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House Bill 5648 (S-1 as reported)

Committee: Appropriations

**FY 2001-02 Year-to-Date Gross Appropriation ..... \$241,449,900**

**Changes from FY 2001-02 Year-to-Date:**

1. **Judicial Salaries.** The budget includes adjustments to fully fund FY 2002-03 Judicial salaries and provide for up to a 2.0% increase contingent upon future determinations by the State Officers Compensation Commission. 1,867,600
2. **New Judgeships (Public Acts 251 through 258 of 2001).** The bill includes \$721,500 to reflect a net increase of 6.0 circuit judgeships, and a reduction of \$157,800 due to a net reduction of 1.0 district judgeship. 563,700
3. **Hall of Justice Security.** The House added 10.0 FTE/\$620,000 GF/GP for security at the Hall of Justice. The Senate reduced the increase by \$120,000. 500,000
4. **Legal Aid-Debt Management Loan Program.** The House added a new program to assist legal aid attorneys with law school loans (Sec. 319). The House funded the program from the State Services Fee Fund (assessments paid by casinos). The Senate concurred with the House. 250,000
5. **2002 PA 92.** The Senate added \$190,200 for judicial salaries and \$150,000 for local costs associated with Public Act 92 of 2002 (Court Boundary Realignment). 340,200
6. **Appellate Defender.** The House added \$227,100 for the purchase of two new copiers. The Senate reduced funding to \$63,700 for lease/purchase funding of the copiers. The Senate also included \$35,000 for equipment maintenance. 98,700
7. **Judicial Technology Improvement Fund.** The Senate reduced funding for the Judicial Technology Improvement Fund from \$2,093,700 to \$1,908,700. (185,000)
8. **Early Retirement Savings.** Pursuant to the Governor's Revised Recommendation (4/1/02), the Senate included a line item to be adjusted by the Conference Committee to reflect savings resulting from early retirement legislation. (100)
9. **Federal and Restricted Fund Adjustments.** The budget contains adjustments to Federal and State Restricted funds to reflect available funds. Increases include \$15,000 for the Non Custodial Parent Work First Program, \$20,000 from the Special Education Grant for mediation services for parent/school special education conflicts, \$567,800 for the Court Improvement Project, and \$50,000 that would be allocated to training regarding absent parent protocol. The budget also reflects the elimination of a \$100,000 grant application that was not approved in FY 2001-02. The House and Senate restored the DOJ grant eliminated by the Governor and increased Direct Trial Court Automation by \$41,300 to reflect available revenue. 594,100
10. **Economic Adjustments.** 2,779,100
11. **Other Changes.** The budget also includes a \$1,000,900 funding shift from the State General Fund to Court Fee Fund support based on projected revenue, an increase of \$173,300 based on the increased wage base for the employer's share of OASI for judicial salaries, a reduction of \$76,600 related to the 1997 Early Retirement Program, and a reduction of 9.0 FTE/\$685,400 to offset General Fund employee-related economic adjustments. (588,700)
12. **Comparison to Governor's Recommendation.** The budget is \$1,081,700 Gross/\$795,200 GF/GP over the Governor's Recommendation.

Total Changes ..... \$6,219,600

**FY 2002-03 Senate Appropriations Committee Gross Appropriation ..... \$247,669,500**



**Changes from FY 2001-02 Year to Date:**

1. **Current Year Boilerplate.** The Governor eliminated language regarding; privatization, reporting requirements, buy American intent language, deprived and depressed communities, personal service contracts, retention of reports, audits, Mental Health Courts, and trial court child care feasibility studies. The House and Senate restored all of these sections. (Sec. 207, 208, 209, 210, 211, 212, 304, 317, and 318)
2. **Audited Accounts of Funds Due.** The House replaced this section with new language requiring the Supreme Court and State Court Administrative Office to maintain as a priority assisting local trial courts with revenue collection improvements. The Senate concurred with the House. (Sec. 306)
3. **Court Fee Fund Shortage.** The House added a subsection providing that excess Court Fee Fund revenue shall be deposited in a new Drug Treatment Court Fund. The Senate deleted the subsection.
4. **Indigent Defense Funds.** Provides that funds appropriated for indigent defense shall be used in accordance with MCL 600.1485, including the reference to federal prohibitions against providing legal assistance with respect to any proceeding or litigation which seeks to procure an abortion. The Governor and House removed this section. The Senate restored the section. (Sec. 309)
5. **Drug Court Program.** Provides criteria for the administration of the Drug Court Program. The House modified this language by requiring a 25% "cash/in-kind" match to receive State funding and increasing match requirements in subsequent years. The Senate removed the House changes.
6. **Parental Rights Restoration Act Statistical Report.** The Governor deleted this section. The House modified current year language by limiting the statistical report to the total number of petitions filed and granted. The Senate concurred with the House. (Sec. 312)
7. **Part-Time Probate Judges.** Requires the Judiciary to use projected lapse funds to fund costs associated with future statutory changes to the status and compensation of part-time probate judges. The Governor and House eliminated this section. The Senate restored the section. (Sec. 315)
8. **County Compliance with Child Support Enforcement System.** Requires a county to pay a penalty if it has not implemented the new Child Support Enforcement System and the FIA determines that the county is not in compliance with the letter of agreement, or a county has not cooperated with FIA in its implementation activity. The Senate removed the section because language on this issue is in the FIA appropriation bill.
9. **Judicial Technology Improvement Fund.** Delineates appropriation for the Judicial Technology Improvement Fund. The Governor's recommendation removed the provision allowing reimbursing local courts 50% of the fee charged by credit card issuers. The Governor also included a boilerplate appropriation of \$6,000,000 to the Judicial Technology Improvement Fund contingent upon receipt of a refund from the Federal government related to penalties previously imposed for the Child Support Enforcement System. It also provides that this appropriation shall precede any other appropriation of such resources. Provides that up to \$1,000,000 may be allocated to Cyber Court and includes carryforward language. The House concurred with the Governor. The Senate modified this language to provide that if the refund from the Federal government is less than \$34,785,700, the appropriation to the Judicial Technology Improvement Fund shall be limited to 17.2% of the actual amount received from the Federal government. (Sec. 316)
10. **Debt Management Loan Program.** The House included new language that sets the criteria for a new financial aid program for attorneys who are employed by a not-for-profit legal aid agency. Total law school loan amounts would have to exceed 25% of an individual's total family income to qualify for assistance. Requires applicants to match each dollar in State funds from another source. The section sets other criteria and provides that the Debt Management Loan Program shall be administered by Wayne State University at no cost to the State. The Senate concurred with the House. (Sec. 319)
11. **Treatment Services.** The House added new language that requires the Judicial Branch to work cooperatively with the Family Independence Agency, the Department of Community Health, and the Department of Career Development to coordinate and improve the delivery of mental health and substance abuse treatment, education, and training services to individuals leaving the juvenile justice system. The Senate concurred with the House. (Sec. 320)
12. **Information Technology.** The House added new language that provides that the Judicial branch shall communicate with the Department of Information Technology regarding information technology activities. (Sec. 321)
13. **Court Boundary Realignment Costs.** The Senate added language providing that the amount appropriated for court boundary realignment costs shall be allocated to local units of government by the State Court Administrative Office for programs, technology, and other costs related to the implementation of 2002 PA 92. (Sec. 322)

Date Completed: 5-01-02

Fiscal Analyst: Bill Bowerman

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations.

