



Senate Fiscal Agency
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FY 2009-10 Year-to-Date Gross Appropriation \$258,762,300

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

Items Included by the House and Senate

- 1. **Circuit Court Judgeships.** 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). (240,700)
- 2. **Other Changes.** 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. 624,500

Conference Agreement on Items of Difference

- 3. **Program Reductions.** The Governor's recommendation included a \$2,587,500 (4%) General Fund reduction across all lines, excluding justices' and judges' compensation. The House eliminated reductions recommended by the Governor. The House would offset the cost of restoring funds, and the new proposed Community Court Pilot Program, through a transfer of \$2,607,500 from the Juror Compensation Reimbursement Fund (JCRF) to the State General Fund. The Senate concurred with restoring the funds (with points of difference) but would transfer \$2,687,500 from the JCRF to the Court Equity Fund (CEF). Under the Senate version, \$100,000 would be used offset a shortage of filing fee revenue for the Court of Appeals. The Conference concurred with the House amount, but as a transfer to the CEF. The Court of Appeals received a \$500,000 funding shift from the State General Fund pursuant to Leadership Agreement. 0
- 4. **Community Court Pilot Project.** The House included \$20,000 for a new Community Court Pilot Project for neighborhood community courts. The Senate removed this item. The Conference concurred with the House. 20,000
- 5. **IDG from the Department of Corrections.** The Senate eliminated the FY 2009-10 \$980,000 interdepartmental grant (IDG) from the Department of Corrections (DOC) related to a pilot program targeting the assessment and treatment of high risk offenders. Funding for that pilot program was not included in the FY 2009-10 the DOC budget. For FY 2010-11, the Senate included a \$1.0 million IDG from the DOC to support mental health services for Drug Court participants. The Conference concurred with the Senate. 20,000
- 6. **Budgetary Savings.** The Governor originally included \$1,255,500 for economics related to salaries. The House included a negative budgetary savings line item (\$1,158,000) based on no cost of living adjustment. The Senate eliminated the negative line item and reduced the appropriate line items. The Conference concurred with the Senate. (See item 8) 0
- 7. **Access and Visitation Grant.** The Senate increased Federal funds by \$163,000 to reflect available revenue. The Conference concurred with the Senate. 163,000
- 8. **Economic Adjustments.** The Governor included \$2,265,200 for economic adjustments, including \$1,255,500 (\$1,158,000 GF/GP) for a cost of living adjustment for Judiciary employees. The Senate removed the cost of living adjustment funding. The Conference concurred with the Senate. 1,009,700

Total Changes..... \$1,596,500

FY 2010-11 Conference Report Gross Appropriation \$260,358,800

Amount Over/(Under) GF/GP Target: \$0

Changes from FY 2009-10 Year to Date:Items Included by the House and Senate

1. **Communication with the Legislature.** Prohibits the Judiciary from taking disciplinary action against an employee for communicating with the Legislature. The Governor removed this section. The House and Senate restored. (Sec. 204)
2. **Various Reports.** The Governor removed sections that require the Judicial Branch to receive and retain copies of all reports and follow State and Federal retention guidelines, allow the Chief Justice to grant exceptions to travel restrictions and require monthly reports, and require the Judiciary to prepare a report by September 30, listing estimates of General Fund lapses. The House and Senate restored all of these sections. (Secs. 212, 215(2), 219)
3. **Retention of Satellite Offices.** States legislative intent that the Supreme Court retain its satellite offices. The Governor, House, and Senate removed this section. (Sec. 220)
4. **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. The House and Senate restored it. (Sec. 221)
5. **Pilot Mental Health Courts.** Requires the State Court Administrative Office (SCAO) to provide an update on pilot mental health courts. The Governor removed this section. The House and Senate restored it. (Sec. 309)
6. **Intensive Probation Pilot Program.** Sets criteria for the \$980,000.00 IDG from Corrections. Funding was not included in the FY 2009-10 Corrections Budget. The House and Senate removed the language. (Sec. 318)
7. **Juvenile Training Pilot Project.** Training for attorneys who accept court-appointed juvenile delinquency, abuse, neglect, and protective services cases. The Governor, House, and Senate removed this section. (Sec. 319)

Conference Agreement on Items of Difference

8. **JCAR/Rules.** Requires report on each specific policy change made to implement enacted legislation. Prohibits use of funds to prepare regulatory plans or promulgate rules that fail to reduce the disproportionate economic impact on small businesses. Governor and House removed this section, Senate restored it. Conference concurred with the House. (Sec. 216)
9. **Conferences/Seminars.** Prohibits the Judicial Branch from sending more than one employee to the same out-of-state conference or seminar, with certain exceptions. Governor and House removed this section, Senate restored it. Conference concurred with the House. (Sec. 218)
10. **Court of Appeals Restricted Funding.** House language requesting Judiciary to report on solutions to discrepancy between filing fee appropriations and actual collections. Senate removed this section. Conference concurred with Senate. (Sec. 222)
11. **Juror Compensation Reimbursement Fund (JCRF).** House added legislative intent language to transfer \$2,607,500 from the JCRF to the State General Fund at the close of FY 2009-10. Amendments to MCL 600.151d will be necessary to implement this transfer. Senate modified this section to provide for the transfer of \$2,687,500 to the Court Equity Fund (CEF) instead of the State General Fund. Conference includes intent to transfer \$2,607,500 from the JCRF to the CEF. (Sec. 223)
12. **Budgetary Savings.** The House added language implementing the negative budgetary savings line item. The Senate and the Conference removed the section. (Sec. 224)
13. **Auditor General.** Requires the Judiciary to cooperate with the Auditor General regarding audits of Judicial Branch. Governor and House removed this section, the Senate restored it. Conference concurred with the House. (Sec. 304)
14. **Quarterly Reports.** Requires the Judiciary to report quarterly YTD, and projected revenue for each source of revenue other than GF/GP. Governor and House removed this section, Senate restored it. Conference concurred with the House. (Sec. 305)
15. **Parental Rights Restoration Act.** Requires the SCAO to produce a statistical report regarding implementation of the Parental Rights Restoration Act as it pertains to minors seeking a court-issued waiver of parental consent to obtain an abortion. Governor and House removed this section, the Senate restored it. Conference concurred with the Senate. (Sec. 312)
16. **Standardized Risk Assessment.** The Legislature requests that the SCAO conduct a survey of trial courts in order to determine best practices for standardized risk assessment and submit a report by April 1. The Governor and House removed this section. The Senate restored it. The Conference concurred with the House. (Sec. 314)
17. **Community Court Pilot Project.** House added new language providing that the pilot project shall fund a program of neighborhood-focused community courts. Senate removed this section. Conference concurred with House. (Sec. 318)
18. **Mental Health Services.** Senate included new language providing that \$1.0 million of the IDG from the Dept. of Corrections shall be allocated to Drug Courts for mental health treatment services. Conference concurred. (Sec. 320)

Date Completed: 9-15-10

Fiscal Analyst: Bill Bowerman