

**SUBSTITUTE FOR  
SENATE BILL NO. 249**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2010; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1

**PART 1**

2

**LINE-ITEM APPROPRIATIONS**

3

Sec. 101. Subject to the conditions set forth in this act, the

4

amounts listed in this part are appropriated for the judicial

## Senate Bill No. 249 as amended June 10, 2009

branch for the fiscal year ending September 30, 2010, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**JUDICIARY**

## APPROPRIATION SUMMARY

Full-time equated exempted positions..... 491.0

GROSS APPROPRIATION..... \$ <<258,529,300>>

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers ..... 3,553,500

ADJUSTED GROSS APPROPRIATION..... \$ 254,975,700

Federal revenues:

Total federal revenues..... <<5,126,500>>

Special revenue funds:

Total local revenues..... 6,149,300

Total private revenues..... 842,500

Total other state restricted revenues..... 88,605,600

State general fund/general purpose..... \$ 154,251,900

**Sec. 102. SUPREME COURT**

Full-time equated exempted positions..... 243.0

Supreme court administration--97.0 FTE positions..... \$ 10,548,400

Judicial institute--13.0 FTE positions..... 2,554,500

State court administrative office--60.0 FTE positions 11,009,200

Judicial information systems--22.0 FTE positions..... 3,092,100

Direct trial court automation support--36.0 FTE

positions ..... 6,149,300

Foster care review board--12.0 FTE positions ..... 1,235,000

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|    |  |                   |
|----|--|-------------------|
| 1  | Community dispute resolution--3.0 FTE positions .....  | 2,300,400         |
| 2  | Other federal grants.....                              | 275,000           |
| 3  | Drug treatment courts.....                             | 5,132,900         |
| 4  | Mental health treatment courts.....                    | 100               |
| 5  | <<Juvenile training pilot project.....                 | 100>>             |
| 5  | GROSS APPROPRIATION.....                               | \$ <<42,297,000>> |
| 6  | Appropriated from:                                     |                   |
| 7  | Interdepartmental grant revenues:                      |                   |
| 8  | IDG from department of community health.....           | 1,800,000         |
| 9  | IDG from department of corrections.....                | 1,030,000         |
| 10 | IDG from state police - Michigan justice training fund | 300,000           |
| 11 | Federal revenues:                                      |                   |
| 12 | DOJ, victims assistance programs.....                  | 50,000            |
| 13 | DOJ, drug court training and evaluation.....           | 300,000           |
| 14 | DOT, national highway traffic safety administration..  | 1,300,000         |
| 15 | HHS, access and visitation grant.....                  | 387,000           |
| 16 | HHS, children's justice grant.....                     | 206,300           |
| 17 | HHS, court improvement project.....                    | 1,160,000         |
| 18 | HHS, title IV-D child support program.....             | 907,700           |
| 19 | HHS, title IV-E foster care program.....               | 540,400           |
| 20 | Other federal grant revenues.....                      | <<275,100>>       |
| 21 | Special revenue funds:                                 |                   |
| 22 | Local - user fees.....                                 | 6,149,300         |
| 23 | Private.....   | 169,000           |
| 24 | Private - interest on lawyers trust accounts .....     | 232,700           |
| 25 | Private - state justice institute.....                 | 370,800           |
| 26 | Community dispute resolution fund.....                 | 2,300,400         |
| 27 | Law exam fees.....                                     | 536,200           |

|    |  |                      |
|----|--|----------------------|
| 1  | Drug court fund.....                                   | 1,920,500            |
| 2  | Miscellaneous revenue.....                             | 227,900              |
| 3  | Justice system fund.....                               | 700,000              |
| 4  | State court fund.....                                  | 339,000              |
| 5  | State general fund/general purpose.....                | \$ 21,094,700        |
| 6  | <b>Sec. 103. COURT OF APPEALS</b>                      |                      |
| 7  | Full-time equated exempted positions.....              | 190.0                |
| 8  | Court of appeals operations--190.0 FTE positions ..... | \$ <u>18,414,300</u> |
| 9  | GROSS APPROPRIATION.....                               | \$ 18,414,300        |
| 10 | Appropriated from:                                     |                      |
| 11 | Special revenue funds:                                 |                      |
| 12 | Court filing/motion fees.....                          | 1,958,500            |
| 13 | Miscellaneous revenue.....                             | 77,800               |
| 14 | State general fund/general purpose.....                | \$ 16,378,000        |
| 15 | <b>Sec. 104. BRANCHWIDE APPROPRIATIONS</b>             |                      |
| 16 | Full-time equated exempted positions.....              | 4.0                  |
| 17 | Branchwide appropriations--4.0 FTE positions .....     | \$ <u>8,039,400</u>  |
| 18 | GROSS APPROPRIATION.....                               | \$ 8,039,400         |
| 19 | Appropriated from:                                     |                      |
| 20 | State general fund/general purpose.....                | \$ 8,039,400         |
| 21 | <b>Sec. 105. JUSTICES' AND JUDGES' COMPENSATION</b>    |                      |
| 22 | Full-time judges positions .....                       | 617.0                |
| 23 | Supreme court justices' salaries--7.0 justices .....   | \$ 1,152,300         |
| 24 | Court of appeals judges' salaries--28.0 judges .....   | 4,240,300            |
| 25 | District court judges' state base salaries--258.0      |                      |
| 26 | judges .....   | 23,877,200           |
| 27 | District court judicial salary standardization.....    | 11,796,800           |

|    |   |                   |
|----|---|-------------------|
| 1  | Probate court judges' state base salaries--103.0      |                   |
| 2  | judges .....  | 9,627,900         |
| 3  | Probate court judicial salary standardization .....   | 4,669,700         |
| 4  | Circuit court judges' state base salaries--221.0      |                   |
| 5  | judges .....  | 20,817,200        |
| 6  | Circuit court judicial salary standardization .....   | 10,105,000        |
| 7  | Judges' retirement system defined contributions ..... | 3,781,000         |
| 8  | OASI, social security .....                           | <u>5,468,400</u>  |
| 9  | GROSS APPROPRIATION .....                             | \$ 95,535,800     |
| 10 | Appropriated from:                                    |                   |
| 11 | Special revenue funds:                                |                   |
| 12 | Court fee fund .....                                  | 7,090,200         |
| 13 | State general fund/general purpose .....              | \$ 88,445,600     |
| 14 | <b>Sec. 106. JUDICIAL AGENCIES</b>                    |                   |
| 15 | Full-time equated exempted positions .....            | 7.0               |
| 16 | Judicial tenure commission--7.0 FTE positions .....   | \$ <u>969,700</u> |
| 17 | GROSS APPROPRIATION .....                             | \$ 969,700        |
| 18 | Appropriated from:                                    |                   |
| 19 | State general fund/general purpose .....              | \$ 969,700        |
| 20 | <b>Sec. 107. INDIGENT DEFENSE - CRIMINAL</b>          |                   |
| 21 | Full-time equated exempted positions .....            | 47.0              |
| 22 | Appellate public defender program--39.0 FTE positions | \$ 4,900,500      |
| 23 | Appellate assigned counsel administration--8.0 FTE    |                   |
| 24 | positions .....                                       | <u>908,800</u>    |
| 25 | GROSS APPROPRIATION .....                             | \$ 5,809,300      |
| 26 | Appropriated from:                                    |                   |
| 27 | Interdepartmental grant revenues:                     |                   |

|    |  |                     |
|----|--|---------------------|
| 1  | IDG from state police - Michigan justice training fund | 423,500             |
| 2  | Special revenue funds:                                 |                     |
| 3  | Private - interest on lawyers trust accounts .....     | 70,000              |
| 4  | Miscellaneous revenue .....                            | 113,100             |
| 5  | State general fund/general purpose .....               | \$ 5,202,700        |
| 6  | <b>Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE</b>       |                     |
| 7  | Indigent civil legal assistance .....                  | \$ <u>7,937,000</u> |
| 8  | GROSS APPROPRIATION .....                              | \$ 7,937,000        |
| 9  | Appropriated from:                                     |                     |
| 10 | Special revenue funds:                                 |                     |
| 11 | State court fund .....                                 | 7,937,000           |
| 12 | State general fund/general purpose .....               | \$ 0                |
| 13 | <b>Sec. 109. TRIAL COURT OPERATIONS</b>                |                     |
| 14 | Court equity fund reimbursements .....                 | \$ 64,561,800       |
| 15 | Judicial technology improvement fund .....             | <u>4,815,000</u>    |
| 16 | GROSS APPROPRIATION .....                              | \$ 69,376,800       |
| 17 | Appropriated from:                                     |                     |
| 18 | Special revenue funds:                                 |                     |
| 19 | Court equity fund .....                                | 50,440,000          |
| 20 | Judicial technology improvement fund .....             | 4,815,000           |
| 21 | State general fund/general purpose .....               | \$ 14,121,800       |
| 22 | <b>Sec. 110. GRANTS AND REIMBURSEMENTS TO LOCAL</b>    |                     |
| 23 | <b>GOVERNMENT</b>                                      |                     |
| 24 | Drug case-flow program .....                           | \$ 250,000          |
| 25 | Drunk driving case-flow program .....                  | 3,300,000           |
| 26 | Juror compensation reimbursement .....                 | <u>6,600,000</u>    |
| 27 | GROSS APPROPRIATION .....                              | \$ 10,150,000       |

|   |   |           |
|---|---|-----------|
| 1 | Appropriated from:                      |           |
| 2 | Special revenue funds:                  |           |
| 3 | Drug fund.....                          | 250,000   |
| 4 | Drunk driving fund.....                 | 3,300,000 |
| 5 | Juror compensation fund.....            | 6,600,000 |
| 6 | State general fund/general purpose..... | \$ 0      |

7 PART 2

8 PROVISIONS CONCERNING APPROPRIATIONS

9 **GENERAL SECTIONS**

10 Sec. 201. Pursuant to section 30 of article IX of the state

11 constitution of 1963, total state spending from state resources

12 under part 1 for fiscal year 2009-2010 is \$242,857,500.00 and state

13 spending from state resources to be paid to local units of

14 government for fiscal year 2009-2010 is \$121,980,500.00. The

15 itemized statement below identifies appropriations from which

16 spending to local units of government will occur:

17 JUDICIARY

18 SUPREME COURT

|    |  |            |
|----|--|------------|
| 19 | State court administrative office..... | \$ 511,900 |
| 20 | Drug treatment courts.....             | 4,832,900  |

21 TRIAL COURT OPERATIONS

|    |   |               |
|----|---|---------------|
| 22 | Court equity fund reimbursements.....     | \$ 64,561,800 |
| 23 | Judicial technology improvement fund..... | 4,815,000     |

24 JUSTICES' AND JUDGES' COMPENSATION

|    |   |               |
|----|---|---------------|
| 25 | District court judicial salary standardization..... | \$ 11,796,800 |
|----|---|---------------|

|    |   |                  |
|----|---|------------------|
| 1  | Probate court judges' state base salaries .....     | 9,627,900        |
| 2  | Probate court judicial salary standardization ..... | 4,669,700        |
| 3  | Circuit court judicial salary standardization ..... | 10,105,000       |
| 4  | Grant to OASI contribution fund, employers share,   |                  |
| 5  | social security .....                               | 909,500          |
| 6  | GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT       |                  |
| 7  | Drunk driving case-flow program .....               | \$ 3,300,000     |
| 8  | Drug case-flow program .....                        | 250,000          |
| 9  | Juror compensation reimbursement .....              | <u>6,600,000</u> |
| 10 | TOTAL .....   | \$ 121,980,500   |

11       Sec. 202. (1) The appropriations authorized under this act are  
 12 subject to the management and budget act, 1984 PA 431, MCL 18.1101  
 13 to 18.1594.

14       (2) Funds appropriated in part 1 to an entity within the  
 15 judicial branch shall not be expended or transferred to another  
 16 account without written approval of the authorized agent of the  
 17 judicial entity. If the authorized agent of the judicial entity  
 18 notifies the state budget director of its approval of an  
 19 expenditure or transfer, the state budget director shall  
 20 immediately make the expenditure or transfer. The authorized  
 21 judicial entity agent shall be designated by the chief justice of  
 22 the supreme court.

23       Sec. 203. As used in this act:

24       (a) "DOJ" means the United States department of justice.

25       (b) "DOT" means the United States department of  
 26 transportation.

27       (c) "FTE" means full-time equated.



1 (d) "HHS" means the United States department of health and  
2 human services.

3 (e) "IDG" means interdepartmental grant.

4 (f) "OASI" means old age survivor's insurance.

5 Sec. 204. The judicial branch shall not take disciplinary  
6 action against an employee for communicating with a member of the  
7 legislature or his or her staff.

8 Sec. 208. The reporting requirements of this act shall be  
9 completed with the approval of, and at the direction of, the  
10 supreme court. The judicial branch shall use the Internet to  
11 fulfill the reporting requirements of this act. This may include  
12 transmission of reports via electronic mail to the recipients  
13 identified for each reporting requirement, or it may include  
14 placement of reports on an Internet or Intranet site.

15 Sec. 212. As a condition of expending appropriations made  
16 under part 1, the judicial branch shall receive and retain copies  
17 of all reports funded from appropriations in part 1 and shall  
18 follow federal and state guidelines for short-term and long-term  
19 retention of such reports and records.

20 Sec. 214. Funds appropriated in part 1 shall not be used for  
21 the purchase of foreign goods or services, or both, if  
22 competitively priced and of comparable quality American goods or  
23 services, or both, are available. Preference shall be given to  
24 goods or services, or both, manufactured or provided by Michigan  
25 businesses, if they are competitively priced and of comparable  
26 quality. In addition, preference shall be given to goods or  
27 services, or both, that are manufactured or provided by Michigan

1 businesses owned and operated by veterans, if they are  
2 competitively priced and of comparable quality.

3 Sec. 215. (1) Due to the current budgetary problems in this  
4 state, out-of-state travel for the fiscal year ending September 30,  
5 2009 shall be limited to situations in which 1 or more of the  
6 following conditions apply:

7 (a) The travel is required by legal mandate or court order or  
8 for law enforcement purposes.

9 (b) The travel is necessary to protect the health or safety of  
10 Michigan citizens or visitors or to assist other states in similar  
11 circumstances.

12 (c) The travel is necessary to produce budgetary savings or to  
13 increase state revenues, including protecting existing federal  
14 funds or securing additional federal funds.

15 (d) The travel is necessary to comply with federal  
16 requirements.

17 (e) The travel is necessary to secure specialized training for  
18 staff that is not available within this state.

19 (f) The travel is financed entirely by federal or nonstate  
20 funds.

21 (2) If out-of-state travel is necessary but does not meet 1 or  
22 more of the conditions in subsection (1), the chief justice or his  
23 or her designee may grant an exception to allow the travel. Any  
24 exceptions granted by the chief justice or his or her designee  
25 shall be reported on a monthly basis to the senate and house of  
26 representatives standing committees on appropriations.

27 (3) Not later than January 1 of each year, the state court

1 administrative office shall prepare a travel report listing all  
2 travel by judicial branch employees outside this state in the  
3 immediately preceding fiscal year that was funded in whole or in  
4 part with funds appropriated in the budget for the judicial branch.  
5 The report shall be submitted to the senate and house of  
6 representatives standing committees on appropriations, the senate  
7 and house fiscal agencies, and the state budget director. The  
8 report shall include the following information:

9 (a) The name of each person receiving reimbursement for travel  
10 outside this state or whose travel costs were paid by this state.

11 (b) The destination of each travel occurrence.

12 (c) The dates of each travel occurrence.

13 (d) A brief statement of the reason for each travel  
14 occurrence.

15 (e) The transportation and related costs of each travel  
16 occurrence, including the proportion funded with state general  
17 fund/general purpose revenues, the proportion funded with state  
18 restricted revenues, the proportion funded with federal revenues,  
19 and the proportion funded with other revenues.

20 (f) A total of all out-of-state travel funded for the  
21 immediately preceding fiscal year.

22 Sec. 216. (1) The judicial branch shall report no later than  
23 April 1, 2010 on each specific policy change made to implement a  
24 public act affecting the judicial branch that took effect during  
25 the prior calendar year to the house and senate appropriations  
26 subcommittees on the judicial branch budget, the joint committee on  
27 administrative rules, and the senate and house fiscal agencies.

1           (2) Funds appropriated in part 1 shall not be used by the  
2     judicial branch to adopt a rule that will apply to a small business  
3     and that will have a disproportionate economic impact on small  
4     businesses because of the size of those businesses if the judicial  
5     branch fails to reduce the disproportionate economic impact of the  
6     rule on small businesses as provided under section 40 of the  
7     administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

8           (3) As used in this section:

9           (a) "Rule" means that term as defined under section 7 of the  
10    administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

11          (b) "Small business" means that term as defined under section  
12    7a of the administrative procedures act of 1969, 1969 PA 306, MCL  
13    24.207a.

14          Sec. 218. The judicial branch shall not approve the travel of  
15    more than 1 judicial employee to a specific professional  
16    development conference or training seminar that is located outside  
17    of this state unless a professional development conference or  
18    training seminar is funded by a federal or private funding source  
19    and requires more than 1 person from the judicial branch to attend,  
20    or the conference or training seminar includes multiple issues in  
21    which 1 employee from the judicial branch does not have expertise.

22          Sec. 219. Not later than September 30, 2010, the judiciary  
23    shall prepare and transmit a report that provides for estimates of  
24    the total general fund/general purpose appropriation lapses at the  
25    close of the fiscal year. This report shall summarize the projected  
26    year-end general fund/general purpose appropriation lapses by major  
27    program or program areas. The report shall be transmitted to the

1 office of the state budget, the chairpersons of the senate and  
2 house appropriations committees, and the senate and house fiscal  
3 agencies.

4 **JUDICIAL BRANCH**

5       Sec. 301. (1) The direct trial court automation support  
6 program of the state court administrative office shall recover  
7 direct and overhead costs from trial courts by charging for  
8 services rendered. The fee shall cover the actual costs incurred to  
9 the direct trial court automation support program in providing the  
10 service, including development of future versions of case  
11 management systems. A report of amounts collected in excess of  
12 funds identified as user service charges in part 1 shall be  
13 submitted to the state budget director and to the senate and house  
14 appropriations subcommittees on judiciary 30 days before  
15 expenditure by the direct trial court automation support program.

16       (2) From funds appropriated in part 1, the direct trial court  
17 automation support program of the state court administrative office  
18 shall provide to the state budget director, the senate and house  
19 appropriations committees, and the senate and house fiscal agencies  
20 before January 1 of each year a detailed list of user service  
21 charges collected during the immediately preceding state fiscal  
22 year.

23       Sec. 302. Funds appropriated within the judicial branch shall  
24 not be expended by any component within the judicial branch without  
25 the approval of the supreme court.

26       Sec. 303. Of the amount appropriated in part 1 for the

1 judicial branch, \$325,000.00 is allocated for circuit court  
2 reimbursement under section 3 of 1978 PA 16, MCL 800.453, and  
3 \$186,900.00 is allocated for court of claims reimbursement under  
4 section 6413 of the revised judicature act of 1961, 1961 PA 236,  
5 MCL 600.6413.

6 Sec. 304. As a condition of expending appropriations made  
7 under part 1, the judicial branch shall cooperate with the auditor  
8 general regarding audits of the judicial branch conducted under  
9 section 53 of article IV of the state constitution of 1963.

10 Sec. 305. As a condition of expending appropriations made  
11 under part 1, and to avoid the overexpenditure of funds  
12 appropriated under this act, the supreme court shall report  
13 quarterly to members of the senate and house appropriations  
14 subcommittees on the judiciary, the senate and house fiscal  
15 agencies, and the state budget director on the status of accounts  
16 set forth in part 1. The report required by this section shall  
17 include quarterly, year-to-date, and projected expenditures by  
18 funding source for each line item, and beginning balances and  
19 quarterly, year-to-date, and projected revenues for each source of  
20 revenue other than general fund/general purpose revenues.

21 Sec. 306. The supreme court and the state court administrative  
22 office shall continue to maintain, as a priority, the assisting of  
23 local trial courts in improving the collection of judgments.

24 Sec. 308. If sufficient funds are not available from the court  
25 fee fund to pay judges' compensation, the difference between the  
26 appropriated amount from that fund for judges' compensation and the  
27 actual amount available after the amount appropriated for trial

1 court reimbursement is made shall be appropriated from the state  
2 general fund for judges' compensation.

3 Sec. 309. By April 1, 2010, the state court administrative  
4 office shall provide an update on the status of the pilot mental  
5 health courts to the state budget director, the senate and house  
6 appropriations subcommittees on the judiciary, and the senate and  
7 house fiscal agencies.

8 Sec. 310. From the funds appropriated in part 1 for drug  
9 treatment court programs, with the approval of and at the  
10 discretion of the supreme court, the state court administrative  
11 office shall evaluate and collect data on the performance of drug  
12 treatment court programs. The state court administrative office  
13 shall provide an annual review of the performance of drug courts as  
14 prescribed in section 1078(6) of the revised judicature act of  
15 1961, 1961 PA 236, MCL 600.1078. All of the following apply to that  
16 annual review:

17 (a) It shall include measures of the impact of drug court  
18 programs in changing offender criminal involvement (recidivism) and  
19 substance abuse and in reducing prison admissions.

20 (b) It shall be completed no later than April 1 of each year  
21 and shall also be provided to the senate and house appropriations  
22 subcommittees on the judiciary, the senate and house fiscal  
23 agencies, and the state budget director.

24 (c) The evaluation of a program funded with federal Byrne  
25 funds shall be consistent with the requirements contained in the  
26 federal Byrne grant for that program.

27 Sec. 311. (1) The funds appropriated in part 1 for drug

1 treatment courts shall be administered by the state court  
2 administrative office to operate drug treatment court programs. A  
3 drug treatment court shall be responsible for handling cases  
4 involving substance abusing nonviolent offenders through  
5 comprehensive supervision, testing, treatment services, and  
6 immediate sanctions and incentives. A drug treatment court shall  
7 use all available county and state personnel involved in the  
8 disposition of cases including, but not limited to, parole and  
9 probation agents, prosecuting attorneys, defense attorneys, and  
10 community corrections providers. The funds may be used in  
11 connection with other federal, state, and local funding sources.

12 (2) From the funds appropriated in part 1, the chief justice  
13 shall allocate sufficient funds for the judicial institute to  
14 provide in-state training for those identified in subsection (1),  
15 including training for new drug treatment court judges.

16 (3) For drug treatment court grants, consideration for  
17 priority may be given to those courts where higher instances of  
18 substance abuse cases are filed.

19 (4) The judiciary shall receive \$1,800,000.00 in Byrne formula  
20 grant funding as an interdepartmental grant from the department of  
21 community health to be used for expansion of drug treatment courts,  
22 to assist in avoiding prison bed space growth for nonviolent  
23 offenders in collaboration with the department of corrections.

24 Sec. 312. From the funds appropriated in part 1, the state  
25 court administrator shall produce a statistical report regarding  
26 the implementation of the parental rights restoration act, 1990 PA  
27 211, MCL 722.901 to 722.908, as it pertains to minors seeking a



1 court-issued waiver of parental consent. The state court  
2 administrative office shall report the total number of petitions  
3 filed and the total number of petitions granted in accordance with  
4 section 208.

5       Sec. 314. The legislature requests that the state court  
6 administrative office conduct a survey of trial courts in order to  
7 determine best practices for standardized risk assessment and  
8 submit a report to the state budget director, the senate and house  
9 appropriations subcommittees on the judiciary, and the senate and  
10 house fiscal agencies by April 1. The state court administrative  
11 office is encouraged to explore existing tools and established  
12 benchmarks that could be utilized in addressing the criminogenic  
13 needs of the local community.

14       Sec. 317. Funds appropriated in part 1 shall not be used for  
15 the permanent assignment of state-owned vehicles to justices or  
16 judges or any other judicial branch employee. This section does not  
17 preclude the use of state-owned motor pool vehicles for state  
18 business in accordance with approved guidelines.

19       Sec. 318. (1) The judiciary shall receive \$980,000.00 as an  
20 interdepartmental grant from the department of corrections. The  
21 funds shall be utilized by the state court administrative office to  
22 administer a pilot program to target high-risk offenders through  
23 assessment, treatment, and accountability, with the goal of  
24 reducing future criminal behavior. All funds shall be spent on  
25 fulfilling the requirements of this section and treatment,  
26 monitoring, and testing of offenders in the pilot program  
27 administered by the state court administrative office.

1 (2) The pilot program shall adhere to the following criteria:

2 (a) A minimum of 3 pilot sites shall be selected by the state  
3 court administrative office, at least 1 to be located in a major  
4 metropolitan area.

5 (b) The pilot programs shall incorporate the principles and  
6 practices of problem-solving courts developed by the national  
7 association of drug court professionals, and they shall operate  
8 pursuant to a written memorandum of understanding developed by the  
9 stakeholders in the jurisdiction.

10 (c) Each pilot court team shall include, at a minimum, a  
11 district and circuit judge, prosecutor, defense lawyer, treatment  
12 provider, circuit court probation officer, district court probation  
13 officer, community corrections representative, community mental  
14 health representative, court administration, and community  
15 representative.

16 (d) Before being enrolled in the pilot program, each  
17 participant shall be administered a comprehensive and valid risk  
18 and needs assessment. The assessment shall measure criminogenic and  
19 psychosocial factors to determine which participants are at  
20 significant risk of/for committing further crimes and are in need  
21 of services.

22 (e) The pilot projects shall employ evidence-based practices  
23 to develop a treatment plan in response to the assessment results.

24 (f) Each pilot project shall employ a case manager whose  
25 duties shall include referral and linkage to community resources,  
26 monitoring treatment plan requirements, data reporting, and other  
27 responsibilities as assigned.

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1           (3) The Michigan judicial institute shall provide appropriate  
2 training for all personnel involved in the pilot program.

3           (4) The state court administrative office shall conduct a  
4 process and outcome evaluation and a cost-benefit analysis of the  
5 pilot programs and shall submit that analysis to the senate and  
6 house appropriations subcommittees on the judiciary, the senate and  
7 house fiscal agencies, and the state budget director by September  
8 30, 2010.

<<Sec. 319. (1) The funds appropriated in part 1 for the juvenile training pilot project shall be used for the purpose of training criminal defense attorneys who accept court-appointed cases concerning juvenile delinquency, abuse, neglect, and protective services. The judiciary shall contract with the state appellate defender office's criminal defense resource center, which provides training to court-assigned criminal defense attorneys at trial and appellate levels.

(2) Training shall include, but not be limited to, identification of potential trainees, collection of information about the services they provide to court-assigned clients, collection of resources for web access, hosting of direct training events, creation of new resources including practice manuals, and creation of a training network.>>