

THE SUPREME COURT



CLIFFORD W. TAYLOR, CHIEF JUSTICE

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Under the **territorial government** of Michigan established in 1805, the supreme court consisted of a chief judge and two associate judges appointed by the President of the United States. Under the “second” grade of territorial government established in 1824, the term of office was limited to four years.

First Grade

Augustus B. Woodward 1805-1824	James Witherell 1805-1824
Frederick Bates 1805-1808	John Griffin 1806-1824

Second Grade

James Witherell 1824-1828	William Woodbridge 1828-1832
John Hunt 1824-1827	George Morrell 1832-1837
Solomon Sibley 1824-1837	Ross Wilkins 1832-1837
Henry Chipman 1827-1832	

The **Constitution of 1835** provided for a supreme court, the judges of which were appointed by the governor, by and with the advice and consent of the senate, for seven-year terms. In 1836 the legislature provided for a chief justice and two associate justices. The state was then divided into three circuits and the supreme court was required to hold an annual term in each circuit. The Revised Statutes of 1838 provided for a chief justice and three associate justices.

The **Constitution of 1850** provided for a term of six years and that the judges of the five circuit courts be judges of the supreme court. In 1857, the legislature reorganized the supreme court to consist of a chief justice and three associate justices to be elected for eight-year terms. The number of justices was increased to five by the legislature in 1887. Act 250 of 1903 increased the number of justices to eight.

The **Constitution of 1908** provided for the nomination of the justices at partisan conventions and election at nonpartisan elections.

The **Constitution of 1963** provides that “the judicial power of the state is vested exclusively in one court of justice which shall be divided into one supreme court, one court of appeals, one trial court of general jurisdiction known as the circuit court, one probate court, and the courts of limited jurisdiction that the legislature may establish by a two-thirds vote of the members elected to and serving in each house.” Const. 1963, art. 6, § 1.

“The supreme court shall consist of seven justices elected at nonpartisan elections as provided by law. The term of office shall be eight years and not more than two terms of office shall expire at the same time.” Const. 1963, art. 6, § 2.

“One justice of the supreme court shall be selected by the court as its chief justice as provided by rules of the court. He shall perform duties required by the court. The supreme court shall

appoint an administrator of the courts and other assistants of the supreme court as may be necessary to aid in the administration of the courts of this state. The administrator shall perform administrative duties assigned by the court.” Const. 1963, art. 6, § 1.

The Michigan Supreme Court is the highest court in the state, hearing cases appealed to it from other state courts. Applications for “**leave to appeal**” are filed with the supreme court and the court decides whether to grant them. If an application is granted, the supreme court will hear the case; if denied, the decision of the lower court stands.

In addition to its judicial duties, the supreme court is charged with general administrative supervision of all courts in the state. This is referred to in the state constitution as “**general superintending control**.” The supreme court is responsible for establishing rules for practice and procedure in all courts.

The supreme court consists of 7 justices. One justice is selected every 2 years by the court as chief justice. Two justices are elected every 2 years (one in the eighth year) in the November election. Although nominated by political parties, the justices are elected on a nonpartisan ballot, separate from the ballot for other elective offices. Candidates for the supreme court must be qualified electors, licensed to practice law in Michigan, and, at the time of election, must be under 70 years of age. The salary of the justices is fixed by the State Officers Compensation Commission and paid by the state.

Caseload

During 2006, 2,517 new cases were filed with the Michigan Supreme Court. There were 2,543 cases completed in 2004. At the close of the year, 891 cases were pending before the court.

The majority of the new cases filed (98%) were applications for leave to appeal. Of the new cases filed, 35% were civil cases and 65% were criminal cases. Of the 2,215 cases disposed of during 2004, 1,978 (89%) were disposed of by denial of leave to appeal, 123 (6%) by final orders without opinions, 76 (3%) by opinions, and 38 (2%) by dismissals and withdrawals.

TYPES OF SUPREME COURT CASE FILINGS, 2006

Filings	Number	Percent
Applications for Leave	2,486	(98%)
Applications Prior to Court of Appeals Decision	4	} (2%)
Mandamus/Superintending Control — Attorney Grievance Commission/ Board of Law Examiners	19	
Certified Questions from Federal Courts	4	
Miscellaneous	4	
TOTAL	2,517	

DISTRIBUTION OF SUPREME COURT CIVIL AND CRIMINAL CASES, 2006

Cases	Number	Percent
Civil Cases Filed	871	(35%)
Criminal Cases Filed	1,646	(65%)
TOTAL	2,517	(100%)

SUPREME COURT CASE DISPOSITION, BY TYPE, 2006

Dispositions	Number	Percent
Completed by Opinions	50	(2%)
Completed by Final Orders Without Opinions	228	(9%)
Completed by Denial of Leave to Appeal	2,238	(88%)
Completed by Dismissals and Withdrawals	27	(1%)
TOTAL	2,543	(100%)

Administrative Functions

In addition to serving as the state's highest court, the Michigan Supreme Court administers the state court system. The State Court Administrative Office is the Court's administrative agency and oversees Michigan's trial courts under the Supreme Court's direction.

The administrative activities include:

- drafting and promulgating state court rules, rules of evidence, and administrative orders;
- providing continuing education for state judges and court staff;
- overseeing courts' management of their caseloads, including tracking how long courts take to dispose of cases;
- informing the public about the justice system and the judiciary through the Court's Annual Report, the Michigan Supreme Court Learning Center, press releases, and educational events;
- monitoring courts' handling of child welfare cases, including addressing barriers to permanent placements for children;
- overseeing Michigan's friend of the court offices, which enforce court orders regarding child support, parenting time, and child custody;
- providing technological assistance to trial courts that request it;
- developing statewide court networks and databases for tracking case information;
- overseeing drug treatment courts throughout the state;
- improving collections of court-imposed fines, costs, and fees;
- maintaining the "One Court of Justice" website, which links to sites for the Supreme Court, Court of Appeals, State Court Administrative Office, Michigan trial courts, Michigan Court Rules, and other sites of interest;
- supporting community centers that provide mediation services and other alternatives to litigation; and
- proposing legislation to improve the administration of justice.

JUSTICES OF THE MICHIGAN SUPREME COURT

Term expires

CLIFFORD W. TAYLOR, Chief Justice	Jan. 1, 2009
MICHAEL F. CAVANAGH	Jan. 1, 2015
ELIZABETH A. WEAVER	Jan. 1, 2011
MARILYN J. KELLY	Jan. 1, 2013
MAURA D. CORRIGAN	Jan. 1, 2015
ROBERT P. YOUNG, JR.	Jan. 1, 2011
STEPHEN J. MARKMAN	Jan. 1, 2013

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INGER Z. MEYER, Deputy Clerk
DAVE PALAZZOLO, Court Crier
DANILO ANSELMO, Reporter of Decisions
MICHAEL GADOLA, Supreme Court and SCAO Counsel
MARK GATES, Deputy Supreme Court Counsel
ANNE BOOMER, Administrative Counsel
E. RONALD STADNIKA, Chief Financial Officer
MARCIA MCBRIEN, Public Information Officer
MICHAEL V. BENEDICT, Human Resources Director

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KATHLEEN FOSTER ANNE-MARIE VOICE
DEBRA GUTIERREZ-MCGUIRE MICHAEL WELLMAN
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DANIEL J. WRIGHT, Director, Family Services
MARCUS DOBEK, Director, Judicial Information Systems
DAWN F. MCCARTY, Director, Michigan Judicial Institute
DOUGLAS A. VANEPPI, Director, Office of Dispute Resolution