



THE DOCKET

Newsletter of the Michigan Association of District
Court Magistrates

March, 2003

We Are Back!

Newsletter Once Again
Published by Jim Pahl, Editor

As you may recall, I resigned from my previous position as editor of the association newsletter. With some changes in how we publish this rag, I once again agreed to accept the job as editor.

There will be a new look to the newsletter, as we are going to primarily publish this on our web page. You can opt to receive a printed copy through the mail - please contact our President, Dena Altheide to do this. Please, everyone feel free to submit articles, humorous traffic letters, cartoons - as this is your newsletter. It will be as good or bad as you make it. Please submit your items to me electronically as an email attachment at jpahl@ingham.org. I have problems doing a cut and paste directly from an email, so an attachment in any word processing program is best. I have all three of the major programs installed on my computer. Me not have to re-type everything into the newsletter will be a big help.

The newsletter will be published around the first day of March, June, September and

December. Deadline for submission of materials for each issue is the 15th day of the proceeding month.

Please note my new email address -
jpahl@ingham.org

PRESIDENT'S MESSAGE by
Dena Altheide, President, MADCM; Magistrate,
67th District Court

Happy New Year! I hope you all enjoyed very pleasant holidays. Your executive board members are very busy with some very interesting issues, which are confronting us as Magistrates, as well as completing the details on our 30th Anniversary Conference (more on that later). In The Docket, you will find articles from your various Executive Board members detailing our agenda and goals for 2003.

As I sat wondering what to write about in this article, it dawned on me if any of our members really knew what went on at our Executive Board meetings. So that is the topic of this article. I am going to give you a short synopsis of what we do for you at these meetings.

First, we only have four meetings per year, including the conference. At the beginning of each meeting, we stand and state the Pledge of Allegiance (we are patriots, you know). Then we proceed to the Treasurer's Report (yes, we do have money) and approve the Secretary's minutes of the last meeting. From there, we head to agency reports from Office of Highway Safety and Planning (OHSP); State Court Administrative Office (SCAO); Michigan Judicial Institute (MJI); and of course, the Secretary of State (SOS).

Members of these organizations attend our meetings and give us the most up-to-date information, which may affect us in our jobs.

After these representatives are done, (and after they recover from the beating they took from the board for delivering bad news), we proceed to Old Business. Anything from the conference to the web page is included in this category. Then it's on to New Business. This usually includes next year's conference (we always try to stay ahead) and the present conference, AGAIN, that we are working on, as well as any new correspondence that has come to us. After that, we adjourn.

All kidding aside, I really wanted to let you know how hard we do work for you. We may joke with one another, but this is very serious business for us. Everyone on the Board strives to make this organization as good as it can be. But the work doesn't stop with the meetings. In between meetings, we are constantly e-mailing, or phoning each other to discuss concerns which may affect the magistrates of this state, and how to resolve issues which may be affecting our magistrates.

But enough of what we do. I hope I have enlightened you on the operation of your Executive Board. I believe this organization has made great strides in professionalizing our positions, as well as being a center of valuable information for all of us. But to continue to maintain this standard, we need the

membership's help in letting your Board know if you have any concerns or issues that you wish dealt with. On the web page, you will note all of our names, phone numbers, e-mail addresses. Please, contact us if you have any issue we may help with, or you may feel is important to the organization of magistrates.

NEW LAWS by Sandra Hartnell, SCAO

There are a few things that have passed into law that may have an immediate impact on the job of a magistrate.

2002 Public Act 631, effective December 23, 2002, creates a new section of law, MCL 766.12a, allowing law enforcement agencies which collect bond money from or on behalf of a person arrested pursuant to a warrant issued by a court to collect, in addition, to the bond, an amount not more than \$10 for deposit with that agency's governing body.

There is the potential for there to be confusion on the part of the person posting the bond and paying said fee, and court staff need to be aware that some persons may believe the bond they posted included this "fee."

It would alleviate confusion if law enforcement wrote two receipts for the money collected; one for the bond and one for the additional "fee." Bond documents sent to the court must clearly identify the amount of bond as only that portion actually collected as bond, not including the additional "fee." District court staff may wish to clarify this requirement with those local agencies implementing this public act.

Office of the Auditor General, Audit of Department of State Abstract Records. This audit focused on the abstract process, including the rejection of abstracts due to error. The auditors tracked abstracts which were rejected to determine whether or not the courts resubmitted a corrected abstract. 22% of the rejected abstracts had not been resubmitted one year later. District court administrators and magistrates are urged to stress the importance of timely corrections to the case management data base and to ensure that the records are properly flagged so that a corrected abstract is resubmitted. An internal verification that corrected abstracts were resubmitted is recommended.

Increases to penal fines when not other-wise fixed by statute. 2002 Public Act 723, effective March 31, 2003, increases penal fines to a maximum of \$500 for a 90-day misdemeanor if not otherwise fixed by statute.

Increases to penal fines for various misdemeanor and felony offenses. 2002 PA 672, effective March 31, 2003, increases fines for various misdemeanor and felony offenses found in the criminal code. Many 90-day and 93-day misdemeanors were increased to a maximum \$500 fine; 6-month misdemeanors were increased to a maximum \$750 fine, and 1-year misdemeanors to a maximum \$1,000 fine.

Any questions, please contact Sandi Hartnell at State Court Administrative Office, telephone 517-373-0122.

STATUTE ALERT by Dennis Hall, Magistrate, 70th District Court

Another new law to hit the books. 2002 PA 725 (effective December 30, 2002) changes the penalty from a misdemeanor to a civil infraction when a person licensed under the liquor control act, furnishes alcohol to a minor who is working for the police as part of a sting operation. See MCL 436.1701.

HB 5734 added language to subsection 207.211(j) so that effective April 1, 2003, trucks, road tractors and truck tractors operated exclusively in intrastate transportation, do not need fuel tax permits.

CLICK IT OR TICKET by Dennis Hall, Magistrate, 70th District Court

This campaign produced 19,000 safety belt citations between the dates of November 25th and December 8th.

MOTOR CARRIER ISSUES by Dennis Hall, Magistrate, 70th District Court

A Commercial Motor Vehicle Adjudication class has been scheduled for judges, magistrates and prosecutors, designed to educate on specific issues that impact commercial vehicle enforcement. Each class is scheduled from 8 a.m. until noon (lunch not included). A truck tractor-semi trailer from Roadway Express will be on site so participants will have an opportunity to look over the unit and ask questions. (Last years class provided demonstrations on brake systems, with a cut-away display model). There is no charge for this training, but reservations are required as seating is limited. Register by calling Lt. David Ford at (517) 336-6449. Each class date is on a Thursday at the following locations: Bay City, April 24; Kalamazoo, May 8; and Escanaba, May 22.

NEW BOARD MEMBER byDennis Hall, Magistrate, 70th District Court

The Board of Directors wishes to welcome its' newest appointee, Dennis Epler of the 16th District Court in Livonia. This appointment was made to fill a vacancy in the board when Tom Bleau vacated his board seat to accept the position of association vice president. Welcome Dennis!!

Association Officers by Jim Pahl,

Editor

At the business meeting of the Michigan Association of District Court Magistrates, the following were elected as the 2003 officers and board of directors. A complete listing of addresses, telephone numbers, fax numbers and email addresses can be found on the association's web site: www.madcm.org.

President: Dena Altheide, 67th District CourtVice President: Thomas Bleau, 74th District CourtSecretary: Cindy Cope, 96th District CourtTreasurer: Jennifer Bennon, 96th District Court

Immediate Past President: Robert Clark, Berrien County Trial Court

Board of Directors: Dennis Hall, 70th District Court; Charlie Pope, 14B District Court; Krista Krause, 54A District Court; Wanda VanderMeer, 51st District Court; Jim Pahl, 55th District Court; A. Thomas Truesdell, 14A District Court; Terry Walker, 66th District Court; and Dennis Epler, 16th District Court.

President Dena has also announced the 2003 committee assignments for board members.
2004 Conference: Dennis Hall & Charlie Pope.

Legislative: Tom Bleau & Wanda VanderMeer.
Audit: Cindy Cope. Elections: Dennis Hall.
Recognition/Sunshine: Cindy Cope. Webpage: Jim Pahl.

Board of Directors Meetings by Jim Pahl, Editor

The 2003 schedule of board of director's meetings has been established by President Dena Altheide. All meetings begin at 10:00 AM at the Sheraton Lansing Hotel 925 S Creyts Rd., Lansing, MI 48917, on April 9 and July 16. The board will also meet immediately prior to registration at the Annual Training Conference in September.

Annual Training Conference

by Jim Pahl, Editor

The next annual Training Conference of the Michigan Association of District Court Magistrates will be at Crystal Mountain, September 24th, 25th, 26th. Mark your calendar's now, as we are lining up what promises to be an excellent set of speakers for our seminars.

Vehicle Code by Dennis hall,Magistrate, 70th District Court

New Michigan Vehicle code books are being prepared for print as you read this newsletter. Peggy Leece, our S.O.S. liaison, has indicated that the now edition should be ready for delivery after April 1, 2003. You may call Michigan Department of State, Purchasing and Contracts Sections in Lansing at (517) 373-2570. Please make sure that you are ordering the newest version, so you don't get the hand me downs.

Also, if you have access to the world wide web, you can view the Michigan Complied Laws

through the Michigan Legislature web site at: <http://www.michiganlegislature.org> To see if a specific section of Michigan law has been updated, simply type the chapter and section number in the search box that is found at the beginning of each section of the law. For example, if you wanted to see if the definition of the term "owner" had been amended, you enter 257.37 and the latest definition will be provided.

Treasurer's Report by Jennifer

Bennon, Magistrate, 96th District Court.

January 2003

Savings: \$2,574.10
Checking \$6,920.33
Total \$9,494.43

REVENUE:

Dues Received: \$2,050.00
 December Interest (savings): \$ 1.44
 December Interest (checking):
 \$.20
 Savings Account Balance 1/31/03: \$8,971.77

EXPENSES:

January Board Meeting:
 (1059.65)
 Checking Account Balance 1/3/103:
 \$1,514.65

Total January 2003 Revenue: \$2,051.64
 Total January 2003 Expenses: \$1,059.65
 TOTAL ASSETS ON 1/31/03: \$10,486.42

MADCM Treasurer's 2002 Summary

1/1/02 Account Balances: \$10,419.09

2002 Revenues: \$11,017.41

2002 Expenses:

Board Expenses: \$3,005.65
 2002 Conference Expenses: \$6,839.10
 2003 Conference Expense: \$500.00
 Newsletter Expenses: \$462.43
 Web Page Expenses: \$429.39
 Treasurer's Bond: \$105.00
 Postage: \$108.00
 Gifts & Contributions: \$492.50
 Total Expenses: \$11,942.07

30th Annual Conference by Tom Truesdale, Magistrate, 14A District Court & Krista Krause, Magistrate, 54A District Court..

The 30th Annual Magistrate's Conference will be held at Crystal Mountain on September 24th through September 26th, 2003. This site was selected because the Board of Directors thought that we needed a special site for our 30th Annual Conference. The conference committee made a site visit last fall and found that this is an outstanding vacation property which would be a perfect place for our conference. Unlike many resorts, Crystal Mountain continually updates its rooms and facilities. It has been featured in the Detroit Free Press as the best winter and summer resort in Michigan for 2003. It has all the recreational facilities, including a new fitness area and two championship golf courses, the Betsie Valley and the Mountain Ridge. Special reduced rates on golf will be given to our members. The Mountain Ridge course is \$55.00 per 18 holes with shared cart and the Betsie Valley is \$35.00 per 18 holes with shared cart. Tee times are not reserved and should be made at least two weeks before our conference. The resort has four basic types of lodging: Studios (\$83.00), Resort Hotel Rooms (\$92.00), Inn Suites (\$105.00) and (\$135.00). There are mountain top houses for rental but there are minimum rental stays and the costs will vary depending on size and location. There will be a reservations sheet sent to you in the summer showing all the room options plus the group number and cancellation policies. The deadline for making your reservation is August 25, 2003. The resort reservation number is 1-800-968-

7686. The Board is also planning a special cocktail hour which be held before our Thursday night banquet on top of Crystal Mountain. The chair lift will be operating for this special event to transport our members and guests to the top of the mountain. On behalf of the Board of Directors, we invite you to attend our 30th Annual conference and celebrate with us our 30th year of existence. See you in the fall!

MI Domestic Violence by

Charlie Pope, Magistrate, 14A District Court

The Michigan Domestic Violence Prevention and Treatment Board (MDBPTB) recently convened a task force, under the federal Grants to Encourage Arrests funds, and in collaboration with the U.S. Attorneys for the Eastern and Western Districts. Other partners include the Michigan Attorney General's Office, the Prosecuting Attorney's Association of Michigan, Michigan Judicial Institute, MCOLES, Michigan State Police and state, local and tribal representatives of the criminal justice system. The Task Force will act as an advisor to the MDVPTB for the purpose improving coordination and communication in the response to domestic violence in Michigan.

During the two-year grant period, task force member will attend two full meetings per year. Task force members will be advised about federal, state, local and tribal efforts regarding the criminal justice system response to domestic violence; and be provided with the opportunity to improve communication and coordination among the various agencies represented. The first task force meeting was held on January 30, 2003.

Representing the Michigan Association of District Court Magistrates is President Dena Altheide (67th District Court). Also on the task force is Magistrate Charles Pope (14-B District Court). Attendees received presentations from a number of agencies that provide support services

to the criminal justice system, including service providers, on domestic violence issues. Task force members then were given an opportunity to meet, according to occupation, to discuss issue unique to their part of the system.

The next Task Force meeting is scheduled for June 26, 2003. In the meantime, MCOLES will sponsor two training for law enforcement personnel, for which Magistrates and others with interest in domestic violence issues may attend. On April 23-24, 2003 MCOLES will sponsor a "train the trainer" event. It will be held at the Washtenaw County Community College Police Academy. The training is available to law enforcement officers, prosecutors and domestic violence service providers as well. Topics will include updates in legal matters, law enforcement response, DV nature/prevalence, adult learning methods and practical training skills development. If you wish to attend, or know someone who may like to attend, you may contact Lynn Ried at MCOLES for registration information (517) 322-1949. This program is free to all participants.

One of the recommendations to come out of the first task force meeting was the need to bring training to the local communities and developing local instructors. To this end, MCOLES will provide free, one-day in-service training, for law enforcement officers, funded under the STOP grant. Please feel free to make the availability of these training known within your area. Interested persons may also contact Lynn Reid at MCOLES for more information.