

HOUSE BILL No. 5942

April 23, 2002, Introduced by Reps. Bishop, Kowall, Kuipers and Drolet and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8123 (MCL 600.8123), as amended by 2000
PA 448.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8123. (1) The forty-third district consists of the
2 cities of Madison Heights, Ferndale, and Hazel Park, is a dis-
3 trict of the third class, and has 3 judges.

4 (2) The forty-fourth district consists of the city of Royal
5 Oak, is a district of the third class, and has 2 judges.

6 (3) The forty-fifth-a district consists of the city of
7 Berkley, is a district of the third class, and has 1 judge.

8 (4) The forty-fifth-b district consists of the cities of
9 Huntington Woods, Oak Park, and Pleasant Ridge and the township

1 of Royal Oak in the county of Oakland, is a district of the third
2 class, and has 2 judges.

3 (5) The forty-sixth district consists of the cities of
4 Southfield and Lathrup Village and the township of Southfield in
5 the county of Oakland, is a district of the third class, and has
6 3 judges.

7 (6) The forty-seventh district consists of the cities of
8 Farmington and Farmington Hills, is a district of the third
9 class, and has 2 judges. Subject to section 8175, this district
10 may have 1 additional judge subject to review and recommendation
11 by the state court administrator to the legislature and subse-
12 quent legislation, if and when a district court judgeship is
13 eliminated within the state of Michigan.

14 (7) The forty-eighth district consists of the cities of
15 Birmingham, Bloomfield Hills, Sylvan Lake, Keego Harbor, and
16 Orchard Lake Village and the townships of Bloomfield and West
17 Bloomfield in the county of Oakland, is a district of the third
18 class, and has 3 judges.

19 (8) The fiftieth district consists of the city of Pontiac,
20 is a district of the third class, and has THE FOLLOWING NUMBER OF
21 JUDGES:

22 (A) UNTIL SUBDIVISION (B) TAKES EFFECT, THIS DISTRICT HAS 4
23 judges.

24 (B) THIS DISTRICT HAS 3 JUDGES BEGINNING ON THE EARLIEST OF
25 THE FOLLOWING DATES:

26 (i) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF
27 DISTRICT JUDGE IN THIS DISTRICT AS A RESULT OF DEATH,

1 RESIGNATION, RETIREMENT, REMOVAL FROM OFFICE, OR REMOVAL OF
2 DOMICILE BEYOND THE LIMITS OF THE DISTRICT.

3 (ii) UPON THE EXPIRATION OF THE TERM OF AN INCUMBENT JUDGE
4 WHO IS NOT ELIGIBLE TO SEEK REELECTION TO THAT OFFICE.

5 (iii) UPON THE EXPIRATION OF THE TERM OF AN INCUMBENT JUDGE
6 WHO IS ELIGIBLE TO SEEK REELECTION BUT WHO DOES NOT FILE BY AFFI-
7 DAVIT TO SEEK REELECTION TO THAT OFFICE OR WHO WITHDRAWS WITHIN
8 3 DAYS AFTER FILING BY AFFIDAVIT TO SEEK REELECTION TO THAT
9 OFFICE.

10 (9) The fifty-first district consists of the township of
11 Waterford in the county of Oakland, is a district of the third
12 class, and has 2 judges.

13 (10) The fifty-second district consists of the county of
14 Oakland except the cities of Madison Heights, Ferndale, Hazel
15 Park, Royal Oak, Berkley, Huntington Woods, Oak Park, Pleasant
16 Ridge, Southfield, Lathrup Village, Farmington, Farmington Hills,
17 Northville, Sylvan Lake, Keego Harbor, Orchard Lake Village,
18 Birmingham, Bloomfield Hills, and Pontiac and the townships of
19 Royal Oak, Southfield, West Bloomfield, Bloomfield, and
20 Waterford, is a district of the second class, and is divided into
21 the following election divisions:

22 (a) The first division consists of the cities of Novi, South
23 Lyon, Wixom, and Walled Lake and the townships of Milford,
24 Highland, Commerce, Lyon, and Novi. Until January 1, 2003, the
25 first division also includes the townships of Rose and White
26 Lake. The first division has 3 judges. Subject to section 8175,
27 this division may have 1 additional judge effective January 1,

1 2003. If the Oakland county board of commissioners approves that
2 additional judgeship, the judgeship in the first division that is
3 filled by the district judge of the first division whose term
4 expires January 1, 2005 is transferred to the second division,
5 effective January 1, 2003.

6 (b) The second division consists of the city of the village
7 of Clarkston and the townships of Springfield, Independence,
8 Holly, Groveland, and Brandon. Beginning January 1, 2003, the
9 second division also includes the townships of Rose and White
10 Lake. The second division has 1 judge; however, effective
11 January 1, 2003, this division shall have 2 judges if a judgeship
12 is transferred to this division from the first division pursuant
13 to subdivision (a).

14 (c) The third division consists of the cities of Rochester,
15 Auburn Hills, Rochester Hills, and Lake Angelus and the townships
16 of Oxford, Addison, Orion, and Oakland and has 3 judges. SUBJECT
17 TO SECTION 8175, THIS DISTRICT MAY HAVE 1 ADDITIONAL JUDGE EFFEC-
18 TIVE ON JANUARY 1 OF THE FIRST ODD NUMBERED YEAR THAT BEGINS AT
19 LEAST 9 MONTHS AFTER THE DATE ON WHICH THE NUMBER OF JUDGES IN
20 THE FIFTIETH JUDICIAL DISTRICT IS REDUCED FROM 4 TO 3 AS PROVIDED
21 IN SUBSECTION (8).

22 (d) The fourth division consists of the cities of Troy and
23 Clawson and has 3 judges.