



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 5810 (S-1 as passed by the Senate)

Committee: Appropriations

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| FY 2007-08 Year-to-Date Gross Appropriation | \$259,781,000 |
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Changes from FY 2007-08 Year-to-Date:

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| 1. Mental Health Court Pilot Program. The Governor included \$1.1 million in GF/GP funding for a mental health court pilot program. The program will be administered by the state court administrative office. \$2.2 million of additional funding is in the DCH budget. The House reduced funding to \$700,000. The Senate included a \$100 placeholder. | 100 |
| 2. Next Generation Judicial Information Systems. The Governor recommended an increase of \$652,700 in local user fees for the new trial court case management system. Berrien and Washtenaw Counties will pay the increase in fees. The House and Senate concurred. \$489,500 of the increase was included in an FY 2007-08 supplemental. | 163,200 |
| 3. Supreme Court Administration. The House reduced this line item by \$526,500. The Senate did not. | 0 |
| 4. Drug Treatment Courts. The Senate included an additional \$500,000 in available Federal funding. | 500,000 |
| 5. Intensive Probation Pilot Program. The Senate included an IDG from the Department of Corrections to fund an intensive probation pilot program. | 980,000 |
| 6. Judicial Data Warehouse User Fees. The Senate included an IDG from the Department of Corrections for user fees for the Judicial Data Warehouse. | 50,000 |
| 7. Bar Exam Fees. The Senate included an increase in law exam fees to reflect an increase in the cost to take the bar exam. | 54,100 |
| 8. Court of Appeals Operations. The House included \$375,000 for 5.0 additional research attorneys. The Senate reduced the funding to \$350,000. | 350,000 |
| 9. Appellate Public Defender Program. The House included funding for 3.0 additional attorneys. The Senate did not include this funding. | 0 |
| 10. Appellate Assigned Counsel Administration. The House included additional funding for 1.0 FTE. The Senate included the funding and FTE but made small reductions in other lines with general fund to fund the change. | 0 |
| 11. Local Government Grants. The House included funding for grants to several district courts. The Senate did not. | 0 |
| 12. Economic Adjustments. | 422,800 |
| 13. Other Changes. These include increases for OASI and social security for judges, as well as an increase in defined contribution costs for newly elected judges. | 445,700 |
| 14. Comparison to Governor's Recommendation. The Senate is \$834,200 Gross over and \$749,900 GF/GP under the Governor. | |

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| Total Changes..... | \$2,965,900 |
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| FY 2008-09 Senate-Passed Gross Appropriation | \$262,746,900 |
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Changes from FY 2007-08 Year to Date:

1. **Communication with the Legislature.** The Governor and House removed language prohibiting the judicial branch from taking disciplinary action against an employee for communicating with a member of the Legislature or his or her staff. The Senate restored the language. (Sec. 204)
2. **Contingency Funds.** The Governor and House included language for Federal, state restricted, local and private contingency funds. The Senate did not include it. (Sec. 206)
3. **Reporting Requirements.** The Governor, House, and Senate removed the words "unless otherwise specified" from this section, requiring the use of the Internet to fulfill all reporting requirements of the bill. (Sec. 208)
4. **Retention of Reports.** The Governor removed the section requiring the judicial branch to retain reports and records. The House and Senate retained current year language. (Sec. 212)
5. **Reporting Requirement.** The Governor and House removed language requiring the judicial branch to report on each specific policy change made to implement enacted legislation. The section also prohibits the use of funds in Part 1 to prepare regulatory plans or promulgate rules that fail to reduce the disproportionate economic impact on small businesses pursuant to MCL 24.240. The Senate restored this section. (Sec. 216)
6. **Efficiency Mechanisms.** The Governor, House, and Senate removed language requiring the Chief Justice to implement continuous improvement efficiency mechanisms. (Sec. 217)
7. **Expenditures on the Internet.** The Senate added language that requires the judicial branch to post all expenditures on a publicly accessible website. (Sec. 217)
8. **Travel Restrictions.** The Senate added language prohibiting the judicial branch from sending more than one employee to the same out-of-state conference or seminar. (Sec. 218)
9. **Auditor General.** The Governor removed language requiring the judicial branch to cooperate with the Auditor General regarding audits of the judicial branch. The House and Senate retained current year language. (Sec. 304)
10. **Quarterly Reports.** The Governor removed the section requiring quarterly reports on revenues and expenditures. The House and Senate retained current year language. (Sec. 305)
11. **Third Party Collection.** The Governor, House and Senate removed a section requiring a report on the feasibility of a pilot project for third party collection of victims' restitution, court ordered fines and costs. (Sec. 306a)
12. **Court of Appeals Delay Reduction.** The Governor and House removed a section requiring \$312,500 in fee revenue to be used for the purposes of delay reduction. The Senate restored it. (Sec. 307)
13. **Pilot Mental Health Courts.** The Governor and House added language requiring the state court administrative office (SCAO) and the Department of Community Health to develop guidelines for pilot mental health courts. The Senate did not include this section. (Sec. 309)
14. **Mental Health Court Guidelines.** The Senate added language requesting SCAO to consider the U.S. Bureau of Justice Assistance's 10 essential elements when developing guidelines for mental health courts. (Sec. 309)
15. **Drug Treatment Courts.** The Governor and House removed language requiring that drug treatment court programs handle cases involving substance abusing nonviolent offenders. The Governor and House also removed subsection (2), which encouraged local units of government to refer to Federal drug treatment court guidelines to prepare proposals. The Senate restored current year language. (Sec. 311)
16. **Parental Rights Restoration Act.** The Governor and House removed the reporting requirement for the number of petitions filed and granted under this act. The Senate restored current year language. (Sec. 312)
17. **Mental Health Treatment Courts.** The Governor, House, and Senate removed a section requiring that SCAO evaluate strategies respond to defendants with mental illness, including mental health treatment courts. (Sec. 316)
18. **Local Government Grants.** The House added language providing grants to several district courts for security upgrades and upgrades to central dispatch offices. The Senate did not include this section. (Sec. 318)
19. **Intensive Probation Pilot Program.** The Senate added language establishing an intensive probation pilot program with an IDG from the Department of Corrections. (Sec. 318)

Date Completed: 5-27-08

Fiscal Analyst: Stephanie Yu

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations.

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