

JUDICIARY

Summary: FY 2008-09 Appropriations

HB 5810 (H-1)Draft A Subcommittee Recommendation



Analyst: Bethany Wicksall
Ben Gielczyk

	FY 2007-08 YTD	FY 2008-09 Executive	FY 2008-09 House	FY 2008-09 Senate	FY 2008-09 Enacted	Difference: House From FY 2007-08 YTD	
						Amount	%
IDG/IDT	\$2,523,500	\$2,523,500	\$2,523,500			0	0.0
Federal	4,626,400	4,626,400	4,626,400			0	0.0
Local	5,409,700	6,093,100	6,093,100			683,400	12.6
Private	842,500	842,500	842,500			0	0.0
Restricted	87,892,700	87,893,800	87,893,800			1,100	0.0
GF/GP	157,996,700	159,933,400	159,933,400			1,936,700	1.2
Gross	\$259,291,500	\$261,912,700	\$261,912,700			\$2,621,200	1.0
FTEs	519.0	490.0	499.0			(20.0)	(3.9)

Note: FY 2007-08 figures reflect supplementals and Executive Order (EO) actions through February 7, 2008.

Overview

Article VI of the State Constitution of 1963 forms the basis for Michigan's judicial branch of government, which receives funds appropriated through the budget act for the Judiciary. The Judiciary budget provides operational funding for the Michigan Supreme Court, Court of Appeals, and related judicial agencies. The budget also 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. Assistance for local court operations is provided through a variety of grant programs. The largest of these, the Court Equity grant program, reimburses counties for trial court operations based on a statutory formula that recognizes circuit and probate caseloads and the numbers of judgeships.

Major Budget Changes From FY 2007-08 YTD Appropriations		FY 2007-08 YTD	House Change From YTD
1. Mental Health Court Pilots <u>House</u> provides \$600,000 for grants to mental health court pilots to facilitate cooperation between mental health service providers and the judicial system and provide offenders who need mental health services with treatment and other services. Funding would be distributed in conjunction with \$2.25 million recommended in the Department of Community Health budget. Also includes \$100,000 for training court and law enforcement personnel. <u>Exec</u> recommends \$1.0 million for the pilots and \$100,000 for training.	Gross	N/A	\$700,000
	GF/GP	N/A	\$700,000
2. Next Generation Justice Information System <u>Exec and House</u> appropriate additional local user fees from Berrien and Washtenaw County Courts to support the new trial court case management system in exchange for allowing them a significant role in designing the new system as well as the opportunity to serve as pilot sites. Their investment in the first four years of development will be reimbursed in waived user fees following the system's full implementation.	Gross	N/A	\$652,700
	Local	N/A	652,700
	GF/GP	N/A	\$0
3. Supreme Court <u>House</u> reduces the Supreme Court Administration line by \$526,500.	Gross	\$10,941,400	(\$526,500)
	Restricted	513,100	0
	GF/GP	\$10,428,400	(\$526,500)

Major Budget Changes From FY 2007-08 YTD Appropriations		FY 2007-08 YTD	House Change From YTD
4. Court of Appeals Operations	Gross	\$19,183,300	\$375,000
House increases COA operations by \$375,000 to provide 5 additional research attorneys.	Restricted	2,036,300	0
	GF/GP	\$17,147,000	\$375,000
5. State Appellate Defender Office	Gross	\$5,042,700	\$298,500
House increases the appellate public defender program line by \$298,500 to provide 3 additional plea attorneys.	IDG	318,400	0
	Private	70,000	0
	Restricted	101,700	0
	GF/GP	\$4,552,600	\$298,500
6. Appellate Assigned Counsel Administration	Gross	\$878,100	\$53,000
House increases the appropriation for the Michigan Appellate Assigned Counsel System (MAACS) by \$53,000 and 1 FTE to assist with increased caseloads.	IDG	105,100	0
	Restricted	11,400	0
	GF/GP	\$761,600	\$53,000
7. Local Government Grants	Gross	N/A	\$200,000
House provides \$200,000 in new grants for district court security upgrades and upgrades to a shared central dispatch system.	GF/GP	N/A	\$200,000
8. Defined Contribution and FICA Costs	Gross	\$8,464,900	\$445,700
Exec and House increase funds for judges' FICA and defined contribution retirement costs by \$445,700 gross and GF/GP.	GF/GP	\$8,464,900	\$445,700
9. Economics	Gross	N/A	\$422,800
Funds economic adjustments as follows:	Federal	N/A	0
• Salaries/wages increase: \$325,200 gross, \$305,300 GF/GP	Local	N/A	30,700
• Insurance Savings: \$339,400 gross, \$316,900 GF/GP	Private	N/A	0
• Retirement increase: \$275,300 gross, \$259,900 GF/GP	Restricted	N/A	1,100
• Rent increase: \$107,300 gross and GF/GP	GF/GP	N/A	\$391,000
• Workers' compensation reduction: \$1,000 gross and GF/GP			
• Building occupancy increase: \$55,400 gross, \$36,400 GF/GP			

Major Boilerplate Changes From FY 2007-08

Sec. 204. Employee Contact with Legislature – DELETED

Prohibits disciplinary action against a judicial employee for communicating with a Legislator or his or her staff.
Exec and House delete.

Sec. 206. Contingency Funds – NEW

Appropriates up to \$1.0 million in Federal contingency funds, up to \$500,000 in State restricted contingency funds, up to \$100,000 in private contingency funds, and \$100,000 in local contingency funds. Exec and House add.

Sec. 212. Retention of Reports – RETAINED

Directs the judicial branch to comply with federal and state guidelines for short-term and long-term retention of reports funded through appropriations. Exec deletes. House retains current law.

Sec. 216. Report Requirement – DELETED

Requires judicial branch to report by April 1, 2008, on each policy change made to implement enacted legislation; prohibits funding for regulatory plans or for rules that fail to reduce economic impact on small businesses.
Exec and House delete.

Sec. 217. Efficiency Mechanisms – DELETED

Requires Chief Justice to implement continuous improvement efficiency mechanisms to increase efficiency and reduce expenditures in judicial branch programs; requires semi-annual report.
Exec and House delete.

Sec. 304. Auditor General – RETAINED

Requires judicial branch to cooperate with the auditor general in audits of judicial branch.
Exec deletes. House retains current law.

Major Boilerplate Changes From FY 2007-08

Sec. 305. Expenditure and Revenue Reports – RETAINED

Requires quarterly financial reports on judiciary budget revenue and expenditures.

Exec deletes. House retains current law.

Sec. 306a. Third-Party Collection Pilot Project Report – DELETED

Requires a report by April 1, 2008, on the feasibility of a pilot project for third-party collection of court-ordered fines, fees, and costs, including victim restitution.

Exec and House delete.

Sec. 307. Court of Appeals Fee Revenue – DELETED

Requires that the portion of fee revenue raised from increases in filing fees be used for delay reduction.

Exec and House delete.

Sec. 309. Pilot Mental Health Courts – NEW

Requires State Court Administrative Office to work with the Department of Community Health to develop guidelines for the operation and evaluation of pilot mental health courts. Local courts may apply for funding based on community need and local commitment. Also specifies that \$100,000 is for training court and law enforcement personnel.

Sec. 311. Drug Courts – REVISED

Provides direction for administration of drug treatment courts. Executive and House delete the definition of a drug court's responsibilities and methods. Executive and House also delete requirement for locals to refer to federal guidelines to prepare for drug treatment court proposals.

Sec. 312. Parental Rights Restoration Act Report – DELETED

Instructs state court administrator to report total number of petitions filed by minors seeking court-issued waiver of parental consent under Parental Rights Restoration Act, and total number of petitions granted.

Exec and House delete.

Sec. 316. Mental Health Treatment Courts – DELETED

Requires SCAO to evaluate strategies to better respond to defendants with mental illnesses; strategies may include mental health treatment courts.

Exec and House delete.

Sec. 318. Local Government Grants – NEW

House adds language providing \$50,000 grants each to Berkley and Hazel Park for district court security upgrades. It also provides a \$100,000 grant to Berkley for an upgrade to the central dispatch system it shares with Huntington Woods and Pleasant Ridge.