



PROBATE COURT
2023-24 ANNUAL
REPORT

THE PROBATE COURT

Honorable Kevin M. Kane

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 the Probate Judge but are Family/Circuit Court matters.

Judge Kevin M. Kane was elected to the bench for his first term starting in January of 2025. Judge Kane had served as our Juvenile and Family Court Director/Referee for eight years before taking the bench as Judge.

The staff of the Probate Court currently consists of the Probate Register/Judicial Secretary; a Deputy Register and a PPO Coordinator/Deputy Register. 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.

Probate also has two part-time guardianship and adoption investigators. One of these investigators has been hired, since 2022, on a part-time, temporary basis to scan all of our existing paper files onto electronic format.

The big event that occurred in 2024 was the move to the new Three Rivers campus building. After several glitches, bumps in the road, and the passage of nine or more months, staff is beginning to settle in. Although, we are almost completely digitized and have been able to get rid of most of our paper files freeing up a lot of space, the Probate office still physically lacks square footage

and is, therefore, very close working quarters for the two employees that have to share that small, windowless office space every day.

The main Courtroom in Three Rivers is large and aesthetically appealing. The secondary (referee) hearing room is not utilized as originally planned, at least yet, due to a couple of different reasons, causing the same scheduling backups and delays that we had in Centreville.



Technology Advancements

Progress is continuing on the electronic imaging of our Probate case management system and storage. There have been many delays in the development and implementation of our product, on the company's end, and it has been over 1.5 years in the making but it seems we are finally on the home stretch. The present target go-live dates by Imagesoft, for Probate, is mid to late April. Probate staff will participate in a couple of review videos of previous trainings and at least one remote refresher training. Our part-time person hired temporarily to scan in the paper files has approximately 120 hours left in the (amended) budget to complete the paper file scanning, and this should time out just right.

Training

Again, the Probate staff sent employees to the Michigan Guardianship Association Conference, and the Michigan Probate and Juvenile Registers Association Conference. The MPJRA Adoption conference was not held this past year, but, fortunately, it is back on the schedule for the upcoming year.

Case Management

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

Continuing in 2024, and now moving into 2025, Judge Kane is holding the majority of his Probate hearings in person, for the reason that it seems respondents, in general, take the Court process more seriously when they are required to appear in person, and for other reasons stated in the prior annual report.

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

There is need for a Probate administrator on the Three Rivers campus. This administrator position could be shared between the Juvenile Division and Probate. This would be helpful to the Probate Register (and Juvenile Register) and Judge for the administrator to be housed on the Three Rivers campus. It would be beneficial to the Probate (and Juvenile) day-to-day operations and thus the Probate (and Juvenile) caseflow management.

A section of the State Court Administrator's Office report resulting from the Court's 2023 caseload data filed, as it pertains to Probate Court, is attached:

Summary Analysis - Probate

Filing Trends, Case Age, Clearance Rates			
Case Age Group	2022	2023	Change
Estate			
New Filings	182	182	0
Final Case Age	100%	100%	0%
Clearance Rate	99%	101%	2%
Guardianship/Conservatorship			
New Filings	58	77	19
Final Case Age	100%	100%	0%
Clearance Rate	110%	91%	-19%
Mental Illness			
New Filings	52	58	6
Final Case Age	99%	100%	1%
Clearance Rate	102%	97%	-5%
Civil/Trust			
New Filings	12	7	-5
Final Case Age	86%	92%	6%
Clearance Rate	117%		

Helpful Resources

- [Performance Measures Resources](#)
- [Trial Court Directory](#)
- [Best Practices: Case-Age and Clearance Rates](#)
- [Adult Drug Court Standards, Best Practices, and Promising Practices](#)
- [Adult Mental Health Court Standards, Best Practices and Promising Practices](#)
- [Veterans Treatment Court Standards, Best Practices and Promising Practices](#)
- [Best Practices: Public Satisfaction Survey](#)
- [Trial Court Collections Best Practices Manual](#)
- [Jury Management Best Practices Manual](#)
- [Best Practices: Probate Manual](#)
- [Court Data Dashboard](#)



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%	99%

Percent Disposed within 364 Days - Judge Averages

Final Time Guideline	Statewide Average	Medium County Average
98%	98%	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	79%	100%	100%
P75	St. Joseph	Honorable Thomas E. Shumaker	0			



PROBATE COURT GUARDIANSHIP AND CONSERVATORSHIP CASE AGE RATES

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Percent Disposed within 90 Days - Judge Averages

Initial Time Guideline	Statewide Average	Medium County Average
75%	87%	89%

Percent Disposed within 364 Days - Judge Averages

Final Time Guideline	Statewide Average	Medium County Average
95%	97%	100%

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%



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%	91%
Percent Disposed within 28 Days - Judge Averages		
Final Time Guideline	Statewide Average	Medium County Average
98%	96%	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%	100%