



Senate Fiscal Agency
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BILL ANALYSIS



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

Items included by the Senate and House

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| 1. Justices and Judges Compensation. Compensation and defined contribution and FICA increases for 4 new circuit court judges and 7 part-time probate judges who converted 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. Direct Trial Court Automation Support. Local user fees are increased for a new judicial information system. The total cost of the project will be \$8.0 -12.0 million over four years, and 10.0 FTEs. A portion of the increase, \$890,000, was included in P.A. 41 of 2007. | 803,000 |
| 5. Judicial Information Systems. Removal of one-time Federal funding. | (1,500,000) |
| 6. Retirement Adjustments. Adjustments related to P.A. 17 of 2007. | 1,243,400 |
| 7. Economic Adjustments. | 1,618,300 |

Conference Agreement on Items of Difference

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| 8. GF/GP Adjustments. The Governor, House and Senate included various GF/GP reductions. The Conference Report included the following: Supreme court administration (\$257,200), Judicial institute (\$51,800), State court administrative office (\$141,500), Judicial information systems (\$61,200), Foster care review board (\$17,900), Drug treatment courts (\$16,200), Court of appeals (\$423,000), Judicial tenure commission (\$20,400), Appellate public defender program (\$88,600), and Appellate assigned counsel administration (\$15,700). The Conference Report also restored \$250,000 to the appellate public defender program. | (843,500) |
| 9. Court Equity Fund Reimbursements. As part of the GF/GP reductions, these payments to locals will be cut. | (900,000) |
| 10. Court of Appeals Contract Attorney Program. The House included \$250,000 for this program. The Conference Report did not. | 0 |
| 11. Transcript Fees. The Senate removed a placeholder for transcript fee reimbursement. The Conference Report concurred with the Senate. | (100) |
| 12. Mental Health Treatment Courts. The Senate included a placeholder for mental health treatment courts. The House provided \$259,100 for a pilot program. The Conference Report did not include any funding. | 0 |

Total Changes.....	963,900
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FY 2007-08 Conference Report Gross Appropriation	259,291,500
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Amount Over/(Under) GF/GP Target: \$0

Changes from FY 2006-07 Year to Date:Items Included by the Senate and House

1. **Communication with the Legislature.** 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 and House restored it. (Sec. 204)
2. **Retention of Reports.** Governor removed the section requiring the judicial branch to retain reports and records. The Senate and House restored it. (Sec. 212)
3. **Audits of the Judicial Branch.** Governor removed the section requiring the judicial branch to cooperate with the auditor general regarding audits conducted under Sec. 53 of Article IV of the State Constitution of 1963. The Senate and House restored it. (Sec. 304)
4. **Quarterly Reports.** Governor removed the section requiring quarterly reports on revenues and expenditures. The Senate and House restored it. (Sec. 305)
5. **Court of Appeals Delay Reduction.** Governor removed the intent of the legislature language from the section. The Senate and House restored it. (Sec. 307)
6. **Drug Treatment Court Evaluations.** Governor modified this section to require the SCAO to evaluate and collect data on the performance of drug treatment courts. The Senate and House concurred with the Governor. (Sec. 310)
7. **Expert Witness Testimony.** Governor removed the section requiring judges to receive training pertaining to expert witnesses. The Senate and House concurred with the Governor. (Sec. 313)
8. **Halbert v. Michigan.** Senate added a section requiring a report on the impact of *Halbert v. Michigan* and related cases on the court system. The House concurred with the Senate. (Sec. 314)
9. **Judicial Vehicles.** Senate added language prohibiting the permanent assignment of State-owned vehicles to justices, judges, or other judicial branch employees. The House concurred with the Senate. (Sec. 317)

Conference Agreement on Items of Difference

10. **Reporting Requirement.** Senate added language requiring the judicial branch to report on each specific policy change made to implement enacted legislation. 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. The Conference Report concurred with the Senate. (Sec. 216)
11. **Efficiency Mechanisms.** House added language requiring the Chief Justice to implement continuous improvement efficiency mechanisms. The Conference Report concurred with the House. (Sec. 217)
12. **Third Party Collection.** Senate added a section requiring a report on the feasibility of a pilot project for third party collection of victims' restitution. The House modified the section to include collection of court ordered fines and costs. The Conference Report concurred with the House. (Sec. 306a)
13. **Drug Treatment Court Funding.** Governor removed a five year limit on drug treatment court programs receiving funding under this section, language encouraging local units 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. The Conference Report concurred with Senate. (Sec. 311)
14. **Parental Rights Restoration Act.** Governor and House removed the reporting requirement for the number of petitions filed and granted under this act. The Senate restored it. The Conference Report concurred with the Senate. (Sec. 312)
15. **Mental Health Treatment Courts.** Senate added a section requiring that SCAO evaluate strategies respond to defendants with mental illness, including mental health treatment courts. The House modified the section to create a pilot program. The Conference Report concurred with Senate. (Sec. 316)
16. **Transcript Fee Reimbursement.** Governor and Senate deleted language requiring that funds for transcript fee reimbursement be disbursed to counties to compensate for costs incurred for a statutory increase in transcript fees. House retained the language. The Conference Report concurred with Senate and Governor. (Sec. 317)
17. **COA Contract Attorney Program.** House added language earmarking \$250,000 of COA funding for the contract attorney program. The Conference Report did not include this section. (Sec. 319)

Date Completed: 10-29-07

Fiscal Analyst: Stephanie Yu

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

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