



2018 Annual Report 47th District Court

Farmington/Farmington Hills, Michigan

Court and Cities Honor Magistrate Phenev and City Attorney Meads

At the Court’s annual awards ceremony in December, the 47th District Court honored Magistrate Dennis J. Phenev for over 35 years of service as magistrate by dedicating the magistrate courtroom in his honor. Magistrate Phenev was presented with a plaque by Judge Marla Parker and Judge James Brady, which was subsequently mounted outside the first floor courtroom in the 47th District Courthouse. At the same ceremony, Farmington and Farmington Hills Mayors Steven Schneemann and Ken Massey joined the judges in honoring Stephen Meads, a shareholder with the Farmington Hills law firm of Rosati, Schultz, Joppich and Amtsbuechler, for over 25 years of service as ordinance prosecuting attorney for the cities.



Magistrate Dennis Phenev stands beside the plaque dedicating the magistrate’s courtroom in his name.



City Attorney Stephen Meads (2nd from left) is recognized for his 25 years of service to the Cities and the Court by (from the left) Judge Marla Parker, Farmington Mayor Steve Schneemann, Farmington Hills Mayor Ken Massey, and Judge James Brady.

Michigan Supreme Court Administrative Office 2018 Public Satisfaction Survey Results	Statewide 2018 Average	47th District Ct. 2018 Results
I was able to get my court business done in a reasonable amount of time.	86%	89%
As I leave the court, I understand what happened in my case.	87%	92%
I was treated with courtesy and respect by court staff.	94%	95%
The way the case was handled was fair.	83%	87%

Jurisdiction, Mission & Core Values

The 47th District Court has jurisdiction over the following case types arising in the Cities of Farmington Hills and Farmington:

Criminal Felonies (through preliminary exam)
Criminal Misdemeanors
Traffic and Zoning Infractions

General Civil Lawsuits (up to \$25,000)
Landlord-Tenant Disputes
Small Claims Lawsuits

Our mission is to provide a safe, neutral, and impartial forum for peaceful resolutions of public and private disputes.

In doing so, the Court strives to ensure:

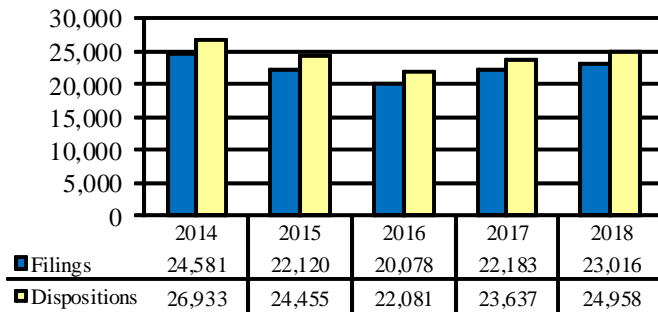
Access to Justice
Equality, Fairness and Integrity

Expedition and Timeliness
Independence and Accountability

Public Trust and Confidence

47th District Court Caseload Dashboard

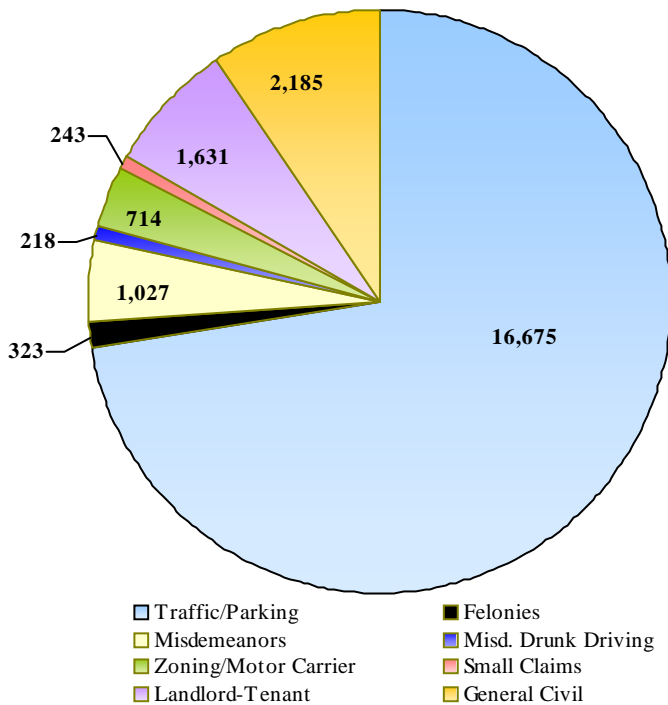
New Filings & Dispositions: 2014 - 18



47th District Court Disposition Rates Comparison to Time Guidelines & State Averages

	Time Guideline	Statewide Ave.	47th Dist. Court
Misdemeanors w/i 126 Days	95%	96%	98%
Civil Infractions w/i 84 Days	98%	98%	97%
General Civil w/i 455 Days	98%	99%	100%
Summary Civil (LT, SC) w/o Jury Demand w/i 126 Days	95%	96%	98%

2018 Case Filings By Type



47th District Court Jurists Elected District Judges



Hon. Marla E. Parker

Hon. James B. Brady

Appointed Attorney Magistrates

Matthew Friedrich
Dennis Pheny
Michael Sawicky

47th District Court Financial Dashboard

FY 2017-18 Sources of Court Funding

(See Chart A below)

From the **State of Michigan**:

- Judges' salaries
- Statutory drunk driving & drug case funds
- Jury fees reimbursement for costs exceeding \$15 per juror, per day
- Sobriety Court program grant

A one-time MMRMA security enhancement grant of \$13,465.

Other Miscellaneous Funding Sources (Interest income, employee health insurance contributions, etc.)

ALL OTHER COURT FUNDING (94% OF TOTAL) IS CONTRIBUTED BY FARMINGTON & FARMINGTON HILLS.

FY 2017-18 Distribution of Court Revenue

(See Chart B below)

To the **State of Michigan**:

- \$40 from each traffic civil infraction.
- \$10 from each non-traffic civil infraction.
- \$50 costs and \$75 Crime Victims fee on each misdemeanor.
- Percentage of each civil filing fee (% based on case value).
- \$10 from each \$20 motion fee.

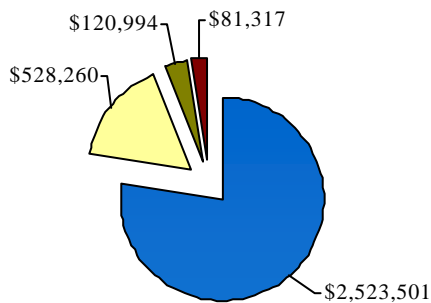
To the **County Library Fund**:

- Penal fine on all state law cases.
- 30% of the penal fine on local ordinance motor carrier cases.

ALL OTHER COURT REVENUE (74% OF TOTAL) GOES TO FARMINGTON & FARMINGTON HILLS .

Budget Contributions Fiscal Year 2017-18

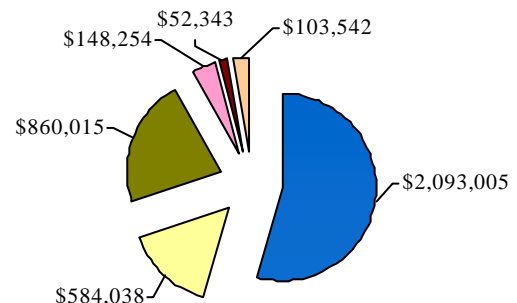
Expenditures = \$3,254,072



■ Farmington Hills ■ Farmington
■ State of Michigan ■ Other Funding

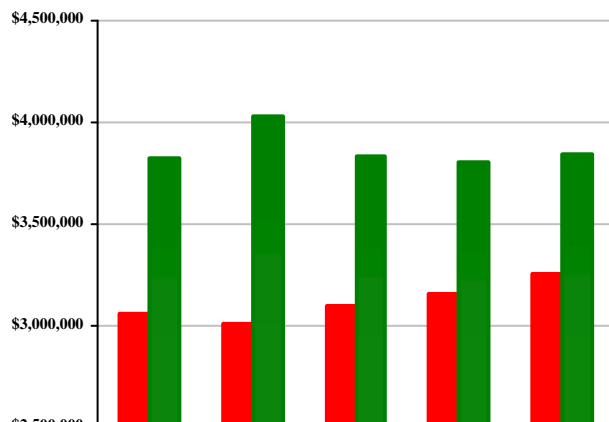
Distribution of Revenues Fiscal Year 2017-18

Revenues = \$3,841,197



■ Farmington Hills ■ Farmington
■ State of Michigan ■ Oakland County
■ Community Work Prog. ■ Building Bond Fund

Total Court Revenues & Expenditures FY 2013-14 thru FY 2017-18



	2013-14	2014-15	2015-16	2016-17	2017-18
Expenditures	\$3,057,194	\$3,011,641	\$3,094,745	\$3,159,607	\$3,254,072
Revenues	\$3,821,841	\$4,029,383	\$3,829,429	\$3,799,163	\$3,841,197

Show Cause Collections Program

Since its inception in 2003 through the end of 2018, the *Show Cause Docket* has generated collection of **\$6,474,558** in past due payments.

Each month, delinquent payers are noticed to appear in front of Judge James Brady to explain why they have not paid their fines and costs as ordered. The judge works with the defendants to establish payment plans or in some cases waives certain fines and fees based on the defendant's ability to pay.

For defendants that fail to appear or respond, a bench warrant is issued and they are assessed an additional \$150 bench warrant fee. Upon arrest on the bench warrant, the defendant is required to post the amount owed to gain release and close the case or, at the defendant's choice, is brought before the Court for a hearing.

The New 47th District Court License Clearance Program

In March 2018, the Court instituted a new program aimed at assisting those individuals with suspended licenses for failure to pay fines and costs. Historically, courts have required all other outstanding fees be paid prior to the \$45 license clearance fee, with the logic being that holding potential license clearance to the end will encourage prompt payment of all fees. Yet, without a license, it may be difficult or impossible for an individual to hold a job and earn the income necessary to pay the fees. Additional late fees and penalties may be added for continued delinquency. Should the individual choose to drive while suspended, he/she risks additional violations, potentially deepening the financial hole or resulting in incarceration. The Court's new program aims to help participants maintain a clear license, so they can earn the money necessary to pay their debts and close their cases.

Under the program, individuals suspended exclusively in the 47th District Court may make an initial payment and enter into a monthly contract for the remaining debt. The judges and staff work with the individual to determine a realistic monthly payment amount, which is incorporated into a signed standard contract developed by the Court. Upon execution of the initial payment and contract, the participant is given his/her license clearance. The participant remains in good standing as long as he/she makes the contracted monthly payment. As needed, the judges and staff work with participants to extend the payment window and/or reassess a participant's ability to pay. Ultimately however, participants are held accountable if they don't comply with their contract, and their license may be re-suspended.

Program statistics: March 1st through the end of the 2018

- 85 cases were accepted into the program involving 56 individuals and a total of \$35,829 in outstanding debt.
- Total delinquent fees collected: \$17,858 (49.8% of delinquent total at time of contract).
- 20 cases (18 individuals) were successfully collected and closed (\$6,720 collected).
- 36 cases (19 individuals) were still active in the program at year end (\$7,093 collected on those cases to that point).
- 27 cases (15 individuals) were re-suspended (\$3,700 collected prior to re-suspension).
- 2 cases (1 individual) were closed due to bankruptcy filing (\$345 of \$1,148 was collected prior to bankruptcy filing).

(Note: while case statistics match within categories, individual statistics vary slightly due to individuals having both active and closed cases.)

Community Work Program

The Community Work Program (CWP) began in 1986 as a partnership between the Court and the Farmington Hills Police Department to provide a sentencing alternative to help address overcrowding at the Oakland County jail. The judges sentence qualifying misdemeanants to perform a certain number of work days to benefit the community.

The program is operated out of the Court's Probation Department. Director Jackie Jones and her clerical staff coordinate the scheduling of defendants to meet requests from Farmington and Farmington Hills departments. Representatives from the departments requesting workers are responsible for providing staff to supervise their work crews. Workers are used annually for such projects as the set-up and tear-down of the Shiawassee sled hill, planting of the flower beds at the 47th District Court, road litter pick-up, and public building and park maintenance.

In 2018, 321 defendants worked a total of 1,231 work days on projects in the communities. Quantifying the value at the 2018 minimum wage rate of \$9.25/hour, ***the program provided a minimum labor value of over \$91,000.*** Including paid insurance costs and supervisor fees (paid from the \$40/workday fee assessed to the defendants), ***the total minimum value of the program to the communities exceeded \$150,000 for 2018.***

Sobriety Court

The 47th District Court Sobriety Court is a post-plea, *four phase* program created to protect society and reduce crime by targeting substance abuse and addiction through intervention, treatment and offender accountability. Under strict court supervision, participants must comply with court-ordered requirements including substance abuse treatment, alcohol/drug testing, and education and life skill development. The program is designed to span 24 months.

To be eligible, a defendant must be charged with a drunk-driving offense, be a resident of either Farmington or Farmington Hills, and meet one or more of the following eligibility criteria:

- Blood-Alcohol Content of .15% or greater at arrest
- Addiction assessment score of 3 or greater
- Prior record of alcohol related offense(s)
- Sobriety Court team discretion

Through 2018, there have been 88 program graduates. Of those completing an exit questionnaire, 99 percent indicated the program was helpful, with 74 percent saying it was very helpful. In addition, 99 percent indicated that completing the program would improve their chances of remaining clean and sober in the future, with 84 percent indicating they felt it would greatly improve their chances of remaining clean and sober.