HOUSE FISCAL AGENCY

Budget Briefing: Judiciary

Robin R. Risko, Associate Director

September 2026

Briefing Topics

- Funding Sources
- Appropriation Areas
- Major Budget Topics

Judicial Branch: Constitutional Mandate

"The judicial power of the state is vested exclusively in one court of justice which shall be divided into one 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

Key Budget Terms

Fiscal Year: The state's fiscal year (FY) runs from October to September. FY 2026-27 is October 1, 2026 through September 30, 2027.

Appropriation: Authority to expend funds. An appropriation is not a mandate to spend. Constitutionally, state funds cannot be expended without an appropriation by the legislature.

Line Item: Specific appropriation amount in a budget bill that establishes spending authorization for a particular program or function.

Boilerplate: Specific language sections in a budget bill that direct, limit, or restrict line item expenditures, express legislative intent, and/or require reports.

Lapses: Appropriated amounts that are unspent or unobligated at the end of a fiscal year. Appropriations are automatically terminated at the end of a fiscal year unless designated as a multi-year work project under a statutory process. Lapsed funds are available for expenditure in the subsequent fiscal year.

Note: Unless otherwise indicated, historical budget figures in this presentation have not been adjusted for inflation.

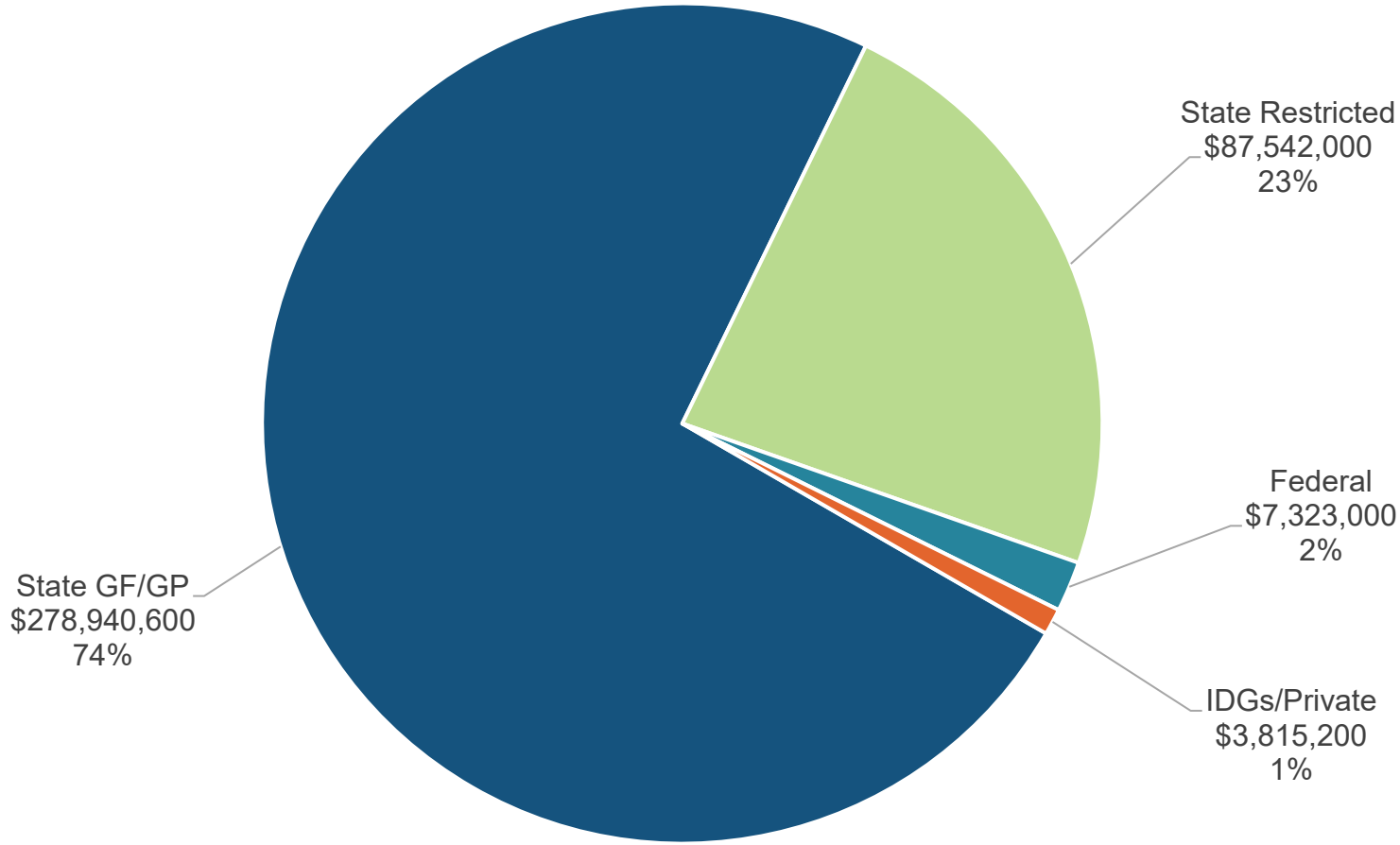
Funding Sources

FY 2026-27 Judiciary Budget

Fund Source	Funding	Description
Gross Appropriations	$377,620,800	Total spending authority from all revenue sources
Interdepartmental Grants (IDG) Revenue	1,902,300	Funds received by one state department from another state department, usually for services provided
Adjusted Gross Appropriations	$375,718,500	Gross appropriations excluding IDGs; avoids double counting when adding appropriation amounts across budget areas
Federal Revenue	7,323,000	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	1,912,900	Revenue from individuals and private entities, including payments for services, grants, and other contributions
State Restricted Revenue	87,542,000	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	$278,940,600	Unrestricted revenue from taxes and other sources available to fund basic state programs and other purposes determined by the legislature

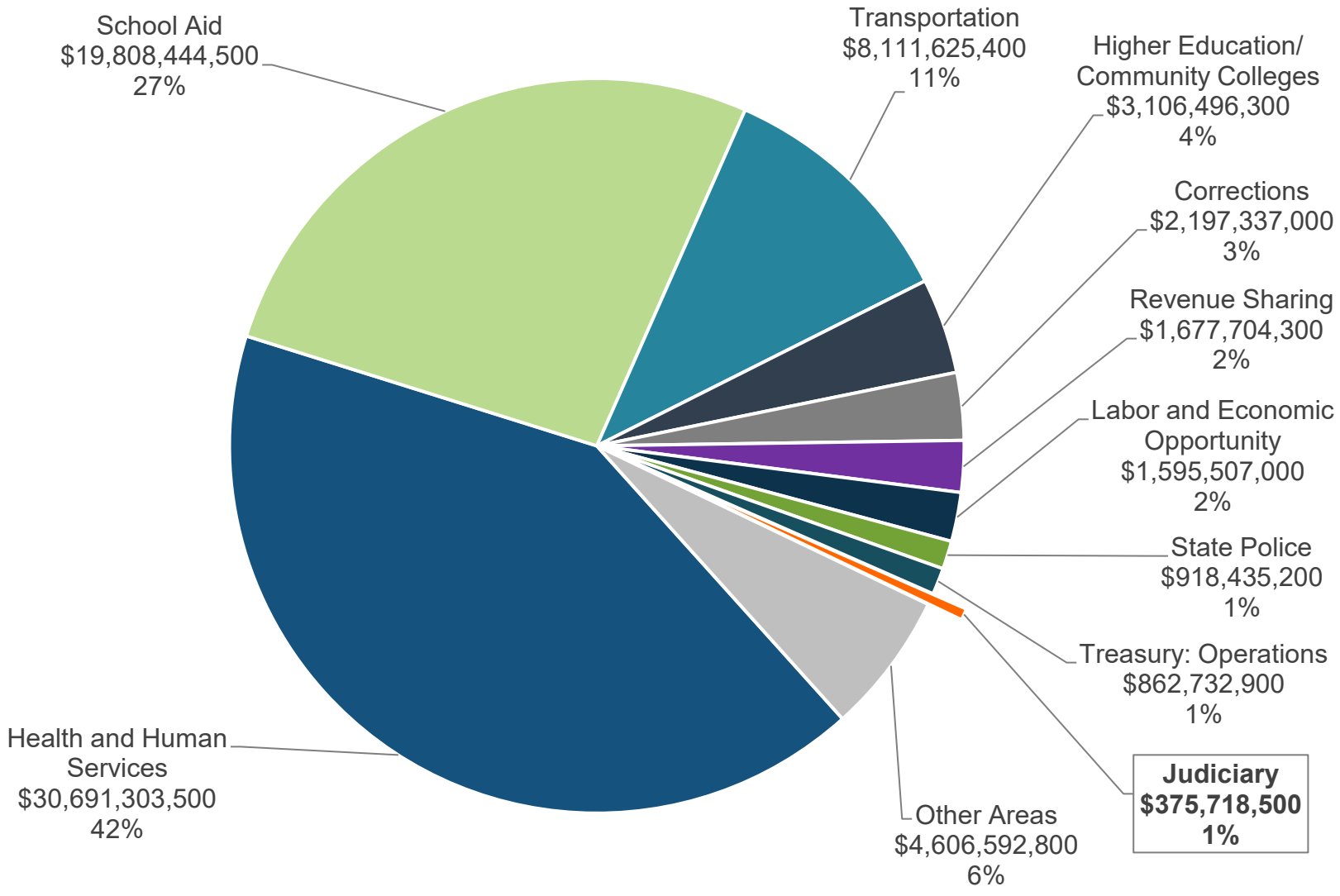
FY 2026-27 Fund Sources

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



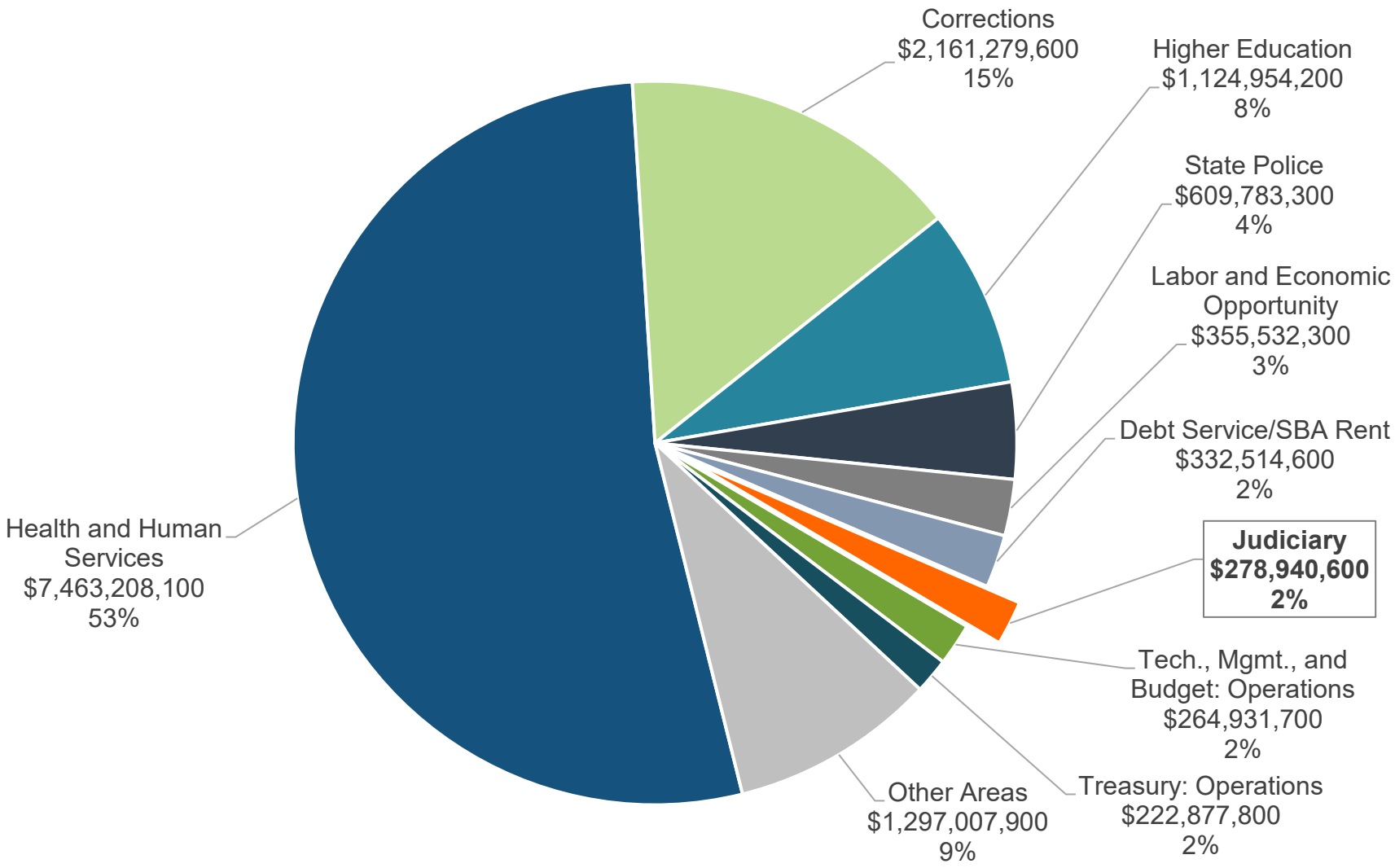
Judiciary Share of Total State Budget

The Judiciary budget represents less than **1%** of the **$74.0 billion** state budget (adjusted gross) for FY 2026-27.



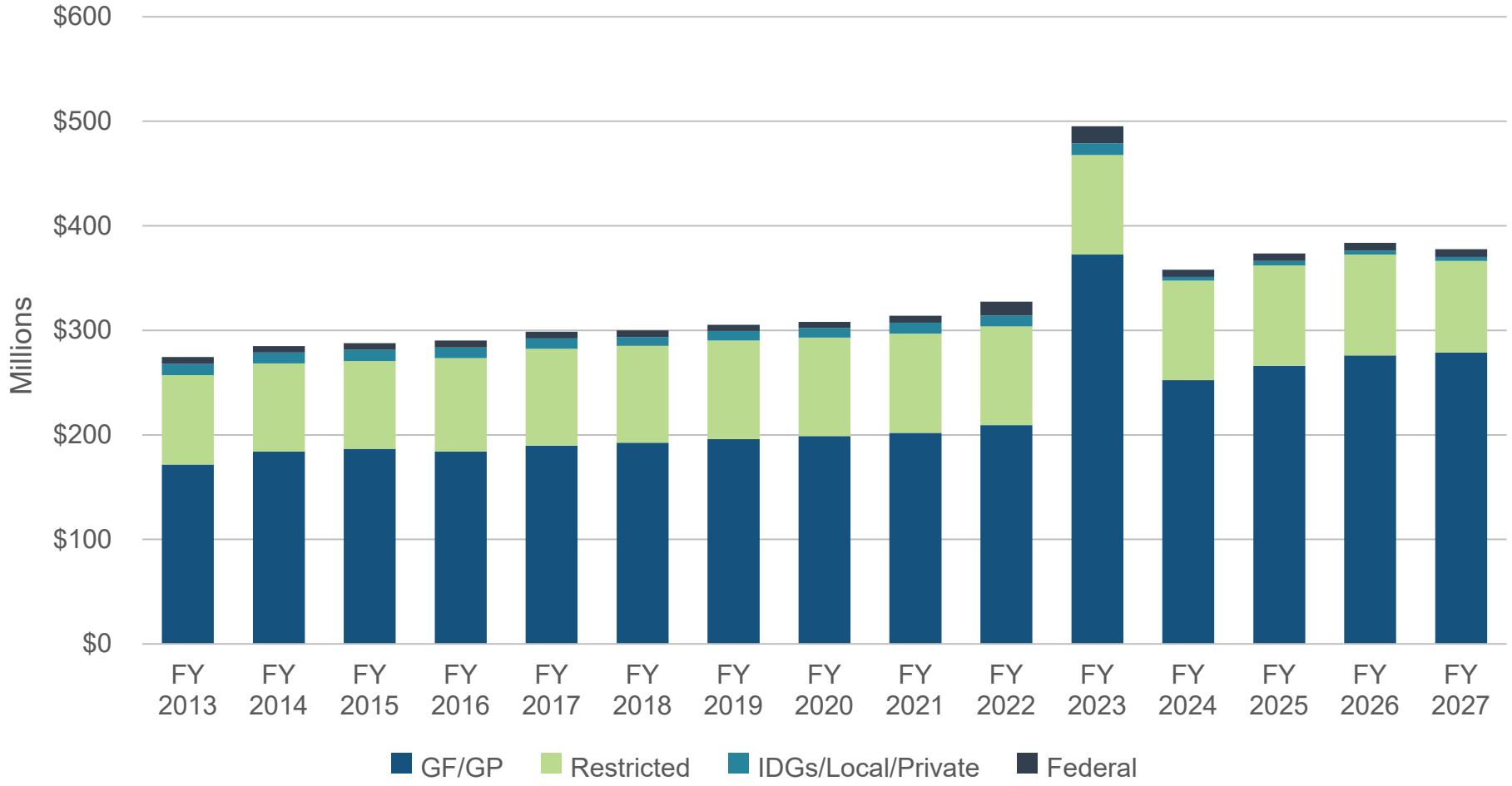
Judiciary Share of Total GF/GP Budget

The Judiciary budget represents **2%** of the state's **$14.1 billion** GF/GP budget for FY 2026-27.



Judiciary Funding History

Funding for Judiciary has grown by about **38%** since FY 2012-13. 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.



Appropriation Areas

Judiciary Appropriation Areas

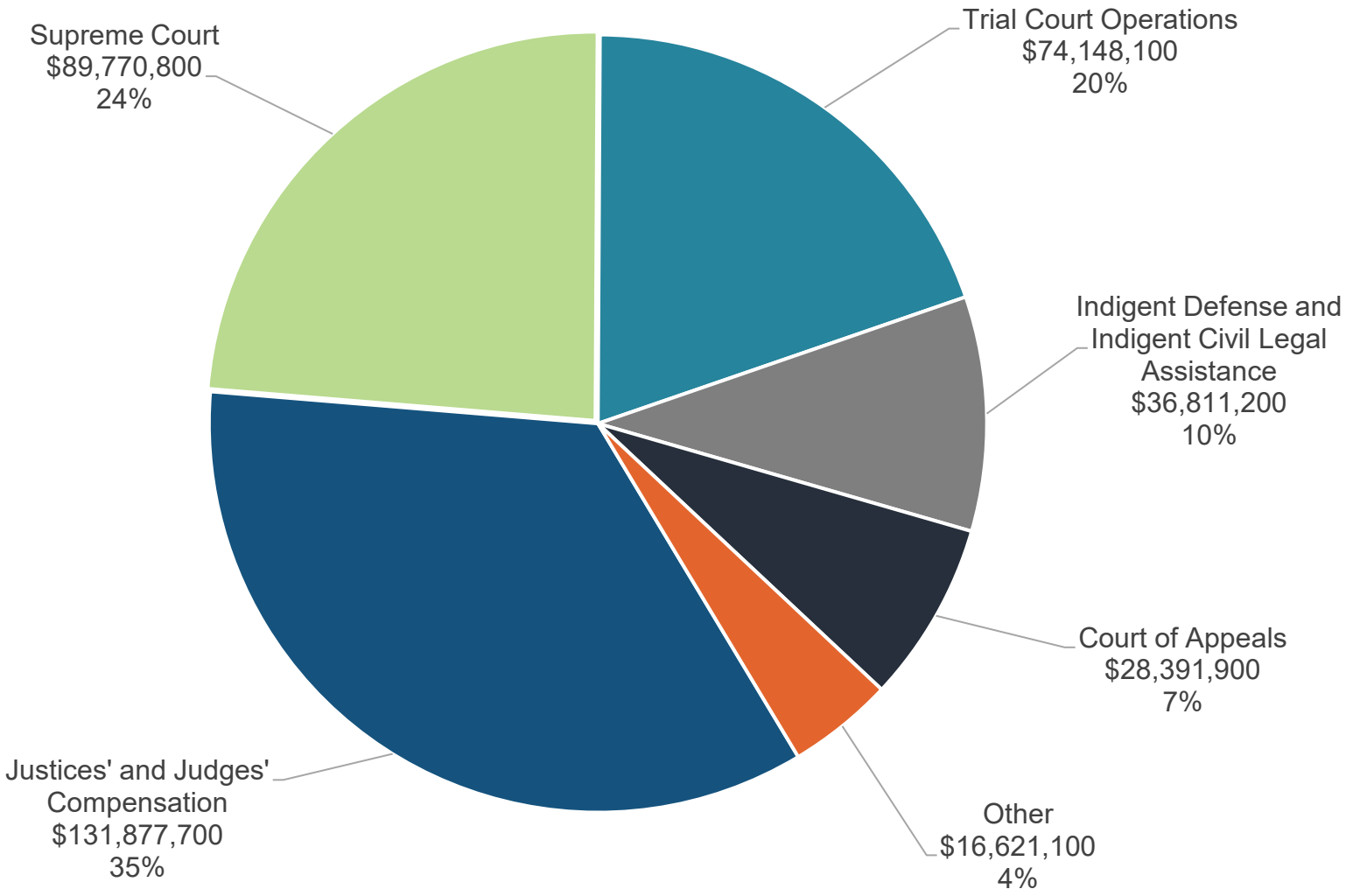
The Judiciary budget is allocated into the following major spending areas:

- Supreme Court
- Court of Appeals
- Trial Court Operations
- Justices' and Judges' Compensation
- Indigent Defense and Indigent Civil Legal Assistance
- Other (Judicial Tenure Commission and Branchwide Appropriations)

Note: One-time appropriation is allocated to associated spending areas

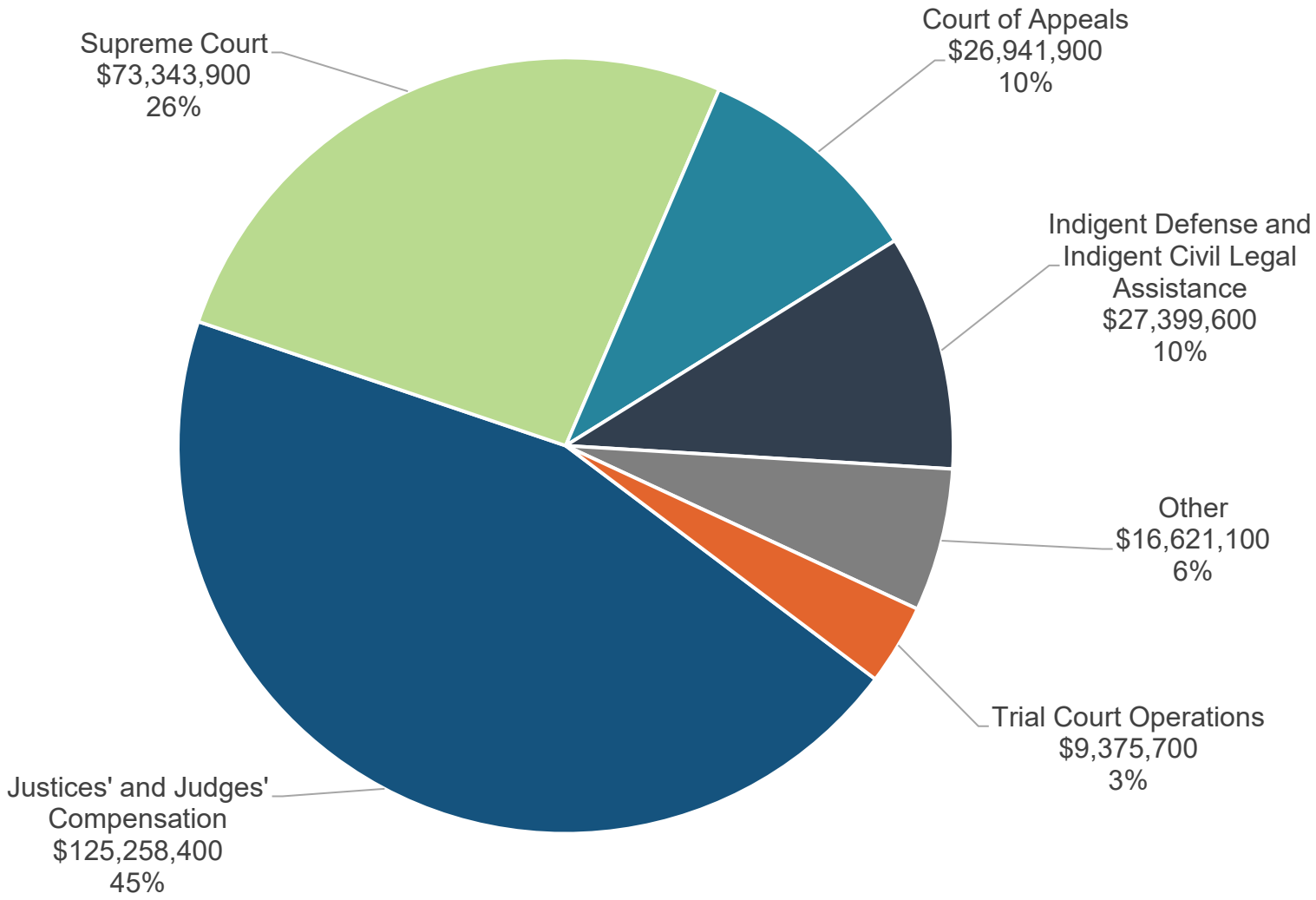
FY 2026-27 Gross Appropriations

Of the total **$377.6 million** appropriated in the Judiciary budget, **$295.8 million**, or **78%**, supports justices' and judges' compensation, the Supreme Court, and trial court operations.



FY 2026-27 GF/GP Appropriations

Of the total **$278.9 million** GF/GP appropriated in the Judiciary budget, **$125.3 million**, or **45%**, supports justices' and judges' compensation.



Major Budget Topics

Courts in Michigan

- There are 3 levels to the court system in Michigan: the Supreme Court, the Court of Appeals, and trial courts

- The Supreme Court has **7 Justices** elected to eight-year terms

- The Court of Appeals has **25 judges** elected to six-year terms

- Trial courts consist of circuit courts, district courts, probate courts, municipal courts, and the Court of Claims

    - **57 circuit courts**; **223 circuit court judges** elected to six-year terms
    - **103 district courts**; **232 district court judges** elected to six-year terms
    - **78 probate courts**; **104 probate court judges** elected to six-year terms

- There are **2 federal district courts** in Michigan (no state appropriations are used to support federal courts)

- There are **12 tribal courts** in Michigan - one for each of the federally recognized tribes (no state appropriations are used to support tribal courts)

SUPREME COURT – 7 Justices

Highest court; has the final word on state law
Hears appeals from decisions of the Court of Appeals
No jurors, no witnesses; decisions made by majority vote
Supervises all other courts; establishes rules and procedures for all state courts

COURT OF APPEALS – 25 Judges

3-judge panels hear appeals from trial courts
No jurors, no witnesses
2 of the 3 judges must agree on the ruling

------- Trial Courts -------

COURT OF CLAIMS – 4 Judges

Cases filed against the state or its agencies
Claims for money damages over $1,000
Possible jury trials

CIRCUIT COURT – 223 Judges; 57 Courts

Civil cases with claims of more than $25,000
All felony criminal cases
Appeals from district courts; administrative appeals
Includes Family Division and Friend of the Court

DISTRICT COURT – 232 Judges; 103 Courts

Handles most traffic violations
All misdemeanor criminal cases
Preliminary stages of felony criminal cases
All civil cases with claims up to $25,000
Small claims up to $6,500

PROBATE COURT – 104 Judges; 78 Courts

Handles wills
Administers estates and trusts
Appoints guardians and conservators
Orders treatment for mentally ill and disabled

Judicial Salaries – Fiscal Year 2026-27

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 October 1, 2026.

Court	# of Justices/ Judges	Annual Salary	Total Cost of Salaries Only
Supreme Court	7	$181,483	$1,270,381
Court of Appeals	25	$207,538	$5,188,450
Circuit Court	223	$191,748	$42,759,804
Probate Court	104	$191,748	$19,941,792
District Court	232	$191,748	$44,485,536

State Appellate Defender Office

***State Appellate Defender Office (SADO)*: $28.9 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 four divisions:
  - Public Defender Division represents at least 25% of individuals appealing their convictions; serves roughly 300 clients per year
  - Juvenile Lifer Unit represents people in Michigan serving unconstitutional life-without-parole sentences for crimes committed as youth
  - Michigan Appellate Assigned Counsel System appoints criminal appellate counsel in all state circuit courts; county-funded private attorneys represent the other 75% of appeals cases; serves up to 3,000 clients per year
  - 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; resources include online access to pleadings, expert witness testimony, appellate case law summaries, and training videos

State Appellate Defender Office

Juvenile Lifer Unit and Project Reentry

- In 2016, the U.S. Supreme Court ruled that imposing mandatory life sentences without the possibility of parole for offenses committed as youth was in violation of the U.S. Constitution
- SADO created the Juvenile Lifer Unit comprised of attorneys and investigators to represent juvenile lifers serving life without parole sentences in resentencing hearings
- Michigan had 364 juvenile lifers serving life without parole; SADO represented 193 of these clients
- In 2022, the Michigan Supreme Court issued multiple decisions on youth sentencing that significantly expanded the impact of the U.S. Supreme Court ruling
- State court rulings resulted in the need for a little more than 300 additional resentencing hearings
- Project Reentry focuses on juvenile lifers paroled as a result of their resentencing hearings; prepares clients for parole, develops comprehensive reentry plans to assist with returning to the community, helps individuals find assistance and resources they need to ensure success in the community

Judicial Tenure Commission

***Judicial Tenure Commission (JTC)*: $3.5 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

- From January 1, 2026 to September 4, 2026, JTC received 474 Requests for Investigation against 188 judges

- From January 1, 2026 to August 31, 2026, JTC resolved 484 Requests for Investigation against 296 judges; 425 requests were resolved via summary dismissal

- 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

Grant Programs to Assist Local Trial Courts

- **$106.0 million**, or a little over **28%**, 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, **$49.8 million** Gross, used to assist local trial courts with operational expenses
- Funding from the Court Equity Fund (**$40.4 million**) is combined with GF/GP funding (**$9.4 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:

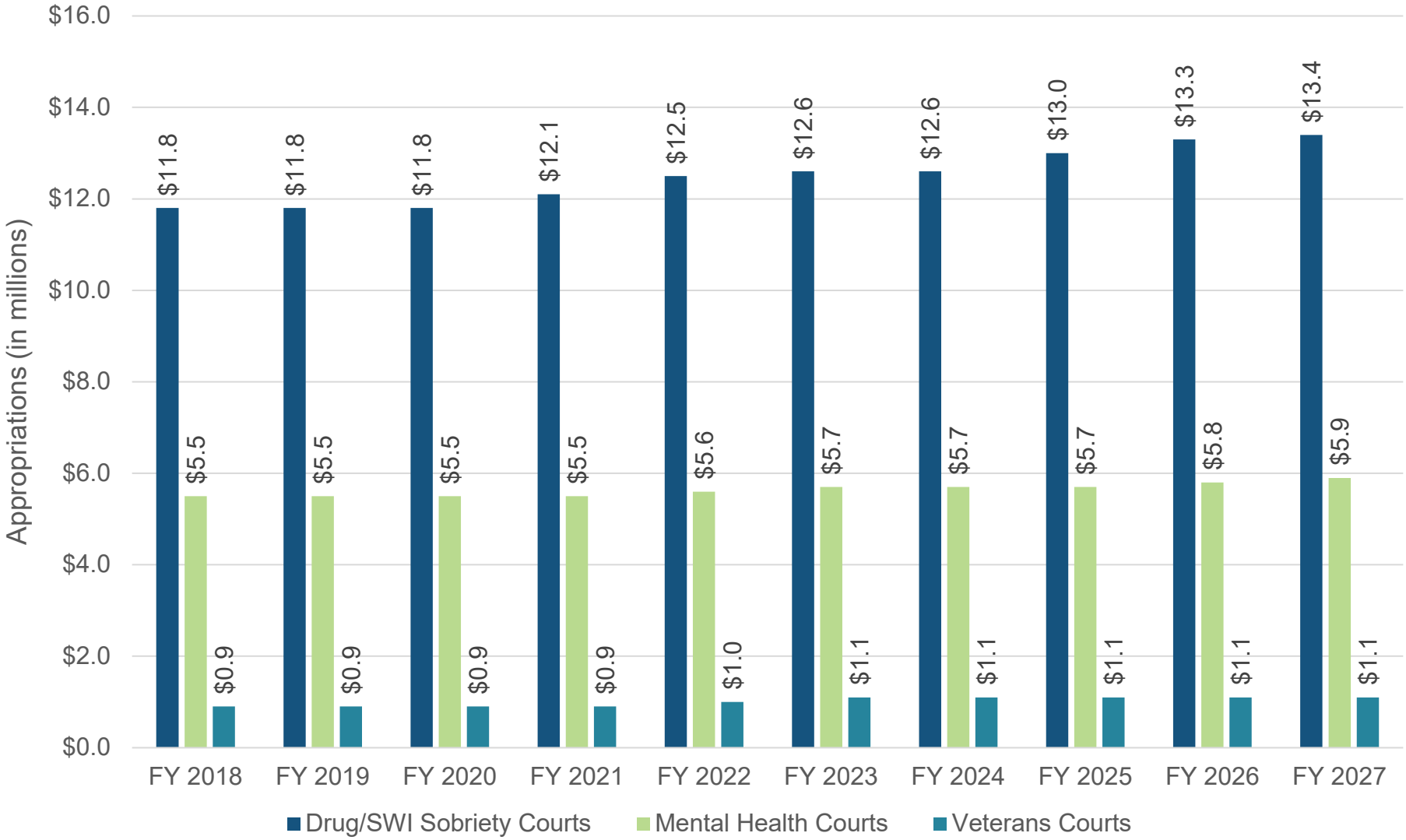
- ***Drug Treatment/DWI Sobriety Courts*: $13.4 million** Gross
  - Operate to reduce criminal activity and to rehabilitate offenders diagnosed with substance use disorders through a combination of therapeutic services and judicial supervision
  - Offer an alternative to imprisonment for non-violent criminal offenders
  - As of August 2026, there were **138 drug treatment/DWI sobriety courts** operating in the state (61 hybrid drug treatment/DWI sobriety courts, 45 DWI sobriety courts, 13 adult and 5 juvenile drug treatment courts, 10 family dependency courts, and 4 tribal drug treatment/DWI sobriety courts)

- ***Mental Health Courts*: $5.9 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 August 2026, there were **42 mental health courts** operating in the state (35 adult and 7 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 August 2026, there were **30 veterans treatment courts** operating in the state

Funding for Problem-Solving Courts



Trial Court Funding

- Michigan trial courts are funded through a complex collection of general tax revenue and fee and fine revenue
- It costs over a billion dollars annually to operate the state's 242 trial courts
- Trial courts are funded by local units of government, state government, federal government, and by the trial courts
- A significant portion of funds generated by trial courts are assessments on criminal defendants; state funding consists of general fund revenue and revenue generated from fines; more than $400 million of funding for trial courts comes from fines and fees paid by people found guilty of crimes
- Judges impose penalties and rely on revenue from those penalties to operate their courts
- In 2014, the state Supreme Court ruled in *People v Cunningham* that local courts do not have authority to use revenue from court costs imposed on defendants to pay for the day-to-day operations of trial courts

Trial Court Funding

- In 2017, the legislature responded to the *Cunningham* decision in Public Act 64 by authorizing trial courts to assess defendants the cost of court operations related to their cases

- 2017 PA 64 also included a sunset provision meaning the use of revenue collected from defendants to pay costs of court operations would exist for only a specified period of time; the time period has since been amended by the legislature; currently, the sunset expires on December 31, 2026

- Through 2017 PA 65, the legislature created the 14-member Trial Court Funding Commission to review Michigan's trial court funding system and to recommend changes that would improve efficiency, the administration of justice, and justice outcomes

- The commission concluded its work and filed its final report September 6, 2019, in accordance with statute

- The Michigan Judicial Council was established in 2021 to ensure continued progress toward a unified Michigan court system making the justice system more accessible, equitable, engaged, and efficient

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