

# 2023 ANNUAL REPORT



13TH CIRCUIT COURT  
ANTRIM | GRAND TRAVERSE | LEELANAU

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The year 2023 brought a big change to the 13th Circuit Court with the retirement of Judge Thomas G. Power. In his thirty-year career, he shaped our Court and touched many lives along the way. When I decided to run for the position, I knew that I'd have big shoes to fill - but I don't think anything can prepare you for this work until you are actually sitting behind the bench. It has been challenging, yet more rewarding than I could have ever hoped.

I appreciate the guidance of Judge Power and Judge Elsenheimer, among many others, as they have provided sage advice. I also cherish our wonderful staff and our partner agencies that help the Court to run smoothly every day. Everyone's patience with the 'new guy' is very much appreciated.

In looking ahead, change will come again as we welcome new probate judges in both Antrim and Leelanau Counties. Judges Norman R. Hayes and Marian F. Kromkowski have each had distinguished careers and have served their communities and our Family Court well. We greatly value the service they've provided.

This year also saw the launch of the Interactive Court Data Dashboard, a project at the state level providing new levels of transparency to the judiciary. It can be accessed at the web address below:

<https://www.courts.michigan.gov/publications/statistics-and-reports/interactive-court-data-dashboard/>

Further information regarding our Court and the services offered can always be found on our website at [www.13thcircuicourt.org](http://www.13thcircuicourt.org). Comments regarding how the Court may improve its services are always welcome and we look forward to hearing from you.

*Honorable Charles M. Hamlyn*



# CASE MANAGEMENT

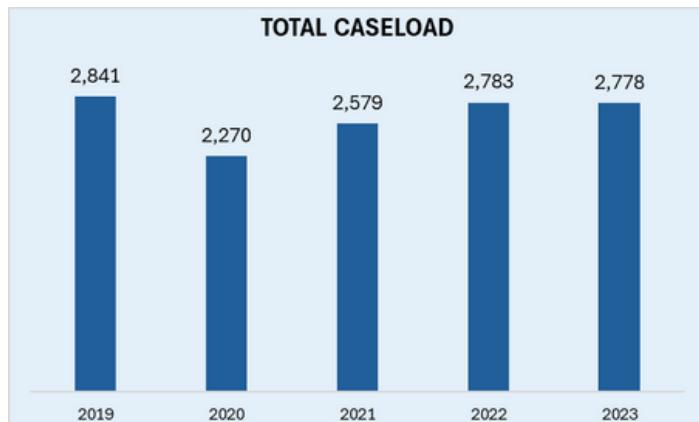
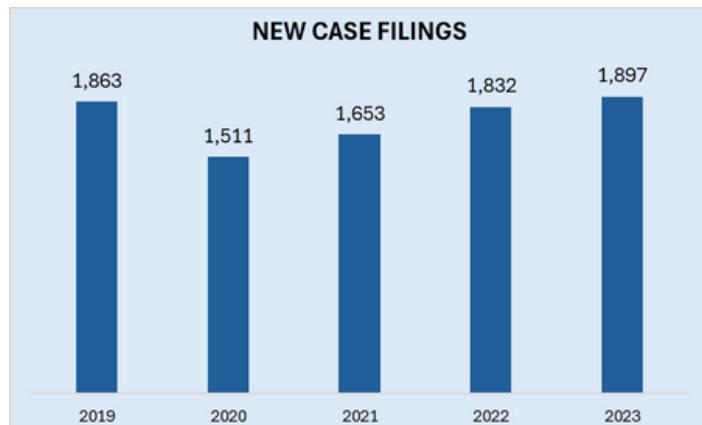
The Thirteenth Judicial Circuit Court serves Antrim, Grand Traverse, and Leelanau Counties. The Circuit Court handles all civil cases with claims in excess of \$25,000, all felony criminal cases, requests for injunctive relief and domestic relations matters. Additionally, the Judges hear cases appealed from the 86th District Court or from administrative agencies. In 2023, 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 2023, 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 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.

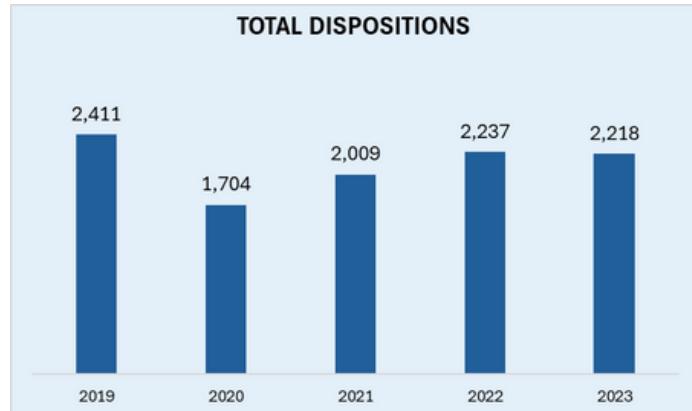
# CIVIL CASELOAD

In 2023, the number of **newly filed** civil cases in the Thirteenth Circuit Court was 1,897. This is an increase from the number of new civil cases filed in the previous year.



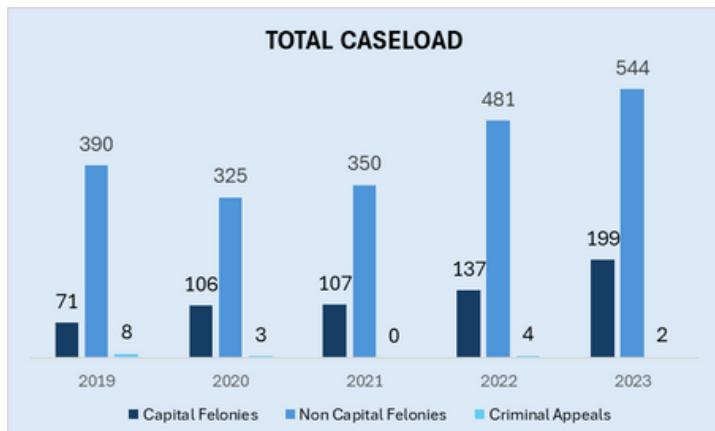
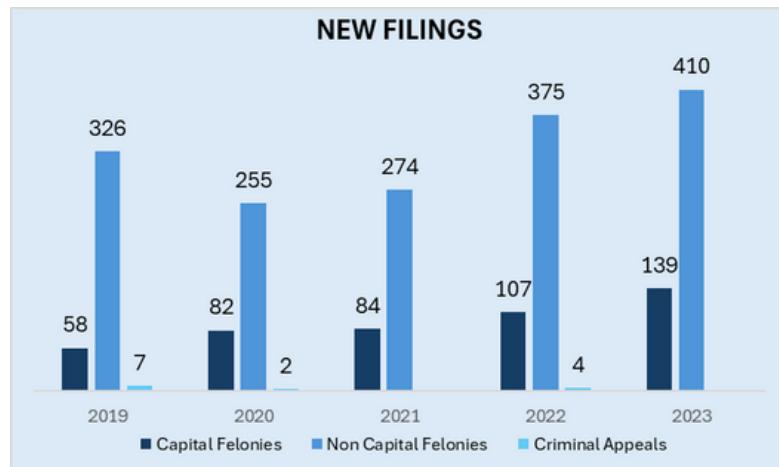
The Thirteenth Circuit Court's **total caseload** consists of cases that were still pending when the year began, cases that were re-opened and all newly filed cases. In 2023, the Thirteenth Circuit Court's total civil caseload decreased marginally.

In 2023, the Court **disposed** of 2,218 civil cases. The primary method of disposition, at 28%, was settlement by the parties. Other disposition methods included, but were not limited to: jury or bench trials, dismissal by the parties or the Court, entry of orders by the Court, denial either ex parte or after a hearing, withdrawal by a petitioner, transfer, deferral or case type change.



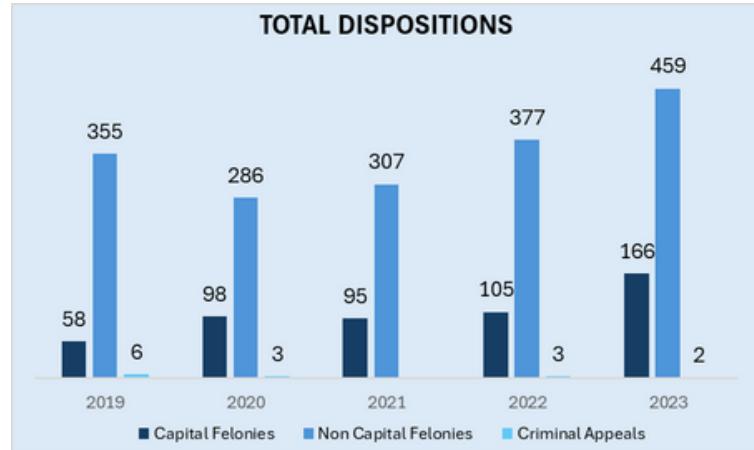
# CRIMINAL CASELOAD

In 2023, the number of **newly filed** capital felony cases (in which the maximum sentence is lifetime imprisonment), and the number of non-capital felony cases increased. The number of newly filed criminal appeals decreased.

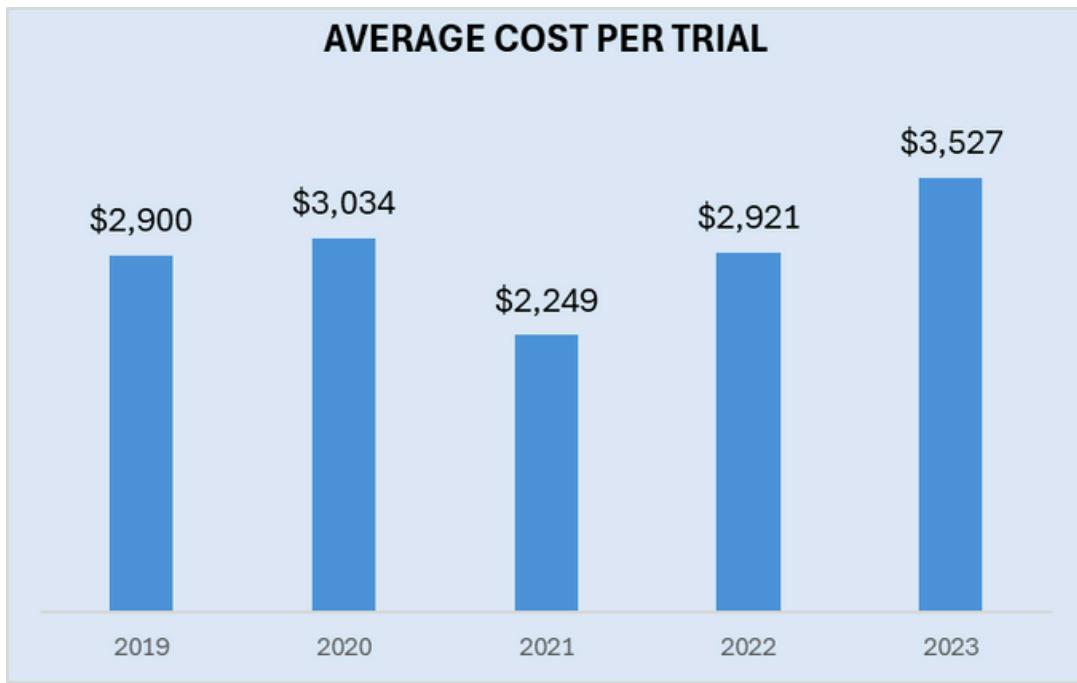


The Circuit Court's **total caseload** consists of cases that were still pending when the year began, cases that were re-opened, and all newly filed cases. In 2023, the Thirteenth Circuit Court's total criminal caseload for capital felonies and non capital felonies both increased. The total caseload for criminal appeals decreased.

In 2023, the Court **disposed** of 627 criminal cases. Guilty pleas resulted in the greatest number of dispositions, with the Court receiving 47 guilty pleas in Antrim County, 341 in Grand Traverse County and 41 in Leelanau County.



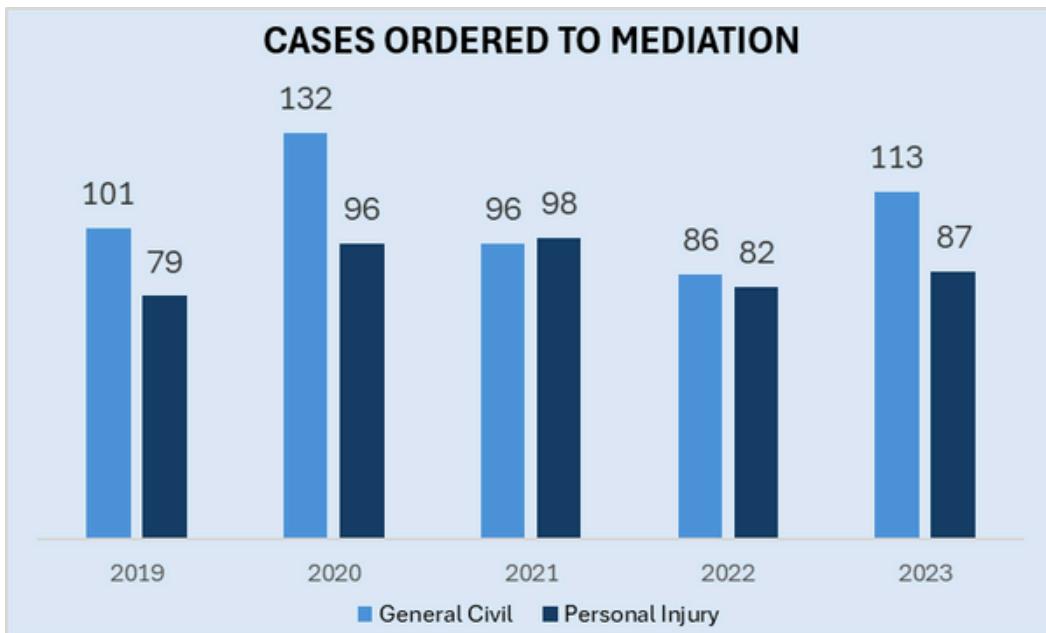
# JURY TRIALS



In 2023, the Thirteenth Circuit Court conducted a total of **23 jury trials** in all three counties.

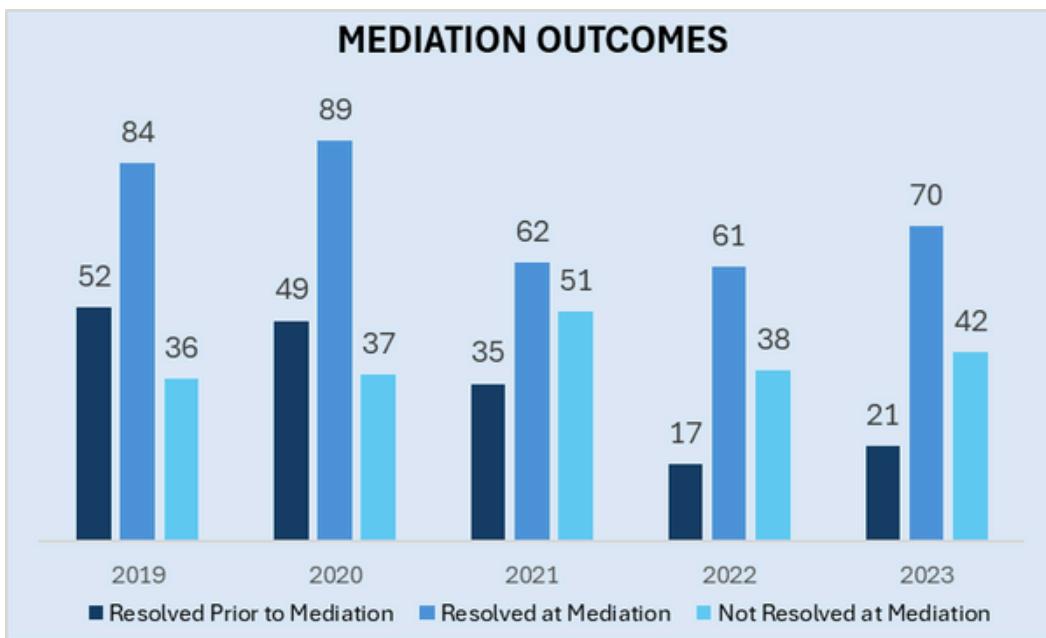
In August/September 2023, the Court conducted a 17-day jury trial in Antrim County. This was the longest trial in the history of the 13th Circuit Court. Three separate criminal cases were consolidated for trial purposes. Due to the length of the trial, additional alternate jurors and the increased security required, this trial alone cost \$37,945.51.

# ALTERNATIVE DISPUTE RESOLUTION - CIVIL



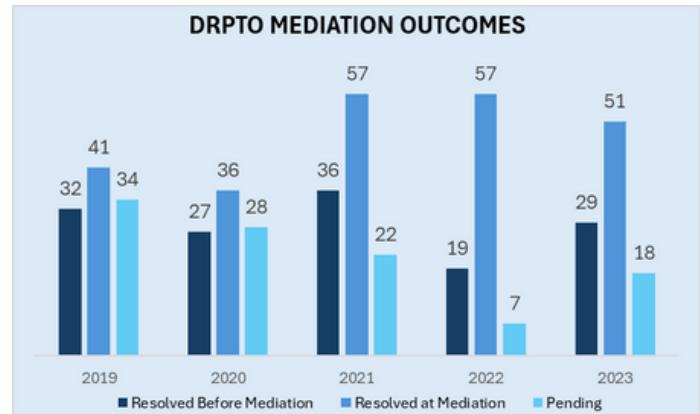
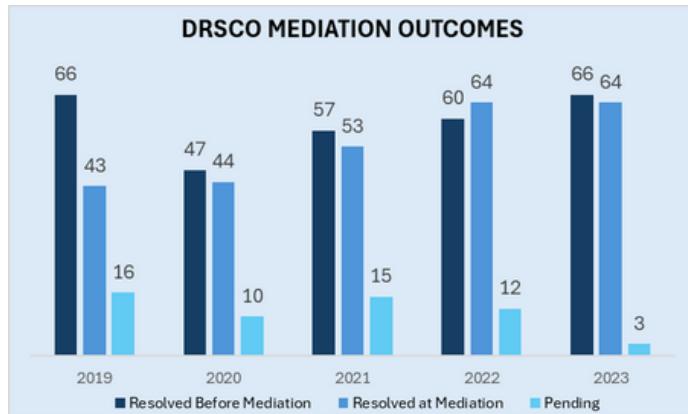
Facilitative mediation is an alternative dispute resolution process in which a neutral third-party facilitates confidential communications between the parties in an attempt to help them reach a mutually agreeable resolution. In mediation, solutions are generated by the parties; whereas, in litigation, the resolution of a conflict is imposed upon the parties by the Court. In 2023, 200 total cases were ordered into mediation, with 179 successfully mediated.

39% civil cases resolved at ADR



# ALTERNATIVE DISPUTE RESOLUTION - DOMESTIC

In 2023, 413 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.



## 2023 Mediator of the year: Steven L. Barney

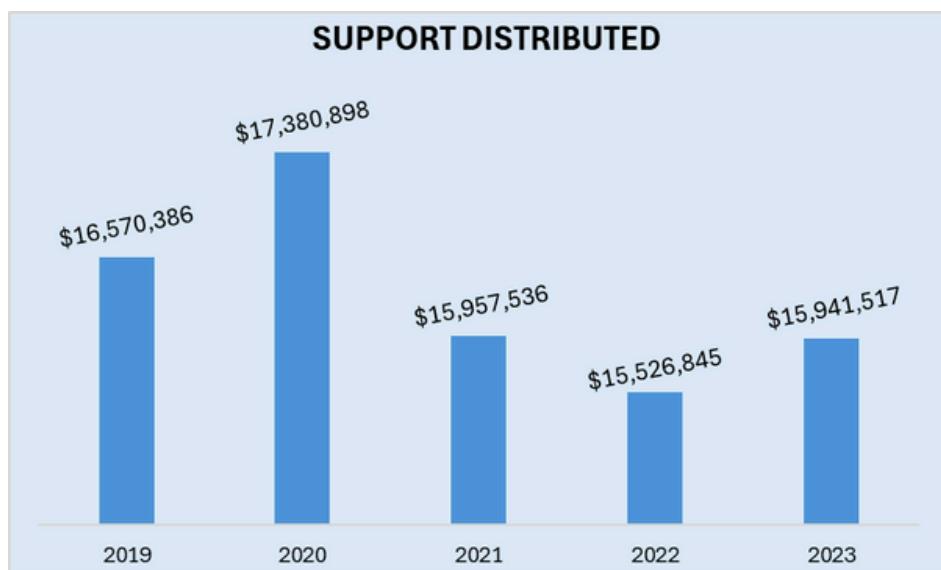
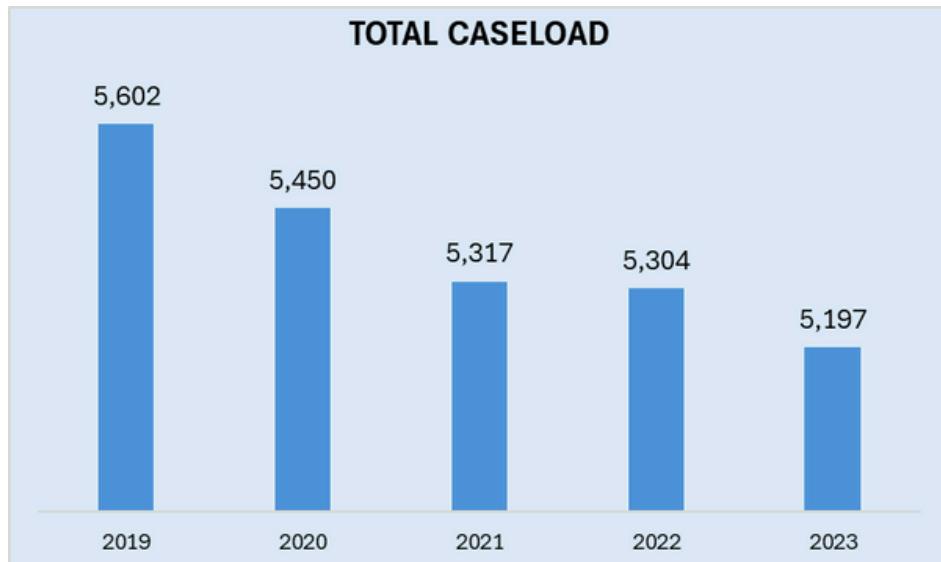
The 13th Circuit Court approves ADR mediators based on their character, experience and training. Since 2018, the Court has issued a "Mediator of the Year" award to a renowned mediator who demonstrates honesty, integrity and impartiality in providing court-connected dispute resolution services. The recipient of the 2023 Mediator of the Year award is Steven L. Barney. Steve's trial skills and courtroom experience have consistently lead him to recognition by his peers. He has repeatedly been named a Super Lawyer by his peers. Steve has mediated hundreds of cases since the late 1980s and is a certified mediator for both State and Federal courts. Steve has been our court approved mediator lists since 2000.



36%  
domestic  
cases  
resolved at  
ADR

# 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 2023, the FOC conducted a total of 714 investigations and reviews, including: 32 parenting-time investigations, 376 child support reviews, 285 other support investigations and 21 miscellaneous/other review. The FOC also registered 98 orders pursuant to the Uniform Interstate Family Support Act, sent 430 National Medical Support notices, issued 457 bench warrants, and generated 143 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.

# FAMILY DIVISION

**ANTRIM:** In 2023, 137 new domestic relations cases were filed with the Antrim County Family Division. The total domestic relations caseload consisted of 198 cases, with the Court disposing of 125 cases. The total juvenile caseload consisted of 61 cases. There were 54 new juvenile filings which were all delinquency cases. Further, in 2023, there were three children associated with new child protective filings. The Court also finalized three adoptions, processed 101 adult personal protection actions and disposed of seven miscellaneous family actions.

Antrim County Courthouse



Grand Traverse County Courthouse



**GRAND TRAVERSE:** In 2023, 465 new Domestic Relations cases were filed with the Grand Traverse County Family Division. The total domestic relations caseload consisted of 806 cases, with the Court disposing of 645 cases. The total juvenile caseload consisted of 254 cases. There were 205 new juvenile filings: 180 delinquency cases, 19 child protective cases and six personal protection actions. The Court supervised 50 juveniles in 2023. Further, there were 38 children associated with new child protective filings and the Court served as temporary legal guardian for 22 children. The Court also finalized 23 adoptions, processed 358 adult personal protection actions and disposed of 56 miscellaneous family actions.

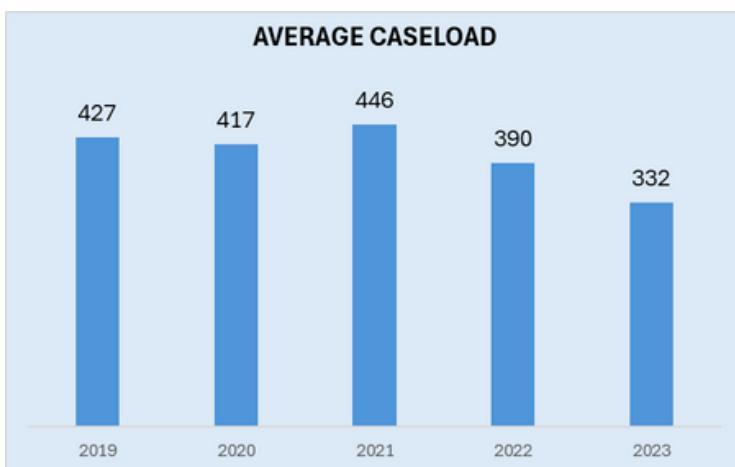
**LEELANAU:** In 2023, 63 new Domestic Relations cases were filed with the Leelanau County Family Division. The total domestic relations caseload consisted of 101 cases, with the Court disposing of 71 cases. The total juvenile caseload consisted of 34 cases. There were 31 new juvenile filings: 27 delinquency cases, three child protective cases, and one designated. Further, in 2023 there were four children associated with new child protective filings and the Court served as temporary legal guardian for three children. The Court also finalized seven adoptions, processed 20 adult personal protection actions and disposed of seven miscellaneous family actions.

Leelanau County Courthouse



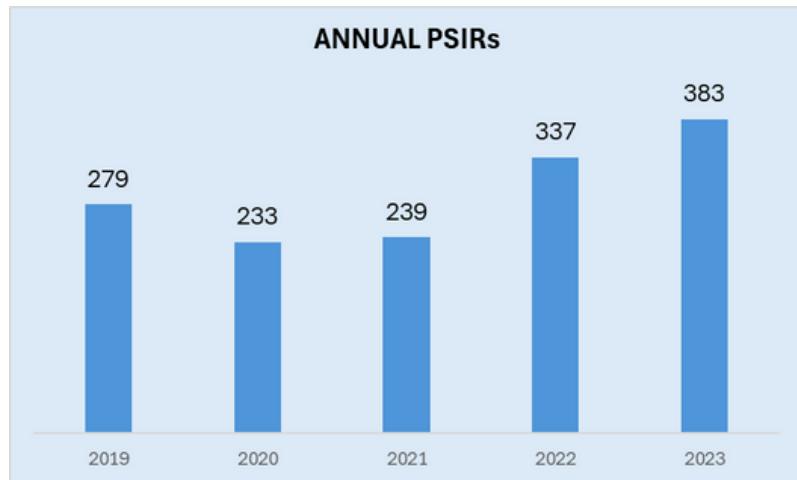
# MICHIGAN DEPARTMENT OF CORRECTIONS

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 maintain close working relations with court personnel, law enforcement, Community Corrections personnel and many other area partners to assure public safety and ensure offenders are well supervised. In 2023, the MDOC was partially staffed with eight agents and two secretaries covering the tri-county area. The MDOC averaged an annual caseload of 332 cases between the three counties in 2023, specifically 67 cases in Antrim County, 227 in Grand Traverse County and 38 in Leelanau County. In addition to supervising MDOC clients, probation/parole agents 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 2023, 383 new PSIRs were created for the Thirteenth Circuit Court, including 37 for Antrim County, 310 for Grand Traverse County, and 36 for Leelanau County.

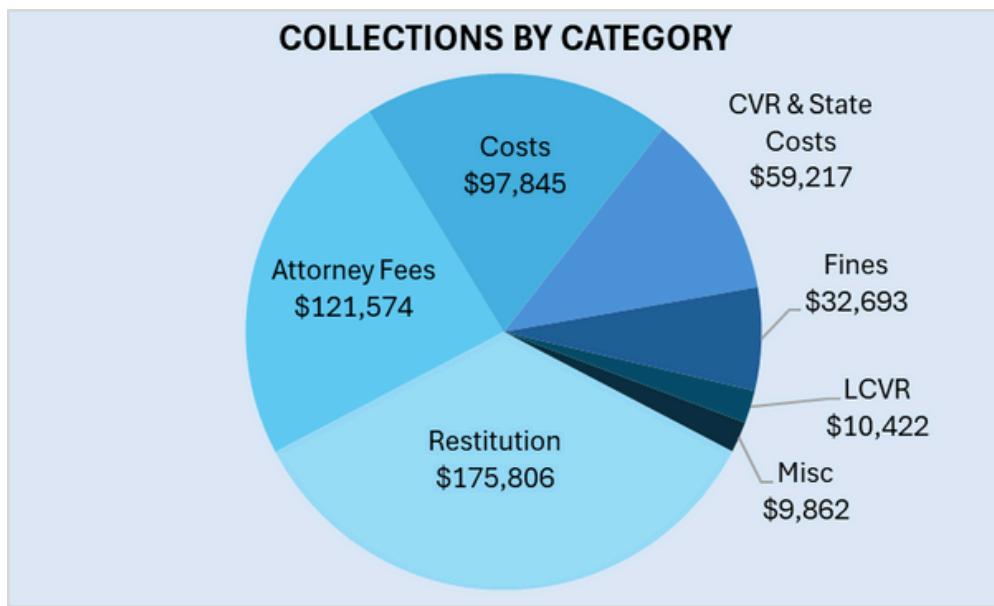


MDOC averaged a caseload of 322

383 PSIs were created by MDOC agents

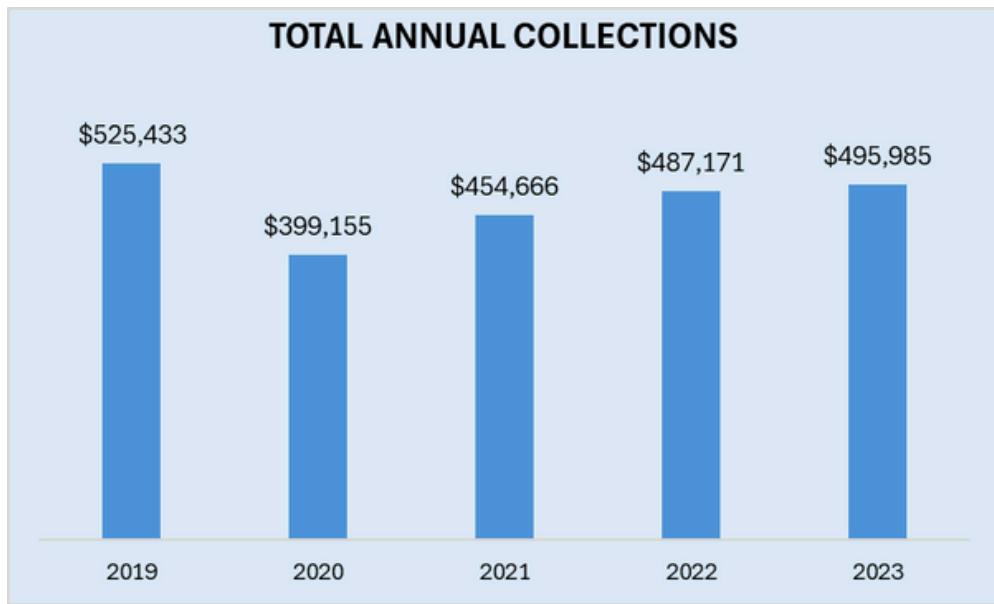


# COURT FINANCES



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.

\$175,806  
restitution  
was  
collected in  
2023



# HIGHLIGHTS

- Jan 1 Hon. Charles M. Hamlyn started as 13th Circuit Court Judge
- Feb 28 Jeremy Hogue celebrates 20 years (Friend of the Court)
- Apr 3 Steve Scott starts as MDOC Field Supervisor
- May 12 Kim Albert celebrates 15 years (Antrim Family Division)
- Jun 2 Stacy Osborne celebrates 15 years (Circuit Court Admin Office)
- Jun 11 Tracie Mullen celebrates 20 years (Friend of the Court)
- Jun 18 Jodi Simpson retired after 5 years (Friend of the Court)
- Jun 18 Jessica Schimpf celebrates 5 years (Friend of the Court)
- Jun 24 Jody Barton celebrates 10 years (Grand Traverse Family Division)
- Aug 3 Jayne Arnold celebrates 25 years (Friend of the Court)
- Sep 3 Amy Tupla celebrates 10 years (Friend of the Court)
- Nov 4 Brandt Waldenmyer celebrates 10 years (Circuit Court Admin Office)
- Dec 9 John Boonstra celebrates 10 years (Leelanau Family Division)