



**ANNUAL REPORT
FOR
FISCAL YEAR 2011**

**Fiscal Services Division/Reimbursement Unit
Department of Management and Budget**



C O U N T Y M I C H I G A N

DEPARTMENT OF MANAGEMENT AND BUDGET
FISCAL SERVICES DIVISION
REIMBURSEMENT UNIT

REIMBURSEMENT

SECTIONS:

CIRCUIT COURT 248-858-0506
PROBATE/FAMILY COURT 248-858-1130

January 25, 2012

Honorable L. Brooks Patterson
County Executive
2100 Pontiac Lake Road
Executive Office Building, Department 409
Waterford, MI 48328

Dear Mr. Patterson:

Submitted herewith is the Fiscal Services Division-Reimbursement Unit Annual Report for Fiscal Year 2011, covering the period October 1, 2010 through September 30, 2011.

Total collections for the Circuit Court, Family Court, and Administration/Probate Court Sections (including credits for Community Service) for fiscal year 2011 were \$8,225,551. Expenditures for this unit were \$2,757,719 resulting in a collection/expense ratio of \$2.98 collected for every dollar expended. Prior year's information for comparison purposes is included in this report.

This unit will continue to review policies, improve procedures in an effort to increase collections, and investigate new areas of collections for the future. The activities of the Fiscal Services Division-Reimbursement Unit for fiscal year 2011 are presented for your review.

Laurie VanPelt, CPFO
Director of Management & Budget

Timothy J. Soave, CPFO, Manager
Fiscal Services Division

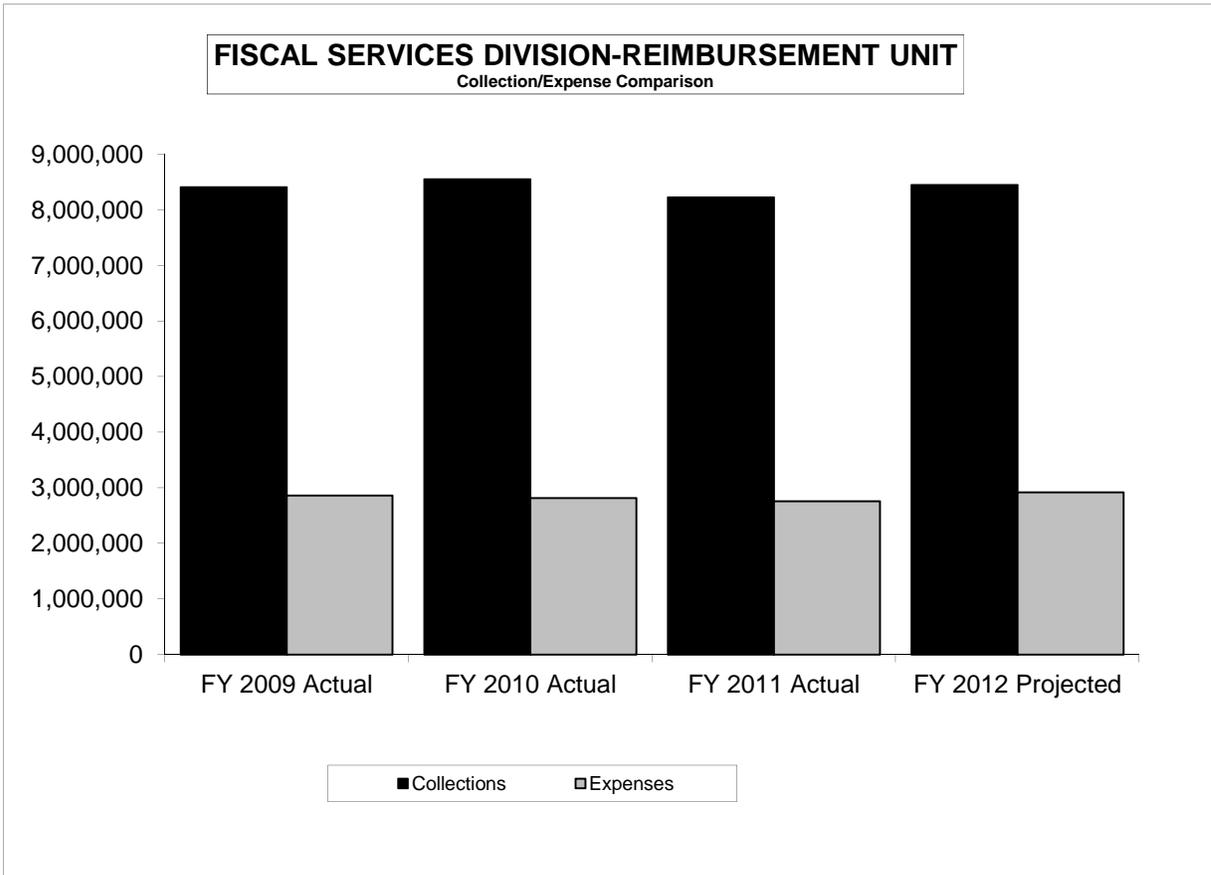
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**2011 FISCAL YEAR ANNUAL REPORT
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**FISCAL SERVICES DIVISION-REIMBURSEMENT UNIT
FISCAL YEAR 2011 PROJECTED BUDGET
COLLECTION / EXPENSE COMPARISON STATEMENT**

	<u>FY 2009 Actual</u>	<u>FY 2010 Actual</u>	<u>FY 2011 Actual</u>	<u>FY 2012 Projected</u>
Salaries & Fringes	\$ 2,102,433	\$ 2,141,611	\$ 2,139,941	\$ 2,200,000
Operating Expenses	758,856	671,530	617,778	626,823
Total Expenses	\$ 2,861,289	\$ 2,813,141	\$ 2,757,719	\$ 2,826,823
Total Collections	\$ 7,796,841	\$ 7,865,627	\$ 7,679,012	\$ 7,800,000
Community Service Credits	610,590	685,791	546,539	650,000
Total Collections & Credits	\$ 8,407,431	\$ 8,551,418	\$ 8,225,551	\$ 8,450,000
Collection/Expense Ratio	\$ 2.94	\$ 3.04	\$ 2.98	\$ 2.99



**Three-Year Summary Comparison Statement
FY 2009 - 2011
Collections vs. Expenses**

	Collections		
	FY 2011	FY 2010	FY 2009
Circuit Court-General Jurisdiction Division:			
Restitution	\$ 2,279,105	\$ 2,298,740	\$ 2,223,077
Court Costs	770,785	837,141	912,266
Attorney Fees	882,338	939,710	914,702
Inmate Board and Care*	3,910	5,894	101,088
Crime Victim's Rights Fees	276,023	263,386	266,383
Fines	275,399	270,959	248,013
Forensic Lab Fees/DNA**	10,407	16,080	17,336
Extradition Fees	8,066	6,233	5,555
Community Service Fees	44	86	119
State Minimum Costs**	341,269	366,138	357,780
Fingerprinting Fees	1,465	2,225	750
Late Penalty	109,110	97,736	94,229
Cost of Prosecution***	16,524	14,081	600
Adult Treatment Court	3,092	1,127	1,351
Total	\$ 4,977,537	\$ 5,119,536	\$ 5,143,249
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	\$ 971,332	\$ 984,557	\$ 976,287
Collection Offset (Board and Care)	269,469	268,608	262,899
Governmental Benefits (Juvenile Maintenance)	201,574	229,994	191,346
Probation Service Fees	192,432	180,684	176,752
Attorney Fees	426,770	447,997	365,270
State Juvenile Maintenance	113,590	119,112	166,621
Restitution	85,688	98,115	105,822
Clinical Evaluations	54,087	41,213	55,261
Court Costs	26,250	34,003	18,825
Traffic Service Fees	8,040	14,165	9,837
Crime Victim's Rights Fees	5,565	5,768	7,931
State Minimum Costs**	22,544	24,174	30,953
Ordinance Violations	1,210	1,615	2,865
Forensic Lab Fees/DNA**	30	45	22
Children's Village Aftercare	206	483	612
Youth Assistance Fees***	11,818	12,295	-
Jail Tour Fees***	5,661	6,120	150
Chemical Dependence Inventory Fees***	2,193	2,245	90
Diversion Fees***	9,150	7,670	1,920
Family Court-Other	323	1,706	250
Total	\$ 2,407,932	\$ 2,480,569	\$ 2,373,713
Administration/Probate Court:			
Clerk Fees	\$ 97,957	\$ 83,017	\$ 79,718
Domestic Evaluations	7,563	9,067	20,371
Domestic Guardian Ad Litem	4,102	4,259	4,853
Mental Health Attorney Fees****	50,865	49,182	63,254
Mental Health Psychological Evaluations	600	-	-
Total	\$ 161,087	\$ 145,525	\$ 168,196
Miscellaneous:			
Tax Intercept Fees	\$ 108,953	\$ 99,128	\$ 83,013
Witness and Mileage Fees/Service Fees	11,622	13,098	15,226
Recovery Fees for Returned Checks	1,254	2,101	2,968
Filing Fees	3,624	3,130	4,170
Miscellaneous	5,736	1,452	5,317
Reimbursement of Postage Expense	1,267	1,088	989
Total	\$ 132,456	\$ 119,997	\$ 111,683
TOTAL COLLECTIONS	\$ 7,679,012	\$ 7,865,627	\$ 7,796,841
Community Service Credits	\$ 546,539	\$ 685,791	\$ 610,590
GRAND TOTAL	\$ 8,225,551	\$ 8,551,418	\$ 8,407,431
Reimbursement Unit Expenses:	\$ 2,757,719	\$ 2,813,141	\$ 2,861,289
Collection/Expense Ratio:	\$ 2.98	\$ 3.04	\$ 2.94

*Inmate Board & Care was outsourced to RDK Collection Services as of 10/1/08.

**DNA and Forensic Lab Fees were replaced, by statute, with State Minimum Costs effective 10/01/03 (2003 Public Act 70-79, 95-102, and 138).

***New fee charged as of mid FY 2009.

****LAO 2008-01 replaced the system of appointing and compensating court-appointed attorneys for mental health cases to reduce costs.

REPORT OF TRANSACTION ACTIVITY

	Transactions		
	FY 2011	FY 2010	FY 2009
Circuit Court-General Jurisdiction Division:			
Restitution	14,823	14,775	13,408
Court Costs	7,468	7,861	8,870
Attorney Fees	12,958	13,301	13,544
Inmate Board and Care*	15	117	1,880
Crime Victim's Rights Fees	11,419	12,032	11,625
Fines	1,852	1,875	1,647
Forensic Lab Fees/DNA**	666	987	1,206
Extradition Fees	49	22	50
Community Service Fees	1	3	2
State Minimum Costs**	8,854	9,221	8,721
Fingerprinting Fees	43	49	17
Late Penalty	1,593	1,476	1,306
Cost of Prosecution***	257	177	5
Adult Treatment Court	34	15	29
Total	60,032	61,911	62,310
Circuit Court-Family Division:			
Board and Care (Juvenile Maintenance)	14,574	14,674	14,628
Collection Offset (Board and Care)	9,185	9,222	9,334
Governmental Benefits (Juvenile Maintenance)	721	778	725
Probation Service Fees	2,378	2,224	2,152
Attorney Fees	4,519	5,149	4,895
State Juvenile Maintenance	1,623	1,517	1,543
Restitution	855	825	857
Clinical Evaluations	535	487	571
Court Costs	676	713	584
Traffic Service Fees	151	246	289
Crime Victim's Rights Fees	309	356	486
State Minimum Costs**	463	491	711
Ordinance Violations	42	56	122
Forensic Lab Fees/DNA**	3	18	6
Children's Village Aftercare	9	9	23
Youth Assistance Fees***	480	508	-
Jail Tour Fees***	124	129	3
Chemical Dependence Inventory Fees***	214	223	11
Diversion Fees***	163	139	35
Family Court-Other	2	5	1
Total	37,026	37,769	36,976
Administration/Probate Court:			
Clerk Fees	1,158	1,051	1,084
Domestic Evaluations	124	128	213
Domestic Guardian Ad Litem	65	71	79
Mental Health Attorney Fees****	1,101	1,060	1,056
Mental Health Psychological Evaluations	4	-	-
Total	2,452	2,310	2,432
Miscellaneous:			
Tax Intercept Fees	2,149	1,915	1,523
Witness and Mileage Fees/Service Fees	645	745	614
Recovery Fees for Returned Checks	58	104	136
Filing Fees	534	486	590
Miscellaneous	17	14	24
Reimbursement of Postage Expense	154	146	144
Total	3,557	3,410	3,031
GRAND TOTAL	103,067	105,400	104,749

*Inmate Board & Care was outsourced to RDK Collection Services as of 10/1/08.

**DNA and Forensic Lab Fees were replaced, by statute, with State Minimum Costs effective 10/01/03 (2003 Public Act 70-79, 95-102, and 138).

***New fee charged as of mid FY 2009.

****LAO 2008-01 replaced the system of appointing and compensating court-appointed attorneys for mental health cases to reduce costs.

CIRCUIT COURT ACCOUNTS

STATEMENT OF RECEIPTS

	FY 2011	FY 2010	FY 2009
Accounts:			
Court Costs	\$ 770,785	\$ 837,141	\$ 912,266
Attorney Fees	882,338	939,710	914,702
Inmate Board and Care *	3,910	5,894	101,088
Extradition Fees	8,066	6,233	5,555
Community Service Fees	44	86	119
Forensic Lab Fees-County Share	375	614	578
Forensic Lab Fees-Prosecutor	375	614	578
DNA-Court Share	290	380	577
Fingerprinting Fees	1,465	2,225	750
Late Penalty	109,110	97,736	94,229
Cost of Prosecution	16,524	14,081	600
Adult Treatment Court	3,092	1,127	1,351
Total	\$ 1,796,374	\$ 1,905,841	\$ 2,032,393
Trust Accounts:			
Restitution	\$ 2,279,105	\$ 2,298,740	\$ 2,223,077
Crime Victim's Rights Fees	276,023	263,386	266,383
State Minimum Costs	341,269	366,138	357,780
DNA-State Share	1,890	2,472	3,752
DNA-Municipalities Share	726	950	1,443
Forensic Lab Fees-State Share	6,751	11,050	10,408
Fines	275,399	270,959	248,013
Total	\$ 3,181,163	\$ 3,213,695	\$ 3,110,856
TOTAL FUNDS RECOVERED	\$ 4,977,537 **	\$ 5,119,536	\$ 5,143,249

The Circuit Court Section of the Fiscal Services Division-Reimbursement Unit is responsible for collection of all funds ordered by the Circuit Court.

For fiscal year 2011 there were 6,714 restitution payments made to the victims of crime for a total of \$2,373,136.44.

On October 30, 1989, Public Act 196 became effective requiring each defendant to pay a fee for the Crime Victim's Rights Fund. These funds are collected on behalf of the State; the County is authorized to retain an administrative fee. The County retains 10% of the amount collected for administrative costs.

*MCLA 801.83 allows the County to seek reimbursement for board and care from inmates. In May 1995, the County began billing inmates for time served in the Oakland County Jail. This function was outsourced for new cases October 1, 2008 and existing cases December 28, 2008.

** A program requiring a defendant's bond to be applied toward costs assessed by the Court resulted in the recovery of \$176,306.29. The County started, in 2005, to submit Orders to Remit Prisoner Funds to the state prisons as allowed under MCL 791.220h. The Oakland County Sheriff's Office, under House Bill 4588, started remitting prisoner funds for restitution in January 2006. A total of \$366,702.39 was collected under these programs in fiscal year 2011.

CIRCUIT COURT ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2011</u>	<u>FY 2010</u>	<u>FY 2009</u>
Cost to Oakland County:			
Regular Cases	\$ 2,542,003	\$ 2,907,162	\$ 2,791,324
Appellate Cases	320,217	288,585	313,526
Total	<u>\$ 2,862,220</u>	<u>\$ 3,195,747</u>	<u>\$ 3,104,850</u>
TOTAL FUNDS RECOVERED	<u>\$ 882,338</u>	<u>\$ 939,710</u>	<u>\$ 914,702</u>
Percent Recovered	30.8%	29.4%	29.5%

Defendants represented by a court-appointed attorney are ordered to repay the County for services provided.

COURT COMMUNITY SERVICE PROGRAM

	<u>FY 2011</u>	<u>FY 2010</u>	<u>FY 2009</u>
Community Service Credits:			
Attorney Fees	\$ 276,473	\$ 329,266	\$ 288,989
Court Costs	269,566	356,025	319,601
Court Fines	500	500	2,000
Total Credits	<u>\$ 546,539</u>	<u>\$ 685,791</u>	<u>\$ 610,590</u>
Community Service Fees Collected	<u>\$ 44</u>	<u>\$ 86</u>	<u>\$ 119</u>
TOTAL CREDITS AND FEES	<u>\$ 546,583</u>	<u>\$ 685,877</u>	<u>\$ 610,709</u>

The Court Community Service Program has provided the courts with an alternative means of enforcing monetary orders against indigent defendants rather than imposing costly jail sentences. Defendants provide labor hours and receive credits which reduce court-ordered fees.

In 1996, a community service fee was authorized to be assessed for individuals involved in the program to supplement state and county funding. This fee was no longer charged when the Probation Department took back operation of the program in approximately 2005.

FAMILY COURT ACCOUNTS

STATEMENT OF RECEIPTS

	FY 2011	FY 2010	FY 2009
Accounts:			
Board and Care (Juvenile Maintenance)	\$ 971,332	\$ 984,557	\$ 976,287
Collection Offset (Board and Care)	269,469	268,608	262,899
Governmental Benefits (Juvenile Maintenance)	201,574	229,994	191,346
Probation Service Fees	192,432	180,684	176,752
Attorney Fees	426,770	447,997	365,270
Clinical Evaluations	54,087	41,213	55,261
Court Costs	26,250	34,003	18,825
Traffic Service Fees-County Share	7,073	12,905	8,757
Ordinance Violations-County Share	807	1,077	1,910
Children's Village Aftercare	206	483	612
DNA-County Share	-	-	-
Forensic Lab Fees-County Share	2	2	1
Forensic Lab Fees-Prosecutor	2	2	1
Youth Assistance Fees	11,818	12,295	-
Jail Tour Fees	5,661	6,120	150
Chemical Dependence Inventory Fees	2,193	2,245	90
Diversion Fees	9,150	7,670	1,920
Drug Testing	23	15	-
Cost of Prosecution	-	100	-
Total	\$ 2,178,849	\$ 2,229,970	\$ 2,060,081
Trust Accounts:			
State Juvenile Maintenance	\$ 113,590	\$ 119,112	\$ 166,621
Restitution	85,688	98,115	105,822
Crime Victim's Rights Fees	5,565	5,768	7,931
State Minimum Costs	22,544	24,174	30,953
Forensic Lab Fees-State Share	26	41	20
Ordinance Violations-Municipalities Share	403	538	955
Traffic Service Fees-State Share	967	1,260	1,080
DNA-State Share	-	-	-
DNA-Municipalities Share	-	-	-
Public Library Fund	300	200	250
State of Michigan-Aid to Dependent Children	-	1,391	-
Total	\$ 229,083	\$ 250,599	\$ 313,632
TOTAL FUNDS RECOVERED	\$ 2,407,932 *	\$ 2,480,569	\$ 2,373,713

The Family Court Section of the Fiscal Services Division-Reimbursement Unit is responsible for collection for services provided to children and/or families and any other costs ordered by the Family Court. A financial statement is taken and an order is entered based on the parents' ability to pay according to the State Court Administrator's guidelines.

The Family Division of Circuit Court (Family Court) was established January 1, 1998, in an effort to consolidate the handling of domestic relations and juvenile cases to better serve families.

The Juvenile Code provides for a 25% administrative fee (Collection Offset) to cover the cost of collecting funds as the result of an order for board and care.

Family Court assesses the parents of juveniles charged with delinquent acts a monthly service fee when the child is placed on probation or under supervision in the home.

Effective May 1, 1994, MCLA 780.901 required the courts to order juveniles to pay an assessment to the Crime Victim's Rights Fund for orders of disposition on juvenile offenses. The Michigan Department of Treasury receives 90% of this fee and the County is entitled to retain 10% of collections.

This unit acts as the collection agent for monies ordered by Family Court for restitution. For fiscal year 2011, there were 451 restitution payments made to the victims of crime for a total of \$95,772.41.

*A program which requires that a child's bond be applied toward costs assessed by the Court resulted in the recovery of \$9,900.08 of the above funds.

FAMILY COURT ACCOUNTS

BOARD AND CARE COLLECTIONS

	<u>FY 2011</u>	<u>FY 2010</u>	<u>FY 2009</u>
Juvenile Maintenance	\$ 1,240,801	\$ 1,253,165	\$ 1,239,186
State Juvenile Maintenance	<u>113,590 *</u>	<u>119,112</u>	<u>166,621</u>
TOTAL FUNDS RECOVERED	<u><u>\$ 1,354,391</u></u>	<u><u>\$ 1,372,277</u></u>	<u><u>\$ 1,405,807</u></u>

*This amount includes \$46,354 which represents one-half of the governmental benefits collected by the Michigan Department of Human Services and credited to the County for children placed in state facilities.

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2011</u>	<u>FY 2010</u>	<u>FY 2009</u>
Cost to Oakland County	<u>\$ 1,077,159</u>	<u>\$ 1,140,012</u>	<u>\$ 1,459,382</u>
TOTAL FUNDS RECOVERED	<u><u>\$ 426,770</u></u>	<u><u>\$ 447,997</u></u>	<u><u>\$ 365,270</u></u>
Percent Recovered	39.6%	39.3%	25.0%

If the Family Court appoints an attorney to represent a child, parent, guardian or custodian, an order is entered requiring the responsible individual to repay the funds in accordance with ability to pay.

PROBATE COURT-MENTAL HEALTH ACCOUNTS

REIMBURSEMENT FOR COURT-APPOINTED ATTORNEYS

	<u>FY 2011</u>	<u>FY 2010</u>	<u>FY 2009</u>
Cost to Oakland County	<u>\$ 302,510 **</u>	<u>\$ 269,608</u>	<u>\$ 265,481</u>
TOTAL FUNDS RECOVERED	<u><u>\$ 50,865</u></u>	<u><u>\$ 49,182</u></u>	<u><u>\$ 63,254</u></u>
Percent Recovered	16.8%	18.2%	23.8%

Every individual who is the subject of a petition for involuntary hospitalization is required to be represented by legal counsel.
 **LAO 2008-01 replaced the system of appointing and compensating court-appointed attorneys for mental health cases to reduce costs.