

MISCELLANEOUS RESOLUTION # 09199

BY: Commissioner Jeff Potter, District #8

**IN RE: BOARD OF COMMISSIONERS – SUPPORT LEGISLATION TO
TEMPORARILY REDUCE NUMBER OF CIRCUIT COURT JUDGESHIPS**

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS the County of Oakland is facing severe budget challenges due to a sharp decline in the taxable valuation of property and reduced federal and state revenue distributions; and

WHEREAS in response to declining revenues, the elected officials and departments in Oakland County have been asked to reduce expenditures to eliminate projected budget shortfalls; and

WHEREAS the Circuit Court will have an open judgeship on January 1, 2011 due to Constitutional limitation; and

WHEREAS the Circuit Court has requested legislation (legislative bill request 04430'09) to temporarily reduce the number of circuit court judgeships from 19 to 18 for the period January 1, 2011 to January 1, 2015 for the purpose of reducing county expenditures to help alleviate budget shortfalls which are currently projected for the next few years; and

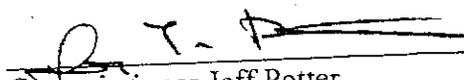
WHEREAS it is estimated that Oakland County will save nearly \$1.8 million over the four-year period during which the number of judgeships is reduced from 19 to 18; and

WHEREAS legislative bill request 04430'09 would reinstate the number of circuit court judgeships to 19 on January 1, 2015.

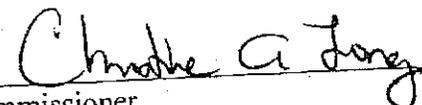
NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners supports legislative bill request 04430'09 to temporarily reduce the number of circuit court judgeships in the Sixth Judicial Circuit Court in Oakland County from 19 to 18 for the period January 1, 2011 to January 1, 2015.

BE IT FURTHER RESOLVED that the copies of this Resolution be sent to Oakland County's legislative delegation, the House and Senate Judiciary Committees, the Speaker of the House, the Senate Majority Leader, the State Court Administrative Office and the Oakland County lobbyists.

Chairperson, we move the adoption of the foregoing resolution.



Commissioner Jeff Potter
District #8



Commissioner
District #7

Chairperson, we move the adoption of the foregoing Resolution.

Tim Capelle
Commissioner
District #

Michael Douglas
Commissioner
District # 3

Robt M. Jones
Commissioner
District # 13

Bill Bullard
Commissioner
District # 2

Shelley Leeds
Commissioner
District # 16

Ken Wright
Commissioner
District # 6

Jim Cross
Commissioner
District # 15

Nelaine Zach
Commissioner
District # 22

Al H. [unclear]
Commissioner
District # 14

[unclear]
Commissioner
District # 18

Commissioner
District #

Commissioner
District #

[unclear]
Commissioner
District #

Thomas F. [unclear]
Commissioner
District #

[unclear]
Commissioner
District # 5

Maria Gerten
Commissioner
District # 17

Gary R. McEllig
Commissioner
District # 24

[unclear]
Commissioner
District # 21

Troby Grenell
Commissioner
District # 11

Dud Coulter
Commissioner
District # 25

[unclear]
Commissioner
District # 23

Mattie Hatchell
Commissioner
District # 10

Commissioner
District #

Commissioner
District #

Resolution #09199

September 2, 2009

Moved by Potter supported by Middleton to suspend the rules and vote on MISCELLANEOUS RESOLUTION #09199 - BOARD OF COMMISSIONERS - SUPPORT LEGISLATION TO TEMPORARILY REDUCE NUMBER OF CIRCUIT COURT JUDGESHIPS.

Vote on motion to suspend the rules:

AYES: Gosselin, Greimel, Hatchett, Jackson, Jacobsen, Long, McGillivray, Middleton, Nash, Potter, Potts, Runestad, Schwartz, Scott, Taub, Woodward, Zack, Bullard, Capello, Coleman, Coulter, Douglas, Gershenson, Gingell. (24)

NAYS: Burns. (1)

A sufficient majority having voted in favor, the motion to suspend the rules and vote on MISCELLANEOUS RESOLUTION #09199 - BOARD OF COMMISSIONERS - SUPPORT LEGISLATION TO TEMPORARILY REDUCE NUMBER OF CIRCUIT COURT JUDGESHIPS carried.

Moved by Potter supported by Middleton the resolution be adopted.

AYES: Greimel, Hatchett, Jackson, Jacobsen, Long, McGillivray, Middleton, Nash, Potter, Potts, Runestad, Schwartz, Scott, Taub, Woodward, Zack, Bullard, Burns, Capello, Coleman, Coulter, Douglas, Gershenson, Gingell, Gosselin. (25)

NAYS: None. (0)

A sufficient majority having voted in favor, the resolution was adopted.

Approved -
L. Bushnell
9/11/09

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, Ruth Johnson, Clerk of the County of Oakland, do hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Oakland County Board of Commissioners on September 2, 2009, with the original record thereof now remaining in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the County of Oakland at Pontiac, Michigan this 2nd day of September, 2009.

Ruth Johnson

Ruth Johnson, County Clerk

EDITORIAL

Judges show great fiscal responsibility

The Oakland County circuit judges are displaying a form of team work and fiscal commitment that should be duplicated in other county departments.

The judges want to leave one of their colleagues' seats temporarily empty after he retires, as a way to save money.

Oakland Circuit Judge John McDonald is not able to run for re-election after his term expires at noon on Jan. 1, 2011. The state constitution prohibits people from being elected or appointed to state judicial offices once they turn 70. We've already said we believe this regulation should be changed, but that was another editorial.

Because the county and circuit court budgets are so tight, the circuit judges voted to temporarily delay filling McDonald's seat, a change that requires legislative approval.

State law says Oakland County is to have 19 circuit judges. The judges are hoping to get the law changed to say that the county will have 19 judges except in specific years, when there will be 18.

It's estimated the county would save more than \$400,000 annually in judicial support staff and operating costs.

This is not a small act of fiscal restraint. It means an increase in the load on the other judges. The vacancy would add an estimated 80 to 90 new cases annually to the dockets of each of the 14 circuit judges in the Civil/ Criminal Division. The increase would not be spread among the circuit judges in the Family Division.

However, the judges say leaving the position temporarily open may prevent further cuts in the circuit court budget. Judges have trimmed more than \$4 million from its budget for the next three years, on top of the nearly \$6 million in previous cuts that began in 2003.

All county departments are facing tight budgets. Declining property values and tax revenues have meant financial belt-tightening throughout Oakland County. Elected officials and department heads were given budget tasks — set dollar amounts by which they had to reduce their dependency on the county general fund — for the next three fiscal years.

As Oakland Circuit Court Administrator Kevin Oeffner says, "We've been told that we're going to have additional budget cuts for 2011. The thought is perhaps we could simply forgo filling his seat, but not lose it. The judges are certainly not interested in losing that judgeship."

And the judges don't have to take on extra work, they're volunteering to.

Oakland Circuit Chief Judge Wendy Potts has said key state legislators have expressed support. We would hope so, because if allowed, the state would also see some savings.

It hasn't been decided how long McDonald's seat would remain empty, but it would likely be a period of two to four years. Judicial terms last six years. In addition, according to a report expected to be released later this year by the State Court Administrative Office, the court is already understaffed, and could use two more circuit judges. So the judges' offer is quite impressive. We commend the judges for their conscientiousness, their work ethic and their out-of-the-box thinking.