



## Michigan Supreme Court Chief Justice Bridget M. McCormack February 25, 2021 Overview of the FY 2021-22 Judiciary Budget Request



# Today's Presentation



## Key Themes

### Structure of Judiciary

### Judiciary Response to COVID-19

- Focus on Technology
- Enhanced Public Access

### Access to Justice

- Expanding Self-Help Resources
- Reducing the Civil Justice Gap

## Jail and Pretrial Reform Next Steps

- Jail and Pretrial Task Force
- Innovative Pretrial Services Proposal

### Courts as Resources

- Problem-solving courts



# Key Themes



**INDEPENDENCE** – The people want an independent judiciary, free from political pressure, making decisions that are transparent, accountable, and based on the law.

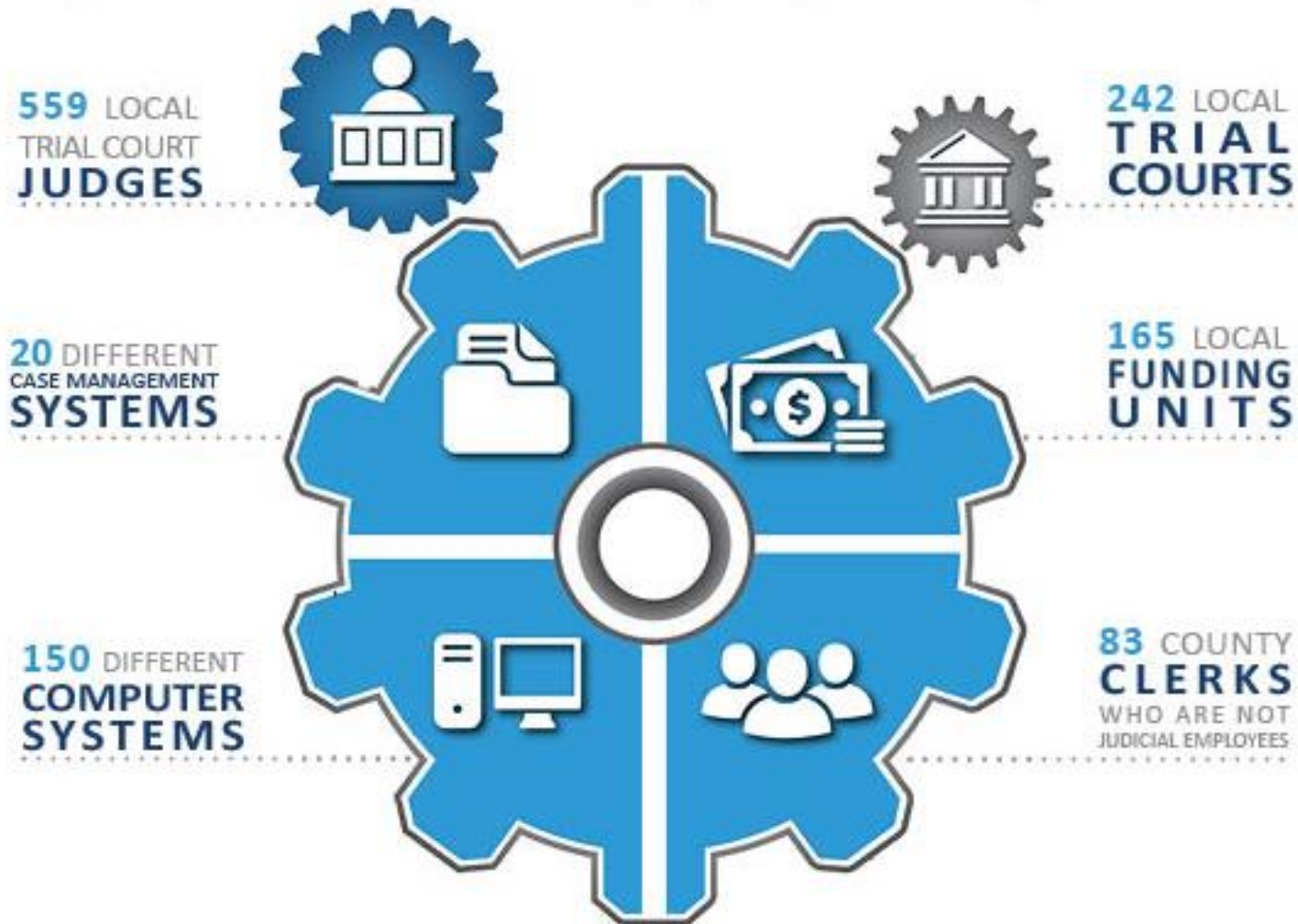
**ACCESSIBILITY** – Our court system must be accessible to every Michigan citizen, whether or not they can afford a lawyer.

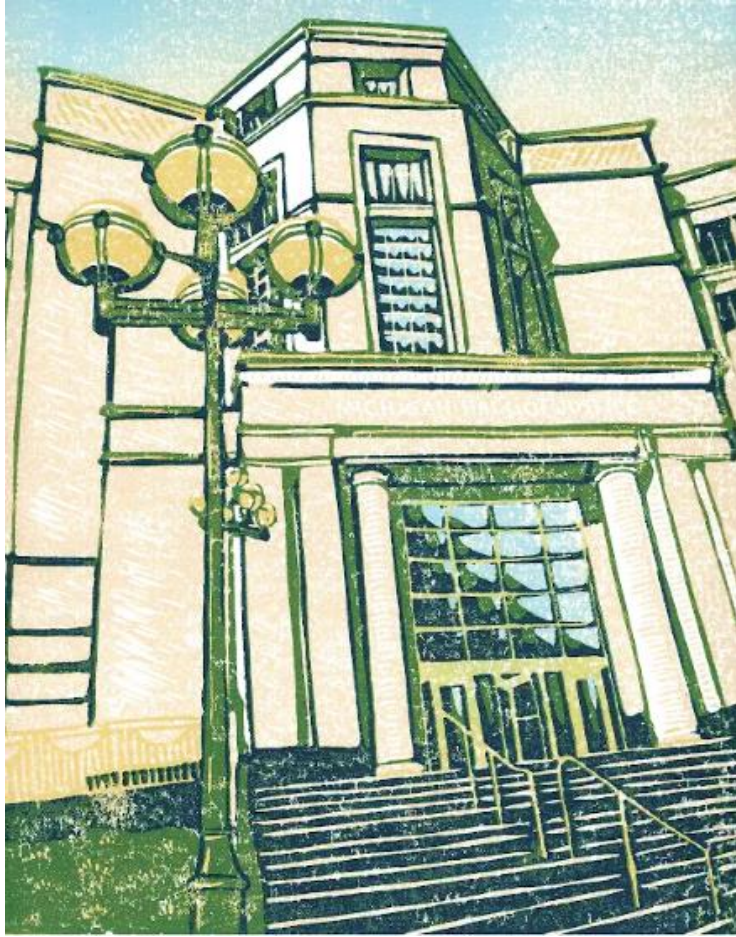
**ENGAGEMENT** – Michigan judges should be engaged and responsive to the problems and concerns of local communities.

**EFFICIENCY** – Our branch of government must be efficient and prudent with public resources and focused on providing the best possible customer service to individuals, families, businesses, and governments alike.



# Michigan's Complicated Judiciary





# Michigan Judiciary's Response to COVID-19

## Focus on Technology

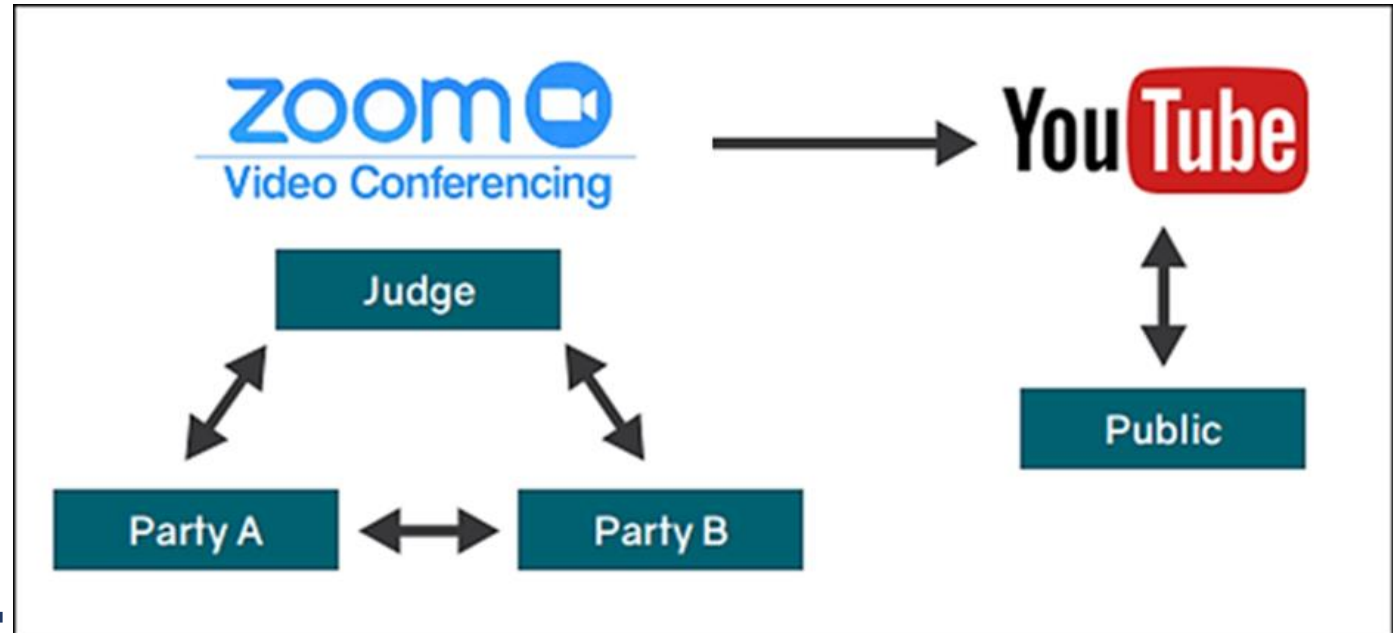




# Virtual Courtrooms Key to Keeping Judiciary Running



- Pre-pandemic – most judges already equipped with Zoom licenses.
- Quickly provided additional training and licenses for other court officers.
- Published Virtual Courtroom Guidelines/Standards
- Avoid “Zoom-bombing” by only sharing access with participants.
- Public access provided by livestreaming to YouTube.



# Directory Facilitates Public Access



## MiCOURT Virtual Courtroom Directory



**Search**

**BY LOCATION**  
Locate a virtual courtroom by county or current location (click )

Oakland County

OR

**BY JUDGE**  
Locate a virtual courtroom by Judge or Hearing Officer

Results only include existing Virtual Courtrooms

**COVID-19** Each court's local administrative order for *Return to Full Capacity* can be found [here](#).

Click a county to see available virtual courtrooms

Live now  
  Offline  
  Unknown

## List of Judges and Livestream Status

Judge/Hearing Officer	Court	Virtual Courtroom	Status
Honorable Shelia R. Johnson <b>Chief Judge</b> <b>District Judge</b>	46th District Court - Southfield	<input type="button" value="Watch"/>	<b>LIVE NOW</b>
Ms. Tiffany McEvans Dallah <b>Magistrate</b>	46th District Court - Southfield	<input type="button" value="Watch"/>	Offline
Honorable Debra Nance <b>District Judge</b>	46th District Court - Southfield	<input type="button" value="Watch"/>	Offline
Honorable James B. Brady <b>Chief Judge</b> <b>District Judge</b>	47th District Court - Farmington Hills	<input type="button" value="Watch"/>	<b>LIVE NOW</b>
Mr. Matthew Friedrich <b>Magistrate</b>	47th District Court - Farmington Hills	<input type="button" value="Watch"/>	<b>LIVE NOW</b>



# Public can watch proceedings on YouTube



YouTube

Search



- Virtual Courtroom Directory has been used more than 200,000 times.
- Trial court YouTube channels have more than 75,000 subscribers.
- Nearly 1,000 court officers have presided over more than 2.3 million hours of remote hearings



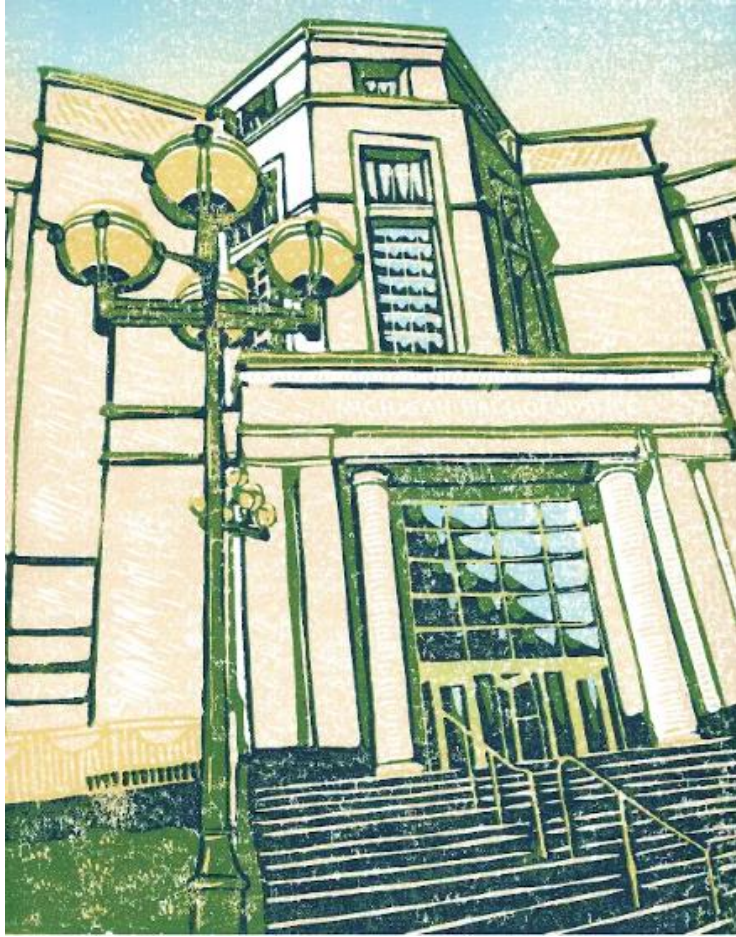


# COVID-19 Lessons Learned



- Virtual courtrooms are here to stay.
- When physical access is limited, virtual access is potentially unlimited – opening court proceedings to more people.
- In some cases, virtual hearings are easier for participants, e.g. children in sensitive proceedings.
- At the same time, judges need to be cognizant of the need to close the virtual courtroom for such proceedings.
- Must also be aware of lack of access to computers and wifi for many low income state residents.
- Judges and court staff are flexible, resilient, and committed to serving the public no matter what.





# Access to Justice

- Expanding self-help resources
  - ✓ Michigan Legal Help
- Reducing the civil justice gap
  - ✓ Justice for All Task Force



# Michigan is a National Legal Self Help Leader



## MICHIGAN LEGAL HELP

Helping Michigan residents solve their legal problems

English

Español


Please Tell Us What You Think

Make a Donation

 [Welcome](#)

 [Self-Help Tools](#)

 [Organizations & Courts](#)

 [Guide to Legal Help](#)

[www.michiganlegalhelp.org](http://www.michiganlegalhelp.org)



# Michigan Legal Help



- [www.michiganlegalhelp.org](http://www.michiganlegalhelp.org) is a national leader in providing legal self-help resources to residents.
- Site has been accessed more than 11 million times since 2012.
- During pandemic, more than 60,000 visitors EACH WEEK.
- With the help of easy tool kits, users complete 325 legal forms each day.
- 19 self-help centers statewide.

<input type="checkbox"/>	Page ?	Pageviews ? ↓
	<b>Top Ten MLH Pages</b>	<b>125,314</b> % of Total: 100.00% (125,314)
<input type="checkbox"/>	1. /	6,181 (4.93%)
<input type="checkbox"/>	2. /guide-to-legal-help	3,561 (2.84%)
<input type="checkbox"/>	3. /mlh_intake_call	3,275 (2.61%)
<input type="checkbox"/>	4. /self-help-tools/family	3,143 (2.51%)
<input type="checkbox"/>	5. /self-help-tools/family/do-it-yourself-divorce	2,599 (2.07%)
<input type="checkbox"/>	6. /es/herramientas-de-autoayuda/familia/puntos-basicos-sobre-el-divorcio-como-se-dividen-sus-bienes-y-deudas	2,333 (1.86%)
<input type="checkbox"/>	7. /self-help-tools/housing/eviction-and-other-housing-issues-and-covid-19	2,171 (1.73%)
<input type="checkbox"/>	8. /self-help-tools/eviction-during-covid-19-pandemic/cdc-eviction-moratorium-information-and-forms-tenants	1,940 (1.55%)
<input type="checkbox"/>	9. /self-help-tools/family/i-need-divorce-and-i-do-not-have-minor-children	1,750 (1.40%)
<input type="checkbox"/>	10. /self-help-tools/srch	1,662 (1.33%)



# Budget Request – Michigan Legal Help



- **Amount Requested: \$200,000 to support Michigan Legal Help**
- Funding will help MLH with additional support and resources to assist increasing numbers of self-represented litigants.
- Funding for MLH has not increased since 2014.
- Financial impact of COVID-19 has increased need.
- Section 321 of Judiciary budget charges the judicial branch with supporting a legal self-help website and local centers.
- Help provided on critical issues, including: divorce, child custody, child support, parenting time, evictions, domestic violence, unemployment, and public assistance.





# Access to Justice: Justice for All Taskforce



Center on Court Access  
to Justice for All

*...promoting access-friendly courts*

a project of  
**NCSC**  
National Center for State Courts

## Closing the “Justice Gap”

- More than 7 out of 10 low-income households reported at least one civil legal problem in the last year.
- In nearly 9 out of 10 legal problems reported, low-income Americans received inadequate or no legal help.
- In 3 out of 4 civil cases, at least one party is self-represented.
- In Detroit, only 4 percent of tenants in 32,000 eviction cases filed in 2017 had an attorney.



# Access to Justice – Justice for All Task Force



Brought together stakeholders to:

- Inventory resources and identify gaps.
- Develop a creative strategic plan.

**GOAL: 100 percent access to the civil justice system**

- Received \$100,000 one-time grant from National Center for State Courts to develop strategic plan.
- Focus on building partnerships with business community and highlighting the economic benefits of opening the doors of our justice system to all.
- Learn from other states who have implemented regulatory reform.
- Released strategic plan in December.



Nearly 100 people attended town hall meeting in Grand Rapids.

More than 175 people attended town hall meeting in Detroit.



# Justice for All Strategic Plan



MICHIGAN JUSTICE FOR ALL TASK FORCE

Strategic Plan and Inventory Report

December 2020

JUSTICE  FOR ALL



- Simplify, streamline and create uniform processes to improve the ability to navigate the court system.
- Improve the triage and referral systems through usability testing so that individuals can be connected to the resources they need.
- Provide education for parties on remote access to court resources, expand use of text messaging and other convenient technology, use plain language to explain procedures and processes.
- Test and implement new ways of providing affordable legal services, educate public and stakeholders on available resources.
- Improve technology and access at legal self-help centers and increase public awareness of these tools.



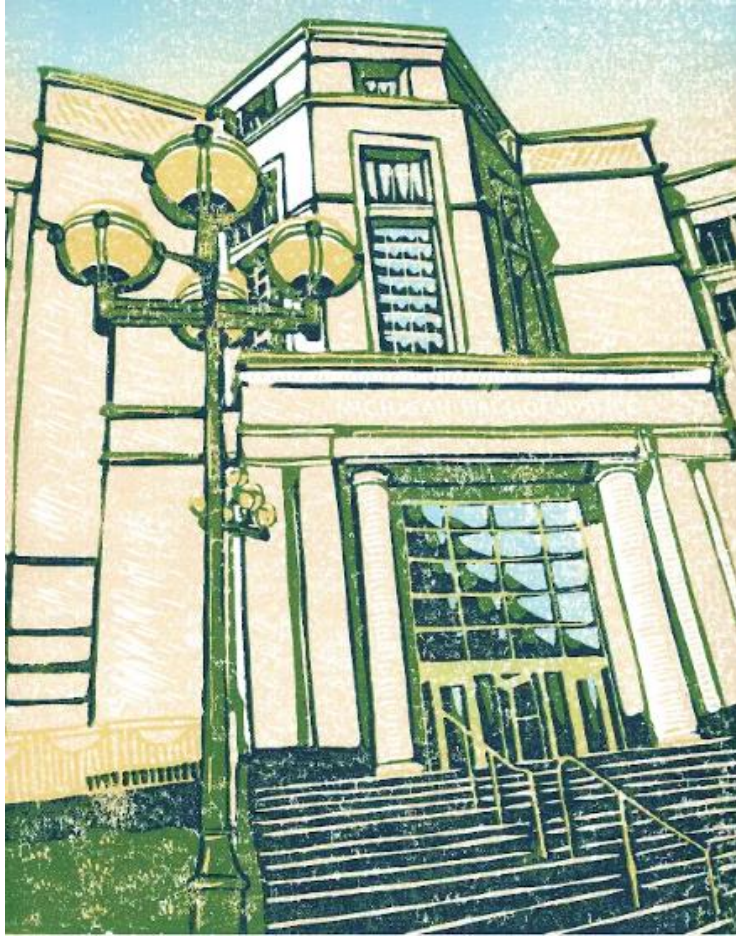
# Budget Request – Justice for All



- **Amount Requested: \$798,000 ongoing funding to create and operate the Justice for All Commission**
- **2 FTE's and contractual support to:**
  - Implement strategic plan, including research and pilot projects
  - Systematic simplification of court rules and processes, including more than 900 court forms
  - Additional training for judges and court staff
  - Work with MLH to develop online forms portal
  - Establish framework for increased court & community engagement
  - Develop performance metrics for access to justice







# Michigan Joint Task Force on Jail and Pretrial Incarceration Next Steps

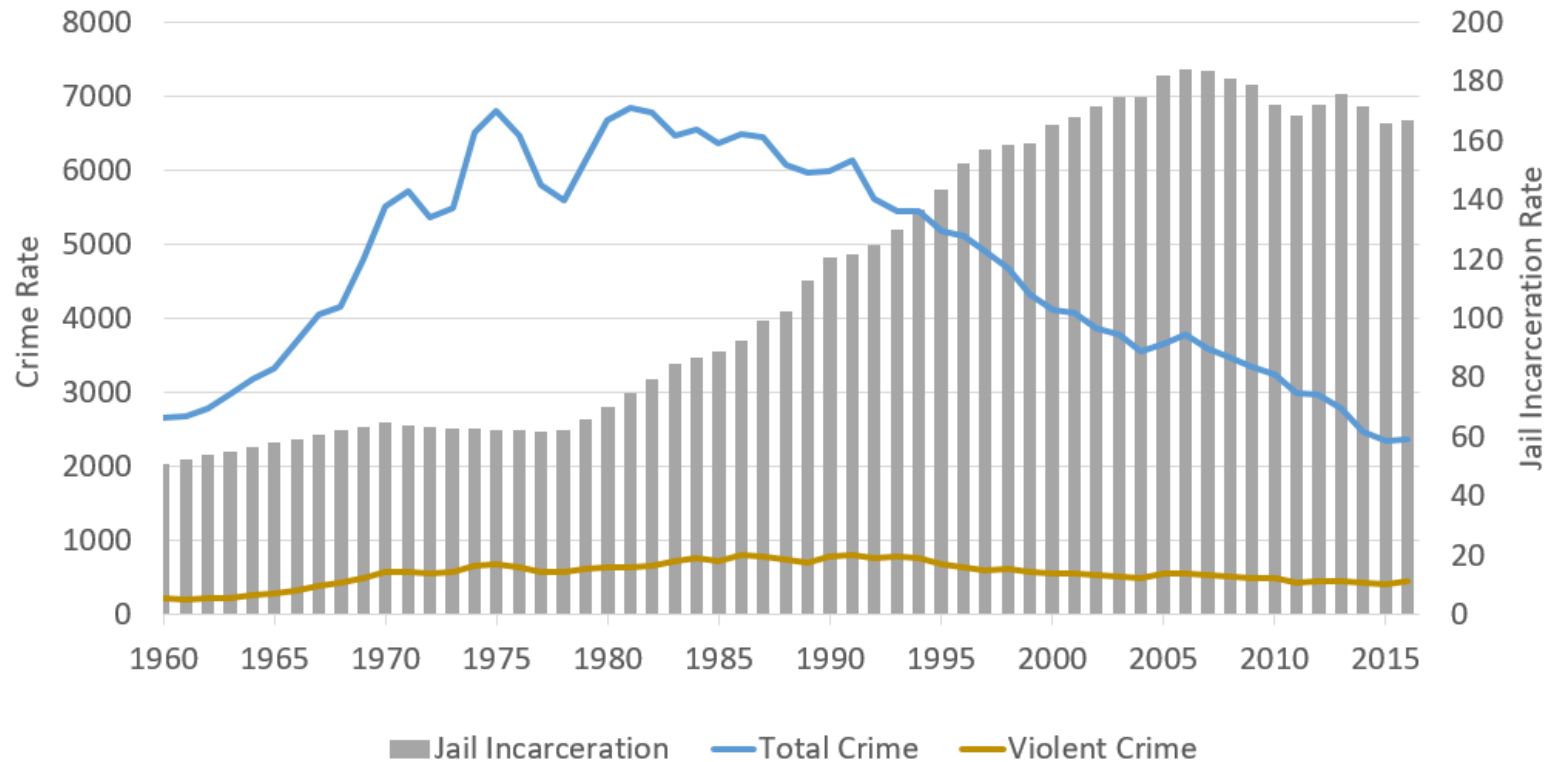




# The Problem



- Despite lowest crime rate in 50 years, jail populations tripled.
- \$478 million spent on county jails each year.
- Half of jail inmates are unconvicted and awaiting trial.
- Rural jail populations are growing faster than urban populations. **...and we (didn't) know why!**



# Jails Task Force Results



- Stop suspending and revoking licenses for actions unrelated to safe driving
- Reclassify most traffic offenses as civil rather than criminal
- Expand officer discretion to use appearance tickets as an alternative to arrest and jail
- Provide crisis response training for law enforcement and encourage diversion of people with behavioral health needs
- Presumptively impose sentences other than jail for non-serious misdemeanors



# What's Next – Pretrial Reform



Research suggests pretrial incarceration can have profound impacts upon individuals, families, and communities.

People held before trial are more likely to:

Fail to appear for their case	Be convicted	Increase dependence on public assistance	Lose a job, income, or residence	Experience negative impacts on dependent children	Commit crimes in the future
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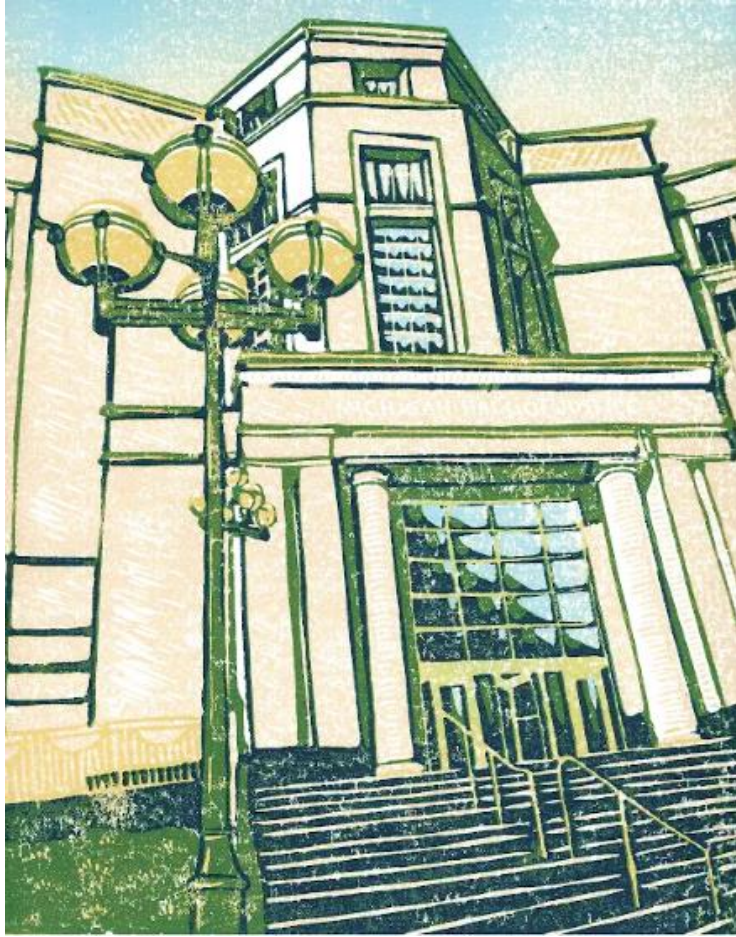


# Budget Request - Innovative Pretrial Services



- **Amount Requested: \$325,700 of ongoing funding to support Innovative Pretrial Services**
- Support work of Jail and Pretrial Task Force
- Collect and analyze pretrial data
- Identify jurisdictions with elevated pretrial incarceration rates
- Provide technical assistance for assessing pretrial risk and supervising defendants
- Conduct judicial trainings on pretrial best practices and constitutional compliance
- Establish pretrial performance measures





# Courts as Resources

- Problem-solving courts
- Addressing the opioid crisis

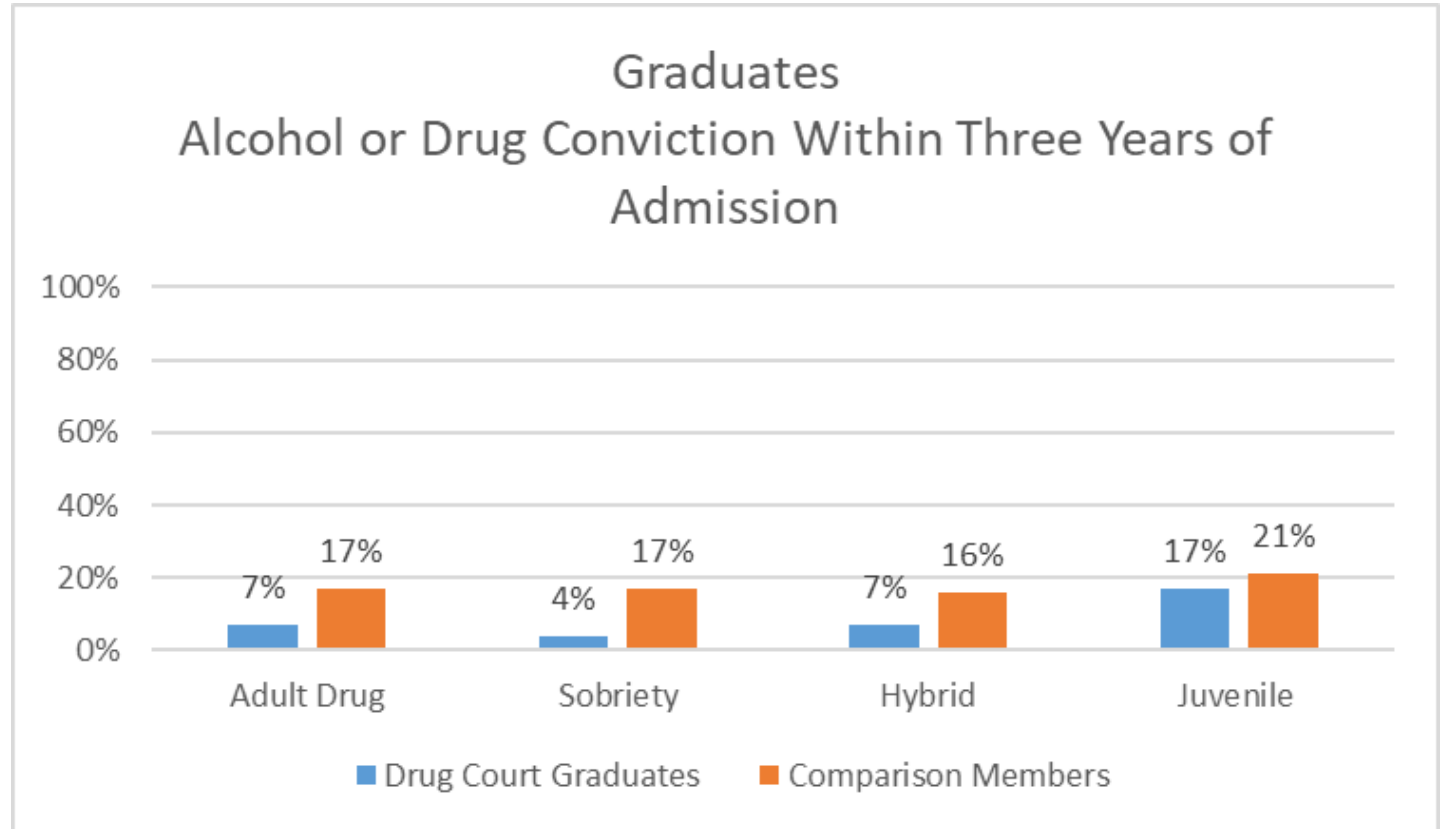




# 199 Treatment Courts Solve Problems, Save Lives



- 134 drug treatment/DWI sobriety courts
  - 56 hybrid drug treatment/DWI sobriety
  - 36 DWI sobriety
  - 13 adult drug treatment
  - 12 juvenile drug treatment
  - 8 tribal family dependency
  - 9 tribal drug treatment/DWI sobriety
- 38 mental health courts (32 adult and 6 juvenile courts)
- 27 veterans treatment courts



**Recidivism for Drug/Sobriety Court Graduates falls dramatically**



# Problem-Solving Courts - Making a Difference



## Reduce crime and save money

- Graduates far less likely as standard probationers to be convicted of another crime within 3 years.
- Virtually all drug court and veterans court participants find employment upon graduation.
- These courts play critical role in battling opioid addiction.

Studies show average cost-savings per defendant of \$2,615 to \$12,218



# Budget Request – Problem-Solving Courts



- **Amount Requested: \$488,300 in new funding to cover annual PSC economic increases (needed simply to maintain programming)**
- **Amount Requested: \$600,000 of ongoing funding**
  - \$300,000 for existing drug court programs
  - \$100,000 for existing mental health court programs
  - \$100,000 for existing veterans treatment court programs
  - \$100,000 for oral saliva testing pilot
- Demand continues to grow -- the criminal justice system is the largest source of referral to substance use disorder treatment, and mental health and substance abuse disorders are increasing concerns for veterans.
- Expanded diversion is key focus in 2021 based on the recommendations of the Jail and Pretrial Task Force.



# Find us on Social Media



**ONE COURT OF JUSTICE WEBSITE**

[courts.mi.gov](https://courts.mi.gov)

**twitter** 

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