SUBSTITUTE FOR

SENATE BILL NO. 143

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1	PART 1
2	LINE-ITEM APPROPRIATIONS
3	Sec. 101. There is appropriated for the judiciary for the
4	fiscal year ending September 30, 2018, from the following funds:
5	JUDICIARY
6	APPROPRIATION SUMMARY
7	Full-time equated exempted positions 499.0
8	GROSS APPROPRIATION\$ 299,437,300
9	Interdepartmental grant revenues:
10	Total interdepartmental grants and intradepartmental

1	transfers	1,550,600
2	ADJUSTED GROSS APPROPRIATION	297,886,700
3	Federal revenues:	
4	Total federal revenues	6,464,100
5	Special revenue funds:	
6	Total local revenues	5,955,300
7	Total private revenues	969,600
8	Total other state restricted revenues	92,529,000
9	State general fund/general purpose\$	191,968,700
10	Sec. 102. SUPREME COURT	
11	Full-time equated exempted positions 246.0	
12	Community dispute resolution3.0 FTE positions \$	2,384,000
13	Direct trial court automation support44.0 FTE	
14	positions	5,955,300
15	Drug treatment courts	11,833,000
16	Foster care review board10.0 FTE positions	1,317,100
17	Judicial information systems22.0 FTE positions	3,164,100
18	Judicial institute13.0 FTE positions	1,819,400
19	Mental health courts and diversion service1.0 FTE	
20	position	5,464,000
21	Next generation Michigan court system	4,116,000
22	Other federal grants	275,100
23	State court administrative office61.0 FTE positions	12,306,400
24	Supreme court administration92.0 FTE positions	13,765,800
25	Swift and sure sanctions program	4,300,000
26	Veterans courts	500,000
27	GROSS APPROPRIATION\$	67,200,200

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG from department of corrections	50,600
4	IDG from department of state police	1,500,000
5	Federal revenues:	
6	DOJ, drug court training and evaluation	300,000
7	DOT, National Highway Traffic Safety Administration	2,214,400
8	HHS, access and visitation grant	622,900
9	HHS, children's justice grant	236,100
10	HHS, court improvement project	1,320,600
11	HHS, title IV-D child support program	1,031,800
12	HHS, title IV-E foster care program	395,900
13	Other federal grant revenues	275,100
14	Special revenue funds:	
15	Local - user fees	5,955,300
16	Private	193,400
17	Private - interest on lawyers' trust accounts	266,100
18	Private - state justice institute	425,300
19	Community dispute resolution fund	2,384,000
20	Court of appeals filing/motion fees	1,641,800
21	Drug court fund	1,920,500
22	Justice system fund	581,000
23	Law exam fees	657,000
24	Miscellaneous revenue	275,700
25	State court fund	388,000
26	State general fund/general purpose\$	44,564,700
27	Sec. 103. COURT OF APPEALS	

1	Full-time equated exempted positions 175.0	
2	Court of appeals operations175.0 FTE positions	\$ 23,446,900
3	GROSS APPROPRIATION	\$ 23,446,900
4	Appropriated from:	
5	State general fund/general purpose	\$ 23,446,900
6	Sec. 104. BRANCHWIDE APPROPRIATIONS	
7	Full-time equated exempted positions 4.0	
8	Branchwide appropriations4.0 FTE positions	\$ 9,123,100
9	GROSS APPROPRIATION	\$ 9,123,100
10	Appropriated from:	
11	State general fund/general purpose	\$ 9,123,100
12	Sec. 105. JUSTICES' AND JUDGES' COMPENSATION	
13	Full-time judges positions 593.0	
14	Supreme court justices' salaries7.0 justices	\$ 1,152,300
15	Circuit court judges' state base salaries214.0	
16	judges	21,364,800
17	Circuit court judicial salary standardization	9,785,000
18	Court of appeals judges' salaries27.0 judges	4,252,700
19	District court judges' state base salaries237.0	
20	judges	23,254,600
21	District court judicial salary standardization	10,836,700
22	Probate court judges' state base salaries103.0	
23	judges	10,203,000
24	Probate court judicial salary standardization	4,669,600
25	Judges' retirement system defined contributions	4,761,200
26	OASI, Social Security	 5,954,100
27	GROSS APPROPRIATION	\$ 96,234,000

1	Appropriated from:	
2	Special revenue funds:	
3	Court fee fund	2,702,100
4	State general fund/general purpose	\$ 93,531,900
5	Sec. 106. JUDICIAL AGENCIES	
6	Full-time equated exempted positions 7.0	
7	Judicial tenure commission7.0 FTE positions	\$ 1,149,700
8	GROSS APPROPRIATION	\$ 1,149,700
9	Appropriated from:	
10	State general fund/general purpose	\$ 1,149,700
11	Sec. 107. INDIGENT DEFENSE - CRIMINAL	
12	Full-time equated exempted positions 51.0	
13	Appellate public defender program51.0 FTE positions	\$ 7,795,000
14	GROSS APPROPRIATION	\$ 7,795,000
15	Appropriated from:	
16	Federal revenues:	
17	Other federal grant revenues	67,300
18	Special revenue funds:	
19	Private - interest on lawyers' trust accounts	84,800
20	Miscellaneous revenue	136,900
21	State general fund/general purpose	\$ 7,506,000
22	Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE	
23	Indigent civil legal assistance	\$ 7,937,000
24	GROSS APPROPRIATION	\$ 7,937,000
25	Appropriated from:	
26	Special revenue funds:	
27	State court fund	7,937,000

1	State general fund/general purpose	\$ 0
2	Sec. 109. TRIAL COURT OPERATIONS	
3	Full-time equated exempted positions 5.0	
4	Court equity fund reimbursements	\$ 60,815,700
5	Drug case-flow program	250,000
6	Drunk driving case-flow program	3,300,000
7	Judicial technology improvement fund	4,815,000
8	Juror compensation reimbursement	6,600,000
9	Statewide e-file system5.0 FTE positions	 8,500,000
10	GROSS APPROPRIATION	\$ 84,280,700
11	Appropriated from:	
12	Special revenue funds:	
13	Court equity fund	50,440,000
14	Drug fund	250,000
15	Drunk driving fund	3,300,000
16	Electronic filing fee fund	8,500,000
17	Judicial technology improvement fund	4,815,000
18	Juror compensation fund	6,600,000
19	State general fund/general purpose	\$ 10,375,700
20	Sec. 110. ONE-TIME BASIS ONLY APPROPRIATIONS	
21	Full-time equated exempted positions 11.0	
22	Compliance with USSC Montgomery v Louisiana	
23	decision11.0 FTE positions	\$ 700,000
24	Expansion of problem solving courts	 1,570,700
25	GROSS APPROPRIATION	2,270,700
26	Appropriated from:	
27	State general fund/general purpose	\$ 2,270,700

1 PART 2 2 PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2017-2018 3 4 GENERAL SECTIONS Sec. 201. Pursuant to section 30 of article IX of the state 5 6 constitution of 1963, total state spending from state resources 7 under part 1 for fiscal year 2017-2018 is \$284,497,700.00 and state spending from state resources to be paid to local units of 8 9 government for fiscal year 2017-2018 is \$147,094,000.00. The 10 itemized statement below identifies appropriations from which 11 spending to local units of government will occur: 12 JUDICIARY 13 300,000 14 Drug treatment courts..... 11,833,000 Mental health courts and diversion services 15 5,331,400 16 Veterans courts..... 500,000 17 Swift and sure sanctions program..... 4,200,000 18 Next generation Michigan court system..... 4,116,000 19 Court equity fund reimbursements..... 60,815,700 20 Judicial technology improvement fund..... 4,815,000 Drunk driving case-flow program..... 21 3,300,000 Statewide e-file system..... 22 8,500,000 23 250,000 Drug case-flow program..... Juror compensation reimbursement 24 6,600,000 10,836,700 25 District court judicial salary standardization 26 Probate court judges' state base salaries..... 10,203,000 27 Probate court judicial salary standardization 4,669,600

- 4 TOTAL.....\$ 147,094,000
- 5 Sec. 202. (1) The appropriations authorized under this part
- 6 and part 1 are subject to the management and budget act, 1984 PA
- 7 431, MCL 18.1101 to 18.1594.
- 8 (2) Funds appropriated in part 1 to an entity within the
- 9 judicial branch shall not be expended or transferred to another
- 10 account without written approval of the authorized agent of the
- 11 judicial entity. If the authorized agent of the judicial entity
- 12 notifies the state budget director of its approval of an
- 13 expenditure or transfer, the state budget director shall
- 14 immediately make the expenditure or transfer. The authorized
- 15 judicial entity agent shall be designated by the chief justice of
- 16 the supreme court.
- Sec. 203. As used in this part and part 1:
- 18 (a) "DOJ" means the United States Department of Justice.
- 19 (b) "DOT" means the United States Department of
- 20 Transportation.
- (c) "FTE" means full-time equated.
- (d) "HHS" means the United States Department of Health and
- 23 Human Services.
- 24 (e) "IDG" means interdepartmental grant.
- (f) "OASI" means old age survivor's insurance.
- 26 (g) "SADO" means the state appellate defender office created
- 27 under the appellate defender act, 1978 PA 620, MCL 780.711 to

- **1** 780.719.
- 2 (h) "Title IV-D" means the part of the federal social security
- 3 act, 42 USC 301 to 1397mm, pertaining to the child support
- 4 enforcement program.
- 5 (i) "Title IV-E" means the part of the federal social security
- 6 act, 42 USC 301 to 1397mm, pertaining to the foster care program.
- 7 Sec. 204. The reporting requirements of this part shall be
- 8 completed with the approval of, and at the direction of, the
- 9 supreme court, except as otherwise provided in this part. The
- 10 judicial branch shall use the internet to fulfill the reporting
- 11 requirements of this part. This may include transmission of reports
- 12 via electronic mail to the recipients identified for each reporting
- 13 requirement, or it may include placement of reports on an internet
- 14 or intranet site.
- 15 Sec. 205. Funds appropriated in part 1 shall not be used for
- 16 the purchase of foreign goods or services, or both, if
- 17 competitively priced and of comparable quality American goods or
- 18 services, or both, are available. Preference shall be given to
- 19 goods or services, or both, manufactured or provided by Michigan
- 20 businesses, if they are competitively priced and of comparable
- 21 quality. In addition, preference shall be given to goods or
- 22 services, or both, that are manufactured or provided by Michigan
- 23 businesses owned and operated by veterans, if they are
- 24 competitively priced and of comparable quality.
- 25 Sec. 207. Not later than January 1 of each year, the state
- 26 court administrative office shall prepare a report on out-of-state
- 27 travel listing all travel by judicial branch employees outside this

- 1 state in the immediately preceding fiscal year that was funded in
- 2 whole or in part with funds appropriated in the budget for the
- 3 judicial branch. The report shall be submitted to the senate and
- 4 house appropriations committees, the senate and house fiscal
- 5 agencies, and the state budget director. The report shall include
- 6 the following information:
- 7 (a) The dates of each travel occurrence.
- 8 (b) The transportation and related costs of each travel
- 9 occurrence, including the proportion funded with state general
- 10 fund/general purpose revenues, the proportion funded with state
- 11 restricted revenues, the proportion funded with federal revenues,
- 12 and the proportion funded with other revenues.
- Sec. 209. Not later than November 30, the state budget office
- 14 shall prepare and transmit a report that provides for estimates of
- 15 the total general fund/general purpose appropriation lapses at the
- 16 close of the prior fiscal year. This report shall summarize the
- 17 projected year-end general fund/general purpose appropriation
- 18 lapses by major program or program areas. The report shall be
- 19 transmitted to the chairpersons of the senate and house
- 20 appropriations committees and the senate and house fiscal agencies.
- 21 Sec. 211. From the funds appropriated in part 1, the judicial
- 22 branch shall maintain a searchable website accessible by the public
- 23 at no cost that includes all expenditures made by the judicial
- 24 branch within a fiscal year. The posting shall include the purpose
- 25 for which each expenditure is made. The judicial branch shall not
- 26 provide financial information on its website under this section if
- 27 doing so would violate a federal or state law, rule, regulation, or

- 1 guideline that establishes privacy or security standards applicable
- 2 to that financial information.
- 3 Sec. 212. Within 14 days after the release of the executive
- 4 budget recommendation, the judicial branch shall cooperate with the
- 5 state budget office to provide the senate and house appropriations
- 6 chairs, the senate and house appropriations subcommittees chairs,
- 7 and the senate and house fiscal agencies with an annual report on
- 8 estimated state restricted fund balances, state restricted fund
- 9 projected revenues, and state restricted fund expenditures for the
- 10 fiscal years ending September 30, 2017 and September 30, 2018.
- 11 Sec. 213. The judiciary shall maintain, on a publicly
- 12 accessible website, a scorecard that identifies, tracks, and
- 13 regularly updates key metrics that are used to monitor and improve
- 14 the judiciary's performance.
- 15 Sec. 214. Total authorized appropriations from all sources
- 16 under part 1 for legacy costs for the fiscal year ending September
- 17 30, 2018 are \$13,963,100.00. From this amount, total judiciary
- 18 appropriations for pension-related legacy costs are estimated at
- 19 \$7,815,500.00. Total appropriations for judiciary retiree health
- 20 care legacy costs are estimated at \$6,777,600.00.
- 21 Sec. 215. The judicial branch shall not take disciplinary
- 22 action against an employee for communicating with a member of the
- 23 legislature or his or her staff.
- Sec. 216. It is the intent of the legislature that judges who
- 25 are presiding over a hearing on a foster care case shall publicly
- 26 acknowledge and request the input of the foster parent or foster
- 27 parents during the hearing.

- 1 Sec. 217. If the judicial branch makes any changes to a foster
- 2 care family service plan before its finalization, it is the intent
- 3 of the legislature that the presiding judge provide an explanation
- 4 for any changes to that plan in the court record.
- 5 Sec. 218. From the funds appropriated in part 1, the state
- 6 court administrative office shall evaluate programs within the
- 7 department of health and human services and the department of
- 8 talent and economic development to establish programmatic
- 9 connections with the participants in the swift and sure sanctions
- 10 program. The purpose of this relationship is to leverage
- 11 collaborations and to determine avenues of success for offenders
- 12 who are eligible for state-provided programs. By March 1, the state
- 13 court administrative office shall deliver guidance to courts
- 14 participating in the swift and sure sanctions program under the
- 15 probation swift and sure sanctions act, chapter XIA of the code of
- 16 criminal procedure, 1927 PA 175, MCL 771A.1 to 771A.8, detailing
- 17 the evaluations and directing participants into available
- 18 programming.
- 19 Sec. 219. The judicial branch shall receive and retain copies
- 20 of all reports funded from appropriations in part 1. Federal and
- 21 state guidelines for short-term and long-term retention of records
- 22 shall be followed. The judicial branch may electronically retain
- 23 copies of reports unless otherwise required by federal and state
- 24 quidelines.

25 JUDICIAL BRANCH

26 Sec. 301. From the funds appropriated in part 1, the direct

- 1 trial court automation support program of the state court
- 2 administrative office shall recover direct and overhead costs from
- 3 trial courts by charging for services rendered. The fee shall cover
- 4 the actual costs incurred to the direct trial court automation
- 5 support program in providing the service, including development of
- 6 future versions of case management systems.
- 7 Sec. 302. Funds appropriated within the judicial branch shall
- 8 not be expended by any component within the judicial branch without
- 9 the approval of the supreme court.
- 10 Sec. 303. Of the amount appropriated in part 1 for the
- 11 judicial branch, \$711,900.00 is allocated for circuit court
- 12 reimbursement under section 3 of 1978 PA 16, MCL 800.453, and for
- 13 costs associated with the court of claims.
- 14 Sec. 304. (1) From the funds appropriated in part 1 for the
- 15 judicial technology improvement fund, \$815,000.00 is allocated for
- 16 trial court videoconferencing equipment updating and maintenance
- 17 and \$400,000.00 is allocated for the Michigan legal self-help
- 18 program.
- 19 (2) The state court administrative office shall ensure that
- 20 judicial data warehouse data from all courts in this state are
- 21 submitted to the legislative council. Available funds shall be used
- 22 for grants to local courts to support necessary improvements to
- 23 ensure complete data submission from all courts in this state.
- 24 (3) A member of the legislature may request a report from the
- 25 data collected in the Judicial Data Warehouse. A report created
- 26 under this section is subject to the freedom of information act,
- 27 1976 PA 442, MCL 15.231 to 15.246.

- 1 Sec. 306. By February 1, the state court administrative office
- 2 shall produce a statistical report, categorized by county,
- 3 regarding both the collected and uncollected amounts of restitution
- 4 payments, court fees, and any other applicable judgments placed
- 5 upon persons within the county, reported for the year 2016.
- 6 Sec. 307. From the funds appropriated in part 1 for mental
- 7 health courts and diversion services, \$1,730,000.00 is intended to
- 8 address the recommendations of the mental health diversion council.
- 9 Sec. 308. If sufficient funds are not available from the court
- 10 fee fund to pay judges' compensation, the difference between the
- 11 appropriated amount from that fund for judges' compensation and the
- 12 actual amount available after the amount appropriated for trial
- 13 court reimbursement is made shall be appropriated from the state
- 14 general fund for judges' compensation. If an appropriation is made
- 15 under this section, the state court administrative office shall
- 16 notify, within 14 days of the appropriation, the senate and house
- 17 standing committees on appropriations, the senate and house
- 18 appropriations subcommittees on judiciary, the senate and house
- 19 fiscal agencies, and the state budget office.
- 20 Sec. 309. By April 1, the state court administrative office
- 21 shall provide a report on drug treatment, mental health, and
- 22 veterans court programs in this state. The report shall include
- 23 information on the number of each type of program that has been
- 24 established, the number of program participants in each
- 25 jurisdiction, and the impact of the programs on offender criminal
- 26 involvement and recidivism. The report shall be submitted to the
- 27 senate and house appropriations subcommittees on judiciary, the

- 1 senate and house fiscal agencies, and the state budget director.
- 2 Sec. 311. (1) The funds appropriated in part 1 for drug
- 3 treatment courts as that term is defined in section 1060 of the
- 4 revised judicature act of 1961, 1961 PA 236, MCL 600.1060, shall be
- 5 administered by the state court administrative office to operate
- 6 drug treatment court programs. A drug treatment court shall be
- 7 responsible for handling cases involving substance abusing
- 8 nonviolent offenders through comprehensive supervision, testing,
- 9 treatment services, and immediate sanctions and incentives. A drug
- 10 treatment court shall use all available county and state personnel
- 11 involved in the disposition of cases including, but not limited to,
- 12 parole and probation agents, prosecuting attorneys, defense
- 13 attorneys, and community corrections providers. The funds may be
- 14 used in connection with other federal, state, and local funding
- 15 sources.
- 16 (2) From the funds appropriated in part 1, the chief justice
- 17 shall allocate sufficient funds for the Michigan judicial institute
- 18 to provide in-state training for those identified in subsection
- 19 (1), including training for new drug treatment court judges.
- 20 (3) For drug treatment court grants, consideration for
- 21 priority may be given to those courts where higher instances of
- 22 substance abuse cases are filed.
- 23 (4) The judiciary shall receive \$1,500,000.00 in Byrne formula
- 24 grant funding as an interdepartmental grant from the department of
- 25 state police to be used for expansion of drug treatment courts, to
- 26 assist in avoiding prison bed space growth for nonviolent offenders
- 27 in collaboration with the department of corrections.

- 1 Sec. 312. From the funds appropriated in part 1, the state
- 2 court administrator shall produce a statistical report regarding
- 3 the implementation of the parental rights restoration act, 1990 PA
- 4 211, MCL 722.901 to 722.908, as it pertains to minors seeking
- 5 court-issued waivers of parental consent. The state court
- 6 administrative office shall report the total number of petitions
- 7 filed and the total number of petitions granted under that act.
- 8 Sec. 317. Funds appropriated in part 1 shall not be used for
- 9 the permanent assignment of state-owned vehicles to justices or
- 10 judges or any other judicial branch employee. This section does not
- 11 preclude the use of state-owned motor pool vehicles for state
- 12 business in accordance with approved guidelines.
- Sec. 320. (1) From the funds appropriated in part 1 for the
- 14 swift and sure sanctions program, created under section 3 of
- 15 chapter XIA of the code of criminal procedure, 1927 PA 175, MCL
- 16 771A.3, the state court administrative office shall administer a
- 17 program to distribute grants to qualifying courts in accordance
- 18 with the objectives and requirements of the probation swift and
- 19 sure sanctions act, chapter XIA of the code of criminal procedure,
- 20 1927 PA 175, MCL 771A.1 to 771A.8. Of the funds designated for the
- 21 program, not more than \$100,000.00 shall be available to the state
- 22 court administrative office to pay for employee costs associated
- 23 with the administration of the program funds. Of the funds
- 24 designated for the program, \$500,000.00 is reserved for programs in
- 25 counties that had more than 325 individuals sentenced to prison in
- 26 the previous calendar year. Courts interested in participating in
- 27 the swift and sure sanctions program may apply to the state court

- 1 administrative office for a portion of the funds appropriated in
- 2 part 1 under this section.
- 3 (2) By April 1, the state court administrative office, in
- 4 cooperation with the department of corrections, shall provide a
- 5 report on the courts that receive funding under the swift and sure
- 6 sanctions program described in subsection (1) to the senate and
- 7 house appropriations subcommittees on judiciary, the senate and
- 8 house fiscal agencies, and the state budget director. The report
- 9 shall include all of the following:
- 10 (a) The number of offenders who participate in the program.
- 11 (b) The criminal history of offenders who participate in the
- 12 program.
- 13 (c) The recidivism rate of offenders who participate in the
- 14 program, including the rate of return to jail, prison, or both.
- 15 (d) A detailed description of the establishment and parameters
- 16 of the program.
- 17 (3) As used in this section, "program" means a swift and sure
- 18 sanctions program described in subsection (1).
- 19 Sec. 321. From the funds appropriated in part 1, the judicial
- 20 branch shall support a statewide legal self-help internet website
- 21 and local nonprofit self-help centers that use the statewide
- 22 website to provide assistance to individuals representing
- 23 themselves in civil legal proceedings. The state court
- 24 administrative office shall summarize the costs of maintaining the
- 25 website, provide statistics on the number of people visiting the
- 26 website, and provide information on content usage, form completion,
- 27 and user feedback. By March 1, the state court administrative

- 1 office shall report this information for the preceding fiscal year
- 2 to the senate and house appropriations subcommittees on judiciary,
- 3 the senate and house fiscal agencies, and the state budget
- 4 director.
- 5 Sec. 322. If Byrne formula grant funding is awarded to the
- 6 state appellate defender, the state appellate defender office may
- 7 receive and expend Byrne formula grant funds in an amount not to
- 8 exceed \$250,000.00 as an interdepartmental grant from the
- 9 department of state police. If the appellate defender appointed
- 10 under section 3 of the appellate defender act, 1978 PA 620, MCL
- 11 780.713, receives federal grant funding from the United States
- 12 Department of Justice in excess of the amount appropriated in part
- 13 1, the office of appellate defender may receive and expend grant
- 14 funds in an amount not to exceed \$300,000.00 as other federal
- 15 grants.
- 16 Sec. 323. The state court administrative office shall provide
- 17 courts with a quarterly listing of out-of-state placements of
- 18 juveniles by each court. The state court administrative office
- 19 shall also provide each judge who hears juvenile matters with the
- 20 annual listing of per diem costs of the public and private
- 21 residential care facilities located or doing business in this
- 22 state, and the recidivism data for each facility, if available, as
- 23 provided by the department of health and human services. The courts
- 24 shall acknowledge receipt of this information.
- 25 Sec. 324. From the funds appropriated in part 1 for the
- 26 medication-assisted treatment program, the judiciary shall maintain
- 27 a medication-assisted treatment program to provide treatment for

- 1 opioid-addicted and alcohol-addicted individuals who are referred
- 2 to and voluntarily participate in the medication-assisted treatment
- 3 program.

4 ONE-TIME APPROPRIATIONS

- 5 Sec. 401. From the funds appropriated in part 1 for problem-
- 6 solving courts enhancement, the judiciary shall increase funding
- 7 available for establishing problem-solving courts. An amount of
- 8 \$68,000.00 shall be allocated to a veterans court in a county with
- 9 a population of not less than 250,000 or more than 251,000
- 10 according to the 2010 federal decennial census. The purpose of this
- 11 program expansion is to increase the number of participants and to
- 12 decrease recidivism rates.
- Sec. 402. (1) The state appellate defender office attorneys
- 14 and support staff shall increase to ensure Michigan compliance with
- 15 Montgomery v Louisiana, 577 US (2016). The purpose of the
- 16 program expansion is to ensure competent, resourced, and supervised
- 17 counsel in cases involving the resentencing of juvenile lifers. The
- 18 representation by SADO counsel will create opportunities for
- 19 release, saving prison costs for the state.
- 20 (2) From the funds appropriated in part 1, the state appellate
- 21 defender office shall submit a report by September 30 to the senate
- 22 and house appropriations subcommittees on judiciary, the senate and
- 23 house fiscal agencies, and the state budget director on the number
- 24 of juvenile lifer cases investigated and prepared by the state
- 25 appellate defender office. The report shall include a calculation
- 26 of hours spent and focus on incremental costs associated with

- 1 investigating and conducting a robust examination of each case,
- 2 with particular emphasis on those costs that may be avoided after
- 3 the cases have been disposed.

4	PART	2 7
4	PARI	2 A

5 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

6 FOR FISCAL YEAR 2018-2019

GENERAL SECTIONS

7

- 8 Sec. 1201. It is the intent of the legislature to provide
- 9 appropriations for the fiscal year ending on September 30, 2019 for
- 10 the line items listed in part 1. The fiscal year 2018-2019
- 11 appropriations are anticipated to be the same as those for fiscal
- 12 year 2017-2018, except that the line items will be adjusted for
- 13 changes in caseload and related costs, federal fund match rates,
- 14 economic factors, and available revenue. These adjustments will be
- 15 determined after the January 2018 consensus revenue estimating
- 16 conference.