



Kent County Friend of the Court Community Engagement Task Force Report and Recommendations

Kent County Friend of the Court (FOC) estimates that there are about 3,500 outstanding bench warrants impacting approximately 6,000 children who are not receiving court-ordered support. Bench warrants are issued only as a last resort when an individual does not make payments and does not attend scheduled hearings to discuss the reason for non-payment.

To address this problem, in July 2016, the Friend of the Court used federal and state funding to re-establish a Bench Warrant Enforcement Program, using specially trained Kent County Sheriff's Deputies assigned to the Friend of the Court to follow up on outstanding warrants. Subsequently, several members of the community came forward at a Board of Commissioners meeting to express concerns about the program, believing that it will disproportionately impact African American males, and as such, presents a risk to community members and the deputies themselves. Many requested that the program be eliminated altogether; others asked to be involved in developing a broader approach to the problem.

In response to these comments and concerns, Kent County Board Chair Jim Saalfeld and Circuit Court Family Division Presiding Judge Kathleen Feeney appointed the Friend of the Court Community Engagement Task Force to: 1) Provide a forum for community engagement and dialogue about child support enforcement practices; 2) Research best practices for community engagement in child support enforcement and addressing outstanding bench warrants; and 3) Provide recommendations to the Circuit Court on a community engagement and bench warrant enforcement program.

The following members were appointed to the Task Force: Kent County Commissioner David Bulkowski (Chair); Rev. Jerry Bishop, Lifequest Urban Outreach Center; Assistant County Administrator Wayman Britt; Custodial Parent Candace Chivis; Bishop Walter Durham, Friend of the Court Citizen's Advisory Committee (FOCCAC) Chair; Rev. Jermone Glenn, Revolution Christian Ministries; President Cle Jackson, Greater Grand Rapids Branch of the NAACP; FOCCAC Member Tony Joliffi; Kent County Commissioner Dan Koorndyk; Grand Rapids City Commissioner Senita Lenear; Honorable Deb McNabb, Judge, 17th Circuit Court; Rev. Dan Oglesby, Living Word Christian Center; Kent County Commissioner Harold Voorhees; and Honorable Daniel Zemaitis, Judge, 17th Circuit Court.

The Task Force met nine times; in addition to familiarizing itself with the Child Support Determination and Enforcement Process (see Appendix 1), members also heard presentations from various Friend of the Court staff, Undersheriff Michelle LaJoye-Young, Genesee Friend of the Court Jack Battles and Flint Phil Walker, Director of Training and Operations of Flint Strive, Rev. Jerry Bishop of Lifequest Church, and Tony Joliffi of the Grand Rapids African American Health Institute (GRAAHI) Strong Fathers Program. Members also received information on the federal and state laws regarding child support, local program efforts and performance statistics, federal best practices, and demographic data. The Task Force also

heard from more than 60 Friend of the Court clients who either attended one of two evening public comment sessions (one at the Kent County Human Services Complex and one at Ottawa Hills High School) or provided public comment via email. Flyers advertising the sessions were emailed to more than 300 media and social service organizations and churches, posted on the County's website and social media outlets from which it was also shared by other organizations, and emailed to all custodial and non-custodial Kent County FOC clients residing in the county. The Task Force greatly appreciated the input of the individuals who took the time to provide comments. Their input was well-received by the Task Force and contributed to its deliberations.

After considerable debate and discussion, the Task Force unanimously approved the attached recommendations to be submitted to the Chief Circuit Court Judge.

A final concern raised by several members of the Task Force was the process for follow-up on the recommendations and for reporting on the progress of the FOC in addressing community concerns. By law, the Friend of the Court Citizens Advisory Committee (FOCCAC) is responsible for this function (Appendix 2), and both the County and Court representatives stated that they would be monitoring progress through required reports and presentations. Finally, as membership on the FOCCAC is governed by statute, the Task Force recommends that the Board of Commissioners consider appointing two Commissioners to the committee as one of the required constituencies, or as non-voting representatives of the Board.

RECOMMENDATIONS OF THE FRIEND OF THE COURT COMMUNITY ENGAGEMENT TASK FORCE

The Task Force recommends that more emphasis be placed on helping parents understand and navigate the system early in the process, in an effort to prevent cases from evolving to the point of non-compliance when a bench warrant is required. Specifically, the Task Force recommends that the Circuit Court and FOC:

1. Work with the KCHD, DHHS, hospitals, and the Prosecutor's Office to establish and promote a program of early engagement with parents in new paternity cases, including but not limited to DNA testing, custody and parenting time, appropriate support levels, and agency referrals.
2. Assign specific staff member to contact payers by phone upon entry of an order, again with the focus of helping the family navigate the system.
3. Provide outreach through community organizations to discuss the resolution of warrants with payers and develop formal partnerships with community organizations like Lifequest and Strong Fathers, and hold non-traditional and community "office hours," especially in zip codes with historically high numbers of warrants

In the event an individual is eligible to be scheduled for a show cause hearing, the Task Force recommends that the FOC contract with a community-based entity to conduct home visits with those for whom a show cause hearing is imminent.

- Focus on individuals with high levels of non-compliance
- Establish minimum number of home visits, cultural competency standards
- Emphasize referrals to address barriers that limit a payer's ability to comply with the support order; resolve non-compliance issue prior to show cause date.

Recognizing that bench warrants will continue to be required in certain cases, the FOC should use specially-trained FOC deputies to follow up on warrants prioritizing cases with high arrears owed to the custodial parent (not State), thereby increasing the amount of funding made available for the children and minimizing the potential for incidental contact and arrest by other law enforcement agencies.

- Establish and follow written training protocol for cultural competency for FOC Deputies
- Establish and follow training protocol re: FOC warrant resolution and access to specialized resources
- Establish benchmarks for number of contacts and number of warrants addressed
- Emphasize resolution of warrant instead of arrest (performance measure of 85 percent resolution without arrest)
- Concealed weapon, plain clothes, and unmarked vehicle
- Strict instructions not to pursue someone who flees solely on the basis of the FOC warrant
- Increase cooperation with other law enforcement agencies encountering payers with support warrants so that those payers can avoid being arrested

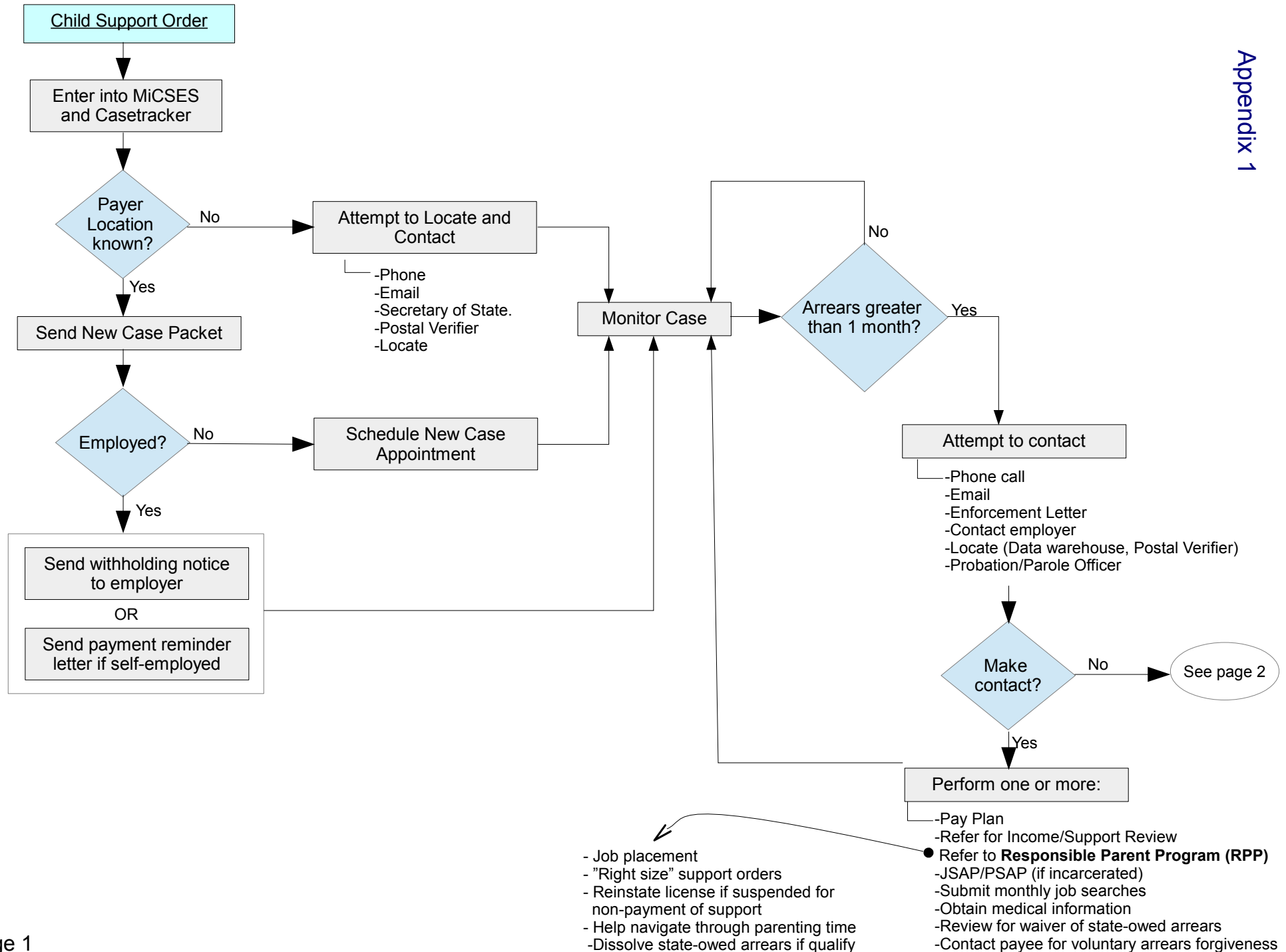
In response to public comments received, the Task Force also recommends the FOC:

1. Expand capacity for credit card payments at all phases of the enforcement process
2. Improve client communication with the FOC:
 - Review documents for clarity/plain English
 - Continue to improve call wait time
3. Create an ongoing customer service survey and continuous Customer Improvement Process

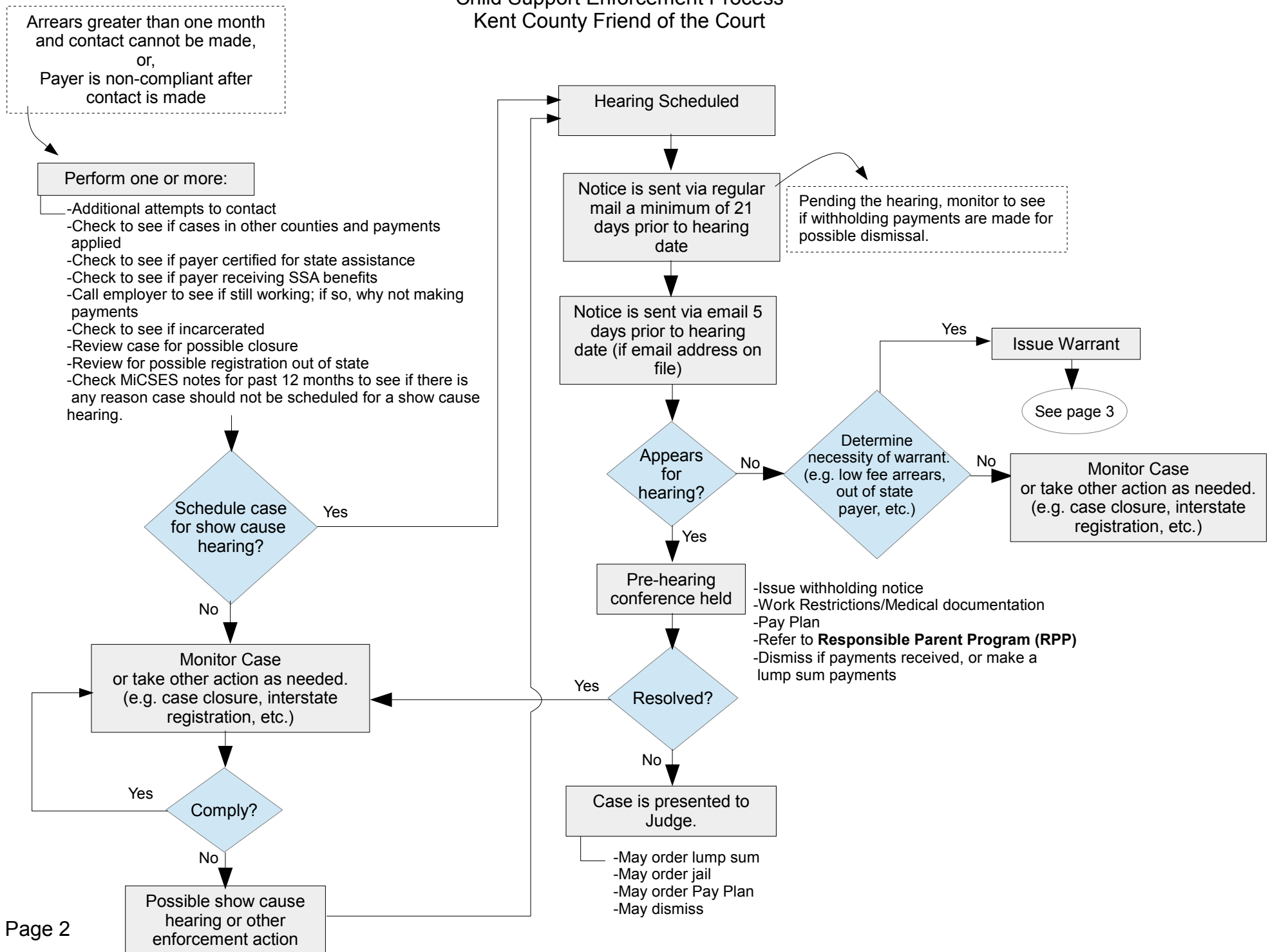
Finally, to ensure the ongoing public accountability of the FOC and provide a regular opportunity for public comment on FOC matters, the FOC Task Force recommends that the Board of Commissioners formally add the following to the duties of the Friend of the Court Citizen's Advisory Committee:

1. Review of performance measures on customer service and efficacy of enforcement program
2. Review grievances related to support orders and enforcement programs/practices
3. Presentation of an annual report to Chief Judge and Board of Commissioners

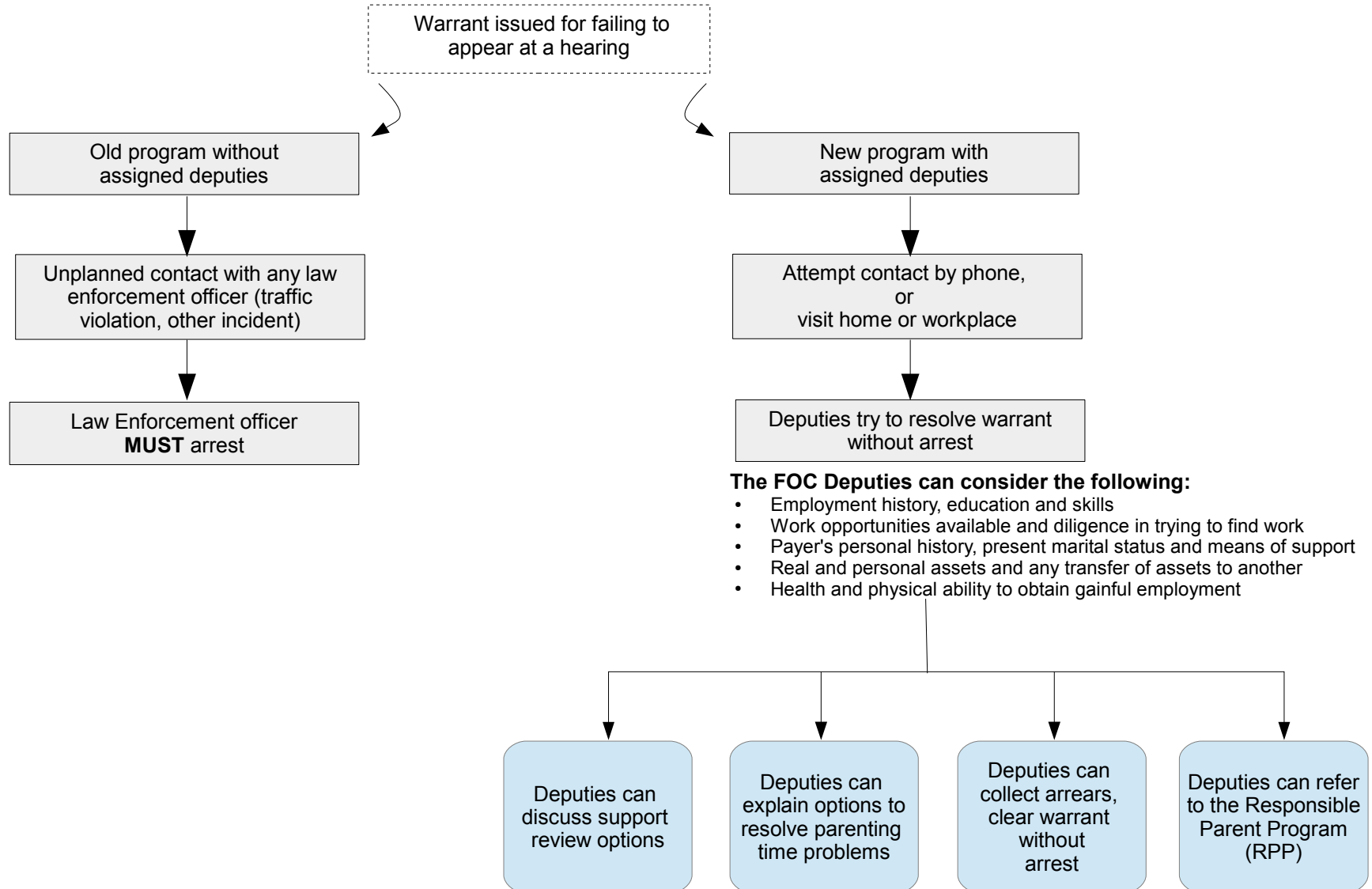
Child Support Enforcement Process Kent County Friend of the Court



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FRIEND OF THE COURT CITIZENS ADVISORY COMMITTEE

552.504 Citizen friend of the court advisory committee; establishment; composition; appointment; vacancy; terms; election of chairperson and vice-chairperson; court administrative office guidelines; term limitation.

Sec. 4. (1) Each county may establish a citizen friend of the court advisory committee composed of the following members, each of whom is a resident of the county: (a)

A noncustodial parent.

(b) A custodial parent.

(c) An attorney who engages primarily in family law practice. (d)

The county sheriff or the sheriff's designee.

(e) The prosecuting attorney or the prosecuting attorney's designee.

(f) The director of the family independence agency or the director's designee. (g)

A mental health professional who provides family counseling.

(h) Two members of the general public who are not serving on the committee in a category listed in subdivisions (a) to (g).

(2) Except for a member serving under subsection (1)(d), (e), or (f), and except as otherwise provided in this subsection, the county board shall appoint the citizen advisory committee members. In a county organized under 1966 PA 293, MCL 45.501 to 45.521, the county executive shall appoint the citizen advisory committee members with the advice and consent of the county board, and shall exercise the other powers and duties prescribed for the county board by this section in regard to the citizen advisory committee.

(3) A vacancy on the citizen advisory committee shall be filled for the remainder of the term in the same manner as the position was originally filled. The county board shall attempt to compose the citizen advisory committee so that its membership reflects the ethnic, racial, and gender distribution of the community that it serves.

(4) Committee members shall serve renewable terms of 3 years for each time appointed. Members appointed under subsection (1)(a), (b), (c), (g), and (h) shall serve initial terms of 3 years for 2 members, 2 years for 2 members, and 1 year for 2 members to allow 1/3 of those members to be appointed to the committee each year.

(5) A citizen advisory committee shall elect 1 of its members as chairperson and 1 as vice-chairperson.

(6) A citizen advisory committee shall honor any guidelines established by the state court administrative office for a friend of the court office pertaining to citizen advisory committees.

(7) Except for a member serving under subsection (1)(d), (e), or (f), a citizen advisory committee member shall not serve more than 2 consecutive terms. After completion of 2 consecutive terms, a former member shall not be reappointed to serve during the 2 years immediately following the end of his or her previous term.

History: Add. 1996, Act 366, Eff. Jan. 1, 1997;— Am. 2004, Act 210, Eff. Oct. 1, 2004.

Popular name: Friend of the Court

552.504a Citizen advisory committee; scope; duties; subcommittees; meetings open to the public; exception.

Sec. 4a. (1) A citizen advisory committee is advisory only. Once established, the citizen advisory committee shall do all of the following:

(a) Meet not less than 6 times annually. The citizen advisory committee shall keep minutes of each meeting and submit a copy to the county board.

(b) Review and investigate grievances concerning the friend of the court as provided in section 26.

(c) Advise the court and the county board on the office of the friend of the court's and the friend of the court's duties and performance, and on the community's needs relating to the office's services.

(d) At the end of each calendar year, submit an annual report of its activities to the county board, court, state court administrative office, governor's office, and standing senate and house committees and appropriations subcommittees that are responsible for legislation concerning the judicial branch.

(2) A citizen advisory committee chairperson may appoint subcommittees comprised of 3 committee members to review, investigate, and hold hearings on grievances submitted to the citizen advisory committee as provided in section 26. The chairperson may serve on a grievance subcommittee and shall attempt to appoint members so that each member has an equal opportunity for subcommittee participation.

(3) Except as otherwise provided in this subsection, a citizen advisory committee meeting is open to the public. A member of the public attending a meeting shall be given a reasonable opportunity to address the committee on an issue under consideration by the committee. If a vote is to be taken by the citizen advisory committee, the opportunity to address the committee shall be given before the vote is taken. A citizen advisory committee

meeting, including a meeting of a subcommittee appointed under subsection (2), is not open to the public while the committee or subcommittee is reviewing, investigating, or holding a hearing on a grievance as provided in section 26.

History: Add. 1996, Act 366, Eff. Jan. 1, 1997;-- Am. 2004, Act 210, Eff. Oct. 1, 2004.

552.504b Information and records to be provided to citizen advisory committee.

Sec. 4b. (1) Except as provided in subsections (2), (3), and (4), and under the chief judge's supervision, the office shall provide the citizen advisory committee with a grievance filed as provided in section 26 and access to records and information necessary for the committee to perform its functions as prescribed by this act, including the following:

(a) Case records and other information pertaining to the case of a party who has filed a grievance with the citizen advisory committee.

(b) Information regarding the procedures used by the office to carry out its responsibilities as defined by statute, court rule, or the bureau.

(c) Information regarding the administration of the office of the friend of the court office, including budget and personnel information.

(2) The following information shall not be provided to a citizen advisory committee: (a)

Information defined as confidential by supreme court rule.

(b) Case information subject to confidentiality or suppression by specific court order, unless the court that issued the order of confidentiality determines, after notice to the parties and an opportunity for response, that the requested information may be made available to the citizen advisory committee without impairing the rights of a party or the well-being of a child involved in the case.

(3) A citizen advisory committee shall be provided a judge's or referee's notes pertaining to a case only at the chief judge's express direction.

(4) A citizen advisory committee has access to records of a mediation session only if the court determines, after notice to the parties and an opportunity for a response, that access would not impair the rights of a party to the case or the well-being of a child involved in the case.

(5) Upon request of a citizen advisory committee and under the chief judge's supervision, the office shall annually provide the committee with information pertaining to a random sampling of grievances. If requested by the committee and at the supreme court's direction, the state court administrative office shall assist the office in devising a statistically significant random sampling.

History: Add. 1998, Act 551, Eff. Mar. 1, 1999.

Popular name: Friend of the Court

552.504c Information and records as confidential; disclosure; penalty; grounds for dismissal.

Sec. 4c. (1) A citizen advisory committee, its members, and its staff shall consider as confidential a record or other information to which they have access in order to perform their functions under this act and shall properly safeguard its use and disclosure.

(2) A person listed in subsection (1) who discloses a record or other information described in subsection (1) is guilty of a misdemeanor.

(3) A citizen advisory committee member's unauthorized disclosure of a record or information described in subsection (1) is grounds for removal from the committee.

(4) A committee staff member's unauthorized disclosure of a record or information described in subsection (1) is grounds for dismissal.

History: Add. 1998, Act 551, Eff. Mar. 1, 1999.

Popular name: Friend of the Court