

HOUSE BILL No. 5094

October 18, 2011, Introduced by Rep. Oakes and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8152, 8153, and 8154 (MCL 600.8152, 600.8153, and 600.8154), section 8152 as amended by 2008 PA 137.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8152. ~~(1) Except as provided in subsections (2) and (3),~~
2 ~~the eighty seventh district consists of the counties of Crawford,~~
3 ~~Kalkaska, and Otsego, is a district of the first class, and has 1~~
4 ~~judge.~~

5 ~~—— (2) If the condition in subsection (3) is met, all of the~~
6 ~~following apply effective January 2, 2009.~~

7 (1) ~~(a)~~ ~~The eighty seventh~~ **EIGHTY-SEVENTH-A** district consists
8 of the county of Otsego, is a district of the first class, and has

9 **THE FOLLOWING NUMBER OF JUDGES:**

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1 (A) UNTIL THE DATE DETERMINED UNDER SUBDIVISION (B), THIS
 2 DISTRICT HAS 1 judge. ~~, and shall be redesignated as the eighty-~~
 3 ~~seventh A district.~~

4 (B) BEGINNING ON THE DATE ON WHICH A VACANCY OCCURS IN THE
 5 OFFICE OF DISTRICT JUDGE IN THE EIGHTY-SEVENTH-A DISTRICT OR THE
 6 BEGINNING DATE OF THE TERM FOR WHICH THE INCUMBENT DISTRICT JUDGE
 7 IN THE EIGHTY-SEVENTH-A DISTRICT NO LONGER SEEKS ELECTION OR
 8 REELECTION TO THAT OFFICE, WHICHEVER IS EARLIER, THE EIGHTY-
 9 SEVENTH-A DISTRICT CONSISTS OF THE COUNTY OF OTSEGO AND IS A
 10 DISTRICT OF THE FIRST CLASS. UNDER SECTION 810A, THE PROBATE JUDGE
 11 FOR THE COUNTY OF OTSEGO SHALL SERVE AS JUDGE OF THE [EIGHTY-SEVENTH-A]
 12 DISTRICT.

13 (2) ~~(b)~~The eighty-seventh-B district consists of the county
 14 of Kalkaska and is a district of the first class. ~~Pursuant to~~ UNDER
 15 section 810a, the Kalkaska county probate judge shall serve as
 16 judge of the eighty-seventh-B district.

17 (3) ~~(e)~~The eighty-seventh-C district consists of the county
 18 of Crawford and is a district of the first class. ~~Pursuant to~~ UNDER
 19 section 810a, the Crawford county probate judge shall serve as
 20 judge of the eighty-seventh-C district.

21 ~~——(3) Subsection (2) does not take effect unless the county of~~
 22 ~~Otsego by resolution adopted by the governing body of the district~~
 23 ~~funding unit approves the reformation of the eighty seventh~~
 24 ~~district and its redesignation as the eighty seventh A district and~~
 25 ~~files a copy of the resolution with the state court administrator.~~

26 Sec. 8153. [The (1) UNTIL THE DATE DETERMINED UNDER SUBSECTION
 (2), THE] eighty-eighth district consists of the counties
 27 of Alpena and Montmorency, is a district of the first class, and

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1 has 1 judge. [(2)] BEGINNING ON THE DATE ON WHICH A VACANCY OCCURS IN
 THE
 2 OFFICE OF DISTRICT JUDGE IN THE EIGHTY-EIGHTH DISTRICT OR THE
 3 BEGINNING DATE OF THE TERM FOR WHICH THE INCUMBENT DISTRICT JUDGE
 4 IN THE EIGHTY-EIGHTH DISTRICT NO LONGER SEEKS ELECTION OR
 5 REELECTION TO THAT OFFICE, WHICHEVER IS EARLIER, THE EIGHTY-EIGHTH
 6 DISTRICT CONSISTS OF THE COUNTIES OF ALPENA AND MONTMORENCY AND IS
 7 A DISTRICT OF THE FIRST CLASS. UNDER SECTION 810A, THE PROBATE
 8 JUDGE FOR THE COUNTY OF ALPENA SHALL SERVE AS JUDGE OF THE EIGHTY-
 9 EIGHTH DISTRICT WITHIN THE COUNTY OF ALPENA, AND THE PROBATE JUDGE
 10 FOR THE COUNTY OF MONTMORENCY SHALL SERVE AS JUDGE OF THE EIGHTY-
 11 EIGHTH DISTRICT WITHIN THE COUNTY OF MONTMORENCY.

12 Sec. 8154. (1) The—[UNTIL THE DATE DETERMINED UNDER] SUBSECTION
 (2), THE
 13 eighty-ninth district consists of the counties of Cheboygan and
 14 Presque Isle, is a district of the first class, and has 1 judge.

15 (2) BEGINNING ON THE DATE ON WHICH A VACANCY OCCURS IN THE
 16 OFFICE OF DISTRICT JUDGE IN THE EIGHTY-NINTH DISTRICT OR THE
 17 BEGINNING DATE OF THE TERM FOR WHICH THE INCUMBENT DISTRICT JUDGE
 18 IN THE EIGHTY-NINTH DISTRICT NO LONGER SEEKS ELECTION OR REELECTION
 19 TO THAT OFFICE, WHICHEVER IS EARLIER, THE EIGHTY-NINTH DISTRICT
 20 CONSISTS OF THE COUNTIES OF CHEBOYGAN AND PRESQUE ISLE AND IS A
 21 DISTRICT OF THE FIRST CLASS. UNDER SECTION 810A, THE PROBATE JUDGE
 22 FOR THE COUNTY OF CHEBOYGAN SHALL SERVE AS JUDGE OF THE EIGHTY-
 23 NINTH DISTRICT WITHIN THE COUNTY OF CHEBOYGAN AND THE PROBATE JUDGE
 24 FOR THE COUNTY OF PRESQUE ISLE SHALL SERVE AS JUDGE OF THE EIGHTY-
 25 NINTH DISTRICT WITHIN THE COUNTY OF PRESQUE ISLE.