



*Antonia - Grand Traverse - Leelanau Counties*

# 2021 Annual Report

13th Circuit Court

# Welcome to the 13th Circuit Court's 2021 Annual Report!

As the Covid-19 pandemic persisted into its second year, the 13th Circuit Court adapted to a "new normal" by implementing additional digital technology and safety policies for trial court operations. These operational changes allowed the Court to mitigate health risks to parties, jurors, attorneys and staff, while still adhering to the standards and time guidelines set forth by the State Court Administrative Office. The Court was able to maintain in-person jury trials and re-opened to the public in June 2021. Staff in most offices continued to work a hybrid schedule, dividing their time between remote offices and the Courthouses. The Court acknowledges the efforts of the judges, administrators, jurors and judicial partners who have been flexible while navigating the challenges the past two years.

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*-Hon. Kevin A. Elsenheimer*  
13th Circuit Court Chief Judge



# CIVIL CASELOAD

Circuit Court cases are separated into the following categories: Appellate, Civil, Domestic Relations, Adult Personal Protection, Proceedings Under the Juvenile Code, Proceedings Under the Adoption Code, Miscellaneous Family/Ancillary. The Appellate category includes Criminal Appeals, Civil Appeals, Agency Appeals (Administrative Agency, Employment Security Commission, Secretary of State, and Parole Board decisions), and Other Appeals (habeas corpus, superintending control and writs). The Civil category includes General Civil (business claims, condemnation, employment discrimination, environments, forfeiture claims, housing & real estate, contracts, labor relations, antitrust/franchising/trade regulations, corporate receivership and general civil), Auto Negligence (property damage, no-fault insurance and personal injury), Other Civil Damage (medical malpractice, other professional malpractice, other personal injury, products liability, dramshop act and other damage suits), and Other Civil (proceedings to restore/establish/correct records, claim & delivery, receivers in supplemental proceedings, supplemental proceedings and miscellaneous proceedings). The Domestic Relations category includes Divorce with Minor Children, Divorce Without Children, Paternity, UIFSA (assist with discovery and establishment), Support, and Other Domestic (custody and other domestic relations matters). The Adult Personal Protection category includes Domestic Relations and Non-Domestic Relations. The Juvenile Code category include Designated Juvenile Offenses, Delinquency Proceedings, Traffic and Local Ordinance, Child Protective Proceedings and Juvenile Personal Protection Actions. The Adoption Code category includes Petitions for Adoptions (adult, agency international, direct placement, relative, safe delivery of newborn, non-relative guardian, step-parent and other). The Miscellaneous Family/Ancillary category includes emancipation of a minor, infectious disease, safe delivery of newborn child, name change, young adult voluntary foster care, violation proceedings on out-of-county personal protection orders, adult conservatorship, minor conservatorship, developmental disability guardianship, adult guardianship, limited guardianship of adult, minor guardianship, limited guardianship of minor, protective orders, judicial admission and mental commitment.

Antrim County Courthouse  
203 E. Cayuga St.  
Bellaire, MI 49615



Grand Traverse County Courthouse  
328 Washington St.  
Traverse City, MI 49684



Leelanau County Courthouse  
8527 E. Government Center Dr.  
Suttons Bay, MI 49684

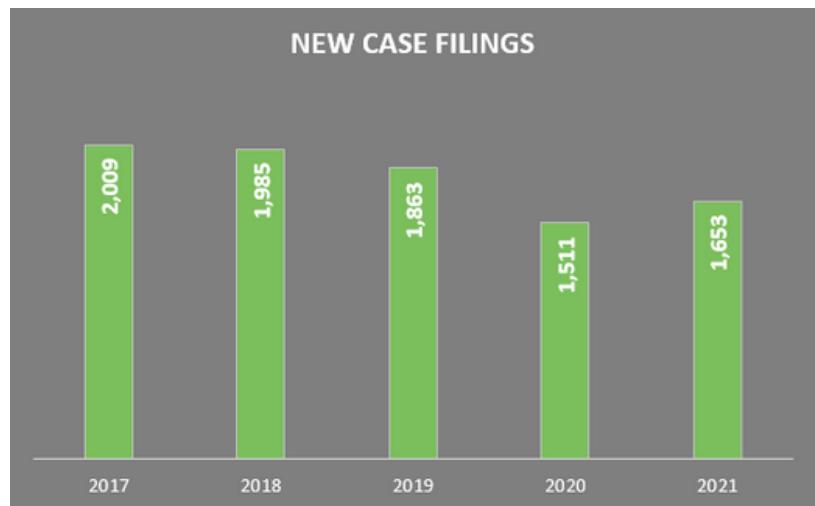


# CASE MANAGEMENT

The Thirteenth Judicial Circuit Court serves Antrim, Grand Traverse, and Leelanau Counties. The Circuit Court handles all civil cases with claims in excess of \$25,000, all felony criminal cases, requests for injunctive relief and domestic relations matters. Additionally, the Judges hear cases appealed from other trial courts or from administrative agencies. The Circuit Court judges preside over matters in Antrim, Grand Traverse, and Leelanau Counties. In 2021, Judge Elsenheimer served as the Thirteenth Circuit Court's Chief Judge. The Family Divisions of the Thirteenth Circuit Court handle all juvenile criminal cases, child abuse and neglect cases, guardianships of juveniles and adoption proceedings. The Probate Judge for each County is also the presiding Judge of the Family Division in the county where he or she was elected. In 2021, Judge Elsenheimer served as the Chief Probate Judge for Antrim, Grand Traverse, and Leelanau counties. The Circuit Court follows the mandated timelines schedule as delineated in the Michigan Court Rules and Administrative Orders to efficiently manage and dispose of its cases. Once a new case has been opened, the Court issues a Scheduling Order providing time guidelines for the processing of the case and establishing dates when future actions should begin or be completed with regard to the case. The primary goal of the Court Administrator's staff is to ensure that cases are kept current and the docket remains up to-date

# CIVIL: NEW FILINGS, TOTAL CASELOAD & DISPOSITIONS

In 2021, the number of **newly filed** civil cases in the Thirteenth Circuit Court was 1,653. This is an increase from the number of new civil cases filed in the previous year.

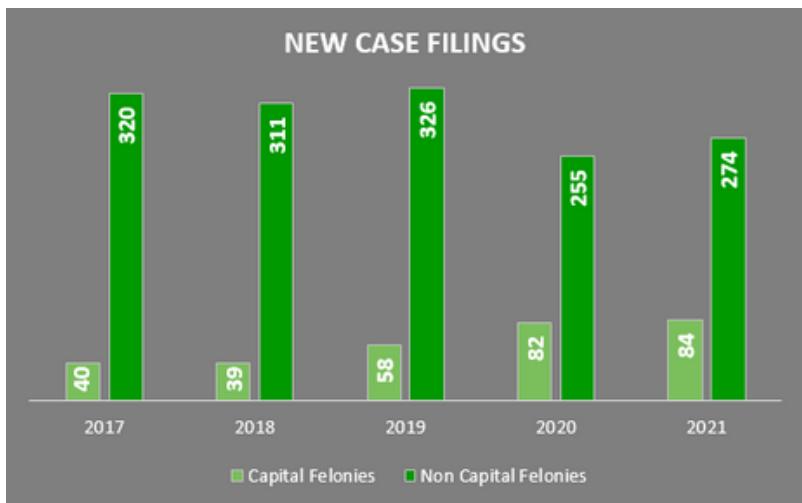


The Thirteenth Circuit Court's **total caseload** consists of cases that were still pending when the year began, cases that were re-opened and all newly filed cases. In 2021, the Thirteenth Circuit Court's total civil caseload increased.

In 2021, the court **disposed** of 2,009 civil cases. The primary method of disposition in civil cases was settlement by the parties. Other disposition methods include, but are not limited to: jury or bench trials, dismissal by the parties or the Court, entry of an order by the Court, denial either ex parte or after a hearing, withdrawal by a petitioner, transfer, deferral, or case type change.

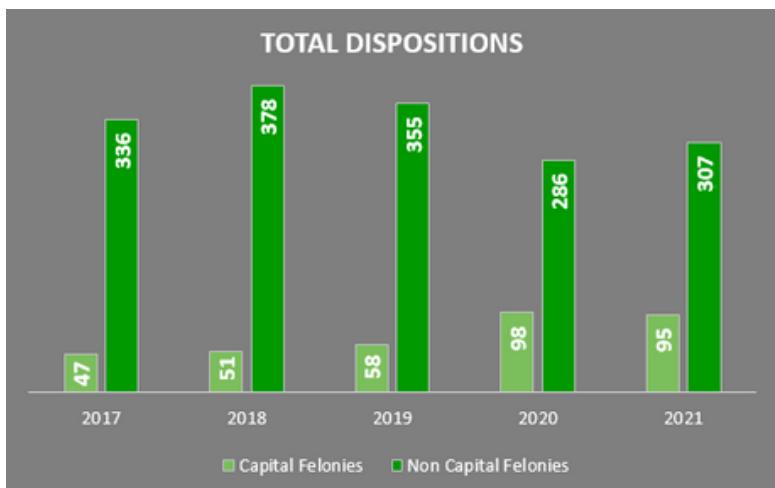
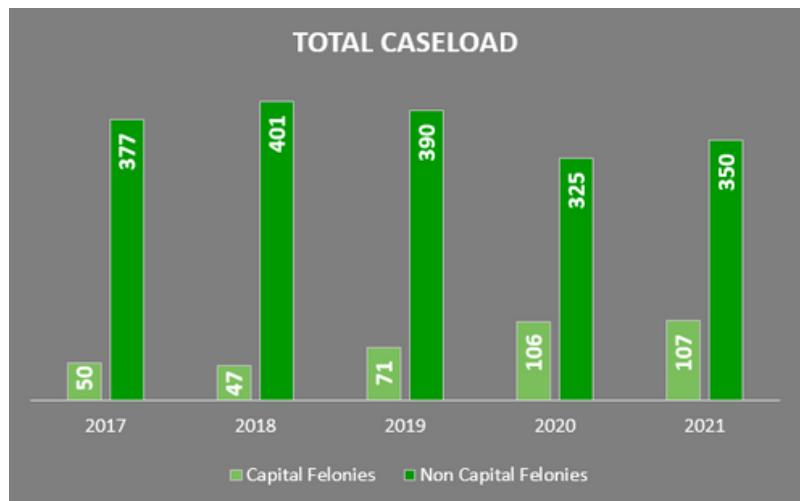


# CRIMINAL: NEW FILINGS, CASELOAD & DISPOSITIONS



In 2021, both the number of **newly filed** capital felony cases (in which the max sentence is life in prison) and the number of non-capital felony cases increased in the Thirteenth Circuit Court.

The Circuit Court's **total caseload** consists of cases that were still pending when the year began, cases that were re-opened, and all newly filed cases. In 2021, both the Thirteenth Circuit Court's total criminal caseload for capital felonies and the total criminal caseload for non-capital felonies increased.

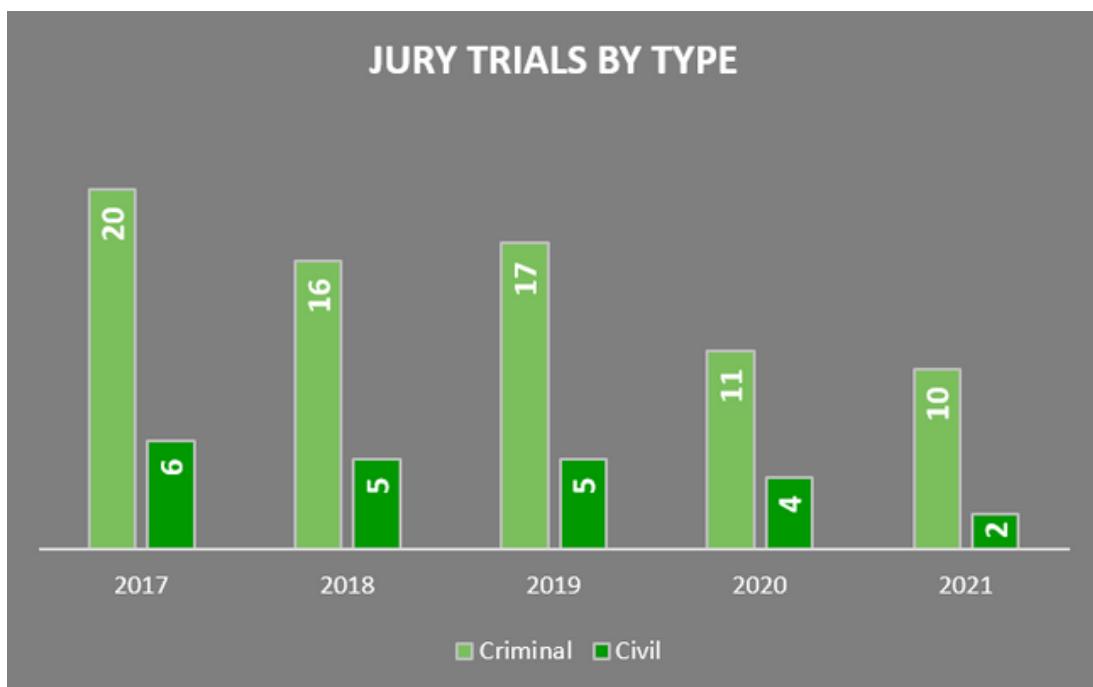
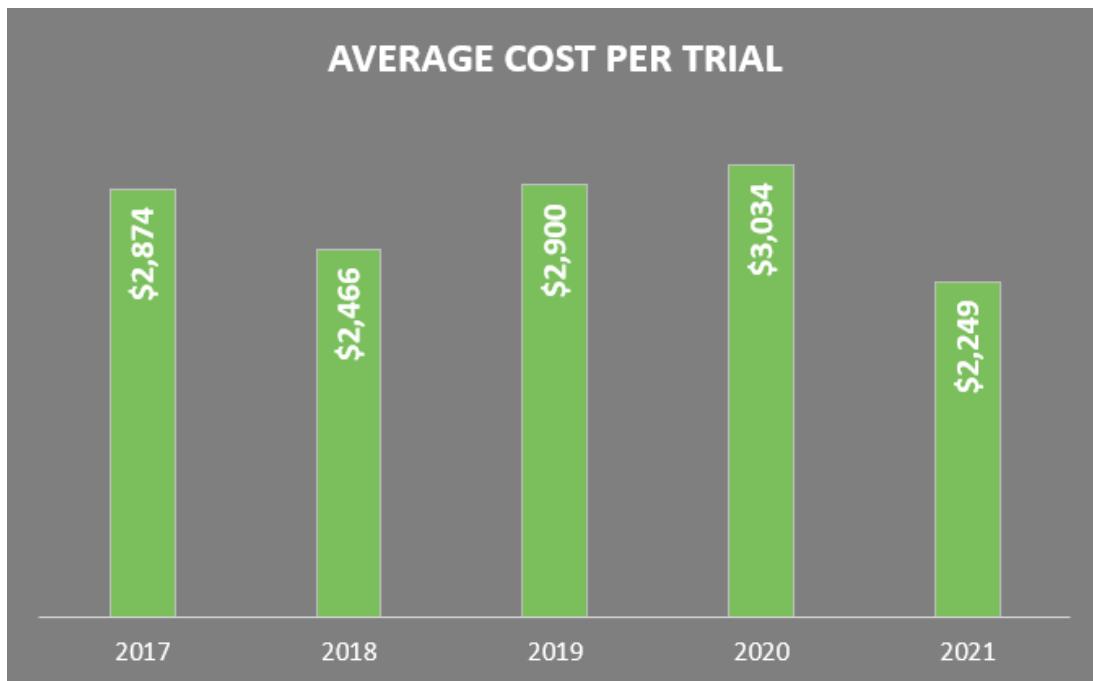


In 2021, the Court **disposed** of 402 criminal cases. Guilty pleas resulted in the greatest number of dispositions, with the Court receiving 35 guilty pleas in Antrim County, 214 in Grand Traverse County and 14 in Leelanau County.

# JURY TRIALS

In 2021, the Thirteenth Circuit Court conducted a total of 12 jury trials.

In order to limit public health risk and establish parameters for conducting in-person jury trials during a pandemic, the Court issued local Administrative Order 2020-09. These parameters incorporated safety protocols such as health screening all participants, remote participation of attorneys and witnesses when possible, social distancing, contract tracing and enhanced sanitization and disinfection of facilities. Furthermore, jury selection was conducted at off-site locations that could accommodate the necessary social distancing guidelines.

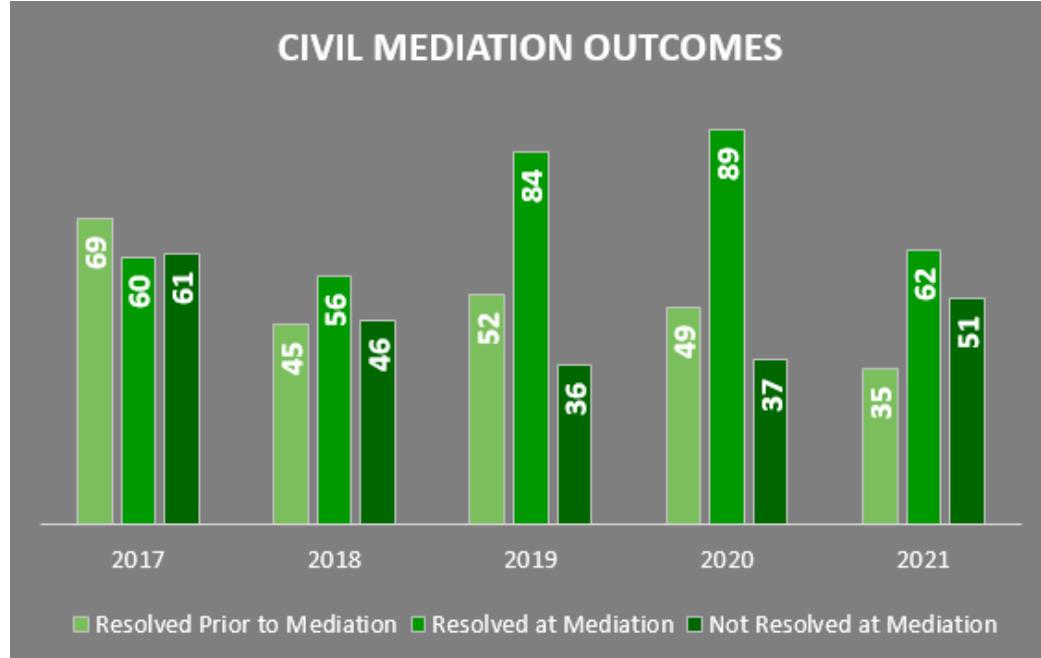
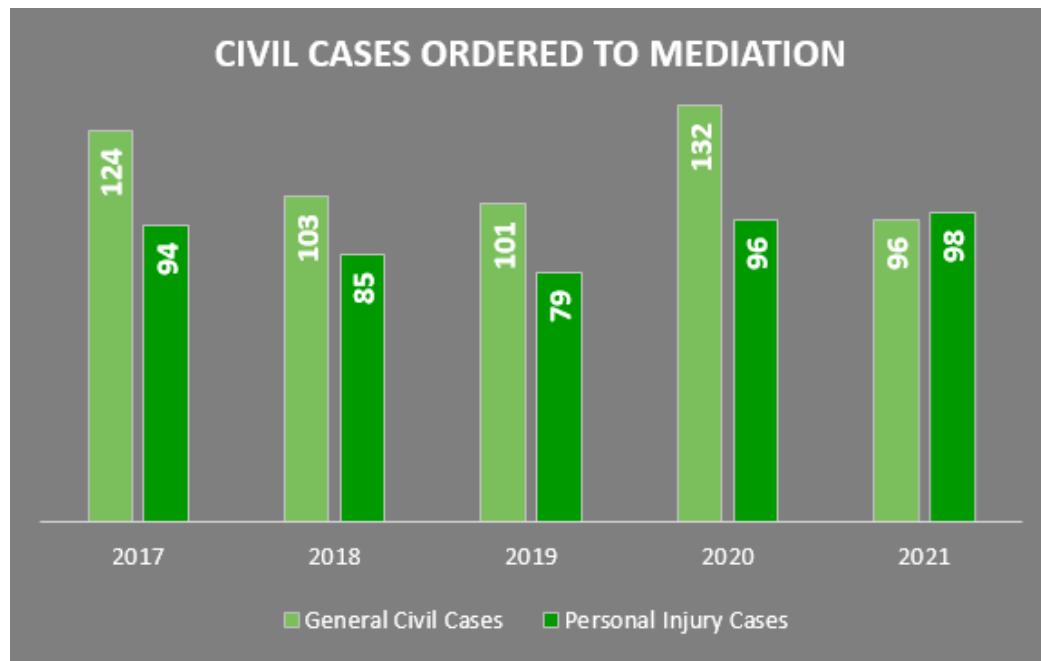


Two criminal cases resulted in mistrials and in one case the Defendant pled guilty the first day of trial.

Judge Power also served as an assigned Judge for a jury trial in Charlevoix County; the data for this case is not included in the accompanying charts.

# ALTERNATIVE DISPUTE RESOLUTION: CIVIL

Facilitative mediation is an alternative dispute resolution process in which a neutral third-party facilitates confidential communications between the parties in an attempt to help them reach a mutually agreeable resolution. In mediation, solutions are generated by the parties; whereas, in litigation, the resolution of a conflict is imposed upon the parties by the Court. In 2021, 194 total cases were ordered into mediation, with 159 cases actually mediated.



13TH CIRCUIT COURT - HON. THOMAS G. POWER

Watch  
live!



YouTube

<http://gtcmi.us/judgepower>



13TH CIRCUIT COURT - HON. KEVIN A. ELSENHEIMER

Watch  
live!

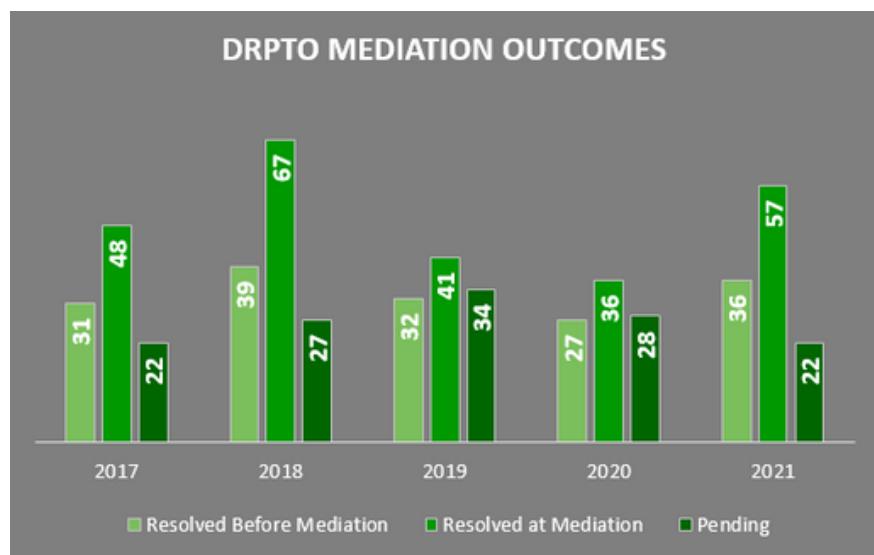
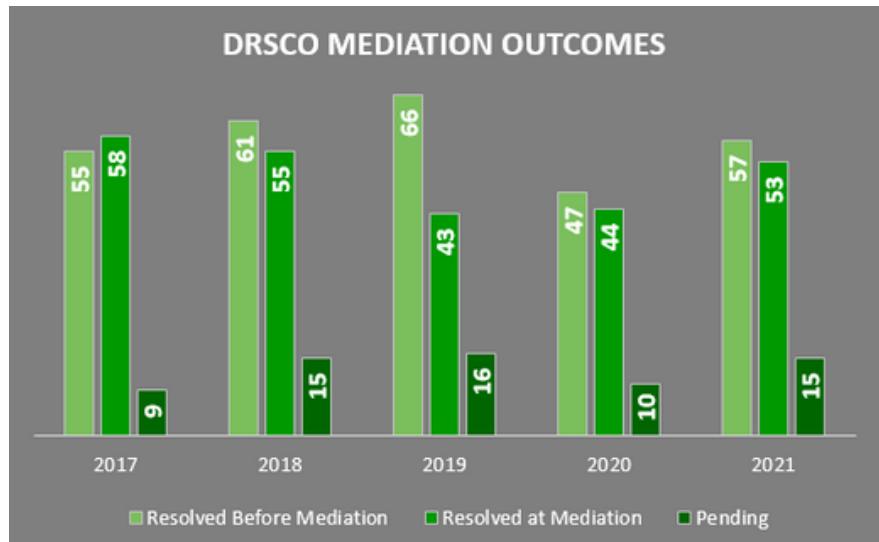


YouTube

<http://gtcmi.us/judgeelsenheimer>

# ALTERNATIVE DISPUTE RESOLUTION: DOMESTIC

In 2021, 411 cases were ordered to facilitative mediation via a Domestic Relations Scheduling Conference Order (DRSCO) or a Domestic Relations Pre-Trial Order (DRPTO). DRSCOs are generated by the Court when a divorce matter is filed, whereas DRPTOs can be generated either before or after a Judgment of Divorce has been entered when there are child related issues such as, paternity, support, custody and UIFSA registration.



### Benefits of Mediation:

- Informal
- Cost Effective
- Confidential
- Creative
- Improves Relationships
- Parties determine the outcome

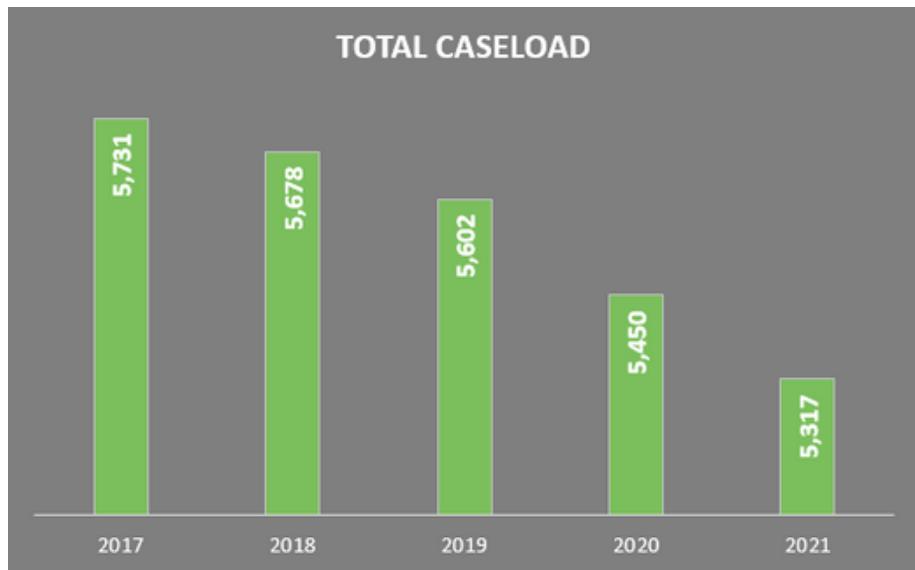
## 2021 Mediator of the year: Daniel P. O'Neil

The 13th Circuit Court approves ADR mediators based on their character, experience and training. Since 2018, the Court has issued a "Mediator of the Year" award to a renowned mediator who demonstrates honesty, integrity and impartiality in providing court-connected dispute resolution services. The recipient of the 2021 Mediator of the Year award is Daniel P. O'Neil. Dan is a founding partner in the law firm of Thompson O'Neil and has been practicing law since 1984.



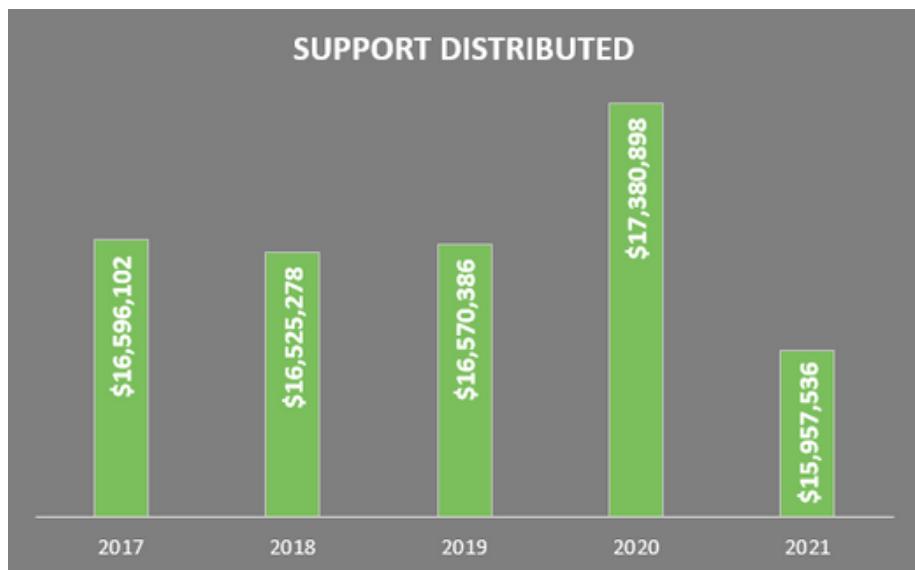
# FRIEND OF THE COURT

The Friend of the Court (FOC) assists the Circuit Court by providing enforcement of Court Orders relating to child support, health care, spousal support, parenting time/custody and investigating, evaluating and submitting recommendations to the Court on contested domestic relations matters.



In 2021, the FOC conducted a total of 627 investigations and reviews, including: 19 parenting-time investigations, 359 child support reviews, 228 other support investigations and 21 miscellaneous/other reviews. The FOC also registered 90 orders pursuant to the Uniform Interstate Family Support Act, sent 415 National Medical Support notices, issued 227 bench warrants, and generated 75 custody and parenting time notices.

The FOC's total revenue is composed of support judgment fees, custody and parenting time judgment fees, license reinstatement fees, service fees, incentive payments, returns for IV-D services, and program and non-program income. The total amount of support distributed includes child support, spousal support, extraordinary medical expenses and birthing costs.



The State Supreme Court limited the enforcement of civil orders during the covid-19 pandemic in 2021.

# FAMILY DIVISIONS

## Antrim

In 2021, 101 new Domestic Relations cases were filed with the Antrim County Family Division. The total Domestic Relations caseload consisted of 158 cases, with the Court disposing of 96 cases. The total Juvenile caseload consisted of 41 cases. There were 34 new Juvenile filings: 23 delinquency cases, three child protective cases and eight personal protection actions. Further, in 2021, there were four children associated with new child protective filings and the Court served as the temporary legal guardian for three children. The Court also finalized eight adoptions, processed 58 adult personal protection actions and disposed of 11 Miscellaneous Family actions.

## Grand Traverse

In 2021, 501 new Domestic Relations cases were filed with the Grand Traverse County Family Division. The total Domestic Relations caseload consisted of 885 cases, with the Court disposing of 686 cases. The total Juvenile code caseload consisted of 209 cases. There were 159 new Juvenile filings: 125 delinquency cases, one traffic case, 32 child protective cases and one personal protective action. The Court supervised 39 juveniles. Further, in 2021 there were 65 children associated with new child protective filings and the Court served as temporary legal guardian for 27 children. The Court also finalized 30 adoptions, processed 242 adult personal protection actions and disposed of 44 Miscellaneous Family actions.

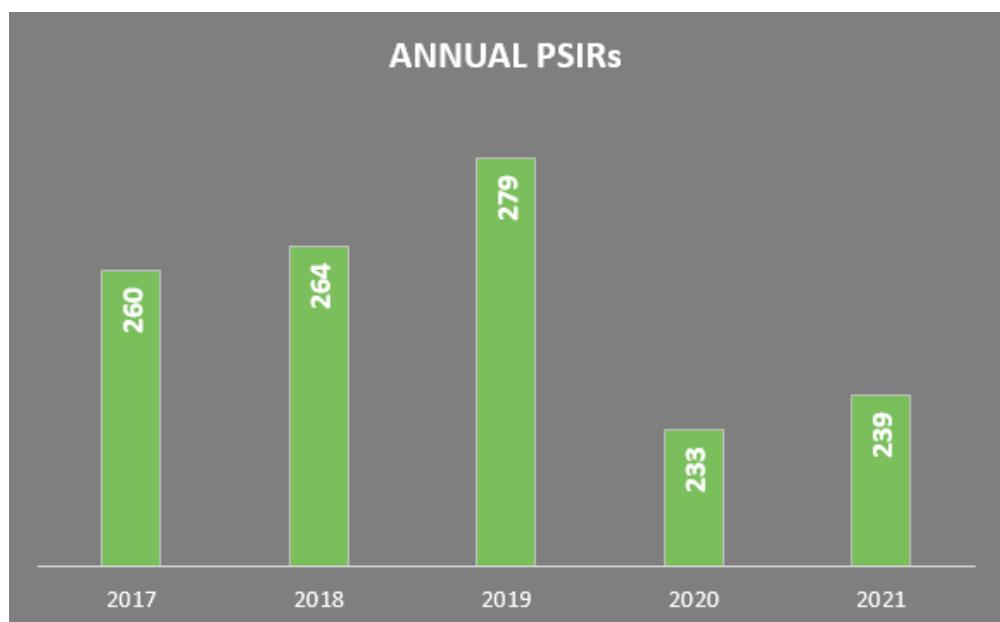
## Leelanau

In 2021, 75 new Domestic Relations cases were filed with the Leelanau County Family Division. The total Domestic Relations caseload consisted of 108 cases, with the Court disposing of 77 cases. The total Juvenile caseload consisted of 34 cases. There were 31 new juvenile filings: 27 delinquency cases and three child protective cases. Further, in 2021 there were four children associated with new child protective filings and the Court served as temporary legal guardian for three children. The Court finalized four adoptions, processed 35 adult personal protection actions and disposed of five Miscellaneous Family actions.



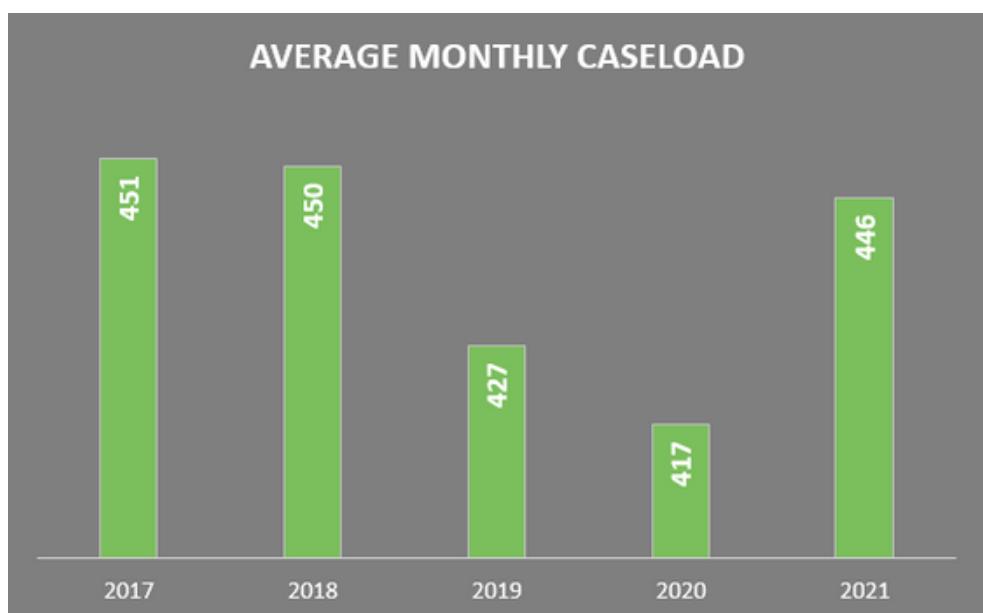
# MICHIGAN DEPARTMENT OF CORRECTIONS

As employees of the Michigan Department of Corrections (MDOC) assigned to local courts, staff supervise convicted offenders that fall within the Thirteenth Circuit Court's jurisdiction. The probation/parole staff main close working relations with court personnel, law enforcement, Community Corrections and many other area partners to assure public safety and ensure offenders are well supervised. In 2021, the MDOC was partially staffed with eight agents and two secretaries covering the tri-county court area. The MDOC averaged a caseload of 134 cases per month between the three counties in 2021, specifically 54 cases in Antrim County, 364 in Grand Traverse County and 28 in Leelanau County. In addition to supervising MDOC clients, each probation/parole agent must complete a Pre-Sentence Investigation Report (PSIR) for every Circuit Court conviction as well as supplement reports for follow up and re-sentencings. The PSIR includes the scoring from the Michigan Sentencing Guidelines and a detailed summary of the individual's history, which is then used by the Circuit Court judges as a tool to assist in determining the appropriate sentence for the crime committed and the specific offender. In 2021, 239 new PSIRs were created for the Thirteenth Circuit Court, including 35 for Antrim County, 190 for Grand Traverse County, and 14 for Leelanau County.



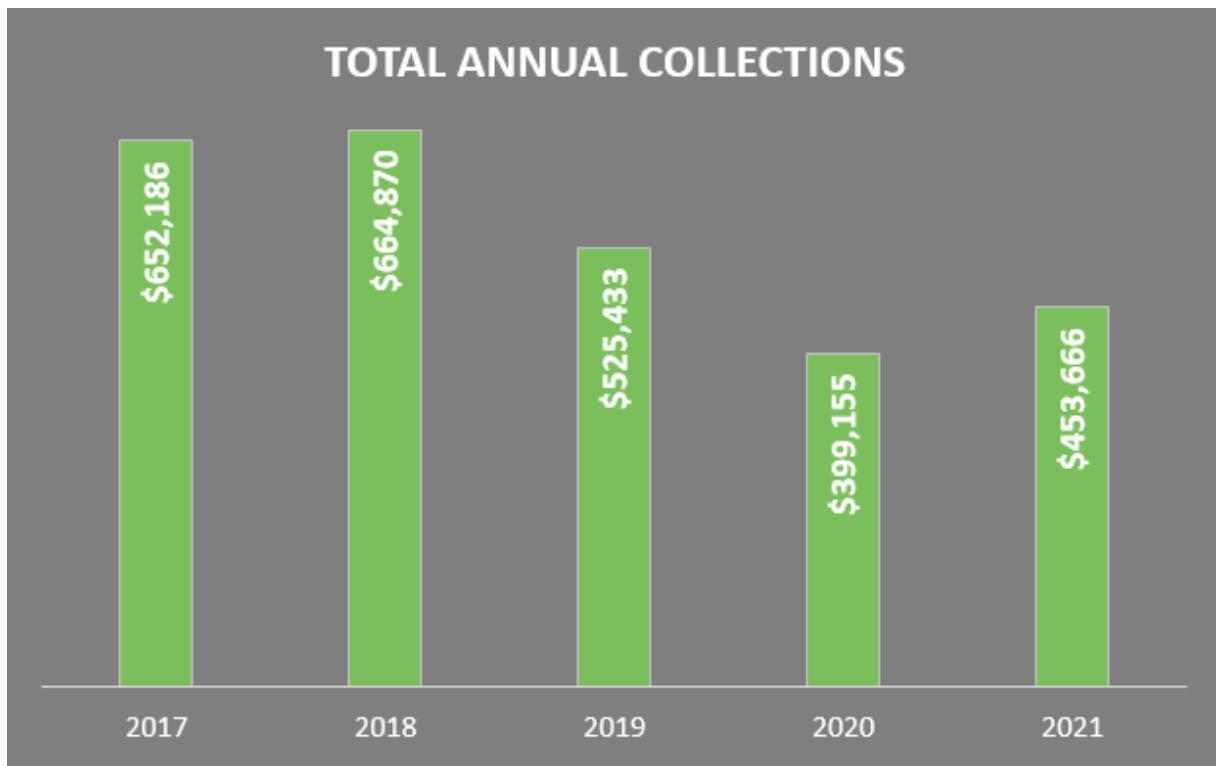
239 PSIs  
were  
created by  
MDOC  
agents in  
2021

MDOC  
averaged a  
caseload of  
446 per  
month in  
2021

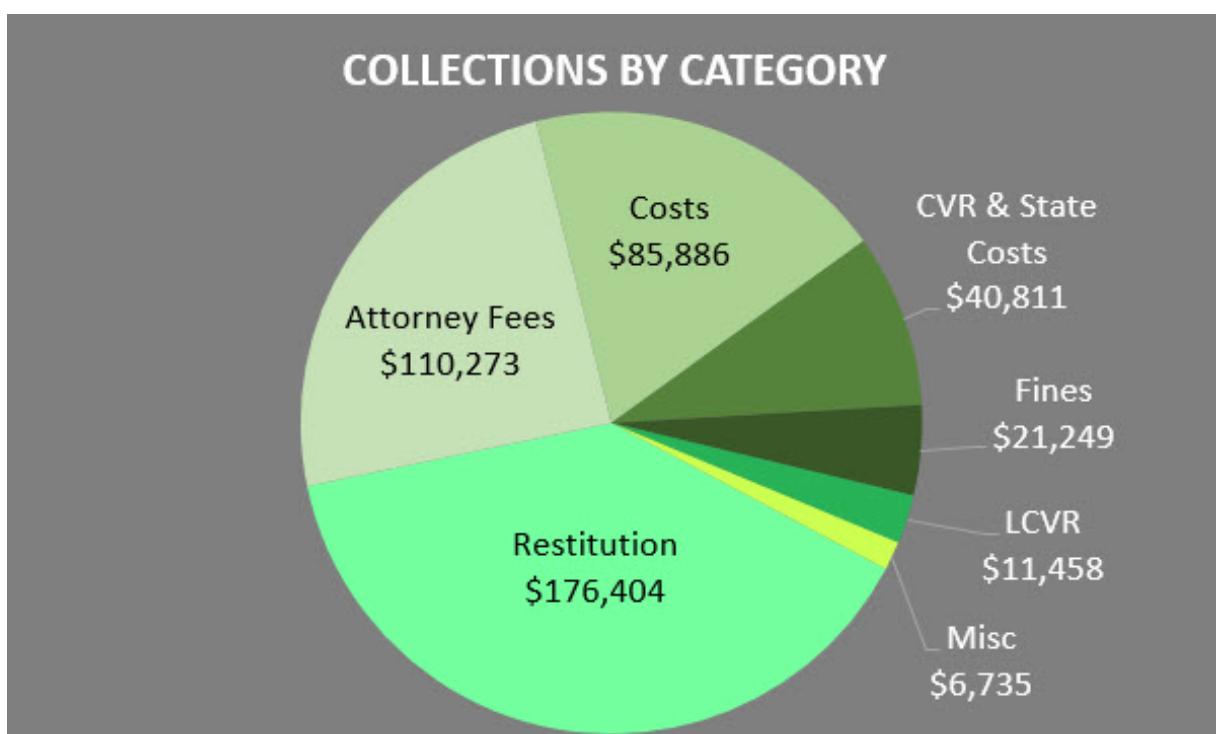


# CIRCUIT COURT FINANCES

The Court collects fines, costs, court-appointed attorneys' fees, restitution, and crime victim fund payments from convicted felons. The funds collected are used to help support the public libraries, assist in defraying the costs of providing court-appointed counsel for indigent defendants and serve as reimbursement to crime victims for losses they may have suffered.



In 2021, the 13th Circuit Court collected \$176,404.12 in criminal restitution for distribution to local victims of crime.



# HIGHLIGHTS OF THE 13TH CIRCUIT COURT

## HIGHLIGHTS

### **Christopher Bearup**

Promoted to MDOC Field Supervisor, July 12, 2021

## SERVICE ANNIVERSARIES

### **Teri Quinn**

13th Circuit Court Administrator's Office, 25 Years

### **William Hefferan**

Antrim County Family Division, 25 Years

### **Norma Sandelius**

13th Circuit Court Administrator's Office, 20 Years

### **Hon. Norman R. Hayes**

Antrim County Family Division & Probate Judge, 20 Years

### **Janet Kronk**

Grand Traverse County Family Division, 20 Years

### **Donna Rogers**

Antrim County Family Division, 10 Years

### **Laura Shumate**

Grand Traverse County Family Division, 15 Years

### **Jennifer Gurnoe**

13th Circuit Court Administrator's Office, 5 Years

### **Kristyn Brendel**

Grand Traverse County Family Division, 5 Years

### **Jennifer Weber**

Grand Traverse County Family Division, 5 Years

## RETIREMENTS

### **Hon. Melanie D. Stanton**

Grand Traverse County Family Division & Probate Judge - December 31, 2021

### **Thomas Chapman**

Michigan Department of Corrections - October 29, 2021