

CHAIRPERSON  
DEBBIE DE LEON

VICE-CHAIRPERSON  
DALE COPEEDGE

VICE-CHAIRPERSON PRO-TEM  
RANDY SCHAFFER

JUDICIARY COMMITTEE  
REBECCA BAHAR-COOK, CHAIR  
BRIAN McGRAIN  
MARC THOMAS  
CAROL KOENIG  
DEB NOLAN  
RANDY SCHAFFER

## **INGHAM COUNTY BOARD OF COMMISSIONERS**

*P.O. Box 319, Mason, Michigan 48854 Telephone (517) 676-7200 Fax (517) 676-7264*

THE JUDICIARY COMMITTEE WILL MEET ON THURSDAY, FEBRUARY 12, 2009 AT 7:30 P.M., IN THE PERSONNEL CONFERENCE ROOM (D & E), HUMAN SERVICES BUILDING, 5303 S. CEDAR, LANSING.

### Agenda

Call to Order

Approval of the [December 4, 2008](#) and [January 15, 2009](#) Minutes

Additions to the Agenda

Limited Public Comment

1. Presentation - Dispute Resolution Center of Central Michigan
2. Judiciary Committee - Update on Response to Communication from [Legal Services](#) of South Central Michigan
3. Circuit Court
  - a. Family Division – Quarterly Report (*no material*)
  - b. Communication – David Easterday, Report on [Visiting Judge’s Expenses](#) Due to the Judge Nettles-Nickerson Case
4. Discussion Item - Set a Date to Tour the District Court
5. Controller’s Office – Discussion on CourtView Application
6. Board Referral - Letter from the State of Michigan Department of Human Services Regarding the 2008-9 Annual Plan and Budget for [Child Care Fund](#)

Announcements

Public Comment

Adjournment

**PLEASE TURN OFF CELL PHONES OR OTHER ELECTRONIC  
DEVICES OR SET TO MUTE OR VIBRATE TO AVOID  
DISRUPTION DURING THE MEETING**

The County of Ingham will provide necessary reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials being considered at the meeting for the visually impaired, for individuals with disabilities at the meeting upon five (5) working days notice to the County of Ingham. Individuals with disabilities requiring auxiliary aids or services should contact the County of Ingham in writing or by calling the following: Ingham County Board of Commissioners, P.O. Box 319, Mason, MI 48854 Phone: (517) 676-7200. A quorum of the Board of Commissioners may be in attendance at this meeting. Meeting information is also available on line at [www.ingham.org](http://www.ingham.org)

## JUDICIARY COMMITTEE

December 4, 2008

### Minutes

Members Present: Tina Weatherwax-Grant, Todd Tennis, Rebecca Bahar-Cook, Dianne Holman, Deb Nolan, Randy Schafer and Board Chairperson Marc Thomas

Members Absent: None

Others Present: John Neilsen, Tom Shewchuk, George Strander and Maureen Winslow

The meeting was called to order by Chairperson Weatherwax-Grant at 7:35 p.m. in the Personnel Conference Room of the Human Services Building, 5303 S. Cedar, Lansing.

#### Approval of the November 13, 2008 Minutes

MOVED BY COMM. NOLAN, SUPPORTED BY COMM. SCHAFFER, TO APPROVE THE NOVEMBER 13 MINUTES AS SUBMITTED. MOTION CARRIED UNANIMOUSLY.

#### Additions to the Agenda

2. Substitute Resolution
- 3b. Board Referral – Email from the Women’s Commission in Support Legal Services of South Central Michigan, Requested that the Board Reconsider its 2009 Fund Level
4. Resolution to Hereby Approve the Attached On-Line Subscription Agreement for the IJIS (Integrated Justice Information System)
5. Resolution Honoring David R. Ferguson

Limited Public Comment: None

4. IJIS – The Integrated Justice Information Systems Group: Sheriff, Prosecutor, 55<sup>th</sup> District, 30<sup>th</sup> Circuit and Probate Courts – Resolution to Hereby Approve the Attached On-Line Subscription Agreement for the IJIS (Integrated Justice Information System)

Mr. Strander spoke regarding the proposal to authorize an application for monthly contract for court services. This Committee previously authorized a contract with Webtec for online court services.

Comm. Nolan asked for the financial implications of this matter. Mr. Strander said there aren’t any financial implications. The contract will encourage heavy users to apply for a monthly contract. The users will input their credit card numbers one time and they will be billed on a monthly basis.

Mr. Neilsen said the revenue from these services have been built into the 2009 budget. This Resolution probably won’t generate any more money.

Chairperson Weatherwax-Grant commended the Court for implementing this service for the users.

MOTION CARRIED UNANIMOUSLY.

Mr. Neilsen said the information in the subscription agreement will be changed for the Board floor. The information will not be faxed until the County signs the Agreement.

1. Facilities Department/MIS/Family Division of Circuit Court – Resolution Authorizing a Contract with AT&T Wireless and ID Solutions to Upgrade the Security Cameras at the Ingham County Family Center for the Ingham Academy

MOVED BY COMM. SCHAFER, SUPPORTED BY COMM. TENNIS, TO APPROVE THE RESOLUTION AUTHORIZING A CONTRACT WITH AT&T WIRELESS AND ID SOLUTIONS TO UPGRADE THE SECURITY CAMERAS AT THE INGHAM COUNTY FAMILY CENTER FOR THE INGHAM ACADEMY.

Ms. Winslow said she believes the additional cameras will provide more security at the Ingham County Family Center.

Comm. Schafer asked about the recent vandalism at the Center. Ms. Winslow described the vandalism on the vans and the ceilings of the Center. The current cameras did not catch these events.

Chairperson Weatherwax-Grant said this matter was brought up at the Center's Board meeting by a neighborhood representative. A safe parking lot is important for the Center's Board.

MOTION CARRIED UNANIMOUSLY.

2. Controller's Office – Substitute Resolution Authorizing Adjustments to the 2008 Ingham County Budget and Authorizing the Controller/Administrator to Make Year End Budget Adjustments

MOVED BY COMM. BAHAR-COOK, SUPPORTED BY COMM. SCHAFER, TO APPROVE THE SUBSTITUTE RESOLUTION AUTHORIZING ADJUSTMENTS TO THE 2008 INGHAM COUNTY BUDGET AND AUTHORIZING THE CONTROLLER/ADMINISTRATOR TO MAKE YEAR END BUDGET ADJUSTMENTS.

Mr. Neilsen said the Adjustment involves the liquor tax revenue. The County did not receive as much revenue as projected.

MOTION CARRIED UNANIMOUSLY.

3. Board Referral
  - a. Letter from Legal Services of South Central Michigan, Requesting that the Board Reconsider its 2009 Funding Level
  - b. Email from the Women's Commission in Support Legal Services of South Central Michigan, Requested that the Board Reconsider its 2009 Fund Level

The Referrals were referred to the 2009 Judiciary Committee.

Chairperson Weatherwax-Grant said Mr. Neilsen suggested to her that the Board Referrals should be referred to the 2009 Judiciary Committee.

Mr. Neilsen said there are additional support letters in the late packet.

5. Judiciary Committee – Resolution Honoring David R. Ferguson

MOVED BY COMM. NOLAN, SUPPORTED BY COMM. SCHAFFER, TO APPROVE THE RESOLUTION HONORING DAVID R. FERGASON. MOTION CARRIED UNANIMOUSLY.

Announcements

Comm. Schafer thanked Chairperson Weatherwax-Grant for chairing this Committee. She was very professional. The Committee applauded for Chairperson Weatherwax-Grant.

Chairperson Weatherwax-Grant said serving on this Committee has been the most exciting part of being a Commissioner. This Committee is to be commended for listening to the public and making well thought decisions.

Comm. Holman said she appreciated Chairperson Weatherwax-Grant's company for the last six years on this Committee.

Public Comment: None

The meeting adjourned at 7:48 p.m.

Respectfully submitted,

Debra Neff

## JUDICIARY COMMITTEE

January 15, 2009

Minutes

Members Present: Rebecca Bahar-Cook, Brian McGrain, Marc Thomas, Carol Koenig, Deb Nolan, Randy Schafer and Board Chairperson DeLeon

Members Absent: None

Others Present: John Neilsen and Maureen Winslow

The meeting was called to order by Chairperson Bahar-Cook at 7:32 p.m. in the Personnel Conference Room of the Human Services Building, 5303 S. Cedar, Lansing.

### Approval of the December 4, 2009 Minutes

The Minutes will be approved at the next meeting.

### Additions to the Agenda

4. Background Information

Limited Public Comment: None

MOVED BY COMM. NOLAN, SUPPORTED BY COMM. SCHAFFER, TO APPROVE A CONSENT AGENDA FOR THE FOLLOWING ITEMS:

2. 55<sup>th</sup> District Court – Resolution Authorizing the County to Accept a Grant Award from the State Court Administrator’s Office/Office Highway Safety Planning (SCAO/OHSP) for the Ingham County 55<sup>th</sup> District Court Sobriety Court Program
3. Ingham County Circuit Court Family Division – Resolution for the Ingham County Circuit Court/Family Division to Accept an Award of \$1,000 for the Family Independence Treatment Program

MOTION CARRIED UNANIMOUSLY. Absent: Comm. Koenig

MOVED BY COMM. NOLAN, SUPPORTED BY COMM. SCHAFFER, TO APPROVE THE ITEMS ON THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. Absent: Comm. Koenig

1. Ingham County Family Center – Board of Commissioners’ Appointment

MOVED BY COMM. SCHAFFER, SUPPORTED BY COMM. NOLAN, TO RECOMMEND THE APPOINTMENT OF COMM. NOLAN TO THE COMMISSIONER SEAT ON THE INGHAM COUNTY FAMILY CENTER COMMITTEE AND TO RECOMMEND THE APPOINTMENT OF STEFFANY RUTER TO THE CCY SEAT ON THE INGHAM COUNTY FAMILY CENTER COMMITTEE. MOTION CARRIED UNANIMOUSLY.

Comm. Nolan said the first Family Center Board meeting was last week. The Board feels they made headway last week. The Board members also feel comfortable with their responsibilities. Comm. Nolan further stated the Family Center Board will think about other purposes for the facility. The chapel area is unused at this time and the property includes 23 acres.

Comm. Bahar-Cook asked if the Family Center Board Chairperson could provide a presentation to this Committee in the near future. Comm. Nolan said the Family Center Board's minutes will be forwarded to this Committee.

Board Chairperson DeLeon said she spoke with Ms. Bennett, Board Coordinator, recently about providing some parliamentary guides for committee and boards. The County Attorney will take on this matter.

4. Board Referral – Letter from Legal Services of South Central Michigan Requesting Reconsideration of its 2009 Funding Level and Letters of Support

Mr. Neilsen provided the Committee with background information for this item.

(Comm. Koenig arrived at 7:42 p.m.)

Mr. Neilsen said Resolution #08-197 provides that no community agency shall receive more than 10% of the total available funding for community agencies in FY 2009. Legal Services of South Central Michigan requested \$40,000 in the 2009 budget process. This was a \$4,000 increase from the \$36,000 they requested in 2008. Legal Services received \$20,226 in the 2009 funding process. This amount was a decrease of \$15,774 from the 2008 appropriation and \$19,774 less than their 2009 request.

Mr. Neilsen further stated this Committee could invite Legal Services to attend an upcoming meeting to explain their need for additional funds. If this Committee wants to increase their funding level, the funds would come from the 2009 Contingency Fund. The Committee could also ask the Court to take funding from their budget to meet the request for Legal Services.

Comm. McGrain asked how the reduced funding level will affect Legal Services this year. Comm. Bahar-Cook said if the Court uses Legal Services to a large extent, it could contract with Legal Services.

Comm. Nolan asked why this matter is not before the Human Services Committee. Mr. Neilsen explained that Legal Services traditionally comes before this Committee. Comm. Nolan said she believes Legal Services provides a great service to our residents; however, she doesn't understand the Court's unwillingness to fund this service they need.

She then recommended this item be referred to the Human Services Committee or Legal Services could be informed to approach the Court for funding.

Board Chairperson DeLeon explained the Human Services Chairperson informed the Community Agencies that if they wanted additional funding, they should approach their original Committees. Comm. Thomas said he remembered the Human Services Chairperson informing the Community Agencies that they should send a letter to the Board Chair to request additional funding.

Board Chairperson DeLeon agreed with Comm. Bahar-Cook's statement that if this is a continuing service, it should not be a part of the Community Agency process. Comm. Schafer said it would be a mistake to reopen the Community Agency process at this time. The new process worked well. Comm. Schafer then recommended that the Court should include this service in its budget.

Comm. McGrain agreed with Comm. Schafer's statements. He then said he would strongly recommend the Court should assume the funding for Legal Services of South Central Michigan.

The Committee determined that Legal Services of South Central Michigan should approach the Court for funding. A letter will be sent to Legal Services from this Committee indicating its support of their services.

Comm. Koenig said Legal Services does not seem to understand the County's funding process. Comm. Bahar-Cook said the new process was explained to the Community Agencies. This process could be put in a letter to the Agencies.

#### Announcements

Comm. Schafer said he is the Republican caucus chair for 2009. He invited the Commissioners to inform him of any issues for discussion this year.

Comm. Nolan informed the Committee that she would be attending the inauguration next Tuesday in Washington, D.C.

Comm. Schafer informed the Committee of how Mr. Marwede, Veterans Affairs, assisted a homeless person in receiving his benefits.

Comm. Koenig stated she would be out of town from January 22, 2009 until February 2, 2009.

Mr. Neilsen informed the Committee that the new District Court Judge is Judge Allen.

Public Comment:     None

The meeting adjourned at 7:59 p.m.

Respectfully submitted,

Debra Neff

January 27, 2009

Lori Pourzan and Angela Tripp, Managing Attorneys  
Legal Services of South Central Michigan  
3490 Belle Chase Way, Suite 50  
Lansing, MI 48911-4257

Dear Ms. Pourzan and Ms. Tripp:

Thank you for your communication dated November 8, 2008, requesting an increase in funding for your organization for the 2009 Community Agency process. The Ingham County Judiciary Committee reviewed your communication along with several other communications from supportive organizations at our January 15, 2009 meeting.

This reduction in funding was due to the criteria established by Resolution #08-197, whereby the Board of Commissioners approved a new process for allocating Community Agency funding. Specifically:

BE IT FURTHER RESOLVED, no agency shall receive more than 10% of the total available funding for community agencies in FY 2009.

The County 2009 Community Agency process received funding requests of more than \$250,000, significantly more than the total budget of \$202,265.

Unfortunately the entire allocation for the 2009 Community Agency budget has already been appropriated and there is no additional funding available for this purpose. Furthermore, the Judiciary Committee decided not to approve your alternative request of funds from the 2009 Contingency Fund for your agency. The Committee was concerned that the Board of Commissioners has already had to commit to spending \$156,000 or twenty six per cent (26%) of the 2009 Contingency Fund for an unexpected loss of revenues in our 2009 budget.

The Ingham County Board of Commissioners will consider your suggestion regarding the 2010 Community Agency budget cycle criteria #5 which states that an agency funded for fewer years will get a higher rating when that 2010 Budget allocation process begins.

Lori Pourzan and Angela Tripp, Managing Attorneys  
January 27, 2009  
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Finally, the Committee strongly suggested that your agency pursue funding with the 30<sup>th</sup> Circuit Court from their existing 2009 budget, as we noted your collaboration with the Court in operating the Access to Justice Center at our Veterans Memorial Courthouse Facility.

Thank you for your organizations support of Ingham County residents.

Sincerely yours,

Rebecca Bahar-Cook  
Chairperson, Ingham County Judiciary Committee

cc: Board of Commissioners  
Chief Judge William E. Collette  
David Easterday, Circuit Court Administrator  
Matthew J. Myers, Ph.D., Controller/Administrator  
John L. Neilsen, Deputy Controller  
Becky Bennett, Board Coordinator

# MEMORANDUM

To: Ingham County Board of Commissioners Judiciary Committee  
From: David Easterday  
Date: February 4, 2009  
Re: Judicial Coverage Costs

On June 6, 2007 the Michigan Supreme Court issued an Order regarding a Judicial Tenure Complaint against Judge Beverley Nettles-Nickerson, Case #133929. The Order said in part:

“We ORDER that the respondent judge be suspended, with pay, from her position as a judge and that she refrain from acting as a judge until further order of this Court”.

On June 13, 2008 the Michigan Supreme Court issued an Opinion regarding Case #133929 which said in part:

“We adopt in part the recommendations made by the Judicial Tenure Commission and order that the respondent is removed from office, effective immediately ...”

From the time that Judge Nettles-Nickerson was suspended, subsequently removed from office and until the end of 2008 the Ingham County Circuit Court used the services of Judge Thomas L. Brown as a Visiting Judge to cover her docket. During the time of suspension from June 6, 2007 until June 12, 2008 the State Court Administrative Office paid Judge Brown’s costs. From June 13, 2008 until December 31, 2008 the Circuit Court was responsible for his costs. The distinction as to liability for payment is because during the time Judge Nettles-Nickerson was suspended she continued to receive her salary. Once she was removed from office Beverley Nettles-Nickerson no longer received a salary.

The Judiciary Committee previously asked me to let you know once we were through paying Judge Brown how much was spent for his services.

The State Court Administrative Office paid Judge Brown a total of \$38,780.88 for his assistance from June 6, 2007 until June 12, 2008. The Circuit Court paid

Judge Brown a total of \$16,419.85 for his assistance from June 13, 2008 until December 12, 2008.

I will be attending the Judiciary Committee Meeting on February 12th to answer any questions.



Mark Thomas, Chairperson  
January 15, 2009  
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In order to assure full annual reimbursement for costs of approved Basic Grant and In-Home Care Services, it will be necessary to report all expenditures and/or costs incurred for the month of September, and any prior months within the fiscal year, on the September report. In-Home Care & Basic Grant expenditures are not to be carried to fiscal year 2009 or they will be charged against the new fiscal year amount approved for reimbursement.

Act 87, P.A. 1978, also restricts reimbursement for In-Home Care to programs that are alternatives to out-of-home institutional or foster care. Basic Grant expenditures must meet established qualifying criteria.

Child Care Fund policies, including expenditure classification, reporting requirements, and In-Home Care and Basic Grant program requirements are contained in the Child Care Fund Handbook and the Annual Plan and Budget Guidelines. Copies of each are available upon request.

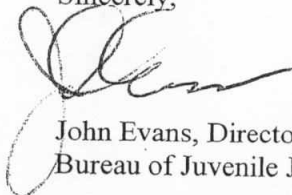
It is important that you fully understand the policies and requirements and that you remain in full compliance. County expenditures that do not meet classification definitions or program requirements are not eligible for state reimbursement. If upon review or audit it is found non-reimbursable payments were made, repayment shall be required.

The Agency acknowledges the county's written confirmation to follow its formal contract approval process as specified in the amended Annual Plan and Budget Guidelines. The Agency neither assumes the authority to approve county contracts nor opens itself to liability arising from them. All contract documents must be kept on file in the county and be made available at the time of fiscal audit.

Any claim for state monies from the Child Care Fund to cover expenditures incurred between October 1, 2008 and September 30, 2009, will signify your acceptance of the terms of this approval letter.

If you have any questions or concerns regarding this letter, please contact me at (517) 335-3489.

Sincerely,



John Evans, Director  
Bureau of Juvenile Justice

cc: The Honorable Janelle A. Lawless, Family Court Judge, Ingham County  
Randy Rauch, Acting Director, Ingham County DHS  
Keith Schafer, Child Care Fund/Chargeback Unit  
Janie Ross, Child Care Fund Specialist  
Child Care Fund File