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SFA**BILL ANALYSIS**

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House Bill 4078 (Substitute H-2 as passed by the House)
Sponsor: Representative Scott Hummel
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 4-29-03

CONTENT

The bill would amend the Revised Judicature Act to change requirements pertaining to the locations where a district court must sit in a district of the first class. (A district of the first class consists of one or more counties in which each county comprising the district is responsible for maintaining, financing, and operating the district court within its respective county.)

Currently, in districts of the first class, the court must sit at each county seat and at each city having a population of 3,250 or more, except the court is not required to sit at any city that is contiguous either to the county seat or to a city having a greater population. (For purposes of court location requirements, "population" means the population according to the most recent Federal decennial census, except that the most recent census does not apply until 18 months after it is taken.)

The bill specifies instead that, in addition to sitting at each county seat, in districts of the first class consisting of one county having a population of 130,000 or more, the court would have to sit at each city having a population of 6,500 or more, except for a city that was contiguous either to the county seat or to a city having a greater population.

MCL 600.8251

BACKGROUND

Michigan has 54 judicial districts of the first class. Of those, 10 are districts that consist of one county having a population of at least 130,000.

Under current law, 24 districts of the first class are required to sit in a total of 38 cities other than county seats. Under the bill, four districts of the first class would be required to sit in a total of six cities other than county seats.

The table below shows the 24 districts in which courts are currently required to sit in cities other than the county seat, the cities other than the county seat where the court must sit under current law, and the cities other than the county seat where the court would have to sit under the bill.

Judicial Districts of the First Class

District	County or Counties	<u>Current Law</u>	<u>H.B. 4078 (H-2)</u>
		Cities other than Co. Seat	Cities other than Co. Seat
2A	Lenawee	Tecumseh	None
3B	St. Joseph	Sturgis & Three Rivers	None
4	Cass	Dowagiac	None
5	Berrien	Buchanan & Niles	Niles
7	Van Buren	South Haven	None
10	Calhoun	Albion & Battle Creek	Albion & Battle Creek
53	Livingston	Brighton	Brighton
56A	Eaton	Eaton Rapids & Grand Ledge	None
57	Allegan	Otsego, Plainwell, & Wayland	None
58	Ottawa	Coopersville, Holland, Hudsonville, & Zeeland	Holland & Hudsonville
64A	Ionia	Belding & Portland	None
64B	Montcalm	Greenville	None
65A	Clinton	DeWitt	None
65B	Gratiot	Alma	None
66	Shiawassee	Durand & Owosso	None
70	Saginaw	Frankenmuth	None
71A	Lapeer	Imlay City	None
72	St. Clair	Algonac, Marine City, & St. Clair	None
74	Bay	Essexville	None
78	Newaygo & Oceana	Fremont	None
90	Emmet & Charlevoix	Boyne City	None
94	Delta	Gladstone	None
96	Marquette	Ishpeming & Negaunee	None
98	Ontonagon & Gogebic	Ironwood	None

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State government, and an indeterminate fiscal impact on local governments. Under the bill, certain counties, which are the funding units for district courts, potentially could achieve savings by eliminating the costs of maintaining court space in multiple cities. However, as many of these counties have not been holding court in additional cities as currently required, the potential impact would be reduced. Savings also would be reduced if any courts currently sitting in multiple cities continued to do so despite the elimination of the requirement.

Fiscal Analyst: Bethany Wicksall

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.