

CHAIRPERSON
DEBBIE DE LEON

VICE-CHAIRPERSON
DALE COPEDGE

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

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THE JUDICIARY COMMITTEE WILL MEET ON THURSDAY, FEBRUARY 26, 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 [February 12, 2009](#) Minutes

Additions to the Agenda

Limited Public Comment

1. Circuit Court/Family Division
 - a. Resolution to Authorize Ingham County Circuit Court to Accept Donations and Fund Raise for [Court Operated Programs](#) at the Ingham County Family Center
 - b. Resolution to Enter into an Agreement with [Ingham Intermediate](#) School District for the Ingham Academy
 - c. Resolution to Enter into an Agreement with Highfields, Inc. for the [Ingham Academy](#)
 - d. Resolution to Enter into an Agreement with Highfields, Inc. for the [Pride Program](#)
2. Law Enforcement and Judiciary Committees - Resolution in Support of the Council of State Governments ([CSG](#)) Report on the Reform of Michigan's Correctional System

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

JUDICIARY COMMITTEE

February 12, 2009

Minutes

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

Members Absent: Deb Nolan

Others Present: John Neilsen, David Easterday, Maureen Winslow, Nancy Schertzing, Sara Deprez, Judge Giddings, Judge Boyd, and Judge Collette

The meeting was called to order by Chairperson Bahar-Cook at 7:31 p.m. in the Personnel Conference Room of the Human Services Building, 5303 S. Cedar, Lansing.

Approval of the December 4, 2008 and January 15, 2009 Minutes

MOVED BY COMM. SCHAFER, SUPPORTED BY COMM. MCGRAIN, TO APPROVE THE DECEMBER 4, 2008 AND JANUARY 15, 2009 MINUTES AS SUBMITTED. MOTION CARRIED UNANIMOUSLY. Absent: Comm. Nolan

Additions to the Agenda: None

Limited Public Comment: None

1. Presentation – Dispute Resolution Center of Central Michigan

Ms. Schertzing said she was here tonight to inform the Committee of the Restorative Justice Program (Program). She then distributed a folder with information about this Program to the Committee. This Program now has a website and a logo. Ms. Schertzing reviewed the Program's mission statement. The Program has resolved 385 out of 395 referred cases since September 2008. Ms. Schertzing then said the Program helps students to discuss what happened, who was affected by what happened and how we heal the harm. The students and the parties sign a written agreement at the end of the Program.

Ms. Schertzing also said a month after a student completes the Program, he/she are asked if they learned anything from the Program. Approximately 90% of the students said they learned new skills from the Program and they kept their agreement. Ms. Schertzing stated the teachers do appreciate the Program and the parents are very supportive of this Program.

Ms. Schertzing informed the Committee that the six-minute DVD is on their website. The DVD focuses on one student who participated on the Program.

Board Chairperson DeLeon asked Ms. Schertzing if some of the students who participated in the Program also are in the Teen Court. Ms. Schertzing said this situation does not happen very often.

Comm. Schafer asked what types of situations are eligible for the Program. Ms. Schertzing stated the situations include, but are not limited to, assaulting teachers and threatening students. Sexual harassment cases are not referred to the Program very often. Comm. Schafer said he believes this is a positive Program; however, many schools start to participate in the Program and then the schools discontinue the Program for various reasons. Ms. Schertzing stated the Restorative Justice Program is trying to create a model that can be used for other schools around the State. A model program could be more sustainable for the schools. Comm. Schafer said the Board of Commissioners should try to help to sustain the Program if possible.

Comm. Koenig asked for the statics of females and males who participate in the Program. Ms. Schertzing stated she believes the statics is close to 50/50. She will forward this information to the Committee.

Ms. Schertzing stated the Program has not waited for County dollars. The Program has gone to the Mason School District and the Ingham Intermediate School District to see if they are willing to contribute funding for the Program. She also said she conducts Program training for about 40 MSU interns.

2. Judiciary Committee – Update on Response to Communication from Legal Services of South Central Michigan

Judge Collette informed the Committee that the Court cannot help to fund the Legal Services of South Central Michigan. The Court is very supportive of Legal Services; however, the Court has had to lay off employees to meet this year's budget requirements. Judge Collette then stated he would be happy to write a letter to the Board of Commissioners to inform them of the great things the Legal Services has done.

3. Circuit Court
a. Family Division – Quarterly Report

The Committee received copies of the Quarterly Report for their review. Ms. Winslow said she has provided Quarterly Reports for about 2.5 years. This Report includes data from the third quarter of FY 2006 as requested by this Committee. She then highlighted a few items in the Report.

Chairperson Bahar-Cook asked the Court to address the spending trends. Ms. Winslow stated the Court provides information to the Controller's Office in January. A prediction was made that the Court would be \$1 million over the budget. Ms. Winslow stated she was surprised by this prediction. The Court is very mindful of the budget and it is committed to remain within its budget. Chairperson Bahar-Cook stated the Court was under their budget last year.

Ms. Winslow explained the fall placements are usually high because school is back in session. The placement numbers fall during the summer months. The Court has used short-term placements much more than the long-term placements. Ms. Winslow further stated the Court believes there is a need to bright light the short-term placements.

Mr. Neilsen said staff went back to review the CCF budgets for the last two fiscal years. The budget trends meet Ms. Winslow's trends. The trend has been verified over the last two fiscal years prior to this fiscal year.

Judge Giddings spoke regarding the Truancy Program. This Program is remarkable because the number of delinquent youths is low due to this Program. Judge Giddings further stated this Program has reduced the number of initial petitions and out of state placements. He then asked Ms. Winslow to look into cases to find youths who could be eligible for CMH programs for drug and alcohol problems. The CMH has grant funds for this age group.

Board Chairperson DeLeon asked Judge Collette if the Court has sufficient resources for these youths. Judge Collette said many of the services from the State have been cut back gradually over the past years. Board Chairperson DeLeon said the County receives funding from the State through Mid-South Substance Abuse. She suggested the Court should see if it can work something out to receive some of those funds.

Chairperson Bahar-Cook thanked the Judges for the huge strides they have made with the Commissioners for youth programs. She then stated she is very excited about making current programs better in the future.

b. Communication – David Easterday, Report on Visiting Judge's Expenses Due to the Judge Nettles-Nickerson Case

Mr. Easterday stated on June 6, 2007, the Michigan Supreme Court issued an Order regarding Judicial Tenure Complaint against Judge Beverley Nettles-Nickerson. The Order said, in part, that this Judge is suspended, with pay, until further order. On June 13, 2008, the Michigan Supreme Court issued an Opinion regarding this case, stating in part, that this Judge is removed from office.

Judge Thomas L. Brown covered the cases for this Judge. The State Court Administrative Office paid Judge Brown's costs from June 6, 2007 through June 12, 2008. The Circuit Court was responsible for these costs until December 31, 2008. This Committee previously asked the Court to inform it of the costs for Judge Brown during this period. The State Court Administrative Office paid Judge Brown a total of \$38,780.00 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 through December 31, 2008.

Judge Collette said Judge Brown only charged the Court for the days he was actually in the Court. Chairperson Bahar-Cook said Board Chairperson DeLeon should send a thank you letter to Judge Brown from this Committee for his assistance in this matter.

Mr. Easterday stated he would speak with the three new Commissioners about setting up a tour of the Circuit Court.

4. Discussion Item – Set a Date to Tour the District Court

Chairperson Bahar-Cook said Judge Boyd thinks it would be good for this Committee to tour the 55th District Court. Judge Boyd informed the Committee that Mondays and Tuesdays are criminal days and Wednesdays and Fridays are civil action days at the Court. If the Judges are not available during the Committee's tour of the Court, Mr. Dillon, District Court Administrator, will be available.

Comm. McGrain said he would like to tour the District Court. Chairperson Bahar-Cook said Mr. Neilsen will email the Committee members with three possible dates to tour the Court. The tour will be scheduled on the day that most of the Commissioners can attend.

(Comm. Thomas left the meeting at 8:33 p.m.)

Chairperson Bahar-Cook said she plans to sit with Judge Boyd on the bench for a day. Judge Boyd said all the Commissioners are welcome to sit on the bench with him.

5. Controller's Office – Discussion on CourtView Application

Mr. Neilsen reviewed the history of the implementation of CourtView for the County's Courts. Mr. Neilsen stated everyone involved in bringing CourtView to the County voted unanimously to do so. The total cost for the implementation was approximately \$4 million. This system has been in operation since the late 1990's. The County has experienced some challenges with this system. Mr. Neilsen also said many of the benefits of the system have been fulfilled. One of the agencies that are experiencing problems with the system is the District Court.

Mr. Neilsen said a meeting was held yesterday to discuss the problems between CourtView and the District Court.

Judge Boyd said Judge Aquilina came before this Committee 2.5 to three years ago to inform it that the new system did not work for the District Court. He then reviewed the annual reporting he received from the State Supreme Court regarding Courtview. Judge Boyd said the letter began with "another year, another failure."

Chairperson Bahar-Cook said she wanted this Committee to be aware that it may hear a recommendation to move forward with a new system. Judge Boyd said the Court is done with the system if \$30,000 is going to be spent to analyze the system and to train staff. This was one of the recommendations that came from the meeting yesterday.

Judge Boyd said CourtView has never worked for his Court. Chairperson Bahar-Cook said her understanding is that \$30,000 is wanted to conduct a review of the system and another \$28,000 to cover the annual cost of maintaining CourtView. The State's system costs about this much money. Judge Boyd said he would like to use the State's system.

Mr. Neilsen said he thinks the Court agreed to obtain a formal proposal from SCAO for the State system. Once all the questions are answered, the Court will be back before this Committee with a recommendation.

Chairperson Bahar-Cook requested that this Committee have an opportunity see CourtView in action during their tour of the District Court.

Judge Boyd informed the Committee that the 55th District Court is the only District Court in Michigan which uses CourtView.

Chairperson Bahar-Cook said this Committee has heard about problems regarding CourtView for several years. Mr. Neilsen said Judge Boyd is not the first Chief Judge to have problems with this system. The Circuit Court is happy with CourtView.

Mr. Neilsen said Mr. Dunnings wants to move forward with a paperless system. He will provide a presentation regarding this system to this Committee at some point.

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

The Board Referral was received and placed on file.

Announcements: None

Public Comment: None

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Debra Neff

Agenda Item 1a

RESOLUTION STAFF REVIEW

DATE February 20, 2009

Agenda Item Title: Resolution to Authorize Ingham County Circuit Court to Accept Donations and Fund Raise for Court Operated Programs at the Ingham County Family Center

Submitted by: Circuit Court/Family Division

Committees: LE____, JD_ X_, HS____, CS____, Finance_ X _

Summary of Proposed Action: This resolution would authorize the Ingham County Circuit Court Family Division to accept profits and/or donations from various fund raising activities to be used for incentives, rewards, and activities for court adjudicated delinquent youth and their families as a part of the Ingham Academy and Pride Programs.

Financial Implications: This resolution would be of continuing effect and allow Ingham County Circuit Court Family Division's budget to accept donations and to account for any funds received and the disbursement thereof in accordance with this Resolution.

Other Implications: None.

Staff Recommendation: MM__ JN_ X _ TL__ TM__ JC__
Staff recommends approval of the resolution.

Introduced by the Judiciary and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE INGHAM COUNTY CIRCUIT COURT TO ACCEPT
DONATIONS AND FUND RAISE FOR COURT OPERATED PROGRAMS AT THE
INGHAM COUNTY FAMILY CENTER**

WHEREAS, the Ingham County Circuit Court operates a day treatment program, Ingham Academy, and an evening reporting program, Pride; and

WHEREAS, both programs provide treatment intervention for court adjudicated delinquent youth with the goal of eliminating or reducing the criminogenic factors that lead to delinquent behavior; and

WHEREAS, both programs use incentives and rewards such as snack food, field trips and extra curricular activities, as a part of best practice methods to encourage and support youth in making better choices; and

WHEREAS, the Ingham Academy and Pride programs would like to incorporate money earned and/or donated as a result of fund raisers, such as food sales, clothing sales, car washes, and golf outings as examples, to cover the costs of the above mentioned activities.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby authorizes the Ingham County Circuit Court Family Division to accept profits and/or donations from various fund raising activities to be used for incentives, rewards, and activities as a part of the Ingham Academy and Pride Programs.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners hereby authorizes the Controller/Administrator to make necessary adjustments to the Ingham County Circuit Court Family Division's budget to accept donations and to account for any funds received and the disbursement thereof in accordance with this Resolution.

Agenda Item 1b

RESOLUTION STAFF REVIEW

DATE February 20, 2009

Agenda Item Title: Resolution to Enter into an Agreement with Ingham Intermediate School District 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 entering into a contract with Ingham Intermediate School District to provide educational services to the Ingham Academy for the regular school year and summer session in the amount of \$401,182, for the time period September 2, 2008 through August 28, 2009.

Financial Implications: These funds are approved within the Child Care Fund budget for \$342,698 for the 2008/09 school year and \$58,484 for the 2009 summer session for a total of \$401,182.

Other Implications: None.

Staff Recommendation: MM____ JN X TL____ TM____ JC____
Staff recommends approval of the resolution.

Introduced by the Judiciary and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH INGHAM
INTERMEDIATE SCHOOL DISTRICT FOR THE INGHAM ACADEMY**

WHEREAS, the Ingham Academy, a day treatment program, continues to provide educational support to court adjudicated youth who have not been successful in their home school; and

WHEREAS, the Ingham Intermediate School District provides the personnel and supplies for the educational component to the treatment program; and

WHEREAS, the Ingham Intermediate School District has submitted proposed budgets for the 2008-09 fiscal year, which include \$342,698 for the 2008/09 school year and \$58,484 for the 2009 summer session; and

WHEREAS, these amounts were approved in the 2009 Ingham County Budget.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes entering into a contract with the Ingham Intermediate School District to provide educational services to the Ingham Academy for the regular school year and summer session, in the amount of \$401,182, for the time period September 2, 2008 through August 28, 2009.

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

Agenda Item 1c

RESOLUTION STAFF REVIEW

DATE February 20, 2009

Agenda Item Title: Resolution to Enter into an Agreement with Highfields, Inc. 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 entering into a contract with Highfields, Inc. for the transportation and behavioral intervention of youth attending the Ingham Academy in the 2008/09 fiscal year.

Financial Implications: These funds are approved within the Child Care Fund budget in the amount of \$432,625.

Other Implications: None.

Staff Recommendation: MM__ JN__X__ TL__ TM__ JC__
Staff recommends approval of the resolution.

Introduced by the Judiciary and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH HIGHFIELDS, INC. FOR
THE INGHAM ACADEMY**

WHEREAS, the Ingham Academy, an alternative day treatment program, continues to provide behavioral intervention and support to court adjudicated youth who have not been successful in their home district; and

WHEREAS, Highfields, Inc. staff provides the behavioral intervention needed by the students on a daily basis as well as the transportation of the juveniles to and from the program; and

WHEREAS, Highfields, Inc. submitted a proposed budget of \$432,625 to cover their expenses which was approved in the 2009 Ingham County Budget.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby authorizes an agreement with Highfields, Inc. in the amount of \$432,625, for the transportation and behavioral intervention of youth attending the Ingham Academy, for the time period of October 1, 2008 through September 30, 2009.

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

Agenda Item 1d

RESOLUTION STAFF REVIEW

DATE February 20, 2009

Agenda Item Title: Resolution to Enter into an Agreement with Highfields, Inc. for the Pride Program

Submitted by: Circuit Court/Family Division

Committees: LE____, JD__X__, HS____, CS____, Finance__X__

Summary of Proposed Action: This resolution authorizes entering into a contract with Highfields, Inc. for the transportation and professional support to the Circuit Court/Family Division Pride Program.

Financial Implications: These funds are approved within the Child Care Fund budget in the amount of \$185,084.

Other Implications: None.

Staff Recommendation: MM__ JN__X__ TL__ TM__ JC__
Staff recommends approval of the resolution.

Introduced by the Judiciary and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH HIGHFIELDS, INC. FOR
THE PRIDE PROGRAM**

WHEREAS, the Pride Program, an evening reporting program for court adjudicated youth is located at the Ingham County Family Center; and

WHEREAS, the Pride Program involves treatment intervention as recommended in the Chinn study in 2005 such as: Cognitive Behavioral Therapy, tutoring, mentoring, community service and structured recreational activity; and

WHEREAS, Highfields, Inc. provides the transportation and professional support for the court ordered youth assigned to the program; and

WHEREAS, Highfields, Inc. submitted a proposed budget for \$185,084 which was approved in the 2009 Ingham County Budget.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby authorizes an agreement with Highfields, Inc. for the transportation and professional support to the Pride Program in the amount of \$185,084, from October 13, 2008 through September 30, 2009.

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

Agenda Item 2

RESOLUTION STAFF REVIEW

DATE February 12, 2009

Agenda Item Title: Resolution in Support of the Council of State Governments (CSG)
Report on the Reform of Michigan's Correctional System

Submitted by: Law Enforcement and Judiciary Committees

Committees: LE__X, JD__X, HS____, CS____, Finance _____

Summary of Proposed Action:

This resolution supports the Michigan Association of Counties position on the Council of State Governments (CSG) recently released report after a year long analysis of Michigan's correctional system.

The Council of State Governments (CSG) goal is to reduce crime in Michigan while providing a cost savings in the Michigan Department of Corrections (MDOC) budget.

Specifically, the report recommends strong measures to reduce recidivism through improved risk assessment, invest in Community Corrections programming that targets high risk probationers, as well as streamlining the Michigan parole system to safely save the state taxpayers' dollars.

The Resolution also states Ingham County's concern that revisions to sentencing guidelines that are designed to further reduce the prison population will result in increasing the burden on local units of government that operate county jails.

Financial Implications: Overcrowded jails could impact the County's budget through increased food, medical, and supplies as well as more overtime costs.

Other Implications: None.

Staff Recommendation: MM__ JN__X__ TL__ TM__ JC__
Staff recommends approval of this resolution.

Agenda Item 2

Introduced by the Law Enforcement and Judiciary Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION IN SUPPORT OF THE COUNCIL OF STATE GOVERNMENTS (CSG) REPORT ON REFORM OF THE MICHIGAN'S CORRECTIONAL SYSTEM

WHEREAS, the Council of State Governments (CSG) recently released a report after a year long analysis of Michigan's correctional system; and

WHEREAS, the goal was to reduce crime in Michigan while providing a cost savings in the Michigan Department of Corrections (MDOC) budget; and

WHEREAS, the report recommends strong measures to reduce recidivism by targeting high risk probationers and investing in Community Corrections programming to provide appropriate community-based interventions for this population, as well as streamlining the Michigan parole system to safely save the state taxpayers' dollars; and

WHEREAS, Ingham County is concerned that any initiative to further revise State of Michigan Sentencing Guidelines with the goal of reducing the prison population will continue to increase the burden on local units of government that struggle with already overcrowded county jails and potentially compromise public safety.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners urges the legislature and the Governor to adopt the measures contained within the Council of State Governments (CSG) report to reduce recidivism by improving risk assessment, investing in Community Corrections programming that targets high risk probationers, as well as streamlining the Michigan State parole system to save state taxpayers' dollars and maintain adequate public safety.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners opposes major sentencing guideline reforms that will compound the current problems of overcrowded county jails and potentially compromise public safety in our communities.

BE IT FURTHER RESOLVED, that the County Clerk shall send copies of this resolution to Governor Jennifer Granholm, the Ingham County state legislative delegation, the Michigan Sheriffs Association and the Michigan Association of Counties.