

# ANNUAL REPORT 2022



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



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

The Judges, Administrators, and Staff of the 16th Judicial Circuit, Macomb County Probate and 42nd Judicial District Courts, the Macomb County Executive, and the Macomb County 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.”**



## A Message from the Chief



I would like to begin by thanking you for taking the time to review the 2022 Annual Report for the 16th Judicial Circuit, Macomb County Probate and 42nd Judicial District Courts. Over this past year, we have welcomed wonderful new members to our Circuit Court and Probate Court Benches and said farewell to the Judges that left us who provided years of invaluable public service. The Court system has also continued to evolve and incorporate new technologies that allow us to provide an even higher quality of service to the public and enable our staff to perform their duties in a more efficient manner. While these improvements have required countless hours of work to implement, the Court's tireless and dedicated staff have persevered in order to make those changes a reality. This Annual Report will highlight but a few of these improvements. I am immensely proud of the Court's amazing employees and tremendously grateful for all of their efforts..

In addition to the items mentioned above, this edition of the Annual Report, like those that came before, will provide a summary of the Court's caseloads, revenue and expenditures, as well as introduce you to the different areas of the Courts that work together to keep the County's judicial branch working effectively. I hope that you find this data informative. It continues to be my honor to serve as Chief Judge of this esteemed Court and I thank you for taking the time to review this publication.

Sincerely,

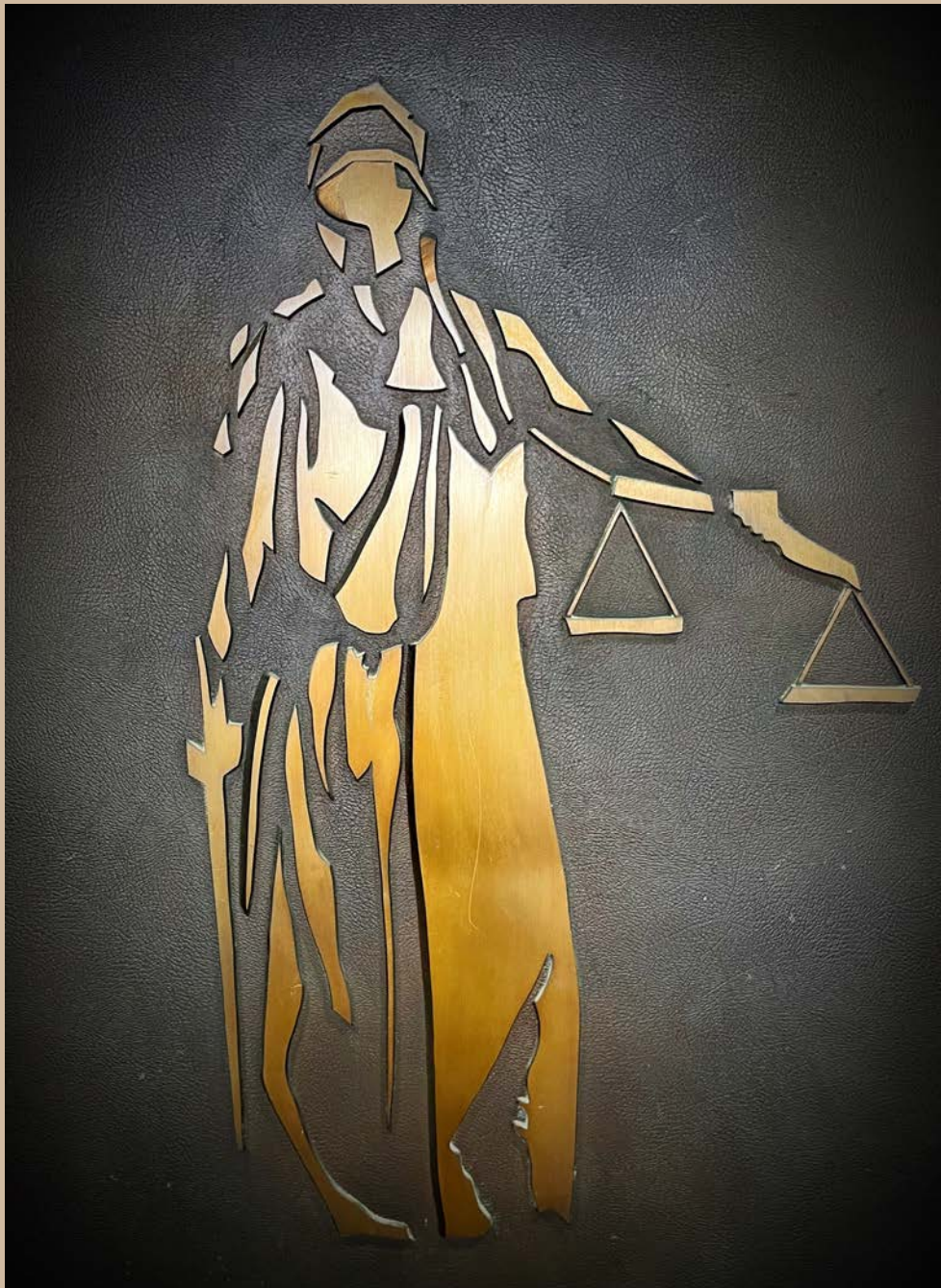
A handwritten signature in black ink, appearing to read "James M. Biernat, Jr." with a stylized flourish at the end.

James M. Biernat, Jr.  
Chief Judge  
16th Judicial Circuit, Macomb County Probate, and  
42nd Judicial District Courts

# 16th Judicial Circuit Court Overview

16th Judicial Circuit Court  
40 N. Main St.  
Mount Clemens, MI 48043  
[circuitcourt.macombgov.org](http://circuitcourt.macombgov.org)

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 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.



# 16th Judicial Circuit Court



**“I believe that an independent judiciary is the crown jewel of our constitutional republic.”**

**Brett Kavanaugh**

# Circuit Court Judges



**Judge  
James M. Biernat, Jr.**  
Chief Judge, 16th Judicial Circuit,  
Macomb Probate, and 42nd Judicial  
District Courts  
Civil/Criminal Division  
[https://circuitcourt.macombgov.org/  
CircuitCourt-JamesBiernatjr](https://circuitcourt.macombgov.org/CircuitCourt-JamesBiernatjr)



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



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



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



**Judge  
Edward A. Servitto, Jr.**  
Civil/Criminal Division  
[https://circuitcourt.macombgov.org/  
CircuitCourt-EdwardServittoJr](https://circuitcourt.macombgov.org/CircuitCourt-EdwardServittoJr)



**Judge  
Diane M. Druzinski**  
Civil/Criminal Division  
[https://circuitcourt.macombgov.  
org/CircuitCourt-DianeDruzinski](https://circuitcourt.macombgov.org/CircuitCourt-DianeDruzinski)



**Judge  
Kathryn A. Viviano**  
Civil/Criminal Division  
[https://circuitcourt.macombgov.  
org/CircuitCourt-KathrynViviano](https://circuitcourt.macombgov.org/CircuitCourt-KathrynViviano)

# Circuit Court Judges



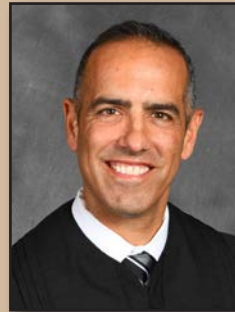
**Judge  
Jennifer M. Faunce**  
Civil/Criminal Division  
[https://circuitcourt.macombgov.org/  
CircuitCourt-JenniferFaunce](https://circuitcourt.macombgov.org/CircuitCourt-JenniferFaunce)



**Judge  
James M. Maceroni**  
Civil/Criminal Division  
[https://circuitcourt.macombgov.org/  
CircuitCourt-JamesMaceroni](https://circuitcourt.macombgov.org/CircuitCourt-JamesMaceroni)



**Judge  
Joseph Toia**  
Civil/Criminal Division  
[https://circuitcourt.macombgov.org/  
CircuitCourt-Toia](https://circuitcourt.macombgov.org/CircuitCourt-Toia)



**Judge  
Michael E. Servitto**  
Civil/Criminal Division  
[https://circuitcourt.macombgov.  
org/CircuitCourt-MichaelServitto](https://circuitcourt.macombgov.org/CircuitCourt-MichaelServitto)



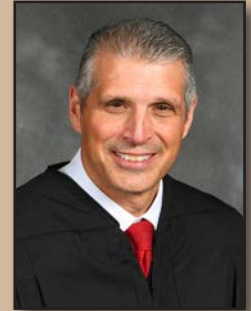
**Judge  
Rachel Rancilio**  
Family Division  
[https://circuitcourt.macombgov.  
org/CircuitCourt-RachelRancilio](https://circuitcourt.macombgov.org/CircuitCourt-RachelRancilio)



**Judge  
Julie Gatti**  
Civil/Criminal Division  
[https://circuitcourt.macombgov.  
org/CircuitCourt-Gatti](https://circuitcourt.macombgov.org/CircuitCourt-Gatti)



**Judge  
Teri Lynn Dennings**  
Family Division  
[https://circuitcourt.macombgov.  
org/CircuitCourt-TeriLynnDennings](https://circuitcourt.macombgov.org/CircuitCourt-TeriLynnDennings)



**Judge  
Matthew P. Sabaugh**  
Civil/Criminal Division  
[https://circuitcourt.macombgov.  
org/-MatthewSabaugh](https://circuitcourt.macombgov.org/-MatthewSabaugh)



# 2022 16th Judicial Circuit Court



Back Row Judges: Diane M. Druzinski, Richard L. Caretti, James M. Maceroni, Matthew P. Sabaugh, Julie Gatti, Michael E. Servitto, Edward A. Servitto, Rachel Rancilio

Front Row Judges: Tracey A. Yokich, Jennifer M. Faunce, Matthew S. Switalski, Chief Judge James M. Biernat, Jr., Joseph Toia, Teri Lynn Dennings, Kathryn A. Viviano

## 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 constantly striving to improve processes
- Courtesy and consideration for all
- Openness: processes open to public scrutiny and critical analysis
- Cost effectiveness

**“True freedom requires the rule of law and justice, and a judicial system in which the rights of some are not secured by the denial of rights to others.”**

**Jonathan Sacks**

# IN MEMORIAM

## Judge John B. Bruff



Retired Circuit Court Judge John B. Bruff passed away on April 21, 2022. Judge Bruff was a graduate of Michigan State University (1951) and the University of Michigan Law School (1953). He served in the U.S. Air Force from 1953 to 1955. In addition to his private general law practice, Judge Bruff served in various roles in support of the Democratic Party, such as Counsel to the US Senate Labor Committee (1965-1966) and District Representative for US Congressman James G. O'Hara (up to 1976). He was a relentless supporter for Civil Rights, Fair Labor Practices, and the right to unionize. He ran on the Democratic ticket for Lieutenant Governor for the State of Michigan in 1966. He was elected to the Michigan State Board of Trustees and served from 1975 to 1983, with 4 years as the Chairperson. He was the Director of the State of Michigan Employer Office from 1983 to 1985. In 1985, Governor James Blanchard appointed him to the bench at the 16th Judicial Circuit Court, where he served until his retirement in 2000.

In retirement, Judge Bruff continued to offer legal services to the community. The world lost an incredible mind and a dedicated human being who gave of himself tirelessly with an ethical determination to make the world a better place. He will be dearly missed by those who were lucky enough to work with him and the community he diligently served for decades.

## Judge Peter J. Maceroni



Retired Judge Peter Joseph Maceroni, 82, passed away peacefully on September 28, 2022 surrounded by loved ones. Born to Italian immigrants and raised on the east side of Detroit, Judge Maceroni served as a Macomb County Circuit Court Judge for 24 years.

He attended De La Salle Collegiate High School, graduating in 1958. He received his B.A. degree from Hillsdale College in 1962 where he was later inducted into the football hall of fame. He began his long and illustrious legal career at Wayne State University Law School, where he earned his Juris Doctor in 1965. After 25 years in

private practice, Judge Maceroni was elected to the 16th Circuit Court in 1990 and re-elected in 1996, 2002, and 2008. In March 1992, he was elected Chief Judge and served in that position through December 31, 2004 with wisdom, fairness, strength, and dignity. During his tenure, he oversaw the creation of the new Family Court Division in Circuit Court, a statewide initiative adopted by the Michigan Trial Court Assessment Commission, to which he was appointed by Governor John Engler in 1996. When he retired from the bench in 2014, Judge Maceroni continued to work as a facilitator and mediator.

A life-long Detroit sports fan, Judge Maceroni was an avid golfer. He was justifiably proud of his Italian heritage and remained active in the Italian Community. He was selected as the Columbus Day Man of the Year in 1993 and served on the Italian American Chamber of Commerce, Americans of Italian Origin and the Italian American Cultural Society.

Judge James Maceroni said of his father, "He always treated people with respect on the Bench. Both attorneys and litigants. He warmly greeted anyone he met whether that person was a colleague, a former client, or the hot dog vendor at the ball game. He loved his job, and he changed people's lives for the better both on and off the Bench. We will miss him."

Chief Judge Biernat expressed his fond memories of Judge Maceroni: "My last trial I had in 2010 while in the Prosecutor's Office was in front of Judge Maceroni. He was always professional and fair. It was my honor to practice in front of Judge Maceroni and an honor serving with him on the 16th Circuit bench. He will be missed."

Judge, Husband, Father, Grandfather, Friend: "Many have done excellently, but you exceed them all."

## Welcome Judge Teri Lynn Dennings to the 16th Judicial Circuit Court Bench



Governor Gretchen Whitmer appointed Judge Teri Lynn Dennings to replace retired Judge Mark Switalski on the Circuit Court Bench in January of 2022. Judge Dennings was appointed to fill the partial term that expired on January 1, 2023. She ran for reelection in November of 2022 and defeated her opponent handily.

Judge Dennings earned her Juris Doctor from Wayne State University Law School, and her Bachelors Degree in Political Science and African American

Studies at Eastern Michigan University. Prior to taking the Bench, Judge Dennings worked as the Employment and Employee Benefits Attorney for Consumers Energy. Prior to this role, she worked in private practice at Deldin Law, PLLC, Miller Cohen, PLC, and Kitch, Drutchas, Wagner, Valitutti & Sherbrook, PC. She is a member of the Macomb County Bar Association, Women Lawyers Association of Michigan, Black Women Lawyers Association of Michigan, and Alpha Kappa Alpha Sorority, Inc.

Chief Judge Biernat stated, “On behalf of the entire Circuit Court Bench, I want to extend a warm welcome to Judge Dennings. Her experience and dedication to an accessible justice system has been a welcome contribution to the bench, and I expect that it will continue to serve the citizens of Macomb County in the future. Congratulations, Judge Dennings!”

## Judge Sabaugh Appointed to 16th Judicial Circuit Court Bench

Governor Gretchen Whitmer appointed 37th Judicial District Court Judge Matthew P. Sabaugh to replace retired Judge Carl Marlinga on the 16th Judicial Circuit Court Bench. Judge Sabaugh's partial term began on April 13, 2022.



Judge Sabaugh was first appointed to the 37th Judicial District Court Bench by Governor Granholm in 2008. Prior to being appointed in 2008, Judge Sabaugh worked for eight years as an Assistant Prosecuting Attorney for Macomb County. While serving as Assistant Prosecutor, he prosecuted hundreds of criminal cases in Macomb County District and Circuit Courts and successfully tried numerous felony cases. Judge Sabaugh received a Bachelor of Science from Michigan State University in 1993, and a Juris Doctor from Detroit College of Law in 1999, where he attended night classes while working full-time as a legislative assistant for the 28th Michigan House District-representing the cities of Warren and Center Line.

During his time on the 37th District Court Bench, Judge Sabaugh started the Macomb County Eviction Diversion Program and presided over the Warren-Center Line Treatment Court. The Treatment Court includes the Drug Court and Sobriety Court programs. He also produced the award-winning Warren TV program "Judges Corner," and started a "Court in School" Program in 2008, where real court cases are seen by middle school and high school students.

Judge Sabaugh is a member of the Executive Committee of the Traffic Safety Association of Macomb County, the State Bar of Michigan, Macomb County Bar Association, Michigan District Judges Association, Italian-American Bar Association, Warren Kiwanis Club, Detroit Branch NAACP, Macomb Homeless Coalition, and the Detroit Zoological Society.

Chief Judge Biernat stated, "Judge Sabaugh is a longtime friend and colleague. I believe the Governor made a great choice appointing him to the Circuit Court Bench."

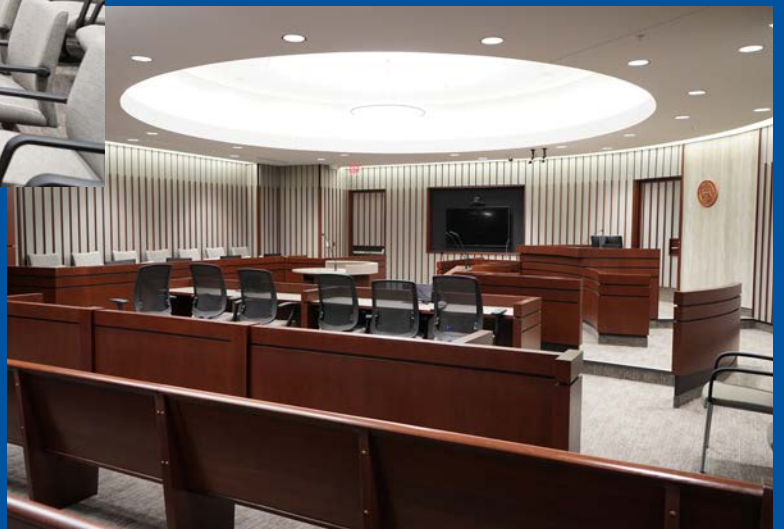
## Judge Carl Marlinga Retires from the 16th Judicial Circuit Court Bench



Judge Carl Marlinga announced his retirement from the Bench, effective February 25, 2022. Judge Carl J. Marlinga served on the Macomb County Probate Court from January 1, 2013 through December 31, 2016. He was elected to the 16th Judicial Circuit Court for a six year term beginning on January 1, 2017. Judge Marlinga previously served as the Prosecuting Attorney for Macomb County, having been elected to that position in 1984, 1988, 1992, 1996, and 2000. Judge Marlinga also served as the Circuit Court's Mental Health Treatment Court Judge since the inception of this treatment court in 2013.

Chief Judge Biernat stated, "Many of the Judges at the 16th Judicial Circuit Court, and throughout Macomb County, began their legal careers working for Carl in the Prosecutor's Office. He has been a long-standing fixture in the Macomb County Legal Community, and we all wish him well in his future endeavors."

# Macomb County Probate Court





**Judge  
Sandra A. Harrison**

Presiding Probate Judge  
<https://probatecourt.macombgov.org/probatecourt-sandraharrison-suratt>



**Judge  
Sara A. Schimke**

Probate Judge  
<https://probatecourt.macombgov.org/probatecourt-saraschimke>

**The Macomb County Probate Court handles two main areas of law through two divisions: 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. For more information, visit: <https://probatecourt.macombgov.org/ProbateCourt-Home>





## Macomb County Probate Court Welcomes Judge Sara Schimke

Governor Gretchen Whitmer appointed attorney Sara A. Schimke to replace retired Judge Kathryn A. George's term on the Macomb County Probate Bench (effective April 11, 2022). Prior to her appointment to the Bench, Judge Schimke worked in private practice with Chalgian & Tripp, PLLC, where she focused on probate law, estate planning, and advocacy. Judge Schimke previously worked for the firms of Jaffe, Raitt, Heuer & Weiss, P.C. and Barron, Rosenberg, Mayoras & Mayoras, P.C., and was an adjunct professor for the estate planning clinic at Cooley Law School.



Judge Schimke received a Bachelor of Science from Northern Michigan University, and a Juris Doctor from Thomas M. Cooley Law School. She has been active in the community as a Board Member of the Michigan Parkinson's Foundation, as a member of the Institute for Continuing Legal Education's Elder Law Advisory Planning Committee, and as the past Chair of the State Bar Elder Law & Disability Rights Section.

Probate Judge Sandra Harrison commented "I offer my sincere congratulations to our newest Macomb County Probate Judge, Sara Schimke. Her appointment to the Bench has drastically improved our service to the citizens of Macomb County."

Chief Judge James M. Biernat, Jr., stated "We are very pleased to welcome Judge Schimke to the Macomb County Bench. The long-awaited replacement for Judge George has done much to alleviate the pressure on the Probate Court and has helped us better serve Macomb County families. Her experience in the field of Probate Law is a boon to the citizens of Macomb County. Welcome, Judge Schimke!"

# 42nd Judicial District Court



**Judge  
William H. Hackel, III**

Presiding District Judge  
<https://42newbaltimore.macombgov.org/42NewBaltimore-Judges>



**Judge  
Jennifer A. Andary**

District Judge  
<https://42romeo.macombgov.org/42Romeo-Judges>

## District Court Summary

The 42nd Judicial District Court serves the citizens of northern Macomb County, with separate divisions located in Romeo and New Baltimore. The 42nd Judicial 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 Judicial 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. For more information, visit the links below:

42-1 District Court

<https://42romeo.macombgov.org/42romeo-Home>

42-2 District Court

<https://42newbaltimore.macombgov.org/42NewBaltimore-Home>



## The 42nd District Court Moves to a New Case Management System

Both District Courts have spent months preparing for the change in case management systems. It required much additional work by all staff to prepare for this endeavor. In mid-May, 2022, both Courts switched systems overnight to DCS (the District Court version of JIS). Because the systems are quite different, it required numerous hours of training for all staff and administration. This happened during Court hours and required the staff to continue providing prompt and efficient operation of Court business while learning a new case management system. The transition has been lengthy and extensive. The Courts are pleased that this process has resulted in a more user-friendly and comprehensive case management system.





## Court Administration

Court Administration manages the 16th Judicial Circuit, Macomb County Probate, and 42nd Judicial District Courts' personnel and business operations, including public relations and Court policy issues. Circuit Court Administration departments include the Case Management Division, ADR/Case Evaluation, Specialty Court Services, Finance, Friend of the Court, Research Department, Juvenile Division, and Information Services Division. For more information on Circuit Court's departments, visit <https://circuitcourt.macombgov.org/index.php/circuitcourt-departments>.

## Case Management Division

The Case Management 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 Case Management Division is responsible for reporting statistical information to SCAO, 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

The Specialty Court Services Department oversees the treatment courts, including the Adult Drug Court, DWI/Sobriety Treatment Court, Mental Health Court and the Veterans' Treatment Court. The department is also responsible for managing the Swift and Sure Sanctions Probation Program and the Specialized Business Court Docket.

## Judicial Aide

The Judicial Aide Department is the financial division of the Court that manages the financial aspects of cases. Judicial Aide manages the overall collection of court-ordered assessments including crime victim rights, state minimum costs, court costs, fines, restitution and defense related costs. Judicial Aide provides billing statements, accepts payments and works with defendants on setting up payment plans and wage assignments. Judicial Aide manages the review and release of cash bond funds as well as bond forfeitures and judgments. Judicial Aide prepares orders to remit prisoner funds and satisfaction of financial obligation orders to Michigan Department of Corrections. Judicial Aide manages invoice review, approval and payment for court services such as interpretation, transcript preparation and appellate work. This division also manages the collection and remittance of restitution funds to victims as well as State Court Administrative Reporting on Court Costs Imposed and Outstanding Receivables. Judicial Aide performs financial status reviews and processes income tax garnishments and collections account referrals to the Michigan Department of Treasury.

## Information Services Division

The Information Services Division is responsible for managing and utilizing new technology initiatives to develop and maintain a state-of-the-art communication system for the 16th Judicial Circuit, Macomb County Probate, and 42nd Judicial District Courts. The 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 division assists the judges, court staff, and the public with court information systems and technology.

## Research Department

The Research Department provides research and writing as requested by the Judges of the Court. The department also provides support for administration, assists in the training of law clerks, operates the County 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 division consists of a legal department, diversion unit, probation department, psychology and counseling unit, adoptions department, and clerical services.

## Reimbursement

Reimbursement assists with the collection of court-ordered assessments and the cost of care and service for youths in juvenile cases. Reimbursement is responsible for interviewing responsible parties, reviewing financial information, preparing recommendations, preparing court orders, preparing show causes, inputting costs, processing payments, and reviewing delinquent accounts for further collection action.

## Friend of the Court

The Friend of the Court (FOC) assists the Circuit Court's Family Division. 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.

## 2022 Highlights



The peregrine falcons using the nesting box on the roof of the Old Macomb County Building in downtown Mount Clemens. The nesting box was created in 2019 in hopes of assisting them in laying viable eggs.

Falcon Cam

[https://www.earthcam.com/usa/michigan/clinton/?cam=macomb\\_falcon](https://www.earthcam.com/usa/michigan/clinton/?cam=macomb_falcon)



## Spinoff Jury Trial Program

In an effort to reduce the case backlogs caused by the COVID-19 pandemic, the 16th Circuit Court launched a spinoff civil jury trial program. The program was formed in partnership with the Michigan State Police, and with the assistance of federal Department of Justice grant funding. Under the program, Circuit Court Judges set cases for trial to be presided over on a weekly basis by a visiting judge. In addition to the numerous cases tried, the program resulted in 129 cases being settled without going to trial and 9 cases being sent to arbitration by agreement of the parties in 2022.

## Diversity, Equity and Inclusion Committee

The Court established a Diversity, Equity, and Inclusion Committee to help promote an inclusive environment where employees and litigants from various backgrounds feel welcome. The committee consists of employee representatives from Circuit Court, Probate Court, Friend of the Court, Juvenile Court, and the two District Courts.

In 2021, the DE&I Committee sponsored two court-wide trainings. The first was LGBTQ+ 101: A presentation on the basics including definitions of terms and the challenges faced by LGBTQ+ individuals. The second was training about implicit bias and its impact on how we interact with fellow employees and the litigants served by the Court.

The committee continues to work on initiatives and training opportunities that promote the Court's commitment to a culture of inclusion and equity for employees and for the public that we serve.

## 2022 Specialty Courts

### Program Certification

The treatment court programs must statutorily be certified, every four years, to operate in the State of Michigan. During 2022, the Drug Court Program, Mental Health Court Program and Veterans Court Program all met certification requirements.

### Drug Court Update

After the departure of Judge Faunce from the Drug Court program in late 2021, Judge Rachel Rancilio began her preparation of overseeing half of the Drug Court docket in late 2022. The Adult Drug Court Program is the largest docket amongst the Specialty Court Programs. Judge Toia oversaw the entire Drug Court Program in 2022.

## Mental Health Court Welcomes Judge Harrison!

After Judge Carl Marlinga's retirement, his former role as Mental Health Court Judge was assumed by Probate Judge Sandra Harrison. The program was excited to welcome her. Her wide-range of experience with probate matters allowed her to transition smoothly to the needs of the target population of the Mental Health Treatment Court. We would like to extend our sincere thanks to Judge Harrison for volunteering to take on this important role.



We truly appreciate the Specialty Court Judges for volunteering their time and for their commitment to changing the lives of those individuals who are in need.



## Friend of the Court Statistics

The Friend of the Court continues in its efforts to serve the Family Division Bench, as well as the families of Macomb County. In 2022, Friend of the Court Referees conducted 1,255 hearings; they heard 2,636 motions and conducted 942 status conferences. The Custody Department completed 724 investigations, and the Enforcement Division participated in 4,973 show cause hearings. A total of \$110,723,265 in child support was collected and distributed in 2022, and a total of 176,436 documents were received and processed through the office in the form of incoming mail, interoffice mail, facsimiles, Court pleadings, and miscellaneous documents.

## Friend of the Court Imaging Project

The Friend of the Court was the first County office to implement an imaging system to manage the millions of documents in its files. The current system, implemented in 2005, will be significantly updated by the end of summer 2023.

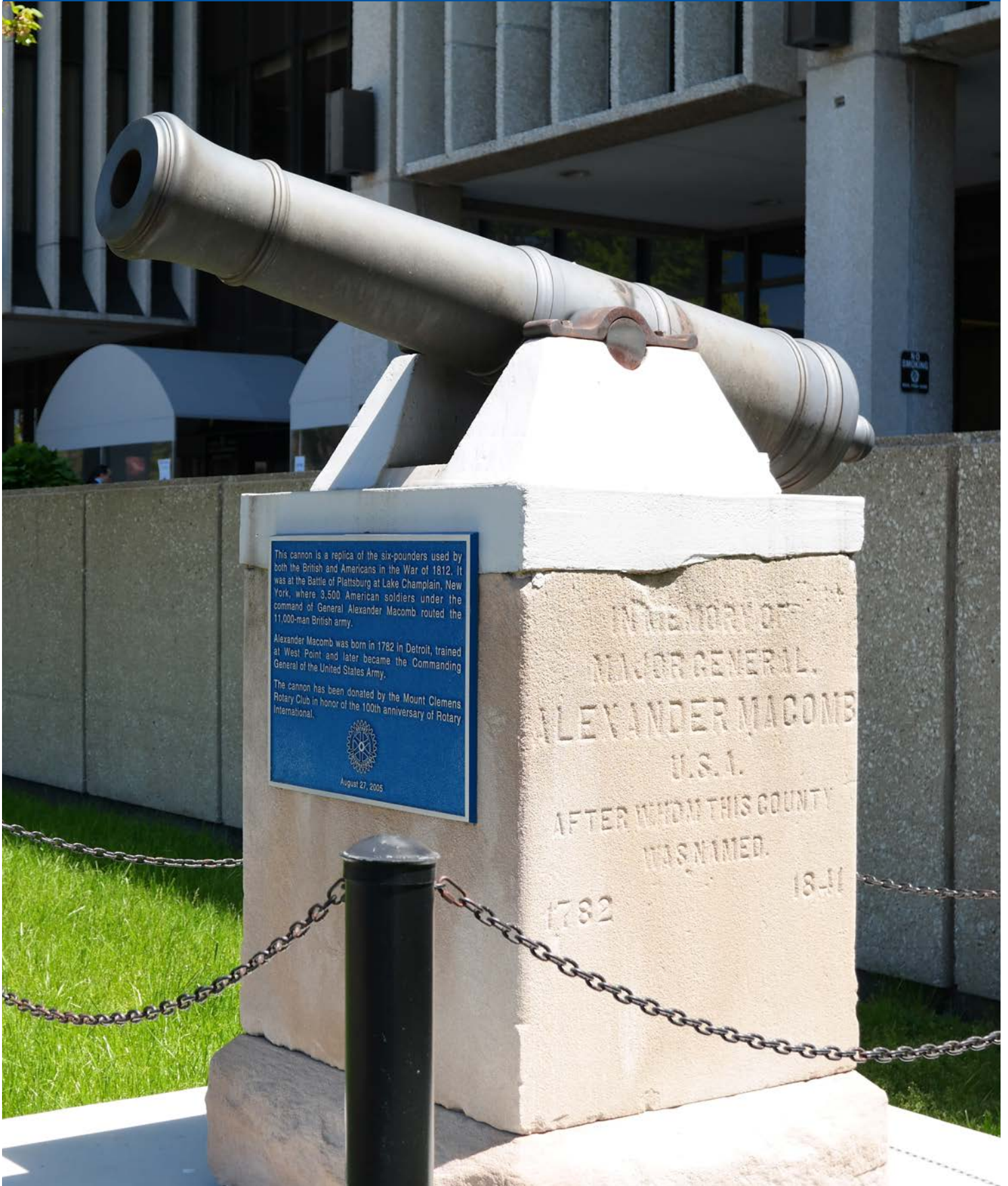
The many improvements will allow for a better quality of experience and customer service for the families of Macomb County who utilize the Friend of the Court. The new system will allow litigants to complete Friend of the Court paperwork and commonly used forms via the Internet with an instant upload that will be sent directly to the Friend of the Court. It will also provide links on some electronic forms that help litigants look up their case numbers, and allow for a seamless transition of Court documents between the Friend of the Court and Circuit Court.

The upgrade will provide improvements for virtual proceedings with functions like electronic signature on some of the documents and orders, and will help increase the speed emails are forwarded to staff who work them which will allow for a shorter response time.

## Juvenile Court/Chippewa Valley Schools Youth Violence Diversion Program

In 2022, the Juvenile Court partnered with Chippewa Valley Schools to create a pre-petition diversion program for youth who have been involved in assaultive behavior on school grounds. The students agree to participate in the program in lieu of having formal charges filed against them. The Juvenile Court provides supervision and referrals to community-based services to address the needs of the youth. The goal is to prevent and reduce the number of physical altercations that occur in school while minimizing the need for formal Court intervention.

# Circuit Court Statistics



This cannon is a replica of the six-pounders 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.

Alexander Macomb was born in 1782 in Detroit, trained at West Point and later became the Commanding General of the United States Army.

The cannon has been donated by the Mount Clemens Rotary Club in honor of the 100th anniversary of Rotary International.



August 27, 2005

IN MEMORY OF  
MAJOR GENERAL  
ALEXANDER MACOMB  
U.S.A.

AFTER WHOM THIS COUNTY  
WAS NAMED.

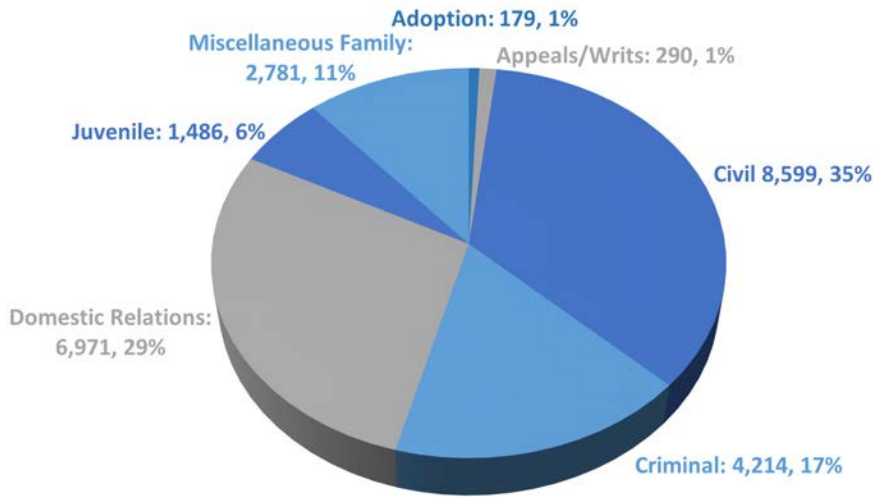
1782

18-11

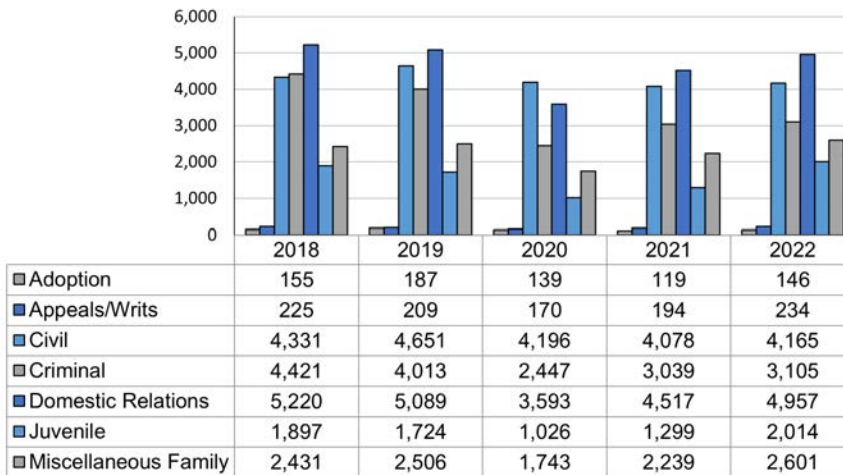
# 16th Judicial Circuit Court

# Caseload Information

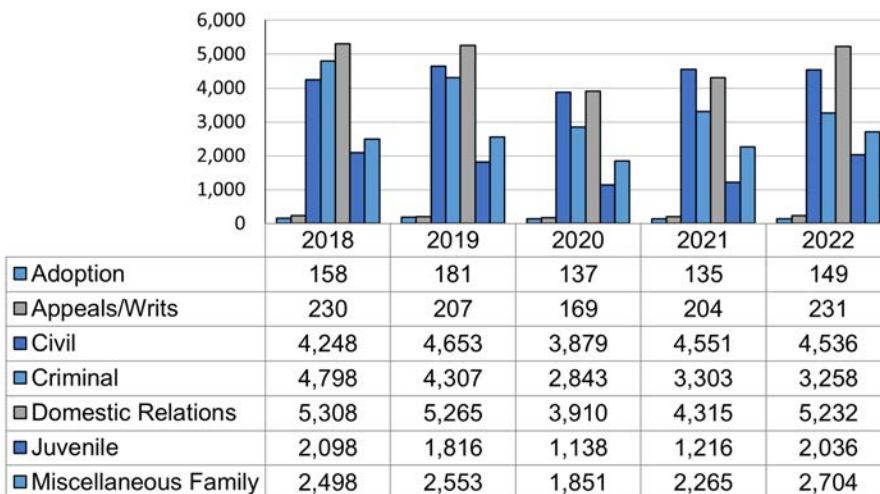
16th Judicial Circuit court  
Caseload by Category for 2022



16th Judicial Circuit Court - New Filings

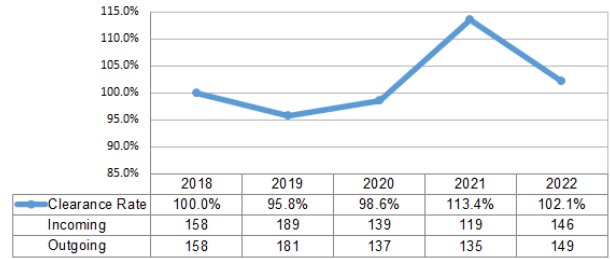


16th Judicial Circuit Court - Dispositions

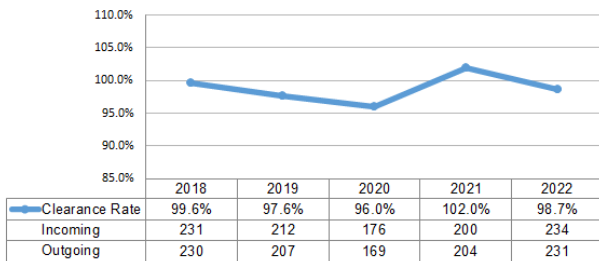


## Clearance Rates

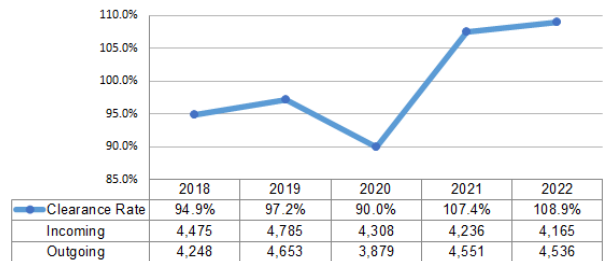
16th Judicial Circuit Court  
Adoption Clearance Rates



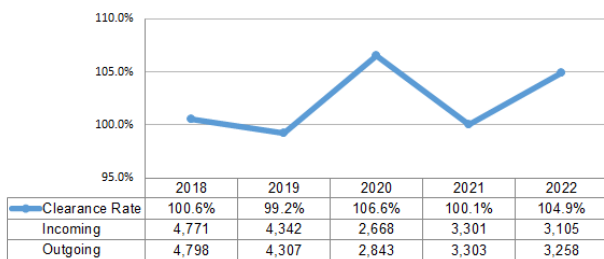
16th Judicial Circuit Court  
Appeals/Writs Clearance Rates



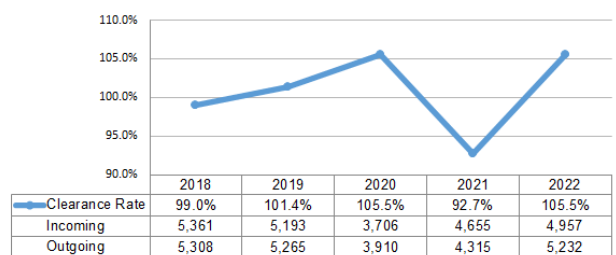
16th Judicial Circuit Court  
Civil Clearance Rates



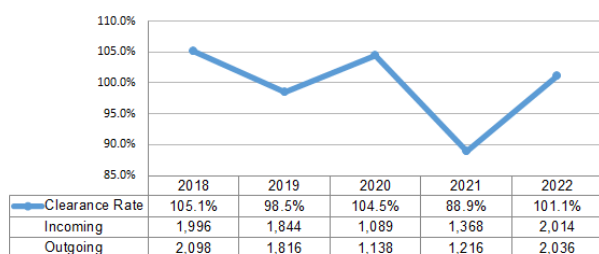
16th Judicial Circuit Court  
Criminal Clearance Rates



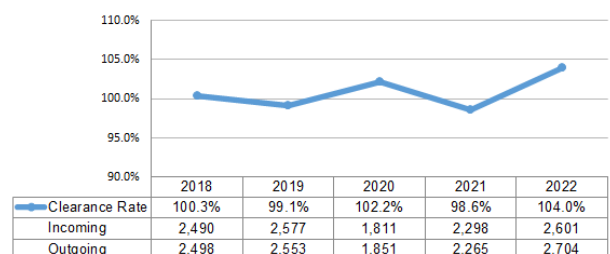
16th Judicial Circuit Court  
Domestic Relations Clearance Rates



16th Judicial Circuit Court  
Juvenile Clearance Rates



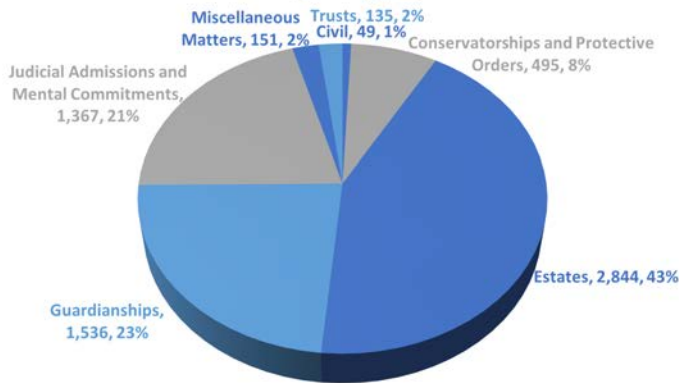
16th Judicial Circuit Court  
Miscellaneous Family Clearance Rates



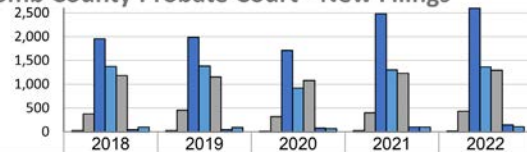
# Macomb County Probate Court

# Caseload Information

Macomb County Probate Court  
Caseload by Category for 2022

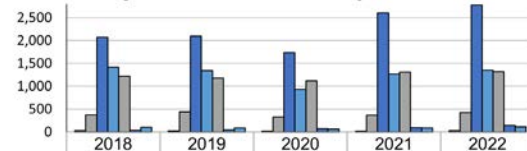


Macomb County Probate Court - New Filings



Category	2018	2019	2020	2021	2022
Civil	26	30	10	25	23
Conservatorships and Protective Orders	379	454	323	398	433
Estates	1,957	1,991	1,713	2,480	2,596
Guardianships	1,377	1,378	925	1,304	1,362
Judicial Admissions and Mental Commitments	1,185	1,148	1,079	1,227	1,296
Miscellaneous Matters	41	47	72	99	150
Trusts	102	93	69	102	110

Macomb County Probate Court - Dispositions



Category	2018	2019	2020	2021	2022
Civil	34	26	17	16	29
Conservatorships and Protective Orders	380	442	323	369	423
Estates	2,074	2,098	1,738	2,603	2,776
Guardianships	1,415	1,344	933	1,268	1,354
Judicial Admissions and Mental Commitments	1,219	1,178	1,125	1,310	1,320
Miscellaneous Matters	39	49	73	97	150
Trusts	106	90	65	93	112

Macomb County Probate Court  
Clearance Rates

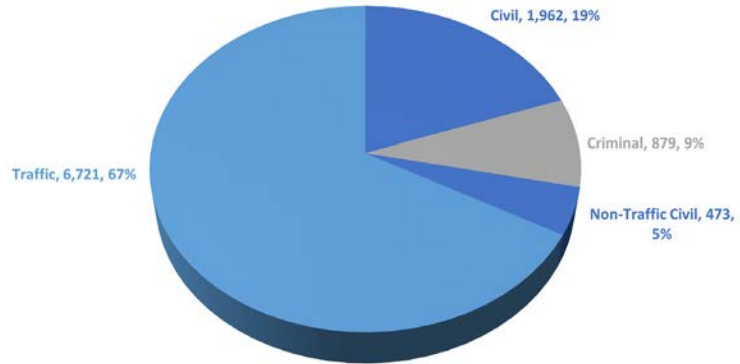


	2018	2019	2020	2021	2022
Clearance Rate	100.2%	98.7%	98.9%	99.1%	103.2%
Incoming	5,258	5,297	4,322	5,811	5,970
Outgoing	5,267	5,227	4,274	5,756	6,164

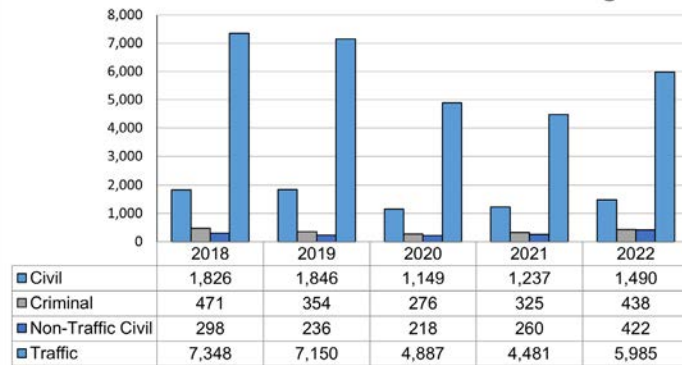
# Caseload Information

## 42-1 Judicial District Court

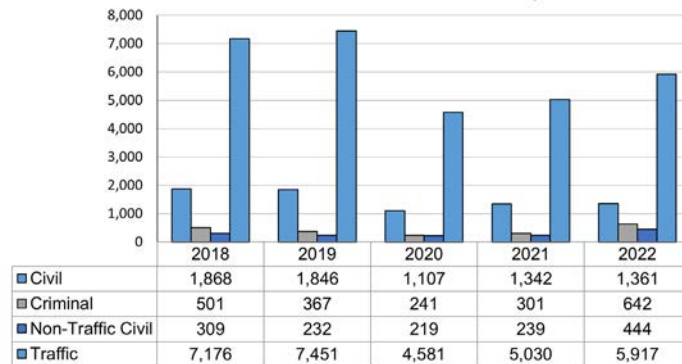
42-1 Judicial District Court - Romeo  
Caseload by Category for 2022



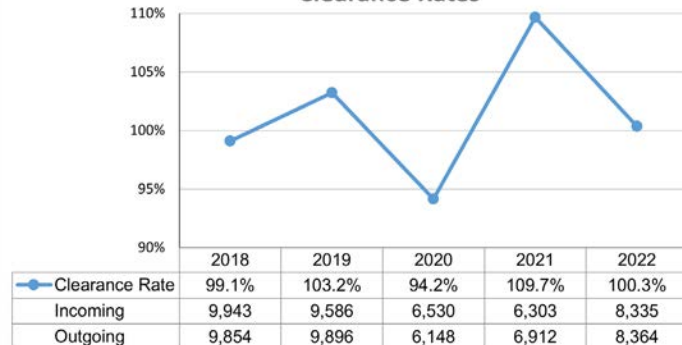
42-1 Judicial District Court - Romeo - New Filings



42-1 Judicial District Court - Romeo - Dispositions



42-1 Judicial District Court - Romeo  
Clearance Rates

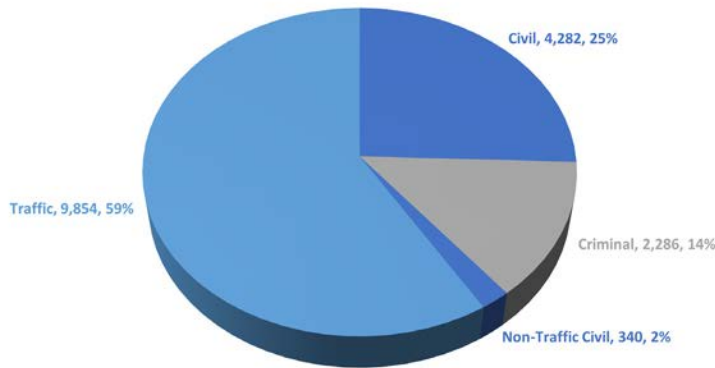




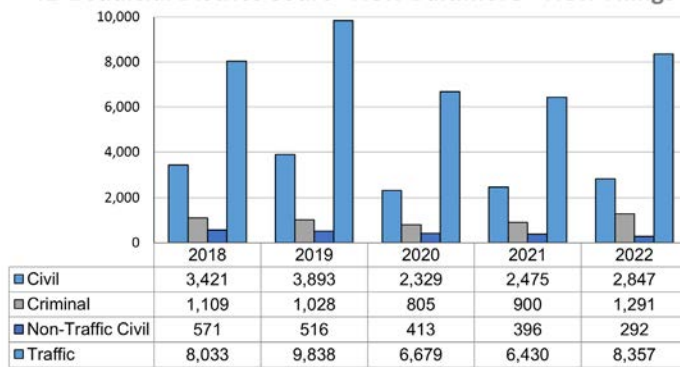
# 42-2 Judicial District Court

# Caseload Information

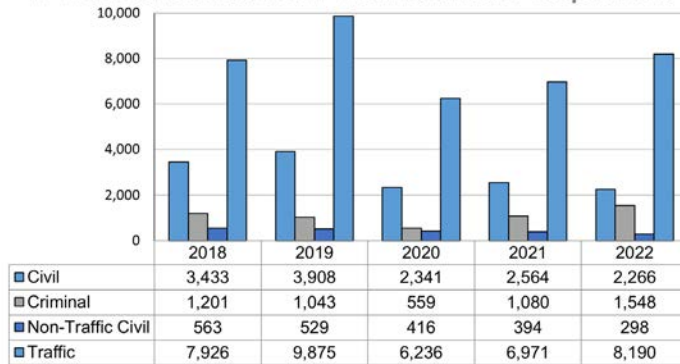
42-2 Judicial District Court - New Baltimore  
Caseload by Category for 2022



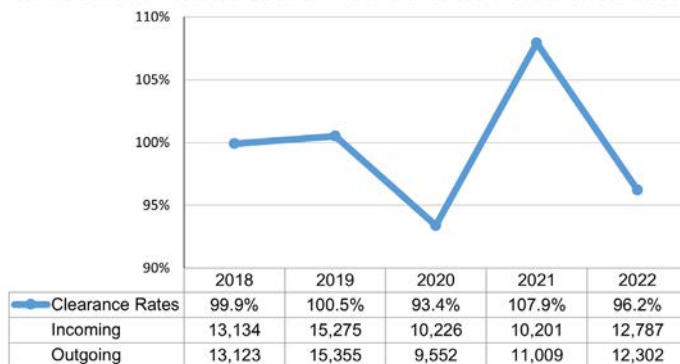
42-2 Judicial District Court - New Baltimore - New Filings



42-2 Judicial District Court - New Baltimore - Dispositions

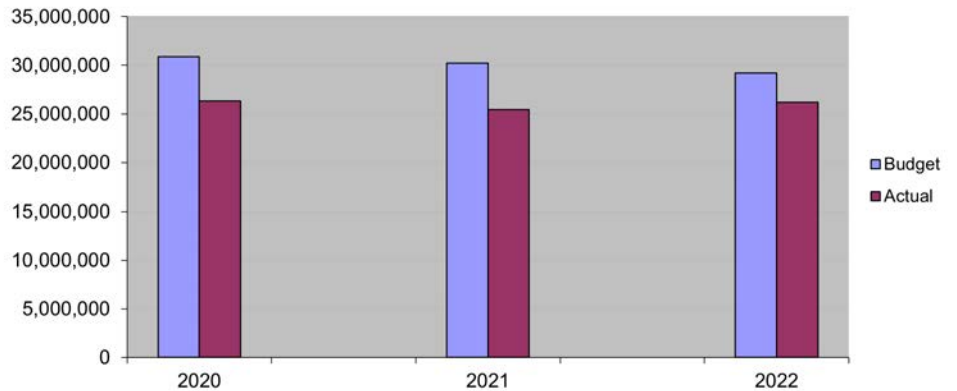


42-2 Judicial District Court - New Baltimore Clearance Rates



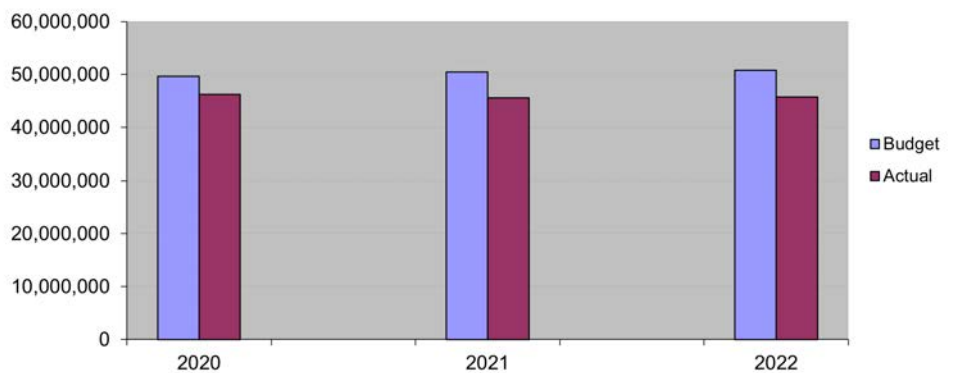
# Fiscal Snapshots

### Revenue Budget to Actual



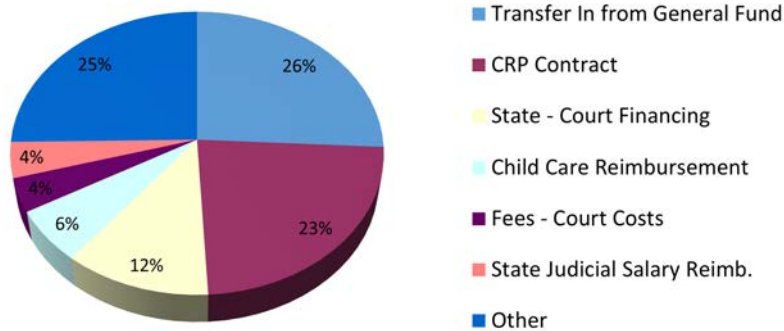
Total revenues collected as a percent of budget were 90% in 2022 compared to 84% in 2021. One large part of this increase was due to revenue from the State of Michigan that was deferred in 2021 and recorded as revenue in 2022. The Probate Court caseload was also much higher in 2022 and resulted in a 40% increase in revenue for that department.

### Expenditures Budget to Actual



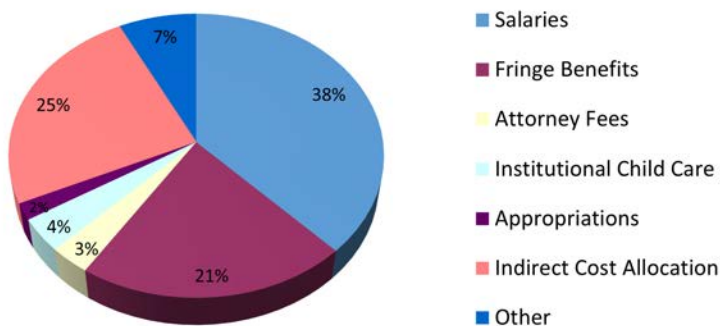
The Court spent 90% of the allocated budget for 2022 and continues to try to budget conservatively. Personnel needs are evaluated throughout the year to determine where changes or additions can be made to meet the needs of each Court department and provide the best service to the public. The Indirect Cost Allocation represents 25% of the total Court budget.

16th Judicial Circuit, Macomb County Probate, and 42nd District Courts  
Financial Report 2022 Revenues: \$26,205,070



Total revenue collected was up 3% from 2021 to 2022. The Court began to call in more Jurors which resulted in a greater reimbursement of Juror fee revenue from the State. Ordinance Fine collections increased by 34% from the prior year. With an increase in juvenile case counts, expenditures rose in the Child Care Fund. This resulted in a corresponding increase in revenue from the State and County General Fund to cover these expenses.

16th Judicial Circuit, Macomb County Probate, and 42nd District Courts Financial  
Report 2022 District Courts Financial Report 2022 Expenditures: \$45,768,331



Salary and Fringe Benefit costs in 2022 continued to represent 59% of the total Court expenditures. The number of Juveniles in Residential placements was much higher during the year, resulting in 42% more in Institutional Child Care expenses from 2021 to 2022. This increase was offset somewhat by having fewer Juveniles as State Wards, which is reflected by the Appropriations expenditure. Total court expenditures changed by less than 1% from the prior year.

# 2023

## 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, Civil/Criminal Division

### Judge Matthew S. Switalski

Chief Judge Pro Tempore

### Judge Richard L. Caretti

Presiding Judge, Civil/Criminal Division

### Judge Rachel Rancilio

Presiding Judge, Family Division

### Judge Edward A. Servitto, Jr.

Civil/Criminal Division

### Judge Diane M. Druzinski

Civil/Criminal Division

### Judge Tracey A. Yokich

Family 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 Michael E. Servitto

Civil/Criminal Division

### Judge Julie Gatti

Civil/Criminal Division

### Judge Teri L. Dennings

Family Division

### Judge Matthew P. Sabaugh

Civil/Criminal Division

## Macomb County Probate Court

40 North Main Street  
Mount Clemens, MI 48043

### Judge Sandra A. Harrison

Presiding Probate Judge

### Judge Sara A. Schimke

Probate Judge

## 42nd Judicial 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 Jennifer A. Andary

District Judge



<https://www.facebook.com/16thCircuit/>



<https://twitter.com/macombcourts>

Prepared by  
Information Services Division  
16th Judicial Circuit Court  
cis@macombgov.org

