

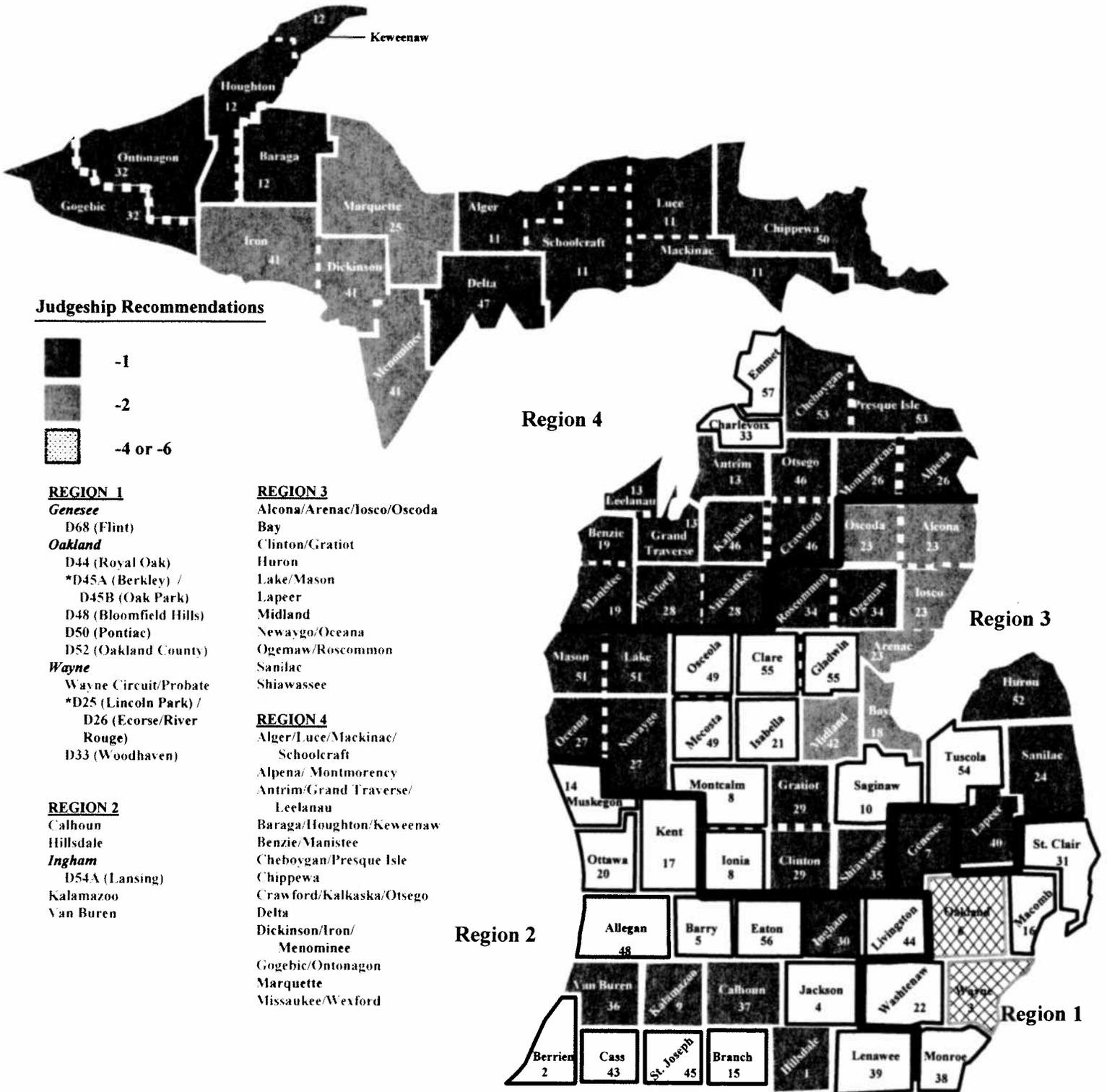
Trial Court Judicial Resources Recommendations

Court Jurisdiction	Current Judgeships	Estimated Judicial Excess			2011 SCAO Recommendation
		2007	2009	2011	
Dickinson, Iron, Menominee	7	-3.6	-3.8	-3.3	-2 Page 10
Alcona, Arenac, Iosco, Oscoda	7	-3.3	-3.5	-2.7	-2 Page 12
Alger, Luce, Mackinac, Schoolcraft	5	-2.8	-3.0	-2.7	-1 Page 14
Gogebic, Ontonagon	4	-2.7	-2.7	-2.6	-1 Page 16
Baraga, Houghton, Keweenaw	4.5	-2.4	-2.5	-2.5	-1 Page 18
Marquette	5	-2.4	-2.3	-2.2	-2 Page 20
Midland	5	-1.4	-1.5	-1.8	-2 Page 22
50th District - Pontiac	4	-1.7	-1.9	-1.8	-2 Page 23
Bay	7	-1.2	-1.2	-1.7	-2 Page 24
Ogemaw, Roscommon	5	-1.4	-1.4	-1.7	-1 Page 25
52nd District - Oakland County	11	-2.0	-1.7	-1.7	-1 Page 26
68th District - Flint	5	-1.4	-1.2	-1.6	-1 Page 28
Antrim, Grand Traverse, Leelanau	8	-1.4	-1.2	-1.5	-1 Page 29
Alpena, Montmorency	4	-1.6	-1.6	-1.4	-1 Page 30
Benzie, Manistee	4	-1.6	-1.8	-1.4	-1 Page 32
Clinton, Gratiot	4	-1.7	-1.8	-1.4	-1 Page 34
Crawford, Kalkaska, Otsego	6	-1.5	-1.7	-1.4	-1 Page 35
Delta	6	-2.0	-2.0	-1.4	-1 Page 37
Huron	3	-1.2	-1.2	-1.3	-1 Page 38
Lapeer	3	-1.6	-1.6	-1.3	-1 Page 39
Lake, Mason	5	-1.1	-1.0	-1.3	-1 Page 40
33rd District - Woodhaven	4	-1.8	-1.7	-1.2	-1 Page 42
Cheboygan, Presque Isle	3	-1.2	-1.2	-1.1	-1 Page 43
Missaukee, Wexford	4	-1.5	-1.6	-1.1	-1 Page 44
Newaygo, Oceana	5	-1.1	-1.2	-1.1	-1 Page 45
54A District - Lansing	5	-1.1	-1.3	-1.0	-1 Page 46
Calhoun	10	-0.9	-0.8	-0.9	-1 Page 47
Hillsdale	3	-0.7	-0.9	-0.9	-1 Page 48
Kalamazoo	15	-1.4	-2.2	-0.9	-1 Page 49
Chippewa	3	-1.1	-1.1	-0.8	-1 Page 51
Sanilac	2	-0.9	-1.1	-0.8	-1 Page 52
26th District - Ecorse, River Rouge*	2	-0.8	-0.8	-0.7	-2 Page 53
25th District - Lincoln Park*	4	-0.5	-0.6	-0.7	-1 Page 55
Shiawassee	5	-0.3	-0.6	-0.7	-1 Page 56
Van Buren	3	-0.9	-0.7	-0.7	-1 Page 57
48th District - Bloomfield Hills	2	-0.6	-0.6	-0.6	-1 Page 58
44th District - Royal Oak	1	-0.7	-0.7	-0.6	-1 Page 59
45A District - Berkley**	2	-0.6	-0.5	-0.5	-1 Page 61
45B District - Oak Park**	1	-0.6	-0.6	-0.1	
Wayne	2	-0.6	-0.5	-0.1	
Total:	69	-3.6	-4.0	-45	

* Consolidate 26th District (Ecorse, River Rouge) and 25th District (Lincoln Park) and reduce the judgeships from 4 to 2.
 ** Consolidate 45A District (Berkley) and 45B District (Oak Park) and reduce the judgeships from 3 to 2.

MAP OF JUDICIAL RESOURCES RECOMMENDATIONS

For reference purposes only, the numbers in the map reflect the judicial circuit numbers.



*Recommendation to consolidate courts.

Michigan Supreme Court

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2011 Judicial Resources Recommendations

Frequently Asked Questions

A. Trial Courts

1. **Why is the number of recommended trial court judgeship reductions – 45 – so much higher than the 2007 (10) and 2009 (15) JRR recommendations?**

Answer: The data from each JRR – 2007, 2009, and 2011 – is consistent with regard to the findings of judicial need (a court needs more judgeships) and judicial excess (a court has more judgeships than it needs). What is different is the number of *recommended reductions* in the 2011 report. We increased the recommended reductions because we are very confident in this year's data, which is based on survey results from 99 percent of Michigan's trial courts. Our data is up-to-date, complete, and consistent; our analysis has been extremely thorough and was vetted by the National Center for State Courts – national experts in judicial staffing requirements. In addition, the state's trial court caseload has continued to decline since 2007.

2. **How does the State Court Administrative Office (SCAO) determine how many judgeships a trial court needs?**

Answer: There are two parts to the analysis. The first part uses a weighted caseload formula to put a number value on a given court's workload. "Weighted caseload" means that different types of cases are assigned different weights, based on how much work they generate for a judge – for example, a medical malpractice case takes longer to process than a traffic ticket.

The extended analysis looks at other qualitative factors that might affect the court's workload – population and case filing trends, for example.

The JRR's recommendations are not just "by the numbers," but take into account a wide range of factors that affects a court's need for judges. The result is a number that reflects the right number of judgeships for that court's workload and environment.

This methodology was developed with assistance from the National Center for State Courts and the Judicial Needs Assessment Committee. For more information on the JRR's analysis, please see:

<http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2011.pdf>.

9. What is the savings to the funding unit?

Answer: Cost savings will vary among funding units. Most judges have some benefits paid for by the funding unit, such as health insurance, but the cost varies across the state. In addition, the judicial staff will generally be reduced if the number of judges is reduced. Most judges do not have a law clerk, but if a judge has one, that position would probably be eliminated. Most judges have a clerk or a secretary, and some have a bailiff or a court officer. In some counties, an assistant prosecutor is assigned to each judge.

10. Is this a shifting of cost from the state to the local funding units?

Answer: No. We are confident this recommendation will cut costs for the funding units.

11. How are judgeships created or eliminated? Can the Supreme Court do this?

Answer: No. Only the Legislature can create or eliminate a judgeship by passing legislation. The Supreme Court or the SCAO can only make recommendations about reducing or adding judgeships.

12. The SCAO recommends reducing the number of judgeships by attrition. How would this work?

Answer: If the Legislature accepts the JRR recommendations, the judicial positions designated for reduction will be eliminated if a judge leaves office in the middle of the term for any reason. In addition, if an incumbent judge chooses not to run again, that judge's position will be eliminated.

13. Some courts cover multiple counties – for example, in the U.P. Was travel taken into account?

Answer: Yes. Travel was taken into account both in the National Center for State Courts' analysis of the data and in the SCAO's extended analysis.

14. Are we required to have a circuit, probate, and district judge in each circuit?

Answer: No. The Michigan Constitution requires one circuit judge in each circuit and a probate judge in each county or probate district. The Constitution does not require district judges. The Legislature can grant any probate court the authority to handle the district court caseload and the Supreme Court can cross-assign circuit or probate court judges to handle district court cases.

15. The district judge in my circuit is not expected to retire for many years. We only have three judges. What will happen if the circuit judge or probate judge leaves before then?

2. **Won't reducing the number of judges on the Court of Appeals from 28 to 24 create a backlog and delays?**

Answer: No. Because the Court of Appeals' filings have decreased so significantly, the current number of judgeships is no longer justified.

3. **How would judgeships on the Court of Appeals be eliminated?**

Answer: The SCAO is recommending that these judgeships be eliminated by attrition. There are already two vacancies on the Court of Appeals; those two seats, and two others, would have to be eliminated through legislation.

4. **How much would the state save by eliminating these four judgeships?**

Answer: The estimated savings is \$736,636 per year in judicial salaries and benefits. The Legislature removed approximately half that amount from the Fiscal Year 2012 judiciary budget due to the two judgeships that are currently vacant.

C. General Questions

1. **How often does the SCAO issue these recommendations?**

Answer: The SCAO analyzes the number of judges needed for Michigan's trial courts, and issues a report to the Legislature, every two years.

2. **Does the Michigan Supreme Court support the 2011 JRR recommendations?**

Answer: Yes, the Supreme Court unanimously supports these recommendations. The Michigan Judges Association, the Michigan Probate Judges Association, the Michigan District Judges Association, and the Michigan Judicial Conference also support the 2011 JRR recommendations.

3. **What happens next?**

Answer: The SCAO has shared the 2011 JRR with the Governor and Legislature. We know that the Governor supports eliminating judgeships that are not justified by workload and that many in the Legislature agree. We hope that the next step will be for the Legislature to introduce bills eliminating these unneeded judgeships.

4. **Will the SCAO recommend adding new trial court judgeships in its 2013 JRR?**

Answer: Assuming that there is a need for new judgeships at that time, and that the state's economy has recovered to the point where such a recommendation would be feasible, then the SCAO will do so.

List A: Judicial Need and Proposed Reductions by Circuit

Sorted by Current Judgeships

County	Current Judgeships	Judge Only Need	Implied Judge Excess or Need	Recommendation
Calhoun	10	9.1	-0.9	-1
Muskegon	10	10.7	0.7	
Washtenaw	10	11.0	1.0	
Berrien	11	10.8	-0.2	
Ingham	11	10.9	-0.1	
Saginaw	13	12.1	-0.9	
Kalamazoo	15	14.1	-0.9	-1
Kent	16	20.1	4.1	
Genesee	17	20.0	3.0	
Macomb	17	23.8	6.8	
Oakland	34	40.5	6.5	
Wayne	69	68.9	-0.1	-1

List B: Judicial Need and Proposed Reductions by Circuit

Sorted by Current Workload Per Judge

County	Current Judgeships	Judge Only Need	Current Workload Per Judge	Recommendation	Proposed Judgeships	Proposed Workload Per Judge
Ionia, Montcalm	6	6.0	1.00		6	1.00
Wayne	69	68.9	1.00	-1	68	1.01
Jackson	9	9.5	1.06		9	1.06
Muskegon	10	10.7	1.07		10	1.07
Lenawee	5	5.4	1.08		5	1.08
Ottawa	9	9.8	1.09		9	1.09
Clare, Gladwin	4	4.4	1.10		4	1.10
Washtenaw	10	11.0	1.10		10	1.10
Livingston	6	6.9	1.15		6	1.15
Genesee	17	20.0	1.18		17	1.18
Oakland	34	40.5	1.19		34	1.19
Kent	16	20.1	1.26		16	1.26
Macomb	17	23.8	1.40		17	1.40

List C: Judicial Need and Proposed Reductions by Circuit

Sorted by Proposed Workload Per Judge

County	Current Judgeships	Judge Only Need	Current Workload Per Judge	Recommendation	Proposed Judgeships	Proposed Workload Per Judge
Van Buren	5	4.3	0.86	-1	4	1.08
Ottawa	9	9.8	1.09		9	1.09
Chippewa	3	2.2	0.73	-1	2	1.10
Clare, Gladwin	4	4.4	1.10		4	1.10
Hillsdale	3	2.2	0.73	-1	2	1.10
Sanilac	3	2.2	0.73	-1	2	1.10
Shiawassee	4	3.3	0.83	-1	3	1.10
Washtenaw	10	11.0	1.10		10	1.10
Livingston	6	6.9	1.15		6	1.15
Genesee	17	20.0	1.18		17	1.18
Oakland	34	40.5	1.19		34	1.19
Kent	16	20.1	1.26		16	1.26
Macomb	17	23.8	1.40		17	1.40