



Senate Fiscal Agency
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BILL



ANALYSIS

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FY 2011-12 Year-to-Date Gross Appropriation	\$259,787,200
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Changes from FY 2011-12 Year-to-Date:

Items Included by the Senate and House

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| 1. Reduce Funding for Elimination of Judgeships. Public Act 300 of 2011 eliminated by attrition nine trial court judgeships; however, the FY 2011-12 Judiciary Budget had already assumed savings of \$942,100 based on eliminating six judgeships. Senate and House concurred. | (199,600) |
| 2. Technical Adjustments. Governor reduced FTEs by 25.0 and aligned restricted funds with estimated revenue. Senate and House concurred. | (5,100) |
| 3. Continue and Expand Mental Health Courts. Governor, Senate, and House included \$550,000 to maintain services at eight sites previously funded by American Recovery and Reinvestment Act revenue and \$450,000 to expand operations and hire 1.0 FTE for evaluation purposes. | 1,000,000 |
| 4. Staff Increase in Administrative and SADO. Governor, Senate, and House provided \$160,000 to hire 2.0 FTEs to assist with court consolidation and \$225,000 to hire 3.0 FTEs at the State Appellate Defender Office (SADO) to assist them in meeting statutory requirement of handling 25% of indigent appellate defense cases. | 385,000 |
| 5. Public Safety Initiative. Governor proposed \$1.1 million for mental health courts and \$1.25 million for drug courts in a revised recommendation associated with the Public Safety Initiative. Senate and House adopted these revisions. | 2,350,000 |
| 6. Court Fee Fund Shortfall. Governor proposed filling a \$2.2 million shortfall in the Court Fee Fund for Judicial compensation using additional GF/GP funding. Senate and House concurred. | 0 |
| 7. Funding Court of Appeals Judges. Two additional judges were appointed to fill vacancies on the Court of Appeals; Governor proposed this increase in a second revised recommendation; Senate concurred. | 342,600 |
| 8. One-Time Lump Sum Economics. Staff received a 2% lump sum, retirement costs included. | 827,200 |
| 9. Economic Adjustments. Governor and Senate included \$4,579,500 for OPEB and a negative \$306,700 for other economic adjustments. | 4,272,800 |

Conference Agreement on Items of Difference

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| 10. Swift-and-Sure Sanctions Fund Increase. Senate included an increase of \$5.0 million in funding for the Swift-and-Sure Sanctions program, House did not. Conference included. | 5,000,000 |
| 11. Fund Shift for Court of Appeals. Senate moved approximately \$1.7 million in restricted fund revenues from Court of Appeals to Swift and Sure Sanctions, and shifted an equivalent amount of GF/GP funds from Swift-and-Sure Sanctions to Court of Appeals. House did not include, but Conference did. | 0 |

Total Changes	\$13,972,900
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FY 2012-13 Conference Report Ongoing/One-Time Gross Appropriation	\$273,760,100
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Amount Over/(Under) GF/GP Target: \$0

Changes from FY 2011-12 Year-to-Date:Items Included by the Senate and House

1. **Remove Language Regarding NHSA Grant.** Governor eliminated language that provided a funding plan that would apply if Judiciary was awarded a United States Department of Transportation - National Highway Safety Administration (U.S. DOT - NHSA) grant to support drug treatment courts. Both Senate and House concurred with the Governor. (Sec. 311)
2. **Reduce Contingent Byrne Grant-Related IDG from State Police.** Current law authorizes two interdepartmental grants (IDGs) from State Police to Judiciary for \$525,000 and \$225,000 contingent on various aspects of Federal Byrne formula grant funding. The revised language includes only the \$250,000 and also removes the more specific language. Both Senate and House concurred with the Governor. (Sec. 322)

Conference Agreement on Items of Difference

3. **Swift-and-Sure Sanctions Funding and Shift.** Senate language was revised to be consistent with the \$5.0 million increase in funding for the Swift-and-Sure Sanctions program, and the fund shift between Swift-and-Sure and the Court of Appeals. House retained current language, except for an added definition described below. Conference funding decisions included the \$5.0 million for the program, and therefore the Senate language was used. (Sec. 320)
4. **Swift-and-Sure Sanctions Qualifying County.** House maintains current year criteria which require a qualifying county to both have a drug treatment court and be a unified trial court. House also added a specific definition of "unified trial court." Senate revised current year language by striking the part about unified trial court, allowing any court with a drug treatment/DWI sobriety court to qualify to apply for grant funds. This would broaden the number of qualifying counties, which is consistent with the Senate's proposed funding increase for this program. Conference language requires a court to be part of a unified system or have a drug court, but not necessarily both. The language also allows up to \$100,000 of the funds to be used by state court administrative office to administer the grants. In distributing funds, state court administrative office will give preference to courts that have participated previously and also to courts in areas from which higher numbers of residents or former residents are under supervision of the Department of Corrections. (Sec. 320)
5. **Out-of-State Travel.** Senate retained current language limiting out-of-state travel, but House revised to strike the limitation and instead requires only a report of the dates and costs for each travel occurrence. Conference used House revised language. (Sec. 215)

Date Completed: 5-25-12

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