

CIRCUIT COURT

6 YEAR TERM VOTE FOR FOUR

Issues
Candidates for Circuit Court were asked to respond to each question in 75 words.



The candidates
Candidates for Circuit Court were asked to summarize their biographies in 75 words.

6TH CIRCUIT**FRANCIS X. O'BRIEN, 61**

Education: University of Detroit, B.S.A. and J.D., 18 years continuing judicial education, M.J.I., A.J.A., N.J.C.
Occupation: Circuit Judge.
Background: 33 years married, five children. Two year Korean Veteran. Five years private practice. Appointed Chief Deputy Clerk, Register of Deeds, Oakland County. Elected District Judge to Royal Oak. Re-elected three terms, Oakland County Circuit Court. Elected by colleagues to Chief Judge for two years. Appointed three times visiting Judge, Michigan Court of Appeals. Served four years, State Judicial Council.

EDWARD SOSNICK, 53

Education: University of Michigan, 1959-61. Bachelor of Arts, Wayne State University, 1963. Juris Doctor, Wayne State University, 1967.
Occupation: Judge, Oakland County Circuit Court.
Background: Elected to Oakland County Circuit Court for a six year term beginning January, 1980. Named Oakland County Circuit Court Chief Judge Pro Tempore for 1984-85. Judge, 48th District Court 1984-85. Twice voted one of Michigan's Most Respected Judges by Michigan Lawyers Weekly Poll. Chief Trial Attorney, Office of Oakland County Prosecutor.

CIRCUIT COURT4 YEAR TERM VOTE FOR ONE
TO FILL VACANCY
TERM ENDING 1/1/90**6TH CIRCUIT****JOHN J. McDONALD****CIRCUIT COURT**6 YEAR TERM VOTE FOR ONE
NEW JUDGESHIP
TERM ENDING 1/1/2001**6TH CIRCUIT****ALICE L. GILBERT**

Education: Northwestern University Law School B.S.L., U.S., J.D.; Undergraduate Wesleyan College, Post-graduate studies: Harvard University, University of Michigan, Wayne State Law, University of Detroit Law, University of Nevada.
Occupation: Attorney/Judge.
Background: Circuit Judge, 18 years, Chief Judge PT, two years; District Judge, eight years, four as Chief Judge. Presiding Attorney, 13 years; Visiting Circuit Judge for drug courts; Visiting Michigan Court of Appeals Judge; Michigan Board of Ethics member; American Arbitration Panel; American Hospital Association Taskforce.

BRYAN H. LEVY, 44

Education: Cantonville High School, 1966-1968; Wayne State University, 1968-1970; University of Michigan, 1970-1972, B.A., 1972; University of Detroit School of Law, 1972-1975, J.D., 1975.
Occupation: Judge, 48th District Court, 1987 to present.
Background: P.H. & Levy 1975-1979; Schreiber & Katz, P.C. 1979-1982; Bohn & Shapers, P.C. 1979-1981; Gouwitz, Bar & Schless, P.C. Practice changed to Gouwitz & Bar, P.C. and then to Gouwitz, Bar & Levy, P.C. 1981-1987.

VICTIMS' RIGHTS

If elected to Circuit Court, how would you recognize and give full consideration to victim's rights?

I have continued to encourage victims' input through the Prosecutor's Office and the Probation Department. I want victims aware of the continuing state of their case, trial and hearing dates, adjournments and the reasons. I order victims' restitution in all criminal sentences when the information is provided to the court.

If re-elected, I would continue to recognize and give full consideration to victims' rights. I have always afforded victims full access to the Court. I co-founded Court School, a program held bi-monthly in my courtroom to better educate victims of crime on the workings of the criminal justice system and of their rights. As an advocate for victims, I received the Parents of Murdered Children, Inc. Judicial Action Award.

SENTENCING

Community-based sentencing alternatives have been proposed and used for non-violent offenders to relieve prison and jail overcrowding. Would you consider alternative sentencing as opposed to a prison or jail term? If yes, under what conditions?

Yes. I shall and have imposed such terms of sentences when they've been proposed or recommended. I determine on an individual case by case basis that the safety and protection of the community is preserved and the welfare of society will benefit by the criminals' rehabilitation and/or their repayment to the victims and society for the costs they have incurred.

I would consider alternative sentencing as opposed to jail/prison term in appropriate cases. My primary concern is to protect the public and only those offenders who are non-violent and pose no threat to the community and who would benefit from community placement are considered. It is important to carefully monitor those persons and make sure any violations of the community-based sentencing be dealt with swiftly and appropriately.

GOALS

What are the three most important goals you would like to achieve if elected to Circuit Court?

Further explore and implement existing and new methods of alternate dispute resolutions. Further explore and implement community based sentencing alternatives for non-violent offenders. Encourage, promote and implement, where possible, assistance, education and services for victims and others needing and using the court system, i.e. SMILE - divorce cases; shelters - treatment and counseling - neglect and abuse cases; facilities to treat drug and alcohol abusers, criminal cases.

If re-elected, my three most important goals are: Continue to work hard dealing with a caseload of almost 2,000 cases per year without sacrificing individual importance of each case. Continue to make the Court more sensitive to children's needs by expanding the S.M.I.L.E. Program which educates parents on impact of divorce on their children and to make such needed information more available. Continue to expand my efforts in the prevention and treatment of domestic violence.

Judicial recognition and consideration of victims' rights is required by legislation passed 1985 and amended 1993 called the "Crime Victim's Rights Act". This law establishes rights of victims of crime and provides for certain procedures and duties of law enforcement officers, prosecutors and courts. Courts are required during sentencing proceedings to have victim appearance, victim impact statement, victim restitution, and to have offender pay Crime Victims State Compensation Fund, and pay victim restitution.

Unknown to and/or ignored by many, current law provides for full consideration to victims. Judges must enforce the law as it exists. Victims are entitled to know of bond requests, plea agreements, all hearing dates and have the right to be heard at sentencing. Moreover, victims are entitled to full restitution unless the judge states his/her reasons on the record for ordering less than full restitution.

I chaired The Oakland County Corrections Advisory Board which researched and formed a Comprehensive County Plan for Community Corrections, which Plan was adopted by The Oakland County Board of Commissioners this year. The availability of rehabilitative alcohol/drug residential and non-residential programs, criteria for participation, administration, funding, accountability and evaluation is established. There is a menu of rehabilitative choices for probationers and incarcerated offenders to reduce prison and jail time such as Sheriff's Boot Camp.

The judge's responsibility is to determine an appropriate sentence. Department of Corrections is best suited to determine the place of incarceration. While community based sentencing alternatives have value, they must still be seen to impose legitimate sentencing goals, including punishment. Punishment is a proper and useful sentencing purpose. It's a necessary deterrent to both the offender and those who may become offenders. I would endorse community alternatives only with what are sometimes called victimless crimes.

To open better lines of communication between the court, attorneys and community, thereby enhancing understanding and respect for the court system and the democratic process. To employ alternative dispute resolutions techniques to lessen case overload, to allow fair and effective adjudication of court matters. To ensure equal justice under the law by providing every individual with the fullest possible access to the law.

Establish confidence in the judicial system. Lawyers will know briefs will be read, the judge will be on time and on the bench, and lawyers and litigants will be treated with respect. Establish meaningful time constraints. I will control the docket, with pre-trial date certain events. Trial dates will be set and considered inviolate in the absence of emergency. Establish responsibility. Criminal defendants will be held responsible for his or her behavior.