



M A C O M B C O U N T Y

16th Judicial Circuit and Probate Courts

2012 Annual Report



Photo courtesy Macomb County Planning & Economic Development

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Acknowledgements

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 and Macomb County Probate Courts.

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

James Langley, Oakland University Master of Arts in History student, for compiling the History of Macomb Courthouse section.

The Macomb County Executive and Board of Commissioners 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.”



Courtesy Macomb County Planning & Economic Development

A Message From

Chief Judge John C. Foster

Welcome to the 2012 annual report of the Macomb County Circuit and Probate Courts, the third branch of Macomb County government. By this report, we seek to inform you of the accomplishments, activities and plans for your County Courts.

Before I speak of the Courts, however, let me share with you our excitement over the elevation of our former Chief Judge, David F. Viviano, to the Michigan Supreme Court. Justice Viviano was appointed by Governor Snyder and assumed his place on the Michigan Supreme Court on February 27, 2013. There are only seven people serving on that Court; one of them is our own. This is the first time since 1956 that Macomb County has had such representation and we are honored by that appointment. Congratulations to Justice Viviano.

Regarding our Courts, it is our goal to provide fair, transparent justice for our constituents. We believe we are doing this and improving every day.

2012 was a busy year and the future portends much in the way of improvement and change. The Circuit Court is in the process of expanding our digital filing and case management capabilities and thereby enhancing access to our Courts and case information.

In addition to enhancing the capabilities of our Drug Treatment Court and our Specialized Business Docket, we have added a Veterans' Treatment Court and are in the process of creating a County-wide Mental Health Initiative to meet community needs and bring the Courts more in line with the best practices for dealing with this segment of our community.

In leading the County court system into these new areas, we are extremely fortunate to have an employment force dedicated to doing the best job possible. As Chief Judge, I cannot speak loudly or often enough of my appreciation for our Court employees. They greet the public with smiles and are unfailingly polite, often under trying conditions. They make us stronger with their efforts.

As the third branch of government, we are excited to continue the journey with the Board of Commissioners and County Executive in defining and building the newly instituted form of County government. We believe our cooperative efforts will give the residents of Macomb County the most progressive and efficient County government in Michigan.

We invite you to watch us and hold us to our task.

Sincerely,



John C. Foster

Chief Judge

16th Judicial Circuit and
Macomb Probate Courts

Court Overview

The Macomb County 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 criminal 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.



Photo courtesy of Anne Nicolazzo

40 North Main Street, Mount Clemens, MI 48043
www.macombcountymi.gov/circuitcourt/



Circuit Court

Circuit Court Judges



**Judge
David F. Viviano**

Chief Judge, 16th Judicial
Circuit & Macomb Probate
Courts

Appointed to the Michigan
Supreme Court February 2013



**Judge
John C. Foster**

Chief Judge Pro Tempore,
Civil/Criminal Division

[www.macombgov.org/
circuitcourt/Foster_bio.htm](http://www.macombgov.org/circuitcourt/Foster_bio.htm)



**Judge
Mary A. Chrzanowski**

Presiding Judge, Family
Division

[www.macombgov.org/
circuitcourt/macbio.htm](http://www.macombgov.org/circuitcourt/macbio.htm)



**Judge
Richard L. Caretti**

Presiding Judge, Civil/Criminal
Division

[www.macombgov.org/
circuitcourt/JudgeCarettiBiog-
raphy.htm](http://www.macombgov.org/circuitcourt/JudgeCarettiBiography.htm)



**Judge
Peter J. Maceroni**

Civil/Criminal Division

[www.macombgov.org/
circuitcourt/JudgeMaceronibi-
ography.htm](http://www.macombgov.org/circuitcourt/JudgeMaceronibiography.htm)



**Judge
Mark S. Switalski**

Family Division

[www.macombgov.org/
circuitcourt/mss_bio.htm](http://www.macombgov.org/circuitcourt/mss_bio.htm)

Circuit Court Judges



**Judge
Edward A. Servitto, Jr.**

Civil/Criminal Division

[www.macombgov.org/
circuitcourt/eas_bio.htm](http://www.macombgov.org/circuitcourt/eas_bio.htm)



**Judge
Diane M. Druzinski**

Civil/Criminal Division

[www.macombgov.org/
circuitcourt/JudgeDruzinskiBi-
ography.htm](http://www.macombgov.org/circuitcourt/JudgeDruzinskiBiography.htm)



**Judge
Matthew S. Switalski**

Civil/Criminal Division

[www.macombgov.org/
circuitcourt/switalski_matt.
htm](http://www.macombgov.org/circuitcourt/switalski_matt.htm)



**Judge
Tracey A. Yokich**

Family Division

[www.macombgov.org/
circuitcourt/judgeyokichbiog-
raphy.htm](http://www.macombgov.org/circuitcourt/judgeyokichbiography.htm)



**Judge
Kathryn A. Viviano**

Family Division

[www.macombgov.org/
circuitcourt/judgekviviano.
htm](http://www.macombgov.org/circuitcourt/judgekviviano.htm)



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

Civil/Criminal Division

[www.macombgov.org/
circuitcourt/judgejbiernatjr.
htm](http://www.macombgov.org/circuitcourt/judgejbiernatjr.htm)

16th Judicial Circuit Court Bench



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

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



Farewell

Appointment



From Judge to Justice: David Viviano Appointed to the Michigan Supreme Court

It is with great pride that we say farewell from Macomb Circuit to Judge David Viviano. Judge Viviano served as a judge of the Macomb County Circuit Court from January 2006 to February 2013. In 2011, the Supreme Court appointed him to serve not only as Chief Judge of the Circuit Court, but also as Chief of the Macomb County Probate Court. On February 27, 2013, Viviano went from Judge to Justice when he was appointed to the Supreme Court by Governor Rick Snyder.

“We are proud that our Chief Judge has been elevated to the Michigan Supreme Court. Justice David Viviano has had a record on our bench of integrity and high standards as well as innovation and progressive ideas for the roles of the courts in our community and in society,” said Chief Judge Pro Tempore John C. Foster about the appointment on behalf of the Macomb County Circuit Court bench. “We are proud that he will be the first justice from Macomb County since Justice Neil Reid who served from 1944 to 1956. We will miss his innovative approach and will strive to complete the programs he has initiated. We wish him and his family all the best in the years to come and know that he will serve the citizens of the State of Michigan as well as he has served Macomb County.”

“It’s a proud day for the Viviano family and for Macomb County and more importantly for the State of Michigan. I say this from the perspective of knowing David personally and professionally,” added Macomb County Executive Mark A. Hackel.

Before becoming a judge, Justice Viviano worked at two nationally-recognized law firms, Dickinson Wright PLLC in Detroit and Jenner & Block LLC in Chicago. He then founded his own law firm in Mount Clemens, Viviano and Viviano PLLC, where he concentrated his practice in commercial and criminal litigation, zoning and real estate law. He also served as city attorney for the city of Center Line.

Justice Viviano graduated in 1994 from Hillsdale College with highest honors and from the University of Michigan Law School in 1996.

Justice Viviano is a member of the State Bar of Michigan, the Macomb County Bar Association, the Italian American Bar Association and the Illinois State Bar Association. He also serves on the Macomb Advisory Board of the Children’s Hospital of Michigan.



Probate

Probate Court Judges



**Judge
Carl J. Marlinga**

Presiding Probate

[www.macombgov.org/
probatecourt/marlinga_bio.
htm](http://www.macombgov.org/probatecourt/marlinga_bio.htm)



**Judge
Kathryn A. George**

Assigned to Family
Division Circuit Court

[www.macombgov.org/
probatecourt/george_bio.
htm](http://www.macombgov.org/probatecourt/george_bio.htm)

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.



Photo courtesy of Anne Nicolazzo



Retired

Retired Judge



After nearly twenty years of service to the citizens of Macomb County, Judge Pamela Gilbert O'Sullivan retired from the bench in 2012. Judge O'Sullivan was elected probate judge in 1994, and was appointed as chief probate judge in 2000. During her tenure as probate judge, Judge O'Sullivan established the State of Michigan's second Juvenile Drug Court, in order to provide accountability and substance abuse treatment for juvenile offenders.

During her career, Judge O'Sullivan served as a member of the Michigan Judicial Institute faculty, the Institute of Continuing Legal Education (ICLE) faculty, the Michigan Judicial Institute Academic Advisory Committee, the Governor's Task Force on Children's Justice, the Adult Community Corrections Advisory Board, and the Advisory Committee for the Michigan Court Improvement Program. She served on the board of directors of CARE House-Child Advocacy Center, the Human Services Coordinating Body, the Traffic Safety Association of Macomb County, and Childhelp, USA. Judge O'Sullivan also served as chairperson of the Macomb County Election Commission, as a trustee of Leadership Macomb and the Macomb Art Center, and as a member of the Selfridge Air National Guard Base Community Council.

Judge O'Sullivan received numerous awards over the years, including the Woman of Distinction Award from the Girl Scouts, St. Joseph Mercy of Macomb Medallion Award, Conflict Resolution Advocacy Award for establishing the Juvenile Offender Restitution Program, Intermediate School District's Award for Service to Schools, Childhelp, USA Compassionate Angel Award, and Ms. Zip Award for the Obligation of Duty.

Judge O'Sullivan received a Bachelor of Science Degree from the University of Detroit in 1980, a Juris Doctorate from Thomas M. Cooley Law School in 1983, and Post-Doctorate Masters Degree from Boston University School of Law in 1984. Additionally, she is a State Court Administrative Office Approved General Civil Mediator and attended the National Judicial College at the University of Reno, Nevada.

Judge O'Sullivan's commitment to justice was exemplary and her contributions to the Probate Court were significant. We wish her all the best in retirement.



Summary

Department Summary



Jennifer Phillips

Court Administrator

Court Administration manages the 16th Circuit and Probate Courts' 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: www.macombcountymi.gov/circuitcourt/depts.htm.

Caseload Division

The Caseload Division manages and tracks the progress of a case from case initiation through disposition. The staff 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 Administration Office (SCAO) caseload reporting requirements, and answering questions from the public. The Caseload Division is also responsible for reporting statistical caseload information to SCAO.

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, Juvenile Drug Court, the Veterans' Treatment Court and the Specialized Business Docket. Additionally, the department provides substance abuse assessments to the bench for all drinking and driving convictions as mandated.

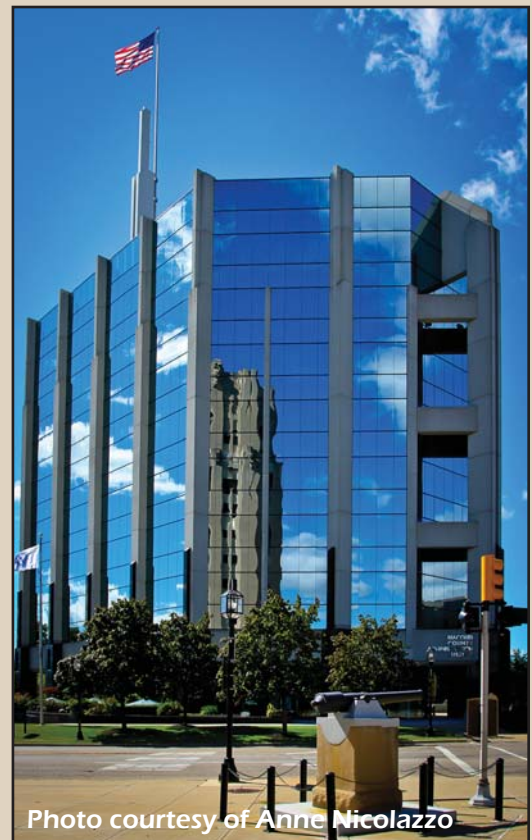


Photo courtesy of Anne Nicolazzo

Department Summary

Finance Department

- **Judicial Aide Division**

Judicial Aide is responsible for the coordination of attorney appointments for felony cases, parents and children in neglect/abuse cases, and juveniles in delinquency cases. Judicial Aide is also responsible for collecting money from defendants ordered to repay fees assessed for court-appointed counsel, foreign language interpreters, transcripts, and expert witnesses; working with defendants on payment arrangements, 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 order to remit prisoner funds. Additionally, Judicial Aide is the official point of contact for Court patrons requiring accommodations pursuant to the Americans with Disabilities Act.

- **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.

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. 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, FOC provides alternative dispute resolution opportunities for litigants and the Court.



Photo courtesy of Anne Nicolazzo

Department Summary

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. 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.



Photography by Anne Nicolazzo

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 Circuit and Probate 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.



Photo courtesy of Rylee Pihaylic



Highlights

2012 Highlights

Juvenile Division

In 2012, the Juvenile Division processed 2,276 delinquency petitions, 431 neglect and abuse petitions, 287 adoption petitions, 4 parental waivers, 5 emancipations and 21 juvenile guardianships. 1,191 of the delinquency petitions filed in 2012 were referred to the diversion process. A number of juvenile cases were also referred to the Juvenile Drug Court, a subdivision of Specialty Court Services. Over 6,000 drug tests were administered in conjunction with the Juvenile Drug Court. Sixty-five percent of the participants in the Juvenile Drug Court graduated from (i.e., successfully completed) the Drug Court Program. Impressively, 100% of the participants in the Juvenile Drug Court showed some improvement in school attendance and grades.

“In 2012, the Juvenile Division processed 2,276 delinquency petitions, 431 neglect and abuse petitions, 287 adoption petitions, 4 parental waivers, 5 emancipations, and 21 juvenile guardianships.”

Reimbursement Division

The Reimbursement Division intercepted and received a total of \$514,512.16 in juvenile income tax intercepts in 2012. This represents the largest sum of juvenile tax intercepts in the Division’s history, and is a substantial increase from the \$453,226.29 in juvenile tax intercepts which the Division received in 2011 and the \$376,400 in juvenile tax intercepts which the Division received in 2010.

“The Reimbursement Division intercepted and received a total of \$514,512.16 in juvenile income tax intercepts in 2012. This represents the largest sum of juvenile tax intercepts in the Division’s history.”

Case Management Division

The Case Management Division has been working on improving technology throughout 2012. The Division has made it possible to access the scheduled times and dates for motions online at <http://macombcountymi.gov/circuitcourt/info.htm>. Additionally, the Division has eliminated mailing paper copies of trial procedure orders in the Civil/Criminal Division of the Circuit Court. Instead, trial procedure orders are now available online at <http://macombcountymi.gov/circuitcourt/trialProcedures.htm>. The Division is in the process of creating “eNotices” which will allow the Division to e-mail litigants various documents including hearing notices, discovery and scheduling orders, case evaluation orders, non-service notices and no-progress notices. E-mailing these documents will eliminate printing and postage costs, and result in significant savings for taxpayers.

2012 Highlights

Friend of the Court

The Friend of the Court ("FOC") opened 4,817 new cases and closed 2,420 cases in 2012. The FOC completed final recommendations in 1,796 domestic cases. The activities of the FOC enforcement team resulted in the arrest of 1,232 individuals. The FOC referees conducted 647 hearings, heard 4,151 motions and conducted 1,494 status conferences. The FOC referees also completed 1,918 referrals for child support and related issues, spousal support and parenting time. The FOC's Custody Investigation Department completed 772 investigations in 2012. Additionally, the FOC conducted 7,714 show cause hearings. A total of \$108,360,546 in support was distributed by the FOC in 2012. Net investigative fees in 2012 totaled \$144,143.78. Finally, the FOC has begun imaging its paper files in order to conserve space and other resources.

"The activities of the FOC enforcement team resulted in the arrest of 1,232 individuals."

"A total of \$108,360,546 in support was distributed by the FOC in 2012."

Finance Director

In 2012, the Circuit Court created and filled the position of Court Finance Director. This position focuses on the complex task of creating, monitoring, and amending the many different department budgets associated with the Circuit Court. The Court Finance Director also works closely with the Chief Judge, County Executive, and County Finance Department to address any financial concerns affecting court operations. In addition, this position oversees the Judicial Aide and Reimbursement Divisions of the Circuit Court with a goal to increase collections by developing new collection procedures as well as streamlining current procedures. Susan R. Szabo brings a background of seven years working directly in local government finance to Macomb County and has been a licensed CPA for over ten years. She has been involved in all aspects of local government accounting from budgeting to auditing.

E-Filing

Macomb County Circuit Court launched an electronic document filing ("e-filing") pilot project on August 15, 2011. There were 1,187 new e-filing cases filed in the year 2012. The pilot project will eventually be expanded to cover all the remaining civil case-types in the Court's Civil/Criminal Division. After careful analysis throughout 2011 and 2012, the Court has concluded that even with costly modifications, the existing e-filing system will not meet its needs. Therefore, the Court has chosen ImageSoft, Inc., of Southfield, Michigan, to implement a new document and process management solution to improve integration with the case management system and provide users with updated features. In 2013, the Court will move forward with its goal to become paperless and provide better e-filing service. ImageSoft's TrueFiling™ electronic filing solution will replace the Court's existing e-filing system. The ImageSoft solution will feature a

2012 Highlights

E-Filing (Continued)

built-in payment processor, the ability for law firms to add different user types, automatic receipt of date stamped copies of Court filings and an improved transaction history, viewable by the filer to review their Court filings and the status of service on the other parties.

CourtView

This coming year will bring improvements to CourtView, the case management system. eAccess will be an upgrade to the public access website where individuals gain access to case information. This update will include an improved user interface, additional browser support and performance increases. eNotices will give the Court the ability to send out notices electronically and automatically from within CourtView. This feature will save the Court time and costs over the traditional method of mailing notices. CV2Go will allow attorneys to receive notifications when case status, schedule or events change on their cases. CV2Go is a subscription-based service and attorneys can choose if they would like to pay for it. CV2Go has applications available for download from the Apple App Store and Google Play for use on mobile devices.

Veterans' Court

2012 saw the creation of the Macomb County Veterans' Treatment Court. The Veterans' Court aims to assist Macomb County veterans by creating a specialized docket for veterans with a focus on substance abuse and mental health treatment, and by providing veterans with the tools to lead productive and law-abiding lives. The Veterans' Court is designed to provide participants with a structure within which to obtain needed treatments and feedback, and to minimize the likelihood of future criminal behavior. The Veterans' Court is comprised of the Macomb County Circuit Court, 41A District Court and 41B District Court. The Circuit Court coordinates all activities among the participating courts. Judge Mark Switalski presides over the Circuit Court docket, with assistance from Judge Tracey Yokich and retired Judge Donald Miller. In 2012, there were 21 participants at the Circuit Court level, 7 participants at the District Court level and 20 active volunteer mentors from the community.

E-Filing - "In 2013, the Court will move forward with its goal to become paperless and provide better e-filing service."

"The Veterans' Court aims to assist Macomb County veterans by creating a specialized docket for veterans with a focus on substance abuse and mental health treatment, and by providing veterans with the tools to lead productive and law-abiding lives."



Court Clerk

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

Paying is Easy with Credit Cards

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 (888-99-CLERK, request document #7010).

Hours

For current hours visit the web site. 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 for Chief Judge David Viviano and Judge John Foster go to: <http://macombcountymi.gov/circuitcourt/efile.htm>

Indexing 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 entire county courthouse and in the Register of Deeds office (on the second floor of the old county 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 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! <http://macomb.govrcd.com>

For more information visit:
www.macombcountymi.gov/clerksoffice

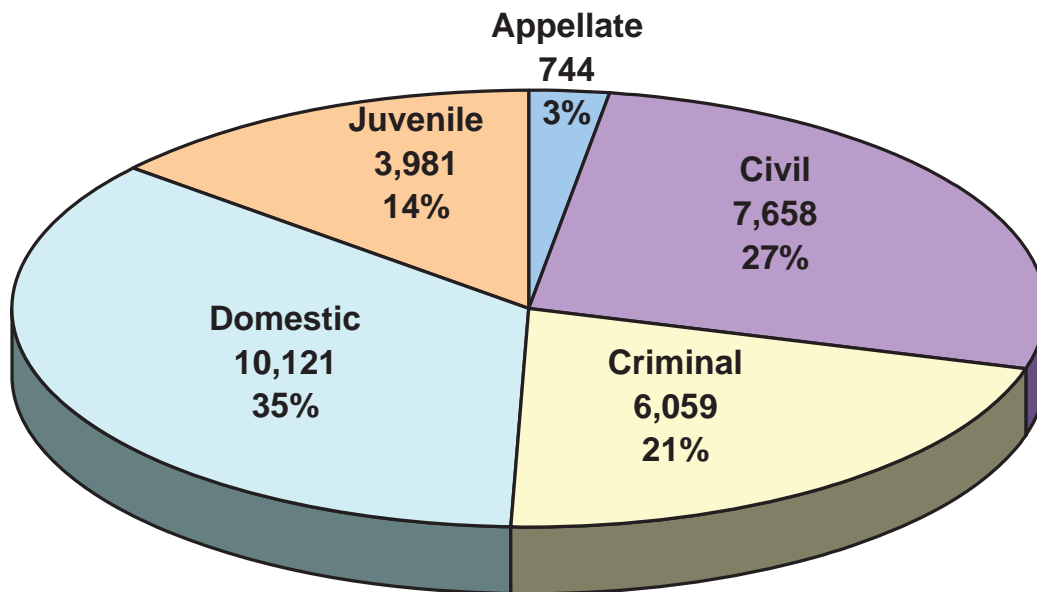
A vibrant street festival scene at dusk. The street is filled with a large crowd of people, many wearing colorful clothing. The street is decorated with strings of colorful bunting flags in shades of red, green, and white. In the foreground, a food truck is prominently displayed with various signs. The truck has a large sign that reads "Stroh's ICE CREAM" in red and yellow. Below that, there are signs for "WAFFLE CONES", "ICE COLD DRINKS", "MILK SHAKES", "ICE TEA", "HOT FUDGE CREAM PUFF SUNDAE", and "PINK MONA". The background shows buildings and trees, with warm streetlights illuminating the scene.

Statistics

Statistical Information

16th Judicial Court System

Caseload by Category for 2012



New case filings for 2012 totaled 20,022 cases, which is 760 cases less than 2011, representing a 3.7% decrease. The overall caseload, including existing cases and new filings, for 2012 totaled 28,563. [See chart above]

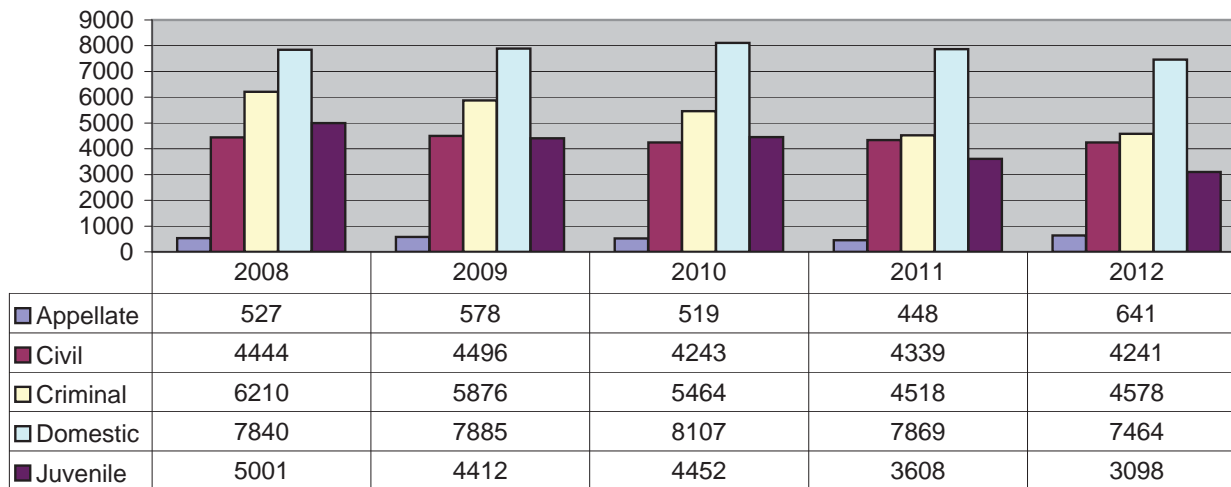
Domestic and juvenile new case filings represented the most significant decreases. New domestic filings in 2012 were 567 less than 2011, representing a 7.2% decrease. New juvenile filings in 2012 were 654 less than 2011, representing an 18.1% decrease. [See chart page 28]

In 2012, there were 716 fewer dispositions than in 2011. The only category representing an increase in dispositions is appeals. Dispositions in the appeal category in 2012 were 173 more than 2011, representing a 40% increase. 2012 juvenile dispositions represented the most significant decrease of 490 fewer dispositions than 2011, a decrease of 12.4%. [See chart, page 28]

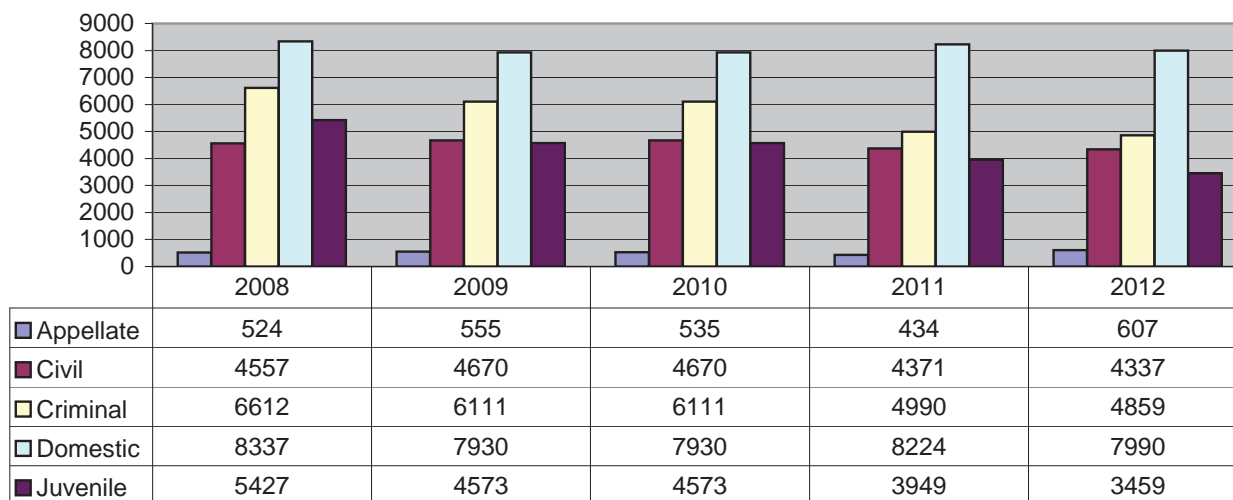
Statistical Information

16th Judicial Court System

New Filings

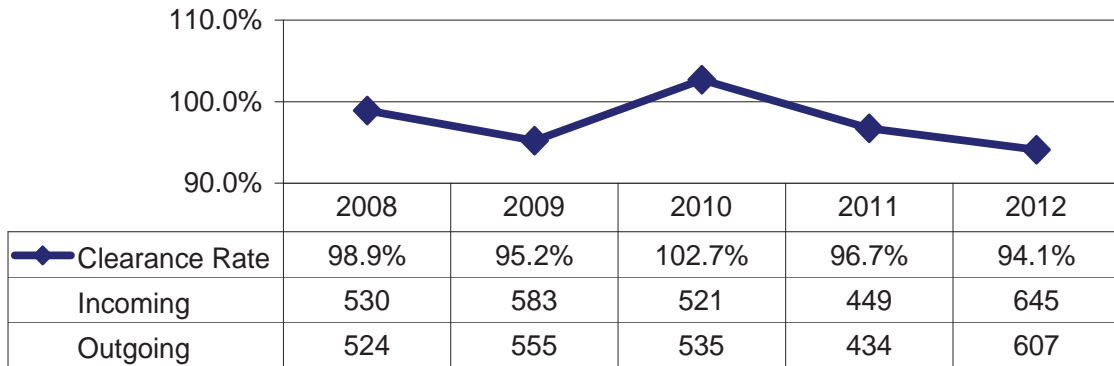


Dispositions

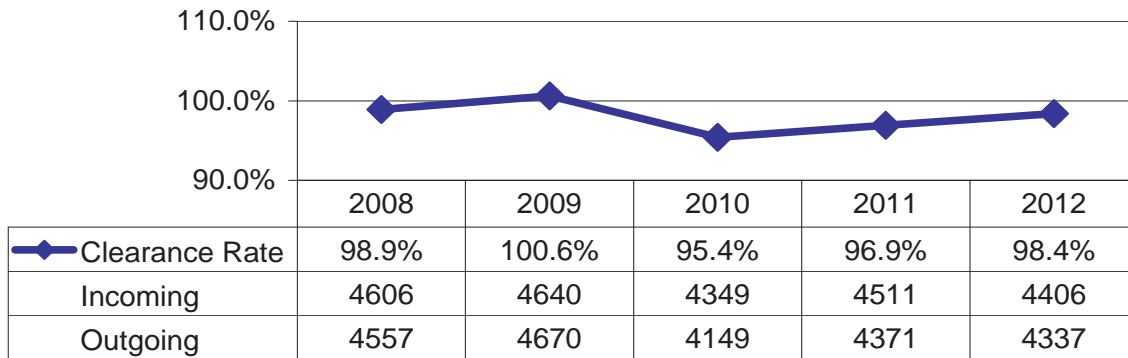


Court Clearance Rates

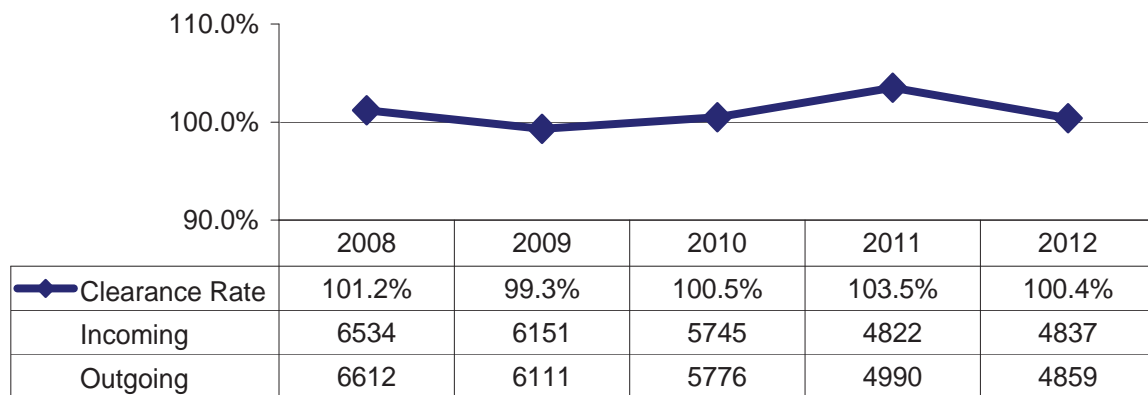
Appellate Court



Civil Court

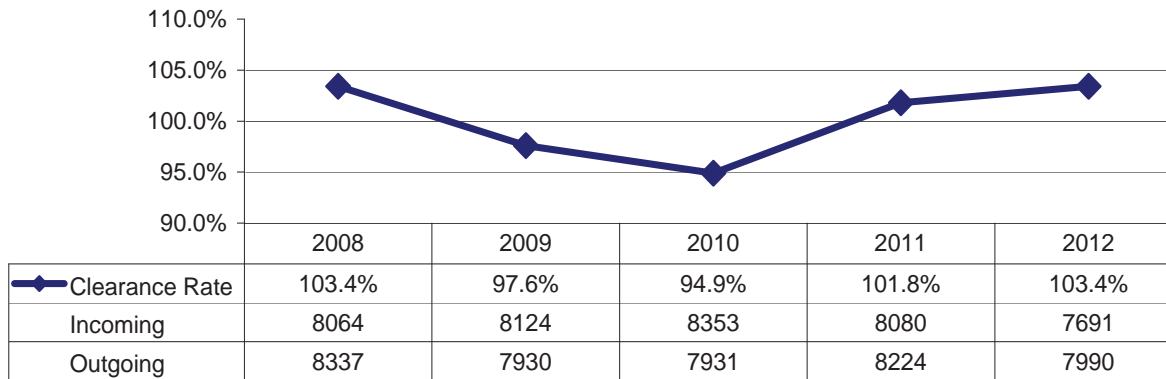


Criminal Court

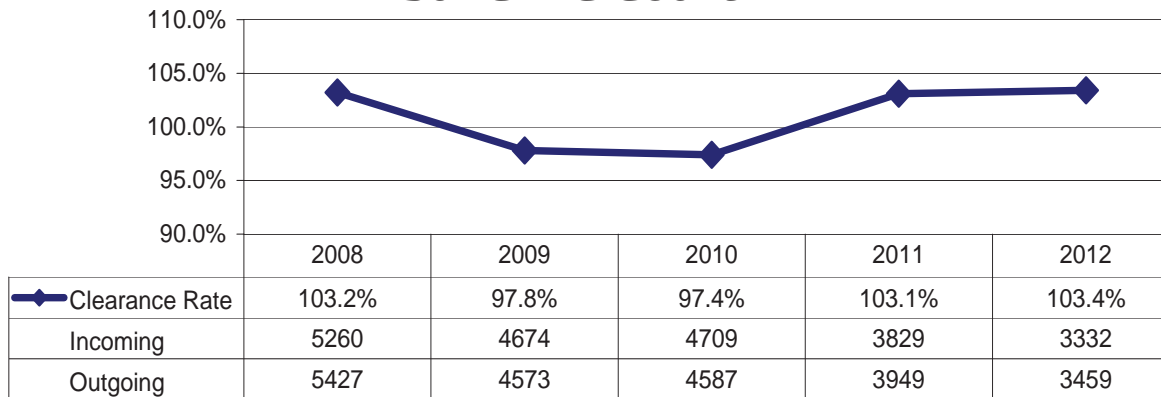


Court Clearance Rates

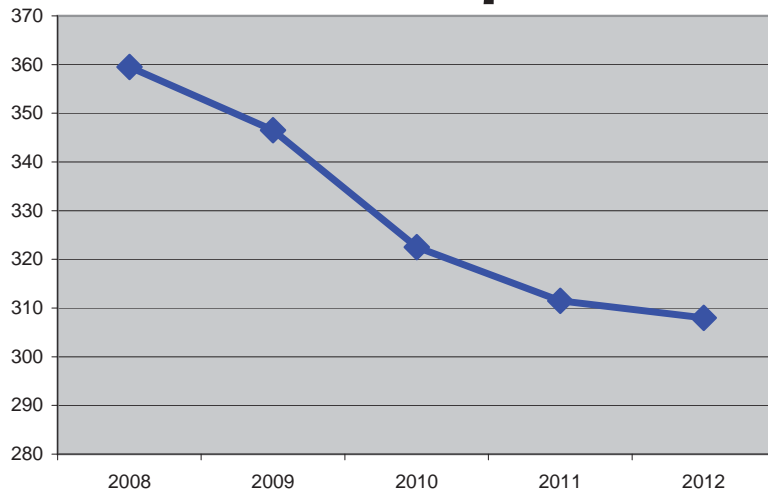
Domestic Court



Juvenile Court



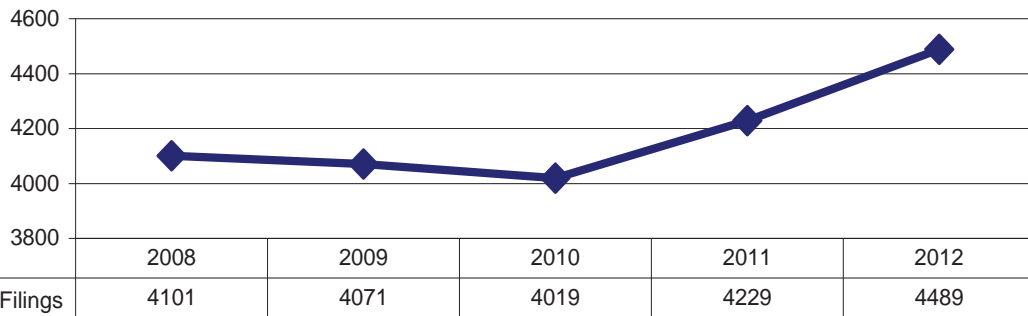
Personnel Snapshot



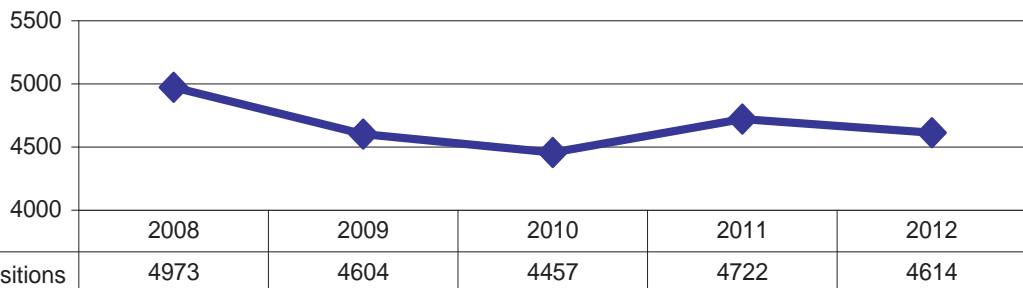
There has been a steady reduction in personnel positions. Since 2011, 3.8 positions have been reduced with an overall reduction of 51.5 since 2008.

Probate Court Statistics

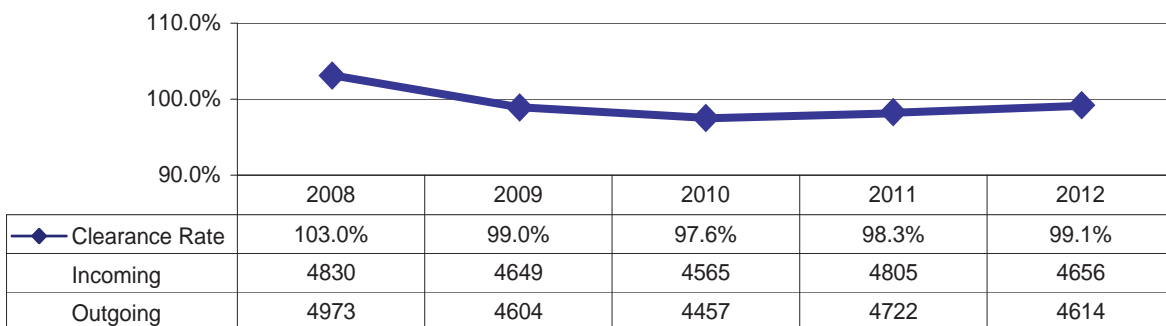
New Filings



Dispositions

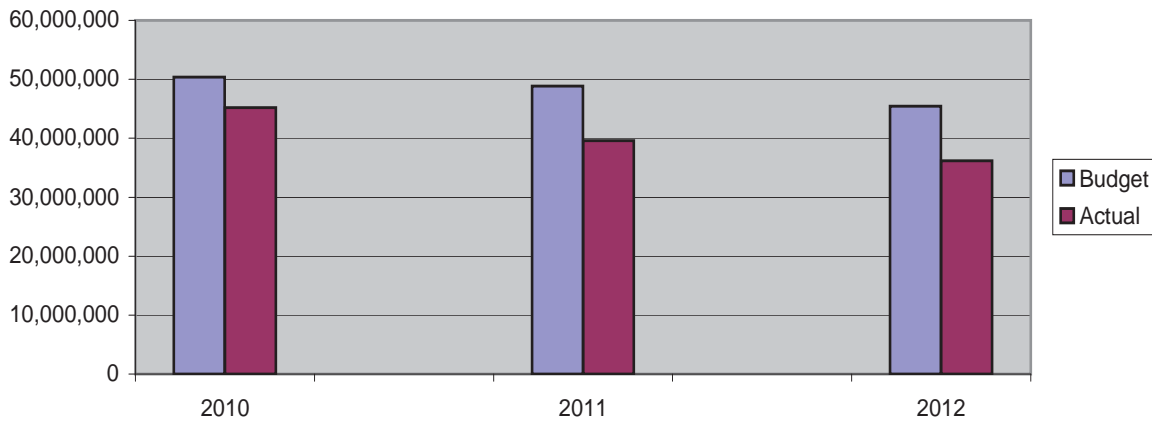


Clearance Rates



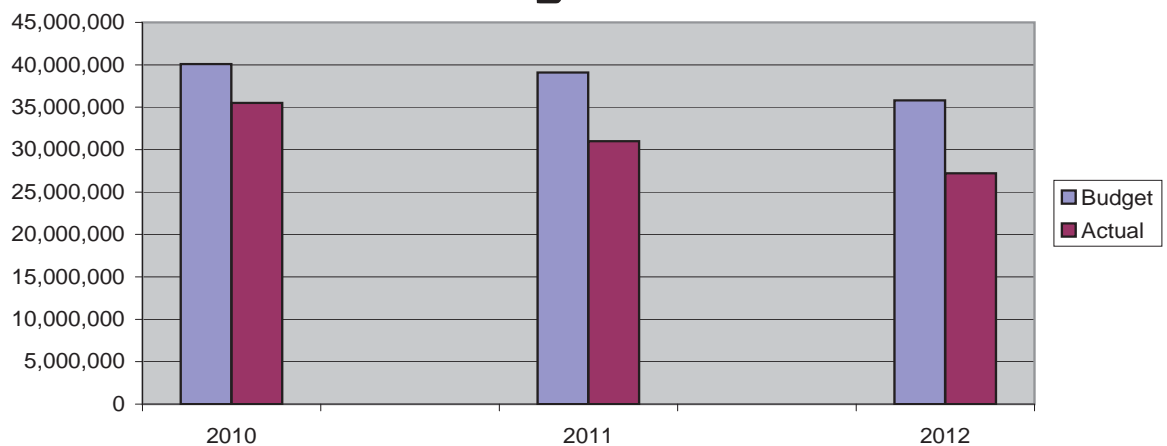
Fiscal Snapshots

Expenditures Budget to Actual



There has been a decline in expenditures since 2011. Court Expenditures are down \$3.39 million or 9% from 2011 to 2012.

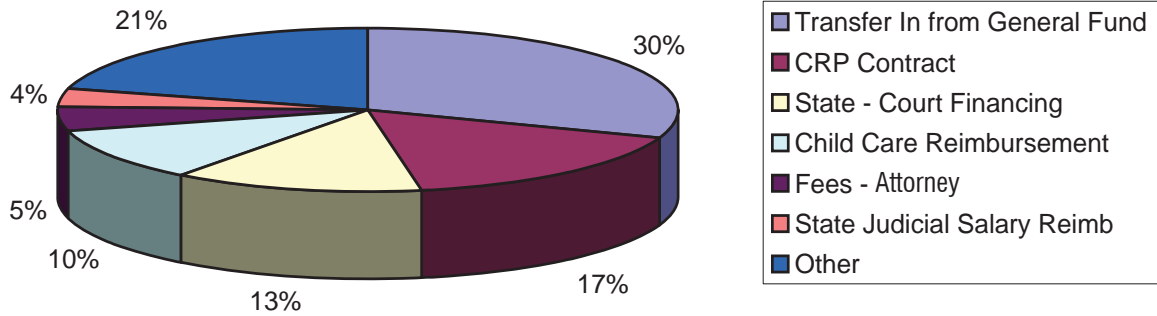
Revenue Budget to Actual



There has been a decline in revenues since 2011. Court Revenues are down \$3.79 million or 12% from 2011 to 2012.

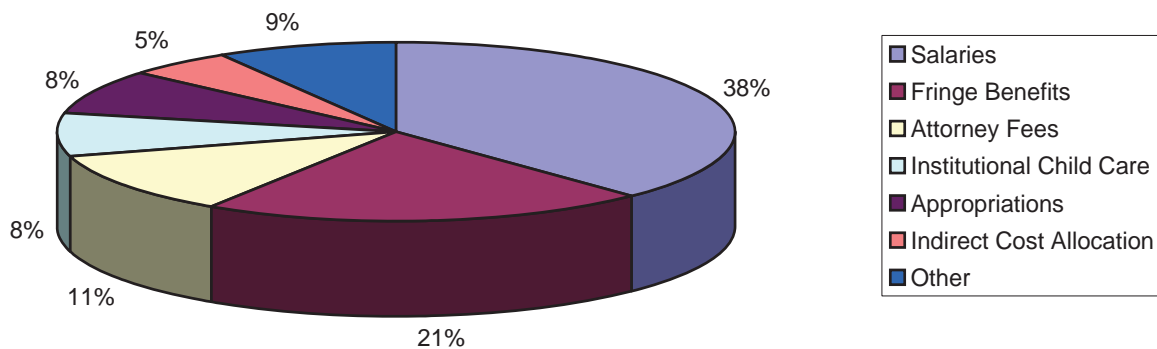
Fiscal Snapshots

Circuit & Probate Courts Financial Report 2012 Revenues: \$27,220,602



Although the Transfer from the General Fund continues to be the largest revenue source for the Court, that amount was reduced by almost \$3.5 million from 2011 to 2012. The majority of this reduction was the result of an accounting change in the Friend of the Court which eliminated an annual contribution to the Capital Improvement Fund.

Circuit & Probate Courts Financial Report 2012 Expendures: \$36,180,110



Salaries and Fringe Benefits are the greatest expense categories for the Courts. Overall, salary expense went down 1.35% from 2011 to 2012, while fringes increased a modest 3.68% during the same time. The Court continues to make staffing reductions and reorganizations to decrease costs while maintaining services.

History of Macomb Courthouse

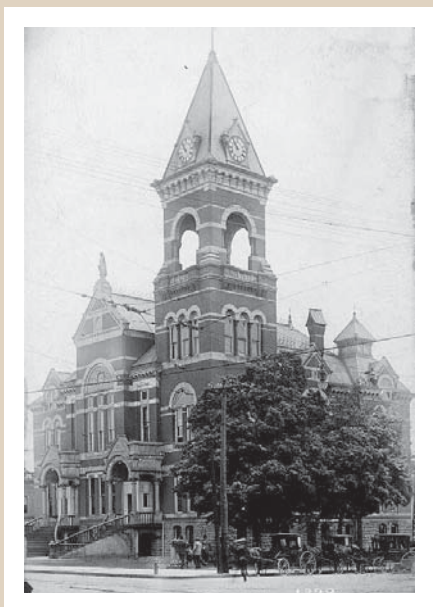
In 1818, Territorial Governor Lewis Cass created Macomb County. Macomb County initially included land that would later become St. Clair, Oakland, Livingston, Genesee and Lapeer counties. Macomb County received its name from General Alexander Macomb, a hero of the War of 1812 and a friend of Governor Cass. Governor Cass proclaimed Mount Clemens the county seat, and Christian Clemens donated land for the construction of a "public building." While the building was being constructed, newly-appointed Judge Clemens held Court in his home.

The original County courthouse was finished in 1819. A two story, log-framed structure was built for the sum of \$400. The lower floor served as a jail, while the upper floor served as a combination courthouse, school and church. On Christmas Eve, 1839, a man imprisoned in the jail awaiting trial for murder attempted to escape. In the process, he burned down the courthouse.

In 1840, a second courthouse was constructed. However, the second courthouse had become obsolete by 1880s, and a third courthouse was opened in 1881. Construction costs for this courthouse totaled \$52,000. Prominent features of this courthouse included a clock tower and a large figure of "Justice" overlooking the entrance.



The 1840 Courthouse featured four prominent pillars at the front and a jail at one side.



The 1881 Courthouse was designed in the Gothic style, and featured a prominent clock tower.

In the 1920s, continued growth necessitated the construction of new county offices. The art deco county building was constructed at its present site. The building is adorned with various decorative granite heads depicting a soldier, a marine, a sailor, an airman, a Revolutionary War soldier, and a Native American warrior.

The old county building provided insufficient space to accommodate the needs of Macomb County's growing population. As such, the present courthouse at 40 North Main was constructed at a cost of \$8,000,000 in 1970, and remains the Court's primary location.

Selected Bibliography

- Michael A. Leeson, *History of Macomb County, Michigan* (The University of Michigan Library, Ann Arbor, 2005).
- Mount Clemens Public Library, *Local History Sketches: The Macomb County Building* (Mount Clemens Public Library, Mount Clemens, 2008).
- Frank E. Howard, *Macomb County Buildings: From 1818 to 1950*.
- John Fedynsky, *Michigan's County Court Houses* (The University of Michigan Press, Ann Arbor 2010).

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

Board of Commissioners

David Flynn
Board Chair, District 4

Kathy Tocco
Vice-Chair, District 11

Michael Boyle
Sergeant-at-Arms, District 10

Toni Mocerì
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 Circuit Court

40 North Main Street
Mount Clemens, MI 48043

Macomb County Probate Court

21850 Dunham Road
Mount Clemens, MI 48043



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2013 Circuit Court Judges

Judge John C. Foster

Chief Judge, 16th Judicial Circuit and
Macomb Probate Courts

Judge James M. Biernat Jr.

Chief Judge Pro Tempore,
Civil/Criminal Division

Judge Kathryn A. Viviano

Presiding Judge, Family Division

Judge Richard L. Caretti

Presiding Judge, Civil/Criminal Division

Judge Peter J. Maceroni

Civil/Criminal Division

Judge Mary A. Chrzanowski

Civil/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

Civil/Criminal Division

Judge Tracey A. Yokich

Family Division

Probate Court Judges

Judge Carl J. Marlinga

Presiding Probate

Judge Kathryn A. George

Assigned to Family Division
Circuit Court