

# Legislative Analysis

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## 36TH DISTRICT COURT BAILIFFS

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**Senate Bill 281 as passed by the Senate**  
**Sponsor: Sen. Tonya Schuitmaker**  
**House Committee: Judiciary**  
**Senate Committee: Judiciary**  
**Complete to 6-15-15**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

The bill adds an additional circumstance under which a bailiff of the 36th District Court (City of Detroit) may be removed from office.

Senate Bill 281 amends the Revised Judicature Act.

Under the act, a person serving as a bailiff of the former common pleas court of Detroit on August 31, 1981, became a bailiff of the 36th district court on September 1, 1981. The RJA provides that a bailiff of the 36th district court holds office until death, retirement, resignation, or removal from office by the court for misfeasance or malfeasance in office. A vacancy in the office of bailiff may not be filled.

The bill also would allow the court to remove a bailiff from office for the inability to perform essential functions of the office. The bill takes effect 90 days after enactment.

MCL 600.8322

### FISCAL IMPACT:

Under the bill, in addition to being removed for misfeasance or malfeasance in office, a bailiff of the 36th District Court could also be removed for inability to perform essential functions of the office. Removal of a bailiff would result in increased revenue for the City of Detroit, as the annual full-time or part-time salary, associated retirement costs, fees, and mileage costs would no longer have to be paid, and vacant positions are not to be filled. The bill would have no fiscal impact on the state.

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