

**Summary: Executive Budget Recommendation  
for Fiscal Years 2015-16 and 2016-17  
JUDICIARY**



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	FY 2014-15 Year-to-Date as of 2/11/15	Proposed FY 2014-15 Adjustments	Adjusted FY 2014-15 Year-to-Date	FY 2015-16 Executive Recommendation	Change: FY 2015-16 vs. FY 2014-15 Adjusted	
					Amount	%
<b>IDG/IDT</b>	\$2,364,400	\$0	\$2,364,400	\$2,362,900	(\$1,500)	(0.1)
<b>Federal</b>	6,437,400	0	6,437,400	6,428,600	(8,800)	(0.1)
<b>Local</b>	7,241,100	0	7,241,100	7,229,000	(12,100)	(0.2)
<b>Private</b>	944,800	0	944,800	942,900	(1,900)	(0.2)
<b>Restricted</b>	84,252,500	0	84,252,500	84,245,700	(6,800)	0.0
<b>GF/GP</b>	186,527,400	0	186,527,400	182,692,200	(3,835,200)	(2.1)
<b>Gross</b>	<b>\$287,767,600</b>	<b>\$0</b>	<b>\$287,767,600</b>	<b>\$283,901,300</b>	<b>(\$3,866,300)</b>	<b>(1.3)</b>
<b>FTEs</b>	488.0	2.0	490.0	487.0	(3.0)	(0.6)

Notes: (1) FY 2014-15 year-to-date figures include mid-year budget adjustments through February 11, 2015. (2) Proposed FY 2014-15 adjustments include Executive Order 2015-5 and House Bill 4112 (H-1). (3) Appropriation figures for all years include all proposed appropriation amounts, including amounts designated as "one-time."

**Overview**

Article VI of the State Constitution of 1963 forms the basis for Michigan's judicial branch of government. The Judiciary budget provides operational funding for the Michigan Supreme Court, the Court of Appeals, and related judicial agencies. The budget funds the salaries of justices of the Supreme Court and judges of the appeals, circuit, probate, and district courts according to constitutional and statutory requirements. Funding assistance for local trial court operations is provided through a variety of grant programs. The largest of these, the Court Equity Fund Reimbursement program, reimburses counties for trial court operations based on a statutory formula that recognizes circuit and probate caseloads and the numbers of judgeships.

**Budget Changes From Adjusted FY 2014-15 Appropriations**

**1. Budgetary Savings**

Reflects a savings from recognizing year-end lapses that typically occur in various line items and from delaying hiring for vacant positions. The largest amounts of savings are taken from the Swift and Sure Sanctions Program line item (\$2.5 million) and from the Mental Health Courts and Diversion Services line item (\$500,000). The remaining savings of \$150,000 is taken from various operation/administration line items throughout the budget.

	FY 2014-15 Adjusted Year-to-Date	FY 2015-16 Executive Change
<b>Gross</b>	<b>\$140,215,300</b>	<b>(\$3,150,000)</b>
IDG	738,600	0
Federal	3,987,300	0
Private	944,800	0
Restricted	54,059,800	0
GF/GP	\$80,484,800	(\$3,150,000)

**2. Remove One-Time Funding**

Removes one FTE position and the associated one-time funding that was included in the FY 2014-15 budget for the Trial Court Innovations Fund. The funding was used to create incentives which encourage positive change, adoption of best practices, and high performance in the state's trial courts.

FTE	1.0	(1.0)
<b>Gross</b>	<b>\$375,000</b>	<b>(\$375,000)</b>
GF/GP	\$375,000	(\$375,000)

**3. Savings for Eliminated Judgeships**

Reflects a savings from elimination of 10.0 judgeships under Public Acts 35 of 2012, and 58, 59, and 60 of 2014. The amount of savings is a result of the effective dates of the retirements of the judges. Seventy-five percent of the savings was recognized in FY 2014-15 and the remaining twenty-five percent will be recognized in FY 2015-16.

<b>Gross</b>	<b>NA</b>	<b>(\$351,800)</b>
GF/GP	NA	(\$351,800)

<b><u>Budget Changes From Adjusted FY 2014-15 Appropriations</u></b>		<b>FY 2014-15 Adjusted Year-to-Date</b>	<b>FY 2015-16 Executive Change</b>
<b>4. Eliminate Community Court Pilot Program</b>	<b>Gross</b>	<b>\$20,000</b>	<b>(\$20,000)</b>
Eliminates funding appropriated for the Community Court Pilot Program. Funding was used by the 36th District Court to assist their community court. Community courts are neighborhood-focused courts that harness the power of the justice system to address local problems. They test new and aggressive approaches to public safety rather than responding to crime once it has occurred.	GF/GP	\$20,000	(\$20,000)
<b>5. Economic Adjustments</b>	<b>Gross</b>	<b>NA</b>	<b>\$30,500</b>
Reflects a net cost increase for negotiated salary and wage amounts (2.0% base increase), insurance rate increases, reductions in actuarially-determined retirement rates, private rent increases, reductions in building occupancy charges, and reductions in worker's compensation.	IDG	NA	(1,500)
	Federal	NA	(8,800)
	Local	NA	(12,100)
	Private	NA	(1,900)
	Restricted	NA	(6,800)
	GF/GP	NA	\$61,600

**Boilerplate Changes From FY 2014-15**

***Executive Boilerplate Deletions***

The Executive deletes roughly half of the boilerplate language included in the FY 2014-15 appropriations bill (16 of 34 sections are deleted). Deletions include legislative reporting requirements, sections providing guidance and placing conditions on appropriations, earmarks of funding for specific purposes, sections which express legislative intent, sections which served a one-time purpose, and sections which are no longer applicable. Following is a list of current year boilerplate sections recommended for deletion: 204, 205, 207, 209, 211, 212, 225, 306, 309, 310, 312, 318, 320, 321, 323, and 1201. (More detail on the deleted sections appears below.)

***Sec. 204. Disciplinary Action Against State Employees – DELETED***

Prohibits judicial branch from taking disciplinary action against employees for communicating with legislators or their staff.

***Sec. 205. Input on Foster Care Cases – DELETED***

Expresses legislative intent that judges presiding over hearings on foster care cases publicly acknowledge and request input from foster parent(s) during hearings.

***Sec. 207. Changes to Foster Care Family Service Plans – DELETED***

Expresses legislative intent that judges presiding over foster care cases provide explanations in court records for any changes made to foster care family service plans.

***Sec. 209. Juvenile Justice Vision 20/20 – DELETED***

Expresses legislative intent that SCAO implement a database, if funding becomes available, that tracks statistical and demographic data on adjudicated juveniles for use by circuit and probate courts, private juvenile justice agencies, and SCAO; establishes project as a work project account; requires SCAO to report on the project.

***Sec. 211. Linking Swift and Sure Sanctions Program to Michigan Rehabilitative Services – DELETED***

Requires judicial branch to establish an interagency agreement with DHS and MDOC linking the Swift and Sure Sanctions program with the Michigan Rehabilitative Services program for the purpose of providing job placement and other support services to eligible probationers; authorizes participation in the Swift and Sure Sanctions program by parolees pending enactment of proposed legislation.

***Sec. 212. Receipt and Retention of Required Reports – DELETED***

Requires judicial branch to receive and retain copies of all reports required; requires federal and state guidelines to be followed for short-term and long-term retention of records; authorizes judicial branch to electronically retain copies of reports unless otherwise required by federal and state guidelines.

***Sec. 225. Performance Measures – DELETED***

Requires judiciary to report a list of specific benchmarks intended to measure performance or return on taxpayer investment for each new program or program expansion for which funds in excess of \$500,000 are appropriated; requires report on progress of program and status of expenditures as measured by benchmarks.

***Sec. 306. Court Collections – DELETED***

Requires Supreme Court and SCAO to maintain efforts to assist local trial courts in improving judgment collections.

***Sec. 309. Mental Health Courts – DELETED***

Requires SCAO to provide an annual update on the status of the mental health courts.

## **Boilerplate Changes From FY 2014-15**

### **Sec. 310. *Drug Treatment Court Evaluation* – DELETED**

Requires SCAO to evaluate and collect data on the performance of drug treatment court programs and to provide an annual review.

### **Sec. 312. *Parental Rights Restoration Act* – DELETED**

Requires SCAO to report on the total number of petitions filed by minors seeking court-issued waivers of parental consent under the Parental Rights Restoration Act and to report on the total number of petitions granted.

### **Sec. 318. *Community Court Pilot Project* – DELETED**

Requires funding appropriated for community court pilot project to be used for administering a pilot program of neighborhood-focused community courts.

### **Sec. 320. *Swift and Sure Sanctions Program* – DELETED**

Specifies that \$6.0 million appropriation is to be expended for the Swift and Sure Sanctions program; requires SCAO to report on offenders participating and recidivism rates.

### **Sec. 321. *Legal Self-Help Website* – DELETED**

Expresses intent of the legislature that the judicial branch support a statewide legal self-help website and local nonprofit self-help centers that provide assistance to persons representing themselves in civil legal proceedings; requires SCAO to evaluate the effectiveness of the website, and to summarize costs and estimate savings.

### **Sec. 323. *Report on Juvenile Out-of-State Placements* – DELETED**

Requires SCAO to provide courts with a listing of out-of-state placements of juveniles made by each court, a listing of per diem costs of the public and private residential care facilities located or doing business in the state, and recidivism data for each facility.

### **Sec. 1201. *Anticipated FY 2015-16 Appropriations* – DELETED**

Expresses legislative intent that FY 2015-16 appropriations will be funded at same level as FY 2014-15 appropriations, adjusting for caseloads, federal fund match rates, economic factors, and available revenue.