

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA



BILL ANALYSIS

Telephone: (517) 373-2768
Fax: (517) 373-1986
TDD: (517) 373-0543

FY 2000-01 Year-to-Date Gross Appropriation	\$236,914,000
Changes from FY 2000-01 Year-to-Date:	
<u>Items Included by the Senate and House</u>	
1. Judicial Salaries. The budget includes adjustments to fully fund FY 2001-02 Judicial salaries.	10,682,500
2. Hold Harmless Fund. Pursuant to MCL 600.151(b), the budget eliminates funding for the Hold-Harmless Fund, which was established for a five-year duration (FY 1996-97 through FY 2000-01).	(4,000,000)
3. Other Issues. Other changes include the elimination of one-time costs of \$50,000 for LEIN input compliance and \$20,000 related to the on-line Appellate Assigned Counsel appointment system, an increase of \$486,600 to reflect available Federal funds, a reduction of \$1,269,900 related to available restricted and private funds, a reduction of \$603,000 to reflect actual costs of defined contribution and social security costs related to judges' compensation, and a funding shift of \$268,500 from the State General Fund to the Court Fee Fund.	(1,456,300)
<u>Conference Agreement on Items of Difference</u>	
4. Court Equity Fund Reimbursements. The Governor recommended a \$4,000,000 increase to the current year \$73,840,400 appropriation. The Senate and House reduced the increase to fund the new Judicial Technology Improvement Fund. The Conference Committee removed the entire increase (\$2,900,000 to fund Judicial Technology and \$1,100,000 to meet the General Fund Target).	0
5. Judicial Technology Improvement Fund. The Senate transferred \$3,000,000 from Court Equity Fund Reimbursements to a new Judicial Technology Improvement Fund. The House provided for \$3,500,000. The Conference Committee included \$2,900,000.	2,900,000
6. Drug Court Grants. The Conference Committee increased funding for Drug Courts from \$1,200,000 to \$1,700,000.	500,000
7. Reductions to Meet Target. The Conference Committee reduced general fund lines by 2.5%, except Judicial Compensation, Drug Courts, and the Community Dispute Resolution Program, to meet the General Fund Target.	(1,350,000)
8. Child Support Enforcement System (CSES) Liaison. The Governor and Senate included 1.0 FTE/\$90,000 (Federal/State) for a CSES liaison. The House eliminated General Fund support. The Conference Committee concurred with the Senate.	90,000
9. Part-time Probate Judges. The FY 2000-01 budget included \$473,000 to convert part-time probate judges to full-time status. The Governor recommended elimination of the funding. The Senate restored \$288,300 based on half-year funding. The House and Conference Committee removed this item.	(473,000)
10. Economic Adjustments. The House reduced economic adjustments by \$459,500. The Conference Committee restored funding, however, those increases are partially offset by reductions to meet target (Item 7).	2,233,000
11. Other Changes. Increases included by the Senate and/or House for the compensation study, guardianship ombudsman, State Appellate Defender, and legal aid were removed due to target limitations.	0
Total Changes	9,126,200
FY 2001-02 Enacted Gross Appropriation	\$246,040,200

Changes from FY 2000-01 Year-to-Date:Items Included by the Senate and House

1. **Included Sections.** Language regarding contingency funds (Sec. 206), Internet Reports (Sec. 208), trial court automation (Sec. 301), and the Auditor General (Sec. 304) and other annual sections were included by the House and Senate.

Conference Agreement on Items of Difference

2. **Buy American Intent Language.** The House added new language (Subsection 2) prohibiting the use of appropriations for the purchase of out-of-state goods or services if competitively priced and comparable quality Michigan goods or services are available. The Conference Committee concurred with the House. (Sec. 209)
3. **Deprived and Depressed Communities.** The House added new language (Subsection 2) requiring reasonable steps to ensure equal opportunity for all who compete for and perform State contracts. The Conference Committee concurred with the House. (Sec. 210)
4. **State Bar Dues.** Provided that funds shall not be used to pay State Bar dues for a judge, justice, or other employee of the judicial branch. The Governor, Senate, and Conference Committee removed this section.
5. **Community Dispute Resolution Program (CDRP).** The House and Conference Committee added new language encouraging the Chief Justice to distribute pamphlets of information on the CDRP. (Sec. 310 (2))
6. **Drug Court Program.** Provides criteria for the administration of the Drug Court Program. The House added two new subsections requiring allocation of sufficient funds for the Michigan Judicial Institute to provide in-state training (Subsection 4), and requiring planning and implementation grants to be prioritized based on courts where higher instances of substance abuse cases are filed. The Conference Committee included (4) and modified (5) by changing "shall" to "may." (Sec. 311)
7. **Parental Rights Restoration Act Statistical Report.** The Senate restored the section. The House concurred with the Governor and removed this section. The Conference Committee concurred with the Senate. (Sec. 312)
8. **County Compliance with Child Support Enforcement System.** The Governor and Senate included language requiring a penalty if a county has not implemented the new system. The House removed this section. The Conference Committee concurred with the Senate. (Sec. 313)
9. **Judicial Technology Improvement Fund.** Delineates appropriation for the Judicial Technology Improvement Fund. The House modified the language by eliminating the provision that provides for reimbursement of 50% of the fees charged by credit card issuers and including a new provision that would allow for the use of funds to develop, operate and maintain a cyber court system. The Conference Committee restored the Senate language and also included the cyber court provision. (Sec. 316)
10. **Mental Health Courts.** The House and Conference Committee added a new section that provides for the State Court Administrative Office to assist local trial courts who are interested in starting Mental Health Courts, if Federal funds become available. (Sec. 317)
11. **Child Care.** The House added language requiring the Supreme Court to assist trial courts that are part of demonstration projects regarding feasibility studies to create child care for parents who must appear in civil or criminal proceedings. The Conference Committee removed the provision that limited this section to demonstration projects. (Sec. 318)
12. **Restricted Funds Report.** The House added new language that requires the Judiciary to provide a report listing revenue generated, expenditures charged to, and fiscal year-end balances for each State restricted fund. The Conference Committee eliminated this section.
13. **Other Changes.** The House eliminated current year sections retained by the Senate regarding privatization plan evaluations, personal service contracts, retention of reports, audited accounts of funds due to courts, case processing standards, indigent defense funds, part-time probate judges, and trial court pilot projects. The Conference Committee restored sections on privatization (Sec. 207), personal service contracts (Sec. 211), retention of reports (Sec. 212), audited accounts (Sec. 306), and indigent defense funds (Sec. 309). The part-time probate judge language was modified to cover funding through projected lapses if necessary statutory changes are enacted. (Sec. 315)

Date Completed: 7-30-01

Fiscal Analyst: B. Bowerman

