Michigan's Judiciary

Review of Authority & Initiatives

State Court Administrator Tom Boyd

Michigan House of Representatives Judiciary Committee

February 1, 2023

§ 1 Judicial power in court of justice; divisions.

- Except to the extent limited or abrogated by article IV, section 6, or article V, section 2, the **judicial power of the state is vested exclusively in one court of justice** which shall be divided into one supreme court, one court of appeals, one trial court of general jurisdiction known as the circuit court, one probate court, and courts of limited jurisdiction that the legislature may establish by a two-thirds vote of the members elected to and serving in each house.

§ 3 Chief justice; court administrator; other assistants.

- One justice of the supreme court shall be selected by the court as its chief justice as provided by rules of the court. He shall perform duties required by the court. **The supreme court shall appoint an administrator of the courts and other assistants of the supreme court as may be necessary to aid in the administration of the courts of this state. The administrator shall perform administrative duties assigned by the court.**

§ 4 General superintending control over courts; writs; appellate jurisdiction.

- Except to the extent limited or abrogated by article IV, section 6, or article V, section 2, **the supreme court shall have general superintending control over all courts**; power to issue, hear and determine prerogative and remedial writs; and appellate jurisdiction as provided by rules of the supreme court. The supreme court shall not have the power to remove a judge.

§ 5 Court rules; distinctions between law and equity; master in chancery.

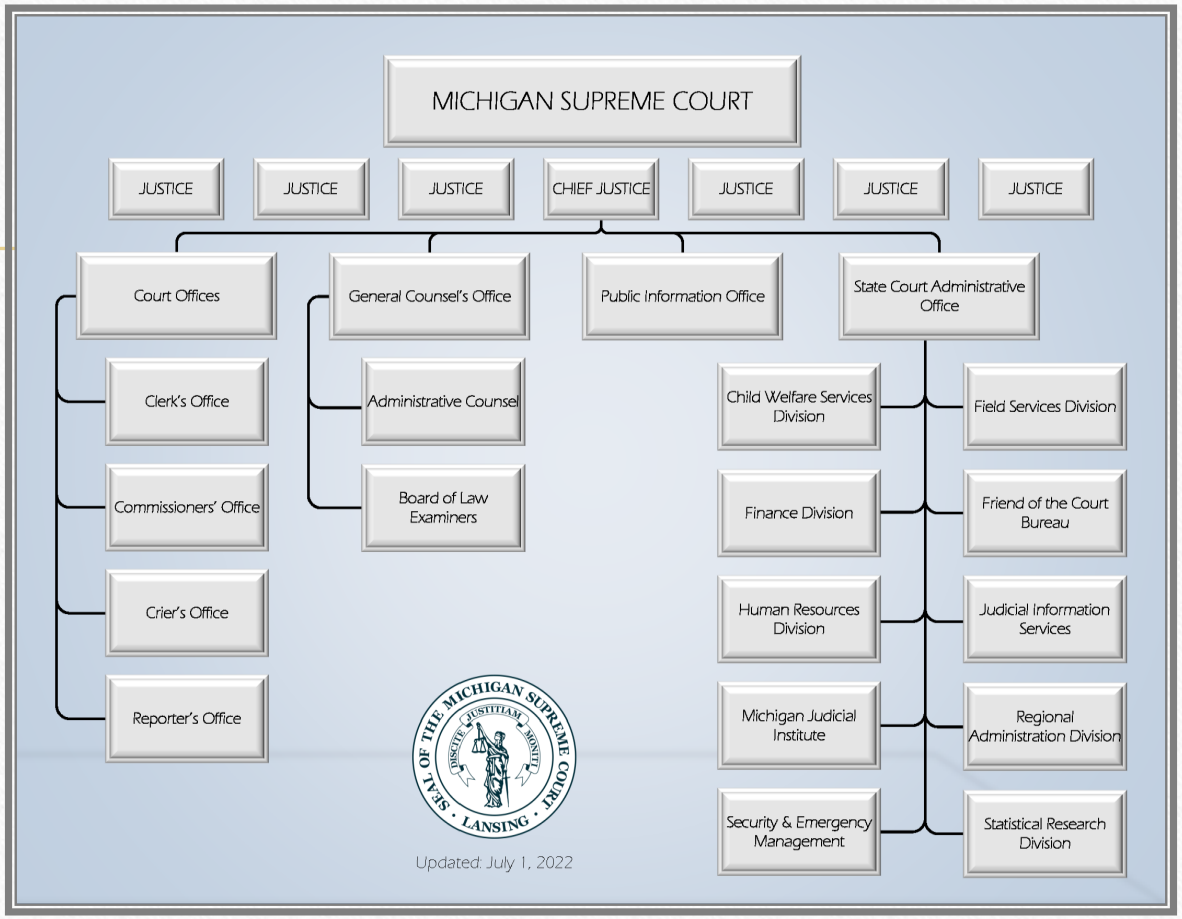
- **The supreme court shall by general rules establish, modify, amend and simplify the practice and procedure in all courts of this state.** The distinctions between law and equity proceedings shall, as far as practicable, be abolished. The office of master in chancery is prohibited.

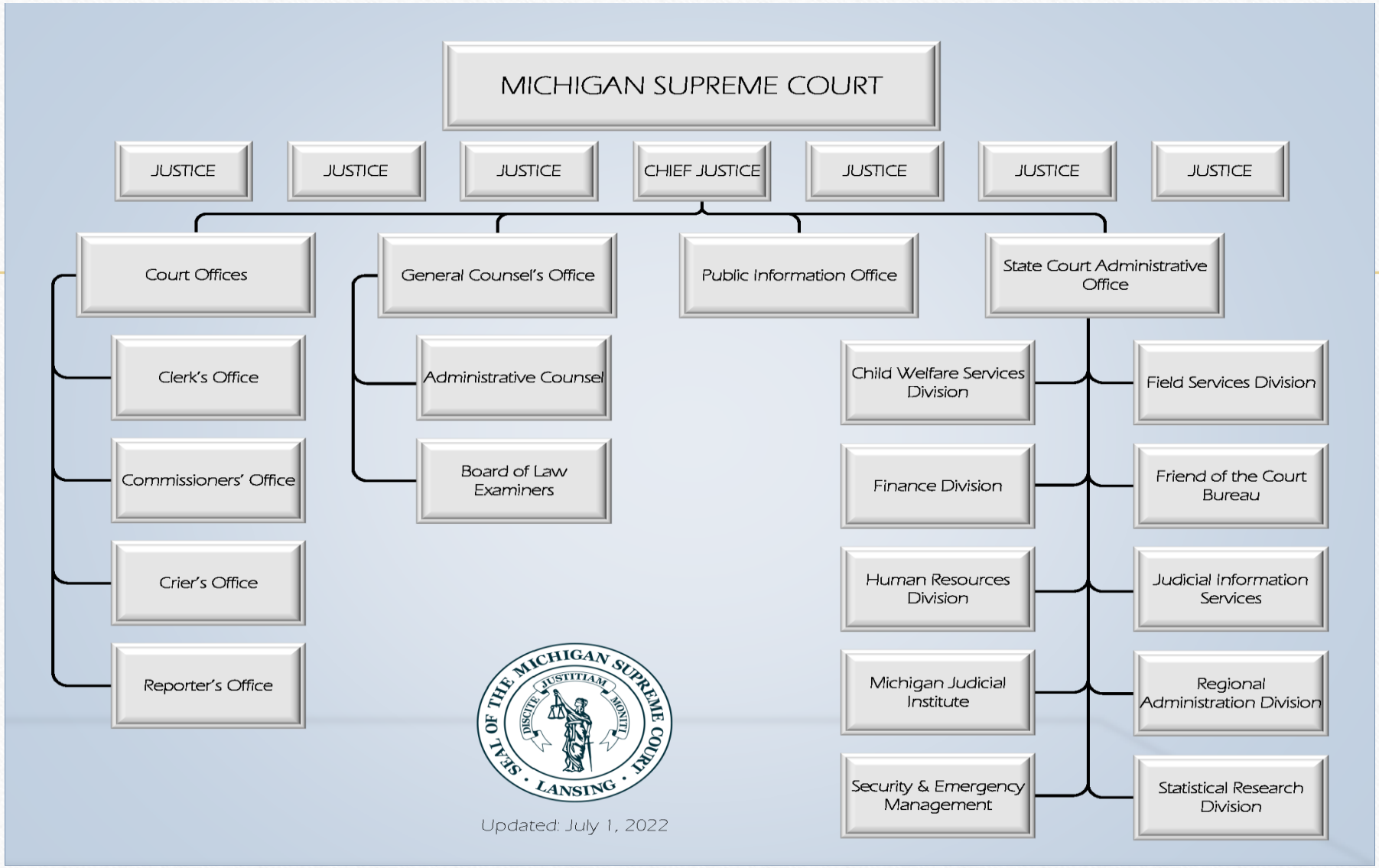
§ 7 Staff; budget; salaries of justices; fees.

- **The supreme court may appoint, may remove, and shall have general supervision of its staff.** It shall have control of the preparation of its budget recommendations and the expenditure of moneys appropriated for any purpose pertaining to the operation of the court or the performance of activities of its staff except that the salaries of the justices shall be established by law. All fees and perquisites collected by the court staff shall be turned over to the state treasury and credited to the general fund.

Article VI, Section 3

"The supreme court shall appoint an administrator of the courts and **other assistants of the supreme court as may be necessary to aid in the administration of the courts of this state**. The administrator shall perform administrative duties assigned by the court."

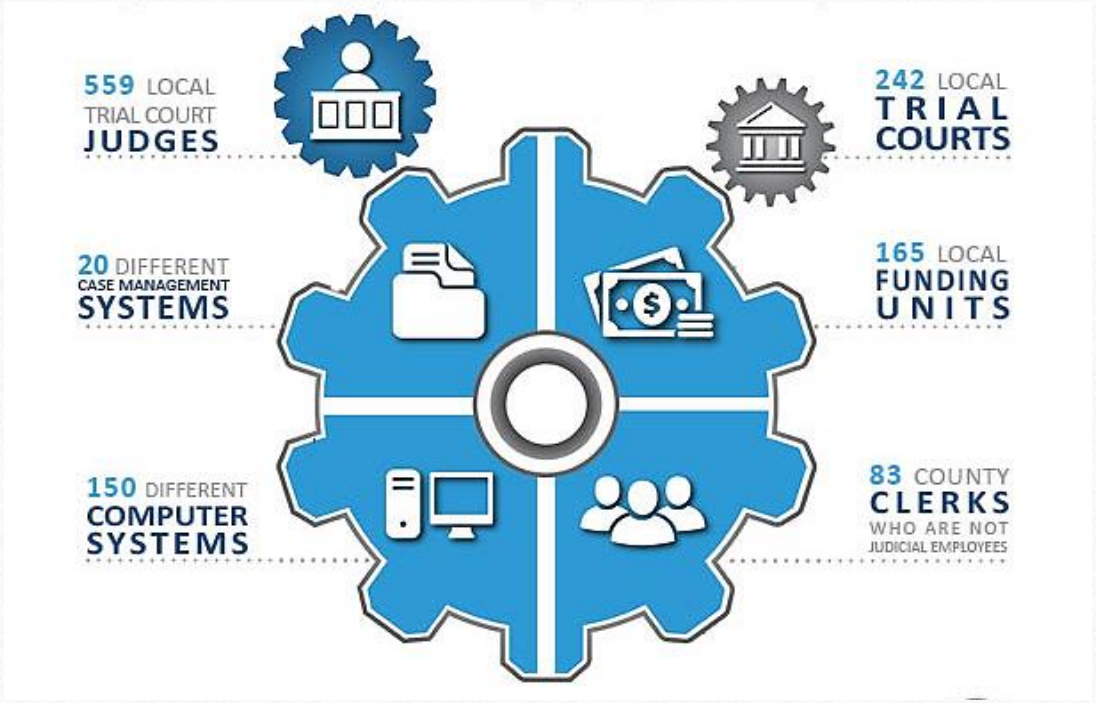


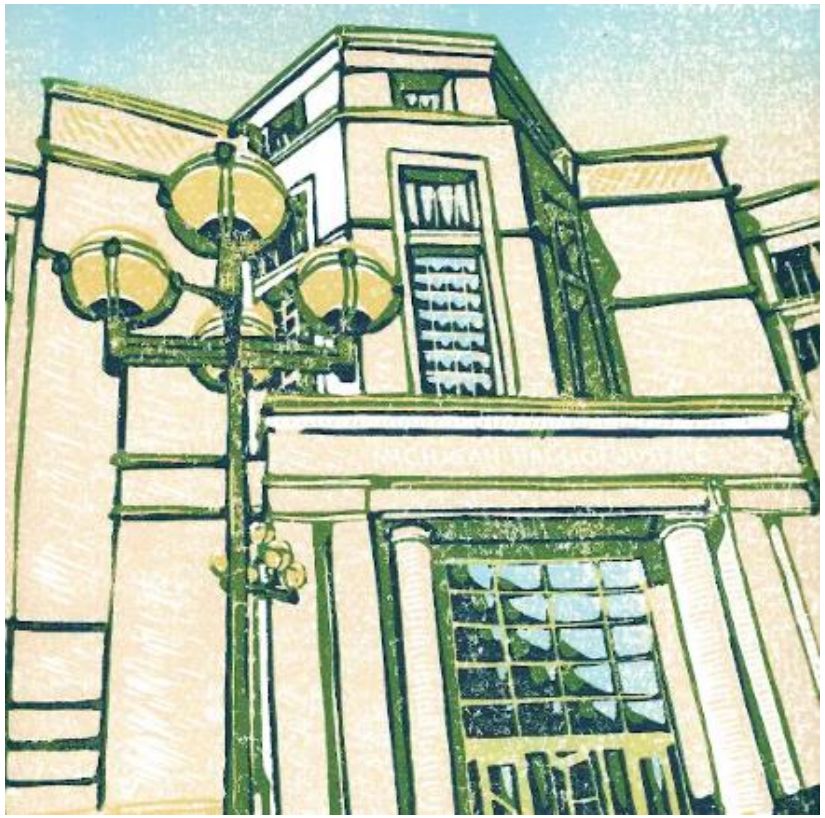

MICHIGAN SUPREME COURT
JUSTICE
JUSTICE
JUSTICE
CHIEF JUSTICE
JUSTICE
JUSTICE
JUSTICE
Court Offices
Clerk's Office
Commissioners' Office
Crier's Office
Reporter's Office
General Counsel's Office
Administrative Counsel
Board of Law Examiners
Public Information Office
State Court Administrative Office
Child Welfare Services Division
Finance Division
Human Resources Division
Michigan Judicial Institute
Security & Emergency Management
Field Services Division
Friend of the Court Bureau
Judicial Information Services
Regional Administration Division
Statistical Research Division
Updated: July 1, 2022

Justice System Principles

- Independent
- Transparent
- Consistent
- Equitable
- Accessible
- Efficient
- Accountable
- Innovative
- Data Driven
- Engaged

Michigan's Complicated Judiciary





Our Goal

- ***An Innovative, Transparent, and Efficient Justice System that Works for Everyone***

Michigan Judicial Council

For the first time, the Michigan Supreme Court brought together a diverse group of stakeholders to develop a vision and strategic agenda for the judicial branch as a whole.

Michigan Judicial Council

April 14, 2021, Order, Addition of Rule 8.128 of the Michigan Court Rules

Michigan Judicial Council

- Rule 8.128 Michigan Judicial Council
- (A) Duties. There shall be a Judicial Council to **plan strategically** for the Michigan judicial branch, to **enhance the work of the courts**, and to **make recommendations to the Supreme Court on matters pertinent to the administration of justice**.

Michigan Judicial Council

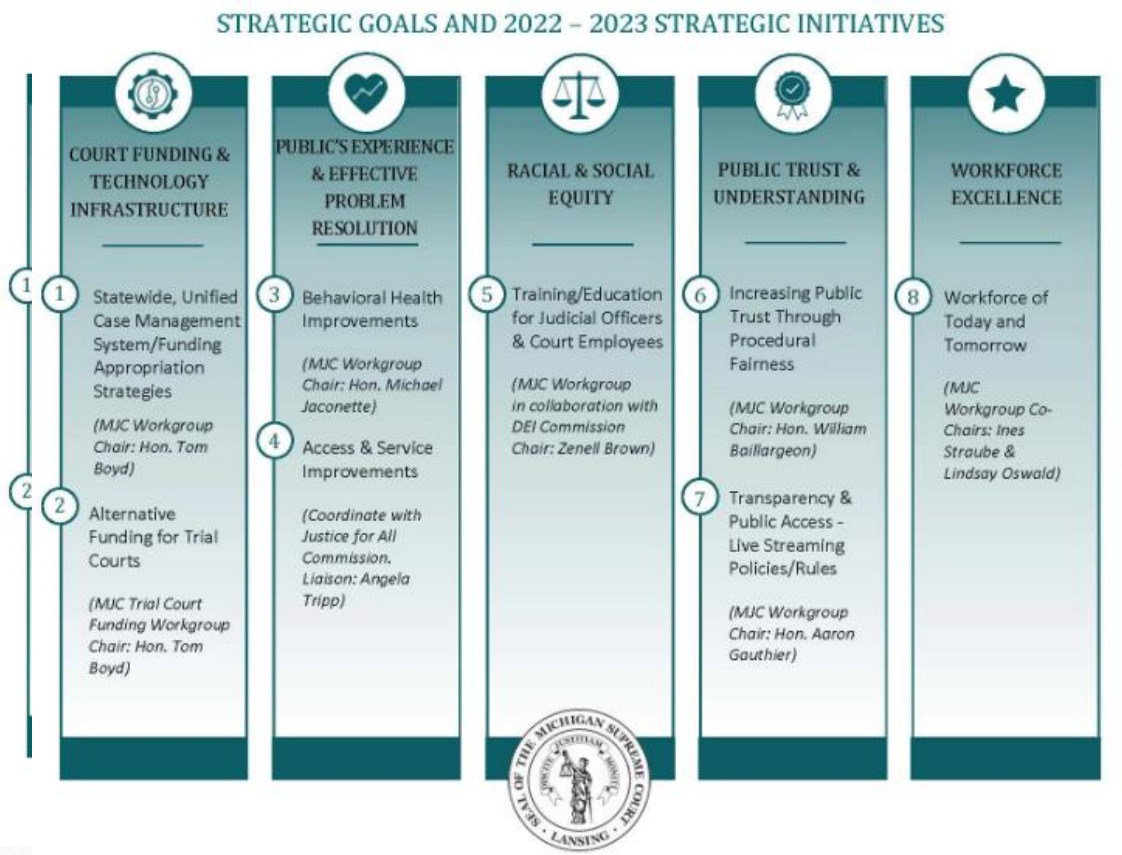
Membership

Justice Elizabeth T. Clement (Supreme Court)	Hon. William A. Baillargeon (At-Large Judge)	Hon. Aaron J. Gauthier (At-Large Judge)	James A. McGrail (Administrator/Registrar)
Hon. Melissa L. Pope (Tribal State Federal Forum)	James W. Heath (Attorney)	Angela S. Tripp (JFAC Member)	Sheryl M. Kubiak (Member of the Public)

Michigan Judicial Council (cont)

Hon. Martha D. Anderson (MJA)	Hon. Susan L. Dobrich (MPJA)	Hon. Michelle Friedman Appel (MDJA)	Hon. Herman Marable, Jr. (ABJM)	Hon. Mary B. Barglind (At-Large Judge)	Zenell B. Brown (Administrator)
Lindsay A. Oswald (County Clerk)	Marilena David-Martin (Attorney)	Tamara Brubaker-Salcedo (Public)	Hon. Jon A. Van Allsburg (MJA)	Hon. John D. Tomlinson (MPJA)	Hon. Demetria Brue (MDJA)
Hon. Kameshia D. Gant (ABJM)	Hon. Helal A. Farhat (At-Large Judge)	Ines Straube (Administrator)	Valerie J. Robbins (Administrator)	Justin F. Roebuck (County Clerk)	Thomas W. Cranmer (Attorney)

Michigan Judicial Council



January 26, 2021, Administrative Order No. 2021-1

Justice for All Commission

"The purpose of the Michigan Justice For All Commission is to expand access to and enhance the quality of the civil legal justice system in Michigan. The goal of the Commission is to achieve 100% access to Michigan's civil justice system. The Commission will promote, facilitate, and provide leadership to achieve this goal."

Justice for All Commission

Membership

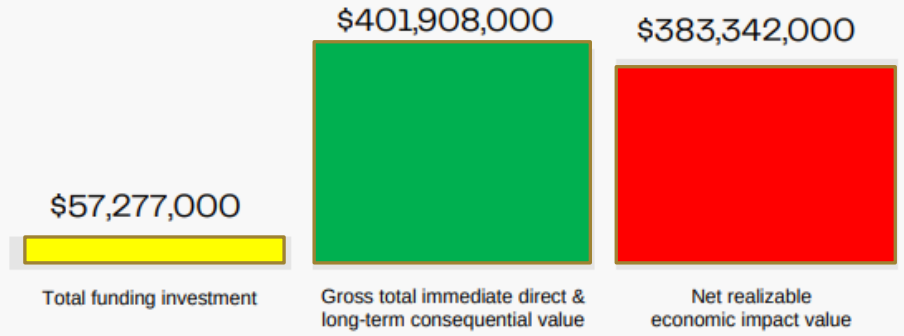
Janet Welch	Justice Brian K. Zahra	Jennifer Bentley	Angela Tripp	Thomas Boyd	Loren Khogali	Hon. Timothy Kelly
Hon. Margaret Zuzich Bakker	Hon. Mabel Mayfield	Hon. Allie Maldonado	Rob Buchanan	Kevin Bowling	Michelle Williams	Samantha Ashby
Lynda Zeller	Deborah Hughes	Bianca McQueen	Nicole Huddleston	Elly Jordan	Brittany Schultz	

JFA published two major reports – social return on investment and debt collection.

HED: More Debt Collection Cases Are Filed in Predominantly Black Neighborhoods Across All Income Levels.

DEK: Predicted annual average number of debt collection cases filed per 100 residents by census tract median household income and race-ethnic majority group. Predicted values calculated from linear regression model that includes median household income, race-ethnic majority group, their interaction, and controls for population size.

Source: Michigan State Court Administrative Office Judicial Data Warehouse, 2015-2019. American Community Survey, 2015-2019.

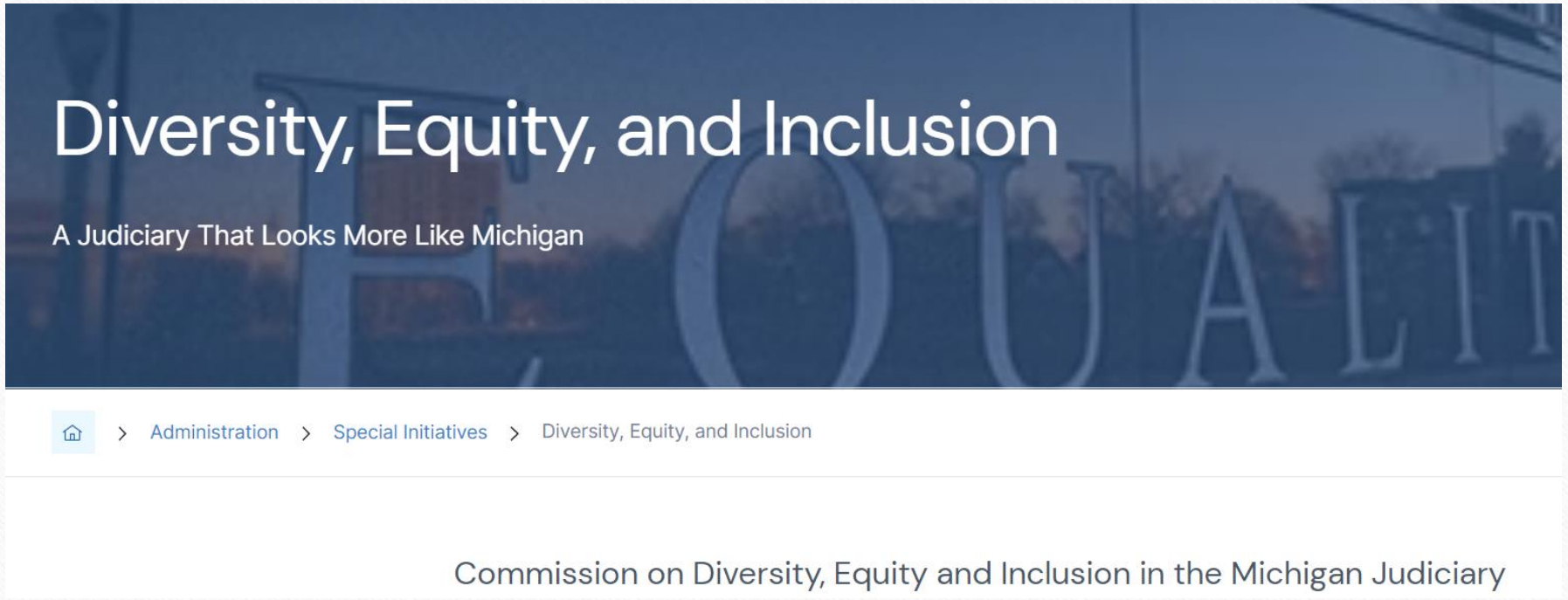


669%

Total Net Social Return on Investment for Michigan's Legal Aid legal services programs during the years 2019 and 2020.

For Every **$1** invested in Michigan's Civil Legal Aid services, they delivered **$6.69** in immediate and long-term consequential financial benefits for services delivered in 2019 and 2020.

Commission on Diversity, Equity and Inclusion



January 5, 2022 ADM File No. 2021-38

Commission on Diversity, Equity, and Inclusion in the Michigan Judiciary

- "The purpose of the Commission on Diversity, Equity, and Inclusion in the Michigan Judiciary is to assess and work towards elimination of demographic and other disparities within the Michigan judiciary and justice system."

Commission on Diversity, Equity, and Inclusion in the Michigan Judiciary

Initial Membership

Justice Elizabeth Welch, MSC	Judge Cynthia Stephens, COA (ret.)	Elizabeth Rios, SCAO	Peter Cunningham, SBM	Jennifer Bentley, State Bar Foundation	Josh Hilgart, State Planning Body	Dee Brooks, PAAM
Erika Bryant, State Bar Commissioner	Zenell Brown, MCAA	Jacqueline Freeman, U-M Law School	Angie Martell, Affinity Bar Association	Belem Morales, Affinity Bar Assoc	Nicole Huddleston, JFAC	Chief Judge Kenneth Akini, Tribal State Federal Judicial Forum
Judge Kathleen Brickley, MJA	Judge Juanita Bocanegra, MDJA	Michelle Crockett, Affinity Bar Assoc	Syeda Davidson, Affinity Bar Assoc	Alanna Lahey, Community Member	Judge Kristina Robinson Garrett, MIDC	Robyn Afrik, MAC
	Judge Austin Garrett, ABJM	Judge Sima Patel, COA	Judge Shauna Dunnings, MPJA	Louisa Wills, Public	Siham Awada Jaafar, Public	

Task Force on Well Being in the Law

Well-Being in the Law

Task Force of the Michigan Supreme Court and State Bar of Michigan

- On May 5, 2022, the Michigan Supreme Court and State Bar of Michigan announced the creation of the Task Force on Well-Being in the Law. The new Task Force responds to studies indicating that lawyers, judges and law students suffer from higher-than-average rates of problem drinking and substance use, anxiety, depression, and stress.

Well-Being in the Law

Membership

Justice Megan K. Cavanagh	Dana Warnez, President	Peter Cunningham	Andrea Crumback	Molly Ranns	Chief Judge Donald Allen	Chief Judge Carol Kuhnke	Judge Curtis Bell
Chief Judge Mabel Mayfield	Abijah Taylor	Margaret Hannon	Amy Timmer	Ieisha Humphrey	Rebecca Robichaud	Adriana Lopez-Torres	Kelly Arenz, DO
Laurie Orlando	Sean Siebigteroth	Richard E. Hillary II	Katherine M. Stanley	Jennifer Colagiovanni	Kristina Bilowus	Wendy Neeley	Kimberly Uhuru
			Judge Pablo Cortes	Chief Justice/Appellate Justice Matthew Fletcher			

Michigan Trial Court Funding Commisison

- The Michigan Legislature created the Trial Court Funding Commission (TCFC), through Act 65 of 2017, to review Michigan's trial court funding system and make recommendations. This legislation was enacted in response to People v. Cunningham, a Michigan Supreme Court decision that determined state law does not provide courts with the authority to impose costs upon criminal defendants to fund the day-to-day operation of the courts.

Trial Court Funding Commission

Membership

Judge James M. Alexander	Judge Michelle Appel	Michael Bosanac	Judge Thomas Boyd	Eric R. DeLong	Todd A. Drysdale
Judge Shauna Dunnings	Judge Beth Ann Gibson	Milton L. Mack	Richard B. Poling	Thomas C. Rombach	Shannon Schlegel
		Valerie Ann Thornburg	Patrick J. Williams		

TCFC Recommendations

- Establish a Stable Court Funding System
- State Must Provide All Court Technology Needs
- Establish Uniform Assessments and Centralized Collections
- Move Toward a Uniform Collection System
- Establish a Transition Plan for the New Court Funding Model

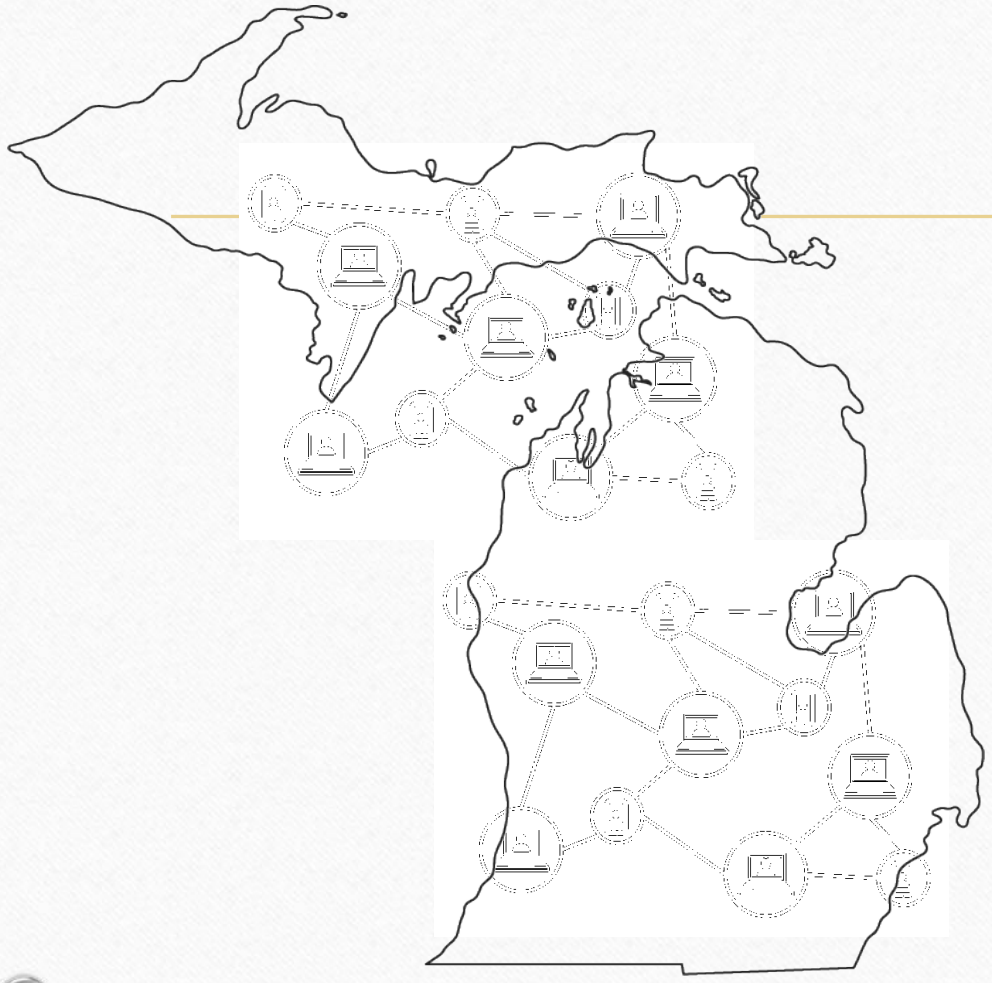
Key Initiatives

- Problem-Solving Courts
- Statewide Case Management
- Judicial Resources Recommendations

What is SCAO's role in PSCs?

- Manage grant process
- Providing training and conducting certifications
- Providing best practices
- Monitoring performance
- Reporting to the Legislature

Statewide CMS Infrastructure

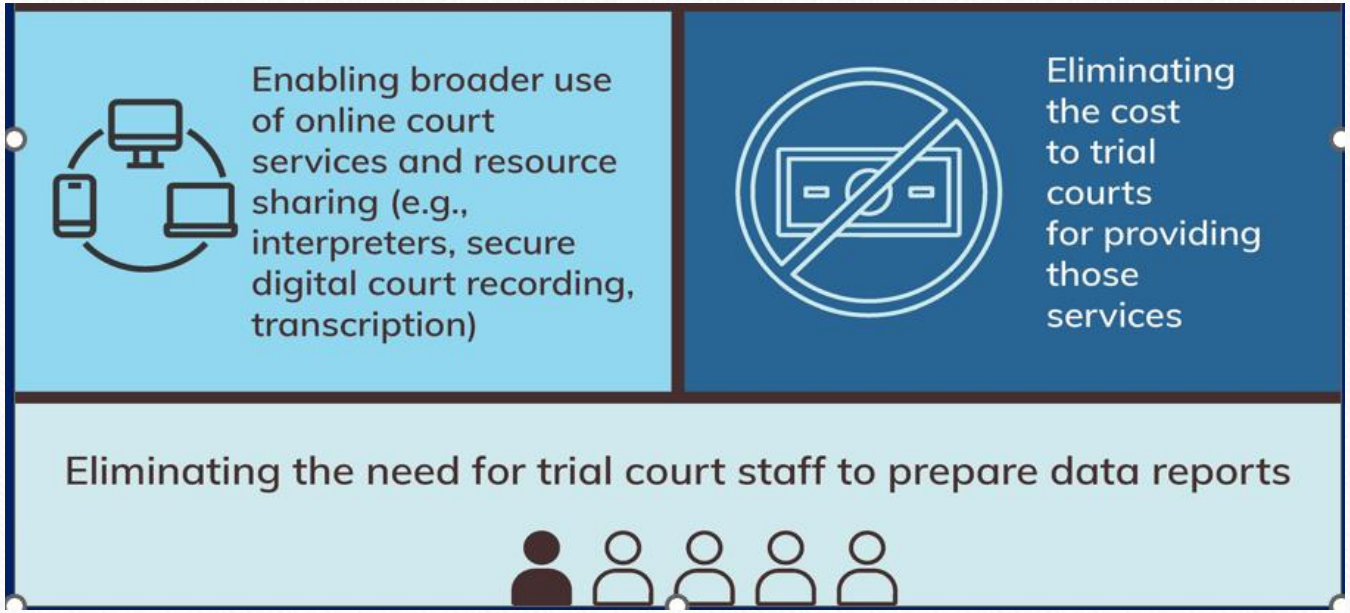


Governor and Legislature have approved $150 million to support the development and implementation of a statewide judicial Case Management System (CMS), implementing a significant recommendation of the Trial Court Funding Commission.

A single, state-funded CMS will reduce local court costs, improve data management, bring greater efficiency in court operations, and facilitate rollout of e-filing.

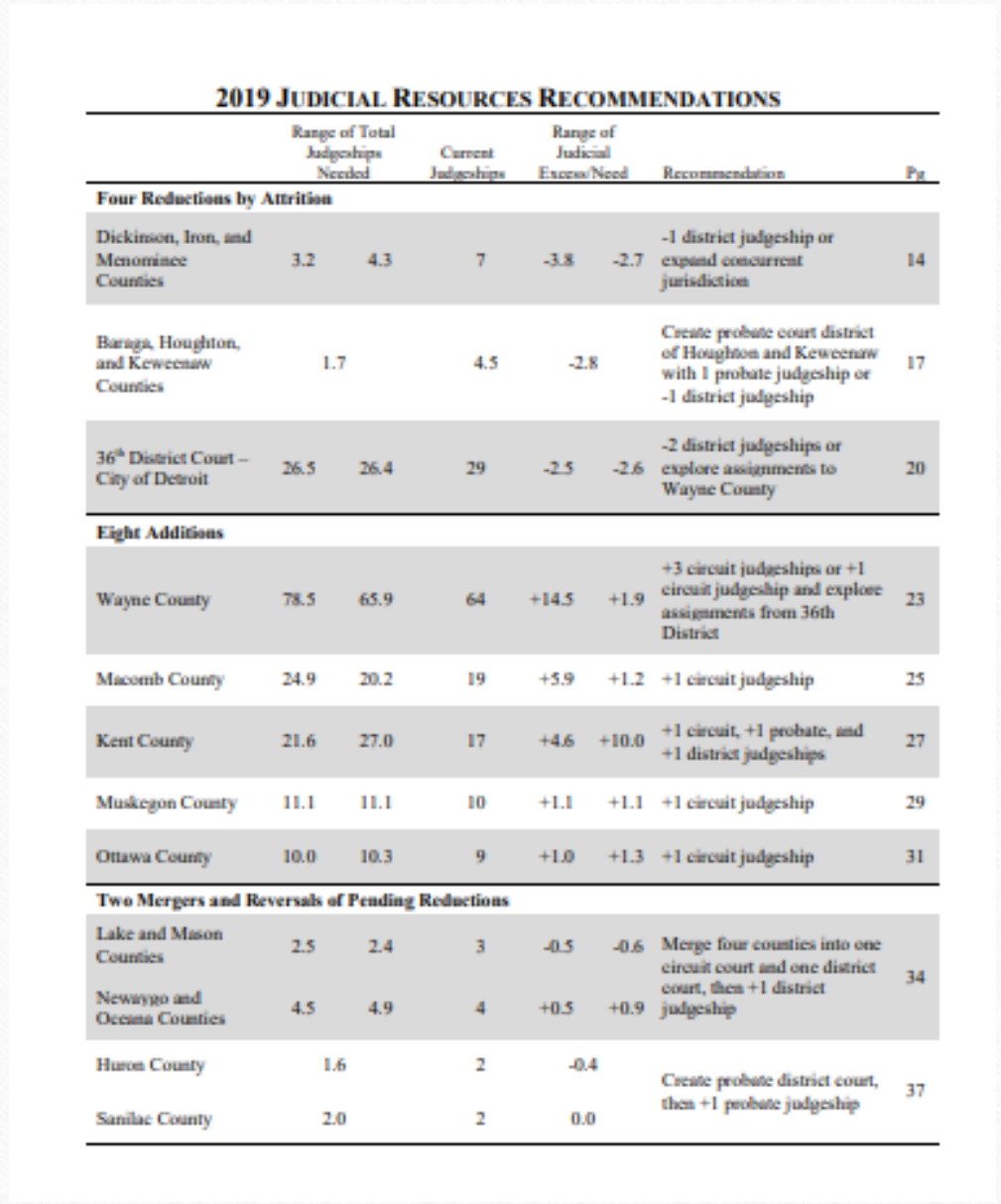
Better Data Management is Critically Important to Policy-Making

- Pretrial Innovation
- Access to Civil Justice
- Juvenile Justice Reform
- Diversity Equity & Inclusion



Judicial Resources Recommendations

Periodically, the SCAO statistics diversion prepares and publishes this report which makes recommendations for changes in the number of judgeships based on the historic and project workload. Data and information in this report help the State Legislature to either increase or decrease the number of judges to achieve the most efficient balance across courts statewide.



2019 JUDICIAL RESOURCES RECOMMENDATIONS

	Range of Total Judgeships Needed		Current Judgeships	Range of Judicial Excess/Need		Recommendation	Pg
Four Reductions by Attrition							
Dickinson, Iron, and Menominee Counties	3.2	4.3	7	-3.8	-2.7	-1 district judgeship or expand concurrent jurisdiction	14
Baraga, Houghton, and Keweenaw Counties	1.7		4.5	-2.8		Create probate court district of Houghton and Keweenaw with 1 probate judgeship or -1 district judgeship	17
36th District Court – City of Detroit	26.5	26.4	29	-2.5	-2.6	-2 district judgeships or explore assignments to Wayne County	20
Eight Additions							
Wayne County	78.5	65.9	64	+14.5	+1.9	+3 circuit judgeships or +1 circuit judgeship and explore assignments from 36th District	23
Macomb County	24.9	20.2	19	+5.9	+1.2	+1 circuit judgeship	25
Kent County	21.6	27.0	17	+4.6	+10.0	+1 circuit, +1 probate, and +1 district judgeships	27
Muskegon County	11.1	11.1	10	+1.1	+1.1	+1 circuit judgeship	29
Ottawa County	10.0	10.3	9	+1.0	+1.3	+1 circuit judgeship	31
Two Mergers and Reversals of Pending Reductions							
Lake and Mason Counties	2.5	2.4	3	-0.5	-0.6	Merge four counties into one circuit court and one district court, then +1 district judgeship	34
Newaygo and Oceana Counties	4.5	4.9	4	+0.5	+0.9		
Huron County	1.6		2	-0.4		Create probate district court, then +1 probate judgeship	37
Sanilac County	2.0		2	0.0			

ONLINE INFORMATION AND SOCIAL MEDIA

ONE COURT OF JUSTICE WEBSITE

courts.mi.gov

twitter

@misupremecourt

Find us on: facebook

facebook.com/misupremecourt

LinkedIn

linkedin.com/company/michigan-supreme-court

YouTube

youtube.com/MichiganCourts

Instagram

instagram.com/msc_1836