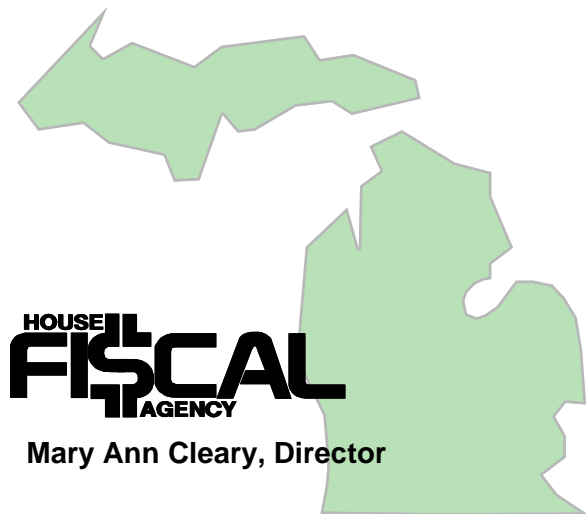


# LINE ITEM AND BOILERPLATE SUMMARY

## JUDICIARY

Fiscal Year 2017-18  
Article XII, Public Act 107 of 2017  
House Bill 4323 as Enacted



Robin R. Risko, Senior Fiscal Analyst

September 2017

**HOUSE FISCAL AGENCY  
GOVERNING COMMITTEE**

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HOUSE FISCAL AGENCY

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September 2017

TO: Members of the Michigan House of Representatives

The House Fiscal Agency has prepared a **Line Item Summary** for each of the FY 2017-18 appropriation acts. Each **Summary** contains line-by-line appropriation and revenue source detail, and a brief explanation of each boilerplate section in the appropriation bill.

In this report, line item vetoes are presented in the following manner: appropriation amounts shown in ~~strikeout~~ are those that appear in the enrolled bill; amounts shown directly below ~~strikeout~~ amounts reflect the effect of the veto.

Line Item Summaries are available on the HFA website ([www.house.mi.gov/hfa](http://www.house.mi.gov/hfa)), or from Kathryn Bateson, Administrative Assistant (373-8080 or [kbateson@house.mi.gov](mailto:kbateson@house.mi.gov)).

A handwritten signature in black ink that reads "Mary Ann Cleary". The signature is written in a cursive, flowing style.

Mary Ann Cleary, Director



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# GLOSSARY

## STATE BUDGET TERMS

### **Line Item**

Specific funding amount in an appropriation bill which establishes spending authorization for a particular program or function.

### **Boilerplate**

Specific language sections in an appropriation bill which direct, limit, or restrict line-item expenditures, express legislative intent, and/or require reports.

### **Lapse**

Appropriated amounts that are unspent or unobligated at the end of a fiscal year; appropriations are automatically terminated at the end of a fiscal year unless otherwise provided by law.

### **Work Project**

Account authorized through statutory process which allows appropriated spending authorization from one fiscal year to be utilized for expenditures in a succeeding fiscal year or years for a specific project or purpose.

## APPROPRIATIONS AND FUND SOURCES

### **Appropriations**

Authority to expend funds for a particular purpose. An appropriation is not a mandate to spend.

**Gross:** Total of all applicable appropriations in an appropriation bill.

**Adjusted Gross:** Net amount of gross appropriations after subtracting interdepartmental grants (IDGs) and intradepartmental transfers (IDTs).

### **Interdepartmental Grant (IDG) Revenue**

Funds received by one state department from another state department—usually for service(s) provided.

### **Intradepartmental Transfer (IDT) Revenue**

Funds transferred from one appropriation unit to another within the same departmental budget.

### **Federal Revenue**

Federal grant or match revenue; generally dedicated to specific programs or purposes.

### **Local Revenue**

Revenue received from local units of government for state services.

### **Private Revenue**

Revenue from non-government entities: rents, royalties or interest payments, payments from hospitals or individuals, or gifts and bequests.

### **State Restricted Revenue**

State revenue restricted by the State Constitution, state statute, or outside restriction that is available only for specified purposes; includes most fee revenue; at year-end, unused restricted revenue generally remains in the restricted fund.

### **General Fund/General Purpose (GF/GP) Revenue**

Unrestricted general fund revenue available to fund basic state programs and other purposes determined by the Legislature; unused GF/GP revenue lapses to the General Fund at the end of a fiscal year.

## MAJOR STATE FUNDS

### **General Fund**

The state's primary operating fund; receives state revenue not dedicated to another state fund.

### **School Aid Fund (SAF)**

A restricted fund that serves as the primary state funding source for K-12 schools and Intermediate School Districts. Constitutionally, SAF revenue may also be used for postsecondary education.

### **Budget Stabilization Fund**

The Countercyclical Economic and Budget Stabilization Fund (also known as the "rainy day fund"); the Management and Budget Act provides guidelines for making deposits into and withdrawals from the fund.





## JUDICIARY

*Article VI, Section 1 of the Constitution of the State of Michigan of 1963 forms the basis for Michigan's judicial branch of government. The Constitution provides that "the judicial power of the state is vested exclusively in one court of justice which shall be divided into the supreme court, one court of appeals, one trial court of general jurisdiction known as the circuit court, one probate court, and courts of limited jurisdiction that the legislature may establish by two-thirds vote of the members elected to and serving in each house." The Judiciary budget provides operational funding for courts and judicial-related entities.*

Full-time equated exempted positions	501.0	Full-time equated (FTE) positions not in the state classified service. <i>Note: based on 2,088 hours for 1.0 FTE position.</i>
Full-time judges and justices	588.0	Full-time judges and justices.
<b>GROSS APPROPRIATION</b>	<b>\$300,043,000</b>	<b>Total of all applicable line item appropriations.</b>
Total interdepartmental grant/intradepartmental transfer revenue	1,550,600	Revenue received from other departments or transferred within the department.
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$298,492,400</b>	<b>Gross appropriation less (or minus) interdepartmental grant (IDG) or intradepartmental transfer (IDT) revenue.</b>
Total federal revenue	6,464,100	Revenue received from federal departments and agencies.
Total local revenue	5,955,300	Revenue received from local units of government.
Total private revenue	969,600	Revenue received from private individuals and entities.
Total other state restricted revenue	92,529,000	State revenue dedicated to a specific fund (other than the General Fund) or restricted for a specific purpose.
<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$192,574,400</b>	<b>Unrestricted state revenue from taxes and other sources.</b>

## SECTION 102: SUPREME COURT

*The seven-justice Michigan Supreme Court is Michigan's court of last resort with final authority over all state courts. It exercises a discretionary authority to hear appeals brought from lower courts, granting leave to appeal in cases which the court determines to be sufficiently complex or important.*

*The Constitution of the State of Michigan charges the Supreme Court with "general superintending control" over all courts, making it responsible for general administrative supervision of the lower courts and requiring it to establish rules for practice and procedure in all courts. The Supreme Court monitors court workloads, provides guidance and assistance to courts, promulgates court rules and rules of evidence to ensure due process of law, and meets regularly with representatives of the bench, the bar, and the public.*

Full-time equated exempted positions	248.0	Full-time equated (FTE) positions not in the state classified service.
Community dispute resolution – 3.0 FTE positions	\$2,384,000	Provides staff support and grants to local dispute resolution centers established under 1988 PA 260 to provide mediation and other forms of voluntary dispute resolution as an alternative to the judicial process.
		Funding Source(s):   Restricted   2,384,000
		<i>Related Boilerplate Section(s): 202, 215, 317</i>
Direct trial court automation support – 44.0 FTE positions	5,955,300	Advises and assists trial courts and judicial administrative agencies on development and utilization of automation technology; assists with applications for automated systems; provides case flow management and record-keeping systems for trial courts; maintains distributive systems modules for circuit, district, and probate courts; supports automated reporting of trial court data to various state agencies.
		Funding Source(s):       Local   5,955,300
		<i>Related Boilerplate Section(s): 202, 215, 301, 317</i>
Drug treatment courts	11,833,000	Grant funding for drug treatment courts, driving while intoxicated (DWI) /sobriety courts, WebGrants online grant management system, and Michigan Drug Court Case Management Information System. Drug treatment courts operate to reduce criminal activity and to rehabilitate offenders diagnosed with substance abuse disorders through a combination of therapeutic services and judicial supervision. Programs offer an alternative to imprisonment for non-violent criminal offenders. Currently, there are 128 drug treatment/DWI sobriety courts operating in the state - 57 hybrid drug treatment/DWI sobriety courts, 30 DWI sobriety courts, 8 adult and 13 juvenile drug treatment courts, 12 family dependency courts, and 8 tribal drug treatment/DWI sobriety courts.
		Funding Source(s):       IDG   1,500,000 Federal 2,175,000 Restricted 1,920,500 GF/GP 6,237,500
		<i>Related Boilerplate Section(s): 202, 309, 311, 324</i>

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Foster care review board – 10.0 FTE positions	1,317,100	Provides staff support for Citizen's Foster Care Review Board program, established by the legislature in 1984 PA 422; citizen review boards review individual abuse/neglect cases within the foster care system to assist the courts and children's services agencies in assuring prompt and permanent child placement. There are 30 local review boards throughout the state.
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Funding Source(s):	Federal	395,900
	GF/GP	921,200

*Related Boilerplate Section(s): 202, 215, 317*

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Judicial information systems – 22.0 FTE positions	4,379,100	Develops, implements, and maintains automated information systems and office automation support systems for all Supreme Court agencies, including maintenance of a telecommunication network for state judicial agencies.
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Funding Source(s):	IDG	50,600
	Federal	223,200
	GF/GP	4,105,300

*Related Boilerplate Section(s): 202, 215, 304, 317*

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Judicial institute – 13.0 FTE positions	1,819,400	Provides continuing education and training to judges and court personnel through on-site classes, web-based instruction, and publications; programs are free to eligible participants. Updates and publishes bench books used by judges and court staff. Operates the Learning Center in the Hall of Justice, which introduces children and adults to the Michigan court system.
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Funding Source(s):	Federal	116,200
	Private	61,000
	GF/GP	1,642,200

*Related Boilerplate Section(s): 202, 215, 317*

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Mental health courts and diversion services – 1.0 FTE position	5,464,000	Targets offenders who have been diagnosed with serious mental illnesses, serious emotional disturbances, or developmental disabilities, as defined in the mental health code. The severe nature of the mental illnesses or functional impairments must necessitate intensive clinical services. Mental health courts offer offenders opportunities to participate in court-based treatment programs to address their mental illnesses instead of sentencing them to lengthy jail or prison terms. Includes intense judicial oversight, treatment through local community mental health service providers, drug testing when appropriate, referrals to community services, enrollment in educational classes and certificate programs, transportation assistance, and assistance in obtaining employment. Currently, there are 26 adult and 6 juvenile mental health courts operating in the state.
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Funding Source(s):	GF/GP	5,464,000
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*Related Boilerplate Section(s): 202, 215, 307, 309, 317*

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Next generation Michigan court system	4,116,000	Funding to assist with implementation of new MiCOURT case management application at 251 court locations representing 80 percent of state's caseload. MiCOURT is a state-of-the-art case management system designed for Michigan trial courts that provides each court with details for record keeping, case-flow management, financial management, and administrative reporting.
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Funding Source(s):	GF/GP	4,116,000
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*Related Boilerplate Section(s): 202*

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Other federal grants	275,100	Authorization to receive various federal grant revenues, when made available, for projects such as training programs, evaluations, and bench book development and updating.	Funding Source(s):	Federal	275,100
<i>Related Boilerplate Section(s): 202</i>					
State court administrative office – 63.0 FTE positions	12,612,100	State Court Administrative Office (SCAO) provides administrative oversight of and technical assistance to trial court judges and staff; analyzes legislative and executive proposals for impact on the judiciary; collects and evaluates data on trial court operations, including operations of problem-solving courts; recommends necessary changes in judicial resources, whether through temporary reassignment of judges or increases or decreases in numbers of judgeships; oversees and monitors revenue collections and distribution.	Funding Source(s):	Federal	3,211,400
				Private	823,800
				Restricted	1,118,600
				GF/GP	7,458,300
<i>Related Boilerplate Section(s): 202, 204, 205, 207, 209, 211, 212, 213, 215, 218, 219, 301, 303, 306, 309, 311, 312, 316, 317, 320, 321, 324</i>					
Supreme court administration – 92.0 FTE positions	13,765,800	Supports Supreme Court operations and related administrative functions, including Supreme Court Counsel, Clerk of the Court, Crier's Office, Court Reporter, Board of Law Examiners, and offices of public information, finance, and human resources.	Funding Source(s):	Restricted	695,500
				GF/GP	13,070,300
<i>Related Boilerplate Section(s): 202, 204, 205, 211, 212, 213, 215, 219, 302, 306, 317</i>					
Swift and sure sanctions program	4,000,000	Funding for a high-intensity supervision program designed as an alternative to traditional probation, providing close monitoring and swift sanctions in the event of probation violations. Program focuses on high-risk, felony offenders. In FY 2017, twenty-three circuit courts received grant funding under the program.	Funding Source(s):	Restricted	1,729,400
				GF/GP	2,270,600
<i>Related Boilerplate Section(s): 202, 218, 320</i>					
Veterans courts	936,400	Veterans treatment courts help to address particular needs of military veterans who become involved with the court system. Veterans treatment courts use a hybrid integration of drug treatment court and mental health court principles. They promote sobriety, recovery, and stability through a coordinated response that involves collaboration with the United States Department of Veterans Affairs. Currently, there are 25 veterans treatment courts operating in the state.	Funding Source(s):	GF/GP	936,400
<i>Related Boilerplate Section(s): 202, 309, 401</i>					
<b>GROSS APPROPRIATION</b>	<b>\$68,857,300</b>	<b>Total of all applicable line item appropriations.</b>			
IDG from department of corrections	50,600	User fees paid for Judicial Data Warehouse. Supports Judicial Information Systems line item.			
IDG from department of state police	1,500,000	Revenue from Byrne formula grant funding. Supports expansion of drug treatment courts (Drug Treatment Courts line item).			

DOJ, drug court training and evaluation	300,000	Authorization to receive grant funding from U.S. Department of Justice. Supports Drug Treatment Courts line item.
DOT, National Highway Traffic Safety Administration	2,214,400	Grants for training programs that focus on repeat and first-time drunk driving offenders and development of automated systems for collection, maintenance, and sharing of traffic safety data. Supports Judicial Institute line item (\$116,200), Drug Treatment Courts line item (\$1,875,000), and Judicial Information Systems line item (\$223,200).
HHS, access and visitation grant	622,900	Used for programs that facilitate non-custodial parents' access to their children. Supports SCAO line item.
HHS, children's justice grant	236,100	Used to implement judicial, attorney, and field worker trainings targeted at child welfare system improvement. Trainings are based on court improvement program committee findings and developed collaboratively with various stakeholder community agencies, Governor's Task Force on Child Abuse and Neglect, and Department of Health and Human Services. Supports SCAO line item.
HHS, court improvement project	1,320,600	Ongoing federal grant used for improvement in court processing of child protective proceedings. Supports SCAO line item.
HHS, title IV-D child support program	1,031,800	Supports Friend of the Court Bureau within SCAO line item.
HHS, title IV-E foster care program	395,900	Foster care/adoption assistance grants made available to Foster Care Review Board from U.S. Department of Health and Human Services. Supports Foster Care Review Board line item.
Other federal grant revenues	275,100	Authorization to receive other federal grant revenue that may become available. Supports Other Federal Grants line item.
Local – user fees	5,955,300	Fees assessed on case management software provided to local courts. Supports Direct Trial Court Automation Support line item.
Private	193,400	Authorization to receive grants that may become available from private organizations. Supports SCAO line item.
Private – interest on lawyers trust accounts	266,100	Revenue derived from pooled interest-bearing accounts into which attorneys are allowed to deposit certain short-term trust funds; distributed by State Bar Foundation under Supreme Court rule. Used for legal services for the poor and improvements in administration of justice. Supports SCAO line item.
Private – state justice institute	425,300	Grant funding received from State Justice Institute, a non-profit corporation established by Congress to award grants to improve quality of justice in state courts. Supports SCAO line item (\$364,300) and Judicial Institute line item (\$61,000).
Community dispute resolution fund	2,384,000	Revenue derived from civil filing fees that are deposited in Civil Filing Fee Fund and disbursed to Community Dispute Resolution Program to be used for mediation, conciliation, and other forms of voluntary dispute resolution services as an alternative to judicial process. Revenue distributed to dispute resolution centers as grant funding by SCAO. Supports Community Dispute Resolution line item.
Court of appeals filing/motion fees	1,641,800	Revenue generated by statutorily-set motion and filing fees for the Court of Appeals. Supports Swift and Sure Sanctions Program line item.
Drug court fund	1,920,500	Revenue derived from civil infraction assessments and statutory state costs in criminal cases that are deposited into Justice System Fund and disbursed to Drug Court Fund under statutory allocation formula. Supports Drug Treatment Courts line item.

Justice system fund	581,000	Revenue earmarked from Justice System Fund (0.98% of funds available) for oversight and monitoring of fund collections and distributions by SCAO. Supports SCAO line item.
Law exam fees	657,000	Fees collected by Board of Law Examiners from applicants for admission to the bar. Fees to be used for compensating board members and for administering Michigan Bar Exam. Supports Supreme Court Administration line item.
Miscellaneous revenue	275,700	Authorization to receive revenue that may become available from miscellaneous functions, such as sale of publications and court reporter certification fees. Supports Supreme Court Administration line item (\$38,500), SCAO line item (\$149,600), and Swift and Sure Sanctions Program line item (\$87,600).
State court fund	388,000	Revenue directed to SCAO administrative costs from funding allocated to State Court Fund from Civil Filing Fee Fund, Justice System Fund, and Friend of the Court service fees. Supports SCAO line item.
<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$46,221,800</b>	<b>Unrestricted state revenue from taxes and other sources.</b>

## SECTION 103: COURT OF APPEALS

*Article VI, Section 1 of the Constitution of the State of Michigan provides for the Michigan Court of Appeals, with jurisdiction provided by law, and practice and procedure prescribed by Supreme Court rule. The Court of Appeals is an "intermediate" appellate court between state trial courts and the Supreme Court. There are 27 judges nominated and elected at nonpartisan elections. The court hears civil and criminal cases. Three-judge panels hear cases in Lansing, Detroit, Grand Rapids, and Marquette. Panels are rotated with an aim to counteract regional variance and to promote statewide uniformity in rulings.*

*When circumstances require, the Supreme Court may assign additional judges to increase the number of panels available. The procedure for hearing cases is similar to that followed by the Supreme Court. The decision of a panel of the Court of Appeals is final except in those cases where the decision is reviewed by the Supreme Court.*

Full-time equated exempted positions	175.0	Full-time equated (FTE) positions not in the state classified service.
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Court of appeals operations – 175.0 FTE positions	\$23,446,900	Funds operational and staff costs, including those of judges' offices, clerk's office, research division, information systems department, finance office, and security department.
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Funding Source(s):      GF/GP    23,446,900

*Related Boilerplate Section(s): 202, 204, 205, 211, 212, 213, 215, 219, 317*

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<b>GROSS APPROPRIATION</b>	<b>\$23,446,900</b>	<b>Total of all applicable line item appropriations.</b>
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<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$23,446,900</b>	<b>Unrestricted state revenue from taxes and other sources.</b>
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## SECTION 104: BRANCHWIDE APPROPRIATIONS

*This appropriation unit provides funding for rent, security, and worker's compensation costs.*

Full-time equated exempted positions	4.0	Full-time equated (FTE) positions not in the state classified service.
Branchwide appropriations – 4.0 FTE positions	\$9,123,100	Funds a variety of operational costs pertaining to the judicial branch as a whole: private rent and building occupancy charges for the Michigan Supreme Court, State Court Administrative Office, and Court of Appeals; worker's compensation; security for the Hall of Justice.  Funding Source(s): GF/GP 9,123,100  <i>Related Boilerplate Section(s): 202, 205, 215, 317</i>
<b>GROSS APPROPRIATION</b>	<b>\$9,123,100</b>	<b>Total of all applicable line item appropriations.</b>
<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$9,123,100</b>	<b>Unrestricted state revenue from taxes and other sources.</b>



## SECTION 105: JUSTICES' AND JUDGES' COMPENSATION

*The State Officers Compensation Commission (SOCC) determines Supreme Court Justices' salaries, which currently stand at \$164,610. All other judges' salaries are determined by statute, the Revised Judicature Act of 1961, 1961 PA 236. For FY 2017-18, the salary for a judge of the Court of Appeals is \$157,544; the salary for a circuit or probate court judge is \$145,558; and the salary for a district court judge is \$143,844.*

*District and circuit court judges' salaries are paid by the state in two stages. The first is the largest portion, or state portion, in which a warrant is provided by the state directly to the judge. The remaining portion of the salary is paid by the court funding unit, which is then reimbursed for the entire amount by the state.*

*Probate court judges' salaries are paid by local funding units, which are then reimbursed by the state. Reimbursements for part-time probate court judges, however, are limited to \$25,750 each.*

Full-time judges and justices	588.0	Full-time judges and justices.
Supreme court justices' salaries – 7.0 justices	\$1,152,300	Funding for justices' salaries; justices' health care and life insurance benefits funded from Supreme Court Administration line item.
		Funding Source(s): GF/GP 1,152,300
		<i>Related Boilerplate Section(s): 202, 216, 217, 308, 317</i>
Circuit court judges' state base salaries – 214.0 judges	21,364,800	State salary share paid by the state directly to circuit court judges.
		Funding Source(s): Restricted 1,237,700 GF/GP 20,127,100
		<i>Related Boilerplate Section(s): 202, 216, 217, 308, 317</i>
Circuit court judicial salary standardization	9,785,000	Local salary share paid to circuit court judges, reimbursed by the state.
		Funding Source(s): Restricted 592,000 GF/GP 9,193,000
		<i>Related Boilerplate Section(s): 202, 308</i>
Court of appeals judges' salaries – 27.0 judges	4,252,700	Funding for appeals judges' salaries; appeals judges' health care and life insurance benefits funded from Court of Appeals Operations line item.
		Funding Source(s): GF/GP 4,252,700
		<i>Related Boilerplate Section(s): 202, 216, 217, 308, 317</i>
District court judges' state base salaries – 237.0 judges	23,254,600	State salary share paid by the state directly to district court judges.
		Funding Source(s): GF/GP 23,254,600
		<i>Related Boilerplate Section(s): 202, 216, 217, 308, 317</i>
District court judicial salary standardization	10,836,700	Local salary share paid to district court judges, 100% reimbursed by the state.
		Funding Source(s): GF/GP 10,836,700
		<i>Related Boilerplate Section(s): 202, 308</i>

Probate court judges' state base salaries – 103.0 judges	10,203,000	State salary share, which the state reimburses at 100%, paid to probate court judges.		
			Funding Source(s):	Restricted 590,400 GF/GP 9,612,600
			<i>Related Boilerplate Section(s): 202, 216, 217, 308, 317</i>	
Probate court judicial salary standardization	4,669,600	Local salary share paid to probate court judges, reimbursed by the state.		
			Funding Source(s):	Restricted 282,000 GF/GP 4,387,600
			<i>Related Boilerplate Section(s): 202, 308</i>	
Judges' retirement system defined contributions	4,761,200	Employer's share of retirement costs for judges who participate in defined contribution retirement plan.		
			Funding Source(s):	GF/GP 4,761,200
			<i>Related Boilerplate Section(s): 202, 308</i>	
OASI, social security	5,954,100	Employer's share of social security.		
			Funding Source(s):	GF/GP 5,954,100
			<i>Related Boilerplate Section(s): 202, 308</i>	
<b>GROSS APPROPRIATION</b>	<b>\$96,234,000</b>	<b>Total of all applicable line item appropriations.</b>		
Court fee fund	2,702,100	By statute, Court Fee Fund consists of court fee revenue that is in excess of amount required to meet actuarial needs of judicial retirement system. Court Fee Fund supports judicial salaries and Court Equity Fund.		
<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$93,531,900</b>	<b>Unrestricted state revenue from taxes and other sources.</b>		

## SECTION 106: JUDICIAL AGENCIES

*This appropriation unit provides funding for the nine-member Judicial Tenure Commission, which was established by Article VI, Section 30 of the Constitution of the State of Michigan. The commission serves to promote the integrity of the judicial process and to preserve public confidence in the courts by holding judges accountable for their misconduct without jeopardizing or compromising the essential independence of the judiciary. The commission consists of four judges elected by the judges of the state's courts, three members elected by the State Bar of Michigan, and two members appointed by the Governor.*

Full-time equated exempted positions	7.0	Full-time equated (FTE) positions not in the state classified service.
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Judicial tenure commission – 7.0 FTE positions	\$1,149,700	Investigates complaints against judges, and, where appropriate, recommends disciplinary action by Supreme Court; small permanent staff provides administrative and investigative support; temporary special investigators are employed as needed.
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Funding Source(s):      GF/GP      1,149,700

*Related Boilerplate Section(s): 202, 215, 317*

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<b>GROSS APPROPRIATION</b>	<b>\$1,149,700</b>	<b>Total of all applicable line item appropriations.</b>
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<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$1,149,700</b>	<b>Unrestricted state revenue from taxes and other sources.</b>
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## SECTION 107: INDIGENT DEFENSE - CRIMINAL

*This appropriation unit provides funding for the State Appellate Defender Office and the Michigan Appellate Assigned Counsel System, operated under the authority of the State Appellate Defender Commission, which was established within the State Court Administrative Office pursuant to 1978 PA 620.*

Full-time equated exempted positions	51.0	Full-time equated (FTE) positions not in the state classified service.
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Appellate public defender program – 51.0 FTE positions	\$7,795,000	State appellate defender office (SADO) represents convicted indigent defendants on appeal and provides support services and training to criminal defense attorneys. Training services include a website which provides assigned counsel with manuals, pleadings, databases, training videos, and tools needed to provide effective defense representation. SADO manages the Michigan Appellate Assigned Counsel System (MAACS), which administers the assignment of all indigent appeals from felony convictions in the trial courts and maintains a statewide roster of attorneys eligible for and willing to accept appointment as criminal appellate defense counsel for indigents. MAACS also monitors attorney compliance with Minimum Standards for Indigent Criminal Appellate Defense Services and provides continuing legal education training programs to attorneys on the statewide roster.
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Funding Source(s):	Federal	67,300
	Private	84,800
	Restricted	136,900
	GF/GP	7,506,000

*Related Boilerplate Section(s): 202, 204, 205, 211, 212, 213, 215, 219, 317, 322, 402*

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<b>GROSS APPROPRIATION</b>	<b>\$7,795,000</b>	<b>Total of all applicable line item appropriations.</b>
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Other federal grant revenues	67,300	Authorization to receive other federal grant revenue that may become available.
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Private – interest on lawyers trust accounts	84,800	Revenue derived from pooled interest-bearing accounts into which attorneys are allowed to deposit certain short-term trust funds; distributed by State Bar Foundation under Supreme Court rule. Used for legal services for the poor and improvements in administration of justice.
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Miscellaneous revenue	136,900	Authorization to receive revenue that may become available from miscellaneous functions, such as sale of publications.
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<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$7,506,000</b>	<b>Unrestricted state revenue from taxes and other sources.</b>
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## SECTION 108: INDIGENT CIVIL LEGAL ASSISTANCE

*This appropriation unit provides funding for legal aid programs that provide legal assistance to indigent people involved in civil litigation.*

Indigent civil legal assistance                      \$7,937,000      Represents 23% of the State Court Fund that statute allocates to indigent civil legal assistance programs; distributed by Michigan State Bar Foundation to providers of indigent legal services.

Funding Source(s):    Restricted    7,937,000

*Related Boilerplate Section(s): 202*

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**GROSS APPROPRIATION    \$7,937,000    Total of all applicable line item appropriations.**

State court fund                      7,937,000      State Court Fund receives statutory allocations from Justice System Fund (revenue from civil infraction assessments and statutory state costs in criminal cases) and Civil Filing Fee Fund (revenue from filing fees in civil cases). State Court Fund supports indigent civil legal assistance and Court Equity Fund.

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**STATE GENERAL FUND/  
GENERAL PURPOSE                      \$0    Unrestricted state revenue from taxes and other sources.**

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## SECTION 109: TRIAL COURT OPERATIONS

*This appropriation unit provides funding for various grant programs and reimbursements in support of trial courts. Primary among these is the Court Equity Fund Reimbursements program.*

Full-time equated exempted positions	5.0	Full-time equated (FTE) positions not in the state classified service.
Court equity fund reimbursements	\$60,815,700	<p>Court equity grant program assists counties with trial court operational expenses. Funding from Court Equity Fund is combined with GF/GP and distributed to counties quarterly under a statutory formula that recognizes circuit and probate court caseload activity and number of judgeships allocated to each county.</p> <p style="text-align: right;">Funding Source(s):   Restricted   50,440,000  <span style="margin-left: 200px;">GF/GP   10,375,700</span></p> <p style="text-align: center;"><i>Related Boilerplate Section(s): 202</i></p>
Drug case-flow program	250,000	<p>Assists trial courts with complying with requirements for timely management and reporting to the Secretary of State of information related to specific drug cases. Fees collected from certain drug-related offenses are distributed to trial courts by formula by SCAO.</p> <p style="text-align: right;">Funding Source(s):   Restricted   250,000</p> <p style="text-align: center;"><i>Related Boilerplate Section(s): 202</i></p>
Drunk driving case-flow program	3,300,000	<p>Assists trial courts with timely disposition of cases in which defendants are charged with qualifying drunk driving offenses under either state statute or local ordinance. Fees from certain drunk driving offenses are distributed to trial courts by formula by SCAO.</p> <p style="text-align: right;">Funding Source(s):   Restricted   3,300,000</p> <p style="text-align: center;"><i>Related Boilerplate Section(s): 202</i></p>
Judicial technology improvement fund	4,815,000	<p>Funds ongoing support for an integrated statewide judicial information system and other technology innovations that will result in enhanced public service and access to local trial courts. Funded wholly through Judicial Technology Improvement Fund.</p> <p style="text-align: right;">Funding Source(s):   Restricted   4,815,000</p> <p style="text-align: center;"><i>Related Boilerplate Section(s): 202</i></p>
Juror compensation reimbursement	6,600,000	<p>Assists trial courts with increased costs of juror compensation following statutory increases in minimum compensation that took effect October 1, 2003.</p> <p style="text-align: right;">Funding Source(s):   Restricted   6,600,000</p> <p style="text-align: center;"><i>Related Boilerplate Section(s): 202</i></p>
Statewide e-file system	8,500,000	<p>Authorization to receive electronic filing fee revenue to support implementation, operation, and maintenance of the statewide electronic filing system. The system is used for initiating original actions and appeals; filing motions, briefs, and other materials in existing cases; serving all filings on opposing parties; making fee payments; and requesting fee waivers.</p> <p style="text-align: right;">Funding Source(s):   Restricted   8,500,000</p> <p style="text-align: center;"><i>Related Boilerplate Section(s): 202</i></p>

<b>GROSS APPROPRIATION</b>	<b>\$84,280,700</b>	<b>Total of all applicable line item appropriations.</b>
Court equity fund	50,440,000	Revenue derived from various statutory court fees and costs; receives statutory allocations from four funds: Justice System Fund, Civil Filing Fee Fund, Court Fee Fund, and State Court Fund.
Drug fund	250,000	Created by 1993 PA 359; promotes timely disposition of drug offenses. Funding is disbursed to district, probate, and circuit courts annually using a caseload-based formula.
Drunk driving fund	3,300,000	Created by 1991 PA 91; promotes timely disposition of drunk driving offenses. Funding is disbursed to district and municipal courts annually using a caseload-based formula.
Electronic filing fee fund	8,500,000	Created by 2015 PA 234; statutorily-set fees paid by parties filing civil actions.
Judicial technology improvement fund	4,815,000	Judicial Technology Improvement Fund receives statutory allocations from Civil Filing Fee Fund, which is supported by filing fees imposed in civil cases.
Juror compensation fund	6,600,000	Created by 2002 PA 740; revenue from driver's license clearance fee and jury demand fee earmarks.
<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$10,375,700</b>	<b>Unrestricted state revenue from taxes and other sources.</b>

## SECTION 110: ONE-TIME APPROPRIATIONS

*This appropriation unit contains FY 2017-18 appropriations which are intended by the legislature to be one-time allocations that may not be reauthorized in future years.*

Full-time equated exempted positions	11.0	Full-time equated (FTE) positions not in the state classified service.
Compliance with <u>Montgomery v Louisiana</u> decision – 11.0 FTE positions	\$700,000	Funding for SADO to ensure compliance with court ruling by providing post-conviction representation of juvenile lifers in resentencings.  Funding Source(s):      GF/GP      700,000  <i>Related Boilerplate Section(s): 202, 402</i>
Expansion of problem solving courts	219,300	Funding to expand the number of participating courts and to increase the number of court participants.  Funding Source(s):      GF/GP      219,300  <i>Related Boilerplate Section(s): 202, 309, 401</i>
Pretrial risk assessment	300,000	Funding to support development of a pretrial risk assessment tool that will provide relevant information to judges so they can make evidence-based bond decisions.  Funding Source(s):      GF/GP      300,000  <i>Related Boilerplate Section(s): 202, 316</i>
<b>GROSS APPROPRIATION</b>	<b>\$1,219,300</b>	<b>Total of all applicable line item appropriations.</b>
<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$1,219,300</b>	<b>Unrestricted state revenue from taxes and other sources.</b>



## BOILERPLATE SECTION INFORMATION

**Sec. 201. State Spending and State Appropriations Paid to Local Units of Government**

Estimates total state spending from state sources and payments to be made to local units of government.

**Sec. 202. Appropriations Subject to the Management and Budget Act and Transfer Authority**

Subjects appropriations to Management and Budget Act, 1984 PA 431; specifies appropriations transfer process for entities in judicial branch.

**Sec. 203. Terms and Acronyms**

Defines various terms and acronyms contained in Article XII.

**Sec. 204. Internet Availability of Required Reports**

Requires judicial branch to use Internet to fulfill reporting requirements; authorizes transmission of reports via e-mail.

**Sec. 205. Purchase of Foreign Goods**

Prohibits purchase of foreign goods or services if competitively priced and of comparable quality American goods or services are available; requires preference to be given to goods and services manufactured or provided by Michigan businesses and Michigan businesses owned and operated by veterans.

**Sec. 207. Out-of-State Travel**

Requires SCAO to report on out-of-state travel by judicial branch employees in previous fiscal year that was paid for, in whole or in part, with state appropriations.

**Sec. 209. General Fund Lapses**

Requires State Budget Office (SBO) to report on estimates of general fund lapses by major program or program areas at close of fiscal year.

**Sec. 211. Transparency Website**

Requires judicial branch to maintain a searchable website accessible by the public that includes all expenditures made by judicial branch within fiscal year, to include purpose of expenditures.

**Sec. 212. Report on State Restricted Funds**

Requires judicial branch to work with SBO to report annually on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures.

**Sec. 213. Website for Performance Scorecard**

Requires judiciary to maintain, on a publicly accessible website, a scorecard that identifies, tracks, and regularly updates key metrics used to monitor and improve judiciary's performance.

**Sec. 214. Legacy Costs**

States total amount of funding estimated to be expended on legacy costs in FY 2017-18 is \$14.0 million (\$7.2 million on pension-related legacy costs; \$6.8 million on health care-related legacy costs).

**Sec. 215. Disciplinary Action Against State Employees**

Prohibits judicial branch from taking disciplinary action against employees for communicating with legislators or their staff.

**Sec. 216. Input on Foster Care Cases**

Expresses legislative intent that judges presiding over hearings on foster care cases publicly acknowledge and request input from foster parent(s) during hearings.

**Sec. 217. Changes to Foster Care Family Service Plans**

Expresses legislative intent that judges presiding over foster care cases provide explanations in court records for any changes made to foster care family service plans.

**Sec. 218. Linking Swift and Sure Sanctions Program to DHHS and DTED Programs**

Requires SCAO to evaluate programs within Department of Health and Human Services and Department of Talent and Economic Development to establish programmatic connections with Swift and Sure Sanctions program participants for purpose of leveraging collaborations and determining avenues of success for offenders who are eligible for state-provided programs; requires SCAO to deliver guidance to courts participating in Swift and Sure Sanctions program.

## BOILERPLATE SECTION INFORMATION

**Sec. 219. Receipt and Retention of Required Reports**

Requires judicial branch to receive and retain copies of all reports required; requires federal and state guidelines to be followed for short- and long-term retention of records; authorizes judicial branch to electronically retain copies of reports unless otherwise required by federal and state guidelines.

**Sec. 301. Direct Trial Court Automation Support**

Requires SCAO to recover direct and overhead costs from trial courts by charging fees for services rendered.

**Sec. 302. Expenditure Approval**

Requires Supreme Court approval of expenditure of appropriated funds.

**Sec. 303. Statutory Reimbursements**

Specifies allocation of funding for Circuit Court and Court of Claims reimbursement.

**Sec. 304. Judicial Data Warehouse**

Authorizes members of legislature to request data or reports from data collected in judicial data warehouse; requires data to be made available to public, unless disclosure is prohibited; requires data provided to be public and non-identifying information.

**Sec. 306. Collected and Uncollected Payments and Fees**

Requires SCAO to provide statistical report, categorized by county, on collected and uncollected amounts of restitution payments, court fees, and other judgements placed on people within the counties.

**Sec. 307. Mental Health Diversion Council**

Expresses legislative intent that \$1.7 million of the appropriation for Mental Health and Diversion Services is to be used to address recommendations of Mental Health Diversion Council.

**Sec. 308. Judges' Salaries**

Authorizes appropriation of GF/GP to meet cost of judges' compensation should revenue from Court Fee Fund be insufficient; requires notification by SCAO within 14 days if appropriation is made.

**Sec. 309. Report on Problem-Solving Courts**

Requires SCAO to provide statistical report on drug treatment, mental health, and veterans court programs, including number of programs, number of participants, and program impacts on criminal involvement and recidivism.

**Sec. 311. Drug Treatment Courts**

Specifies criteria for drug treatment court grants; specifies that \$1.5 million in federal Byrne grant revenue is to be used for expanding drug treatment courts to assist in avoiding prison bed space growth for nonviolent offenders.

**Sec. 312. Parental Rights Restoration Act**

Requires SCAO to report on total number of petitions filed by minors seeking court-issued waivers of parental consent under Parental Rights Restoration Act, and total number of petitions granted.

**Sec. 316. Pretrial Risk Assessment**

Requires SCAO to pilot a pretrial risk assessment tool in an effort to provide relevant information to judges so they can make evidence-based bond decisions; requires SCAO to report on plans for piloting the tool, including implementation timeline; requires SCAO to report on costs associated with piloting the tool.

**Sec. 317. Judicial Car Leases**

Prohibits funding from being used for permanent assignment of state-owned vehicles to justices, judges, or other judicial branch employees.

**Sec. 320. Swift and Sure Sanctions Program**

Requires SCAO to administer Swift and Sure Sanctions program; authorizes SCAO to expend \$100,000 of appropriation to pay for employee costs associated with administration of program; reserves \$500,000 for programs in counties that had more than 325 individuals sentenced to prison in previous calendar year; requires SCAO to work with Department of Corrections to report on courts receiving funding, number of offenders participating, criminal history of offenders, recidivism rates, and parameters of program.

## BOILERPLATE SECTION INFORMATION

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

Requires judicial branch to support a statewide legal self-help website and local nonprofit self-help centers that provide assistance to persons representing themselves in civil legal proceedings; requires SCAO to summarize costs of maintaining website, provide statistics on number of people visiting website, and provide information on content usage, form completion, and user feedback.

**Sec. 322. State Appellate Defender Office Receipt of Federal Funding**

Authorizes SADO to receive and expend up to \$250,000 in federal Byrne grant funding and up to \$300,000 in other federal grant funding if made available from the U.S. Department of Justice.

**Sec. 324. Medication-Assisted Treatment Program**

Requires judiciary to maintain a medication-assisted treatment program to provide treatment for opioid-addicted and alcohol-addicted individuals who are referred to and who voluntarily participate in the program.

**Sec. 401. Veterans Courts**

Requires \$68,000 of funding appropriated for veterans courts to be allocated to veterans court in Kalamazoo to be used for increasing number of participants and decreasing recidivism rates.

**Sec. 402. Compliance with U.S. Supreme Court Decision Regarding Juvenile Lifers**

Requires SADO to ensure compliance with U.S. Supreme Court ruling on *Montgomery v. Louisiana* case and to ensure competent, resourced, and supervised counsel in cases involving resentencing of juvenile lifers; requires SADO to submit report on number of juvenile lifer cases investigated and prepared, to include calculation of hours spent, and a focus on incremental costs associated with investigating and conducting each case.

**Sec. 1201. Anticipated FY 2018-19 Appropriations**

Expresses legislative intent that FY 2018-19 appropriations will be funded at same level as FY 2017-18 appropriations, adjusting for changes in caseloads, federal fund match rates, economic factors, and available revenues.





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AREAS OF RESPONSIBILITY

Table with 2 columns: Area of Responsibility and Contact Name. Includes categories like Agriculture and Rural Development, Attorney General, Auditor General, etc.



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