

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 positions503.0

8 GROSS APPROPRIATION..... \$ 308,180,300

9 Interdepartmental grant revenues:

10 Total interdepartmental grants and intradepartmental

1	transfers		1,551,700
2	ADJUSTED GROSS APPROPRIATION.....	\$	306,628,600
3	Federal revenues:		
4	Total federal revenues.....		5,748,400
5	Special revenue funds:		
6	Total local revenues.....		6,505,300
7	Total private revenues.....		994,300
8	Total other state restricted revenues.....		94,785,900
9	State general fund/general purpose.....	\$	198,594,700
10	Sec. 102. SUPREME COURT		
11	Full-time equated exempted positions	251.0	
12	Community dispute resolution--3.0 FTE positions.....	\$	3,271,600
13	Direct trial court automation support--44.0 FTE		
14	positions		6,505,300
15	Drug treatment courts.....		11,833,000
16	Foster care review board--10.0 FTE positions.....		1,325,600
17	Judicial information systems--24.0 FTE positions.....		4,298,600
18	Judicial institute--13.0 FTE positions.....		1,854,600
19	Mental health courts and diversion services--1.0 FTE		
20	position		5,466,800
21	Next generation Michigan court system.....		4,116,000
22	Other federal grants.....		275,100
23	State court administrative office--64.0 FTE positions.		11,466,600
24	Supreme court administration--92.0 FTE positions.....		14,224,100
25	Swift and sure sanctions program.....		3,499,900
26	Veterans courts.....		<u>936,400</u>
27	GROSS APPROPRIATION.....	\$	69,073,600

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.....	6,505,300
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.....	\$ 46,956,700
27	Sec. 103. COURT OF APPEALS	

1	Full-time equated exempted positions	175.0	
2	Court of appeals operations--175.0 FTE positions.....	\$	<u>24,835,200</u>
3	GROSS APPROPRIATION.....	\$	24,835,200
4	Appropriated from:		
5	State general fund/general purpose.....	\$	24,835,200
6	Sec. 104. BRANCHWIDE APPROPRIATIONS		
7	Full-time equated exempted positions	4.0	
8	Branchwide appropriations--4.0 FTE positions.....	\$	<u>8,952,400</u>
9	GROSS APPROPRIATION.....	\$	8,952,400
10	Appropriated from:		
11	State general fund/general purpose.....	\$	8,952,400
12	Sec. 105. JUSTICES' AND JUDGES' COMPENSATION		
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	Sec. 106. JUDICIAL AGENCIES	
6	Full-time equated exempted positions7.0	
7	Judicial tenure commission--7.0 FTE positions.....	\$ <u>1,264,200</u>
8	GROSS APPROPRIATION.....	\$ 1,264,200
9	Appropriated from:	
10	State general fund/general purpose.....	\$ 1,264,200
11	Sec. 107. INDIGENT DEFENSE - CRIMINAL	
12	Full-time equated exempted positions53.0	
13	Appellate public defender program--53.0 FTE positions..	\$ <u>8,227,900</u>
14	GROSS APPROPRIATION.....	\$ 8,227,900
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.....	\$ 7,625,100
22	Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE	
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	Sec. 109. TRIAL COURT OPERATIONS		
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.....		6,602,900
9	Statewide e-file system--5.0 FTE positions.....		<u>10,191,600</u>
10	GROSS APPROPRIATION.....	\$	85,975,200
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.....		10,191,600
17	Judicial technology improvement fund.....		4,815,000
18	Juror compensation fund.....		6,602,900
19	State general fund/general purpose.....	\$	10,375,700
20	Sec. 110. ONE-TIME APPROPRIATIONS		
21	Full-time equated exempted positions	7.0	
22	Compliance with <i>Montgomery v Louisiana</i> --7.0 FTE		
23	positions	\$	700,000
24	Judicial tenure commission.....		100,000
25	Michigan supreme court public website upgrade.....		<u>1,106,300</u>
26	GROSS APPROPRIATION.....	\$	1,906,300
27	Appropriated from:		

1 State general fund/general purpose..... \$ 1,906,300

2 PART 2

3 PROVISIONS CONCERNING APPROPRIATIONS

4 FOR FISCAL YEAR 2019-2020

5 **GENERAL SECTIONS**

6 Sec. 201. Pursuant to section 30 of article IX of the state
 7 constitution of 1963, total state spending from state sources under
 8 part 1 for fiscal year 2019-2020 is \$293,380,600.00 and state
 9 spending from state sources to be paid to local units of government
 10 for fiscal year 2019-2020 is \$145,489,400.00. The itemized
 11 statement below identifies appropriations from which spending to
 12 local units of government will occur:

13 **JUDICIARY**

14 SUPREME COURT

15 Drug treatment courts..... \$ 8,158,000
 16 Mental health courts and diversion services..... 5,466,800
 17 Next generation Michigan court system..... 4,116,000
 18 Swift and sure sanctions program..... 3,399,900
 19 Veterans courts..... 936,400

20 COURT OF APPEALS

21 Court of appeals operations..... \$ 200,000

22 JUSTICES' AND JUDGES' COMPENSATION

23 Circuit court judicial salary standardization..... \$ 9,922,100
 24 District court judicial salary standardization..... 10,745,200
 25 Probate court judges' state base salaries..... 10,802,900

1	Probate court judicial salary standardization.....	4,669,600
2	OASI, Social Security.....	1,097,300
3	TRIAL COURT OPERATIONS	
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.....	6,602,900
9	Statewide e-file system.....	<u>10,191,600</u>
10	TOTAL..... \$	145,489,400

11 Sec. 202. (1) The appropriations authorized under this part
 12 and part 1 are subject to the management and budget act, 1984 PA
 13 431, MCL 18.1101 to 18.1594.

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

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

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

25 (b) "DOT" means the United States Department of
 26 Transportation.

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

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

3 (e) "IDG" means interdepartmental grant.

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

5 (g) "SADO" means the state appellate defender office created
6 under the appellate defender act, 1978 PA 620, MCL 780.711 to
7 780.719.

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

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

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

21 Sec. 205. Funds appropriated in part 1 shall not be used for
22 the purchase of foreign goods or services, or both, if
23 competitively priced and of comparable quality American goods or
24 services, or both, are available. Preference shall be given to
25 goods or services, or both, manufactured or provided by Michigan
26 businesses, if they are competitively priced and of comparable
27 quality. In addition, preference shall be given to goods or

1 services, or both, that are manufactured or provided by Michigan
2 businesses owned and operated by veterans, if they are
3 competitively priced and of comparable quality.

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

13 (a) The dates of each travel occurrence.

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

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

27 Sec. 211. From the funds appropriated in part 1, the judicial

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

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

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

21 Sec. 214. Total authorized appropriations from all sources
22 under part 1 for legacy costs for the fiscal year ending September
23 30, 2020 are estimated at \$13,102,700.00. From this amount, total
24 judiciary appropriations for pension-related legacy costs are
25 estimated at \$6,369,500.00. Total judiciary appropriations for
26 retiree health care legacy costs are estimated at \$6,733,200.00.

27 Sec. 215. The judicial branch shall not take disciplinary

1 action against an employee for communicating with a member of the
2 legislature or his or her staff.

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

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

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

26 Sec. 219. The judicial branch shall receive and retain copies
27 of all reports funded from appropriations in part 1. Federal and

1 state guidelines for short-term and long-term retention of records
2 shall be followed. The judicial branch may electronically retain
3 copies of reports unless otherwise required by federal and state
4 guidelines.

5 **JUDICIAL BRANCH**

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

13 Sec. 302. Funds appropriated within the judicial branch shall
14 not be expended by any component within the judicial branch without
15 the approval of the supreme court.

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

20 Sec. 304. A member of the legislature may request a report or
21 data from the data collected in the judicial data warehouse. The
22 report shall be made available to the public upon request, unless
23 disclosure is prohibited by court order or state or federal law.
24 Any data provided under this section shall be public and non-
25 identifying information.

26 Sec. 305. From the funds appropriated in part 1 for community

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

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

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

23 Sec. 309. By April 1, the state court administrative office
24 shall provide a report on drug treatment, mental health, and
25 veterans court programs in this state. The report shall include
26 information on the number of each type of program that has been
27 established, the number of program participants in each

1 jurisdiction, and the impact of the programs on offender criminal
2 involvement and recidivism. The report shall be submitted to the
3 senate and house appropriations subcommittees on judiciary, the
4 senate and house fiscal agencies, and the state budget office.

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

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

23 (3) For drug treatment court grants, consideration for
24 priority may be given to those courts where higher instances of
25 substance abuse cases are filed.

26 (4) The judiciary shall receive \$1,500,000.00 in Byrne formula
27 grant funding as an interdepartmental grant from the department of

1 state police to be used for expansion of drug treatment courts, to
2 assist in avoiding prison bed space growth for nonviolent offenders
3 in collaboration with the department of corrections.

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

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

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

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

1 failure to appear rate for each type of bond, including personal
2 recognizance with or without conditions, 10% deposit bail with or
3 without conditions, and cash or surety bail with or without
4 conditions.

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

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

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

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

1 administrative office for a portion of the funds appropriated in
2 part 1 under this section.

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

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

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

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

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

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

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

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

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

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

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

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

25 Sec. 325. (1) From the funds appropriated in part 1, the state
26 court administrative office shall conduct a study on the
27 feasibility of implementing a specialized domestic violence

1 prosecution and intervention pilot project. The purpose of a pilot
2 project established after a study conducted under this section
3 would be to provide intervention and treatment services,
4 supplemented by trauma treatment and addiction services, to
5 domestic violence offenders, with a focus on the deterrence of
6 offenders who are second-time or subsequent offenders.

7 (2) Information gathered by the study shall include, but not
8 be limited to, all of the following, categorized by county:

9 (a) The number of convictions for domestic violence offenses
10 compared to the number of convictions for other violent crimes.

11 (b) The number of individuals arrested for an alleged second-
12 time or subsequent domestic violence offense, and the number of
13 individuals convicted of a second-time or subsequent domestic
14 violence offense, including the total number of domestic violence
15 offenses committed in a specified time period.

16 (c) The number of domestic violence offenses resulting in
17 death compared to the number of other homicides.

18 (d) The number of alleged and convicted offenders that
19 experienced violent trauma or witnessed violent trauma as a young
20 person.

21 (e) The number of alleged and convicted offenders that have a
22 substance abuse disorder.

23 (f) Recommendations on how the state can hold offenders
24 accountable while rehabilitating them with treatment, community-
25 based resources and support, and restorative justice approaches to
26 conflict resolution, with the goal being a more effective and less
27 costly alternative to incarceration.

1 (g) Recommendations on how the state can improve
2 identification of at-risk individuals and intervention with a
3 combination of protective, rehabilitative, and restorative justice
4 measures that hold domestic violence offenders accountable, while
5 curtailing the escalation of violence before people are at risk.

6 (3) The state court administrative office shall submit the
7 results of the study, by September 30, to the senate and house of
8 representatives subcommittees on judiciary, the senate and house
9 fiscal agencies, and the state budget office.

10 **ONE-TIME APPROPRIATIONS**

11 Sec. 402. (1) From the funds appropriated in part 1, the state
12 appellate defender office attorneys and support staff shall ensure
13 Michigan compliance with *Montgomery v Louisiana*, 577 US ____
14 (2016). The purpose of the program is to ensure competent,
15 resourced, and supervised counsel in cases involving the
16 resentencing of juvenile lifers. The representation by SADO counsel
17 will create opportunities for release, saving prison costs for the
18 state.

19 (2) The state appellate defender office shall submit a report
20 by September 30 to the senate and house appropriations
21 subcommittees on judiciary, the senate and house fiscal agencies,
22 and the state budget office on the number of juvenile lifer cases
23 investigated and prepared by the state appellate defender office.
24 The report shall include a calculation of hours spent and focus on
25 incremental costs associated with investigating and conducting a
26 robust examination of each case, with particular emphasis on those

1 costs that may be avoided after the cases have been disposed.