

FY 2014-15: JUDICIARY
Summary: As Passed by the House
Article XII, House Bill 5313 (H-1)



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IDG/IDT	FY 2013-14 YTD as of 2/5/14	FY 2014-15 Executive	FY 2014-15 House	FY 2014-15 Senate	FY 2014-15 Enacted	Difference: House From FY 2013-14 YTD	
						Amount	%
	\$2,350,500	\$2,364,400	\$2,364,400			\$13,900	0.6
Federal	5,343,900	6,437,400	6,437,400			1,093,500	20.5
Local	7,133,100	7,241,100	7,241,100			108,000	1.5
Private	931,500	944,800	944,800			13,300	1.4
Restricted	84,213,800	84,252,500	84,252,500			38,700	0.0
GF/GP	183,441,300	188,242,900	188,242,900			4,801,600	2.6
Gross	\$283,414,100	\$289,483,100	\$289,483,100			\$6,069,000	2.1
FTEs	483.0	485.0	489.0			6.0	1.2

Notes: (1) FY 2013-14 year-to-date figures include mid-year budget adjustments through February 5, 2014. (2) Appropriation figures for all years include all proposed appropriation amounts, including amounts designated as "one-time." (3) Executive figures do not reflect revisions submitted subsequent to House subcommittee action.

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.

Major Budget Changes From FY 2013-14 YTD Appropriations

1. Mental Health Diversion Program

Executive includes funding for judiciary's role in a multi-agency statewide mental health diversion program. Assisted Outpatient Treatment is a court-ordered program of community-based mental health services designed to improve outcomes for people with serious mental illness who have a history of repeated incarcerations. Funding will be used for reinforcement of existing mental health courts through court coordination, mental health services, substance abuse treatment, housing, and transportation services (\$1.0 million) and for court evaluations, attorney services, and training (\$730,000). House concurs.

	FY 2013-14 Year-to-Date (as of 2/5/14)	FY 2014-15 House Change
Gross	N/A	\$1,730,000
GF/GP	N/A	\$1,730,000

2. Regionalization and Expansion of Specialty Courts

Executive includes additional federal funding made available for drug treatment courts, for regionalization and expansion of driving while intoxicated/sobriety courts, and for evaluation of the ignition interlock program. The goal is to make the courts available to more citizens in the state by regionalizing courts to serve multiple jurisdictions and expanding the number of courts available. House concurs.

	FY 2013-14 Year-to-Date (as of 2/5/14)	FY 2014-15 House Change
Gross	\$9,583,000	\$1,375,000
IDG	1,500,000	0
Federal	800,000	1,375,000
Restricted	1,920,500	0
GF/GP	\$5,362,500	\$0

Major Budget Changes From FY 2013-14 YTD Appropriations		FY 2013-14 Year-to-Date (as of 2/5/14)	FY 2014-15 House Change
3. Michigan Indigent Defense Commission	FTE	N/A	4.0
<u>Executive</u> includes funding for implementation of the Michigan Indigent Defense Commission (MIDC), which was established under Public Act 93 of 2013. The MIDC was created as an autonomous entity in the judicial branch to develop and oversee the implementation, enforcement, and modification of minimum standards, rules, and procedures to ensure that indigent criminal defense services are consistently delivered to all indigent adults throughout the state. The MIDC is charged with hiring an executive director and the appropriate number of staff needed to accomplish the purpose of the MIDC. The appropriation will support hiring administrative staff for the commission and staff-related costs. <u>House</u> concurs.	Gross	N/A	\$1,000,000
	GF/GP	N/A	\$1,000,000
4. Next Gen/MiCS	Gross	\$3,490,700	\$634,300
<u>Executive</u> includes additional funding to assist with implementation of a unified case management information system, called the Next Generation Michigan Court System (Next Gen/MiCS). A one-time appropriation of \$3.5 million GF/GP is included in the FY 2013-14 budget. That funding, along with the additional \$634,300, will be considered an on-going appropriation in the FY 2014-15 budget. The new system will combine the four current legacy case management systems in at least 264 trial court locations that are built on technology that is almost 30 years old. Funding will also be used to train the more than 4,000 users of the system. <u>House</u> concurs.	GF/GP	\$3,490,700	\$634,300
5. Savings for Eliminated Judgeships	Gross	N/A	(\$563,000)
<u>Executive</u> reflects a savings from elimination of 5.0 judgeships under Public Act 300 of 2011. One Court of Appeals judgeship and four District Court judgeships, from Midland, Lansing, Alpena/Montmorency, and Gogebic/Ontonagon Counties, will be eliminated. One Circuit Court judgeship will be eliminated from Newaygo/Oceana County, and one Circuit Court judgeship restored in Oakland County. The amount of savings is a result of the effective dates of the retirements of the judges. <u>House</u> concurs.	GF/GP	N/A	(\$563,000)
6. State Appellate Defender Office (SADO) Staff Support	Gross	\$6,646,900	\$0
<u>Executive</u> includes funding to pay for staff who are currently funded with federal grant funding which is set to expire on October 1, 2014. These staff assist the office with meeting the statutory requirement of managing 25% of the state's criminal defense appellate cases for indigents, and supporting the criminal defense bar. The office met 16% in FY 2011-12, 19% in FY 2012-13, and is expected to meet 26% in FY 2013-14. <u>House</u> concurs.	IDG	342,900	0
	Federal	408,300	(350,000)
	Private	81,300	0
	Restricted	117,600	0
	GF/GP	\$5,696,800	\$350,000
7. Foreign Language Proficiency	FTE	N/A	2.0
<u>Executive</u> includes funding to support 2.0 FTE positions and the associated costs. These staff will oversee Limited English Proficiency programs at the local trial courts and the testing and certification of interpreters. They will also assist the Foreign Language Board of Review. These positions are necessary to ensure the state's compliance with federal directives that interpreters be provided to individuals with limited English proficiency. <u>House</u> concurs.	Gross	N/A	\$245,000
	GF/GP	N/A	\$245,000
8. Economic Adjustments	Gross	N/A	\$1,647,700
<u>Executive</u> includes funding for justices' and judges' retirement, salary and wage increases (2.0% ongoing increase plus 0.5% lump sum payments), actuarially-required retirement rate increases, rent, building occupancy, and worker's compensation. Insurance costs are held flat due to recent revisions to the state employee health plan. <u>House</u> concurs.	IDG	N/A	13,900
	Federal	N/A	68,500
	Local	N/A	108,000
	Private	N/A	13,300
	Restricted	N/A	38,700
	GF/GP	N/A	\$1,405,300

Major Boilerplate Changes From FY 2013-14

Sec. 224. Legacy Costs – NEW

States that the total amount of funding estimated to be expended on legacy costs in FY 2014-15 is \$14.3 million. Of that, \$8.0 million is estimated to be expended on pension-related legacy costs, and \$6.3 million is estimated to be expended on health care-related legacy costs. Executive adds new section. House concurs.

Major Boilerplate Changes From FY 2013-14

Sec. 225. Performance Measures – NEW

Requires the Judiciary to report a list of specific benchmarks intended to measure the performance or return on taxpayer investment for each new program for which funds are appropriated, and to report on the progress of the program and the status of expenditures as measured by the benchmarks. House adds new language.

Sec. 307. Mental Health Diversion Council – NEW

Expresses intent that the appropriation for Mental Health and Diversion Services be used to address the recommendations of the Mental Health Diversion Council. Executive adds new section. House concurs.

Sec. 321. Legal Self-Help Website – MODIFIED

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. Executive deletes. House modifies to require SCAO to summarize costs of maintaining the website, provide statistics on the number of people visiting the website, and provide information on content usage, form completion, and user feedback.