



# JUDICIARY – Boilerplate

FY 2015-16 CURRENT LAW	FY 2016-2017		
	EXECUTIVE	HOUSE	SENATE
<p><b>GENERAL SECTIONS</b></p> <p><b>State Spending and State Appropriations Paid to Local Units of Government</b></p> <p><b>Sec. 201.</b> Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2015-2016 is \$267,688,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2015-2016 is \$137,079,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p><b>JUDICIARY</b></p> <p><b>SUPREME COURT</b></p> <p>State court administrative office ..... \$ 511,900  Drug treatment courts ..... 10,658,000  Mental health courts and diversion services ..... 5,222,800  Veterans courts ..... 500,000  Swift and sure sanctions program ..... 4,150,000  Next generation Michigan court system ..... 4,116,000</p> <p><b>TRIAL COURT OPERATIONS</b></p> <p>Court equity fund reimbursements ..... \$ 60,815,700  Judicial technology improvement fund ..... 4,815,000  Drunk driving case-flow program ..... 3,300,000  Drug case-flow program ..... 250,000  Juror compensation reimbursement ..... 6,600,000</p> <p><b>JUSTICES' AND JUDGES' COMPENSATION</b></p> <p>District court judicial salary standardization ..... \$ 11,111,000  Probate court judges' state base salaries ..... 9,627,900  Probate court judicial salary standardization ..... 4,669,600  Circuit court judicial salary standardization ..... 9,739,200  Grant to OASI contribution fund, employers share, social security ..... 992,300</p> <p><b>TOTAL ..... \$ 137,079,400</b></p>	<p><b>Sec. 10-201.</b> Retains current law; adjusts amounts to reflect appropriations in the Executive bill; updates fiscal years.</p>	<p><b>Sec. 201.</b> Retains current law; adjusts amounts to reflect appropriations in the House bill; updates fiscal years.</p>	<p><b>Sec. 201.</b> Retains current law; adjusts amounts to reflect appropriations in the Senate bill; updates fiscal years.</p>



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<p><b><i>Appropriations Subject to the Management and Budget Act and Judicial Branch Authority to Transfer Funding</i></b></p> <p><b>Sec. 202.</b> (1) The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594. (2) Funds appropriated in part 1 to an entity within the judicial branch shall not be expended or transferred to another account without written approval of the authorized agent of the judicial entity. If the authorized agent of the judicial entity notifies the state budget director of its approval of an expenditure or transfer, the state budget director shall immediately make the expenditure or transfer. The authorized judicial entity agent shall be designated by the chief justice of the supreme court.</p>	<p><b>Sec. 10-202.</b> Retains current law.</p>	<p><b>Sec. 202.</b> Retains current law.</p>	<p><b>Sec. 202.</b> Retains current law.</p>
<p><b><i>Terms and Acronyms</i></b></p> <p><b>Sec. 203.</b> As used in this part and part 1: (a) “DOJ” means the United States Department of Justice. (b) “DOT” means the United States Department of Transportation. (c) “FTE” means full-time equated. (d) “HHS” means the United States Department of Health and Human Services. (e) “IDG” means interdepartmental grant. (f) “OASI” means old age survivor’s insurance. (g) “Title IV-D” means the part of the federal social security act, 42 USC 301 to 1397mm, pertaining to the child support enforcement program. (h) “Title IV-E” means the part of the federal social security act, 42 USC 301 to 1397mm, pertaining to the foster care program.</p>	<p><b>Sec. 10-203.</b> Retains current law; adjusts acronyms to reflect those that are included in the Executive bill.</p>	<p><b>Sec. 203.</b> Retains current law; adjusts acronyms to reflect those that are included in the House bill.</p>	<p><b>Sec. 203.</b> Retains current law; adjusts acronyms to reflect those that are included in the Senate bill.</p>
<p><b><i>Disciplinary Action Against State Employees</i></b></p> <p><b>Sec. 204.</b> The judicial branch shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.</p>	<p>Strikes current law.</p>	<p><b>Sec. 204.</b> Retains current law.</p>	<p><b>Sec. 204.</b> Retains current law.</p>
<p><b><i>Input on Foster Care Cases</i></b></p> <p><b>Sec. 205.</b> It is the intent of the legislature that judges who are presiding over a hearing on a foster care case shall publicly acknowledge and request the input of the foster parent or foster parents during the hearing.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>	<p><b>Sec. 205.</b> Retains current law.</p>



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<p><b>Changes to Foster Care Family Service Plans</b></p> <p><b>Sec. 207.</b> If the judicial branch makes any changes to a foster care family service plan before its finalization, it is the intent of the legislature that the presiding judge provide an explanation for any changes to that plan in the court record.</p>	Strikes current law.	Strikes current law.	<b>Sec. 207.</b> Retains current law.
<p><b>Internet Availability of Required Reports</b></p> <p><b>Sec. 208.</b> The reporting requirements of this part shall be completed with the approval of, and at the direction of, the supreme court, except as otherwise provided in this part. The judicial branch shall use the Internet to fulfill the reporting requirements of this part. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.</p>	<b>Sec. 10-204.</b> Retains current law.	<b>Sec. 208.</b> Retains current law.	<b>Sec. 208.</b> Retains current law.
<p><b>Juvenile Justice Vision 20/20</b></p> <p><b>Sec. 209.</b> (1) If funds become available in part 1 for juvenile justice vision 20/20, the state court administrative office shall implement the information technology services and projects described in subsection (2).            (2) The state court administrative office shall use the funds described in subsection (1) to implement a data exchange for use by circuit and probate courts, private juvenile justice agencies, and the state court administrative office under the guidance of appropriate data sharing agreements that tracks statistical and demographic data on juveniles referred to the family division of the circuit court, otherwise known as the juvenile courts, after successful implementation and evaluation of the existing pilot database in Ottawa, Kalamazoo, Kent, Ionia, and Berrien Counties.            (3) It is the intent of the legislature that the purpose of the project is to implement a new juvenile justice data sharing model that will track data on juveniles referred to the courts. The project will be accomplished by local court staff, state employees, contracts with private vendors, and juvenile justice stakeholders. The total estimated cost of the project is \$5,550,000.00. The tentative completion date is September 30, 2019. The data exchange shall be compatible with the Michigan statewide automated child welfare information system.</p>	Strikes current law.	Strikes current law.	<b>Sec. 209.</b> Retains current law.



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(4) If funding becomes available for the project, the state court administrative office shall submit a report by March 1 to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office on the status of the implementation items described in subsections (1) and (2) should funding become available.			
<p><b>Linking Swift and Sure Sanctions Program to DHHS and DTED Programs</b></p> <p><b>Sec. 211.</b> From the funds appropriated in part 1, the state court administrative office shall evaluate programs within the department of health and human services and the department of talent and economic development to establish programmatic connections with the participants in the swift and sure sanctions program. The purpose of this relationship is to leverage collaborations and to determine avenues of success for offenders who are eligible for state-provided programs. By March 1, the state court administrative office shall deliver guidance to courts participating in the swift and sure sanctions program under chapter XIA of the code of criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8, detailing the evaluations and to direct participants into available programming.</p>	Strikes current law.	Strikes current law.	<b>Sec. 211.</b> Retains current law with technical change; adds reference to the Probation Swift and Sure Sanctions Act.
<p><b>Receipt and Retention of Required Reports</b></p> <p><b>Sec. 212.</b> The judicial branch shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The judicial branch may electronically retain copies of reports unless otherwise required by federal and state guidelines.</p>	Strikes current law.	<b>Sec. 212.</b> Retains current law.	<b>Sec. 212.</b> Retains current law.
<p><b>Purchase of Foreign Goods</b></p> <p><b>Sec. 214.</b> Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.</p>	<b>Sec. 10-205.</b> Retains current law.	<b>Sec. 214.</b> Retains current law.	<b>Sec. 214.</b> Retains current law.



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<p><b><i>Out-of-State Travel</i></b></p> <p><b>Sec. 215.</b> Not later than January 1 of each year, the state court administrative office shall prepare a report on out-of-state travel listing all travel by judicial branch employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the budget for the judicial branch. The report shall be submitted to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include the following information:            (a) The dates of each travel occurrence.            (b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.</p>	<p><b>Sec. 10-207.</b> Retains current law.</p>	<p><b>Sec. 215.</b> Retains current law.</p>	<p><b>Sec. 215.</b> Retains current law.</p>
<p><b><i>General Fund Lapses</i></b></p> <p><b>Sec. 219.</b> Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major program or program areas. The report shall be transmitted to the chairpersons of the senate and house appropriations committees and the senate and house fiscal agencies.</p>	<p><b>Sec. 10-209.</b> Retains current law.</p>	<p><b>Sec. 219.</b> Retains current law.</p>	<p><b>Sec. 219.</b> Retains current law.</p>
<p><b><i>Transparency Website</i></b></p> <p><b>Sec. 221.</b> From the funds appropriated in part 1, the judicial branch shall maintain a searchable website accessible by the public at no cost that includes all expenditures made by the judicial branch within a fiscal year. The posting shall include the purpose for which each expenditure is made. The judicial branch shall not provide financial information on its website under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that financial information.</p>	<p><b>Sec. 10-211.</b> Modifies current law; includes the standard section of language that is included in all Executive branch department bills. Language lists specific expenditure, vendor payment, and employee-related information that is to be included on the website.</p>	<p><b>Sec. 221.</b> Retains current law.</p>	<p><b>Sec. 221.</b> Modifies current law; includes the standard section of language that is included in all Executive branch department bills. Language lists specific expenditure, vendor payment, and employee-related information that is to be included on the website.</p>



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<p><b>Report on State Restricted Funds</b></p> <p><b>Sec. 222.</b> Within 14 days after the release of the executive budget recommendation, the judicial branch shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the senate and house appropriations subcommittees on judiciary, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the <u>prior 2 fiscal years</u>.</p>	<p><b>Sec. 10-212.</b> Retains current law.</p>	<p><b>Sec. 222.</b> Retains current law.</p>	<p><b>Sec. 222.</b> Retains current law, but specifies fiscal years 2016 and 2017 instead of stating “prior 2 fiscal years”.</p>
<p><b>Website for Performance Scorecard</b></p> <p><b>Sec. 223.</b> The judiciary shall maintain, on a publicly accessible website, a scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the judiciary’s performance.</p>	<p><b>Sec. 10-213.</b> Retains current law.</p>	<p><b>Sec. 223.</b> Retains current law.</p>	<p><b>Sec. 223.</b> Retains current law.</p>
<p><b>Legacy Costs</b></p> <p><b>Sec. 224.</b> Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2016 are \$13,723,300.00. From this amount, total appropriations for judiciary pension-related legacy costs are estimated at \$7,772,600.00. Total appropriations for judiciary retiree health care legacy costs are estimated at \$5,950,700.00.</p>	<p><b>Sec. 10-214.</b> Retains current law; updates fiscal years; adjusts appropriation amounts.</p>	<p><b>Sec. 224.</b> Retains current law; updates fiscal years; adjusts appropriation amounts.</p>	<p><b>Sec. 224.</b> Retains current law; updates fiscal years; adjusts appropriation amounts.</p>
<p><b>Program Metrics</b></p> <p><b>Sec. 225.</b> In addition to the metrics required under section 447 of the management and budget act, 1984 PA 431, MCL 18.1447, for each new program or program enhancement for which funds in excess of \$500,000.00 are appropriated in part 1, the judiciary shall provide not later than November 1 a list of program-specific metrics intended to measure its performance based on a return on taxpayer investment. The judiciary shall deliver the program-specific metrics to members of the senate and house subcommittees that have subject matter jurisdiction for this budget, to the senate and house fiscal agencies, and to the state budget director. The judiciary shall provide an update on its progress in tracking program-specific metrics and the status of program success at an appropriations subcommittee meeting called for by the subcommittee chair.</p>	<p>Strikes current law.</p>	<p><b>Sec. 225.</b> Retains current law.</p>	<p><b>Sec. 225.</b> Retains current law.</p>



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<p><b><u>JUDICIARY</u></b></p> <p><b><i>Direct Trial Court Automation Support</i></b></p> <p><b>Sec. 301.</b> From the funds appropriated in part 1, the direct trial court automation support program of the state court administrative office shall recover direct and overhead costs from trial courts by charging for services rendered. The fee shall cover the actual costs incurred to the direct trial court automation support program in providing the service, including development of future versions of case management systems.</p>	<b>Sec. 10-301.</b> Retains current law.	<b>Sec. 301.</b> Retains current law.	<b>Sec. 301.</b> Retains current law.
<p><b><i>Expenditure Approval</i></b></p> <p><b>Sec. 302.</b> Funds appropriated within the judicial branch shall not be expended by any component within the judicial branch without the approval of the supreme court.</p>	<b>Sec. 10-302.</b> Retains current law.	<b>Sec. 302.</b> Retains current law.	<b>Sec. 302.</b> Retains current law.
<p><b><i>Statutory Reimbursement</i></b></p> <p><b>Sec. 303.</b> Of the amount appropriated in part 1 for the judicial branch, \$511,900.00 is allocated for circuit court reimbursement under section 3 of 1978 PA 16, MCL 800.453, and for costs associated with the court of claims.</p>	<b>Sec. 10-303.</b> Retains current law; adjusts appropriation amount.	<b>Sec. 303.</b> Retains current law; adjusts appropriation amount.	<b>Sec. 303.</b> Retains current law; adjusts appropriation amount.
<p><b><i>Collected and Uncollected Payments and Fees</i></b></p> <p><b>Sec. 306.</b> By February 1, the state court administrative office shall produce a statistical report, categorized by county, regarding both the collected and uncollected amounts of restitution payments, court fees, and any other applicable judgment placed upon any person within the county reported for the years 2009 through 2014.</p>	Strikes current law.	Strikes current law.	<b>Sec. 306.</b> Retains current law; revises reporting period from “fiscal years 2009 through 2014” to “year 2015”.
<p><b><i>Mental Health Diversion Council</i></b></p> <p><b>Sec. 307.</b> From the funds appropriated in part 1 for mental health courts and diversion services, \$1,730,000.00 is intended to address the recommendations of the mental health diversion council.</p>	<b>Sec. 10-307.</b> Retains current law.	<b>Sec. 307.</b> Retains current law.	<b>Sec. 307.</b> Retains current law.



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<p><b>Judges' Salaries</b></p> <p><b>Sec. 308.</b> If sufficient funds are not available from the court fee fund to pay judges' compensation, the difference between the appropriated amount from that fund for judges' compensation and the actual amount available after the amount appropriated for trial court reimbursement is made shall be appropriated from the state general fund for judges' compensation. If an appropriation is made under this section, the state court administrative office shall notify, within 14 days of the appropriation, the senate and house standing committees on appropriations, the senate and house subcommittees on judiciary, the senate and house fiscal agencies, and the state budget office.</p>	<p><b>Sec. 10-308.</b> Retains current law.</p>	<p><b>Sec. 308.</b> Retains current law.</p>	<p><b>Sec. 308.</b> Retains current law.</p>
<p><b>Problem-Solving Courts</b></p> <p><b>Sec. 309.</b> By April 1, the state court administrative office shall provide a report on drug treatment, mental health, and veterans court programs in this state. The report shall include information on the number of each type of program that has been established, the number of program participants in each jurisdiction, and the impact of the programs on offender criminal involvement and recidivism. The report shall be submitted to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget director.</p>	<p><b>Sec. 10-309.</b> Retains current law.</p>	<p><b>Sec. 309.</b> Retains current law.</p>	<p><b>Sec. 309.</b> Retains current law.</p>
<p><b>Drug Treatment Courts</b></p> <p><b>Sec. 311.</b> (1) The funds appropriated in part 1 for drug treatment courts as that term is defined in section 1060 of the revised judicature act of 1961, 1961 PA 236, MCL 600.1060, shall be administered by the state court administrative office to operate drug treatment court programs. A drug treatment court shall be responsible for handling cases involving substance abusing nonviolent offenders through comprehensive supervision, testing, treatment services, and immediate sanctions and incentives. A drug treatment court shall use all available county and state personnel involved in the disposition of cases including, but not limited to, parole and probation agents, prosecuting attorneys, defense attorneys, and community corrections providers. The funds may be used in connection with other federal, state, and local funding sources.</p> <p>(2) From the funds appropriated in part 1, the chief justice shall allocate sufficient funds for the judicial institute to provide in-state training for those identified in subsection (1), including training for new drug treatment court judges.</p>	<p><b>Sec. 10-311.</b> Retains current law.</p>	<p><b>Sec. 311.</b> Retains current law.</p>	<p><b>Sec. 311.</b> Retains current law.</p>





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<p>(3) For drug treatment court grants, consideration for priority may be given to those courts where higher instances of substance abuse cases are filed.</p> <p>(4) The judiciary shall receive \$1,500,000.00 in Byrne formula grant funding as an interdepartmental grant from the department of state police to be used for expansion of drug treatment courts, to assist in avoiding prison bed space growth for nonviolent offenders in collaboration with the department of corrections.</p>			
<p><b>Parental Rights Restoration Act</b></p> <p><b>Sec. 312.</b> From the funds appropriated in part 1, the state court administrator shall produce a statistical report regarding the implementation of the parental rights restoration act, 1990 PA 211, MCL 722.901 to 722.908, as it pertains to minors seeking a court-issued waiver of parental consent. The state court administrative office shall report the total number of petitions filed and the total number of petitions granted under that act.</p>	Strikes current law.	<b>Sec. 312.</b> Retains current law.	<b>Sec. 312.</b> Retains current law.
<p><b>Assignment of State-Owned Vehicles</b></p> <p><b>Sec. 317.</b> Funds appropriated in part 1 shall not be used for the permanent assignment of state-owned vehicles to justices or judges or any other judicial branch employee. This section does not preclude the use of state-owned motor pool vehicles for state business in accordance with approved guidelines.</p>	<b>Sec. 10-317.</b> Retains current law.	<b>Sec. 317.</b> Retains current law.	<b>Sec. 317.</b> Retains current law.
<p><b>Swift and Sure Sanctions Program</b></p> <p><b>Sec. 320.</b> (1) From the funds appropriated in part 1 for the swift and sure sanctions program, created under section 3 of chapter XIA of the code of criminal procedure, 1927 PA 175, MCL 771A.3, the state court administrative office shall administer a program to distribute grants to qualifying courts in accordance with the objectives and requirements of the probation swift and sure sanctions act, chapter XIA of the code of criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8. Of the \$4,250,000.00 designated for the program, not more than \$100,000.00 shall be available to the state court administrative office to pay for employee costs associated with the administration of the program funds. Courts interested in participating in the swift and sure sanctions program may apply to the state court administrative office for a portion of the funds appropriated in part 1 under this section.</p>	<b>Sec. 10-320.</b> Retains current law.	<b>Sec. 320.</b> Retains current law; adjusts amount to reflect appropriation in House bill.	<p><b>Sec. 320.</b> Retains current law; adjusts amount to reflect appropriation in Senate bill; also adds new language:</p> <p><b>For any county with more than 325 individuals sentenced to prison in the previous calendar year, the supreme court may appoint not more than 1 judge per county and not more than a total of 5 judges to oversee specialty courts for participants in the swift and sure sanctions program. If a judge is appointed under this section, the county may apply for</b></p>

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<p>(2) By April 1, the state court administrative office shall provide a report on the courts that receive funding under the swift and sure sanctions program described in subsection (1) to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget director. The report shall include all of the following:</p> <p>(a) The number of offenders who participate in the program.</p> <p>(b) The criminal history of offenders who participate in the program.</p> <p>(c) The recidivism rate of offenders who participate in the program, including the rate of return to jail, prison, or both.</p> <p>(d) A detailed description of the establishment and parameters of the program.</p> <p>(3) As used in this section, “program” means a swift and sure sanctions program described in subsection (1).</p>			<p>reimbursement of not more than \$160,000.00 for the costs of either that judge or support staff to that judge. Of the funds designated for the program, \$800,000 is reserved for these reimbursements. Subject to annual appropriation, if a county that is approved for reimbursement has fewer than 325 individuals sentenced to prison in a future year, the county will continue to receive reimbursements.</p>
<p><b>Legal Self-Help Website</b></p> <p><b>Sec. 321.</b> It is the intent of the legislature that the judicial branch support a statewide legal self-help Internet website and local nonprofit self-help centers that use the statewide website to provide assistance to individuals representing themselves in civil legal proceedings. The state court administrative office shall summarize the costs of maintaining the website, provide statistics on the number of people visiting the website, and provide information on content usage, form completion, and user feedback. By March 1, the state court administrative office shall report this information for the preceding fiscal year to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget director.</p>	<p><b>Sec. 10-321.</b> Modifies current law; strikes “It is the intent of the legislature” and replaces it with “From the funds appropriated”.</p>	<p><b>Sec. 321.</b> Concurs with Executive revisions.</p>	<p><b>Sec. 321.</b> Retains current law.</p>
<p><b>State Appellate Defender Office Receipt of Federal Funding</b></p> <p><b>Sec. 322.</b> If Byrne formula grant funding is awarded to the state appellate defender, the state appellate defender office may receive and expend Byrne formula grant funds in an amount not to exceed \$250,000.00 as an interdepartmental grant from the department of state police. If the appellate defender appointed under section 3 of the appellate defender act, 1978 PA 620, MCL 780.713, receives federal grant funding from the United States Department of Justice in excess of the amount appropriated in part 1, the office of appellate defender may receive and expend grant funds in an amount not to exceed \$300,000.00 as other federal grants.</p>	<p><b>Sec. 10-322.</b> Retains current law.</p>	<p><b>Sec. 322.</b> Retains current law.</p>	<p><b>Sec. 322.</b> Retains current law.</p>



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<p><b>Michigan Indigent Defense Commission Receipt of Federal Funding</b></p> <p><b>Sec. 322a.</b> If Byrne formula grant funding is awarded to the Michigan indigent defense commission, the Michigan indigent defense commission may receive and expend Byrne formula grant funds in an amount not to exceed \$250,000.00 as an interdepartmental grant from the department of state police. The Michigan indigent defense commission, created under section 5 of the Michigan indigent defense commission act, 2013 PA 93, MCL 780.985, may receive and expend federal grant funding from the United States Department of Justice in an amount not to exceed \$300,000.00 as other federal grants.</p>	<p><b>Sec. 10-322a.</b> Retains current law.</p>	<p><b>Sec. 322a.</b> Retains current law.</p>	<p><b>Sec. 322a.</b> Retains current law.</p>
<p><b>Report on Juvenile Out-of-State Placements</b></p> <p><b>Sec. 323.</b> The state court administrative office shall provide courts with a quarterly listing of out-of-state placements of juveniles by each court. The state court administrative office shall also provide each judge who hears juvenile matters with the annual listing of per diem costs of the public and private residential care facilities located or doing business in this state, and the recidivism data for each facility, if available, as provided by the department of health and human services. The courts shall acknowledge receipt of this information.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>	<p><b>Sec. 323.</b> Retains current law.</p>



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		<p><b>NEW LANGUAGE</b></p> <p>Sec. 324. From the funds appropriated in part 1, the Michigan indigent defense commission shall submit a report by September 30 to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget director on the incremental costs associated with the standard development process, the compliance plan process, and the collection of data from all indigent defense systems and attorneys providing indigent defense. Particular emphasis shall be placed on those costs that may be avoided after standards are developed and compliance plans are in place.</p>	Not included.
	<p><b>NEW LANGUAGE</b></p> <p>Sec. 10-324. (1) From the increased funds appropriated in part 1 for the Michigan indigent defense commission, the commission shall increase the total number of staff by 10 FTEs and begin bringing the Michigan criminal defense system into compliance with the right to counsel requirements of the sixth amendment of the United States constitution and article I section 20 of the Michigan constitution.</p>	<p>Sec. 325. Includes new language.</p>	<p>Sec. 324. Includes new language, but does not include specified number of FTE positions.</p>



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FY 2015-16 CURRENT LAW	FY 2016-2017		
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	<p>The purpose of this program expansion is to implement minimum standards, rules, and procedures to guarantee the right of indigent defendants to the assistance of proficient counsel, collect comprehensive data from all indigent defense systems and attorneys providing indigent defense, monitor and audit county compliance plans.</p> <p>(2) The department shall identify specific outcomes and performance measures for this initiative based on the minimum standards approved by the Michigan supreme court, including, but not limited to, the following:</p> <p>(a) Monitoring the success of approved minimum standards including: increased training and education of trial-level defense attorneys; prompt meetings between attorneys and clients; increased access to and use of experts and investigators; and increased use of counsel at first appearance.</p> <p>(b) The agency shall collect data on the standards approved by the Michigan supreme court and shall work to identify metrics associated with the approved standards.</p>		

# JUDICIARY – Boilerplate

FY 2015-16 CURRENT LAW	FY 2016-2017		
	EXECUTIVE	HOUSE	SENATE
	(c) Monitoring the number of first-time offenders sentenced to serve prison time within the department of corrections to determine if there is a measurable decline as a result of the standards approved by the Michigan supreme court including training and education requirements; required meetings between client and counsel; increased use of experts and investigators; and the provision of attorneys at first appearance.		
	<p><b>NEW LANGUAGE</b></p> <p>Sec. 10-401. From the increased funds appropriated in part 1 for drug treatment courts, the judiciary shall increase the funding available for establishing problem solving courts. The purpose of this program expansion is increasing the number of participants and decreasing recidivism rates.</p>	Sec. 401. Includes new language.	Not included.

# JUDICIARY – Boilerplate

FY 2015-16 CURRENT LAW	FY 2016-2017		
	EXECUTIVE	HOUSE	SENATE
	<p><b>NEW LANGUAGE</b></p> <p><b>Sec. 10-402.</b> The state appellate defender office attorneys and support staff shall increase by 11 FTEs to ensure Michigan compliance with the USSC Montgomery v. Louisiana decision. The purpose of the program expansion is to ensure competent, resourced, and supervised counsel in cases involving the resentencing of juvenile lifers. The representation by SADO counsel will create opportunities for release saving prison costs for the state.</p>	<p><b>Sec. 402.</b> Includes new language and adds a new subsection (2):</p> <p><b>From the funds appropriated in part 1, the state appellate defender office shall submit a report by September 30 to the senate and house appropriations subcommittees on judiciary, the senate and house fiscal agencies, and the state budget director on the number of juvenile lifer cases investigated and prepared by the state appellate defender office. The report shall include a calculation of hours spent and focus on incremental costs associated with investigating and conducting a robust examination of each case, with particular emphasis on those costs that may be avoided after the cases have been disposed.</b></p>	<p><b>Sec. 401.</b> Includes new Executive language.</p>
<p><b><u>GENERAL SECTIONS – PART 2A</u></b></p> <p><b><i>Anticipated FY 2016-17 Appropriations</i></b></p> <p><b>Sec. 1201.</b> It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2017 for the line items listed in part 1. The fiscal year 2016-2017 appropriations are anticipated to be the same as those for fiscal year 2015-2016, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2016 consensus revenue estimating conference.</p>	<p>Strikes current law.</p>	<p><b>Sec. 1201.</b> Retains current law; updates fiscal years.</p>	<p><b>Sec. 1201.</b> Retains current law; updates fiscal years.</p>