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VICE-CHAIRPERSON  
VICTOR CELENTINO

VICE-CHAIRPERSON PRO-TEM  
STEVE DOUGAN

JUDICIARY COMMITTEE  
DEB NOLAN, CHAIR  
REBECCA BAHAR-COOK  
LAURA DAVIS  
PENELOPE TSEBNOGLOU  
RANDY SCHAFFER  
STEVE DOUGAN

## 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, JULY 15, 2010 AT 7:30 P.M., IN THE PERSONNEL CONFERENCE ROOM (D & E), HUMAN SERVICES BUILDING, 5303 S. CEDAR, LANSING.

### NOTE CHANGE OF TIME

#### Agenda

Call to Order

Approval of the [June 10, 2010 Minutes](#)

Additions to the Agenda

Limited Public Comment

1. Management Information Services - Presentation on Status of Video Conferencing Capabilities (*Law Enforcement Committee Members are invited to attend this Presentation - No Materials*)
2. Circuit Court - Resolution to Enter into an Agreement with Credit Bureau Collection Services, Inc. ([CBCS](#)) for Collection of Delinquent Debt Held by the Circuit Court
3. Circuit Court – Family Division
  - a. Resolution to Authorize Expanded Funding for the [Ingham Academy](#)
  - b. Resolution to Authorize Funds for Additional Transportation and Equipment Needs at the Ingham County [Family Center](#)
  - c. Out-of-State [Travel Request](#) - Visiting Court Youth in Residential Placement, Concordville, PA
4. Controller/Administrator's Office - Resolution from the Board of Commissioners Requesting that the Jail Utilization Coordinating Committee ([JUCC](#)) Evaluate the Luminosity Solutions Report and Other Strategies to Responsibly Manage the Jail Population While Maintaining Public Safety and the Integrity of the Judicial Process
5. Board Referral - Letter from the State of Michigan [54-B District Court](#) Regarding County Requirements for Maintaining a Jury Board that Oversees the Administration of the Jury System for all Courts within the County

Announcements      **PLEASE TURN OFF CELL PHONES OR OTHER ELECTRONIC**  
Public Comment      **DEVICES OR SET TO MUTE OR VIBRATE TO AVOID**  
Adjournment          **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  
June 10, 2010  
Minutes

Members Present: Deb Nolan, Rebecca Bahar-Cook, Laura Davis, Penelope Tsernoglou, Randy Schafer, Steve Dougan and Board Chairperson Debbie De Leon

Members Absent: None

Others Present: John Nielsen, Shauna Dunnings and others

The meeting was called to order by Chairperson Nolan at 7:30 p.m. in the Personnel Conference Room "D & E" of the Human Services Building, 5303 S. Cedar Street, Lansing.

Approval of the May 27, 2010 Minutes

The May 27, 2010 Minutes were approved as submitted.

Additions to the Agenda

1. Pulled – Presentation on Status of Video Conferencing Capabilities
2. Pulled – Resolution to Request a Cost Sharing of Jury Administration Costs with 54-A and 54-B District Courts

Limited Public Comment

None

3. Friend of the Court
  - b. Resolution Authorizing Contracts with MGT of America, Inc. for the Preparation of the Friend of the Court Annual Title IV-D Cooperative Reimbursement Program (CRP) Application and Other Services

MOVED BY COMM. SCHAFER, SUPPORTED BY COMM. BAHAR-COOK, TO APPROVE THE RESOLUTION AUTHORIZING CONTRACTS WITH MGT OF AMERICA, INC. FOR THE PREPARATION OF THE FRIEND OF THE COURT ANNUAL TITLE IV-D COOPERATIVE REIMBURSEMENT PROGRAM (CRP) APPLICATION AND OTHER SERVICES.

MOTION CARRIED UNANIMOUSLY. Absent: Comm. Davis

- a. Resolution Authorizing Termination of a Contract Between Maximus and the Ingham County Friend of the Court

MOVED BY COMM. SCHAFER, SUPPORTED BY COMM. BAHAR-COOK, TO APPROVE THE RESOLUTION AUTHORIZING TERMINATION OF A CONTRACT BETWEEN MAXIMUS AND THE INGHAM COUNTY FRIEND OF THE COURT.

Ms. Dunnings, Friend of the Court, informed the Committee that last year Maximus experienced a significant change in personnel. She indicated that as a result, the services provided by Maximus have been negatively affected. She stated that the timeliness of the services has also been impacted. She indicated that they have decided that is in their best interest to terminate their contract with Maximus and transition to MGT.

(Comm. Davis arrived at 7:43 p.m.)

MOTION CARRIED UNANIMOUSLY.

4. Circuit Court – Juvenile Division
  - a. Request for Out-of-State Travel – Visiting Court Youth in Residential Placement- Prescott Valley, Arizona
  - b. Request for Out-of-State Travel – New Horizons for System of Care, Washington, DC

MOVED BY COMM. DOUGAN, SUPPORTED BY COMM. DAVIS, TO APPROVE THE REQUESTS FOR OUT-OF-STATE TRAVEL VISITING COURT YOUTH IN RESIDENTIAL PLACEMENT-PRESCOTT VALLEY, ARIZONA AND NEW HORIZONS FOR SYSTEM OF CARE, WASHINGTON, DC.

MOTION CARRIED UNANIMOUSLY.

Announcements

Mr. Neilsen announced that the Judiciary Committee budget hearing is Tuesday, June 29<sup>th</sup>, 1:00-3:30 p.m.

Public Comment

None

The meeting adjourned at approximately 7:54 p.m.

Respectfully submitted,

Karsha Sathianathan

RESOLUTION STAFF REVIEW

DATE July 8, 2010

Agenda Item Title: Resolution to Enter into an Agreement with Credit Bureau Collection Services, Inc. (CBCS) for Collection of Delinquent Debt Held by the Circuit Court

Submitted by: Circuit Court

Committees: LE\_\_\_\_, JD\_ X\_, HS\_\_\_\_, CS\_\_\_\_, Finance\_ X\_\_

Summary of Proposed Action: This resolution would accept the recommendations of the Circuit Court Collections Oversight Committee (COC) and authorize entering into a contract with Credit Bureau Collection Service, Inc. (CBCS) for collection of delinquent debt services for an initial Pilot Project period of twelve (12) months beginning on the date the contract is signed.

This pilot project involves contracting with a collection agency experienced in government and court collection services to collect past-due debt for the 30<sup>th</sup> Circuit Court for a pilot period of 1-year. The debt may include fines, costs, and other assessments.

Financial Implications: During the pilot period, the fee will be cost neutral for the Court. To achieve a cost neutral fee structure, the Agency will be limited to a fee of 20% of non-mandated costs, fines and assessments (attorney fees and court costs.) The Court can assess a late fee of 20% of non-mandated assessments. This amount is determined by the Court in compliance with applicable court rules and statutes and will be provided to the Agency on a case-by-case basis.

If the contract is renewed, the fee structure applicable during the pilot project term may be renegotiated from a Court cost neutral fee to a higher fixed percentage fee. Any such increase in the fee structure will be presented to the Board of Commissioners for approval.

Other Implications: An Evaluation Committee comprised of the COC Delinquent Debt Evaluation Committee reviewed the three proposals, interviewed two respondents and after careful consideration and evaluation, the committee recommends entering into a contract with the Credit Bureau Collection Services, Inc. (CBCS).

Staff Recommendation: MAL \_\_\_\_ JLN\_ X\_\_ TL \_\_\_\_ TM\_\_\_\_ JC \_\_\_\_  
Staff recommends approval of the resolution.

**MEMORANDUM**

TO: Judiciary and Finance Committees

FROM: Jim Hudgins, Director, Purchasing Department

DATE: June 3, 2010

SUBJECT: Proposal Summary – Delinquent Court Collection Services

Project Description:

This project involves contracting with a collection agency experienced in government and court collection services to collect past-due debt for the 30<sup>th</sup> Circuit Court for a pilot period of 1-year. The debt may include fines, costs, and other assessments.

During the pilot period, the fee will be cost neutral for the Court. To achieve a cost neutral fee structure, the Agency will be limited to a fee of 20% of non-mandated costs, fines and assessments (attorney fees and court costs.) The Court can assess a late fee of 20% of non-mandated assessments. This amount is determined by the Court in compliance with applicable court rules and statutes and will be provided to the Agency on a case-by-case basis.

If the contract is renewed, the fee structure applicable during the pilot project term may be renegotiated from a Court cost neutral fee to a higher fixed percentage fee. Any such increase in the fee structure will be presented to the Board for approval.

Proposal Summary:

Vendors contacted: 12            Local: 4  
 Vendors responding: 3        Local: 0

<b>Company Name</b>	<b>Fee Structure</b>	<b>Local</b>
Credit Bureau Collection Services, Inc. (CBCS)	19% for primary placement; 20% on dollars requiring legal action	N – Dewitt
Municipal Services Bureau	20%	N – Austin, TX
LJ Ross and Associates	20%	N – Ann Arbor

Some of the vendors contacted who did not respond to this solicitation cited that they could not offer the Court a rate structure that would be cost-neutral for the first year.

Recommendation:

The Collections Oversight Evaluation Committee recommends a 1-year pilot contract be awarded to Credit Bureau Collection Services, Inc. (CBCS). This recommendation is based on the following:

- CBCS is a Michigan based company;
- Attends Michigan Court training and seminars;
- Can transmit reports and payments daily;
- Owns their own consumer credit information system (Innovis);
- Will provide tax intercept services;
- Software programs will work well with Courtview;
- Has employees trained with a knowledge of court services;
- Has over 60 years of experience;
- Has a wide range of foreign language capabilities; and,
- Fee structure is at 19% which is under the Court's recommended pricing of 20%.

Advertisement:

The RFP was advertised in the Lansing State Journal, the Chronicle and posted on the Purchasing Department Web Page.

Introduced by the Judiciary and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH CREDIT BUREAU COLLECTION SERVICES, INC. (CBCS) FOR COLLECTION OF DELINQUENT DEBT HELD BY THE CIRCUIT COURT**

WHEREAS, the Circuit Court Collections Oversight Committee (COC) has been identifying areas of improvement in collection of fines, costs, and other assessments ordered by the Court; and

WHEREAS, the collection of delinquent debt has been identified as an area of improvement; and

WHEREAS, the members of the COC agreed that collection of delinquent debt would most efficiently be accomplished by securing the services of a delinquent debt agency; and

WHEREAS, the COC submitted a Request for Proposal (RFP) for a one-year pilot county cost neutral delinquent debt solution for the Circuit Court to 12 vendors; and

WHEREAS, responses were received from three (3) vendors, of which two (2) vendors were invited to offer presentations to the COC Delinquent Debt Evaluation Committee; and

WHEREAS, the COC Delinquent Debt Evaluation Committee and membership of the COC, recommends that a contract be negotiated with the vendor Credit Bureau Collection Services, Inc. (CBCS) for the following reasons: Michigan based company, attends Michigan court conferences, can transmit reports and payments daily, owns their own consumer credit information system (Innovis), provides tax intercept services, software program will work with current case management system, employees trained with a knowledge of court services, 60 years of experience, and wide range of foreign language capabilities.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners accepts the recommendations of the Circuit Court Collections Oversight Committee (COC) and authorizes entering into a contract with Credit Bureau Collection Services, Inc. for collection of delinquent debt services as set forth in the attached Scope of Services for an initial Pilot Project period of twelve (12) months beginning on the date the contract is signed

BE IT FURTHER RESOLVED, that the Board Chairperson and County Clerk are authorized to sign any necessary contracts\subcontracts consistent with this resolution subject to approval as to form by the County Attorney.

## SCOPE OF SERVICES

### Project Description:

This project involves contracting with a collection agency experienced in government and court collection services to collect past-due debt for the 30<sup>th</sup> Circuit Court for a pilot period of 1-year. The debt may include fines, costs, and other assessments.

During the pilot period, the fee will be cost neutral for the Court. To achieve a cost neutral fee structure, the Agency will be limited to a fee of 20% of non-mandated costs, fines and assessments (attorney fees and court costs.) The Court can assess a late fee of 20% of non-mandated assessments. This amount is determined by the Court in compliance with applicable court rules and statutes and will be provided to the Agency on a case-by-case basis.

If the contract is renewed, the fee structure applicable during the pilot project term may be renegotiated from a Court cost neutral fee to a higher fixed percentage fee. Any such increase in the fee structure will be presented to the Board for approval.

- CBCS is a Michigan based company;
- Attends Michigan Court training and seminars;
- Can transmit reports and payments daily;
- Owns their own consumer credit information system (Innovis);
- Will provide tax intercept services;
- Software programs will work well with Courtview;
- Has employees trained with a knowledge of court services;
- Has over 60 years of experience;
- Has a wide range of foreign language capabilities; and,
- Fee structure is at 19% which is under the Court's recommended pricing of 20%.

RESOLUTION STAFF REVIEW

DATE July 4, 2010

Agenda Item Title: Resolution to Authorize Expanded Funding for the Ingham Academy

Submitted by: Circuit Court/Family Division

Committees: LE\_\_\_\_, JD\_\_X\_\_, HS\_\_\_\_, CS\_\_\_\_, Finance\_\_X\_\_

**Summary of Proposed Action:**

This Resolution authorizes a contract expansion with Ingham Intermediate School District and Highfields, Inc. for the last month of the current Child Care Fund Fiscal Year and beginning of the 2010/11 School year (September 2010) to provide expanded services for the Ingham Academy High School Program.

Ingham Intermediate School District (IISD) provides academic services for youth at the Ingham Academy and this would expand that contract. The IISD will serve up to 10 additional court adjudicated high school youth during the 2010/2011 school year. In addition, the Resolution authorizes a contract expansion with Highfields, Inc. who will provide behavioral support and transportation for Ingham Academy and this would now expand the contract to cover the 10 additional youth assigned to the high school program.

Because the School Year covers two fiscal years, this resolution would start the expanded Program out of existing budgeted funds for the balance of September 2010, and the Court will submit their 2011 budget to include the expansion of an additional 10 high school students (one additional classroom) at the Ingham Academy for the balance of the school year (October 1, 2010 through September 30, 2011).

**Financial Implications:**

Ingham Intermediate School District, at a cost of \$10,012.00  
 Highfields, Inc., at a cost of \$4,434.00

The funds will come from the existing 2009/10 Child Care Fund Budget in the amount of \$14,446 from 29266227818000 (Day Treatment Program contractual services).

**Other Implications:** If the Board of Commissioners approves this expansion of programming, it will somewhat commit the Board of Commissioners to fund the rest of the school year for this expanded High School program. Because the entire JJM allocation is now being used for operational costs, it will be incumbent on the Court to live within the current JJM revenue stream and matching Child Care funds to operate this program during the 2010 – 2011 Budget.

**Staff Recommendation:** MAL\_\_ JLN\_\_X\_\_ TL\_\_ TM\_\_ JC\_\_

With the recognition that the current fiscal outlook of the County makes it very difficult to start new programs or expand current programs, staff recommends approval of the resolution as indicated in the above Other Implications section with the understanding that this expanded high school program is funded through the current and future JJM revenue stream and matching Child Care Funds.

Introduced by the Judiciary and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO AUTHORIZE EXPANDED FUNDING FOR THE INGHAM ACADEMY**

WHEREAS, the voters of Ingham County passed a Juvenile Justice Millage generating funds for the expansion of Ingham County's Juvenile Justice Programs; and

WHEREAS, the Ingham County Action Plan for Juvenile Continuum of Care Report prepared by Chinn Planning, Inc., specified as one of the recommendations, the creation of a Day Treatment/Evening Reporting Program; and

WHEREAS, the Ingham County Board of Commissioners have purchased the facility located at 1601 W. Holmes Rd., Lansing, for the purpose of housing the Ingham Academy for court youth; and

WHEREAS, there is a need to expand the high school by adding a classroom to allow for ten additional juveniles to enroll in the Ingham Academy; and

WHEREAS, the proposed 2011 budget submitted by the Juvenile Division includes costs associated with an additional classroom; and

WHEREAS, the Ingham Academy is included in the Child Care Fund Budget which has a fiscal year beginning October 1 and therefore, in order for this expansion to begin at the onset of the 2010/2011 school year, the September, 2010 funding is requested; and

WHEREAS, the Ingham Academy will serve up to 10 additional court adjudicated youth eligible to receive high school credit during the 2010/2011 school year, with academic services provided by the Ingham Intermediate School District, at a cost of \$10,012.00 for the month of September, 2010; and

WHEREAS, Highfields, Inc. will provide behavioral support and transportation for the 10 additional youth at a cost of \$4,434.00 for the month of September, 2010; and

WHEREAS, there is a projected surplus in the Ingham Academy's line item for the 2011 Budget which will cover these above stated costs.

**THEREFORE BE IT RESOLVED**, that the Ingham County Board of Commissioners hereby authorizes a contract amendment to expand services with the Ingham Intermediate School District through the end of September 2010, in the amount of \$10,012.00 to provide services for an additional classroom for 10 high school students at the Ingham Academy.

**BE IT FURTHER RESOLVED**, that the Ingham County Board of Commissioners authorizes a contract amendment to expand services with Highfields, Inc. through the end of September 2010, in the amount of \$4,434.00 to provide services and transportation for the additional classroom for the 10 high school students at the Ingham Academy.

BE IT FURTHER RESOLVED, that the County Controller/Administrator is authorized to make the necessary budget amendments within the 2009/10 Child Care Fund Budget in the amount of \$14,446 from line item 29266227818000 (Day Treatment Program contractual services).

BE IT FURTHER RESOLVED, that the Chairperson of the Ingham County Board of Commissioners and the County Clerk are authorized to sign any contract documents consistent with this resolution and approved as to form by the County Attorney.

RESOLUTION STAFF REVIEW

DATE July 12, 2010

Agenda Item Title: Resolution to Authorize Funds for Additional Transportation and Equipment Needs at the Ingham County Family Center

Submitted by: Family Division of Circuit Court

Committees: LE \_\_\_\_, JD X, HS \_\_\_\_, CS \_\_\_\_, Finance X

Summary of Proposed Action: This resolution would authorize the purchase of new equipment in order to expand the Family Division’s Ingham Academy Day Treatment Program. The expansion will serve up to 10 additional court adjudicated youth eligible to receive high school credit during the 2010/2011 school year.

Financial Implications: The funds will come from the fund balance of the Juvenile Justice Millage Fund (JJM) (Estimated 2010 Year End Fund Balance: \$4,165,312).

- Minivan at a cost not to exceed \$25,000
- 3 computers and 1 printer not to exceed \$3,000
- Television \$750

Total costs not to exceed \$28,750.

Other Implications: The Family Division has a fleet of six vehicles to transport juveniles to and from Ingham Academy as well as the Pride Program. Highfields Inc. operates these vehicles and transports the juveniles to both programs as part of their contract which specifies that they provide insurance coverage on our vehicles. The other equipment is to meet the standards of the other classrooms. The classroom itself and all other necessary equipment is already available for this expansion.

Staff Recommendation: MAL \_\_ JLN X TL \_\_ TM \_\_ JC \_\_

Staff recommends this resolution for approval as a companion resolution to the other agenda item as both would need to be approved to provide the services.

Introduced by the Judiciary and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO AUTHORIZE FUNDS FOR ADDITIONAL TRANSPORTATION  
AND EQUIPMENT NEEDS AT THE INGHAM COUNTY  
FAMILY CENTER**

WHEREAS, the Juvenile Division is making a request to add an additional classroom at the Ingham Academy for the 2010/2011 school year; and

WHEREAS, a new classroom creates a need for additional resources and equipment; and

WHEREAS, a minivan needs to be purchased to accommodate the transportation of the additional juveniles attending the day treatment program at a cost not to exceed \$25,000; and

WHEREAS, in order to be furnished with the same technological equipment as the other classrooms, 3 computers and 1 printer need be purchased at a cost not to exceed \$3,000.00; and

WHEREAS, a television similar to the ones in the other classrooms at a total cost not to exceed \$750.00 is needed to be used for educational purposes.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes the following purchases from the Juvenile Justice Millage funds:

- One minivan at a cost not to exceed \$25,000;
- Three computers and one printer at a total cost not to exceed \$3,000.00;
- One television at a total cost not to exceed \$750.00.

BE IT FURTHER RESOLVED, that the Controller/Administrator is directed to make the necessary budgetary transfers from the Juvenile Justice Millage funds not to exceed \$28,750 for the 2010 Family Division Budget.

BE IT FURTHER RESOLVED, the Ingham County Board of Commissioners authorizes the Board Chairperson and the County Clerk to sign any necessary contract/purchase documents that are consistent with this resolution and approved as to form by the County Attorney.



RESOLUTION STAFF REVIEW

DATE July 8, 2010

Agenda Item Title: Resolution from the Board of Commissioners Requesting that the Jail Utilization Coordinating Committee (JUCC) Evaluate the Luminosity Solutions Report and Other Strategies to Responsibly Manage the Jail Population While Maintaining Public Safety and the Integrity of the Judicial Process

Submitted by: Controller/Administrator's Office

Committees: LE X, JD X, HS \_\_\_\_\_, CS \_\_\_\_\_, Finance \_\_\_\_\_

Summary of Proposed Action: This resolution requests the Jail Utilization Coordinating Committee (JUCC) to evaluate the Luminosity Solutions report and other strategies to responsibly manage the jail population while maintaining public safety and the integrity of the judicial process. The Board of Commissioners approved a contract with Luminosity Solutions for the purpose of reviewing certain aspects of the Ingham County Criminal Justice System and providing recommendations to responsibly manage the reduced jail population in order to deal with the closing of a Post at the Jail which will reduce the jail Population by 64 beds (Post 3).

Financial Implications: The JUCC is requested to report back their findings and recommendations by September 1, 2010, prior to the Law Enforcement and Judiciary Committee Budget Hearings in order to have any financial recommendations considered within the schedule of the 2011 budget process.

Other Implications: The Luminosity Solutions report "Jail and Justice System Assessment" has been distributed under separate cover to the Board of Commissioners and to a broad spectrum of the judiciary and other Ingham County Criminal Justice agencies.

Staff Recommendation: MAL \_\_\_\_\_ JLN X TL \_\_\_\_\_ TM \_\_\_\_\_ JC \_\_\_\_\_  
Staff recommends approval of the resolution.

Introduced by the Law Enforcement and Judiciary Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION FROM THE BOARD OF COMMISSIONERS REQUESTING THAT THE JAIL UTILIZATION COORDINATING COMMITTEE (JUCC) EVALUATE THE LUMINOSITY SOLUTIONS REPORT AND OTHER STRATEGIES TO RESPONSIBLY MANAGE THE JAIL POPULATION WHILE MAINTAINING PUBLIC SAFETY AND THE INTEGRITY OF THE JUDICIAL PROCESS**

WHEREAS, the Ingham County Board of Commissioners has directed the County Controller/Administrator to plan for the Closure of a Jail Post by January 1, 2011, which will effectively reduce the Jail's population for local use from 472 inmates to 408; and

WHEREAS, in order to plan for the reduced Jail beds in a orderly and collaborative manner, the Board of Commissioners contracted with a nationally known consultant Luminosity Solutions for the purpose of reviewing certain aspects of the Ingham County Criminal Justice System and providing recommendations to responsibly manage the jail population while maintaining public safety and the integrity of the judicial process; and

WHEREAS, the Jail Utilization Coordinating Committee (JUCC) is comprised of representatives of the criminal justice stakeholders who cooperate on the utilization of the finite resource of Ingham County Jail beds, such as the Circuit Court, the District Courts, the Prosecutor's Office, the Sheriff's Department, Community Corrections, and others that developed the Jail Population Management Plan and other policies related to Jail utilization; and

WHEREAS, the Ingham County Board of Commissioners has previously established the following area of priority in developing the 2011 County Budget:

Providing Appropriate Sanctions for Adult Offenders

Encourage the use of appropriate sanctions for adults in order to foster appropriate behavior and reduce criminal recidivism, and to reduce incidents of jail overcrowding, using strategies such as supporting implementation of recommendations of the Jail Overcrowding Subcommittee and Community Corrections Advisory Board as well as working with community partners such as Mid-South Substance Abuse Commission to facilitate treatment of substance abuse disorders, develop and use a data tracking system focusing on system volume and trends, supporting appropriate usage of existing probation residential services, to increase the usage of GPS/tethering equipment, and using improved information collection, automation, record keeping, and information exchange between departments. This information will be used to help improve jail utilization.

*Specific enhancement: In light of the current budget situation, including the closing a jail post as part of the 2011 budget, support efforts to increase access to program alternatives available through Community Corrections, utilizing state funds. Consider county financial support to implement the recommendations of the Community Corrections Advisory Board and Jail Utilization Coordinating Committee, increased use of the existing range of appropriate community-based direct and contractual treatment and service programs, including electronic monitoring, residential beds, and other alternative sentencing options, as well as implementing system enhancements in jail-related programs, such as pre-trial services and jail population management.*

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby requests that the Jail Utilization Coordinating Committee (JUCC) evaluate the Luminosity Solutions Report "Jail and Justice System Assessment" specifically, the Primary and Secondary recommendations within the report for the possibility of adoption in Ingham County.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby requests that the JUCC also consider the development of possible new strategies and evaluate current strategies designed to reduce incidents of Jail Overcrowding including the effectiveness of the current Jail Population Management Plan, and using methods such as working with community partners such as Mid-South Substance Abuse Commission to facilitate treatment of substance abuse disorders, developing and utilizing a data tracking system focusing on system volume and trends, supporting appropriate usage of existing probation residential services, increasing the usage of GPS/tethering equipment, and using improved information collection, automation, record keeping, and information exchange between departments to help improve jail utilization.

BE IT FURTHER RESOLVED, that the JUCC is requested to report back their findings in the form of recommendations along with a proposed implementation plan by September 1, 2010 prior to the Law Enforcement and Judiciary Committee Budget Hearings.

# **Jail and Justice System Assessment**

**Provided by: Luminosity Solutions**

## **Primary Recommendations**

Felony Pretrial

1. Pretrial Services
2. Pretrial Case Backlog Focus on In-custody

## **Secondary Recommendations**

1. Improve Information Sharing
  - Quality vs. Quantity
  - Targeted vs. Mass Distribution
  - Get Right People at Right Table
    - a. Data
    - b. Other Information

RECEIVED

JUN 08 2010

AGENDA ITEM # 5



**STATE OF MICHIGAN**

54-B DISTRICT COURT  
101 LINDEN STREET  
EAST LANSING, MICHIGAN 48823

HON. RICHARD D. BALL  
DISTRICT COURT JUDGE  
HON. DAVID L. JORDON  
DISTRICT COURT JUDGE

NANCY MOYLAN  
COURT ADMINISTRATOR

June 4, 2010

Debbie DeLeon, Chairperson  
Ingham County Commission  
Ingham County Courthouse  
PO Box 319  
Mason, MI 48854

Re: Jury Board

Dear Ms. DeLeon:

Ingham County Circuit Court administrator David Easterday has advised that the county commission may consider charging the third class district courts in Ingham County (54B and 54A) for the cost of providing jurors for the two third class district courts.

I can appreciate the difficulty all local governments are having with respect to the matter of balancing budgets.

However, the law provides the counties are required to maintain a jury board that oversees the administration of the jury system for all courts within the county. MCL 600.1300 *et seq.*

Three other points are also worth noting:

1. For whatever reason, when the legislature created the court equity fund fund in 1997, as a part of "court reform", the legislature provided that the formula used to distribute the fund would be based on the total number of judges in each county as compared to the total number of judges in the state, but that nonetheless all funds payable to the counties would be paid to the counties, such that no court equity funds are provided to the third class district courts. In other words, Ingham County receives a distribution from the court equity fund using a calculation that includes the workload of the third class district courts.

Certainly it can be argued that the reason no court equity moneys are distributed to funding units for third class district courts is that the legislature recognized that counties are required to provide services for those courts, including but not limited to juror services, expenses of appointment of counsel for indigents in felony cases, etc.

I know of no legal authority which would permit the counties to charge back to local funding units for third class district courts within their counties the expenses relating to provision of jurors.

I have forwarded Mr. Easterday's correspondence regarding this matter to the State Court Administrator's Office, and am advised the issue has been "reviewed internally" by SCAO staff. The position set forth here is consistent with what I understand the SCAO position would be.

2. Third class district courts provide services to the county courts and their own expense. E.g., our court provides technology that permits the county courts to access court records.

3. Unique to the 54B District Court is the time spent by its two judges as visiting judges in the circuit and/or family courts, at no expense to the county.

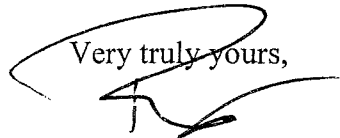
Currently, the undersigned is serving as a visiting judge for Judge Aquilina, who is in the midst of a maternity leave. Too, Judge Jordon and I preside in hearings relating to the entry, termination, or enforcement of personal protection orders. One of us is present for PPO hearings each Friday morning. Inasmuch as judicial salaries are paid by the state, we do not charge back for our services. However, if the circuit court were required to use a retired judge for visiting judge purpose, the cost to the county would be \$500 per day per MCL 600.226(6).

4. I know from my own experience as chief judge of the 54B District Court, and my dealings with the City of East Lansing in connection with its responsibilities as this court's funding unit, that there continues to be an undercurrent of unhappiness concerning the amount of tax revenue generated from this community and paid to the county, as compared to the amount of money that returns to this city from the county.

I would hope that the local units of government in this county will not be invited to review all of the programs and services provided to the county in an effort to locate ways in which to bill other units of government for the cost of services that are provided as part of the local unit's obligation to provide government services.

I would be happy to discuss this matter with the county commission as a whole, or with any commission committee or commission member.

Very truly yours,



Richard D. Ball  
Chief Judge, 54B District Court

cc: Judge Collette, Judge DeLuca, Judge Jordon, David Easterday, Nancy Moylan, Ted Staton