



Senate Fiscal Agency
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FY 2008-09 Year-to-Date Gross Appropriation	\$259,055,400
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Changes from FY 2008-09 Year-to-Date:

Items Included by the Senate and House

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| 1. Projected Restricted Revenue. The Governor, Senate, and House included increases based projected revenue. | 650,000 |
| 2. Economic Adjustments. | 1,549,100 |
| 3. Other Changes. FICA adjustments, \$114,500; employer's share of defined contribution costs for newly elected judges, \$224,300; and a reduction of \$384,400 related to building occupancy charges and rent. | (45,600) |

Conference Agreement on Items of Difference

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| 4. Mental Health Treatment Courts. The Governor eliminated the \$523,600 GF/GP that was first included in FY 2008-09. The Senate and House included placeholder funding. Federal Byrne Grant funding has become available for this program (\$1.6 million in FY 2008-09 for nine pilot projects for three years). Therefore, the Conference removed the place holder. | (523,600) |
| 5. Intensive Probation Pilot Program. The Senate included \$980,000 IDG from the Department of Corrections for this new program that would target high-risk offenders through assessment, treatment, and accountability, with the goal of reducing future criminal behavior. The House did not include funding. The Conference concurred with the Senate. | 980,000 |
| 6. Juvenile Training Pilot Project. The Senate and House included Federal funding placeholders for a program that would provide for training of criminal defense attorneys who accept court-appointed cases concerning juvenile delinquency, abuse, neglect, and protective services. The Conference maintained a placeholder of \$100. | 100 |
| 7. General Fund Reductions. The Governor included a 2% General Fund reduction, before accounting for the FY 2008-09 negative supplemental. The Senate and House reduced various line items to meet their respective Leadership General Fund targets. The Conference concurred with the Senate on the reductions; with the exception of the Court Equity Fund Reimbursements (the Conference added \$233,000 back to that line item). The Conference also transferred \$1,352,100 from the Juror Compensation Fund to the State General Fund. | (2,903,100) |

Total Changes.....	(\$293,100)
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FY 2009-10 Enacted Gross Appropriation.....	\$258,762,300
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Changes from FY 2008-09 Year to Date:Items Included by the Senate and House

1. **Restored Sections.** The Senate and House restored sections eliminated by the Governor regarding communications with Legislators (Sec. 204), travel restrictions (Sec. 218), cooperation with the Auditor General (Sec. 304), quarterly reports on restricted revenue (Sec. 305), and Pilot Mental Health Courts (Sec. 309).
2. **Juvenile Training Pilot Project.** The Senate and House established a pilot project to train criminal defense attorneys who accept court-appointed cases concerning juvenile delinquency, abuse, neglect, and protective services. (Sec. 319)

Conference Agreement on Items of Difference

3. **Retention of Reports.** Requires the judicial branch to receive and retain copies of all reports funded from appropriations in part 1 and to follow federal and state guidelines for retention of such reports and records. The Governor and House removed this section, the Senate and Conference restored it. (Sec. 212)
4. **Reporting Requirement.** Requires judicial branch to report on each specific policy change made to implement a public act affecting the judicial branch that took effect during the prior calendar year. Prohibits use of funds to adopt a rule that will have a disproportionate economic impact on small businesses. The Governor and House removed this section, the Senate restored it. The Conference concurred with the Senate. (Sec. 216)
5. **Lapse Estimates.** The Senate included new language requiring the judiciary to prepare a report by September 30, 2010, listing estimates of General Fund lapses. The Conference concurred with the Senate (Sec. 219)
6. **Retention of Satellite Offices.** The House included new language stating legislative intent that the Supreme Court retains its satellite offices. The Conference concurred with the House. (Sec. 220)
7. **Expenditures on the Internet.** The House included new language requiring the judicial branch to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the judicial branch. The judicial branch shall not be required to hire additional employees to comply with this section and implementation costs are limited to not more than \$10,000.00. The Conference concurred with the House. (Sec. 221)
8. **Parental Rights Restoration Act Statistical Report.** Requires the State Court Administrative Office to produce a statistical report regarding the implementation of the Parental Rights Restoration Act as it pertains to minors seeking a court-issued waiver of parental consent to obtain an abortion. The Governor and House removed this section, the Senate restored it. The Conference concurred with the Senate. (Sec. 312)
9. **Standardized Risk Assessment.** The Senate added new language providing that the Legislature requests that the State Court Administrative Office conduct a survey of trial courts in order to determine best practices for standardized risk assessment and submit a report by April 1. The State Court Administrative Office is encouraged to explore existing tools and established benchmarks that could be utilized in addressing the criminogenic needs of the local community. The Conference concurred with Senate. (Sec. 314)
10. **Intensive Probation Pilot Program.** The Senate included language setting the criteria for the \$980,000.00 interdepartmental grant from the Department of Corrections. The pilot program will target high-risk offenders through assessment, treatment, and accountability, with the goal of reducing future criminal behavior. Treatment, monitoring, and testing of offenders in the pilot program administered by the State Court Administrative Office. Also requires outcome evaluation and cost-benefit analysis of the program. The House replaced this language with intent language stating that the Judiciary will cooperate with the Department of Corrections to develop and implement a pilot program based on evidence based practices related to judicial and case management interventions that have been proven to increase public safety for high-risk, high-need probationers as determined by a validated risk and need assessment instrument. The House did not include funding for the program. The Conference concurred with the Senate. (Sec. 318)

Date Completed: 10-9-09

Fiscal Analyst: Bill Bowerman