

2016

ANNUAL REPORT



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



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In front of the Macomb County Court Building is a replica cannon used by both the British and Americans in the War of 1812. It was at the Battle of Plattsburg at Lake Champlain, New York, where 3,500 American soldiers under the command of General Alexander Macomb routed the 11,000-man British army.



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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 and 42nd District Courts.

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

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.”



A Message from the Chief



I am pleased to submit the 2016 Annual Report for the 16th Judicial Circuit Court, Macomb County Probate Court, and 42nd District Courts. Tremendous progress was made on many long-term projects at the Courts in 2016, and we look forward to continued progress and improvement in the year to come.

We are very excited to welcome three new judges to the Circuit Court Bench, all of whom were elected in 2016. Judge Carl Marlinga, Judge Michael Servitto, and Judge Rachel Rancilio, were elected to the Circuit Court Bench in November of 2016. The election of these three talented judges will go a long way towards addressing docket congestion and ensuring that our Courts continue to provide an excellent level of service for the public.

In addition to welcoming these wonderful additions to the Bench, we must also bid a fond farewell to Judge Mary Chrzanowski. Judge Chrzanowski has had a distinguished career on the 16th Judicial Circuit Court Bench since 1992, but has moved on to serve as an Administrative Law Judge with the Social Security Administration. We wish her all the best in her future endeavors.

2016 has also seen significant transitions in Court Administration. Jennifer Phillips, our Court Administrator since 2010, was hired to serve as Region 6 Administrator by the State Court Administrative Office. While we miss Jennifer, she is replaced by our very talented former Deputy Court Administrator, Julie Bovenschen.

One noteworthy challenge - and accomplishment - in 2016 was the relocation of multiple Court Departments to new offices in the Old County Building. Macomb County Friend of the Court, the Juvenile Division, Judicial Aide, Reimbursement, and the Court's Law Library all relocated at the end of 2016. The strategic challenges of relocating so many personnel were significant, but affected staff members rose to the occasion. We also appreciate the good humor and patience of the Bar and the public at large during the relocations. The short-term inconvenience of moving is already paying off, with much less crowding and an environment more conducive to problem-solving.

Please take a moment to read through this report. You will find information on our continuing campus renovations, e-filing project, video court reporting, docket call monitors, social media, adoption day, juvenile drug court, and adult specialty courts.

It is an honor to serve the Citizens of Macomb County, and I thank you for the opportunity. We are working every day to increase efficiency, utility, fairness, and access to our Court system. I hope this annual report highlights some of our accomplishments in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Biernat, Jr.", written in a cursive style.

James M. Biernat, Jr.,
Chief Judge
16th Judicial Circuit, Macomb County Probate and
42nd District 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. Under the Michigan Constitution, the Court system constitutes one of the three separate branches of government. The Civil Division handles civil cases involving more than \$25,000 and cases in which the 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 a non-partisan ballot.

40 North Main Street, Mount Clemens, MI 48043
www.circuitcourt.macombgov.org



The new parking structure next to the Administration Building took over a year to build and was completed in July of 2016. It is a three level parking deck serving the downtown campus employees, as well as the public.

Circuit Court



The Circuit Court held proceedings on various floors of the Old County Building. However, the continued growth of county government soon exceeded the capacity of the building. By 1967, seven circuit judges served Macomb County. The current court building was built for approximately \$8 million beginning in 1967 and was occupied in October of 1970. The dedication ceremony was held on September 9, 1972.

Circuit Court Judges



**Judge
James M. Biernat, Jr.**
Chief Judge, 16th Judicial Circuit,
Macomb Probate & 42nd District Courts
[http://circuitcourt.macombgov.org/
CircuitCourt-JamesBiernatJr](http://circuitcourt.macombgov.org/CircuitCourt-JamesBiernatJr)



**Judge
Matthew S. Switalski**
Chief Judge Pro Tempore
Family Division
[http://circuitcourt.macombgov.org/
CircuitCourt-MatthewSwitalski](http://circuitcourt.macombgov.org/CircuitCourt-MatthewSwitalski)



**Judge
Richard L. Caretti**
Presiding Judge,
Civil/Criminal Division Business Court
[http://circuitcourt.macombgov.org/
CircuitCourt-RichardCaretti](http://circuitcourt.macombgov.org/CircuitCourt-RichardCaretti)



**Judge
Tracey A. Yokich**
Presiding Judge,
Family Division
[http://circuitcourt.macombgov.org/
CircuitCourt-TraceyYokich](http://circuitcourt.macombgov.org/CircuitCourt-TraceyYokich)



**Judge
Mary A. Chrzanowski**
Civil/Criminal Division
[http://circuitcourt.macombgov.org/
CircuitCourt-MaryChrzanowski](http://circuitcourt.macombgov.org/CircuitCourt-MaryChrzanowski)



**Judge
Mark S. Switalski**
Family Division
[http://circuitcourt.macombgov.org/
CircuitCourt-MarkSwitalski](http://circuitcourt.macombgov.org/CircuitCourt-MarkSwitalski)

Circuit Court Judges



**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
Kathryn A. Viviano**

Civil/Criminal Division Business Court
[http://circuitcourt.macombgov.org/
CircuitCourt-KathrynViviano](http://circuitcourt.macombgov.org/CircuitCourt-KathrynViviano)



**Judge
Jennifer M. Faunce**

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



**Judge
James M. Maceroni**

Civil/Criminal Division
[http://circuitcourt.macombgov.org/Circuit-
Court-JamesMaceroni](http://circuitcourt.macombgov.org/CircuitCourt-JamesMaceroni)



**Judge
Joseph Toia**

Civil/Criminal Division
[http://circuitcourt.macombgov.org/
CircuitCourt-JosephToia](http://circuitcourt.macombgov.org/CircuitCourt-JosephToia)

2016 16th Judicial Circuit Court Bench



Top Row Judges: Matthew S. Switalski, Mark S. Switalski, James M. Maceroni

Middle Row Judges: Tracey A. Yokich, Edward A. Servitto, Jr., Jennifer M. Faunce, Joseph Toia, Diane M. Druzinski

Bottom Row Judges: Richard L. Caretti, Mary A. Chrzanowski, Kathryn A. Viviano, 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

Human progress is neither automatic nor inevitable... Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals. Martin Luther King, Jr.

Welcome



**Julie
Bovenschen**

Welcome to Julie Bovenschen

Julie Bovenschen was appointed as the new Court Administrator for the 16th Judicial Circuit Court, Macomb County Probate Court, and 42nd District Courts in September of 2016. Julie graduated from Michigan State University with a BA in Political Science, and earned her Juris Doctor from Wayne State University School of Law. Julie has worked for the 16th Judicial Circuit Court for more than 13 years, beginning her career as an intern in the law library in 2003. She then worked for three years as a part time clerk, and was hired as a research attorney in 2006. In 2012, Julie was promoted to Deputy Court Administrator. She served as interim Court Administrator following Jennifer Phillips's move to the State Court Administrative Office. Judge Biernat noted that "Julie has done an amazing job in all of her prior roles with our Court and I look forward to working with her as the Court Administrator going forward" .



The 40-year-old 575-space parking structure closed in October of 2016 for demolition. It was located at the north end of the Macomb County courthouse.





Farewell to Judge Chrzanowski

Judge Mary Chrzanowski received an appointment as a federal administrative law judge in January of 2016, and left the Macomb Circuit Bench in April of 2016 to assume that role. Judge Chrzanowski has had a distinguished career in Macomb County. Judge Chrzanowski received a Bachelor of Science in Criminal Justice degree, graduating "With Distinction"

in 1982 from Wayne State University, and earned her Juris Doctor degree from the University of Detroit School of Law in 1985. Judge Chrzanowski worked as an assistant prosecuting attorney in Macomb County, and was in private practice from 1987 until her election to the Bench in 1992. She was first elected Circuit Judge in November 1992, and was re-elected in 1998, 2004, and 2010 for full six-year terms. Judge Chrzanowski was the first female judge to win a contested election in Macomb County. She was featured on NBC's Dateline, and interviewed by Lester Holt in June of 2014. "Scary Mary Presiding" focused on Judge Chrzanowski's life and work with the Warren and Macomb County Juvenile Drug Courts.



Farewell to Jennifer Phillips

After six years with our Court, Jennifer Phillips accepted a position as Region 6 Administrator with the State Court Administrative Office in June of 2016. Jennifer has served Macomb County as Court Administrator since 2010.

During her tenure, the implementation of the Court's e-filing project began, a significant reorganization of Court positions took place, and

many of the plans for the current campus renovation project were finalized. Prior to coming to Macomb County, Jennifer worked as Deputy Court Administrator at the 52-3 District Court and as Court Administrator at the 51st District Court. Chief Judge Biernat said "It was my pleasure working with Jennifer throughout her career at Macomb County. Our loss is SCAO's gain. We wish Jennifer all the best in her new position."

**Jennifer
Phillips**

Probate Court



Macomb County Probate Court Mental Division is located on 440 North Rose Street in Mount Clemens.

Probate Court Judges



**Judge
Carl J. Marlinga**

Presiding Judge
Probate

[http://probatecourt.macombgov.org/
ProbateCourt-CarlMarlinga](http://probatecourt.macombgov.org/ProbateCourt-CarlMarlinga)



**Judge
Kathryn A. George**

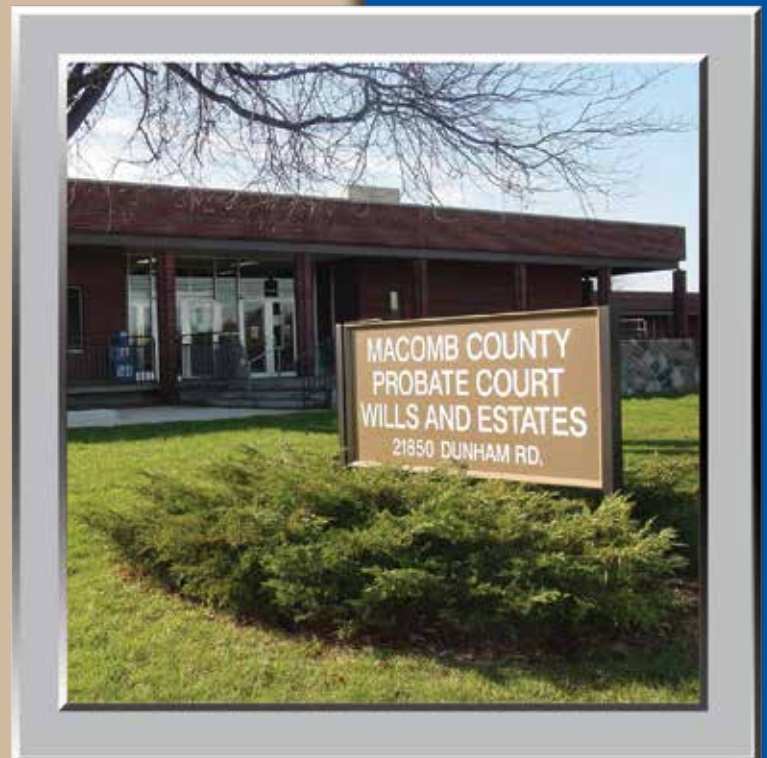
Assigned to Family
Division of Circuit Court

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

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

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.

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.



42nd District Court



Macomb County 42-2 District Court is located at 35071 23 Mile Road in New Baltimore. This beautiful court house was built in 2008.

42nd District Court Judges



**Judge
William H. Hackel**

District Judge

[http://districtcourt.macombgov.org/
DistrictCourt-WilliamHackel](http://districtcourt.macombgov.org/DistrictCourt-WilliamHackel)



**Judge
Denis R. LeDuc**

Presiding District Judge

[http://districtcourt.macombgov.org/
DistrictCourt-DenisLeDuc](http://districtcourt.macombgov.org/DistrictCourt-DenisLeDuc)

District Court Summary

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
North Area Satellite
located in Romeo.**



Department Summaries



The Old County building was designed by architect George J. Haas. The building project started in 1931, then partially occupied in 1933 and substantially finished in 1944 at the cost of \$605,000. The building suffered a fire in April of 2013 and was completely renovated and reopened in December of 2016.

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.org/?q=CircuitCourt-Departments>.

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.



A new court room in the Old County Building, which includes the new PolyCom Video Conference device and a 70 inch display.

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 youths 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.



Wood panels are installed in the Friend of the Court hearing rooms.

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 relations 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.



Macomb County Juvenile Justice Center is located at 400 N. Rose Street in Mount Clemens. This building was built and opened in 2004.

Highlights



Most noteworthy among the design elements which grace the Old Macomb County Building's facade are the six granite figures perched atop the structure. When the designs were drawn, a military motif was favored because of the nearby presence of Selfridge Field. For that reason, the visages of a soldier, sailor, marine and airman were incorporated in the design. In a nod to the county's history, the figures of a Revolutionary War soldier and a Native American were added as well. The front and back of the building feature the Revolutionary War soldier and Native American faces. The sailor and marine face Cass Avenue, while the soldier and airman gaze toward Selfridge Air Base.

Relocations/Building Construction

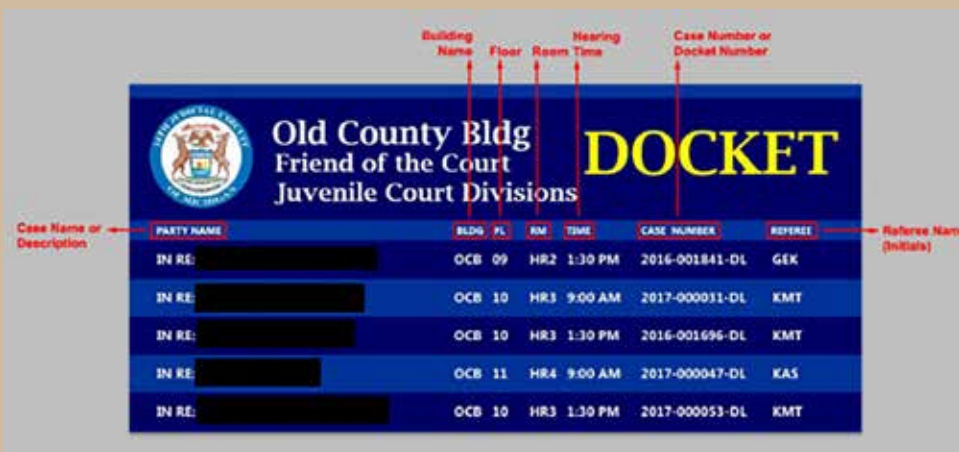
2016 saw the demolition of the old County parking structure, the opening of the new parking structure, and the re-opening of the Old County Building. Following the re-opening of the Old County Building (OCB), several Court departments relocated to improved spaces throughout the OCB. The Macomb County Friend of the Court moved from the sixth floor of the Court Building to floors one through seven of the OCB. The Juvenile Division moved from its location on North Rose Street to floors eight through twelve of the OCB. Reimbursement and Judicial Aide relocated from the fifth floor of the Court Building to the first floor of the OCB. Finally, the Court's Law Library relocated from the fifth floor of the Court Building to the thirteenth floor of the OCB. The relocations of these divisions allows for less crowded waiting areas and spaces which are more conducive to problem-solving, research, and other business. Additionally, with the relocations accomplished, substantial renovations to the Court Building are now under way.



Old County Building lobby renovations were completed in December 2016.

DocketCall

The Court installed new DocketCall display monitors in the Old County Building. The displays are used to advise attorneys, parties, and spectators of the location of scheduled hearing events each day. Eventually, these monitors will also be installed in the Circuit Court Building.



New elevator doors with old county seal engraved and new DocketCall screens on each side, located in the lobby of the Old County Building.

The monitors display the name and number for the case. They also provide the location details by displaying the building, the floor, and the room the hearing is located in. The time of the hearing and the initials of the referee holding the hearing are also displayed. Currently, the monitors only contain information concerning hearings in the Old County Building (referenced as "OCB" on the monitors). The docket information cycles through all of the referee hearings being held in the OCB on a given day, and then repeats. The Court anticipates these monitors will provide a quick and easy means of directing attorneys, parties, and members of the public around buildings.

2016 Highlights

For the third consecutive year, the Macomb County courthouse hosted the Regional High School Mock Trial Tournament. Fourteen teams from nine area high schools competed in a simulated criminal case in several courtrooms. The event is conducted annually by the Michigan Center for Civic Education and the Macomb County Bar Foundation.

42nd District Court Drug/Sobriety Court

The 42nd District Court, covering most of northern Macomb County, has continued this past year to provide a special Drug/Sobriety docket for alcohol or drug addicted nonviolent defendants. This program provides very intensive supervision, drug and alcohol testing, counseling, and swift penalties for all violations. It has been a successful alternative to incarceration.

Friend of the Court Update

In 2016, the Friend of the Court moved from its long-time home on the sixth floor of the Circuit Court Building to the first through seventh floors of the Old County Building. A great deal of planning and implementation took place prior to the move, which was completed the week of December 18, 2016. The move represented a dramatic change for Friend of the Court employees, litigants, private attorneys, and those who use the Friend of the Court services. Considerable thought went into designing business processes that meet the functionality of the new building. Overall, the move went very well and services were never interrupted.

In 2016, the Friend of the Court conducted 3,132 custody, support, and parenting time investigations, 6,681 referee hearings and motions, and 7,592 pre-order to show cause hearings. Friend of the Court staff spoke with 9,513 people who came in person to our office in 2016 with inquiries about support, and 4,896 individuals with questions about custody and parenting time. In addition, Friend of the Court opened 3,598 new cases and collected over \$122 million in support. We are continuing in our efforts to meet the needs of Macomb County as they change. This includes exploring community educational opportunities and offering our services outside the walls of the Friend of the Court.



Social Media Accounts

The 16th Judicial Circuit Court launched a Facebook account with its address on the web at <https://www.facebook.com/16th-Judicial-Circuit-Court-314046128652099/>. The page will be focused on providing news and updates, and directing users to the Court's main web pages for Court-related information and resources. The Court previously launched a twitter account in 2014 at @macombcourts for news, updates, and information about our Courts.

Adult Specialty Courts

The Circuit Court continued with its three adult problem-solving courts: the Adult Drug Court with Chief Judge James Biernat Jr. and Judge Jennifer Faunce, the Veterans' Treatment Court with Judge Mark Switalski and Judge Carrie Fuca (District Court docket), and the Mental Health Court with Judge Carl Marlinga. These programs were awarded just over \$173,000 in state grant funds to assist with program costs such as drug testing and counseling services. In 2016, the programs successfully graduated a combined total of 35 participants! The participants also completed over 1,150 hours of community service, which not only assisted them with skill-building and job readiness, but also benefited many organizations in our County as well.



E-Filing Project

In 2016, the e-filing project expanded into [DO], divorces without minor children, case types. This added the Family Division Judges Matthew Switalski, Tracey Yokich, and Mark Switalski, and Probate Judge Kathryn George, assigned to the Family Division, into the project. There were 5,067 new e-filing cases and 49,788 e-filing transactions processed over the year. Chief Judge James Biernat, Jr. and Judges Richard Caretti, Mary Chrzanowski, Edward Servitto, Jr., Diane Druzinski, Kathryn Viviano, Jennifer Faunce, James Maceroni, and Joseph Toia all participated with [A], [C], [N], and [P] civil case types. The Court set up four additional workstations in the former law library located on the fifth floor of the Circuit Court Building. There are now eight workstations available for viewing and filing electronic case documents. These workstations are equipped with document scanners and access to the TrueFiling electronic case filing website.

Allesandra Sabatini, with Chief Judge James Biernat Jr. and Pro Tempore Judge Matthew Switalski, shows off her First Place cookies from the Christmas Cookie Contest.

2016 Highlights

Chief Judge Biernat, Jr., Supreme Court Justice Viviano and Judge Switalski at Adoption Day holding the Supreme Court Proclamation.



Video Court Reporting

Digital court reporting is now present in every courtroom and hearing room across the Circuit, Probate, and District Courts. Not every proceeding is recorded using the digital system. Court Reporting staff are still assigned to Judges Richard Caretti, Mark Switalski, Edward Servitto, Jr., Diane Druzinski, Jennifer Faunce, and James Maceroni.

Requests to view video proceedings can be made by completing a Video Request Form, available at <http://circuitcourt.macombgov.org/circuit-court-video>. There is no fee to view recordings. A list of judges and the court reporting staff assignments are also available on the webpage. The recordings are viewed onsite in the former law library on the fifth floor of the Circuit Court Building. The Court provides workstations equipped with headphones for video playback. No copies of the proceedings are provided, and recording video playback using a personal device is prohibited. A typed transcript can also be requested from the court reporter assigned to the judge for a fee.

Video Conferencing

Video Conferencing technology is now available in every courtroom at the Circuit, Probate and District Courts. Each courtroom has a PolyCom Video Conference device and a 70 inch display or projector. The Court can accept internet-based calls using a PolyCom device or software. Only single point-to-point calls can 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.

Adoption Day

Adoption Day is a Thanksgiving holiday tradition held in courts across the state in order to celebrate with families who are adopting, and to educate the community about the many children in the foster care system who are waiting to find an adoptive home. The 16th Judicial Circuit Court celebrated Adoption Day on Tuesday, November 22, 2016. Michigan Supreme Court Justice David Viviano and Chief Judge James Biernat, Jr. participated in the event, where several families had adoptions confirmed by Family Division Judge Mark Switalski.

Juvenile Drug Court

In 2016, the Juvenile Drug Court improved upon the services provided to youth and families by implementing an evidence-based treatment program. The Macomb County Juvenile Drug Court is the first Drug Court in Michigan to implement the “Seven Challenges” counseling program. Seven Challenges is designed to “motivate youth to evaluate their lives, consider changes they may wish to make, and then succeed in implementing the desired changes.” Independent studies have shown that this counseling approach significantly reduces substance use and improves overall mental health in youth. Seven Challenges counseling, along with intensive probation monitoring and frequent judicial oversight, will improve the lives of the youth and families served, while further reducing relapse and recidivism.



In the Old County Building lobby the Macomb County logo is cut in the tile on the floor by a waterjet cutting machine. The 60,000 psi cutting head of a waterjet machine can cut intricate shapes in a wide variety of materials, including stone, porcelain and glass, yielding tightly nested parts.

Clerk of the Court



Macomb County Clerks Office located in the Court Building at 40 North Main Street in Mount Clemens on the 1st floor.



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

Skip the wait in line

Most court customers wait 10 minutes or less to be served by the Macomb County Clerk. But you don't even have to wait that long, if you make an appointment! Visit fastpass.macombgov.org, schedule your visit, and be called next in line at your appointment time.

Four express lanes for attorneys

Some courts have an attorney express lane, but the Macomb County Clerk has four attorney express lanes! Macomb County Bar Association members may use one of four counter express lanes to get in and out more quickly. Simply indicate you are an MCBA member at the clerk's kiosk, and provide your phone number for verification. This gets attorneys in and out more quickly, while freeing up time for clerk staff to assist pro pers, who may need extra assistance.

Paying is easy with credit cards and Apple Pay

The Macomb County Clerk accepts credit cards and Apple Pay, letting customers swipe their own cards and even get receipts via text or email, making it easy for customers to retrieve proof of payment.

Request documents via fax or internet

We accept fax or Internet requests for deeds and other documents. The request form is available on our Web page.

Overnight delivery

When you need court documents in a hurry, you may get them via next day delivery, as long as you pay the delivery fee. Simply use the online order form.

Circuit Court e-filing

All civil cases and DM cases are now electronic filing cases. But case initiation is still via paper. After you start a case, you will be informed if it is designated as e-filing, in which case all subsequent pleadings must be electronically filed.

Clerk of the Court

Court docket entries 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.

Wireless internet

Free wireless Internet service is currently available throughout the Macomb County Court Building.

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 the county saves money.

Bus rides, books and pagers for jurors

Jurors get a free ride from home to court and back, at no cost to the county budget, thanks to partnerships with Uber and SMART. Jurors also can get library books, videos and audio books delivered, thanks to a partnership with the Mount Clemens Public Library. Thanks to a partnership with downtown businesses, jurors get restaurant-style pagers to wait outside, or enjoy a cup of coffee at a local restaurant, while waiting to be sent to a courtroom. We even pay jurors in cash the same day they serve!

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

65 National Association of Counties Achievement Awards

Macomb County Clerk/Register of Deeds Carmella Sabaugh has received 65 national "good government" recognition for establishing efficient and effective programs that assist the public.

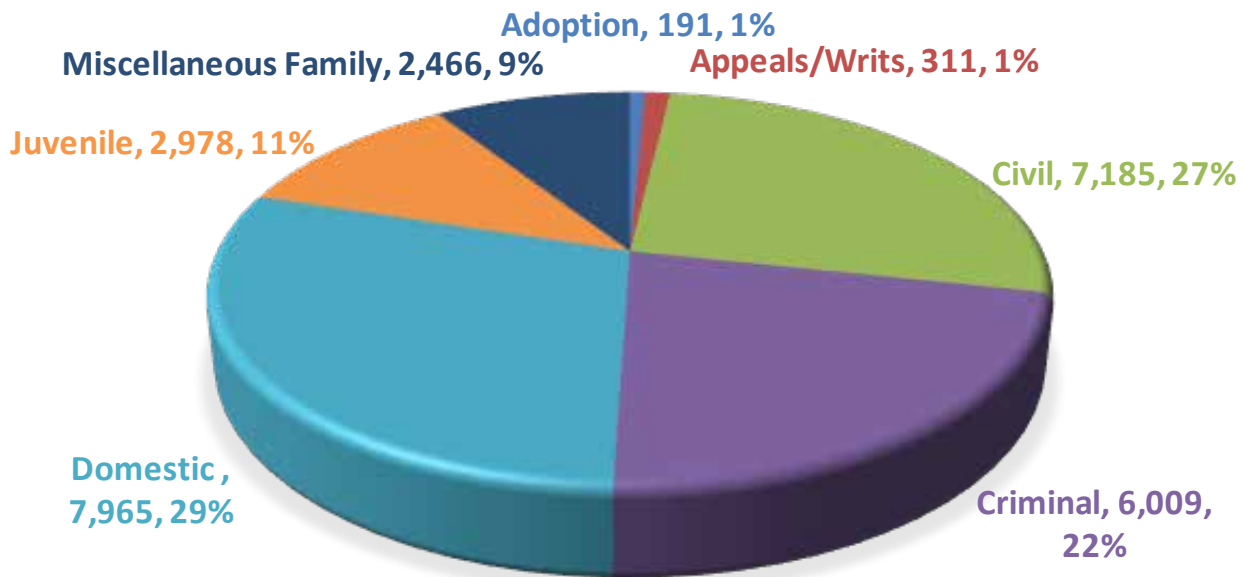
For more information visit:
clerk.macombgov.org

Caseload Information



A new hearing room for the Friend of the Court, located in the recently renovated Old County building on the 6th floor.

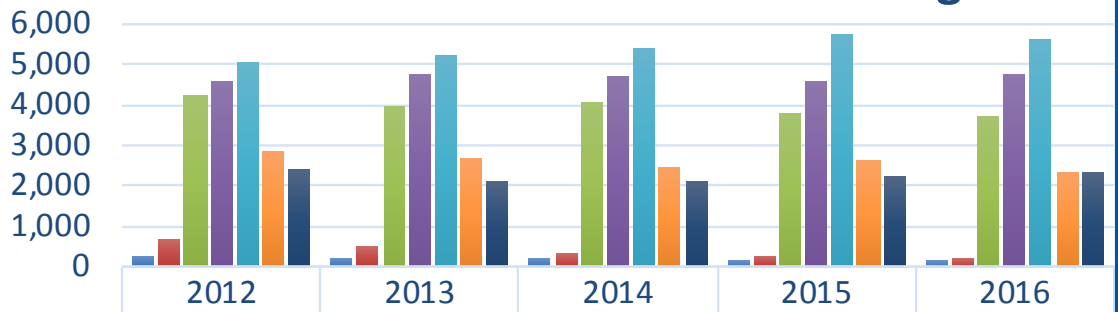
16TH JUDICIAL CIRCUIT COURT CASELOAD BY CATEGORY FOR 2016



New filings decreased slightly from 19,329 in 2015 to 19,149 in 2016 (a 1% decrease). Both dispositions and clearance rates improved. We saw an increase to 20,173 case dispositions in 2016, an increase of 507 dispositions from 19,666 in 2015. This represents a 2.6% increase in dispositions. Clearance rates also improved across the board in 2016. The clearance rates for appeals increased from 104.4% in 2015 to 108.5% in 2016; from 94.7% to 100.2% on civil cases; from 99.4% to 105.3% on criminal cases; from 97.5% to 108.3% on domestic cases; from 96.7% to 109.7% on juvenile cases; from 108.6% to 110.5% on adoption cases; and from 100.1% to 101.6% on miscellaneous family cases.

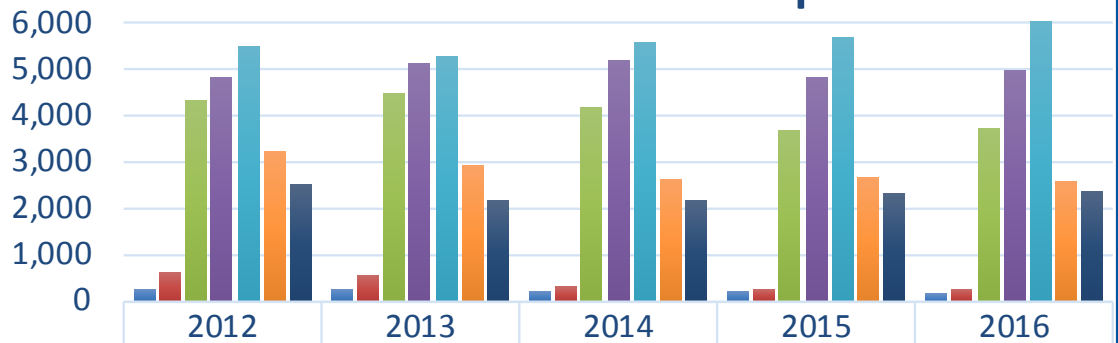
Caseload Information

16th Judicial Circuit Court - New Filings



Adoption	239	212	210	163	143
Appeals	641	493	306	250	234
Civil	4,241	3,957	4,037	3,758	3,723
Criminal	4,578	4,729	4,681	4,565	4,730
Domestic Relations	5,050	5,203	5,399	5,733	5,602
Juvenile	2,859	2,700	2,479	2,617	2,362
Miscellaneous Family	2,414	2,081	2,131	2,243	2,355

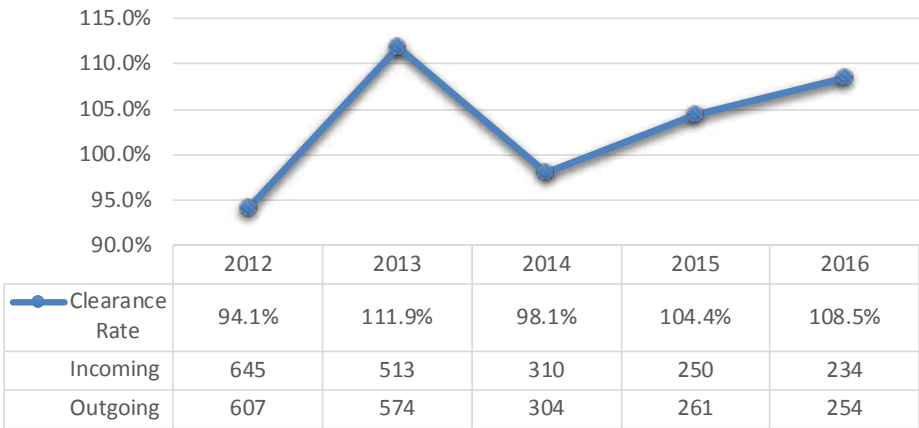
16th Judicial Circuit Court - Dispositions



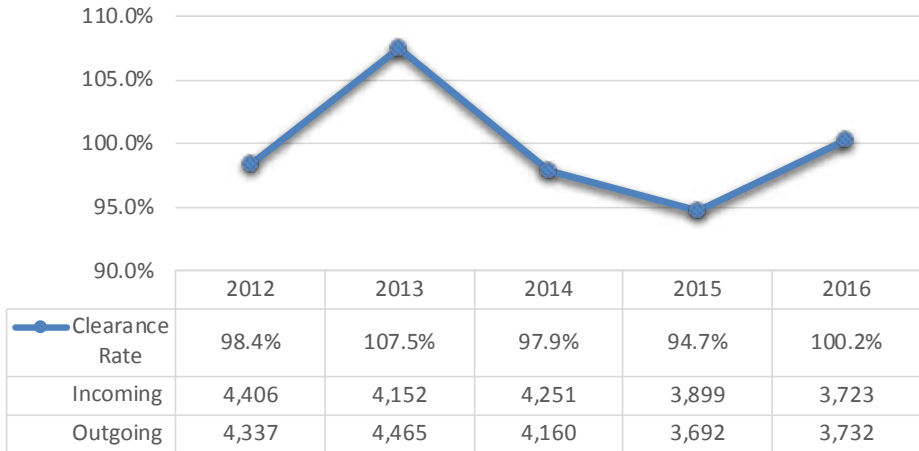
Adoption	244	236	186	177	158
Appeals/Writs	607	574	304	261	254
Civil	4,337	4,465	4,160	3,692	3,732
Criminal	4,859	5,153	5,188	4,859	4,979
Domestic Relations	5,481	5,315	5,609	5,670	6,066
Juvenile	3,210	2,904	2,619	2,691	2,591
Miscellaneous Family	2,509	2,173	2,189	2,316	2,393

Court Clearance Rates

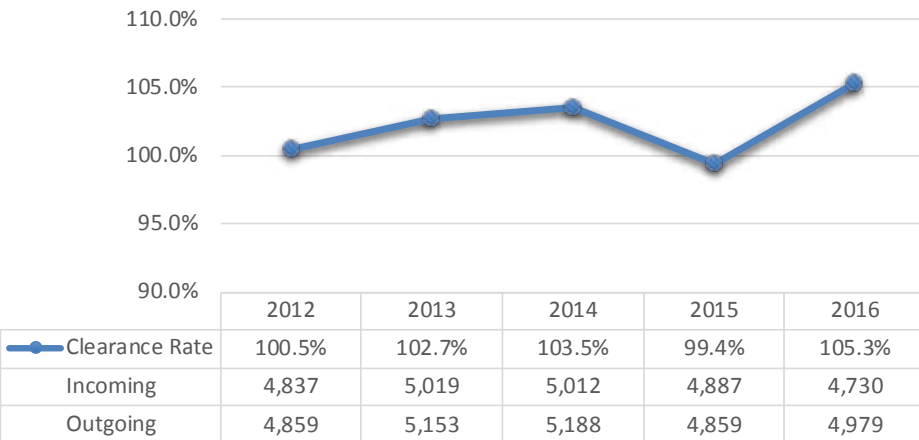
16th Judicial Circuit Court Appeals/Writs Clearance Rates



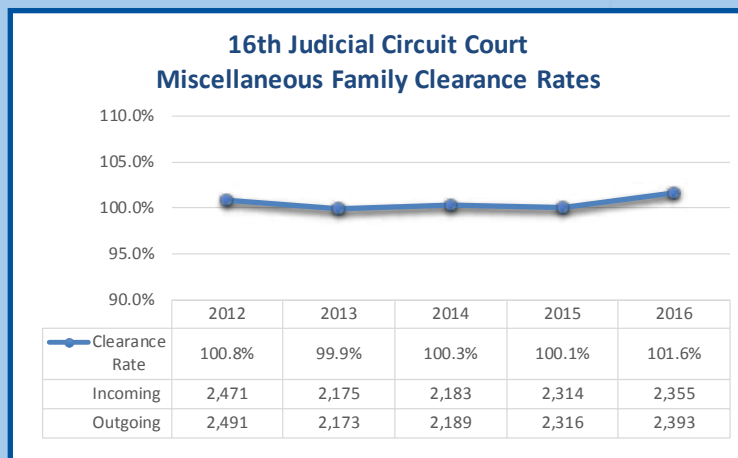
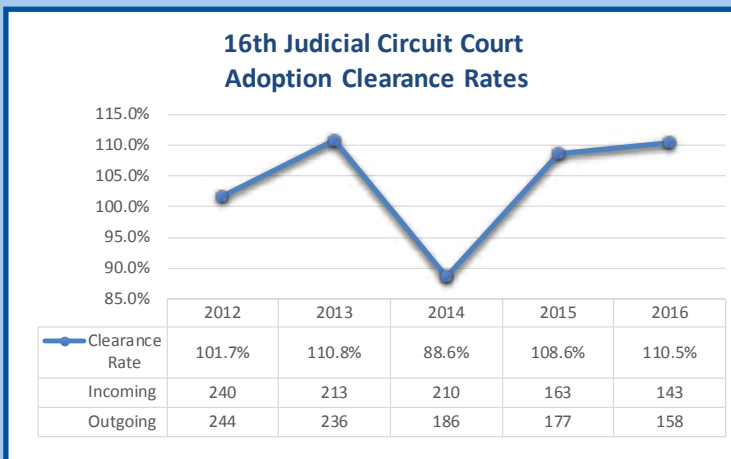
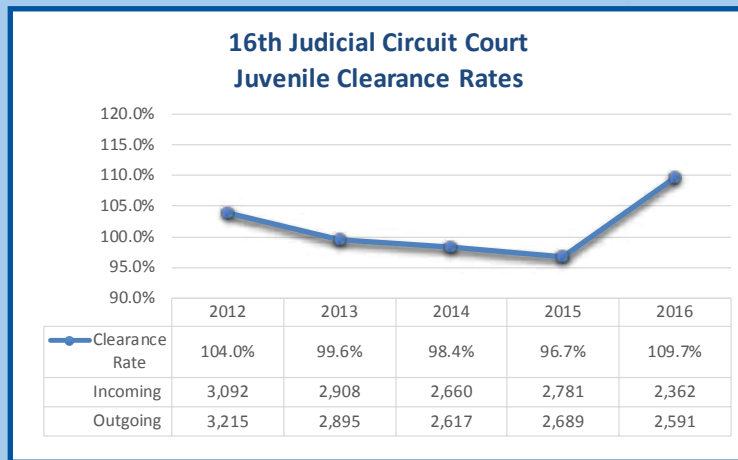
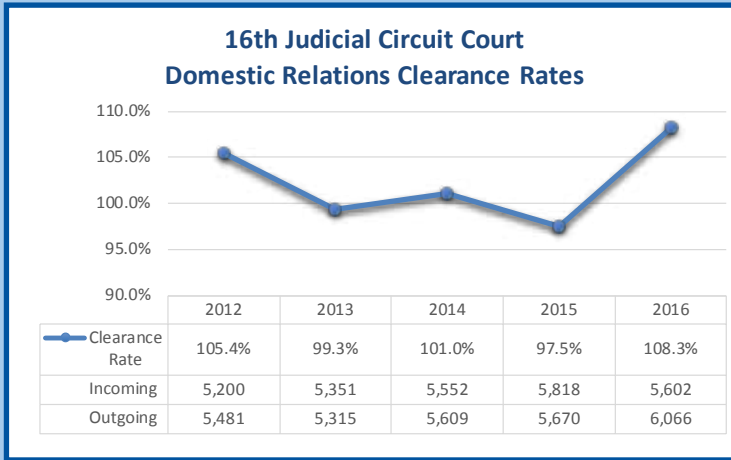
16th Judicial Circuit Court Civil Clearance Rates



16th Judicial Circuit Court Criminal Clearance Rates

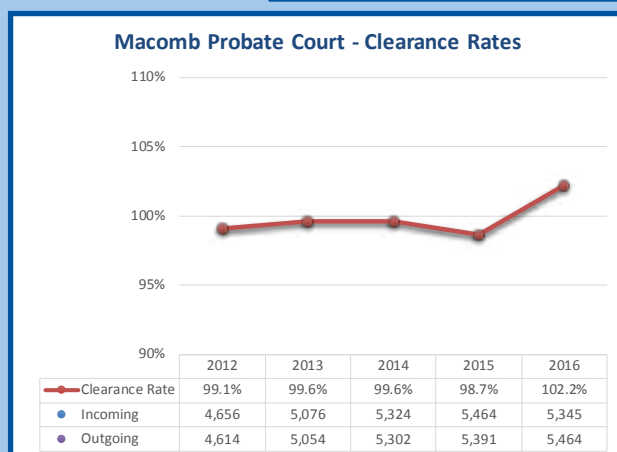
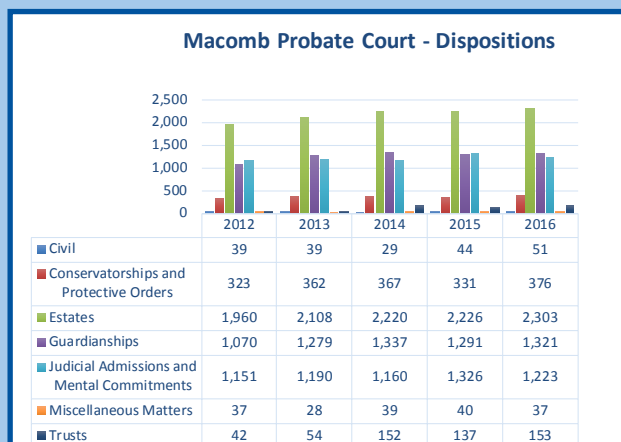
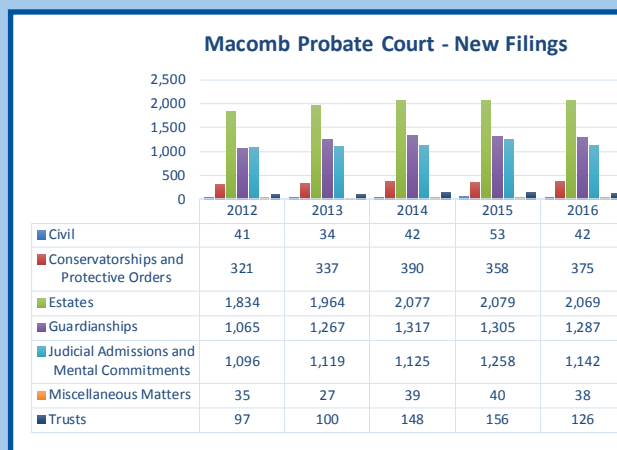
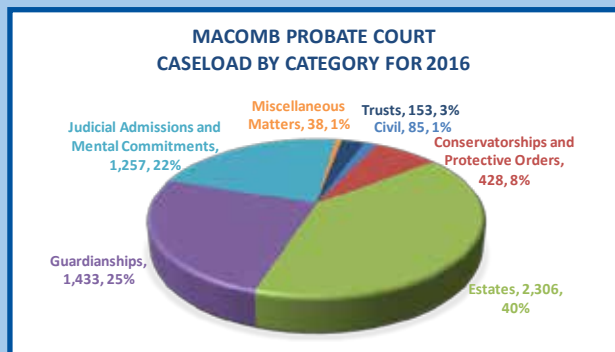


Court Clearance Rates



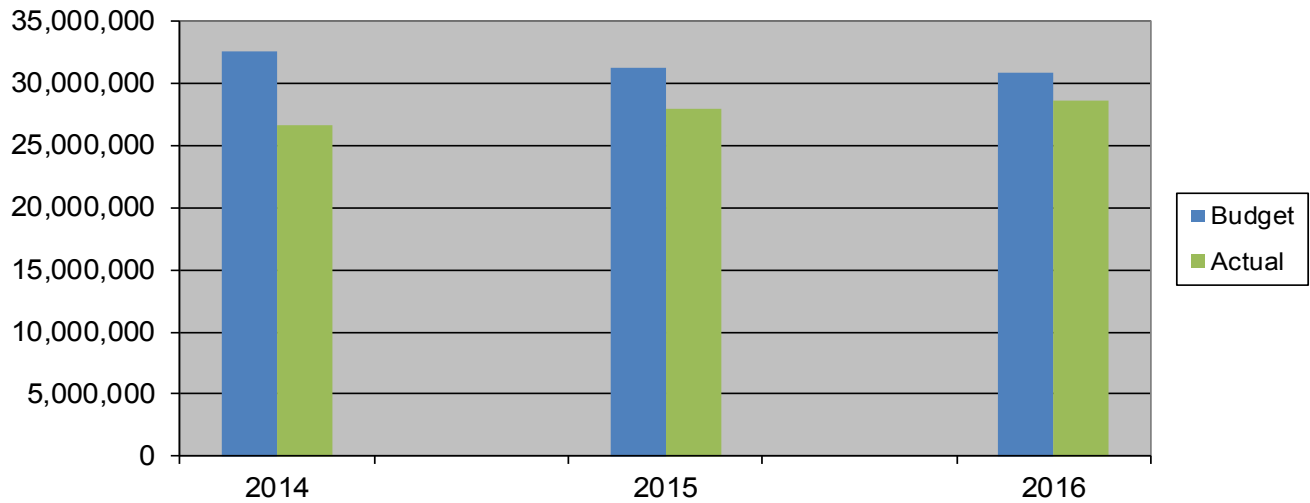
Probate Court Statistics

In 2015, Probate Court saw an increase in both new filings and dispositions. New filings increased by 111 cases compared to 2014, up 2.2%. Dispositions increased by 89 cases compared to 2014, up 1.7%. The corresponding clearance rate for Probate Court has decreased to 99% as compared to the 2014 rate of 100%.



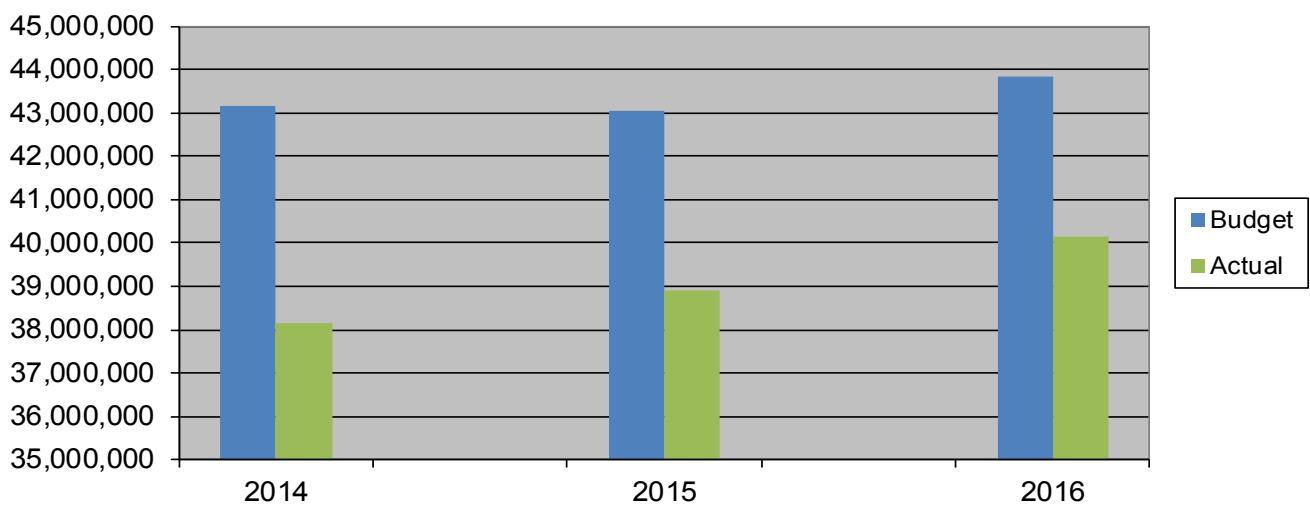
Fiscal Snapshots

Revenue Budget to Actual



Total Revenues collected as a percent of budget were 92% in 2016. This is a slight increase in revenue from the prior year. The Court continues to seek opportunities to provide funding for new programs and reduced the required contribution from the General Fund by 8% in 2016.

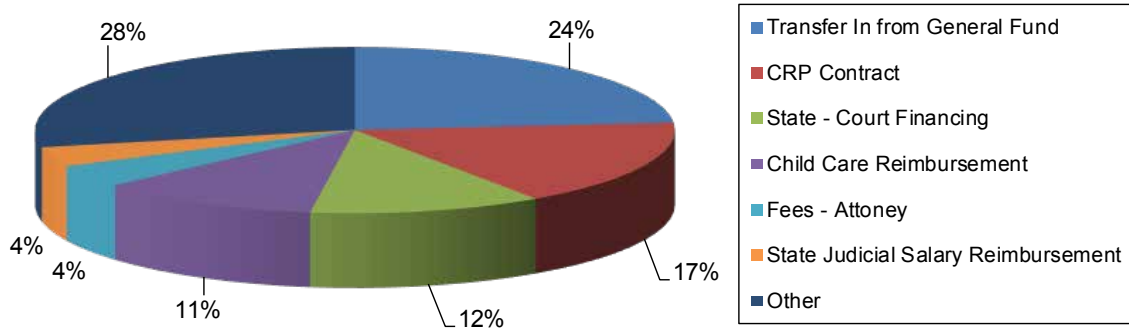
Expenditures Budget To Actual



The Court continues to maintain a relatively flat overall budget each year, despite the rising costs of services. The 2016 budget was a modest 2% increase over the 2015 budget. The Court also spent almost 10% less than the total budgeted expenditures for 2016.

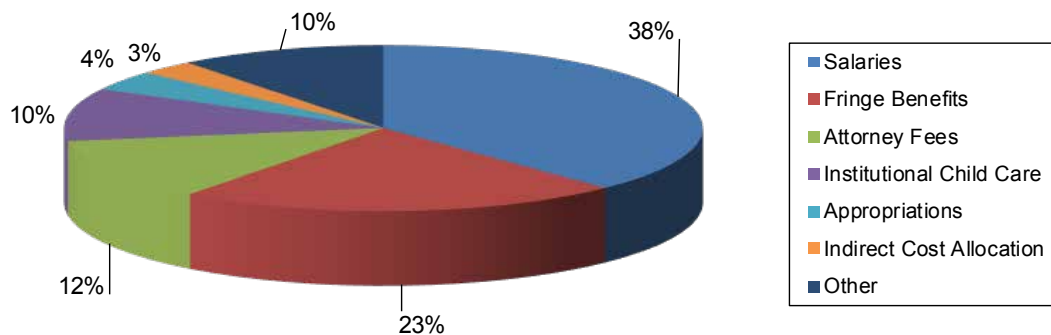
Fiscal Snapshots

**Circuit Court and Probate Court Financial Report
2016 Revenues: \$28,576,383**



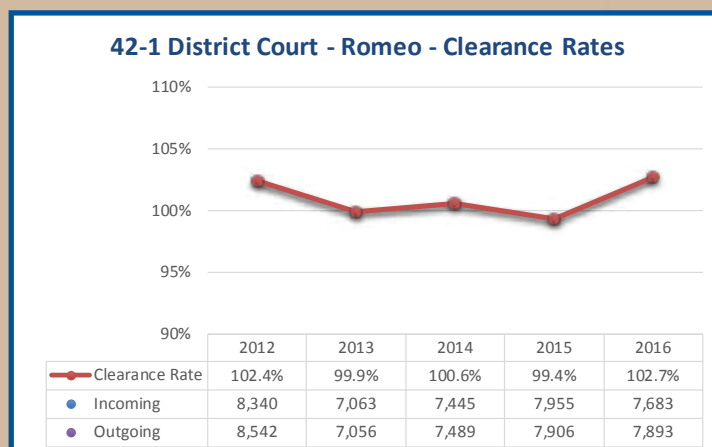
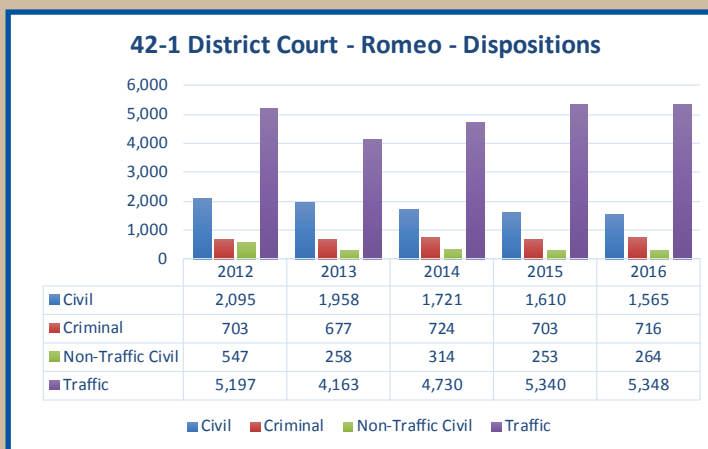
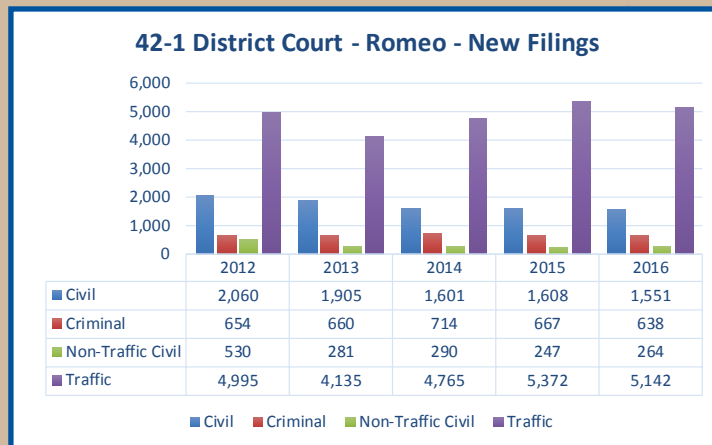
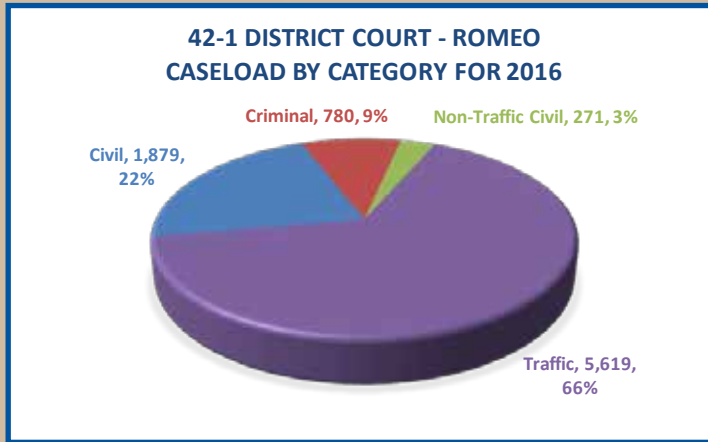
The revenue collected by the courts increased 2% overall from 2015 to 2016. Most revenue collections were flat with a slight increase in State grant revenue in 2016. The Court continues to try to budget conservatively for revenue each year.

**Circuit Court and Probate Court Financial Report
2016 Expenditures: \$40,152,029**

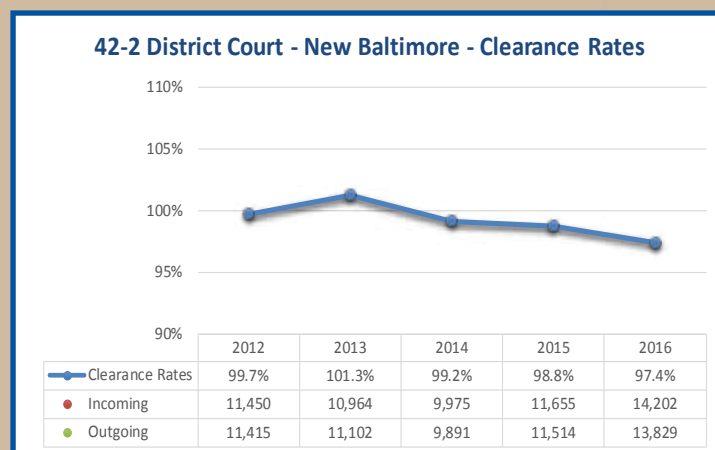
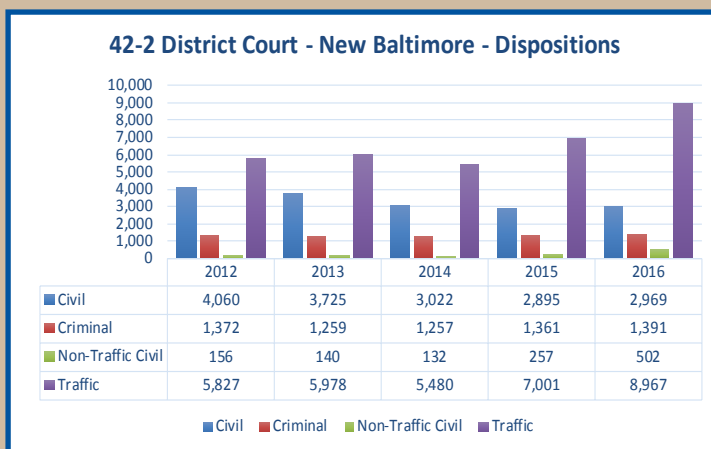
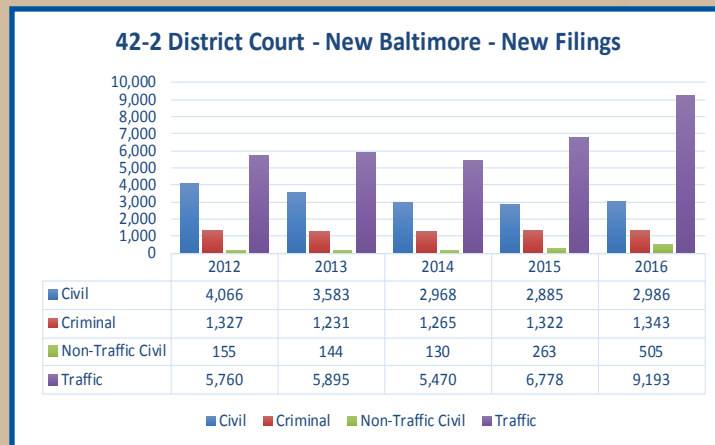
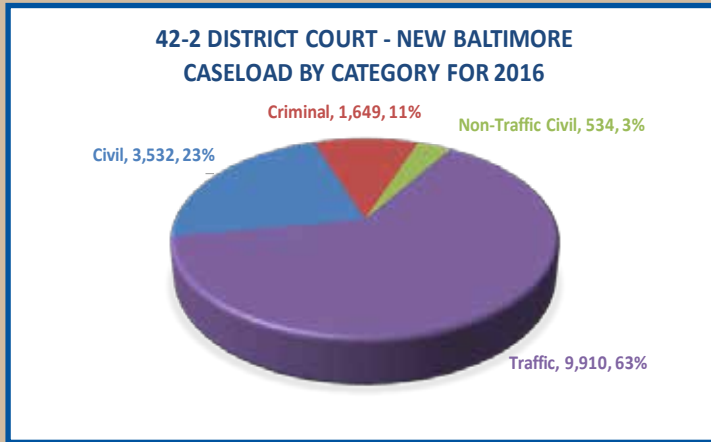


The Court continues to work on maintaining and decreasing personnel costs. Salary and fringe benefit expenses make up 61% of the total Court expenditures. A slight increase in attorney fees, along with increases in child care placement costs and salary increases accounted for a 2% overall expenditure increase for 2016.

District Court Statistics - Romeo



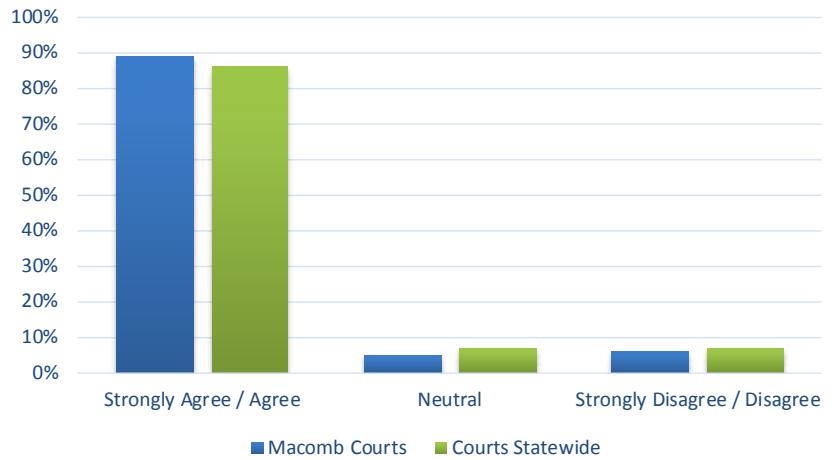
District Court Statistics - New Baltimore



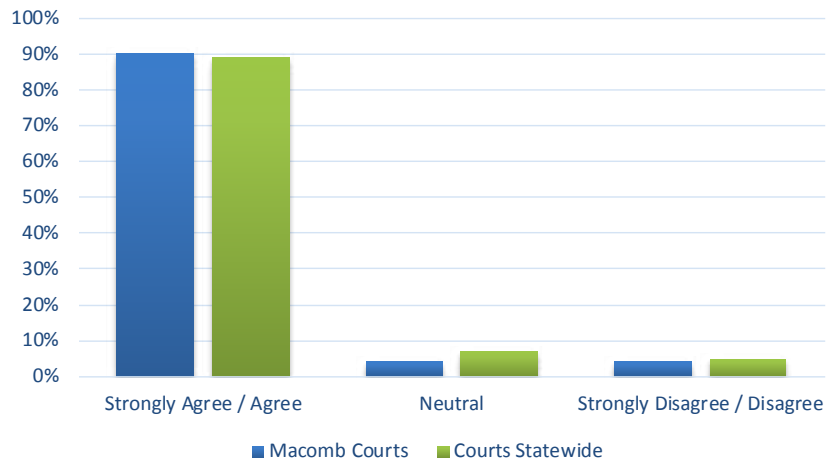
Satisfaction Survey

Macomb County Courts participated in a statewide Court Satisfaction Survey for the fourth consecutive year in 2016. On average, the results from the surveys conducted in the 16th Judicial Circuit Court, Macomb County Probate Court, and 42nd District Courts exceeded the statewide averages in three key areas. The average of the three Court surveys showed 89% of or respondents agreeing or strongly agreeing with the statement that “I was able to get my court business done in a reasonable amount of time today,” compared to a statewide average of 86%. The average of the three Court surveys showed 90% of respondents agreed or strongly agreed that “The judge/magistrate/referee treated everyone with courtesy and respect,” compared to a statewide average of 89%. Lastly, the average of our three Court surveys showed 88% of respondents agreeing or strongly agreeing with the statement that “As I leave the court, I understand what happened in my case,” compared to a statewide average of 86%. For the statewide survey results, please visit <http://courts.mi.gov/administration/admin/op/performance/pages/public-satisfaction-survey.aspx>.

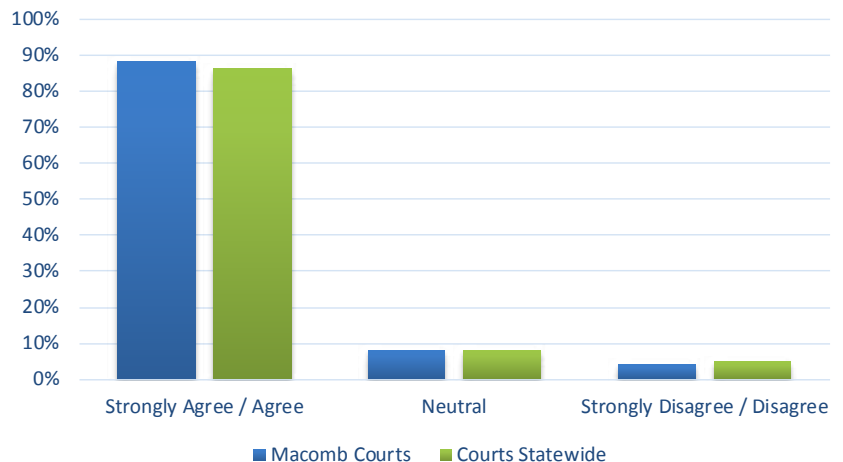
I was able to get my business done in a reasonable amount of time today:



The Judge/Magistrate treated everyone with courtesy and respect:



I understand what happened in my case:





Mark A. Hackel
Macomb County Executive

Eric Smith
Prosecuting Attorney

Anthony V. Marrocco
Public Works Commissioner

Derek E. Miller
Treasurer

Carmella Sabaugh
Clerk & Register of Deeds

Anthony Wickersham
Sheriff

Board of Commissioners

David J. Flynn
Board Chair, District 4

James L. Carabelli
District 6

Kathy Tocco
Vice-Chair, District 11

Don Brown
District 7

Steve Marino
Sergeant-at-Arms, District 10

Kathy D. Vosburg
District 8

Andrey Dujyz
District 1

Fred Miller
District 9

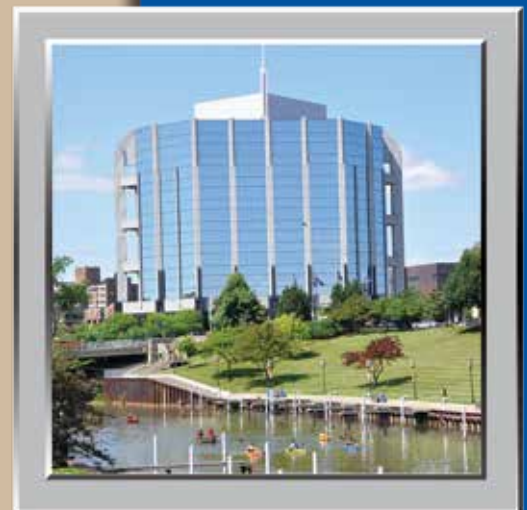
Marvin E. Sauger
District 2

Bob Smith
District 12

Veronica Klinefelt
District 3

Joe Sabatini
District 13

Robert Mijac
District 5



Macomb County Administration Building located One South Main Street built in 1998 on the former site of Medea Hotel and Bath House.

2017

16th Judicial Circuit Court

40 North Main Street
Mount Clemens, MI 48043

Judge James M. Biernat, Jr.

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

Judge Matthew S. Switalski

Chief Judge Pro Tempore
Family Division

Judge Richard L. Caretti

Presiding Judge, Civil/Criminal Division

Judge Tracey A. Yokich

Presiding Judge, Family Division

Judge Mark S. Switalski

Family Division

Judge Edward A. Servitto, Jr.

Civil/Criminal Division

Judge Diane M. Druzinski

Civil/Criminal Division

Judge Kathryn A. Viviano

Civil/Criminal Division

Judge Jennifer M. Faunce

Civil/Criminal Division

Judge James M. Maceroni

Civil/Criminal Division

Judge Joseph Toia

Civil/Criminal Division

Judge Carl J. Marlinga

Civil/Criminal Division

Judge Michael E. Servitto

Civil/Criminal Division

Judge Rachel Rancilio

Family Division



Macomb County Probate Court

21850 Dunham Road
Mount Clemens, MI 48043

Judge Kathryn A. George

Senior Probate Judge

Judge Sandra A. Harrison/Suratt

Probate Judge

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 Denis R. LeDuc

Presiding District Judge

Judge William H. Hackel

District Judge



Prepared by
Department of Planning &
Economic Development