were filed in probate court under the Mental Health Code. Of the 15,998 mental commitment petitions disposed of in 2008, 46.5 percent were granted by the probate court. An additional 19.7 percent were dismissed by the court; 33.2 percent were deferred.

Probate courts also received 537 petitions for a second order of commitment and 1,902 petitions for a continuing order of commitment. The courts granted 502 second order petitions and 1,718 continuing order petitions.

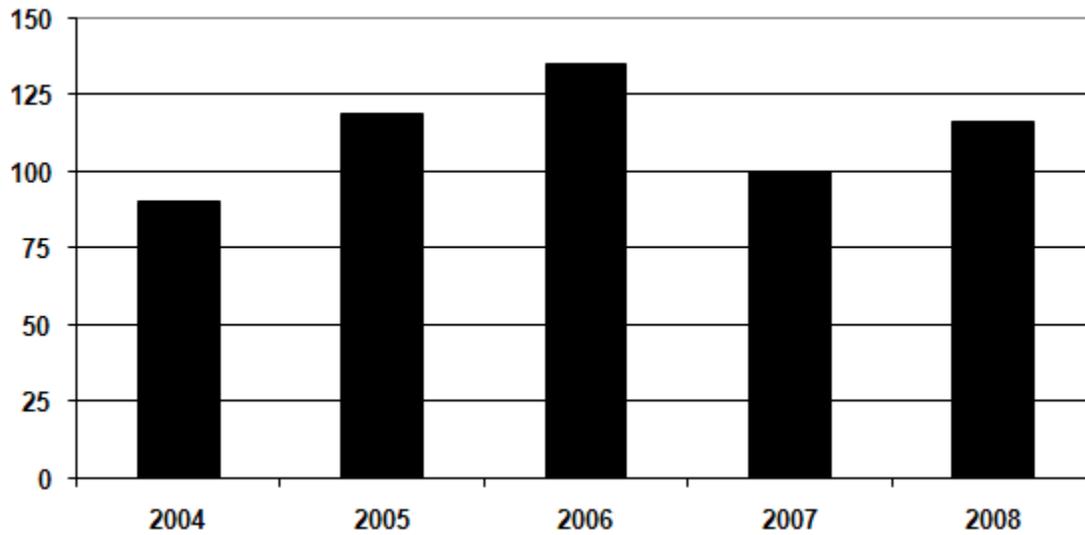
Supplemental petitions for court-ordered examination on an application for hospitalization and petitions for court-ordered transportation of a minor totaled 2,811.

One hundred and sixteen new matters were filed involving judicial admission of individuals with developmental disabilities. The court granted 58.6 percent of the judicial admission matters disposed of in 2008.

### Probate Court Mental Illness Petition Filings



### Probate Court Judicial Admission Petition Filings



### Probate Court Civil and Miscellaneous Filings and Dispositions

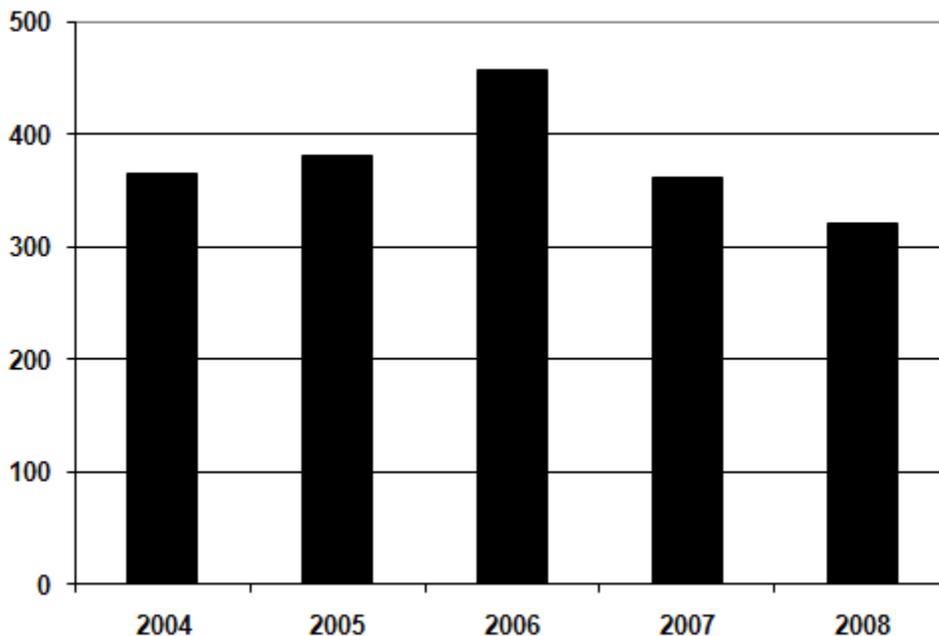
<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Civil	365	381	457	362	321
Miscellaneous*	511	519	594	584	602
<b>Total Filings</b>	<b>876</b>	<b>900</b>	<b>1,051</b>	<b>946</b>	<b>923</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Civil	260	390	349	398	373
Miscellaneous*	429	496	576	566	586
<b>Total Dispositions</b>	<b>689</b>	<b>886</b>	<b>925</b>	<b>964</b>	<b>959</b>

\*Miscellaneous includes death by accident/disaster, filings of letters by foreign personal representative, kidney transplants, review of drain commissioner proceedings, review of mental health financial liability, etc.

In 2008, 321 civil actions were filed in probate court. There were also 602 filings for miscellaneous matters, including petitions seeking judicial decisions regarding death by accident or disaster, kidney transplants, review of drain commissioner proceedings, review of mental health financial liability, secret marriages, etc.

### Probate Court Civil Case Filings



## DISTRICT COURT

The district court is often referred to as “The People’s Court,” because the public has more contact with the district court than with any other court in the state, and because many people go to district court without an attorney.

The district court has exclusive jurisdiction over all civil claims up to \$25,000, including small claims, landlord-tenant disputes, land contract disputes, and civil infractions. The court may also conduct marriages in a civil ceremony.

The district court’s small claims division handles cases in which the amount in controversy is \$3,000 or less. Small claims litigants represent themselves; they waive their right to be represented by an attorney, as well as the right to a jury trial. They also waive evidence rules and any right to appeal the district judge’s decision. If either party objects, the case is heard in the court’s general civil division, where the parties retain these rights. If a district court attorney magistrate enters the judgment, the decision may be appealed to the district judge.

Civil infractions are offenses formerly considered criminal, but decriminalized by statute or local ordinance, with no jail penalty associated with the offense. The most common civil infractions are minor traffic matters, such as speeding, failure to stop or yield, careless driving, and equipment and parking violations. Some other violations in state law or local ordinance may be decriminalized, such as land-use rules enforced by the Department of Natural Resources and blight or junk violations. In contrast to criminal cases, where the burden of proof is “beyond a reasonable doubt,” the burden of proof for a civil infraction is by a preponderance of the evidence. Most civil infractions are handled in an informal hearing before a district court magistrate, although a judge may hear the case by request or on appeal. There is no jury trial for a civil infraction.

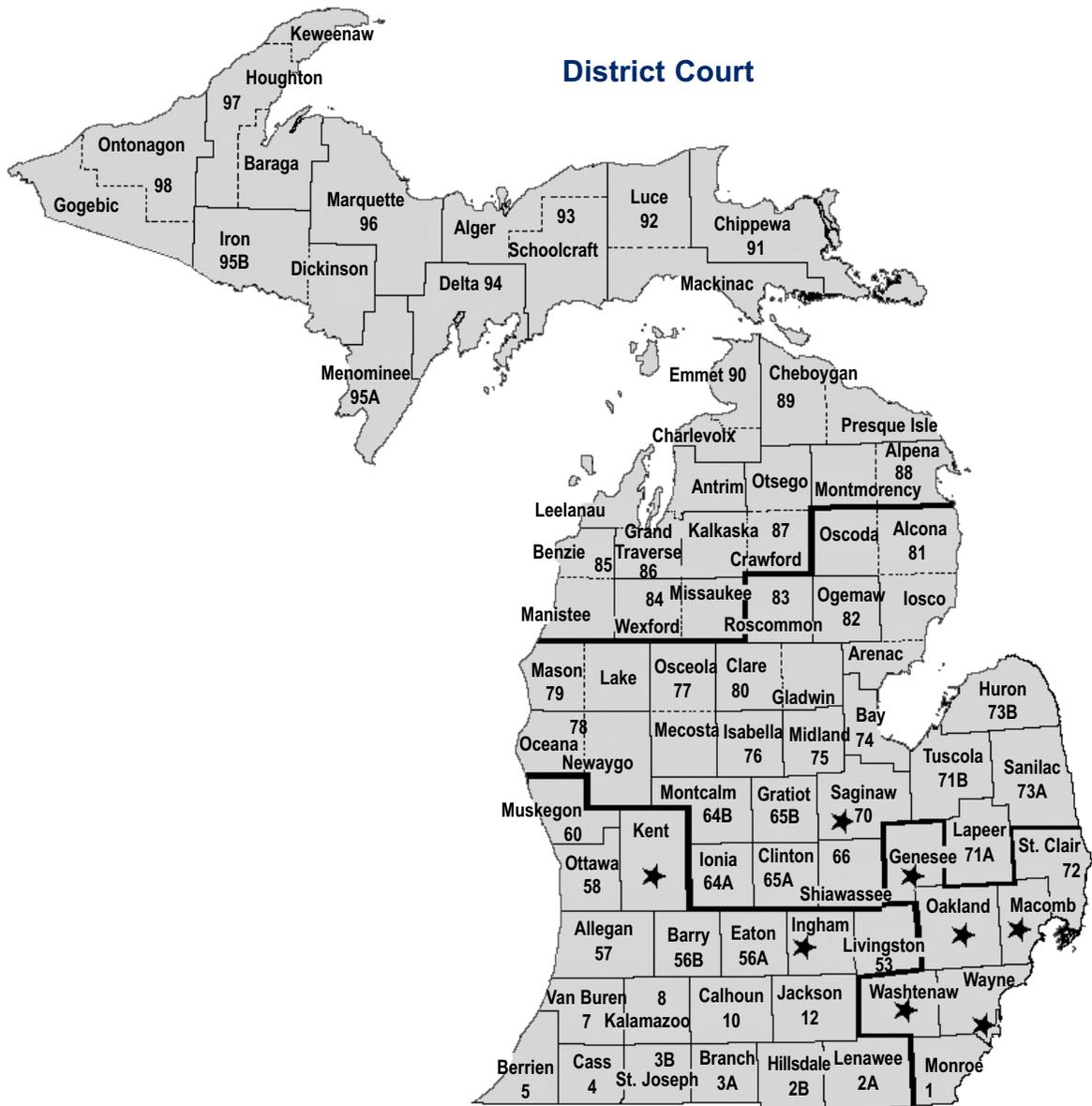
District courts handle a wide range of criminal proceedings, including misdemeanors, offenses for which the maximum possible penalty does not exceed one year in jail. In misdemeanor cases, the district court judge arraigns the defendant, sets and accepts bail, presides at the trial, and sentences the defendant. Typical district court misdemeanor offenses include driving under the influence of intoxicants, driving on a suspended license, assault, shoplifting, and possession of marijuana. The district courts also conduct preliminary examinations in felony cases, after which, if the prosecutor provides sufficient proofs, the felony case is transferred to the circuit court for arraignment and trial. The district courts also handle extraditions to another state for a pending criminal charge, coroner inquests, and issuance of search warrants. The court may appoint an attorney for persons who cannot afford a lawyer and may go to jail if convicted.

District court clerks may, with a judge’s approval, accept admissions of responsibility to civil infractions, guilty pleas to certain misdemeanor violations, and payments to satisfy judgments. Indeed, as a general rule, people who come to district court are more likely to interact with court staff than with a judge, particularly on traffic civil infractions where the offender does not request a hearing. Clerks provide a variety of district court forms for the public at little to no cost, but may not give legal advice. By law, district courts provide information to various state agencies, such as the Secretary of State (motor vehicle violations) and the Michigan State Police (criminal convictions).

District courts can place offenders on probation; most district courts have a probation department to monitor offenders' compliance with the court-ordered conditions of their probation. Courts can order offenders to pay fines, attend classes, and receive treatment or counseling. With some exceptions, probation cannot exceed two years.

District judges have statutory authority to appoint district court magistrates. Magistrates may issue search warrants and arrest warrants when authorized by the county prosecutor or municipal attorney. They may also conduct arraignments and set bail, accept guilty pleas to some offenses, and sentence most traffic, motor carrier, and snowmobile violations, as well as animal, game, and marine violations. If the district court magistrate is an attorney licensed in Michigan, the magistrate may also hear small claims cases. At the chief judge's direction, the magistrate may perform other duties as provided by state law.

District judges are elected to six-year terms on a nonpartisan ballot, subject to the same requirements as other judges. The Legislature sets district judges' salaries.

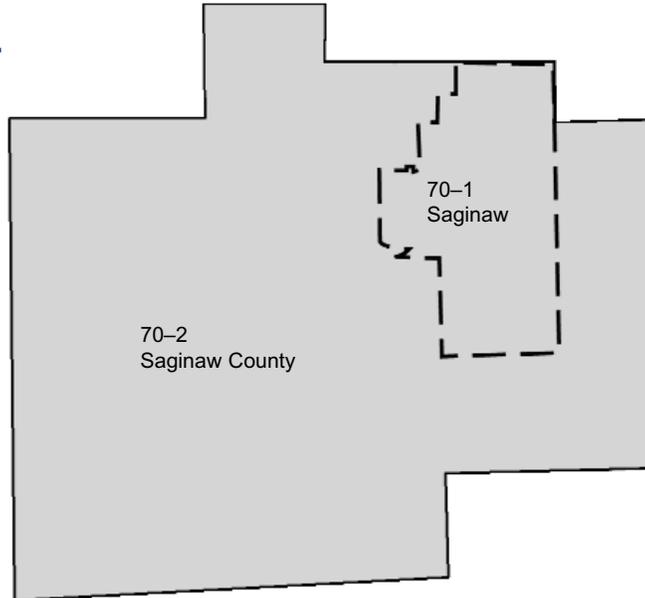


★ See detail maps.

### 1<sup>ST</sup> CLASS DISTRICT COURT

Detail Map for Saginaw County

**Saginaw** 1 Court  
6 Judges

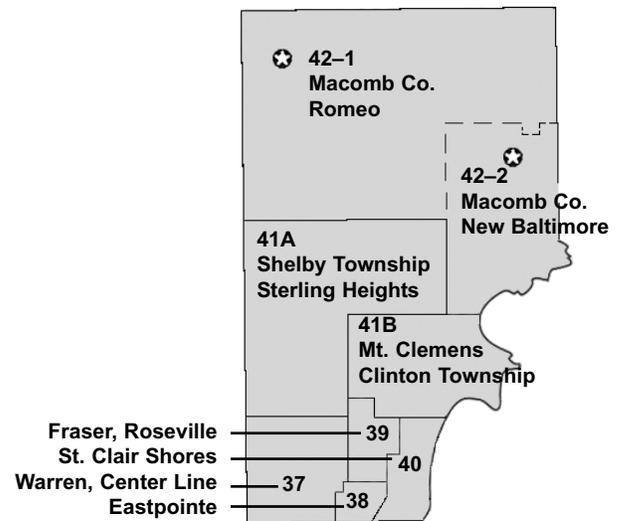


### 2<sup>ND</sup> and 3<sup>RD</sup> CLASS DISTRICT COURTS

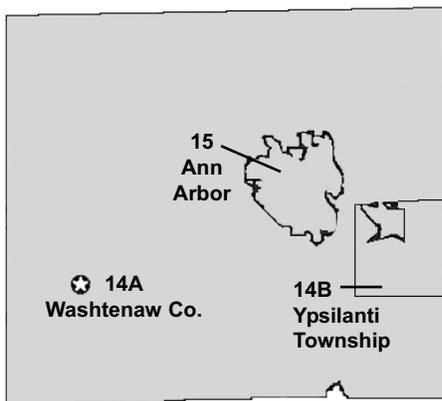
Detail Map for Macomb, Washtenaw, and Wayne Counties

**Macomb** 7 Courts  
19 Judges

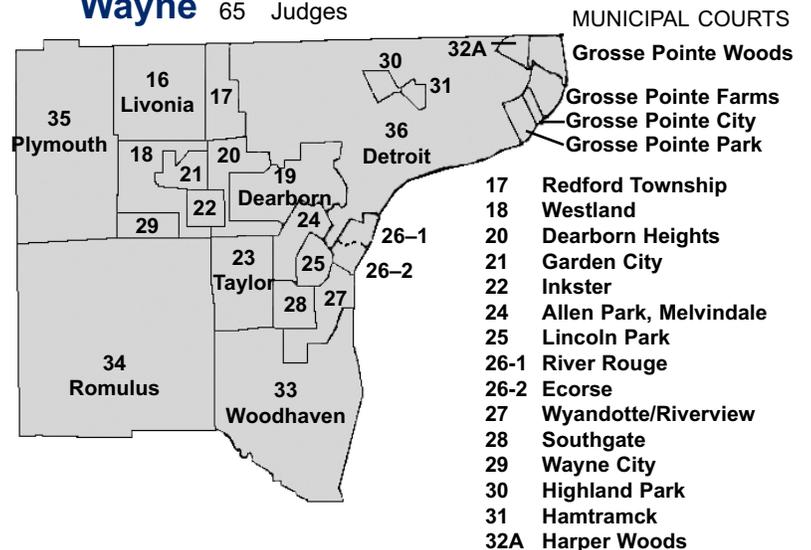
⊛ Second Class District; all others are Third Class Districts



**Washtenaw** 3 Courts  
7 Judges



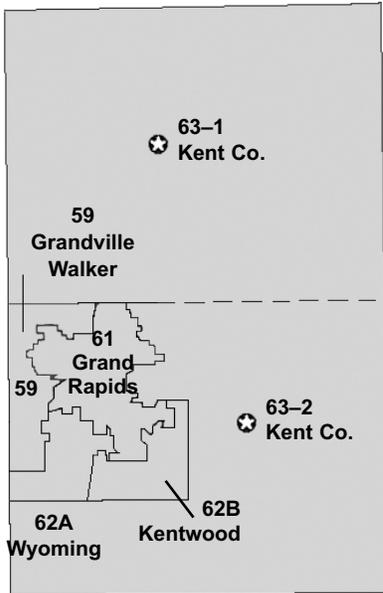
**Wayne** 23 Courts  
65 Judges



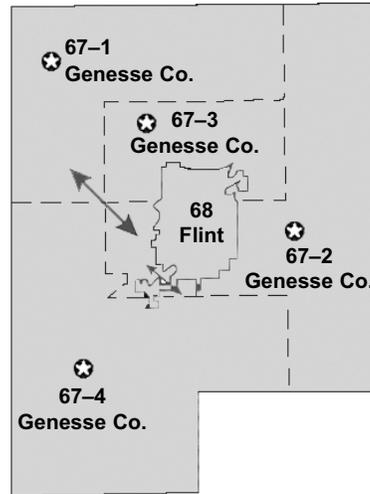
## 2<sup>ND</sup> and 3<sup>RD</sup> CLASS DISTRICT COURTS

Detail Map for Genesee, Ingham, Kent, and Oakland Counties

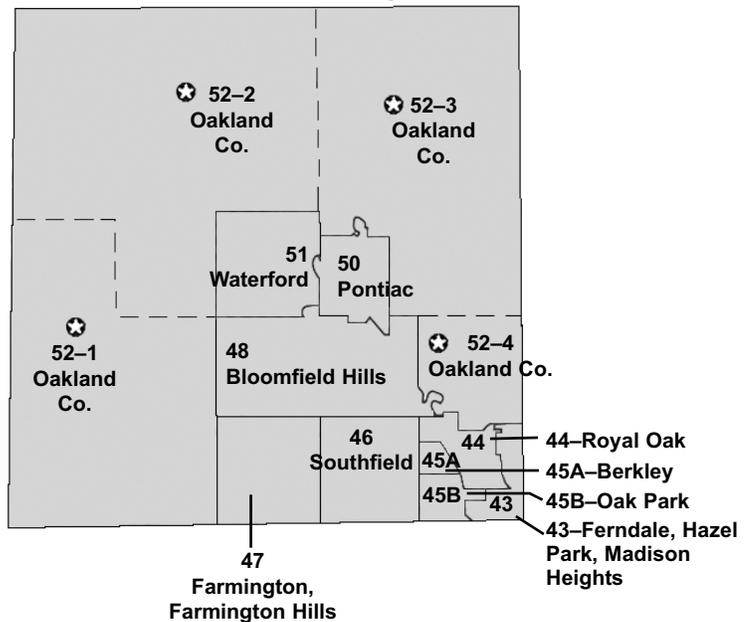
**Kent** 5 Courts  
12 Judges



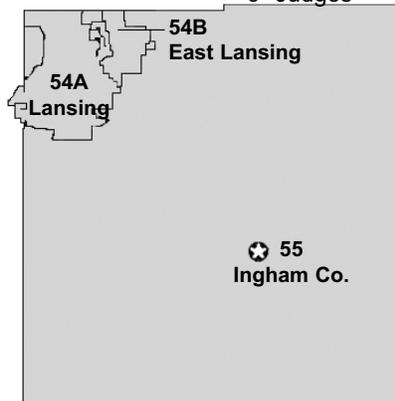
**Genesee** 2 Courts  
12 Judges



**Oakland** 10 Courts  
33 Judges



**Ingham** 3 Courts  
9 Judges



★ Second Class District; all others are Third Class Districts

## DISTRICT COURT JUDGES (AS OF 1/31/09)

**D01**

Hon. Mark S. Braunlich  
 Hon. Terrence P. Bronson  
 Hon. Jack Vitale

**D02A**

Hon. Natalia M. Koselka  
 Hon. James E. Sheridan

**D02B**

Hon. Donald L. Sanderson

**D03A**

Hon. David T. Coyle<sup>R</sup>  
 (left the court 12/31/08)  
 Hon. Brent R. Weigle<sup>E</sup>  
 (joined the court 1/1/09)

**D03B**

Hon. Jeffrey C. Middleton  
 Hon. William D. Welty

**D04**

Hon. Paul E. Deats<sup>R</sup>  
 (left the court 12/31/08)  
 Hon. Stacey Rentfrow-Summers<sup>E</sup>  
 (joined the court 1/1/09)

**D05**

Hon. Gary J. Bruce  
 Hon. Angela Pasula  
 Hon. Scott Schofield  
 Hon. Sterling R. Schrock\*  
 (joined the court 12/15/08)  
 Hon. Lynda A. Tolen<sup>R</sup>  
 (left the court 8/1/08)  
 Hon. Dennis M. Wiley

**D07**

Hon. Arthur H. Clarke, III  
 Hon. Robert T. Hentchel

**D08**

Hon. Quinn E. Benson<sup>R</sup>  
 (left the court 12/31/08)  
 Hon. Anne E. Blatchford  
 Hon. Paul J. Bridenstine  
 Hon. Carol A. Husum  
 Hon. Robert C. Kropf  
 Hon. Julie K. Phillips<sup>E</sup>  
 (joined the court 1/1/09)  
 Hon. Richard A. Santoni  
 Hon. Vincent C. Westra

**D10**

Hon. Samuel I. Durham, Jr.  
 Hon. John A. Hallacy<sup>E</sup>  
 (joined the court 1/1/09)  
 Hon. John R. Holmes  
 Hon. Franklin K. Line, Jr.  
 Hon. Marvin Ratner<sup>R</sup>  
 (left the court 12/31/08)

**D12**

Hon. Joseph S. Filip  
 Hon. James M. Justin  
 Hon. Michael J. Klaeren  
 Hon. R. Darryl Mazur

**D14A**

Hon. Richard E. Conlin

**D14A continued**

Hon. J. Cedric Simpson  
 Hon. Kirk W. Tabbey

**D14B**

Hon. John B. Collins<sup>R</sup>  
 (left the court 12/31/08)  
 Hon. Charles Pope<sup>E</sup>  
 (joined the court 1/1/09)

**D15**

Hon. Julie Creal  
 Hon. Christopher S. Easthope<sup>E</sup>  
 (joined the court 1/1/09)  
 Hon. Elizabeth Pollard Hines  
 Hon. Ann E. Mattson<sup>R</sup>  
 (left the court 12/31/08)

**D16**

Hon. Robert B. Brzezinski<sup>R</sup>  
 (left the court 12/31/08)  
 Hon. Sean P. Kavanagh<sup>E</sup>  
 (joined the court 1/1/09)  
 Hon. Kathleen J. McCann

**D17**

Hon. Karen Khalil  
 Hon. Charlotte L. Wirth

**D18**

Hon. C. Charles Bokos<sup>R</sup>  
 (left the court 12/31/08)  
 Hon. Sandra S. Cicirelli  
 Hon. Mark A. McConnell<sup>E</sup>  
 (joined the court 1/1/09)

**D19**

Hon. William C. Hultgren  
 Hon. Mark W. Somers  
 Hon. Richard Wygonik

**D20**

Hon. Mark J. Plawecki  
 Hon. David Turfe

**D21**

Hon. Richard L. Hammer, Jr.

**D22**

Hon. Sylvia A. James

**D23**

Hon. Geno Salomone  
 Hon. William J. Sutherland

**D24**

Hon. John T. Courtright  
 Hon. Richard A. Page

**D25**

Hon. David A. Bajorek  
 Hon. David J. Zelenak

**D26-1**

Hon. Raymond A. Charron

**D26-2**

Hon. Michael F. Ciungan

**D27**

Hon. Randy L. Kalmbach

**D28**

Hon. James A. Kandrevas

**D29**

Hon. Laura R. Mack

**D30**

Hon. Brigette R. Officer

**D31**

Hon. Paul J. Paruk

**D32A**

Hon. Roger J. La Rose

**D33**

Hon. James Kurt Kersten  
 Hon. Michael K. McNally  
 Hon. Edward J. Nykiel

**D34**

Hon. Tina Brooks Green  
 Hon. Brian A. Oakley  
 Hon. David M. Parrott

**D35**

Hon. Michael J. Gerou  
 Hon. Ronald W. Lowe  
 Hon. John E. MacDonald<sup>R</sup>  
 (left the court 12/31/08)  
 Hon. James A. Plakas<sup>E</sup>  
 (joined the court 1/1/09)

**D36**

Hon. Lydia Nance Adams  
 Hon. Roberta C. Archer  
 Hon. Marylin E. Atkins  
 Hon. Joseph N. Baltimore  
 Hon. Nancy McCaughan Blount  
 Hon. Izetta F. Bright  
 Hon. Esther L. Bryant-Weekes  
 Hon. Ruth C. Carter  
 Hon. Donald Coleman  
 Hon. Nancy A. Farmer  
 Hon. Deborah Geraldine Ford  
 Hon. Ruth Ann Garrett  
 Hon. Ronald Giles  
 Hon. Jimmylee Gray<sup>R</sup>  
 (left the court 12/31/08)

Hon. Katherine Hansen  
 Hon. Beverley J. Hayes-Sipes  
 Hon. Paula G. Humphries  
 Hon. Patricia L. Jefferson  
 Hon. Vanesa F. Jones-Bradley  
 Hon. Kenneth J. King  
 Hon. Deborah L. Langston  
 Hon. Willie G. Lipscomb, Jr.  
 Hon. Leonia J. Lloyd  
 Hon. Miriam B. Martin-Clark  
 Hon. Donna R. Milhouse  
 Hon. B. Pennie Millender  
 Hon. Cylenthia LaToye Miller  
 Hon. Mark A. Randon  
 Hon. Kevin F. Robbins  
 Hon. David S. Robinson, Jr.  
 Hon. C. Lorene Royster  
 Hon. Brenda K. Sanders<sup>E</sup>  
 (joined the court 1/1/09)

**D37**

Hon. John M. Chmura  
 Hon. Jennifer Faunce  
 Hon. Dawnn M. Gruenburg

**D37 continued**

Hon. Walter A. Jakubowski Jr.<sup>R</sup>  
 (left the court 10/1/08)  
 Hon. Matthew P. Sabaugh\*  
 (joined the court 12/8/08)

**D38**

Hon. Carl F. Gerds, III<sup>E</sup>  
 (joined the court 1/1/09)  
 Hon. Norene S. Redman<sup>P</sup>  
 (left the court 12/31/08)

**D39**

Hon. Joseph F. Boedeker  
 Hon. Marco A. Santia  
 Hon. Catherine B. Steenland

**D40**

Hon. Mark A. Fratarcangeli  
 Hon. Joseph Craigen Oster

**D41A**

Hon. Michael S. Maceroni  
 Hon. Douglas P. Shepherd  
 Hon. Stephen S. Sierawski  
 Hon. Kimberley Anne Wiegand

**D41B**

Hon. Linda Davis  
 Hon. Sebastian Lucido  
 Hon. Sheila A. Miller

**D42-1**

Hon. Denis R. LeDuc

**D42-2**

Hon. Paul Cassidy

**D43**

Hon. Keith P. Hunt  
 Hon. Joseph Longo  
 Hon. Robert J. Turner

**D44**

Hon. Terrence H. Brennan  
 Hon. Daniel Sawicki

**D45A**

Hon. William R. Sauer<sup>R</sup>  
 (left the court 12/31/08)  
 Hon. James L. Wittenberg<sup>E</sup>  
 (joined the court 1/1/09)

**D45B**

Hon. Michelle Friedman Appel  
 Hon. David M. Gubow

**D46**

Hon. Sheila R. Johnson  
 Hon. Susan M. Moiseev  
 Hon. William J. Richards

**KEY**

- \* Appointed to succeed another judge
- A Appointed to another court
- C Elected to another court
- D Defeated in election
- E Newly elected to this court
- F Deceased
- R Retired
- V Removed

## DISTRICT COURT JUDGES (AS OF 1/31/09)

**D47**

Hon. James Brady  
Hon. Marla E. Parker

**D48**

Hon. Marc Barron  
Hon. Diane D'Agostini  
Hon. Kimberly Small

**D50**

Hon. Ronda Fowlkes Gross<sup>E</sup>  
(joined the court 1/1/09)  
Hon. Michael C. Martinez  
Hon. Preston G. Thomas  
Hon. Cynthia T. Walker

**D51**

Hon. Richard D. Kuhn, Jr.  
Hon. Phyllis C. McMillen

**D52-1**

Hon. Robert Bondy  
Hon. Brian W. MacKenzie  
Hon. Dennis N. Powers

**D52-2**

Hon. Joseph G. Fabrizio<sup>E</sup>  
(joined the court 1/1/09)  
Hon. Dana Fortinberry<sup>D</sup>  
(left the court 12/31/08)  
Hon. Kelley Renae Kostin

**D52-3**

Hon. Lisa L. Asadoorian  
Hon. Nancy Tolwin Carniak  
Hon. Julie A. Nicholson

**D52-4**

Hon. William E. Bolle  
Hon. Dennis C. Drury  
Hon. Michael A. Martone

**D53**

Hon. Theresa M. Brennan  
Hon. L. Suzanne Geddis  
Hon. Carol Sue Reader

**D54A**

Hon. Louise Alderson  
Hon. Patrick F. Cherry  
Hon. Frank J. DeLuca  
Hon. Charles F. Filice  
Hon. Amy Krause

**D54B**

Hon. Richard D. Ball  
Hon. David L. Jordon

**D55**

Hon. Donald L. Allen\*  
(joined the court 1/5/09)  
Hon. Rosemarie E. Aquilina<sup>C</sup>  
(left the court 12/31/08)  
Hon. Thomas P. Boyd

**D56A**

Hon. Harvey J. Hoffman  
Hon. Julie H. Reincke

**D56B**

Hon. Gary R. Holman

**D57**

Hon. Stephen E. Sheridan<sup>R</sup>  
(left the court 1/30/09)  
Hon. Joseph S. Skocelas

**D58**

Hon. Susan A. Jonas  
Hon. Richard J. Kloote  
Hon. Bradley S. Knoll  
Hon. Kenneth D. Post

**D59**

Hon. Peter P. Versluis

**D60**

Hon. Harold F. Closz, III  
Hon. Maria Ladas Hoopes  
Hon. Michael Jeffrey Nolan  
Hon. Andrew Wierengo

**D61**

Hon. Patrick C. Bowler<sup>R</sup>  
(left the court 12/31/08)  
Hon. David J. Buter  
Hon. J. Michael Christensen  
Hon. Jeanine Nemesi LaVille  
Hon. Ben H. Logan, II  
Hon. Donald H. Passenger  
Hon. Kimberly A. Schaefer<sup>E</sup>  
(joined the court 1/1/09)

**D62A**

Hon. Pablo Cortes  
Hon. Steven M. Timmers

**D62B**

Hon. William G. Kelly

**D63-1**

Hon. Steven R. Servaas

**D63-2**

Hon. Sara J. Smolenski

**D64A**

Hon. Raymond P. Voet

**D64B**

Hon. Donald R. Hemingsen

**D65A**

Hon. Richard D. Wells

**D65B**

Hon. James B. Mackie<sup>R</sup>  
(left the court 12/31/08)  
Hon. Stewart D. McDonald<sup>E</sup>  
(joined the court 1/1/09)

**D66**

Hon. Ward L. Clarkson  
Hon. Terrance P. Dignan

**D67-1**

Hon. David J. Goggins

**D67-2**

Hon. John L. Conover  
Hon. Richard L. Hughes

**D67-3**

Hon. Larry Stecco

**D67-4**

Hon. Mark C. McCabe  
Hon. Christopher Odette

**D68**

Hon. Tracy L. Collier-Nix  
Hon. William H. Crawford, II  
Hon. Mary C. Dowd\*  
(joined the court 8/25/08)  
Hon. Herman Marable, Jr.  
Hon. Nathaniel C. Perry, III  
Hon. Ramona M. Roberts<sup>R</sup>  
(left the court 7/1/08)

**D70-1**

Hon. Terry L. Clark  
Hon. M. Randall Jurrens  
Hon. M. T. Thompson, Jr.

**D70-2**

Hon. Christopher S. Boyd  
Hon. A. T. Frank  
Hon. Kyle Higgs Tarrant

**D71A**

Hon. Laura Cheger Barnard  
Hon. John T. Connolly

**D71B**

Hon. Kim David Glaspie

**D72**

Hon. Richard A. Cooley, Jr.  
Hon. John D. Monaghan  
Hon. Cynthia Siemen Platzer

**D73A**

Hon. James A. Marcus<sup>R</sup>  
(left the court 12/31/08)  
Hon. Gregory S. Ross<sup>E</sup>  
(joined the court 1/1/09)

**D73B**

Hon. Karl E. Kraus<sup>R</sup>  
(left the court 1/1/08)  
Hon. David B. Herrington\*  
(joined the court 2/8/08)

**D74**

Hon. Craig D. Alston  
Hon. Timothy J. Kelly  
Hon. Scott J. Newcombe

**D75**

Hon. Stephen Carras  
Hon. John Henry Hart

**D76**

Hon. William R. Rush

**D77**

Hon. Susan H. Grant

**D78**

Hon. H. Kevin Drake

**D79**

Hon. Peter J. Wadel

**D80**

Hon. Gary J. Allen<sup>R</sup>  
(left the court 12/31/08)  
Hon. Joshua Farrell<sup>E</sup>  
(joined the court 1/1/09)

**D81**

Hon. Allen C. Yenior

**D82**

Hon. Richard E. Noble

**D83**

Hon. Daniel L. Sutton

**D84**

Hon. David A. Hogg

**D85**

Hon. Brent V. Danielson

**D86**

Hon. John D. Foresman  
Hon. Michael J. Haley  
Hon. Thomas J. Phillips

**D87**

Hon. Patricia A. Morse

**D88**

Hon. Theodore O. Johnson

**D89**

Hon. Maria I. Barton<sup>E</sup>  
(joined the court 1/1/09)  
Hon. Harold A. Johnson, Jr.<sup>R</sup>  
(left the court 12/31/08)

**D90**

Hon. Richard W. May

**D91**

Hon. Elizabeth Church<sup>E</sup>  
(joined the court 1/1/09)  
Hon. Michael W. MacDonald<sup>R</sup>  
(left the court 12/31/08)

**D92**

Hon. Beth Gibson

**D93**

Hon. Mark E. Luoma

**D94**

Hon. Glen A. Pearson

**D95A**

Hon. Jeffrey G. Barstow

**D95B**

Hon. Michael J. Kusz<sup>R</sup>  
(left the court 12/31/08)  
Hon. Christopher S. Ninomiya<sup>E</sup>  
(joined the court 1/1/09)

**D96**

Hon. Dennis H. Girard  
Hon. Roger W. Kangas

**D97**

Hon. Phillip L. Kukkonen<sup>R</sup>  
(left the court 12/31/08)  
Hon. Mark A. Wisti<sup>E</sup>  
(joined the court 1/1/09)

**D98**

Hon. Anders B. Tingstad, Jr.

**KEY**

- \* Appointed to succeed another judge
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## District Court Filings

In 2008, a total of 3,627,905 cases and parking tickets were filed in district courts. The majority (56 percent) were misdemeanor traffic and traffic civil infractions, including drunk driving. Civil cases accounted for 19.1 percent of new filings; nontraffic misdemeanors and civil infractions accounted for 9.1 percent. Felonies, including felony drunk driving and felony traffic cases, accounted for 2.3 percent.

### District Court Nontraffic Filings and Dispositions

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Felony and Extradition	81,535	83,271	83,044	84,258	82,451
Misdemeanor	264,430	266,871	270,588	281,506	262,108
Civil Infractions	44,164	51,866	62,436	69,189	66,508
<b>Total Filings</b>	<b>390,129</b>	<b>402,008</b>	<b>416,068</b>	<b>434,953</b>	<b>411,067</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Felony and Extradition	83,505	85,707	86,912	85,106	85,392
Misdemeanor	267,942	268,482	266,086	266,055	255,554
Civil Infractions	51,076	57,018	65,597	71,586	70,599
<b>Total Dispositions</b>	<b>402,523</b>	<b>411,207</b>	<b>418,595</b>	<b>422,747</b>	<b>411,545</b>

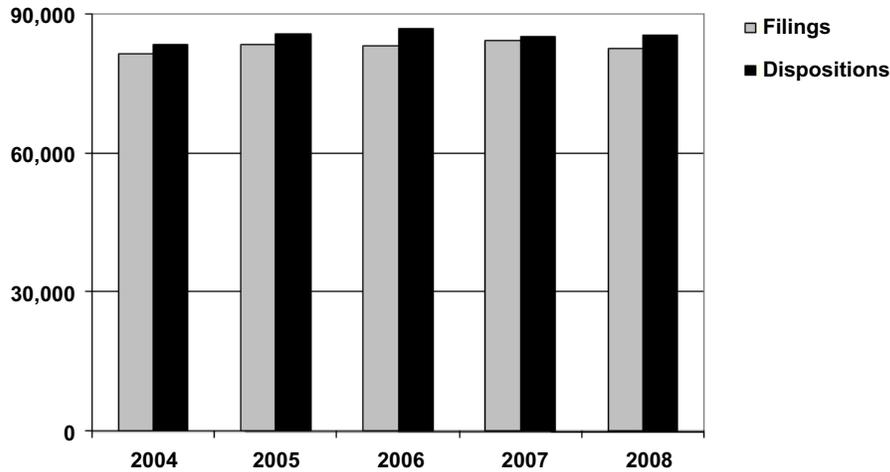
<b>Method of Disposition</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Jury Verdict	924	881	824	819	783
Bench Verdict	10,479	9,938	6,646	4,379	3,278
Verdict at Hearing	NA	NA	NA	3,382	3,514
Guilty Plea/Admission/Waiver	198,991	201,323	214,202	216,622	207,578
Bindover/Transfer	53,289	54,759	60,293	58,848	61,104
Dismissal by Party	73,176	72,631	65,691	68,412	64,702
Dismissal by Court	31,799	35,130	38,212	38,291	40,714
Default	18,860	23,970	29,591	31,682	29,402
Other Dispositions	15,005	12,575	3,136	312	470
<b>Total Dispositions</b>	<b>402,523</b>	<b>411,207</b>	<b>418,595</b>	<b>422,747</b>	<b>411,545</b>

In 2008, district courts received a total of 411,067 filings in nontraffic felony, nontraffic misdemeanor, and nontraffic civil infraction cases. Of those, 20.1 percent were felony cases. The statewide clearance rate for felony cases was 102 percent. The majority (71.6 percent) of disposed felony cases were bound over to circuit court.

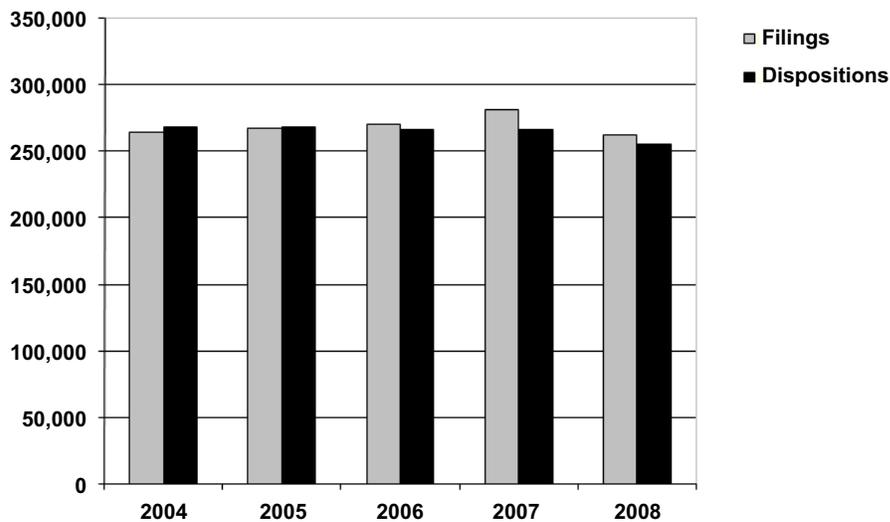
Fewer nontraffic misdemeanor filings (both ordinance and statute) were filed in 2008 than in any year since 2004. The statewide clearance rate for nontraffic misdemeanor cases was 98.9 percent. In the majority (65.6 percent) of disposed cases, the court accepted the defendant's guilty plea; 32.8 percent were dismissed upon the prosecutor's or city attorney's motion, or by the court.

In 2008, 66,508 nontraffic civil infraction (both ordinance and statute) cases were filed. The statewide clearance rate for nontraffic civil infractions was 101 percent. In 41.6 percent of disposed cases, the court entered a default judgment after the respondent failed to appear. In 35.8 percent, the court accepted the respondent’s admission of responsibility. In 5 percent, a judge or magistrate decided the matter after a formal or informal hearing.

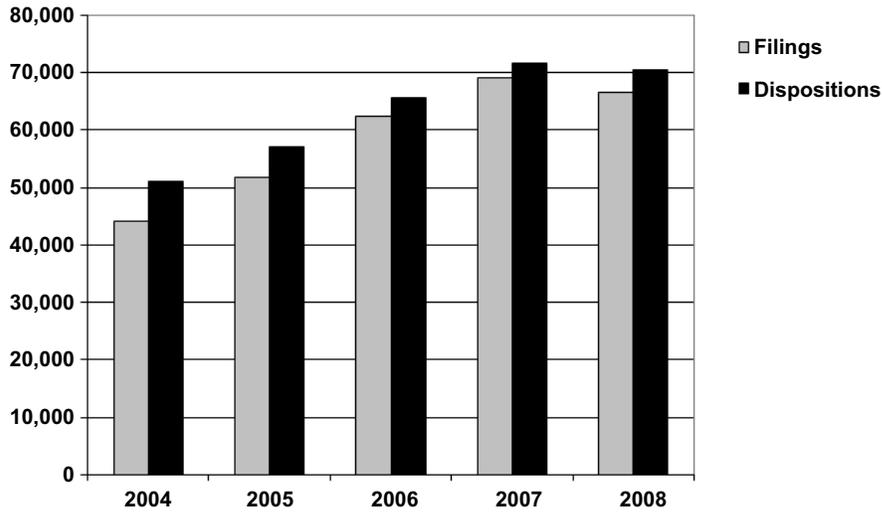
### District Court Nontraffic Felony Case Filings and Dispositions



### District Court Nontraffic Misdemeanor Case Filings and Dispositions



### District Court Nontraffic Civil Infraction Case Filings and Dispositions



### District Court Traffic Filings and Dispositions

<b>Filings</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Misdemeanor	295,868	286,036	306,484	299,800	280,337
Civil Infraction	1,715,278	1,776,916	1,795,348	1,828,735	1,702,809
OVI Misdemeanor and Felony	56,140	55,668	54,096	50,916	48,443
<b>Total Filings</b>	<b>2,067,286</b>	<b>2,118,620</b>	<b>2,155,928</b>	<b>2,179,451</b>	<b>2,031,589</b>

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Misdemeanor	278,471	272,597	288,793	276,694	268,899
Civil Infraction	1,865,794	1,879,883	1,844,866	1,867,554	1,771,702
OVI Misdemeanor and Felony	58,161	57,218	54,441	52,395	49,857
<b>Total Dispositions</b>	<b>2,202,426</b>	<b>2,209,698</b>	<b>2,188,100</b>	<b>2,196,643</b>	<b>2,090,458</b>

<b>Disposition Method</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Jury Verdict	399	414	391	337	331
Bench Verdict	145,648	135,939	133,516	149,977	140,919
Guilty Plea/Admission/Waiver	1,246,688	1,254,456	1,289,722	1,287,637	1,212,532
Bindover/Transfer	3,258	2,946	2,749	3,969	4,077
Dismissal by Party	129,683	130,383	138,586	142,273	137,151
Dismissal by Court	128,924	128,460	129,622	135,748	143,392
Default	538,558	549,890	492,922	476,260	451,555
Other Dispositions	9,268	7,210	592	442	501
<b>Total Dispositions</b>	<b>2,202,426</b>	<b>2,209,698</b>	<b>2,188,100</b>	<b>2,196,643</b>	<b>2,090,458</b>

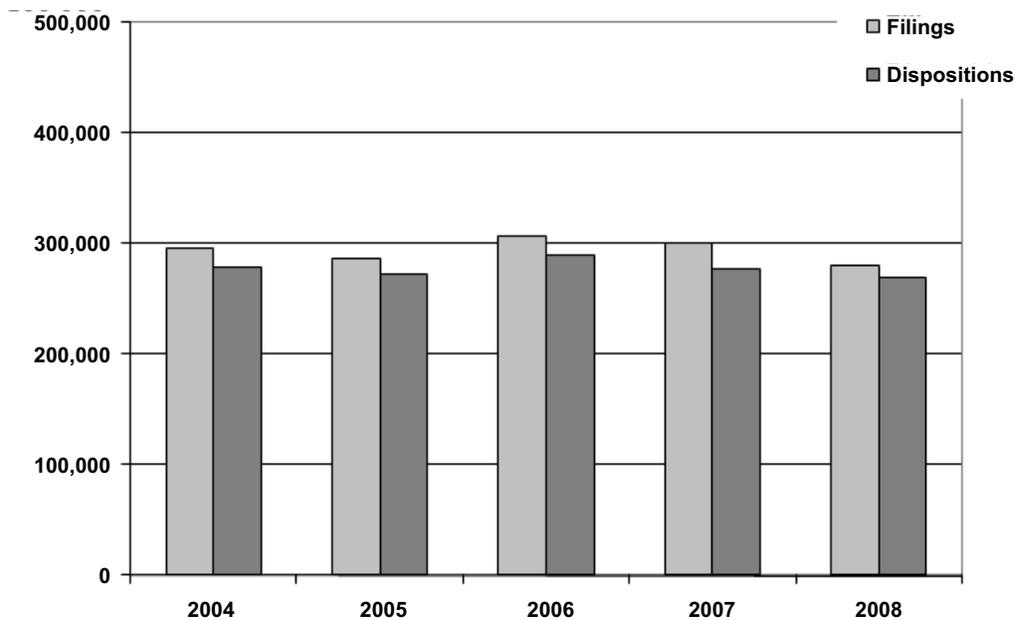
In 2008, 2,031,589 traffic cases, including misdemeanors, civil infractions, and drunk driving, were filed. The overwhelming majority (83.8 percent) were civil infractions.

Misdemeanor traffic cases continued to decrease, with 6.5 percent fewer filings in 2008 than in 2007. The statewide clearance rate for misdemeanor traffic cases was 99.6 percent. In 69.9 percent of disposed cases, the court accepted the defendant's guilty plea. Another 28.9 percent were dismissed on the plaintiff's motion or upon action by the court.

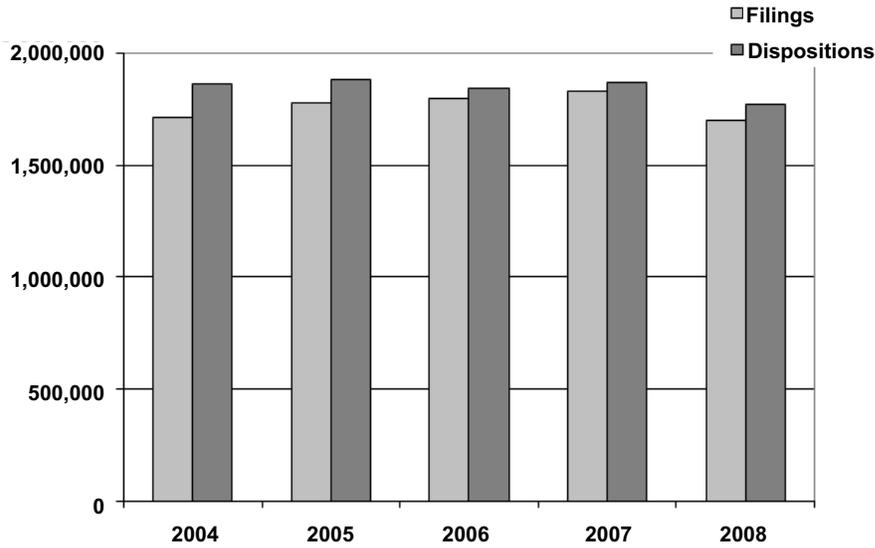
Traffic civil infraction filings decreased by 6.9 percent between 2007 and 2008. The statewide clearance rate was 101.1 percent in 2008. In over half (55.5 percent) of traffic civil infraction cases, the court accepted the respondent's admission of responsibility. In 25.5 percent, the court entered a default judgment after the respondent failed to appear or respond; 11.2 percent were dismissed upon motion by the plaintiff or upon action by the court. In 7.8 percent of the cases, a judge or magistrate decided the matter after a formal or informal hearing.

Drunk driving case filings continued to decrease in 2008; 48,443 felony, misdemeanor, and ordinance drunk driving cases were filed, representing 4.9 percent fewer filings than in 2007. Of the drunk driving filings, 5,258 (10.9 percent) were felony cases, of which 75.9 percent were bound over to circuit court. The statewide clearance rate for drunk driving cases was 100.9 percent. In 90.5 percent of the misdemeanor and ordinance drunk driving cases, the court accepted the defendant's guilty plea; 8.1 percent were dismissed and 1.3 percent were heard by the court and resulted in a verdict.

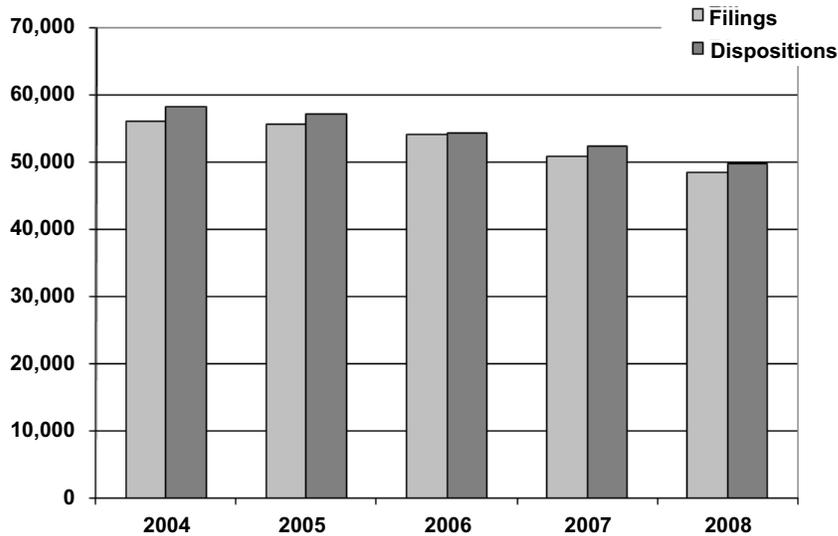
### District Court Traffic Misdemeanor Case Filings



### District Court Traffic Civil Infraction Case Filings and Dispositions



### District Court OWI Case Filings and Dispositions



### District Court Civil Filings and Dispositions

Filings	2004	2005	2006	2007	2008
General & Miscellaneous Civil	277,855	288,536	317,165	379,418	375,895
Small Claims	93,935	90,383	89,167	84,803	78,267
Summary Proceedings	211,213	213,535	222,738	238,591	239,720
<b>Total Filings</b>	<b>583,003</b>	<b>592,454</b>	<b>629,070</b>	<b>702,812</b>	<b>693,882</b>

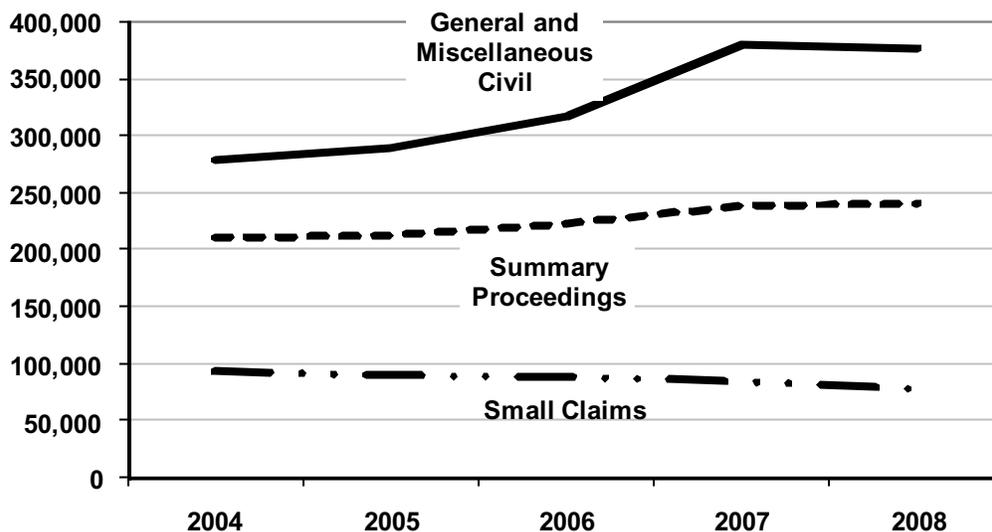
**District Court Civil Filings and Dispositions (continued)**

<b>Dispositions</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
General & Miscellaneous Civil	299,321	274,435	305,010	358,574	376,957
Small Claims	97,233	90,629	90,129	86,728	80,018
Summary Proceedings	193,667	188,222	219,840	237,537	239,995
<b>Total Dispositions</b>	<b>590,221</b>	<b>553,286</b>	<b>614,979</b>	<b>682,839</b>	<b>696,970</b>

<b>Disposition Method</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
Jury Verdict	137	154	367	131	64
Bench Verdict	34,861	32,345	33,593	34,921	30,366
Uncontested/Default/Settled	370,135	344,776	376,113	430,258	450,948
Bindover/Transfer	4,728	4,118	4,029	3,963	3,844
Dismissal by Party	113,735	107,657	118,463	121,314	121,309
Dismissal by Court	64,666	61,793	80,769	90,594	88,527
Case Type Change	222	183	104	139	135
Other Dispositions	1,737	2,260	1,541	1,519	1,777
<b>Total Dispositions</b>	<b>590,221</b>	<b>553,286</b>	<b>614,979</b>	<b>682,839</b>	<b>696,970</b>

In 2008, 375,895 general and miscellaneous civil suits, 78,267 small claims, and 239,720 landlord-tenant and land contract summary proceedings were filed. The statewide clearance rate for general and miscellaneous civil suits was 100 percent, with a 100.8 percent clearance rate for small claims and 99.8 percent for summary proceedings.

Most civil cases (64.7 percent) were disposed of by default, consent judgment, settlement, or summary disposition. In 30.1 percent, the case was dismissed by the plaintiff or the court. A judge or jury decided 4.4 percent.

**District Court Civil Case Filings**

# MUNICIPAL COURT

## Municipal Court Judges

### Municipal Court of Grosse Pointe (MGP)

Hon. Russell F. Ethridge

### Municipal Court of Grosse Pointe Farms (MGPF)

Hon. Matthew R. Rumora

### Municipal Court of Grosse Pointe Park (MGPP)

Hon. Carl F. Jarboe

### Municipal Court of Grosse Pointe Woods (MGPW)

Hon. Lynne A. Pierce

(left the court 12/31/08)

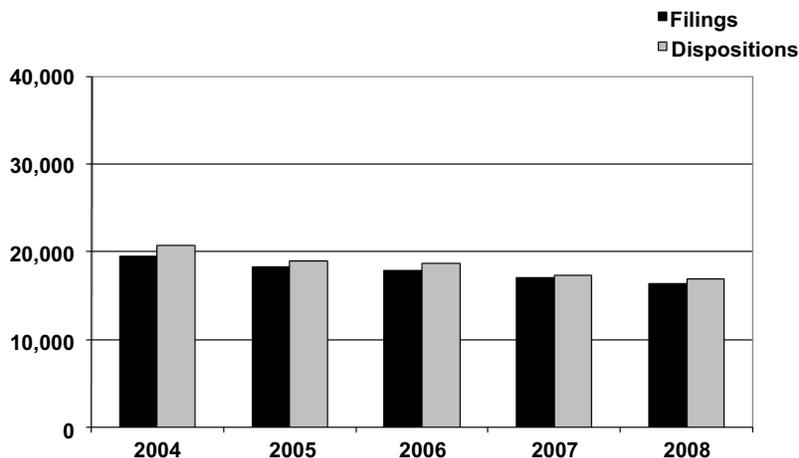
## Municipal Court Filings and Dispositions

	2004	2005	2006	2007	2008
Filings	19,465	18,346	17,832	17,004	16,427
Dispositions	20,699	18,935	18,729	17,342	16,878

Parking cases were excluded from both filings and dispositions in all years.

In 2008, 16,427 cases, excluding parking tickets, were filed in Grosse Pointe City, Grosse Pointe Farms, Grosse Pointe Park, and Grosse Pointe Woods municipal courts. The courts also received 23,777 parking tickets. These courts disposed of 16,878 nonparking cases and 25,111 parking tickets.

## Municipal Court Filings and Dispositions



## APPENDIX: TRIAL COURT JUDGESHIPS IN MICHIGAN

	Circuit Court	Probate Court	District Court	Municipal Court	Total
<b>Region 1</b>	113	22	143	4	282
<b>Region 2</b>	57	27	66	NA	150
<b>Region 3</b>	32	26	30	NA	88
<b>Region 4</b>	19	28	19	NA	66
<b>Statewide</b>	<b>221</b>	<b>103</b>	<b>258</b>	<b>4</b>	<b>586</b>

<b>Circuit Court (as of 1/31/09)</b>					
Court	Region	# of Judges	Court	Region	# of Judges
C01	2	1	C30	2	7
C02	2	4	C31	1	3
C03	1	61	C32	4	1
C04	2	4	C33	4	1
C05	2	1	C34	3	1
C06	1	19	C35	3	1
C07	1	9	C36	2	2
C08	3	2	C37	2	4
C09	2	5	C38	1	3
C10	3	5	C39	2	2
C11	4	1	C40	3	2
C12	4	1	C41	4	2
C13	4	2	C42	3	2
C14	2	4	C43	2	1
C15	2	1	C44	2	2
C16	1	13	C45	2	1
C17	2	10	C46	4	2
C18	3	3	C47	4	1
C19	4	1	C48	2	2
C20	2	4	C49	3	2
C21	3	2	C50	4	1
C22	1	5	C51	3	1
C23	3	2	C52	3	1
C24	3	1	C53	4	1
C25	4	2	C54	3	1
C26	4	1	C55	3	2
C27	3	2	C56	2	2
C28	4	1	C57	4	1
C29	3	2			

<b>Probate Court (as of 1/31/09)</b>					
Court	Region	# of Judges	Court	Region	# of Judges
P01	3	1	P45	4	1
P03	2	1	P46	2	1
P04	4	1	P47	2	1
P05	4	1	P50	1	2
P06	3	1	P51	4	1
P07	4	1	P52	4	1
P08	2	1	P53	3	1
P09	3	1	P55	4	1
P10	4	1	P56	3	1
P11	2	2	P57	4	1
P12	2	1	P58	1	2
P13	2	2	P59	3	1
P14	2	1	P60	4	1
P16	4	1	P61	2	2
P17	4	1	P62	3	1
P19	3	1	P63	1	4
P20	4	1	P64	3	1
P21	4	1	P65	3	1
P22	4	1	P66	4	1
P23	2	1	P68	3	1
P25	1	2	P69	4	1
P27	4	1	P70	2	1
P28	4	1	P71	4	1
P29	3	1	P72	3	1
P30	2	1	P73	3	2
P31	4	1	P74	1	2
P32	3	1	P75	2	1
P33	2	2	P76	3	1
P34	3	1	P78	3	1
P35	3	1	P79	3	1
P36	4	1	P80	2	1
P37	3	1	P81	1	2
P38	2	1	P82	1	8
P39	2	3	P83	4	1
P40	4	1	PD17	3	1
P41	2	4	PD18	3	1
P42	4	1	PD5	4	1
P43	3	1	PD6	4	1
P44	3	1	PD7	4	1

<b>District Court</b> (as of 1/31/09)					
Court	Region	# of Judges	Court	Region	# of Judges
D01	1	3	D54A	2	5
D02A	2	2	D54B	2	2
D02B	2	1	D55	2	2
D03A	2	1	D56A	2	2
D03B	2	2	D56B	2	1
D04	2	1	D57	2	2
D05	2	5	D58	2	4
D07	2	2	D59	2	1
D08	2	7	D60	2	4
D10	2	4	D61	2	6
D12	2	4	D62A	2	2
D14A	1	3	D62B	2	1
D14B	1	1	D63	2	2
D15	1	3	D64A	3	1
D16	1	2	D64B	3	1
D17	1	2	D65A	3	1
D18	1	2	D65B	3	1
D19	1	3	D66	3	2
D20	1	2	D67	1	6
D21	1	1	D68	1	5
D22	1	1	D70	3	6
D23	1	2	D71A	3	2
D24	1	2	D71B	3	1
D25	1	2	D72	1	3
D26	1	2	D73A	3	1
D27	1	1	D73B	3	1
D28	1	1	D74	3	3
D29	1	1	D75	3	2
D30	1	1	D76	3	1
D31	1	1	D77	3	1
D32A	1	1	D78	3	1
D33	1	3	D79	3	1
D34	1	3	D80	3	1
D35	1	3	D81	3	1
D36	1	31	D82	3	1
D37	1	4	D83	3	1
D38	1	1	D84	4	1
D39	1	3	D85	4	1
D40	1	2	D86	4	3
D41A	1	4	D87	4	1
D41B	1	3	D88	4	1
D42	1	2	D89	4	1
D43	1	3	D90	4	1
D44	1	2	D91	4	1
D45A	1	1	D92	4	1
D45B	1	2	D93	4	1
D46	1	3	D94	4	1
D47	1	2	D95A	4	1
D48	1	3	D95B	4	1
D50	1	4	D96	4	2
D51	1	2	D97	4	1
D52	1	11	D98	4	1
D53	2	3			

<b>Municipal Court</b> (as of 1/31/09)		
Court	Region	# of Judges
MGP	1	1
MGPF	1	1
MGPP	1	1
MGPW	1	1

Back Cover: Justices of the Michigan Supreme Court hear oral argument at Saginaw Valley State University in October 2008 as part of the "Court Community Connections" program. Photo courtesy of the Saginaw News.



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