One Court of Justice

Michigan Supreme Court

FY 2011 Budget Request

Michigan Supreme Court
Lansing, Michigan

MARILYN KELLY
CHIEF JUSTICE

April 20, 2010

The Honorable Alan L. Cropsey, Chairman
Room S-8, Capitol Building
Lansing, MI 48933

The Honorable Liz Brater
Room 510, Farnum Building
Lansing, MI 48933

The Honorable Robert Kahn, M.D.
Room 420, Farnum Building
Lansing, MI 48933

Dear Chairman Cropsey and Members of the Senate Appropriations Subcommittee on the Judiciary and Corrections:

The Michigan Supreme Court is pleased to submit its budget request for Fiscal Year 2011. Our budget proposal reports on our progress on several fronts.

Of the judicial branch appropriation, about two-thirds is established and controlled by statute: judicial salaries, payments to local governments, and indigent civil legal services. The remainder supports judicial branch operations. The Governor's recommended budget provides $2.3 million of funding for anticipated increases in personnel costs (excluding judicial salaries), but this is more than offset by an overall 4 percent general fund reduction of $2.6 million to judicial branch operations.

As Michigan's economy has deteriorated, our challenge has been not only to fulfill our responsibility for the administration of justice, but also to meet duties specifically assigned to the judicial branch by either our state constitution or by the Legislature. After years of sustaining budget cuts, we are now at a point where our performance of some of those mandated duties is threatened. With our talented and committed staff, we will continue to work to perform our constitutional and statutory responsibilities. However, continuing budget reductions are negatively affecting our ability to deliver vital services to the public. In order to fill some critical positions necessary to meet our responsibilities, the Supreme Court and the State Court Administrative office need $840,000 in addition to the budget passed by the House.

Despite the difficult economic conditions, we have been able to make progress on several projects with significant benefits to the public and to law enforcement. For example, the judicial branch continues to expand its use of technology. Through the Judicial Network, over 95 percent of all felony and misdemeanor dispositions are reported electronically to the State Police.

Another project, the Judicial Data Warehouse, is well on its way to becoming a statewide repository for both pending and closed cases. As of the end of 2009, the warehouse contained over 36 million case records and was implemented in 226 courts. Other projects include online payment of traffic tickets, a statewide system for trial court case management, and video conferencing for prisoners. These projects hold great promise for improving public services, including ease of access to the justice system.

As in FY 2010, the Executive Recommendation calls for the state's successful drug treatment court programs to receive a total of $5.1 million. The most conservative national estimate is that every dollar invested in drug courts reaps between $2 and $3 in direct-cost savings to society. Evaluation of two Michigan drug courts showed a combined savings of almost $1 million in 24 months. In FY 2009, successful DWI court participants received three times as many treatment contact hours, were 15 times less likely to test positive for illegal drugs, and were 24 times less likely to test positive for alcohol compared to standard probationers.

In FY 2009, we started a pilot project, with the Department of Community Health, for mental health courts, a specialized court docket for certain mentally ill defendants. The goal is to prevent repeat offenses by treating the defendant's mental illness and to keep offenders with mental illness out of jail. Mental health court candidates are identified through specialized screening and assessments, and participate voluntarily. Our eight pilot courts will be funded through FY 2012 with federal grants through the American Recovery and Reinvestment Act Edward Byrne Memorial Justice Assistance Grant Program. In FY 2009, Michigan's mental health court pilot programs accepted 180 mentally ill offenders into their programs and enrolled them in treatment. Seventy-two percent of participants have not spent a single day in jail since program admission.

We appreciate the opportunity to address your committee. Deputy State Court Administrator Dawn Monk (517-373-0128), Budget Officer Karen Ellis (517-373-5544), and Supreme Court Counsel Michael Gadola (517-373-0128) are available if you would like further information or have any questions.

Sincerely,

Marilyn Kelly
Chief Justice

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FY 2011 Budget Summary - Michigan Supreme Court

OVERVIEW

I. Impact of Reductions 2

- The general fund portion of the proposed FY 2011 executive budget for judicial operations (excluding judicial compensation) represents a 28 percent reduction since FY 2000.
- The number of judicial employees has decreased by more than 18 percent since FY 2000, with the number of FTEs dropping from 526 to 425.
- Since FY 2004, judicial branch employees have received 8 percent in cost-of-living adjustments, less than half the 18 percent received by executive branch employees. Judicial branch employees took six unpaid furlough days in FY 2009.
- The Supreme Court and State Court Administrative Office's numerous unfilled vacancies have made it difficult to serve the public and to fulfill constitutional and statutory responsibilities.

II. Justices' and Judges' Salaries 4

- Salaries for justices and judges have not been increased since 2002.
- The Governor's recommended budget includes a net decrease of $5,100 for judges' defined contribution and payroll tax expenses. The decrease reflects the fact that the 2010 taxable wage base for Social Security did not increase as anticipated.
- Judges' salaries were decreased to remove funding for two circuit court judgeships in Macomb and Oakland counties that will not be filled temporarily beginning January 1, 2011, in accordance with 2009 PA 228.

III. Economic Adjustments 4

- The Governor's recommended budget includes general fund increases of $2.3 million for employee economics (salary, insurances, and retirement).
- It also includes an overall 4 percent general fund reduction of $2.6 million.

KEY ACCOMPLISHMENTS

IV. Court Technology 4

- The Statewide Trial Court Case Management System is slated for completion by July 2012.
- Five courts are now processing over 2,100 online ticket payments each month.
- The Judicial Data Warehouse contains approximately 36 million records from 226 courts in 81 counties.
- Over 95 percent of all felony and misdemeanor dispositions are now reported electronically to the Michigan State Police and the Secretary of State.
- A pilot project will bring video conferencing to 15 courts for court hearings and testimony.

V. Trial Court Collections 7

- On February 2, 2010, the Supreme Court approved Administrative Order No. 2010-1 to establish and require compliance with court collections and reporting requirements.
- The strategy includes communication, education, training, data collection, identification of best practices, and pilot programs.

VI. Therapeutic Justice: Problem Solving Courts 7

- The most conservative national estimate is that every dollar invested in drug courts reaps between $2 and $3 in direct-cost savings to society.
- Evaluation of two Michigan drug courts showed a combined savings of almost $1 million in 24 months.
- In FY 2009, Michigan's pilot mental health court programs accepted 180 mentally ill offenders into their programs and enrolled them in treatment. Seventy-two percent of participants have not spent a single day in jail since program admission.

OVERVIEW

Courts are an essential function of state government. They enforce the rule of law upon which our social and economic relationships are based. The judiciary is not another state agency – it is an independent, co-equal branch of government with constitutional and statutory responsibilities.

The Michigan Supreme Court recognizes that the state of Michigan continues to face challenging economic conditions in FY 2011. As in years past, we will work with the Legislature and the executive branch to reduce costs and increase efficiency while providing for the prompt, orderly administration of justice. State courts, of course, share in the responsibility of maintaining fiscal integrity in challenging economic times, but reductions can go too far and threaten basic constitutional rights. Courts must administer justice regardless of how many people walk through the courthouse door. Without access to the courts, the rule of law is threatened. Courts simply cannot serve the public effectively if their budgets are cut to the bone.

Approximately two-thirds of the state-funded appropriations for the judicial branch are governed by statute: justices' and judges' salaries, payments to local units of government (court equity fund, juror compensation fund, drunk driving case-flow program, and drug case-flow program), and payments to indigent civil legal services providers.

	Gross	% of Total	GF/GP	% of Total
Total FY 2011 Executive Recommendation (000s)	$258,823.8		$152,731.1	
Justices' and Judges' Salaries	$95,290.0	36.81%	$88,199.8	57.75%
Payments to Local Government	$74,424.7	28.75%	$12,482.6	8.17%
Indigent Civil Legal Assistance	$7,937.0	3.07%	$0.0	0.00%
Portion of Total Recommendation	$177,651.7	68.64%	$100,682.4	65.92%

The remaining one-third is related to judicial branch operations.

	Gross	% of Total	GF/GP	% of Total
Total FY 2011 Executive Recommendation (000s)	$258,823.7		$152,731.0	
Supreme Court & State Court Administrative Office	$47,425.1	18.32%	$21,194.6	13.88%
Court of Appeals	$18,515.1	7.15%	$16,478.8	10.79%
Branchwide Appropriations	$8,147.2	3.15%	$8,147.2	5.33%
Judicial Tenure Commission	$974.7	0.38%	$974.7	0.64%
Indigent Defense - Criminal	$6,110.0	2.36%	$5,253.4	3.44%
Portion of Total Recommendation	$81,172.1	31.36%	$52,048.7	34.08%

The proposed FY 2011 executive budget (Appendix A) for the judiciary reduces the total general fund by $401,700 from the enacted FY 2010 appropriation. Executive budget changes from the FY 2010 appropriation include increases of $2,342,300 for employee economics, including projected increases in insurance and retirement costs, and $89,300 for private rent, building occupancy, and worker's compensation. Also included are decreases of $5,100 for judges' defined contribution and social security payroll tax costs and $240,700 for the elimination of funding for two circuit court judgeships in Macomb and Oakland counties that

will temporarily remain unfilled beginning January 1, 2011. The executive budget also includes an overall 4 percent general fund reduction of $2,587,500.

I. Impact of Reductions

The general fund portion of the proposed FY 2011 executive budget for judicial branch operations (excluding justices' and judges' compensation) represents a 28 percent reduction in general funds in the judicial branch budget since FY 2000.

	Original FY 2000 1999 PA 126	FY 2011 Exec. Rec.	Difference	% Difference
Justices' and judges' compensation GF	71,238,500	88,199,800	16,961,300	23.81%
Non-judges GF	89,744,400	64,531,300	(25,213,100)	-28.09%
Total GF	160,982,900	152,731,100	(8,251,800)	-5.13%

The number of judicial employees has decreased by more than 18 percent since FY 2000, with the number of full-time equated exempted positions dropping from 526 as of the September 30, 2000, pay date to 425 as of the April 15, 2010, pay date. Judicial employees took six unpaid furlough days in 2009, and they have not received several cost of living increases received by executive branch employees since the beginning of FY 2004. As shown in the table below, judicial branch employees have received 8 percent in cost-of-living adjustments over the last 7 years, less than half the 18 percent received by executive branch employees.

Effective Date	Executive	Judiciary	Difference	Judicial Employees
10/1/2003	3.0%	0.0%	-3.0%	Received 3% lump sum FY 2004
10/1/2004	4.0%	4.0%	0.0%	
10/1/2005	1.0%	0.0%	-1.0%	
04/1/2006	1.0%	0.0%	-1.0%	Received 2% lump sum FY 2006
10/1/2006	2.0%	2.0%	0.0%	
04/1/2007	2.0%	2.0%	0.0%	
10/1/2007	2.0%	0.0%	-2.0%	
04/1/2008	2.0%	0.0%	-2.0%	Received 2% lump sum FY 2008
10/1/2008	0.0%	0.0%	0.0%	
10/1/2009	1.0%	0.0%	-1.0%	
	18.0%	8.0%	-10.0%	

In recent years, the Supreme Court and the State Court Administrative Office (SCAO) have been forced to leave many positions open because of budget reductions, which makes it increasingly difficult to fulfill constitutional and statutory responsibilities. The following examples, which relate to only three areas of the Supreme Court and SCAO operations, represent over $1.3 million in general fund reductions. However, they have also resulted in significant

gaps in the ability of the judicial branch to operate and to serve the public, and at least some of these positions need to be filled.

- Article VI, § 4, of the Michigan Constitution gives the Supreme Court general superintending control over all courts. The majority of this oversight responsibility is handled through the SCAO Regional Offices and the Trial Court Services Division. These offices have had seven positions become vacant since 2007, which have only been filled by using two part time contractual positions. Although this results in general fund savings of $613,000, it severely limits the ability of the Court to perform the oversight function. The SCAO provides management assistance and oversight to chief judges and judges of 244 trial courts and their trial court staff on matters relating to trial court management.

  The Trial Court Services Division is responsible for providing management assistance to courts: administering, participating in, and providing support to a variety of court improvement projects; conducting legislative and policy analysis; developing standards for trial court operations; serving as a resource to court management organizations and executive and legislative branch agencies; and producing various publications, procedural manuals, and standard court forms for use in everyday operations within the courts.

  The Regional Administrative Divisions are comprised of four regional offices that provide direct services to the courts and serve as links between the Supreme Court and the local courts. Through the regional division, the SCAO is able to establish close working relationships with the courts and judges and to gain information about the inner workings of the trial courts. Regional Administrators meet with judges, court staff, county commissioners, other local officials, attorneys, and litigants to provide guidance and respond to issues.

- The Foster Care Review Board Program was established pursuant to Public Act 422 of 1984 in an effort to improve the children's foster care programs in the state. Five vacancies since FY 2007 have resulted in general fund savings of $310,000 but have significantly reduced the ability of the program to help the many children in foster care.

  Local boards review plans for permanent placement of children in foster care and make advisory recommendations to the court, Department of Human Services, and private child placement agencies. The board also recommends system modifications to ensure the quality and consistency of placement services for children statewide, using data collected at the local level.

- The Reporter's Office serves as quality control for the Michigan Supreme Court and Court of Appeals. Staffing for this office is five positions below where it was in FY

2007, which creates $420,000 in general fund savings, but more importantly threatens the quality of work done by Michigan appellate courts.

The Reporter's Office edits the opinions and orders of the Michigan Supreme Court and the Michigan Court of Appeals for publication in the Michigan Reports and the Michigan Appeals Reports.

II. Justices' and Judges' Salaries

Justices' and judges' salaries have not been increased since 2002. The Governor's recommended budget includes an increase of $71,300 in justices' and judges' salaries to provide for increases in their defined contribution and a decrease of $76,400 for social security payroll tax costs. The decrease occurred because the taxable wage base for social security did not increase in 2010 as anticipated since social security recipients did not receive an increase in 2010. Judges' salaries were also decreased to remove funding for two circuit court judgeships in Macomb and Oakland counties that will not be filled temporarily beginning January 1, 2011, in accordance with 2009 PA 228.

III. Economic Adjustments

The Governor's recommended budget includes general fund increases of $2,342,300 ($2,555,500 gross) for employee economics (salary, insurances, and retirement). The recommended budget also includes general fund increases of $108,700 for building occupancy and $7,500 for private rent and a general fund decrease of $26,900 for worker's compensation. It also includes an overall 4 percent general fund reduction of $2,587,500.

KEY ACCOMPLISHMENTS

Despite difficult financial times, the judicial branch has continued its efforts to improve operations and services. Court technology initiatives, Michigan trial court collections, drug treatment courts, and mental health courts are discussed in the following sections of this budget request.

IV. Court Technology

A. Statewide Trial Court Case Management System

Case management is one of a trial court's most critical functions, keeping cases on track for timely disposition. In the past, each trial court selected a system that best met that court's needs within its financial limits. As a result, the state's 251 trial court locations are supported by many different case management systems, which are deployed on different and decentralized

servers. A number of factors – the need to upgrade applications, an increase in mandated electronic reporting requirements, costly conversion failures, cutbacks in local funding, vendors' termination of support services – led courts to seek better alternatives to their current case management systems. In 2008, Judicial Information Systems, the SCAO's information technology division, began working with Unisys, a technology consulting firm, on a new case management system that will be available to all state trial courts. The project includes pilot courts in Berrien and Washtenaw counties.

In 2009, the project moved into Phase I: the development of core functions that are basic to all types of cases. This phase also includes system functions for civil cases. Completion of Phase I, which will culminate in the pilot courts' use of the case management system in civil cases, is slated for July 2010. Phases II, III, and IV of the project will develop criminal, juvenile, and probate case management systems respectively. Phase II began in November 2009. All phases are slated for completion by July 2012.

The project is funded in part by user fees from courts that use case management technology previously developed by Judicial Information Systems. Funding is also provided through the Judicial Technology Improvement Fund, an annual funding source in the Supreme Court's budget supported by a portion of court civil filing fees, and from contributions by the pilot counties. Funding provided by the pilot counties will be credited toward those courts' future user fees.

B. Traffic Tickets Paid Online

Thanks to another Judicial Information Systems project, thousands of Michigan citizens paid their traffic tickets online in 2009. Five courts – 62A District Court in Wyoming, 38th District Court in Eastpointe, 36th District Court in Detroit, 15th District Court in Ann Arbor, and the 54B District Court in East Lansing – offered this service in 2009, with over 2,100 online ticket payments each month. In addition to being a convenience for ticket payers, the online payment system automatically posts transactions without involving court staff, a time savings that frees court employees for other duties.

In December 2008, the Internet payment application was installed on a kiosk in the Secretary of State's Ann Arbor branch office, offering another method of payment for those who may not have Internet access.

In 2009, the ticket payment application was updated to provide wider connectivity to the trial courts, allowing more courts to offer this service. The 46th District Court in Southfield, 47th District Court in Farmington, and 51st District Court in Waterford will be implemented in the first quarter of 2010.

C. Judicial Data Warehouse

With approximately 36 million state records, the Judicial Data Warehouse allows the judiciary and law enforcement to obtain information on pending and closed cases throughout

Michigan. As of December 31, 2009, the Judicial Data Warehouse was implemented in 226 courts in 81 counties. Once the warehouse is fully implemented, the SCAO will use it to generate additional statistical and trend information.

The data warehouse supports a variety of different applications. In 2009, this included a new application to monitor children in abuse and neglect cases. This reporting system, a joint project of the SCAO and the Department of Human Services, tracks 62 measures for children who are at risk for neglect and abuse. The federal Adoption and Foster Care Analysis and Reporting System and the National Child Abuse and Neglect Data System were the models for this project. The reporting system was partially implemented in Genesee County in 2009; Saginaw and Livingston counties will be added in 2010. The project is funded by a federal grant.

Also in 2009, the data warehouse provided data to the Drug Court Case Management Information System. This data is used to measure recidivism rates for drug court participants. The information will also be used to compare the costs of drug courts to those for traditional sentencing practices.

D. Judicial Network

Law enforcement continues to benefit from the Judicial Network, an effort headed by Judicial Information Systems, with assistance from the Michigan State Police, Michigan Department of Information Technology, SCAO's Trial Court Services Division, county and municipal governments, and private contractors. The network allows Michigan trial courts to report felony and misdemeanor dispositions electronically to a state law enforcement database. As of December 2009, over 95 percent of all felony and misdemeanor dispositions were reported electronically from the courts to the Michigan State Police and Secretary of State.

The network is expected to receive a major upgrade in 2010. Using federal stimulus funds, the state will collaborate with private sector telecommunications vendors and local government to reach the under-served and unserved areas of Michigan. Applications like the Statewide Trial Court Case Management System will take advantage of this upgrade, as the increased functionality associated with new applications places greater demands on the existing network.

E. Video Conferencing

In 2009, Judicial Information Systems expanded a video conferencing project with the Michigan Department of Corrections to include the Michigan State Police Forensic Lab and state mental health facilities. Through this project, prisoners and mental health patients can participate in court hearings without the risks and costs involved in transporting them to court. Michigan State Police technicians can also use video conferencing to participate in arraignments, pretrial conferences, and other court hearings without the time and expense of travel.

Using a grant from the State Police Office of Highway Safety Planning and funding from the Judicial Technology Improvement Fund, Judicial Information Systems has begun the process of planning for the implementation of video conferencing in 15 pilot courts. These 15 courts are of varying jurisdiction and locations.

Plans for 2010 include site visits to determine hardware and network connectivity requirements followed by installation of the video conferencing equipment and connection to the Michigan Department of Corrections, the Michigan State Police Forensic Lab, and state mental health facilities. Each step of the project will be documented and evaluated in order to establish guidelines for trial courts.

V. Trial Court Collections

Collecting court-ordered financial sanctions continues to be a top priority for the Michigan judiciary. Effective enforcement of court orders, including financial sanctions, improves courts' credibility and enhances respect for the courts and their orders. Courts collect restitution to help make crime victims whole; court-imposed financial sanctions also support law enforcement, libraries, and local governments.

On February 2, 2010, the Supreme Court approved Administrative Order No. 2010-1 to establish and require compliance with court collections program and reporting requirements. The strategy includes communication, education, training, data collection, identification of best practices, and pilot programs. The order, which is effective May 1, 2010, requires the SCAO to establish reporting requirements regarding outstanding receivables and collections efforts undertaken by the courts, including establishment of the reporting format, method, and due dates. The order requires that all circuit courts, circuit court family divisions, district courts, and municipal courts comply with those requirements.

In 2009, the SCAO took the following steps to improve court collections:

- Provided user-requested software enhancements and related training. The software manages payment plans and generates mailings to defendants with outstanding balances. It also generates wage assignments, state income tax garnishments, and extracts cases to refer to a third party for collection.

- Continued development of noticing software for the JIS juvenile case management system. The software will generate monthly account statements or delinquency notices to litigants with outstanding balances.

- Began accepting annual collections reports submitted by courts to the SCAO through the Collections Data System, a secure application on the Michigan Court Applications Portal website. This data, which in past years was submitted in hard copy, will be used to assess the effectiveness of courts' collection programs.

VI. Therapeutic Justice: Problem-Solving Courts

Commonly known as "specialty courts," problem-solving courts work to address the underlying problem, such as drug addiction or alcohol abuse, which contributes to an offender's criminal behavior. Key features include treatment, intensive supervision, frequent judicial review hearings, and graduated incentives and sanctions. These programs are generally limited to

nonviolent offenders. Because rehabilitation is the primary goal, problem-solving courts are often described as being based on "therapeutic jurisprudence." However, participants are held accountable and face sanctions for noncompliance with program rules. Studies indicate that these programs reduce recidivism and are less costly over the long term than incarceration.

The SCAO's Trial Court Services Division supports Michigan's problem-solving courts with training, education, planning, evaluation, monitoring, funding opportunities, and technical assistance. Despite formidable economic pressures, the number of problem-solving courts in Michigan increased in 2009. Currently there are 36 adult drug treatment courts, 23 sobriety or "DWI" courts, 15 juvenile drug treatment courts, 10 family dependency treatment courts, 3 tribal drug treatment courts (also known as "healing to wellness"), 12 mental health courts, 7 domestic violence courts, 18 teen/youth/peer courts, 5 child support specialty courts, and 3 veterans' treatment courts.

A. Drug Treatment Courts

Criminal offenders who are addicted to alcohol or drugs frequently cycle in and out of the justice system. Drug treatment courts seek to break that cycle by treating the offender's addiction. Drug treatment court features include graduated sanctions, random mandatory drug testing, judicially supervised treatment, and aftercare programs. In addition to addressing the offender's addiction, drug treatment courts work with community agencies to provide education, employment, and other services for drug court participants.

Variations on the drug court model include family dependency courts that target parents or legal guardians who suffer from substance abuse, long acknowledged as a significant factor in child abuse and neglect. These courts help protect children by coordinating the efforts of child welfare services, the court system, and community treatment providers. DWI courts work with offenders who have been charged with driving while under the influence of drugs or alcohol. Each DWI treatment court contains key program components recommended by the federal Bureau of Justice Assistance.

Evaluations and performance measurement provide problem-solving courts with data to assess their effectiveness. DWI treatment courts had an average success rate of 60 percent. Compared to standard probationers, successful DWI court participants received 3 times as many treatment contact hours, were 15 times less likely to test positive for an illegal drug, and were 24 times less likely to test positive for alcohol.

The most conservative national estimate is that every dollar invested in drug courts reaps between $2 and $3 in direct-cost savings to society. Evaluation of two Michigan drug courts showed a combined savings of almost $1 million in 24 months.

The judiciary's $5.1 million FY 2010 appropriation for drug treatment courts includes $1.8 million from the federal Edward Byrne Memorial Justice Assistance Grant Program (Byrne JAG), $500,000 of federal funding from the Office of Highway Safety Planning for new and enhanced DWI courts, $1.9 million from the Justice System Fund, and $612,400 from the general fund. The SCAO's Michigan Drug Court Grant Program administers state and federal

sources of drug court funding. With this combined funding, 66 drug treatment court programs have, to date, been awarded grants totaling $3.7 million for FY 2010, as shown in Appendix B. The Governor's recommended judiciary budget for FY 2011 also includes $5.1 million for drug treatment courts.

The federal Byrne JAG funding supports a joint effort by the courts, MDOC, and the Michigan State Police to avoid prison for nonviolent offenders. The long-term goal is to reduce drug use and recidivism among this offender population.

B. Mental Health Courts

"Mental health court" denotes a specialized court docket for certain mentally ill defendants, identified through specialized screening and assessments, who participate voluntarily. These courts aim to prevent repeat offenses by treating the defendant's mental illness. Each participant follows a treatment plan, which is developed by a team of court staff and mental health professionals and supervised by a judge. Participants have incentives to follow the treatment plan and other court conditions, and can be sanctioned for violations. A participant's success or graduation is defined according to specific criteria.

The FY 2009 appropriations for the judiciary and the Department of Community Health (DCH) included $1.7 million of general fund for pilot mental health courts. The judiciary and DCH, with input from many local stakeholders, established the Michigan Mental Health Court Grant Program. To receive funding, local courts and community mental health services programs are required to collaborate on planning and implementing their pilot courts. For FY 2010 to FY 2012, the Michigan Mental Health Court Grant Program will be funded with $5 million of federal grants through the American Recovery and Reinvestment Act Byrne JAG funding. The judiciary and DCH have been awarded $1,650,000 and $3,380,070, respectively. This funding is part of a 2009 work project with the Michigan State Police. FY 2010 funding for eight pilot mental health court programs is shown in Appendix C.

In FY 2009, Michigan's mental health court pilot programs accepted 180 mentally ill offenders into their programs and enrolled them in treatment. Nearly half (43 percent) were felony offenders, 29 percent of whom were prison-bound. Bipolar disorder, depression, and schizophrenia comprised 79 percent of the participants' diagnoses with more than half (52 percent) of the mental health court participants living with a co-occurring substance use disorder diagnosis. Seventy-two percent of participants have not spent a single day in jail since program admission.

Appendix A

Michigan Supreme Court FY 2011 Executive Recommendation

	ENACTED 2009-2010	EXECUTIVE FY 2011
APPROPRIATION SUMMARY:		
Full-time equated exempted positions 491.0		
GROSS APPROPRIATION	258,762,300	258,823,800
Total interdepartmental grants	3,553,500	3,553,500
ADJUSTED GROSS APPROPRIATION	255,208,800	255,270,300
Total federal revenues	5,126,500	5,376,500
Special revenue funds:		
Total local revenues	6,149,300	6,340,400
Total private revenues	842,500	842,500
Total other restricted revenues	89,957,700	89,979,800
State general fund/general purpose	153,132,800	152,731,100
SUPREME COURT		
Full-time equated exempted positions 243.0		
Supreme court administration, 97.0 FTE positions	10,548,400	10,648,900
Judicial institute, 13.0 FTE positions	2,554,500	2,537,700
State court administrative office, 60.0 FTE positions	11,009,200	11,048,200
Judicial information systems, 22.0 FTE positions	3,092,100	3,075,500
Direct trial court automation support, 36.0 FTE positions	6,149,300	6,340,400
Foster care review board, 12.0 FTE positions	1,235,000	1,258,700
Community dispute resolution program, 3.0 FTE positions	2,300,400	2,322,500
Other federal grants	275,000	275,100
Drug treatment courts	5,132,900	5,103,100
Juvenile training pilot project	100	
GROSS APPROPRIATION	42,296,900	42,610,100
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of Michigan state police	1,800,000	1,800,000
IDG from department of corrections	1,030,000	1,030,000
IDG from state police—Michigan justice training fund	300,000	300,000
Federal revenues:		
DOJ—victims assistance program	50,000	50,000
DOJ—drug court training and evaluation	300,000	300,000
DOT—national highway safety traffic administration	1,300,000	1,300,000
HHS—access and visitation grant	387,000	387,000
HHS—court improvement project	1,160,000	1,160,000
HHS—children's justice grant	206,300	206,300
HHS—title IV-D child support program	907,700	907,700
HHS—title IV-E foster care program	540,400	540,400
Other federal grants	275,100	275,100
Special revenue funds:		
Local—user fees	6,149,300	6,340,400
Private	169,000	169,000
Private—interest on lawyers trust accounts	232,700	232,700
Private—state justice institute	370,800	370,800
Community dispute resolution fees	2,300,400	2,322,500
Law exam fees	536,200	536,200
Drug court fund	1,920,500	1,920,500
Miscellaneous revenue	227,900	227,900
Justice system fund	700,000	700,000
State court fund	339,000	339,000
State general fund/general purpose	21,094,600	21,194,600

FY 2011 Budget Summary - Michigan Supreme Court

	ENACTED 2009-2010	EXECUTIVE FY 2011
COURT OF APPEALS		
Full-time equated exempted positions 190.0		
Operations, 190.0 FTE positions	18,414,300	18,515,100
GROSS APPROPRIATION	18,414,300	18,515,100
Appropriated from:		
Special revenue funds:		
Court filing/motion fees	1,958,500	1,958,500
Miscellaneous revenue	77,800	77,800
State general fund/general purpose	16,378,000	16,478,800
BRANCHWIDE APPROPRIATIONS		
Full-time equated exempted positions 4.0		
Branchwide appropriations, 4.0 FTE positions	8,039,400	8,147,200
GROSS APPROPRIATION	8,039,400	8,147,200
Appropriated from:		
State general fund/general purpose	8,039,400	8,147,200
JUSTICES' AND JUDGES' COMPENSATION		
Full-time judges' positions 615.0		
Supreme court justices' salaries, 7.0 justices	1,152,300	1,152,300
Court of appeals judges' salaries, 28.0 judges	4,240,300	4,240,300
District court judges' state base salaries, 258.0 judges	23,877,200	23,877,200
District court judicial salary standardization	11,796,800	11,796,800
Probate court judges' state base salaries, 103.0 judges	9,627,900	9,627,900
Probate court judicial salary standardization	4,669,700	4,669,700
Circuit court judges' state base salaries, 219.0 judges	20,817,200	20,675,900
Circuit court judicial salary standardization	10,105,000	10,036,400
Judges' retirement system defined contributions	3,781,000	3,837,600
OASI, social security	5,468,400	5,375,900
GROSS APPROPRIATION	95,535,800	95,290,000
Appropriated from:		
Special revenue funds:		
Court fee fund	7,090,200	7,090,200
State general fund/general purpose	88,445,600	88,199,800
JUDICIAL AGENCIES		
Full-time equated exempted positions 7.0		
Judicial tenure commission, 7.0 FTE positions	969,700	974,700
GROSS APPROPRIATION	969,700	974,700
Appropriated from:		
State general fund/general purpose	969,700	974,700

FY 2011 Budget Summary - Michigan Supreme Court

	ENACTED 2009-2010	EXECUTIVE FY 2011
INDIGENT DEFENSE—CRIMINAL		
Full-time equated exempted positions 47.0		
Appellate public defender program, 39.0 FTE positions	4,900,500	5,192,000
Detroit crime lab case review		
Appellate assigned counsel administration, 8.0 FTE positions	908,800	918,000
GROSS APPROPRIATION	5,809,300	6,110,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from state police—Michigan justice training fund	423,500	423,500
Federal revenues:		
Other federal grants		250,000
Special revenue funds:		
Private—interest on lawyers trust accounts	70,000	70,000
Miscellaneous revenue	113,100	113,100
State general fund/general purpose	5,202,700	5,253,400
INDIGENT LEGAL ASSISTANCE—CIVIL		
Indigent legal civil assistance	7,937,000	7,937,000
GROSS APPROPRIATION	7,937,000	7,937,000
Appropriated from:		
Special revenue funds:		
State court fund	7,937,000	7,937,000
State general fund/general purpose	0	0
TRIAL COURT OPERATIONS		
Court equity fund reimbursements	64,794,900	64,274,700
Judicial technology improvement fund	4,815,000	4,815,000
GROSS APPROPRIATION	69,609,900	69,089,700
Appropriated from:		
Special revenue funds:		
Court equity fund	51,792,100	51,792,100
Judicial technology improvement fund	4,815,000	4,815,000
State general fund/general purpose	13,002,800	12,482,600
GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT		
Drunk driving case-flow program	3,300,000	3,300,000
Drug case-flow program	250,000	250,000
Juror compensation reimbursement	6,600,000	6,600,000
GROSS APPROPRIATION	10,150,000	10,150,000
Appropriated from:		
Special revenue funds:		
Drunk driving fund	3,300,000	3,300,000
Drug fund	250,000	250,000
Juror compensation fund	6,600,000	6,600,000
State general fund/general purpose	0	0

Appendix B

Michigan Drug Courts by County

Court	Byrne JAG Award	MDCGP Award	OHSP Award	Total 2010 Awards
Alcona County				
23rd Circuit/81st District – Adult		$12,000		$12,000
Barry County				
Barry County Trial – Adult	$100,000			$100,000
Barry County Trial – Juvenile		$85,000		$85,000
Bay County				
18th Circuit – Family Dependency		$9,000		$9,000
74th District – DWI	$135,000			$135,000
Calhoun County				
10th District – Adult			$15,000	$15,000
Cass County				
4th District – Adult		$10,000		$10,000
43rd Circuit – Family Dependency		$52,800		$52,800
Charlevoix County				
33rd Circuit – Juvenile		$50,000		$50,000
Cheboygan County				
53rd Circuit – Adult		$15,600		$15,600
Eaton County				
56th Circuit - Adult	$93,649			$93,649
56A District – DWI		$15,000		$15,000
Emmet County				
57th Circuit – Juvenile		$35,000		$35,000
Genesee County				
7th Circuit – Adult	$200,000	$20,000		$220,000
7th Circuit – Family Dependency		$50,000		$50,000
Grand Traverse County				
13th Circuit – Family Dependency		$13,200		$13,200
13th Circuit – Juvenile		$18,300		$18,300
Hillsdale County				
1st Circuit – Family Dependency		$11,300		$11,300
1st Circuit – Juvenile		$12,400		$12,400
Ingham County				
30th Circuit – Family Dependency		$12,600		$12,600
54A District – DWI		$20,600	$30,000	$50,600
55th District – DWI		$50,000	$50,000	$100,000
Ionia County				
64A District – DWI		$40,000		$40,000
Iron County				
41st Circuit – Adult/DWI/Family Dependency		$50,000		$50,000
Isabella County				
21st Circuit – Adult		$22,000		$22,000
21st Circuit – Juvenile		$9,500		$9,500
Jackson County				
4th Circuit – Adult	$150,000			$150,000
4th Circuit – Family Dependency		$7,000		$7,000
Kalamazoo County				
8th District – DWI		$14,500		$14,500
9th Circuit – Adult	$160,000			$160,000
Kent County				
61st District, Grand Rapids – Adult	$200,000			$200,000
Livingston County				
44th Circuit – Adult	$90,000			$90,000
53th District – DWI		$30,000		$30,000

FY 2011 Budget Summary - Michigan Supreme Court

Court	Byrne JAG Award	MDCGP Award	OHSP Award	Total 2010 Awards
Macomb County				
16th Circuit – Adult		$48,750		$48,750
16th Circuit – Juvenile		$5,000		$5,000
37th District, Warren – Adult	$190,000			$190,000
39th District, Roseville – DWI		$50,000	$50,000	$100,000
Marquette County				
96th District – DWI			$70,000	$70,000
Midland County				
42nd Circuit – Adult		$10,000		$10,000
Monroe County				
38th Circuit – Juvenile		$85,000		$85,000
Muskegon County				
60th District – DWI		$26,400	$65,000	$91,400
Oakland County				
6th Circuit –Adult		$35,000		$35,000
6th Circuit – Juvenile		$29,250		$29,250
43rd District, Ferndale – DWI		$6,000		$6,000
47th District, Farmington Hills – DWI		$5,600		$5,600
51st District, Waterford – DWI		$14,500		$14,500
52-1 District, Novi – DWI		$4,200		$4,200
52-2 District, Clarkston – DWI		$14,000		$14,000
52-3 District, Rochester Hills – DWI		$17,000		$17,000
Ogemaw County				
34th Circuit – Family Dependency		$10,000		$10,000
Otsego County				
87A District – DWI		$28,000	$60,000	$88,000
Ottawa County				
20th Circuit – Adult	$185,000			$185,000
20th Circuit – Juvenile		$40,000		$40,000
58th District – DWI		$50,000		$50,000
Saginaw County				
10th Circuit – Family Dependency		$40,000		$40,000
Van Buren County				
36th Circuit – Adult/DWI		$60,000	$60,000	$120,000
Washtenaw County				
22nd Circuit - Juvenile		$40,000		$40,000
15th District – DWI		$41,800	$50,000	$91,800
Wayne County				
3rd Circuit – Adult	$200,000			$200,000
3rd Circuit – Juvenile		$30,000		$30,000
16th District, Livonia – Adult		$37,100		$37,100
19th District, Dearborn – Adult		$21,600		$21,600
23rd District, Taylor – Adult		$39,000	$50,000	$89,000
28th District, Southgate – Adult		$12,000		$12,000
33rd District, Woodhaven – DWI		$38,200		$38,200
36th District, Detroit – Adult		$20,000		$20,000
TOTAL	$1,703,469	$1,524,200	$500,000	$3,727,849

Appendix C

Michigan Mental Health Courts by County

Court	SCAO Award	DCH Award	Total 2010 Awards
Berrien County 53th Circuit	$19,600	$90,000	$109,600
Genesee County Genesee County Probate	$68,000	$138,153	$206,153
Grand Traverse County 86th District	$28,000	$52,742	$80,742
Jackson County 4th Circuit and 12th District	$105,000	$187,379	$292,379
Livingston County 53rd District	$30,000	$15,000	$45,000
Oakland County 6th Circuit	$8,000	$74,964	$82,964
St. Clair County 72nd District	$60,000	$227,130	$287,130
Wayne County 3rd Circuit	$131,400	$163,200	$294,600
TOTAL	$450,000	$948,568	$1,398,568