

# JUDICIARY

## Summary: FY 2010-11 Exec. Budget Recommendation HB 5883



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	FY 2009-10 YTD	FY 2010-11 Executive	FY 2010-11 Senate	FY 2010-11 House	FY 2010-11 Enacted	Difference: Executive From FY 2009-10 YTD	
						Amount	%
<b>IDG/IDT</b>	\$3,553,500	\$3,553,500				\$0	0.0
<b>Federal</b>	5,126,500	5,376,500				250,000	4.9
<b>Local</b>	6,149,300	6,340,400				191,100	3.1
<b>Private</b>	842,500	842,500				0	0.0
<b>Restricted</b>	89,957,700	89,979,800				22,100	0.0
<b>GF/GP</b>	153,132,800	152,731,100				(401,700)	(0.3)
<b>Gross</b>	<b>\$258,762,300</b>	<b>\$258,823,800</b>				<b>\$61,500</b>	<b>0.0</b>
<b>FTEs</b>	491.0	491.0				(0.0)	0.0

Note: FY 2009-10 figures reflect supplementals and Executive Order (EO) actions through January 31, 2009.

### 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.

### Major Budget Changes From FY 2009-10 YTD Appropriations

		FY 2009-10 YTD	Executive Change From YTD
<b>1. General Fund Reduction</b>	<b>Gross</b>	<b>N/A</b>	<b>(\$2,587,500)</b>
Four percent administrative reduction spread to various line items. Supreme Court Administration (\$484,500), Judicial Institute (\$96,400), Supreme Court Administrative Office (\$265,800), Judicial Information Systems (\$113,700), Foster Care Review Board (\$33,700), Drug Treatment Courts (\$31,900), Court of Appeals (\$794,900), Judicial Tenure Commission (\$38,800), Appellate Public Defender (\$176,300), Appellate Assigned Counsel (\$31,700), and Court Equity Reimbursements (\$519,800).	GF/GP	N/A	(\$2,587,500)
<b>2. Circuit Court Judgeships</b>	<b>Gross</b>	<b>N/A</b>	<b>(\$240,700)</b>
Under Public Act 228 of 2009 two circuit court judgeships were temporarily eliminated (Oakland County (1) eliminated from January 1, 2011 to January 1, 2015 and Macomb County (1) eliminated from January 1, 2011 to January 1, 2017). Budget adjusts for savings over 9-month period due to judgeships being eliminated starting January 1, 2011.	GF/GP	N/A	(\$240,700)
<b>3. State Appellate Defender Office (SADO) Federal Grants</b>	<b>Gross</b>	<b>N/A</b>	<b>\$250,000</b>
Increases appropriation by \$250,000 due to a continuation of Federal grant awards received by SADO.	Federal	N/A	\$250,000
	GF/GP	N/A	\$0

<u>Major Budget Changes From FY 2009-10 YTD Appropriations</u>	<u>FY 2009-10 YTD</u>	<u>Executive Change From YTD</u>
<b>4. Economics</b>	<b>Gross</b>	<b>N/A</b>
Funds economic adjustments as follows:	Federal	\$2,639,700
• Salaries/wages increase: \$936,300 gross, \$863,700 GF/GP	Local	0
• Defined Contribution (new judges): \$71,300 gross and GF/GP	Private	191,100
• OASI, social security (judges): (\$76,400) gross and GF/GP	Restricted	0
• Insurance: \$537,300 gross, \$488,900 GF/GP	GF/GP	22,100
• Retirement increase: \$1,081,900 gross, \$989,700 GF/GP		\$2,426,500
• Rent increase: \$7,500 gross and GF/GP		
• Workers' compensation decrease: (\$26,900) gross and GF/GP		
• Building occupancy increase: \$108,700 gross and GF/GP		

**Major Boilerplate Changes From FY 2009-10**

**Sec. 204. Employee Contact with Legislature – DELETED**

Prohibits disciplinary action against a judicial employee for communicating with a Legislator or his or her staff.

**Sec. 212. Retention of Reports – DELETED**

Directs the judicial branch to comply with federal and state guidelines for short-term and long-term retention of reports funded through appropriations.

**Sec. 215. Travel Restrictions - REVISED**

Restricts out-of-state travel for judicial branch employees. Revision removes section allowing chief justice to grant exceptions on out-of-state travel restrictions.

**Sec. 216. Policy Change Report Requirement – DELETED**

Requires judicial branch to report by April 1, 2010, on each policy change made to implement enacted legislation; prohibits funding for regulatory plans or for rules that fail to reduce economic impact on small businesses.

**Sec. 218. Out-of-State Professional Development Conference Travel – DELETED**

Limits travel to out-of-state professional development conferences to one judicial employee unless conference is funded by federal or private funding source and requires more than once person to attend.

**Sec. 219. General Fund Lapses - DELETED**

Requires report by September 30, 2010 providing total general fund/general purpose appropriation lapses for the fiscal year.

**Sec. 220. Supreme Court Satellite Offices - DELETED**

Indicates legislative intent that the Supreme Court retain its satellite offices.

**Sec. 221. Expenditures Website - DELETED**

Requires the judicial branch to develop and maintain, on a publicly accessible Internet site, all expenditures made by the judicial branch within the fiscal year.

**Sec. 304. Auditor General – DELETED**

Requires judicial branch to cooperate with the auditor general in audits of judicial branch.

**Sec. 305. Expenditure and Revenue Reports – DELETED**

Requires quarterly financial reports on judiciary budget revenue and expenditure.

**Sec. 309. Pilot Mental Health Courts – DELETED**

Requires an update on the status of the pilot courts by April 1, 2010.

**Sec. 312. Parental Rights Restoration Act Report – DELETED**

Instructs state court administrator to report total number of petitions filed by minors seeking court-issued waiver of parental consent under Parental Rights Restoration Act, and total number of petitions granted.

**Sec. 314. Standardized Risk Assessment - DELETED**

Requests the State Court Administrative Office to conduct a survey of trial courts to determine best practices for standardized risk assessment.

**Sec. 319. Juvenile Training Pilot Project - DELETED**

Establishes a pilot project to train criminal defense attorneys who accept court-appointed cases concerning juvenile delinquency, abuse, neglect, and protective services.