



Budget Briefing: Judiciary

Robin R. Risko, Associate Director

March 2025

Briefing Topics

- Funding Overview
 - Judiciary's Share of the Total State Budget
 - Funding History and Budget Changes
 - FY 2024-25 Budget
 - Funding Sources
- Appropriation Areas
- Major Budget Topics
 - Courts in Michigan
 - Judicial Salaries
 - Grant Programs – Problem Solving Courts
 - State Appellate Defender Office
 - Judicial Tenure Commission

Judicial Branch: Constitutional Mandate

“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.”

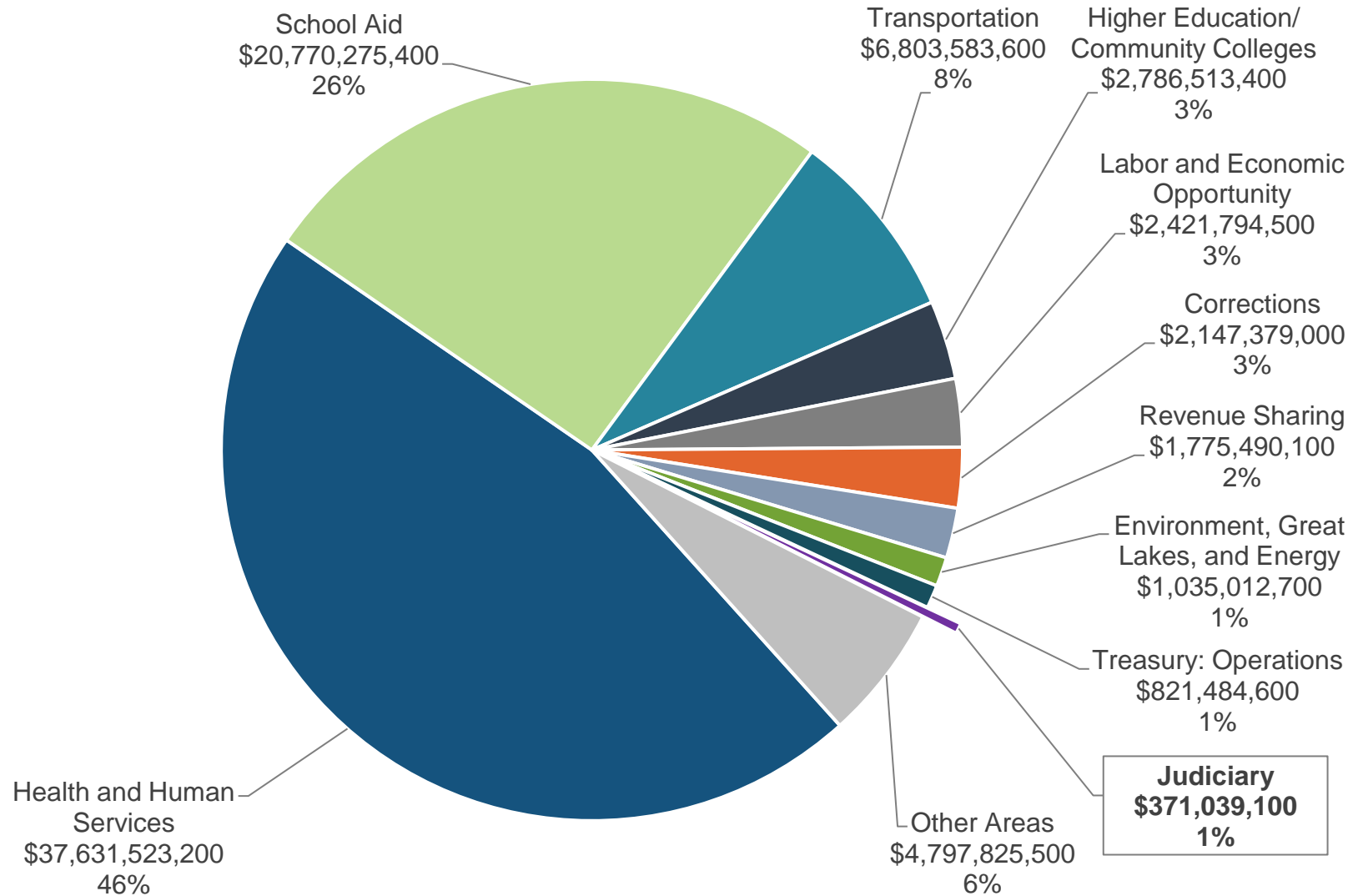
Article VI, Section 1

Constitution of the State of Michigan of 1963

Funding Overview

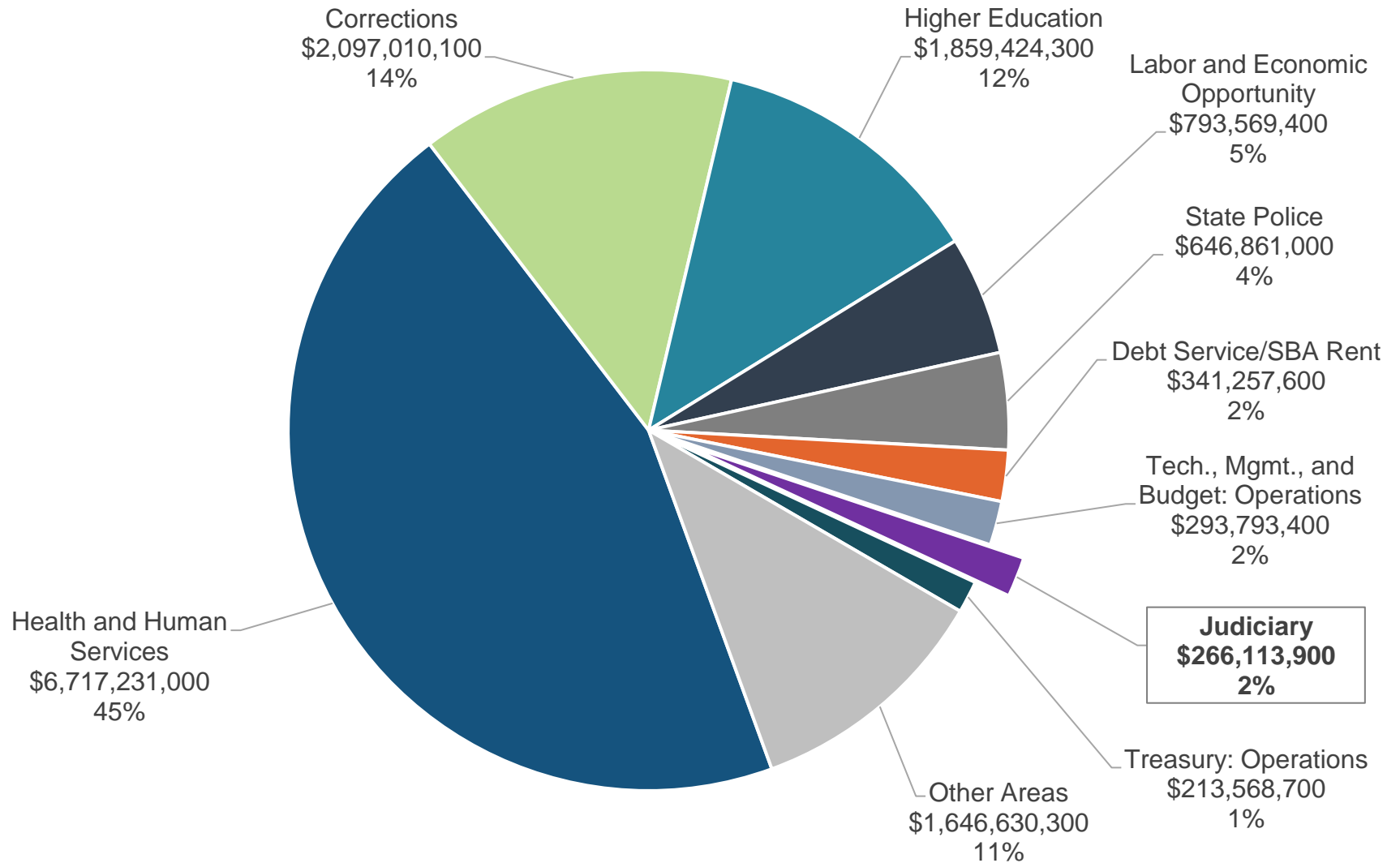
Judiciary Share of Total State Budget

The Judiciary budget represents less than 1% of the **\$81.4 billion** state budget (adjusted gross) for FY 2024-25.



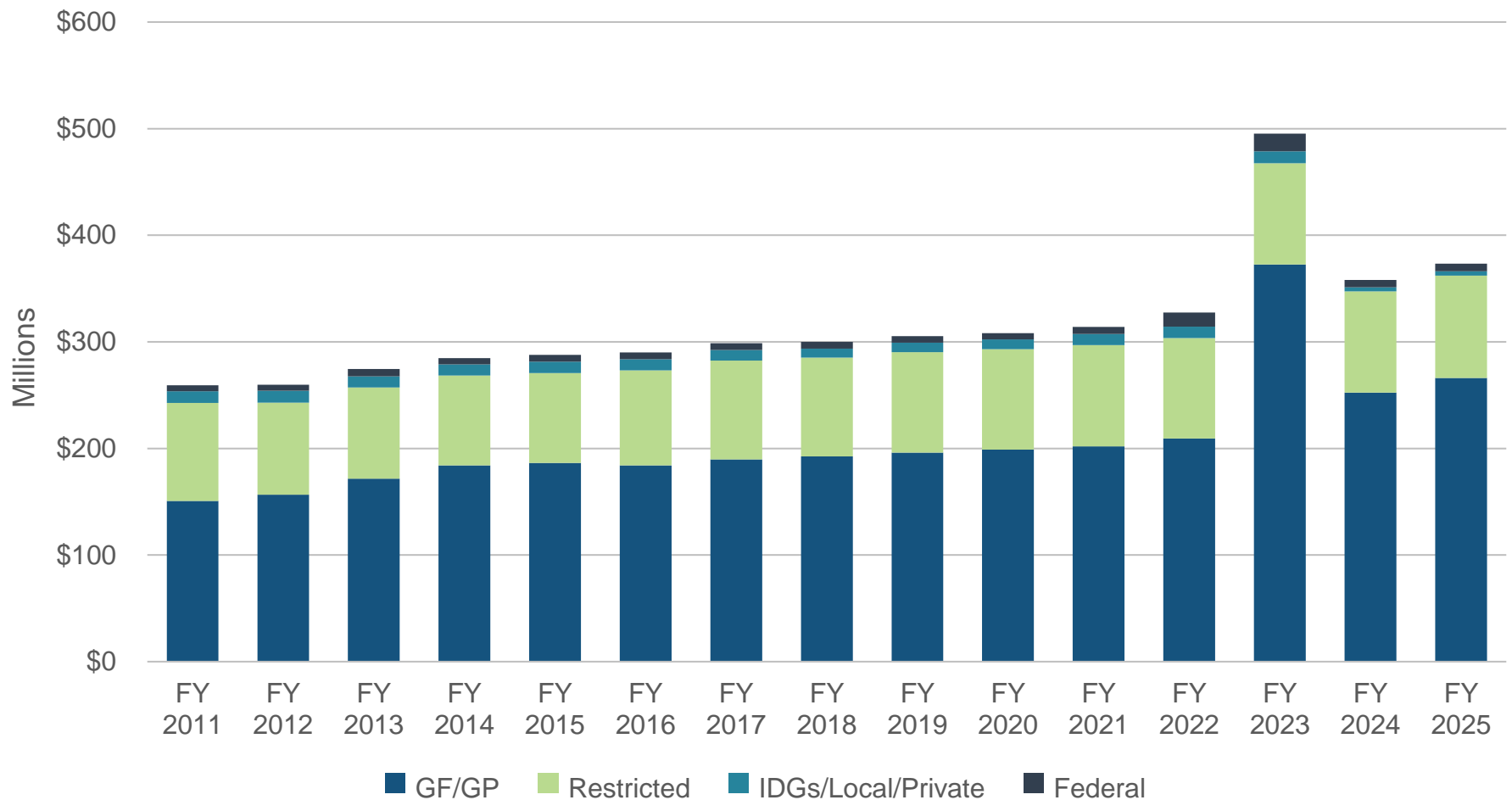
Judiciary Share of Total GF/GP Budget

The Judiciary budget represents **2%** of the state's **\$14.9 billion** GF/GP budget for FY 2024-25.



Judiciary Funding History

Funding for Judiciary has grown by a little over **44%** since FY 2010-11. Substantial growth in FY 2022-23 was due to a one-time appropriation of \$150.0 million to support a new statewide judicial case management system. In prior years, growth was due primarily to the expansion of problem-solving courts (i.e., drug treatment/DWI sobriety, mental health, and veterans courts) and other programs that offer community alternatives to prison.



5-Year History of Appropriations and FTEs

	<u>FY 2024-25</u>	<u>FY 2023-24</u>	<u>FY 2022-23</u>	<u>FY 2021-22</u>	<u>FY 2020-21</u>
FTEs	643.5	598.5	543.5	524.0	513.0
Gross	\$373,441,400	\$357,999,600	\$495,205,700	\$327,463,100	\$313,946,200
IDG	2,402,300	1,902,300	1,902,300	1,652,300	1,597,800
Federal	7,132,600	6,751,300	16,340,300	13,319,800	6,653,500
Local	0	0	7,782,600	7,619,800	7,654,500
Private	1,905,300	1,903,900	1,524,200	1,222,600	1,228,500
Restricted	95,887,300	95,152,600	95,181,400	94,312,700	94,877,600
GF/GP	\$266,113,900	\$252,289,500	\$372,474,900	\$209,335,900	\$201,934,300

Change in Appropriated Levels

	FY 25 chg from FY 24		FY 24 chg from FY 23		FY 23 chg from FY 22		FY 22 chg from FY 21	
	\$ chg	% chg	\$ chg	% chg	\$ chg	% chg	\$ chg	% chg
FTEs	45.0	7.5	55.0	10.1	19.5	3.7	11.0	2.1
Gross	\$15,441,800	4.3	(\$137,206,100)	(27.7)	\$167,742,600	51.2	\$13,516,900	4.3
IDG	500,000	26.3	0	0.0	250,000	15.1	54,500	3.4
Federal	381,300	5.6	(9,589,000)	(58.7)	3,020,500	22.7	6,666,300	100.2
Local	0	--	(7,782,600)	(100.0)	162,800	2.1	(34,700)	(0.5)
Private	1,400	0.1	379,700	24.9	301,600	24.7	(5,900)	(0.5)
Restricted	734,700	0.8	(28,800)	0.0	868,700	0.9	(564,900)	(0.6)
GF/GP	\$13,824,400	5.5	(\$120,185,400)	(32.3)	\$163,139,000	77.9	\$7,401,600	3.7

Historical GF/GP Budget Changes

- **Major FY 2025 Changes from FY 2024 – increase of \$13.8 million and 45.0 FTEs**
 - \$3.3 million to support 23.0 new attorney and support staff positions for SADO to meet workload standards recommended by the National Center for State Courts
 - \$1.9 million for additional state-funded 2% retirement contribution for judges
 - \$1.6 million and 7.0 FTEs for continued support of the statewide case management system
 - Removal of \$5.5 million in one-time funding that was included in FY 2024
 - \$2.0 million in one-time funding for eviction diversion pilot program, Operation Drive, oral fluid testing program, and status offender pilot program
 - \$8.9 million for economic adjustments

- **Major FY 2024 Changes from FY 2023 – reduction of \$120.2 million; increase of 55.0 FTEs**
 - \$11.9 million and 16.0 FTEs for continued support of the statewide case management system
 - \$3.2 million and 1.0 FTE to create a cost-share grant program with counties that increase pay rates for appellate counsel for indigent offenders
 - \$2.6 million and 18.0 FTEs for SADO to continue compliance with the U.S. and Michigan Supreme Court rulings on cases involving juveniles sentenced to life without parole
 - \$2.0 million and 13.0 FTEs to create and support a Juvenile Justice Services Division within SCAO
 - Removal of \$151.4 million in one-time funding that was included in FY 2023
 - \$5.5 million in one-time funding for expungement initiative, curriculum and benchbook development, and the statewide court data transparency project
 - \$2.8 million for economic adjustments

Historical GF/GP Budget Changes

- **Major FY 2023 Changes from FY 2022 – increase of \$163.1 million and 19.5 FTEs**
 - \$1.0 million to support data collection and analysis, technology modernization, and other judicial system process improvements
 - \$807,000 and 2.0 FTEs for the Judicial Tenure Commission to support attorney and support positions to assist with reducing case backlog
 - \$750,000 for expanding access to legal self-help centers
 - Removal of \$1.9 million in one-time funding that was included in FY 2022
 - \$151.4 million in one-time funding for the statewide case management system, SADO compliance with U.S. Supreme Court ruling on cases involving juveniles sentenced to life without parole, Judicial Tenure Commission, and judicial workload assessment study
 - \$7.3 million for economic adjustments

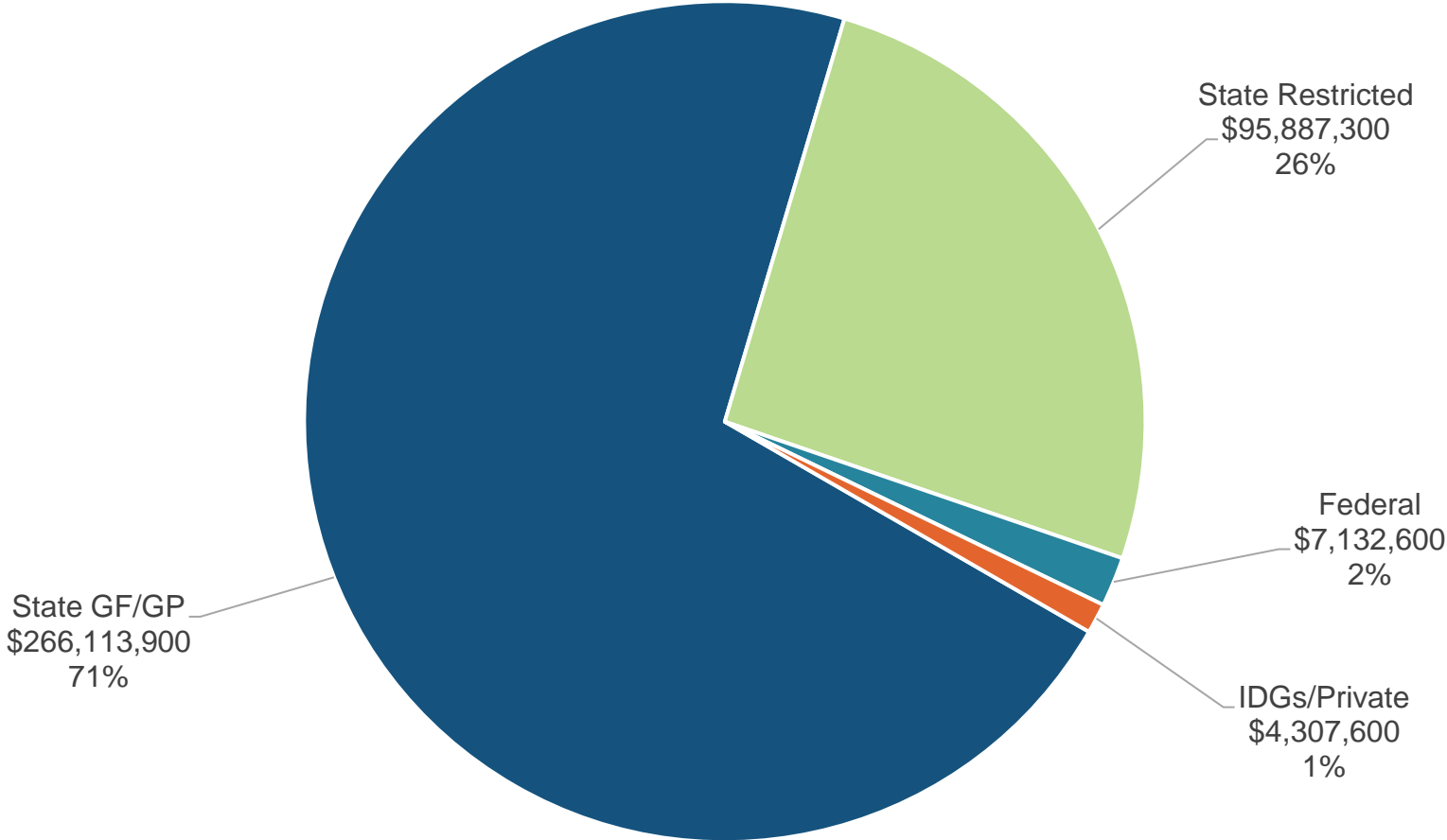
- **Major FY 2022 Changes from FY 2021 – increase of \$7.4 million and 11.0 FTEs**
 - \$1.4 to cover a shortfall in the amount of Court Fee Fund revenue that was available to support payment of salaries of circuit and probate court judges
 - \$798,000 and 2.0 FTEs for the Justice For All Commission to implement a strategic plan for systemic simplification of court rules and processes, including court forms
 - \$605,000 to support costs related to implementation of the Michigan clean slate initiative which makes criminal record expungement automatic for people who are eligible
 - Removal of \$1.8 million in one-time funding that was included in FY 2021
 - \$1.7 million in one-time funding for expansion of problem-solving courts, Judicial Tenure Commission, and SADO compliance with U.S. Supreme Court ruling on cases involving juveniles sentenced to life without parole
 - \$3.4 million for economic adjustments

FY 2024-25 Judiciary Budget

Fund Source	Funding	Description
Gross Appropriations	\$373,441,400	Total spending authority from all revenue sources
Interdepartmental Grants (IDG) Revenue	2,402,300	Funds received by one state department from another state department, usually for services provided
Adjusted Gross Appropriations	\$371,039,100	Gross appropriations excluding IDGs; avoids double counting when adding appropriation amounts across budget areas
Federal Revenue	7,132,600	Federal grant or matching revenue; generally dedicated to specific programs or purposes
Local Revenue	0	Revenue received from local units of government for state services
Private Revenue	1,905,300	Revenue from individuals and private entities, including payments for services, grants, and other contributions
State Restricted Revenue	95,887,300	State revenue restricted by the State Constitution, state statute, or outside restriction that is available only for specified purposes; includes most fee revenue
State General Fund/General Purpose (GF/GP) Revenue	\$266,113,900	Unrestricted revenue from taxes and other sources available to fund basic state programs and other purposes determined by the legislature

FY 2024-25 Fund Sources

The Judiciary budget is funded **97%** with state general fund and state restricted funding.



Appropriation Areas

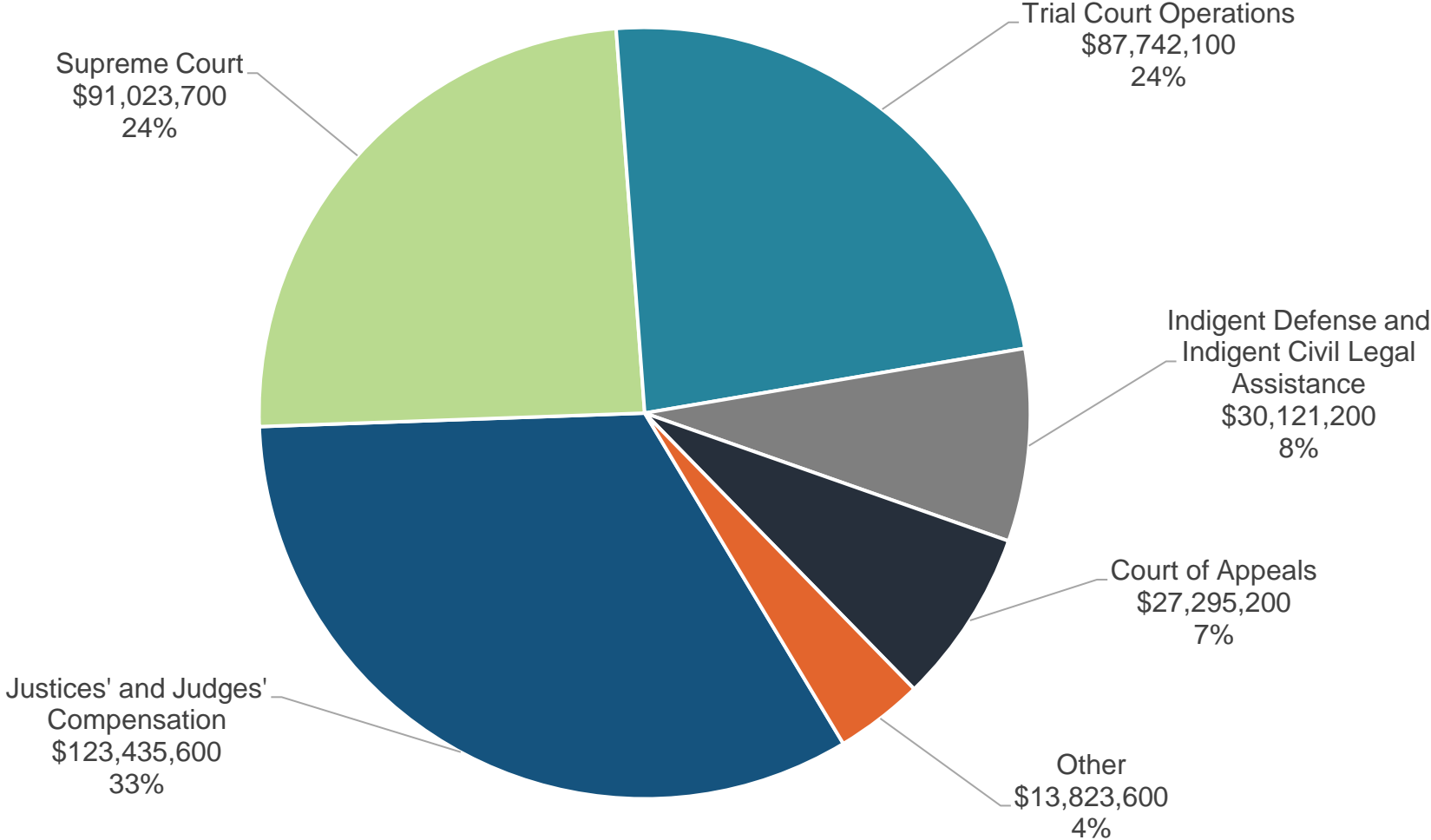
Judiciary Appropriation Areas

The Judiciary budget is allocated into the following major spending areas:

- Supreme Court (includes all FY 2024-25 one-time appropriations)
- Court of Appeals
- Trial Court Operations
- Justices' and Judges' Compensation
- Indigent Defense and Indigent Civil Legal Assistance
- Other (Judicial Tenure Commission and Branchwide Appropriations)

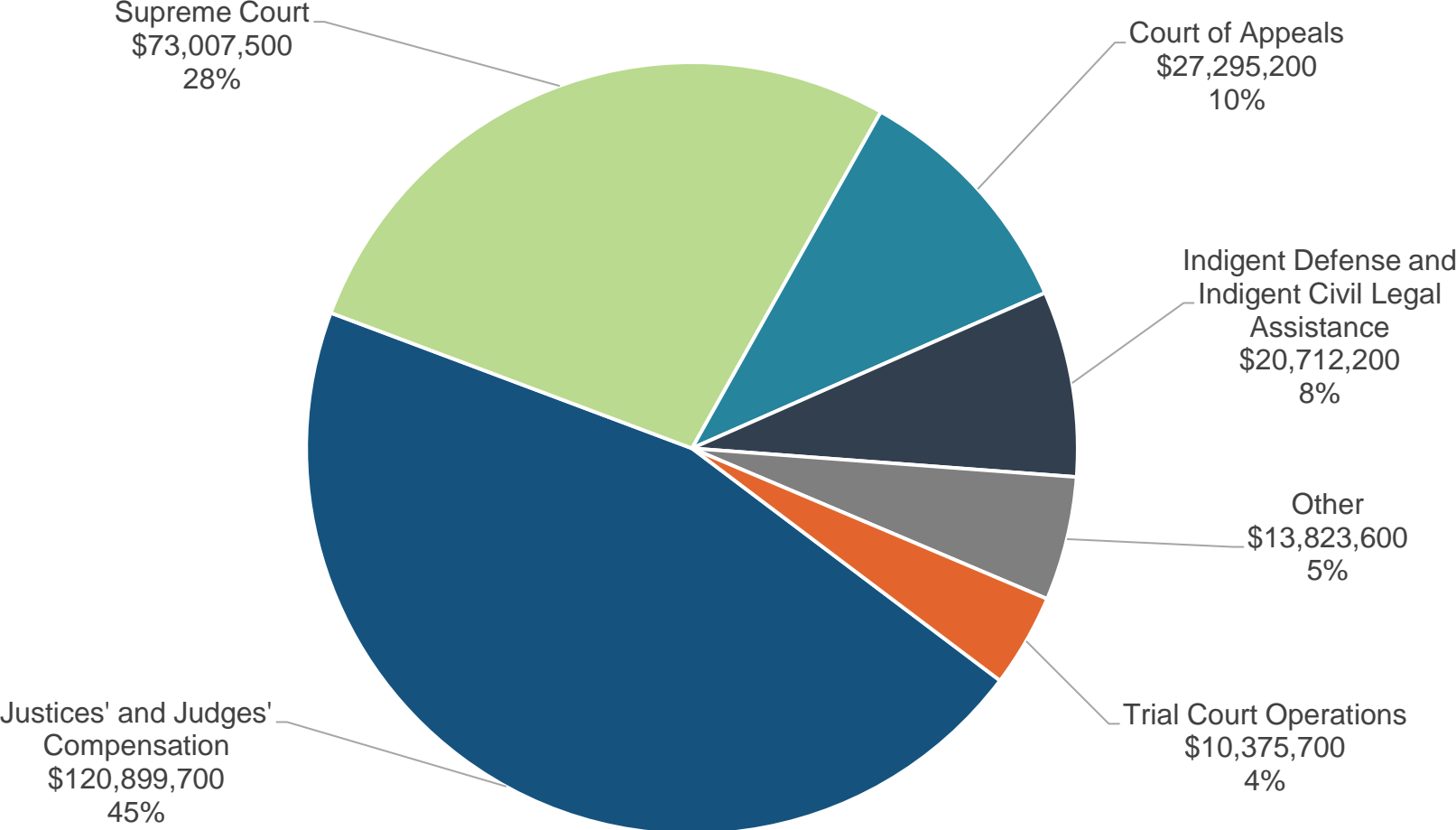
FY 2024-25 Gross Appropriations

Of the total **\$373.4 million** appropriated in the Judiciary budget, **\$302.2 million**, or **81%**, supports justices' and judges' compensation, the Supreme Court, and trial court operations.



FY 2024-25 GF/GP Appropriations

Of the total **\$266.1 million** GF/GP appropriated in the Judiciary budget, **\$120.9 million**, or **45%**, supports justices' and judges' compensation.



Major Budget Topics

Courts in Michigan

The court system in Michigan has three levels: the Supreme Court, the Court of Appeals, and Trial Courts

○ ***Supreme Court***

- The state's highest court; has the final word on state law
- Hears appeals mainly from decisions of the Court of Appeals
- No jurors, no witnesses
- **7 Supreme Court Justices elected to eight-year terms**
- Decisions made by majority vote
- Responsible for general administrative supervision of all other courts in the state; establishes rules for practice and procedure in all state courts

○ ***Court of Appeals***

- Is considered an error-correcting court
- Hears appeals from trial courts
- No jurors, no witnesses
- **25 Court of Appeals judges elected to six-year terms**
- Judges randomly assigned to 3-judge panels and sit statewide though they are elected from one of four districts – District 1 (Detroit), District 2 (Troy), District 3 (Grand Rapids), and District 4 (Lansing)
- 2 of the 3 judges must agree on the ruling in a case for it to be binding

Courts in Michigan

Trial Courts are where facts are decided; there are jurors and witnesses; trial courts are in every county across the state

- **Circuit Courts** – have the broadest powers; handle all civil cases with claims of more than \$25,000 and all felony criminal cases; handle appeals from district courts and administrative appeals; **57 circuit courts** in Michigan; **221 circuit court judges** elected to six-year terms
 - Family division of circuit court handles all cases regarding divorce, paternity, adoptions, personal protection actions, emancipation of minors, juvenile offenses and delinquency, juvenile guardianship, child abuse and neglect, safe delivery of newborns, name changes, and treatment and testing of infectious disease
 - Friend of the Court is part of the family division of the circuit court and handles domestic relations cases involving minor children
- **Probate Courts** – handle wills; administer estates and trusts; appoint guardians and conservators; order treatment for mentally ill and developmentally disabled persons; **78 probate courts** in Michigan; **104 probate court judges** elected to six-year terms

Courts in Michigan

Trial Courts: (continued)

- ***District Courts*** – handle most traffic violations, most traffic tickets, all civil cases with claims up to \$25,000, small claims up to \$6,500, landlord-tenant matters, ordinance violations, all misdemeanor criminal cases, and preliminary stages of felony criminal cases; **100 district courts** in Michigan; **232 district court judges** elected to six-year terms
- ***Municipal Courts*** – handle misdemeanor criminal cases, preliminary stages of felony criminal cases, civil cases up to \$1,500 or \$3,000 if resolution exists, and traffic and parking infractions; have limited powers; located only in Grosse Pointe, Grosse Pointe Farms, Gross Pointe Park, and Grosse Point Shores/Grosse Pointe Woods
- ***Court of Claims*** – handles cases filed against the State of Michigan and its agencies; cases include highway defect, medical malpractice, contracts, constitutional claims, prisoner litigation, tax-related suits, and other claims for money damages over \$1,000

Courts in Michigan

Other Courts:

- Federal Courts (no state appropriations are used to support federal courts)
 - Hear cases that deal with the constitutionality of a law, cases involving laws and treaties of the U.S., cases involving ambassadors and public ministers, disputes between two or more states, admiralty (maritime) law, bankruptcy cases, and Habeas Corpus issues
 - 2 federal district courts in Michigan – U.S. District Court for the Eastern District of Michigan with offices in Bay City, Detroit, and Flint; and U.S. District Court for the Western District of Michigan with offices in Grand Rapids, Kalamazoo, Lansing, and Marquette
 - Judges on these courts are nominated by the U.S. President and confirmed by the U.S. Senate

Courts in Michigan

Other Courts:

- Tribal Courts (no state appropriations are used to support tribal courts)
 - Tribal courts resolve civil, criminal, and other legal matters within Indian jurisdiction
 - Michigan's state courts ensure mutual recognition of state and tribal judgments according to Michigan Court Rule (MCR 2.615)
 - Some tribal courts resemble federal and state courts; others use traditional means such as peacemaking, elders councils, and/or sentencing circles; some have both types of courts
 - There are 12 federally recognized Indian tribes in Michigan with courts: Bay Mills Indian Community, The Grand Traverse Band of Ottawa and Chippewa Indians, Hannahville Indian Community, Nottawaseppi Huron Band of Potawatomi, Keweenaw Bay Indian Community, Lac Vieux Desert Band of Lake Superior Chippewa Indians, Little River Band of Ottawa Indians, Little Traverse Bay Bands of Odawa Indians, Pokagon Band of Potawatomi Indians, Saginaw Chippewa Indian Tribe, Sault Ste. Marie Tribe of Chippewa Indians, and Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians

Judicial Salaries – Fiscal Year 2024-25

Supreme Court Justices’ salaries are determined by the State Officers Compensation Commission, as required by the State Constitution. All other judicial salaries are set according to the Revised Judicature Act. The number of justices/judges and annual salary amounts listed below are as of December 1, 2024.

Court	# of Justices/ Judges	Annual Salary	Total Cost of Salaries Only
Supreme Court	7	\$181,483	\$1,270,381
Court of Appeals	25	\$195,625	\$4,890,615
Circuit Court	221	\$180,741	\$39,943,737
Probate Court	104	\$180,741	\$18,797,053
District Court	232	\$180,741	\$41,931,886

Grant Programs to Assist Local Trial Courts

- **\$124.1 million**, or about **33%**, of the Judiciary budget is appropriated for various grant programs and reimbursements to local units
- Primary among these is the **Court Equity Fund Reimbursements** program, **\$60.8 million** Gross, used to assist local trial courts with operational expenses
- Funding from the Court Equity Fund (**\$50.4 million**) is combined with GF/GP funding (**\$10.4 million**) and is distributed to counties quarterly under a statutory formula that recognizes circuit and probate court caseload activity and the number of judgeships allocated to each county
- Court Equity Fund consists of state court fund revenues set aside for operational expenses of trial courts, proceeds of costs assessed by district courts, and certain court fees

Grant Programs to Assist Local Trial Courts

Other major grant programs include problem-solving courts:

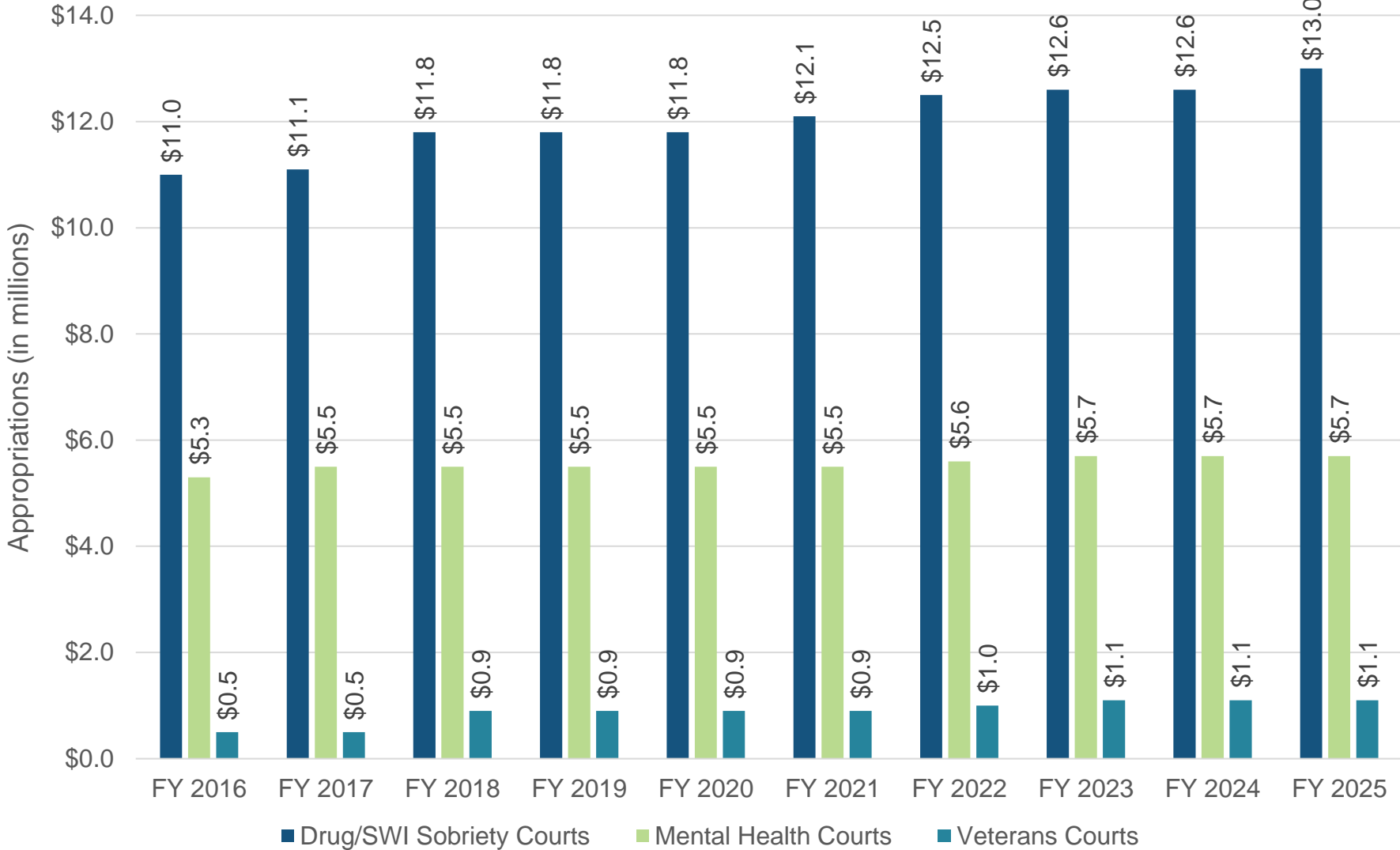
- **Drug Treatment/DWI Sobriety Courts: \$13.0 million Gross**
 - Operate to reduce criminal activity and to rehabilitate offenders diagnosed with substance use disorders through a combination of therapeutic services and judicial supervision
 - Offer an alternative to imprisonment for non-violent criminal offenders
 - As of December 31, 2024, there were **134 drug treatment/DWI sobriety courts** operating in the state (63 hybrid drug treatment/DWI sobriety courts, 37 DWI sobriety courts, 14 adult and 8 juvenile drug treatment courts, 8 family dependency courts, and 4 tribal drug treatment/DWI sobriety courts)

- **Mental Health Courts: \$5.7 million Gross**
 - Target offenders who have been diagnosed with serious mental illnesses, serious emotional disturbances, or developmental disabilities, and offer them opportunities to participate in court-based treatment programs to address their mental illnesses instead of sentencing them to lengthy jail or prison terms
 - Include 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
 - As of December 31, 2024, there were **39 mental health courts** operating in the state (34 adult and 5 juvenile courts)

Grant Programs to Assist Local Trial Courts

- **Veterans Courts: \$1.1 million Gross**
 - Were first established in 2012 to help address the particular needs of military veterans who become involved with the court system
 - Use a hybrid integration of drug treatment court and mental health court principles
 - Promote sobriety, recovery, and stability through a coordinated response that involves collaboration with the United States Department of Veterans Affairs
 - Provide an alternative to incarceration
 - As of December 31, 2024, there were **27 veterans treatment courts** operating in the state
- **Swift and Sure Sanctions Program: \$3.4 million Gross**
 - Funding is used to provide a high-intensity supervision program that provides close monitoring and swift sanctions in the event of probation violations; program focuses on high-risk, felony offenders
 - Grants were first implemented in FY 2012; \$1.0 million was received from the Department of Corrections for a pilot program
 - Funding was increased to \$6.0 million in FY 2013; funding was decreased to \$4.0 million in FY 2017, decreased to \$3.6 million in FY 2020, and decreased further, to \$3.4 million in FY 2021
 - As of December 31, 2024, there were **21 circuit courts** receiving grant funding under the program

Funding for Problem-Solving Courts



State Appellate Defender Office

State Appellate Defender Office (SADO): \$22.2 million Gross

- SADO fulfills statutory requirements of the Appellate Defender Act, 1978 PA 620, and the Sixth Amendment of the United States Constitution to represent indigent people appealing criminal convictions
- SADO is comprised of three divisions:
 - Public Defender Division represents at least 25% of individuals appealing their convictions, serves roughly 300 clients per year
 - Includes Juvenile Lifer Unit, Wrongful Conviction Unit, and Project Reentry
 - Michigan Appellate Assigned Counsel System appoints criminal appellate counsel in all state circuit courts, serves up to 3,000 clients per year
 - County-funded private attorneys represent the other 75% of appeals cases
 - Criminal Defense Resource Center provides training and resources to the state's court-appointed trial and appellate counsel; provides resources to the public and to system stakeholders
 - Online access to pleadings, expert witness testimony, appellate case law summaries, and training videos

Judicial Tenure Commission

Judicial Tenure Commission (JTC): \$2.9 million Gross

- Judicial Tenure Commission is a 9-member commission, established by Article VI, Section 30 of the State Constitution; commission consists of 4 judges elected by judges of the state's courts, 3 members elected by the State Bar of Michigan, and 2 members appointed by the governor
- JTC serves to promote the integrity of the judicial process and to preserve public confidence in the courts by holding judges accountable for their misconduct; JTC investigates complaints against judges, and, where appropriate, recommends disciplinary action
- In 2023, JTC received 637 requests for Request for Investigation forms; 542 forms complained about actions by a total of 312 judges
- In 2023, JTC resolved 479 requests for investigation concerning 282 judges; in 458 of the 479 grievances resolved, evidence did not demonstrate misconduct
- Sources of requests for investigation include litigants, acquaintances of litigants, prisoners, attorneys, other judges, and court personnel
- Subject matter of grievances includes prejudice/partiality, demeanor, review of legal ruling, failure to perform duties, misconduct, and delay

For more information about the Judiciary budget:

HFA Resources

<http://www.house.mi.gov/hfa/Judiciary.asp>

Contact Information

Robin R. Risko

Associate Director

rrisko@house.mi.gov

(517) 373-8080