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BILL ANALYSIS

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Senate Bill 233 (S-1 as reported)
Committee: Appropriations

Throughout this document Senate means Appropriations Committee.

FY 2006-07 Year-to-Date Gross Appropriation	\$258,327,600
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Changes from FY 2006-07 Year-to-Date:

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| 1. Justices and Judges Compensation. This includes compensation and defined contribution and FICA increases for four new circuit court judges and seven part-time probate judges who convert to full time as of 1/2/2007. | 731,100 |
| 2. Department of Labor and Economic Growth IDG. Judiciary has not received this grant from DLEG in several years due to a lack of Federal TANF funds. | (40,000) |
| 3. 2002 Sick Leave Payments. The last of these payments from the 2002 early retirement program will be made in FY 2006-07. | (148,300) |
| 4. Administrative Reductions. A GF/GP reduction is applied across lines containing GF/GP funding, excluding judges' salaries, as follows: Supreme court administration (\$116,800), Judicial institute (\$14,300), State court administrative office (\$49,300), Judicial information systems (\$16,400), Foster care review board (\$5,000), Drug treatment courts \$24,100, Court of appeals (\$328,700), Judicial tenure commission (\$5,900), Appellate public defender program (\$26,600), and Appellate assigned counsel administration (\$4,800). | (544,200) |
| 5. Court Equity Fund Reimbursements. As part of the GF/GP reductions, these payments to locals will be cut. The payments were cut \$745,500 in FY 2006-07. | (89,900) |
| 6. Drunk Driving Caseload Program. The authorization for this program is increased by \$700,000 based on actual restricted revenues received from the Secretary of State. This adjustment was included in P.A. 41 of 2007. | 0 |
| 7. Direct Trial Court Automation Support. This increase in local user fees will allow the implementation of a new judicial information system. The total cost of the project will be \$8.0 -12.0 million over four years. 10.0 FTEs will be added to support the project. A portion of the increase, \$890,000, was included in P.A. 41 of 2007. | 803,000 |
| 8. Court of Appeals Motion Fees. A 2003 increase in the Court of Appeals motion fees is scheduled to sunset October 1, 2007. The Chair's recommendation assumes a delay or repeal of that sunset. The increased motion fees yield approximately \$87,500 annually. | 0 |
| 9. Judicial Information Systems. Removal of one-time Federal funding. | (1,500,000) |
| 10. Transcript Fees. The Senate removed a placeholder for transcript fee reimbursement. | (100) |
| 11. Mental Health Treatment Courts. The Senate included funding for mental health treatment courts. | 259,100 |
| 12. Retirement Adjustments. Adjustments related to P.A. 17 of 2007. | 1,243,400 |
| 13. Economic Adjustments. | 1,618,300 |
| 14. Comparison to Governor's Recommendation. The Senate Substitute is \$2,572,200 Gross and \$2,572,100 GF/GP below the Governor's recommendation. | |

Total Changes.....	2,332,400
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FY 2007-08 Senate Appropriations Committee Gross Appropriation	\$260,660,000
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Changes from FY 2006-07 Year to Date:

1. **Communication with the Legislature.** The Governor removed language prohibiting the judicial branch from taking disciplinary action against an employee for communicating with a member of the legislature or his or her staff. The Senate restored it. (Sec. 204)
2. **Retention of Reports.** The Governor removed the section requiring the judicial branch to retain reports and records. The Senate restored it. (Sec. 212)
3. **Reporting Requirement.** The Senate added language requiring the judicial branch to report by April 1, 2008 on each specific policy change made to implement enacted legislation to the appropriations subcommittees, the chairperson of the joint committee on administrative rules, and the senate and house fiscal agencies and policy offices. The section also prohibits the use of funds in part 1 to prepare regulatory plans or promulgate rules that fail to reduce the disproportionate economic impact on small businesses pursuant to MCL 24.240. (Sec. 216)
4. **Audits of the Judicial Branch.** The Governor removed the section requiring the judicial branch to cooperate with the auditor general regarding audits conducted under Section 53 of Article IV of the State Constitution of 1963. The Senate restored it. (Sec. 304)
5. **Quarterly Reports.** The Governor removed the section requiring quarterly reports on revenues and expenditures. The Senate restored it. (Sec. 305)
6. **Third Party Collection.** The Senate added a section requiring a report on the feasibility of a pilot project for third party collection of victims' restitution. (Sec. 306a)
7. **Court of Appeals Delay Reduction.** The Governor removed the intent of the legislature language from the section. The Senate restored it. (Sec. 307)
8. **Drug Treatment Court Evaluations.** The Governor modified this section to require the state court administrative office to evaluate and collect data on the performance of drug treatment court programs, rather than contract with independent third parties. The Senate concurred with the Governor. (Sec. 310)
9. **Drug Treatment Court Funding.** The Governor removed a five year limit on drug treatment court programs receiving funding under this section, language encouraging local units of government to refer to Federal drug treatment court guidelines, and a section stating that consideration of priority may be given to courts where higher instances of substance abuse cases are filed. The Senate concurred with the removal of the five year limit, and restored current year language in the remainder of the section. (Sec. 311)
10. **Parental Rights Restoration Act.** The Governor removed the section requiring a statistical report with the number of petitions filed and granted under this act. The Senate restored it. (Sec. 312)
11. **Expert Witness Testimony.** The Governor removed the section requiring judges to receive training pertaining to expert witnesses. The Senate concurred with the Governor. (Sec. 313)
12. **Halbert v. Michigan.** The Senate added a section requiring a report on the impact of *Halbert v. Michigan* and related cases on the court system. (Sec. 314)
13. **Mental Health Treatment Courts.** The Senate added a section requiring that the funds for mental health treatment courts in part 1 be used for a mental health treatment court pilot program. (Sec. 316)
14. **Transcript Fee Reimbursement.** The Governor deleted language requiring that funds appropriated for transcript fee reimbursement be disbursed to counties to compensate for costs incurred in the event of a statutory increase in court transcript fees. The Senate concurred with the Governor. (Sec. 317)
15. **Judicial Vehicles.** The Senate added language prohibiting the permanent assignment of State-owned vehicles to justices, judges, or other judicial branch employees.

Date Completed: 8-1-07

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