

**SUBSTITUTE FOR  
SENATE BILL NO. 81**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2022; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the judiciary for the fiscal year ending September 30, 2022, from the following funds:

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**JUDICIARY**

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**APPROPRIATION SUMMARY**



1	Full-time equated exempted positions	521.0	
2	<b>GROSS APPROPRIATION</b>		<b>\$ 338,412,500</b>
3	Interdepartmental grant revenues:		
4	Total interdepartmental grants and		
5	intradepartmental transfers		1,652,300
6	<b>ADJUSTED GROSS APPROPRIATION</b>		<b>\$ 336,760,200</b>
7	Federal revenues:		
8	Total federal revenues		6,374,800
9	Special revenue funds:		
10	Total local revenues		7,619,800
11	Total private revenues		1,222,600
12	Total other state restricted revenues		94,312,700
13	<b>State general fund/general purpose</b>		<b>\$ 227,230,300</b>
14	<b>Sec. 102. SUPREME COURT</b>		
15	Full-time equated exempted positions	250.0	
16	Community dispute resolution--FTEs	3.0	\$ 3,367,700
17	Direct trial court automation support--FTEs	44.0	7,619,800
18	Drug treatment courts		12,483,000
19	Foster care review board--FTEs	10.0	1,360,400
20	Judicial information systems--FTEs	24.0	5,021,700
21	Judicial institute--FTEs	13.0	2,115,400
22	Mental health courts and diversion services--		
23	FTE	1.0	5,571,800
24	Next generation Michigan court system		4,116,000
25	Other federal grants		275,100
26	State court administrative office--FTEs	63.0	11,331,000
27	Supreme court administration--FTEs	92.0	14,164,500
28	Swift and sure sanctions program		3,350,000



1	Veterans courts	1,036,400
2	<b>GROSS APPROPRIATION</b>	<b>\$ 71,812,800</b>
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG from department of corrections	52,300
6	IDG from department of state police	1,500,000
7	IDG from mdsp Michigan justice training fund	100,000
8	Federal revenues:	
9	DOJ, drug court training and evaluation	300,000
10	DOT, National Highway Traffic Safety	
11	Administration	1,949,300
12	HHS, access and visitation grant	496,200
13	HHS, children's justice grant	246,000
14	HHS, court improvement project	942,700
15	HHS, state opioid response grant	350,000
16	HHS, title IV-D child support program	836,500
17	HHS, title IV-E foster care program	408,800
18	Other federal grant revenues	275,100
19	Special revenue funds:	
20	Local - user fees	7,619,800
21	Private	201,100
22	Private - interest on lawyers trust accounts	404,100
23	Private - state justice institute	529,000
24	Community dispute resolution fund	2,403,600
25	Court of appeals filing/motion fees	1,450,000
26	Drug court fund	1,920,500
27	Justice system fund	605,700
28	Law exam fees	758,700



1	Miscellaneous revenue		248,600
2	State court fund		404,100
3	<b>State general fund/general purpose</b>	<b>\$</b>	<b>47,810,700</b>
4	<b>Sec. 103. COURT OF APPEALS</b>		
5	Full-time equated exempted positions	175.0	
6	Court of appeals operations--FTEs	175.0	\$ 25,094,100
7	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>25,094,100</b>
8	Appropriated from:		
9	<b>State general fund/general purpose</b>	<b>\$</b>	<b>25,094,100</b>
10	<b>Sec. 104. BRANCHWIDE APPROPRIATIONS</b>		
11	Full-time equated exempted positions	4.0	
12	Branchwide appropriations--FTEs	4.0	\$ 9,010,100
13	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>9,010,100</b>
14	Appropriated from:		
15	<b>State general fund/general purpose</b>	<b>\$</b>	<b>9,010,100</b>
16	<b>Sec. 105. JUSTICES' AND JUDGES' COMPENSATION</b>		
17	Judges positions--586.0 justices and judges		
18	Supreme court justices' salaries--7.0 justices	\$	1,270,500
19	Circuit court judges' state base salaries--		
20	217.0 judges		24,779,800
21	Circuit court judicial salary standardization		9,922,100
22	Court of appeals judges' salaries--25.0 judges		4,327,300
23	District court judges' state base salaries--		
24	234.0 judges		26,279,000
25	District court judicial salary standardization		10,699,500
26	Probate court judges' state base salaries--		
27	103.0 judges		11,667,700
28	Probate court judicial salary standardization		4,669,600



1	Judges' retirement system defined contributions		5,733,600
2	OASI, Social Security		6,683,000
3	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>106,032,100</b>
4	Appropriated from:		
5	Special revenue funds:		
6	Court fee fund		1,970,800
7	<b>State general fund/general purpose</b>	<b>\$</b>	<b>104,061,300</b>
8	<b>Sec. 106. JUDICIAL AGENCIES</b>		
9	Full-time equated exempted positions	8.0	
10	Judicial tenure commission--FTEs	8.0 \$	1,583,500
11	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>1,583,500</b>
12	Appropriated from:		
13	<b>State general fund/general purpose</b>	<b>\$</b>	<b>1,583,500</b>
14	<b>Sec. 107. INDIGENT DEFENSE - CRIMINAL</b>		
15	Full-time equated exempted positions	56.0	
16	Appellate public defender program--FTEs	56.0 \$	8,982,800
17	State employee legal services administration--		
18	FTEs	0.0	20,000,000
19	<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>28,982,800</b>
20	Appropriated from:		
21	Federal revenues:		
22	Other federal grant revenues		570,200
23	Special revenue funds:		
24	Private - interest on lawyers trust accounts		88,400
25	Miscellaneous revenue		172,400
26	<b>State general fund/general purpose</b>	<b>\$</b>	<b>28,151,800</b>
27	<b>Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE</b>		
28	Indigent civil legal assistance	\$	7,937,000



1	<b>GROSS APPROPRIATION</b>		<b>\$ 7,937,000</b>
2	Appropriated from:		
3	Special revenue funds:		
4	State court fund		7,937,000
5	<b>State general fund/general purpose</b>		<b>\$ 0</b>
6	<b>Sec. 109. TRIAL COURT OPERATIONS</b>		
7	Full-time equated exempted positions	21.0	
8	Court equity fund reimbursements		\$ 60,815,700
9	Drug case-flow program		250,000
10	Drunk driving case-flow program		3,300,000
11	Judicial technology improvement fund		4,815,000
12	Juror compensation reimbursement--FTE	1.0	6,608,000
13	Statewide e-file system--FTEs	20.0	11,028,300
14	<b>GROSS APPROPRIATION</b>		<b>\$ 86,817,000</b>
15	Appropriated from:		
16	Special revenue funds:		
17	Court equity fund		50,440,000
18	Drug fund		250,000
19	Drunk driving fund		3,300,000
20	Electronic filing fee fund		11,028,300
21	Judicial technology improvement fund		4,815,000
22	Juror compensation fund		6,608,000
23	<b>State general fund/general purpose</b>		<b>\$ 10,375,700</b>
24	<b>Sec. 110. ONE-TIME APPROPRIATIONS</b>		
25	Full-time equated exempted positions	7.0	
26	Compliance with Montgomery v Louisiana--FTEs	7.0	\$ 939,100
27	Contract attorneys for Judicial Tenure		
28	Commission		204,000



<b>GROSS APPROPRIATION</b>	<b>\$</b>	<b>1,143,100</b>
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Appropriated from:		
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<b>State general fund/general purpose</b>	<b>\$</b>	<b>1,143,100</b>
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PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2021-2022 is \$321,543,000.00 and state spending from state sources to be paid to local units of government for fiscal year 2021-2022 is \$148,056,300.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

**JUDICIARY**

**SUPREME COURT**

Drug treatment courts	\$	8,838,000
Mental health courts and diversion services		5,571,800
Next generation Michigan court system		4,116,000
Swift and sure sanctions program		3,350,000
Veterans courts		1,036,400

**COURT OF APPEALS**

Court of appeals operations	\$	200,000
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**JUSTICES' AND JUDGES' COMPENSATION**

Circuit court judicial salary standardization	\$	9,922,100
District court judicial salary standardization		10,699,500
Probate court judges' state base salaries		11,667,700
Probate court judicial salary standardization		4,669,600



1	OASI, Social Security	1,168,200
2	<b>TRIAL COURT OPERATIONS</b>	
3	Court equity fund reimbursements	\$ 60,815,700
4	Drug case-flow program	250,000
5	Drunk driving case-flow program	3,300,000
6	Judicial technology improvement fund	4,815,000
7	Juror compensation reimbursement	6,608,000
8	Statewide e-file system	11,028,300
9	<b>TOTAL</b>	<b>\$ 148,056,300</b>

10       Sec. 202. (1) The appropriations authorized under this part  
11 and part 1 are subject to the management and budget act, 1984 PA  
12 431, MCL 18.1101 to 18.1594.

13       (2) Funds appropriated in part 1 to an entity within the  
14 judicial branch shall not be expended or transferred to another  
15 account without written approval of the authorized agent of the  
16 judicial entity. If the authorized agent of the judicial entity  
17 notifies the state budget director of its approval of an  
18 expenditure or transfer, the state budget director shall  
19 immediately make the expenditure or transfer. The authorized  
20 judicial entity agent shall be designated by the chief justice of  
21 the supreme court.

22       Sec. 203. As used in this part and part 1:

23       (a) "FTE" means full-time equated.

24       (b) "IDG" means interdepartmental grant.

25       (c) "OASI" means old age survivor's insurance.

26       Sec. 204. The reporting requirements of this part shall be  
27 completed with the approval of, and at the direction of, the  
28 supreme court, except as otherwise provided in this part. The  
29 judicial branch shall use the internet to fulfill the reporting





1 requirements of this part. This requirement shall include  
2 transmission of reports via electronic mail to the recipients  
3 identified for each reporting requirement and it shall include  
4 placement of reports on an internet site.

5 Sec. 205. Funds appropriated in part 1 shall not be used for  
6 the purchase of foreign goods or services, or both, if  
7 competitively priced and of comparable quality American goods or  
8 services, or both, are available. Preference shall be given to  
9 goods or services, or both, manufactured or provided by Michigan  
10 businesses, if they are competitively priced and of comparable  
11 quality. In addition, preference shall be given to goods or  
12 services, or both, that are manufactured or provided by Michigan  
13 businesses owned and operated by veterans, if they are  
14 competitively priced and of comparable quality.

15 Sec. 207. Not later than January 1 of each year, the state  
16 court administrative office shall prepare a report on out-of-state  
17 travel listing all travel by judicial branch employees outside this  
18 state in the immediately preceding fiscal year that was funded in  
19 whole or in part with funds appropriated in the budget for the  
20 judicial branch. The report shall be submitted to the senate and  
21 house appropriations committees, the senate and house fiscal  
22 agencies, and the state budget office. The report shall include the  
23 following information:

24 (a) The dates of each travel occurrence.

25 (b) The transportation and related costs of each travel  
26 occurrence, including the proportion funded with state general  
27 fund/general purpose revenues, the proportion funded with state  
28 restricted revenues, the proportion funded with federal revenues,  
29 and the proportion funded with other revenues.



1           Sec. 209. Not later than November 30, the state budget office  
2 shall prepare and transmit a report that provides for estimates of  
3 the total general fund/general purpose appropriation lapses at the  
4 close of the prior fiscal year. This report shall summarize the  
5 projected year-end general fund/general purpose appropriation  
6 lapses by major program or program areas. The report shall be  
7 transmitted to the chairpersons of the senate and house  
8 appropriations committees and the senate and house fiscal agencies.

9           Sec. 211. From the funds appropriated in part 1, the judicial  
10 branch shall maintain a searchable website accessible by the public  
11 at no cost that includes all expenditures made by the judicial  
12 branch within a fiscal year. The posting shall include the purpose  
13 for which each expenditure is made. The judicial branch shall not  
14 provide financial information on its website under this section if  
15 doing so would violate a federal or state law, rule, regulation, or  
16 guideline that establishes privacy or security standards applicable  
17 to that financial information.

18           Sec. 212. Within 14 days after the release of the executive  
19 budget recommendation, the judicial branch shall cooperate with the  
20 state budget office to provide the senate and house appropriations  
21 committee chairs, the senate and house appropriations subcommittee  
22 chairs, and the senate and house fiscal agencies with an annual  
23 report on estimated state restricted fund balances, state  
24 restricted fund projected revenues, and state restricted fund  
25 expenditures for the prior 2 fiscal years.

26           Sec. 213. The judiciary shall maintain, on a publicly  
27 accessible website, a scorecard that identifies, tracks, and  
28 regularly updates key metrics that are used to monitor and improve  
29 the judiciary's performance.



1       Sec. 214. Total authorized appropriations from all sources  
2 under part 1 for legacy costs for the fiscal year ending September  
3 30, 2022 are estimated at \$14,001,700.00. From this amount, total  
4 judiciary appropriations for pension-related legacy costs are  
5 estimated at \$7,844,500.00. Total judiciary appropriations for  
6 retiree health care legacy costs are estimated at \$6,157,200.00.

7       Sec. 215. The judicial branch shall not take disciplinary  
8 action against an employee for communicating with a member of the  
9 legislature or his or her staff, unless the communication is  
10 prohibited by law and the judicial branch is exercising its  
11 authority as provided by law.

12       Sec. 218. From the funds appropriated in part 1, the state  
13 court administrative office shall identify programs, within the  
14 department of health and human services, the department of labor  
15 and economic opportunity, and the department of corrections, that  
16 have programmatic connections with the participants in the swift  
17 and sure sanctions program. The purpose of this relationship is to  
18 leverage collaborations and to determine avenues of success for  
19 offenders who are eligible for state-provided programs. The state  
20 court administrative office shall provide guidance to courts  
21 participating in the swift and sure sanctions program, under the  
22 probation swift and sure sanctions act, chapter XIA of the code of  
23 criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8, of the  
24 available department of health and human services, department of  
25 labor and economic opportunity, and department of corrections  
26 programming.

27       Sec. 219. The judicial branch shall receive and retain copies  
28 of all reports funded from appropriations in part 1. Federal and  
29 state guidelines for short-term and long-term retention of records



1 shall be followed. The judicial branch may electronically retain  
2 copies of reports unless otherwise required by federal and state  
3 guidelines.

4 Sec. 220. From the funds appropriated in part 1 for state  
5 employee legal services administration, the state appellate  
6 defender office shall provide reimbursement of legal fees provided  
7 as under section 8 of 1964 PA 170, MCL 691.1408. Such  
8 reimbursements shall be administered by the state appellate  
9 defender office, which shall receive applications for such  
10 payments. If, upon receipt of an application, the state appellate  
11 defender office finds an applicant is eligible under section 8 of  
12 1964 PA 170, MCL 691.1408, to receive reimbursement or funding of  
13 legal fees, the state appellate defender office shall approve and  
14 pay such fees if both of the following conditions are met:

15 (a) The amount approved does not exceed the appropriation  
16 amount provided for under this act.

17 (b) The state appellate defender office finds such fees to be  
18 reasonable.

19  
20 **JUDICIAL BRANCH**

21 Sec. 301. From the funds appropriated in part 1, the direct  
22 trial court automation support program of the state court  
23 administrative office shall recover direct and overhead costs from  
24 trial courts by charging for services rendered. The fee shall cover  
25 the actual costs incurred to the direct trial court automation  
26 support program in providing the service, including development of  
27 future versions of case management systems.

28 Sec. 302. Funds appropriated within the judicial branch shall  
29 not be expended by any component within the judicial branch without



1 the approval of the supreme court.

2 Sec. 303. Of the amount appropriated in part 1 for the  
3 judicial branch, \$711,900.00 is allocated for circuit court  
4 reimbursement under section 3 of 1978 PA 16, MCL 800.453, and for  
5 costs associated with the court of claims.

6 Sec. 304. A member of the legislature may request a report or  
7 data from the data collected in the judicial data warehouse. The  
8 report shall be made available to the public upon request, unless  
9 disclosure is prohibited by court order or state or federal law.  
10 Any data provided under this section shall be public and non-  
11 identifying information.

12 Sec. 305. From the funds appropriated in part 1 for community  
13 dispute resolution, community dispute resolution centers shall  
14 provide dispute resolution services specified in the community  
15 dispute resolution act, 1988 PA 260, MCL 691.1551 to 691.1564, and  
16 shall help to reduce suspensions and truancy, and improve school  
17 climate. Funding appropriated in part 1 for community dispute  
18 resolution may be used to develop or expand juvenile diversion  
19 services in cooperation with local prosecutors. Participation in  
20 the dispute resolution processes is voluntary for all parties.

21 Sec. 307. From the funds appropriated in part 1 for mental  
22 health courts and diversion services, \$1,730,000.00 is intended to  
23 address the recommendations of the mental health diversion council.

24 Sec. 308. If sufficient funds are not available from the court  
25 fee fund to pay judges' compensation, the difference between the  
26 appropriated amount from that fund for judges' compensation and the  
27 actual amount available after the amount appropriated for trial  
28 court reimbursement is made shall be appropriated from the state  
29 general fund for judges' compensation. If an appropriation is made



1 under this section, the state court administrative office shall  
2 notify, within 14 days of the appropriation, the senate and house  
3 standing committees on appropriations, the senate and house  
4 appropriations subcommittees on judiciary, the senate and house  
5 fiscal agencies, and the state budget office.

6 Sec. 309. By April 1, the state court administrative office  
7 shall provide a report on drug treatment, mental health, and  
8 veterans court programs in this state. The report shall include  
9 information on the number of each type of program that has been  
10 established, the number of program participants in each  
11 jurisdiction, and the impact of the programs on offender criminal  
12 involvement and recidivism. The report shall be submitted to the  
13 senate and house appropriations subcommittees on judiciary, the  
14 senate and house fiscal agencies, and the state budget office.

15 Sec. 311. (1) The funds appropriated in part 1 for drug  
16 treatment courts as that term is defined in section 1060 of the  
17 revised judicature act of 1961, 1961 PA 236, MCL 600.1060, shall be  
18 administered by the state court administrative office to operate  
19 drug treatment court programs. A drug treatment court shall be  
20 responsible for handling cases involving substance abusing  
21 nonviolent offenders through comprehensive supervision, testing,  
22 treatment services, and immediate sanctions and incentives. A drug  
23 treatment court shall use all available county and state personnel  
24 involved in the disposition of cases including, but not limited to,  
25 parole and probation agents, prosecuting attorneys, defense  
26 attorneys, and community corrections providers. The funds may be  
27 used in connection with other federal, state, and local funding  
28 sources.

29 (2) From the funds appropriated in part 1, the chief justice



1 shall allocate sufficient funds for the Michigan judicial institute  
2 to provide in-state training for those identified in subsection  
3 (1), including training for new drug treatment court judges.

4 (3) For drug treatment court grants, consideration for  
5 priority may be given to those courts where higher instances of  
6 substance abuse cases are filed.

7 (4) The judiciary shall receive \$1,500,000.00 in Byrne formula  
8 grant funding as an interdepartmental grant from the department of  
9 state police to be used for expansion of drug treatment courts, to  
10 assist in avoiding prison bed space growth for nonviolent offenders  
11 in collaboration with the department of corrections.

12 Sec. 320. (1) From the funds appropriated in part 1 for the  
13 swift and sure sanctions program, created under section 3 of  
14 chapter XIA of the code of criminal procedure, 1927 PA 175, MCL  
15 771A.3, the state court administrative office shall administer a  
16 program to distribute grants to qualifying courts in accordance  
17 with the objectives and requirements of the probation swift and  
18 sure sanctions act, chapter XIA of the code of criminal procedure,  
19 1927 PA 175, MCL 771A.1 to 771A.8. Of the funds designated for the  
20 program, not more than \$100,000.00 shall be available to the state  
21 court administrative office to pay for employee costs associated  
22 with the administration of the program funds. Of the funds  
23 designated for the program, \$500,000.00 is reserved for programs in  
24 counties that had more than 325 individuals sentenced to prison in  
25 the previous calendar year. Courts interested in participating in  
26 the swift and sure sanctions program may apply to the state court  
27 administrative office for a portion of the funds appropriated in  
28 part 1 under this section.

29 (2) By April 1, the state court administrative office, in



1 cooperation with the department of corrections, shall provide a  
2 report on the courts that receive funding under the swift and sure  
3 sanctions program described in subsection (1) to the senate and  
4 house appropriations subcommittees on judiciary, the senate and  
5 house fiscal agencies, and the state budget office. The report  
6 shall include all of the following:

7 (a) The number of offenders who participate in the program.

8 (b) The criminal history of offenders who participate in the  
9 program.

10 (c) The recidivism rate of offenders who participate in the  
11 program, including the rate of return to jail, prison, or both.

12 (d) A detailed description of the establishment and parameters  
13 of the program.

14 (e) A list of courts participating in the program.

15 (f) An accounting of prior year expenditures, including grant  
16 amounts requested by the courts, grant amounts awarded to the  
17 courts, and grant amounts expended by the courts.

18 (3) As used in this section, "program" means a swift and sure  
19 sanctions program described in subsection (1).

20 Sec. 321. From the funds appropriated in part 1, the judicial  
21 branch shall support a statewide legal self-help internet website  
22 and local nonprofit self-help centers that use the statewide  
23 website to provide assistance to individuals representing  
24 themselves in civil legal proceedings. The state court  
25 administrative office shall summarize the costs of maintaining the  
26 website, provide statistics on the number of people visiting the  
27 website, and provide information on content usage, form completion,  
28 and user feedback. By March 1, the state court administrative  
29 office shall report this information for the preceding fiscal year





1 to the senate and house appropriations subcommittees on judiciary,  
 2 the senate and house fiscal agencies, and the state budget office.

3 Sec. 322. If Byrne formula grant funding is awarded to the  
 4 state appellate defender in excess of the amount appropriated in  
 5 part 1, the state appellate defender office may receive and expend  
 6 Byrne formula grant funds in an amount not to exceed \$250,000.00 as  
 7 an interdepartmental grant from the department of state police. If  
 8 the appellate defender appointed under section 3 of the appellate  
 9 defender act, 1978 PA 620, MCL 780.713, receives federal grant  
 10 funding from the United States Department of Justice in excess of  
 11 the amount appropriated in part 1, the office of appellate defender  
 12 may receive and expend grant funds in an amount not to exceed  
 13 \$300,000.00 as other federal grants.

14 Sec. 324. (1) From the funds appropriated in part 1 for the  
 15 medication-assisted treatment program, the judiciary shall maintain  
 16 a medication-assisted treatment program to provide treatment for  
 17 opioid-addicted and alcohol-addicted individuals who are referred  
 18 to and voluntarily participate in the medication-assisted treatment  
 19 program.

20 (2) By February 1, the judiciary shall report on the  
 21 medication-assisted treatment program. The report shall include  
 22 itemized spending by court, the number of participants, and  
 23 statistics that indicate average program participation duration and  
 24 success rates.

## 25 26 **ONE-TIME APPROPRIATIONS**

27 Sec. 402. (1) From the funds appropriated in part 1, the state  
 28 appellate defender office attorneys and support staff shall ensure  
 29 Michigan compliance with *Montgomery v Louisiana*, 577 US \_\_\_\_\_



1 (2016). The purpose of the program is to ensure competent,  
2 resourced, and supervised counsel in cases involving the  
3 resentencing of juvenile lifers. The representation by state  
4 appellate defender office counsel will create opportunities for  
5 release, saving prison costs for the state.

6 (2) The state appellate defender office shall submit a report  
7 by September 30 to the senate and house appropriations  
8 subcommittees on judiciary, the senate and house fiscal agencies,  
9 and the state budget office on the number of juvenile lifer cases  
10 investigated and prepared by the state appellate defender office.  
11 The report shall include a calculation of hours spent and focus on  
12 incremental costs associated with investigating and conducting a  
13 robust examination of each case, with particular emphasis on those  
14 costs that may be avoided after the cases have been disposed.