

EXECUTIVE BUDGET BILL

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

PART 1

Sec. 101. Subject to the conditions set forth in this bill, the amounts listed in this part are appropriated for the judicial branch for the fiscal year ending September 30, 2000, from the funds indicated in this part. The following is a summary of the appropriations in this

1 part:

2 **JUDICIARY**

3 APPROPRIATION SUMMARY:

4 Full-time equated exempted positions 583.0

5 GROSS APPROPRIATION \$ 226,140,800

6 Interdepartmental grant revenues:

7 Total interdepartmental grants and intradepartmental

8 transfers 2,304,200

9 ADJUSTED GROSS APPROPRIATION \$ 223,836,600

10 Federal revenues:

11 Total federal revenues 3,124,600

12 Special revenue funds:

13 Total local revenues 2,434,000

14 Total private revenues 1,716,100

15 Total other state restricted revenues 56,070,700

16 State general fund/general purpose \$ 160,491,200

17 **Sec. 102. SUPREME COURT**

18 Full-time equated exempted positions 283.0

19 Supreme court administration--118.0 FTE positions \$ 13,973,900

20 Judicial institute--18.0 FTE positions 2,809,700

21 State court administrative office--80.0 FTE

22 positions 8,675,600

23 Judicial information systems--21.0 FTE positions . 4,182,900

24 Direct trial court automation support--30.0 FTE

25 positions 2,496,600

26 Foster care review board--12.0 FTE positions . . . 1,198,700

27 Community dispute resolution--4.0 FTE positions . 2,372,300

28 GROSS APPROPRIATION \$ 35,709,700

29 Appropriated from:

30 Interdepartmental grant revenues:

31 IDG from Michigan jobs commission 120,000

1	IDG from MDSP-criminal justice	
2	improvement	1,443,900
3	IDG from MDSP-Michigan justice training	
4	fund	305,500
5	Federal revenues:	
6	DAG, agriculture mediation grant	472,800
7	DOE, special education grant	130,500
8	DOT, national highway safety traffic	
9	administration	217,500
10	DOJ, victims assistance program	50,000
11	HHS, access and visitation grant	404,900
12	HHS, court improvement project	619,300
13	HHS, title IV-D child support program	427,200
14	HHS, title IV-E foster care program	285,800
15	HHS-TANF	516,600
16	Special revenue funds:	
17	Local-user fees	2,434,000
18	Private revenues	429,500
19	Private-interest on lawyers trust accounts	715,800
20	Private-Michigan justice institute	500,800
21	Community dispute resolution fees	1,638,100
22	Law exam fees	477,200
23	Miscellaneous revenue	227,900
24	State court fund	319,000
25	State general fund/general purpose \$	23,973,400
26	Sec. 103. COURT OF APPEALS	
27	Full-time equated exempted positions 235.5	
28	Court of appeals operations--223.5 FTE positions . \$	18,754,800
29	Delay reduction--12.0 FTE positions	<u>950,000</u>
30	GROSS APPROPRIATION \$	19,704,800
31	Appropriated from:	
32	Special revenue funds:	

1	Court filing/motion fees	1,571,000
2	Miscellaneous revenue	77,800
3	State general fund/general purpose \$	18,056,000
4	Sec. 104. JUSTICES' AND JUDGES' COMPENSATION	
5	Full-time judges positions 611.0	
6	Supreme court justices' salaries--7.0 judges . . . \$	975,100
7	Court of appeals judges' salaries--28.0 judges . .	3,588,400
8	District court judges' state base salaries--259.0	
9	judges	18,463,700
10	District court judicial salary standardization . .	11,842,500
11	Probate court judges' state base salaries--107.0	
12	judges	7,029,100
13	Probate court judicial salary standardization . .	4,332,800
14	Circuit court judges' state base salaries--210.0	
15	judges	15,637,000
16	Circuit court judicial salary standardization . .	9,228,000
17	Judges' retirement system defined contributions .	1,800,000
18	OASI, social security	<u>4,002,600</u>
19	GROSS APPROPRIATION \$	76,899,200
20	Appropriated from:	
21	Special revenue funds:	
22	Court fee fund	6,065,600
23	State general fund/general purpose \$	70,833,600
24	Sec. 105. JUDICIAL AGENCIES	
25	Full-time equated exempted positions 10.0	
26	Judicial tenure commission--10.0 FTE positions . . \$	<u>953,700</u>
27	GROSS APPROPRIATION \$	953,700
28	Appropriated from:	
29	State general fund/general purpose \$	953,700
30	Sec. 106. INDIGENT DEFENSE - CRIMINAL	
31	Full-time equated exempted positions 54.5	

1	Appellate public defender program-46.5 FTE		
2	positions	\$	4,618,400
3	Appellate assigned counsel administration--8.0 FTE		
4	positions		<u>877,600</u>
5	GROSS APPROPRIATION	\$	5,496,000
6	Appropriated from:		
7	Interdepartmental grant revenues:		
8	IDG from MDSP-Michigan justice training		
9	fund		434,800
10	Special revenue funds:		
11	Private-interest on lawyers trust accounts		70,000
12	Miscellaneous revenue		113,100
13	State general fund/general purpose	\$	4,878,100
14	Sec. 107. INDIGENT CIVIL LEGAL ASSISTANCE		
15	Indigent civil legal assistance	\$	<u>7,337,000</u>
16	GROSS APPROPRIATION	\$	7,337,000
17	Appropriated from:		
18	Special revenue funds:		
19	State court fund		7,337,000
20	State general fund/general purpose	\$	0
21	Sec. 108. TRIAL COURT OPERATIONS		
22	Court equity fund reimbursements	\$	69,840,400
23	Hold harmless fund reimbursements		<u>8,000,000</u>
24	GROSS APPROPRIATION	\$	77,840,400
25	Appropriated from:		
26	Special revenue funds:		
27	Court equity fund		36,044,000
28	State general fund/general purpose	\$	41,796,400
29	Sec. 109. GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT		
30	Drunk driving caseflow program	\$	2,000,000
31	Drug caseflow program		<u>200,000</u>

1	GROSS APPROPRIATION	\$	2,200,000
2	Appropriated from:		
3	Special revenue funds:		
4	Drug fund		200,000
5	Drunk driving fund		2,000,000
6	State general fund/general purpose	\$	0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending under part 1 for fiscal year 1999-2000 is \$216,561,900.00 and state appropriations to be paid to local units of government are as follows:

JUDICIARY

SUPREME COURT

State court administrative office	\$	511,900
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TRIAL COURT OPERATIONS

Court equity fund reimbursements		69,840,400
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Hold harmless fund reimbursement		8,000,000
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JUSTICES' AND JUDGES' COMPENSATION

District court judicial salary

standardization		11,842,500
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Probate court judges' state base salaries		7,029,100
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Probate court judicial salary standardization		4,332,800
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Circuit court judicial salary standardization		9,228,000
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GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT

Drunk driving caseflow program		2,000,000
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Drug caseflow program		<u>200,000</u>
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Total	\$	112,984,700
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(2) If it appears to the principal executive officer of a department or branch that state spending to local units of government will be less than the amount that was projected to be expended under

1 subsection (1), the principal executive officer shall immediately give
2 notice of the approximate shortfall to the state budget director.

3 Sec. 202. (1) The expenditures and funding sources authorized
4 under this bill are subject to the management and budget act, 1984 PA
5 431, MCL 18.1101 to 18.1594.

6 (2) Funds appropriated in part 1 to an entity within the judicial
7 branch shall not be expended or transferred to another account without
8 written approval of the authorized agent of the judicial entity. If
9 the authorized agent of the judicial entity notifies the state budget
10 director of its approval of an expenditure or transfer, the state
11 budget director shall immediately make the expenditure or transfer.
12 The authorized judicial entity agent shall be designated by the chief
13 justice of the supreme court.

14 Sec. 203. As used in this bill:

15 (a) "DAG" means the United States department of agriculture.

16 (b) "DOE" means the United States department of education.

17 (c) "DOJ" means the United State department of justice.

18 (d) "DOT" means the United States department of transportation.

19 (e) "FTE" means full-time equated position.

20 (f) "HHS" means the United States department of health and human
21 services.

22 (g) "IDG" means interdepartmental grant.

23

1 (h) "MDSP" means the Michigan department of state police.

2 (i) "OASI" means old age survivor's insurance.

3 (j) "TANF" means temporary assistance for needy families.

4 Sec. 204. (1) In addition to the funds appropriated in part 1,
5 there is appropriated an amount not to exceed \$500,000.00 for federal
6 contingency funds.

7 (2) In addition to the funds appropriated in part 1, there is
8 appropriated an amount not to exceed \$500,000.00 for state restricted
9 contingency funds.

10 (3) In addition to the funds appropriated in part 1, there is
11 appropriated an amount not to exceed \$100,000.00 for local contingency
12 funds.

13 (4) In addition to the funds appropriated in part 1, there is
14 appropriated an amount not to exceed \$100,000.00 for private
15 contingency funds.

16 (5) A transfer of contingency funds within the judicial branch
17 shall not be made by the authorized agent of the judicial entity unless
18 approved by both appropriations committees. If the state budget
19 director does not approve contingency fund transfers adopted by both
20 appropriations committees under this section, the state budget director
21 shall notify the appropriations committees of his or her action within
22 15 days.

23 **JUDICIAL BRANCH**

24 Sec. 301. (1) The direct trial court automation support program of
25 the state court administrative office shall recover direct and overhead
26 costs from trial courts by charging for services rendered. The fee
27 shall cover the actual costs incurred to the direct trial court
28 automation support program in providing the service. A report of
29 amounts collected in excess of funds identified as user service charges
30 in part 1 shall be submitted to the state budget director and

1 to the house and senate appropriations subcommittees on judiciary and
2 general government, respectively, 30 days before expenditure by the
3 direct trial court automation support program.

4 (2) From funds appropriated in part 1, the direct trial court
5 automation support program of the state court administrative office
6 shall provide to the state budget director, the senate and house
7 appropriations committees, and the senate and house fiscal agencies
8 before January 1 of each year, a detailed list of user service charges
9 collected during the immediately preceding state fiscal year.

10 Sec. 302. Funds appropriated within the judicial branch shall not
11 be expended by any component within the judicial branch without the
12 approval of the supreme court.

13 Sec. 303. Of the amount appropriated in part 1 for the judicial
14 branch, \$325,000.00 is allocated for circuit court reimbursement under
15 section 3 of 1978 PA 16, MCL 800.453, and \$186,900.00 is allocated for
16 court of claims reimbursement under section 6413 of the revised
17 judicature act of 1961, 1961 PA 236, MCL 600.6413.

18 Sec. 304. The judicial branch shall cooperate with the auditor
19 general regarding audits of the judicial branch conducted pursuant to
20 section 53 of article IV of the state constitution of 1963.

21 Sec. 305. To avoid the overexpenditure of funds appropriated under
22 this bill, the supreme court shall report quarterly to the state budget
23 director and to the judiciary subcommittee of the house and senate
24 appropriations committees regarding the status of the accounts set
25 forth in part 1.

26 Sec. 306. Funds appropriated in part 1 shall not be used to pay
27 directly or by reimbursement the annual dues for membership in the
28 state bar of Michigan of a judge, justice, or other employee of the
29 judicial branch.

30 Sec. 307. (1) The chief financial officer of a funding unit for a

1 court, in cooperation with the local court, shall provide to the state
2 treasurer and state court administrative office by January 1, 2000
3 audited accounts of all money due and owing the court as of September
4 30, 1999. Where audited accounts are not available, the chief
5 financial officer of a funding unit for a court may provide estimates
6 as long as they are clearly marked as "estimated".

7 (2) The state treasurer shall report to the legislature a
8 compilation of the estimated accounts receivable of all courts and
9 cumulative totals by March 1, 2000. This report is a public record.

10 Sec. 308. If sufficient funds are not available from the court fee
11 fund to pay judges' compensation, the difference between the
12 appropriated amount from that fund for judges' compensation and the
13 actual amount available after the amount appropriated for trial court
14 reimbursement is made shall be appropriated from the state general fund
15 for judges' compensation.

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