

SUBSTITUTE FOR  
HOUSE BILL NO. 4238

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. There is appropriated for the judiciary for the  
4 fiscal year ending September 30, 2020, from the following funds:

5 **JUDICIARY**

6 APPROPRIATION SUMMARY

7	Full-time equated exempted positions .....	509.0	
8	GROSS APPROPRIATION .....	\$	311,062,100
9	Interdepartmental grant revenues:		
10	Total interdepartmental grants and intradepartmental		
11	transfers .....		1,551,700

1	ADJUSTED GROSS APPROPRIATION .....	\$	309,510,400
2	Federal revenues:		
3	Total federal revenues .....		5,748,400
4	Special revenue funds:		
5	Total local revenues .....		6,579,500
6	Total private revenues .....		994,300
7	Total other state restricted revenues .....		94,796,000
8	State general fund/general purpose .....	\$	201,392,200
9	<b>Sec. 102. SUPREME COURT</b>		
10	Full-time equated exempted positions .....		250.0
11	Community dispute resolution--3.0 FTE positions .....	\$	3,276,700
12	Direct trial court automation support--44.0 FTE		
13	positions.....		6,579,500
14	Drug treatment courts .....		11,833,000
15	Foster care review board--10.0 FTE positions .....		1,342,500
16	Judicial information systems--24.0 FTE positions .....		4,931,600
17	Judicial institute--13.0 FTE positions .....		1,876,500
18	Kalamazoo County trauma court .....		250,000
19	Mental health courts and diversion services--1.0 FTE		
20	position.....		5,468,500
21	Next generation Michigan court system .....		4,116,000
22	Other federal grants .....		275,100
23	State court administrative office--63.0 FTE positions		11,248,800
24	Supreme court administration--92.0 FTE positions .....		14,379,200
25	Swift and sure sanctions program .....		3,600,000
26	Veterans courts .....		936,400
27	GROSS APPROPRIATION .....	\$	70,113,800

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG from department of corrections .....	51,700
4	IDG from department of state police .....	1,500,000
5	Federal revenues:	
6	DOJ, drug court training and evaluation .....	300,000
7	DOT, National Highway Traffic Safety Administration ..	1,942,800
8	HHS, access and visitation grant .....	488,300
9	HHS, children's justice grant .....	241,700
10	HHS, court improvement project .....	927,100
11	HHS, title IV-D child support program .....	822,400
12	HHS, title IV-E foster care program .....	403,500
13	Other federal grant revenues .....	275,100
14	Special revenue funds:	
15	Local - user fees .....	6,579,500
16	Private .....	198,100
17	Private - interest on lawyers trust accounts .....	273,100
18	Private - state justice institute .....	436,100
19	Community dispute resolution fund .....	2,400,000
20	Court of appeals filing/motion fees .....	1,450,000
21	Drug court fund .....	1,920,500
22	Justice system fund .....	595,700
23	Law exam fees .....	742,000
24	Miscellaneous revenue .....	245,900
25	State court fund .....	397,600
26	State general fund/general purpose .....	\$ 47,922,700
27	<b>Sec. 103. COURT OF APPEALS</b>	

1	Full-time equated exempted positions .....	175.0	
2	Court of appeals operations--175.0 FTE positions .....		\$ <u>25,130,300</u>
3	GROSS APPROPRIATION .....		\$ 25,130,300
4	Appropriated from:		
5	State general fund/general purpose .....		\$ 25,130,300
6	<b>Sec. 104. BRANCHWIDE APPROPRIATIONS</b>		
7	Full-time equated exempted positions .....	4.0	
8	Branchwide appropriations--4.0 FTE positions .....		\$ <u>8,959,100</u>
9	GROSS APPROPRIATION .....		\$ 8,959,100
10	Appropriated from:		
11	State general fund/general purpose .....		\$ 8,959,100
12	<b>Sec. 105. JUSTICES' AND JUDGES' COMPENSATION</b>		
13	Full-time judges positions .....	587.0	
14	Supreme court justices' salaries--7.0 justices .....		\$ 1,152,300
15	Circuit court judges' state base salaries--217.0		
16	judges .....		22,939,900
17	Circuit court judicial salary standardization .....		9,922,100
18	Court of appeals judges' salaries--25.0 judges .....		4,097,700
19	District court judges' state base salaries--235.0		
20	judges .....		24,424,000
21	District court judicial salary standardization .....		10,745,200
22	Probate court judges' state base salaries--103.0		
23	judges .....		10,802,900
24	Probate court judicial salary standardization .....		4,669,600
25	Judges' retirement system defined contributions .....		4,974,800
26	OASI, Social Security .....		<u>6,280,000</u>
27	GROSS APPROPRIATION .....		\$ 100,008,500

1	Appropriated from:	
2	Special revenue funds:	
3	Court fee fund .....	3,329,400
4	State general fund/general purpose .....	\$ 96,679,100
5	<b>Sec. 106. JUDICIAL AGENCIES</b>	
6	Full-time equated exempted positions .....	7.0
7	Judicial tenure commission--7.0 FTE positions .....	\$ <u>1,276,000</u>
8	GROSS APPROPRIATION .....	\$ 1,276,000
9	Appropriated from:	
10	State general fund/general purpose .....	\$ 1,276,000
11	<b>Sec. 107. INDIGENT DEFENSE - CRIMINAL</b>	
12	Full-time equated exempted positions .....	55.0
13	Appellate public defender program--55.0 FTE positions .....	\$ <u>8,560,900</u>
14	GROSS APPROPRIATION .....	\$ 8,560,900
15	Appropriated from:	
16	Federal revenues:	
17	Other federal grant revenues .....	347,500
18	Special revenue funds:	
19	Private - interest on lawyers trust accounts .....	87,000
20	Miscellaneous revenue .....	168,300
21	State general fund/general purpose .....	\$ 7,958,100
22	<b>Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE</b>	
23	Indigent civil legal assistance .....	\$ <u>7,937,000</u>
24	GROSS APPROPRIATION .....	\$ 7,937,000
25	Appropriated from:	
26	Special revenue funds:	
27	State court fund .....	7,937,000

1	State general fund/general purpose .....	\$	0
2	<b>Sec. 109. TRIAL COURT OPERATIONS</b>		
3	Full-time equated exempted positions .....	6.0	
4	Court equity fund reimbursements .....	\$	60,815,700
5	Drug case-flow program .....		250,000
6	Drunk driving case-flow program .....		3,300,000
7	Judicial technology improvement fund .....		4,815,000
8	Juror compensation reimbursement--1.0 FTE position ...		6,604,600
9	Statewide e-file system--5.0 FTE positions .....		<u>10,200,000</u>
10	GROSS APPROPRIATION .....	\$	85,985,300
11	Appropriated from:		
12	Special revenue funds:		
13	Court equity fund .....		50,440,000
14	Drug fund .....		250,000
15	Drunk driving fund .....		3,300,000
16	Electronic filing fee fund .....		10,200,000
17	Judicial technology improvement fund .....		4,815,000
18	Juror compensation fund .....		6,604,600
19	State general fund/general purpose .....	\$	10,375,700
20	<b>Sec. 110. ONE-TIME APPROPRIATIONS</b>		
21	Full-time equated exempted positions .....	12.0	
22	Compliance with <i>Montgomery v Louisiana</i> --11.0 FTE		
23	positions .....	\$	841,900
24	Expansion of problem solving courts .....		348,600
25	Judicial tenure commission .....		100,000
26	Michigan supreme court public website upgrade .....		1,475,000
27	Pretrial risk assessment--1.0 FTE position .....		<u>325,700</u>

1	GROSS APPROPRIATION .....	\$	3,091,200
2	Appropriated from:		
3	State general fund/general purpose .....	\$	3,091,200

4 PART 2

5 PROVISIONS CONCERNING APPROPRIATIONS

6 FOR FISCAL YEAR 2019-2020

7 **GENERAL SECTIONS**

8 Sec. 201. Pursuant to section 30 of article IX of the state

9 constitution of 1963, total state spending from state sources under

10 part 1 for fiscal year 2019-2020 is \$296,188,200.00 and state

11 spending from state sources to be paid to local units of government

12 for fiscal year 2019-2020 is \$145,951,300.00. The itemized

13 statement below identifies appropriations from which spending to

14 local units of government will occur:

15 **JUDICIARY**

16 SUPREME COURT

17	Drug treatment courts .....	\$	8,158,000
18	Kalamazoo County trauma court .....		250,000
19	Mental health courts and diversion services .....		5,468,500
20	Next generation Michigan court system .....		4,116,000
21	Swift and sure sanctions program .....		3,600,000
22	Veterans courts .....		936,400

23 COURT OF APPEALS

24	Court of appeals operations .....	\$	200,000
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25 JUSTICES' AND JUDGES' COMPENSATION

1	Circuit court judicial salary standardization .....	\$	9,922,100
2	District court judicial salary standardization .....		10,745,200
3	Probate court judges' state base salaries .....		10,802,900
4	Probate court judicial salary standardization .....		4,669,600
5	OASI, Social Security .....		1,097,300
6	TRIAL COURT OPERATIONS		
7	Court equity fund reimbursements .....	\$	60,815,700
8	Drug case-flow program .....		250,000
9	Drunk driving case-flow program .....		3,300,000
10	Judicial technology improvement fund .....		4,815,000
11	Juror compensation reimbursement .....		6,604,600
12	Statewide e-file system .....		<u>10,200,000</u>
13	TOTAL .....	\$	145,951,300

14       Sec. 202. (1) The appropriations authorized under this part  
 15 and part 1 are subject to the management and budget act, 1984 PA  
 16 431, MCL 18.1101 to 18.1594.

17       (2) Funds appropriated in part 1 to an entity within the  
 18 judicial branch shall not be expended or transferred to another  
 19 account without written approval of the authorized agent of the  
 20 judicial entity. If the authorized agent of the judicial entity  
 21 notifies the state budget director of its approval of an  
 22 expenditure or transfer, the state budget director shall  
 23 immediately make the expenditure or transfer. The authorized  
 24 judicial entity agent shall be designated by the chief justice of  
 25 the supreme court.

26       Sec. 203. As used in this part and part 1:

27       (a) "DOJ" means the United States Department of Justice.



1 (b) "DOT" means the United States Department of  
2 Transportation.

3 (c) "FTE" means full-time equated.

4 (d) "HHS" means the United States Department of Health and  
5 Human Services.

6 (e) "IDG" means interdepartmental grant.

7 (f) "OASI" means old age survivor's insurance.

8 (g) "SADO" means the state appellate defender office created  
9 under the appellate defender act, 1978 PA 620, MCL 780.711 to  
10 780.719.

11 (h) "Title IV-D" means the part of the federal social security  
12 act, 42 USC 301 to 1397mm, pertaining to the child support  
13 enforcement program.

14 (i) "Title IV-E" means the part of the federal social security  
15 act, 42 USC 301 to 1397mm, pertaining to the foster care program.

16 Sec. 204. The reporting requirements of this part shall be  
17 completed with the approval of, and at the direction of, the  
18 supreme court, except as otherwise provided in this part. The  
19 judicial branch shall use the internet to fulfill the reporting  
20 requirements of this part. This may include transmission of reports  
21 via electronic mail to the recipients identified for each reporting  
22 requirement, or it may include placement of reports on an internet  
23 or intranet site.

24 Sec. 205. Funds appropriated in part 1 shall not be used for  
25 the purchase of foreign goods or services, or both, if  
26 competitively priced and of comparable quality American goods or  
27 services, or both, are available. Preference shall be given to

1 goods or services, or both, manufactured or provided by Michigan  
2 businesses, if they are competitively priced and of comparable  
3 quality. In addition, preference shall be given to goods or  
4 services, or both, that are manufactured or provided by Michigan  
5 businesses owned and operated by veterans, if they are  
6 competitively priced and of comparable quality.

7       Sec. 207. Not later than January 1 of each year, the state  
8 court administrative office shall prepare a report on out-of-state  
9 travel listing all travel by judicial branch employees outside this  
10 state in the immediately preceding fiscal year that was funded in  
11 whole or in part with funds appropriated in the budget for the  
12 judicial branch. The report shall be submitted to the senate and  
13 house appropriations committees, the senate and house fiscal  
14 agencies, and the state budget office. The report shall include the  
15 following information:

16       (a) The dates of each travel occurrence.

17       (b) The transportation and related costs of each travel  
18 occurrence, including the proportion funded with state general  
19 fund/general purpose revenues, the proportion funded with state  
20 restricted revenues, the proportion funded with federal revenues,  
21 and the proportion funded with other revenues.

22       Sec. 209. Not later than November 30, the state budget office  
23 shall prepare and transmit a report that provides for estimates of  
24 the total general fund/general purpose appropriation lapses at the  
25 close of the prior fiscal year. This report shall summarize the  
26 projected year-end general fund/general purpose appropriation  
27 lapses by major program or program areas. The report shall be

1 transmitted to the chairpersons of the senate and house  
2 appropriations committees and the senate and house fiscal agencies.

3 Sec. 211. From the funds appropriated in part 1, the judicial  
4 branch shall maintain a searchable website accessible by the public  
5 at no cost that includes all expenditures made by the judicial  
6 branch within a fiscal year. The posting shall include the purpose  
7 for which each expenditure is made. The judicial branch shall not  
8 provide financial information on its website under this section if  
9 doing so would violate a federal or state law, rule, regulation, or  
10 guideline that establishes privacy or security standards applicable  
11 to that financial information.

12 Sec. 212. Within 14 days after the release of the executive  
13 budget recommendation, the judicial branch shall cooperate with the  
14 state budget office to provide the senate and house appropriations  
15 committee chairs, the senate and house appropriations subcommittee  
16 chairs, and the senate and house fiscal agencies with an annual  
17 report on estimated state restricted fund balances, state  
18 restricted fund projected revenues, and state restricted fund  
19 expenditures for the prior 2 fiscal years.

20 Sec. 213. The judiciary shall maintain, on a publicly  
21 accessible website, a scorecard that identifies, tracks, and  
22 regularly updates key metrics that are used to monitor and improve  
23 the judiciary's performance.

24 Sec. 214. Total authorized appropriations from all sources  
25 under part 1 for legacy costs for the fiscal year ending September  
26 30, 2020 are estimated at \$13,102,700.00. From this amount, total  
27 judiciary appropriations for pension-related legacy costs are

1 estimated at \$6,369,500.00. Total judiciary appropriations for  
2 retiree health care legacy costs are estimated at \$6,733,200.00.

3 Sec. 215. The judicial branch shall not take disciplinary  
4 action against an employee for communicating with a member of the  
5 legislature or his or her staff.

6 Sec. 216. It is the intent of the legislature that judges who  
7 are presiding over a hearing on a foster care case shall publicly  
8 acknowledge and request the input of the foster parent or foster  
9 parents during the hearing.

10 Sec. 217. If the judicial branch makes any changes to a foster  
11 care family service plan before its finalization, it is the intent  
12 of the legislature that the presiding judge provide an explanation  
13 for any changes to that plan in the court record.

14 Sec. 218. From the funds appropriated in part 1, the state  
15 court administrative office shall identify programs, within the  
16 department of health and human services, the department of labor  
17 and economic opportunity, and the department of corrections, that  
18 have programmatic connections with the participants in the swift  
19 and sure sanctions program. The purpose of this relationship is to  
20 leverage collaborations and to determine avenues of success for  
21 offenders who are eligible for state-provided programs. The state  
22 court administrative office shall provide guidance to courts  
23 participating in the swift and sure sanctions program, under the  
24 probation swift and sure sanctions act, chapter XIA of the code of  
25 criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8, of the  
26 available department of health and human services, department of  
27 labor and economic opportunity, and department of corrections

1 programming.

2       Sec. 219. The judicial branch shall receive and retain copies  
3 of all reports funded from appropriations in part 1. Federal and  
4 state guidelines for short-term and long-term retention of records  
5 shall be followed. The judicial branch may electronically retain  
6 copies of reports unless otherwise required by federal and state  
7 guidelines.

8 **JUDICIAL BRANCH**

9       Sec. 301. From the funds appropriated in part 1, the direct  
10 trial court automation support program of the state court  
11 administrative office shall recover direct and overhead costs from  
12 trial courts by charging for services rendered. The fee shall cover  
13 the actual costs incurred to the direct trial court automation  
14 support program in providing the service, including development of  
15 future versions of case management systems.

16       Sec. 302. Funds appropriated within the judicial branch shall  
17 not be expended by any component within the judicial branch without  
18 the approval of the supreme court.

19       Sec. 303. Of the amount appropriated in part 1 for the  
20 judicial branch, \$711,900.00 is allocated for circuit court  
21 reimbursement under section 3 of 1978 PA 16, MCL 800.453, and for  
22 costs associated with the court of claims.

23       Sec. 304. A member of the legislature may request a report or  
24 data from the data collected in the judicial data warehouse. The  
25 report shall be made available to the public upon request, unless  
26 disclosure is prohibited by court order or state or federal law.

1 Any data provided under this section shall be public and non-  
2 identifying information.

3 Sec. 305. From the funds appropriated in part 1 for community  
4 dispute resolution, community dispute resolution centers shall  
5 provide dispute resolution services specified in the community  
6 dispute resolution act, 1988 PA 260, MCL 691.1551 to 691.1564, and  
7 shall help to reduce suspensions and truancy, and improve school  
8 climate. Funding appropriated in part 1 for community dispute  
9 resolution may be used to develop or expand juvenile diversion  
10 services in cooperation with local prosecutors. Participation in  
11 the dispute resolution processes is voluntary for all parties.

12 Sec. 307. From the funds appropriated in part 1 for mental  
13 health courts and diversion services, \$1,730,000.00 is intended to  
14 address the recommendations of the mental health diversion council.

15 Sec. 308. If sufficient funds are not available from the court  
16 fee fund to pay judges' compensation, the difference between the  
17 appropriated amount from that fund for judges' compensation and the  
18 actual amount available after the amount appropriated for trial  
19 court reimbursement is made shall be appropriated from the state  
20 general fund for judges' compensation. If an appropriation is made  
21 under this section, the state court administrative office shall  
22 notify, within 14 days of the appropriation, the senate and house  
23 standing committees on appropriations, the senate and house  
24 appropriations subcommittees on judiciary, the senate and house  
25 fiscal agencies, and the state budget office.

26 Sec. 309. By April 1, the state court administrative office  
27 shall provide a report on drug treatment, mental health, and

1 veterans court programs in this state. The report shall include  
2 information on the number of each type of program that has been  
3 established, the number of program participants in each  
4 jurisdiction, and the impact of the programs on offender criminal  
5 involvement and recidivism. The report shall be submitted to the  
6 senate and house appropriations subcommittees on judiciary, the  
7 senate and house fiscal agencies, and the state budget office.

8       Sec. 311. (1) The funds appropriated in part 1 for drug  
9 treatment courts as that term is defined in section 1060 of the  
10 revised judicature act of 1961, 1961 PA 236, MCL 600.1060, shall be  
11 administered by the state court administrative office to operate  
12 drug treatment court programs. A drug treatment court shall be  
13 responsible for handling cases involving substance abusing  
14 nonviolent offenders through comprehensive supervision, testing,  
15 treatment services, and immediate sanctions and incentives. A drug  
16 treatment court shall use all available county and state personnel  
17 involved in the disposition of cases including, but not limited to,  
18 parole and probation agents, prosecuting attorneys, defense  
19 attorneys, and community corrections providers. The funds may be  
20 used in connection with other federal, state, and local funding  
21 sources.

22       (2) From the funds appropriated in part 1, the chief justice  
23 shall allocate sufficient funds for the Michigan judicial institute  
24 to provide in-state training for those identified in subsection  
25 (1), including training for new drug treatment court judges.

26       (3) For drug treatment court grants, consideration for  
27 priority may be given to those courts where higher instances of

1 substance abuse cases are filed.

2 (4) The judiciary shall receive \$1,500,000.00 in Byrne formula  
3 grant funding as an interdepartmental grant from the department of  
4 state police to be used for expansion of drug treatment courts, to  
5 assist in avoiding prison bed space growth for nonviolent offenders  
6 in collaboration with the department of corrections.

7 Sec. 312. From the funds appropriated in part 1, the state  
8 court administrator shall produce a statistical report regarding  
9 the implementation of the parental rights restoration act, 1990 PA  
10 211, MCL 722.901 to 722.908, as it pertains to minors seeking  
11 court-issued waivers of parental consent. The state court  
12 administrative office shall report the total number of petitions  
13 filed and the total number of petitions granted under that act.

14 Sec. 316. (1) From the funds appropriated in part 1 for  
15 pretrial risk assessment, the state court administrative office  
16 shall continue to pilot a pretrial risk assessment tool in an  
17 effort to provide relevant information to judges so they can make  
18 evidence-based bond decisions that will increase public safety and  
19 reduce costs associated with unnecessary pretrial detention.

20 (2) The state court administrative office shall submit a  
21 status report by February 1 to the senate and house appropriations  
22 subcommittees on judiciary, the senate and house fiscal agencies,  
23 and the state budget office. The report shall include, but not be  
24 limited to, all of the following:

25 (a) An assessment of the effectiveness of the pretrial risk  
26 assessment tool pilot program that was implemented in the prior  
27 fiscal year. The assessment shall include, but not be limited to,



1 for defendants screened by the pretrial risk assessment tool, the  
2 failure to appear rate for each type of bond, including personal  
3 recognizance with or without conditions, 10% deposit bail with or  
4 without conditions, and cash or surety bail with or without  
5 conditions.

6 (b) Plans to expand use of the assessment tool.

7 (c) Details on prior year expenditures, allocations, and  
8 planned expenditures.

9 Sec. 317. Funds appropriated in part 1 shall not be used for  
10 the permanent assignment of state-owned vehicles to justices or  
11 judges or any other judicial branch employee. This section does not  
12 preclude the use of state-owned motor pool vehicles for state  
13 business in accordance with approved guidelines.

14 Sec. 320. (1) From the funds appropriated in part 1 for the  
15 swift and sure sanctions program, created under section 3 of  
16 chapter XIA of the code of criminal procedure, 1927 PA 175, MCL  
17 771A.3, the state court administrative office shall administer a  
18 program to distribute grants to qualifying courts in accordance  
19 with the objectives and requirements of the probation swift and  
20 sure sanctions act, chapter XIA of the code of criminal procedure,  
21 1927 PA 175, MCL 771A.1 to 771A.8. Of the funds designated for the  
22 program, not more than \$100,000.00 shall be available to the state  
23 court administrative office to pay for employee costs associated  
24 with the administration of the program funds. Of the funds  
25 designated for the program, \$500,000.00 is reserved for programs in  
26 counties that had more than 325 individuals sentenced to prison in  
27 the previous calendar year. Courts interested in participating in

1 the swift and sure sanctions program may apply to the state court  
2 administrative office for a portion of the funds appropriated in  
3 part 1 under this section.

4 (2) By April 1, the state court administrative office, in  
5 cooperation with the department of corrections, shall provide a  
6 report on the courts that receive funding under the swift and sure  
7 sanctions program described in subsection (1) to the senate and  
8 house appropriations subcommittees on judiciary, the senate and  
9 house fiscal agencies, and the state budget office. The report  
10 shall include all of the following:

11 (a) The number of offenders who participate in the program.

12 (b) The criminal history of offenders who participate in the  
13 program.

14 (c) The recidivism rate of offenders who participate in the  
15 program, including the rate of return to jail, prison, or both.

16 (d) A detailed description of the establishment and parameters  
17 of the program.

18 (e) A list of courts participating in the program.

19 (f) An accounting of prior year expenditures, including grant  
20 amounts requested by the courts, grant amounts awarded to the  
21 courts, and grant amounts expended by the courts.

22 (3) As used in this section, "program" means a swift and sure  
23 sanctions program described in subsection (1).

24 Sec. 321. From the funds appropriated in part 1, the judicial  
25 branch shall support a statewide legal self-help internet website  
26 and local nonprofit self-help centers that use the statewide  
27 website to provide assistance to individuals representing

1 themselves in civil legal proceedings. The state court  
2 administrative office shall summarize the costs of maintaining the  
3 website, provide statistics on the number of people visiting the  
4 website, and provide information on content usage, form completion,  
5 and user feedback. By March 1, the state court administrative  
6 office shall report this information for the preceding fiscal year  
7 to the senate and house appropriations subcommittees on judiciary,  
8 the senate and house fiscal agencies, and the state budget office.

9       Sec. 322. If Byrne formula grant funding is awarded to the  
10 state appellate defender, the state appellate defender office may  
11 receive and expend Byrne formula grant funds in an amount not to  
12 exceed \$250,000.00 as an interdepartmental grant from the  
13 department of state police. If the appellate defender appointed  
14 under section 3 of the appellate defender act, 1978 PA 620, MCL  
15 780.713, receives federal grant funding from the United States  
16 Department of Justice in excess of the amount appropriated in part  
17 1, the office of appellate defender may receive and expend grant  
18 funds in an amount not to exceed \$300,000.00 as other federal  
19 grants.

20       Sec. 324. From the funds appropriated in part 1 for the  
21 medication-assisted treatment program, the judiciary shall maintain  
22 a medication-assisted treatment program to provide treatment for  
23 opioid-addicted and alcohol-addicted individuals who are referred  
24 to and voluntarily participate in the medication-assisted treatment  
25 program.

26       Sec. 325. (1) From the funds appropriated in part 1 for  
27 Kalamazoo County trauma court, the county office of the prosecuting

1 attorney shall hire an assistant prosecutor who specializes in  
2 trauma for prosecution of offenders and for providing intervention  
3 and treatment services to offenders and referral services for  
4 victims. The court shall focus on deterrence of offenders by  
5 reducing incidence and recidivism. Intervention services shall be  
6 supplemented by trauma treatment and addiction services. The  
7 prosecutor shall collaborate with the trauma and resiliency team to  
8 review the progress of program participants, and to assure offender  
9 accountability and victim safety. Treatment providers shall  
10 specialize in substance abuse addiction and trauma treatment  
11 services for adolescents and adults.

12 (2) The county office of the prosecuting attorney, together  
13 with the intervention and treatment providers, shall submit a  
14 report, by September 30, to the state court administrative office,  
15 the senate and house of representatives subcommittees on judiciary,  
16 the senate and house fiscal agencies, and the state budget office  
17 on the outcomes of the trauma court. The report shall include  
18 program performance measures, the number of individuals served, the  
19 outcomes of participants who complete the program, recommendations  
20 on how the state can hold offenders accountable while  
21 rehabilitating them with treatment, community-based resources and  
22 support, and restorative justice approaches to conflict resolution,  
23 with the goal of being a more effective and less costly alternative  
24 to incarceration.

#### 25 **ONE-TIME APPROPRIATIONS**

26 Sec. 402. (1) From the funds appropriated in part 1, the state

1 appellate defender office attorneys and support staff shall ensure  
2 Michigan compliance with *Montgomery v Louisiana*, 577 US \_\_\_\_  
3 (2016). The purpose of the program is to ensure competent,  
4 resourced, and supervised counsel in cases involving the  
5 resentencing of juvenile lifers. The representation by SADO counsel  
6 will create opportunities for release, saving prison costs for the  
7 state.

8 (2) The state appellate defender office shall submit a report  
9 by September 30 to the senate and house appropriations  
10 subcommittees on judiciary, the senate and house fiscal agencies,  
11 and the state budget office on the number of juvenile lifer cases  
12 investigated and prepared by the state appellate defender office.  
13 The report shall include a calculation of hours spent and focus on  
14 incremental costs associated with investigating and conducting a  
15 robust examination of each case, with particular emphasis on those  
16 costs that may be avoided after the cases have been disposed.

17 Sec. 403. (1) From the funds appropriated in part 1 for  
18 expansion of problem solving courts, the state court administrative  
19 office shall create a pilot program in a veteran court within a  
20 county with a population between 100,000 and 110,000 according to  
21 the most recent federal decennial census. The pilot program will  
22 investigate the effectiveness of saliva testing to determine  
23 compliance with required mental health medicine prescriptions or  
24 requirements.

25 (2) From the funds appropriated in part 1 for expansion of  
26 problem solving courts, \$20,000.00 is allocated to cover the costs  
27 of saliva testing.