62-B DISTRICT COURT

2007 ANNUAL REPORT

CARING FOR AND SERVING THE COMMUNITY WITH JUSTICE

February 2, 2008

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

It is my pleasure to present to you the Annual Report for the year 2007 for the 62-B District Court. The front cover shows the courtyard in our courthouse which is a site for many weddings and a place to relax and to confer during breaks in the 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 turned over to the City of Kentwood $1,218,998 in revenue for fiscal year 2006-07. 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.

In 2007, we started 16,168 cases, not counting parking tickets. This is the highest number of new cases we have ever started in one year. This included a record high 2,018 General Civil cases, 28% more than the previous high. The courtroom was very busy as 1,609 misdemeanors cases were concluded in the courtroom by plea, trial, dismissal, or issuance of a bench warrant.

The electronic traffic citation program that was very important in processing the traffic tickets is no longer functioning because the provider went out of business. The officers are now writing conventional handwritten tickets and a cadet is then entering the information into the computer. Fortunately, a new system from a different provider is about to implemented.

Video conferencing is another important piece of technology used by the court. Fortunately, the problems we have encountered in the past have cleared up without spending the money on a replacement system. We 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 as the 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 is married to Scott and has 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 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. 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 is married to Norman. 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 visiting family 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.

ANDREA JOHNSON

Andrea is a Deputy Clerk working primarily with Small Claims files and as a cashier. She started working with the court in July 2007. She is from Ohio and moved to Grand Rapids in 2001. She has an Associates Degree in Biology from Sinclair Community College in Ohio, an Associates Degree in Youth Services from GRCC and a B.S. in Criminal Justice from Ferris. She also works part-time as a veterinary technician, a field she has been in for 11 years. She lives in Grand Rapids with her boy friend of six years, Ron, their two dogs, three cats, and numerous pocket pets. She enjoys spending time playing paint ball and relaxing and watching movies.

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 serves as a member of the Board of Directors of the Dispute Resolution Center. 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 serves as an adjunct faculty at Cooley Law School teaching Advanced Trial Skills - Technology. 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 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 of the clerk typists, Kay. They married in 1966 and currently live in Byron Center with their dog Cinnamon. 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 a 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 15 years and they have a 10 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 VOOGT

Amy is one of the six part-time bailiffs. Three years ago, she married Calvin Voogt, a sergeant in the Kentwood police department. She worked as a police officer with the Lowell police department and the Lansing police department. She enjoys camping and horseback riding. Amy also enjoys showing her horse, Stubbs.

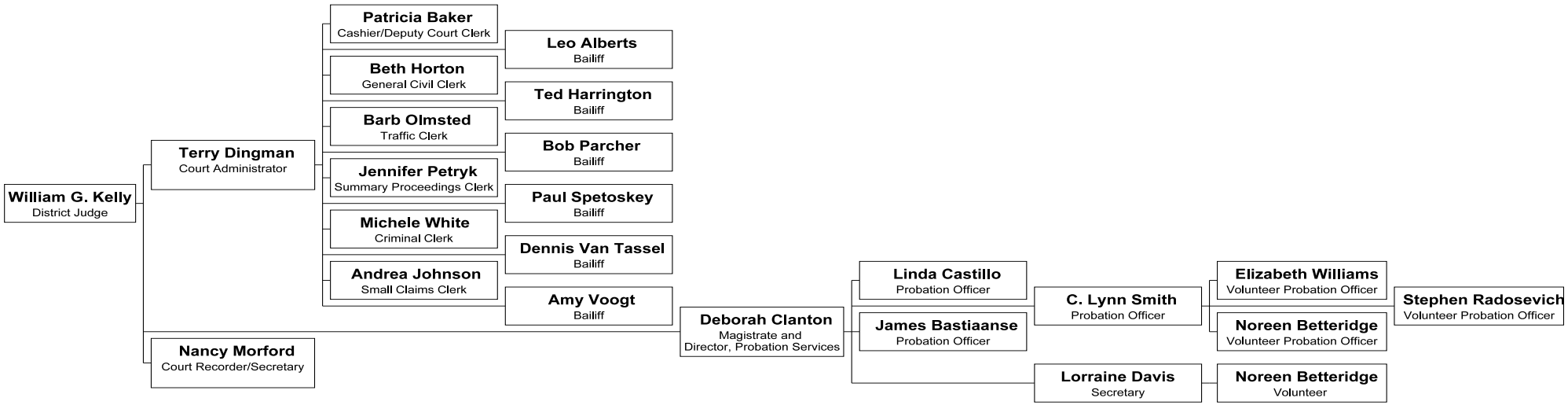
ELIZABETH WILLIAMS

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 and the LEIN Terminal Agency Coordinator with the court working primarily with criminal files since December 1998. She is married to David and has one child. 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 2007

	Non-Traffic			Traffic		Civil				
	Felony	Misd.	Civ Inf	Misd and CI	OUIL/ OWI	General Civil	Small Claims	Summary Proceed	Parking	Total
Beginning	7	61	12	634	21	407	107	56	136	1,441
New Filings	199	796	43	10,730	154	2,018	707	1,521	2,167	18,335
Reopened	88	176	0	262	6	59	4	0	1	596
Total Caseload	294	1,033	55	11,626	181	2,484	818	1,577	2,304	20,372
Jury Verdict	0	5	0	0	0	0	0	0	0	5
Bench Verdict	1	7	39	2,661	1	9	74	12	262	3,066
Guilty Plea/Admission/Waiver	41	732	8	6,282	136	0	0	0	1,367	8,566
Uncontested/Default/Settled	0	0	0	0	0	1,339	371	1,017	0	2,727
Bindover/Transfer	160	0	0	0	19	3	22	0	0	204
Dismissed by Party	8	59	7	491	1	171	108	465	20	1,330
Dismissed by Court	1	1	0	7	0	341	172	26	0	548
Default	0	0	0	1,432	0	0	0	0	183	1,615
Inactive Status	76	175	0	203	4	15	1	0	0	474
Other disposition	0	0	0	0	0	2	1	0	0	3
Case Type Change	0	0	0	5	1	0	0	0	0	6
Total Dispositions	287	979	54	11,081	162	1,880	749	1,520	1,832	18,544
Ending	7	54	1	545	19	604	69	57	472	1,828

In 2007, we conducted five 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 cases required some judicial involvement at an arraignment and guilty plea or at a civil pretrial or hearing.

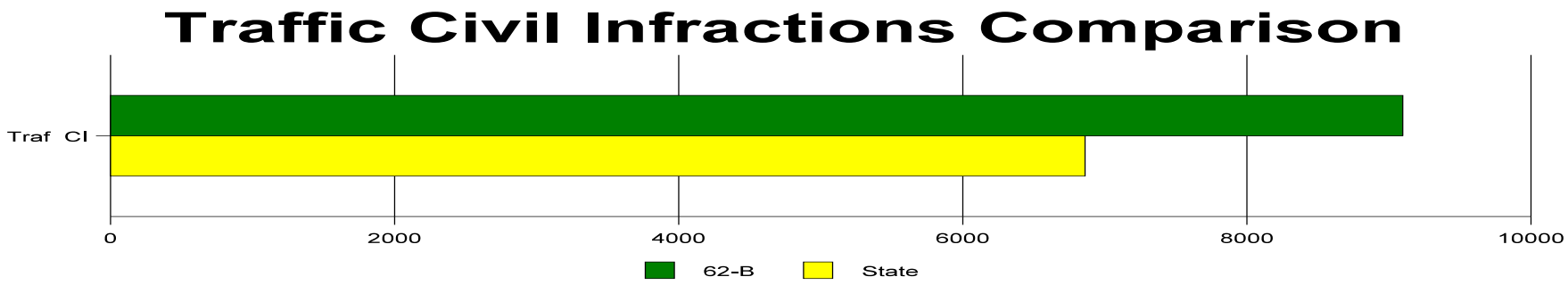
COMPARISON WITH STATE AVERAGE

The caseload including parking tickets for the 62-B District Court judge is 29.3% greater than the average judge's caseload and 21.6% greater if parking tickets and traffic civil infractions are excluded. The criminal caseload is less than the average judge and the traffic civil infractions and civil caseload are higher than the state average.

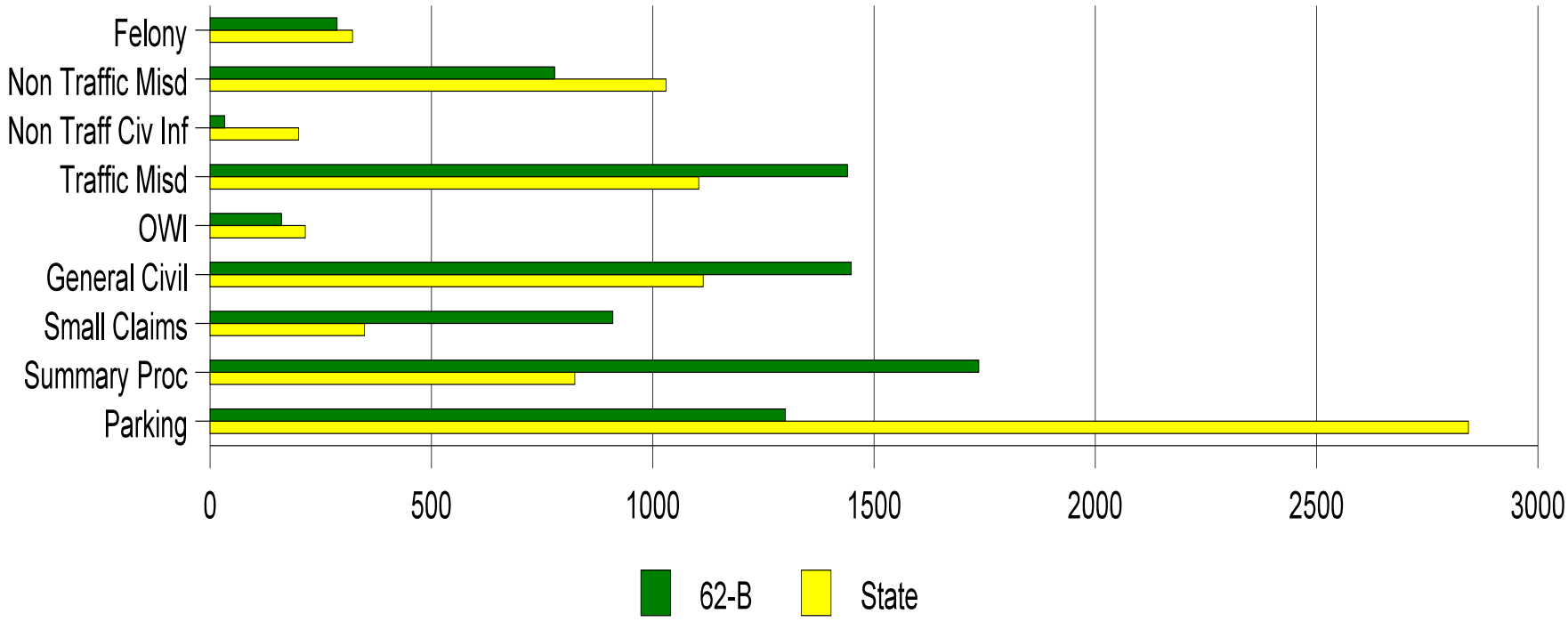
The 62-B District Court uses a non-attorney magistrate who presides over informal hearings and conducts arraignments, signs arrest warrants, and search warrants. Many District Courts have an attorney magistrate who can preside over Small Claims cases in addition to the functions performed by a non-attorney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

In 2007, the State Court Administrative Office's weighted caseload determined that the 62-B District Court needed .91 judges. The need for 1.0 judges is higher than the state average.

	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	199	796	43	1,190	9,540	154	2,018	707	1,521	2,167	18,335	16,168	6,628
Ave for Judge in State in 2006	322	1,049	242	1,188	6,959	210	1,229	346	863	1,776	14,184	12,408	5,449
Percentage	61.8%	75.9%	17.8%	100.2%	137.1%	73.3%	164.2%	204.3%	176.2%	122.0%	129.3%	130.3%	121.6%



Other Comparisons



FIVE YEAR TRENDS

New Filings by Case Type 2003-2007

	2003	2004	2005	2006	2007
Felonies	248	241	292	279	199
OUIL Felonies	8	12	8	8	20
OUIL Misdemeanors	188	142	120	161	134
Non Traffic Civil Infractions	30	4	18	33	43
Criminal Misdemeanors	743	784	745	778	796
Traffic Misdemeanors	2,067	1,200	1,171	1,440	1,190
Traffic Civil Infractions	7,374	8,760	8,846	9,097	9,540
General Civil	1,367	1,373	1,566	1,449	2,018
Small Claims	994	1,172	971	910	707
Summary Proceedings	1,716	1,728	1,637	1,737	1,521
Parking	1,405	1,124	1,606	1,300	2,167
Totals including Parking	16,140	16,540	16,980	17,192	18,335
Totals without Parking	14,735	15,416	15,374	15,892	16,168

Our new filings in 2007 was the highest ever whether parking tickets are included or not.

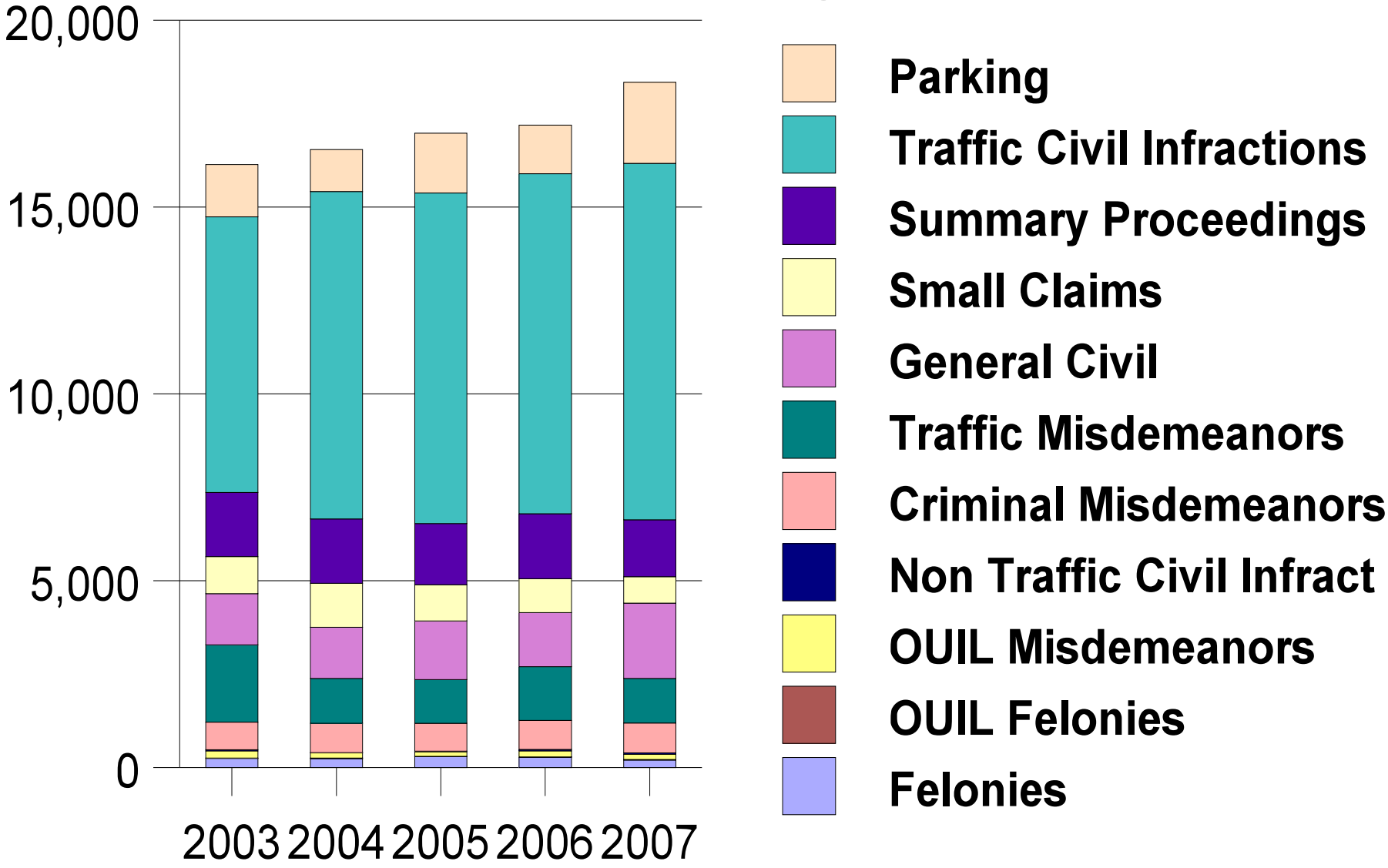
Our caseload increased from about 8,500 cases in 1985 to about 11,000 cases in 2000. In 2000, when we were planning the courthouse, we anticipated that we would end up with about 15,000 to 17,000 in 2020 when the City of Kentwood was built out. We reached that number of cases in 2001 and have reached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

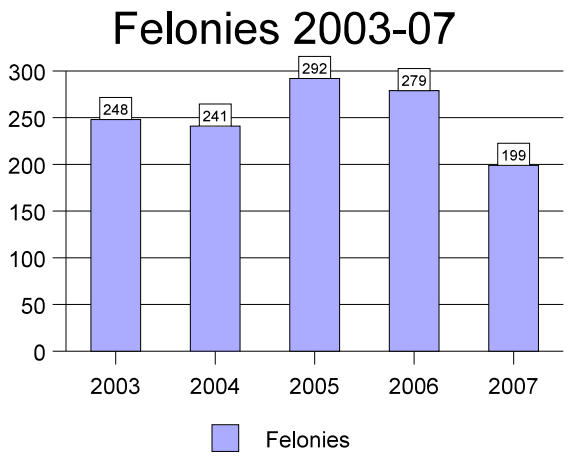
Last year, we started 9,540 civil infractions, the highest number ever.

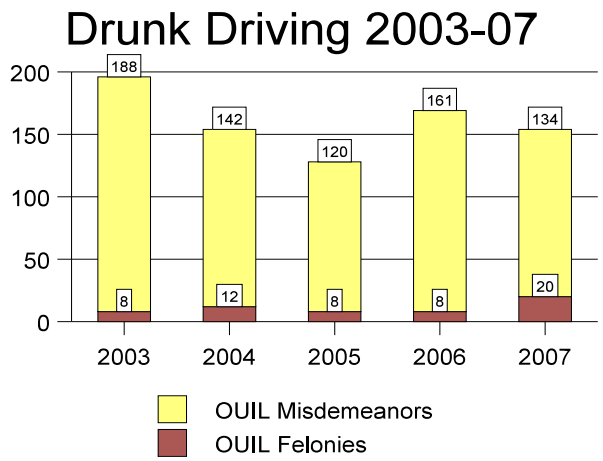
In the last five years, General Civil Cases have increased 48%, with an all-time high last year of 2,018 cases. As of December 31, 2007, only 3 General Civil cases from 2006 were pending and only 24 General Civil cases had been pending more than 6 months in this court.

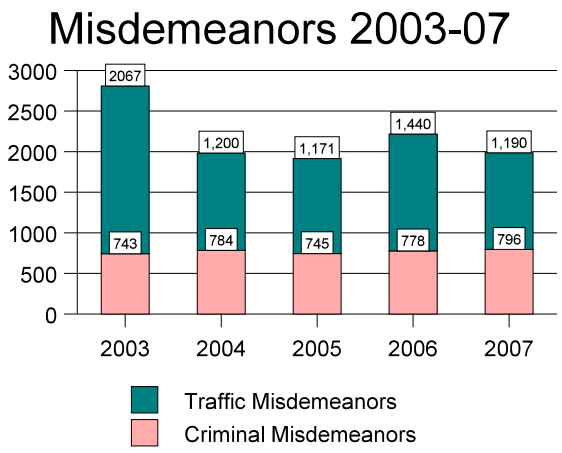
Trend of New Filings 2003-2007



CRIMINAL CASES 2003-2007







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.

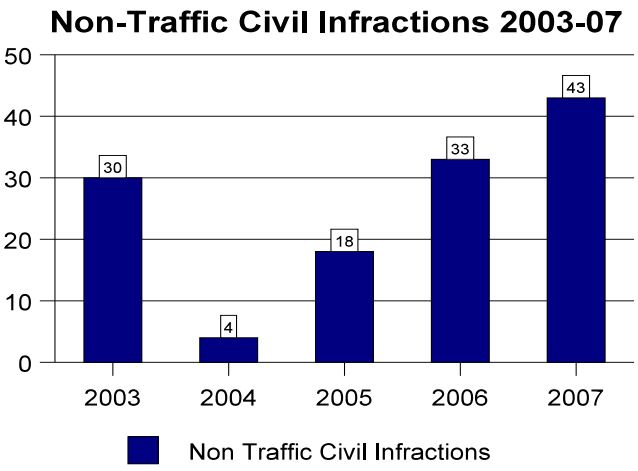
Drunk drivers kill 17,000 Americans per year. This court treats these cases very seriously. The court places most of the people convicted of drunk driving in the 62-B District Court on probation with a requirement to obtain counseling and abstain from alcohol and drugs unless prescribed by a physician.

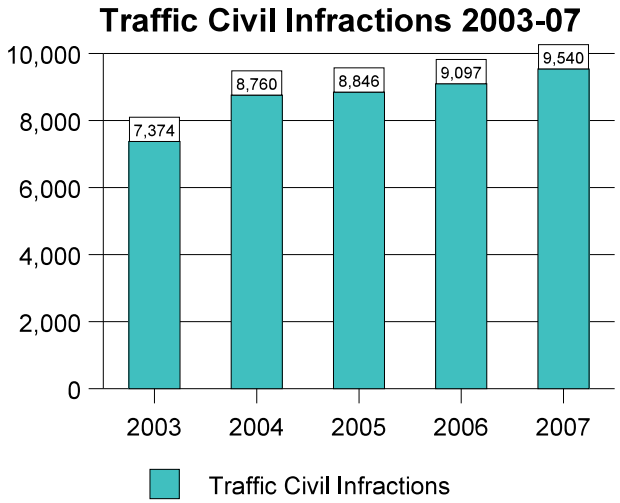
The number of drunk driving felonies increased in 2007 because of a change in the law effective January 4, 2007. Previously, a drunk driving offense was considered as a felony if this was the third offense within 10 years. Under the new law, a drunk driving offense is a felony if it is the third offense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

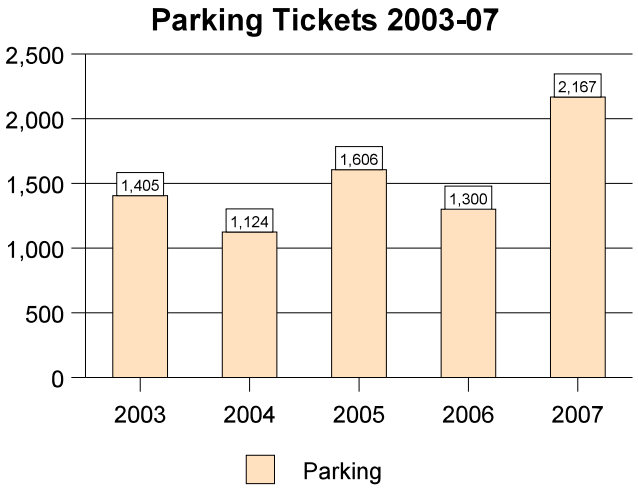
The number of misdemeanors has been fairly steady for the last four years.

Many of these offenses carry a "Driver Responsibility Fee" (DRF) for which the defendants must pay $500 or $1,000 per year for two years to the state to balance the state budget. The DRF makes it more difficult for the court to collect the fines and costs for the offense which the person has been convicted of. The DRF 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. The DRF causes more expense for the court and the city as many defendants plead not guilty.

CIVIL INFRACTIONS 2003-2007







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. Municipal Civil Infractions 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.

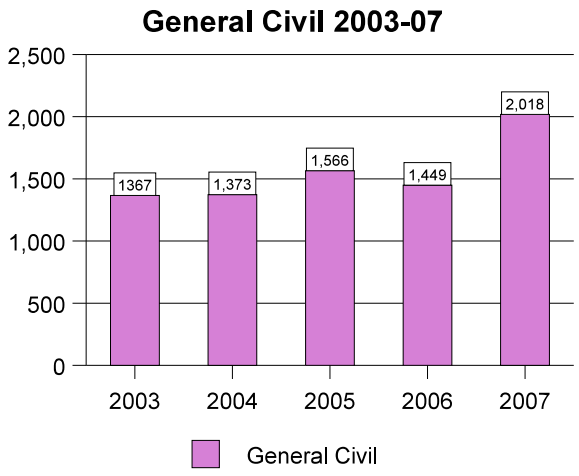
In 2007, more Traffic Civil Infractions were started than in any prior year. Traffic tickets are primarily means of enforcing compliance with traffic rules designed to keep our community safe. Secondarily traffic tickets, generate revenue. The magistrate conducted 510 informal hearings and answered 279 letters of explanation.

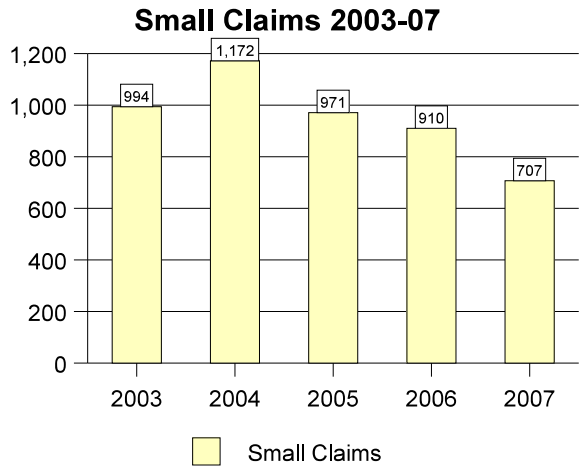
The e-citation system used by police in the past to issue the citations electronically is not working. This meant more work in the police department. The new system should be become functional in the Spring of 2008.

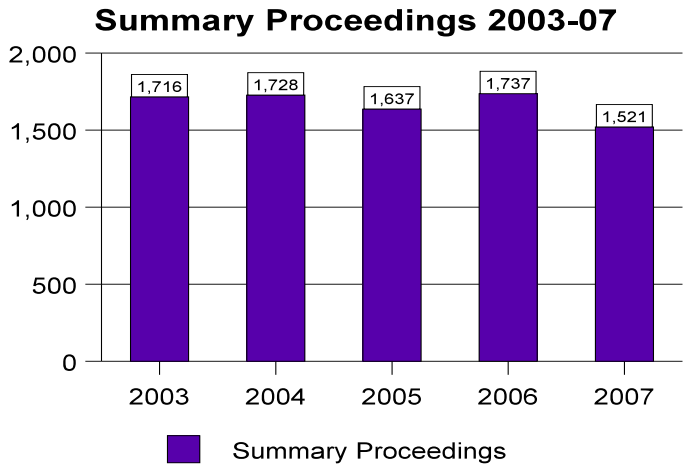
More parking tickets were written last year in Kentwood than ever before. The City of Kentwood has set up a bureau of senior citizens to patrol the city for parking violations. Most of the parking tickets are for handicapped parking violations or fire lane violations or parking on the street during snow 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 2003-2007







In 2007, we started 2,018 General Civil cases. This is the most ever, and 39 % more than we started in 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 December 31, 2007, we had only three cases which had been pending more than one year and only 24 cases more than six months.. Some of those are settled and we are just waiting for the paperwork to close out the cases.

In 2007, we held 144 pretrial conferences. At the pretrial conference, discovery time guidelines are set and that matter is scheduled for trial about 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. Judge Kelly serves as a member of the Board of the DRC.

The 707 small claims cases we started is double the average Small Claims caseload for a judge. The court tried 74 small claims trials in 2007.

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

These are for the most part landlord-tenant matters but last year we saw a number of eviction cases brought after mortgages were foreclosed.

The judge in Kentwood handles 1.75 times as many landlord-tenant cases as 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

All small claims, landlord-tenant, and land contract actions (100%) 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 performance.

1. Civil Proceeding

A. 62B General Civil Record

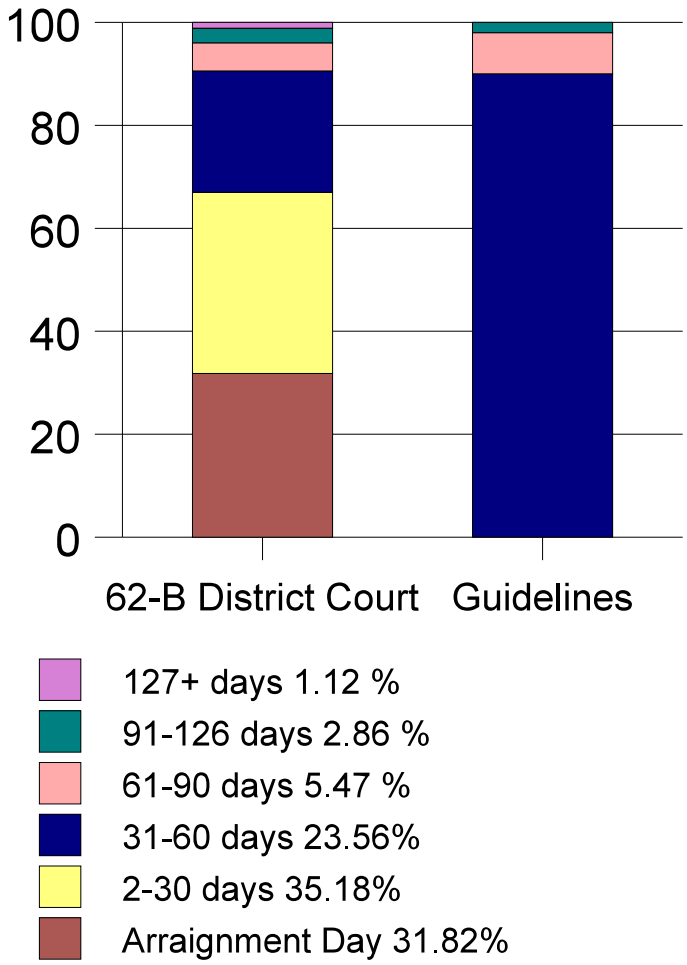
From filing	Pct closed
Within 273 days	97.7%
Within 364 days	99.0%
Within 455 days	99.6%

B Small Claims, Landlord-Tenant

In 2006, we adjudicated 97.6% of these actions within 126 days. The other 2.4% 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	90.55%
90 days	96.02%
126 days	98.88%



PROBATION

Last year, the probation department started 849 new cases. About 29% (245 cases) of the probationers were convicted of Retail Fraud (245 cases), and 21% (180 cases) were convicted of 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.

Just one of the challenging aspects of our jobs as Probation Officers (PO) is to insure that probationers who are ordered to return or complete high school are in compliance with their probation orders. We are increasingly encountering more and more probationers who have dropped out of high school. In most cases parents are at a lost at how they can force their child to return to school and graduate. It is not uncommon for these "drop-outs" to find their way into the Criminal Justice System through offenses like Retail Fraud, Minor In Possession (MIP alcohol), Possession of Marijuana and Malicious Destruction of Property (MDOP). As PO's we have been extremely successful at exerting our authority, along with Judge Kelly's strict enforcement as back up, in forcing these young people back into traditional or alternative high schools. Based on their level of compliance some students report weekly with attendance and grades while others can be trusted to report monthly. We find that parents and school officials are elated at our involvement. It is not unusual to get phone calls from parents or school officials, reporting a student's lack of compliance. Cases where students have either refused to enroll or attend school on a regular basis are returned to court on a violation. They are sentenced to serve one day in jail for each unexcused absence. After a stint in jail it is amazing how fast most students come into compliance. What is even more gratifying is the number of students who do return and successfully earn their high school diploma or GED. Believe me when I say, you cannot chisel the smile off their faces! After this huge achievement, we are no longer surprised at the number of students who enroll in GRCC. Without a high school diploma, many young people are unable to find a job in today's economy and they resort to crime.

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

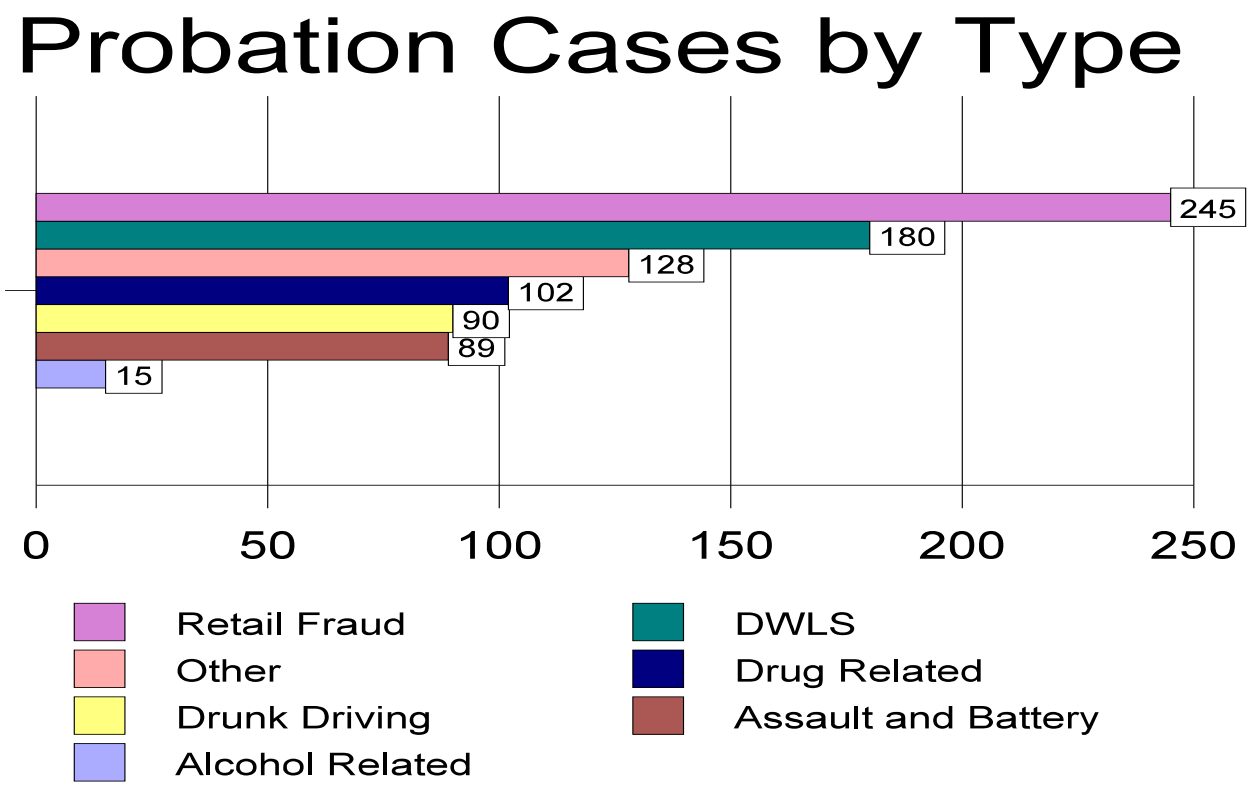
Diane was sentenced to probation for Unemployment Compensation Fraud after she failed to inform the State of Michigan that she had obtained employment while at the same time continuing to receive benefits. When she was placed on probation in Kentwood Diane was also on probation in another county for Domestic Assault, had not graduated from high school, and was unemployed. Despite all of her troubles the source of Diane's problems can be traced to her own alcohol abuse. Her current boyfriend is also on probation for an alcohol related offense further compounding Diane's struggle with alcohol.

Diane has been on probation for six months now and she has been able to obtain employment, attend school, complete Intensive Outpatient and Relapse Prevention treatment, and pay her court costs and fines in full in both courts. Diane continues to maintain abstinence from alcohol through consistent AA attendance, she maintains her restitution payment plan, and continues to work toward her high school diploma. Although Diane is still on probation she is

proud that she has been able to reverse her negative downward spiral and come so far in the last six months.

John was placed on probation for Possession of Marijuana for eight months. John was employed at a local pizzeria earning minimum wage. John had graduated from high school but had no interest in college. Prior to being placed on probation John spent a great deal of his money on marijuana. Once placed on probation John still did not see or think that marijuana was a problem for him. John was referred to an eight session marijuana group where he learned about the negative effects that the drug had in his life. John completed successfully. John has now enrolled in community college and he is still employed full-time. John has tested negative for drugs each month, paid his fines and cost in full. Now that John is drug free, he is aware of his past self-destructive behavior and he is much more productive.

Reynaldo is a 32-year old male who was placed on probation for possession of marijuana. He had been using marijuana since the age of 15. He tested positive for drugs on his first two probation meetings. We discussed his use. He said he was trying to stop. We looked at some options for counseling. He stated counseling would be a waste of his time and that he saw nothing wrong with smoking marijuana. He went on to state that he has never been in any other legal trouble and he has been working at the same job for five years. Obviously, this client was very resistance to change and presented to be a challenge. A referral was made to counseling, but client attended only one session and quit. When he reported for his next probation meeting, I told him he needed to complete counseling or see the Judge. Reynaldo completed the program. He reported feeling proud when he received his certificate of completion, and he couldn't believe how much better he feels without drugs in his system. For the first time, he could see the benefits of abstaining.



OTHER ACTIVITIES

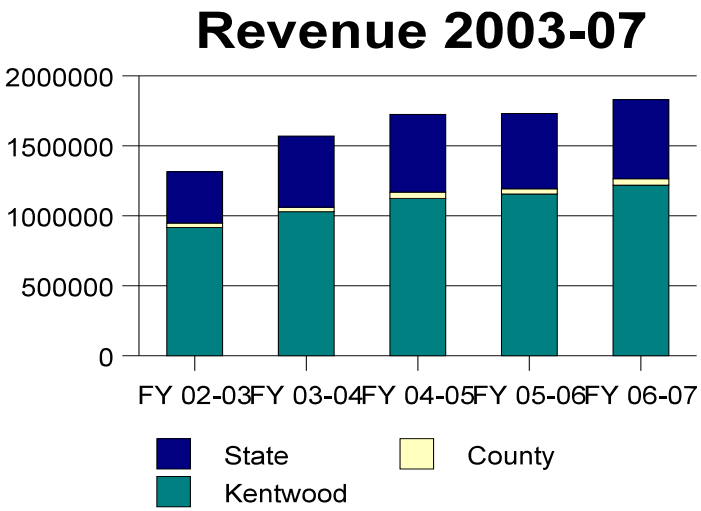
The judge and magistrate signed 95 search warrants, including 38 for blood tests in drunk driving cases in which the defendant refused to take a breath test. The magistrate is on call 24/7 for drunk driving blood tests.

The judge solemnized 78 weddings and the magistrate solemnized 30 weddings. All couples seeking to be married in this court must attend a four hour Marriage Preparation class. Other courts in Kent County are now requiring attendance at the classes.

The Probation Department conducted 710 breath tests and 2459 drug 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. We determined that 108 tests for Marijuana were positive, about 10.2% of the 1,064 tests for Marijuana. Overall, 182 tests were positive, about 5.7%.

REVENUES

In FY 2006-2007 the court spent $1,143,226. The court turned over $1,218,998 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 has grown. In 2006-07, we sent $565,565 to the state of Michigan, and $45,713 to the county.

Sentencing is to punish, deter, rehabilitate, and/or incapacitate an offender. In some cases, the court determines that the individual should be jailed and/or placed on probation. In other cases, fines and costs are 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, to help balance its budget, the State of Michigan has added a Driver Responsibility Fee ranging between $150 and $1,000 per year for two years. It is a tax imposed on some of the poorest citizens in the community, 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. Hopefully, the legislature will repeal this fee soon.