

**Summary: Executive Budget Recommendation
for Fiscal Years 2012-13 and 2013-14
JUDICIARY**



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	FY 2011-12 Year-to-Date as of 2/9/12	FY 2012-13 Executive	Difference: FY 2012-13 Vs. FY 2011-12		FY 2013-14 Executive	Difference: FY 2013-14 Vs. FY 2012-13	
			Amount	%		Amount	%
IDG/IDT	\$3,602,700	\$2,638,200	(\$964,500)	(26.8)	\$2,631,700	(\$6,500)	(0.2)
Federal	5,694,800	6,017,100	322,300	5.7	6,005,600	(11,500)	(0.2)
Local	6,560,700	7,049,300	488,600	7.4	7,035,700	(13,600)	(0.2)
Private	869,700	921,800	52,100	6.0	919,700	(2,100)	(0.2)
Restricted	88,319,000	8,582,200	263,200	0.3	88,555,900	(26,300)	0.0
GF/GP	154,740,300	161,016,400	6,276,100	4.1	161,857,100	840,700	0.5
Gross	\$259,787,200	\$266,255,000	\$4,437,800	2.5	\$267,005,700	\$780,700	0.3
FTEs	491.0	472.0	(19.0)	(3.9)	472.0	0.0	0.0

Notes: (1) FY 2011-12 appropriation figures include the results of supplementals, Executive Order (EO) actions, and transfer adjustments through February 9, 2012, including SB 683. (2) Appropriation figures for all years include all proposed appropriation amounts, including both standard line items and boilerplate appropriations designated as "one-time." (3) FY 2013-14 figures are projected or proposed budget amounts only and would not be legally-binding appropriations. (4) Budget changes described below are based on the "Schedule of Program" sections included in the Executive Budget; amounts listed in those schedules are informational in nature and could be potentially adjusted administratively, without legislative approval, within the larger line items into which programs have been rolled up.

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 2011-12 YTD (as of 2/21/12)	Executive Changes	
		FY 2011-12 to FY 2012-13	FY 2012-13 to FY 2013-14
Major Budget Changes From FY 2011-12 YTD Appropriations			
1. Fund Shift for Swift-and-Sure Sanctions Program	Gross \$1,000,000	\$0	\$0
Funding for the program is maintained at \$1.0 million, with GF/GP funds replacing an IDG from the Department of Corrections. Boilerplate adjustments expand grant eligibility criteria to courts with a concurrent jurisdiction plan (see Sec. 320 below).	IDG/IDT 1,000,000	(1,000,000)	0
	GF/GP \$0	\$1,000,000	\$0
2. Continuance and Expansion of Mental Health Courts	FTE N/A	1.0	0
Adds funding of \$1.0 million GF/GP for mental health courts. \$550,000 of these funds replace expiring work project funding for eight mental health courts. Additional funding of \$450,000 provides for additional mental health court expansions and one FTE to conduct evaluations.	Gross N/A	\$1,000,000	\$0
	GF/GP N/A	\$1,000,000	\$0
3. State Appellate Defender Office (SADO) Staff Increase	FTE 39.0	3.0	0
Adds funding of \$225,000 GF/GP for additional staff to assist in meeting the statutory requirement that SADO handle 25% of indigent appellate defense cases.	Gross \$5,322,800	\$225,000	\$0
	GF/GP \$4,582,700	\$225,000	\$0

<u>Major Budget Changes From FY 2011-12 YTD Appropriations</u>	<u>Executive Changes</u>			
	<u>FY 2011-12 YTD (as of 2/21/12)</u>	<u>FY 2011-12 to FY 2012-13</u>	<u>FY 2012-13 to FY 2013-14</u>	
4. Additional Court Consolidation Staff Adds funding of \$160,000 GF/GP for 2.0 FTEs at the State Court Administrative Office, to facilitate ongoing consolidation efforts, performance metrics, and operating efficiencies.	FTE Gross GF/GP	N/A N/A N/A	2.0 \$160,000 \$160,000	0 \$0 \$0
5. Reduced Funding for Eliminated Judgeships Adjusts budget for statutory changes in the number of judgeships resulting from PA 300 of 2011.	Gross Restricted GF/GP	\$94,279,400 7,090,200 \$87,189,200	(\$42,100) 0 (\$42,100)	\$0 0 \$0
6. One Time Lump Sum Payment to Employees Includes one-time boilerplate appropriation of \$827,000 Gross (\$636,900 GF/GP) for a negotiated 2% lump sum payment to state employees.	Gross IDG/IDT Federal Local Private Restricted GF/GP	\$0 0 0 0 0 0 \$0	\$827,000 9,100 51,200 78,600 8,200 43,200 \$636,900	(\$827,000) (9,100) (51,200) (78,600) (8,200) (43,200) (\$636,900)
7. Technical Adjustments Reduces the number of listed FTEs by 25.0 to align statutory number with current employment numbers. Adjusts restricted fund revenue to reflect estimated revenue for FY 2012-13	FTE Gross Restricted	N/A N/A N/A	(25.0) \$5,100 5,100	0 0 0
8. Economic Adjustments Funds economic adjustments as follow for FY 2012-13:	Gross IDG/IDT Federal Local Private Restricted GF/GP	N/A N/A N/A N/A N/A N/A N/A	\$4,272,800 29,700 271,100 410,000 43,900 221,800 \$3,296,300	\$1,607,900 2,600 39,700 65,000 6,100 16,900 \$1,477,600
<ul style="list-style-type: none"> Salaries, Wages, & OASI: \$949,400 Gross, \$753,500 GF/GP Insurance: (\$313,500) Gross, (\$246,700) GF/GP Retirement: \$3,768,300 Gross, \$2,924,400 GF/GP Worker's Compensation: (\$85,600) Gross & GF/GP Rent & Building Occupancy: (\$45,800) Gross & (\$49,300) GP/GP 				

Major Boilerplate Changes From FY 2011-12

NOTE: No boilerplate language proposed specific to FY 2013-14.

Executive Boilerplate Deletions

In general, the Executive Budget deletes a large majority of boilerplate language included in the FY 2011-12 budget. This includes many legislative reporting requirements, sections providing guidance and placing conditions on appropriations, and earmarks of funding for specific purposes. The list below includes major changes to boilerplate, but is not a comprehensive list of all sections deleted.

Sec. 309. Pilot Mental Health Courts - DELETED

Requires SCAO to provide an update on the status of the pilot courts by April 1, 2012.

Sec. 310. Drug Treatment Court Evaluation - DELETED

Directs SCAO to evaluate drug court programs and provide an annual review.

Sec. 311. Drug Courts - REVISED

Specifies criteria for drug court grants; provides \$1.8 million IDG of Byrne grant revenue for expanding drug treatment courts to assist in avoiding prison bed space growth for nonviolent offenders. Executive Budget removes subsection authorizing judiciary to receive and expend funds from U.S. Department of Transportation in an amount not to exceed \$450,000 for drug treatment courts

Major Boilerplate Changes From FY 2011-12

Sec. 312. Drug Treatment Court Evaluation - DELETED

Directs SCAO to evaluate drug court programs and provide an annual review.

Sec. 320. Swift-and-Sure Sanctions Pilot Program - REVISED

Authorizes \$1.0 million GF/GP appropriated in part 1 to be expended for swift-and-sure sanction program. Definition of "qualifying county" is expanded to include counties with a drug treatment court and concurrent jurisdiction plan.

Sec. 322. State Appellate Defender Office Byrne Formula Grant - REVISED

Provides that, if Byrne formula grant funding is awarded to the State Appellate Defender Office (SADO), SADO may receive and expend funding not exceeding \$250,000 as an IDG from the Department of State Police.

Sec. 401. One-Time Lump Sum Payments to Employees - NEW

One-time boilerplate appropriation of \$827,000 Gross (\$636,900 GF/GP) for a negotiated 2% lump sum payment to state employees. See "Major Budget Changes" above.