



16th Judicial Circuit Court Macomb County

Circuit Judges:

JAMES M. BIERNAT, JR., *Chief Judge*
MATTHEW S. SWITALSKI, *Chief Judge Pro Tem*
MARK S. SWITALSKI
EDWARD A. SERVITTO, JR.
RICHARD L. CARETTI
DIANE M. DRUZINSKI
TRACEY A. YOKICH
KATHRYN A. VIVIANO
JENNIFER M. FAUNCE
JAMES M. MACERONI
JOSEPH TOIA
CARL J. MARLINGA
MICHAEL E. SERVITTO
RACHEL RANCILIO

Clerk of the Court
KAREN SPRANGER

Court Administrator
JULIE L. BOVENSCHEN

November 6, 2017

Ms. Karen Spranger – Court Clerk
Macomb County Clerk's Office
40 N. Main Street – 1st Floor
Mt. Clemens, MI 48043

Dear Clerk Karen Spranger:

Due to the increasing backlog of court filings and processing, the Court requires immediate action on the following areas. First, as of this morning, your Office is behind in processing 2,822 e-filing bundles, with the oldest unprocessed bundle dated October 9, 2017. Additionally, all of last week, the e-filing backlog was over 3,000 and at its highest of 3,242 unprocessed e-filing bundles. This backlog is problematic for our judges that rely on these bundles being processed timely. As the Court has previously directed, e-filing bundles should be processed same day they are submitted and no later than 48 hours after submission. The Court requires that the e-filing backlog be brought within 48 hours by Thursday, November 9, 2017.

Second, as of this morning, your Office has failed to process LEIN criminal history reports dating back to August 2, 2017 with 1,632 waiting to be processed. We have discussed LEIN certification concerns and issues with you since July 2017 and emphasized the importance of having staff dedicated solely to this task. However, you have failed to get any staff fully certified and you do not acknowledge your LEIN Terminal Agency Coordinator (TAC), Lisa Emerson, as an employee. The Court requires that you bring LEIN criminal history reporting within 48 hours by Thursday, November 9, 2017 and provide your LEIN TAC all LEIN administrative files.

Third, as of this morning, your Office has failed to process paper filings in a timely manner with outstanding filings dating back to August 2017. This causes significant issues for our judges to properly process their caseload and results in numerous occasions of a file containing limited up-to-date pleadings. The Court requires that the paper filings backlog be brought within 48 hours by Thursday, November 9, 2017.

Fourth, we continue to recognize that your department is currently short-staffed and that this is interfering with your ability to perform various duties of your Office. However, we have received information that you continue to decline or delay filling these positions, to the detriment of the Court's operations. Specifically, unfilled positions

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consist of two Typist Clerk III, three Computer Maintenance Clerks, one Supervisor of Records, one Clerical Supervisor, one Administrative Secretary, one Administrative Coordinator, and one Deputy Court Clerk. The Court requires that you work with and follow the policies set forth by Human Resources and Labor Relations to fill your vacant positions forthwith.

Fifth, the Court requires that you recognize and utilize your Chief Deputy Clerk, Lisa Emerson in her full capacity. This is necessary to provide proper reporting, training, and assistance to the Court section.

If you are unable to comply with the Court's requirements, we will take appropriate measures to ensure the Court's work is completed timely.

Sincerely,

A handwritten signature in blue ink, appearing to read "James M. Biernat, Jr.", written in a cursive style.

Hon. James M. Biernat, Jr.
Chief Judge 16th Judicial Circuit,
Macomb County Probate and 42nd District Courts