

# **62-B DISTRICT COURT**

**2005**



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



May 1, 2006

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

It is my pleasure to present to you the Annual Report for the year 2005 for the 62-B District Court. 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 and have increased our efforts in holding offenders accountable. Our caseload per processing clerks is the highest in Region II (Southwest Michigan).

The court turned over to the City of Kentwood \$1,189,562.88 in revenue for fiscal year 2004-05. We appreciate the financial support of the City of Kentwood during these difficult economic times.

In October 2003, the state implemented a new fee, the Driver Responsibility Fee. This fee is assessed by the state on people convicted of drunk driving, driving while license suspended, no insurance, and several other driving offenses. This fee was implemented to balance the state budget. It is a regressive flat tax. These fees make it more difficult for the court to collect fines and costs which were imposed by the court taking into account the severity of the offense and the resources of the defendant.

We have implemented electronic traffic tickets. There were a few bugs in the program that we had to work out but now it appears that the program is operating properly. This saves clerical time in the police department and the court. The tickets generally arrive at the court faster than when we used paper tickets.

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.

Our dedicated staff makes all of this possible.

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 seven 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 a part-time Deputy Clerk working as a cashier since 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 for 13 years. They have two children Ashten (10) and Travis (8). She enjoys volunteering at her children’s schools, scrapbooking and reading.

### **GLENN BARR**

Glenn is one of the seven part-time bailiffs. He works as a private investigator and he works at the Ottawa County Jail when he is not working here. Glenn is single.

### **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 BETTE RIDGE**

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, photography, 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 2 children. 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 at Messiah

Missionary Baptist Church and the current president of The Grand Rapids Alumnae Chapter of Delta Sigma Theta Sorority, Inc. Deborah serves on various non-profit boards and she enjoys 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 seven 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 District Judge. He is married to Sharon and has 5 children. 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 American Bar Association, 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 seven part-time bailiffs. He and his wife, Kay, live in Byron Center. He was born and raised in Grand Rapids. He served in the Military Police for the U. S. Army. Bob obtained an Associates Degree from Grand Rapids Junior College and studied General Business at Davenport. He retired from the Wyoming Police Department in 2001 after 37 years with the department. 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. She enjoys spending free time with her children. 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 seven 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.

## **ESTHER STRICKLAND**

Esther is our cashier and civil filing clerk. She has three children. She graduated from Godwin Heights High School and attended Davenport College. She joined the court in January 2002. She enjoys movies and spending her weekends with her family.

## **CHRIS VAN HOUTEN**

Chris is one of the seven part-time bailiffs. He also works part-time DK Security and for MC Sports. He is seeking a full-time law enforcement position. Chris is single.

## **DENNIS VAN TASSEL**

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

## **KATHY WALL**

Kathy is a Deputy Clerk working primarily in Small Claims. Kathy has been married to Joe for 30 years and has two children. She enjoys traveling with her husband, photography, music,

reading, and many outdoor activities. Kathy has been with the court since 1999.

## **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.

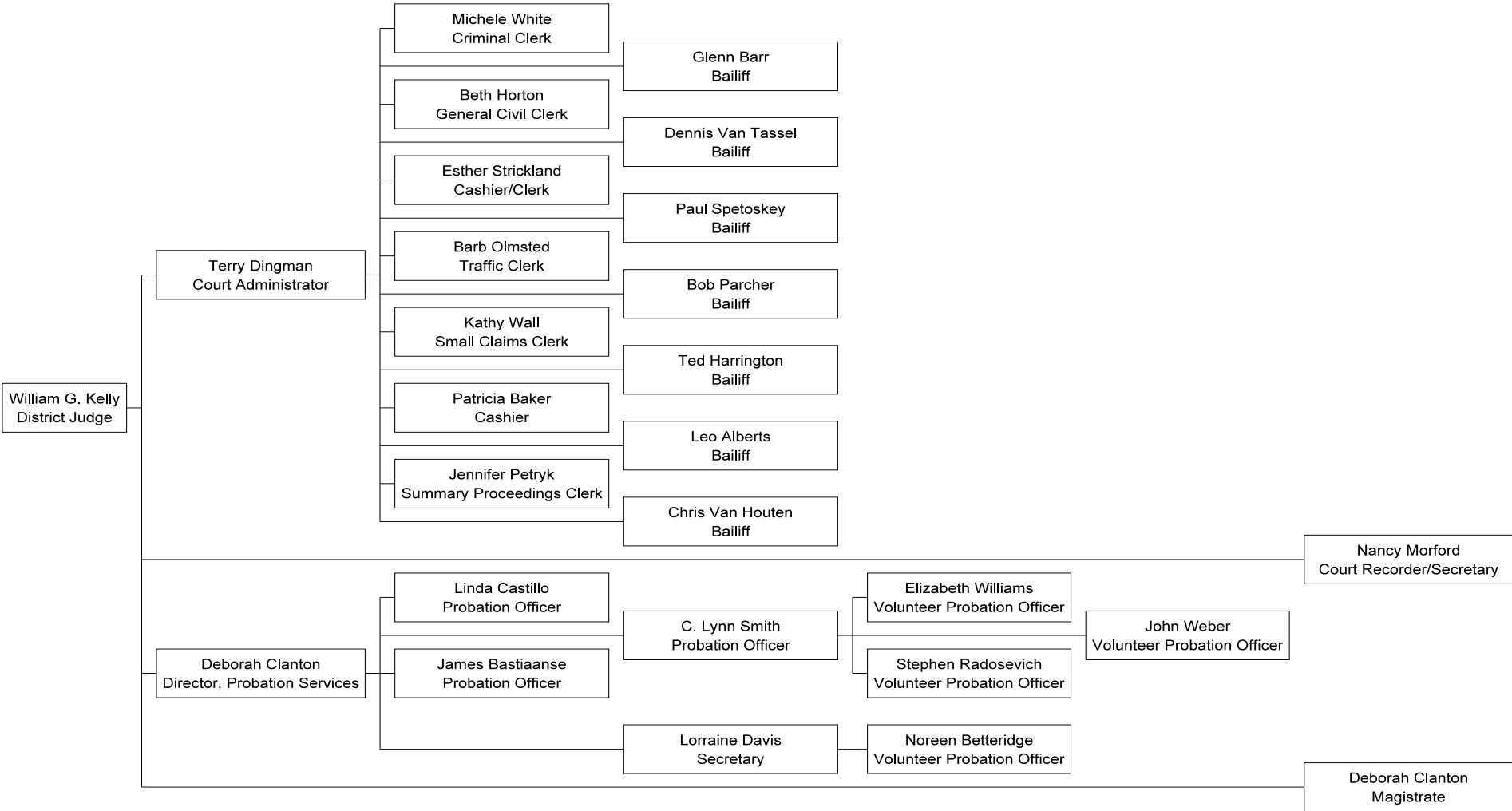
## **ELIZABETH WILLIAMS**

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 2005

	Non-Traffic			Traffic		Civil			Parking	Total
	Felony	Misd.	Civ Inf	Misd and CI	OUIL/ OWI	General Civil	Small Claims	Summary Proceed		
Beginning	14	155	11	1,322	9	349	162	103	1,265	3,390
New Filings	292	745	18	10,017	128	1,566	971	1,637	1,606	16,980
Reopened	185	241	0	236	6	8	1	0	0	677
Total Caseload	491	1,141	29	11,575	143	1,923	1,134	1,740	2,871	21,047
Jury Verdict	0	6	0	0	0	1	0	3	0	10
Bench Verdict	2	8	5	2,358	0	11	97	10	273	2,764
Guilty Plea/Admission/Waiver	67	706	9	5,466	109	0	0	0	981	7,338
Uncontested	0	0	0	0	0	1,030	481	1,035	0	2,546
Bindover/Transfer	215	0	0	0	9	2	17	0	0	243
Dismissed by Party	20	60	2	285	3	161	241	158	35	965
Dismissed by Court	0	0	1	2	0	284	180	463	0	930
Default	0	0	1	1,676	0	0	0	0	953	2,630
Inactive Status	165	215	0	298	6	22	9	1	0	716
Local Diversion	0	1	3	0	0	0	0	0	0	4
Other disposition	0	0	0	0	0	2	0	0	0	2
Case Type Change	0	1	0	20	1	0	0	0	0	22
Total Dispositions	469	997	21	10,105	128	1,513	1,025	1,670	2,242	18,170
Ending	22	144	8	1,470	15	410	109	70	629	2,877

In 2005, we conducted 10 jury trials. Jurors have to report to court only one day. 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.

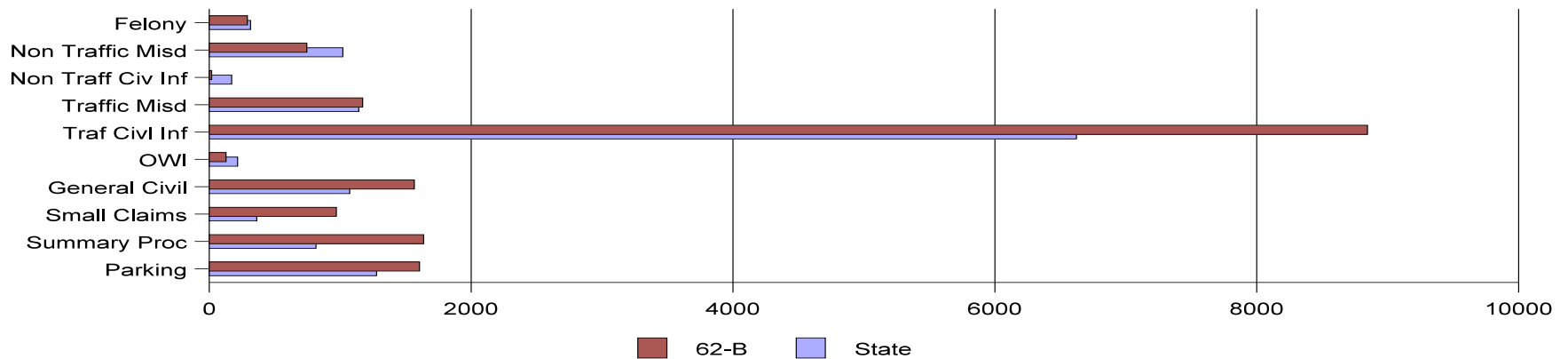
## COMPARISON WITH STATE AVERAGE

The caseload for the 62-B District Court judge is 14% greater than the average judge's caseload. Our criminal caseload is lower than the average judge but the traffic civil infractions and civil caseload is higher than the state average. Criminal cases take more judicial time than traffic civil infractions.

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 has played 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
62-B	292	745	18	1,171	8,846	128	1,566	971	1,637	1,606	16,980	15,374
Average for Judge in State in 2005	323	1,034	201	1,109	6,887	216	1,118	350	828	2,855	14,921	11,740
Percentage	90.4%	72.1%	9.0%	105.6%	128.4%	59.3%	140.1%	277.4%	197.7%	56.3%	113.8%	131.0%



## FIVE YEAR TRENDS

### New Filings by Case Type 2001-2005

	2001	2002	2003	2004	2005
Felonies	246	236	248	241	292
OUIL Felonies	14	8	8	12	8
OUIL Misdemeanors	170	131	188	142	120
Non Traffic Civil Infractions		88	30	4	18
Criminal Misdemeanors	1,612	826	743	784	745
Traffic Misdemeanors	2,469	2,706	2,067	1,200	1,171
Traffic Civil Infractions	8,702	7,987	7,374	8,760	8,846
General Civil	1,000	1,069	1,367	1,373	1,566
Small Claims	1,113	1,039	994	1,172	971
Summary Proceedings	1,688	1,806	1,716	1,728	1,637
Parking	1,214	1,013	1,405	1,124	1,606
Totals including Parking	18,228	16,909	16,140	16,540	16,980
Totals without Parking	17,014	15,896	14,735	15,416	15,374

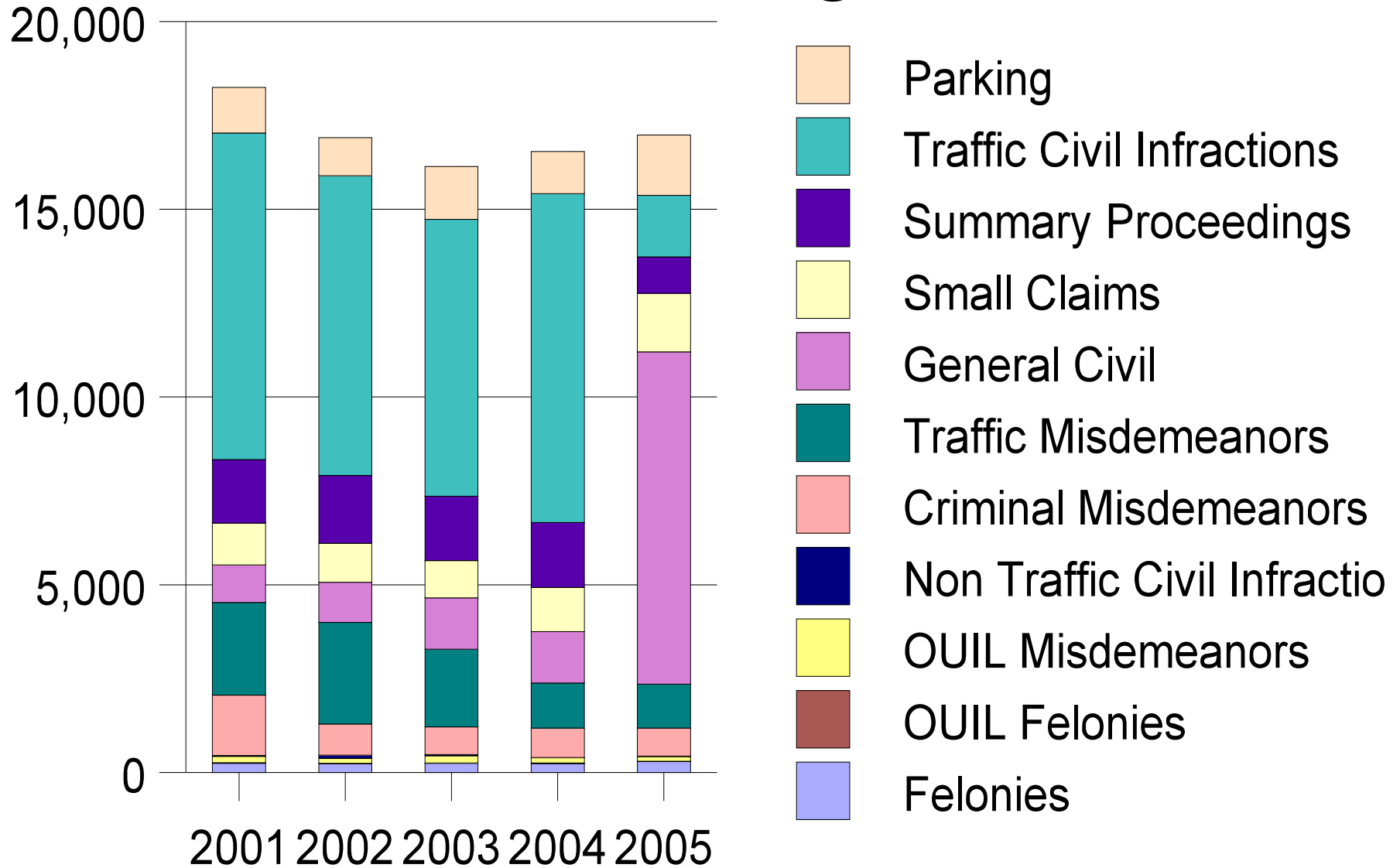
Our caseload increased from about 8,500 cases in 1985 to about 11,000 cases in 2000. In 2000, when we were planning the courthouse, we anticipated that we would end up with about 15,000 to 17,000 in 2020 when the City of Kentwood was built out. As you can see, we reached that number of cases in 2001 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 15,000 to 17,000 cases.

In the last five years, General Civil Cases have increased 56%.

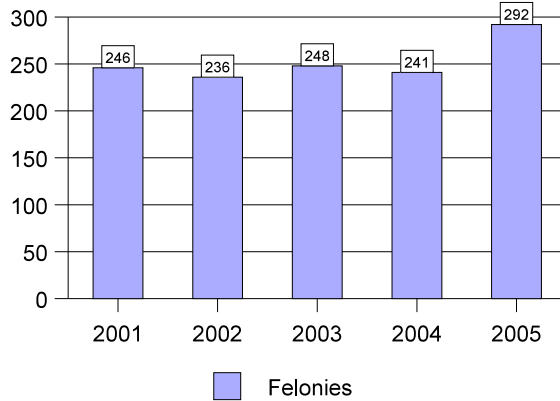
Last year we had a significant increase in felonies.

# Trend of New Filings 2001-2005

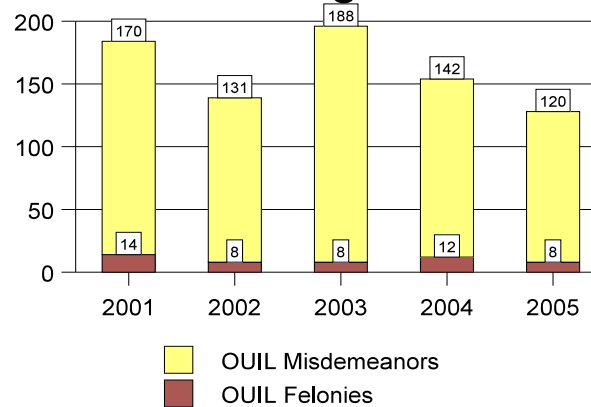


## CRIMINAL CASES 2001-2005

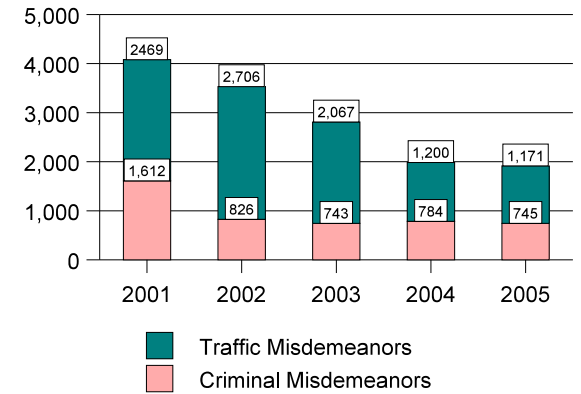
### Felonies 2001-05



### Drunk Driving 2001-05



### Misdemeanors 2001-05



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. The legislature is considering a bill which would abolish the prelims for any case punishable by less than 10 years in prison. This proposal would create a serious problem for defendants, prosecutors, and the courts. The Michigan District Judges Association has proposed an alternate plan which would save the money anticipated without damaging the criminal justice system.

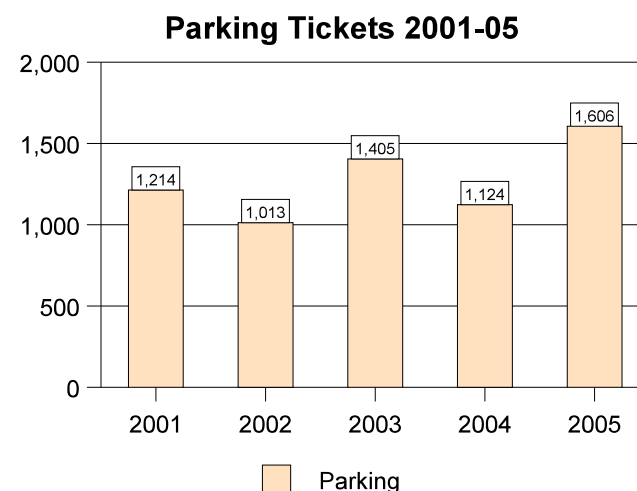
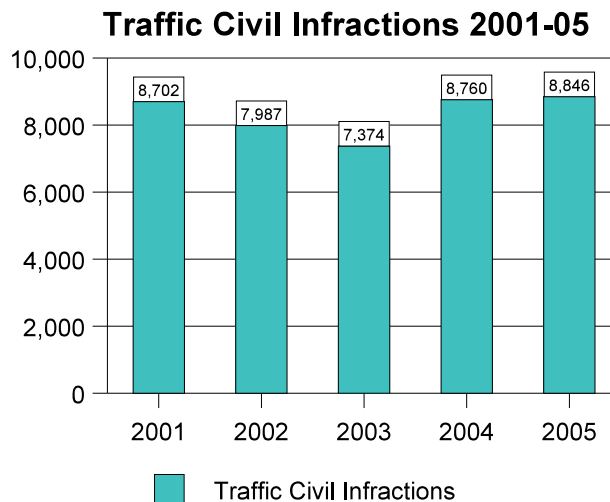
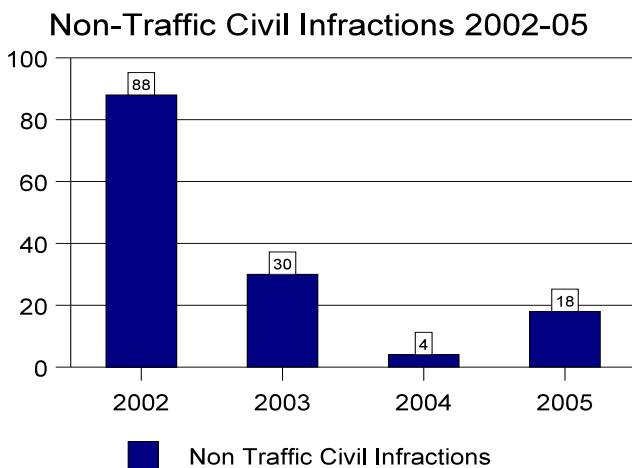
Drunk drivers kill 17,000 Americans per year. This court treats these cases very seriously. The court places most of the people convicted of drunk driving in the 62-B District Court on probation with a requirement to obtain counseling and abstain from alcohol and drugs unless prescribed by a physician.

The maximum fine for Operating While Intoxicated (OWI) is \$500 plus costs. In 2003, the state started imposing a “Driver Responsibility Fee” on all people convicted of OWI of \$1,000.00 per year for two years in order to balance the state budget. This “Driver Responsibility Fee” turns the Criminal Justice system into a tax gathering scheme for the state government rather than a system to punish and rehabilitate and deter offenders.

The number of misdemeanors has declined from previous years. In 2005, 10 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



Very few Non-Traffic Civil Infractions were filed in the court last year. Many of these matters are disposed of in the Treasurer’s Office. These are generally for code compliance. 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 because an offender can’t be sentenced to jail, one might consider a civil fine as the cost of doing business without complying with Kentwood’s ordinances.

In 2005, 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.

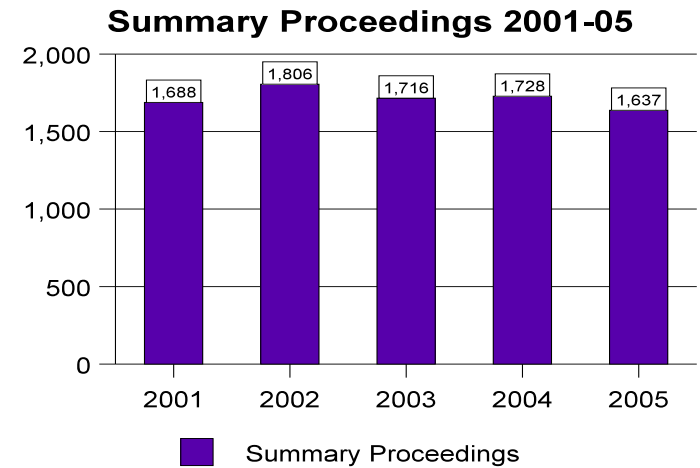
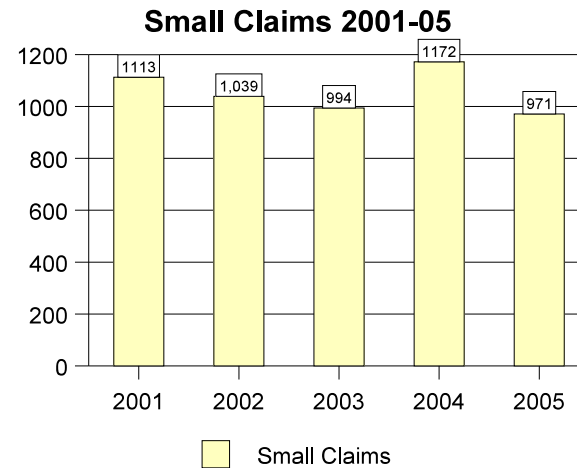
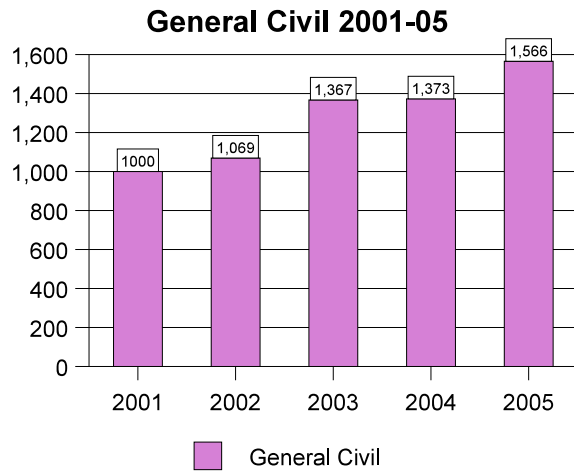
These cases make up over half of our caseload. The Kentwood police department is now issuing the citations electronically which will eliminate the need for clerks in the police department and the court to type in all of the information on the tickets.

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.

The City of Kentwood recently adopted a new parking ordinance which requires additional enforcement efforts.

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

## CIVIL CASES



We started more General Civil cases in 2005 than in any prior year. 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 March 1, we had only one case which has been pending more than one year.

If a defendant files an answer, the matter is scheduled for a pretrial about three weeks after the answer. In 2005 we held 141 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 is available to mediate with the parties. This is a program that was pioneered in this court in conjunction with the Dispute Resolution Center. A number of cases have been successfully mediated.

The 971 small claims cases is more than 2.7 times the average caseload for a judge in the District Court.

The court tried 97 small claims trials in 2005.

Judge Kelly is now teaching a Small Claims course at the National Judicial College both in person and on-line.

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

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

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. General Civil

As of April 25, 2006, only 29 General Civil cases had been pending more than 6 months, none pending more than 12 months. Some of these cases are settled but we need the paperwork.

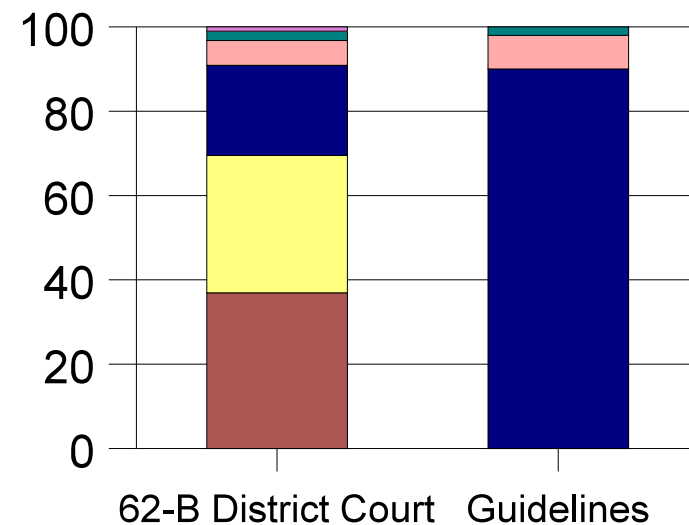
#### B. Small Claims, Landlord-Tenant

All small claims and landlord tenant actions last year were adjudicated within 60 days if there was service.

### 2. Criminal

From Arraignment	Pct closed
60 days	90.9%
90 days	96.8%
126 days	99.0%

## Caseflow



## PROBATION

David has been placed on probation in this court twice for DWLS. The first time was in 2001. David had approximately 15 suspensions on his driving record with most of those from the Detroit area. David was picked up several times on bench warrants for FTA for probation violation hearings. Probation was finally revoked in April 2005 and he served 11 days in jail.

David was placed on probation in April 2005 for his second DWLS. On October 17, 2005, David reported for his probation appointment with his new drivers license. David felt good that he had finally cleared up his driving record and is now able to drive again – legally. He admitted that he did not want to go through all the trouble he experienced the first time he was on probation.

Judy was placed on probation in October, 2004 for possession of drug paraphernalia. She began using crack when her mother was murdered a few years earlier. Judy had good intentions to comply with her probation, but she lacked the motivation and strength to remain clean. She stopped showing up for probation appointments and started using drugs again. She was set up for a probation violation hearing in March 2005. She FTA and a BW was issued.

In May 2005, Judy was arrested on the BW. Even though the

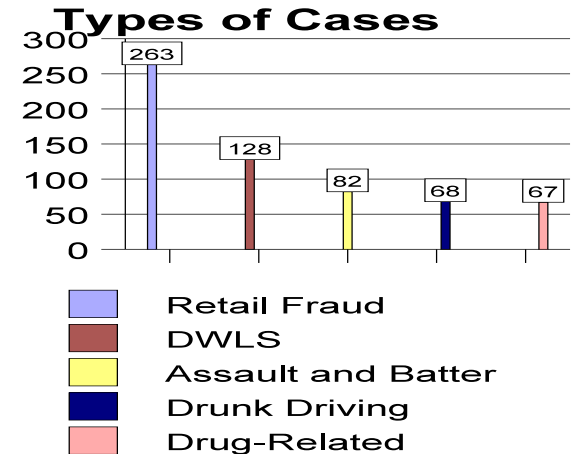
recommendation was to revoke probation, Judy pleaded for another chance at probation. She advised she had entered into treatment. She was placed back on probation. She reported 3 times per week for drug testing as directed. She never dropped dirty. Judy was grateful that she was given another chance at probation. She has 2 children and realizes that to provide a good future for them she has to remain drug free. Judy truly enjoyed meeting with probation to report her progress and positive changes happening in her life.

Jeff started off probation very rocky. He continued to have contact with the victim in direct violation of the no contact order. He then got drunk, went to the victim’s home and damaged her vehicle. Jeff was brought back to court for this incident and was sentenced to a weekend in jail. Since his violation, Jeff changed his attitude toward probation and domestic violence. He had more accountability for his actions and has decided to change his life by focusing on his goals. Jeff completed a 26 week domestic violence program through the Men’s Resource Center. He paid his fines in full and he will be graduating from college with a bachelors degree. He was discharged from probation in March 2006.

Recently, a probationer who had been discharged several years ago asked if she could have lunch together with her probation officer so that she could share how she was doing. She wanted to thank the probation officer for talking with her and for holding her accountable by violating her probation when she did not follow through. She has since finished GRCC and now has a good job at an insurance company. She believed that probation was a turning point in her life.

These are just 4 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.

Last year, the probation department started 742 new cases. The biggest category of probationers was for Retail Fraud.



## OTHER ACTIVITIES

The judge and magistrate signed 82 search warrants, including 28 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. Many of the search warrants are issued by facsimile machines to expedite the process.

The judge solemnized 89 weddings and the magistrate solemnized 13 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.

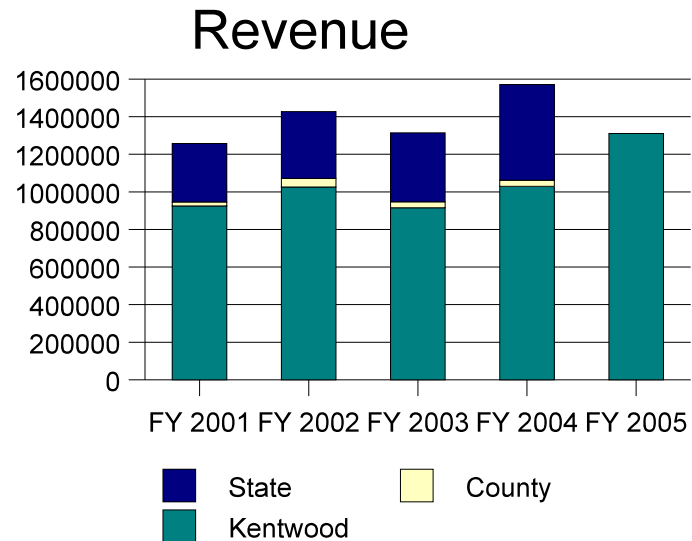
The Probation Department conducted 547 breath tests and 3,546 urine tests to enforce the Court's orders for probationers to abstain from alcohol and drugs. The drug test room that was built in the Probation Department has facilitated the drug tests immensely. Overall, 291 tests were positive, about 7%. We determined that 163 tests for Marijuana were positive, about 16%. The test for Marijuana can determine usage for about 30 days.

## REVENUES

In FY 2004-2005 the court spent \$1,311,266.00. The court turned over \$1,127,202.88 in revenues to the City of Kentwood plus JSSP and other funds. This was the most the court has turned over to the City, about \$100,000 more than in FY 2003-04. The state has increased its fees and so its percentage of the revenues is growing.

Revenue 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.

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. This fee makes it more difficult for the court to collect the fines and costs which it assesses.



## **IMPROVEMENTS**

### **E-Citations**

The court and the Police Department have implemented “E-Citations”. The Kentwood police officers issue tickets through a computer and printer in their car. At the end of the officer’s shift, the officer electronically submits the tickets that he or she issued that day into the police department computer. That data is then sent to the court computer. Nobody in the police department or in the court has to enter the information that the officer input at the time the ticket was issued.

This system has been used in Saginaw County for two years. This will be the first installation in Kent County.

Since more than 50% of the cases filed in the 62-B District Court last year were traffic civil infractions, we are able to save time and serve the public better. The records maintained by the court are more accurate because we have fewer problems inputting the information.

### **Enforcement 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.

The court has taken several steps to increase accountability. When a defendant asks for a payment plan, the defendant fills out a sheet with his or her place of employment, income, and assets and then fills out a wage assignment. This information is used to determine a payment plan. If the defendant does not comply with the payment plan, the wage assignment is sent to the defendant’s employer.

The court is promptly suspending the drivers license and issuing bench warrants to arrest those who have not been keeping their payment plans. Periodically, the court is sending out a letter to all people whose licenses have been suspended for failure to pay a ticket in this court. As a result, a number of people have paid the ticket and cleared the suspension.

### **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.