

62-B DISTRICT COURT

2006



**CARING FOR AND SERVING THE
COMMUNITY WITH JUSTICE**

April 17, 2007

Dear Mayor Root, City Commissioners, and Citizens of Kentwood,

It is my pleasure to present to you the Annual Report for the year 2006 for the 62-B District Court. We appreciate the financial support of the City of Kentwood during these difficult economic times. We continue to meet the challenges before the court. Cases are heard promptly and fairly.

The court recognizes that the City is facing a financial crisis. We have diligently exercised restraint in our spending. Last year, our caseload per processing clerk was the highest in Region II (Southwest Michigan). Since then, two of the processing clerks have resigned and we have replaced only 1.5 of the clerks so our caseload per clerk is even higher now.

The court turned over to the City of Kentwood \$1,155,447 in revenue for fiscal year 2005-06. We have increased our efforts in holding offenders accountable by aggressively collecting all fines and costs. This collection effort was made more difficult by the Driver Responsibility Fee, assessed by the state government to balance the state's budget. Acceptance of credit card payments over the phone has helped to increase our collection rate.

The courtroom was very busy as 1,702 misdemeanors cases were concluded in the courtroom by plea, trial, dismissal, or issuance of a bench warrant. The previous high number of cases disposed of in the courtroom was 1,503 misdemeanor cases. We also held an exam for first degree murder and scheduled another for a felonious assault involving gang incidents. We appreciate the extra security provided by the Kentwood police department for these hearings.

The electronic traffic citation program has been very important in allowing us to decrease the number of processing clerks. We are concerned because the software provider has gone out of business. We are pleased that the City is now accepting bids for a replacement system.

Video conferencing is another important piece of technology used by the court. This system enhances safety and saves enormous amounts of time spent by the police department transporting prisoners to and from jail. Our system however has had numerous problems in connecting with the Kent County Correctional Facility. A replacement system is needed. We also hope to update our web page so that the public will be able to access our records and will be able to pay tickets over the Internet. This would save us time, improve our service, and enhance collections.

Very truly yours,

William G. Kelly
District Judge

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MISSION STATEMENT FOR THE 62-B DISTRICT COURT

“The 62-B District Court will strive to earn the public’s trust and confidence by serving the community with the highest standards of justice. The court will do this by:

- providing a fair and just forum for the resolution of civil and criminal disputes;
- providing these services in a professional, timely and efficient manner with respect and courtesy;
- educating and providing these services in an understandable and user-friendly fashion;
- being accountable for the resources invested in the court; and
- recognizing the changing needs of the judicial system and the people it serves.”

MEET THE COURT STAFF

LEO ALBERTS

Leo is one of the six part-time bailiffs. He comes to us from the Department of Aeronautics where he worked for 26 years before retiring. He is married to Denise who works in the Kentwood Police Department. They have five children and five grandchildren. Leo enjoys spending time at their cottage on Diamond Lake and playing basketball.

PATRICIA BAKER

Patricia is the Deputy Clerk working primarily with Small Claims files and as a cashier. She started working in the court in August 2004. She has an Associates Degree from Davenport College of Business. She worked for five years, at the U.S. Attorney’s Office, as a legal secretary for the Criminal Division. She has been married to Scott. They have two children. She enjoys volunteering at her children’s schools, scrapbooking and reading.

JAMES BASTIAANSE

James is a Probation Officer. He is married to Missi. They have a son named Elliott. He is a graduate of Grand Valley State University with a major in Criminal Justice. Before joining the court in March 2000, he worked as a Correctional Probation Officer in Fort Myers, FL. He and his wife own the Sweet Bean Coffee shop in Zeeland. He enjoys computers, sports, and spending time with his wife and his son.

NOREEN BETTERIDGE

Noreen is a volunteer with the Probation Department, assisting the secretary since 2003. She is a retired day care licensing consultant with the State of Michigan.

Noreen also volunteers for the Ronald McDonald House of West Michigan and is a presenter for Ottawa County Stop Child Abuse and Neglect Program (SCAN). She loves traveling and cooking, especially selling (and donating proceeds to charity) her mother’s famous Chicken Pastina Soup.

LINDA CASTILLO

Linda is a Probation Officer. She has a B. A. from GVSU in Criminal Justice. Before joining the staff in August 1998, she interned at the Grand Rapids Police Department and the Kent County Juvenile Court. She enjoys working out, ballroom dancing, cake decorating, and spending time with her family.

DEBORAH CLANTON

Deborah is the Magistrate and the Director of the Probation Department. Deborah is married to Richard, a Kentwood City Commissioner. She has 1 child. She received a BS in Criminal Justice from Grand Valley State University and Masters in Public Administration at Western Michigan University. Deborah has been with the Court since August, 1984. She is a Magistrate Trainer for new Magistrates and an adjunct instructor in the Criminal Justice Department at GRCC. Deborah is a Sunday School teacher, an usher, and a tutor at Messiah Missionary Baptist Church. Deborah is a member of the Delta Sigma Theta Sorority, Inc.. She

enjoys public service and spending time with her family, working in her yard and traveling. Deborah and her husband were recognized as Giants in the Community in January 2005 by Grand Rapids Community College.

LORRAINE DAVIS

Lorraine is the Secretary for the Probation Department. She has been married to Norman for more than 25 years. She worked for Lear Siegler/Smiths Industries for 16 years in the Engineering Documentation Department. She also worked for Grand Rapids REACH, Inc. For 2 years. She worked closely with the Capital Campaign Committee to raise funds to build a daycare center for Messiah Missionary Baptist Church which she attends. She enjoys spending quality time with her husband, Norman, and her cousin, Ashonté, and attending Bible Study Fellowship and working with the African American AIDS Coalition.

TERRY DINGMAN

Terry is the Administrator/Clerk of the Court. She is married to Lew and has 4 children and 3 grandchildren. She is a graduate of Western Michigan University and has been with the Court since 1980. She is a Past President of the Michigan Court Administrators Association. She has served as a faculty and committee member for the Michigan Judicial Institute. Terry is active with her church and enjoys walking, reading a good book, and spending time with her family.

TED HARRINGTON

Ted is one of the six part-time bailiffs working for the court. He retired after 27 years with the Kentwood Police Department. He has been married close to 40 years to Sue. They have four children and seven grandchildren. He enjoys sports and daily walks with his dog.

BETH HORTON

Beth is the Deputy Clerk working primarily with General Civil files since July 1999. She is also a Certified Electronic Court Recorder. She is married to Yancy and has two children. She has an Associates Degree from Muskegon Business College. She enjoys spending time with her family, baking, and sewing.

WILLIAM G. KELLY

Judge Kelly is the 62B District Judge. He is married to Sharon and has five children and one grandson. He is a graduate of the University of Detroit and the University of Detroit School of Law. He served as a Peace Corps Volunteer from 1970 to 1972 in Ghana, West Africa. He is a member of the faculty of the Michigan Judicial Institute New Judges School and of the National Judicial College. He has also served as faculty at a number of other programs. He is a past chair of the National Conference of the Special Court Judges of the ABA, a past chair of the Judicial Conference of the State Bar of Michigan, and a past president of the Michigan District Judges

Association. He served as a member of the Board of Directors of the National Center for State Courts from 1994 until 2000. He is serving in his fifth term as 62-B District Court judge.

NANCY MORFORD

Nancy is the Court Recorder and Secretary for Judge Kelly. She is married to Wayne and has 6 children and 14 grandchildren. Nancy has been with the court since October, 1984. Nancy enjoys working with computers and spending time with her family. Nancy is the President of the Michigan Electronic Court Recorders Association (MECRA).

BARBARA OLMSTED

Barb is a Deputy Clerk with the court working primarily with the traffic files. She is a certified Court Electronic Operator and also a Certified LEIN operator. She is married to Gary and has two children and four grandchildren. She is a graduate of Michigan State University and enjoys spending time with her family and grandchildren, cooking, crafting, shopping, and living at the lake. Barb has been with the court since 1989.

ROBERT PARCHER

Bob is one of the six part-time bailiffs. He was born and raised in Grand Rapids. After graduating from South High School in 1960, he worked as a Parts Clerk for C. Bell Chevrolet. He enlisted in the U. S. Army in 1961 and served in the Military Police, mostly at Fort Richardson, Alaska., until honorably discharged in 1964. After working for a few months at his old job at C. Bell, he was hired as a police officer with the Wyoming Police Department. He met, dated, and fell in love with one the clerk typists, Kay. They married in 1966 and currently live in Byron Center with their dog Cinnamon. Bob and Kay recently celebrated their 41st anniversary. They have one son, Ryan, who is single and also lives in Byron Center. Through the years, Bob attended Grand Rapids Junior College part-time and received an Associates Degree in Criminal Justice. He also studied General Business at Davenport College. He retired from the Wyoming Police Department in 2001 after 37 years with the department. He worked as a Loss Prevention Coordinator at the Grandville Meijer Bob started with the court in March 2004. Bob enjoys working in the yard and spending time with their chocolate lab, Cinnamon.

JENNIFER PETRYK

Jennifer is Deputy Clerk with the court working primarily with Summary Proceedings. She is a Certified Court Electronic Operator. Jennifer has two children. She attended Grand Rapids Community College. Jennifer has been a part of the court since 1993.

STEPHEN RADOSEVICH

Stephen is a Volunteer Probation Officer. He started in September 2003. He has a Masters Degree in Special Education for Emotionally Impaired. He retired in 2000. He is married to Marlee, an art consultant. He has been a pilot since 1975 and is a student of Classical Guitar.

C. LYNN SMITH

Lynn is a Probation Officer. She is married to Tony and has 4 children. She has a B. S. degree from Grand Valley State University in Criminal Justice. Lynn started working with the 62-B District Court in July, 1991.

PAUL SPETOSKEY

Paul is one of the six part-time bailiffs and works for Ottawa County Sheriff Department full-time. He has been married to Roxanne for 10 years and they have a 5 year old daughter, Marisa. Paul enjoys spending time with family and friends and playing golf and working out.

DENNIS VAN TASSEL

Dennis is one of the six part-time bailiffs and works for Wyoming Fire Department full-time. Dennis is married to Wendy and they have three children.

AMY VOGT

Amy is one of the six part-time bailiffs. Three years ago, she married Calvin Vogt, a Kentwood police officer. She worked as a police officer with the Lowell police department and the Lansing police department. She enjoys camping and horseback riding.

JOHN WEBER

John is a Volunteer Probation Officer. He started in June 2003. He is retired from the Marine Corps and is active in the American Legion, Post 208. He and his wife Mary have three children. He enjoys golfing and bowling.

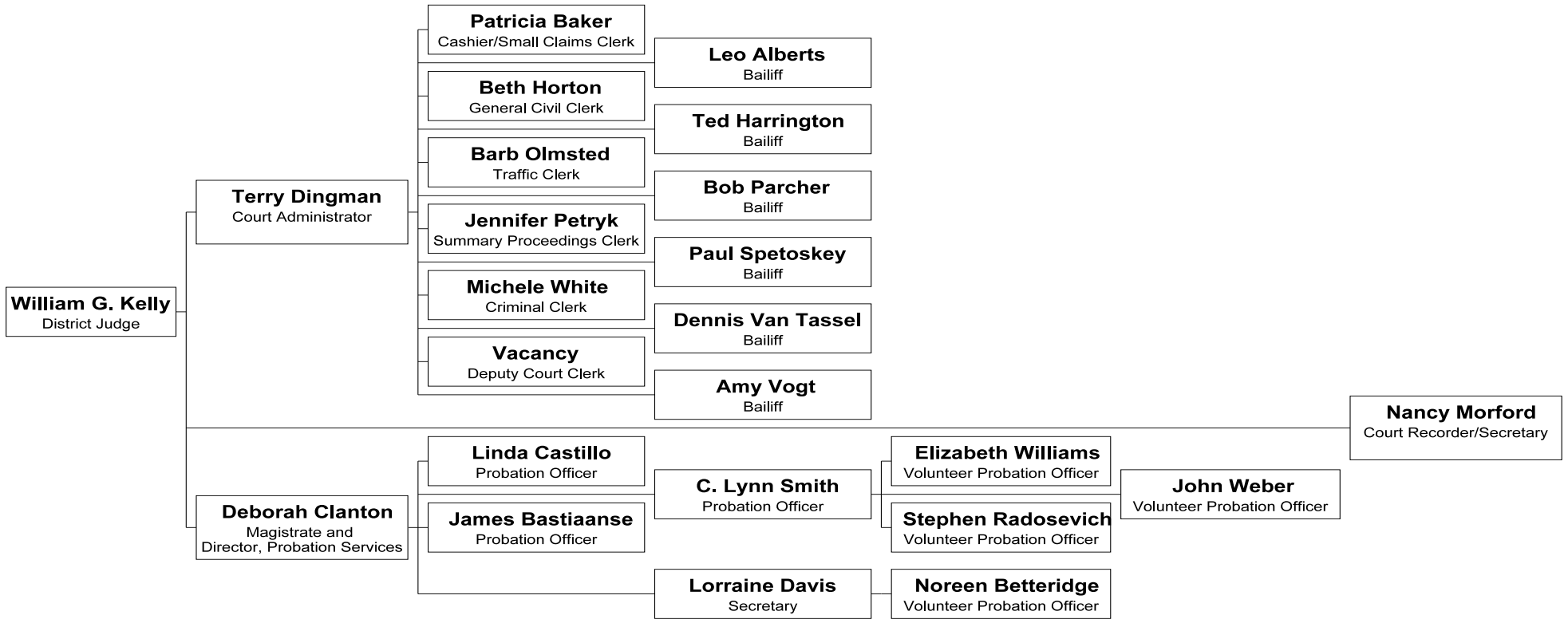
ELIZABETH WILLIAMS

Elizabeth is a Volunteer Probation Officer. She started in May 2003. She is retired from General Motors. She also volunteers at Kelloggsville Elementary and Messiah Baptist Church. She plans to enroll in GRCC. She is single with two children and four grandchildren.

MICHELE WHITE

Michele is the Deputy Clerk with the court working primarily with criminal files since December 1998. She is married to David and has two children. She is a graduate of Davenport Career Center. She enjoys spending time with her family, camping, sports, and music.

ORGANIZATIONAL CHART FOR THE 62-B DISTRICT COURT



62-B DISTRICT COURT CASELOAD FOR 2006

	Non-Traffic			Traffic		Civil			Parking	Total
	Felony	Misd.	Civ Inf	Misd and CI	OUIL/OWI	General Civil	Small Claims	Summary Proceed		
Beginning	24	70	1	742	12	396	128	64	638	2,075
New Filings	287	778	33	10,537	161	1,449	910	1,737	1,300	17,192
Reopened	144	214	0	286	6	8	0	0	0	658
Total Caseload	455	1,062	34	11,565	179	1,853	1,038	1,801	1,938	19,925
Jury Verdict		6		1	1	1				9
Bench Verdict		4		2,514		10	83	12		2,623
Verdict at Hearing			11						229	240
Guilty Plea/Admission/Waiver	46	712		6,119	145					7,022
Admissions/Waivers			3						753	756
Uncontested						960	453	1,129		2,542
Bindover/Transfer	245						22			267
Dismissed by Party	14	68	1	380	5	154	204	255	36	1,117
Dismissed by Court			5	21		307	167	346		846
Default			7	1,501					779	2,287
Inactive Status	143	208		381	7	12	2	3		756
Other disposition						1				1
Case Type Change		3		5						8
Total Dispositions	448	1,001	27	10,922	158	1,445	931	1,745	1,797	18,474
Ending	7	61	7	643	21	408	107	56	141	1,451

In 2006, we conducted 9 jury trials. Jurors have to report to court only once. We try to make jury duty as convenient as possible.

While most cases are disposed of by plea or default or by consent, many of these case required some judicial involvement at an arraignment and guilty plea or at a civil pretrial or hearing.

COMPARISON WITH STATE AVERAGE

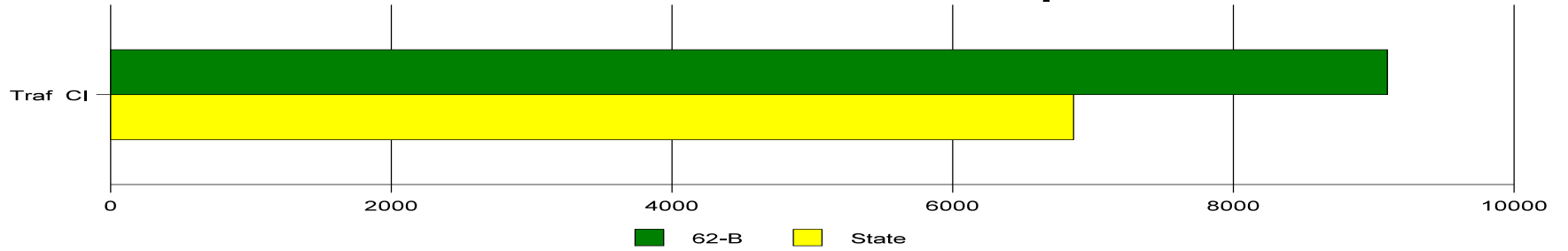
The caseload including parking tickets for the 62-B District Court judge is 15.7% greater than the average judge's caseload and 32% greater if parking tickets and traffic civil infractions are excluded. The criminal caseload is about the same as the average judge and the traffic civil infractions and civil caseload are higher than the state average.

The 62-B District Court uses a non-attorney magistrate who presides over informal hearings and conducts arraignments, signs arrest warrants, and search warrants. Many District Courts have an attorney magistrate who can preside over Small Claims cases in addition to the functions performed by a non-attorney magistrate.

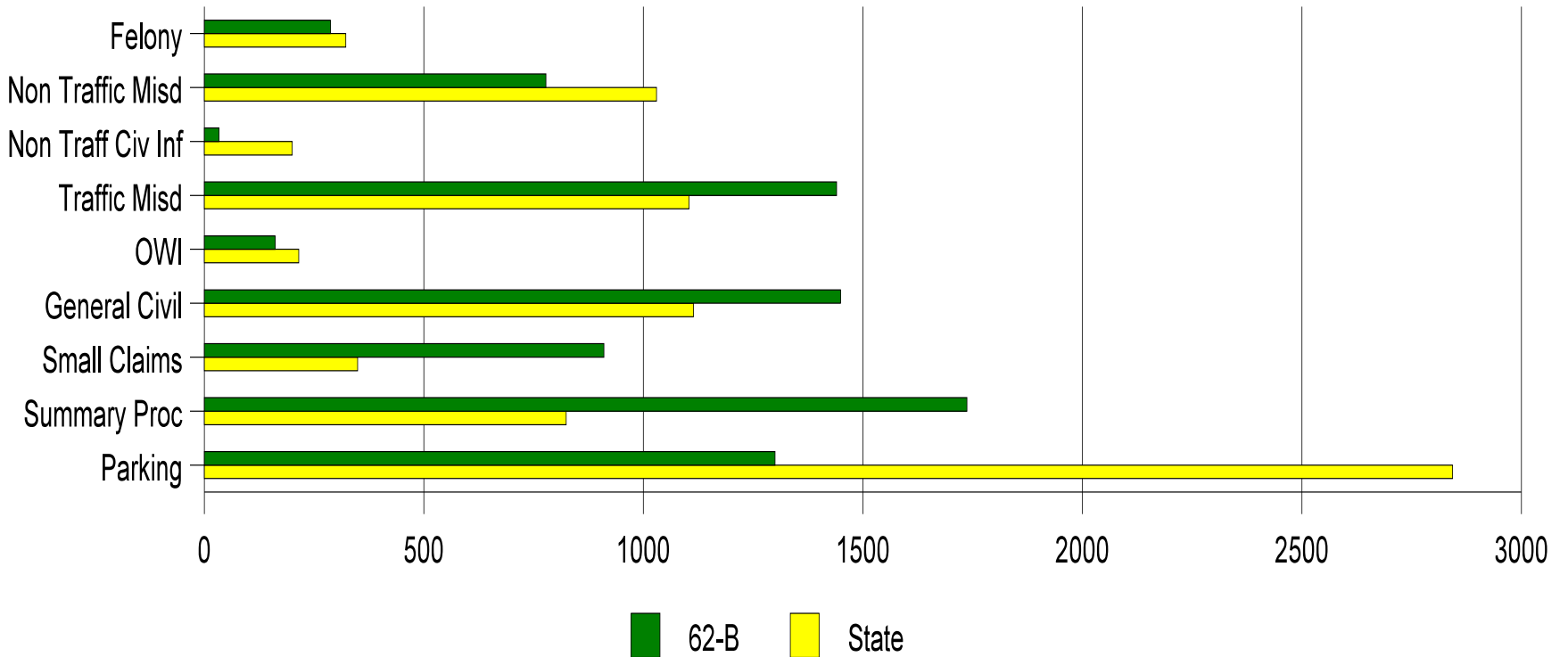
The Court may need to hire an attorney magistrate after our current magistrate retires if our caseload continues to grow. The current magistrate plays a very important role in allowing us to keep up with the increase in the caseload and still provide due process to each person.

	Felony	Non-Traf Misd	Non-Traf Civ Inf	Traffic Misd	Traffic Civ Inf	OWI	General Civil	Small Claims	Summary Proceedings	Parking	Total	Total Minus Parking	Total minus Parking and Traffic Civ Inf
62-B	287	778	33	1,440	9,097	161	1,449	910	1,737	1,300	17,192	15,892	6,795
Ave for Judge in State in 2005	322	1,030	200	1,104	6,861	215	1,114	349	824	2,843	14,862	12,019	5,158
Percentage	89.1%	75.5%	16.5%	130.4%	132.6%	74.9%	130.1%	260.7%	210.8%	45.7%	115.7%	132.2%	131.7%

Traffic Civil Infractions Comparison



Other Comparisons



FIVE YEAR TRENDS

New Filings by Case Type 2001-2006

	2002	2003	2004	2005	2006
Felonies	236	248	241	292	279
OUIL Felonies	8	8	12	8	8
OUIL Misdemeanors	131	188	142	120	161
Non Traffic Civil Infractions	88	30	4	18	33
Criminal Misdemeanors	826	743	784	745	778
Traffic Misdemeanors	2,706	2,067	1,200	1,171	1,440
Traffic Civil Infractions	7,987	7,374	8,760	8,846	9,097
General Civil	1,069	1,367	1,373	1,566	1,449
Small Claims	1,039	994	1,172	971	910
Summary Proceedings	1,806	1,716	1,728	1,637	1,737
Parking	1,013	1,405	1,124	1,606	1,300
Totals including Parking	16,909	16,140	16,540	16,980	17,192
Totals without Parking	15,896	14,735	15,416	15,374	15,892

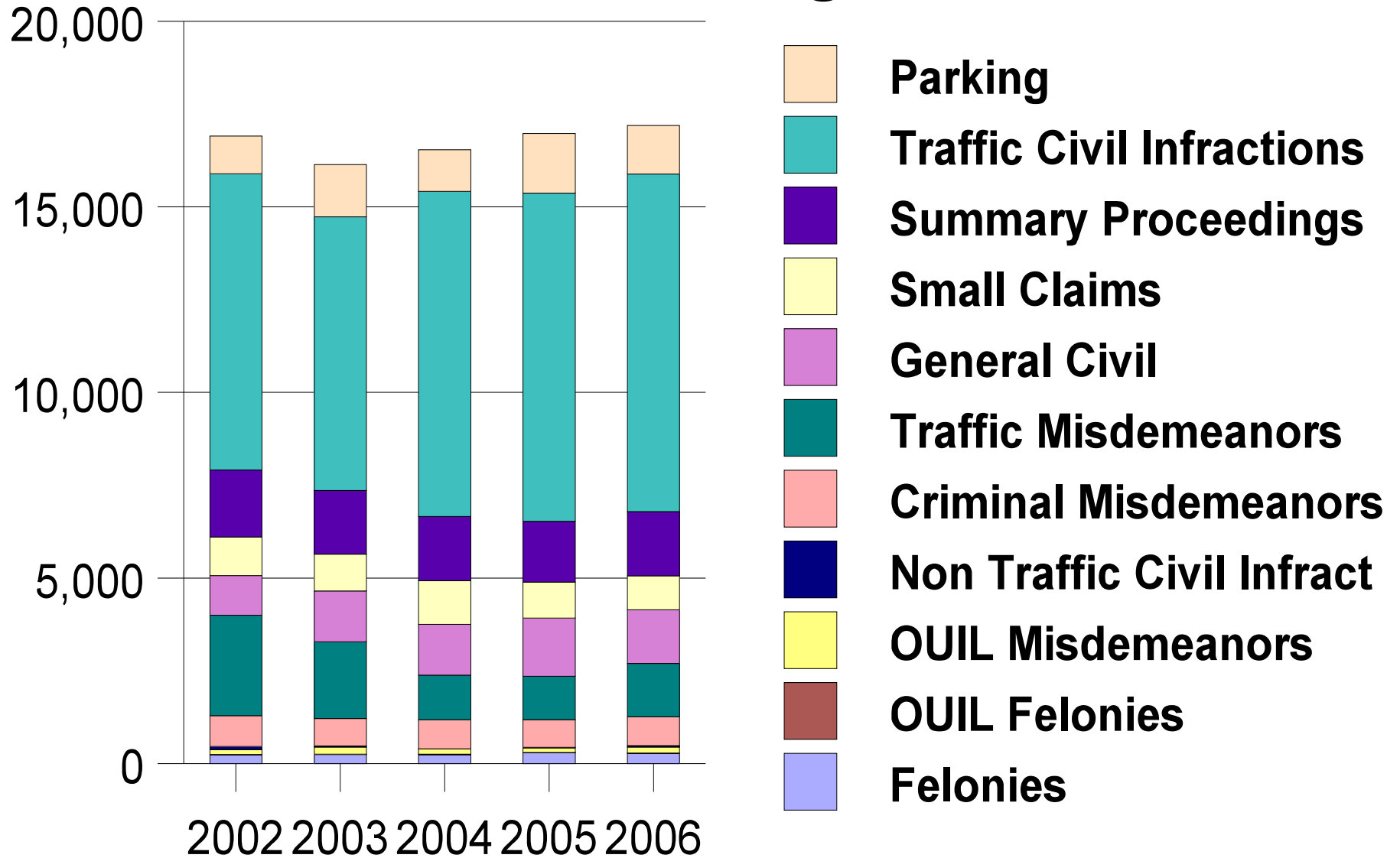
Our caseload increased from about 8,500 cases in 1985 to about 11,000 cases in 2000. In 2000, when we were planning the courthouse, we anticipated that we would end up with about 15,000 to 17,000 in 2020 when the City of Kentwood was built out. We reached that number of cases in 2001 and have reached it every year since then.

Our overall caseload for the last five years, not counting parking tickets, has consistently been in the range of approximately 14,700 to 16,000 cases.

Last year, we started 9,097 civil infractions, the highest number ever.

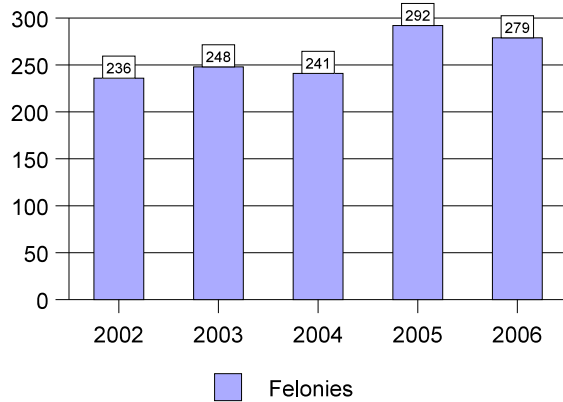
In the last five years, General Civil Cases have increased 35%.

Trend of New Filings 2002-2006



CRIMINAL CASES 2002-2006

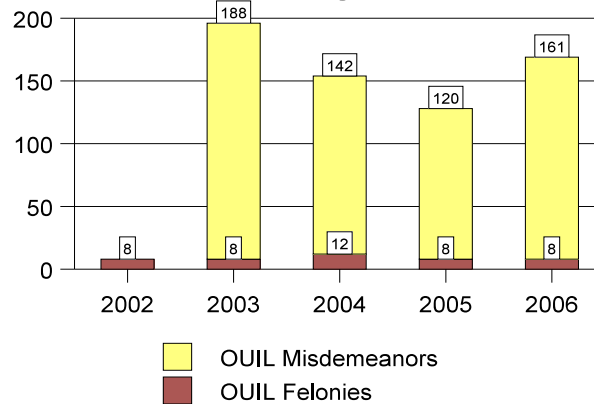
Felonies 2002-06



Felonies are offenses punishable by more than one year in prison. All felonies begin in the District Court with the signing of the complaint, an arraignment, and a preliminary examination to establish probable cause that a felony was committed and probable cause that the defendant committed the offense. The preliminary examination is to be held within 14 days of the arraignment.

Most defendants waive the preliminary examination because the prosecuting attorney and the defendant's attorney take the opportunity to negotiate a plea agreement which is acceptable to both parties. The victim has an opportunity to give input to the prosecutor before the plea agreement is negotiated.

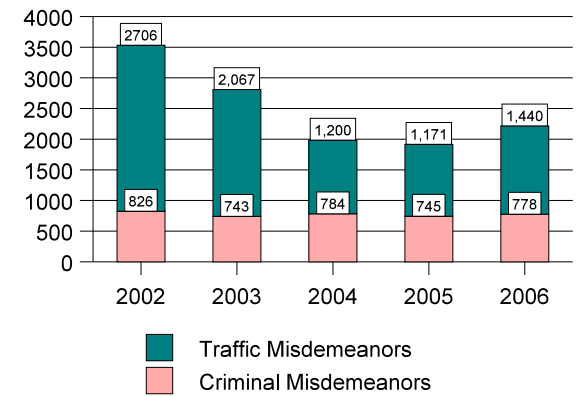
Drunk Driving 2002-06



Drunk drivers kill 17,000 Americans per year. This court treats these cases very seriously. The court places most of the people convicted of drunk driving in the 62-B District Court on probation with a requirement to obtain counseling and abstain from alcohol and drugs unless prescribed by a physician.

The number of drunk driving felonies will increase because of a change in the law effective January 4, 2007. Previously, a drunk driving offense was considered as a felony if this was the third offense within 10 years. Under the new law, a drunk driving offense is a felony if it is the third offense in a lifetime.

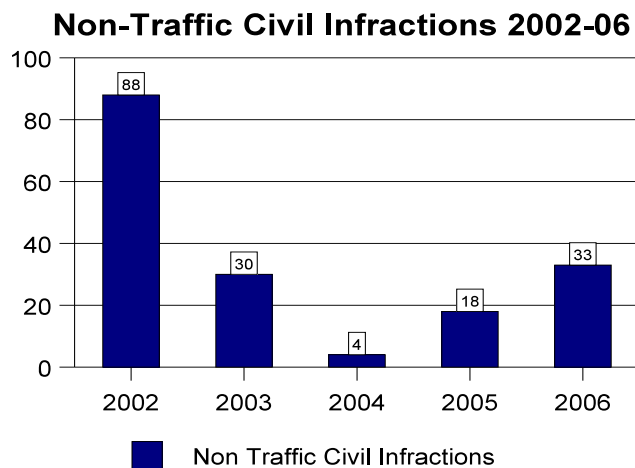
Misdemeanors 2002-06



The number of misdemeanors has declined from previous years. In 2006, 8 of these cases ended with a jury trial.

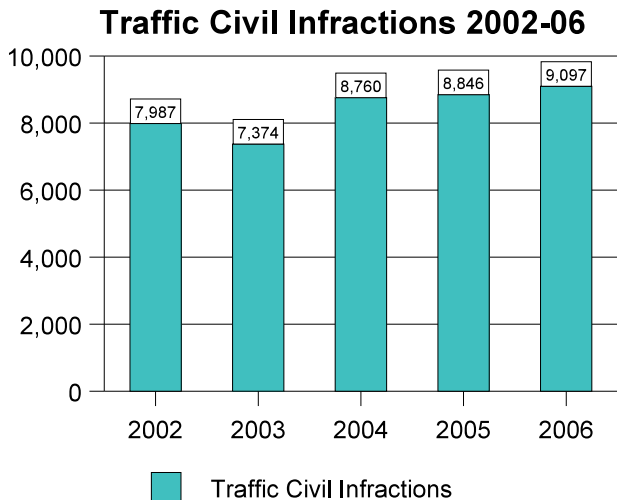
Many of these offenses carry a "Driver Responsibility Fee" for which the defendants must pay \$500 or \$1,000 per year for two years to the State of Michigan in order to balance the state budget. This makes it more difficult for the court to collect the fines and costs for the offense which the person has been convicted of. The "Driver Responsibility Fee" is a regressive flat tax imposed on the young and poor people who come before the court for offenses such as Driving on a Suspended License. In many cases, the license was suspended for failure to pay a \$100 traffic ticket.

CIVIL INFRACTIONS 2002-2006



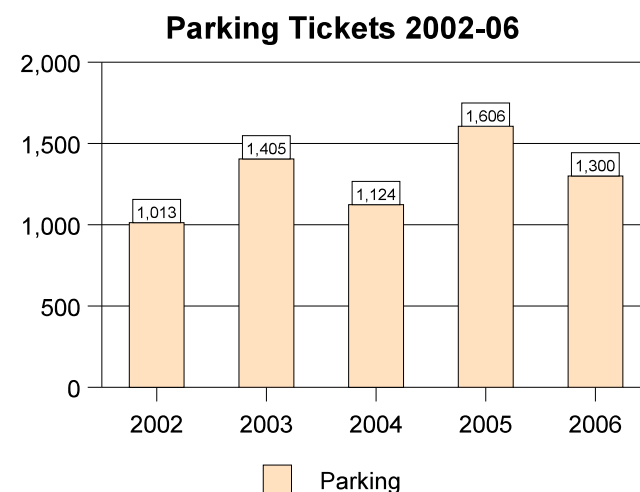
Most of the Non-Traffic Civil Infractions written by the City Inspectors are paid in the Treasurer's Office. These citations are generally for code compliance to prevent blight. Most of the cases in 2006 were issued to a business on South Division. They were used extensively in 2002 to bring the 750 apartments owned and managed by the Brookline Company up to code.

The advantage of using a civil infraction is that the burden of proof at the hearing is by a preponderance of the evidence and there is no right to a trial by jury. The disadvantage is that an offender cannot be sentenced to jail.



In 2006, more Traffic Civil Infractions were started than in prior years. Traffic tickets are the means of enforcing compliance with traffic rules designed to keep our community safe. As a by-product of the enforcement of traffic tickets, revenue is generated for the City, the State, and County Libraries.

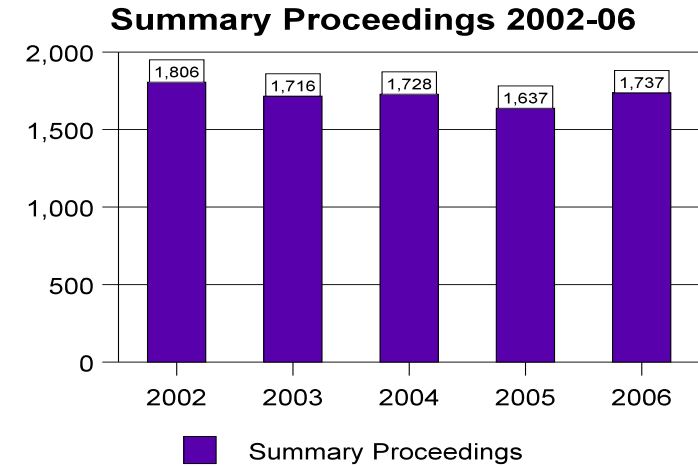
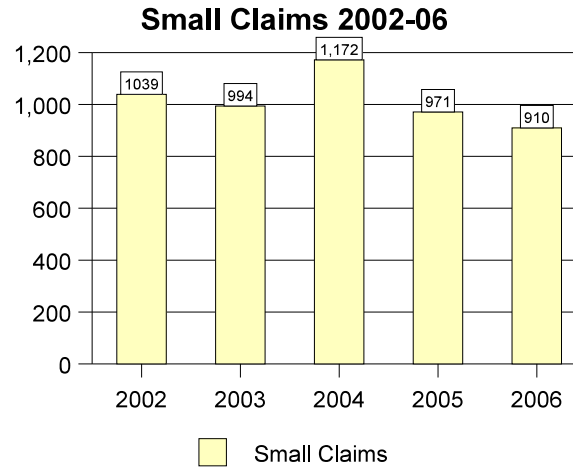
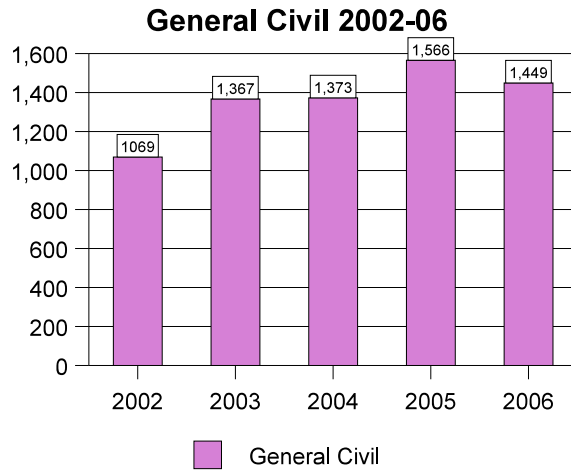
These cases make up over half of our caseload. The Kentwood police issue the citations electronically which eliminates the need for clerks in the police department and the court to type in all of the information on the tickets.



The City of Kentwood has set up a bureau of senior citizens to patrol the city for parking violations. Most of the parking tickets are for handicapped parking violations or fire lane violations or parking on the street during snow removal times.

Many people who receive a parking ticket write a letter of explanation to the magistrate and so these tickets require some judicial involvement as well as work by the court staff to collect the fines.

CIVIL CASES 2002-2006



The district court's jurisdiction is any case up to \$25,000.00. The Supreme Court guidelines state that all General Civil cases are to be disposed of within two years. As of April 2007, we had only five cases which have been pending more than one year. Some of those are settled and we are just waiting for the paperwork to close out the cases.

If a defendant files an answer, the matter is scheduled for a pretrial about three weeks after the answer. In 2006, we held 129 pretrial conferences. At the pretrial conference, discovery time guidelines are set and that matter is scheduled for trial in about three or four months after the pretrial date.

On most days that Small Claims cases are scheduled, the Dispute Resolution Center (DRC) is available to mediate with the parties. This is a program that was pioneered in this court in conjunction with the DRC. A number of cases have been successfully mediated.

The 910 small claims cases is 2.6 times the average caseload for a judge in the District Court. The court tried 83 small claims trials in 2006.

Judge Kelly teaches a Small Claims course at the National Judicial College both in person and in a distance learning class.

These are landlord-tenant matters.

The judge in Kentwood handles twice as many landlord-tenant cases than the average judge in the state. The court has provided forms to the landlords to streamline the process and has prepared a slide show to advise the tenants of their rights.

The court sets a hearing about 7-10 days after the case is filed and the tenant is allowed 10 days to pay the rent or move.

CASEFLOW MANAGEMENT

In 2003, the Michigan Supreme Court provided time guidelines for case processing as goals for administration of court caseloads. Administrative Order 2003-7. The guidelines for District Courts provide, as follows:

1. Civil Proceedings

A. General Civil Goal

From filing	Pct to be closed
Within 273 days	90%
Within 364 days	98%
Within 455 days	100%

B. Small Claims, Landlord-Tenant

100% of all small claims, landlord-tenant, and land contract actions should be adjudicated within 126 days from the date of case filing.

2. Criminal Goal

From Arraignment	Pct. to be closed
63 days	90%
91 days	98%
126 days	100%

The 62-B District Court has been following these guidelines since the original guidelines were published in 1991. This year, we can report the following concerning our

1. Civil Proceeding

A. 62B General Civil Record

From filing	Pct closed
Within 273 days	96%
Within 364 days	99%
Within 455 days	100%

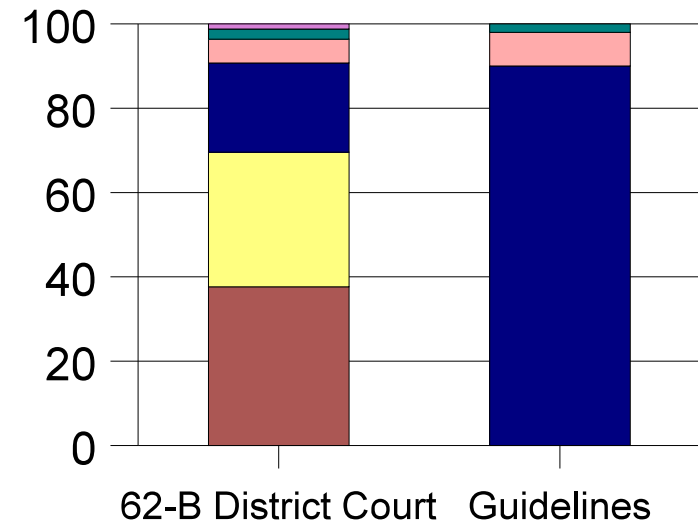
B Small Claims, Landlord-Tenant

In 2006, we adjudicated 97% of these actions within 126 days. The other 3% were delayed due to a lack of service or adjourned to allow the defendant time to pay.

2. 62B Criminal Record

From Arraignment	Pct closed
60 days	90.72%
90 days	96.36%
126 days	98.77%

Caseflow



PROBATION

Last year, the probation department started 928 new cases. About 33% of the probationers were convicted of Retail Fraud (304 cases), the biggest category of probationers. The second biggest group was for Driving While License Suspended (DWLS). The court has ordered these defendants to clear up their licenses. We find that many people convicted of DWLS have other serious problems, such as Substance Abuse.

Here are just four of the people placed on probation in this court who have made significant positive changes in their lives due to the intervention of the probation officers and the court.

Jacob was placed on probation in May 2006 for Domestic Violence. At the time, Jacob's was a practicing alcoholic. In fact, he was extremely intoxicated when the offense occurred. Jacob's wife did not want a no contact order and allowed Jacob to return home after his release from jail. Jacob made all the right promises: I won't drink, I will not ever hit you again, and never again will I destroy our furnishings. Not long after making those promises, Jacob was back to drinking, not going to

work, destroying his wife's property, and threatening her. After contacting the probation officer, Jacob was forcibly taken from the home by the Kentwood Police Dept and jailed. Jacob was sentenced to jail for 30 days on a probation violation and a no contact order was imposed by the court. Jacob lost his job and after his release from jail was put on the electronic monitor with an alcohol verifier for 60 days.

Ten months have passed since he was released from jail. Since his discharge from the monitor, Jacob has been reporting three times weekly for drug testing and attending AA two to three times weekly. He has completed an intensive outpatient program, and is currently in relapse prevention counseling. Jacob is now employed full-time. In April 2007, the no contact order was lifted at his wife's request and the court's approval. Jacob and his wife and infant son now live together. Jacob still has several months remaining on probation. His wife has dropped divorce proceedings for the second time.

Kendra was first placed on probation in this court in early 2005 for a possession of marijuana case. At that time, Kendra did not take her probation seriously. She tested positive for drugs numerous times. She knew her case would be returned to court if she continued using drugs, but she didn't have the motivation to change. Her probation was eventually revoked and she served jail.

Kendra was placed on probation a second time in this court in 2006 for a driving case. Drug testing was part of her probation order. Kendra admitted occasional use of marijuana. Soon after our first meeting, Kendra began volunteering as a cheerleading coach with high-school girls. Kendra found this challenging and now began to see herself as a role model for these young girls. Kendra was able to abstain from drugs and even enrolled in a training program to gain employable skills. She cleared up her driving record. Her attitude from our very first meeting improved tremendously and she came to realize that the court keeping her accountable was a good thing.

Susie was placed on probation for writing non-sufficient funds checks in October 2005. In conducting her pre-sentence investigation, the probation officer questioned Susie about why she was writing NSF checks.

Susie finally admitted that she was addicted to crack cocaine and the money was used to purchase drugs. Susie is the mother of two children and was unemployed.

She was placed on probation for 12 months and ordered to pay fines, costs, and restitution in the amount of \$2,166.50. Susie was ordered to attend AA and NA meetings and abstain from drugs and alcohol, and submit to drug testing. When Susie was first placed on probation, she was ordered to report three times per week for drug testing. She was referred for Intensive Outpatient Counseling (IOP). She also was ordered to seek employment. She reported three times per week for three months for drug testing then twice per week for two months. After she completed the IOP program, she was referred to a relapse prevention group. The drug testing then was decreased to once per month.

She obtained employment in the stock room of a department store but her payments were slow in coming. Probation was extended twice to allow her time to pay in full. She completed all of her counseling and her AA requirements successfully. She is now

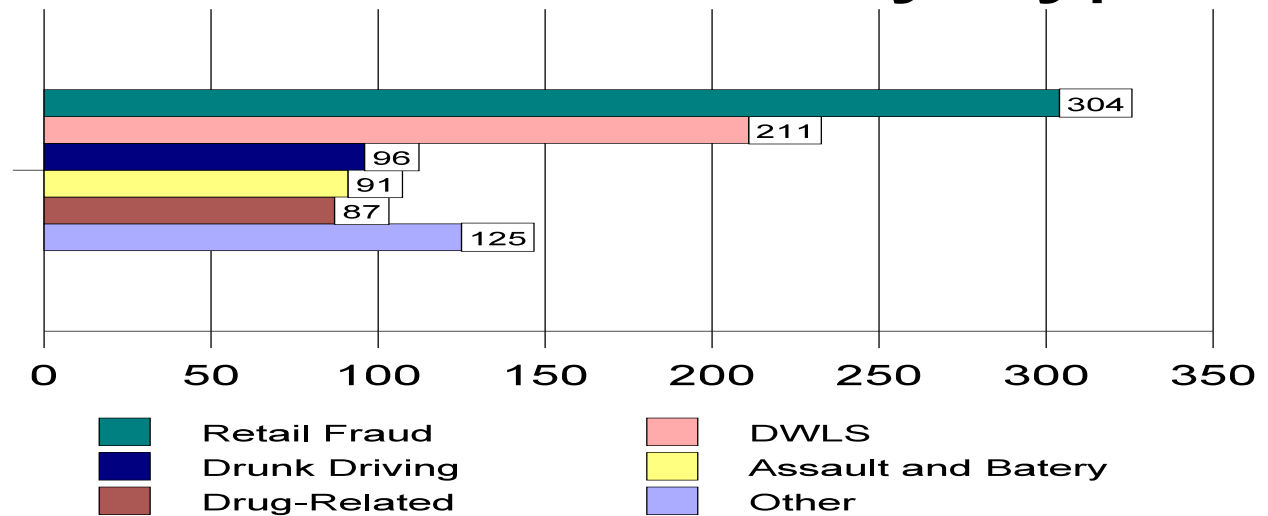
working in a factory and will be receiving benefits soon.

Susie has been free of drugs and alcohol since October 2005. Restitution in the amount of \$1,476.50 has been made to the victims. When Susie completed probation in April 2007, she was grateful for her sobriety and the new relationship she now has with her children and her family.

Mary was sentenced to probation for Retail Fraud after taking clothing from a local shopping mall. Mary was so ashamed and embarrassed of her crime that she did

not want to reveal this mistake to her husband. Mary was also afraid that her husband would not be understanding and feared that if he found out about her offense their marriage would suffer. Mary reported to probation, paid her fines, and attended counseling in secret even requesting that any mail be sent to her father's home. Mary completed 8 months probation successfully stating that her getting caught and held to account was actually a good thing in her life as it helped her face and deal with the stress that lead to her offense. Through counseling Mary developed better coping skills and confidence. With her new found self assurance Mary requested that her probation discharge be mailed to her home as she decided to tell her husband of her mistake.

Probation Cases by Type



OTHER ACTIVITIES

The judge and magistrate signed 83 search warrants, including 43 for blood tests in drunk driving cases in which the defendant refused to take a breath test. The judge and the magistrate alternate being on call 24/7.

The judge solemnized 75 weddings and the magistrate solemnized 32 weddings. All couples seeking to be married in the 62-B District Court must attend a four hour Marriage Preparation class. Other courts in Kent County are now requiring attendance at the Marriage Preparation classes.

The Probation Department conducted 404 breath tests and 2,813 urine tests to enforce the Court's orders for probationers to abstain from alcohol and drugs. The drug test room that was built in the Probation Department has facilitated the drug tests immensely. Overall, 209 tests were positive, about 7.4%. We determined that 123 tests for Marijuana were positive, about 12.58%. The test for Marijuana can determine usage for about 30 days.

REVENUES

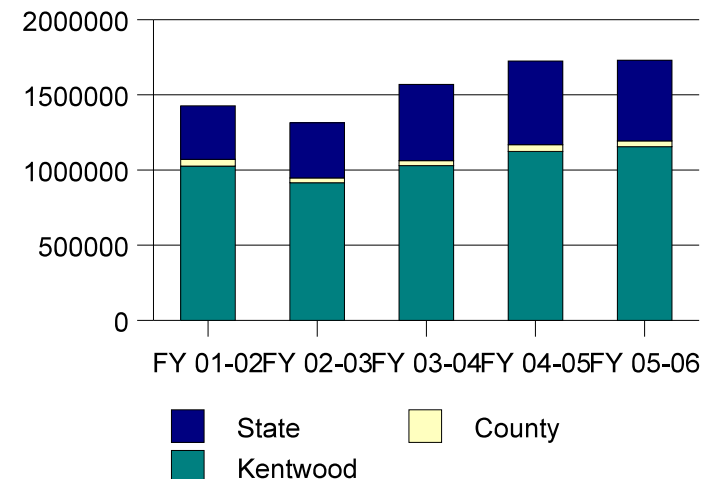
In FY 2005-2006 the court spent \$1,295,260.00. The court turned over \$1,155,447 in revenues (the most ever in one year) to the City of Kentwood plus the Judicial Salary Standardization Payment and other funds. The state increased its fees in 2003 and so its percentage of the revenues is growing.

Sentencing is to punish, deter, rehabilitate, and/or incapacitate an offender. In some cases, the court determines that the individual should be jailed. In other cases, fines and costs are determined to be an appropriate sentence. The amount of fines and costs is determined by the severity of the offense and the defendant's ability to pay. Revenue to the city is a by-product of the punishment imposed by the court. The court is concerned that its orders are complied with and that convicted offenders are held accountable and exerts considerable energy in collecting the fines and costs due.

Unfortunately, the State of Michigan in order to balance its budget has added a Driver Responsibility Fee ranging between \$150 and \$1,000 per year for two years. This has turned the

Traffic Justice System into a tax gathering system for the state government. It is a flat tax imposed on some of the poorest citizens in the community, people whose license was suspended because they could not pay a traffic fine. The fees do not take into account the severity of the offense nor the individual's financial situation. This fee makes it more difficult for the court to collect the fines and costs which it assesses. Hopefully, the legislature will repeal this fee soon.

Revenue 2002-06



IMPROVEMENTS

Collection Efforts

One of the principal methods of punishment in a court is the assessment of fines and costs. Hopefully, if someone is hit in the pocketbook, the punishment will be sufficient to deter future illegal conduct. If one does not pay the fine, the opportunity for accountability is lost.

For some time, anyone requesting a payment plan was required to fill out a document listing their income and assets. The judge approved these payment plans in the courtroom but had little time to examine the plan. Last year, we changed the system so that each payment plan is thoroughly reviewed with the defendant personally by the Court Administrator. We seek to have all fines and costs paid within four months.

Late payment notices are sent out three times per week as opposed to our previous practice of mailing them out once per month.

We have installed a new accounting module from Judicial

Management Systems which produces monthly reports for the distribution of monies, automatically keeps track of debits and credits.

In the summer of 2006, the court entered into a contract with a bank which allows us to take credit card payments over the phone for no additional fees. In the first quarter of 2006, we collected \$42,189 in credit card payments. In the first quarter of 2007, we collected \$63,526 in credit card payments, an increase of 50%.

Based on a recommendation of the Supreme Court's auditors, we review the bond account weekly as opposed to our prior practice of reviewing it monthly. Bond money is forfeited to the court promptly if a defendant fails to appear for a court hearing that has been scheduled.

All of these changes have resulted in better holding defendants accountable and has generated more revenue for the city.

Signage

Last year, we placed additional signs outside of the building directing people to the front parking lot. As a result, we have dramatically reduced the number of people who park by mistake in the Employee parking lot.

This year, we are planning on adding some signs inside to give better directions to people. These signs will be based on our experiences over the last four years working in the building.

Website Enhancements

Several courts put their records on the Internet to allow the public to access the court records. Some courts allow the public to pay fines and costs over the Internet and to allow low supervision probationers to report monthly over the Internet. We hope to enhance our website with these functions. In this way, we will be able to enhance our service and reduce the number of phone calls to the court.