

LINE ITEM AND BOILERPLATE SUMMARY

JUDICIARY

Fiscal Year 2003-04
Public Act 155 of 2003
Senate Bill 281

As Enacted



Mitchell E. Bean, Director

September 2003

Prepared and Compiled by:

Marilyn Peterson, Fiscal Analyst
Tumai Burris, Budget Assistant

HOUSE FISCAL AGENCY GOVERNING COMMITTEE

Representatives:

Marc Shulman, Chair

Rick Johnson

Randy Richardville

Gretchen Whitmer, Vice Chair

Dianne Byrum

Mary Waters

MICHIGAN HOUSE OF REPRESENTATIVES APPROPRIATIONS COMMITTEE

Representatives:

Marc Shulman, Chair

Judy Emmons, Vice Chair

Daniel Acciavatti

Francis Amos

Jack Brandenburg

Bruce Caswell

Sandra Caul

David Farhat

Jacob Hoogendyk

Jerry Kooiman

John Moolenaar

Mickey Mortimer

Gary Newell

John Pastor

Mike Pumford

Scott Shackleton

Rick Shaffer

Glenn Steil, Jr.

John Stewart

Shelly Taub

Howard Walker

Gretchen Whitmer, Minority Vice Chair

Richard Brown

Marsha Cheeks

Tupac Hunter

Chris Kolb

Daniel Paletko

Clarence Phillips

James Plakas

Triette Reeves

Michael Sak

Carl M. Williams

Paula Zelenko

STATE OF MICHIGAN

HOUSE OF REPRESENTATIVES



HOUSE FISCAL AGENCY

MITCHELL E. BEAN, DIRECTOR

P.O. BOX 30014
LANSING, MICHIGAN 48909-7514
PHONE: (517)373-8080 FAX: (517)373-5874
www.house.mi.gov/hfa

GOVERNING COMMITTEE

MARC SHULMAN, CHAIR	GRETCHEN WHITMER, VC
RICK JOHNSON	DIANNE BYRUM
RANDY RICHARDVILLE	MARY WATERS

September 2003

TO: Members of the Michigan House of Representatives

The House Fiscal Agency has prepared a **Line Item Summary** for each of the FY 2003-04 appropriation acts. Each **Summary** contains line-by-line detail, including the amount and purpose of each appropriation line and information regarding related boilerplate sections, for a specific appropriation act. Following the line item detail, a brief explanation of each boilerplate section in the appropriations bill is provided.

Please note that ~~strikeouts~~ in this report show the effects of vetoes.

If you would like to obtain a Line Item Summary for a particular budget area, please contact Jeanne Dee, Administrative Assistant, at 373-8080.

TABLE OF CONTENTS

JUDICIARY	1
Supreme Court.....	2
Court of Appeals	7
Branchwide Appropriations	8
Justices' and Judges' Compensation.....	9
Judicial Agencies	11
Indigent Defense - Criminal	12
Indigent Civil Legal Assistance	14
Trial Court Operations	15
Grants and Reimbursements to Local Government.....	16
BOILERPLATE	17

GLOSSARY

Frequently-Used State Budget Terms

Adjusted Gross

Total net amount of all line item gross appropriations less (or minus) interdepartmental grants (IDGs) and intradepartmental transfers (IDTs)

Boilerplate

Specific language sections contained in an appropriations act which direct, limit or restrict line item expenditures, and/or require reports

Budget Stabilization Fund (BSF)

The countercyclical economic and budget stabilization fund—also known as the "rainy day" fund

Federal Revenues

Federal grant or matchable revenues dedicated to specific programs

General Fund/General Purpose (GF/GP)

The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues

Gross Appropriations (Gross)

The total of all applicable line item spending authorizations

Interdepartmental Grant (IDG)

Revenue or funds received by one state department from another state department (usually for a service the receiving department provides)

Intradepartmental Transfer (IDT)

Transfers or funds being provided from one appropriation unit to another in the same department

Lapses

Unspent/unobligated funds remaining in line item accounts at the end of the fiscal year

Line Items

Specific funding amount in an appropriations bill which establishes spending authorization for a particular program or function (may be for a single purpose or for multiple purposes)

Local Revenue

Revenues from local units of government

State Restricted (Restricted Funds)

State revenue dedicated to a specific fund; revenue which results from state mandates or initiatives; used for used for specific programs pursuant to the Constitution or statute

Private Funds

Revenues from non-government entities such as rents, royalties or interest payments, payments from hospitals, payments from individuals, and gifts and bequests

School Aid Fund (SAF)

The primary funding source for K-12 schools and Intermediate School Districts (ISDs)

Work Project

An account established to allow for certain specific unspent funds to be carried over from one fiscal year to a succeeding fiscal year or years

JUDICIARY

The Constitution of the State of Michigan of 1963 provides that "the judicial power of the state is vested exclusively in one court of justice which shall be divided into the Supreme Court, one court of appeals, one trial court of general jurisdiction known as the circuit court, one probate court, and courts of limited jurisdiction that the legislature may establish by two-thirds vote of the members elected to and serving in each house."

Full-time equated exempted positions	582.5	Full-time equated (FTE) positions not in the state classified service. Note: based on 2,080 hours for 1.0 FTE position
GROSS APPROPRIATION	\$253,567,900	Total of all applicable line item appropriations.
Total interdepartmental grants and intradepartmental transfers	4,633,500	Total of all grants from other departments and transfer of funds.
ADJUSTED GROSS APPROPRIATION	\$248,934,400	Total net amount of all line item gross appropriations less (or minus) interdepartmental grants (IDGs) and intradepartmental transfers (IDTs).
Total federal revenues	4,106,500	Total federal grant or matchable revenues.
Total local revenues	2,898,700	Total revenues from local units of government.
Total private revenues	842,500	Total private grant revenues.
Total other state restricted revenues	79,770,300	State revenue dedicated to a specific fund (other than the General Fund); or revenue earmarked for a specific purpose.
GENERAL FUND/ GENERAL PURPOSE	\$161,316,400	The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues.

State court administrative office (SCAO) - 80.0 FTE positions	9,811,000	<p>The State Court Administrative Office provides: <u>Administrative oversight</u> and management or technical assistance to the judges of Michigan's trial courts and trial court staff on matters relating to management of judicial functions. <u>Analyses</u> of legislative and executive branch policy in terms of administrative impact on the judiciary. <u>Evaluations</u> of court rules and legislation affecting the administration of the court. <u>Proposals</u> to change rules and statutes where appropriate. <u>Collection, analysis, and distribution</u> of management information regarding operations of trial courts to allocate judicial resources through temporary re-assignments of judges and caseload as necessary, and periodic recommendations to the Supreme Court and the Legislature regarding increases or decreases in judicial resources. <u>Oversight and monitoring</u> of Justice System Fund revenue collections and distribution.</p>															
		<table> <tr> <td>Funding Source(s):</td> <td>IDG</td> <td>95,000</td> </tr> <tr> <td></td> <td>Federal</td> <td>2,504,700</td> </tr> <tr> <td></td> <td>Private</td> <td>720,000</td> </tr> <tr> <td></td> <td>Restricted</td> <td>1,050,700</td> </tr> <tr> <td></td> <td>GF/GP</td> <td>5,440,600</td> </tr> </table>	Funding Source(s):	IDG	95,000		Federal	2,504,700		Private	720,000		Restricted	1,050,700		GF/GP	5,440,600
Funding Source(s):	IDG	95,000															
	Federal	2,504,700															
	Private	720,000															
	Restricted	1,050,700															
	GF/GP	5,440,600															
<i>Related Boilerplate Section(s): 306, 312</i>																	
Judicial information systems (JIS) - 21.0 FTE positions	4,540,600	<p>Develops, implements, and maintains automated information systems and office automation support systems internally for all Supreme Court agencies, including maintenance of a telecommunication network for state judicial agencies.</p>															
		<table> <tr> <td>Funding Source(s):</td> <td>IDG</td> <td>2,015,000</td> </tr> <tr> <td></td> <td>Federal</td> <td>115,300</td> </tr> <tr> <td></td> <td>GF/GP</td> <td>2,410,300</td> </tr> </table>	Funding Source(s):	IDG	2,015,000		Federal	115,300		GF/GP	2,410,300						
Funding Source(s):	IDG	2,015,000															
	Federal	115,300															
	GF/GP	2,410,300															
<i>Related Boilerplate Section(s): None</i>																	
Direct trial court automation support - 33.0 FTE positions	2,898,700	<p>Advises and assists trial court and judicial administrative agencies in the selection, acquisition, installation, and operation of automation technology, and provides assistance with development of applications for automated systems; provides automated case flow management and record-keeping systems for trial courts; maintains distributive systems modules for circuit, district, and probate courts; and maintains and expands automated reporting by trial courts to various state agencies.</p>															
		<table> <tr> <td>Funding Source(s):</td> <td>Local</td> <td>2,898,700</td> </tr> </table>	Funding Source(s):	Local	2,898,700												
Funding Source(s):	Local	2,898,700															
<i>Related Boilerplate Section(s): 301</i>																	
Foster care review board - 12.0 FTE positions	1,167,700	<p>Citizen's Foster Care Review Board Program, established by the Legislature, creates citizen review boards to review individual neglect/abuse cases within the foster care system to assist the court and children's services agencies in assuring prompt and permanent child placement. Some 30 boards exist across the state.</p>															
		<table> <tr> <td>Funding Source(s):</td> <td>Federal</td> <td>500,000</td> </tr> <tr> <td></td> <td>GF/GP</td> <td>667,700</td> </tr> </table>	Funding Source(s):	Federal	500,000		GF/GP	667,700									
Funding Source(s):	Federal	500,000															
	GF/GP	667,700															
<i>Related Boilerplate Section(s): None</i>																	

Community dispute resolution - 4.0 FTE positions	2,499,800	Created by 1988 PA 260, this program was established to provide mediation, conciliation, and other forms of voluntary dispute resolution as an alternative to the judicial process. Service is provided by 24 dispute resolution centers which receive grant funding through the SCAO Funding Source(s): Federal 275,000 Restricted 2,224,800
<i>Related Boilerplate Section(s): None</i>		
Drug treatment courts	4,635,000	Grant program focusing on court dockets that are specially designed to address substance abuse problems among nonviolent offenders. Drug courts take a rehabilitative approach to justice that is based on intensive drug treatment, close supervision, and a demand for offender accountability. Drug courts take nonviolent drug offenders from traditional court systems and place them in programs designed to get them off drugs, reduce recidivism, and save money. Complements federal drug court grant program. Funding Source(s): IDG 1,800,000 Federal 300,000 Restricted 1,267,500 GF/GP 4,635,000
<i>Related Boilerplate Section(s): 310, 311</i>		
GROSS APPROPRIATION	\$38,522,000	Total of all applicable line item appropriations.
IDG from department of community health	1,800,000	Pass-through funds from the federal government (Byrne memorial grants). Supports drug treatment courts line item.
IDG from department of career development	95,000	Funds from Michigan Department of Career Development used to assist non-custodial parents in obtaining employment. Supports SCAO line item.
IDG from state police - criminal justice improvement	2,015,000	Revenue from Department of State Police to fund statewide improvement of criminal history records in the areas of accuracy, completeness, and timeliness; funded through the National Criminal History Improvement Program (NCHIP) of the Bureau of Justice Statistics (USDOJ). Supports Judicial Institute line item.
IDG from state police - Michigan justice training fund	300,000	Revenue from the Department of State Police, from a \$5.00 assessment on each civil infraction (less parking violations), that is deposited in the Michigan Justice Training Fund (MJTF). Supports training for court support personnel through the Judicial Institute line item.
DOE, special education grant	150,000	Federal Department of Education grant is administered by SCAO to local community dispute resolution centers to assist parents and school districts in resolving disputes over what is considered the most appropriate education for a child with a disability.
DOJ, enforcing underage drinking law	50,000	The Judicial Institute receives funding to train judges and judicial officers on enforcing underage drinking laws and "therapeutic jurisprudence." Training includes strategies to avoid the "revolving door" syndrome experienced by many courts when dealing with underage drinkers and includes information on best practices/model pre-trial and effective probation programs for youthful populations. Additionally, a small portion of the grant will be used for pilot programs to fund courts that wish to initiate alternative sanctions.

DOJ, victims assistance programs	50,000	Michigan Judicial Institute receives funding from the Department of Justice, Office for Victims of Crime, Office of Justice Programs through the Department of Community Health. The Judicial Institute is producing and developing a Victims' Rights Manual and will be conducting multiple trainings on Victims' Rights aimed at judges, magistrates, probation officers, prosecutors and victims' advocates.
DOJ, drug court training and evaluation	300,000	Authorization for possible grant from U.S. Department of Justice (DOJ).
DOT, national highway safety traffic administration	215,300	Federal Department of Transportation funds are used for training programs that focus on repeat and first-time drunk driving offenders. Supports Michigan Judicial Institute (\$100,000) and Judicial Information Systems (\$15,300).
HHS, court improvement project	1,160,000	Federal Health and Human Services (HHS) funds provide an ongoing federal grant for improvement in court processing of child protective proceedings. Supports SCAO line item.
HHS, domestic violence prevention	175,000	Federal Health and Human Services revenues are earmarked for activities related to domestic violence prevention. Supports Judicial Institute line item.
HHS, access and visitation grant	387,000	Federal Health and Human Services funds are used to pilot and administer programs (through SCAO) that facilitate non-custodial parents' access to their children.
HHS, TANF	50,000	Federal temporary assistance for needy families. Supports SCAO efforts to ensure that court personnel have adequate skills and training to adhere to necessary protocols regarding preservation and termination of parental rights.
HHS, title IV-D child support program	907,700	As part of the federal Health and Human Services welfare revenues, this is provided to the court to implement programs related to child support collections. Supports SCAO line item.
HHS, title IV-E foster care program	500,000	Foster care/adoption assistance grants are made available to the foster care review board through federal Health and Human Services. Supports Foster Care Review Boards.
USDA, agriculture mediation grant	125,000	Federal funds from the U.S. Department of Agriculture are administered by SCAO to local community dispute resolution centers to provide mediation resolution to agricultural disputes such as agricultural credit, crop insurance, labor and/or contract disputes, and others. Supports the CRDP line item.
Local - user fees	2,898,700	Fees assessed on computer services provided to local courts by the direct trial court automation support program in order to provide 100% of the funding for operation of the program. Supports the information systems line item.
Private	169,000	Non-government, non-local revenues are made available for judges and judicial personnel for training related to specific grants that are aggregated in one revenue line item. Provides authorization to spend various grants that may be obtained from time to time. Supports SCAO line item.
Private - interest on lawyers trust accounts	232,700	Interest on Lawyer Trust Accounts (IOLTA) allows lawyers to deposit certain nominal and short-term trust funds into pooled "nominal orders of withdrawal" (NOW) accounts so that the interest generated on otherwise idle funds can be used for legal services for the poor and improvements in the administration of justice. All 50 states and the District of Columbia have IOLTA programs. Supports SCAO line item.

Private - state justice institute	370,800	The Judicial Institute is authorized to award grants, cooperative agreements, and contracts to state and local courts and others for improving the quality of justice in the state courts.
Community dispute resolution fees	2,224,800	Fees were initiated by 1988 PA 260 and amended by 1993 PA 286 to provide a source of funding for mediation, conciliation, and other forms of voluntary dispute resolution services as an alternative to the judicial process. Fee revenue is distributed to dispute resolution centers as grant funding by the State Court Administrative Office.
Law exam fees	482,100	Enacted legislation authorizes the board of law examiners to collect fees from applicants for admission to the bar. Fees are to be used for compensation of board members and/or for necessary expenses incurred in the discharge of board members' duties. Supports the Supreme Court Administration line item.
Drug court fund	1,267,500	Revenues received from Justice System Fund, which receives revenue from judicial assessments, and distributed as drug treatment court grants to trial courts.
Miscellaneous revenue	227,900	Revenues generated from miscellaneous functions, such as sales of publications, are required to be appropriated in order to have constitutional spending authority.
Justice system fund	600,000	Revenues earmarked from Justice System Fund (0.5% of funds available) for oversight and monitoring of fund collections and distributions by SCAO.
State court fund	319,000	Fund receives revenue from the Civil Filing Fee Fund, Justice System Fund, and Friend of the Court service fees. State Court Administrative Office receives 1% of revenue above \$1.6 million for administrative costs.
GENERAL FUND/ GENERAL PURPOSE	\$21,449,500	The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues.

SECTION 104: BRANCHWIDE APPROPRIATIONS

This appropriation unit provides funding for rent and related property management charges.

Full-time equated exempted positions	3.0	Full-time equated (FTE) positions not in the state classified service.
Branchwide appropriations - 3.0 FTE positions	\$8,376,000	<p>Building occupancy charges for state-owned office space. Includes charges for janitorial and other services required for day-to-day maintenance of state office buildings. Rent payments are for leased privately-owned facilities.</p> <p style="text-align: right;">Funding Source(s): GF/GP 8,376,000</p> <p style="text-align: right;"><i>Related Boilerplate Section(s): None</i></p>
GROSS APPROPRIATION	\$8,376,000	Total of all applicable line item appropriations.
GENERAL FUND/ GENERAL PURPOSE	\$8,376,000	The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues.

SECTION 105: JUSTICES' AND JUDGES' COMPENSATION

The salaries of justices and judges are based on the level of the Supreme Court Justices' salaries, which are established by the State Officers' Compensation Commission. All other judges' salaries are established by statute as a percentage of the Supreme Court Justices' salaries. Pursuant to recent court reform legislation (1996 PAs 374 and 388), the salaries of the Justices of the Supreme Court (\$164,610) provide the base for salaries of the judges of the other courts. The judges' salaries at the Court of Appeals (\$151,441) are set at 92% of the salaries of the Justices of the Supreme Court, the salaries of Circuit and Probate Court judges (\$139,919) at 85%, and the salaries of District Court judges (\$138,272) at 84%.

Judges' salaries are paid by the state in two stages. The first is the largest portion, or state portion, in which a warrant is provided by the state directly to the judge. The remaining portion of the salary is paid by the court funding unit, which is then reimbursed for the entire amount by the state.

Full-time judges positions	616.0	Full-time judges' positions.		
Supreme court justices' salaries - 7.0 judges	\$1,152,300	Salaries of Supreme Court justices are set by the State Officers' Compensation Commission (SOCC), which meets biennially to determine the salaries of the governor, lieutenant governor, Supreme Court justices, and members of the Legislature.		
		Funding Source(s):	GF/GP	1,152,300
		<i>Related Boilerplate Section(s): None</i>		
Court of appeals judges' salaries - 28.0 judges	4,240,300	State law sets the salary of Court of Appeals judges at 96% of a Supreme Court justice's salary. Supreme Court justices and Court of Appeals judges are paid entirely by the state.		
		Funding Source(s):	GF/GP	4,240,300
		<i>Related Boilerplate Section(s): None</i>		
District court judges' state base salaries - 258.0 judges	23,946,700	State salary share paid to District Court judges.		
		Funding Source(s):	GF/GP	23,946,700
		<i>Related Boilerplate Section(s): None</i>		
District court judicial salary standardization	11,831,100	Local salary share, which the state reimburses at 100%, paid to District Court judges.		
		Funding Source(s):	GF/GP	11,831,100
		<i>Related Boilerplate Section(s): None</i>		
Probate court judges' state base salaries - 106.0 judges	9,168,500	State salary share paid to Probate Court judges.		
		Funding Source(s):	Restricted GF/GP	1,489,000 7,679,500
		<i>Related Boilerplate Section(s): 308</i>		
Probate court judicial salary standardization	4,407,100	Local salary share paid to Probate Court judges.		
		Funding Source(s):	Restricted GF/GP	699,400 3,707,700
		<i>Related Boilerplate Section(s): 308</i>		
Circuit court judges' state base salaries - 216.0 judges	20,346,300	State salary share paid to Circuit Court judges.		
		Funding Source(s):	Restricted GF/GP	3,323,800 17,022,500
		<i>Related Boilerplate Section(s): 308</i>		

Circuit court judicial salary standardization	9,876,400	Local salary share paid to Circuit Court judges. Funding Source(s): Restricted 1,578,000 GF/GP 8,298,400
<i>Related Boilerplate Section(s): 308</i>		
Judges' retirement system defined contributions	2,557,800	Employers' share of retirement costs for those judges who participate in the defined contribution retirement plan. Funding Source(s): GF/GP 2,557,800
<i>Related Boilerplate Section(s): None</i>		
OASI, social security	4,738,200	Employer's share, social security. Funding Source(s): GF/GP 4,738,200
<i>Related Boilerplate Section(s): None</i>		
GROSS APPROPRIATION	\$92,264,700	Total of all applicable line item appropriations.
Court fee fund	7,090,200	Fund was created in MCL 38.2227 and amended by 1996 PA 525. It receives deposits of court revenue from the Judges' Retirement System in excess of funds needed by the system for actuarial requirements. In 1996, the fund was amended to direct \$2.2 million in fund deposits to the Court Equity Fund to be distributed according to that specific formula. <i>Related Boilerplate Section(s): 308</i>
GENERAL FUND/ GENERAL PURPOSE	\$85,174,500	The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues.

SECTION 106: JUDICIAL AGENCIES

Appropriation unit consists of the Judicial Tenure Commission; it is the only remaining piece of what used to be a multi-agency unit. The ten-member Judicial Tenure Commission consists of four judges elected by the judges of the state's courts, three elected by the State Bar of Michigan, and two appointed by the governor.

Full-time equated exempted positions	10.0	Full-time equated (FTE) positions not in the state classified service.
Judicial tenure commission - 10.0 FTE positions	\$1,004,200	Responsible for investigating complaints against judges and, where appropriate, recommending disciplinary action by the Supreme Court. A small permanent staff provides administrative and investigative support. Temporary special investigators are employed as needed. Funding Source(s): GF/GP 1,004,200
<i>Related Boilerplate Section(s): None</i>		
GROSS APPROPRIATION	\$1,004,200	Total of all applicable line item appropriations.
GENERAL FUND/ GENERAL PURPOSE	\$1,004,200	The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues.

SECTION 107: INDIGENT DEFENSE - CRIMINAL

The State Appellate Defender Commission was created by 1978 PA 620 and is responsible for: development of a system of indigent appellate defense services to be provided by the State Appellate Defender and by locally-appointed private counsel, development of minimum standards for all indigent criminal defense appellate services, compilation and maintenance of a statewide roster of attorneys eligible for and willing to accept appointment by an appropriate court to serve as criminal appellate defense counsel for indigents, and provision of a continuing legal education training program for commission staff and roster attorneys. The commission established the State Appellate Defender Office (SADO) and the Michigan Appellate Assigned Counsel System (MAACS) to carry out these responsibilities.

Full-time equated exempted positions	55.0	Full-time equated (FTE) positions not in the state classified service.												
Appellate public defender program - 47.0 FTE positions	\$4,502,000	<p>State Appellate Defender Office (SADO) was established in 1970 pursuant to Michigan Supreme Court Administrative Order 1970-1 to provide competent legal representation of indigent criminal defendants in post-conviction matters. Office currently operates pursuant to 1978 PA 620, and is governed by the seven-member Appellate Defender Commission.</p> <table style="margin-left: auto; margin-right: auto; border: none;"> <tr> <td style="padding-right: 20px;">Funding Source(s):</td> <td style="padding-right: 20px;">Federal</td> <td style="text-align: right;">36,500</td> </tr> <tr> <td></td> <td>Private</td> <td style="text-align: right;">70,000</td> </tr> <tr> <td></td> <td>Restricted</td> <td style="text-align: right;">420,100</td> </tr> <tr> <td></td> <td>GF/GP</td> <td style="text-align: right;">3,975,400</td> </tr> </table> <p style="text-align: right; margin-top: 10px;"><i>Related Boilerplate Section(s): None</i></p>	Funding Source(s):	Federal	36,500		Private	70,000		Restricted	420,100		GF/GP	3,975,400
Funding Source(s):	Federal	36,500												
	Private	70,000												
	Restricted	420,100												
	GF/GP	3,975,400												
Appellate assigned counsel administration - 8.0 FTE positions	808,700	<p>Michigan Appellate Assigned Counsel System (MAACS) was established to compile and maintain a statewide roster of attorneys eligible for and willing to accept appointment by an appropriate court to serve as criminal appellate defense counsel for indigents. It also monitors attorney compliance with the Minimum Standards for Indigent Criminal Appellate Defense Services and provides continuing legal education training programs to attorneys on the statewide roster. The MAACS is governed by the seven-member Appellate Defender Commission.</p> <table style="margin-left: auto; margin-right: auto; border: none;"> <tr> <td style="padding-right: 20px;">Funding Source(s):</td> <td style="padding-right: 20px;">Restricted</td> <td style="text-align: right;">116,500</td> </tr> <tr> <td></td> <td>GF/GP</td> <td style="text-align: right;">692,200</td> </tr> </table> <p style="text-align: right; margin-top: 10px;"><i>Related Boilerplate Section(s): None</i></p>	Funding Source(s):	Restricted	116,500		GF/GP	692,200						
Funding Source(s):	Restricted	116,500												
	GF/GP	692,200												
GROSS APPROPRIATION	\$5,310,700	Total of all applicable line item appropriations												
IDG from state police - Michigan justice training fund	423,500	Funds are distributed to law enforcement entities and other components of the criminal justice system for in-service training of employees. Supports Appellate Public Defender Program (\$318,400) and Appellate Assigned Counsel line item (\$105,100).												
DOJ, assigned criminal defense	36,500	Federal Department of Justice, one-time grant will fund project attorneys who will assist hundreds of assigned counsel who need help with legal questions on a statewide basis. Assistance will be provided in person, via phone, and/or through the Internet. Supports Appellate Public Defender Program.												

Private - interest on lawyers trust accounts	70,000	Interest on Lawyer Trust Accounts (IOLTA) allows lawyers to deposit certain nominal and short-term trust funds into pooled nominal orders of withdrawal (NOW) accounts so that the interest generated on otherwise idle funds can be used for legal services for the poor and improvements in the administration of justice. All 50 states and the District of Columbia have IOLTA programs. Supports Appellate Public Defender Program.
Miscellaneous revenue	113,100	Revenues generated from miscellaneous functions, such as sale of publications, are required to be appropriated in order to have constitutional spending authority. Supports Appellate Public Defender Program (\$101,700) and Appellate Assigned Counsel line item (\$11,400).
GENERAL FUND/ GENERAL PURPOSE	\$4,667,600	The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues

SECTION 108: INDIGENT CIVIL LEGAL ASSISTANCE

The first \$1.6 million of State Court Fund revenue is earmarked for the Court Equity Fund and the balance divided in the following way: 76% to the Court Equity Fund, 23% for civil indigent defense, and the final 1% to State Court Administrative Office (administration).

Indigent civil legal assistance	\$7,337,000	State Court Fund funds this line. Twenty-three percent of the state court fund is distributed by the State Bar Foundation to legal assistance programs throughout the state.
		Funding Source(s): Restricted 7,337,000

Related Boilerplate Section(s): None

GROSS APPROPRIATION	\$7,337,000	Total of all applicable line item appropriations
State court fund	7,337,000	Fund receives revenue from the Civil Filing Fee Fund, Justice System Fund, and Friend of the Court service fees.

GENERAL FUND/ GENERAL PURPOSE	\$0	The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues
--	------------	--

SECTION 109: TRIAL COURT OPERATIONS

Public Act 374 of 1996 created the Court Equity Fund as a part of the court reform package. Distributions are made from the fund, as statutorily required, to each county pursuant to the formula established in the act.

Court equity fund reimbursements	\$69,906,000	Created by 1996 PA 374, this fund distributes revenues to all 83 counties through a formula that utilizes caseload and judgeship factor.
----------------------------------	--------------	--

Funding Source(s):	Restricted	44,669,900
	GF/GP	25,236,100

Related Boilerplate Section(s): None

Judicial technology improvement fund	4,465,000	Used to establish a statewide telecommunications infrastructure and to identify, test, and develop new applications of technology to improve state and local judicial services. It will also provide grants to local trial court funding units to encourage technology innovations like electronic filing and on-line payments of fines and fees to enhance public service at local trial courts. This will allow the courts to make full use of advances in technology to improve service to the public and to improve the exchange of information with other states and local executive agencies.
--------------------------------------	-----------	---

Funding Source(s):	Restricted	4,465,000
--------------------	------------	-----------

Related Boilerplate Section(s): 313

GROSS APPROPRIATION	\$74,371,000	Total of all applicable line item appropriations.
----------------------------	---------------------	--

Court equity fund	4,669,900	Created by 1996 PA 374, this fund is a source of revenue to Michigan's trial courts. Revenues are received from the Civil Filing Fee Fund, Justice System Fund, State Court Fund, and Court Fee Fund.
-------------------	-----------	---

Judicial technology improvement fund	4,465,000	Used to establish a statewide telecommunications infrastructure and to identify, test, and develop new applications of technology to improve state and local judicial services. It will also provide grants to local trial court funding units to encourage technology innovations like electronic filing and on-line payments of fines and fees to enhance public service at local trial courts. This will allow the courts to make full use of advances in technology to improve service to the public and to improve the exchange of information with other states and local executive agencies.
--------------------------------------	-----------	---

Funding Source(s):	Restricted	4,465,000
--------------------	------------	-----------

Related Boilerplate Section(s): 313

GENERAL FUND/ GENERAL PURPOSE	\$25,236,100	The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues.
--	---------------------	---

SECTION 110: GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT

This appropriation unit includes three grant programs for trial courts established in state statute.

Drunk driving case-flow program	\$2,300,000	Drunk Driving Caseflow Assistance Fund was created to ease trial courts' dockets and administrative pressures placed on them by the increase in drunk driving cases. Fees collected from certain drunk driving offenses are distributed to trial courts on a formula basis by the State Court Administrative Office.
---------------------------------	-------------	--

Funding Source(s): Restricted 2,300,000

Related Boilerplate Section(s): None

Drug case-flow program	250,000	Program created to ease trial courts' dockets and administrative pressures placed on them by the increase in drug cases. Fees collected from certain drug-related offenses are distributed to trial courts on a formula basis by the State Court Administrative Office.
------------------------	---------	---

Funding Source(s): Restricted 250,000

Related Boilerplate Section(s): None

Juror compensation reimbursement	6,00,000	Distribution of revenue to trial courts for juror compensation reimbursement payments under 2002 Public Acts 605 and 739-742.
----------------------------------	----------	---

Funding Source(s): Restricted 6,600,000

Related Boilerplate Section(s): None

GROSS APPROPRIATION	\$9,150,000	Total of all applicable line item appropriations.
----------------------------	--------------------	--

Drug fund	250,000	Created by 1993 PA 359, fund promotes timely disposition of drug offenses. Funds are disbursed to district, probate, and circuit courts annually using a caseload-based formula.
-----------	---------	--

Drunk driving fund	2,300,000	Created by 1991 PA 91, fund is used to promote the timely disposition of drunk driving offenses. Funds are disbursed to district and municipal courts annually using a caseload-based formula.
--------------------	-----------	--

Juror compensation reimbursement	6,600,000	Revenue received from driver's license clearance fee and jury demand fee earmarks.
----------------------------------	-----------	--

GENERAL FUND/ GENERAL PURPOSE	\$0	The state's primary operating fund; the portion of the state's General Fund that does not include restricted revenues.
--	------------	---

BOILERPLATE SECTION INFORMATION

Sec. 201. Statement of State Spending Paid to Local Units of Government

Identifies total state spending and itemizes payments to local units of government.

Sec. 202. Appropriations Subject to DMB Act

Specifies that the bill's appropriations are subject to the Department of Management and Budget Act.

Sec. 203. Definitions

Provides definitions of acronyms.

Sec. 207. Privatization

Requires the judicial branch to submit a project plan at least 90 days before beginning any effort to privatize and requires that an evaluation of any privatization effort be submitted to the Legislature within 30 months.

Sec. 208. Reporting

Requires the judicial branch to use the internet to fulfill the reporting requirements of the act.

Sec. 209. Buy American

Urges the judiciary to Buy American and to Buy Michigan.

Sec. 210. Deprived and Depressed Communities

Encourages economic activity in deprived and depressed communities.

Sec. 211. Personal Service Contracts

Requires monthly reports on personal services contracts.

Sec. 212. Retention of Reports.

Requires the Department to retain all reports according to federal and state guidelines.

Sec. 301. Reimbursements to SCAO

Directs the State Court Administrative Office (SCAO) to recover costs for services rendered to local trial courts.

Sec. 302. Expenditure Approval

Requires Supreme Court approval of expenditures of appropriated funds.

Sec. 303. Statutory Reimbursement

Allocates monies for Circuit Court and Court of Claims reimbursement, pursuant to statute.

Sec. 304. Audits

Provides for audits of the judicial branch.

Sec. 305. Supreme Court Financial Report

Directs the Supreme Court to make quarterly financial reports to the appropriations subcommittees to avoid over expenditure of funds.

Sec. 306. Court Collections

Directs the State Court Administrative Office to maintain as a priority its efforts to assist local courts in improving collections of judgments.

Sec. 307. Court of Appeals Fee Revenue

States legislative intent that \$312,500 from increased Court of Appeals fees be used for the purpose of delay reduction.

Sec. 308. Judges' Salaries

Provides for GF/GP appropriations to meet costs of judges' compensation when funds from the court fee fund are insufficient.

Sec. 310. Drug Treatment Court Evaluation

Requires independent evaluation of drug court programs funded through Judiciary budget.

Sec. 311. Drug Courts

Defines how funds appropriated for drug courts shall be used; provides for \$1.8 million IDG of Byrne grant revenue for expansion of drug treatment courts to assist in avoiding prison bed space growth for nonviolent offenders.

Sec. 312. Parental Rights Restoration Act Report

Instructs the state court administrator in producing a statistical report regarding implementation of the parental rights restoration act.

Sec. 313. Judicial Technology Improvement Fund

Establishes criteria for use of the Judicial Technology Improvement Fund (JTIF). Provides that JTIF funds may be used for a Cyber Court. Appropriates \$6.0 million into JTIF contingent on Child Support Enforcement System penalty refund, of which \$1.0 to \$2.0 million is to be used for development and operation of a Cyber Court.

Sec. 314. Mental Health Courts

Authorizes SCAO to assist locals in getting federal grants for mental health courts if federal legislation is enacted.

Sec. 315. Information Technology

Directs Department to communicate with Department of Information Technology regarding information technology activities.

Fourth Floor, North Tower, Anderson Building
124 North Capitol Avenue, Lansing, Michigan 48933

Mail to: P. O. Box 30014
Lansing, Michigan 48909-7514

Phone: 517-373-8080 FAX: 517-373-5874
www.house.mi.gov/hfa



Mitchell E. Bean, Director
Bill Fairgrieve, Deputy Director

COMMUNITY HEALTH **Bill Fairgrieve, Deputy Director**
Medicaid Bill Fairgrieve, Senior Analyst
Mental Health–Substance Abuse Margaret Alston, Senior Analyst
Public Health–Aging Susan Frey, Senior Analyst

EDUCATION AND HUMAN SERVICES **Hank Prince, Associate Director**
Higher Education Hank Prince, Senior Analyst; Kyle I. Jen, Senior Analyst
Career Development–Consumer and Industry Services–Michigan Strategic Fund Steve Stauff, Senior Analyst
Community Colleges Kyle I. Jen, Senior Analyst
Family Independence Agency
Administration–Grants–Staffing Richard Child, Senior Analyst
Child and Family Services–Juvenile Justice Erin Black, Senior Analyst
Education Mary Ann Cleary, Senior Analyst; Laurie Cummings, Senior Analyst
School Aid Mary Ann Cleary, Senior Analyst; Laurie Cummings, Senior Analyst
Transportation William E. Hamilton, Senior Analyst

GENERAL GOVERNMENT **Al Valenzio, Associate Director**
Capital Outlay–Retirement–Supplementals Al Valenzio, Senior Analyst
Attorney General–Auditor General–Civil Rights–Civil Service–Executive Office–
Information Technology–Legislature–Lottery–Management and Budget–State Robin Risko, Senior Analyst
Treasury Jim Stansell, Economist
History, Arts, and Libraries Steve Stauff, Senior Analyst
Corrections–Judiciary–Bill Analysis System Marilyn Peterson, Senior Analyst
Agriculture–Clean Michigan Initiative–Environmental Quality–Federal Funds Monitoring–
Natural Resources–Natural Resources Trust Fund Kirk Lindquist, Senior Analyst
Military and Veterans Affairs–State Police Hannah Lee, Fiscal Analyst
Legislative Transfers Kyle I. Jen, Senior Analyst

FISCAL OVERSIGHT, AUDIT AND LITIGATION **William E. Hamilton, Senior Analyst**

ECONOMIC AND REVENUE FORECAST–TAX ANALYSIS **Rebecca Ross, Senior Economist**
Jim Stansell, Economist

SUPPORT STAFF

Office Manager Sharon Risko, Administrative Assistant
Publications and Data Jeanne Dee, Administrative Assistant
Community Health–Corrections–Family Independence Agency–Judiciary–
HFA Library Tumai Burris, Budget Assistant
Community Colleges–Education–Higher Education–School Aid–Transportation–
Transfers–HFA Internet–Bill Analysis Barbara Graves, Budget Assistant
Agriculture–Capital Outlay–Career Development–Consumer and Industry Services–
Environmental Quality–General Government–History, Arts, and Libraries–
Michigan Strategic Fund–Military and Veterans Affairs–Natural Resources–Retirement–
Revenue and Tax Analysis–State Police–Supplementals Kim O’Berry, Budget Assistant
Facilities Coordinator Ericah Caughey

September 2003



Additional copies of this report can be obtained from:

House Fiscal Agency
P.O. Box 30014
Lansing, MI 48909-7514
(517) 373-8080
FAX (517) 373-5874
www.house.mi.gov/hfa