



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 1428 (Substitute S-1 as reported)  
Sponsor: Senator Alan L. Cropsey  
Committee: Judiciary

### **CONTENT**

The bill would amend the Revised Judicature Act to allow a court that had adopted a drug treatment court (drug court) to accept participants from any other jurisdiction in Michigan based upon either a participant's residence in the receiving jurisdiction or the unavailability of a drug treatment court in the jurisdiction where the participant was charged.

The transfer would have to occur pursuant to guidelines promulgated by the State Court Administrative Office and would not be valid unless agreed to by all of the following:

- The defendant or respondent.
- The judge, prosecuting attorney, and defense attorney of the transferring court.
- The judge and the prosecuting attorney of the receiving drug court.

The bill also would require that a drug court comply with the 10 key components promulgated by the National Association of Drug Court Professionals. Currently, the Act states that a drug court "should" comply with those key components.

In addition, the Act allows the family division of circuit court (family court) in any judicial circuit to adopt or institute a juvenile drug court. The family court must enter into a memorandum of understanding with certain parties, including a representative of the criminal defense bar. The bill would require that person to be someone who specializes in juvenile law.

MCL 600.1060 & 600.1062

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have no fiscal impact on State government. The impact on local units of government is indeterminate. The bill does not specify whether the transferring jurisdiction or the receiving jurisdiction would bear the cost of the individual in drug treatment court. Because the local units are required to match a portion of the Federal and State funds for drug treatment courts, both receiving and transferring units could see a fiscal impact from the bill if the transferring unit were required to bear the cost.

According to the National Association of Drug Court Professionals, a comprehensive drug court treatment program typically costs between \$2,500 and \$4,000 per person per year.

Date Completed: 9-20-06

Fiscal Analyst: Stephanie Yu