

2014

# ANNUAL REPORT



16th Judicial Circuit,  
Macomb County Probate  
& 42nd District Courts

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Macomb County is consistently one of Michigan's fastest growing counties with 854,769 residents.



Macomb County ranks as the third most populated county in Michigan.



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We would like to thank the following people and departments for their contributions to this report:

The judges and administrators of the 16th Judicial Circuit, Macomb County Probate Court and 42nd District Court.

Macomb County Department of Planning & Economic Development, especially Carol Pihaylic, for producing this annual report and supplying various photographs that appear throughout the report.

The Macomb County Executive, Board of Commissioners and the Macomb County Clerk's Office for their support with this annual report.





## Mission Statement

“Our mission is to serve the public by providing a fair, expeditious, and impartial forum for the resolution of civil and criminal matters through the rule of law.”

Photo courtesy of Carol Pihaylic

## A Message from the Chief



It is with great pleasure that we present the 2014 Annual Report for the 16th Judicial Circuit Court, Macomb County Probate Court, and 42nd District Court, Divisions I and II. This Annual Report provides an overview of the Courts' departments, touches on some of the highlights of 2014, and offers statistical information pertaining to the Courts' performance. Macomb County Courts continue to excel in the efficient administration of justice, serving our constituents in Macomb County and all others who have business with our Courts.

The Court participated in many exciting programs throughout 2014. We held the first "Settlement Week" in many years, facilitating the settlement of numerous civil cases. We welcomed law students from the People's Republic of China, who observed Court proceedings and were able to get a first hand look at the transparency, efficiency, and respect for individual rights which characterizes the American Justice System. We participated in the Michigan Supreme Court's "Justices on the Road" program, bringing the Michigan Supreme Court to Macomb Community College to hear actual oral arguments in a pending case in front of students from area high schools.

Our existing initiatives also continue apace. The Business Court continues to lead the way in facilitating the prompt resolution of complex business disputes. Our Specialty Court Dockets – Drug Court, Veterans' Treatment Court, and Mental Health Court – continue their innovative approaches to justice, employing proven treatment techniques to reduce recidivism. E-Filing continues to be implemented throughout the Court, and the OnBase Document Management System has also been introduced.

We have also seen changes to our Bench in 2014. Judge Peter J. Maceroni, after a long and distinguished career, retired at the end of 2014. Judge James M. Maceroni was elected in November to fill this vacancy, and assumed office in January of 2015. Additionally, the exceptionally talented Friend of the Court, Lynn Davidson, announced her retirement at the conclusion of 2014, bringing many years of dedicated service to the families of Macomb County to an end.

On a personal level, I have announced my own retirement from the Circuit Court Bench – effective April 30, 2015. I have tremendously enjoyed my time serving the citizens of Macomb County, from my time as Assistant Corporation Counsel, Corporation Counsel, District Court Judge, Circuit Court Judge, and finally, as Chief Judge of the Circuit, Probate, and 42nd District Courts. My colleagues on the Bench have been both wonderful friends and great co-workers, while the dedicated staff of our Courts has made my job a true pleasure. Finally, the County Executive and the Board of Commissioners have been invaluable partners in our efforts to serve the citizens of Macomb County. While I will miss everyone greatly, I have the utmost faith the Macomb County Courts will continue to lead the way in improving access to justice, increasing efficiencies, and serving the public.

Sincerely,

A handwritten signature in black ink that reads "John C. Foster". The signature is written in a cursive, flowing style.

John C. Foster  
Chief Judge 16th Judicial Circuit,  
42nd District, and Macomb  
Probate Courts



# Circuit Court Overview

The 16th Judicial Circuit Court is a trial court of general jurisdiction, which means that it handles all types of cases except those given by state law to another court. The Civil Division handles civil cases involving more than \$25,000 and cases in which parties seek equitable relief. The Criminal Division handles all Macomb County felony cases and some serious misdemeanor cases. The Family Division handles all domestic relations and juvenile matters including delinquency, abuse, neglect and adoption cases. Circuit Court judges are elected to six-year terms on the non-partisan ballot.

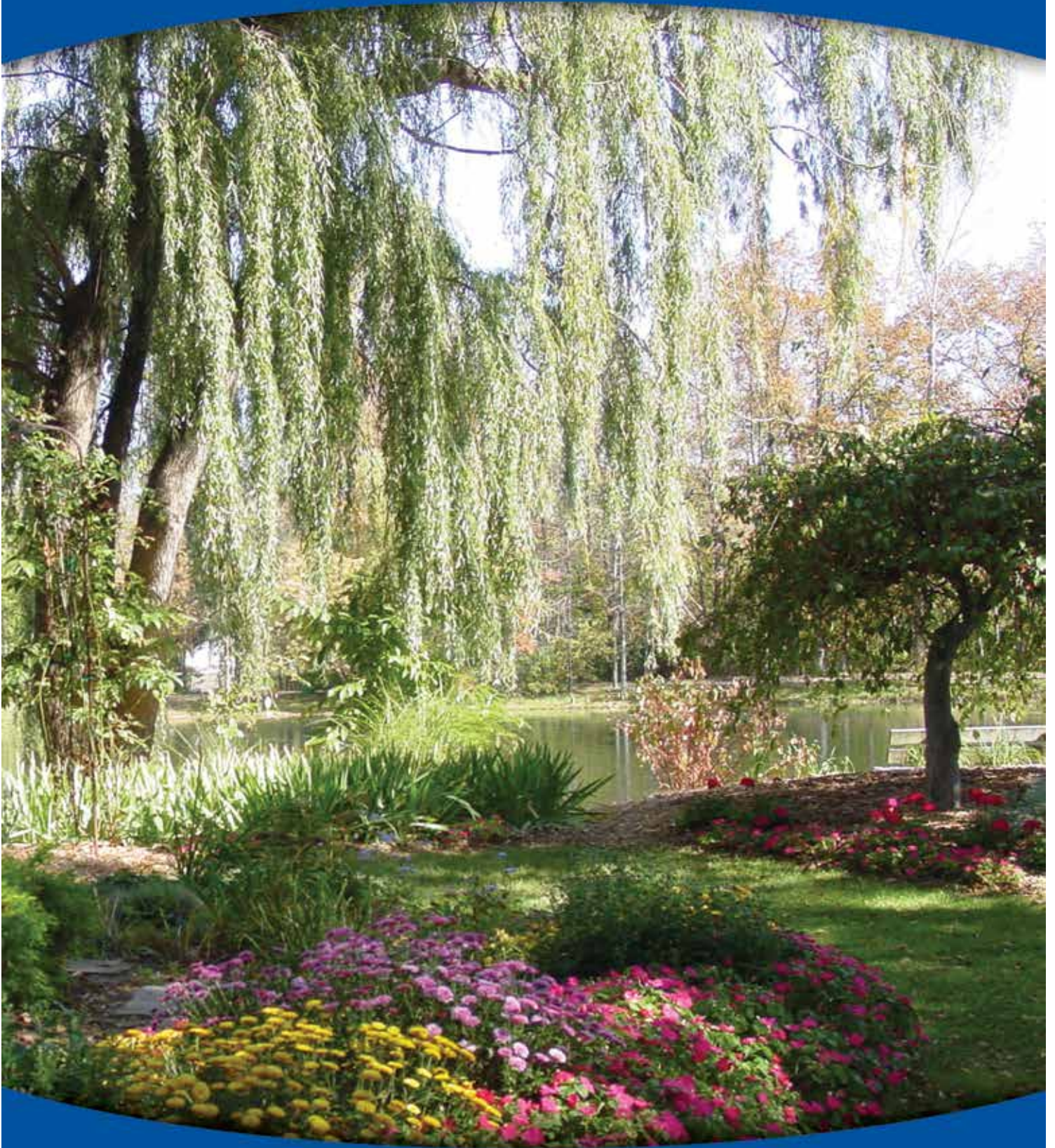
40 North Main Street, Mount Clemens, MI 48043  
[www.circuitcourt.macombgov.org](http://www.circuitcourt.macombgov.org)



There are over 155 miles of existing trails in the Macomb County trail network. Trail users can discover the county's natural beauty exploring everything from nature centers to fruit orchards.



# Circuit Court



**Photo courtesy of Carol Pihaylic**  
A serene afternoon at Shelby Township Park



# Circuit Court Judges



**Judge  
John Foster**

Chief Judge, 16th Judicial Circuit,  
Macomb Probate & 42nd  
District Courts

[http://circuitcourt.macombgov.org/  
CircuitCourt-JohnFoster](http://circuitcourt.macombgov.org/CircuitCourt-JohnFoster)



**Judge  
James M. Biernat, Jr.**

Chief Judge Pro Tempore  
Civil/Criminal Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-JamesBiernatJr](http://circuitcourt.macombgov.org/CircuitCourt-JamesBiernatJr)



**Judge  
Richard L. Caretti**

Presiding Judge  
Civil/Criminal Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-RichardCaretti](http://circuitcourt.macombgov.org/CircuitCourt-RichardCaretti)



**Judge  
Kathryn A. Viviano**

Presiding Judge,  
Family Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-KathrynViviano](http://circuitcourt.macombgov.org/CircuitCourt-KathrynViviano)



**Judge  
Peter J. Maceroni**

Civil/Criminal Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-PeterMaceroni](http://circuitcourt.macombgov.org/CircuitCourt-PeterMaceroni)



**Judge  
Mary A. Chrzanowski**

Criminal Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-MaryChrzanowski](http://circuitcourt.macombgov.org/CircuitCourt-MaryChrzanowski)

# Circuit Court Judges



**Judge  
Mark S. Switalski**  
Civil/Criminal Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-MarkSwitalski](http://circuitcourt.macombgov.org/CircuitCourt-MarkSwitalski)



**Judge  
Edward A. Servitto, Jr.**  
Civil/Criminal Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-EdwardServittoJr](http://circuitcourt.macombgov.org/CircuitCourt-EdwardServittoJr)



**Judge  
Diane M. Druzinski**  
Civil/Criminal Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-DianeDruzinski](http://circuitcourt.macombgov.org/CircuitCourt-DianeDruzinski)



**Judge  
Matthew S. Switalski**  
Family Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-MatthewSwitalski](http://circuitcourt.macombgov.org/CircuitCourt-MatthewSwitalski)



**Judge  
Tracey A. Yokich**  
Family Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-TraceyYokich](http://circuitcourt.macombgov.org/CircuitCourt-TraceyYokich)



**Judge  
Jennifer M. Faunce**  
Civil/Criminal Division

[http://circuitcourt.macombgov.org/  
CircuitCourt-JenniferFaunce](http://circuitcourt.macombgov.org/CircuitCourt-JenniferFaunce)



## 2014 16th Judicial Circuit Court Bench



Top Row Judges: Mary A. Chrzanowski, Tracey A. Yokich, Diane M. Druzinski, Mark S. Switalski, Peter J. Maceroni, Jennifer M. Faunce, Kathryn A. Viviano and Edward A. Servitto, Jr. Bottom Row Judges: Matthew S. Switalski, John C. Foster, Richard L. Caretti and James M. Biernat, Jr.

### **Core Values of the 16th Judicial Circuit Court**

- Honesty and integrity - telling the truth and fulfilling promises
- Principled decision making - guided by the rule of law and due process
- Independence of the judiciary
- Impartiality of the tribunal - free from bias and discrimination
- Reasonable access to justice - reasonable schedules, promptness and continuously striving to improve processes
- Courtesy and consideration for all
- Openness - our processes are open to public scrutiny and critical analysis
- Cost effectiveness

*"In matters of truth and justice, there is no difference between large and small problems, for issues concerning the treatment of people are all the same."*

Albert Einstein

# Congratulations and Farewell



**Judge  
James Maceroni**

## **Welcome Judge James Maceroni**

The Macomb County Circuit Court extends a warm welcome to the newest member of the Circuit Court Bench: Judge James Maceroni. Judge James Maceroni was elected to the Circuit Court in November of 2014, and took office in January of 2015. Prior to his election, Judge James Maceroni was in private practice with a focus on criminal and family law. He served on the Macomb County Charter Commission, helping to restructure Macomb County's government. Additionally, he has served on the Board of Directors of the Macomb County Bar Association; as Chair of the Macomb County

Bar Association's Criminal Law Committee; and on the Board of Directors of Lakeshore Legal Aide, a nonprofit which provides legal assistance to low income individuals. He served on the Michigan Council on Crime and Delinquency's Public Defense Task Force from 2007 through 2012 and the Michigan Campaign for Justice. Judge James Maceroni was the recipient of the Macomb County Bar Association's Distinguished Public Service Award, 2010-2011. Judge James Maceroni received a Bachelor of Arts from Michigan State University, and a Juris Doctor from Wayne State University. We are pleased to welcome Judge James Maceroni to the Circuit Court Bench.



**Lynn Davidson**

## **Farewell Lynn Davidson**

After 14 years as the Friend of the Court for the Macomb County Circuit Court, and 45 years of total service with the Office of Friend of the Court, Lynn Davidson retired in January of 2015. Lynn received a Bachelor of Science in Labor Relations and Human Resources from Wayne State University, and a Juris Doctor from the Detroit College of Law. Lynn began working in the Office of the Friend of the Court in 1969. Lynn was promoted to Judicial Service Officer in 1983, to IV-D Manager in 1999, and to Friend of the Court in 2000.

Lynn facilitated the implementation of many major changes during her time as Friend of the Court. In 2003, the Friend of the Court Office began using the state-mandated child support enforcement system which involved significant changes to the Friend of the Court Office's operations. In 2005, she spearheaded the implementation of an imaging system. The end result was a significant increase in the office's efficiency that allowed for better service.



Lynn has been an invaluable asset to the Office of Friend of the Court throughout the course of her career. Chief Judge John C. Foster remarked "Lynn's 45 years of hard work, dedication and exemplary performance has made Macomb County's Friend of the Court a leader in the field, ascknowledged by her recent award from the Michigan Family Support Council." Lynn will be missed by all.

There are four nature centers to visit in Macomb County.

- Burgess - Shadbush
- Lake St. Clair Metropark
- Sterling Heights Nature Center
- Stony Creek Metropark Nature Center





**Judge  
Peter J. Maceroni**

## Farewell Judge Peter Maceroni

After nearly 25 years on the Macomb County Circuit Court Bench, Judge Peter J. Maceroni retired at the conclusion of 2014. Judge Peter Maceroni received a Bachelor of Arts from Hillsdale College in 1962, and a Juris Doctor from Wayne State University in 1965. He was in private practice from 1966 through 1990. In 1990, Judge Peter Maceroni was first elected to the Macomb County Circuit Court Bench. He was appointed as Chief Judge in 1992, and served in this capacity from March 1992 until December 31, 2004. Among numerous accomplishments during his tenure as Chief Judge, he worked with the State

Court Administrative Office (SCAO) and successfully advocated for the passage of legislation allowing for the creation of three additional judgeships for the Circuit Court. He also worked to insure the approval of these additional judgeships at the county level. Judge Peter Maceroni obtained funding from the County Board of Commissioners to implement and continue the Circuit Court's Juvenile and Adult Criminal Drug Court Programs. Finally, he oversaw the creation and implementation of the Family Division of the Circuit Court, in accordance with a mandate contained in the Court Reform Legislation of 1997.

In addition to these accomplishments, Judge Peter Maceroni also served as a member of the Executive Board of the Michigan Judges Association; was president of the Michigan Judges Association in 2003; was a member and officer of the State Bar of Michigan's Judicial Conference; and was a member of the Michigan Trial Court Assessment Commission. He was also the chairperson of the Macomb County Community Corrections Advisory Board, which works closely with the Sheriff's Department and provides services in connection with substance abuse and mental health issues, as well as providing various programs aimed at making a difference in the lives of nonviolent offenders and improving overall safety for the citizens of Macomb County.

Judge Peter Maceroni has received numerous accolades during his years of service. He was honored as Man of the Year in 1993 by the Columbus Day Celebration Committee. In 1997, he received the Outstanding County Elected Official award from the Michigan Association of Counties and the President's Award from the Italian American Bar Association of Michigan. In 2000, he was named as Alexander Macomb Citizen of the Year by the March of Dimes.

Reflecting on Judge Peter Maceroni's service to the Court, Chief Judge John Foster stated "It has been a privilege working with Judge Maceroni over the years. His experience and insight have been an invaluable resource. I know I speak for the entire Bench when I say that I am honored to call him a friend and a colleague, and I wish him all the best in retirement." Judge Peter Maceroni will be sorely missed!

Forty years ago, our national symbol was in danger of becoming extinct. The bald eagle is now off of the endangered list and has made an all-American comeback. This eagle was spotted along the shores of Lake St. Clair Metropark.





# Probate Court

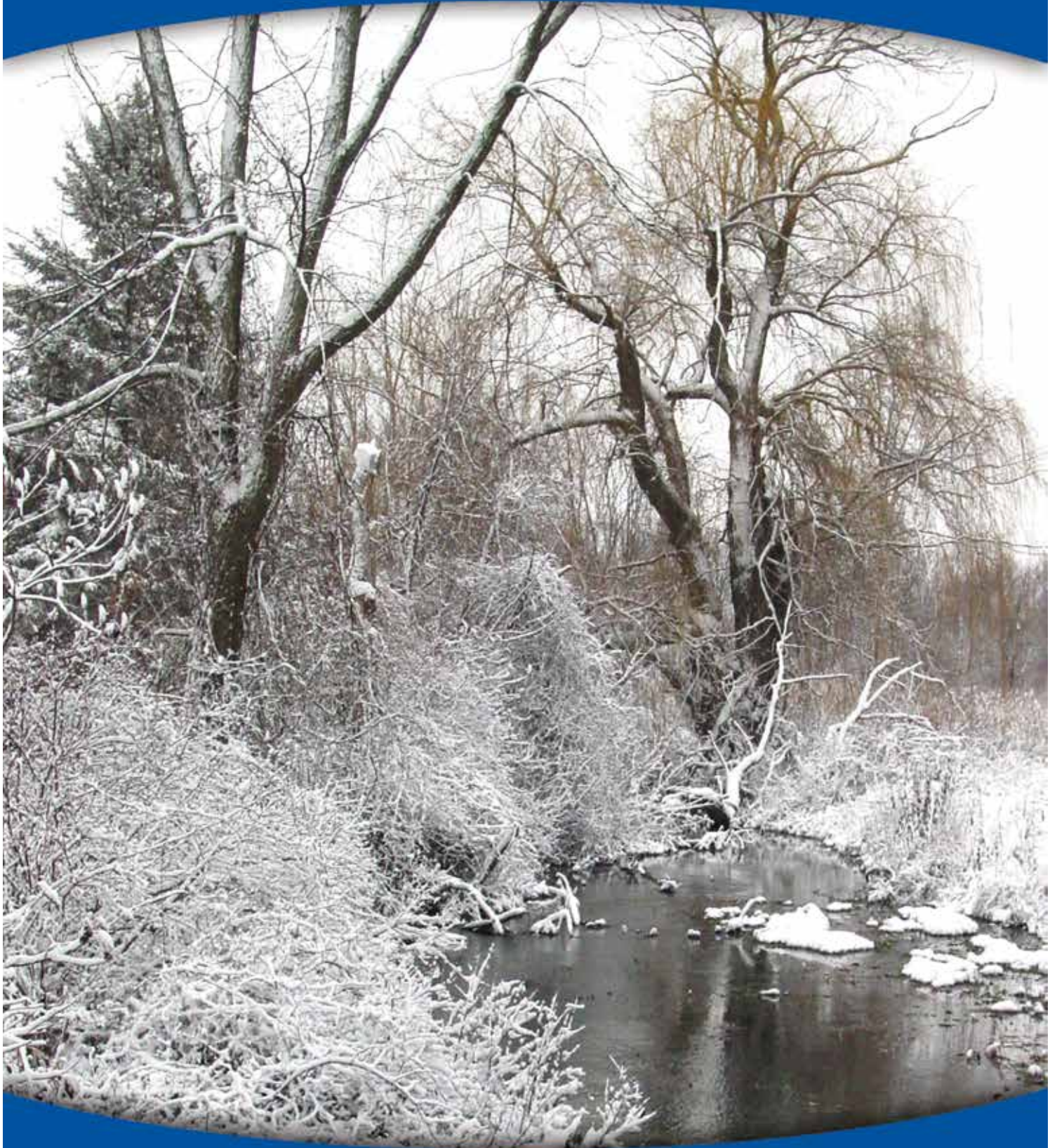


Photo courtesy of Rachael Lisecki

A fresh snowfall on the north branch of the Clinton River at Wolcott Mill Metropark.



# Probate Court Judges



**Judge  
Carl J. Marlinga**

Presiding Judge  
Probate

<http://probatecourt.macombgov.org/ProbateCourt-CarlMarlinga>



**Judge  
Kathryn A. George**

Assigned to Family  
Division of Circuit Court

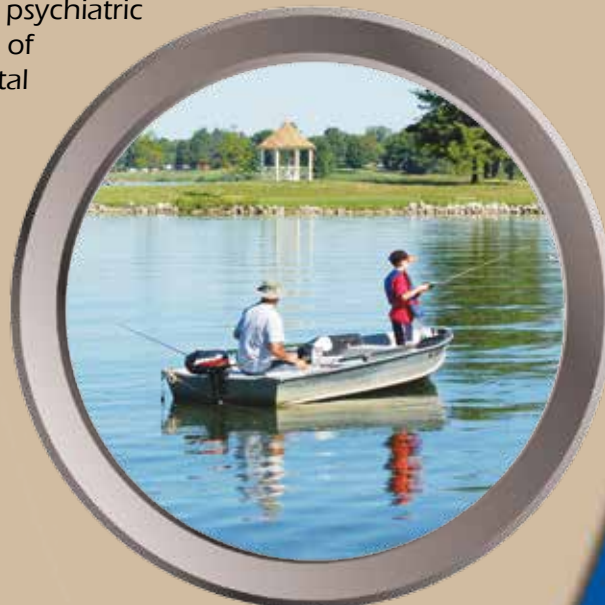
<http://circuitcourt.macombgov.org/CircuitCourt-KathrynGeorge>

Wolcott Mill Learning Center is a 250-acre working farm where children can interact with the animals and learn how a farm operates. Please look on their website to see the schedule.

## The Macomb County Probate Court handles two main areas of law: the Wills & Estates Division and the Mental Division.

**The Wills & Estates Division** has jurisdiction over matters relating to the settlement of decedents' estates; proceedings concerning the validity, internal affairs and settlement of trusts; the administration, distribution, modification, and termination of trusts; the declaration of rights involving trusts, trustees and beneficiaries of trusts; and matters involving guardianships and conservatorships.

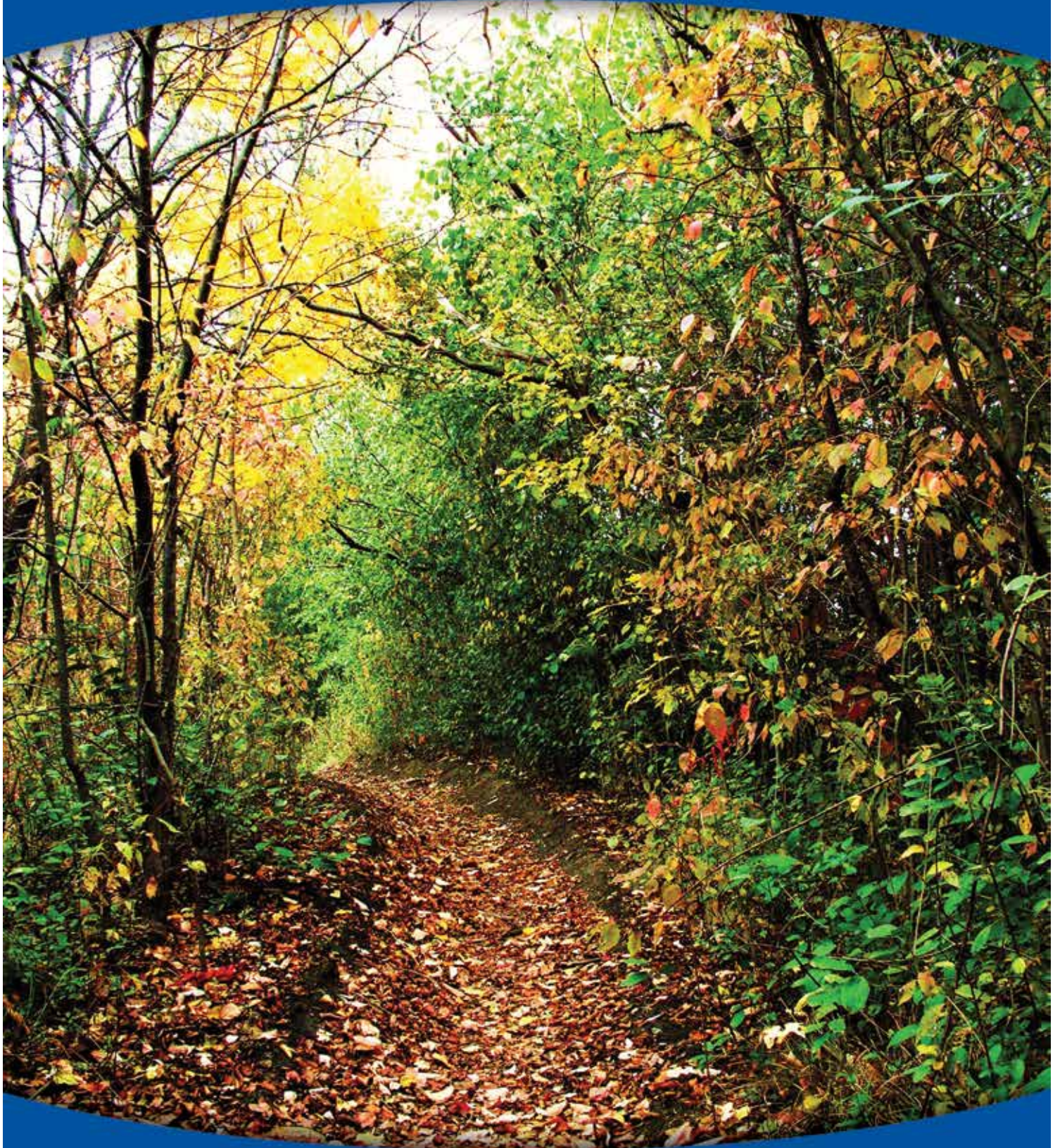
**The Mental Division** has jurisdiction over proceedings under the Mental Health Code. It handles matters relating to involuntary commitments for psychiatric treatment and guardianships of individuals with developmental disabilities.



Macomb County has more than 52,600 motorized registered boats, one of the highest amounts in Michigan.



## 42nd District Court



**Photo courtesy of Anne Nicolazzo**

Meandering through the trails on a crisp fall day at Nicholson Nature Center.



## District Court Summary



**Judge  
William H. Hackel**

Presiding District  
Judge

<http://districtcourt.macombgov.org/DistrictCourt-WilliamHackel>



**Judge  
Denis LeDuc**

District Judge

<http://districtcourt.macombgov.org/DistrictCourt-DenisLeDuc>

The 42nd District Court serves the citizens of northern Macomb County, with separate divisions located in Romeo and New Baltimore. The 42nd District Court has exclusive jurisdiction of civil litigation where the amount in controversy is \$25,000 or less. The District Court also handles garnishments, landlord-tenant matters, civil infractions, local ordinance violations, and misdemeanors where the maximum penalty does not exceed one year in jail. Additionally, the District Court conducts arraignments and preliminary examinations in felony cases, with the District Court judges determining whether there is sufficient evidence to bind the accused over to Circuit Court for trial. The 42nd District Court also includes a small claims division for civil cases where the amount in controversy is less than \$5,000, and where the parties waive certain rights in order to expedite the handling of the case.

## 42nd District Court Judges

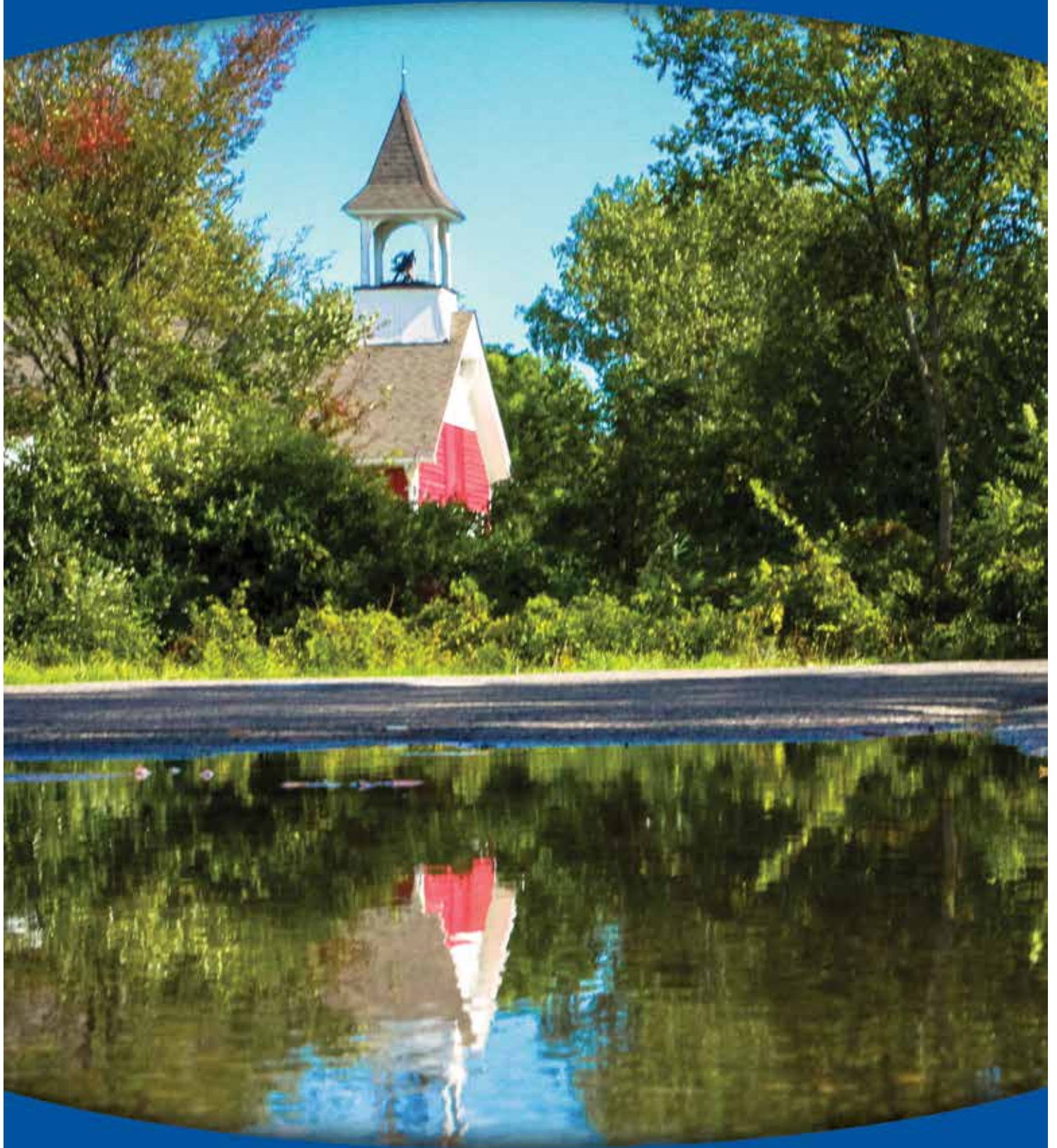
One of the largest low impact development projects in Michigan has taken place at Lake St. Clair Metropark. A green parking lot has been implemented using landscape elements and bioswales to remove and slow down surface water runoff so as not to overflow storm-sewer drains.



The St. Clair River Delta into Lake St. Clair is considered North America's largest freshwater delta.



# Department Summaries



**Photo courtesy of Anne Nicolazzo**

The one-room schoolhouse located at the Chesterfield Township Historical Park. Look online for a full list of fun and educational events throughout the year.





**Jennifer Phillips**  
Court Administrator

## Court Administration

Court Administration manages the 16th Judicial Circuit Court, Macomb County Probate Court and 42nd District Court personnel and business operations, including public relations and court policy issues. Court Administration departments include the Caseload Division, ADR/Case Evaluation, Specialty Court Services, Finance, Family Counseling Service, Friend of the Court, Research Department, Juvenile Division and Information Services Division. For more information visit: <http://circuitcourt.macombgov>.

## Caseload Division

The Caseload Division manages and tracks the progress of a case from case initiation through disposition. The division is responsible for event scheduling, docket management, notice generation, dismissals for lack of progress, adjournment processing, tracking actions taken by each judge, disposal of cases pursuant to the State Court Administrative Office (SCAO) caseload reporting requirements, and answering questions from the public. The Caseload Division is responsible for reporting statistical information to SCAO. Additionally, the Caseload Division is responsible for appointing counsel for indigent defendants, and appointing foreign language and American Sign Language interpreters.

## ADR/Case Evaluation

Alternative Dispute Resolution (ADR) is a process in which the judge refers the parties to a mediator to help them resolve their dispute. Case Evaluation is a form of alternative dispute resolution, which requires most civil cases be evaluated by a panel of three experienced attorney evaluators who review written and oral presentations and evaluate the monetary value of each case. The Case Evaluation/ADR clerks are responsible for implementing the court rules, scheduling hearings, receiving written case summaries, and tracking and following up on evaluations.

## Specialty Court Services

Specialty Court Services oversees the Adult Felony Drug Court, the Veterans' Treatment Court, Mental Health Court, and the Business Court. Additionally, the department provides substance abuse assessments to the Bench for all drinking and driving convictions as mandated.



Specialty Court  
Graduations in  
2014

# Department Summaries

## Finance Department

- **Judicial Aide Division**



Judicial Aide is responsible for collecting money from defendants ordered to repay fees assessed for court-appointed counsel, transcripts, and expert witnesses; working with defendants on payment arrangements and wage assignments; processing requests for information and return of cash bonds; performing financial reviews and making recommendations to the Court at sentencing and/or hearings; cashiering and remitting restitution funds; and processing show cause hearings, income tax garnishments, driver's license suspensions, bench warrants, and orders to remit prisoner funds.

- **Reimbursement Division**

The Reimbursement Division assists the Juvenile Division in reimbursement of court ordered assessments and the cost of care and service for youth in juvenile cases. The Reimbursement Division is responsible for interviewing responsible parties, reviewing financial information, preparing recommendations, preparing court orders, inputting costs, processing payments and reviewing delinquent accounts for further collection action.

Macomb County has an amazing array of wildlife throughout the county.

## Family Counseling Service

The Family Counseling Service assists in the assessment of domestic cases in which issues of custody and parenting time of minor children have been brought before the Court. Services are rendered upon referral order of the Court and provided by an independent contractor. Services include evaluation, parental coordination evaluation, counseling and mediation.



## Friend of the Court

The Friend of the Court (FOC) assists the Family Division of the Court. The FOC provides enforcement of Court orders relating to child support, health care, spousal support, parenting time and custody, and investigates, evaluates and submits recommendations to the Court on any contested domestic relation matter. Additionally, The FOC provides alternative dispute resolution opportunities for litigants and the Court.



## Research Department

The Research Department provides research and writing as requested by the judges of the Court. The Research Department also provides support for Court Administration, assists in the training of law clerks, operates the Court's law library and provides ancillary legal support services as directed.

## Juvenile Division

The Juvenile Division handles cases related to juvenile delinquency, juvenile traffic matters, parental abuse/neglect, adoption, emancipations, juvenile guardianships and parental waivers and oversees the juvenile drug court. The Juvenile Division consists of a legal department, diversion unit, probation department, psychology and counseling unit, adoptions department and clerical services.

## Information Services Division

The Information Services Division (IS Division) is responsible for managing and utilizing new technology initiatives to develop and maintain a state-of-the-art communication system for the Macomb County Circuit and Probate Courts. The IS Division acts as a liaison with the Macomb County Information Technology Department, technology vendors and other state and local government agencies to identify, advocate and implement court technology projects to enhance the operations of the Courts.

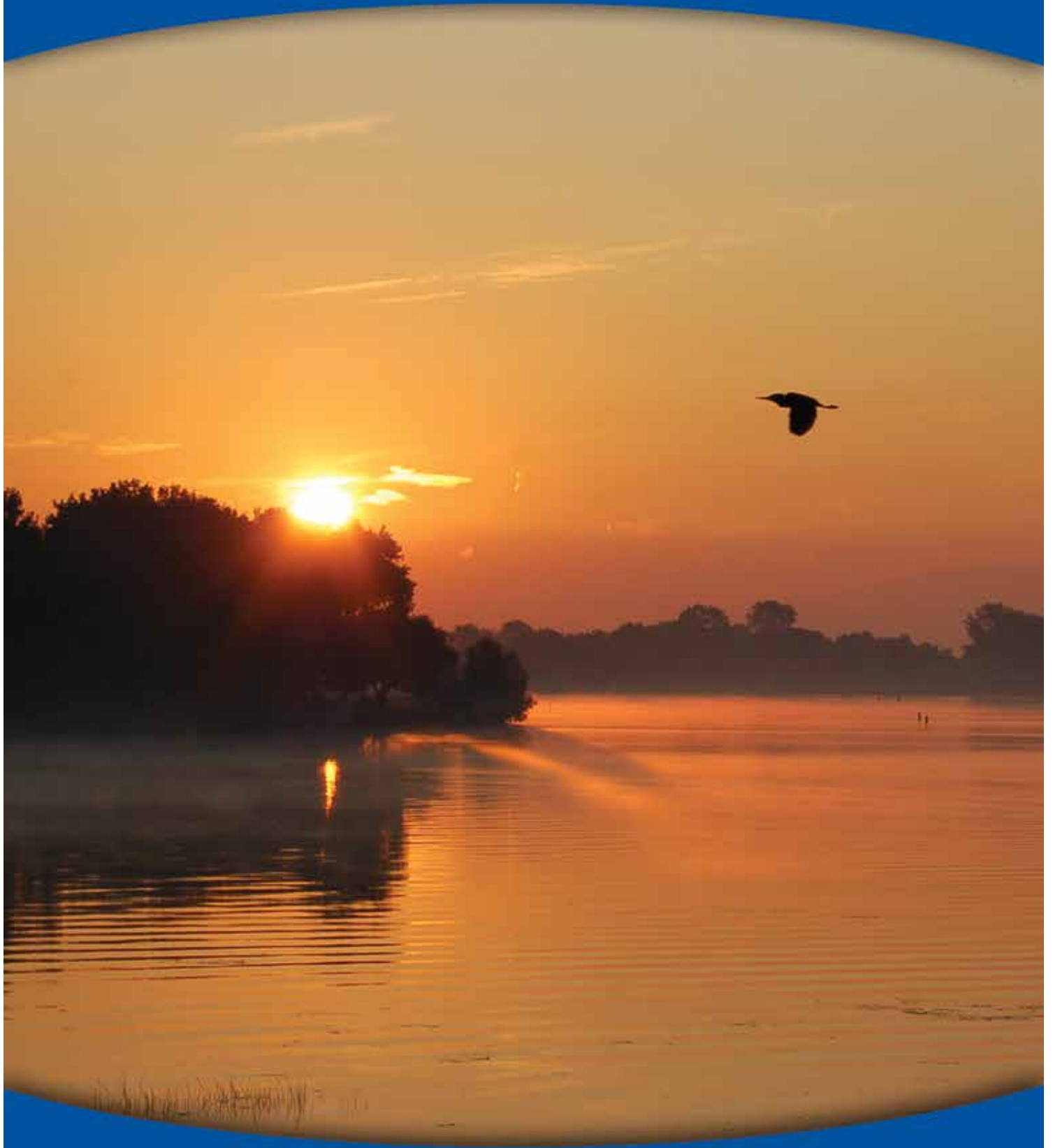
The IS Division assists both staff and litigants with court information systems such as case management, e-Filing and video conferencing. The IS Division prepares training and procedure manuals and other materials for Court staff and provides instruction regarding technology policies and procedures.

The IS Division utilizes the Court's case management system and other resources to collect information and prepare reports internally and for the Michigan Supreme Court, State Court Administrative Office, State of Michigan and Macomb County. The IS Division also maintains and updates the Court websites, produces multimedia presentations, coordinates mobile equipment and creates court forms. The IS Division's goal is to develop initiatives which will increase accuracy and efficiency while expanding the public's access to court programs and information.

The winners of the 2014 Juvenile Court Chili Contest.



# Highlights



**Photo courtesy of Rachael Lisecki**

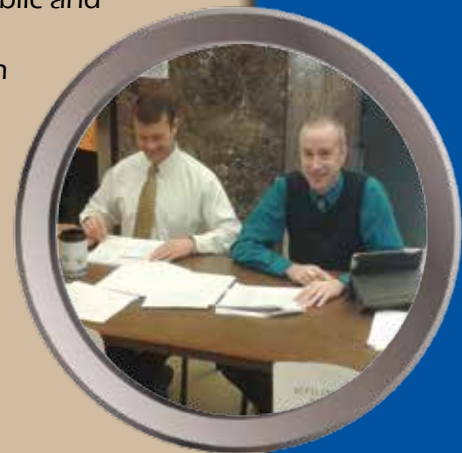
A beautiful sunrise over Lake St. Clair Metropark.



## Friend of the Court

In 2014, the Office of Friend of the Court continued to offer qualified individuals some relief on their arrears through participation in the pilot program known as “Compromised Arrears in Return for On Time Support” (CAROTS). For certain qualified individuals willing to maintain ongoing current child support payments, CAROTS allows the Friend of the Court Office to forgive all or a portion of their past due child support owed to the state. Depending on its success, CAROTS may ultimately be offered to all qualified individuals. CAROTS is one of several arrears forgiveness programs the Macomb County Friend of the Court Office is participating in to facilitate payments and reduce uncollectible, past due state-owed child support.

Additionally, the Friend of the Court Office continues to work with the Family Division judges to find new ways to streamline processes for the public and provide more effective and expedited service. In 2014, Chief Judge John Foster and Presiding Family Division Judge Kathryn Viviano, in conjunction with the Friend of the Court and Court Administrator, invited the State Court Administrative Office (“SCAO”) to study and analyze the Macomb County Friend of the Court Office’s current practices and make recommendations for change. We look forward to the results of the SCAO’s recommendations, in our continuing efforts to better serve the families of Macomb County.



Check in at Settlement Week.

## Settlement Week

The Macomb County Circuit Court held a “Settlement Week” on March 25, 26, and 27, 2014. Civil cases were selected to participate in 1 ½ hour mediation sessions. Attorneys with significant training and experience volunteered to serve as mediators. The goal of Settlement Week was to reduce the number of open cases at the Circuit Court, and the program was a great success. 459 cases were selected to participate, and 228 settled or were dismissed prior to their mediation sessions. 48 cases settled and 2 cases partially settled during their mediation sessions. Out of the total cases selected to participate in Settlement Week, 60% settled or were dismissed for other reasons. The Court would like to thank all of our volunteer mediators, Julie Gatti, Rick Troy, Richard Hurford, the Macomb County Bar Association, Chief Judge John Foster, the Circuit Court Bench, and the Circuit Court staff for making Settlement Week a success.



Putting a settlement on the record at Settlement Week.

# 2014 Highlights



Judges, staff and court-involved youth worked together at the opening of the Juvenile Division's community garden.

## Specialty Courts

Judge Diane Druzinski presided over her final session of the Adult Drug Court at the conclusion of 2014. Her position on the Drug Court will be filled by Judge Jennifer Faunce. Judge Druzinski presided over a Drug Court docket for nine years, and dedicated countless hours and significant efforts to making the Adult Drug Court a success. She has changed the lives of many Drug Court participants through her tireless efforts, and the Court is grateful for her years of dedication and service.

## Juvenile Division

In May of 2014, the Juvenile Division developed a community garden to provide opportunities for Court-involved youth to complete community service hours and to learn valuable life skills. The garden is located outside the Juvenile Division building in Mount Clemens and was constructed by Court-involved youth and staff volunteers. The youth planted a variety of vegetables and also planted flowers as part of a beautification project. The vegetables grown were distributed to local food pantries and to the youth and families involved in the Juvenile Drug Court program. The garden project has received donations and/or support from Michigan State University Extension, Macomb County Department of Roads, Miracle Gro, Macomb Community Drug Courts Inc., Lowes, Home Depot, Lumberjack, and Meldrum Brothers Nursery.

## 42nd District Court

In October of 2014, the 42nd District Court was awarded a grant in the amount of \$30,500 to establish a Drug Court program. Many of the criminal defendants that come into contact with the 42nd District Court have substance-abuse related issues. This grant will enhance the Court's ability to provide treatment and rehabilitation services particularly for young, nonviolent offenders. Participants in the program will receive judicial supervision, probation monitoring, drug testing, and substance abuse treatment services.





## Mental Health Court

Probate Judge Carl Marlinga has been assigned as a Circuit Court judge, hearing criminal cases in the Macomb County Mental Health Court. This Specialty Court deals with criminal offenders who repeatedly find themselves in trouble with the law because of chronic and serious mental illnesses. Sentences may include jail or prison, but other sentencing options, including psychological counseling, medication, and intensive probation are used to both rehabilitate the offender and protect the public from future criminal behavior.

## E-Filing Pilot Project

In 2014, the e-filing pilot project continued for "C" and "N" case-types filed with Chief Judge John Foster and Judge Jennifer Faunce. There were 1,086 new e-filing cases, and the Court processed over 18,000 e-filing transactions. The Court also began work on integrating the OnBase document management system with the Court's case management system, CourtView. This integration reduces duplicate data entry, decreases the opportunity for error, and automates many processes used by the Court and the Macomb County Clerk's Office. These improvements are expected to decrease the processing time for accepting, docketing, and filing e-filed documents submitted to the Court.

## Video Court Reporting

Digital Court recording is now available in eleven courtrooms across the Circuit, Probate, and District Courts. Although copies are not provided, requests to view video proceedings can be made by completing a "Video Request Form," available at <http://circuitcourt.macombgov.org/CircuitCourt-Video>. The recording may be viewed onsite on a Court provided laptop. There is no fee. A list of the video courtrooms is available on the webpage. Typed transcripts of video proceedings are available by contacting the assigned court reporter. Please follow the above link and review Joint Local Administrative Order 2012-07J for further information.

## Video Conferencing

Video Conferencing technology is now available in several courtrooms. The Court can accept internet-based calls on the PolyCom software platform using the PolyCom RealPresence Desktop software. Only single point-to-point calls can currently be made. Requests to utilize this technology should be directed to the judge assigned to the case. A test call will have to be performed before the hearing and the internet connection must be strong for a quality call.

## Business Court

Chief Judge John Fosters' Business Court docket continues to lead the way in expeditious resolution of complex business litigation. In 2014, a total of 275 new business cases were opened in the Business Court. Two existing cases were re-opened as Business Court cases. 144 of these cases - more than half of the total - were resolved and closed this same year.

Swans are truly majestic birds that usually mate for life. They can be seen in many area parks with open water throughout the county.



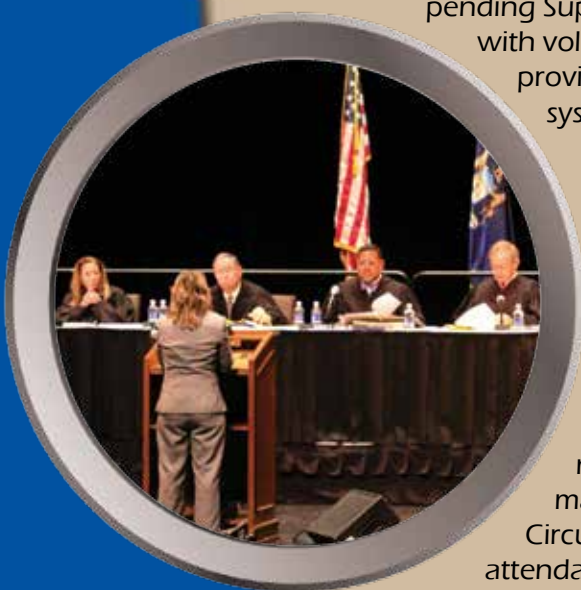
## Justices on the Road



The Justices of the Michigan Supreme Court and the Judges of the Macomb County Bench.

### **Justices on the Road**

Macomb County was honored to be selected to participate in the Michigan Supreme Court's Community Connections Program "Justices on the Road" at the Macomb Center for the Performing Arts on October 22, 2014. This program allowed area high school students to observe the actual oral arguments in a pending Supreme Court case. Prior to the program, students met with volunteer attorney mentors who explained the case and provided background information concerning the Court system. After oral arguments, students were given an opportunity to ask questions of the attorneys who had presented oral arguments. The presentation was followed by a reception in which the students met and mingled with the Justices of the Michigan Supreme Court. Approximately 450 students from 26 Macomb area high schools attended the event, and feedback was extremely positive. We would like to thank the Macomb County Bar Association for reaching out to its membership to find attorney mentors, the attorney mentors for volunteering their time and support, the many members of the Macomb County Bench (including Circuit, Probate, and District Court Judges) who were in attendance, and Court Services Director Lisa Ellis for planning and implementing this outstanding program. We would also like to thank the Supreme Court and the State Court Administrative Office for bringing this exciting event to Macomb County.



Oral arguments before the Supreme Court.



# MCEP Law Program



Farewell dinner for fall/winter participants in the MCEP program.

For a second straight year, we were pleased to welcome the Macomb Cultural and Economic Partnership (MCEP) to the Macomb County Circuit Court. Under the auspices of MCEP, students from various law schools across the People's Republic of China traveled to Macomb County to observe the workings of the American legal system. Students were paired with judges and were given an opportunity to observe Court proceedings and interact with Court staff. MCEP also introduced a more in-depth winter program in which students attended lectures on various legal subjects and had even greater exposure to the state and federal court systems. Thanks to the hard work of MCEP Secretary of the Board Ed Bruley, the Circuit Court Bench, the Clerk's Office, numerous Court employees, and Legal Services Director John Nizol who organized the Court's involvement in this program, our partnership with MCEP was once again a great success.

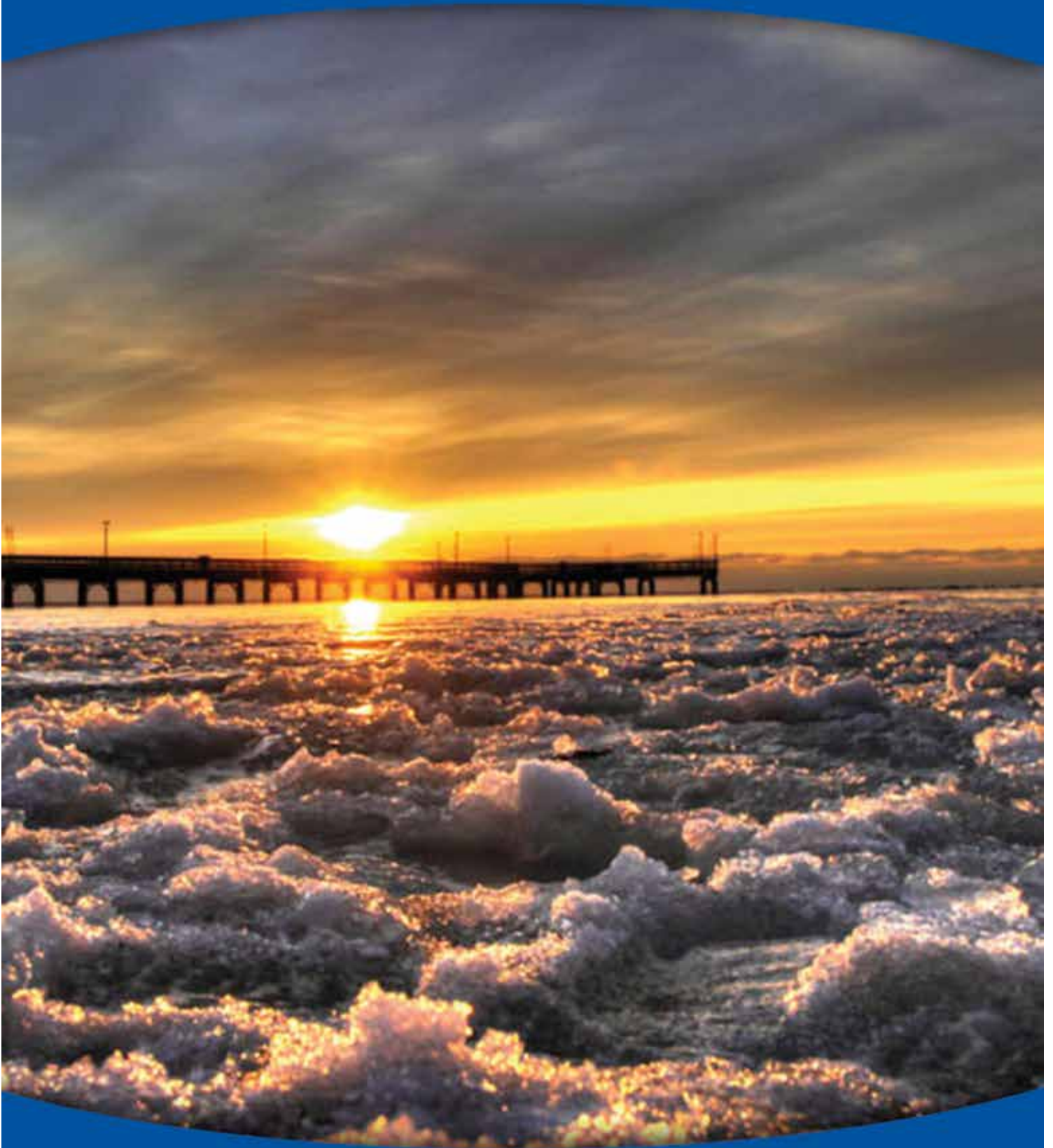


Farewell lunch for summer participants in the MCEP program.



MCEP students attending justices on the road.

# Clerk of the Court



**Photo courtesy of Anne Nicolazzo**

A crisp sunrise at Brandenburg Park, just outside New Baltimore.



# Clerk of the Court



**Carmella Sabuagh has been Macomb County Clerk/Register of Deeds since 1993 and is credited with modernizing the office.**

## **Skip the Wait in Line**

Make an appointment and be called next in line at your appointment time with the clerk's FastPass system: [fastpass.macombgov.org](http://fastpass.macombgov.org).

## **Paying is Easy with Credit**

Our offices accept credit card payments for fees, making it easier to pay when you don't know the exact cost ahead of time.

## **Request Documents via Fax or Internet**

We accept fax or Internet requests for deeds and other documents. The request form is available on the Internet or through our 24-hour fax-on-demand system (800-514-0451 request document #7010).

## **Hours**

For current hours visit the website. A drop box is available for court customers inside the court building lobby. Circuit Court fax filing and e-filing are available 24x7.

## **Overnight Delivery**

When you need documents in a hurry, you may get them via next day delivery as long as you pay the delivery fee.

## **Circuit Court E-filing**

For C and N case types and cases assigned to the specialized business docket for Chief Judge John Foster and Judge Jennifer Faunce go to: [macomb-countymi.gov/circuitcourt/efile.htm](http://macomb-countymi.gov/circuitcourt/efile.htm).

## **Wireless Internet**

Free wireless internet service is currently available throughout the entire county court building.

## **Indexes Available Online**

The Macomb County Circuit Court case index and docket information are on the Internet in real time. Also, the public county business registration list and public death records index is searchable on the Internet.

## **PPO Assistance Center**

With the help of Turning Point, a Personal Protection Order Assistance Center was opened to help people with court forms and the legal process. It is located on the first floor of the county court building.

## **One-Day / One-Trial**

Jurors are fresh thanks to our new one-day/one-trial system. New jurors arrive every day and serve whichever is longer (one day or one trial). Jurors and attorneys are happier and the county saves money.

## **Bus Rides, Books and Pagers for Jurors**

Free bus rides, free library books and pagers are provided to jurors.

## **Register of Deeds Superindex**

Search all the text of real estate documents, and not just what is indexed, through this amazing fraud-detection service! Documents are available online within 24 hours of filing. Go to: [deeds.macombgov.org](http://deeds.macombgov.org).

## **42 National Association of County Achievement Awards**



Macomb County Clerk/Register of Deeds Carmella Sabaugh has received national "good government" recognition for establishing efficient and effective programs that assist the public.

For more information visit: [www.clerk.macombgov.org](http://www.clerk.macombgov.org).

## Caseload Information



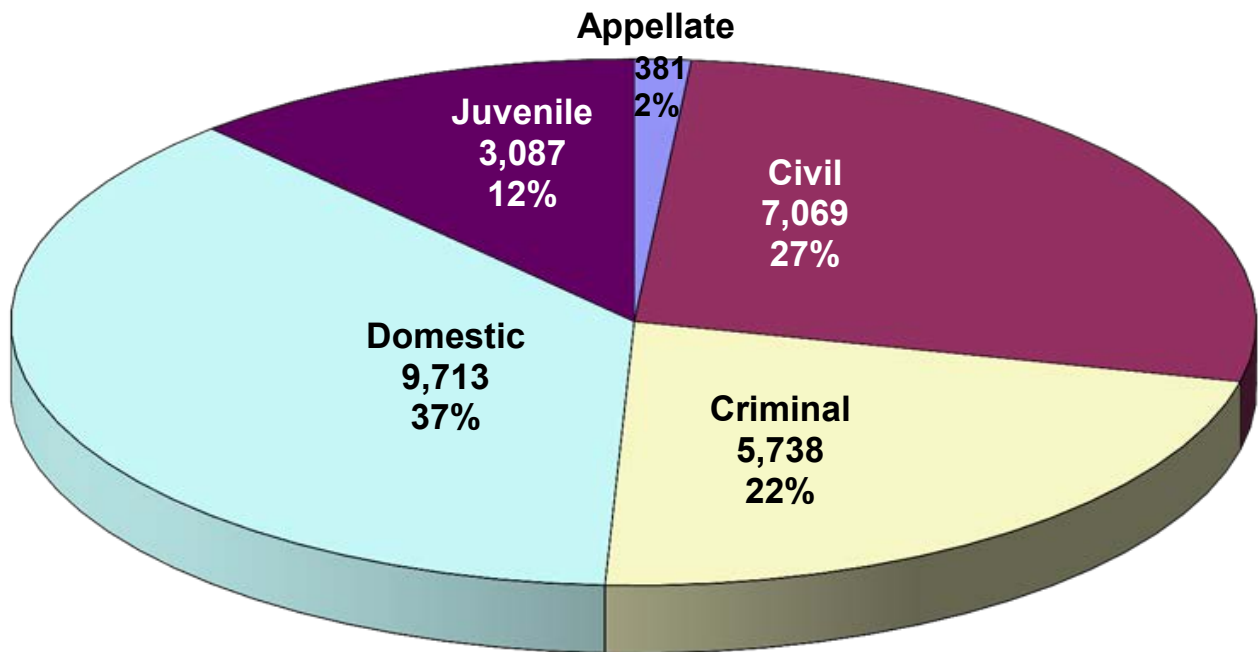
**Photo courtesy of Anne Nicolazzo**

More than 230 species of birds, including warblers, cardinals, waterfowl and hummingbirds flock to the Lake St. Clair shoreline. Located along two intersecting migratory routes, this is one of the top bird viewing sites in Michigan.



## 16th Judicial Circuit Court

### Caseload by Category for 2014



New case filings for 2014 totaled 19,243 cases, which is 132 cases less than 2013, representing a 0.68% decrease. The overall caseload, including existing cases and new filings, for 2014 totaled 25,988.

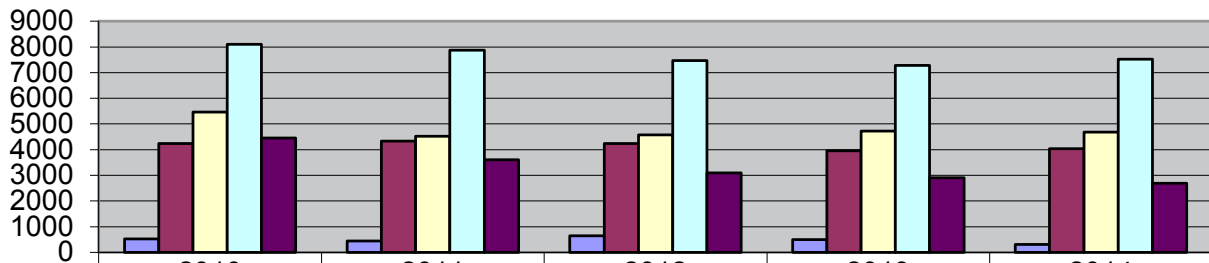
The most significant increase in new filings is seen in the Domestic category. New Domestic filings in 2014 were 246 more than 2013, representing a 3.4% increase, while the most significant decrease in new filings is seen in the Juvenile category. New filings in 2014 were 223 less than 2013, representing a 7.7% decrease.

In 2014, there were 568 fewer dispositions than in 2013. 2013 Juvenile category represented the most significant decrease of 338 fewer dispositions than 2013, a decrease of 10.8%. 2014 Domestic category represented the most significant increase of 310 more dispositions than 2013, an increase of 4.1%.

# Caseload Information

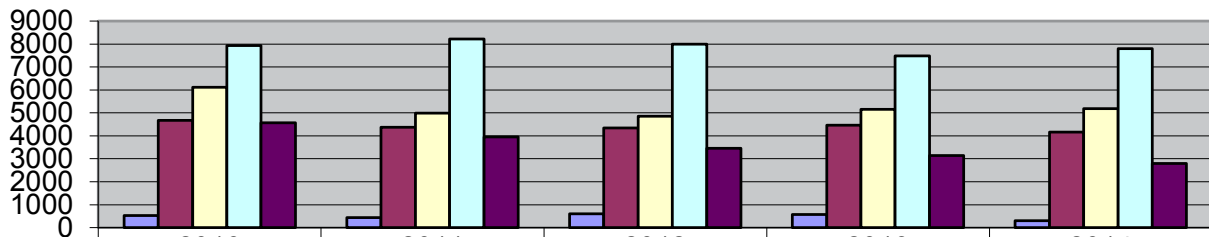
## 16th Judicial Circuit Court

### New Filings



	2010	2011	2012	2013	2014
Appellate	519	448	641	493	306
Civil	4243	4339	4241	3957	4037
Criminal	5464	4518	4578	4729	4681
Domestic	8107	7869	7464	7284	7530
Juvenile	4452	3608	3098	2912	2689

### Dispositions

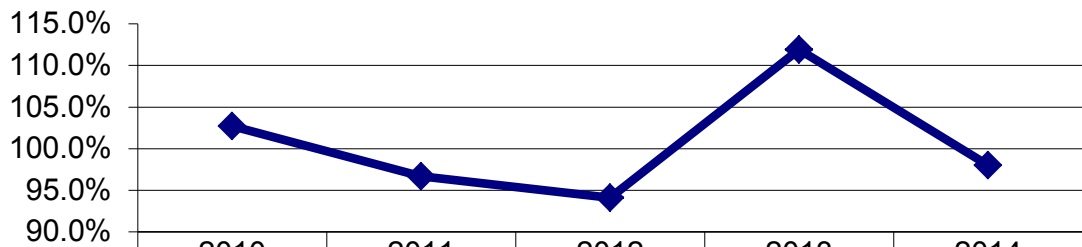


	2010	2011	2012	2013	2014
Appellate	535	434	607	574	304
Civil	4670	4371	4337	4465	4160
Criminal	6111	4990	4859	5153	5188
Domestic	7930	8224	7990	7488	7798
Juvenile	4573	3949	3459	3141	2803



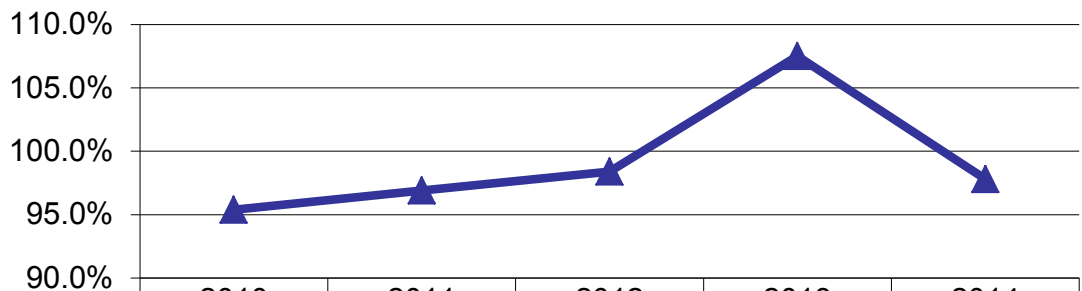
# Court Clearance Rates

## Appellate Cases



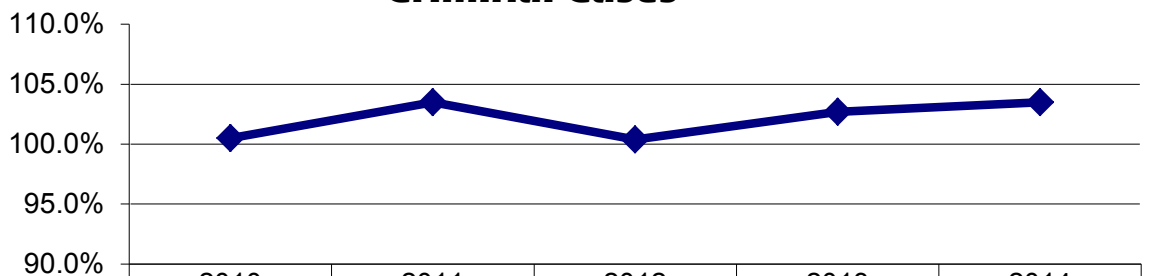
	2010	2011	2012	2013	2014
◆ Clearance Rate	102.7%	96.7%	94.1%	111.9%	98.0%
Incoming	521	449	645	513	310
Outgoing	535	434	607	574	304

## Civil Cases



	2010	2011	2012	2013	2014
▲ Clearance Rate	95.4%	96.9%	98.4%	107.5%	97.8%
Incoming	4349	4511	4406	4152	4251
Outgoing	4149	4371	4337	4465	4160

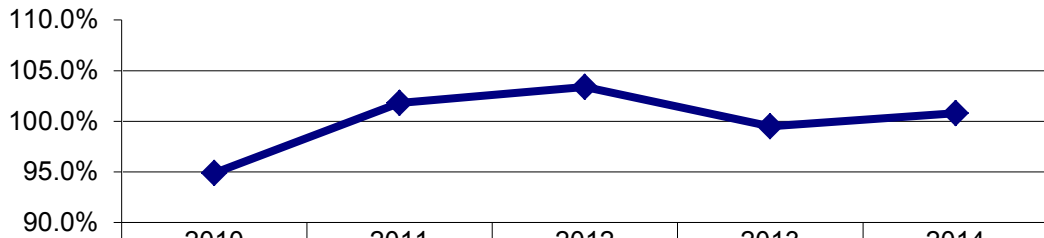
## Criminal Cases



	2010	2011	2012	2013	2014
◆ Clearance Rate	100.5%	103.5%	100.4%	102.7%	103.5%
Incoming	5745	4822	4837	5019	5012
Outgoing	5776	4990	4859	5153	5188

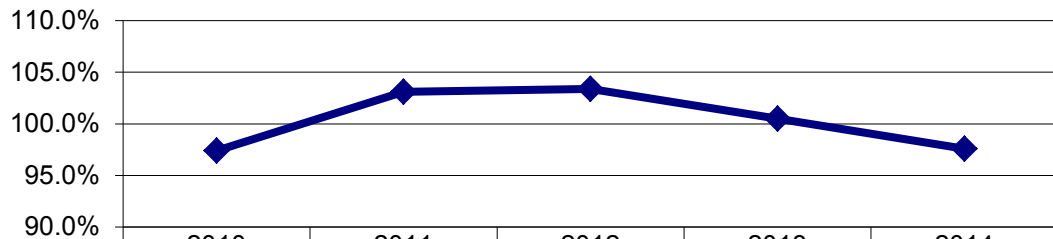
# Court Clearance Rates

## Domestic Cases



	2010	2011	2012	2013	2014
Clearance Rate	94.9%	101.8%	103.4%	99.5%	100.8%
Incoming	8353	8080	7691	7526	7735
Outgoing	7931	8224	7990	7488	7798

## Juvenile Cases



	2010	2011	2012	2013	2014
Clearance Rate	97.4%	103.1%	103.4%	100.5%	97.6%
Incoming	4709	3829	3332	3121	2870
Outgoing	4587	3949	3459	3141	2803



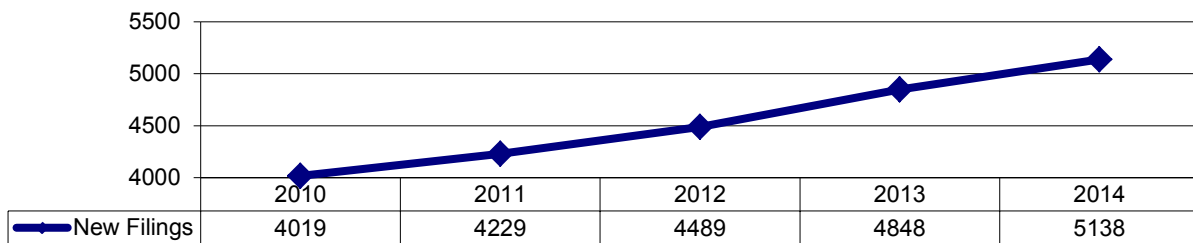
Photo courtesy of Rachael Lisecki



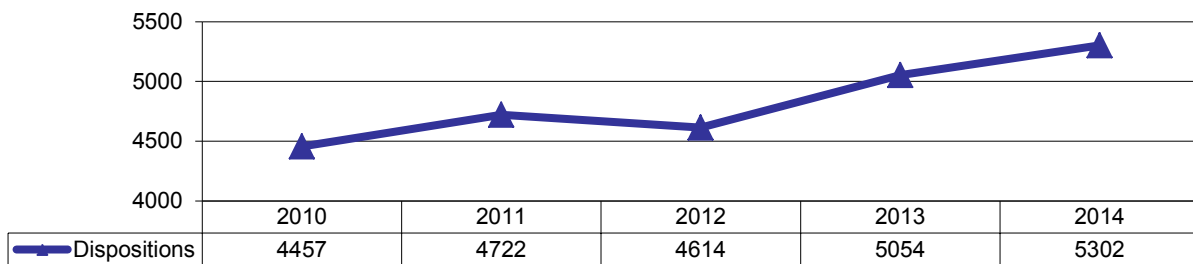
# Probate Court Statistics

In 2014, Probate Court saw an increase in both new filings and dispositions. New filings increased by 290 cases compared to 2013, up 6.0%. Dispositions increased by 248 cases compared to 2013, up 4.9%. The corresponding clearance rate for Probate Court has remained the same as the 2013 rate of 99.6%.

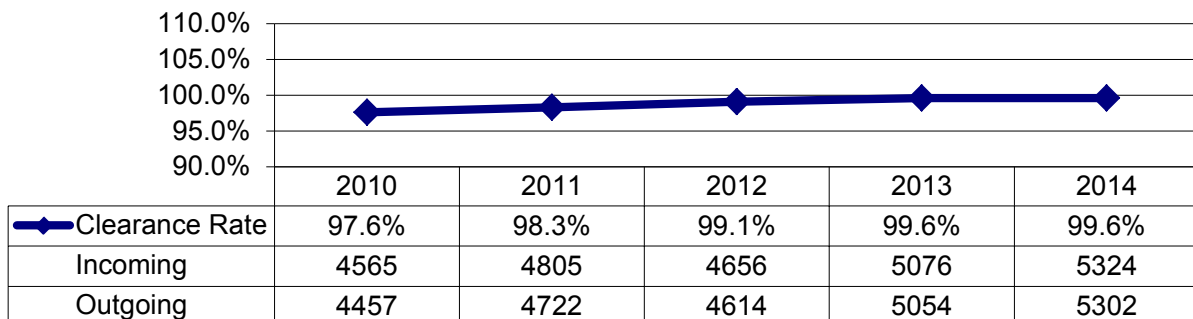
## New Filings



## Dispositions

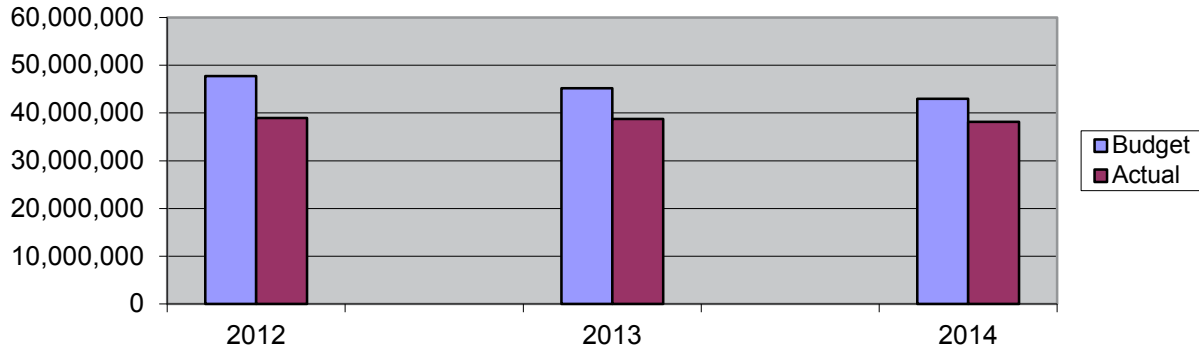


## Clearance Rates



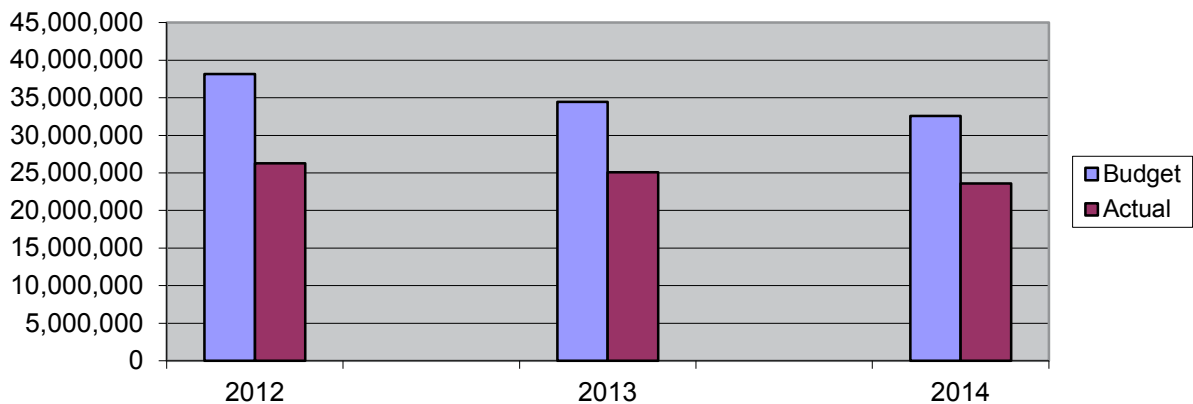
# Fiscal Snapshots

## Expenditures Budget to Actual



The Court continues to decrease its overall budget each year by increasing efficiencies. The 2014 budget was approximately 10% lower than the 2012 budget. The Court also remained within 90% of budgeted expenditures for 2014.

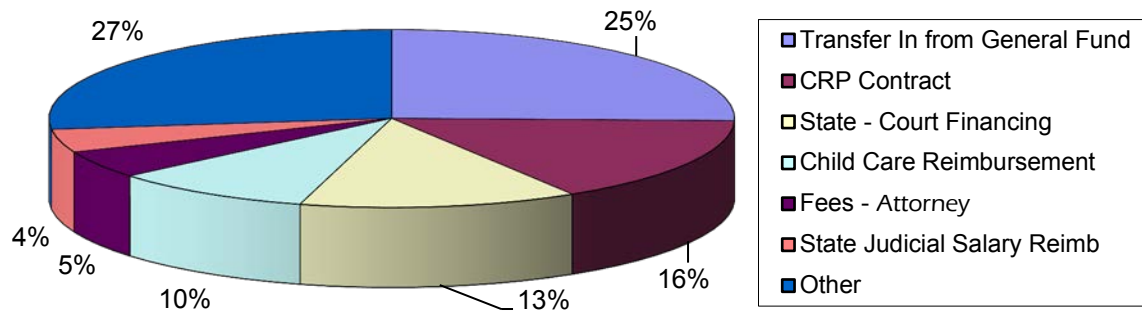
## Revenue to Budget Actual



Total revenues collected as a percentage of budget were unchanged at 73% from 2013 to 2014. However, the contribution from the County General Fund has been declining every year as the Court seeks other sources of revenue and reduces expenses.

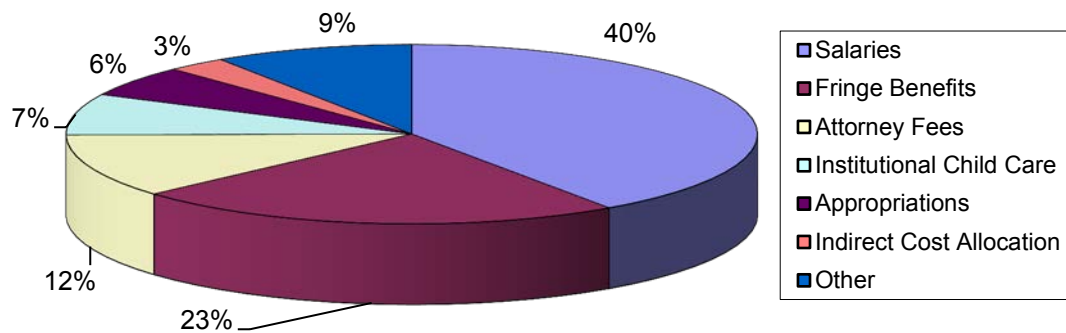


## Circuit & Probate Courts Financial Report 2014 Revenues: \$26,639,793



The revenue collected by the courts decreased 6% between 2013 and 2014. Factors contributing to the decrease include a delay of reimbursement payments from the State of Michigan, as well as a change in accounting policy which delays recognition of certain revenue to the following fiscal year.

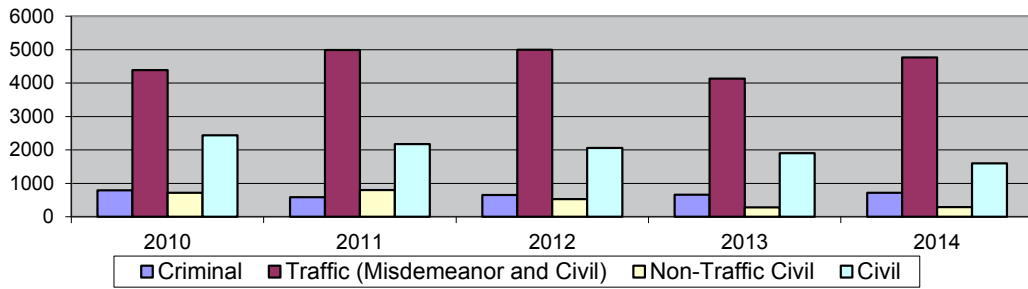
## Circuit & Probate Courts Financial Report 2014 Expenditures: \$38,148,276



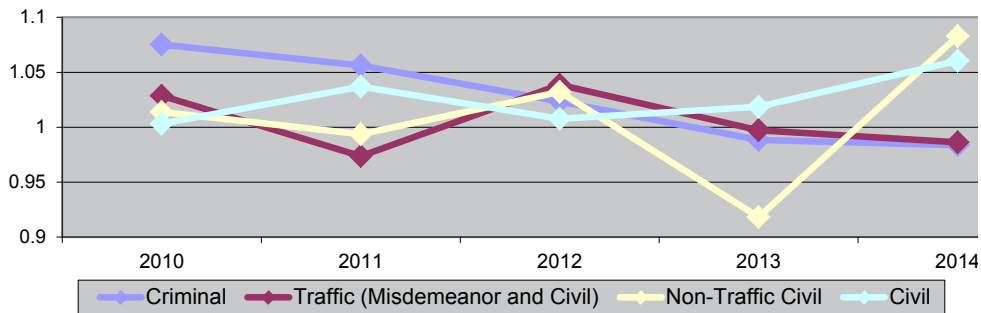
The Court continues to work on maintaining and decreasing personnel costs. Salary and fringe benefits increased slightly from 2013 to 2014. Overall, the Court budget was down 5% from 2013 to 2014, with the large savings in the cost of Institutional Child Care as well as State Wards in the Juvenile Division.

# District Court Statistics

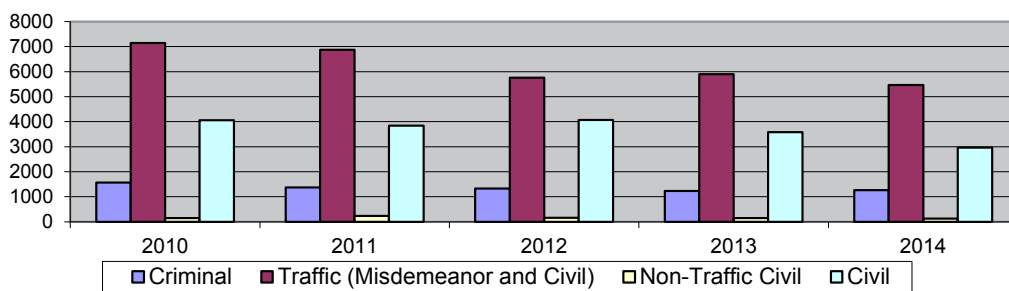
## Romeo - New Filings



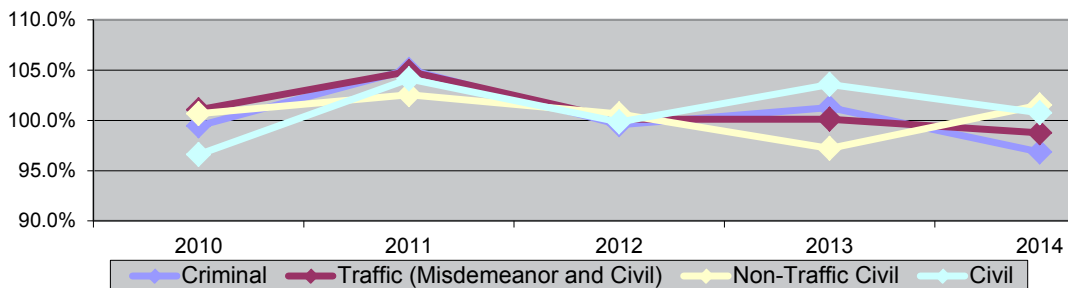
## Romeo - Clearance Rates



## New Baltimore - New Filings



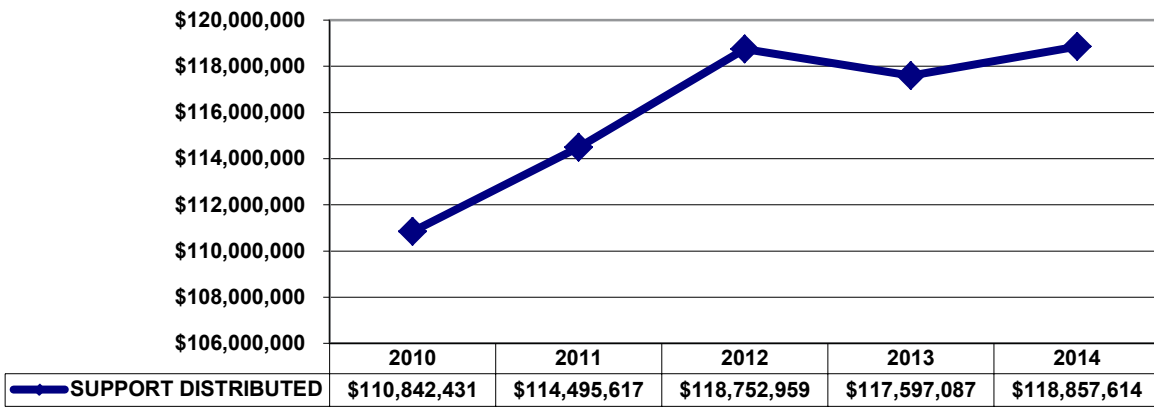
## New Baltimore - Clearance Rates



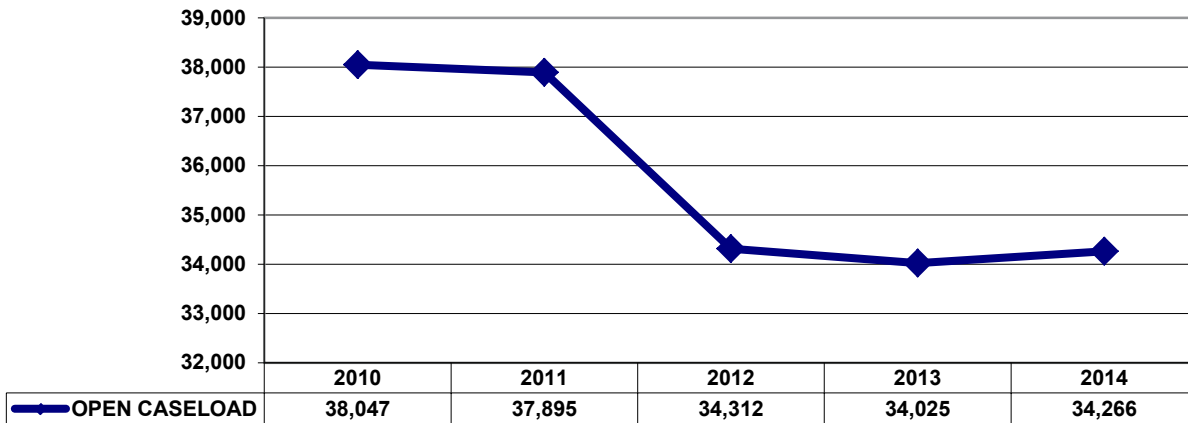


# Friend of the Court Statistics

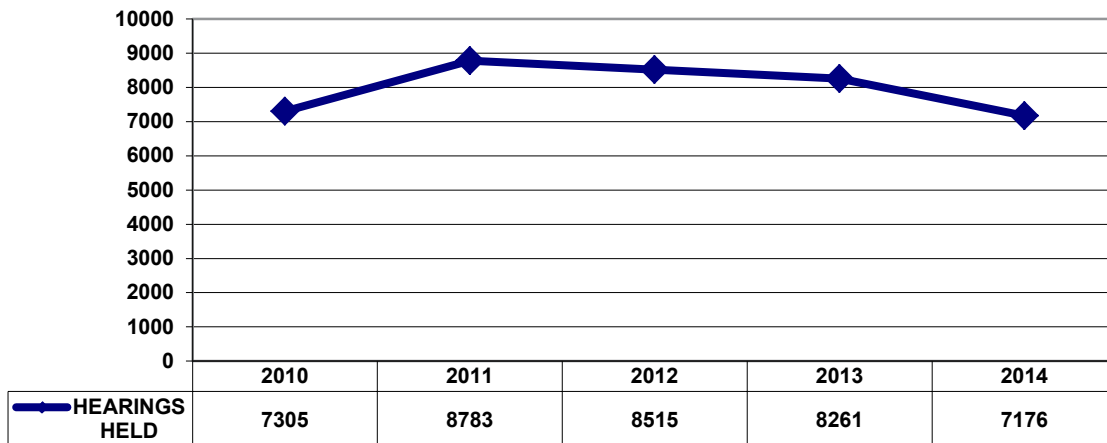
## Support Distribution



## Open Caseload

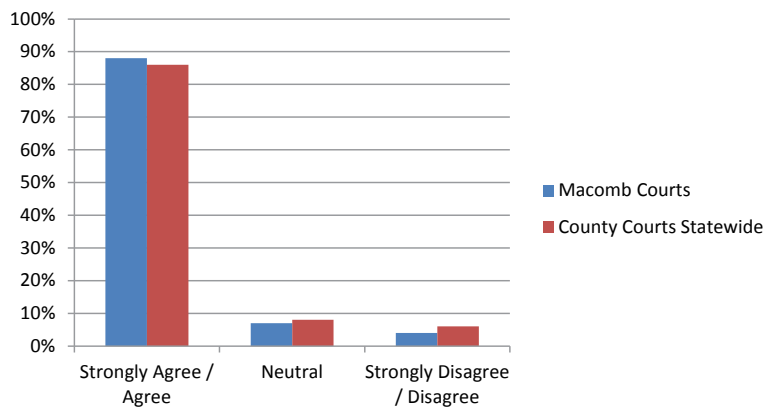


## Hearings Held

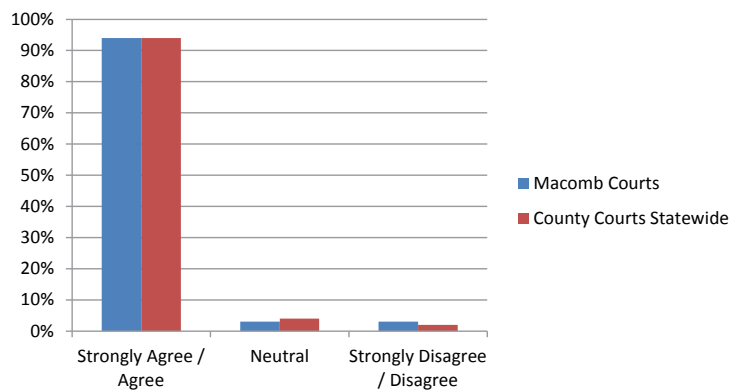


# Satisfaction Survey

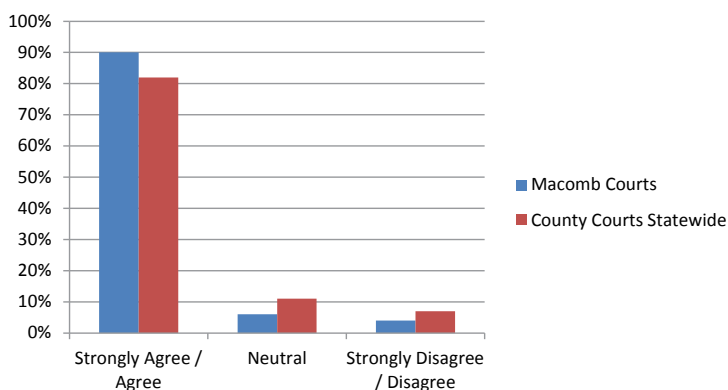
## I was able to get my business done in a reasonable amount of time today



## I was treated with courtesy and respect



## The way the case was handled was fair



In 2014, Macomb County Courts, in cooperation with the State Court Administrative Office, conducted a survey to gauge the public's satisfaction with courts statewide. The responses from individuals conducting business with the Macomb County Courts were overwhelmingly positive. Overall, more than 26,000 surveys were completed statewide. For full survey results, please see <http://courts.mi.gov/education/stats/performance-measures/Documents/TrialCourtSatisfactionSurveyResults.pdf>.





## Elected Officials

**Mark A. Hackel**  
Macomb County Executive

**Anthony V. Marrocco**  
Public Works Commissioner

**Carmella Sabaugh**  
Clerk & Register of Deeds

**Eric Smith**  
Prosecuting Attorney

**Ted B. Wahby**  
Treasurer

**Anthony Wickersham**  
Sheriff



“Yoga in the Park” is one of the many activities one can find in the 180+ parks in Macomb County.

## Board of Commissioners

**David J. Flynn**  
Board Chair, District 4

**Kathy Tocco**  
Vice-Chair, District 11

**Steve Marino**  
Sergeant-at-Arms, District 10

**Andrew Dujyz**  
District 1

**Marvin E. Sauger**  
District 2

**Veronica Klinefelt**  
District 3

**Robert Mijac**  
District 5

**James L. Carabelli**  
District 6

**Don Brown**  
District 7

**Kathy D. Vosburg**  
District 8

**Fred Miller**  
District 9

**Bob Smith**  
District 12

**Joe Sabatini**  
District 13

Macomb County has more than 17,600 acres of parks, recreation and open space.



# 2015

## 16th Judicial Circuit Court

40 North Main Street  
Mount Clemens, MI 48043

**Judge John C. Foster**  
Chief Judge, 16th Judicial Circuit, 42nd  
District and Macomb Probate Courts

**Judge James M. Biernat Jr.**  
Chief Judge Pro Tempore,  
Civil/Criminal Division

**Judge Richard L. Caretti**  
Presiding Judge, Civil/Criminal Division

**Judge Tracey A. Yokich**  
Presiding Judge, Family Division

**Judge Mary A. Chrzanowski**  
Criminal Division

**Judge Mark S. Switalski**  
Family Division

**Judge Edward A. Servitto, Jr.**  
Civil/Criminal Division

**Judge Diane M. Druzinski**  
Civil/Criminal Division

**Judge Matthew S. Switalski**  
Family Division

**Judge Kathryn A. Viviano**  
Civil Division

**Judge Jennifer M. Faunce**  
Civil/Criminal Division

**Judge James M. Maceroni**  
Civil/Criminal Division

## Macomb County Probate Court

21850 Dunham Road  
Mount Clemens, MI 48043

**Judge Carl J. Marlinga**  
Presiding Probate

**Judge Kathryn A. George**  
Assigned to Family Division of  
Circuit Court

## Macomb County 42nd District Court

### (Division I)

14713 33 Mile Road  
Romeo, MI 48065

### (Division II)

35071 23 Mile Road  
New Baltimore, MI 48047

**Judge William H. Hackel**  
Presiding District Judge

**Judge Denis R. LeDuc**  
District Judge



Prepared by  
Department of Planning & Economic Development  
586 469-5285 [planning@macombgov.org](mailto:planning@macombgov.org)