

RESOLUTION

NO: 2024-03-038

LIVINGSTON COUNTY

DATE: March 25, 2024

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**Resolution Supporting HB 5392 and HB 5534 to Enable the Continuation of Current Trial Court Funding While Increasing Transparency of Court Spending – Board of Commissioners**

**WHEREAS,** On March 21, 2024, the Michigan Association of Counties (MAC) issued an urgent Advocacy Alert regarding Trial Court Funding, The MAC alert stated, “Court funding authority hangs in the balance of a quickly approaching May 1, 2024, sunset deadline. House Bill 5392, by Rep. Sarah Lightner (R-Jackson), would extend that sunset until Dec. 31, 2026. It is imperative that HB 5392 be signed by the governor before May 1. Without its passage, the authority for judges to impose fines and fees on criminal defendants will expire, and courts will lose a vital piece of their operational funding. Annually, this amounts to almost \$50 million that counties would have to backfill. House Bill 5534, by Rep. Kelly Breen (D-Oakland), is tie-barred to HB 5392, and would enforce data collection to be completed by the State Court Administrator’s Office (SCAO). Under HB 5534, SCAO would be tasked with collecting data on court costs, revenue, caseload, and workload, and returning the report to the Legislature by May 1, 2024. This data collection is necessary to properly draft legislation implementing the trial court funding recommendations. With the tie-barring of these bills, they both must pass for the fee authority to be extended. If HB 5534 is not supported, then the fee authority will lapse, and courts will be facing significant funding shortages.” The alert also stated, “MAC supports both HBs 5392 and 5534, extending the fee authority and holding SCAO and the Legislature accountable to moving towards implementing the Trial Court Funding Commission recommendations. The legislation is part of the path envisioned by the Michigan Trial Court Funding Commission to achieve the right funding mix. It will help ensure courts across Michigan have equal access to resources to uniformly serve citizens with court programs and services,” and

**WHEREAS,** separate from this MAC alert, and to help resolve a lawsuit recently filed by Livingston County Courts against the Livingston County Board of Commissioners (BOC), the BOC has urged the local Courts to provide data similar to that required by HB 5534 (data on court costs, revenue, caseload, and workload).

**WHEREAS,** Livingston County Courts have declined to participate with the BOC and the National Center for State Courts (NCSC), a third-party entity, to conduct a workload study which would provide data to help settle the lawsuit. Further, SCAO has blocked an attempt by the BOC to contract directly with the NCSC to provide data analysis to help resolve the lawsuit.

**THEREFORE, BE IT RESOLVED** for the reasons provided in the MAC alert, and to help resolve the Court’s lawsuit, thereby saving taxpayer dollars, the BOC urges all State Representatives having jurisdiction in Livingston County to support passage of HB 5392 and HB 5534. Further the BOC directs the Livingston County Clerk to send a copy of this resolution to State Representatives Bezotte, Bollin, Conlin, and Mueller.

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**BE IT FURTHER RESOLVED** the BOC urges citizens to contact their State Representative and urge passage of HB 5392 and HB 5534 by visiting <https://p2a.co/iQTwAXM>.

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**MOVED:**  
**SECONDED:**  
**CARRIED:**