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SFA



BILL ANALYSIS

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House Bill 5279 (S-1 as passed by the Senate)

Committee: Appropriations

FY 1999-2000 Year-to-Date Gross Appropriation	\$227,122,000
Changes from FY 1999-2000 Year-to-Date:	
1. Drug Court Grants. Public Act 137 of 1999 (FY 1998-99 supplemental appropriation) included \$1,000,000 in State General Fund support for Drug Court Programs. While the funding was appropriated in FY 1998-99, actual grant distributions were allocated in FY 1999-2000. The Governor's recommendation and the House continued funding at \$1,000,000. The Senate provided an additional \$200,000.	1,200,000
2. Direct Trial Court Automation Support. The budget includes an additional 3.0 FTE positions for trial court automation support. The increase is funded from user charges. The current-year appropriation for this program includes 30.0 FTE positions and \$2,496,600.	231,800
3. Trial Court Funding. The Governor's recommendation transfers \$4,000,000 from the Hold Harmless Fund to the Court Equity Fund pursuant to Public Act 374 of 1996. Pursuant to statute, this is the final appropriation to the Hold Harmless Fund. The Senate reduced the Hold Harmless Fund by an additional \$576,700.	(576,700)
4. Part-Time Probate Court Judges. The Senate added funding to finance costs associated with converting 14 part-time Probate Judges to full-time status. Boilerplate (Sec. 328) conditions expenditure of the funds on amendments to the Revised Judicature Act.	576,700
5. Supreme Court Staff. The House added 2.0 FTE positions (1.0 FTE auditor and 1.0 FTE public education coordinator). The Senate concurred with the House and added 1.0 FTE/\$107,100 for a Human Resources Director.	266,100
6. Court of Appeals Security. The House and Senate provided additional funding to support staffing costs associated with security for courtrooms.	250,000
7. LEIN System Compliance. The House and Senate added funds to ensure local courts are in compliance with MCL 700.444a, which requires certain information to be entered into the Law Enforcement Information Network (LEIN) by the State Police.	50,000
8. Economic Adjustments. The Governor included \$2,830,500 for economic adjustments. The House and Senate added \$264,200 based on lump sum adjustments excluded from the Governor's recommendation.	3,094,700
9. Other Changes. Other adjustments include \$2,375,000 based on SOCC adjustments, \$380,800 for judges' retirement-defined contribution, \$132,100 for the employer's share of social security costs for judges, \$75,000 for a drug court training conference, \$25,300 for rent increases, \$369,500 based on available Federal and restricted revenue, a reduction of \$489,000 based on available funding, a funding shift of \$435,000 from Court Fee Fund revenue to GF/GP, a funding shift of \$276,700 from Federal to GF/GP for the Foster Care Review Board, \$1,361,100 to reflect available Criminal Justice Improvement Grant funds, a reduction of \$108,400 based on the actual number of probate judges, 1.5 FTE/\$85,000 for the State Appellate Defender Office based on workload, \$20,000 for an appellate assigned counsel automated appointment system, transfer Court of Appeals delay reduction to operations line item, and other funding shifts.	4,226,400
10. Comparison to Governor's Recommendation. The Senate Substitute is \$941,900 Gross/\$927,000 GF/GP over the Governor's Recommendation.	
Total Changes	\$9,319,000
FY 2000-01 Senate Gross Appropriation	\$236,441,000

Changes from FY 1999-2000 Year to Date:

1. **Standard Sections.** The Senate included standard wording and section numbers for DMB Act Compliance (Sec. 202), Definitions (Sec. 203), Contingency Funds (Sec. 206), Privatization (Sec. 207), Internet Reports (Sec. 208), Buy American (Sec. 209), and Deprived and Depressed Communities (Sec. 210).
2. **Anti-nepotism Policy.** The Governor, House, and Senate eliminated language that required the State Supreme Court to continue the policy prohibiting a judge from employing a member of his or her immediate family.
3. **ABA Model Standards.** Current year language requires State Court Administrative Office to assist courts in meeting American Bar Association model standards on case processing. The House and Senate eliminated the reference to model standards and replaced it with resolving 90% of cases within 18 months of the filing date. (Sec. 310)
4. **Community Dispute Resolution Centers.** The House and Senate included modified language that sets the base level of funding at \$30,000 for Community Dispute Resolution Centers. (Sec. 315)
5. **Supreme Court Rules.** The Governor, House, and Senate eliminated current year language that urges the Supreme Court to examine court rules and consider changes that would allow candidates for judge to express opinions on political issues and also allow judges to preside over cases even though they have publicly expressed political opinions on issues generally related to a case.
6. **Drug Court Program.** The Governor included boilerplate that provides criteria for the administration of the Drug Court Program. Funds shall be used for new drug court programs, or existing drug court programs if Federal funds are no longer available. Encourages local match and compliance with Federal guidelines. This language is identical to the language contained in Section 575 of Public Act 137 of 1999 (FY 1998-99 Supplemental). The House modified the Governor's recommendation by clarifying that the program is for substance abusing "nonviolent" offenders, limiting (except for one-time planning grants) the State funding to 3 years, and providing for increasing local match requirements (25%, 40%, 50%) for each of the 3 years. The Senate deleted this section.
7. **Parental Rights Restoration Act Statistical Report.** The House added language that 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 report shall include the number of petitions filed, number of hearings held, and waivers granted. The Senate modified this language by also requiring the report to include whether the waiver was granted by the judge elected or appointed to that court, or a visiting judge. (Sec. 323)
8. **County Compliance with Child Support Enforcement System.** The House and Senate added language that requires noncompliant counties to pay a penalty for noncompliance with Federally required child support enforcement system. Requires counties, Family Independence Agency, and judicial branch to report on progress of reaching Federal standards by November 15, 2000. (Sec. 324)
9. **Judicial Budget Presentation.** The Senate deleted language added by the House that requires budgets of the Attorney Grievance Board and Attorney Discipline Board to be included as part of the Judicial Budget presentations to the Legislature.
10. **Law Enforcement Information Network (LEIN) System Input Compliance.** The House added language that provides conditions for allocation of \$50,000 appropriation for LEIN system input compliance. The Senate included additional statutory references and clarified the language. (Sec. 326)
11. **Trial Court Pilot Projects.** The Senate included language that provides that prior to expenditure of funds on trial court pilot projects, the Chief Judge of the Circuit Court and the county clerk shall annually sign a certification that the pilot project meets constitutional and statutory requirements. (Sec. 327)
12. **FY 1999-2000 Supplemental.** Local Court Programming Costs. The Senate included a \$1,650,000 supplemental to fund local court costs associated with the implementation of Enrolled House Bills 4927 through 4932. Boilerplate (Sec. 402) provides for itemized listing of reimbursable costs to be submitted to the State Court Administrative Office for approval.

Date Completed: 5-25-00

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