



**PROBATE COURT  
2022 ANNUAL  
REPORT**

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# 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 current Chief Judge term ends on 12/31/2023. 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.

At the present time we have a part-time, temporary worker, Alison Fletcher, (who also does our adoption investigations on a contractual basis) that has been hired for backscanning paper files onto electronic format. She is working out very well and does an excellent job. Judge Tomlinson and the Probate staff are hopeful that eventually Alison's role could be expanded into

our everyday office/court operations on a full-time basis. She has been an asset to the Probate Team and the increased time demands and workload on the current staff certainly support this objective.



## Technology Advancements

Last year we reported that we were requesting funding to begin implementation of the electronic imaging of our Probate case management system, to include all of our open and closed Probate files. We are pleased to report that thanks to budget approval by our Commissioners for the software, equipment, and other, we were able to hire a part-time, temporary worker who is working out very well, as mentioned above. She is in the process of scanning our paper Probate files and records from the 1970's, and some before, through our present open files. We have estimated that this may take approximately 500 hours. The goal is to get our case management system completely paperless which will eliminate over hundreds of storage boxes of paper files freeing up many, many feet of storage space which is space that can be utilized in other ways. The target date for completion of the backscanning is simply before the move to Three Rivers.

We have continued the use of remote hearings which kept us going during the pandemic and continued throughout 2022. Probate is moving

toward more in-person hearings now, when possible. See [Case Management](#) section below.

## Training

The Probate staff sent employees to the Michigan Guardianship Association Conference, the MPJRA Conference, the MPJRA adoption conference, and a few other miscellaneous trainings throughout the year.

The Probate staff presented two extensive training sessions for approximately 40 to 50 participants in 2022 on the subjects of mental health filings, legally incapacitated individuals guardianships and developmentally disabled persons guardianships. We put together training materials handouts specific to all three subjects. The participants for these trainings were employees of St. Joseph County Community Mental Health, now known as Pivotal. We had very positive feedback to the trainings and have even received requests to repeat them, but have had difficulty finding time to prepare and present these workshops again and still keep up with the daily caseload.

## Case Management

The Probate Court also adheres to the Michigan Court Rules time guidelines and SCAO Orders regarding caseload management.

Now, in 2023 and moving into 2024, Judge Tomlinson is holding more and more in-person hearings for many reasons. It seems respondents, in general, take the Court process more seriously when they are required to appear in person. Many petitioners try to appear for their ZOOM hearings without video, so the Court can only hear their voice and not see their face. This is not ideal for obvious security/identity reasons. Many people have difficulty operating their I.T. equipment, have internet connectivity problems, or have other things going on in their household or immediate area, thus causing delays in the hearing docket.

Conversely, there are still cases where video conferencing is still the best option and we will continue to utilize the technology available to us in those instances.

The State Court Administrator's Office report resulting from the Court's 2022 caseload data filed is attached:



## 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	Medium County Average
█ 75%	█ 85%	█ 91%
Percent Disposed within 182 Days - Judge Averages		
Interim Guideline	Statewide Average	Medium County Average
█ 90%	█ 97%	█ 98%
Percent Disposed within 364 Days - Judge Averages		
Final Time Guideline	Statewide Average	Medium County Average
█ 98%	█ 99%	█ 99%

### Judge Case Age Rates

Code	County	Judicial Officer	Cases Pending Over 364 Days at Year End	Disposed within 35 Days	Disposed within 182 Days	Disposed within 364 Days
P75	St. Joseph	Honorable David C. Tomlinson	0	83%	98%	100%
P75	St. Joseph	Honorable Robert Pattison	0			
P75	St. Joseph	Honorable Thomas E. Shumaker	0			



**PROBATE COURT GUARDIANSHIP AND CONSERVATORSHIP CASE AGE RATES**

Percent Disposed within 90 Days - Judge Averages

Initial Time Guideline | Statewide Average | Medium County Average

| 75% | 87% | 90%

Percent Disposed within 364 Days - Judge Averages

Final Time Guideline | Statewide Average | Medium County Average

| 95% | 99% | 99%

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**Judge Case Age Rates**

Code	County	Judicial Officer	Cases Pending Over 364 Days at Year End	Disposed within 90 Days	Disposed within 364 Days
P75	St. Joseph	Honorable David C. Tomlinson	0	78%	100%
P75	St. Joseph	Honorable Robert Pattison	0		



# PROBATE COURT MENTAL ILLNESS AND JUDICIAL ADMISSION CASE AGE RATES

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Percent Disposed within 14 Days - Judge Averages		
Initial Time Guideline	Statewide Average	Medium County Average
90%	89%	94%
Percent Disposed within 28 Days - Judge Averages		
Final Time Guideline	Statewide Average	Medium County Average
98%	95%	98%

## Judge Case Age Rates

Code	County	Judicial Officer	Cases Pending Over 28 Days at Year End	Disposed within 14 Days	Disposed within 28 Days
P75	St. Joseph	Honorable David C. Tomlinson	0	97%	99%





# PROBATE COURT CIVIL AND TRUST CASE AGE RATES

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Percent Disposed within 364 Days - Judge Averages

Initial Time Guideline	Statewide Average	Medium County Average
70%	77%	78%

Percent Disposed within 728 Days - Judge Averages

Final Time Guideline	Statewide Average	Medium County Average
95%	91%	92%

## Judge Case Age Rates

Code	County	Judicial Officer	Cases Pending Over 728 Days at Year End	Disposed within 364 Days	Disposed within 728 Days
P75	St. Joseph	Honorable David C. Tomlinson	0	79%	85%
P75	St. Joseph	Honorable Robert Pattison	0		