

Good news: Court cases down in Midland County; bad news: less money generated

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A major reduction in the number of criminal cases, combined with the struggling economy, have led to lower revenue for the Midland County District Court, and that means less money to be distributed locally.

According to the court's 2009 annual report, a total of 17,361 cases were filed for the year. The total revenue of \$2,390,864 for 2009 was less than raised in 2008, continuing a downward trend that began in 2005. That year, revenue came in at \$3,312,975.

In the report, Chief District Judge John H. Hart said while the revenue is "highly dependent on the level of law enforcement activity in the county," the economy also is impacting the amount of money the court brings in.

"Collections take longer as clients are requesting additional time to take care of their responsibilities," Hart wrote. "More clients are requesting community service in lieu of fines and/or dismissal due to hardship."

There are a number of reasons people have asked for dismissal due to hardship, including being laid off from work, disabled, jailed or imprisoned. "All of these things mean people can't pay," he said.

Hart said the court still maintains a high rate of collections in the long term. Reports show the 75th District Court, as well as other courts across the state, are collecting less fines, costs and restitution within 180 days. But, as Hart pointed out, the district court has maintained a high collections rate within two years. "It's telling," he said. "The economy is impacting everything we do."

The community service, Hart said, is completed at organizations such as the Salvation Army, churches and even a recycling agency. "Some places are selective," and won't accept people who have been convicted of retail fraud or drug offenses, Hart said.

The 2009 revenue was distributed to the Midland community, as well as state and federal governments, in amounts set by the state legislature. The County Library Fund received \$265,089; the City of Midland received \$118,217; the townships and City of Coleman were given \$1,934; and Midland County received \$1,129,095. Restitution for crime victims was set at \$78,958.

The largest chunk of the court's expenditures paid for personnel. Hart said there are fewer staff positions at the court, including a deputy magistrate position that was lost after an employee retired, and other staff members have been cross-trained.

"We try to do justice to serve the people and my staff does it well," he said.

A breakdown of the types of cases filed shows community trends in criminal and civil cases.

In 2009, a total of 3,276 criminal cases were managed. Of that number, 643 were felony charges and 2,633 misdemeanor charges. The number of misdemeanor cases has steadily decreased since 2005, and the number of felony cases spiked at 1,087 in 2007.

The court's traffic division handled 9,457 civil infraction cases. Those include violations such as speeding citations to more serious driving offenses as well as state and local civil infractions, plus violations of a number of ordinances that result in misdemeanor criminal violations.

The number of civil infraction cases also is declining. In 2005, staff processed 11,940 traffic cases and 576 non-traffic cases. By 2009, the numbers had declined to 142 non-traffic cases, and 9,315 traffic cases.

Hart said the number of traffic citations also has been impacted by the economy. For example, the Midland County Sheriff's Office limited the amount of miles driven in patrol cars to keep fuel costs low, thus fewer tickets were written.

Of the cases filed in the civil division, the biggest change was in garnishments. There were 5,954 garnishments filed in 2009, up from 4,406 in 2007 and 4,032 in 2005.

"It's a sign of the times," Hart said, pointing out that people who already have civil case rulings file the garnishment cases to get what they have been awarded.

Probation agents oversaw 1,361 people. In 2007, there were 2,061 probationers.