

**Summary: Executive Budget Recommendation  
for Fiscal Year 2019-20  
JUDICIARY**



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	FY 2018-19	FY 2019-20 Executive	Difference: FY 2019-20 Vs. FY 2018-19	
	Year-to-Date as of 3/5/19		Amount	%
<b>IDG/IDT</b>	\$1,551,300	\$1,551,700	\$400	0.0
<b>Federal</b>	5,987,400	6,028,400	41,000	0.7
<b>Local</b>	6,499,800	6,579,500	79,700	1.2
<b>Private</b>	981,600	994,300	12,700	1.3
<b>Restricted</b>	92,979,500	93,044,900	65,400	0.1
<b>GF/GP</b>	196,079,500	201,142,200	5,062,700	2.6
<b>Gross</b>	<b>\$304,079,100</b>	<b>\$309,341,000</b>	<b>\$5,261,900</b>	<b>1.7</b>
<b>FTEs</b>	502.0	503.0	1.0	0.2

Notes: (1) FY 2018-19 year-to-date figures include mid-year budget adjustments through March 5, 2019. (2) Appropriation figures for all years include all proposed appropriation amounts, including amounts designated as "one-time."

**Overview**

Article VI of the State Constitution of 1963 forms the basis for Michigan's judicial branch of government. The Judiciary budget provides operational funding for the Michigan Supreme Court, the Court of Appeals, and related judicial agencies. The budget 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. Funding assistance for local trial court operations is provided through a variety of grant programs. The largest of these, the Court Equity Fund Reimbursement program, reimburses counties for trial court operations based on a statutory formula that recognizes circuit and probate caseloads and the number of judgeships.

<b>Major Budget Changes From FY 2018-19 Year-to-Date (YTD) Appropriations</b>	FY 2018-19 YTD (as of 3/5/19)	Executive Change from YTD
<b>1. Cybersecurity for Supreme Court Website</b> Includes \$1.9 million GF/GP (\$1.5 million one-time, \$454,100 ongoing) for redesigning and updating the Supreme Court website and extranet. Funding would be used to support staff, purchase web content management software, replace and secure customer relationship management software, and provide for cloud-hosting and software licenses.	<b>Gross</b> NA <b>GF/GP</b> NA	<b>\$1,929,100</b> \$1,929,100
<b>2. Compliance with U.S. Supreme Court Decision Regarding Juvenile Lifers</b> Includes \$841,900 GF/GP and authorization for 7.0 FTE positions for the State Appellate Defender Office (SADO) to ensure compliance with the U.S. Supreme Court ruling on the <i>Montgomery v Louisiana</i> case. SADO provides post-conviction representation of juvenile lifers. There are 96 clients awaiting new sentencing hearings.	FTE 0.0 <b>Gross</b> \$0 GF/GP \$0	7.0 <b>\$841,900</b> \$841,900
<b>3. SADO Caseload Increase</b> Includes \$457,200 GF/GP and authorization for 4.0 FTE positions for SADO's public defense division to provide representation for an increased number of clients appealing convictions they received after trial.	FTE 51.0 <b>Gross</b> \$8,143,400 Federal 343,500 Private 85,900 Restricted 92,300 GF/GP \$7,621,700	4.0 <b>\$457,200</b> 0 0 0 \$457,200

<b>Major Budget Changes From FY 2018-19 Year-to-Date (YTD) Appropriations</b>		<b>FY 2018-19 YTD (as of 3/5/19)</b>	<b>Executive Change from YTD</b>
<b>4. Online Dispute Resolution Services</b>	<b>Gross</b>	<b>\$2,815,800</b>	<b>\$450,000</b>
Includes \$450,000 GF/GP for expanding availability of online dispute resolution for small claims and landlord/tenant cases. Also, funding would be used to pilot the use of online dispute resolution services to resolve certain domestic relations and youth-related issues and to prevent rental eviction.	Restricted	2,390,800	0
	GF/GP	\$425,000	\$450,000
<b>5. Pretrial Risk Assessment</b>	FTE	0.0	1.0
Includes \$325,700 GF/GP and authorization for 1.0 FTE position for continued improvement and development of the pretrial risk assessment tool. Funding would be used to collect, analyze, and interpret pretrial court data, provide technical assistance, conduct trainings on pretrial best practices, establish pretrial metrics and performance measures, and improve technological resources and data integration reports.	<b>Gross</b>	<b>\$0</b>	<b>\$325,700</b>
	GF/GP	\$0	\$325,700
<b>6. Judicial Tenure Commission (JTC)</b>	<b>Gross</b>	<b>\$1,162,900</b>	<b>\$200,000</b>
Includes \$200,000 GF/GP (\$100,000 one-time, \$100,000 ongoing) for additional staff resources to handle a backlog of cases, which is due to an increase in the number of formal complaints and increasingly complex cases.	GF/GP	\$1,162,900	\$200,000
	<b>Gross</b>	<b>NA</b>	<b>(\$436,300)</b>
<b>7. Judgeship Changes</b>	Restricted	NA	15,600
	GF/GP	NA	(\$451,900)
<b>8. Removal of Current Year One-Time Funding</b>	FTE	11.0	(11.0)
	<b>Gross</b>	<b>\$1,830,700</b>	<b>(\$1,830,700)</b>
Reduces the budget by \$1.8 million GF/GP and 11.0 FTE positions to reflect removal of one-time funding and FTE positions included in the FY 2018-19 budget. Items removed include: \$700,000 and 11.0 FTE positions for SADO to ensure compliance with the U.S. Supreme Court ruling on the <i>Montgomery v Louisiana</i> case, \$750,000 for expansion of problem solving courts, \$305,700 for pretrial risk assessment, and \$75,000 for the Youthful Sex Offender Treatment pilot program.	GF/GP	\$1,830,700	(\$1,830,700)
	<b>Gross</b>	<b>NA</b>	<b>\$3,325,000</b>
<b>9. Economic Adjustments</b>	IDG	NA	400
	Federal	NA	41,000
	Local	NA	79,700
	Private	NA	12,700
	Restricted	NA	49,800
	GF/GP	NA	\$3,141,400

### **Major Boilerplate Changes From FY 2018-19**

#### **Sec. 206. Businesses in Deprived and Depressed Communities – NEW**

Requires the judicial branch to take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both; requires the judicial branch to encourage firms the judicial branch contracts with to subcontract with certified businesses in deprived and depressed communities.

#### **Sec. 215. Disciplinary Action Against State Employees – DELETED**

Prohibits the judicial branch from taking disciplinary action against employees for communicating with legislators or their staff.

#### **Sec. 216. Input on Foster Care Cases – DELETED**

Expresses legislative intent that judges presiding over hearings on foster care cases publicly acknowledge and request input from foster parent(s) during hearings.

## **Major Boilerplate Changes From FY 2018-19**

### **Sec. 217. Changes to Foster Care Family Service Plans – DELETED**

Expresses legislative intent that judges presiding over foster care cases provide explanations in court records for any changes made to foster care family service plans.

### **Sec. 218. Linking Swift and Sure Sanctions Program to DHHS, DTED, and MDOC Programming – DELETED**

Requires SCAO to identify programs within Departments of Health and Human Services, Talent and Economic Development, and Corrections that have programmatic connections with Swift and Sure Sanctions program participants for the purpose of leveraging collaborations and determining avenues of success for offenders who are eligible for state-provided programs; requires SCAO to provide guidance to courts participating in Swift and Sure Sanctions program of available DHHS, DTED, and MDOC programming.

### **Sec. 219. Receipt and Retention of Required Reports – DELETED**

Requires the judicial branch to receive and retain copies of all reports required; requires federal and state guidelines to be followed for short- and long-term retention of records; authorizes the judicial branch to electronically retain copies of reports unless otherwise required by federal and state guidelines.

### **Sec. 306. Collected and Uncollected Payments and Fees – DELETED**

Requires SCAO to provide a statistical report, categorized by county, on collected and uncollected amounts of restitution payments, court fees, and other judgements placed on people within the counties.

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

Requires SCAO to report on the total number of petitions filed by minors seeking court-issued waivers of parental consent under the Parental Rights Restoration Act, and the total number of petitions granted.

### **Sec. 402. Compliance with U.S. Supreme Court Decision Regarding Juvenile Lifers – DELETED**

Requires SADO to ensure compliance with the U.S. Supreme Court ruling on *Montgomery v Louisiana* case and to ensure competent, resourced, and supervised counsel in cases involving resentencing of juvenile lifers; requires SADO to submit a report on the number of juvenile lifer cases investigated and prepared, to include a calculation of hours spent, and a focus on incremental costs associated with investigating and conducting each case.

### **Sec. 403. Youthful Sex Offender Treatment Pilot Program – DELETED**

Requires funding allocated to Kent County to be used for assessing sex offenders, between the ages of 17 and 24, for risk, and for providing treatment to eligible offenders; specifies that the duration of treatment will be determined by and will depend on assessment-based level of identified risk; requires victim approval of offenders' enrollment in the program.

### **Sec. 1201. Anticipated FY 2019-20 Appropriations – DELETED**

Expresses legislative intent that FY 2019-20 appropriations will be funded at the same level as FY 2018-19 appropriations, adjusting for changes in caseloads, federal fund match rates, economic factors, and available revenues.