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DEBBIE DE LEON

VICE-CHAIRPERSON  
DALE COPEDEGE

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, MAY 14, 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 [April 30, 2009](#) Minutes

Additions to the Agenda

Limited Public Comment

1. Interviews - Jury Board
2. Controller/Administrator's Office
  - a. Resolution to Transfer the [Jury Administration Duties](#) from the Ingham County Management Information Systems Department to the Thirtieth Judicial Circuit Court and to Appoint the Circuit Court Administrator as the Ingham County Jury Administrator
  - b. Resolution to Adopt the [2010 Juvenile Justice](#) Community Agency Process Calendar

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

April 30, 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, Maureen Winslow, Sara Deprez, Ann Smiley, Judge Boyd and Vince Dragonetti

The meeting was called to order by Chairperson Bahar-Cook at 7:37 p.m. in Conference Room A of the Human Services Building, 5303 S. Cedar, Lansing.

### Approval of the April 16, 2009 Minutes

MOVED BY COMM. SCHAFER, SUPPORTED BY COMM. MCGRAIN, TO APPROVE THE APRIL 16 MINUTES AS SUBMITTED. MOTION CARRIED UNANIMOUSLY. Absent: Comm. Koenig

(Mr. Neilsen indicated Ms. Farris' name is misspelled in the April 16 minutes. That correction has been made.)

Additions to the Agenda: None

(Comm. Koenig arrived at approximately 7:39 p.m.)

### Limited Public Comment

Judge Boyd said the State reimburses the District Court for drunken driving cases. CourtView showed the Court dealt with 1,072 drunk driving cases. This number wrongly included 400 cases. Judge Boyd stated the State probably pays the Court more than it should or less than it should based on the wrong information from CourtView.

Comm. Nolan stated it was very helpful to be in Judge Boyd's courtroom last week. The 55<sup>th</sup> District Court is the only District Court in this State that uses CourtView. Chairperson Bahar-Cook thanked Judge Boyd for allowing Mr. Dillon to assist the Commissioners last week at the Court. Chairperson Bahar-Cook strongly encouraged the Commissioners to sit on Judge Boyd's bench some time.

Comm. Nolan asked if the District Court has the same number of jurors as the Circuit Court. Judge Boyd explained the work of the Jury Board benefits both courts. After the Jury Board process, comparing the District Court to the Circuit Court is like comparing apples to oranges.

Comm. Nolan stated Judge Boyd's courtroom looked very crowded last week. Chairperson Bahar-Cook stated the County requested stimulus funds to address this issue.

Ms. Smiley stated she is not convinced about social justice. She then spoke about her sister's termination from the County and then her arrestment. Ms. Smiley explained why her sister was terminated and subsequently arrested. Her sister had to wait three days for her bench trial. The alleged victim did not show up at the court for those three days. Ms. Smiley said her sister plead guilty to a third degree misdemeanor. She then stated she does not believe this case was a good use of County resources and power.

Ms. Smiley also stated Mr. Dunnings had informed her that he would prosecute her sister's case as a domestic violence case. She stated this was absurd.

1. Circuit Court – David Easterday and Rhonda Swayze – Discussion on Pam Farris' Recommendations from Judiciary Committee's April 16, 2009 Meeting – Item pulled from the agenda. Judge Collette allowed more time for the court to review Ms. Farris' information.

Mr. Neilsen stated this item was to be pulled from tonight's agenda because the Court wanted more time to review Ms. Farris' recommendations. The item was not pulled because Comm. Nolan wanted to ask a few questions for clarification. Representatives from the Court were not present to address this matter.

Comm. Nolan asked Mr. Neilsen to ask Ms. Farris to clarify the first paragraph on the last page of her recommendations regarding the voir dire process. Comm. Koenig stated the language also confused her. Chairperson Bahar-Cook asked Mr. Neilsen to have Ms. Farris clarify this paragraph.

2. Family Division
  - a. 2009 First Quarter Report

Ms. Winslow distributed copies of the First Quarterly Report to the Committee. She then stated the Report is fairly consistent with recent reports. Chairperson Bahar-Cook stated it would be nice to see this information prior to the meeting in the future. Ms. Winslow indicated she would provide the Committee with the Reports prior to their meetings.

Comm. Nolan asked about the out of state wards. Ms. Winslow stated she would add Act 150 and Act 220 wards to the future Reports. She then stated Mr. Rausch from the State has provided her with monthly case load information so that she can stay on top of the placements. Ms. Winslow further stated the Court is reducing the number of Act 150 cases gradually. This cannot be done with Act 220 cases as they deal with neglected youth who are up for adoption.

Staff will limit the number of Act 150 cases by not recommending a commitment. This will leave the placement decision up to the Court. Ms. Deprez explained that some cases may increase since the County does not have adequate placements for criminal sexual conduct youths.

The Committee held a brief discussion regarding two specific youths' cases. Ms. Winslow stated there are only three youth in out of state placements at this time. This number should reduce to one in the near future.

b. Review of Major Recommendations and Progress from the Chinn Report, Final

Chairperson Bahar-Cook stated she requested this review for Comm. Koenig and Comm. McGrain.

Mr. Neilsen said he discussed this matter with Ms. Winslow and we believe the County has made great progress on the Chinn recommendations.

Ms. Winslow distributed copies of the Continuum of Care for Youth in Ingham County to the Committee. She then reviewed this information. She said the Court has administered over 4,000 YLS assessments to date. This is the largest data base of this type in the nation. A national expert uses Ingham County as an example for YLS for his conferences around the country.

Comm. Nolan stated this Committee has not seen any YLS data. She said she would like to see a standard report on a regular basis. Ms. Winslow said she recently spoke with Dr. Davis and he indicated he would be very happy to address this Committee in the near future. She then stated the report will have many caveats. Comm. Nolan said Dr. Davis could provide a written explanation of what the data means. The County should see this information since it pays for the YLS tool.

Chairperson Bahar-Cook said Mr. Neilsen will arrange for Dr. Davis to provide a presentation to this Committee.

Ms. Winslow said the MSU Diversion Program received a national award. The award will be presented to the Program in Washington, D.C. in November 2009. A notice of the award will be placed in local newspapers.

Ms. Winslow continued her review of youth programs and services. She said treatment and services has increased in the past years due to the Juvenile Justice Millage. The County has excellent mental health, domestic violence, drug abuse, alcohol abuse, etc. programs. The Evening Reporting program has a waiting list. The Court uses Truancy Court and Peckham/Crossroads services. These services have worked well for the youth. We are working hard to enhance in home detention services.

Ms. Deprez stated the County has two more compliance officers to provide oversight for kids placed on in home detention. This program may be called a community placement team. A crisis team will be developed to provide as much service and structure as possible to avoid out of home placements.

(Comm. Schafer left the meeting at 8:31 p.m.)

Ms. Winslow explained the intake process. Comm. Nolan stated the first and second columns of the Continuum of Care information are where the County needs more services. These areas are Community and Prevention for at risk youth. Comm. Nolan said she is still hoping to keep her vision for a broader Juvenile Assessment Center. Chairperson Bahar-Cook said the Facilities Department did look at the Family Center's basement area to determine if it can hold an assessment center. Comm. Nolan said the Ingham County Family Center's Advisory Board will also review the Center for the same purpose.

Ms. Winslow said work is being done to pilot another INS (Intensive Neglect Services) program in the County.

(Comm. Thomas left the meeting at 8:39 p.m.)

The Day Treatment/Evening Reporting programs are running smoothly and are always at capacity.

Ms. Winslow stated a high truancy rate equates to a high crime rate. The Truancy Court has 50 to 55 kids at this time. Truancy Court operates year round. It also runs a summer program for the youth which involves community service. Each youth placed on probation will receive the YLS. Many parents are also ordered to comply with treatment services.

The community has really stepped up to the plate to come up with community based treatment services for youths. The Court has referred 285 youths to IMPACT Services. This program operates through Community Mental Health. CMH has been a real partner in this effort. The Court and CMH are also trying to increase the number of foster homes for delinquent youth. Oregon has a program with a high success rate. Ms. Winslow explained some of the specifics regarding this program. Highfields has also been terrific in asking what it can do to help in this effort.

The two female group homes are at capacity and have waiting lists. These homes are consistently full. Ms. Winslow also stated she wishes to have a male group home someday. A newer program called ICON operates through the Court at the South Precinct Police Station. This program allows youth to play basketball on Tuesday afternoons from 4:00 p.m. until 7:00 p.m. Ms. Winslow stated rival gang members play basketball and get along during that time. This has been a terrific program for the youth.

Chairperson Bahar-Cook stated she would like to recognize the ICON program with a resolution. Ms. Winslow said she would provide her with the appropriate information for the resolution. Ms. Deprez stated the Commissioners can stop by and watch the youth play; it is open to the public.

Ms. Winslow spoke regarding the recommendation to establish capacity for respite/crisis intervention beds to support community based programming. The Court has the following options: Angel House, Highfields, a 90 day assessment program at Catholic Social Services at St. Vincent's and TLC through Sequel. Highfields provides a stabilization program. CMH is working hard to license a group home at the corner of Waverly and Willow. They purchased the home but are having problems with the local residents regarding the planned use of the home.

The recommendation to target 15 to 20 youth to return from out of state placement has been accomplished. Comm. McGrain asked why the Court prefers to keep youth in the state versus in out of state placements. Ms. Winslow explained that it is best to keep youth close to home and connected to their community. Boys Town provides long term placements for extreme cases. The Court looks at the needs of the youths, at what is going on with the youth and the families to determine the best service.

Ms. Winslow and Ms. Deprez spoke of a 17 year old female who will graduate from Boys Town in a few weeks. Board Chairperson DeLeon asked about having a resolution for the young lady's graduation. She also stated she would like to have resolutions for other students who graduate, where appropriate.

Ms. Winslow stated the recommendation to improve system information reporting and monitoring is an ongoing project for the Court. We have made tremendous progress to date. The Court has gone from hand counting information to an automation system over the past few years.

Chairperson Bahar-Cook stated she appreciates the above information. This Committee needs to be reminded of the County's programs and to think about long term planning.

Comm. Koenig asked for the top two areas the Court would like to focus on at this time. Ms. Winslow said more local placements for delinquent boys are needed as well as crisis intervention. A youth should not have to commit a crime to qualify for help.

Board Chairperson DeLeon asked if the Court knows how the decreased revenue will affect the Juvenile Justice Millage. Mr. Neilsen said the JJM funds will decline the same as the property taxes decline. Ms. Winslow stated she will look into this matter. Mr. Neilsen said staff will have discussions with County departments regarding the overall revenue picture.

Mr. Neilsen said the County and the Court have come a long way regarding the Chinn recommendations. Although many people are involved in the changes, Ms. Winslow and Ms. Deprez are responsible for a lot of this work.

3. Controller's Office

a. Discussion: Resolution Updating Various Fees for County Services

Mr. Neilsen said this item is informational tonight. He then stated when the Board of Commissioners adopted Resolution #02-155, setting various fees for County services, the Controller's Office was directed to annually review the fees and to recommend adjustments. This review has been completed. The liaison committees now have to review the recommendations during this round of meetings. The committees will vote on the Resolution during the next round of meetings.

Mr. Neilsen then explained the County does not set fees for the Courts. The County can only encourage the Court to set specific fees.

Mr. Neilsen then reviewed the information contained in the agenda packet regarding this item. The 2009 cost is calculated in last year's fee update process. The cost increase factor is based on the three year average increase for each department's adopted General Fund Budget from 2006 to 2007, 2007 to 2008 and 2008 to 2009. The 2010 cost is calculated by multiplying the 2009 cost by the cost increase factor.

Mr. Neilsen then reviewed paragraph 13 (b) in Mr. Myers April 24, 2009 memorandum to the liaison committees regarding the 2010 Update of County Fees. This paragraph indicates the Circuit Court, Family Division and the Friend of the Court agreed with the initial proposed fees except for the FOC Bench Warrant fee, Felony Case costs, Show Cause-Probation fee and Delinquency costs. He then reviewed the proposed costs and how the Courts want to change the proposed fees.

If all fees are enacted as recommended by the Controller's Office, it is projected that an additional \$229,161 would be generated in 2010. The current total revenue generated by the listed fees is approximately \$4.3 million, so the fee adjustments would increase the base by about 6.3%.

Comm. McGrain asked about the \$5 decrease for delinquency costs. Mr. Neilsen said he would clarify that matter for the next meeting. Comm. McGrain then asked about the intensive probation costs. He suggested the fee should at least be doubled to \$20. Mr. Neilsen said the Court can provide explanations to this Committee's questions prior to its next meeting.

b. Update on Proposed Transition from CourtView to JIS for 55<sup>th</sup> District Court

Mr. Neilsen said the 55<sup>th</sup> District Court and the Prosecutor's Office have agreed to embark on a process to identify a matrix of all the questions to be answered by the Court and the Prosecutor's Office regarding how this change will affect those offices.

The IJIGS Committee is addressing this matter and it hopes to have a final review where everyone involved is happy at its next meeting. Once the IJIGS recommendation is set, this Committee will discuss same and dollars. Mr. Neilsen further stated staff has made great strides in receiving information from the Court and the Prosecutor in this matter.

4. Board Referral – Resolution from Oscoda County Regarding the Responsibility of Courts in the Funding of Litigation

The Board Referral was received and placed on file.

Announcements: None

Public Comment: None

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Debra Neff

RESOLUTION STAFF REVIEW

DATE May 05, 2009

Agenda Item Title: Resolution to Transfer the Jury Administration Duties from the Ingham County Management Information Systems Department to the Thirtieth Judicial Circuit Court and to Appoint the Circuit Court Administrator as the Ingham County Jury Administrator

Submitted by: Controller/Administrator's Office

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

Summary of Proposed Action: This Resolution will transfer the duties of Jury Administration from the MIS Department to the Circuit Court. It will also appoint the Circuit Court Administrator as the Ingham County Jury Administrator.

Financial Implications: Because the duties of Jury Administration were ½ of a full time position in MIS, two ½ time positions will be hired. One of the positions will be transferred to the Circuit Court and the other ½ time position will remain with MIS. It is anticipated that the efficiency of the transfer will result in a savings to the County. There will be no increase in cost to the County for FTEs.

Other Implications: The Jury Administration duties will be physically transferred to the Veterans Memorial Courthouse (VMC) and will provide greater efficiency for the Courts.

Staff Recommendation: MJM X JN X TL \_\_\_\_ TM \_\_\_\_ JC \_\_\_\_  
Staff recommends approval of the resolution.

Introduced by the Judiciary, County Services and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO TRANSFER THE JURY ADMINISTRATION DUTIES FROM THE INGHAM COUNTY MANAGEMENT INFORMATION SYSTEMS DEPARTMENT TO THE THIRTIETH JUDICIAL CIRCUIT COURT AND TO APPOINT THE CIRCUIT COURT ADMINISTRATOR AS THE INGHAM COUNTY JURY ADMINISTRATOR**

WHEREAS, the Board of Commissioners has the authority, under MCL 600.1303, to appoint assistants to the County Jury Board; and

WHEREAS, the Jury Administration has been assigned to the County Management Information Systems Department (MIS) and one of the primary staff members involved in this function has recently retired; and

WHEREAS, the County Controller/Administrator has recommended reassigning these responsibilities to the Thirtieth Judicial Circuit Court, as a more efficient method of fulfilling these functions; and

WHEREAS, Chief Circuit Court Judge William Collette is agreeable to assuming these responsibilities.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby appoints the Circuit Court Administrator as the Ingham County Jury Administrator, with all the duties and responsibilities inherent in that position, effective as of the date of this Resolution.

BE IT FURTHER RESOLVED, that the Circuit Court Administrator, and those Deputy Clerks who may be designated, are authorized to assist the County Jury Board and administer the County Jury System as may be required by law.

BE IT FURTHER RESOLVED, that a .5 FTE position shall be transferred to the Circuit Court from the MIS Department to provide staffing for these additional responsibilities in the Circuit Court, and the Controller/Administrator is hereby authorized to transfer the budget allocated to the Jury Board from the MIS Department to the Circuit Court.

**RESOLUTION STAFF REVIEW**

**DATE:** May 5, 2009

**Agenda Item Title:** Resolution to Adopt the 2010 Juvenile Justice Community Agency Process Calendar

**Submitted by:** Judiciary Committee

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

**Summary of Proposed Action:**

This resolution would authorize the adoption of the attached 2010 Juvenile Justice Community Agency Process calendar to establish time lines for the process. This will be the fourth Juvenile Justice Community Agency process.

**Financial Implications:**

The 2008 year end unaudited fund balance is \$4,404,034 for the Juvenile Justice Millage Fund.

- First Juvenile Justice Community Agency Process reserved \$50,000.
- Second Juvenile Justice Community Agency Process reserved \$150,000 (18 month period).
- Third Juvenile Justice Community Agency Process reserved \$100,000 (12 month period).

The third year grant awards were:

- |  |          |
|--|----------|
| • Child and Family Services Capital Area         | \$50,000 |
| • Resolution Services Center of Central Michigan | \$21,750 |
| • Lansing Teen Court                             | \$28,250 |

**Other Implications:** Because the 2009 operating budget for Juvenile Justice millage funded programs exceeds the budgeted revenue by about \$166,000, and that 2010 revenues are projected to be flat or about equal to 2009; it is likely that this \$100,000 appropriation will put some strains on adequately funding at continuation levels other existing Court programs that are funded in whole or partially with JJM funds.

**Staff Recommendation:** MM \_\_\_\_, JN X, TL \_\_\_\_, TM \_\_\_\_, JC \_\_\_\_

Staff recommends consideration of the flat revenues for the JJM Millage before passing this resolution and/or the amount approved.

**Agenda Item 2b**

Introduced by the Judiciary and Finance Committees of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO ADOPT THE 2010 JUVENILE JUSTICE  
COMMUNITY AGENCY PROCESS CALENDAR**

WHEREAS, a Juvenile Justice Millage was approved by the voters of Ingham County in November of 2002 and renewed in 2006, for the purpose of funding an increase to Ingham County's capacity to detain and house juveniles who are delinquent or disturbed, and to operate new and existing programs for the treatment of such juveniles; and

WHEREAS, the Ingham County Board of Commissioners wishes to adopt a Resolution to establish the 2010 Juvenile Justice Community Agency Process and to reserve Juvenile Justice Millage funds in the amount of \$\_\_\_\_\_ for this purpose.

THEREFORE BE IT RESOLVED, the Ingham County Board of Commissioners hereby adopts the attached 2010 Juvenile Justice Community Agency Process Calendar to establish time lines for the process.

2010 JUVENILE JUSTICE COMMUNITY AGENCY PROCESS CALENDAR

|                 |   |
|-----------------|---|
| May 26, 2009    | The Board of Commissioners adopts the Juvenile Justice Community Agency Process Calendar Resolution.  |
| May 27, 2009    | A press release is prepared announcing the availability of Juvenile Justice Community Agency funds and invites community organizations to submit an application. The application deadline is June 30 2009, 5:00 p.m.  |
| July 1, 2009    | The Controller's Office prepares a summary of the Juvenile Justice Community Agency applicants and forwards the summary to the County Attorney's Office to ensure that the agency's proposed purposes are legal under Michigan Law and comply with the intent of the Juvenile Justice Millage.  |
| July 16 2009    | A Juvenile Justice Community Agency notebook is prepared by the Controller/Administrator's Office. The notebook includes all agencies who submitted applications for review by the Judiciary Committee. (Notebook is distributed at the July 16 Board of Commissioners' Meeting.)   |
| August 13, 2009 | The Judiciary Committee reviews the Juvenile Justice Community Agency applications and makes recommendations for funding. Juvenile Justice Community Agency applicants are invited to attend the Judiciary Committee meeting. The Judiciary Committee makes their recommendations by Resolution to the Finance Committee.                           |
| August 19, 2009 | The Finance Committee approves the Resolution for Juvenile Justice Community Agency funding to the Board of Commissioners.  |
| August 25, 2009 | The Board of Commissioners authorizes a Resolution for the 2010 Juvenile Justice Community Agency grant awards.   |
| August 31, 2009 | The Juvenile Justice Community Agency applications are sent to the County Attorney's Office for contract preparation.   |
| August 31, 2009 | Juvenile Justice Community Agencies are notified of the County grant award and informs the agency that a County contract will be forthcoming in December.   |
| December, 2009  | Contracts are received from the County Attorney's Office and mailed to the Juvenile Justice Community Agencies for appropriate signatures. When the contracts are mailed, a request is made to agencies to mail their Certificate of Insurances and a Revised Scope of Services if the grant award is different than the original requested amount. |
| January, 2010   | Fifty percent of the grant award is sent to the Juvenile Justice Community Agency upon receipt of the agency's signed contract and the appropriate documentation as listed above.   |
| July 15, 2010   | The Juvenile Justice Community Agencies send in their first six month report to the Controller's Office and upon review by staff, a check for the remaining portion of the grant is sent to the agency.   |

