

MINUTES

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUDICIARY

DATE: Tuesday, December 3, 2019

Representative Brann called the subcommittee meeting to order at 3:50 p.m.

Roll was taken: Present - Representatives Brann, Lightner, Yaroch, Maddock, Brixie, and Pagan.

Absent with Excuse - Representative Hammoud

I. Approval of Minutes from Previous Subcommittee Meeting

A motion was moved by Representative Lightner to approve the minutes from the subcommittee meeting held on April 30, 2019. The motion prevailed, a majority of the members voting in the affirmative.

II. Final Report of the Trial Court Funding Commission

The Honorable Judge Thomas Boyd, 55th District Court, Ingham County, the Honorable Judge Milton Mack, Wayne County Probate Court, and former Representative Rob VerHeulen, appeared before the subcommittee to give a presentation on the final report submitted by the Michigan Trial Court Funding Commission.

The Trial Court Funding Commission was charged with reviewing and recommending changes to the trial court funding system and to the methods by which the courts impose and allocate fees and costs. Completed activities of the Commission include analysis of the problem, research of state models, gathering information from stakeholders, gathering financial data, determining principles and values, and reporting recommendations.

Stakeholder input revealed the following priorities: promote judicial independence and courts should make independent decisions that are not influenced by the need to generate revenue to support their budgets; streamline and consolidate court services and courts should improve efficiency, reduce costs, and create a more efficient statewide system; and court-imposed fines and costs should only fund court operations and not be used to fund non-court functions, such as libraries and non-court training programs.

The Commission identified the following key barriers to an effective trial court funding system: a real or perceived conflict of interest between a judge's impartiality and the obligation to use the courts to generate operating revenue; inadequate funding from all sources due to excessive dependence on local government funding; and unequal access to justice, harming those who are most vulnerable and have the least access to financial resources.

The Commission makes the following recommendations: establish a stable court funding system; the state should provide all court technology needs; establish uniform assessments and centralized collections; move toward a uniform employment system; and establish a transition plan for the new court funding model.

Discussion ensued (questions and answers).

III. Adjourn

There being no further business to come before the subcommittee, Representative Brann adjourned the subcommittee meeting at 4:50 p.m.