

SUBSTITUTE FOR
HOUSE BILL NO. 4078

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8251 (MCL 600.8251), as amended by 1994 PA
5.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8251. (1) In districts of the first class, the court
2 shall sit at each county seat. ~~and~~ **In districts of the first**
3 **class consisting of 1 county having a population of 130,000 or**
4 **more, the court shall also sit** at each city having a population
5 of ~~3,250~~ **6,500** or more, except the court ~~shall~~ **is** not ~~be~~
6 required to sit at any city ~~if it~~ **that** is contiguous to the
7 county seat or **is** contiguous to a city having a greater
8 population. The court shall also sit at other places as the
9 judges of the district determine. The court shall sit not less
10 than once each week in each county of a multicounty district.

1 (2) In districts of the second class, the court shall sit at
2 any county seat within the district, and at each city and
3 incorporated village within the district having a population of
4 3,250 or more, except that if 2 or more cities or incorporated
5 villages are contiguous the court need sit only in the city
6 having the greater population. The court ~~shall~~ **is** not ~~be~~
7 required to sit in any political subdivision if the governing
8 body of that subdivision by resolution and the court agree that
9 the court shall not sit in the political subdivision. If the
10 district does not contain a county seat and does not contain any
11 city or incorporated village having a population of 3,250 or
12 more, the court shall sit at a place or places within the
13 district as the judges of the district determine. In addition to
14 the place or places where the court is required to sit, the court
15 may upon agreement of a majority of the judges of the district
16 and upon approval by resolution of the board of commissioners
17 also sit at the county seat of its district control unit situated
18 outside the district, but the court shall sit not less than once
19 each week within the district. If the district does not contain
20 any city, ~~then~~ the foregoing provisions of this subsection do
21 not apply to the district, and the court shall sit at the county
22 seat of its district control unit situated outside the district.
23 In addition to the place or places where the court is required to
24 sit pursuant to the provisions of this subsection, the court may
25 sit at a place or places within the district as the judges of the
26 district determine. If the court sits at a county seat situated
27 outside the district pursuant to this subsection, it ~~shall~~

1 ~~exercise~~ **has** the same powers, jurisdiction, and venue as if
2 sitting within the district.

3 (3) In districts of the third class, the court shall sit at
4 each city having a population of 3,250 or more and within each
5 township having a population of 12,000 or more and at other
6 places as the judges of the district determine. The court
7 ~~shall~~ **is** not ~~be~~ required to sit in any political subdivision
8 if the governing body of that subdivision by resolution and the
9 court agree that the court shall not sit in the political
10 subdivision.

11 (4) Each judge of the district shall sit at places within the
12 district as the presiding judge designates.

13 (5) A district judge or district court magistrate may sit at
14 a place outside the district under a multiple district plan
15 pursuant to section 8320.

16 (6) As used in this section, "population" means population
17 according to the most recent federal decennial census, except
18 that the most recent census shall not apply until the expiration
19 of 18 months from the date on which the census is taken.