

CJ Kelly delivers State of the Judiciary address

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On April 14, 2010, after a 10-year hiatus, the Chief Justice of the Michigan Supreme Court presented a State of the Judiciary Message. With pomp and ceremony befitting the occasion, the Court of Appeals judges and then the Supreme Court justices were escorted into the ornate House Chamber in Lansing by members of the Legislature. Chief Justice Kelly addressed a joint session of the Legislature. In her hour-long presentation, CJ Kelly highlighted the many programs, initiatives, pilot projects and other efforts undertaken by the judiciary to address and resolve many problems facing the courts, attorneys and the citizenry of Michigan. Throughout the address, Chief Justice Kelly recognized the judges, court administrators, attorneys and even a litigant who have been instrumental in the various programs and efforts to improve the delivery of justice to the users of the legal system. Some of the topics in the address included the following:

Judicial Crossroads Task Force: The purpose is to address court structure, resources, technology, and access to justice issues. A report is due in September 2010.

Therapeutic Courts: There are now 138 such courts in Michigan, which take a less punitive and more multifaceted approach to address the causes of various crimes. There are drug courts which focus on rehabilitation and sobriety rather than incarceration. Baby courts focus on services for young, at-risk parents, usually teenagers, who are in the abuse and neglect system. Project Fresh Start in the 36th District Court is aimed at helping women leave a life of prostitution.

Judicial Information Systems Division: This new project links the courts with the Michigan State Police to provide real time or same day reporting of 95% of all felony and misdemeanor convictions.

Judicial Data Warehouse: This centralized storage facility allows courts and law enforcement to access information on 36 million cases and improves the capacity to review case history and driving records. Chief Justice Kelly explained that the centralized storage facility helps keep bad drivers off the roads, and provides further protection of children in abuse and neglect cases.

Divorce Pilot Project in Kent County (Grand Rapids): This pilot project seeks to reduce the conflict between divorcing parents and the impact on their children by using less adversarial language in pleading, and by utilizing mediation as a method of dispute resolution. The cases in the sample of this project have been completed, and data is being compiled and analyzed over the next year to determine its effectiveness for the families in the program.

UNISYS Case Management System: In 2008, this system was started in an effort to create a single case management system for all courts throughout the state. The goal is to complete this program and have this system in place for all courts by 2013.

Video conferencing in criminal cases: The use of available technology is enabling prisoners and mental health patients access to court proceedings via video conference, which saves the time, expense and risk of transporting these individuals from the jail or mental health facility to the courtrooms. This also allows Michigan State Police technicians, for example, to testify via video conference rather than travelling from court to court, thus saving a great deal of time and money in transportation, and allowing the technician to testify in more court proceedings in the same period of time.

Access to Justice: Chief Justice Kelly cited numerous statistics regarding the foreclosure rates, unemployment rates and the acute problems of the indigent as well as middle class as affected by the current

economic crisis. As of 2009, 31% of Michigan residents qualify as indigent for legal aid purposes, however, over 50% of eligible individuals were turned away due to lack of resources to meet their legal needs. The need for services far outstrips the aid that is available.

Solutions to Self Help Task Force: Chief Justice Kelly announced this new task force with the goal to expand on the existing self-help legal assistance centers presently available in the state. One concept identified by Chief Justice Kelly is for Michigan to emulate the successful program in Illinois <http://www.illinoislegalaidonline.org/> to further expand these self-help services.

In closing, Chief Justice Kelly recognized the Legislative members in the audience, thanking them for funding of these many programs and for the enabling legislation. She recognized that the current funding crisis requires courts to provide ever more services with less funding, but encouraged those in attendance to strive even harder to provide access to justice for all.