

**THIRTEENTH JUDICIAL  
CIRCUIT COURT  
ANNUAL REPORT**

**2013 EDITION**



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# INTRODUCTION

This past year was bittersweet for the Thirteenth Circuit Court. After years of planning, testing and phased rollouts, the Circuit Court completed its transformation into a digital, electronic Court. In an effort to maximize efficiency and reduce costs, the Thirteenth Circuit began the process of transitioning to a “paperless” Court in 2010. In 2011, the Court selected a vendor to provide e-filing services and install an online document management and processing system. In January 2012, TrueFiling went live with e-filing for civil cases and by fall the Court was receiving and internally managing documents for all general civil case codes, appeals from the 86<sup>th</sup> District Court in civil and criminal matters, garnishments and divorce cases not involving minor children. In February 2013, personal protection orders and domestic cases involving minor children began to be e-filed, and on July 31, 2013, the criminal case codes were added. Concurrently, the Thirteenth Circuit Court clerks completed the requirements necessary to e-file with the Michigan Court of Appeals. The transition to a functionally paperless Court is now complete! As our Court moves forward, we remain thankful of the support we receive from our County Commissioners and Clerks’ offices, IT Departments, Court staff and the GTLA Bar Association, who have all been instrumental in crafting an excellent e-file solution for the benefit of litigants, as well as the judiciary.

On a sad note, however, the Thirteenth Circuit Court, Antrim County and the GTLA Bar Association lost a colleague, dear friend and outstanding trial attorney with the untimely passing of long time Antrim County Prosecutor, Charles H. Koop in 2013. James Rossiter, former Chief Assistant Prosecutor, was appointed by the Circuit Court Judges to complete Mr. Koop’s term.

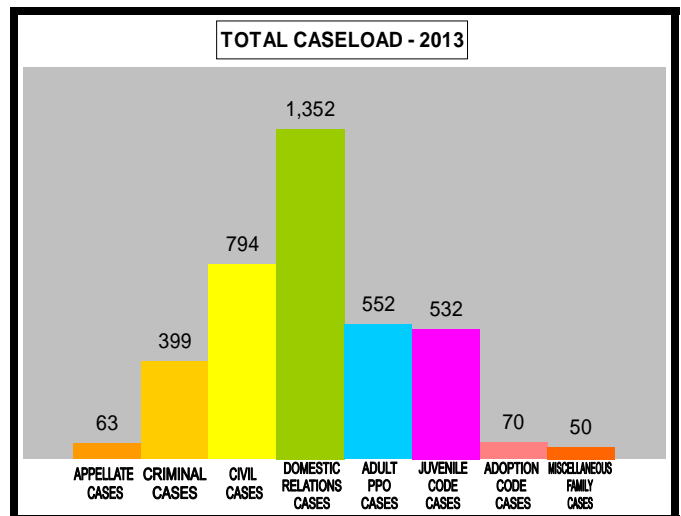
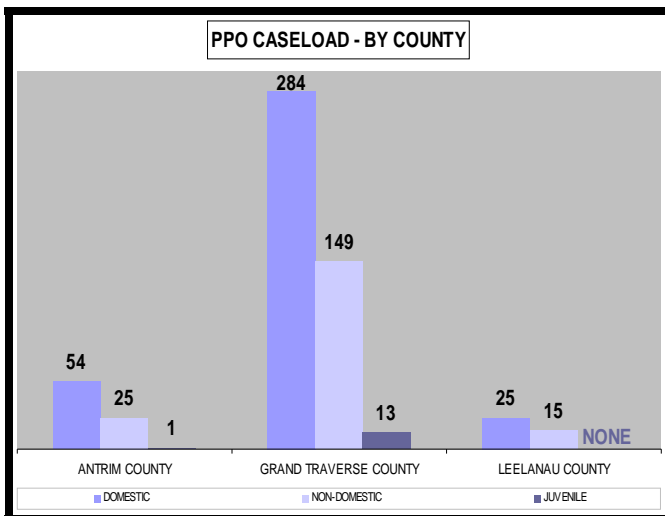
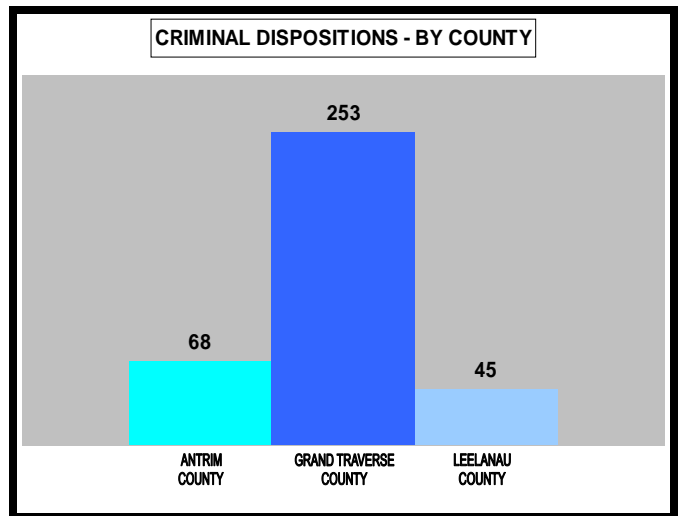
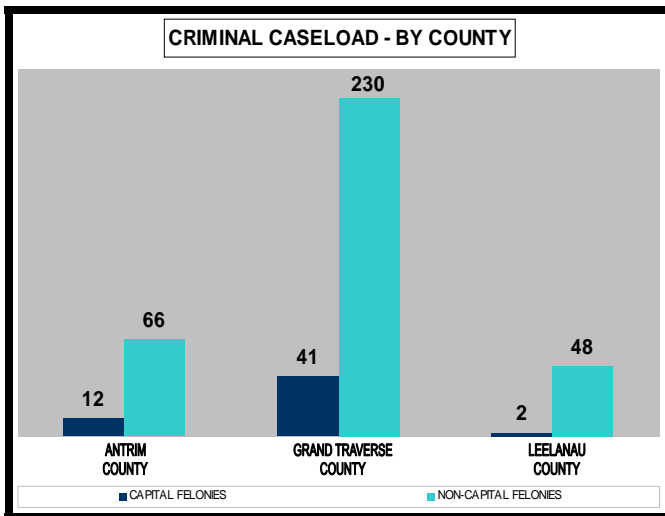
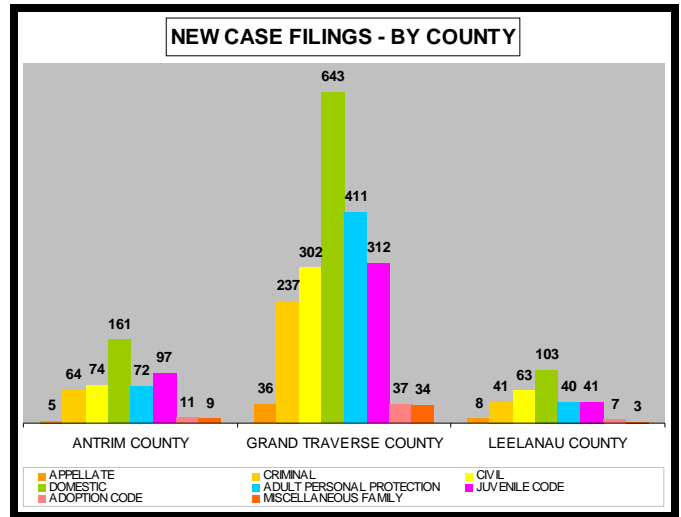
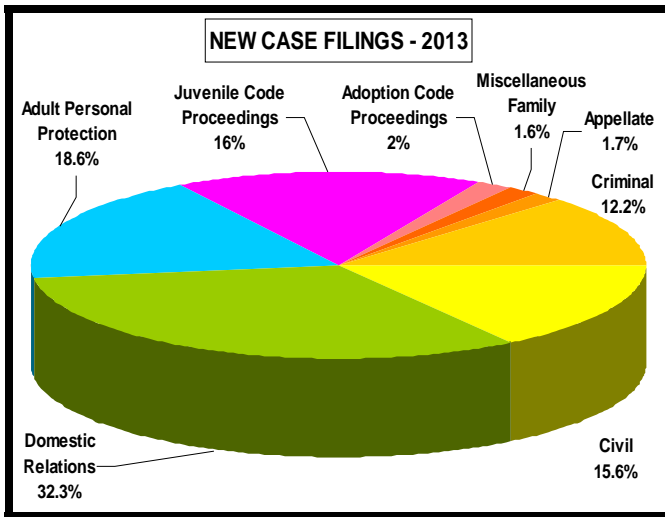
While, the Thirteenth Circuit saw an increase in the number of civil negligence cases, domestic relations cases, and miscellaneous family cases filed, and a significant increase in the number of criminal filings in jury trials, the number of appellate cases, other civil cases, juvenile code cases, personal protection orders and adoption code cases decreased in 2013. Perhaps as a sign of an improving economy, collections of criminal fines, costs and restitution increased, as did the collection of child support.

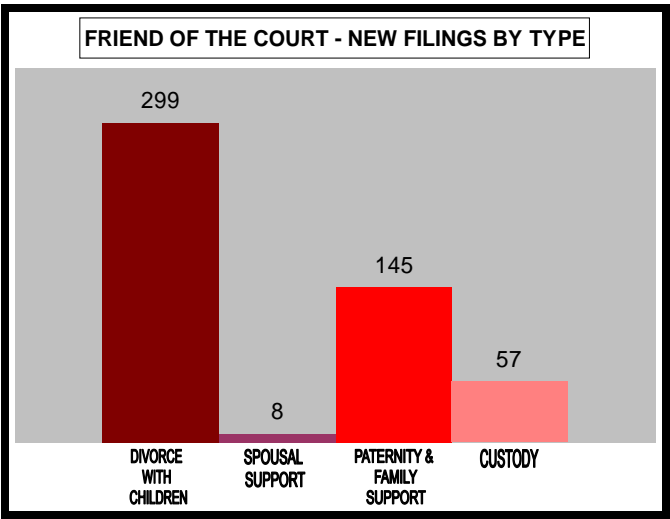
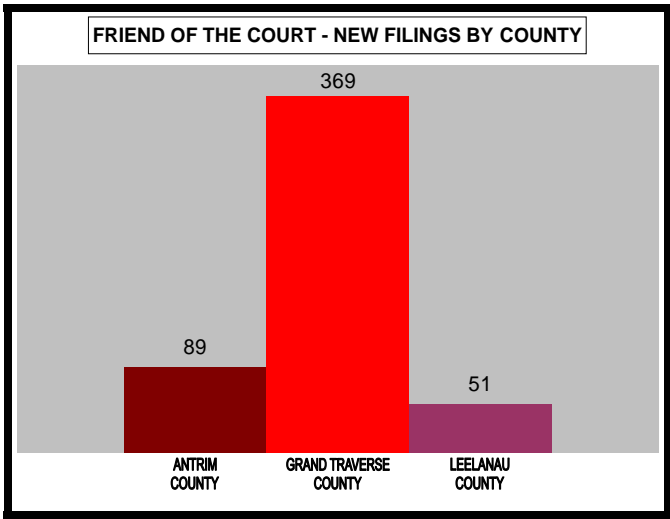
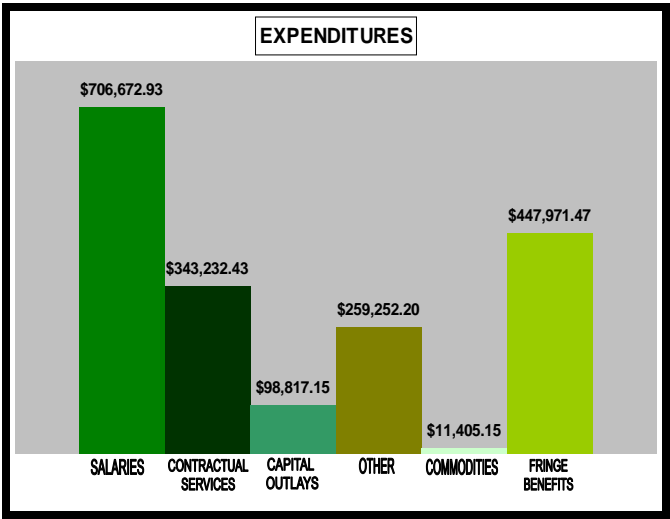
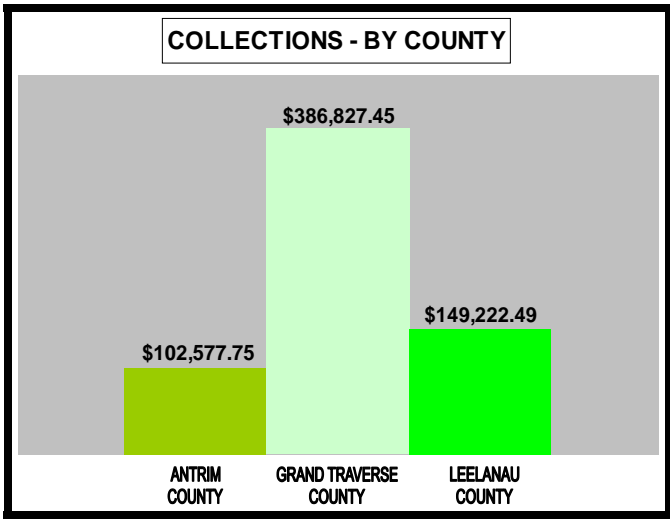
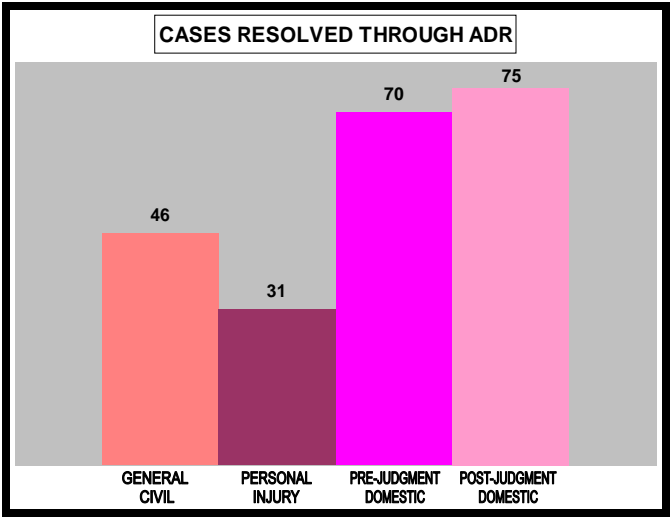
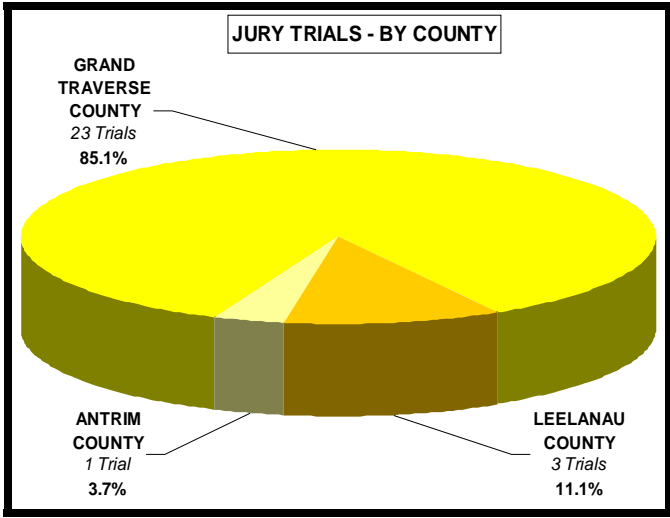
Further information regarding the Court and the services offered may be found on the Court’s website at [www.13thcircuitcourt.org](http://www.13thcircuitcourt.org). Comments regarding how the Court may improve its services are always welcome and we look forward to hearing from you.

Honorable Philip E. Rodgers, Jr.



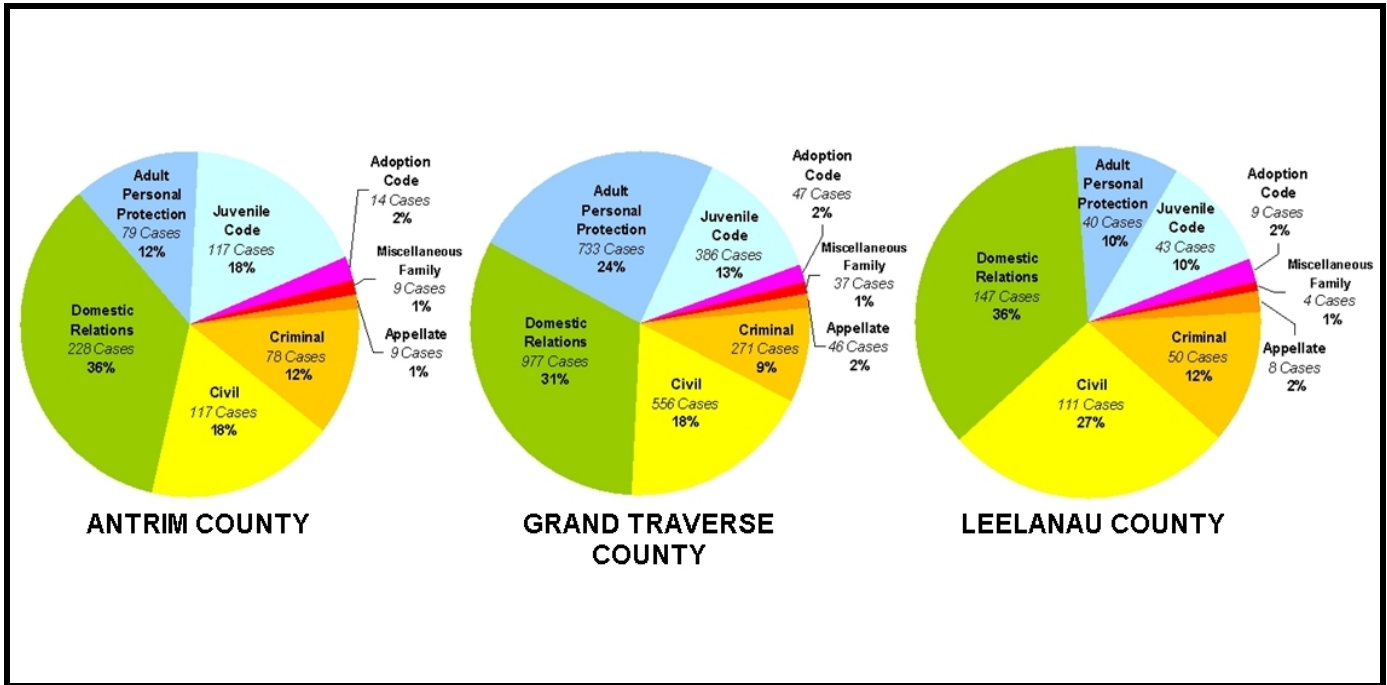
# AT A GLANCE: 2013





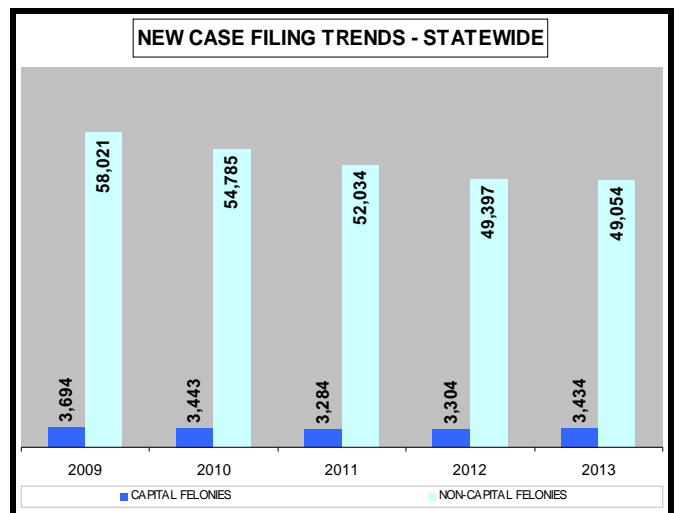
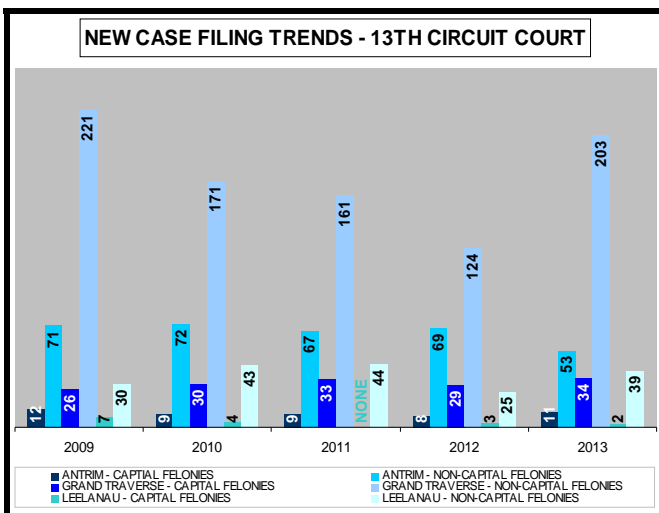
# CASE MANAGEMENT

The Circuit Court follows the mandated time 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 limitations 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's administrative staff is to ensure that cases are kept current and the docket remains up-to-date. The following charts demonstrate the 2013 total caseload by category for each county.



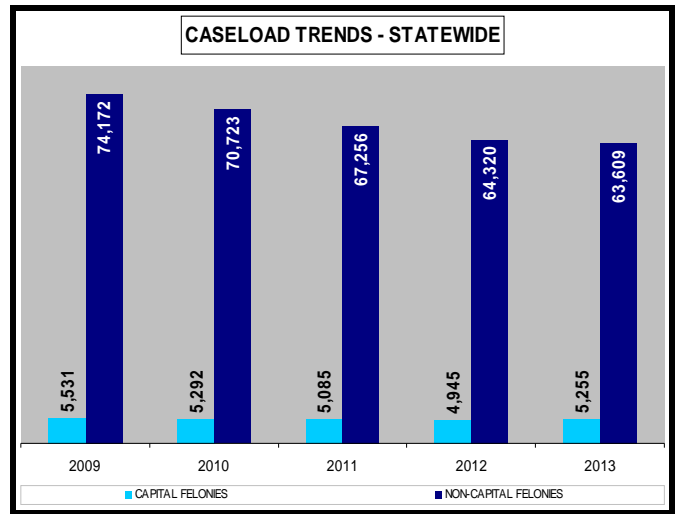
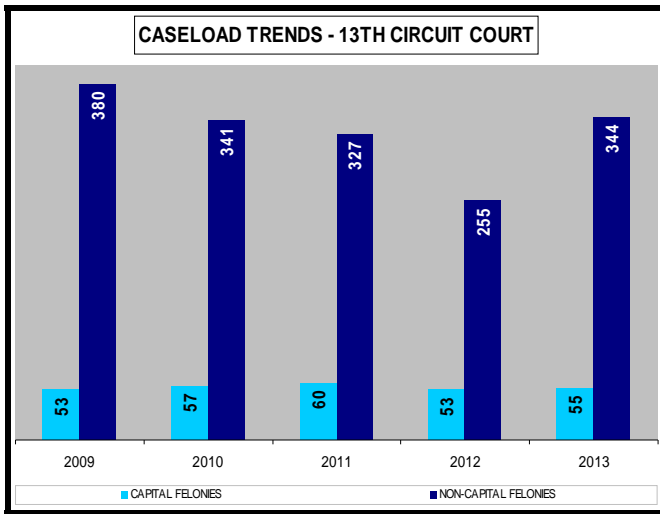
## CRIMINAL CASELOAD NEW CASE FILINGS

Capital felonies are cases in which a life sentence is possible and a larger number of peremptory jury challenges are provided. Juvenile felonies are cases against juveniles that are waived to the criminal division of the circuit court, instead of proceeding in the family division. In 2013, both the number of newly filed capital felony and non-capital felony cases increased, with 47 capital felony cases and 295 non-capital felony cases filed in the Thirteenth Circuit Court. There were no juvenile felony cases filed. Comparatively, the State of Michigan saw an increase in the number of newly filed capital felony cases and a decrease in non-capital felony cases filed statewide. The State also had 90 newly filed juvenile felony cases filed in 2013.



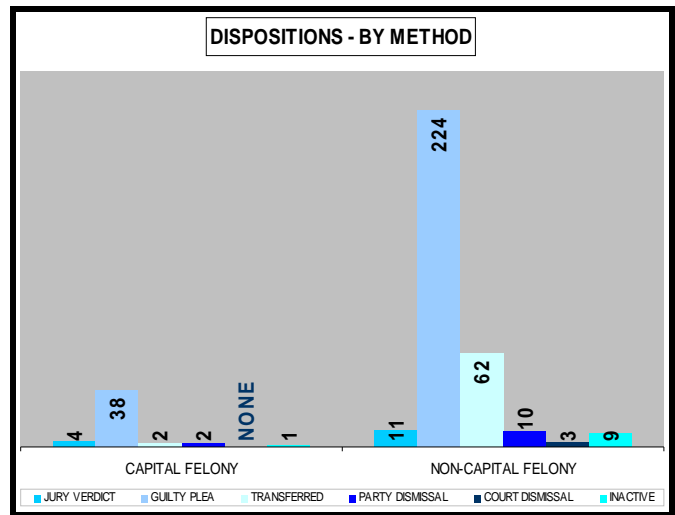
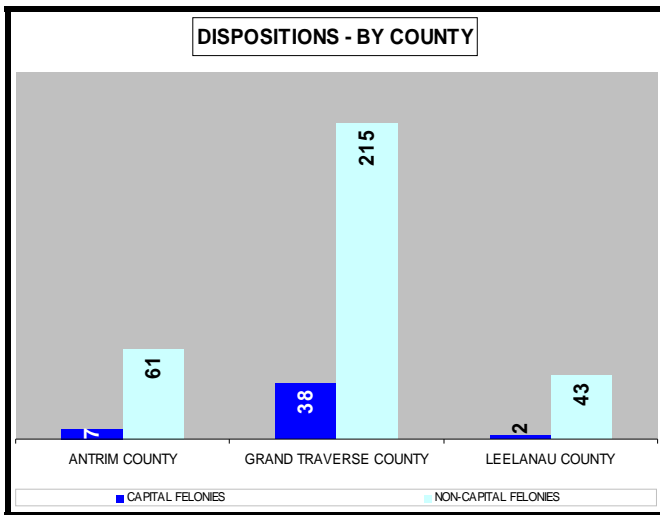
## TOTAL CASELOAD

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 2013, the Thirteenth Circuit Court's total criminal caseload for both capital felonies and non-capital felonies increased. The State of Michigan's total caseload for capital felonies increased, while its caseload for non-capital felonies decreased.



## DISPOSITIONS

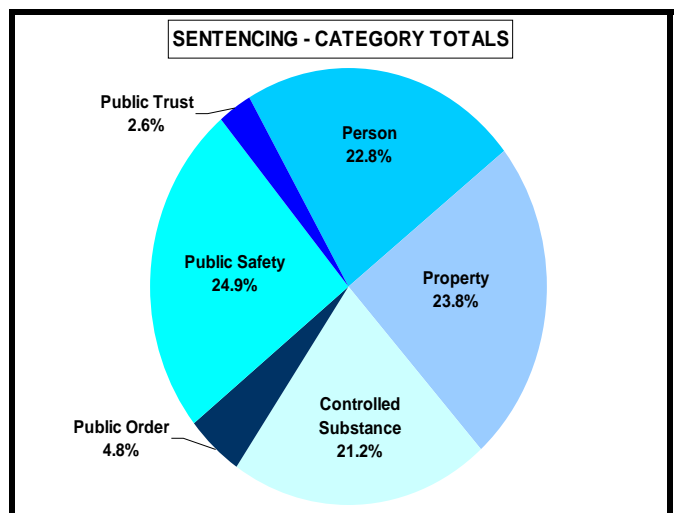
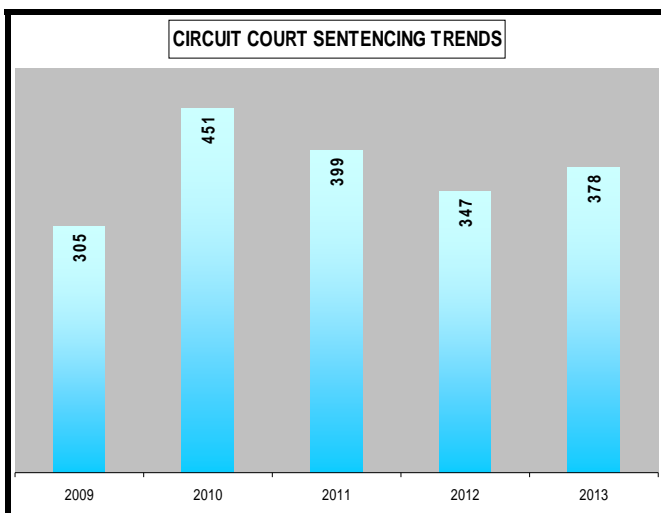
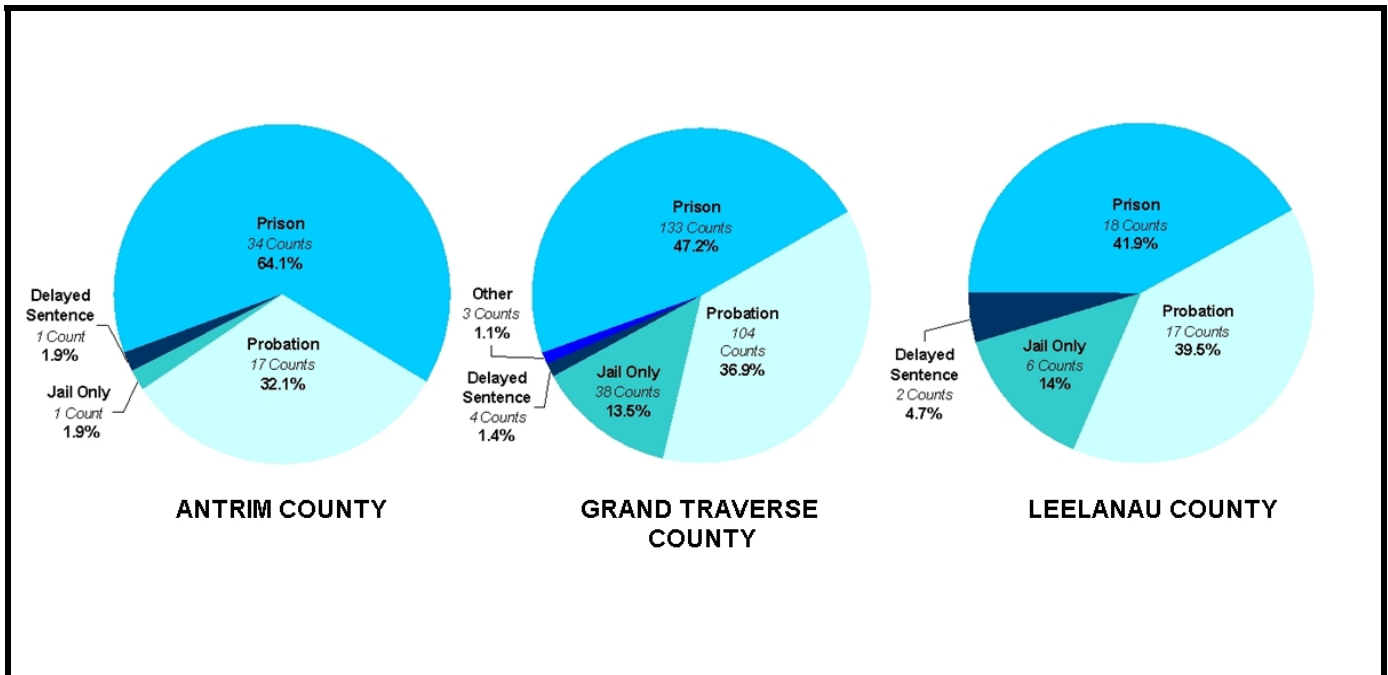
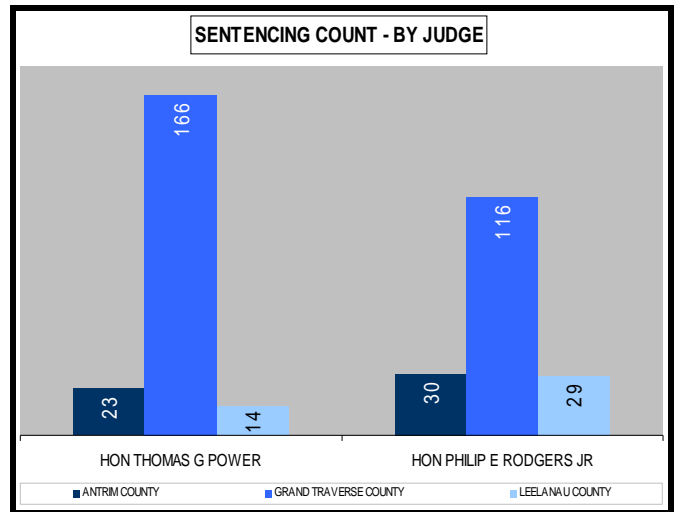
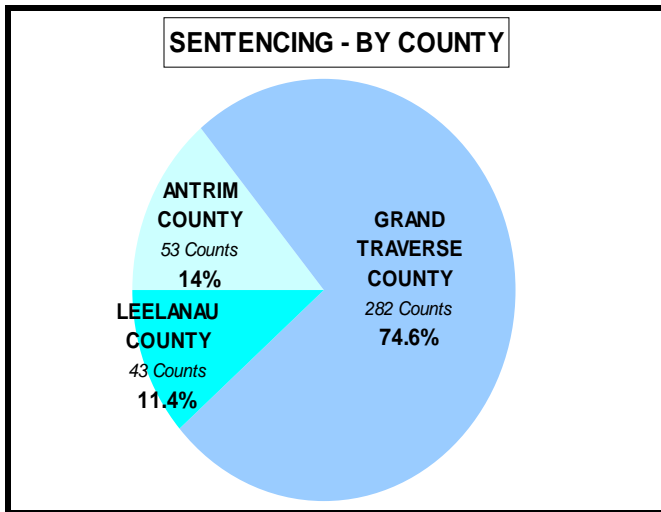
In 2013, the Court disposed of 366 criminal cases. Guilty pleas resulted in the greatest number of dispositions, with the Court receiving 42 guilty pleas in Antrim County, 191 in Grand Traverse County and 29 in Leelanau County. The Court also received jury verdicts in 15 felony cases, which included 1 verdict in Antrim County and 14 in Grand Traverse County.



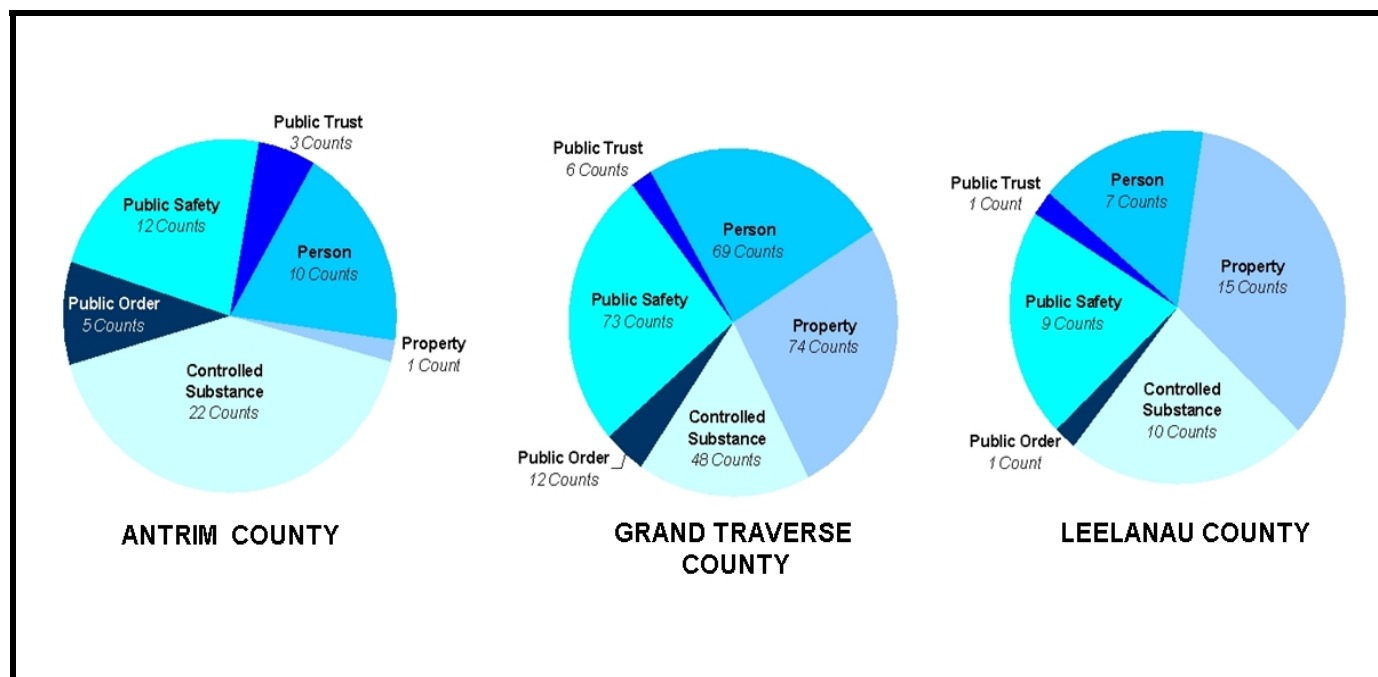
Criminal sentencing occurs after the final disposition in a case. Once there is a guilty verdict or the defendant pleads, the case is referred to the Department of Corrections/Probation Department for a Pre-Sentence Investigation Report (PSIR). As part of the PSIR process, the Department of Corrections/Probation Department meets with and interviews a defendant prior to generating his or her PSIR, which results in a delay between the disposition in a case and the date a defendant is sentenced.

Guilty defendants can receive sentences including commitment to prison or jail, probation, costs and fines, delayed sentence or a combination of penalties. The Court may delay a defendant's sentence in order to give the defendant an opportunity to prove to the Court his or her eligibility for probation or other leniency compatible with the ends of justice and rehabilitation of the defendant. Sentences may be delayed for crimes except murder, treason, armed robbery, major controlled substance offenses and First and Third-Degree Criminal Sexual Conduct.

In 2013, the Court sentenced 273 defendants. The Court issued sentences on 378 total counts in 296 cases. There were more total sentencings than total cases and/or defendants because certain defendants were charged with several counts in a single case and some defendants were charged in multiple cases.







The following table displays sentencing dispositions for 2013 by crime category and case type.

	PRISON	JAIL ONLY	PROBATION	DELAYED SENTENCE	OTHER	TOTAL
<b>CRIMES AGAINST PERSON</b>						
Aggravated Stalking			2			2
Assault – Dangerous Weapon	8		1			9
Assault – Felonious	9	2	1			12
Assault – Intent to Commit Criminal Sexual Conduct	2		1			3
Child Abuse – Second	1					1
Child Sexually Abusive Materials			2			2
Criminal Sexual Conduct – First	10					10
Criminal Sexual Conduct – Second	4		2			6
Criminal Sexual Conduct – Third	13					13
Criminal Sexual Conduct – Fourth	6		4			10
Domestic Violence - Second			1			1
Domestic Violence – Third	1		1			2
Home Invasion - First	1					1
Home Invasion – Second	6		1			7
Home Invasion – Third	1		2			3
Identity Theft	1	1				2
Indecent Exposure			1			1
Robbery – Unarmed			1			1
<b>CRIMES AGAINST PROPERTY</b>						
Breaking & Entering	6	2	3			11
Counterfeit Coin/Note		1				1
Embezzlement	1	1				2
Entering Without Breaking	1					1
False Pretenses	2					2
Forgery	2		1			3
Killing or Torturing Animals	1		1			2
Larceny	1	1	1		1	4
Larceny – Building	6	4	11	1	1	23

	PRISON	JAIL ONLY	PROBATION	DELAYED SENTENCE	OTHER	TOTAL
<b>CRIMES AGAINST PROPERTY</b>						
Larceny – Vehicle			1			1
Malicious Destruction of Property			1			1
No Account Checks	5		2			7
Receiving/Concealing Stolen Property	1	1	4			6
Receiving/Concealing Weapons	2		1			3
Retail Fraud – First	1	1	4			6
Stealing/Possessing/Unauthorized Use of FTD	1	1	3			5
Uttering & Publishing		4				4
Unlawful Use of a Motor Vehicle	1	2	3			6
Welfare Fraud		1		1		2
<b>CRIMES INVOLVING CONTROLLED SUBSTANCE</b>						
Maintaining Drug House	4	3	6			13
Manufacture/Delivery/Possession/Use Analogues			1			1
Manufacture/Delivery Marijuana		1	3			4
Manufacture/Delivery Scheduled Substance	18		4			22
Obtaining Controlled Substance Via Fraud			1			1
Possession/Use Marijuana		1				1
Possession/Use Scheduled Substance	11	7	19	1		38
<b>CRIMES AGAINST PUBLIC ORDER</b>						
Common Law Offense			1			1
Contempt		1				1
Failure to Pay Child Support	5		1	2		8
Failure to Register as Sex Offender	2		1			3
Gross Indecency	2					2
Obstruction of Justice	2	1				3
<b>CRIMES AGAINST PUBLIC SAFETY</b>						
Concealed Weapon	1	1	1	1		4
Felony Firearm	3					3
Fleeing/Eluding/Resisting/Obstructing Law Enforcement	12		5		1	18
OWI		2				2
OWI – Second		1	1			2
OWI – Third	11	3	32	1		47
OWI – Causing Injury	4					4
Prisoner Contraband	11	1	1			13
Violation of Vehicle Code		1				1
<b>CRIMES AGAINST PUBLIC TRUST</b>						
Failure to Stop at Accident	1					1
Perjury	1					1
UDAA	3		5			8
TOTAL	185	45	138	7	3	378

## DEPARTMENT OF CORRECTIONS AND PROBATION

As employees of the Michigan Department of Corrections (MDOC) assigned to the local courts, staff supervise convicted offenders residing within the Thirteenth Circuit Court's jurisdiction. The Probation and Parole staff maintain close working relations with local court personnel, law enforcement, Community Corrections and many other area partners to ensure offenders are persistently supervised and to enhance the potential success of MDOC clients. Each case is individually supervised to assure public safety and compliance with the Court's orders. Supervision is achieved through a community collaborative approach which includes office and field contacts, appropriate treatment referrals, substance abuse screening and a variety of electronic monitoring options.

For the beginning of 2013, the Probation Department and Michigan Department of Corrections Parole Department consisted of 9 agents and 2 clerical assistants covering the three-county region, including PA Will Fleming who is assigned to the Northern Michigan Internet Crimes Against Children (ICAC) Multiagency Task Force working out of Traverse City. There remained an open agent and open assistant position in Traverse City. In June, Mary Chapman accepted the part-time assistant position in Traverse City, and in July, PA Heather Lucynski accepted a transfer to the Traverse City Office from the Bay County Probation and Parole Office.

In 2013, the Department of Corrections and Probation Department's caseload averaged 445 persons per month, with approximately 85 per month in Antrim County, 305 per month in Grand Traverse County and 55 per month in Leelanau County. In addition to supervision of MDOC clients, Probation and Parole staff members complete Pre-Sentence Investigation Reports (PSIR) for each Circuit Court conviction, as well as supplemental reports for formal violations. The PSIR includes the scoring of Sentencing Guidelines and a detailed summary of the individual's history including economic and social background, prior criminal record, current offense details and any victim impact statements. The PSIRs are used by the Judges as a tool to assist in determining the appropriate sentence for the crime and for the individual offender. In 2013, 246 new PSIRs (38 for Antrim County, 180 for Grand Traverse County and 28 for Leelanau County) were compiled for the Thirteenth Circuit Court.



From Left: Matt Salisbury [AC], Jo Meyers [GTC], Daryl Reinsch [AC], James Monette [GTC], Charles Welch [Field Agent/Supervisor]  
Seated: Joleen Peck [GTC], Melanie Catinella [GTC], Thomas Chapman [GTC], James Ribby [GTC ], Heather Lucynski [GTC]  
Inset Photo: Steven Brett [GTC & LC]  
Not pictured: William Fleming [GTC]

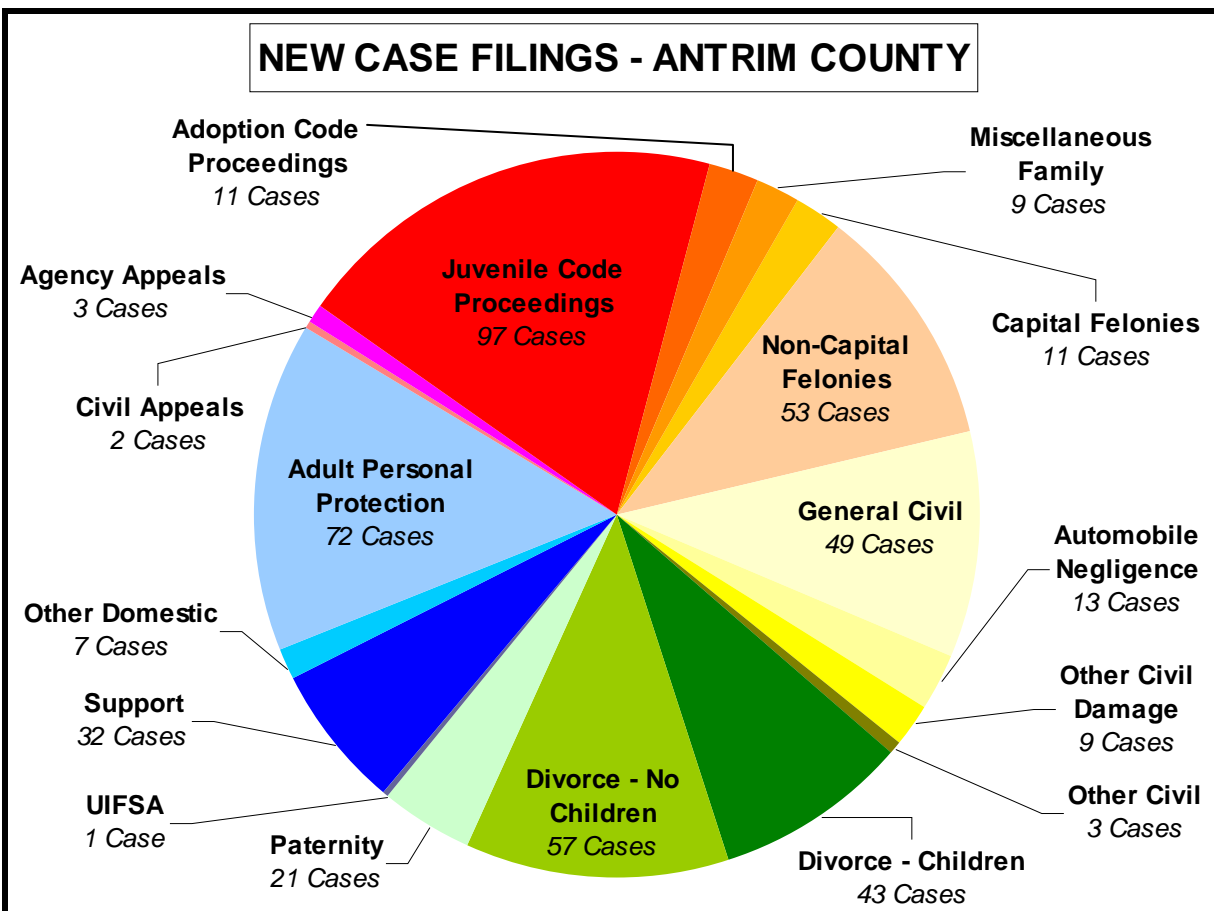
## CIVIL CASELOAD

Circuit Court cases are separated into the following categories: appeals, capital felonies, criminal non-capital, general civil, automobile negligence, other civil damage, other civil, divorce with and without minor children, paternity, Uniform Interstate Family Support Act (UIFSA), support, other domestic, adult personal protection, proceedings under the juvenile code, proceedings under the adoption code and miscellaneous family.

The 'general civil' category includes business claims, condemnation, employment discrimination, environment, forfeiture claims, housing and real estate, contracts, labor relations, antitrust, franchising and trade regulation, corporate receivership and any miscellaneous/general civil. The 'automobile negligence' category includes property damage, no-fault insurance and personal injury. The 'other civil damages' category includes medical malpractice, other professional malpractice, other personal injury, products liability, dramshop act and other damage suits. 'Other' types of civil cases include proceedings to restore, establish or correct records, claim and delivery, receivers in supplemental proceedings, supplemental proceedings and miscellaneous proceedings. The UIFSA category includes proceedings to assist with or compel discovery and all support and paternity establishment proceedings incoming from other states. 'Proceedings under the juvenile code' cases include designated juvenile offenses, delinquency proceedings, traffic and local ordinance, and child protective proceedings. 'Adoption code proceedings' include adult adoptions, agency international adoptions, direct placement adoptions, relative adoptions, safe delivery of newborn adoptions, permanent ward adoptions, non-relative guardian adoptions and step-parent adoptions. 'Miscellaneous family' cases include emancipation of minor, infectious disease, safe delivery of newborn child, name change, violation proceedings on out-of-county personal protection order, adult and minor conservatorships, adult, limited adult, minor, limited minor and developmental disability guardianships, protective orders and mental commitments.

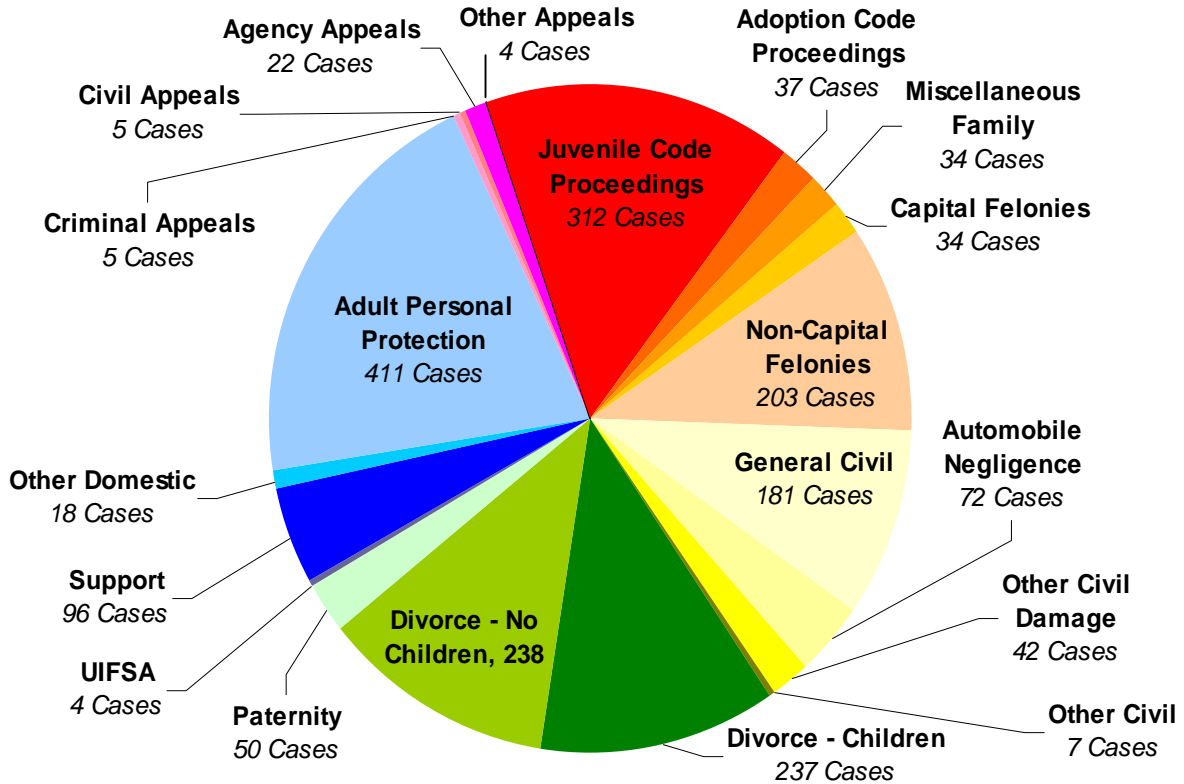
## NEW CASE FILINGS

The following pie charts depict the types of new cases filed in 2013 in Antrim County, Grand Traverse County and Leelanau County. The number and types of new cases that are filed annually vary by location.

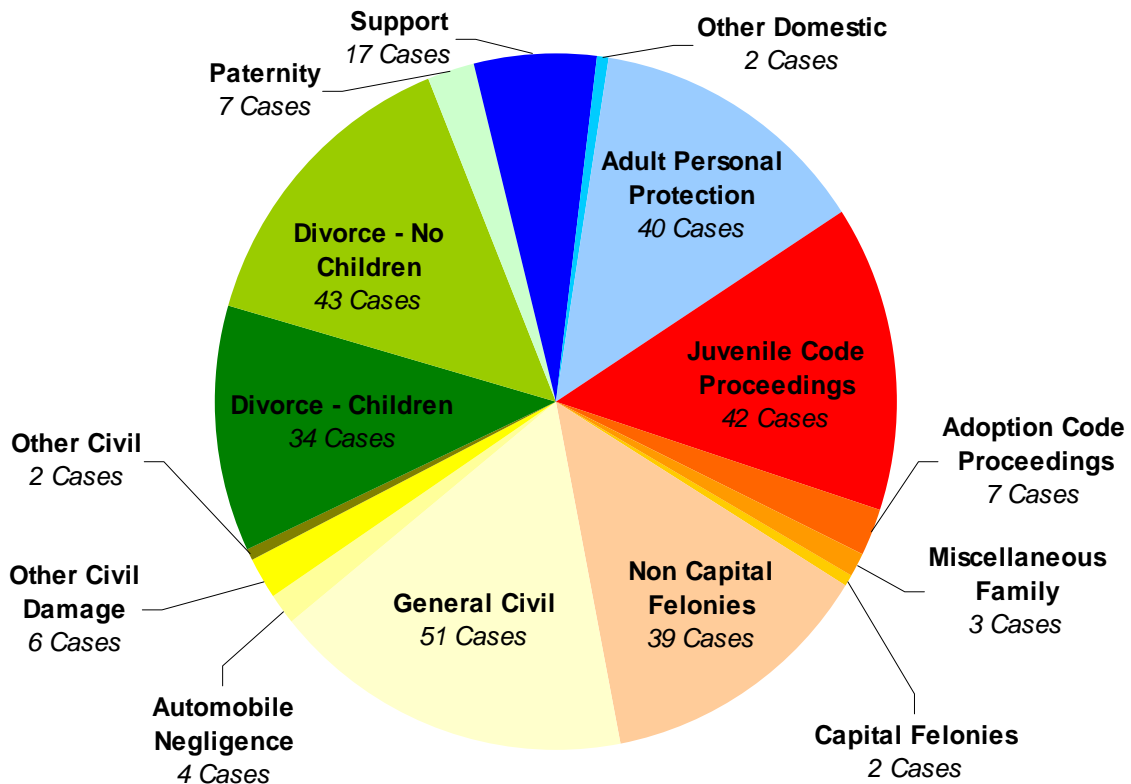




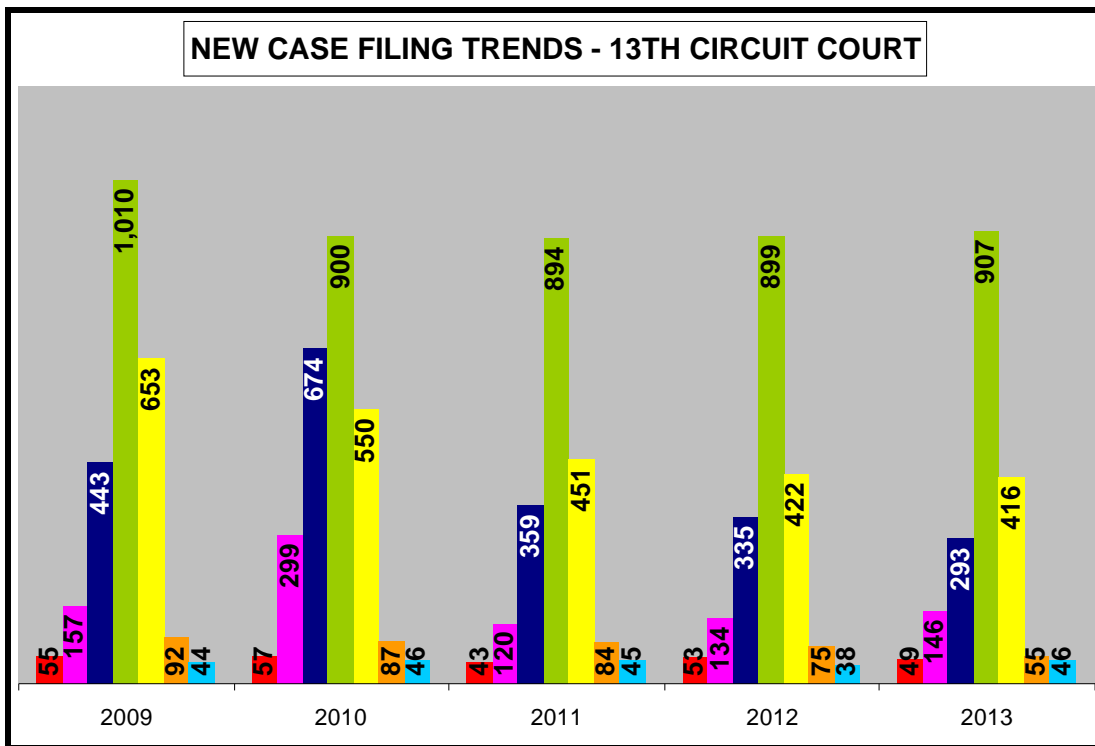
## NEW CASE FILINGS - GRAND TRAVERSE COUNTY



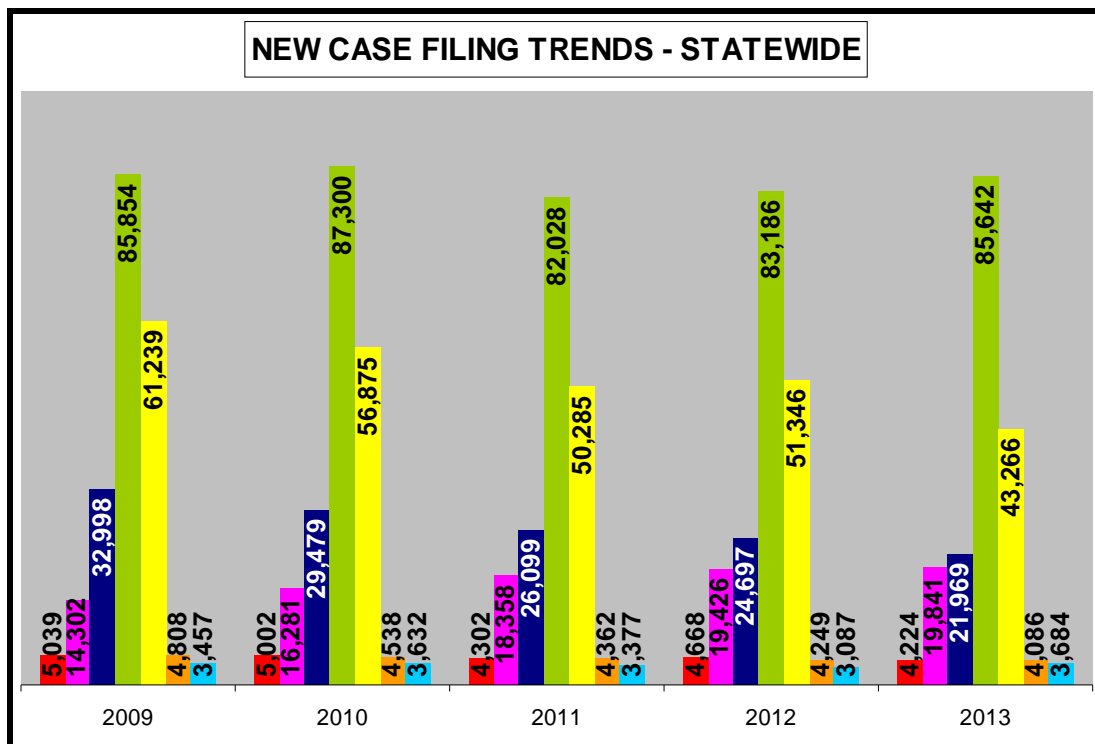
## NEW CASE FILINGS - LEE LANAU COUNTY



The two charts below depict and compare the annual new case filings for the Thirteenth Circuit Court and the State of Michigan over the previous 5 years. Both the Thirteenth Circuit and the State saw an increase in the number of civil negligence cases, domestic relations cases, and miscellaneous family cases and a decrease in the number of appellate cases, other civil cases, juvenile code cases and adoption code cases.

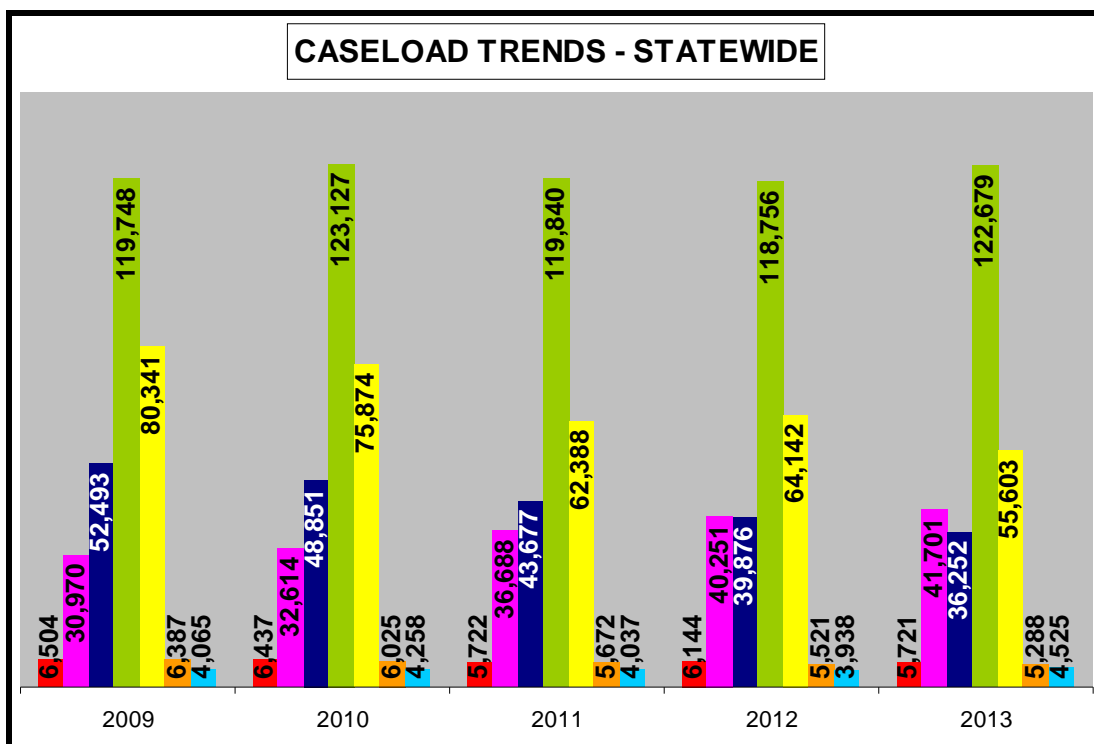
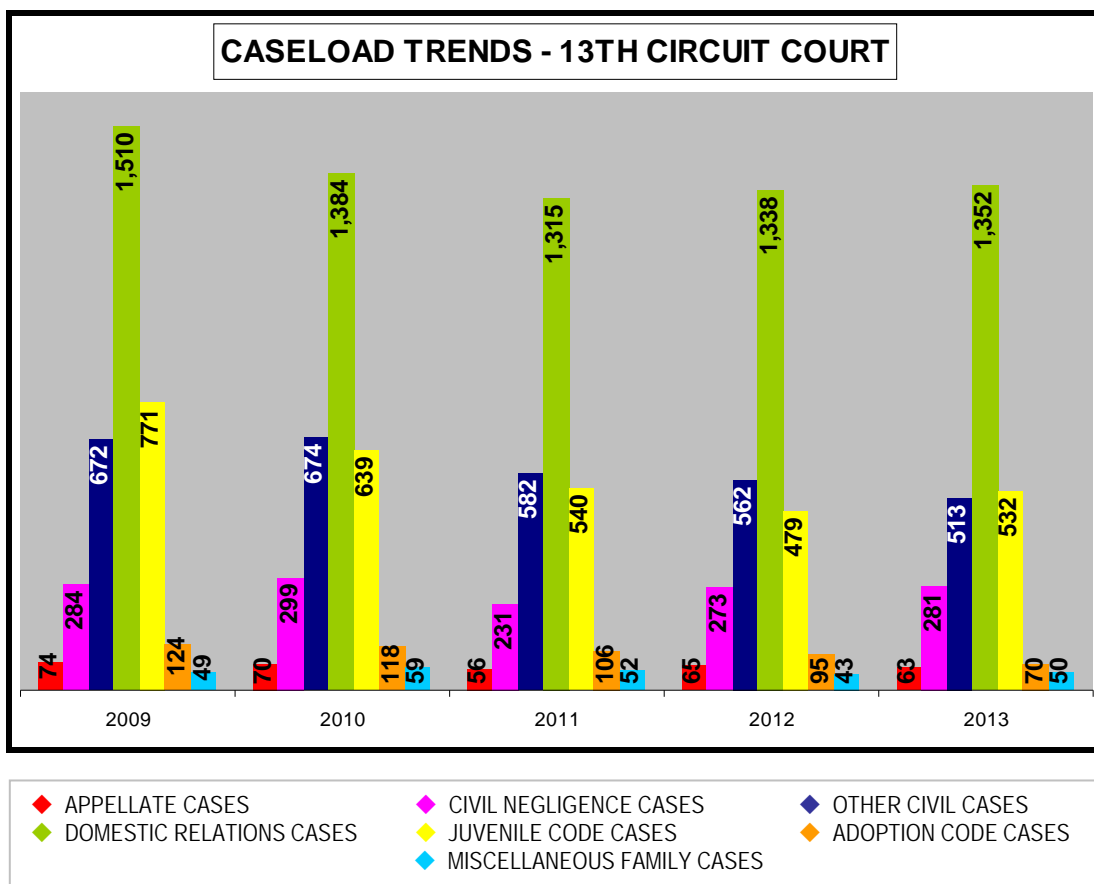


◆ APPELLATE CASES      ◆ CIVIL NEGLIGENCE CASES      ◆ OTHER CIVIL CASES  
 ◆ DOMESTIC RELATIONS CASES      ◆ JUVENILE CODE CASES      ◆ ADOPTION CODE CASES  
 ◆ MISCELLANEOUS FAMILY CASES



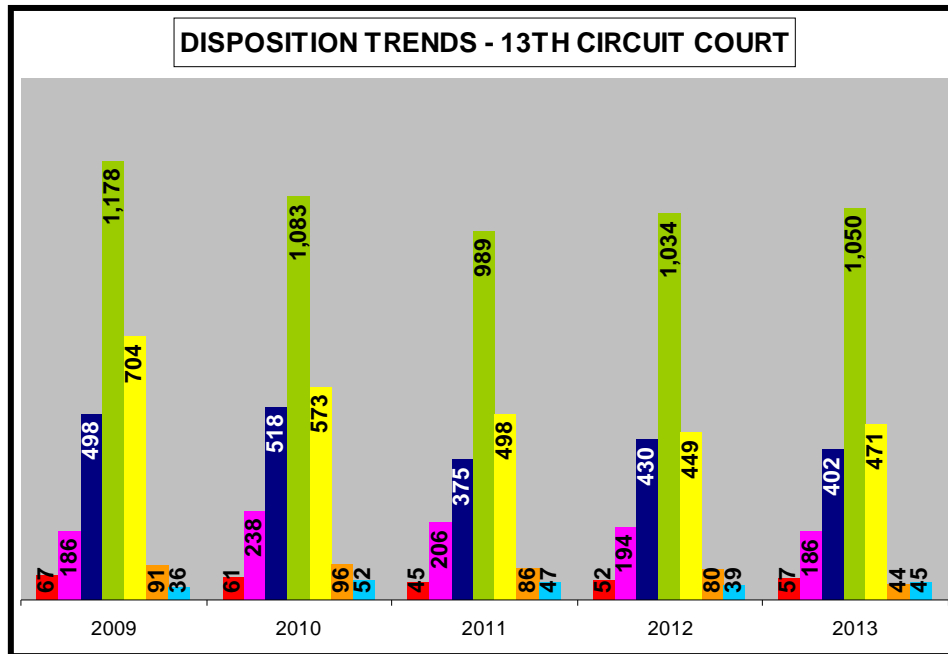
## TOTAL CASELOAD

The Court's total caseload consists of cases that begin the year pending, all newly filed cases and any cases that have been reopened during the year. Both the Thirteenth Circuit and the State saw an increase in the number of civil negligence cases, domestic relations cases, and miscellaneous family cases and a decrease in the number of appellate cases, other civil cases, and adoption code cases. The juvenile code caseload of the Thirteenth Circuit increased in 2013, while it decreased Statewide.

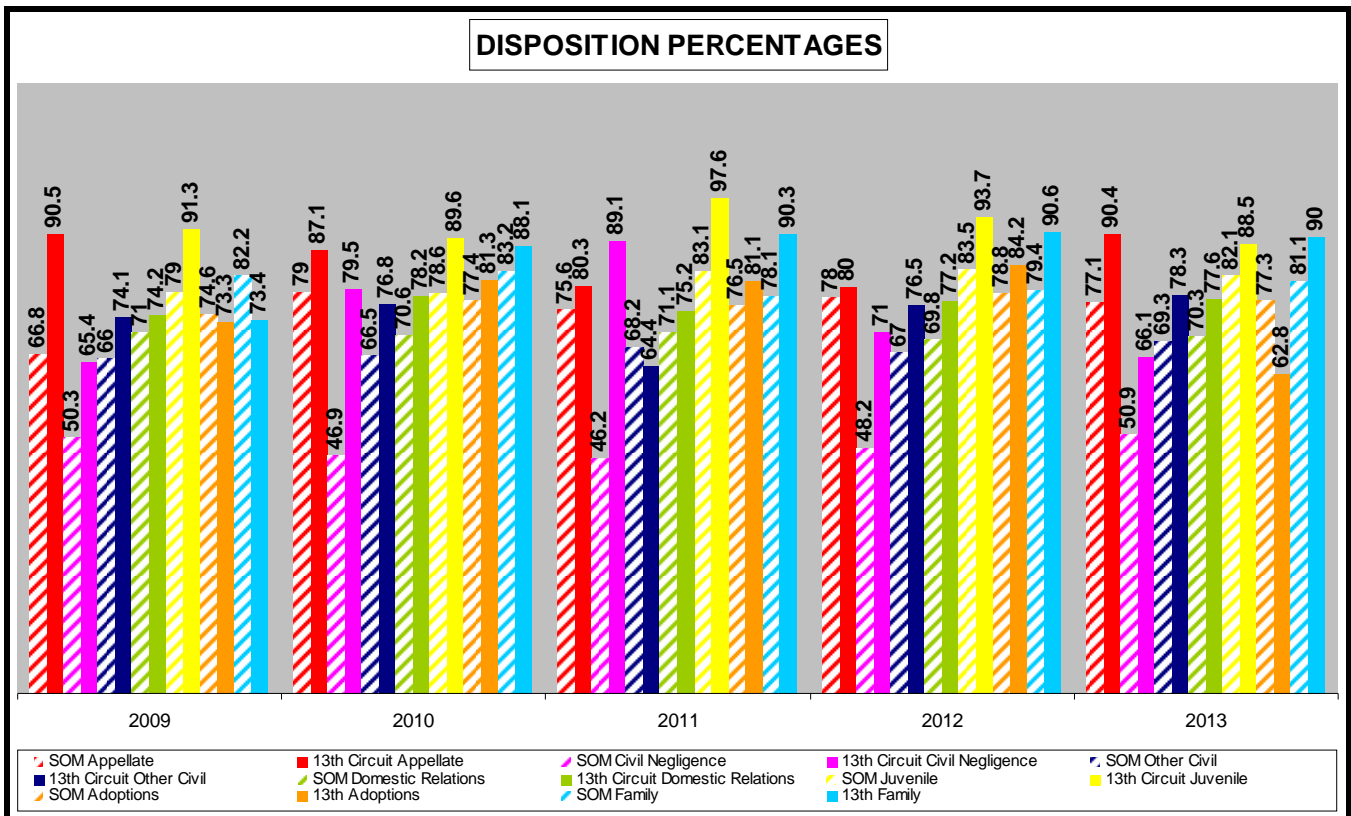


## DISPOSITIONS

Annual disposition percentages are calculated by dividing the categories' total dispositions by the same categories' total caseload. There is typically a gap period between the time a new case is filed and when that case is disposed of by the Court; therefore, disposition percentages naturally fluctuate above and below 100%. Disposition percentages are representative of case-flow management and indicate the extent to which a court is attending to its total caseload.

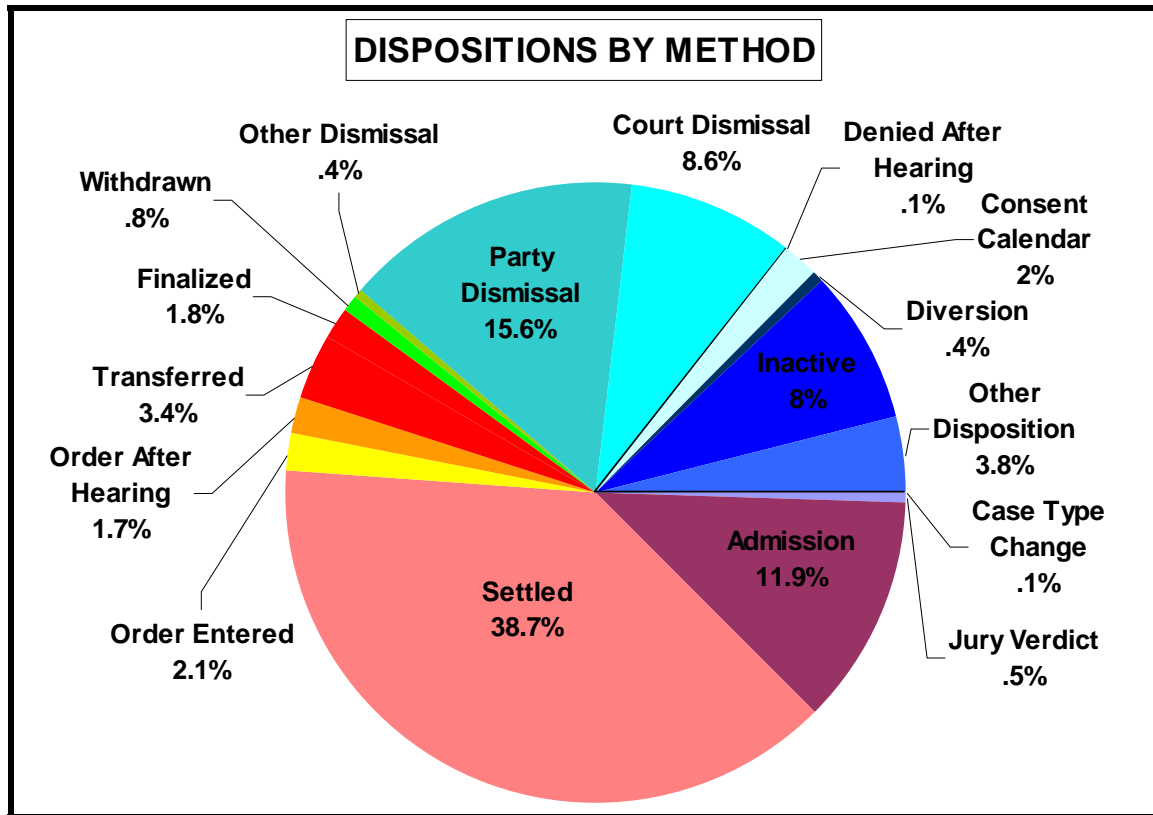


The following chart compares the disposition rates, by percentage, for the State of Michigan (SOM) and the Thirteenth Circuit Court over the previous 5 years. On average, the Thirteenth Circuit Court disposes of a larger percentage of cases than the State, however, in 2013, the disposition percentage for adoption code cases Statewide was greater than that of the Thirteenth Circuit.





Methods of disposition include: jury verdicts, bench verdicts, cases dismissed by the parties or by the Court, orders issued by the Court, party admissions, cases made inactive, cases finalized and cases transferred. Settlement by the parties resulted in the greatest number of dispositions of cases in 2013. Recission was granted in one case and one case was unauthorized. The pie chart below depicts the remaining methods used in 2013 to dispose of non-criminal cases.



The following table provides data on the number and type of non-criminal cases disposed of in 2013, and the various methods used for disposition.

CASE TYPE		JURY TRIAL	ADMISSION	SETTLED*	ORDER ENTERED	ORD AFTER HRG	FINALIZED	TRANSFERRED	WITHDRAWN	PARTY DISMISSAL	CT DISMISSAL	DENIED @ HRG	CONSENT	DIVERSION	RECISSION GRT	INACTIVE	UNAUTHORIZED	CASE TYPE CHNG	OTHER
<b>APPELLATE</b>																			
Agency					26					4								1	
Civil					9					4									
Criminal					8														
Habeas Corpus					4					1									
<b>GENERAL CIVIL</b>																			
Business Claims	1		1							5						1		2	
Environment										1									
Work Discrimination				2						3									2
Housing/Real Estate				29			1			40	6					2			13
Contracts	1		66				2			45	19					11			18
Labor Relations			1								1								
Antitrust, Etc.																			1
Corp. Receivership																			1
General Civil	1		33				6			36	15					6			15

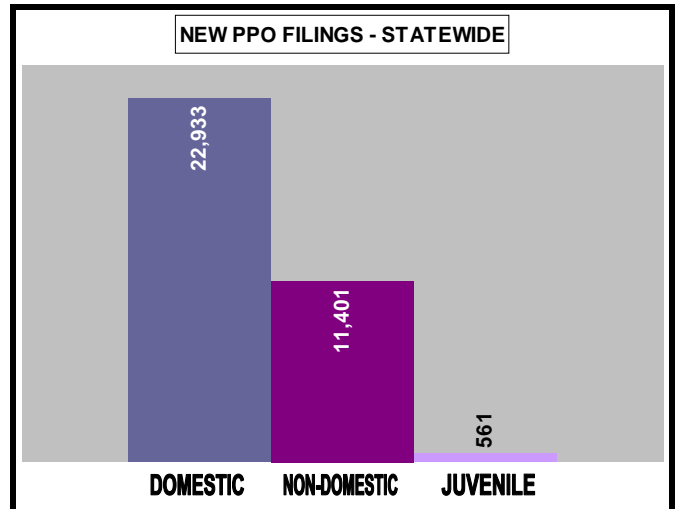
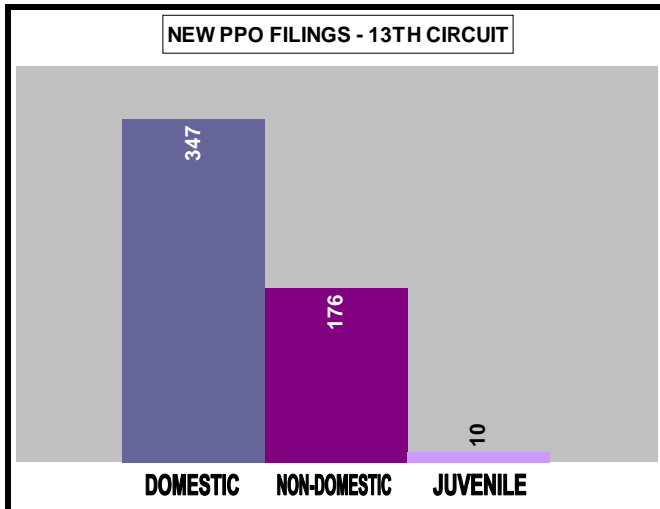
<b>CASE TYPE</b>	JURY TRIAL	ADMISSION	SETTLED*	ORDER ENTERED	ORD AFTER HRG	FINALIZED	TRANSFERRED	WITHDRAWN	PARTY DISMISSAL	CT DISMISSAL	DENIED @ HRG	CONSENT	DIVERSION	RECISSION GRT	INACTIVE	UNAUTHORIZED	CASE TYPE CHNG	OTHER
<b>AUTO NEG</b>																		
No-Fault Insurance	1		2				1		31	2					6			7
Personal Injury	5		7						44	4					5			15
<b>OTHER DAMAGES</b>																		
Medical Malpractice	1								6									2
Other Personal Injury	1		4				3		17	5					4			6
Other Damage Suits									3	1					3			
<b>MISC CIVIL</b>																		
Records Proceedings										1								
Claim & Delivery			2						3	1								2
Supp. Proceedings			1															
Misc Proceedings			3															2
<b>DOMESTIC</b>																		
Custody			11				1		1									
Divorce – Children			252				1		33	46					75			
Divorce – No Minors			283						29	29					67		1	
Paternity			51				1		1	19								
Support			108						6	9								
Other Proceedings			9						4	1					1		1	
UIFSA			8							2								
<b>JUVENILE CODE</b>																		
Delinquency		208					50		41	32		44	9					
Child Protective		60					8	18									1	
<b>ADOPTION CODE</b>																		
Adult						2												
International						2		1										
Direct Placement						3												
Relative						4												
Permanent Ward						26				1								
Step-Parent						3								1				
Other						1												
<b>MISC FAMILY</b>																		
Emancipation					1													
Name Change					37				3		2							
Adult Foster Care Act					1													
Other Proceedings							2											

\*The term *Settled* collectively includes cases that were defaulted, uncontested or settled.

# PERSONAL PROTECTION ORDERS

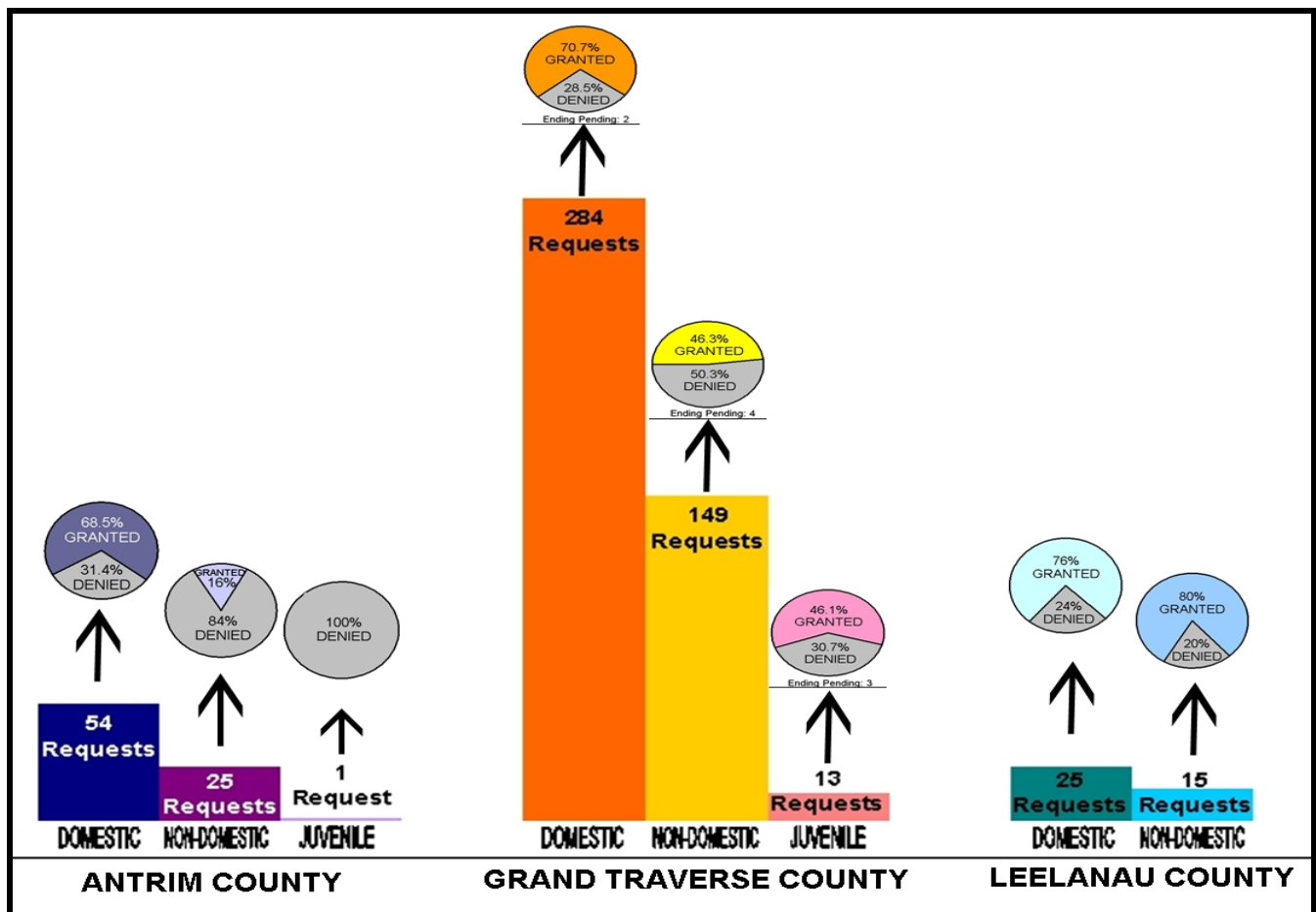
## NEW CASE FILINGS

In 2013, the Thirteenth Circuit Court received 533 new requests for personal protection orders (PPOs), which is a decrease from the 588 requests filed in 2012. The Court issued 257 domestic personal protection orders, 85 non-domestic personal protection orders and 6 personal protection orders against juveniles in 2013.

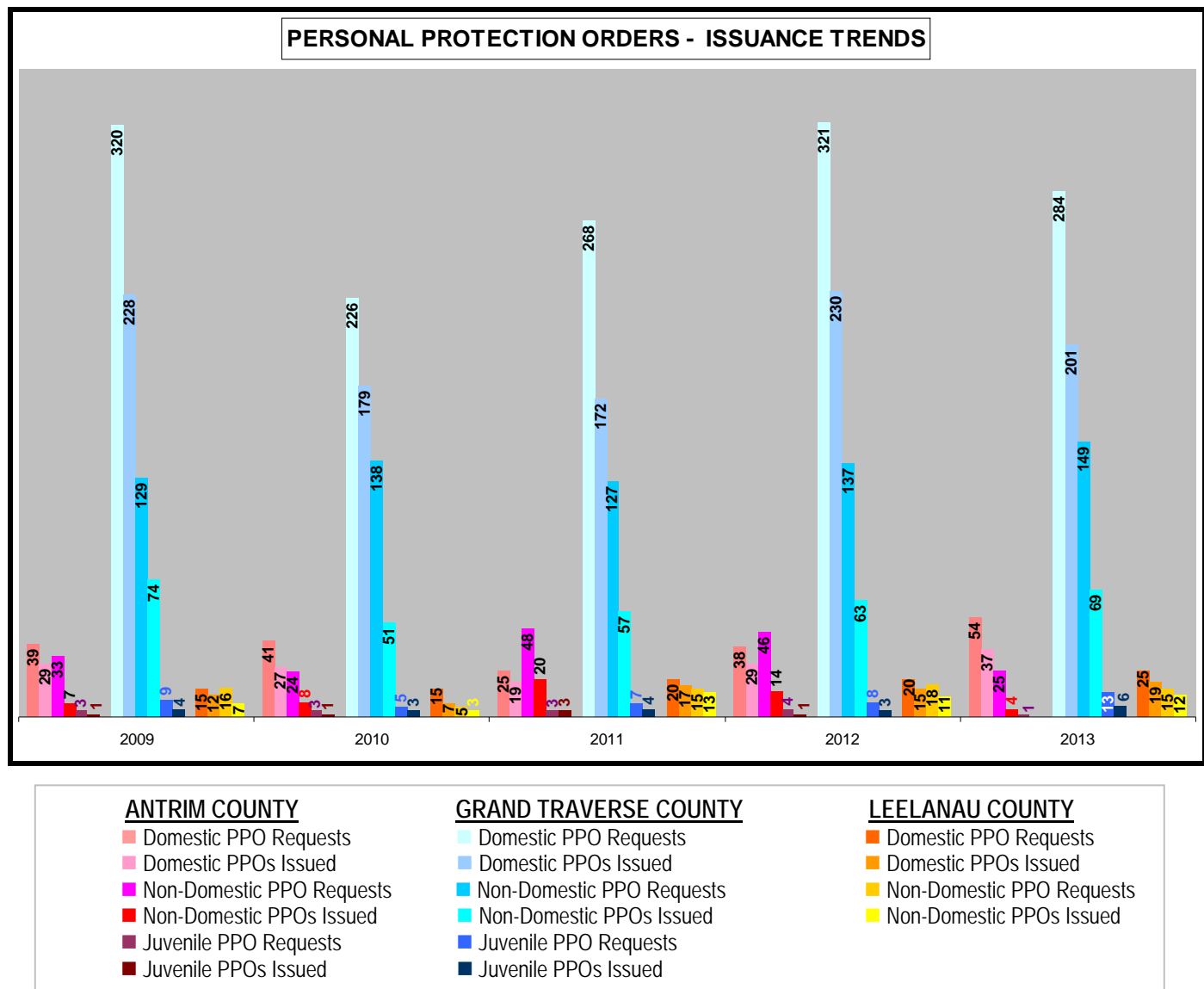


## TOTAL CASELOAD

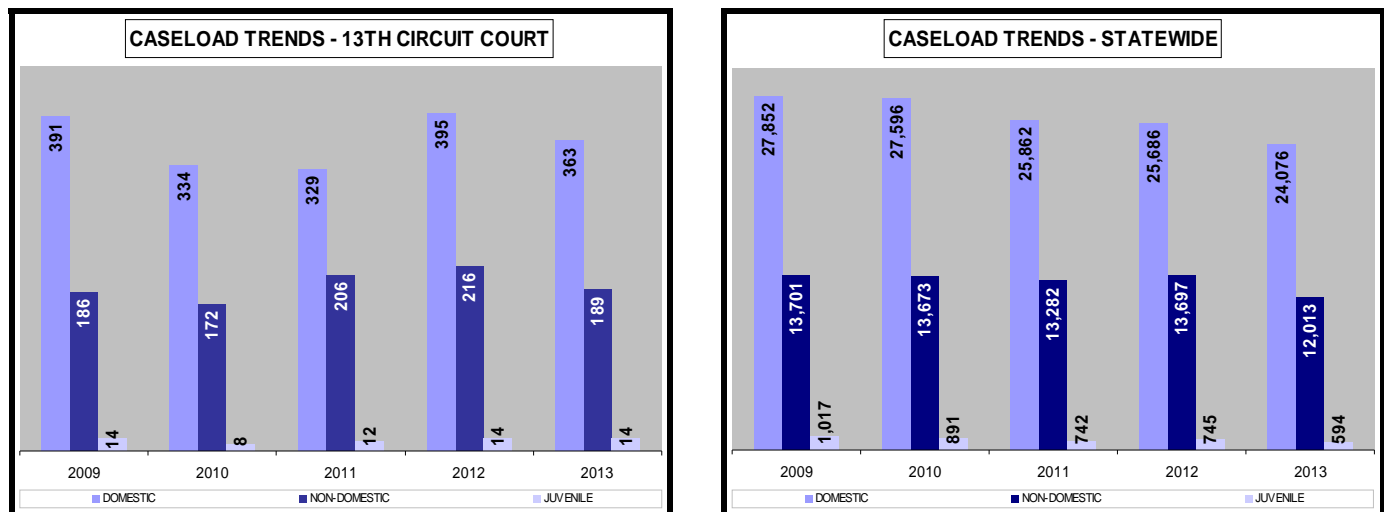
The chart below compares, by county, the percentages of PPO requests granted and denied. The PPO request data includes both new filings and re-opened cases.



The chart below depicts personal protection order issuance trends for each county over the past 5 years.



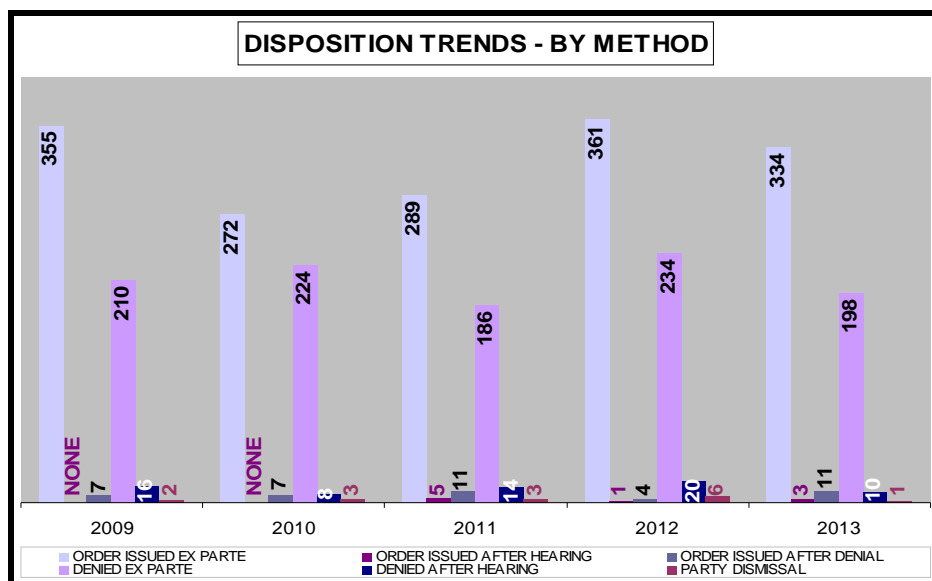
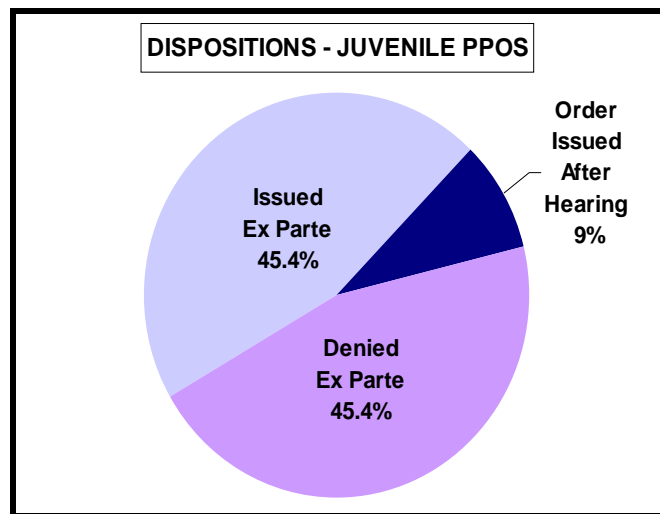
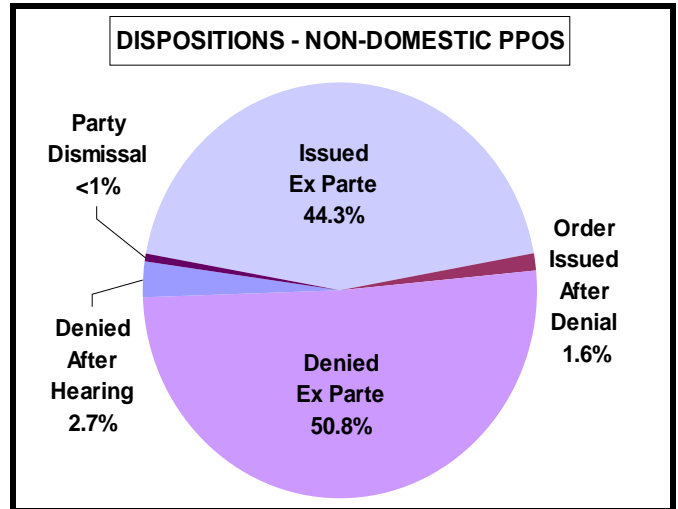
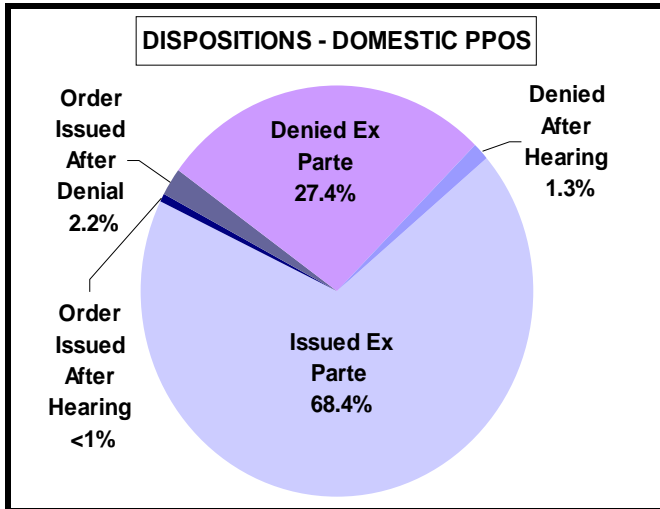
The charts below compare recent personal protection order caseloads for the Thirteenth Circuit Court and the State of Michigan.





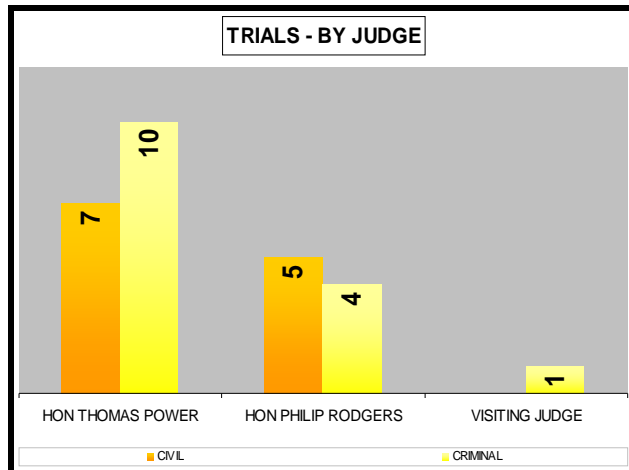
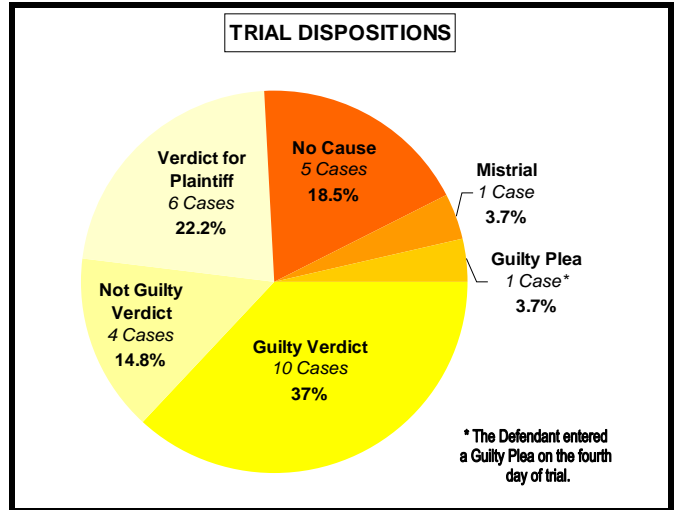
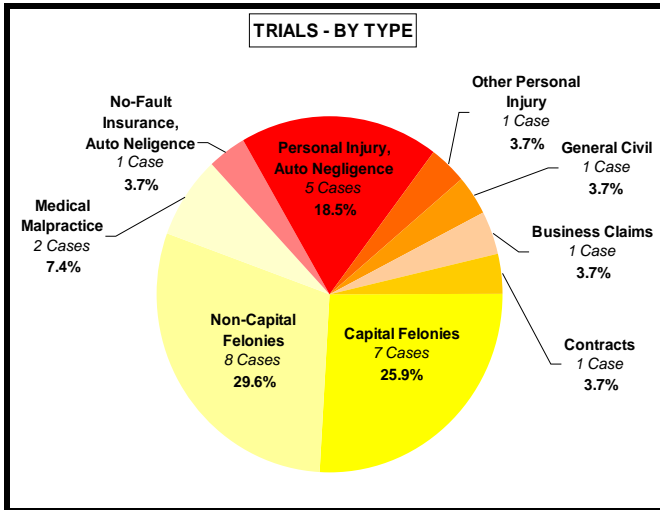
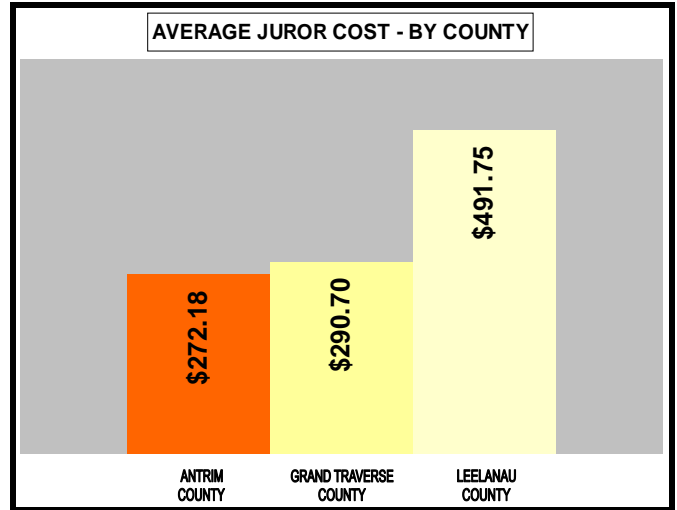
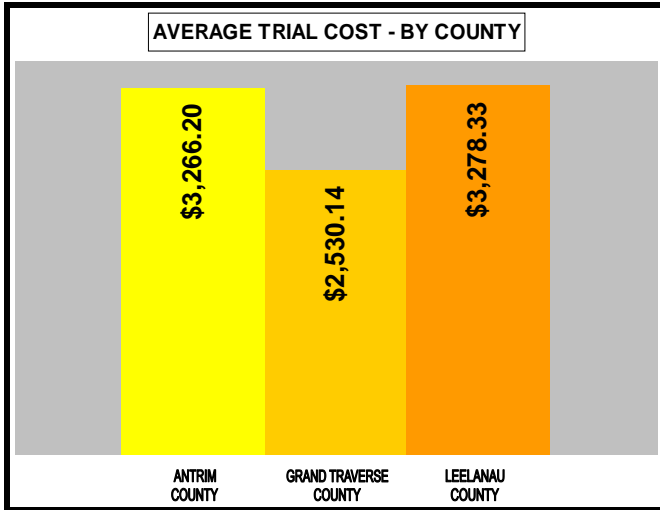
## DISPOSITIONS

Personal protection orders can be disposed of in the following ways: the Court can issue an ex parte order granting or denying the PPO request, the Court may hold a hearing on the matter and either issue an order granting the PPO or issue an order denying the PPO, an order may be issued after a PPO request has been denied, the case may be transferred, or the request may be dismissed by requesting party. The pie chart below illustrates the methods used to dispose of personal protection order actions in 2013.



# JURY TRIALS

To qualify to serve as a juror, an individual must be a United States citizen, at least 18 years of age, a resident of the county issuing the summons, conversant in the English language, physically and mentally able to carry out the functions of a juror and cannot have committed a felony. The process for selecting potential jurors begins with the Secretary of State providing a list of eligible jurors to the county jury board. Antrim, Grand Traverse and Leelanau Counties each have individual 3-member jury boards, appointed by that County's Board of Commissioners, with members serving 6-year terms. The jury boards then send juror questionnaires to the prospective jurors in their respective counties. Once the questionnaires are returned, the jury board randomly selects prospective jurors for their Circuit Court, District Court and Probate Court cases.



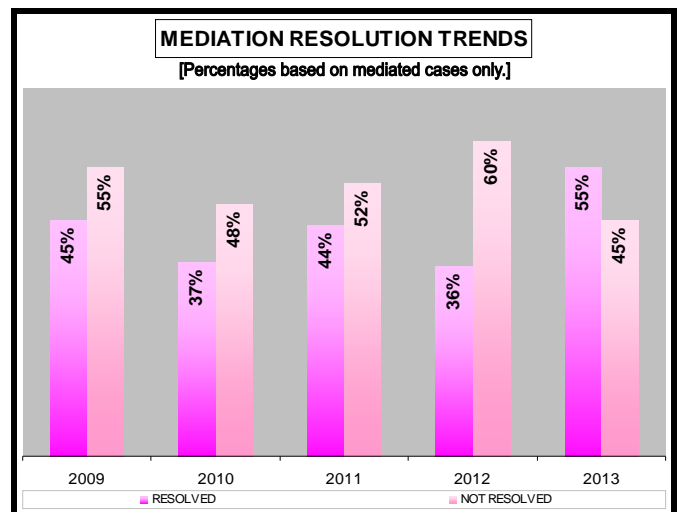
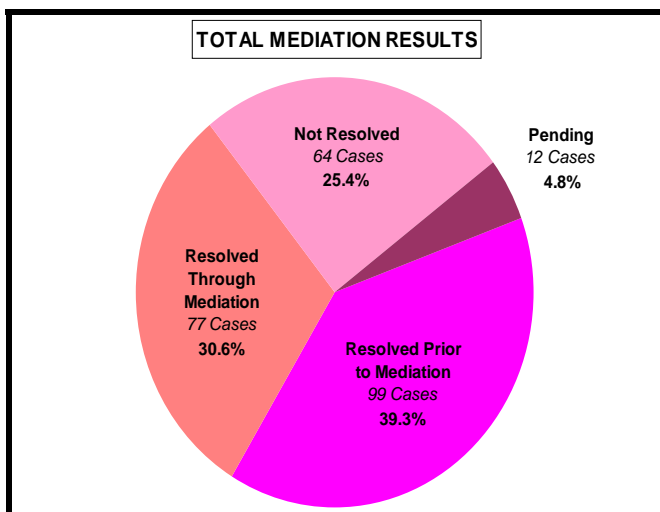
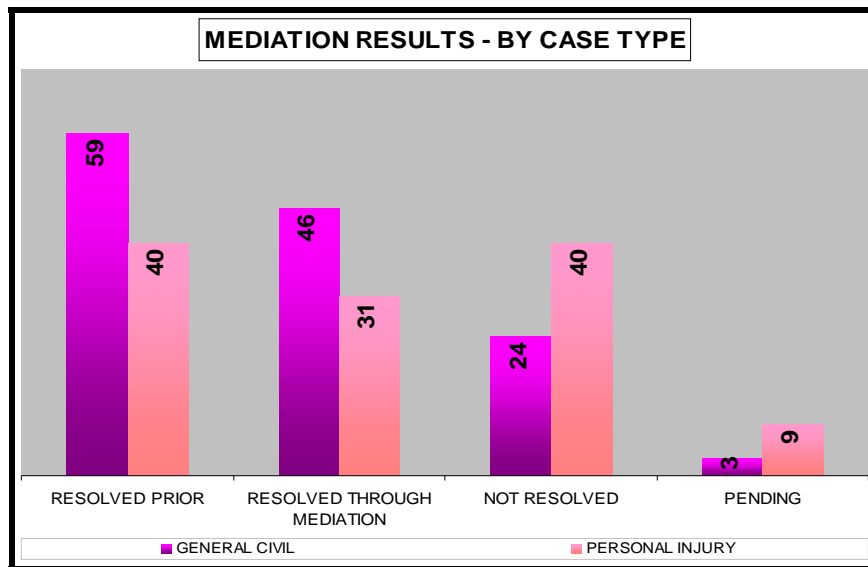
# ALTERNATIVE DISPUTE RESOLUTION

Alternative Dispute Resolution (ADR) is any process designed to resolve a legal dispute in the place of court adjudication. ADR includes facilitative mediation, domestic relations mediation, and settlement conferences. ADR may also include case evaluation, a non-binding process in which a panel of experienced attorneys assess the relative strengths and weaknesses of the parties' legal positions and assign a value to the case. Party litigants who wish to pursue case evaluation are permitted to arrange the proceedings themselves or use the offer of judgment provision pursuant to MCR 2.405.

All civil cases are subject to the ADR process unless otherwise provided by statute or court rule. ADR helps reduce costs to taxpayers due to a reduction in the overall need for jurors, compensation for lay and expert witnesses and the need for additional judges and/or courtrooms.

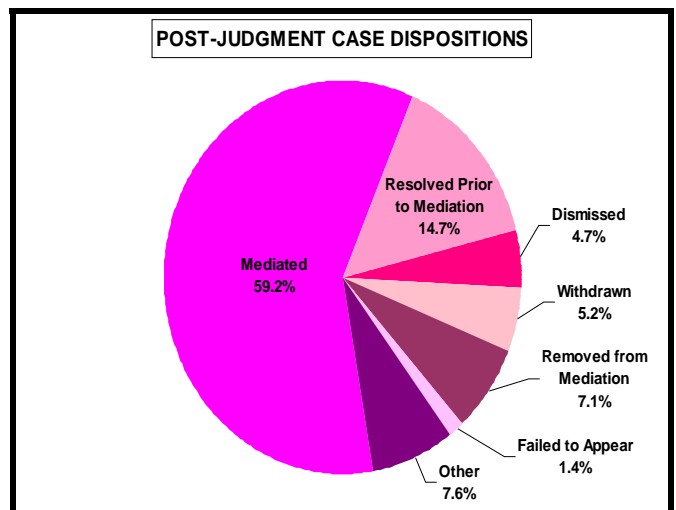
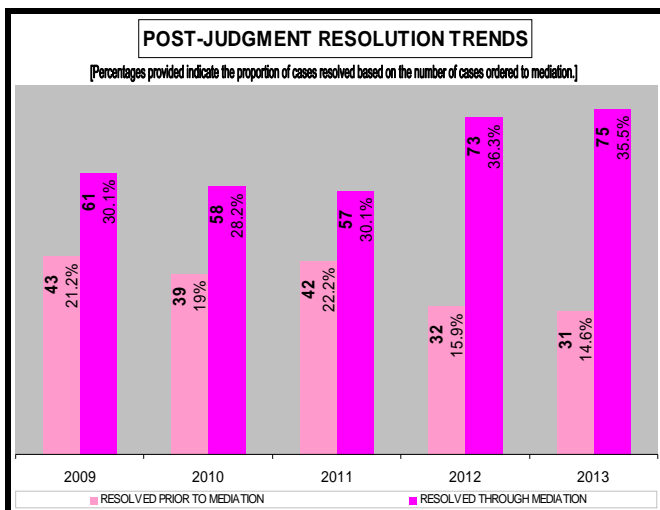
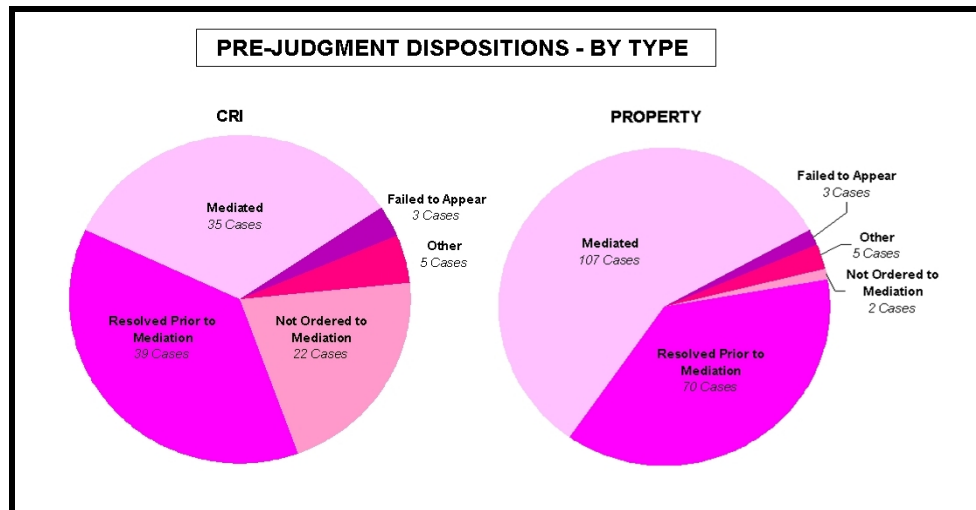
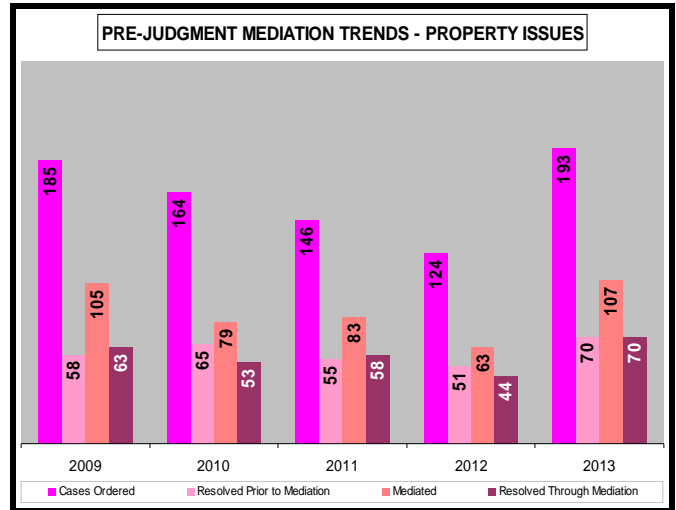
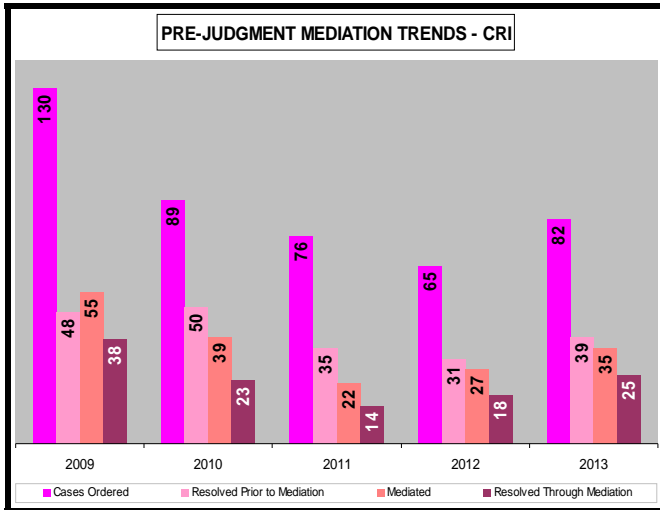
## CIVIL FACILITATIVE MEDIATION

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 2013, 132 General Civil cases and 120 Personal Injury cases were ordered into mediation, with 141 cases actually being mediated. The Court selected a mediator for the parties in 10 cases. In addition, the State Court Administrative Office assigned one case from Wexford County, one from Charlevoix County and one from Crawford County to the Thirteenth Circuit Court as "outside assignments," however, these "outside-assignments" are not included in the ADR data that follows.



# DOMESTIC RELATIONS FACILITATIVE MEDIATION

Domestic Relations mediation pertains to the following types of cases: Divorce with Minor Children ("DM"), Divorce without Children ("DO"), and Other Domestic Relations Matters ("DZ"). Mediation in these cases can address child-related issues ("CRI") and/or property-related issues. The issues to be mediated vary depending on the type of case and mediation can be ordered for either CRI or property-issues, or both. Therefore, the data regarding cases ordered into mediation may overlap for CRI and property issues. "Pre-Judgment cases" are those where a Judgment of Divorce has not yet been filed with the Court. "Post-Judgment cases" are cases where motions and/or objections are filed with the Court after the Judgment of Divorce has been entered.



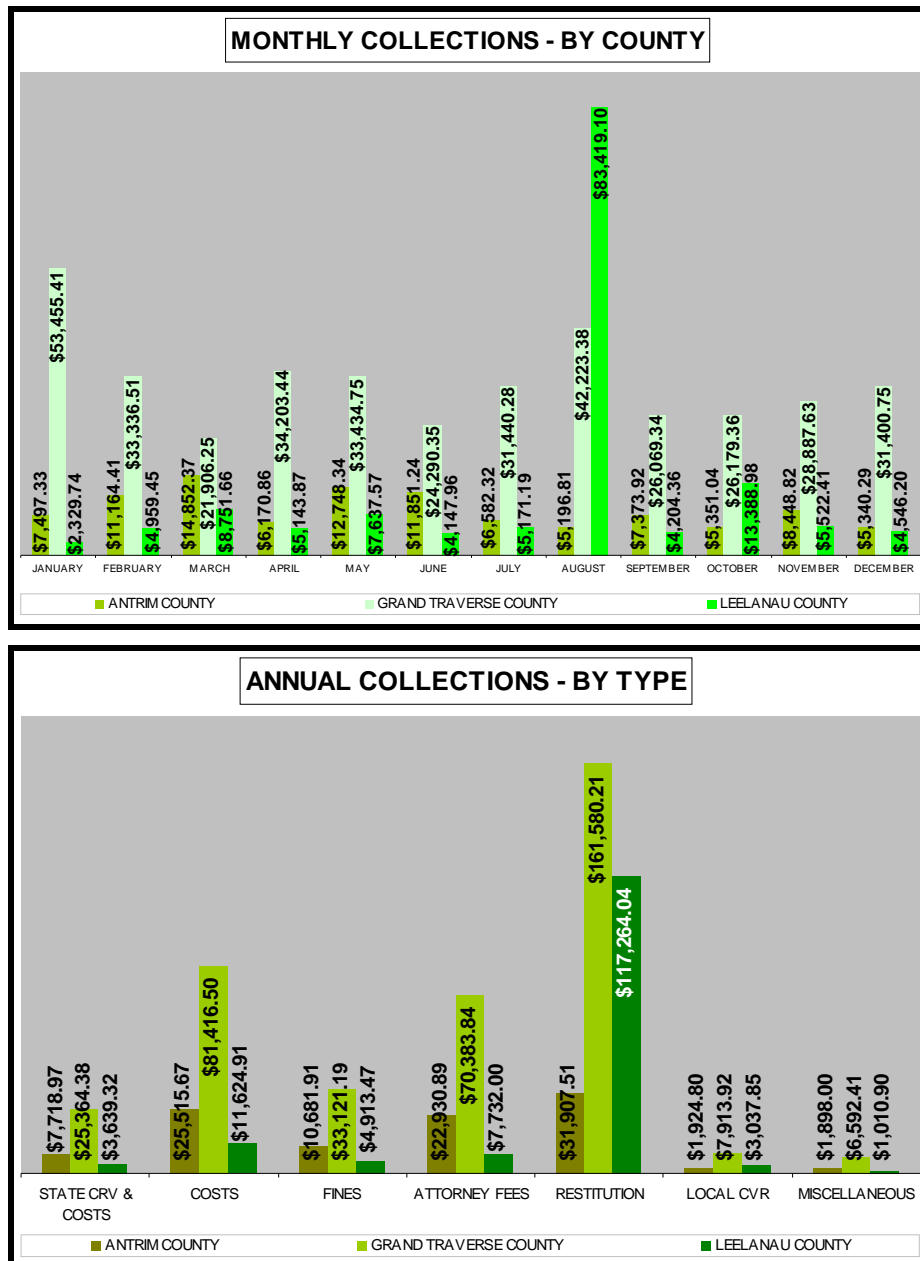


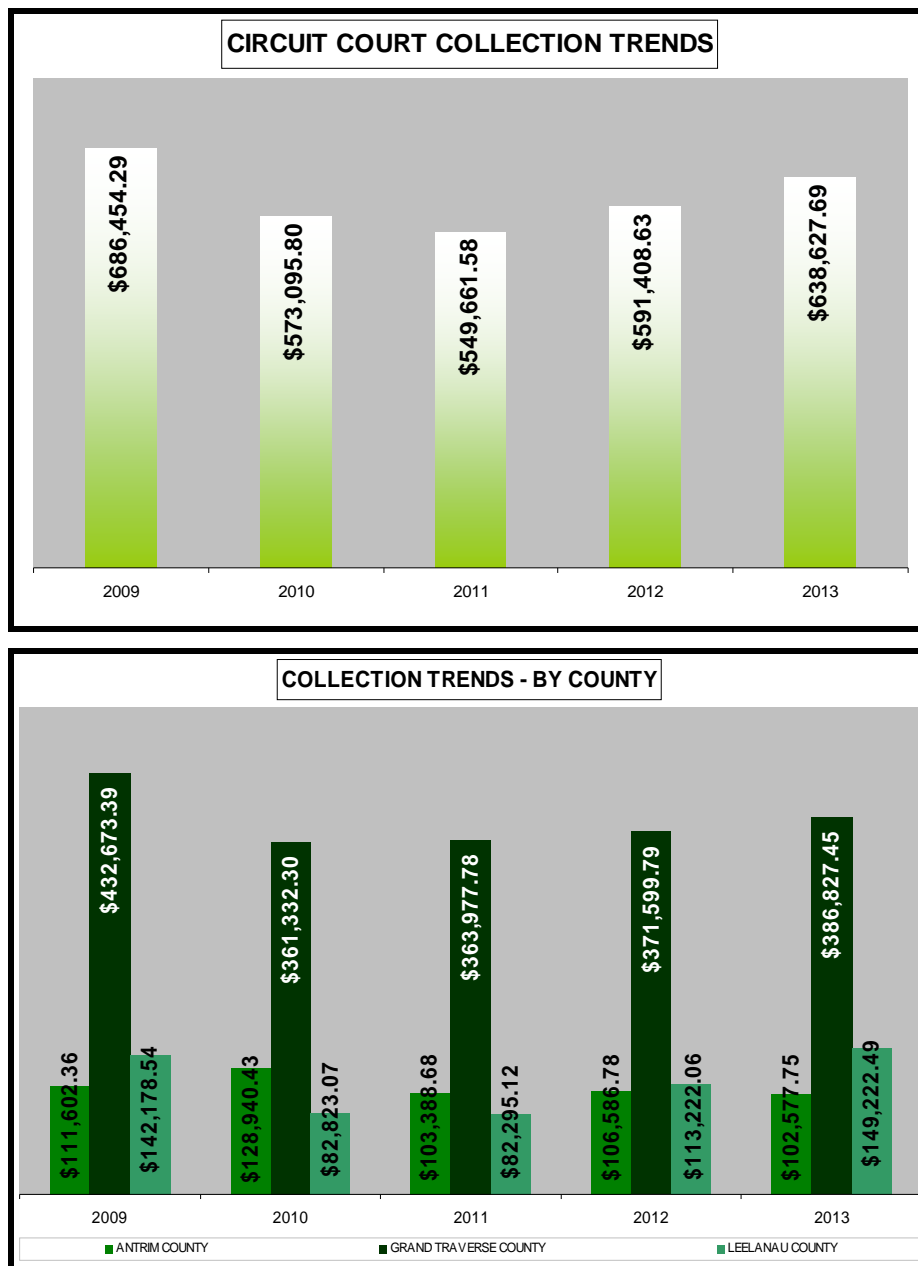
# COURT FINANCES

The Joint Judicial Commission, established pursuant to an Inter-County Operating Agreement, acts as a liaison for Antrim, Grand Traverse and Leelanau Counties and the Courts in order to coordinate financial and administrative responsibilities between the Counties and Courts. Members of the Commission include the Circuit Court Judges, Court Administrator, board chairperson, chairperson for the Finance/Ways and Means Committee, County Administrator/Coordinator and the Chief Administrative Fiscal Officers in Antrim, Grand Traverse and Leelanau Counties.

## COLLECTIONS

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.

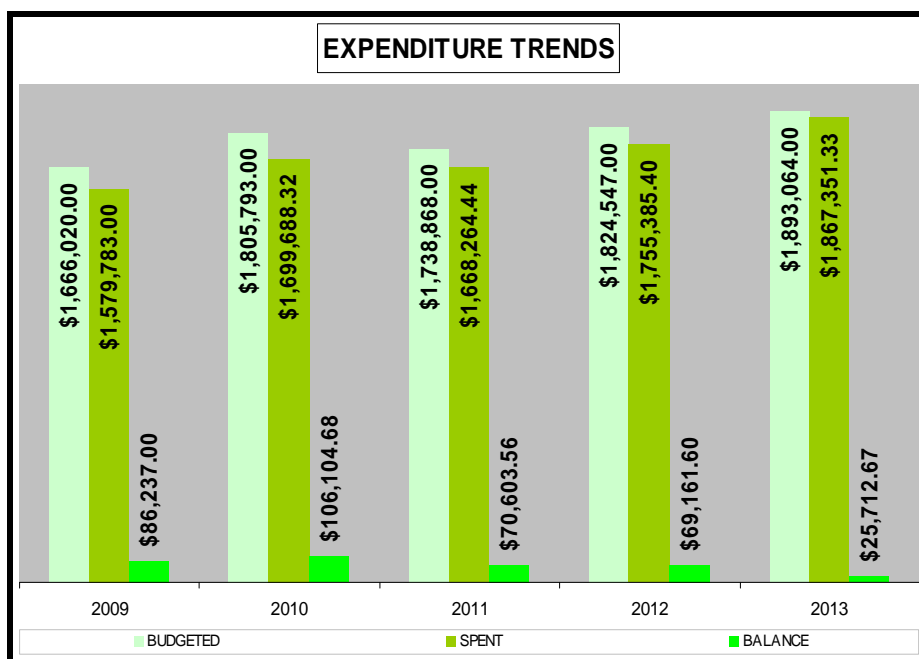
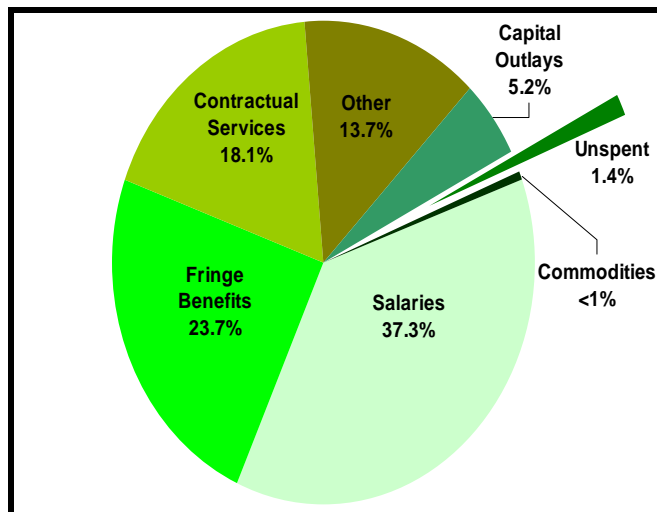
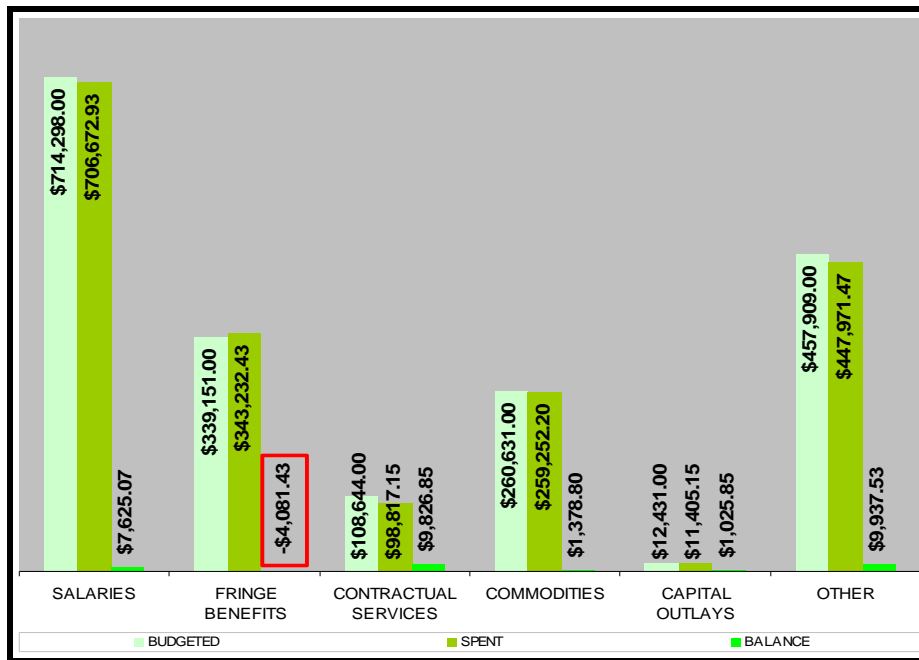




## REVENUES AND EXPENDITURES

Each county within the Thirteenth Circuit maintains its own budget and is responsible for the processing, auditing, verification and payment of operating expenses. Grand Traverse County oversees the Circuit Court Operating Fund, which pays for 'cost-shared' expenses, such as salaries, fringe benefits, office space, computer data processing, office supplies and other capital expenditures. Each individual county separately pays its 'cost-direct' expenses, like court-appointed attorneys' fees, jury fees, witness fees, transcript fees and courthouse security. Additional revenue comes from filing fees, court costs assessed by the County Clerks' Offices and the State of Michigan.

Expenditures are divided into 6 categories: (1) salaries for judicial, administrative and Friend of the Court staffs; (2) fringe benefits for judicial and administrative staffs, including FICA; (3) contractual services, including payments for defense counsel, transcripts, juror compensation, juror mileage, interpreters, professional services and other items necessary for administration and operation of the Courts; (4) commodities such as postage and office supplies; (5) capital outlays including legal reference material, office equipment and office furniture; and (6) other expenses like equipment rentals, printing, utilities, law books, continuing education and liability insurance.



## FRIEND OF THE COURT

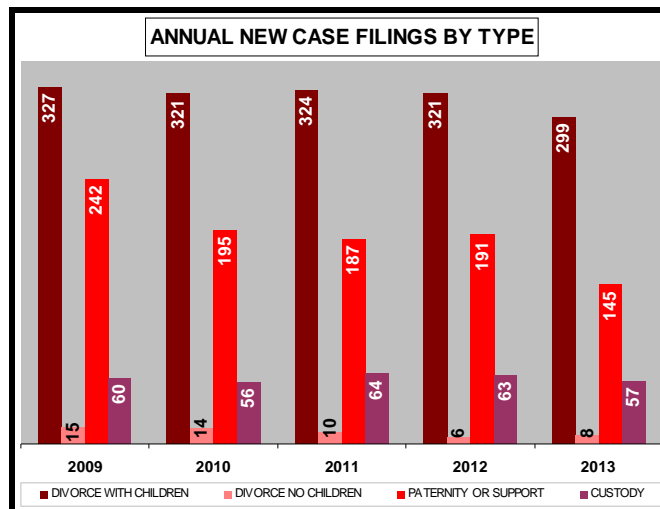
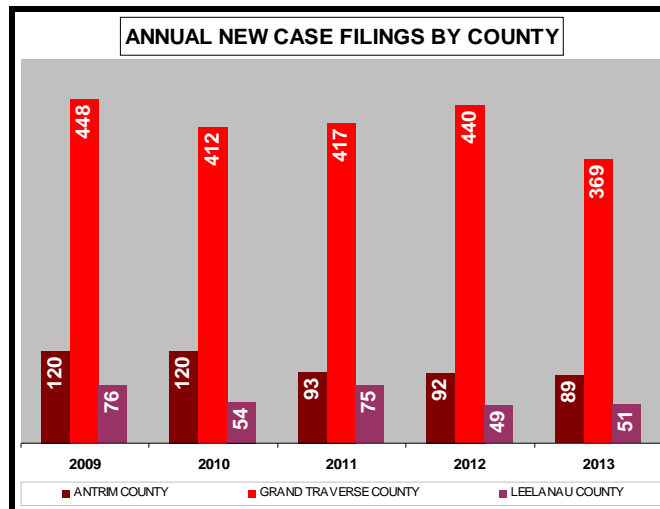
The Friend of the Court (FOC) assist the Circuit Court by providing enforcement of Court Orders relating to child support, health care, spousal support, and parenting time/custody and investigates, evaluates and submits recommendations to the Court on contested domestic relations matters.

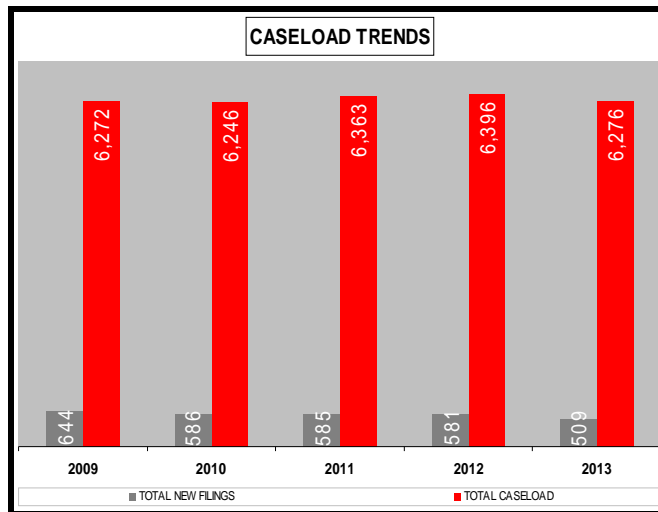
## CASE MANAGEMENT

In 2013, the FOC staff conducted 54 parenting-time investigations, 487 support and other investigations, 614 child support reviews, and made recommendations for temporary orders in 418 cases. The FOC office processed 129 complaints for reimbursement of children's extraordinary medical expenses, generated 133 custody and parenting-time notices, and prepared 204 stipulated orders for clients. Of the initial orders generated by the Friend of the Court office, 56% granted custody to the mother, 8% granted custody to the father, 34% provided for shared physical custody and the 2% provided for split care, third-party care and cases where custody was reserved initially. The parties agreed to the new custody orders in 61% of the cases, while custody was determined by fault in 12% of the cases. The Court granted 39 petitions to "opt out" of Friend of the Court services and 13 cases which had previously "opted out" were reopened in 2013.

## NEW CASE FILINGS

There were 509 new cases opened with FOC in 2013, with 17.5% from Antrim County, 72.5% from Grand Traverse County and 10% from Leelanau County, and the office administered 6,276 open cases throughout the year. Parties acting in *propria persona* represented themselves in 32% of the new cases filed.

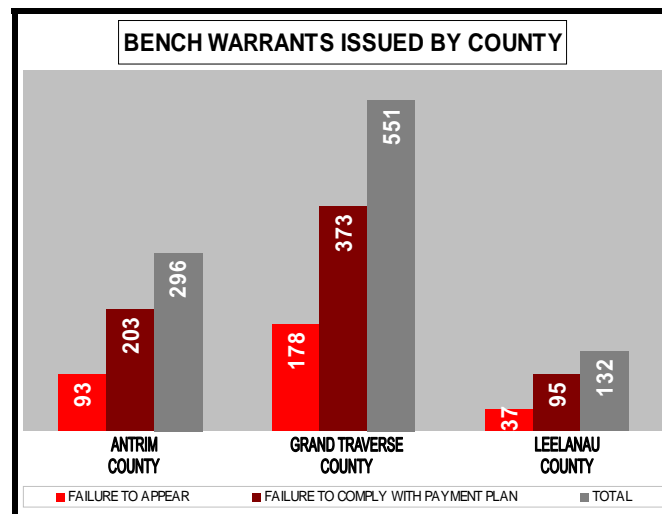




## **CHILD SUPPORT AND PARENTING-TIME ENFORCEMENT**

In 2013, the FOC scheduled 1,303 child support enforcement hearings. The office resolved 298 cases due to payment or establishment of successful income withholding and conducted hearings in the remaining 1,005 cases. The FOC office generated 5,601 income withholding notices, 859 notices of enforcement, and 9 notices of proposed suspension of drivers' licenses. Drivers' licenses for 4 non-compliant support obligors were actually suspended.

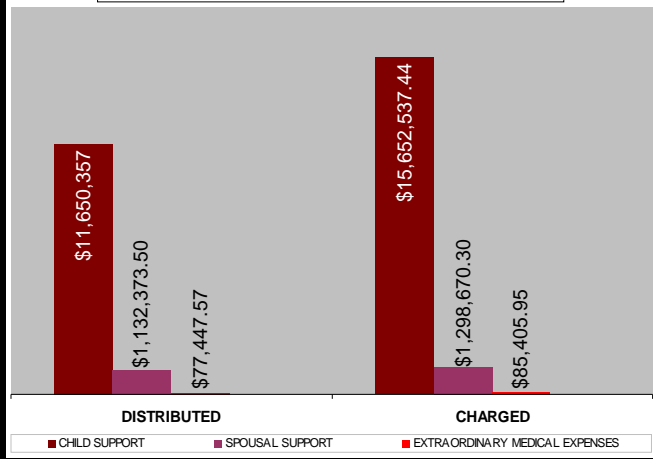
In 2013, a total of 979 warrants were issued in the Thirteenth Circuit. Antrim County issued 30.2% of the warrants, Grand Traverse County issued 56.2% and Leelanau County issued 13.4%. Failure to comply with a previously Court ordered payment plan led to 671 of the warrants issued and remaining warrants issued were for a party's failure to appear. The warrants resulted in 401 arrests. During 2013, 507 outstanding warrants were resolved by the FOC, typically due to arrangements for payment of child support, establishment of income withholding or posting of bond with the FOC office.



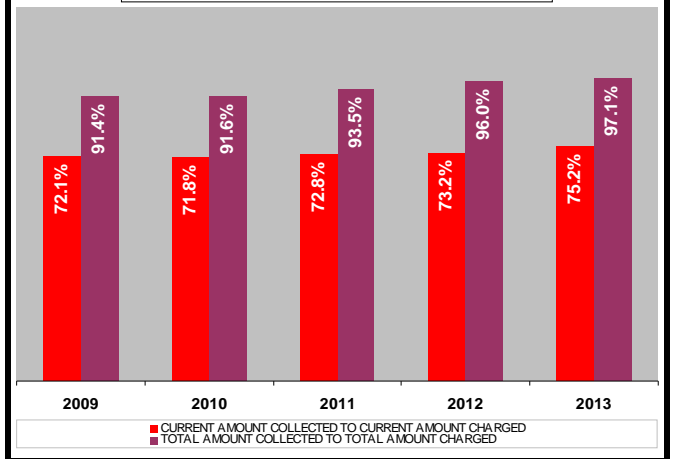
## **EXPENSES, REVENUE AND SUPPORT**

The Friend of the Court's total expenses for 2013 was \$2,155,903.42. The FOC's total revenue, composed of support judgment fees, custody and parenting-time judgment fees, license reinstatement fees, support bench warrant fees, statutory service fees, grant funds, incentive payments, returns for IV-D services, program and non-program income, was \$1,819,449.87. The total amount of support distributed in 2013 by the FOC, including child support, spousal support, extraordinary medical expenses and birthing costs, was \$16,485,576.70. The total amount of support charged was \$17,036,613.69. The arrearage accumulated for the year was \$353,716.95.

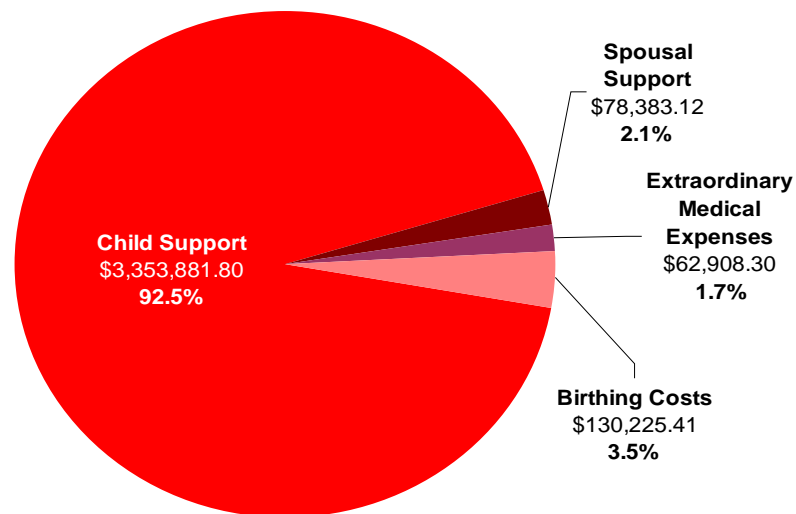
AMOUNT DISTRIBUTED v AMOUNT CHARGED



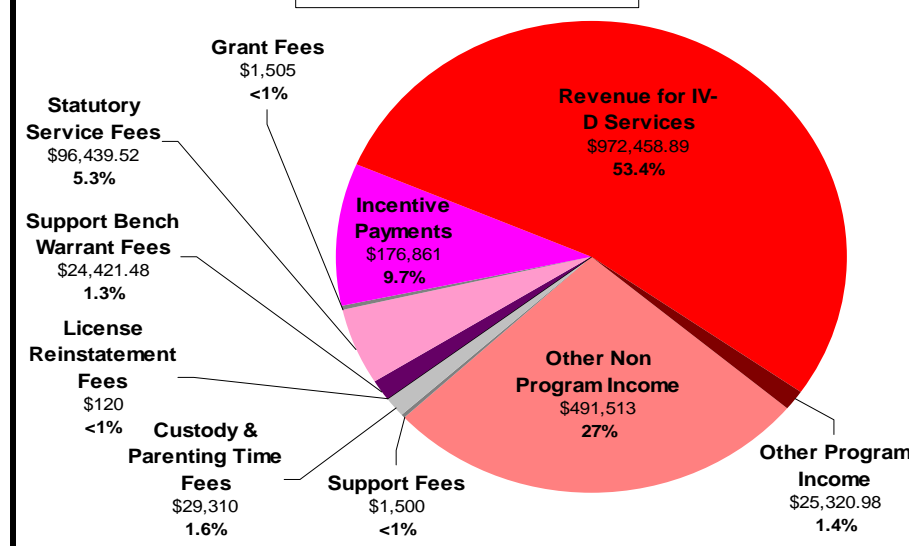
CHILD SUPPORT - COLLECTION RATIOS



ARREARAGE DISTRIBUTION



REVENUE DISTRIBUTION





## FRIEND OF THE COURT SUMMARY – 2013

In 2013, the Family Support Court, a specialty court, served 24 individuals. The Family Support Court focuses on identifying a child support obligor's impediments to employment and then develops and executes a plan to minimize those impediments with the goal of employment and the payment of child support. Constant accountability, frequent review hearings with incentives and/or sanctions, and utilization of community resources are hallmarks of the program.

The Court's education program for divorcing parents, SMILE, continued to assist families in 2013. SMILE is offered monthly at the Hall of Justice. There are day and evening sessions and registration for SMILE may be done electronically through the Friend of the Court website, located at [www.13thcircuitcourt.org](http://www.13thcircuitcourt.org). For individuals unable to attend the scheduled sessions, there is now a complete video program available. In 2013, a Power Point presentation was created for the FOC staff and the judiciary.

Again in 2013, the Friend of the Court received Access and Visitation grant funding from the State Court Administrative Office. The collaborative and enduring relationship between the Friend of the Court office and Child and Family Services of Northwest Michigan allowed for supervised parenting time and safe parenting time exchanges for qualified families. In 2013, there were 25 families referred, 17 for supervised visits and 11 for supervised exchanges.

The Friend of the Court continued working with and referring families to the local Community Reconciliation Service (CRS) for post-judgment mediation of custody and parenting time disputes, and the office persisted in offering voluntary mediation as an alternative dispute resolution measure.

Additionally, Child and Family Services began offering a parenting skills class, at the FOC's suggestion, and staff have started referring their clients; FOC initiated services for non-English speaking clients through Language Line, a telephone interpreter service; and the *propria persona* motion packets were revised to reflect procedural changes due to mandatory electronic filing.



Back row from left: Jeremy Hogue, Ellene Peters, Julie Dubay, Tracie Mullen, Karen Sanchez, Fran Boyle, Carol Rose, Carol Bradway, Kirsten Keilitz, Tammi Willoughby  
Middle Row: Jayne Arnold, Alisa Gallo, Margaret Pierce, Nicole Dilloway, Dawn Rogers, Kaitlyn Becker, Angela Pellitier, Terri Lynn Andresen, Sally Rath  
Seated: Amy Tulpa, Laura Burke, Martha Hornbaker, Esther Cooper, Al Crocker, Cynthia Conlon, Amber Swift

# **THIRTEENTH JUDICIAL CIRCUIT COURT**

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 travel monthly to Bellaire and Suttons Bay to preside over matters in Antrim and Leelanau Counties. Judge Power and Judge Rodgers alternate 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.

## **JUDGES**

### **HONORABLE THOMAS G. POWER**



Judge Power was elected to the bench in 1992 and re-elected, after running unopposed, in 1998, 2004 and 2010.

A Traverse City native, Judge Power attended Traverse City High School and received a degree in Economics, Phi Beta Kappa, from Carlton College. After attending the University of Michigan Law School, he received a master's degree in taxation from New York University Law School before practicing law with the firm of Elhart & Power.

He represented Leelanau, Grand Traverse and Kalkaska Counties in the Michigan State Legislature for 10 years and was a member of the Judiciary Committee. Judge Power previously served on the Grand Traverse-Leelanau Mental Health Board and was a member of the Traverse City School Board. Judge Power is a member of the Traverse City Rotary Club and is a pilot for the U.S. Coast Guard Air Auxiliary. He is married and has two children.

### **HONORABLE PHILIP E. RODGERS, JR.**



Judge Rodgers was elected to the bench in 1990 and ran unopposed in 1996, 2002 and 2008.

Judge Rodgers obtained his undergraduate degrees in Economics and Political Science from the University of Michigan and later received his law degree from the University's Law School. He also received a Master of Public Policy Degree from the University. Judge Rodgers was a partner with the law firm of Menmuir, Zimmerman, Rollert and Kuhn prior to taking the bench.

The Judge has served on the Traverse City Board of Directors for Rotary Charities, participated with the City Commission and acted as Mayor of Traverse City in 1989. In 2007, Judge Rodgers was acting President of the Michigan Judge's Association and he presently serves on the Legislative Committee. The Judge also serves on the Supreme Court's Technical Implementation Committee. Judge Rodgers is married and has four children.

## **HONORABLE NORMAN R. HAYES**



Judge Hayes presides over all litigation involving guardianships, conservatorships and estates in Antrim County. As Judge for the Family Division, he supervises all divorce actions, personal protection requests, juvenile delinquencies, and neglect and adoption proceedings.

After earning his law degree from Thomas M. Cooley Law School in 1979, Judge Hayes served for 11 years as prosecutor and 10 years as a District Court Judge in Antrim, Ostego and Kalkaska Counties. Judge Hayes has served as a Director of the Michigan District Judges Association and a Director of the Prosecuting Attorneys Association. Judge Hayes has three children.

## **HONORABLE LARRY J. NELSON**



Judge Nelson oversees the Family/Probate Court for Leelanau County. The Judge presides over all litigation involving estates, guardianships, conservatorships and mental health commitments. In addition, he supervises all divorce actions, personal protection requests, juvenile delinquencies, and neglect and adoption proceedings.

Judge Nelson received his undergraduate degree from the University of Michigan and his Juris Doctorate from the University of Toledo.

Judge Nelson served as an assistant prosecutor in Oakland County and as a Leelanau County prosecutor. Prior to his election in 2010, Judge Nelson was a general practice attorney in Leland. Judge Nelson is married and has two children.

## **HONORABLE MELANIE D. STANTON**



Judge Stanton was elected to serve as the Grand Traverse County Family Court and Probate Judge in 2012. Judge Stanton presides over all probate cases and, as Family Court Judge, oversees cases involving abuse and neglect of children, juvenile delinquency, adoption, name changes, paternity and support, personal protection orders involving minors and divorces with minor children. Additionally, Judge Stanton presides over two specialty courts; the Behavioral Treatment Court and the Juvenile Sobriety Court.

Judge Stanton attended Henry Ford Hospital School of Nursing and received her undergraduate degree in nursing from Wayne State University. She earned her law degree from the University of Detroit School of Law in 1989.

Prior to her election, Judge Stanton was in private practice in Grand Traverse County. Judge Stanton is married and has two children.



## DOMESTIC RELATIONS AND JUVENILE REFEREES

**KIRSTEN KEILITZ**



**CYNTHIA CONLON**



The Domestic Relations and Juvenile Referees for the Thirteenth Circuit Court preside over abuse/neglect cases, juvenile criminal offenses and all child-related issues in domestic relations cases in Antrim, Grand Traverse and Leelanau Counties.

In 2013, the Referees conducted 62 custody hearings, 68 parenting time hearings, 61 child support hearings and 186 hearings relating to Personal Protection Orders. Further, the Referees handled 110 other hearings including, but not limited to, change of domicile, change of residence, and grandparenting time.

Cynthia Conlon is a licensed attorney in Michigan and has been an employee of the Circuit Court for over 10 years. Kirsten Keilitz, also a licensed Michigan attorney, began working for the Court in 2009 after practicing law with a local firm.

## CIRCUIT COURT ADMINISTRATION



**TERI QUINN**  
Court Administrator



**JULIE ARENDS**  
Deputy Court Administrator



**STACY OSBORNE**  
Court Specialist



**NORMA SANDELIUS**  
Court Specialist



**KIM SHERIDAN**  
Court Specialist



**BRANDT WALDENMYER**  
Court Specialist

The Circuit Court Administration Office is located in the historic Grand Traverse County Courthouse in downtown Traverse City. Administrative team members have specific responsibilities and duties associated with their individual office positions, however, all staff members are cross-trained to assist the public if their colleagues are unavailable. The administrative staff members specialize in domestic relations and personal protection orders, domestic relations mediation, civil alternative dispute resolution, felony collections and scheduling, among others. The administrative staff members have significant training and experience working for the state judicial system.

## COURT REPORTERS

**KAREN COPELAND      JESSICA JAYNES**



The Michigan Court Rules establish that only certified court reporters may record or prepare transcripts of proceedings held in Michigan Courts or of depositions taken in Michigan. Certification is awarded after completing the testing process administered by the Court Reporting and Recoding Board of Review, with the assistance of the State Court Administrative Office.

Karen Copeland and Jessica Jaynes are the court reporters for the 13<sup>th</sup> Circuit Court and work in all three counties, Antrim, Grand Traverse and Leelanau, to report judicial matters. Karen and Jessica are licensed Certified Shorthand Reporters (CSRs), Registered Professional Reporters (RPRs) and are training to become Certified Realtime Reporters (CRRs). They are both members of the Michigan Association of Professional Court Reporters and the National Court Reporter Association.

## STAFF ATTORNEYS

**BROOKE  
BEARUP-DEBOER      KATHRYN  
HENNING-CALLISON**



Each Circuit Court Judge employs a full-time assistant who assists with legal research, drafting opinions and orders and serves as bailiff during jury trials.

Brooke Bearup-DeBoer is Judge Rodgers' Staff Attorney. Brooke is licensed to practice law in Michigan and previously worked in private practice and as a law clerk with the 1<sup>st</sup> Circuit Court of Hawaii. She is a member of the State Bar of Michigan and the Grand Traverse-Leelanau-Antrim Bar Association. Brooke also compiles and edits the Court's Annual Reports.

Kathryn Henning-Callison serves as Judge Power's Staff Attorney. Kathryn is licensed to practice law in Michigan and, prior to her employment with the Court, she worked at a private practice law firm in Traverse City. Kathryn is a member of the State Bar of Michigan, the Grand Traverse-Leelanau-Antrim Bar Association and has participated with the Traverse Board of Zoning Appeals.

## DIVISIONS

### ANTRIM COUNTY FAMILY DIVISION



Standing from Left: Bill Hefferan [Family Division Administrator], Sandra Davids [Judicial Secretary], Raelene Riley [Juvenile Register], Kim Albert [Deputy Register], Patricia Theobald [Probate Register], Teresa Ankney [Probation Officer],  
Seated: Hon. Norman Hayes

In 2013, 161 new domestic relations cases were filed with the Antrim County Family Division. The total domestic relations caseload consisted of 228 cases, with the Court disposing of 171 cases.

The total juvenile code caseload consisted of 117 cases. There were 98 new case filings: 74 delinquency cases, 23 child protective cases and 1 personal protection action.

In 2013, there were 45 children associated with new child protective filings. The Court served as the temporary legal guardian for 4 children.

The Court disposed of 10 adoption code cases, finalized 10 adoptions, and processed 79 adult personal protection cases.

### GRAND TRAVERSE COUNTY FAMILY DIVISION



From Left: Diane Conklin [Family Division Administrator], Sue Bennett [Civil/Litigation Specialist], Janet Kronk [Neglect/Abuse & Adoptions Specialist], Cheryl Goodwin [Therapeutic Programs Coordinator], Mandi Leer [Collections Specialist], Melissa Wheat [Judicial Assistant], Janet McGee [Court Reporter]  
Inset Photo: Leanne Laucky [Juvenile Administration Specialist]

In 2013, 643 new domestic relations cases were filed with the Grand Traverse County Family Division. The total domestic relations caseload consisted of 977 cases, with the Court disposing of 778 cases.

The total juvenile code caseload consisted of 386 cases. There were 321 new case filings: 250 delinquency cases, 62 child protective cases and 9 personal protection actions. The Court supervised 116 juveniles in 2013.

In 2013, there were 88 children associated with new child protective filings. The Court served as the permanent legal guardian of 15 children and the temporary legal guardian of 62 children.

The Court disposed of 28 adoption code cases, finalized 27 adoptions, assisted with name changes for 32 individuals and processed 427 adult personal protection cases.



## GRAND TRAVERSE COUNTY JUVENILE PROBATION



From Left: Jeff Burdick [Probation Officer], Barb Donaldson [Chief Probation Officer], Matt Ferguson [Probation Officer], Kelly Majszak [Administration], Eric Salani [Probation Officer], Kate Walters [Probation Officer]

The Juvenile Probation Department made over 2,909 probation contacts in 2013, including conferences at the probation office, Juvenile Mental Health Court, Juvenile Drug Court, New Vision Academy, home and school visits, tether hookups, Wraparound and community meetings.

The Juvenile Probation Department conducts a Risk Assessment for each youth to determine the level of service required to address his or her criminogenic needs – dynamic risk facts for delinquency. The Department implements evidence based practice programming, which is scientifically designed to reduce recidivism, for its clients. The Probation Officers have each received certification to implement the programming.

## GRAND TRAVERSE COUNTY TRUANCY



Kathy Nixon [Administrative Assistant] Heather Prevo [Administrator]

The Truancy Intervention Center serves Traverse Area Public Schools, TBA-ISD, Grand Traverse Academy, Traverse City Christian, Kinsley Area Schools and Elk Rapids.

In 2013, the Truancy Intervention Center worked with 313 students, of which 90% were diverted from formal court proceedings and 73% did not commit a second offense.

The Center received 224 prevention service referrals to assist students, held 170 Family Team Intervention Conferences and provided over 768 actual services to youth and their families.

Upon receiving a referral, an Intervention Conference is held to determine the cause of the student's attendance problem and to develop a plan addressing the truancy. Students with second offenses are required to attend prevention service classes and counseling through Catholic Human Services or Third Level Crisis Center. When a student commits a third offense the file is then sent to the Prosecuting Attorney for possible charges.

## GRAND TRAVERSE COUNTY VOLUNTEER SERVICES



From Left: Sue Adkins [Administration], Linda Fawcett [Coordinator], Laura Shumate [Learning Partners], Lindsey Jordan [Administration]

Volunteer Services places community volunteers with children and adults who have come in contact with the Court for a variety of reasons.

Programs provided by Volunteer Services include: Learning Partners, New Vision Academy, Citizen's Panel, transportation, guardianships and conservatorships.

Learning Partners matches adults as tutors/mentors with at-risk children. The Academy keeps juvenile offenders busy and engaged during the summer by offering programs in art, drama, cooking and other areas. Citizen's Panel, which diverts first-time shoplifters from the Court, has volunteers monitor offenders and assist them in fulfilling a "Community Promise" over an 8-week period. Volunteers transport delinquent youth to and from secure and non-secure detention homes and may also act as guardians/conservators for developmentally disabled adults and legally incapacitated individuals.

## LEELANAU COUNTY FAMILY DIVISION



From Left: Joseph Povolo [Family Court Administrator and Volunteer Coordinator], Ryan Douglass [Substance Abuse Caseworker and Juvenile Probation Officer], Therese Hahnenberg-Schaub [Juvenile Probation Officer], John Boonstra [Youth Services Counselor], Josephine Lingaur [Juvenile Register], Susan Richards [Probate Register]  
Seated: Hon. Larry Nelson

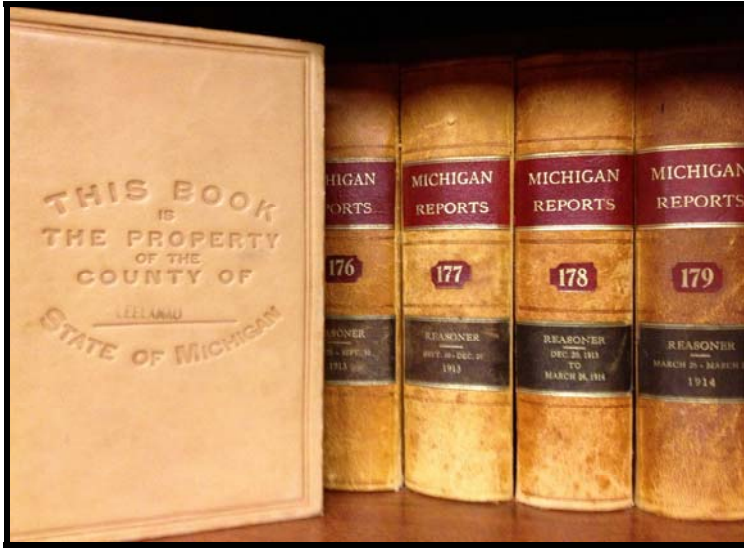
In 2013, 103 new domestic relations cases were filed with the Leelanau County Family Division. The total domestic relations caseload consisted of 147 cases, with the Court disposing of 101 cases.

The total juvenile code caseload consisted of 43 cases. There were 42 new case filings: 37 delinquency cases and 5 child protective cases. The Court supervised 27 juveniles in 2013.

In 2013, there were 8 children associated with new child protective filings. The Court served as the permanent legal guardian of 5 children and the temporary legal guardian of 8 children.

The Court finalized 4 adoptions, assisted with name changes for 2 individuals and processed 40 adult personal protection cases.

## LAW LIBRARIES



Each County maintains a Law Library, which provides legal material for courthouse and county employees, attorneys, *propria persona* litigants and local citizens.

Each library maintains Michigan court opinions, statutes, court rules, jury instructions, digests, legal encyclopedias, legal dictionaries and other authoritative resources.

In 2013, the Grand Traverse County Law Library, formerly located on the 4<sup>th</sup> Floor of the Historic Courthouse, was moved to the Traverse Area District Library on Woodmere. The operation and maintenance of the Law Library will now be performed by Grand Traverse County, instead of the Grand Traverse-Leelanau-Antrim Bar Association (GTLA).

## THIRTEENTH CIRCUIT COURT NOTES



### AWARDS

Gregory R. Grant, an attorney with Cummings, McClorey, Davis & Acho, received the Boss of the Year Award from the Grand Traverse Area Legal Professionals organization.



Lauren K. Pfeil, an associate attorney with the Law Offices of Paul T. Jarboe, was awarded the 2013 American Bar Association Young Lawyers Division Child Advocacy Award in recognition of her work as a child advocate.





Commissioner Herbert Lemcool and Kathy Nixon



Al Crocker and Dawn Rogers



## RECOGNITIONS

The Grand Traverse County Community Volunteer Program seeks to recognize employees who have performed unselfish and dedicated acts of service to the community through volunteerism. The award is given to volunteers who have made a significant difference, positively representing Grand Traverse County in the community. In 2013, Kathy Nixon, with the Family Court, was one of three nominees for the Volunteer of the Year Award.

## SERVICE ANNIVERSARIES

In 2013, the Honorable Thomas G. Power celebrated 20 years of serving as Circuit Court Judge.

Al Crocker celebrated 25 years of service with the Friend of the Court and Dawn Rogers and Jayne Arnold both celebrated 15 years of service with the FOTC.

Celebrating 10 years of service with the FOTC were Francis Boyle, Jeremy Hogue, Martha Hornbaker and Tracie Mullen.

Kathy Nixon, with the Grand Traverse Family Division, and Stacy Osborne, with Circuit Court Administration, both celebrated 5 years of service.



Francis Boyle



Jeremy Hogue



Martha Hornbaker



Traci Mullen



Kathy Nixon



Stacy Osborne



Hon. Thomas Power

## IN MEMORIAM



**Charles H. Koop**

February 23, 1950 - August 6, 2013

*"When someone you love becomes a memory, that memory becomes a treasure." Charlie*

Antrim County Prosecutor, Charles "Charlie" Koop, passed away unexpectedly on August 6, 2013. Charlie grew up in Fenton, Michigan, and after graduating from Eastern Michigan University with a double major in Pre-Law and Art, he attended and received his juris doctorate from the Detroit College of Law. Charlie was elected Antrim County Prosecutor in 1990 and served in the position until his death.

During his career, Charlie served on multiple panels and committees, including the Board of Directors of the Prosecuting Attorneys Association of Michigan. He served as the Association's President from 2007 to 2008. In 1996, Charlie was named "Co-Arson Prosecutor of the Year" by the International Association of Arson Investigators and Michigan Arson Prevention Committee and in 2008, he received the "Crime Fighter Award" from Fight Crime: Invest in Kids, a national, bipartisan, non-profit anti-crime organization of police chiefs, sheriffs, prosecutors, attorney generals, law enforcement leaders and violence survivors.

Charlie, a "go-to guy," known for his advice and laughter was recognized by Attorney General Bill Schuette as a dedicated prosecutor who will be greatly missed. Mr. Schuette stated, "The people of Michigan will forever be privileged to have benefitted from Charlie's public service and profound dedication to justice." Charlie – the Man, the Myth, the Legend – touched the hearts of many and will be greatly missed.