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March 16, 2022

TO: Honorable William C. McConico, Chief Judge
36th District Court

FROM: David Whitaker, Director 
Legislative Policy Division

SUBJECT: 2022-2023 Budget Analysis

Attached is our budget analysis regarding the **36th District Court's** budget for the 2022-2023 Fiscal Year.

Please be prepared to respond to the issues/questions raised in our analysis during your scheduled hearing on **Monday, March 21, 2022 at 11:00 am**. We would then appreciate a written response to the issues/questions at your earliest convenience before or after your budget hearing. Please forward a copy of your response to the Council Members, the City Clerk's Office, and the Legislative Policy Division.

Please contact us if you have any questions regarding our budget analysis.

Thank you for your cooperation in this matter.

Attachments

cc: Council Members
Auditor General's Office
Jay Rising, Chief Financial Officer
Tanya Stoudemire, Chief Deputy Chief Financial Officer
Steve Watson, Budget Director
Gail Fulton, Mayor's Office
James Tatum, Budget Analyst
James George, Agency OCFO

36TH District Court (60)

FY 2022-2023 Budget Analysis by the Legislative Policy Division

Issues and Questions

- 1) Please briefly explain the new expense initiatives the 36th District Court is planning to implement in FY 2023. Please provide which appropriation/cost center the new initiatives will affect in FY 2023.
- 2) Please briefly explain the new capital funding requests the 36th District Court is planning to implement in FY 2023. Please provide which appropriation/cost center the new requests will affect in FY 2023.
- 3) Please briefly explain the operational reform and savings proposals the 36th District Court is planning to implement in FY 2023. Please provide which appropriation/cost center the new reforms/proposals will affect in FY 2023.
- 4) Please briefly explain the new revenue initiatives/proposals the 36th District Court is planning to implement in FY 2023. Please provide which appropriation/cost center the new initiatives/proposals will affect in FY 2023.
- 5) What are your projected performance metrics for each division and operational program in the current fiscal year? What are your target metrics for each division and operational program for fiscal year 2023?
- 6) According to the Office of the Chief Financial Officer (OCFO), the 36th District Court had thirteen vacancies through January 2022.
 - 1) Please indicate your number of vacancies as of February 28, 2022.
 - 2) What are the titles of the vacant positions?
 - 3) Please briefly describe the difficulty in filling the vacancies.
 - 4) Please briefly explain the 36th District Court strategy to fill the vacant positions or why they are remaining vacant.
 - 5) If the vacancies are not filled by the end of the fiscal year, how much money will be available for use? Please explain how the funds for these vacancies will be used in the current or next fiscal year.
- 7) For FY 2023, expenditures for Professional & Contractual Services have increased by \$291,914 or 11%. Please explain the cause for the increase.
- 8) For FY 2023, expenditures for Operating Supplies have increased by \$172,750 or 18%. Please explain the cause for the increase.
- 9) The court currently runs Specialty Court programs that provide economic equity and opportunity for individuals in crisis or facing addiction. For FY 2023, revenues for Appropriation 27600 – Economic Equity and Opportunity-Courts have decreased by \$2,287,000 or 51%.

- a. Please explain the cause for the decrease.
 - b. Will this decrease in revenue be offset by any other revenue initiatives?
 - c. How will this decrease in revenue impact the goals and objectives of the Specialty Court programs?
 - d. Please explain how these programs have supported Detroit residents.
 - e. Please explain how funding will be used next fiscal year to support these programs.
- 10) 36th District Court provides House Counsel Services that coordinates the assignment of attorneys in order to provide effective assistance of counsel to indigent defendants. How many attorneys are currently available to assist indigent defendants? Is there a plan to increase the number of attorneys for the program in FY 2023?
- 11) What was the number of Order of Eviction cases approved by 36th District Court judges in FY 2020 and FY 2021? What is the number of cases approved so far in FY 2022, and is the trend going down?

36TH DISTRICT COURT OF DETROIT (60)

Department Overview

MISSION:

The 36th District Court is dedicated to administering justice in an equitable, impartial and timely manner in accordance with the rule of law. The public and other agencies it serves shall be provided with an accessible, safe and respectful environment in which to conduct business and resolve disputes. There is a commitment to promoting excellence, integrity and competence while ensuring public trust and confidence in the judicial system.

The 36th District Court is one of the busiest courts in the nation and is Michigan's largest limited jurisdiction court. It has 29 judges, 5 magistrates and approximately 300 employees in downtown Detroit. The majority of the Court's annual case filings are handled in the Traffic Division and handles some parking violations. On an annual basis, approximately 1 million citizens conduct business at the court and just under 500,000 telephone and email inquiries are received.

The Court has exclusive jurisdiction in general civil and landlord/tenant matters for litigation up to \$25,000, misdemeanor traffic and civil infraction violation cases, and all judicial functions on felony criminal cases, as well as Small Claims matters with claims up to \$5,500. Criminal jurisdiction includes misdemeanor and felony offenses through preliminary examination. Legislation, effective January 1, 2015, mandated an additional hearing and a probable cause conference for every felony case. 36th District Court operations previously controlled by the State were transferred to the City upon enactment of Public Act 374 of 1996.

STRATEGIC PRIORITIES:

1. Administer justice in an equitable, impartial and timely manner in accordance with the rule of law.
2. Provide the public and other agencies with an accessible, safe and respectful environment in which to conduct business and resolve disputes.
3. Promote excellence, integrity and competence while ensuring public trust and confidence in the judicial system.

Operating Programs

- **Criminal & Traffic Court and Probation Department** promotes safer neighborhoods through holding people accountable for infractions.
- **Civil Division** assists residents find equitable solutions to civil-related situations.
- **Court Support Services & Administration** provide for economic equity and opportunity by funding Specialty Court programs for individuals in crisis or facing addiction. Also, reimburses the Court for Judicial Services, thus providing for efficient and innovative operations.

Department Name: 36th District Court

Department #: 60

Budget Summary:

	FY2021 Actual		FY2022 Adopted		FY2023 Mayor Recommend	
	General Fund	All Funds	General Fund	All Funds	General Fund	All Funds
Total Revenues	16,846,229	16,846,229	18,287,000	18,287,000	17,000,000	17,000,000
Total Expenditures	28,184,994	28,184,994	31,061,795	31,061,795	31,570,306	31,570,306
Net Tax Cost	11,338,765	11,338,765	12,774,795	12,774,795	14,570,306	14,570,306

	FY2024 Forecast		FY2025 Forecast		FY2026 Forecast	
	General Fund	All Funds	General Fund	All Funds	General Fund	All Funds
Total Revenues	17,000,000	17,000,000	17,000,000	17,000,000	17,000,000	17,000,000
Total Expenditures	32,161,486	32,161,486	32,765,091	32,765,091	33,150,562	33,150,562
Net Tax Cost	15,161,486	15,161,486	15,765,091	15,765,091	16,150,562	16,150,562

Positions (by FTE):	1/1/2022 Actual	FY2022 Adopted	FY2023 Mayor Recommend	FY2024 Forecast	FY2025 Forecast	FY2026 Forecast
General Fund	312	325	325	325	325	325
Non-General Fund	-	-	-	-	-	-
Total Positions	312	325	325	325	325	325

**CITY OF DETROIT
BUDGET DEVELOPMENT
EXPENDITURES BY SUMMARY CATEGORY - ALL FUNDS
DEPARTMENT 60 - 36TH DISTRICT COURT**

Department # - Department Name Summary Category	FY2022 Adopted	FY2023 Mayor Recommend	FY2024 Forecast	FY2025 Forecast	FY2026 Forecast
60 - 36th District Court	31,061,795	31,570,306	32,161,486	32,765,091	33,150,562
Salaries & Wages	18,175,996	18,349,673	18,716,667	19,091,000	19,281,910
Employee Benefits	7,248,000	6,934,294	7,007,608	7,082,388	7,145,115
Professional & Contractual Services	2,671,925	2,963,839	3,034,971	3,107,810	3,169,966
Operating Supplies	947,250	1,120,000	1,146,880	1,174,405	1,197,892
Operating Services	1,999,624	2,182,500	2,234,880	2,288,516	2,334,288
Other Expenses	19,000	20,000	20,480	20,972	21,391
Grand Total	31,061,795	31,570,306	32,161,486	32,765,091	33,150,562

**CITY OF DETROIT
BUDGET DEVELOPMENT
REVENUES BY SUMMARY CATEGORY - ALL FUNDS
DEPARTMENT 60 - 36TH DISTRICT COURT**

Department # - Department Name Summary Category	FY2022 Adopted	FY2023 Mayor Recommend	FY2024 Forecast	FY2025 Forecast	FY2026 Forecast
60 - 36th District Court	18,287,000	17,000,000	17,000,000	17,000,000	17,000,000
Grants, Shared Taxes, & Revenues	508,000	500,000	500,000	500,000	500,000
Sales & Charges for Services	9,946,000	8,167,000	8,167,000	8,167,000	8,167,000
Fines, Forfeits, & Penalties	7,833,000	8,333,000	8,333,000	8,333,000	8,333,000
Grand Total	18,287,000	17,000,000	17,000,000	17,000,000	17,000,000

**CITY OF DETROIT
BUDGET DEVELOPMENT
EXPENDITURES BY SUMMARY CATEGORY - FUND DETAIL
DEPARTMENT 60 - 36TH DISTRICT COURT**

Department # - Department Name Fund # - Fund Name Summary Category	FY2022 Adopted	FY2023 Mayor Recommend	FY2024 Forecast	FY2025 Forecast	FY2026 Forecast
60 - 36th District Court	31,061,795	31,570,306	32,161,486	32,765,091	33,150,562
1000 - General Fund	31,061,795	31,570,306	32,161,486	32,765,091	33,150,562
Salaries & Wages	18,175,996	18,349,673	18,716,667	19,091,000	19,281,910
Employee Benefits	7,248,000	6,934,294	7,007,608	7,082,388	7,145,115
Professional & Contractual Services	2,671,925	2,963,839	3,034,971	3,107,810	3,169,966
Operating Supplies	947,250	1,120,000	1,146,880	1,174,405	1,197,892
Operating Services	1,999,624	2,182,500	2,234,880	2,288,516	2,334,288
Other Expenses	19,000	20,000	20,480	20,972	21,391
Grand Total	31,061,795	31,570,306	32,161,486	32,765,091	33,150,562

**CITY OF DETROIT
BUDGET DEVELOPMENT
REVENUES BY SUMMARY CATEGORY - FUND DETAIL
DEPARTMENT 60 - 36TH DISTRICT COURT**

Department # - Department Name Fund # - Fund Name Summary Category	FY2022 Adopted	FY2023 Mayor Recommend	FY2024 Forecast	FY2025 Forecast	FY2026 Forecast
60 - 36th District Court	18,287,000	17,000,000	17,000,000	17,000,000	17,000,000
1000 - General Fund	18,287,000	17,000,000	17,000,000	17,000,000	17,000,000
Grants, Shared Taxes, & Revenues	508,000	500,000	500,000	500,000	500,000
Sales & Charges for Services	9,946,000	8,167,000	8,167,000	8,167,000	8,167,000
Fines, Forfeits, & Penalties	7,833,000	8,333,000	8,333,000	8,333,000	8,333,000
Grand Total	18,287,000	17,000,000	17,000,000	17,000,000	17,000,000

**CITY OF DETROIT
BUDGET DEVELOPMENT
FINANCIAL DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER - EXPENDITURES
DEPARTMENT 60 - 36TH DISTRICT COURT**

Department # - Department Name Fund # - Fund Name Appropriation # - Appropriation Name Cost Center # - Cost Center Name	FY2022 Adopted	FY2023 Mayor Recommend	FY2024 Forecast	FY2025 Forecast	FY2026 Forecast
60 - 36th District Court	31,061,795	31,570,306	32,161,486	32,765,091	33,150,562
1000 - General Fund	31,061,795	31,570,306	32,161,486	32,765,091	33,150,562
27600 - Economic Equity and Opportunity - Courts	40,000	40,000	40,960	41,944	42,782
600155 - Drug Court	40,000	40,000	40,960	41,944	42,782
29600 - 36th District Court Administration	31,021,795	31,530,306	32,120,526	32,723,147	33,107,780
600010 - Direct Costs	3,499,005	3,470,204	3,546,530	3,624,563	3,682,632
600014 - District Court Operations	23,812,540	23,701,263	24,110,545	24,528,012	24,763,165
600035 - Court Security Reimbursement	450,000	530,000	542,720	555,745	566,860
600100 - Court Administration	3,260,250	3,828,839	3,920,731	4,014,827	4,095,123
Grand Total	31,061,795	31,570,306	32,161,486	32,765,091	33,150,562

**CITY OF DETROIT
BUDGET DEVELOPMENT
FINANCIAL DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER - REVENUES
DEPARTMENT 60 - 36TH DISTRICT COURT**

Department # - Department Name					
Fund # - Fund Name	FY2022	FY2023	FY2024	FY2025	FY2026
Appropriation # - Appropriation Name	Adopted	Mayor	Forecast	Forecast	Forecast
Cost Center # - Cost Center Name		Recommend			
60 - 36th District Court	18,287,000	17,000,000	17,000,000	17,000,000	17,000,000
1000 - General Fund	18,287,000	17,000,000	17,000,000	17,000,000	17,000,000
25601 - Safe Neighborhoods - Traffic Court	12,500,000	13,500,000	13,500,000	13,500,000	13,500,000
600020 - Traffic	12,500,000	13,500,000	13,500,000	13,500,000	13,500,000
27600 - Economic Equity and Opportunity - Courts	4,461,000	2,174,000	2,174,000	2,174,000	2,174,000
600015 - Civil	3,155,000	1,224,000	1,224,000	1,224,000	1,224,000
600055 - Real Estate	683,000	350,000	350,000	350,000	350,000
600100 - Court Administration	623,000	600,000	600,000	600,000	600,000
29600 - 36th District Court Administration	1,326,000	1,326,000	1,326,000	1,326,000	1,326,000
600010 - Direct Costs	1,326,000	1,326,000	1,326,000	1,326,000	1,326,000
Grand Total	18,287,000	17,000,000	17,000,000	17,000,000	17,000,000

**CITY OF DETROIT
BUDGET DEVELOPMENT
POSITION DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER
DEPARTMENT 60 - 36TH DISTRICT COURT**

Department # - Department Name					
Fund # - Fund Name					
Appropriation # - Appropriation Name	FY2022	FY2023	FY2024	FY2025	FY2026
Cost Center # - Cost Center Name	Adopted	Mayor	Forecast	Forecast	Forecast
Job Code - Job Title		Recommend			
60 - 36th District Court	325	325	325	325	325
1000 - General Fund	325	325	325	325	325
29600 - 36th District Court Administration	325	325	325	325	325
600010 - Direct Costs	29	29	29	29	29
913051 - Judge - 36th District Court	29	29	29	29	29
600014 - District Court Operations	296	296	296	296	296
950101 - Detroit Judicial Council Staff	296	296	296	296	296
Grand Total	325	325	325	325	325