

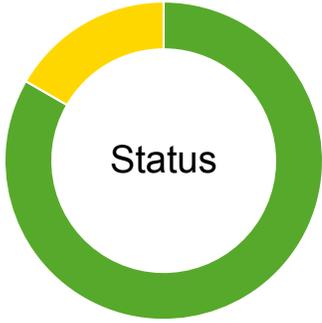


# Probate Court Performance Measures

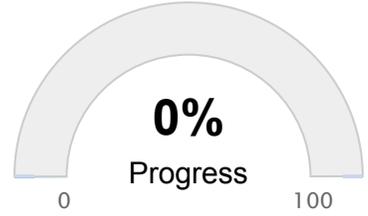
Sep 22, 2020

<b>1</b> Department	<b>4</b> Department Goal	<b>6</b> Objective
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## Overall Summary



● On Track	83.33	%
● Some Disruption	16.67	



### Report Legend

 No Update

 Overdue

 Priority

Department 18

Progress 0%



Probate Court

The Probate Court is a Court of statutory jurisdiction, primarily concerned with the protection of incapacitated or mentally ill individuals and their assets, and the proper transfer of assets at death.

Protection of Incapacitated Individuals. Proceedings concerning the protection of incapacitated individuals involve guardianships for legally incapacitated adults, guardianships for minors, and guardianships for developmentally disabled individuals. The Court must monitor all appointed guardians to ensure that the required annual reports are filed. The Court also conducts in person reviews and hearings to resolve any disputes and to address petitions to terminate or modify the guardianship.

Hospitalization of Mentally Ill Individuals. The Probate Court hears petitions for hospitalization for mentally ill individuals alleged to be a significant danger to themselves or others. Hearings take place on a tight time frame: they are normally required to be held within seven days of involuntary hospitalization. The Court is also required to oversee and hold hearings for commitment of individuals from other counties hospitalized in Kent County; other counties do the same for Kent County residents hospitalized in their counties. In 2017, other counties oversaw 202 cases involving Kent residents and conducted 72 hearings on those cases. In 2017, Kent County Probate Court oversaw 1745 cases involving residents of other counties hospitalized here, and conducted 279 hearings on those cases. Oversight of cases for other counties is nowhere reflected in Kent's SCAO case load statistics.

Protection of Property of Incapacitated Individuals. Proceedings concerning the protection of the property of incapacitated individuals involve conservatorships for legally incapacitated adults, conservatorships for minors and guardianships of the estate for developmentally disabled individuals. If a conservator or guardian of the estate is appointed, the Court monitors each court case to ensure that the required annual accounts are filed and approved, confirming that the assets are being held and used for the benefit of the ward. The Court also conducts hearings to approve the sale of real estate and use of protected funds; to resolve disputes that arise; and to determine whether conservatorships should be terminated or modified.

Transfer of Assets. The Probate Court has exclusive jurisdiction over proceedings regarding the transfer of assets at death or transfers where property is held in trust. Transfers at death may involve probate of a Will (testate estates) or estates where there is no Will (intestate estates). The Court may also be asked to interpret Wills or Trusts if the document's meaning is uncertain or disputed. Depending on the circumstances, proceedings in decedent's estates may be either unsupervised or supervised by the Court.

Owner: Avery Rose

Department Goal: 4

Objective: 6

Update provided by Avery Rose on Sep 15, 2020 17:24:43

**Department Goal 18.1: Facilitate the provision of professional guardians for incapacitated persons in need. (0.0% completed)**

In 2019 the Guardianship Program added two new guardians. In January of 2020, four new guardians were added to the Program, but two chose to leave shortly after completing their training. In August and September we interviewed seven potential guardians, and accepted two to begin training in September.

The new guardian training is conducted by Cynthia Thornbury, who has been a public guardian for more than 15 years. Classes are provided to the new guardians over a period of three months, and the training include assistance with the new guardians' first two or three cases.

The pandemic has caused some disruption to the recruitment efforts, namely with respect to meeting with new wards, conducting classes, and accompanying new guardians to Social Security, banks, and other institutions which have been restricted.

**Department Goal 18.2: Maximize the effectiveness of Probate Staff through innovative technology. (0.0% completed)**

The Probate Court has sought to keep training and staff development a priority. We have encouraged staff to attend webinar classes and events to refresh their knowledge and keep up-to-date.

The Probate Court is always looking at ways to more efficiently conduct its business through the use of technology, and is working on a number of projects to facilitate, for example: digital certification of documents, credit card payments, expanded use of imaging files and e-filing.

In a year in which the clerk's office has had retirements, employees on leave, and employees working from home for months at a time, the Court is on track to handle an average or even above-average number of hearings for the year.

**Department Goal 18.3: Systematically collect reimbursable legal fees. (0.0% completed)**

In all mental health proceedings, and in some guardianship and conservatorship cases the Court is required to appoint an attorney for the respondent or ward, and the Court routinely requests reimbursement from those individuals for whom an attorney was appointed. At the end of August 2020 the Court has spent \$114,790.30 in legal fees, for which it has recovered \$29,523.50 in reimbursement, or 26%.

**Department Goal 18.4: Timely handle and fairly adjudicate all matters before the Court for the protection of individuals and their property. (0.0% completed)**

**Objective 18.4.1: To decrease the necessity for counter conferences and show-cause hearings for achieving fiduciary compliance by providing resources and information through accessKent to non-professional fiduciaries**

The Probate Court's website contains the initiating and routine forms that are needed for fiduciaries. It also includes information regarding a fiduciary's duties in guardianship, conservatorship, and deceased estate cases. During COVID the Court created a proxy email address for filing forms (probatecourt@kentcountymi.gov) to facilitate the filing of emergency cases. Information about the Court's operating procedures during COVID have been included as well.

**Objective 18.4.2: To meet or exceed statutory, court rule and state guideline requirements for all matters before the Court**

The Court Continues to meet the time guidelines for guardianship, conservatorship and mental health proceedings, and it has done so while handling an average of 1,500 out-of-county mental health cases over the last four years.

**Department Goal 18.1**

Progress 0%

Facilitate the provision of professional guardians for incapacitated persons in need.

Owner: Avery Rose



Objective: 1

Update provided by Avery Rose on Sep 15, 2020 17:20:03

In 2019 the Guardianship Program added two new guardians. In January of 2020, four new guardians were added to the Program, but two chose to leave shortly after completing their training. In August and September we interviewed seven potential guardians, and accepted two to begin training in September.

The new guardian training is conducted by Cynthia Thornbury, who has been a public guardian for more than 15 years. Classes are provided to the new guardians over a period of three months, and the training include assistance with the new guardians' first two or three cases.

The pandemic has caused some disruption to the recruitment efforts, namely with respect to meeting with new wards, conducting classes, and accompanying new guardians to Social Security, banks, and other institutions which have been restricted.

### Objective 18.1.1

Update provided by Avery Rose on Sep 14, 2020 12:07:20

Ongoing - Ongoing

Some Disruption

To recruit and train new professional guardians to meet the growing demand for guardianship services

Owner: Avery Rose

In 2019 the Guardianship Program added two new guardians. In January of 2020, four new guardians were added to the Program, but two chose to leave shortly after completing their training. In August and September we interviewed seven potential guardians, and accepted two to begin training in September.

The new guardian training is conducted by Cynthia Thornbury, who has been a public guardian for more than 15 years. Classes are provided to the new guardians over a period of three months, and the training include assistance with the new guardians' first two or three cases.

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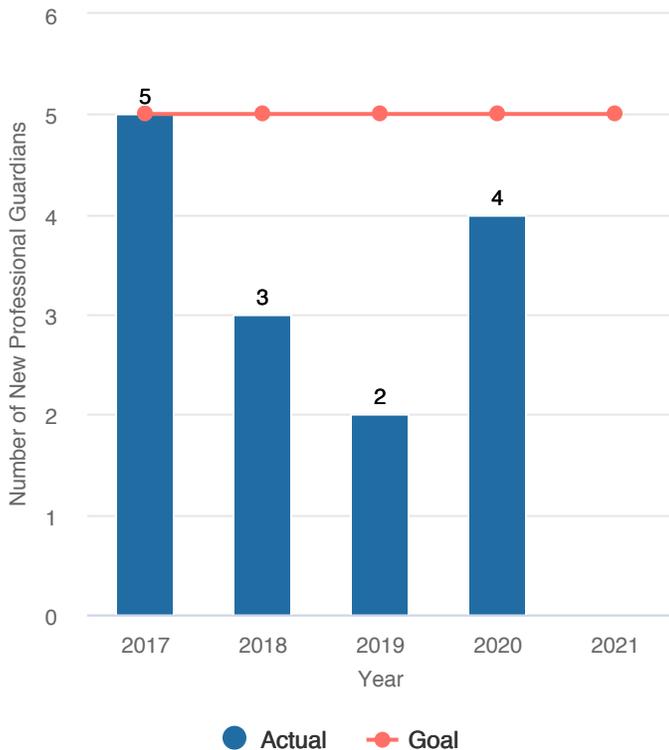
### Probate - Number of New Professional Guardians Added to KCGP

Objective 18.1.1 To recruit and train new professional guardians to meet the growing demand for guardianship services

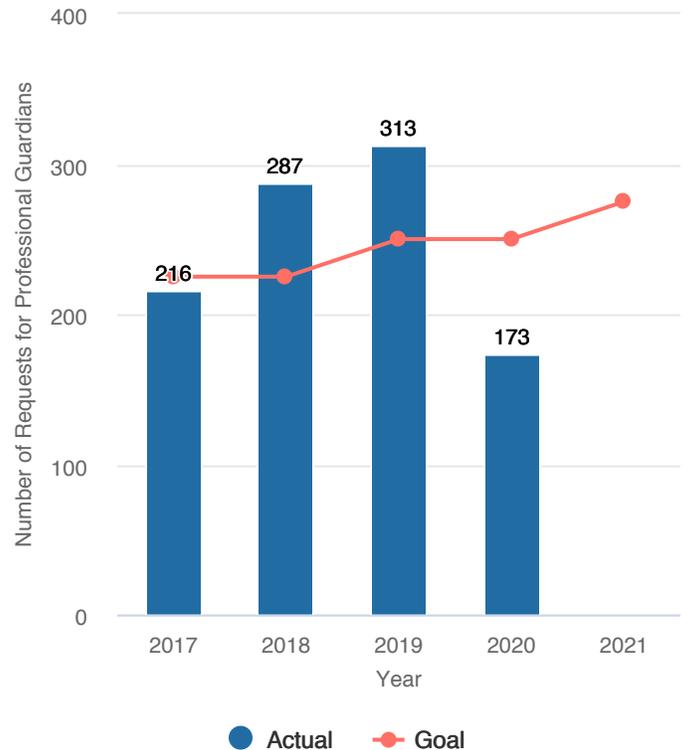
### Probate - Number of Requests for Professional Guardians Made to the KCGP

Objective 18.1.1 To recruit and train new professional guardians to meet the growing demand for guardianship services

#### Number of New Professional Guardians Added to KCGP



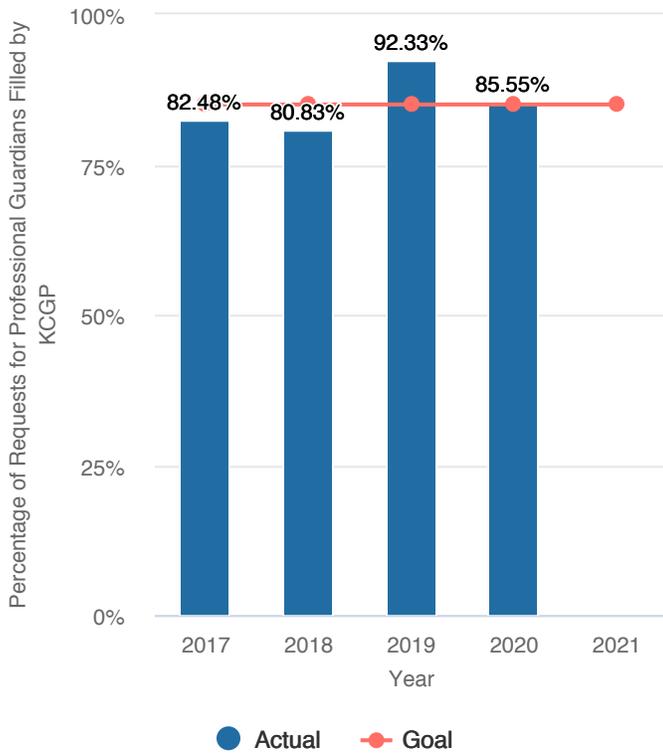
#### Number of Requests for Professional Guardians Made to the KCGP



## Probate - Percentage of Requests for Professional Guardians Filled by KCGP

Objective 18.1.1 To recruit and train new professional guardians to meet the growing demand for guardianship services

### Percentage of Requests for Professional Guardians Filled by KCGP



## Department Goal 18.2

Progress 0%

Maximize the effectiveness of Probate Staff through innovative technology.

Owner: Avery Rose

Objective: 2



	%	#
● On Track	100.0	2

Update provided by Avery Rose on Sep 15, 2020 17:22:51

The Probate Court has sought to keep training and staff development a priority. We have encouraged staff to attend webinar classes and events to refresh their knowledge and keep up-to-date.

The Probate Court is always looking at ways to more efficiently conduct its business through the use of technology, and is working on a number of projects to facilitate, for example: digital certification of documents, credit card payments, expanded use of imaging files and e-filing.

In a year in which the clerk's office has had retirements, employees on leave, and employees working from home for months at a time, the Court is on track to handle an average or even above-average number of hearings for the year.

### Objective 18.2.1

Ongoing - Ongoing

On Track

To properly train and equip all staff members so they are able to provide excellent customer service

Owner: Avery Rose

Update provided by Avery Rose on Sep 14, 2020 14:05:35

Although time for training has been limited, the Probate Court has attempted to prioritize it as much as possible. Some of our staff have been able to attend webinar classes and events to refresh their knowledge and keep up-to-date, and all of our clerk's office staff will be virtually attending a Verbal Diffusion and Violence De-escalation Webinar provided by the Michigan Judicial Institute on September 25, 2020.

Staff are provided direction regarding the Court's procedures and policies in meetings and by email, and staff members are regularly provided feedback (both constructive and positive) on their performance. In 2020, the Probate Court hired two new staff members in the Clerk's office to fill positions vacated by retirements, and an additional retirement in the Clerk's office is expected in November of 2020. Currently, a majority of the Clerk's office staff has had less than five years of experience in the office, which means that providing staff with the information and tools they need to accomplish their work remains extremely important.

The Probate Court is looking at a number of ways to more efficiently conduct its business through the use of technology, and is working on a number of projects to facilitate, for example: digital certification of documents, credit card payments, expanded use of imaging files and e-filing.

### Objective 18.2.2

Ongoing - Ongoing

On Track

To review and prepare all files for hearings so that hearings may proceed smoothly and efficiently

Owner: Avery Rose

Update provided by Avery Rose on Sep 15, 2020 17:06:00

The Court's clerk, who prepares the files for hearings, retired at the end of June, and the Court was without this clerk for 11 weeks. However, during this time members of our clerk's office staff cross-trained and absorbed these duties to ensure that files were being properly prepared. During those 11 weeks, our clerk's office staff processed filings and prepared files for 776 hearings with the Judge (529) and Register (247).

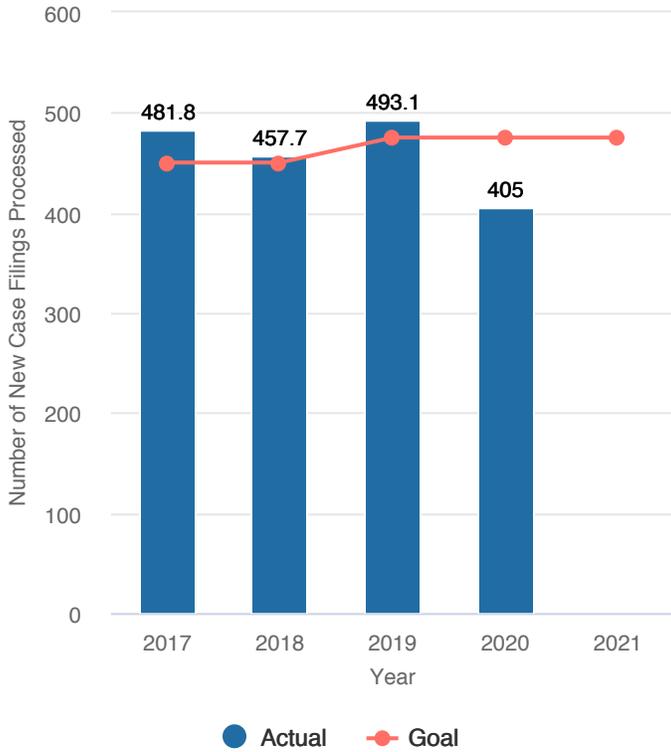
Additionally, since the time the Court restricted access due to COVID-19 on March 17 until September 14, it has handled a total of 1,332 hearings between the Judge (976) and Register (356). Because the Probate Court is tasked with handling emergency petitions for mental health treatment, pickup requests, and emergency guardianship and conservatorship petitions, the Court has had to remain operational, even when onsite-staff has been limited.

In a year in which the clerk's office has had retirements, employees on leave, and employees working from home for months at a time, the Court is on track to handle an average or even above-average number of hearings for the year.

**Probate - Number of New Case Filings Processed, Per Full Time Employee**

Objective 18.2.1 To properly train and equip all staff members so they are able to provide excellent customer service

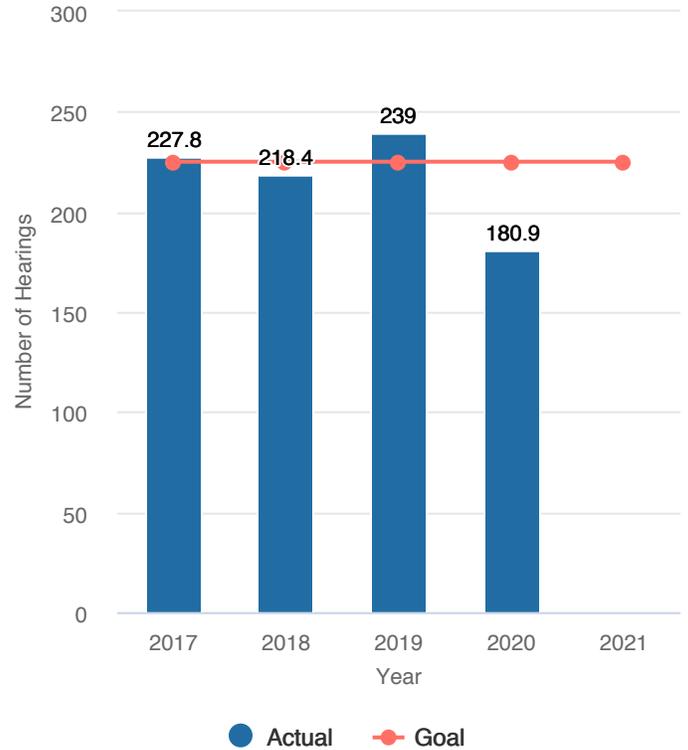
Number of New Case Filings Processed, Per Full Time Employee



**Probate - Number of Hearings for Which Probate Staff Prepared Files, Per Full Time Employee**

Objective 18.2.2 To review and prepare all files for hearings so that hearings may proceed smoothly and efficiently

Number of Hearings for Which Probate Staff Prepared Files, Per Full Time Employee



**Department Goal 18.3**

Progress 0%

Systematically collect reimbursable legal fees.

Owner: Avery Rose



	%	#
On Track	100.0	1

Objective: 1

Update provided by Avery Rose on Sep 15, 2020 11:04:10

In all mental health proceedings, and in some guardianship and conservatorship cases the Court is required to appoint an attorney for the respondent or ward, and the Court routinely requests reimbursement from those individuals for whom an attorney was appointed. At the end of August 2020 the Court has spent \$114,790.30 in legal fees, for which it has recovered \$29,523.50 in reimbursement, or 26%.

**Objective 18.3.1**

Update provided by Avery Rose on Sep 15, 2020 16:33:16

Ongoing - Ongoing On Track

The Probate Court anticipates that it will meet its collection goal of 30% for reimbursable legal fees in 2020.

Percentage of reimbursable legal fees collected

Owner: Avery Rose

**Percentage of reimbursable legal fees collected**

Total Attorney Fee Reimbursement (Revenue: 6110) / Total Legal Fees (Expenditure: 8090)

Objective 18.3.1 Percentage of reimbursable legal fees collected

Owner: Avery Rose Last Update: Sep 15, 2020 16:34:28

**Department Goal 18.4**

Progress 0%



Timely handle and fairly adjudicate all matters before the Court for the protection of individuals and their property.

	%	#
● On Track	100.0	2

Owner: Avery Rose

Objective: 2

Update provided by Avery Rose on Sep 15, 2020 17:23:34

**Objective 18.4.1: To decrease the necessity for counter conferences and show-cause hearings for achieving fiduciary compliance by providing resources and information through accessKent to non-professional fiduciaries**

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The Court Continues to meet the time guidelines for guardianship, conservatorship and mental health proceedings, and it has done so while handling an average of 1,500 out-of-county mental health cases over the last four years.

#### Objective 18.4.1

Ongoing - Ongoing

On Track

To decrease the necessity for counter conferences and show-cause hearings for achieving fiduciary compliance by providing resources and information through accessKent to non-professional fiduciaries

Owner: Avery Rose

Update provided by Avery Rose on Sep 15, 2020 10:46:37

The Probate Court's website contains the initiating and routine forms that are needed for fiduciaries. It also includes information regarding a fiduciary's duties in guardianship, conservatorship, and deceased estate cases. During COVID the Court created a proxy email address for filing forms (probatecourt@kentcountymi.gov) to facilitate the filing of emergency cases. Information about the Court's operating procedures during COVID have been included as well.

#### Objective 18.4.2

Ongoing - Ongoing

On Track

To meet or exceed statutory, court rule and state guideline requirements for all matters before the Court

Owner: Avery Rose

Cloned as Objective 2.3.7 (Kent County Strategic Plan)

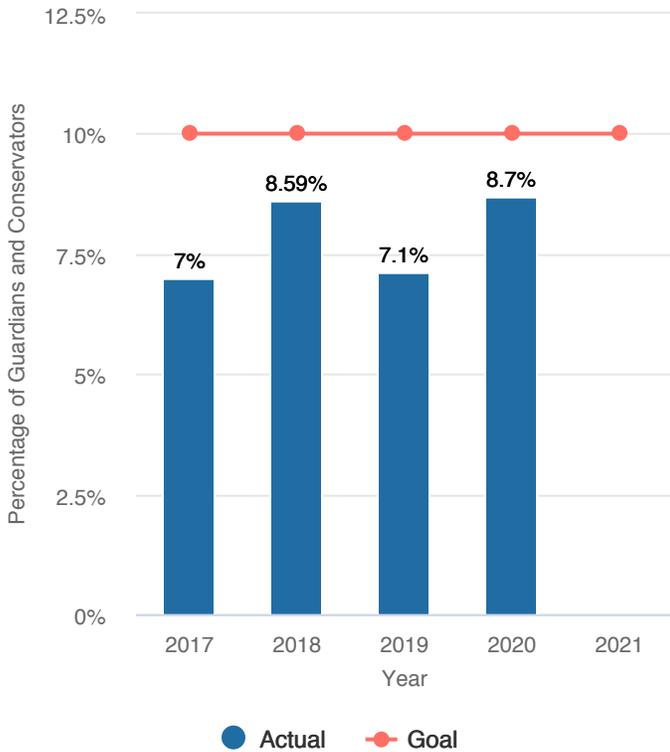
Update provided by Avery Rose on Sep 15, 2020 16:31:03

The Court Continues to meet the time guidelines for guardianship, conservatorship and mental health proceedings, and it has done so while handling an average of 1,500 out-of-county mental health cases over the last four years.

**Probate - Percentage of Guardians and Conservators Who Failed to File Required Reports or Accounts**

Objective 18.4.1 To decrease the necessity for counter conferences and show-cause hearings for achieving fiduciary...

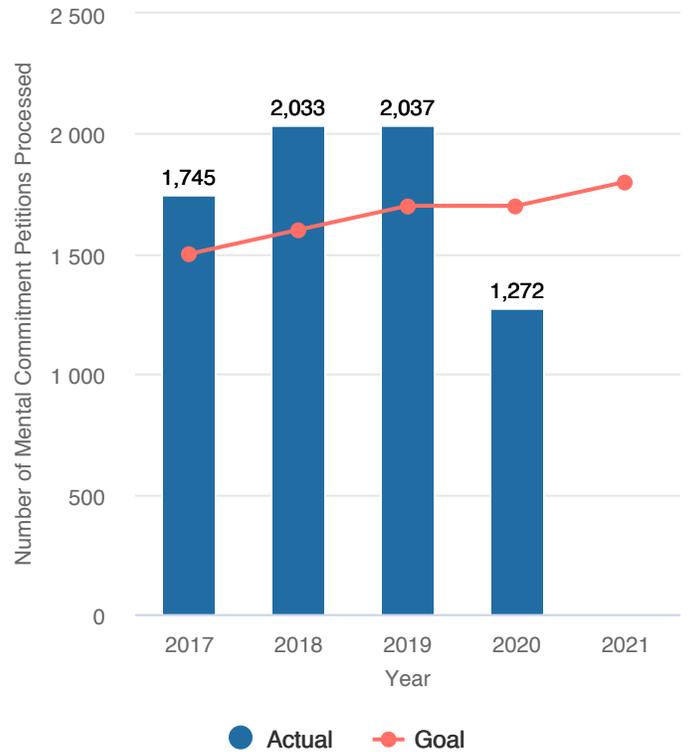
Percentage of Guardians and Conservators Who Failed to File Required Reports or Accounts



**Probate - Number of Mental Commitment Petitions Processed for Other Counties Pursuant to SCAO**

Objective 18.4.2 To meet or exceed statutory, court rule and state guideline requirements for all matters before t...

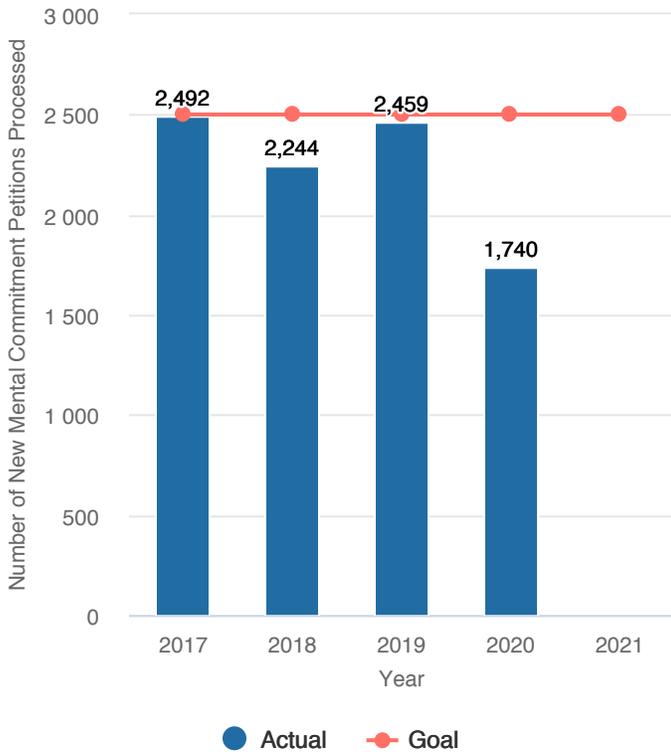
Number of Mental Commitment Petitions Processed for Other Counties Pursuant to SCAO



### Probate - Number of New Mental Commitment Petitions Processed

Objective 18.4.2 To meet or exceed statutory, court rule and state guideline requirements for all matters before t...

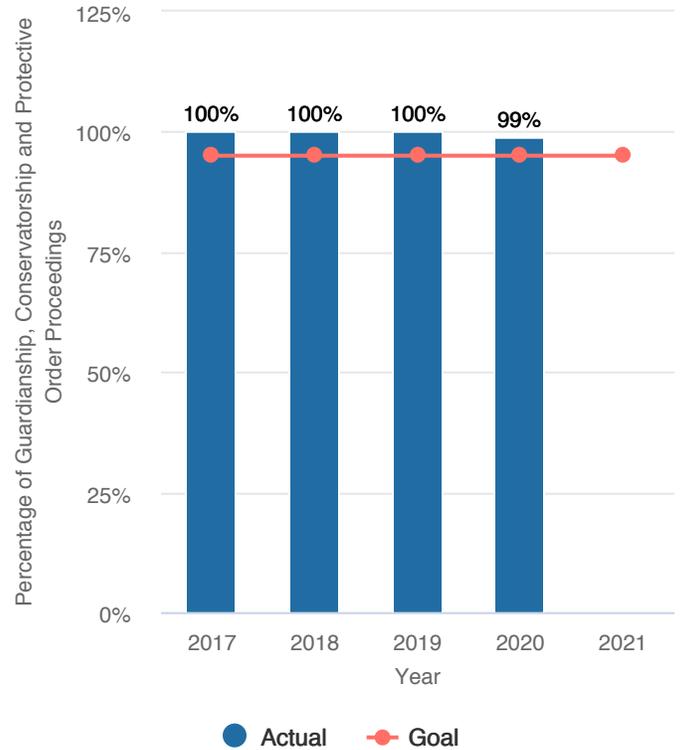
#### Number of New Mental Commitment Petitions Processed



### Probate - Percentage of Guardianship, Conservatorship and Protective Order Proceedings

Objective 18.4.2 To meet or exceed statutory, court rule and state guideline requirements for all matters before t...

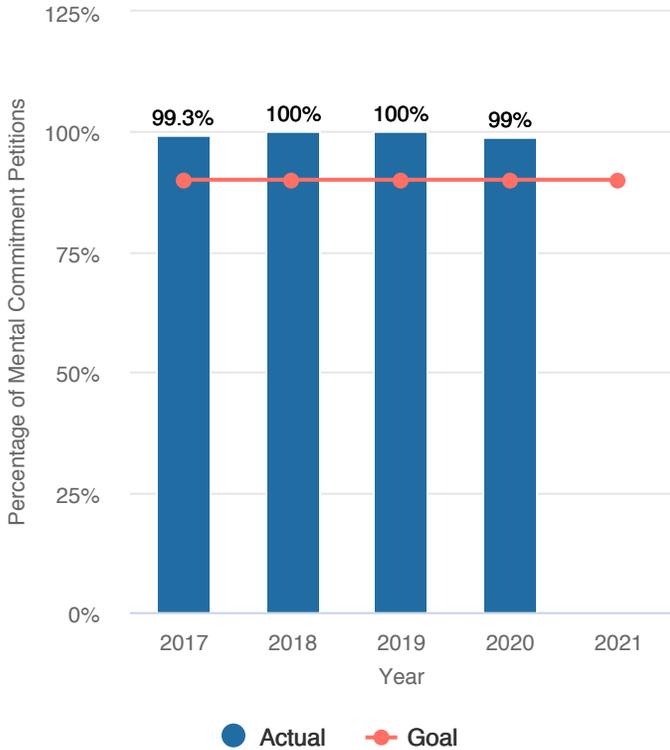
#### Percentage of Guardianship, Conservatorship and Protective Order Proceedings



**Probate - Percentage of Mental Commitment Petitions Disposed Within 14 Days (Guideline = 90%)**

Objective 18.4.2 To meet or exceed statutory, court rule and state guideline requirements for all matters before t...

Percentage of Mental Commitment Petitions Disposed Within 14 Days (Guideline = 90%)



**Probate - Percentage of Mental Commitment Petitions Disposed Within 28 Days (Guideline = 98%)**

Objective 18.4.2 To meet or exceed statutory, court rule and state guideline requirements for all matters before t...

Last Update: Sep 15, 2020 16:26:52

Percentage of Mental Commitment Petitions Disposed Within 28 Days (Guideline = 98%)

