

HOUSE BILL No. 5501

February 14, 1990, Introduced by Reps. Gubow and Perry Bullard
and referred to the Committee on Judiciary.

A bill to amend sections 301 and 306 of Act No. 236 of the
Public Acts of 1961, entitled as amended

"Revised judicature act of 1961,"

as amended by Act No. 279 of the Public Acts of 1986, being sec-
tions 600.301 and 600.306 of the Michigan Compiled Laws; and to
add section 303d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 301 and 306 of Act No. 236 of the
2 Public Acts of 1961, as amended by Act No. 279 of the Public Acts
3 of 1986, being sections 600.301 and 600.306 of the Michigan
4 Compiled Laws, are amended and section 303d is added to read as
5 follows:

6 Sec. 301. The court of appeals shall consist of ~~24~~ 33
7 judges and is a court of record.

1 SEC. 303D. IN THE GENERAL NOVEMBER ELECTION OF 1990, THE 3
2 CANDIDATES FOR THE NEW JUDGESHIPS AUTHORIZED IN EACH COURT OF
3 APPEALS DISTRICT PURSUANT TO SECTION 301, AS AMENDED BY THE 1990
4 AMENDATORY ACT THAT ADDED THIS SECTION, RECEIVING THE HIGHEST
5 NUMBER OF VOTES SHALL BE ELECTED. OF THESE CANDIDATES WHO ARE
6 ELECTED, THE CANDIDATE FOR THE NEW JUDGESHIPS RECEIVING THE
7 GREATEST NUMBER OF VOTES IN EACH COURT OF APPEALS DISTRICT IS
8 ELECTED FOR A TERM OF 8 YEARS COMMENCING JANUARY 1, 1991. THE
9 CANDIDATE FOR THE NEW JUDGESHIPS RECEIVING THE SECOND HIGHEST
10 NUMBER OF VOTES AND THE CANDIDATE RECEIVING THE THIRD HIGHEST
11 NUMBER OF VOTES IN EACH COURT OF APPEALS DISTRICT ARE ELECTED FOR
12 TERMS OF 6 YEARS EACH COMMENCING JANUARY 1, 1991.

13 Sec. 306. The supreme court may transfer judges from the
14 circuit court or probate court or may assign judges pursuant to
15 section 23 of article VI of the state constitution of 1963 to the
16 court of appeals to act as temporary judges. The transfer may be
17 made to replace disabled or disqualified judges, or to enlarge
18 the court of appeals temporarily to not more than ~~36~~ 49 judges
19 if the business of the court of appeals is considered by the
20 supreme court to warrant it. If the court of appeals sits in
21 panels, the temporary judges may be assigned to any panel. Not
22 more than 1 temporary judge shall be assigned to hear a case. A
23 temporary judge is disqualified from hearing, in the court of
24 appeals, cases tried before him or her in the trial court.