

Judges prepare for change to circuit court

BY SANDRA ARMBRUSTER
OAKLAND COUNTY EDITOR

Users of Oakland County Circuit Court will find an emphasis on new programs ranging from family court, which begins July 1, to renewed looks at how technology and paternity cases are handled during this year.

That's the assessment from Edward Sosnick, who is beginning his second year as chief judge with a shift in personnel.

Transferred in roles was Judge Robert Templin. The judge was unable to seek another term in the November election due to a state-imposed age requirement. However, he is expected to serve for several months as visiting judge in the former courtroom of Hilda Gage, a circuit court attorney who was appointed to the Court of Appeals after the November election.

"It's not much different at all,"

Templin said. "Today (Thursday) we tried a slip and fall case. He added that he was operating with a temporary court clerk during the assignment, and that he would be working in the area of mediation/arbitration and as a visiting judge in other areas after his current stint is complete.

Templin is expected to serve until a State Bar committee of attorneys, which will meet next week, rates a list of suggested appointments to fill the Judge Gage vacancy. Gov. John Engler supplied the list of names and will eventually make the final selection, according to a spokesperson for the State Bar.

In the meantime, joining the bench since the election was Judge Nancy Grant, who last week attended a seminar in Lansing for new jurists.

"They call it a school," Grant said. Learned were "a working knowledge of the basics and resources. It's a matter now of applying the law." She said she has been studying current law and has totally severed all ties to her former employer, the legal firm of Dickinson Wright. "Their lawyers aren't even allowed to appear before me," she said.

Since she has inherited the caseload of Templin, Grant said she has a "full plate of interesting cases" that run the gamut of criminal, divorce, domestic and commercial litigation. "I've been working really hard, reading the files and bringing attorneys in to see how we can resolve matters. I think if you pay attention, people will get past the rhetoric and get on with their lives."

Grant added that she thinks the job is "wonderful. It's a very

challenging and rewarding position. I look at it (the job) seriously. I'm really grateful to the people of Oakland County for the opportunity they have given me. It's challenging and rewarding."

Family court

The family court of which Sosnick spoke is a state-mandated, unfunded idea.

"It's taking a lot of time and effort," Sosnick said. "We're analyzing the docket for the circuit and probate courts, cross-training referees and studying other courts."

"We have no money for this and we're doing it from scratch, but we're taking an optimistic approach."

The Legislature approved the family court plan, hoping to avoid instances in which separate courts would be unaware of how each other's rulings would

impact a family.

Also being closely watched are results of a pilot program that facilitates mediation between two parties in a case, such as two businesses.

"Early on we'd ask them if they want to try mediation," Sosnick said. "It maintains relationships and settles a case with less cost."

Facilitators are trained by the court, Sosnick said. If judged successful, the program could be expanded.

A "court-wide response" to a drug court "really is working out terrific," according to Sosnick. "Those who need treatment get it, and those needing a quick trial get it." Last year more than 100 cases were tried, a good effort, according to the judge.

Child support payments now in arrears may have another chance to be brought up to date

this year, since the first pay-up period was so successful. The court received \$500,000 to \$600,000 in payments during one week last year.

Sosnick said the court is investigating further uses of technology in the area of imaging, an issue in the recent sheriff's campaign, and is reviewing the settlement program on tort reform.

A "Smile" paternity program is in the works on two fronts: First is an education program with a film for parents of children born out of wedlock. Second, a program on how to respond to children several years down the road after divorce may be coming, Sosnick said.

Since the court is already in the midst of its fiscal year, no staff changes are anticipated, he said. "It's a terrific group of people."

Battle looms over control of state education policies

BY TIM RICHARD
STAFF WRITER

Gov. John Engler appears to be protecting charter school academies and extending administrative power over high school tests, teacher and administrator certification with his two new executive orders.

House Democratic leaders, however, question the constitutionality of Engler's orders shifting much control of public education from the elected State Board of Education to his hired staffer, Superintendent of Public Instruction Art Ellis.

"It is highly questionable whether the governor can take away statutory powers from the board, which are clearly spelled out in the Constitution," said House Speaker Curtis Hertel, D-Detroit.

Hertel and Rep. Jim Agee, D-Muskegon, are asking Attorney General Frank Kelley to rule on the constitutionality of Engler's orders.

"Under the current system, the department's work is done in the open," said Agee, referring to the Open Meetings Act coverage of the State Board of Education. "Now the public will be shut out of the decision-making and planning process."

Agee, a former school superintendent and once a finalist for the state superintendent's job, is likely to chair the House Education Committee, now that Democrats have a 58-52 vote control of the House.

Hertel said Engler's timing was "highly suspect" because the governor announced his changes after the Nov. 5 election took away the GOP's control of the State Board.

Engler's order is due to take effect July 1. He has promised to discuss his changes with the board but refused to hear any board input before he issued the order Dec. 19.

Engler said his purpose was to let the State Board focus on policy making and give the superintendent administrative authority. Ellis, a former president of Central Michigan University, was Engler's Commerce Department director before taking the helm at the Education Department.

Ellis is employed by the State Board, which could retaliate by refusing to renew his contract.

Engler is a champion of charter academies, which allow former private schools to get state aid. Most charters have been issued not by the Big Three universities with elective boards but by those, such as CMU, whose boards are appointed by the governor.

A key Engler change, for example, is to block the State Board of Education from revoking the charters of academies. Engler also took away its power to make rules for the issuance of new charters.

Engler took away the board's power over proficiency tests and over certification of teachers, administrators and many school specialists.

The governor's second executive order covers 10 pages of legalese. For example, it takes from the board and gives to the superintendent:

- "Authority to suspend the power of authorizing bodies to authorize public school academies" and "receipt of copies of contracts with public school academies by authorizing bodies" plus "ability to revoke public school academy contracts under specified conditions."

- "Procedures for the state takeover of a district in financial distress" and "reorganization of a district found to be in an emergency."

- "Property transfers among local districts" and "review of annexation or attachment of non-operating districts, and the

hearing of appeals regarding school boundary alterations."

- "Setting 'minimal requirements for a community college administrator or director,' 'rules regarding teachers certified in accordance with administrative rules,' and 'rules for continuing education for administrators.'"

- "Development of high school proficiency tests" and "assurance that the Michigan Educational Assessment Program does not test for values or attitudes."

- "Development... of accreditation standards, sanctions for unaccredited schools."

- "Authority to compel an accounting" of public school academies. Also, "administrative rule-making authority involving public school academy applications, the application process, basic contract terms and enforcement."

- "Determination of requirements for licenses and certification for teachers."

- "Oversight of local school districts and public school academies not providing special education..."

- "Approval of community college annexation proposals prior to submission to voters."

- Rules for "inspection of proprietary schools," such as private trade academies.

Pianists perform at OCC

East meets West when award-winning pianists Scott Holden and Hsiao-Lan Chen perform at 8 p.m. Friday, Jan. 24 at Oakland Community College's Smith Theatre on the Orchard Ridge Campus in Farmington Hills.

The one-night engagement is presented by Musica Viva International Concerts and will include selections by Chopin, Schumann, Rachmaninov and Barber.

Tickets are \$17 prepaid or \$20 at the door. Tickets are available at the Smith Theatre box office (810) 471-7687 or Ticketmaster (810) 645-5665.

Scott Holden, a native of Michigan, is the 1996/97 United Nations Fulbright Scholar-

ship winner and is currently studying at the Liszt Academy in Budapest, Hungary. He holds a masters in music from the Juillard School of Music in New York.

In November 1996, Holden performed in Carnegie Hall to rave reviews. He has also given concerts in Washington D.C., Mexico, Italy, London and Amsterdam.

Hsiao-Lan Chen was born in Taipei and began her piano studies at the age of six. She has received many honors and prizes for her outstanding performance and was a first prize winner of the Taipei and the Taiwan National piano competitions. In 1993 Chen entered

the University of Michigan and won first prizes at the Beethoven Sonata Competition and Chopin Competition.

She is recipient of the Alice Webber Glover Scholarship, Ava Comin Case Scholarship and Bernice Skowran Music Award.

Musica Viva International Concerts is a non-profit arts organization. It is celebrating its 10th year of bringing world-renowned artists from more than 30 countries and regions to perform for Michigan audiences.

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