



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



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

House Bill 5883 (as introduced)  
 Committee: Appropriations

<b>FY 2009-10 Year-to-Date Gross Appropriation .....</b>	<b>\$258,762,300</b>
<b>Changes from FY 2009-10 Year-to-Date:</b>	
<p><b>1. Program Reductions.</b> The Governor's recommendation includes a reduction 4% General Fund reduction across all lines, excluding justices' and judges' compensation. Specific reductions include:</p> <ul style="list-style-type: none"> <li>Supreme Court Administration ..... \$484,900</li> <li>Judicial Institute ..... \$96,600</li> <li>State Court Administrative Office ..... \$266,100</li> <li>Judicial Information Systems ..... \$113,800</li> <li>Foster Care Review Board ..... \$33,800</li> <li>Drug Treatment Courts ..... \$29,800</li> <li>Court of Appeals ..... \$795,400</li> <li>Judicial Tenure Commission ..... \$38,800</li> <li>Appellate Public Defender ..... \$176,400</li> <li>Appellate Assigned Counsel ..... \$31,700</li> <li>Court Equity Fund Reimbursements ..... \$520,200</li> </ul>	(2,587,500)
<p><b>2. Circuit Court Judgeships.</b> Public Act 228 of 2009 temporarily eliminated two circuit court judgeships (one in Oakland County, from January 1, 2011 to January 1, 2015 and one in Macomb County, from January 1, 2011 to January 1, 2017). The budget includes savings based on this adjustment (9 months in FY 2010-11).</p>	(240,700)
<p><b>3. Economic Adjustments.</b></p>	2,265,200
<p><b>4. Other Changes.</b> Other adjustments include \$250,000 for continuation of Federal grant funds awarded to the Appellate Public Defender Program (this item is also included in an FY 2009-10 supplemental recommendation) and an adjustment of \$374,500 based on the cost of satellite offices for Supreme Court Justices.</p>	624,500
<p><b>Total Changes.....</b></p>	<b>\$61,500</b>
<b>FY 2010-11 Governor's Recommendation.....</b>	<b>\$258,823,800</b>

**Changes from FY 2009-10 Year to Date:**

1. **Communication with the Legislature.** Prohibits the Judiciary from taking disciplinary action against an employee for communicating with a member of the Legislature or his or her staff. The Governor removed this section. (Sec. 204)
2. **Retention of Reports.** Requires the judicial branch to receive and retain copies of all reports funded from appropriations in Part 1 and to follow State and Federal guidelines for retentions of such reports. The Governor removed this section. (Sec. 212)
3. **Travel Restrictions.** Allows the Chief Justice to grant exceptions to travel restrictions and requires monthly reports of exceptions be sent to the appropriations committees. The Governor removed this provision. (Sec. 215(2))
4. **JCAR/Rules.** Requires each judicial branch to report by April 1, on each specific policy change made to implement enacted legislation. The section also prohibits the use of funds in Part 1 to prepare regulatory plans or promulgate rules that fail to reduce the disproportionate economic impact on small businesses pursuant to MCL 24.240. In the Governor's signing letter for 2009 PA 113, the Governor stated that requirements of the Administrative Procedures Act do not apply to the judicial branch and that Section 216 appears to be inconsistent with Article IV, Section 25 of the Michigan Constitution. The Governor removed this section. (Sec. 216)
5. **Conferences/Seminars.** Prohibits the judicial branch from sending more than one employee to the same out-of-state conference or seminar unless the conference or seminar is funded by a Federal or private funding source and requires more than one person from the judicial branch to attend, or the conference covers multiple areas in which 1 employee does not have expertise. The Governor removed this section. (Sec. 218)
6. **Lapse Estimates.** Requires the judiciary to prepare a report by September 30, listing estimates of general fund lapses. The Governor removed this section. (Sec. 219)
7. **Retention of Satellite Offices.** States legislative intent that the Supreme Court retain its satellite offices. The Governor removed this section. (Sec. 220)
8. **Expenditures on the Internet.** Requires the judicial branch to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the judicial branch. Implementation costs are limited to not more than \$10,000.00. The Governor removed this section. (Sec. 221)
9. **Auditor General.** Requires the judiciary to comply with the Auditor General regarding audits of the judicial branch conducted under section 53 of article IV of the State constitution of 1963. The Governor removed this section. (Sec. 304)
10. **Quarterly Reports.** Requires the judiciary to report quarterly year-to-date, and projected revenues for each source of revenue other than GF/GP. The Governor removed this section. (Sec. 305)
11. **Pilot Mental Health Courts.** Requires the State Court Administrative Office to provide an update on the status of pilot mental health courts by April 1. The Governor removed this section. (Sec. 309)
12. **Parental Rights Restoration Act Statistical Report.** Requires the State Court Administrative Office to produce a statistical report regarding the implementation of the Parental Rights Restoration Act as it pertains to minors seeking a court-issued waiver of parental consent to obtain an abortion. The Governor removed this section. (Sec. 312)
13. **Standardized Risk Assessment.** The Legislature requests that the State Court Administrative Office conduct a survey of trial courts in order to determine best practices for standardized risk assessment and submit a report by April 1. The State Court Administrative Office is encouraged to explore existing tools and established benchmarks that could be utilized in addressing the criminogenic needs of the local community. The Governor removed this section. (Sec. 314)
14. **Juvenile Training Pilot Project.** Pilot project to train criminal defense attorneys who accept court-appointed cases concerning juvenile delinquency, abuse, neglect, and protective services. The Governor removed this section. (Sec. 319)

Date Completed: 2-19-10

Fiscal Analyst: Bill Bowerman