

**Summary: As Reported by the House Subcommittee
for Fiscal Years 2011-12 and 2012-13
HB 4277 (H-1) Draft 1
JUDICIARY**



Analyst: Ben Gielczyk

	FY 2010-11 Year-to-Date as of 2/17/11	FY 2011-12 House	Difference: FY 2011-12 Vs. FY 2010-11		FY 2012-13 House	Difference: FY 2012-13 Vs. FY 2011-12	
			Amount	%		Amount	%
IDG/IDT	\$3,573,500	\$2,573,500	(\$1,000,000)	(28.0)	\$2,573,500	\$0	0.0
Federal	5,539,500	5,539,500	0	0.0	5,539,500	0	0.0
Local	6,252,200	6,342,700	90,500	1.5	6,446,600	103,900	1.6
Private	842,500	842,500	0	0.0	842,500	0	0.0
Restricted	92,078,000	88,140,700	(3,937,300)	(4.3)	88,166,700	26,000	0.0
GF/GP	152,073,100	152,534,300	461,200	0.3	154,044,800	1,510,500	1.0
Gross	\$260,358,800	\$255,973,200	(\$4,385,600)	(1.7)	\$257,613,600	\$1,640,400	0.6
FTEs	491.0	491.0	0.0	0.0	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) FY 2012-13 figures are projected or proposed budget amounts only and would not be legally-binding appropriations.

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.

			House Changes	
		FY 2010-11 YTD (as of 2/17/11)	FY 2010-11 to FY 2011-12	FY 2011-12 to FY 2012-13
Major Budget Changes From FY 2010-11 YTD Appropriations				
1. Line Item Roll-Ups				
The current year budget contains 31 line items. The Executive budget contains 2 line items. The House budget includes 32 line items.				
2. Elimination of Trial Court Judgeships				
	Gross	N/A	(\$1,012,000)	\$0
	GF/GP	N/A	(\$1,012,000)	\$0
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.				
3. Elimination of Court of Appeals Judgeships				
	Gross	N/A	(\$342,600)	\$0
	GF/GP	N/A	(\$342,600)	\$0
Includes savings associated with the elimination of two Court of Appeals judgeships. Savings total \$342,600 GF/GP.				
4. Early Retirement Savings				
	Gross	\$1,019,500	(\$1,019,500)	\$0
	GF/GP	\$1,019,500	(\$1,019,500)	\$0
Reflects a \$1.0 million Gross and GF/GP reduction which accounts for savings associated with the FY 2010-11 early retirement package.				

		House Changes		
Major Budget Changes From FY 2010-11 YTD Appropriations		FY 2010-11 YTD (as of 2/17/11)	FY 2010-11 to FY 2011-12	FY 2011-12 to FY 2012-13
5. Fund Source Transfer	Gross	\$1,000,000	\$0	\$0
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.	IDG	1,000,000	(1,000,000)	0
	GF/GP	\$0	\$1,000,000	\$0
6. Court Equity Fund Fund Source Adjustment	Gross	\$64,794,700	(\$3,959,600)	\$0
House includes technical adjustment downward of \$3,959,600 to bring fund source in line with revenue collections.	Restricted	54,399,600	(3,959,600)	0
	GF/GP	\$10,395,100	\$0	\$0
7. Economics	Gross	N/A	\$1,948,100	\$1,640,400
Funds economic adjustments as follows for FY 2011-12:	Local	N/A	90,500	103,900
• Insurance: (\$190,400) Gross, (\$172,800) GF/GP	Restricted	N/A	22,300	26,000
• Retirement: \$1,951,600 Gross, \$1,823,400 GF/GP	GF/GP	N/A	\$1,835,300	\$1,510,500
• Worker's compensation: \$30,400 Gross and GF/GP				
• Building occupancy: \$156,500 Gross, \$154,300 GF/GP				

Major Boilerplate Changes From FY 2010-11

NOTE: No boilerplate language is proposed for FY 2012-13.

Sec. 215(3). Out-of-State Travel Restrictions Report - DELETED

Limits out-of-state travel in the judicial branch to certain situations. Deletes requirement of report on out-of-state travel expenses.

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.

Sec. 222. Businesses in Deprived and Depressed Communities - NEW

Requires judicial branch to take all reasonable steps to ensure that businesses in deprived and depressed communities compete for and perform contracts.

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.

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.

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.

Sec. 321. 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.

Sec. 322. 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.