



Senate Fiscal Agency  
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FULL-TIME EQUATED (FTE) CLASSIFIED POSITIONS/FUNDING SOURCE	FY 2017-18 YEAR-TO-DATE*	FY 2018-19 CONFERENCE	CHANGES FROM FY 2017-18 YEAR-TO-DATE	
			AMOUNT	PERCENT
FTE Positions .....	501.0	502.0	1.0	0.2
<b>GROSS .....</b>	<b>300,043,000</b>	<b>304,079,100</b>	<b>4,036,100</b>	<b>1.3</b>
Less:				
Interdepartmental Grants Received .....	1,550,600	1,551,300	700	0.0
<b>ADJUSTED GROSS .....</b>	<b>298,492,400</b>	<b>302,527,800</b>	<b>4,035,400</b>	<b>1.4</b>
Less:				
Federal Funds .....	6,464,100	5,987,400	(476,700)	(7.4)
Local and Private .....	6,924,900	7,481,400	556,500	8.0
<b>TOTAL STATE SPENDING .....</b>	<b>285,103,400</b>	<b>289,059,000</b>	<b>3,955,600</b>	<b>1.4</b>
Less:				
Other State Restricted Funds .....	92,529,000	92,979,500	450,500	0.5
<b>GENERAL FUND/GENERAL PURPOSE .....</b>	<b>192,574,400</b>	<b>196,079,500</b>	<b>3,505,100</b>	<b>1.8</b>
<b>PAYMENTS TO LOCALS .....</b>	<b>147,230,400</b>	<b>148,614,500</b>	<b>1,384,100</b>	<b>0.9</b>

\*As of May 3, 2018.

<b>FY 2017-18 Year-to-Date Gross Appropriation .....</b>	<b>\$300,043,000</b>
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#### Changes from FY 2017-18 Year-to-Date:

##### Items Included by the Senate and House

1. **New Circuit Court Judge Positions.** The executive recommendation included funding for two new circuit court judge positions as per PAs 56 & 57 of 2014; one in Oakland County and one in Macomb County. The bulk of the additional funding came from GF/GP, the remainder (\$13,100) from the Court fee fund. The House and Senate concurred. 255,300
2. **Other Changes.** The executive recommendation included other service baseline adjustments to align spending authorization with expected revenues and increased rent for the Court of Appeals Troy office. The House and Senate concurred. 24,500
3. **GF Replacement with Court Fee Fund.** The executive recommendation included the replacement of \$500,000 of General Fund dollars with increased revenue from the Court Fee Fund in the Justices' and Judges' Compensation section. The House reduced GF/GP in the compensation section by \$600,000 and replaced it with the Court Fee fund, transferring \$100,000 GF/GP to Branchwide Appropriations to correct FY 2018-19 building occupancy charges that were mistakenly sourced to the Direct Trial Court Automation line item for space in the Cadillac Place state office building. The Conference agreed to the changes made by the House. 0
4. **Court of Claims Funding Shift.** The executive recommendation moved administration of the Court of Claims from the State Court Administrative Office line item in Section 102 to the Court of Appeals Operations line item in Section 103. The House and Senate concurred. 0
5. **One-Time Funding removals.** The executive recommendation included the removal of one-time GF/GP funding for the FY 2017-18 expansion of problem solving courts (\$219,300), and pretrial risk assessment (\$300,000). The House and Senate concurred. (519,300)
6. **Economic Adjustments.** Includes \$3,025,600 Gross and \$2,816,800 GF/GP for total economic adjustments, of which an estimated \$164,400 Gross and \$106,100 GF/GP is for legacy retirement costs (pension and retiree health). The House and Senate concurred. 3,025,600

Conference Agreement on Items of Difference

7. <b>Specialty Courts.</b> The executive recommendation included no new spending for specialty courts. The Senate added \$154,200 of additional GF/GP. Drug Treatment Courts: an additional \$28,700 for a total of \$11,861,700. Mental Health Courts: an additional \$28,700 for a total of \$5,495,500. Veterans Courts: an additional \$96,800 for a total of \$1,033,200. The House included an additional \$1.0 million as a One-time appropriation for specialty courts. Conference agreed to a One-time increase for specialty courts at \$750,000.	750,000
8. <b>Community Dispute Resolution.</b> The Senate included an additional \$500,000 GF/GP above the Governor's recommendation. The House included an additional \$499,900 GF/GP, creating a \$100 placeholder for a Youthful Sex Offender Treatment Pilot. Conference agreed upon \$425,000 for Community Dispute Resolution and \$75,000 directed towards the new program.	425,000
9. <b>Youthful Sex Offender Treatment Pilot Program.</b> The House included a \$100 placeholder for a treatment program for qualifying individuals, ages 17 to 24, in a county with a population between 600,000 and 700,000. Conference agreed to fund the pilot with \$75,000 GF/GP shifted from the Community Dispute Resolution line.	75,000
10. <b>Juror Compensation Staffing.</b> The House bill included an additional 1.0 FTE which was previously authorized by Public Act 52 of 2017 and requires no additional funding. Conference agreed to the FTE increase.	0
11. <b>Swift and Sure Reduction.</b> The executive recommendation included a reduction to the Swift and Sure Sanctions Program. FY 2018-19 funding recommended at \$3,654,200, with \$191,800 less from the Court of appeals filing/motion fees and \$154,000 less from GF/GP. The Senate restored funding with GF/GP to the current year level (\$4,000,000). Conference agreed with Senate.	0
12. <b>Pretrial Risk Assessment.</b> For FY 2017-18, development of a pretrial risk assessment tool was funded with GF/GP through the State Court Administrative Office line (\$305,700) and through a one-time appropriation line (\$300,000). The FY 2017-18 one-time funding was removed by the Senate (see item #9, above). The Senate also moved the remaining funding of \$305,700 from the State Court Administrative Office line to the FY 2018-19 one-time section. Conference agreed.	0
13. <b>FY 2018-19 One-Time Gross Appropriations.</b> Total One-time appropriations amounting to \$1,830,700 GF/GP include \$700,000 for State compliance required by the <i>Montgomery v Louisiana</i> U.S. Supreme Court decision, \$750,000 for specialty courts as described in item 8 above, \$305,700 for the continuing development of the pretrial risk assessment tool as described in item 13 above, and \$75,000 for the Youthful sex offender treatment pilot program described in item 9 above.	
Total Changes .....	\$4,036,100
<b>FY 2018-19 Conference Report Ongoing/One-Time Gross Appropriation .....</b>	<b>\$304,079,100</b>
<b>Amount Over/(Under) GF/GP Target:</b>	<b>\$0</b>

**Boilerplate Changes from FY 2017-18 Year-to-Date:**Items Included by the Senate and House

1. **Management and Budget Act.** The Governor removed subsection 2, which required expenditures or transfers be approved by an authorized judicial agent. The House and Senate restored the subsection. (Sec. 202)
2. **Definitions.** The Governor's recommendation removed boilerplate definitions for the following terms: "DOJ", "DOT", "HHS", "SADO", "Title IV-D", and "Title IV-E". The House and Senate restored the definitions. (Sec. 203)

3. **Legacy costs.** The Governor amended a section to update the anticipated legacy costs for FY 2018-19. The House and Senate concurred. (Sec. 214)
4. **Communications with the Legislature.** The Governor removed a section prohibiting disciplinary action against judicial employees who communicate with the legislature. The House and Senate retained the section in full. (Sec. 215)
5. **Foster Care.** The Governor removed sections that required a judge to get input from foster parents during a foster care case and explain on the record any changes to a foster care family service plan. The House and Senate retained the sections in full. (Secs. 216 & 217)
6. **Retention of Reports.** The Governor removed a section requiring the Judicial Branch to retain copies of all reports funded from appropriations in Part 1. The House and Senate retained the section in full. (Sec. 219)
7. **Judicial Data Warehouse.** The Governor amended a section regarding the public availability of data in the Judicial Data Warehouse. The House and Senate concurred. (Sec. 304)
8. **Reporting on the Parental Rights Restoration Act.** The Governor removed a section requiring the state court administrative office to report on the implementation of the Parental Rights Restoration Act, 1990 PA 211. The House and Senate retained the section in full. (Sec. 312)
9. **Assignment of State-Owned Vehicles.** The Governor amended a section to allow for the permanent assignment of state-owned vehicles to Justices of the Supreme Court. The House and Senate retained the section in full. (Sec. 317)
10. **One-Time Appropriations Removals.** The Governor removed one-time appropriation sections for Veterans courts and compliance with *Montgomery v Louisiana*. The House and Senate agreed to remove section 401, but restored section 402. (Secs. 401 & 402)
11. **Legislative Intent.** The Governor removed a section that expressed legislative intent to provide the same appropriations for FY 2018-19 as in FY 2017-18. The House and Senate retained the section and amended date references. (Sec. 1201)

Conference Agreement on Items of Difference

12. **Evaluation of DHHS and TED programs for Swift and Sure participants.** The Governor removed a section requiring the state court administrative office to evaluate DHHS and TED programs available for Swift and Sure participants and to provide guidance to courts participating in Swift and Sure. The House concurred. The Senate retained the section in full. Conference restored the section with minor changes to require the state court administrative office to identify, instead of evaluate, programs and to include identification of available programs within the Department of Corrections in addition to those in DHHS and TED. (Sec. 218)
13. **Community Dispute Resolution in Schools.** The House included a new section to make community dispute resolution services available to help reduce school suspensions and truancy. Conference agreed to include the new section. (Sec. 305)
14. **Reporting on Restitution and Court Fees.** The Governor removed a section requiring the state court administrative office to report on collected and uncollected restitution and court fees for counties. The House concurred. The Senate retained the section and amended the reporting date. Conference retained the section. (Sec. 306)
15. **Pretrial Risk Assessment Tool.** The Recommendation removed a subsection requiring the State Court Administrative Office to report on plans to pilot the Pretrial Risk Assessment Tool and its implementation timeline. The Senate retained the section in full. The House removed the subsection and made additional changes to another subsection to change the date and nature of a report on the pretrial risk assessment tool. Conference agreed to the changes made by the House. (Sec. 316)

Date Completed: 5-31-18

Fiscal Analyst: Michael Siracuse

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