

Michigan Association of District Court Magistrates
Meeting of the Board of Directors

January 18, 2018 – 10:00AM

Hall of Justice – Lansing

PRESENT – Ashley Justice, James Pohl, Jessica Testolin-Reinke,
Robert Clarke, Mark Nelson, Liz Stankewitz, Gerald Ladwig.

TELEPHONE: J. Patrick Brennan, Yvonna Abraham.

POLYCOM Steve ~~Brunick~~ Brunink

I.Call to Order – Pledge of Allegiance 10:19 am

II.Secretary's Report - Millicent Sherman - reviewed, **yes**. Any changes or amendments, motion to accept ASHLEY motioned seconded MARK all ayes no opposed. Motion carries.

III.Treasurer's Report - Pat Brennan - Robert move to accept seconded Jim vote all ayes no opposed. Motion passes.

State reimbursement check from MJI mailed to bank, and they have a new accounting system. Bank didn't receive the deposit. 2650 is shown as an unrecorded deposit. Pete will work on issuing a new check.

Conference expenses at 9889.21 includes gifts that were bought as well. \$461 visa bill, \$534 conference gifts, \$655 to state of Michigan industrial group for gifts. Pat will get gifts to new magistrates that we

have left over from the conference. Other things to note. 5 refunds for people that scheduled for conference, and then cancelled. Checking account 16,630.79 as it stands today. 24285.50 is our current net worth.

Pete says check was issued, and finance department is checking on status of the check and reissue if necessary. State changed finance system, so checking old system before going back to new system. Pat has copies of the original check, and corresponding deposit paperwork. Pat says MADCM is automatically enrolled in the new state system.

IV. Agency Reports

-SCAO (Andrew Smith)

- District Court Fees and assessment tables have changed. Second bullet on the handout.
- Memo on MIP statute

Process as written: leave responsibility to PAO and police. Onus is on law enforcement rather than the court

Courts may take active approach to determine priors before moving forward. Onus is still on law enforcement.

Lee Ann says SOS won't kick them back automatically to courts. SOS does the sanction on their own based on their system. If Defendant has an issue with SOS they may be sent back to the court for clarification.

- Interest rate for money judgments. It is now 2.984%
- If a criminal conviction is invalidated the court must

reimburse fees and costs. Restitution is up to the court.

- Injunction against SOS. Courts operate business as usual, and comply with statutes as written.
- Trial Courts steps to verify caseload data.
- Fines and Costs have been updated for civil infractions
- Increases in small claims is now \$6,000 as of 1/1/18
- Courts may now mail sureties via first class mail. 2/19/18 new form available.
- E-filing court rules have been adopted.
- Legislation on page 7. Problem solving court bills. Require problem-solving courts to be certified by SCAO. 40 courts on first cycle, and then 4 more cycles. Violent offender definitions have trained. Cases can also be transferred between courts with MOU.
- Page 8 PA236. Amends deletes provisions on unanswered parking tickets. PA241 Retail Fraud and Criminal Contempt may order convicted person to reimburse the state.
- Page 9 Changes some sentencing guidelines. Case law attached as well.

-MJI (Peter Stathakis)

New Magistrate Seminar March 13-15 2018

- Robert Clarke, Ted Johnson, Ashley Justice, Kevin McKay, Jim Pahl, Millicent Sherman. Helped plan and will deliver the program.
- Pete recognized Dena and Dennis for their long time service.

There is a need for Magistrate Instructors for the one-day visitation especially in Central and Northern Michigan.

MJI education website. Positive response to the website.

Spoke about online bench books available on the website as well as some quick reference materials.

Deb Green presented on sovereign citizens, and Pete can get a recording of that. She may also be available to present on this topic again. Judge Alderson also may be available as well for a short presentation.

Magistrate specialty seminar will be held in July. Magistrate manual will be updated in the spring. Current training schedule is on the back of the program.

Traffic Safety Summit update. There is money for up to 10 magistrates to attend. March 20-22 in East Lansing. OHSP website has a preliminary itinerary.

National Judicial College is holding a 2.5 day face to face case on CDL in Reno Nevada. Pete has a full scholarship available for one magistrate to attend. Requirement to come back and train at MADCM,

MJI etc...

Jessica asked Pete about doing a quick reference guide for DNR for the magistrates to have. Pete will propose it to Sarah as a needed publication, and will give her Jessica's information for guidance. Discussion held on how helpful this would be. Hoping MJJ may be able to create a DNR bench-book. Pete will look into it. Pete will contact Jason Haines from the DNR for help on this.

-SOS (Lee Ann Gaspar, David Handsor)

Reminder that abstracts are due January 01, 2018

PA 235 MIP

PA 236 3 or more unpaid parking tickets license holds

PA 357 Amend penalties for MIP

PA 358 amends language for prior suspensions

PA 448 amends SOS reexamination schedule. Also amends points assessed for speed violations.

PA 153 sunset extended until 10/01/2021

PA 357 and 358 memo. How to handle the MIPS and suppression for deferrals.

PA 448 memo. Changes the points that can lead to an SOS hearing.

SOS memo on the Federal Injunction regarding ability to pay suspensions. The case and opinion is included in the handout.

2100s the issues with SOS have been rectified. If there are any issues let SOS know. Liz believes they are fixed.

-OHSP (Christy Sanborn)

Registration is open for the Traffic Safety Summit. Will have legal update, and presentation on new roadside testing currently being conducted.

There is an updated tri-fold on all the new MIP information. Courts can order them to have on hand.

Safety News Network handout from November it contains good articles and information. Ken Stecker recognized by Monroe County for his work there.

- On Behalf of PAAM (Ken Kinga unable to attend)

Green Light Yellow light legal update was provided

MIP law chart

Next DRE School starts next week. 22 Law Enforcement Officers

Michigan Bicycle conference to be held at GVSU in June. Any issues send those to OSHP.

Michigan Interlock training

-MSP (Steven Beatty)

NOT PRESENT

-PAAM (Ken/Kinga)

OHSP shared.

V.Old Business

Last Year's Conference:

Liz thought it was wonderful. Venue was great and it was easy to work with staff and to get things done. Survey included that Jessica put together for review.

Review Surveys:

Roundtable was held at the end of the conference. Tried it based on past surveys, but not sure that was a success. May switch it back based on the surveys.

May need to refocus energy for the first day and encourage magistrates to get there earlier and be ready to work into the night. Maybe change Wednesday to start earlier in the day. Discussion held about how to make Wednesday work and timing of meetings, as well as registration and the conference kick-off.

Benefit about the agency reps by having them there on Wednesday night so they can speak and then network with Magistrates in the evening. May start an hour earlier on Wednesday. Start the conference at 5. Welcome reception at 4. Discussion on timing continued.

Jessica will do the forms.

Liz will do the name tags with schedule on the back.

All of this needs to be updated and ready to go before the conference. Welcome reception should start earlier. Conference dates are 9/19 – 21 2018. Board meeting held at 1pm. Registration begins at 3pm. Welcome Reception at 3:30pm – 4:45pm. Presidents Welcome 5pm

Agencies will provide print outs prior to conference and put together prior to the meeting. Ashley offered to meet each agency prior and bring their information to the conference to be assembled into packets.

Annual meeting agenda needs to be printed off ahead of time and in the packet.

Ashley will send Jessica the old survey form so it can be set up for 2018.

- Pat brought up the issue that we are short two board members. Liz will send an e-mail to the group that we are looking for two more board members. We will have those who submit, and have an e-vote by the end of February. They'll be given notification in March so that they can attend the April meeting

VI. New Business

- 2018 Conference Committees and Education

a. Update on venue – (Liz)

There is a signed contract with Bay Harbor.

Room Rates vary: from minimum of \$154 to a \$217 per night. Most of the rooms are in the \$179 range.

- Attendees will have to choose the room they want.

- Penthouse suite will be comped to us as the hospitality room.
- Resort fee is standard
- Attrition clause has been modified
- Set up fee. AV equipment is on site along with a specialist
- Pat has sent the deposit and tax exempt form to Liz which has been given to Bay Harbor
- Liz will be introduced to the event planner to set things up.
- 2019 Crystal Mountain Contract is set to be signed as well. Discussion as to why this was the choice. Believe that we were given the same price as 2016. Pat brought up minutes that it is voted on in September. Dates are the 18th – 20th of September 2019. Liz will email board the contract for review. Will need a deposit. Motion by Jim seconded by Pat and approved by the board for the deposit to Crystal Mountain.

- Discussion -

b. Education – (Ashley and Jess) -Next year's board meeting dates (discussion).

Jess tried to contact Pitcavage about sovereign citizens and he is not interested.

Ashley: has some law professors on constitutional laws, 6th amendment and search warrants, also professional responsibility. Lt. Det. Dan King could speak about the dark Internet. A Human trafficking speaker is also available. Ashley will follow up with Pete

on the Deb Green presentation.

- Discussion –
- Ashley will talk to Millicent about a possible speaker on Domestic Violence.
- About a de-escalating presentation idea brought forward by Liz. Ashley said that the speaker on professional responsibility could possibly be covering that.
- May also have a presentation on small claims.
- Discussion about break out sessions.

c. Door Prizes – (Sue)

Liz says Sue has that covered.

- Discussion –

d. Hospitality Suite – (Robert and Mark)

Robert and mark will take care of business. Liz says Tricia is ok with us bringing our own supplies into the hospitality suite.

- Discussion –

e. Goodie Bags – (Jerry)

Jerry has it covered

New Magistrate Dinner: Motion to approve \$500 for the dinner.

Jim moved Jessica seconded. Approved. All ayes.

Motion for new flag set for the meetings.

Jessica made the motion and Jim seconded. Pat will find it and purchase it. Maximum of \$50 for the flag set. All approved.

VII. Committee Reports/Updates

- Editor of the Docket – Jim Pahl -
- Always need materials nothing else to report
- SCAO Forms Committee – Jess
- Going in March will report.
- State Bar Committee on Judicial Ethics – Jim Pahl
- No meetings and no schedule of meetings for this year.
As needed.
- Legislative Committee – Ashley, Mark, and Liz -
- Nothing to report
- Membership Committee – Yvonna
 - o One new member. Each new magistrate in March

will receive a welcome gift, and also an application to the association. Pat and Yvonna are targeting 17 new possible members to see if they can attract some new ones.

-

- Technology Committee – Ashley - all

Website is updated with all conference info. Discussions are there. All officers and dates are updated as well.

VIII.Roundtable Discussion

Discussion held about a retirement gift to recognize Dena for her 20 years of service to the association. Plaque and a gift card was the decided upon gift. Liz will contact Sue about purchasing those items.

Ashley made motion and Jess seconded.

Motion is for \$100 Visa gift card and plaque up to \$125 for recognition. Approved.

IX.Adjourn Time 12:32

Next Meeting – 10:00 am April 19, 2018 – Lansing – Halls of Justice

Respectfully Submitted, Gerald Ladwig, Secretary