



CLERK

Jill M. Nowak
(231) 723-3331

CONTROLLER/ADMINISTRATOR

Lisa Sagala
(231) 398-3504

JOINT MANISTEE-BENZIE COURT COMMITTEE

Thursday, December 16, 2021
1100 a.m.

Manistee County Courthouse & Government Center
Board of Commissioners Meeting Room

MINUTES

Members Present: Jeff Dontz, Chairman, Manistee County Commissioner; Karen Goodman, Manistee County Commissioner; Gary Sauer, Benzie County Commissioner; Rhonda Nye, (on-line Beulah, MI) Benzie County Commissioner.

Members Absent: Richard Schmidt, Manistee County Commissioner

Others Present: Honorable David A. Thompson, Chief Judge; Honorable Thomas N. Brunner, Probate Judge; Lisa Sagala, Manistee County Administrator/Controller; Katie Zeits, Benzie County Administrator; Connie Krusniak, Friend of the Court; Pat Heins, Circuit Court Administrator; Cameron Clark, Director of Youth Services; Jill M. Nowak, Manistee County Clerk.

The meeting was called to Order at 11:00 a.m.

PUBLIC COMMENT

None.

THURSDAY JUNE 20, 2019, JOINT MANISTEE-BENZIE COURT

COMMITTEE MINUTES

Motion by Goodman, seconded by Sauer to approve the Joint Manistee-Benzie Court Committee

Minutes of Thursday, June 20, 2019. (Appendix A)

Motion Carried

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TREND REGARDING SECURED JUVENILE DETENTION AVAILABILITY

David Thompson, Chief Judge, discussed the trend regarding secured juvenile detention availability. With the recently enacted Raise the Age legislation that took effect October 1, 2021, this legislation placed juveniles under the age of 18 (was age 17) within the juvenile justice system. Judge Thompson wanted to make the funding unit aware of the problems that were created in that finding beds for juveniles are at a premium in the State of Michigan. There are some detention facilities outside of Michigan, but placing juveniles out of state makes it more challenging. Larger court systems returned 17 year olds to the juvenile courts where they were taken out of the jails and placed in detention beds. At best, Manistee County gets on a waiting list, and at worse we had a juvenile at the Munson Hospital Emergency Room waiting for a bed for days. This puts pressure on court staff, Judges and Manistee County as the funding unit. Concerns may be voiced within the community from Munson Hospital, the schools, Mental Health and Department of Health and Human Services. Placement is tried first with families of the juvenile, but if we have to start removing kids from the state, it will be even more challenging.

Cameron Clark, Director of Youth Services, noted this is a crisis. Juveniles can be put on tether but if they violate their tether there is no appropriate placement. The Raise the Age legislation, along with the difficulty in staffing the facility which leads to less beds available, and COVID where facilities are not taking juveniles out of their County are affecting the detention bed shortage. This is unsettling for Court Staff because they can't properly do their job to keep the community safe. Judge Thompson noted that it is not just a financial issue, there just are not a lot of solutions available.

Connie Krusniak, Friend of the Court, clarified what this is going to look like to the community. Munson has already experienced this for eight (8) days, lack of planning for a juvenile. It was determined that it was not medically necessary to admit the child. There was no place to put the juvenile (no parents, no home, no foster care, no detention) and therefore the child sat at the hospital for eight (8) days until court staff could find a place for him. Mental Health, Department of Health and Human Services and the Juvenile staff were all working on the case. Commissioners may hear from schools, Centra Wellness and the community overall. Manistee County does not use detention a lot, except for when it is needed. It is anticipated that this multifaceted problem won't go away quickly. Even building a detention center would not address the problems. There would still be staffing issues and Covid issues. Foster care is also an issue as it is hard to find foster homes. Judge Thompson noted that the State has promised to make the Counties whole for three (3) years for 17 year olds in the juvenile system. Then, the state will study what the cost has been to the counties for the 17 year olds. However, the state was not prepared for not having enough beds. Putting kids on tether, who have committed serious crimes means nothing to them. Putting a 17 year old in jail requires segregation and other services. The Court is not necessarily interested in jail as a solution. There are no

detention facilities in Northern Michigan, and which are much needed, but it would have to be a regional approach. Kids from Michigan are now getting placed in Ohio, Illinois and Wisconsin.

Mr. Clark reiterated that kids are not getting better during Covid, they are getting worse. This leads to use of illegal substances which then leads to committing crimes. The kids end up in Juvenile Court.

Judge Thompson noted that with Ms. Krusniak and Mr. Clark's leadership and the programs they have available, along with a full time Social Worker, the after school program and other services have helped. But there is an uptick in more serious offenses which requires a detention bed which we don't have. Ms. Krusniak explained the goal today is to keep you apprised of the situation because you may start hearing that kids should be in detention and they are not, or Juvenile court isn't doing anything, and kids are out of control. Ms. Krusniak had an issue recently in Benzie County needed a bed, but to no avail.

Commissioner Goodman noted the same issues in the mental health field for a few years, not enough beds for adults or children. Maybe it is time to check with the state and see if there are possible buildings, grants or programs that could be initiated. There is a Behavioral Health Specialist at Manistee Area Public Schools (MAPS), Chris Bigelow, that may be a resource for Juvenile Court.

It is hoped that this Committee will talk to their fellow Commissioners in the 12 County area to inform them of these issues and how the region could band together to address this problem. Then bring this issue to our legislators. If this issue can be brought to the attention of the Michigan Association of Counties (MAC) at the next regional meeting, that would be helpful as well.

The School Public Safety Committee is a good place to voice these concerns and be involved. The Truancy Officer was hired to help build relationships and hopefully that is a start to prevent some issues. Currently Manistee County has one (1) 17 year old that is now in Juvenile Court. Judge Thompson noted SB 683 that clarifies Raise the Age legislation regarding timelines, and seriousness of the offense.

Ms. Krusniak reported that the offenses are getting more serious in Juvenile Court. In November, the first juvenile being charged with methamphetamine was received. Commissioner Goodman noted Opioid use in Manistee County has skyrocketed. Dantz mentioned possibly using some Opioid settlement monies to help fund this problem.

Judge Thompson noted that a facility does not have to be a county operated or a regionally facility. The State shares a responsibility as well. The State could look at the big picture. These are not juvenile jails but detention facility. The goals are different in juvenile justice. There is an educational, health care, counseling and therapy components to these juvenile facilities.

Commissioner Sauer's concern is this problem is somewhat caused by the State and they hold some responsibility to cure this problem. Jail expansion, training, personnel is another issue, not an easy fix. Mr. Sauer likes the thought of pushing the state. Judge Thompson notes that

Michigan is one of the last states to recognize that 17 year olds should be in the Juvenile Justice System. Other states have opened up facilities in their states in Indiana, Ohio and Pennsylvania to deal with this issue.

Mr. Clark offered to discuss this issue further if anyone has more questions.

Commissioner Goodman noted that MDHHS has just posted some grants, she will check into them.

OTHER ITEMS FROM COMMITTEE MEMBERS, JUDGES AND STAFF

None.

The meeting was adjourned at the Call of the Chair at 11:39 a.m.

MANISTEE COUNTY

BENZIE COUNTY

Karen Goodman
Manistee County Commissioner

Gary Sauer
Benzie County Commissioner

Jeff Dontz
Manistee County Commissioner

Rhonda Nye
Benzie County Commissioner

Richard Schmidt
Manistee County Commissioner



Manistee County Board of Commissioners

Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

CHAIRPERSON
Jeffrey Dontz
VICE-CHAIRPERSON
Karen Goodman

Margaret Batzer
Mark Bergstrom
Pauline Jaquish
Gene Lagerquist
Richard Schmidt

CLERK

Jill Nowak
(231) 723-3331

CONTROLLER/ADMINISTRATOR

David A. Kieft, Jr.
(231) 398-3504

JOINT MANISTEE-BENZIE COURT COMMITTEE

Thursday, June 20, 2019
3:00 p.m.

Manistee County Courthouse & Government Center
Board of Commissioners Meeting Room

MINUTES

Members Present: Jeff Dontz, Chairman, Manistee County Commissioner; Richard Schmidt, Manistee County Commissioner; Karen Goodman, Manistee County Commissioner; Gary Sauer, Benzie County Commissioner; Rhonda Nye, Benzie County Commissioner.

Members Absent: None.

Others Present: Honorable David A. Thompson, Chief Judge; Dave Kieft Jr., Manistee County Administrator/Controller; Connie Krusniak, Friend of the Court; Pat Heins, Circuit Court Administrator; Jared Henry, Chief Public Defender; Lisa Sagala, Human Resources Manager/Asst. County Administrator; Anthony Cicchelli, Public Defender; and Jill M. Nowak, Manistee County Clerk.

The meeting was called to Order at 3:00 p.m.

PUBLIC COMMENT

None.

THURSDAY MARCH 21, 2019, JOINT MANISTEE-BENZIE COURT

COMMITTEE MINUTES

Motion by Sauer, seconded by Nye to approve the Joint Manistee-Benzie Court Committee

Minutes of Thursday, March 21, 2019. (Appendix A)

Motion Carried

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POSSIBLE FUNDING TOWARDS NEGLECT/ABUSE CASES

Judge David Thompson distributed an email concerning the billing of administrative costs of attorney fees for Neglect/Abuse cases if the child(ren) are candidates for Title IV-E. This would reduce costs to the County and the cost would be reimbursed 50% with federal dollars that passes through state government.

In speaking about attorneys and N/A cases. Judge Thompson stated that both Manistee and Benzie Counties do not have enough attorneys to be appointed to these types of cases. Some N/A cases require 3 or 4 attorneys to each case (represent Mother, Father, Guardian at Litem (GAL) and most of the time there is more than one Father to these types of cases.) Judge Thompson encourages the County, as a funding unit, to look into having one (1) attorney from the Public Defender's Office be devoted towards N/A cases.

Judge Thompson briefly mentioned the Trial Court Funding Commission. Where initially Judges and Court Administrators would become state employees. Judge Thompson commented he wasn't sure if it was a good or a bad thing. Commissioner Schmidt will learn more on this subject at his meeting in Lansing this week.

WAGES FOR COURT EMPLOYEES

Anticipated wage increases in Manistee County are approximately 2% +/- . It was noted that healthcare costs have decreased for Manistee County and healthcare premium costs will stay at 9%, which if the healthcare costs have decreased, the 9% of that cost will be less. Judge Thompson would like to see employees who started at a higher step when hired because of their skill set, that they do not stay in that step until their years of service equal that step. It is holding them back for starting at a higher step. He would like to see that changed. All Judges struggle with new hire placement into the pay scale. It is already difficult to find and retain qualified candidates. Ms. Sagala will look into or budget for a wage study to include condensing the wage scale. This will be placed on the next Personnel Committee Agenda.

BENZIE COUNTY SPACE NEEDS STUDY

Commissioner Gary Sauer reported that Benzie County is conducting a Space Needs Study which is almost complete. Mr. Sauer requested the Courts participation in the assessment of what is needed by the Courts. Currently, DHHS leases space in the Government Center and their contract coincides with bond costs, there is no out clause in this contract. This is being worked on but consideration has to be given to DHHS for space at this time.

OTHER ITEMS FROM COMMITTEE MEMBERS, JUDGES AND STAFF

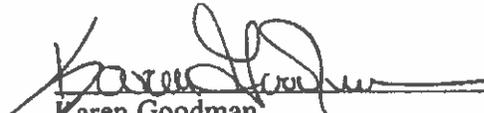
COURT SECURITY COMMITTEE

Michigan Supreme Court Administrative Order (AO) #2019-1 which establishes a Courthouse Security Committee, Local Administrative Order (LAO) #2018-01J which is in accordance with Administrative Order #2001-1 and #2019-1 (Appendix B) which addresses a Security Policy for Court Facilities were distributed to the Joint Court Committee. This Committee will convene by invitation. Jeff Dontz hopes this will tie in with the Public Safety Committee in Manistee. Mr. Sauer believes that Benzie County may have to expand their efforts regarding safety and security. Discussion as to the metal detector now being used at the main Courthouse and Government Center in Manistee followed. All people have to be screened and we need to use this as an educational tool, maybe including a press release as to why security is important. If people refuse to be screened, they could be held in Contempt of Court since there is a Local Administrative Court Order or if they become disruptive, the Prosecutor and Police could pursue Disturbing the Peace charges. Trespass charges could be pursued if the County Board passes a resolution to this effect. Hopefully, it won't come to that. Judge Thompson advises the County to consult with the Prosecutor, their legal counsel in regards to this. With the metal detector and screening, it is amazing what weapons have been stopped coming into the Courthouse and Government Center. Connie Krusniak thanked the Baliffs for security screening and all agreed there is a good team at the Courthouse. They are skilled and good with people, and they do a great job.

The meeting was adjourned at the Call of the Chair at 3:41 p.m.

MANISTEE COUNTY

BENZIE COUNTY


Karen Goodman
Manistee County Commissioner

Gary Sauer
Benzie County Commissioner


Jeff Dontz
Manistee County Commissioner

Rhonda Nye
Benzie County Commissioner


Richard Schmidt
Manistee County Commissioner

**BENZIE COUNTY
BOARD OF COMMISSIONERS**

448 COURT PLACE – BEULAH, MI 49617 – (231) 882-9671
www.benzieco.net

JOINT MANISTEE-BENZIE COURT COMMITTEE

Thursday, March 21, 2019
3:00 P.M.

Benzie County Courthouse & Government Center
Frank Walterhouse Board Room

MINUTES

Members Present: Gary Sauer and Rhonda Nye, Benzie County Commissioners
Richard Schmidt and Jeff Dontz, Manistee County Commissioners

Members Absent: Karen Goodman, Manistee County Commissioner

Others Present: Hon. John D. Mead, Benzie County Probate Judge; David Kieft, Manistee County Controller/Administrator; Mitch Deisch, Benzie County Administrator; Pat Heins, Circuit Court Administrator; Connie Krusniak, Director of Family Division Services; Clayton Kelley, Research Attorney/Referee; Cameron Clark, Director of Youth Services; Greg Huber, Bailiff; Sara Swanson, Benzie County Prosecutor; Anthony Cicchelli, Attorney; Jared Henry, Chief Public Defender and Tammy Bowers, Chief Deputy County Clerk.

The meeting was called to order at 3:03 p.m. by Gary Sauer.

Public Comment - None

Motion by Dontz, seconded by Schmidt, to approve the minutes of January 17, 2019 as presented. Motion carried. Ayes: Dontz, Nye, Sauer and Schmidt Abs: Goodman

Update on the Regional Public Defender's Office

Jared Henry, Chief Public Defender stated that his official start date was Monday, March 18, 2019. Prior to that he finished the job descriptions for 3 Associate Public Defenders, 1 Chief Assistant Public Defender and 1 Administrative support personnel. Posted for 2 Associate Public Defenders, 1 Chief Assistant Public Defender and 1 Administrative support personnel. Submitted a budget adjustment to change the remaining Associate position to another Chief Assistant Public Defender to allow a fulltime Chief Assistant Public Defender in both Manistee and Benzie Counties. Heard back from Rebecca Mack, Grant Coordinator, that was approved Tuesday. We will use quarter 1 and 2 cost savings to fund this. Conducted interviews for Chief Assistant and Associate positions and will have offers made for those positions by the next time we meet. Manistee County office has all computers and printers installed. Benzie County office is working on painting and carpet, furniture has been ordered.

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Mitch Deisch stated that carpet is installed, painting will be completed next week, furniture ordered and will be here the first week of April. Security on the doors are in place, treatment on glass is completed.

Jared Henry stated there are questions regarding case management software and have scheduled 3 case management software companies in two weeks, with Gordon. We decided to go web base, so the attorneys will be able to have access from their laptop, when meeting with clients. Working with Graycon for a website.

Jeff Dontz ask if the courts have their own website access or page.

David Kieft stated that he met with the website advisory committee this morning. Manistee will have one website with pages for the courts, public defender's office and other departments.

Mitch Deisch stated Benzie will have one website with pages allocated for the indigent defense.

Jared Henry stated he is working with legal research companies with Mr. Kelley helping him.

Legal books have been ordered. Proposed passage of standards 5 and 8 should be pass within the next 3 months. Commission reconvenes on April 16, 2019. Counties do not have to satisfy these standards until 2021. Working on budget for 2020, it is due in April. Plan on having the offices up and running by mid-May. Currently there is only 1 support personnel for both counties, but I will put in the budget for 2.

Discussion regarding cost of administration of Public Defender contract

David Kieft stated that Manistee is handling the payroll and accounts payable for both counties. Checking to see if we can charge an administrative fee in the contract.

Jared Henry stated that he heard back for Rebecca Mack and she stated that the administrative fee can be included in the budget.

Discussion regarding raise the age legislation and potential impact on Juvenile Court

Cameron Clark discussed his concerns regarding the age legislation that has being proposed. Michigan in one of 5 states that treat 17 years old in the adult system. This year it is a legislative priority and they have had two weeks of hearings in the Senate. There is a packet of 15 bills that are being pushed hard. There are two big issues that need to be ironed out. First is how are we going to pay for it. When you add 17 years old to the caseload it changes dramatically. The State is trying to figure out how to fund this. Second issue is implementation. In the 2019/2020 budget they may send us money for planning. Then in the 2020/2021 budget we may see the 17-year old on our juvenile dockets. It looks like this is going to happen. Concern is we currently have 15 and 16-year-old high risk child that we may be extending supervision and programs for another 12 months.

Sara Swanson, Benzie County Prosecutor, stated that there are very few 17-year old's that we charge in the adult court. We try to do programs that defer prosecution.

Other Items from Committee Members, Judges and Staff: -

Mitch Deisch stated we have two key projects we are working that impact the Joint Court and MIDC. Finals draft of the financial review has been approved and space need study.

All items on the agenda having been handled, the meeting is adjourned at 3:33 p.m.

**Joint Court Meeting
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MANISTEE COUNTY

**_____
Jeff Dontz, Commissioner**

**_____
Richard Schmidt, Commissioner**

**_____
Karen Goodman, Commissioner**

BENZIE COUNTY

**_____
Gary Sauer, Commissioner**

**_____
Rhonda Nye, Commissioner**

State Court Administrative Office
Model Local Administrative Order 47 - Establishment of a Courthouse Security Committee

[LOCAL COURT LETTERHEAD]

Administrative Order [Year] - [Number]

ESTABLISHMENT OF A COURTHOUSE SECURITY COMMITTEE

This administrative order is issued in accordance with Michigan Supreme Court Administrative Order No. 2019-1. The purpose of this order is to establish a courthouse security committee.

IT IS ORDERED:

1. At the direction of the chief judge *(If a court location has more than one chief judge, the chief judges must decide which one of them shall take the lead. If the chief judges are unable to determine a lead chief judge, the SCAO regional administrator shall select one. If there is more than one county in the jurisdiction, each county must have a security committee. If there is a multi-county chief judge, they can appoint a lead judge in each county to form the committee.)*, a courthouse security committee is established effective [date of establishment]. The chairperson of the committee is *(either chief judge or his/her designee; if the chair is not the chief judge, identify the position of the person designated, for example, "court administrator.")*.

2. The security committee shall:

- Develop and promote security policies and procedures regarding court security and emergency management.
- Establish goals and objectives specific to improving physical security, emergency preparedness, and employee training.
- Review all courthouse security incidents and take appropriate corrective measures to mitigate and/or eliminate any security vulnerabilities to prevent future reoccurrences.

3. The chairperson of the committee shall:

- Facilitate communication, coordination, and decision-making among members (e.g., facility stakeholders) on policies and procedures affecting court security and emergency management.
- Seek member advice and input on goals, objectives, priorities, and issues involving court security and emergency management.

- Work in consultation with local law enforcement and emergency management professionals. The SCAO regional administrator will be kept apprised of meeting times and locations and be consulted as necessary.
- Submit a report to the SCAO regional administrator by March 31, 2020, and an updated report by March 31 of every year thereafter concerning the actions taken by the committee under subsection 2. The report shall list the members of the committee. *(The court shall invite representatives of the funding unit, county sheriff and/or local law enforcement, clerk of the court, and other entities/stakeholders in the court facility. If there are multiple court locations, identify each and the members of the committee from each location).* It should also describe the court's current security policies and procedures, describe the goals and objectives established by the committee to improve courthouse security, and include a summary of any courthouse security incidents occurring during the reporting period and related corrective measures taken by the court.

4. The security committee shall meet [provide intervals of meetings, but no less than four times per calendar year].

Date: _____

Chief Circuit Judge

Date: _____

Chief Probate Judge

Date: _____

Chief District Judge

Date: _____

Multi-Court Chief Judge

(Strike or add lines as needed)

THE CIRCUIT COURT

B-3

MANISTEE COUNTY COURTHOUSE
415 THIRD STREET
MANISTEE, MICHIGAN 49860
231-723-8864
231-723-1645 (FAX)



BENZIE COUNTY GOVERNMENT CENTER
448 COURT PLACE
BEULAH, MICHIGAN 49617
231-882-9671
1-800-315-3593
231-882-5941 (FAX)

STATE OF MICHIGAN
19TH JUDICIAL CIRCUIT
MANISTEE AND BENZIE COUNTIES

HON. DAVID A. THOMPSON
CHIEF JUDGE

19th Circuit Manistee Administrative Order 2018-01 J
19th Circuit Benzie Administrative Order 2018-01 J
Manistee County Probate (P51) Administrative Order 2018-01 J
Benzie County Probate (P10) Administrative Order 2018-01 J
85th District Court (D85) Manistee Administrative Order 2018-01 J
85th District Court (D85) Benzie Administrative Order 2018-01 J

This order rescinds:

19th Circuit Court Manistee Co. Administrative Order 2001-1J
19th Circuit Court Benzie Co. Administrative Order 2001-02J
D85 2001-01J, P51 2001-01J, D85 2001-02J, P10 2001-01J

SECURITY POLICY FOR COURT FACILITIES

This administrative order is issued in accordance with Michigan Supreme Court Administrative Order No. 2001-1. The purpose of this order is to address the presence of weapons in court facilities.

IT IS ORDERED:

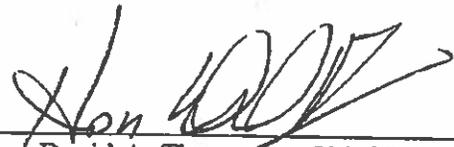
1. No weapons are allowed in the courthouse, courtroom, office, or space used for official court business or by judicial employees. This prohibition does not apply to court security personnel or to uniformed or otherwise properly identified law enforcement officers in the performance of their official duties. The chief judge may authorize additional exceptions in extraordinary circumstances.
2. All persons and their belongings (unless specifically excepted) and all parcels are subject to screening by sheriff's deputies, court officers, security personnel for the purpose of preventing weapons and other prohibited or restricted items from entering the facility.

If at any time there is an articulable and reasonable suspicion that a weapon may be found, a person or object is subject to search. The search shall be no more intrusive than necessary to protect against the dangers presented.

3. Notice shall be posted that "No weapons are permitted in this courthouse. All persons and parcels are subject to a search for weapons and other prohibited or restricted items as a condition of entry. Persons in violation of this order may be held in contempt of court."

4. Persons in violation of this order may be held in contempt of court.

Date: 4/26/18



Hon. David A. Thompson, Chief Judge

NOTICE!

No weapons are permitted in this Courthouse.

All persons and parcels are subject to a search for weapons and other prohibited or restricted items as a condition of entry. Persons in violation of this order may be held in contempt of court.

Show

B-6

AO No. 2019-1 — Establishment of Court Security Committees

[Entered March 13, 2019.]

The issue of courthouse security is of vital importance to ensure the safety of the public, litigants, and the judicial employees of this state. Therefore, it is ordered that each chief judge or, in any facility with multiple chief judges, one chief judge as designated by consensus of the chief judges, establish a standing courthouse security committee to be chaired by the chief judge or his/her designee. The members of the committee shall include representatives of the court's funding unit, local law enforcement, the Clerk of Court, and other facility stakeholders. The courthouse security committee is responsible for creating and promoting policies and procedures to improve the safety and security of the courthouse.

Each court shall submit to the State Court Administrative Office (SCAO) a local administrative order that establishes the courthouse security committee in accordance with the model local administrative order developed by the SCAO. Courts with multiple chief judges in one location and courts that have multiple locations must follow the instructions provided by the SCAO for establishing the standing courthouse security committee. In developing the security committee, courts are directed to work with local funding units and to collaborate with other entities in shared facilities, where appropriate.

Proposed local administrative orders must be submitted to the SCAO no later than September 1, 2019.