

**JUDICIARY: FY 2011-12**  
**Summary: Conference Report**  
**Senate Bill 180 (S-1) CR-1**



Analyst: Ben Gielczyk

	FY 2010-11 YTD as of 2/17/11	FY 2011-12 Executive	FY 2011-12 Senate	FY 2011-12 House	FY 2011-12 Conference	Difference: Conference From FY 2010-11 YTD	
						Amount	%
<b>IDG/IDT</b>	\$3,573,500	\$2,573,500	\$3,573,500	\$2,573,500	\$3,573,500	\$0	0.0
<b>Federal</b>	5,539,500	5,539,500	5,539,500	5,539,500	5,539,500	0	0.0
<b>Local</b>	6,252,200	6,342,700	6,342,700	6,342,700	6,342,700	90,500	1.4
<b>Private</b>	842,500	842,500	842,500	842,500	842,500	0	0.0
<b>Restricted</b>	92,078,000	92,100,300	88,140,700	88,140,700	88,140,700	(3,937,300)	(4.3)
<b>GF/GP</b>	152,073,100	152,876,900	152,534,300	152,534,300	152,534,300	461,200	0.3
<b>Gross</b>	<b>\$260,358,800</b>	<b>\$260,275,400</b>	<b>\$256,973,200</b>	<b>\$255,973,200</b>	<b>\$256,973,200</b>	<b>(\$3,385,600)</b>	<b>(1.3)</b>
<b>FTEs</b>	491.0	491.0	491.0	491.0	491.0	0.0	0.0

Notes: (1) FY 2010-11 appropriation figures include the results of supplementals, Executive Order (EO) actions, and transfer adjustments through February 17, 2011.

(2) House-passed appropriation amounts are based on the Judiciary article contained in House Bill 4326.

**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.

		FY 2010-11 Year-to-Date (as of 2/17/11)	Conference Change from Year-to-Date
<b>Major Budget Changes From FY 2010-11 YTD Appropriations</b>			
<b>1. Elimination of Trial Court Judgeships</b>	<b>Gross</b>	<b>N/A</b>	<b>(\$1,012,000)</b>
Includes savings associated with temporary elimination of two judgeships on January 1, 2011 and recommended elimination of six trial court judgeships in FY 2011-12. Savings totaling \$69,900 GF/GP associated with temporary elimination of two judgeships represent one-quarter of annual savings due to temporary elimination beginning on January 1, 2011. Savings totaling \$942,100 GF/GP associated with elimination of six trial court judgeships represent full year savings. <u>Executive</u> , <u>Senate</u> , <u>House</u> , and <u>Conference</u> concur.	GF/GP	N/A	(\$1,012,000)
<b>2. Elimination of Court of Appeals Judgeships</b>	<b>Gross</b>	<b>N/A</b>	<b>(\$342,600)</b>
Includes savings associated with the elimination of two Court of Appeals judgeships. Savings total \$342,600 GF/GP. <u>Executive</u> did not include. <u>Senate</u> , <u>House</u> , and <u>Conference</u> concur.	GF/GP	N/A	(\$342,600)
<b>3. Early Retirement Savings</b>	<b>Gross</b>	<b>\$1,019,500</b>	<b>(\$1,019,500)</b>
Reflects a \$1.0 million Gross and GF/GP reduction which accounts for savings associated with the FY 2010-11 early retirement package. <u>Executive</u> and <u>House</u> included negative line item reflecting savings. <u>Senate</u> and <u>Conference</u> spread reduction to applicable line items.	GF/GP	\$1,019,500	(\$1,019,500)

<b><u>Major Budget Changes From FY 2010-11 YTD Appropriations</u></b>		<b><u>FY 2010-11 Year-to-Date (as of 2/17/11)</u></b>	<b><u>Conference Change from Year-to-Date</u></b>
<b>4. Department of Corrections IDG to Drug Treatment Courts</b>	<b>Gross</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>
Increase of \$1.0 million GF/GP and decrease of \$1.0 million IDG to reflect fund source transfer. Replaces Michigan Department of Corrections IDG with corresponding amount of GF/GP. <u>Executive</u> and <u>House</u> include fund source transfer. <u>Senate</u> and <u>Conference</u> include fund source transfer and additional \$1.0 million IDG from corrections for "swift and sure" sanctions program.	IDG	1,000,000	0
	GF/GP	\$0	\$1,000,000
<b>5. Court Equity Fund Source Adjustment</b>	<b>Gross</b>	<b>\$64,794,700</b>	<b>(\$3,959,600)</b>
Includes technical adjustment downward of \$3,959,600 to bring fund source in line with revenue collections. <u>Executive</u> did not include. <u>Senate</u> , <u>House</u> , and <u>Conference</u> concur.	Restricted	54,399,600	(3,959,600)
	GF/GP	\$10,395,100	\$0
<b>6. Economics</b>	<b>Gross</b>	<b>N/A</b>	<b>\$1,948,100</b>
Funds economic adjustments as follows for FY 2011-12:	Local	N/A	90,500
	Restricted	N/A	22,300
	GF/GP	N/A	\$1,835,300
<ul style="list-style-type: none"> <li>Insurance: (\$190,400) Gross, (\$172,800) GF/GP</li> <li>Retirement: \$1,951,600 Gross, \$1,823,400 GF/GP</li> <li>Worker's compensation: \$30,400 Gross and GF/GP</li> <li>Building occupancy: \$156,500 Gross, \$154,300 GF/GP</li> </ul>			

Executive, Senate, House, and Conference concur on Economic adjustments.

#### **Major Boilerplate Changes From FY 2010-11**

##### **Sec. 215(3). Out-of-State Travel Restrictions Report - RETAINED**

Limits out-of-state travel in the judicial branch to certain situations. Deletes requirement of report on out-of-state travel expenses. Executive and House deleted. Senate and Conference retained.

##### **Sec. 221. Transparency - REVISED**

Requires judicial branch to develop and maintain, on a publicly accessible Internet site, all expenditures made by the judicial branch within the fiscal year. Executive deleted. Senate retained current law. House and Conference revised language.

##### **Sec. 222. Restricted Fund Report - NEW**

Requires judicial branch to report on the estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for fiscal years 2012 and 2013. Conference includes as new standard language.

##### **Sec. 223. Juror Compensation Reimbursement Fund Transfer - DELETED**

Requires \$2.6 million of the juror compensation reimbursement fund balance at the close of FY 2009-10 be transferred to the general fund. Executive, Senate, House, and Conference concur.

##### **Sec. 301. Direct Trial Court Automation Support - REVISED**

Directs the State Court Administrative Office (SCAO) to recover costs for services to local trial courts under direct trial court automation support program. Eliminates reporting requirements. Executive deletes. Senate retains current year. House and Conference revise by removing reporting requirements.

##### **Sec. 311(5). Federal Department of Transportation, National Highway Safety Administration Funding - NEW**

Authorizes the judiciary to receive and expend federal funds in an amount not to exceed \$450,000 for drug treatment courts. Executive and Senate did not include. House and Conference include as new language.

##### **Sec. 320. Mental Health Services - DELETED**

Provides that \$1.0 million of the IDG from the Department of Corrections shall be allocated for Drug Court mental health treatment services. Executive, Senate, House, and Conference concur.

##### **Sec. 320. Swift-and-Sure Sanction Pilot Program - NEW**

Authorizes \$1.0 million IDG from the Department of Corrections appropriated in part 1 to be expended for a swift-and-sure sanction program. Executive and House did not include. Senate and Conference include as new section.

##### **Sec. 321. Legal Self-Help Website - NEW**

Indicates that it is the intent of the legislature that the judicial branch support a statewide legal self-help website and local nonprofit self-help centers that provide assistance to persons representing themselves in civil legal proceedings. Executive did not include. Senate, House, and Conference include as new section.

##### **Sec. 322. State Appellate Defender Office Byrne Formula Grant - NEW**

Provides that if Byrne formula grant funding is awarded to the State Appellate Defender Office (SADO), SADO may receive and expend funding not exceeding \$750,000 as an IDG from the Department of State Police for specified projects. Executive and Senate did not include. House and Conference include as new section.

## **Major Boilerplate Changes From FY 2010-11**

### ***Sec. 1201. Fiscal Year 2012-13 Appropriations - NEW***

States legislative intent that FY 2012-13 appropriations will be funded at the same level as FY 2011-12 appropriations after adjusting from various factors. Executive and House did not include section but included individual line items indicating FY 2012-13 appropriations. Senate and Conference include as new section.