SUBSTITUTE FOR

HOUSE BILL NO. 4238

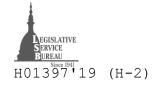
A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

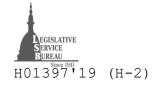
1	PART 1
2	LINE-ITEM APPROPRIATIONS
3	Sec. 101. There is appropriated for the judiciary for the
4	fiscal year ending September 30, 2020, from the following funds:
5	JUDICIARY
6	APPROPRIATION SUMMARY
7	Full-time equated exempted positions 503.0
8	GROSS APPROPRIATION \$ 308,180,300
9	Interdepartmental grant revenues:
10	Total interdepartmental grants and intradepartmental



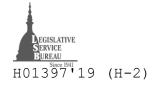
1	transfers	1,551,700
2	ADJUSTED GROSS APPROPRIATION \$	306,628,600
3	Federal revenues:	
4	Total federal revenues	5,748,400
5	Special revenue funds:	
6	Total local revenues	6,505,300
7	Total private revenues	994,300
8	Total other state restricted revenues	94,785,900
9	State general fund/general purpose \$	198,594,700
10	Sec. 102. SUPREME COURT	
11	Full-time equated exempted positions 251.0	
12	Community dispute resolution3.0 FTE positions \$	3,271,600
13	Direct trial court automation support44.0 FTE	
14	positions	6,505,300
15	Drug treatment courts	11,833,000
16	Foster care review board10.0 FTE positions	1,325,600
17	Judicial information systems24.0 FTE positions	4,298,600
18	Judicial institute13.0 FTE positions	1,854,600
19	Mental health courts and diversion services-1.0 FTE	
20	position	5,466,800
21	Next generation Michigan court system	4,116,000
22	Other federal grants	275,100
23	State court administrative office64.0 FTE positions	11,466,600
24	Supreme court administration92.0 FTE positions	14,224,100
25	Swift and sure sanctions program	3,499,900
26	Veterans courts	936,400
27	GROSS APPROPRIATION \$	69,073,600



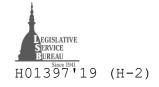
1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG from department of corrections	51,700
4	IDG from department of state police	1,500,000
5	Federal revenues:	
6	DOJ, drug court training and evaluation	300,000
7	DOT, National Highway Traffic Safety Administration	1,942,800
8	HHS, access and visitation grant	488,300
9	HHS, children's justice grant	241,700
10	HHS, court improvement project	927,100
11	HHS, title IV-D child support program	822,400
12	HHS, title IV-E foster care program	403,500
13	Other federal grant revenues	275 , 100
14	Special revenue funds:	
15	Local - user fees	6,505,300
16	Private	198,100
17	Private - interest on lawyers' trust accounts	273,100
18	Private - state justice institute	436,100
19	Community dispute resolution fund	2,400,000
20	Court of appeals filing/motion fees	1,450,000
21	Drug court fund	1,920,500
22	Justice system fund	595 , 700
23	Law exam fees	742,000
24	Miscellaneous revenue	245,900
25	State court fund	397,600
26	State general fund/general purpose \$	46,956,700
27	Sec. 103. COURT OF APPEALS	



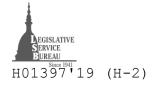
Full-time equated exempted positions 175.0		
Court of appeals operations175.0 FTE positions	\$	24,835,200
GROSS APPROPRIATION	\$	24,835,200
Appropriated from:		
State general fund/general purpose	\$	24,835,200
Sec. 104. BRANCHWIDE APPROPRIATIONS		
Full-time equated exempted positions 4.0		
Branchwide appropriations4.0 FTE positions	\$	8,952,400
GROSS APPROPRIATION	\$	8,952,400
Appropriated from:		
State general fund/general purpose	\$	8,952,400
Sec. 105. JUSTICES' AND JUDGES' COMPENSATION		
Full-time judges positions		
Supreme court justices' salaries7.0 justices	\$	1,152,300
Circuit court judges' state base salaries217.0		
judges		22,939,900
Circuit court judicial salary standardization		9,922,100
Court of appeals judges' salaries25.0 judges		4,097,700
District court judges' state base salaries235.0		
judges		24,424,000
District court judicial salary standardization		10,745,200
Probate court judges' state base salaries103.0		
judges		10,802,900
Probate court judicial salary standardization		4,669,600
Judges' retirement system defined contributions		4,974,800
OASI, Social Security		6,280,000
GROSS APPROPRIATION	\$	100,008,500
	Court of appeals operations—175.0 FTE positions GROSS APPROPRIATION	Court of appeals operations175.0 FTE positions \$ GROSS APPROPRIATION \$ Appropriated from: State general fund/general purpose \$ Sec. 104. BRANCHWIDE APPROPRIATIONS Full-time equated exempted positions 4.0 Branchwide appropriations4.0 FTE positions \$ GROSS APPROPRIATION \$ Appropriated from: State general fund/general purpose \$ Sec. 105. JUSTICES' AND JUDGES' COMPENSATION Full-time judges positions 587.0 Supreme court justices' salaries7.0 justices \$ Circuit court judges' state base salaries217.0 judges Circuit court judicial salary standardization Court of appeals judges' state base salaries235.0 judges District court judicial salary standardization Probate court judicial salary standardization Probate court judicial salary standardization Probate court judicial salary standardization Judges' retirement system defined contributions OASI, Social Security



1	Appropriated from:	
2	Special revenue funds:	
3	Court fee fund	3,329,400
4	State general fund/general purpose	\$ 96,679,100
5	Sec. 106. JUDICIAL AGENCIES	
6	Full-time equated exempted positions 7.0	
7	Judicial tenure commission7.0 FTE positions	\$ 1,264,200
8	GROSS APPROPRIATION	\$ 1,264,200
9	Appropriated from:	
10	State general fund/general purpose	\$ 1,264,200
11	Sec. 107. INDIGENT DEFENSE - CRIMINAL	
12	Full-time equated exempted positions 53.0	
13	Appellate public defender program53.0 FTE positions	\$ 8,227,900
14	GROSS APPROPRIATION	\$ 8,227,900
15	Appropriated from:	
16	Federal revenues:	
17	Other federal grant revenues	347,500
18	Special revenue funds:	
19	Private - interest on lawyers' trust accounts	87,000
20	Miscellaneous revenue	168,300
21	State general fund/general purpose	\$ 7,625,100
22	Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE	
23	Indigent civil legal assistance	\$ 7,937,000
24	GROSS APPROPRIATION	\$ 7,937,000
25	Appropriated from:	
26	Special revenue funds:	
27	State court fund	7,937,000

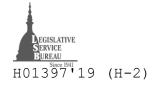


1	State general fund/general purpose	\$	0
2	Sec. 109. TRIAL COURT OPERATIONS		
3	Full-time equated exempted positions 6.0		
4	Court equity fund reimbursements	\$	60,815,700
5	Drug case-flow program		250,000
6	Drunk driving case-flow program		3,300,000
7	Judicial technology improvement fund		4,815,000
8	Juror compensation reimbursement-1.0 FTE position		6,602,900
9	Statewide e-file system5.0 FTE positions	_	10,191,600
10	GROSS APPROPRIATION	\$	85,975,200
11	Appropriated from:		
12	Special revenue funds:		
13	Court equity fund		50,440,000
14	Drug fund		250,000
15	Drunk driving fund		3,300,000
16	Electronic filing fee fund		10,191,600
17	Judicial technology improvement fund		4,815,000
18	Juror compensation fund		6,602,900
19	State general fund/general purpose	\$	10,375,700
20	Sec. 110. ONE-TIME APPROPRIATIONS		
21	Full-time equated exempted positions 7.0		
22	Compliance with Montgomery v Louisiana7.0 FTE		
23	positions	\$	700,000
24	Judicial tenure commission		100,000
25	Michigan supreme court public website upgrade		1,106,300
26	GROSS APPROPRIATION	\$	1,906,300
27	Appropriated from:		



State general fund/general purpose \$ 1,906,300

2 PART 2 3 PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2019-2020 4 5 GENERAL SECTIONS Sec. 201. Pursuant to section 30 of article IX of the state 6 7 constitution of 1963, total state spending from state sources under part 1 for fiscal year 2019-2020 is \$293,380,600.00 and state 8 9 spending from state sources to be paid to local units of government 10 for fiscal year 2019-2020 is \$145,489,400.00. The itemized 11 statement below identifies appropriations from which spending to 12 local units of government will occur: JUDICIARY 13 14 SUPREME COURT 15 8,158,000 Drug treatment courts \$ 16 Mental health courts and diversion services 5,466,800 17 Next generation Michigan court system 4,116,000 18 Swift and sure sanctions program 3,399,900 Veterans courts 19 936,400 20 COURT OF APPEALS 21 Court of appeals operations \$ 200,000 22 JUSTICES' AND JUDGES' COMPENSATION 23 Circuit court judicial salary standardization \$ 9,922,100 24 District court judicial salary standardization 10,745,200 25 Probate court judges' state base salaries 10,802,900



1

1	Probate court judicial salary standardization 4,669,600
2	OASI, Social Security
3	TRIAL COURT OPERATIONS
4	Court equity fund reimbursements \$ 60,815,700
5	Drug case-flow program
6	Drunk driving case-flow program
7	Judicial technology improvement fund
8	Juror compensation reimbursement
9	Statewide e-file system 10,191,600
10	TOTAL\$ 145,489,400
11	Sec. 202. (1) The appropriations authorized under this part
12	and part 1 are subject to the management and budget act, 1984 PA
13	431, MCL 18.1101 to 18.1594.
14	(2) Funds appropriated in part 1 to an entity within the
15	judicial branch shall not be expended or transferred to another
16	account without written approval of the authorized agent of the
17	judicial entity. If the authorized agent of the judicial entity
18	notifies the state budget director of its approval of an
19	expenditure or transfer, the state budget director shall
20	immediately make the expenditure or transfer. The authorized
21	judicial entity agent shall be designated by the chief justice of
22	the supreme court.
23	Sec. 203. As used in this part and part 1:
24	(a) "DOJ" means the United States Department of Justice.
25	(b) "DOT" means the United States Department of
26	Transportation.
27	(c) "FTE" means full-time equated.

- 1 (d) "HHS" means the United States Department of Health and
- 2 Human Services.
- 3 (e) "IDG" means interdepartmental grant.
- 4 (f) "OASI" means old age survivor's insurance.
- 5 (g) "SADO" means the state appellate defender office created
- 6 under the appellate defender act, 1978 PA 620, MCL 780.711 to
- **7** 780.719.
- 8 (h) "Title IV-D" means the part of the federal social security
- 9 act, 42 USC 301 to 1397mm, pertaining to the child support
- 10 enforcement program.
- 11 (i) "Title IV-E" means the part of the federal social security
- 12 act, 42 USC 301 to 1397mm, pertaining to the foster care program.
- Sec. 204. The reporting requirements of this part shall be
- 14 completed with the approval of, and at the direction of, the
- 15 supreme court, except as otherwise provided in this part. The
- 16 judicial branch shall use the internet to fulfill the reporting
- 17 requirements of this part. This may include transmission of reports
- 18 via electronic mail to the recipients identified for each reporting
- 19 requirement, or it may include placement of reports on an internet
- 20 or intranet site.
- Sec. 205. Funds appropriated in part 1 shall not be used for
- 22 the purchase of foreign goods or services, or both, if
- 23 competitively priced and of comparable quality American goods or
- 24 services, or both, are available. Preference shall be given to
- 25 goods or services, or both, manufactured or provided by Michigan
- 26 businesses, if they are competitively priced and of comparable
- 27 quality. In addition, preference shall be given to goods or



- 1 services, or both, that are manufactured or provided by Michigan
- 2 businesses owned and operated by veterans, if they are
- 3 competitively priced and of comparable quality.
- 4 Sec. 207. Not later than January 1 of each year, the state
- 5 court administrative office shall prepare a report on out-of-state
- 6 travel listing all travel by judicial branch employees outside this
- 7 state in the immediately preceding fiscal year that was funded in
- 8 whole or in part with funds appropriated in the budget for the
- 9 judicial branch. The report shall be submitted to the senate and
- 10 house appropriations committees, the senate and house fiscal
- 11 agencies, and the state budget office. The report shall include the
- 12 following information:
- 13 (a) The dates of each travel occurrence.
- (b) The transportation and related costs of each travel
- 15 occurrence, including the proportion funded with state general
- 16 fund/general purpose revenues, the proportion funded with state
- 17 restricted revenues, the proportion funded with federal revenues,
- 18 and the proportion funded with other revenues.
- 19 Sec. 209. Not later than November 30, the state budget office
- 20 shall prepare and transmit a report that provides for estimates of
- 21 the total general fund/general purpose appropriation lapses at the
- 22 close of the prior fiscal year. This report shall summarize the
- 23 projected year-end general fund/general purpose appropriation
- 24 lapses by major program or program areas. The report shall be
- 25 transmitted to the chairpersons of the senate and house
- 26 appropriations committees and the senate and house fiscal agencies.
- 27 Sec. 211. From the funds appropriated in part 1, the judicial



- 1 branch shall maintain a searchable website accessible by the public
- 2 at no cost that includes all expenditures made by the judicial
- 3 branch within a fiscal year. The posting shall include the purpose
- 4 for which each expenditure is made. The judicial branch shall not
- 5 provide financial information on its website under this section if
- 6 doing so would violate a federal or state law, rule, regulation, or
- 7 guideline that establishes privacy or security standards applicable
- 8 to that financial information.
- 9 Sec. 212. Within 14 days after the release of the executive
- 10 budget recommendation, the judicial branch shall cooperate with the
- 11 state budget office to provide the senate and house appropriations
- 12 committee chairs, the senate and house appropriations subcommittee
- 13 chairs, and the senate and house fiscal agencies with an annual
- 14 report on estimated state restricted fund balances, state
- 15 restricted fund projected revenues, and state restricted fund
- 16 expenditures for the prior 2 fiscal years.
- 17 Sec. 213. The judiciary shall maintain, on a publicly
- 18 accessible website, a scorecard that identifies, tracks, and
- 19 regularly updates key metrics that are used to monitor and improve
- 20 the judiciary's performance.
- 21 Sec. 214. Total authorized appropriations from all sources
- 22 under part 1 for legacy costs for the fiscal year ending September
- 23 30, 2020 are estimated at \$13,102,700.00. From this amount, total
- 24 judiciary appropriations for pension-related legacy costs are
- 25 estimated at \$6,369,500.00. Total judiciary appropriations for
- 26 retiree health care legacy costs are estimated at \$6,733,200.00.
- 27 Sec. 215. The judicial branch shall not take disciplinary



- 1 action against an employee for communicating with a member of the
- 2 legislature or his or her staff.
- 3 Sec. 216. It is the intent of the legislature that judges who
- 4 are presiding over a hearing on a foster care case shall publicly
- 5 acknowledge and request the input of the foster parent or foster
- 6 parents during the hearing.
- 7 Sec. 217. If the judicial branch makes any changes to a foster
- 8 care family service plan before its finalization, it is the intent
- 9 of the legislature that the presiding judge provide an explanation
- 10 for any changes to that plan in the court record.
- 11 Sec. 218. From the funds appropriated in part 1, the state
- 12 court administrative office shall identify programs, within the
- 13 department of health and human services, the department of talent
- 14 and economic development, and the department of corrections, that
- 15 have programmatic connections with the participants in the swift
- 16 and sure sanctions program. The purpose of this relationship is to
- 17 leverage collaborations and to determine avenues of success for
- 18 offenders who are eligible for state-provided programs. The state
- 19 court administrative office shall provide guidance to courts
- 20 participating in the swift and sure sanctions program, under the
- 21 probation swift and sure sanctions act, chapter XIA of the code of
- 22 criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8, of the
- 23 available department of health and human services, department of
- 24 talent and economic development, and department of corrections
- 25 programming.
- 26 Sec. 219. The judicial branch shall receive and retain copies
- 27 of all reports funded from appropriations in part 1. Federal and



- 1 state guidelines for short-term and long-term retention of records
- 2 shall be followed. The judicial branch may electronically retain
- 3 copies of reports unless otherwise required by federal and state
- 4 quidelines.

5 JUDICIAL BRANCH

- 6 Sec. 301. From the funds appropriated in part 1, the direct
- 7 trial court automation support program of the state court
- 8 administrative office shall recover direct and overhead costs from
- 9 trial courts by charging for services rendered. The fee shall cover
- 10 the actual costs incurred to the direct trial court automation
- 11 support program in providing the service, including development of
- 12 future versions of case management systems.
- 13 Sec. 302. Funds appropriated within the judicial branch shall
- 14 not be expended by any component within the judicial branch without
- 15 the approval of the supreme court.
- 16 Sec. 303. Of the amount appropriated in part 1 for the
- 17 judicial branch, \$711,900.00 is allocated for circuit court
- 18 reimbursement under section 3 of 1978 PA 16, MCL 800.453, and for
- 19 costs associated with the court of claims.
- 20 Sec. 304. A member of the legislature may request a report or
- 21 data from the data collected in the judicial data warehouse. The
- 22 report shall be made available to the public upon request, unless
- 23 disclosure is prohibited by court order or state or federal law.
- 24 Any data provided under this section shall be public and non-
- 25 identifying information.
- Sec. 305. From the funds appropriated in part 1 for community



1 dispute resolution, community dispute resolution centers shall 2 provide dispute resolution services specified in the community dispute resolution act, 1988 PA 260, MCL 691.1551 to 691.1564, and 3 4 shall help to reduce suspensions and truancy, and improve school 5 climate. Funding appropriated in part 1 for community dispute 6 resolution may be used to develop or expand juvenile diversion 7 services in cooperation with local prosecutors. Participation in the dispute resolution processes is voluntary for all parties. 8 9 Sec. 307. From the funds appropriated in part 1 for mental 10 health courts and diversion services, \$1,730,000.00 is intended to 11 address the recommendations of the mental health diversion council. 12 Sec. 308. If sufficient funds are not available from the court 13 fee fund to pay judges' compensation, the difference between the 14 appropriated amount from that fund for judges' compensation and the 15 actual amount available after the amount appropriated for trial 16 court reimbursement is made shall be appropriated from the state 17 general fund for judges' compensation. If an appropriation is made under this section, the state court administrative office shall 18 19 notify, within 14 days of the appropriation, the senate and house 20 standing committees on appropriations, the senate and house 21 appropriations subcommittees on judiciary, the senate and house 22 fiscal agencies, and the state budget office. 23 Sec. 309. By April 1, the state court administrative office 24 shall provide a report on drug treatment, mental health, and 25 veterans court programs in this state. The report shall include 26 information on the number of each type of program that has been 27 established, the number of program participants in each

- 1 jurisdiction, and the impact of the programs on offender criminal
- 2 involvement and recidivism. The report shall be submitted to the
- 3 senate and house appropriations subcommittees on judiciary, the
- 4 senate and house fiscal agencies, and the state budget office.
- **5** Sec. 311. (1) The funds appropriated in part 1 for drug
- 6 treatment courts as that term is defined in section 1060 of the
- 7 revised judicature act of 1961, 1961 PA 236, MCL 600.1060, shall be
- 8 administered by the state court administrative office to operate
- 9 drug treatment court programs. A drug treatment court shall be
- 10 responsible for handling cases involving substance abusing
- 11 nonviolent offenders through comprehensive supervision, testing,
- 12 treatment services, and immediate sanctions and incentives. A drug
- 13 treatment court shall use all available county and state personnel
- 14 involved in the disposition of cases including, but not limited to,
- 15 parole and probation agents, prosecuting attorneys, defense
- 16 attorneys, and community corrections providers. The funds may be
- 17 used in connection with other federal, state, and local funding
- 18 sources.
- 19 (2) From the funds appropriated in part 1, the chief justice
- 20 shall allocate sufficient funds for the Michigan judicial institute
- 21 to provide in-state training for those identified in subsection
- 22 (1), including training for new drug treatment court judges.
- 23 (3) For drug treatment court grants, consideration for
- 24 priority may be given to those courts where higher instances of
- 25 substance abuse cases are filed.
- 26 (4) The judiciary shall receive \$1,500,000.00 in Byrne formula
- 27 grant funding as an interdepartmental grant from the department of



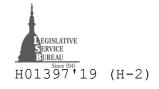
- 1 state police to be used for expansion of drug treatment courts, to
- 2 assist in avoiding prison bed space growth for nonviolent offenders
- 3 in collaboration with the department of corrections.
- 4 Sec. 312. From the funds appropriated in part 1, the state
- 5 court administrator shall produce a statistical report regarding
- 6 the implementation of the parental rights restoration act, 1990 PA
- 7 211, MCL 722.901 to 722.908, as it pertains to minors seeking
- 8 court-issued waivers of parental consent. The state court
- 9 administrative office shall report the total number of petitions
- 10 filed and the total number of petitions granted under that act.
- 11 Sec. 316. (1) From the funds appropriated in part 1 for
- 12 pretrial risk assessment, the state court administrative office
- 13 shall continue to pilot a pretrial risk assessment tool in an
- 14 effort to provide relevant information to judges so they can make
- 15 evidence-based bond decisions that will increase public safety and
- 16 reduce costs associated with unnecessary pretrial detention. The
- 17 state court administrative office shall expand the number of courts
- 18 using the assessment tool.
- 19 (2) The state court administrative office shall submit a
- 20 status report by February 1 to the senate and house appropriations
- 21 subcommittees on judiciary, the senate and house fiscal agencies,
- 22 and the state budget office. The report shall include, but not be
- 23 limited to, all of the following:
- 24 (a) An evaluation of the effectiveness of the pretrial risk
- 25 assessment tool pilot program that was implemented in the prior
- 26 fiscal year.
- (b) Plans to expand use of the assessment tool.



- (c) Details on prior year expenditures, allocations, and
 planned expenditures.
- 3 Sec. 317. Funds appropriated in part 1 shall not be used for
- 4 the permanent assignment of state-owned vehicles to justices or
- 5 judges or any other judicial branch employee. This section does not
- 6 preclude the use of state-owned motor pool vehicles for state
- 7 business in accordance with approved guidelines.
- 8 Sec. 320. (1) From the funds appropriated in part 1 for the
- 9 swift and sure sanctions program, created under section 3 of
- 10 chapter XIA of the code of criminal procedure, 1927 PA 175, MCL
- 11 771A.3, the state court administrative office shall administer a
- 12 program to distribute grants to qualifying courts in accordance
- 13 with the objectives and requirements of the probation swift and
- 14 sure sanctions act, chapter XIA of the code of criminal procedure,
- 15 1927 PA 175, MCL 771A.1 to 771A.8. Of the funds designated for the
- 16 program, not more than \$100,000.00 shall be available to the state
- 17 court administrative office to pay for employee costs associated
- 18 with the administration of the program funds. Of the funds
- 19 designated for the program, \$500,000.00 is reserved for programs in
- 20 counties that had more than 325 individuals sentenced to prison in
- 21 the previous calendar year. Courts interested in participating in
- 22 the swift and sure sanctions program may apply to the state court
- 23 administrative office for a portion of the funds appropriated in
- 24 part 1 under this section.
- 25 (2) By April 1, the state court administrative office, in
- 26 cooperation with the department of corrections, shall provide a
- 27 report on the courts that receive funding under the swift and sure



- 1 sanctions program described in subsection (1) to the senate and
- 2 house appropriations subcommittees on judiciary, the senate and
- 3 house fiscal agencies, and the state budget office. The report
- 4 shall include all of the following:
- 5 (a) The number of offenders who participate in the program.
- **6** (b) The criminal history of offenders who participate in the
- 7 program.
- 8 (c) The recidivism rate of offenders who participate in the
- 9 program, including the rate of return to jail, prison, or both.
- 10 (d) A detailed description of the establishment and parameters
- 11 of the program.
- 12 (e) A list of courts participating in the program.
- 13 (f) An accounting of prior year expenditures, including grant
- 14 amounts requested by the courts, grant amounts awarded to the
- 15 courts, and grant amounts expended by the courts.
- 16 (3) As used in this section, "program" means a swift and sure
- 17 sanctions program described in subsection (1).
- 18 Sec. 321. From the funds appropriated in part 1, the judicial
- 19 branch shall support a statewide legal self-help internet website
- 20 and local nonprofit self-help centers that use the statewide
- 21 website to provide assistance to individuals representing
- 22 themselves in civil legal proceedings. The state court
- 23 administrative office shall summarize the costs of maintaining the
- 24 website, provide statistics on the number of people visiting the
- 25 website, and provide information on content usage, form completion,
- 26 and user feedback. By March 1, the state court administrative
- 27 office shall report this information for the preceding fiscal year



- 1 to the senate and house appropriations subcommittees on judiciary,
- 2 the senate and house fiscal agencies, and the state budget office.
- 3 Sec. 322. If Byrne formula grant funding is awarded to the
- 4 state appellate defender, the state appellate defender office may
- 5 receive and expend Byrne formula grant funds in an amount not to
- 6 exceed \$250,000.00 as an interdepartmental grant from the
- 7 department of state police. If the appellate defender appointed
- 8 under section 3 of the appellate defender act, 1978 PA 620, MCL
- 9 780.713, receives federal grant funding from the United States
- 10 Department of Justice in excess of the amount appropriated in part
- 11 1, the office of appellate defender may receive and expend grant
- 12 funds in an amount not to exceed \$300,000.00 as other federal
- 13 grants.
- 14 Sec. 324. From the funds appropriated in part 1 for the
- 15 medication-assisted treatment program, the judiciary shall maintain
- 16 a medication-assisted treatment program to provide treatment for
- 17 opioid-addicted and alcohol-addicted individuals who are referred
- 18 to and voluntarily participate in the medication-assisted treatment
- 19 program.
- 20 Sec. 325. (1) From the funds appropriated in part 1, the state
- 21 court administrative office shall conduct a study on the
- 22 feasibility of implementing a specialized domestic violence
- 23 prosecution and intervention pilot project. The purpose of a pilot
- 24 project established after a study conducted under this section
- 25 would be to provide intervention and treatment services,
- 26 supplemented by trauma treatment and addiction services, to
- 27 domestic violence offenders, with a focus on the deterrence of



- 1 offenders who are second-time or subsequent offenders.
- 2 (2) Information gathered by the study shall include, but not
- 3 be limited to, all of the following, categorized by county:
- 4 (a) The number of convictions for domestic violence offenses
- 5 compared to the number of convictions for other violent crimes.
- 6 (b) The number of individuals arrested for an alleged second-
- 7 time or subsequent domestic violence offense, and the number of
- 8 individuals convicted of a second-time or subsequent domestic
- 9 violence offense, including the total number of domestic violence
- 10 offenses committed in a specified time period.
- 11 (c) The number of domestic violence offenses resulting in
- 12 death compared to the number of other homicides.
- 13 (d) The number of alleged and convicted offenders that
- 14 experienced violent trauma or witnessed violent trauma as a young
- 15 person.
- (e) The number of alleged and convicted offenders that have a
- 17 substance abuse disorder.
- 18 (f) Recommendations on how the state can hold offenders
- 19 accountable while rehabilitating them with treatment, community-
- 20 based resources and support, and restorative justice approaches to
- 21 conflict resolution, with the goal being a more effective and less
- 22 costly alternative to incarceration.
- 23 (g) Recommendations on how the state can improve
- 24 identification of at-risk individuals and intervention with a
- 25 combination of protective, rehabilitative, and restorative justice
- 26 measures that hold domestic violence offenders accountable, while
- 27 curtailing the escalation of violence before people are at risk.



- 1 (3) The state court administrative office shall submit the
- 2 results of the study, by September 30, to the senate and house of
- 3 representatives subcommittees on judiciary, the senate and house
- 4 fiscal agencies, and the state budget office.

ONE-TIME APPROPRIATIONS

- 6 Sec. 402. (1) From the funds appropriated in part 1, the state
- 7 appellate defender office attorneys and support staff shall ensure
- 8 Michigan compliance with *Montgomery v Louisiana*, 577 US
- 9 (2016). The purpose of the program is to ensure competent,
- 10 resourced, and supervised counsel in cases involving the
- 11 resentencing of juvenile lifers. The representation by SADO counsel
- 12 will create opportunities for release, saving prison costs for the
- 13 state.

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- 14 (2) The state appellate defender office shall submit a report
- 15 by September 30 to the senate and house appropriations
- 16 subcommittees on judiciary, the senate and house fiscal agencies,
- 17 and the state budget office on the number of juvenile lifer cases
- 18 investigated and prepared by the state appellate defender office.
- 19 The report shall include a calculation of hours spent and focus on
- 20 incremental costs associated with investigating and conducting a
- 21 robust examination of each case, with particular emphasis on those
- 22 costs that may be avoided after the cases have been disposed.