

**PROBATE COURT
2021 ANNUAL
REPORT**

THE PROBATE COURT

Honorable David C. Tomlinson

The Probate Court encompasses many areas, such as all mental health petitions and involuntary commitments including judicial admissions, guardianship and conservatorship actions for both adults and minors, developmentally disabled person guardianship actions, decedent's estates, contested trusts, civil filings, personal protection orders, name changes, emancipations, and adoptions. Probate Court is also the venue for some obscure actions such as boundary commission disputes, election recalls, and drain appeals. The Probate Court is also the keeper of records for wills deposited for safekeeping, secret marriages, and general genealogy records.

Although many of the above duties are technically under the jurisdiction of the Family Division of the Circuit Court, they are processed and handled through the Probate Office by Probate Staff. Things such as personal protection orders, name changes, emancipations, and adoptions, to name a few are all handled by Judge Tomlinson and his Probate staff but are Family/Circuit Court matters. These things are not included in the attached SCAO data packet for Probate Court.

Judge Tomlinson was elected to the bench for his first term starting in 2013, after running a successful law practice of his own for 34 years. In 2020 he became our Chief Judge in St. Joseph County. His second and final term as Probate Judge will end on 12/31/2024.

The staff of the Probate Court consists of Julie Reeb, Probate Register/Judicial Secretary; Terri Crabtree, Chief Deputy Register; and Tiffany Howe, Deputy Register/PPO Coordinator. All are able to perform Courtroom recording duties and each staff member has their special area of expertise and knowledge but all work hard to cross train in every area.



Technology Advancements

Probate Court, too, is striving toward e-filing and has begun the movement to request funding for imaging software and equipment; hoping this can be implemented prior to the physical move to Three Rivers.

Probate Court recently implemented the acceptance of credit or debit cards as a form of payment for certain fees and filings.

We have continued the use of remote hearings which kept us going during the pandemic and continued throughout 2021.

Case Management

The Probate Court also adheres to the Michigan Court Rules time guidelines and SCAO Orders regarding caseload management. Due to ZOOM and remote technology we were able to continue to run our dockets. Only exception was short periods of no jury trials due to the stage we were in with Covid.

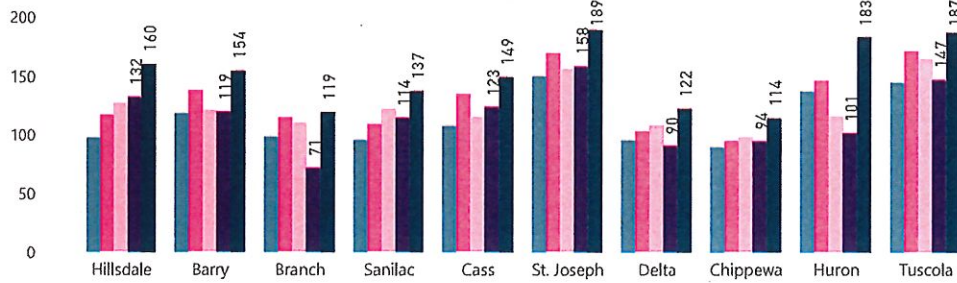
The State Court Administrator's Office report resulting from the Court's 2021 caseload data filed is attached:



PROBATE COURT ESTATE FILINGS, CLEARANCE RATES, AND CASE AGE RATES

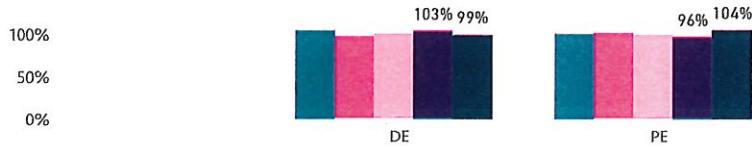
New Filing Trends

● 2017 ● 2018 ● 2019 ● 2020 ● 2021



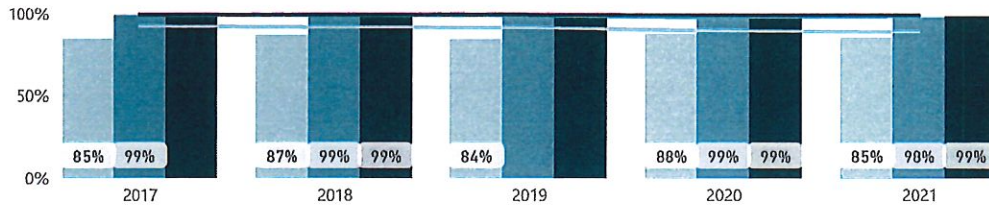
Court Clearance Rates

● 2017 ● 2018 ● 2019 ● 2020 ● 2021



Case Age Trends

● Initial Case Age ● Interim Case Age ● Final Case Age — Statewide Averag... — Statewide Aver... — Statewide Aver...



Percent Disposed within 35 Days

Initial time Guideline	Statewide Average	Small County Average
75%	89%	92%

Percent Disposed within 182 Days

Interim Time Guideline	Statewide Average	Small County Average
90%	98%	99%

Percent Disposed within 364 Days

Final Time Guideline	Statewide Average	Small County Average
98%	99%	99%

County Case Age Rates

Court Code	County Name	Cases Pending Over 364 Days	Disposed within 35 Days	Disposed within 182 Days	Disposed within 364 Days
P30	Hillsdale	0	97%	100%	100%
P08	Barry	0	91%	100%	100%
P12	Branch	0	93%	98%	100%
P76	Sanilac	0	87%	99%	99%
P14	Cass	0	85%	99%	100%
P75	St. Joseph	1	85%	98%	99%
P21	Delta	0	99%	100%	100%
P17	Chippewa	0	87%	96%	96%
P32	Huron	0	99%	99%	100%
P79	Tuscola	0	96%	100%	100%



PROBATE COURT ESTATE CASE AGE RATES

*This document is for internal use, not for publication. Rates for individual judges may include cases or dockets inherited from another judge. Rates are not calculated for judges with fewer than 10 cases disposed or pending over the guidelines.

Percent Disposed within 35 Days - Judge Averages

Initial Time Guideline	Statewide Average	Small County Average
75%	87%	92%

Percent Disposed within 182 Days - Judge Averages

Interim Time Guideline	Statewide Average	Small County Average
90%	98%	99%

Percent Disposed within 364 Days - Judge Averages

Final Time Guideline	Statewide Average	Small County Average
98%	99%	99%

Judge Case Age Rates

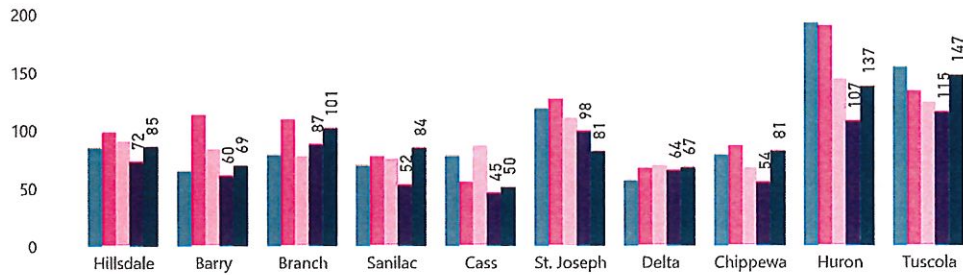
Court Code	County Name	Judicial Officer	Cases Pending Over 364 Days	Disposed within 35 Days	Disposed within 182 Days	Disposed within 364 Days
P75	St. Joseph	Honorable David C. Tomlinson	1	85%	98%	99%
P75	St. Joseph	Honorable Thomas E. Shumaker	0			



PROBATE COURT GUARDIANSHIP AND CONSERVATORSHIP FILINGS, CLEARANCE RATES, AND CASE AGE RATES

New Filing Trends

● 2017 ● 2018 ● 2019 ● 2020 ● 2021



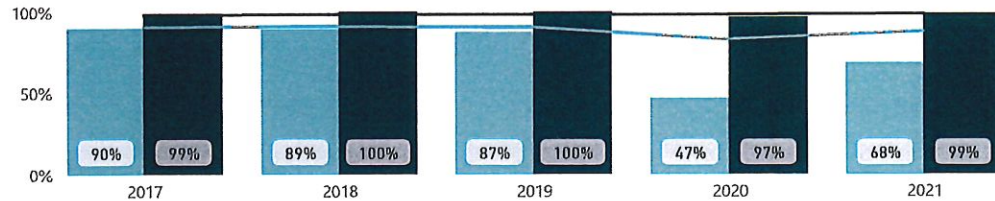
Court Clearance Rates

● 2017 ● 2018 ● 2019 ● 2020 ● 2021



Case Age Trends

● Interim Case Age ● Final Case Age — Statewide Average Interim — Statewide Average Final



Percent Disposed within 90 Days

Interim Time Guideline	Statewide Average	Small County Average
75%	88%	91%

Percent Disposed within 364 Days

Final Time Guideline	Statewide Average	Small County Average
95%	99%	99%

County Case Age Rates

Court Code	County Name	Cases Pending Over 364 Days	Disposed within 90 Days	Disposed within 364 Days
P30	Hillsdale	0	88%	99%
P08	Barry	0	99%	100%
P12	Branch	1	93%	98%
P76	Sanilac	0	92%	100%
P14	Cass	0	89%	100%
P75	St. Joseph	0	68%	99%
P21	Delta	0	100%	100%
P17	Chippewa	3	89%	94%
P32	Huron	0	100%	100%
P79	Tuscola	0	95%	99%



PROBATE COURT GUARDIANSHIP AND CONSERVATORSHIP CASE AGE RATES

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Percent Disposed within 90 Days - Judge Averages

Interim Time Guideline	Statewide Average	Small County Average
75%	86%	92%

Percent Disposed within 364 Days - Judge Averages

Final Time Guideline	Statewide Average	Small County Average
95%	99%	99%

Small County Average

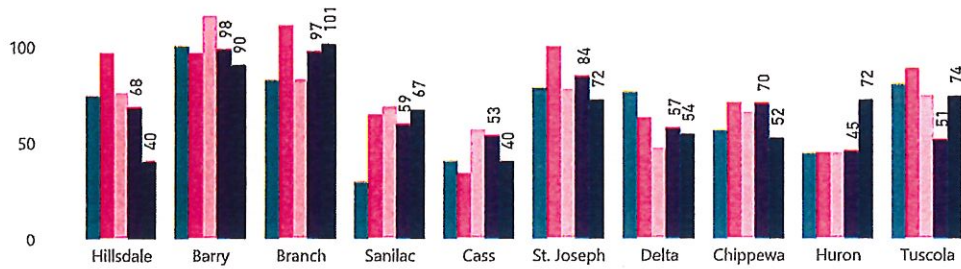
Court Code	County Name	Judicial Officer	Cases Pending Over 364 Days	Disposed within 90 Days	Disposed within 364 Days
P75	St. Joseph	Honorable David C. Tomlinson	0	70%	99%
P75	St. Joseph	Honorable Robert Pattison	0		



PROBATE COURT MENTAL ILLNESS AND JUDICIAL ADMISSION FILINGS, CLEARANCE RATES, AND CASE AGE RATES

New Filing Trends

● 2017 ● 2018 ● 2019 ● 2020 ● 2021



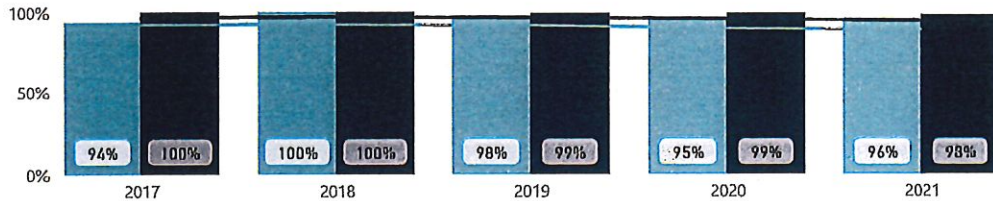
Court Clearance Rates

● 2017 ● 2018 ● 2019 ● 2020 ● 2021



Case Age Trends

● Interim Case Age ● Final Case Age — Statewide Average Interim — Statewide Average Final



Percent Disposed within 14 Days

Interim Time Guideline: 90%
 Statewide Average: 89%
 Small County Average: 92%

Percent Disposed within 28 Days

Final Time Guideline: 98%
 Statewide Average: 94%
 Small County Average: 98%

Small County Average

Court Code	County Name	Cases Pending Over 28 Days	Disposed within 14 Days	Disposed within 28 Days
P30	Hillsdale	0	95%	100%
P08	Barry	0	91%	98%
P12	Branch	0	92%	99%
P76	Sanilac	1	88%	96%
P14	Cass	0	98%	100%
P75	St. Joseph	1	96%	98%
P21	Delta	0	100%	100%
P17	Chippewa	0	74%	91%
P32	Huron	0	88%	96%
P79	Tuscola	0	99%	99%



PROBATE COURT MENTAL ILLNESS AND JUDICIAL ADMISSION CASE AGE RATES

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Percent Disposed within 14 Days - Judge Averages

Interim Time Guideline	Statewide Average	Small County Average
90%	89%	92%

Percent Disposed within 28 Days - Judge Averages

Final Time Guideline	Statewide Average	Small County Average
98%	95%	98%

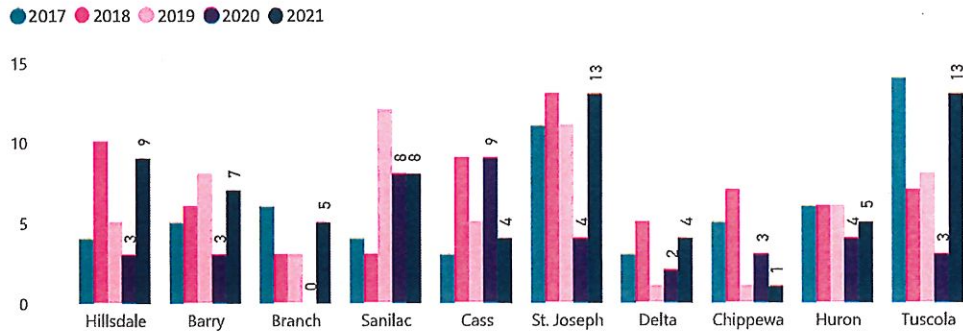
Small County Average

Court Code	County Name	Judicial Officer	Cases Pending Over 28 Days	Disposed within 14 Days	Disposed within 28 Days
P75	St. Joseph	Honorable David C. Tomlinson	1	96%	98%



PROBATE COURT CIVIL AND TRUST FILINGS, CLEARANCE RATES, AND CASE AGE RATES

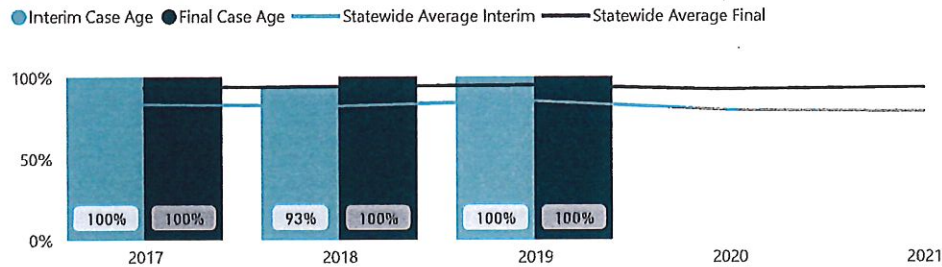
New Filing Trends



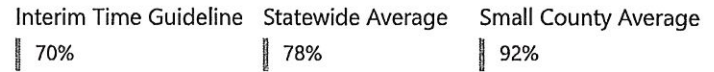
Court Clearance Rates



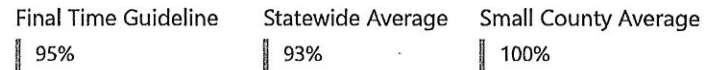
Case Age Trends



Percent Disposed within 364 Days



Percent Disposed within 728 Days



Small County Average

Court Code	County Name	Cases Pending Over 728 Days	Disposed within 364 Days	Disposed within 728 Days
P30	Hillsdale	0		
P08	Barry	0		
P12	Branch	0		
P76	Sanilac	1		
P14	Cass	0		
P75	St. Joseph	0		
P21	Delta	0		
P17	Chippewa	1		
P32	Huron	0		
P79	Tuscola	0	92%	100%



PROBATE COURT CIVIL AND TRUST CASE AGE RATES

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Percent Disposed within 364 Days - Judge Averages

Interim Time Guideline	Statewide Average	Small County Average
70%	78%	92%

Percent Disposed within 728 Days - Judge Averages

Final Time Guideline	Statewide Average	Small County Average
95%	93%	100%

Small County Average

Court Code	County Name	Judicial Officer	Cases Pending Over 728 Days	Disposed within 364 Days	Disposed within 728 Days
P75	St. Joseph	Honorable David C. Tomlinson			0



2017-2021 PROBATE COURT CLEARANCE RATES

Clearance rates are not calculated for case groups with fewer than 10 incoming cases. Incoming cases (In) are cases filed or reopened. Outgoing cases (Out) are cases disposed or made inactive. The clearance rate equals the outgoing cases divided by the incoming cases.

Court Name

St. Joseph County Probate Court

Clearance Rates

Year Case Type Group	2017			2018			2019			2020			2021			Total		
	In	Out	Clearance Rate	In	Out	Clearance Rate	In	Out	Clearance Rate	In	Out	Clearance Rate	In	Out	Clearance Rate	In	Out	Clearance Rate
Estates	154	158	103%	174	169	97%	166	163	98%	162	163	101%	193	193	100%	849	846	100%
DA	1	1		1	1		1	0		0	0		0	0		3	2	
DE	111	115	104%	118	113	96%	114	113	99%	117	120	103%	142	140	99%	602	601	100%
DH	0	0		0	0		1	1		0	0		0	0		1	1	
PE	42	42	100%	55	55	100%	50	49	98%	45	43	96%	51	53	104%	243	242	100%
Guardianships and Conservatorships	118	125	106%	126	123	98%	109	109	100%	98	91	93%	81	90	111%	532	538	101%
CA	17	17	100%	16	16	100%	9	12		11	9	82%	9	9		62	63	102%
CY	5	5		10	9	90%	4	5		5	3		9	7		33	29	88%
DD	16	14	88%	9	11		8	8		11	8	73%	9	11		53	52	98%
GA	44	41	93%	51	50	98%	40	40	100%	34	30	88%	26	31	119%	195	192	98%
GL	0	0		0	0		0	0		0	0		0	0		0	0	
GM	31	38	123%	36	34	94%	43	39	91%	36	39	108%	23	29	126%	169	179	106%
LG	3	7		2	1		1	2		0	0		0	0		6	10	
PO	2	3		2	2		4	3		1	2		5	3		14	13	93%
Admissions	108	110	102%	134	130	97%	101	99	98%	102	103	101%	99	99	100%	544	541	99%
JA	2	2		0	0		0	0		0	0		1	0		3	2	
MI	106	108	102%	134	130	97%	101	99	98%	102	103	101%	98	99	101%	541	539	100%
Civil and Trusts	11	13	118%	13	15	115%	11	12	109%	4	3		13	6	46%	52	49	94%
CZ	1	2		2	2		0	0		0	0		6	0		9	4	
TT	0	0		0	0		1	1		0	0		0	0		1	1	
TV	10	11	110%	11	13	118%	10	11	110%	4	3		7	6		42	44	105%