



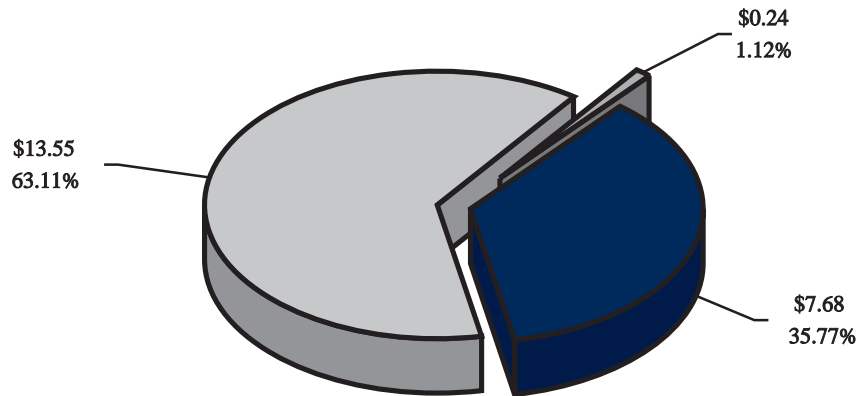
Wayne County Probate Court, the busiest in the state of Michigan, recently remodeled their Probate Counter area to provide Wayne County residents and employees with a more user-friendly environment.

WAYNE COUNTY PROBATE COURT

EXPENDITURE ANALYSIS

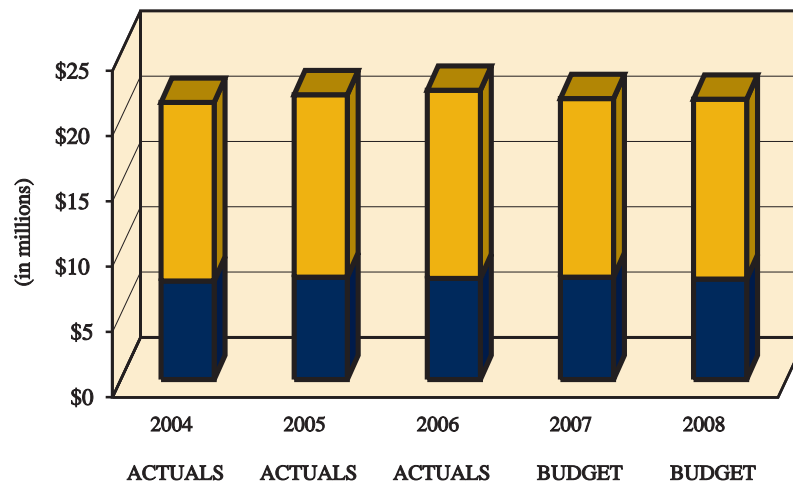
FISCAL YEAR 2007-2008

\$21.47 (in millions)



FIVE-YEAR EXPENDITURE TREND ANALYSIS

FISCAL YEARS 2003-2004 THROUGH 2007-2008





WAYNE COUNTY PROBATE COURT

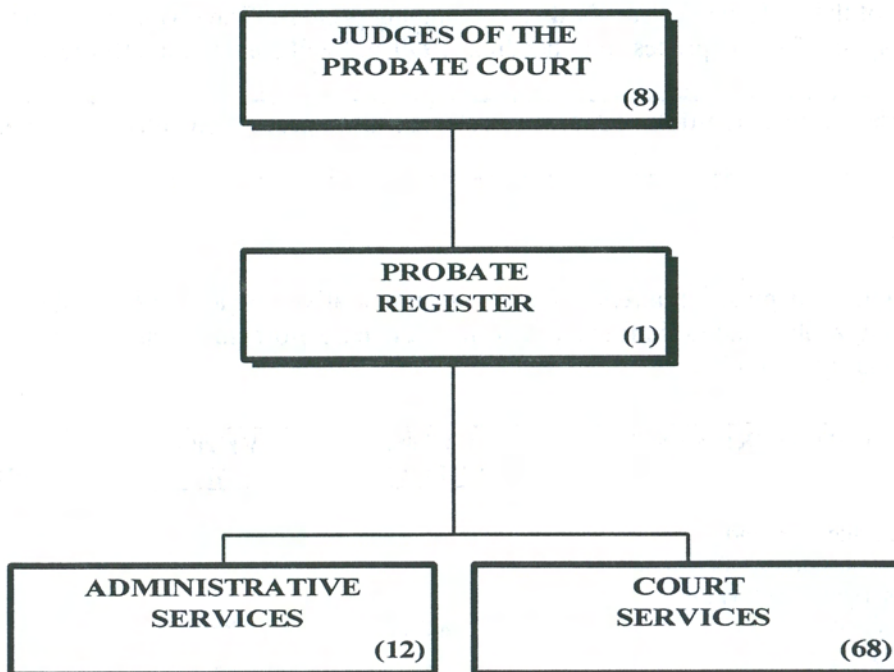
Honorable Milton L. Mack, Jr., Chief Judge
(313) 224-5672

1219 Coleman A. Young Municipal Center
Two Woodward Avenue
Detroit, Michigan 48226

MISSION:

The mission of the Wayne County Probate Court is to administer justice with fairness, equality, and integrity. To resolve matters before the court in a timely manner with trained and motivated staff, and to provide courteous and prompt service in a manner that inspires public trust and confidence.

The vision of the Wayne County Probate Court is to provide leadership for the continuous improvement of a justice system that is responsive to the diverse and changing needs of the public and accountable for the efficient and effective use of public resources.



TOTAL NUMBER OF POSITIONS: 89



MAJOR ACTIVITIES AND DESCRIPTIONS:

The Probate Court has jurisdiction in all matters relating to: settlement of estates of all deceased persons residing or leaving property in Wayne County, with or without a will; settlement of trusts; appointment of trustees; appointment of guardians and conservators of minors who reside or are found in Wayne County; appointment of guardians and conservators of adults who are legally incapacitated or developmentally disabled and reside or are found in Wayne County; involuntary commitment or assisted out-patient treatment of mentally ill persons for treatment; issuance of secret marriages; ordering treatment for minors who have substance abuse problems; adjudicating child custody actions brought by a minor's guardian; and resolving disputes regarding durable powers of attorney for health care.

GOALS, OBJECTIVES AND PERFORMANCE MEASURES:

To effectively set goals and objectives, establish units of measurements, and to interpret results, the Wayne County Probate Court has adopted the 22 performance standards developed for trial courts by the National Center for State Courts. The standards are grouped into five performance areas: (1) Access to Justice; (2) Expedition and Timeliness; (3) Equality, Fairness, and Integrity; (4) Independence and Accountability; and (5) Public Trust and Confidence. These groupings provide the means to evaluate the fundamental responsibilities of the Court.

The evaluation of the performance standards is an ongoing process. The goals and objectives listed below represent a "snap-shot" of the process that began in 1999 and will continue indefinitely.

GOAL: Ensure the court faithfully adheres to relevant laws, procedural rules, and established policies. (Standard 3.1)

OBJECTIVE:

- Comply with Michigan Supreme Court Administrative Order 2003-7 by developing and implementing a plan that is consistent with the new case flow guidelines. New guidelines became effective January 1, 2005.

PERFORMANCE MEASUREMENTS:	FY 2006 <u>ACTUALS</u>	FY 2007 <u>ESTIMATED</u>	FY 2008 <u>PROJECTED</u>
Efficiency: Estate, Trust, Guardianship, and Conservatorship proceedings – Percentage of contested matters adjudicated within:			
75% - 182 days	84%	85%	85%
90% - 273 days	90%	90%	90%
100% - 364 days	95%	98%	98%
Efficiency: Civil proceedings – Percentage of cases adjudicated within:			
75% - 364 days	52%	60%	60%
90% - 546 days	75%	80%	80%
100% - 728 days	83%	90%	90%



GOAL: Ensure records of all relevant court decisions and actions are accurate and properly preserved. (Standard 3.6)

OBJECTIVE:

- Continue to improve the ease of entry, access, and reporting of court information captured in the new case management (CourtView) system by identifying Phase II modifications that can be incorporated into future releases of the CourtView application, and restructure workflow processes.

PERFORMANCE MEASUREMENTS:	FY 2006 <u>ACTUALS</u>	FY 2007 <u>ESTIMATED</u>	FY 2008 <u>PROJECTED</u>
Efficiency: Completed system modifications to create/implement a more efficient attorney assignment/payment system (Cumulative).	8	15	16

GOAL: Seek available resources to ensure justice and to keep costs affordable. National Center for State Courts standards requires that it is probate court's responsibility to seek resources needed to meet judicial responsibility. (Standard 4.2)

OBJECTIVE:

To increase the scope of the grant funding obtained through the Department of Human Services. Currently, children and guardians are eligible to receive services, treatment, testing, etc. from Orchards Children's Services. The existing contract is being amended to include parents and other interested persons whom the Judges determine would benefit from this program.

PERFORMANCE MEASUREMENTS:	FY 2006 <u>ACTUALS</u>	FY 2007 <u>ESTIMATED</u>	FY 2008 <u>PROJECTED</u>
Efficiency: Number of referrals made to guardianship caseworkers.	296	400	400

GOAL: Ensure public trust and confidence by conducting court business in an expeditious manner. (Standard 5.2)

OBJECTIVE:

- Reduce the average client wait to see a Judicial Services Analyst to no more than forty-five minutes.

PERFORMANCE MEASUREMENTS:	FY 2006 <u>ACTUALS</u>	FY 2007 <u>ESTIMATED</u>	FY 2008 <u>PROJECTED</u>
Efficiency: Average client wait time to see a Judicial Services Analyst.	51 Minutes	45 Minutes	45 Minutes



GOAL: To build public confidence in the judiciary by processing contested matters through the effective use of the mediation process (Standard 5.2)

OBJECTIVE:

- By September 30, 2006, develop a survey that is to be distributed to interested parties involved in contested matters that have been referred to mediation to provide the Court with feedback as to their confidence level on how the matter was resolved.
- Increase the number of contested cases referred to mediation.

PERFORMANCE MEASUREMENTS:	FY 2006 ACTUALS	FY 2007 ESTIMATED	FY 2008 PROJECTED
Efficiency:			
Number of contested cases resolved through mediation.	175	200	200

MAJOR CHANGES:

2006 Public Acts (PA) 299-301 (Effective July 20, 2006) - Establish a hierarchy for making funeral\burial arrangements, along with providing Probate and Circuit Court procedures to resolve disputes.

Pursuant to Court Rule, Probate Judges can now eliminate the requirement for the filing of an annual account in a minor conservatorship if: 1) an order is entered restricting withdrawal from the account only if an "Allowance Order" is granted by the Court; and 2) an annual "Verification of Funds on Deposit" is filed with the Court.

ACCOMPLISHMENTS:

Trial Court Performance Standard 1.2 – *Provide an accessible and convenient court facility for the residents of Wayne County.*

- Since 2003, hospitals equipped with the interactive video technology (IVT) have completed over 95% of mental health hearings electronically. Interactive video hearings allow mental health patients to remain in the hospital while the probate court conducts their hearing via video and audio transmission. Significant savings to the approved hospitals are realized by eliminating the requirement to transport patients from various area hospitals to the Coleman A. Young Municipal Center. The program was expanded in 2006 to include the Mt. Pleasant Center, the Kalamazoo Psychiatric Hospital, and the Wayne County Jail.
- To enhance the delivery of service to the attorneys and the general public, the Wayne County Probate Court offices located on the 13th floor of the Coleman A. Young Municipal Center were renovated in 2006. Major changes include: 1) the relocation of offices to improve workflow and the movement of customers; 2) increased seating in waiting areas; 3) more durable surfaces; 4) an information desk to provide direction and forms to the public; 4) enhanced processing of pleadings, appeals, and correspondence filed by mail; and 5) improved signage to assist users of the Court to locate various



departments. The above improvements have already positively impacted services by reducing the amount of time customers must spend waiting to be serviced and having them better prepared (forms filled out correctly) to file their documents.

Trial Court Performance Standard 1.3 – *Provide all who appear before the probate court, the ability to do so without undue hardship or inconvenience.*

- All individuals with special needs are accommodated with interpreters, wheelchairs, and other accommodations as required under the Americans with Disability Act (ADA).

Trial Court Performance Standard 1.4 – *Ensure judges and other court personnel are courteous and responsive to the public, and accord respect to all with whom they come into contact.*

- The Court achieved its goal of 90% employee participation in its “Commitment to Excellence” program. This program creates an environment that favorably reflects the ideals consistent with the fundamental values of the Michigan judicial system, as identified by the Michigan Supreme Court.

Trial Court Performance Standard 2.1 – *Compliance with recognized guidelines for timely case processing while, at the same time, keeping current with its incoming caseload.*

- Wayne County Probate Court has taken the lead in alternative dispute resolution by putting into place both a mediation program and case evaluation program. National studies have shown that mediation improves the public’s perception of the justice system. The public feels that these processes save them time and money and result in better outcomes. Using case evaluation, 46.1% of referrals to the program were settled, eliminating the need for costly, time-consuming trials. Using the mediation program, 61.4% of referrals to the program were settled, again, eliminating the need for costly, time-consuming trials.

Trial Court Performance Standard 3.1 – *Probate court faithfully adheres to relevant laws, procedural rules, and established policies.*

- The Probate Court continues to meet the Michigan Supreme Court’s mandated attorney training requirement. This training is totally funded by participant registration fees. Last year, 368 attorneys attended the training.
- An employee orientation program has been developed to assist new and existing employees in understanding how their responsibilities interact with other court departments. In addition, information is provided to help employees understand how the State’s court system is structured and how probate courts, as well as other state courts, form the State of Michigan’s judicial system. Also, an informational program on Michigan’s probate code has been developed for court staff. These training sessions help improve the quality of service to the public by enhancing employees’ knowledge of probate law and procedures.

Trial Court Performance Standard 3.4 – *Ensure decisions unambiguously address issues presented to the court and clearly indicate how compliance can be achieved*

- The court now provides an affordable drug screening process for parents/guardians of minors to comply with court orders in minor guardianship cases.



Trial Court Performance Standard 3.6 - *Ensure records of all relevant court decisions and actions are accurate and properly preserved.*

- Wayne County Probate Court continues to modify/improve its case management/imaging system that was implemented on October 20, 2003. This system provides improved customer services that include: document imaging, tracking of mandated fees, Internet access, docket scheduling, and more. As of September 30, 2006, eight modifications to the case management software have been identified and incorporated into new releases of the CourtView application.

Trial Court Performance Standard 4.2 – *Seek available resources to ensure justice and keep costs affordable. National Center for State Court's standards requires that it is the court's responsibility to seek resources needed to meet judicial responsibility.*

- To maintain fiscal responsibility, Probate Court has eliminated 34 budgeted positions (30%) over the last 10 years without compromising mandated services to the residents of Wayne County.
- The Court has developed a Guardianship and Estates Ombudsman program which provides for: 1) a system to receive complaints regarding guardianship, conservatorship, and decedent estate cases under court jurisdiction, 2) review of complaints to determine whether an investigation is warranted, 3) investigation of warranted complaints, and 4) reporting to the Chief Judge with recommendations that might include referral to the County Prosecutor, State Bar Grievance Commission, or any other appropriate governmental agency. Since September 2001, over 500 complaints have been investigated by the Court's Ombudsman.
- Through Department of Human Services funding, Family Visitation Center counseling services have been re-established. This Center provides supervised parenting, monitored exchange, and telephone monitoring for court ordered referrals.
- Wayne County Probate Court participated in the Supreme Court's 2006 Weighted Caseload Study to evaluate the time required to process various probate court case types. The results will be used to make recommendations concerning judicial staffing requirements for the State of Michigan.
- In 2006, Wayne County Probate Court began sending mental health "Assigned Counsel" packets via email to attorneys who made themselves available to this process. Email not only reduces copying costs to the Court, but improves efficiency by no longer requiring attorneys to pick up their assignment packet in person.
- In 2006, grant funding from the Department of Human Services was increased to provide an additional two case workers from Orchard's Children Services. These new positions doubled the resources assigned to Wayne County Probate Court to provide services to not only children and guardians, but now to parents and other interested persons whom the Judges determine would benefit from treatment, testing, etc.
- Over the past several years, the Wayne County Probate Court has instituted procedures to collect fees resulting from returned checks. Procedures include: 1) notifying the individual that their check was returned, 2) suspending the issuer of the returned check from filing documents in any case they are a party to, 3) if ordered, setting a show cause hearing before the judge of record if payment is not made



within seven days, and 4) if ordered, the issuance of a bench warrant to have the issuer arrested. These procedures have resulted in a collection rate of over 85% of all checks returned to the Court.

Trial Court Performance Standard 4.3 – Ensure the use of fair employment practices.

- In an effort to train staff to maximize their computer efficiency, the Court continued to provide training through New Horizon. These classes provided computer training for the novice to the highly technical employee. With financial resources becoming increasingly more difficult to obtain, technology continues to be the Court's focus to ensure adequate levels of customer service.
- Internal training/study halls are held on a regular basis to prepare employees for promotional exams and to ensure changes in the law and policy are communicated to staff. Topics include the Estate and Protected Individual Code, Michigan Court Rules, Supreme Court Administrative Orders, Court policy, and computer systems procedures.
- The court has developed an expansive intranet computer training tool (Electronic User Guide) used daily by all employees. The site includes general court news, detailed desk procedures, policies and guidelines, employee forms, informational documentation, links to real-time ad-hoc case management reports as well as links to SCAO forms and other useful websites.

Trial Court Performance Standard 5.2 – Ensure public trust and confidence that basic court functions are conducted expeditiously and fairly, and that court decisions have integrity.

- In 2006, new policies and procedures were implemented to monitor the status of formal order requests. As a result of this new process, 95% of requests for formal court orders are completed within 7 days of the request.
- To increase accountability, a system-generated process has been implemented to monitor customer wait time to be serviced by a Judicial Services Analyst. This new system not only monitors the customer wait time but measures the productivity of Court staff. In 2006, the wait time has been reduced from 75 minutes to 51 minutes. The Court's goal is 45 minutes (see Goals & Objectives).
- In 2006, thousands of secret marriage records that were logged manually into books since the 1940's were recorded into the Court's case management system. As a result, these records are more secure and at the same time, more readily available to staff who have authorization to access the information.
- In 2006, over 175,000 wills that are on file for safekeeping were entered into the Court's case management system. Previously, these records were kept on individual cards kept in file cabinets. Employees now can electronically research if a will has been filed more accurately and in a fraction of the time than searching manually through thousands of cards. In addition, employees can now electronically request wills to be delivered to them, freeing up valuable time to service other customers.



DID YOU KNOW?

Wayne County Probate Court was the first probate court in Michigan, established in 1796, and its jurisdiction included the entire state of Michigan and part of Wisconsin. The first Probate Judge was Peter Audrian.

The first file opened was on August 23, 1797 for a deceased blacksmith, Amos Weston, whose estate totaled \$150.

The Wayne County Probate Court is the busiest Court in the State of Michigan, processing one-third of the total probate filings in the state. In calendar year 2005 alone, 16,164 new cases were started and 29,494 hearings were held.

Two-thirds of the filings in Wayne County Probate Court are by laypersons, requiring greater staff time to assist with the probate process.

The Wayne County Probate Court is one of only nine probate courts in the State of Michigan that has implemented on-line access to case information. In addition, Wayne County Probate Court's website (www.wcpc.us) continues to grow, providing new information and additional resources to the public. Recent statistics indicate that the website attracts over 4,000 unique visitors per month. This enhanced website has been recognized by the National Judicial College and provides multiple navigational tools to easily access case information, court services, forms, court location, hours, maps, links to related sites, fee schedules, and security procedures. Information is also provided that answers frequently asked questions by the public who may not have ever required court services in the past.

Judges and court staff continually make presentations to local churches, community groups, and other organizations to provide education on probate law and procedure.



SUMMARY OF POSITIONS, REVENUES, AND EXPENDITURES

Fund: 838	Probate Court Fund
Activity: 148	Probate Court

	2006	2007	2008
POSITIONS	BUDGET	BUDGET	BUDGET
Elected and Executive	17	16	16
Supervisory and Professional	22	22	22
Support Staff	53	51	51
TOTAL POSITIONS	92	89	89
TOTAL DEPARTMENTAL POSITIONS	92	89	89

Fund: 101	General Fund
Activity: 148	Probate Court

	2006	2007	2008
EXPENDITURES	BUDGET	BUDGET	BUDGET
Operating Expenditures	\$ 9,724,700	\$ 9,705,000	\$ 9,705,000
TOTAL EXPENDITURES	\$ 9,724,700	\$ 9,705,000	\$ 9,705,000

Fund: 837	Court Capital Fund
Activity: 401	Capital Programs

	2006	2007	2008
REVENUES	BUDGET	BUDGET	BUDGET
Other Financing Sources	582,900	0	0
TOTAL REVENUES	\$ 582,900	\$ 0	\$ 0
EXPENDITURES			
Operating Expenditures	582,900	0	0
TOTAL EXPENDITURES	\$ 582,900	\$ 0	\$ 0



SUMMARY OF POSITIONS, REVENUES, AND EXPENDITURES

Fund: 838	Probate Court Fund
Activity: 148	Probate Court

	2006 BUDGET	2007 BUDGET	2008 BUDGET
REVENUES			
State Grants and Contracts	\$ 1,179,400	\$ 1,183,300	\$ 1,182,100
Local Grants and Contracts	9,724,700	9,705,000	9,705,000
Charges, Fees, and Fines	927,000	927,000	881,000
TOTAL REVENUES	\$ 11,831,100	\$ 11,815,300	\$ 11,768,100
EXPENDITURES			
Personnel	\$ 7,671,800	\$ 7,523,100	\$ 7,683,200
Debt Service	243,100	243,100	243,200
Operating Expenditures	3,916,200	4,049,100	3,841,700
TOTAL EXPENDITURES	\$ 11,831,100	\$ 11,815,300	\$ 11,768,100
TOTAL DEPARTMENTAL REVENUES	\$ 12,414,000	\$ 11,815,300	\$ 11,768,100
TOTAL DEPARTMENTAL EXPENDITURES	\$ 12,414,000	\$ 11,815,300	\$ 11,768,100