

FY 2015-16: JUDICIARY
Summary: Conference Report
House Bill 4105 (H-2) CR-1



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	FY 2014-15 YTD as of 3/12/15	FY 2015-16 Executive	FY 2015-16 House	FY 2015-16 Senate	FY 2015-16 Conference	Difference: Conference From FY 2014-15 YTD	
						Amount	%
IDG/IDT	\$2,364,400	\$2,362,900	\$2,362,900	\$2,362,900	\$2,362,900	(\$1,500)	(0.1)
Federal	6,437,400	6,428,600	6,428,600	6,428,600	6,428,600	(8,800)	(0.1)
Local	7,241,100	7,229,000	7,229,000	7,229,000	7,229,000	(12,100)	(0.2)
Private	944,800	942,900	942,900	942,900	942,900	(1,900)	(0.2)
Restricted	84,252,500	84,245,700	84,245,700	84,245,800	84,245,800	(6,700)	0.0
GF/GP	186,527,400	182,692,200	182,192,200	184,192,200	183,442,200	(3,085,200)	(1.7)
Gross	\$287,767,600	\$283,901,300	\$283,401,300	\$285,401,400	\$284,651,400	(\$3,116,200)	(1.1)
FTEs	490.0	487.0	489.0	489.0	489.0	(1.0)	(0.2)

Note: FY 2014-15 year-to-date figures include mid-year budget adjustments through March 12, 2015 (including 2015 PA 6), and include appropriation amounts designated as "one-time."

Overview

Article VI of the State Constitution of 1963 forms the basis for Michigan's judicial branch of government. The Judiciary budget provides operational funding for the Michigan Supreme Court, the Court of Appeals, and related judicial agencies. The budget funds the salaries of justices of the Supreme Court and judges of the appeals, circuit, probate, and district courts according to constitutional and statutory requirements. Funding assistance for local trial court operations is provided through a variety of grant programs. The largest of these, the Court Equity Fund Reimbursement program, reimburses counties for trial court operations based on a statutory formula that recognizes circuit and probate caseloads and the numbers of judgeships.

Budget Changes From FY 2014-15 YTD Appropriations

1. Budgetary Savings

Executive reflects a savings from recognizing year-end lapses that typically occur in various line items and from administrative efficiencies, such as delaying hiring for vacant positions. The largest amounts of savings are taken from the Swift and Sure Sanctions Program line item (\$2.5 million) and from the Mental Health Courts and Diversion Services line item (\$500,000). The remaining savings of \$150,000 is taken from various operation/administration line items throughout the budget. House concurs with the Executive on all savings reflected in the Executive recommendation, plus reduces the Swift and Sure Sanctions Program line item by another \$500,000. Senate concurs with the Executive on most all of the savings reflected in the Executive recommendation, with the exception of savings for the Swift and Sure Sanctions Program. Senate reduces the line item by \$1.0 million from the current year appropriated level. Conference concurs with the Executive on most all of the savings reflected in the Executive recommendation, with the exception of savings for the Swift and Sure Sanctions Program. Conference reduces the line item by \$1.8 million from the current year appropriated level.

	FY 2014-15 Year-to-Date (as of 3/12/15)	FY 2015-16 Conference Change
Gross	\$140,215,300	(\$2,400,000)
IDG	738,600	0
Federal	3,987,300	0
Private	944,800	0
Restricted	54,059,800	0
GF/GP	\$80,484,800	(\$2,400,000)

2. Remove One-Time Funding

Executive removes one-time funding included in the FY 2014-15 budget for the Trial Court Innovations Fund. Funding was used to create incentives to encourage positive change, adoption of best practices, and high performance in the state's trial courts. House concurs. Senate concurs. Conference concurs.

FTE	1.0	(1.0)
Gross	\$375,000	(\$375,000)
GF/GP	\$375,000	(\$375,000)

<u>Budget Changes From FY 2014-15 YTD Appropriations</u>	<u>FY 2014-15 Year-to-Date (as of 3/12/15)</u>	<u>FY 2015-16 Conference Change</u>	
3. Savings for Eliminated Judgeships	Gross	NA	(\$351,800)
<u>Executive</u> reflects a savings from elimination of one Court of Appeals judgeship under Public Act 40 of 2012; elimination of four district court judgeships under Public Acts 16, 20, and 34 of 2012 and 58 of 2014; and elimination of five circuit court judgeships under Public Acts 228 of 2009, 18 and 35 of 2012, and 59 of 2014. The amount of savings is a result of retirements effective on January 1, 2015. Seventy-five percent of the savings was recognized in the FY 2014-15 budget; the remaining twenty-five percent will be recognized in FY 2015-16. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.	GF/GP	NA	(\$351,800)
4. Eliminate Community Court Pilot Program	Gross	\$20,000	(\$20,000)
<u>Executive</u> eliminates funding appropriated for the Community Court Pilot Program. Funding was used to assist the 36th District Court with their community court. Community courts are neighborhood-focused courts that harness the power of the justice system to address local problems. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.	GF/GP	\$20,000	(\$20,000)
5. Economic Adjustments	Gross	NA	\$30,500
<u>Executive</u> reflects a net cost increase for increases in salary and wage costs, insurance rates, and private rent costs, and reductions in actuarially-determined retirement rates, building occupancy charges, and worker's compensation costs. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.	IDG	NA	(1,500)
	Federal	NA	(8,800)
	Local	NA	(12,100)
	Private	NA	(1,900)
	Restricted	NA	(6,800)
	GF/GP	NA	\$61,600
6. Statewide E-Filing System	Gross	NA	\$100
<u>Executive</u> did not make a recommendation. <u>House</u> did not make a recommendation. <u>Senate</u> includes a \$100 placeholder to allow for further discussion on a statewide e-filing system for the trial courts. <u>Conference</u> concurs with the Senate.	Restricted	NA	100

Boilerplate Changes From FY 2014-15

Sec. 211. Linking Swift and Sure Sanctions Program to Michigan Rehabilitative Services – REVISED

Requires the judicial branch to establish an interagency agreement with DHS and MDOC linking the Swift and Sure Sanctions program with the Michigan Rehabilitative Services program for the purpose of providing job placement and other support services to eligible probationers; authorizes participation in the Swift and Sure Sanctions program by parolees pending enactment of proposed legislation. Executive deletes. House deletes. Senate retains. Conference revises the language to require SCAO to evaluate programs within DHHS and DTED to establish programmatic connections with participants in the Swift and Sure Sanctions program, the purpose being to leverage collaborations and to determine avenues of success for offenders who are eligible for state-provided programs. Also, the language requires SCAO to deliver guidance to courts participating in the Swift and Sure Sanctions program, detailing evaluations and directing participants into available programming.

Sec. 306. Court Collections – DELETED

Requires Supreme Court and SCAO to maintain efforts to assist local trial courts in improving judgment collections. Executive deletes. House retains. Senate deletes. Conference deletes.

Sec. 306. Report Court Collections – NEW

Executive does not include. House does not include. Senate includes new language which requires SCAO to report, by county, the amounts of collected and uncollected restitution payments, court fees, and other judgments, placed on people within the county, for fiscal years 2009 through 2014. Conference includes the new language.

Sec. 308. Judges' Salaries – REVISED

Authorizes appropriation of GF/GP to meet the cost of judges' compensation should funds from the Court Fee Fund be insufficient. Executive retains. House retains. Senate retains, but adds that SCAO is required to notify within 14 days if GF/GP appropriations are made. Conference concurs with the Senate language.

Sec. 309. Mental Health Courts – DELETED

Requires SCAO to provide an annual update on the status of the mental health courts. Executive deletes. House deletes. Senate deletes. Conference deletes.

Boilerplate Changes From FY 2014-15

Sec. 309. Report on Specialty Courts – NEW

Executive does not include. House includes new language which requires SCAO to report information on drug treatment courts, mental health courts, and veterans courts, such as the number of each type of program that has been established, the number of program participants in each jurisdiction, and the impact of the programs on offender criminal involvement and recidivism. Senate does not include. Conference includes the new language.

Sec. 310. Drug Treatment Court Evaluation – DELETED

Requires SCAO to evaluate and collect data on the performance of drug treatment court programs and to provide an annual review. Executive deletes. House deletes. Senate deletes. Conference deletes.

Sec. 318. Community Court Pilot Project – DELETED

Requires funding appropriated for the community court pilot project to be used for administering a pilot program of neighborhood-focused community courts. Executive deletes. House deletes. Senate deletes. Conference deletes.

Sec. 320. Swift and Sure Sanctions Program – REVISED

Specifies that the \$6.0 million appropriation is to be expended for the Swift and Sure Sanctions program; requires SCAO to report on offenders participating and on recidivism rates. Executive deletes. House retains language, but adjusts the appropriation amount to reflect the \$3.0 million appropriation included in the House bill. Senate retains language, but adjusts the appropriation amount to reflect the \$5.0 million appropriation included in the Senate bill. Conference retains language, but adjusts the appropriation amount to reflect the \$4.3 million appropriation included in the Conference Report.

Sec. 322a. Federal Funding Authorization for the Michigan Indigent Defense Commission – NEW

Executive does not include. House includes new language which authorizes the Michigan Indigent Defense Commission to receive and expend up to \$250,000 in federal Byrne grant funding, and up to \$300,000 in other federal grant funding, if the funding is made available from the United States Department of Justice. Senate adds Michigan Indigent Defense Commission to existing language for SADO (Sec. 322). Conference includes the new language.