



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 416 (as introduced 6-8-11)
Sponsor: Senator Bruce Caswell
Committee: Appropriations

Date Completed: 6-28-11

CONTENT

Article XI of Public Act 63 of 2011 makes FY 2011-12 appropriations for the Judiciary. The budget is premised on the elimination of six trial court judgeships and two judgeships on the Michigan Court of Appeals. Senate Bill 416 would initiate this process by amending the Revised Judicative Act to eliminate the following judgeships, all of which have recently become vacant:

- 1 circuit court judgeship in the 3rd Judicial Circuit (Wayne County).
- 1 district court judgeship in the 26th Judicial District (River Rouge and Ecorse).
- 1 district court judgeship in the 85th Judicial District (Manistee and Benzie Counties).

The State Court Administrative Office (SCAO) distinguished these judgeships based on two principal considerations. First, the SCAO identified judicial districts and circuits that had vacancies or pending vacancies. Second, the SCAO conducted judicial vacancy reviews to assess caseload trends in those districts. The elimination of a judgeship can be recommended if and when a judicial vacancy review determines that a vacant judgeship is surplus to the needs of a given district.

The bill also would split the existing 85th Judicial District into two distinct districts: the 85th-A and 85th-B. The 85th-A district would consist of Manistee County, while the 85th-B district would consist of Benzie County. In the 85th-A and 85th-B districts, the existing probate judges would take on the powers and duties of district court judges within their respective counties.

MCL 600.504 et al.

FISCAL IMPACT

Article XI of Public Act 63 of 2011 anticipated that full-year savings associated with the elimination of six trial court judgeships would be \$942,100. Because Senate Bill 416 would eliminate three judgeships, full-year savings associated with passage of the bill would be approximately one-half of that amount - about \$470,000.

Fiscal Analyst: Matt Grabowski

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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.